

REGULAR COUNCIL MEETING AGENDA
September 23, 2019 – 2:00 PM
COUNCIL CHAMBERS

0.0 PUBLIC HEARING

1.0 CALL TO ORDER

1.1 Conflict of Interest Declaration: Pecuniary and Non-pecuniary

2.0 ADDITIONS TO/ADOPTION OF THE AGENDA

3.0 ADOPTION OF THE MINUTES

3.1 Special Council Meeting Minutes – September 5, 2019

3.2 Regular Council Meeting Minutes – September 9, 2019

4.0 BUSINESS ARISING FROM THE MINUTES

4.1 Pool Situation Public Participation Plan – S. Croil

5.0 DELEGATION

6.0 BYLAWS

6.1 Re-zoning LUB 767-P-09-19 (1st Reading) – C. L'Hirondelle

6.2 LUB Amendments – 768-P-09-19 & 769-R-09-19 – S. Croil

6.3 Re-zoning – 770-P-09-19 – S. Croil

7.0 NEW BUSINESS

7.1 ATCO 2020 Franchise Fees – K. Beauchamp

7.2 Youth Engagement Working Group – J. Radford

8.0 DEPARTMENTAL REPORTS

9.0 COUNCIL REPORTS

9.1 Round Table Discussion

10.0 CORRESPONDANCE

10.1 Correspondence received regarding Homecoming Celebration

10.2 CP Rail – Rail Safety Week September 23 – 29, 2019

11.0 INFORMATION ITEMS

11.1 C. Craig - Sunny South Lodge Crosswalk Concern

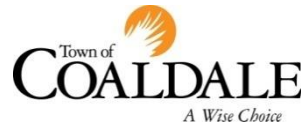
12.0 CLOSED MEETING

12.1 Tax Penalty Waiver Request – K. Beauchamp (FOIPP Sections 17, 23 and 24)

12.2 Cemetery – J. MacPherson (FOIPP Sections 23, 24, 25 and 27)

12.3 Acting CAO Report – S. Croil (FOIPP Sections 16, 17, 23 and 24)

13.0 ADJOURNMENT



**SPECIAL COUNCIL MEETING MINUTES
SEPTEMBER 5, 2019 – 5:00 P.M.
COUNCIL CHAMBERS**

PRESENT:

Mayor	K. Craig
Councillors	B. Simpson, D. Lloyd, B. Chapman, R. Hohm, J. Abrey
Absent	B. Pauls
Administration/Staff	K. Hastings
Recording Secretary	K. Hastings
Media	
Delegates	

ITEM 224 1.0 CALL TO ORDER

- Mayor Craig called the meeting to order at 5:00 p.m.

ITEM 225 1.1 CONFLICT OF INTEREST DECLARATION

- Mayor Craig inquired as to whether there were any pecuniary or non-pecuniary conflicts of interest to be declared at the meeting. None declared.

ITEM 226 2.0 ADDITIONS TO/ADOPTION OF THE AGENDA

MOTION 248.19 *Councillor Simpson moved that Council accept the September 5, 2019 Agenda as circulated.*

6-0 Carried

ITEM 227 12.0 CLOSED MEETING

MOTION 249.19 *Councillor Simpson moved that Council go into closed meeting at 5:03 p.m.*

6-0 Carried

In addition to Council and the CAO, the following persons were in attendance during the closed meeting session to provide information and/or administrative support: None

MOTION 250.19 *Councillor Lloyd moved that Council come out of closed meeting at 7:54 p.m.*

6-0 Carried

**ITEM 228 12.1 COLLECTIVE AGREEMENT REVIEW – K. HASTINGS
(FOIPP SECTIONS 23, 24 AND 27)**

MOTION 251.19 *Councillor Hohm moved that Council receive the Collective Agreement as information.*

6-0 Carried

**ITEM 229 12.2 CIVIC SQUARE – REQUEST FOR EXPRESSION OF INTEREST PACKAGE
K. HASTINGS (FOIPP SECTIONS 23, 24, 25 AND 27)**

MOTION 252.19 *Councillor Abrey moved that Council receive for information.*

6-0 Carried

ITEM 230 12.3 CAO REPORT – K. HASTINGS (FOIPP SECTIONS 16, 17, 23 AND 24)

MOTION 253.19 *Councillor Chapman moved that Council receive the CAO report as information*

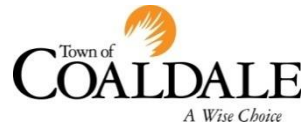
6-0 Carried

MOTION 254.19 *Councillor Lloyd moved that Council adjourn at 7:55 p.m.*

6-0 Carried

Kim Craig, MAYOR

Kalen Hastings, CAO



**REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 9, 2019 – 2:00 P.M.
COUNCIL CHAMBERS**

PRESENT:

Mayor	K. Craig
Councillors	D. Lloyd, J. Abrey, B. Chapman, R. Hohm, B. Pauls, B. Simpson
Administration/Staff	K. Hastings, C. Mills, K. Beauchamp, S. Croil, J. Radford
Recording Secretary	L. Unger
Delegates	None

ITEM 231 1.0 CALL TO ORDER

- Mayor Craig called the meeting to order at 2:00 pm.

ITEM 232 1.1 CONFLICT OF INTEREST DECLARATION

- Mayor Craig inquired as to whether there were any pecuniary or non-pecuniary conflicts of interest to be declared at the meeting. None declared.

ITEM 233 2.0 ADDITIONS TO/ADOPTION OF THE AGENDA

MOTION 255.19 *Councillor Lloyd moved that Council accept the September 9, 2019 Agenda as circulated.*
7-0 Carried

ITEM 234 3.1 REGULAR COUNCIL MEETING MINUTES – JULY 8, 2019

MOTION 256.19 *Councillor Chapman moved that Council accept the July 8, 2019; Regular Council Meeting Minutes as amended.*
7-0 Carried

ITEM 235 3.2 SPECIAL COUNCIL MEETING MINUTES – JULY 18, 2019

MOTION 257.19 *Councillor Chapman moved that Council accept the July 18, 2019, Special Council Meeting Minutes as presented.*
7-0 Carried

ITEM 236 3.3 SPECIAL COUNCIL MEETING MINUTES – JULY 29, 2019

MOTION 258.19 *Councillor Chapman moved that Council accept the July 29, 2019, Special Council Meeting Minutes as presented.*
7-0 Carried

ITEM 237 4.1 POOL DEBRIEF – C. MILLS

MOTION 259.19 *Councillor Hohm moved that Council receive the Pool Debrief report as information, and FURTHER direct administration to move forward with a public engagement strategy to get opinions back from citizens before a final decision is made.*
7-0 Carried

ITEM 238 4.2 PUBLIC ENGAGEMENT UPDATE – S. CROIL

MOTION 260.19 *Councillor Chapman moved that Council receive the Public Engagement Update as information.*
7-0 Carried

**ITEM 239 6.1 LAND USE RE-DESIGNATION – BYLAW 766-P-09-19 (1ST READING)
– S. CROIL**

MOTION 261.19 *Councillor Simpson moved that Council give FIRST reading of Land Use Re-designation Bylaw 766-P-09-19, FURTHER that Council establishes a public hearing date, in accordance with its obligations under section 606 of the Municipal Government Act (2000), for the October 7, 2019, Regular Council Meeting.*
7-0 Carried

ITEM 240 7.1 GEM OF THE WEST MUSEUM SOCIETY – TABLE PURCHASE – L. UNGER

MOTION 262.19 *Councillor Lloyd moved that Council purchase a table to the Gem of the West Museum Society Wine & Cheese Auction at a cost of \$175 for a table of 8.*
7-0 Carried

ITEM 241 8.1 CENSUS DEBRIEF – L. UNGER

MOTION 263.19 *Councillor Simpson moved that Council receive the census debrief report as information.*
7-0 Carried

ITEM 242 8.2 FINANCIAL UPDATE – JULY 31, 2019 – K. BEAUCHAMP

MOTION 264.19 *Councillor Lloyd moved that Council receive the financial update report as information.*

7-0 Carried

ITEM 243 8.3 CHANGE OF DATE – COUNCIL MEETING OCTOBER 15 CHANGED TO OCTOBER 7, 2019 – L. UNGER

MOTION 265.19 *Councillor Hohm moved that Council receive the change of date report as information.*

7-0 Carried

ITEM 244 8.4 AUGUST 2019 DEVELOPMENT STATISTICS – C. L'HIRONDELLE

MOTION 266.19 *Councillor Simpson moved that Council receive the August 2019 Development Statistics as information.*

7-0 Carried

ITEM 245 10.1 CORRESPONDENCE TO BIRDS OF PREY IN RESPONSE TO WEST NILE INVESTIGATION.

- CAO Hastings noted that they are awaiting potential meeting dates from the Birds of Prey for a follow-up Board to Council meeting.

MOTION 267.19 *Councillor Pauls moved that Council receive the correspondence as information.*

7-0 Carried

ITEM 246 11.1 MUNICIPAL AFFAIRS – MUNICIPAL CANNABIS TRANSITION PROGRAM

11.2 MUNICIPAL AFFAIRS – APPROVED MSI FUNDING

11.3 RCMP CRIME STATISTICS 2016 – 2019

11.4 COALDALE PUBLIC LIBRARY – SEPTEMBER & OCTOBER 2019 NEWSLETTER

11.5 AUPE COLLECTIVE AGREEMENT

MOTION 268.19 *Councillor Abrey moved that Council receive items 11.1 TO 11.5 as information.*

7-0 Carried

ITEM 247 12.0 CLOSED MEETING

MOTION 269.19 *Councillor Simpson moved that Council go into closed meeting at 2:49 p.m.*

7-0 Carried

In addition to Council and the CAO, the following persons were in attendance during the closed meeting session to provide information and/or administrative support: J. Radford, S. Croil, K. Beauchamp.

Note: J. Radford exited Council Chambers at 3:00 p.m. and S. Croil exited at 4:00 p.m.

MOTION 270.19 *Councillor Pauls moved that Council come out of closed meeting at 4:17 p.m.*

ITEM 248 12.1 ICF UPDATE – K. HASTINGS (FOIPP SECTIONS 21, 23 AND 25)

MOTION 271.19 *Councillor Chapman moved that Council receive the ICF update as information.*

7-0 Carried

**ITEM 249 12.2 WASTE COLLECTION CONTRACT – K. HASTINGS
(FOIPP SECTIONS 23, 24, 25 AND 27)**

MOTION 272.19 *Councillor Hohm moved that Council direct the Mayor and administration to enter into a waste collection contract with GFL Inc. following an RFP process that was completed. FURTHER that Council direct administration to return with a revised program for handling excess waste streams.*

7-0 Carried

**ITEM 250 12.3 COMMUNITY SAFETY COMMITTEE – TERMS OF REFERENCE
– K. HASTINGS (FOIPP SECTIONS 17, 23, 24 AND 29)**

MOTION 273.19 *Councillor Simpson moved that Council authorize the Mayor and appointed Council representatives to meet with the Community Safety Committee to update them on the vision and future of the committee going forward.*

7-0 Carried

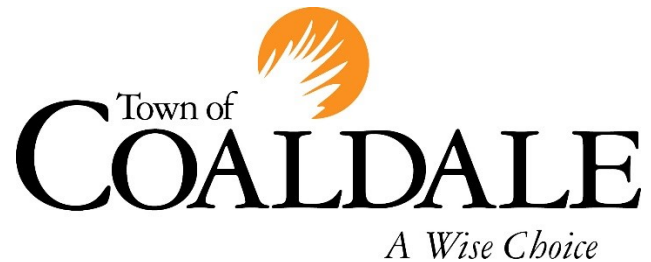
ITEM 251 12.4 CAO REPORT – K. HASTINGS (FOIPP SECTIONS 16, 17, 23 AND 24)

MOTION 274.19 *Councillor Lloyd moved to receive the CAO report as information.
7-0 Carried*

MOTION 268.19 *Councillor Pauls moved that Council adjourn at 4:24 p.m.
7-0 Carried*

Kim Craig, MAYOR

Kalen Hastings, CAO



PUBLIC PARTICIPATION PLAN

Coaldale Pool

Submitted to Council for information purposes Sept. 23.

Development and execution of this plan was approved by motion xx.xx. of Council at the Regular Council Meeting of Sept. 9, 2019.

Prepared by:

Spencer Croil, RPP MCIP

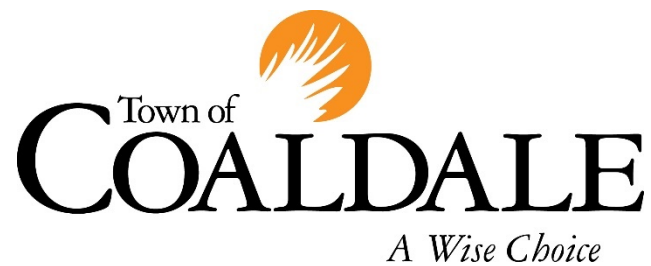
Director of Planning and Community Development

Josh Radford

Assistant Municipal Planner

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INTRODUCTION AND OVERARCHING FRAMEWORK

Background:

Following a critical equipment failure at the Coaldale pool on July 13th, 2019, Town Council voted in favour of not re-opening the Coaldale Pool this season at the July 18th Special Council Meeting. As a short-term solution, a shuttle service that provided access to the Village of Stirling's pool was introduced for Coaldale residents, which ran from July 29th, 2019 to August 30th, 2019. As a directive by Council, staff has prepared a high-level guideline that encapsulates the various long-term options as it relates to the pool situation looking forward. These options are ready to be brought forth to the community for public consultation, brainstorming, and discussion.

Engagement Update:

As a result of the sudden nature of the pool closure, public engagement has yet to be conducted at this time. However, as indicated by Council on the September 9th, 2019 Regular Council Meeting, a shift in priorities as it relates to pool engagement can be undertaken in order to provide public engagement opportunities as early as the first week of October.

The intent of this Public Participation Plan is to provide additional detail regarding the planning of the engagement activities, and to ensure context-appropriate tools and techniques are implemented throughout the project.

To achieve this, the International Association for Public Participation (IAP2) five steps for public participation planning have been used:

1. Gain internal commitment

Action required?

Yes: Town Council to review/approve the Public Participation Plan

2. Learn from the public (identify stakeholders)

Action required?

No: As this is a community-wide issue, the assumption is that each member of the community will be affected by the pool decision. As such, a comprehensive list of stakeholders has been prepared below to represent this understanding.

3. Select the level of participation

Action required?

No: The involvement levels have been set at the Involve level. For a project of this nature, involvement less than involve/collaborate may start to dilute the outcomes.

4. Define the decision process and identify the public participation objectives

Action required?

Yes: Once the previous 3 steps have been completed, the general framework for engagement will need to be refined, however the framework accurately captures the need to engage throughout the project.

5. Design the public participation plan

Action required?

TBD: If there are any changes desired by Council subsequent to a review of this participation plan, changes will need to be made prior to initiating the plan.

PROJECT BACKGROUND

DESCRIPTION OF THE OVERALL PROJECT OR INITIATIVE:	Working towards a resolution for the out-of-service Coaldale Pool, considering the different levels of value the community desires with respect to capital investment.
THE DECISION BEING MADE IS:	What type of pool facility the Town should pursue with respect to differing levels of amenities and overall cost of the project.
DECISION MAKERS	Town Council
THE SCOPE (IMPACT, AND COMPLEXITY) OF THIS DECISION IS:	High impact, high complexity
THE TIMELINE FOR THIS DECISION IS:	October 2019 – November 2019 for wrapping up engagement and having a decision made by Council.
THE PUBLIC IS BEING INVOLVED IN BECAUSE:	The type of pool facility selected should be guided by and reflect the desires of the community and the taxpayers.
LEVEL OF INVOLVEMENT:	Involve

THE SPECIFIC INFORMATION BEING SOUGHT IS:	What type of facility does the community desire? Indoor/Outdoor, Recreational/Competition, Renovation of existing facility, PPP, etc.
HOW WILL INFORMATION BE USED IN THE DECISION MAKING?	Town Council will be provided a summary of all information collected, including the community's preliminary choice resulting from the engagement meetings, in order to base their decision on the collected feedback.

STAKEHOLDERS

The Project Stakeholder Register is shown on the following page and captures the individuals and/or groups that are considered stakeholders in the context of this project. Any individuals or groups that are not shown can be added as they are identified.

Town of Coaldale MDP review and rewrite – Stakeholder Register – Current to Sept. 9, 2019				
Name of Stakeholder or Group of Stakeholders	Stakeholder <i>Individual or group</i>	Project Role	Organization	Type of stakeholder <i>Internal or external to project</i>
Council	Town Council	Elected Officials and Project Sponsors	Town of Coaldale	Internal
Kalen Hastings	Town Manager	CAO	Town of Coaldale	Internal
Project Team	Town Staff	Project Team	Town of Coaldale and ORRSC	Internal
FWBA Architects	Architectural consultants	Consultant	FWBA	Internal/External
Neighbouring Municipalities	Lethbridge County, Lethbridge, Taber, Stirling, Raymond	External stakeholders & potential partnerships	N/A	External
School divisions, principals, teachers and support staff	All k-12 schools in Coaldale	External agency stakeholders	Schools (7)	External

All Coaldale residents	Coaldale community <i>Broken down below</i>	External stakeholders	All residents, businesses, and organizations in Coaldale.	External
	Commerce-focused groups	External stakeholders	Chamber of Commerce South Grow Downtown businesses	External
	Development-focused groups	External stakeholders	Local builders Local developers Building regulators	External
	Seniors	External stakeholders	Sunny South Lodge Seniors Centre All individuals of retirement age	
	Students	External stakeholders	K-12 students at all schools in Coaldale	
	Business owners	External stakeholders	Local business owners in Coaldale and surrounding area	External
	Local user groups	External Stakeholders	Pool users Fitness users	External
Potential private investors	Private investors interested in PPP	External Stakeholders	N/A	External

While this list is intended to be all-inclusive, there is always a chance a small number of stakeholder groups has been inadvertently missed. All other stakeholder groups that self-identify and ask to be included will be included in the engagement process.

OBJECTIVES, TOOLS, AND TECHNIQUES

A clear understanding of the objective, and the focus of the project should allow for the tools and techniques recommended by the International Association for Public Participation (IAP2) to result in the following:

- The most usable information is collected.
- Commitment as to how the community's feedback will be used will be clear to all stakeholders, internal and external to the project.
- The community is most likely to share what they want to be included in the new facility.
- The new facility is most likely to be successful.

1. Overarching Objectives:

To understand *what type of pool facility/solution is desired in Coaldale* by reaching out to the community.

AND

To ensure a shared understanding with the community as to what options are available to them, what the impacts are of each choice, and demonstrate a responsible use of funds from capital and operational perspective.

AND

To inform Town Council of the community's preference of pool facility to ensure the final decision is accurate and representative of the community's desires.

AND

To facilitate a mutual understanding and appreciation of the diversity of individual perspectives in the community.

2. Issue Statement:

Working with the community to find a common ground (amid diverging preferences) for Coaldale's long-term pool situation, one that satisfies the community's recreational desires while also ensuring the healthy growth of Coaldale moving forward.

3. Key Messages:

Communication Objective	Key Message
Provide information to the public to ensure they have a shared understanding of "why this conversation and why now?"	"Due to the unfortunate timing of our recent pool closure, the discussion of a new pool facility in Coaldale has become a top priority as we work towards a long-term solution moving into the new year"
Demonstrate to the community that the decision has not already been made, and that Council values the community's feedback and will take it into account when making a final decision.	"All options are on the table and will not be decided on until we have fully vetted them with the community" "Town Council will use the community's feedback to help them make an informed decision that reflects the community's overall desires for a pool in Coaldale"
Increase trust in the process by demonstrating openness and transparency.	"All relevant documents, figures, and options will be readily available and up-to-date on our website"
Ensure that the community understands their level of influence at the "Inform" level and how their input and feedback will be used during the decision-making process.	"Town Council will use the information collected from the pool engagement sessions as a basis for understanding the community's overall desires and commitment to a new pool facility in Coaldale"

Demonstrate to the community that we are not against the idea of a new pool in Coaldale, but instead we are simply concerned with them understanding the costs associated with each option available.	"We are excited for a new pool in Coaldale and we want to make sure that the decision that is made is the best for our community and our Town's future"
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4. Key Risks:

Communications Risk	Description
High impact	The impact of the final decision is far reaching and affects the larger community as a whole. The decision will have a direct impact on the recreational opportunities in Town and on the tax base.
High complexity	The amount of options available to the community may be overwhelming if not presented appropriately. The details behind each option are also highly complex.
Myths and/or misunderstanding	Members of the community may have common understandings that are strongly held but largely incorrect, or they simply do not understand and/or misinterpret the information that has been released.
Project overlap	Due to the number of other projects currently undertaken by the Town, and considering their similarities, there is a potential for overlap between projects, which may exacerbate the complexity of the project.
Timing	Stakeholders have not been adequately notified of events well in advance and/or are not available and/or have not received the information communicated leading to frustration.

Specific Risks:

Risk Level	Description of Risk
Very High	Project overlap with the pool discussions and the Joint High School/Multi-Use Rec Centre, particularly with regards to adding an indoor pool to the rec facility.
High	Misinformation about the costs associated with building X type of pool facility. X municipality created their pool for X amount of dollars, why can't we?
Moderate	Distrust of the Town's sources of information; unwillingness to receive information as presented.
Moderate	Unhappiness around the Town's recreation levy; dissatisfaction with the Town's residential and non-residential tax rates; dissatisfaction with the pool options presented from a fiscal standpoint.
Low	Uninterested in a new pool facility; unhappy that the project does not focus on other recreational needs.
Low	Under scoping the identification of stakeholders and target audiences, resulting in not reaching them throughout the engagement process.
Low	Community wishing for the decision to be left to a plebiscite or other forms of community decision-making. Unhappiness with the engagement format.
Low	Inquiries about why the community wasn't consulted sooner or why the Town didn't fix/maintain the existing pool before the critical failure.

Coaldale Pool: Public Participation Plan Framework (DRAFT)

Project Phase	Participation Goal	S.M.A.R.T Participation Objective	Key Discussion Questions	Tools/Techniques	Desired Outcomes	Event Dates
Facility options overview / brainstorming	Involve <i>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</i> <i>(as per IAP2 spectrum)</i>	1) Understand the values (what's most important to people) to be used in developing decision-making criteria 2) Understand priorities and preference related to proposed pool facility options <i>By the end of October</i> <i>With all user groups represented</i>	Which pool option appeals to the community the most? On a high-level, what amenities would the community like to see in the new facility? (Large-scale)	Community workshops <i>In the hybrid form of a deliberative forum/traditional community workshop</i> Survey (online/paper) <i>Set up in a similar fashion to the deliberative forum format.</i>	Community understanding of the different financial and operational implications of each type of pool option. Community-based feedback that recognizes the community's wants, needs, and desires. A preliminary community-based suggestion of the preferred pool option that can be provided to Council during the decision-making process.	Community workshops/deliberative forum to be scheduled for early October. Online/paper survey to be released following the workshops.
Facility design and finalization/approvals	Inform <i>To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions</i>	To communicate with the community HOW and WHY the particular decision was made and how their feedback was incorporated. <i>By the end of November</i>	What is the final decision made by Council? How/when will it be implemented?	Community engagement feedback summary and final decision to be shared via media outlets, website, direct communications.	A simple and easy to understand list of all ideas and requests that will be included, why they will be included, when they will be included, and how they will be funded.	Engagement results summary by the end of November. Pool decision by Council ideally by end of the year.

PUBLIC PARTICIPATION STRATEGIES

PUBLIC OUTREACH STRATEGY

Target Audience	Timing	Information Sharing Tool
All residents/taxpayers of Coaldale	All communications out by September 16, 2019.	Social media outlets, website, direct mail out.
Neighbouring municipalities	All communications out by September 16, 2019.	Direct correspondence via e-mail or phone call.

RESOURCE MANAGEMENT STRATEGY

Staff/Contractors	Spencer Croil, Cameron Mills, Kyle Beauchamp, Josh Radford, FWBA (possible) and other project staff as noted in stakeholders table.
Technical information and materials	Individual, detailed pool options for each solution in a readable, easy to understand infographic format. Detailed report on Town budget, residential/non-residential tax rates, and all relevant financial details.
Communication	Internal project stakeholders will ensure effective communication by way of Project Management tools i.e. change logs, weekly updates, and scope and schedule management software. External stakeholders will be notified via public outreach strategy above.
Participant Expenses	None for external stakeholders. All internal stakeholder expenses are included in the project budget.

EVALUATION STRATEGY

What are the indicators of success for the public involvement process?	1. All participants agree that they have been provided fair and ample opportunity to share their questions, ideas and concerns, and agree that their feedback was collected and considered in the project process. 2. Participants have increased understanding and are more aware about the complexity of issues, values, perspectives and facts related to each pool option. 3. Participants are satisfied that the project goals and objectives and the role of stakeholders in the process have been clearly defined and understood. 4. Participants are satisfied that the process allowed for a values-based discussion and weighing of values, needs and interests. 5. That the engagement process was transparent and accountable, and allowed for easy access to information and material by interested participants. 6. Participants believe that their input is valued and will be considered by decision-makers. 7. Participant input is considered and/or used by decision-makers in recommendations, decisions and implementation. 8. Town Council has adequate input from stakeholders to make stronger, better and more sustainable decisions.
What will we measure or evaluate about the public involvement process?	Through the use of qualitative questions that are posed in survey format at the end of each participation opportunity, a sense of whether stakeholders feel the process has been successful.
When and how?	As noted above, after each participation opportunity.
What will we do with the results of the evaluation?	The results of the evaluation will be presented to Council in the engagement summary that is prepared.

PROJECT MANAGER

Management of this project is the responsibility of the Planning and Community Development department.



STAFF REPORT
SEPTEMBER 23, 2019 – REGULAR COUNCIL MEETING

PROPOSED LANDUSE RE-DESIGNATION – BYLAW #767-P-09-19
AMENDMENT TO THE LAND USE BYLAW 677-P-04-13

PURPOSE:

To review proposed Bylaw #767-P-09-19 to redesignate a parcel presently designated as “Residential R-1A” to “Residential Small Lot – R-1B” to allow for the lands in question to be redesignated to a residential zoning that would accommodate the subdivision of the parcel in question and eventual development of a single detached dwelling on the subdivided lot.

BACKGROUND:

Legal Description:	Plan 9410225, Block 3, Lot 20
Current Zoning:	Residential R-1A
Proposed Zoning:	Residential Small Lot R-1B
Proposed Development should the re-zoning be approved:	A new single detached dwelling
Surrounding Area:	Mixed residential (single detached and multi-unit dwellings). Land use zonings in the immediate area include: - Residential R-1A - Residential R-1B

The applicants have indicated that if this rezoning bylaw is approved, they would proceed to subdivision and if subdivision is approved the intention would be to build a new single detached dwelling on the newly subdivided westerly lot.

Regardless of the outcome of the proposed rezoning, the applicants are still able to apply for subdivision of the subject parcel. However, the applicants have chosen to apply for rezoning because the R-1B land use district more closely aligns with the applicants’ plans for the subject parcel. Specifically, the minimum lot size and setbacks are more aligned with the R-1B district for a lot of the size the applicants wish to create through subdividing the existing lot.

Please see the illustrative map on the next page for further clarification.



Current minimum lot size (as per the current R-1A zoning)

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					

Proposed minimum lot size (as per the proposed R-1B zoning)

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	12.19	40	30.48	100	371.55	4,000
Semi-Detached Dwellings (for each side)	12.19	40	30.48	100	371.55	4,000
All other uses	As required by the Designated Officer or Municipal Planning Commission					

While the minimum lot size could not be met if the subject parcel were to be subdivided, the R-1B zoning allows for smaller lot sizes than the R-1A zoning, which in this case would result in a request for less of a waiver than if an application for subdivision were to be made under the R-1A zoning.

An example of waiver request that will need to be made under R-1A vs. R-1B zoning:

R-1A land use district		R-1B land use district	
Min. width	15.24 m	Min. width	12.19 m
Lot width	11.65 m (24.6% waiver required)	Lot width	11.65 m (4.4% waiver required)
Min. length	33.53 m	Min. length	30.48 m
Lot length	36.6 m (no waiver)	Lot length	36.6 m (no waiver)
Min. area	511.0 m ²	Min. area	371.6 m ²
Lot area	426.4 m ² (16.6% waiver required)	Lot area	426.4 m ² (no waiver)

Consideration should be given to the character of the area surrounding the subject property, and the intensification of the use of the subject property. Positive impacts include the slight increase in density in the immediate area and the corresponding increasing in the efficiencies of Town services. While impact to character is generally subjective and can be difficult to gain consensus on, design requirements such as those found in the INFILL guidelines found in Sec. 34 of Schedule 4 of the Land Use Bylaw are intended to require infill development to be designed and built in a manner that is consistent with the character of a given area of the community. The infill guidelines include a requirement for an applicant proposing infill development to develop in the context of the existing neighbourhood, with specific reference to:

- Building design
The architectural elements of the home including aspects such as roof type and slope, the type of siding and other surface materials, and so on.
- Building massing
The size and shape of the building in comparison to surrounding buildings. For instance, if the majority of other buildings are one-story and the proposed building is a two-story, it can be challenging to “fit” the additional story into the surrounding context.
- Building scale
The scale of the building is similar to massing, with additional focus on how elements of the building are sized and placed. For instance, the size and placement of windows can affect the scale of a building in comparison to surrounding development.

An excerpt of Sec. 34 of Schedule 4 is attached to this staff report for reference.

A public hearing is required before Council can consider second and third reading this Bylaw.

PUBLIC ENGAGEMENT:

The Public Hearing for this bylaw is recommended to be scheduled for the October 28, 2019 Council meeting.

Notice of the public hearing will be advertised for 2 consecutive weeks in the Sunny South Newspaper and will also be mailed to surrounding property owners.

RECOMMENDATIONS AND/OR OPTIONS:

Option #1

THAT Council move first reading of Land Use redesignation Bylaw #767-P-09-19. Further, that Council establishes a public hearing date, in accordance with its obligations under section 606 of the Municipal Government Act [2000], for the October 28, 2019 Council meeting.

Respectfully Submitted:

Cindy L'Hirondelle, C.E.T
Manager of Development & Environmental Services

ATTACHMENTS:

- Proposed Bylaw #767-P-09-19
- Residential R-1A Land Use District
- Residential R-1B Land Use District
- Schedule 34 of Schedule 4 of the LUB (Infill guidelines)

This report has been prepared in consultation with the following listed departments:

Department	Signature
Spencer Croil, Director of Planning & Community Development	

**BYLAW 767-P-09-19
TOWN OF COALDALE
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE
TO AMEND BYLAW NO. 677-P-04-13,
BEING THE MUNICIPAL LAND USE BYLAW.**

WHEREAS the Municipal Council wishes to re-designate lands within the municipality.

AND WHEREAS THE PURPOSE of proposed Bylaw 767-P-09-19 is to re-designate lands legally described as:

Lot 20, Block 3, Plan 9410225 within the NE¼ 10-9-20-W4M

from “Residential R-1A” to “Residential Small Lot R-1B” to provide for the opportunity to develop the lands in compliance with the municipal Land Use Bylaw.

AND WHEREAS the said lands are illustrated on the map in Schedule “A” attached hereto.

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

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, the Council of the Town of Coaldale, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands legally described and illustrated on the map in Schedule “A” attached hereto shall be re-designated from “Residential R-1A” to “Residential Small Lot R-1B”
2. Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

READ a FIRST time this _____ day of _____, 2019.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion #: _____

READ a SECOND time this _____ day of _____, 2019

Mayor – Kim Craig

CAO – Kalen Hastings

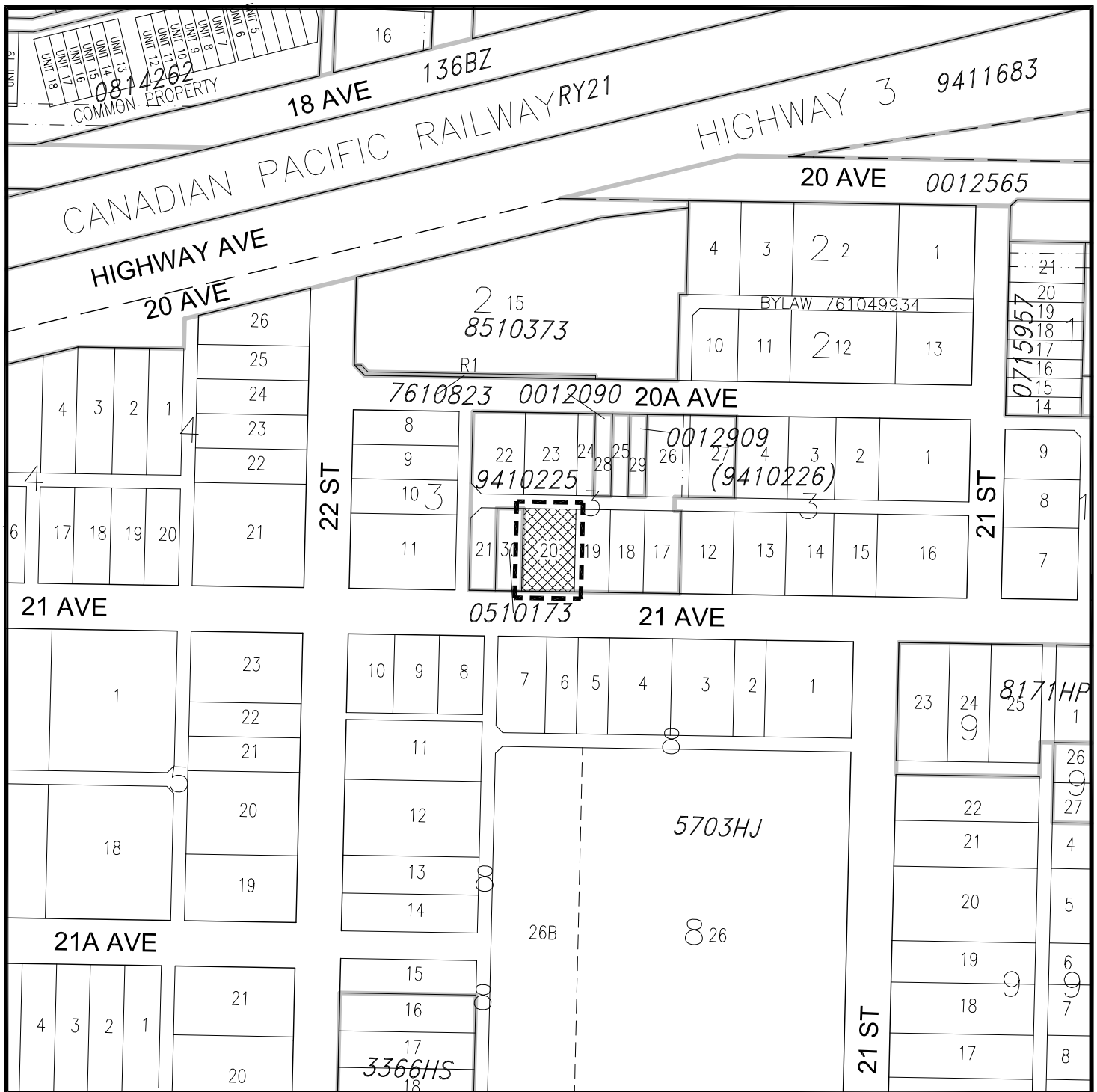
Motion #: _____

READ a THIRD and FINAL time this _____ day of _____, 2019.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion #: _____



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Residential R-1A

TO: Residential Small Lot R-1B

LOT 20; BLOCK 3; PLAN 9410225

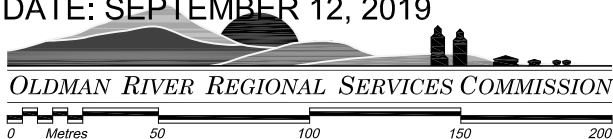
WITHIN NE 1/4 SEC 10, TWP 9, RGE 20, W 4 M

MUNICIPALITY: TOWN OF COALDALE

DATE: SEPTEMBER 12, 2019

Bylaw #: 767-P-09-19

Date: September 23, 2019



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

RESIDENTIAL – R-1A



Purpose:

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

1. (A) PERMITTED USES

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

(B) DISCRETIONARY USES

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

Notes:

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

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

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

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

(C) PROHIBITED USES

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

2. MINIMUM LOT SIZE

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

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

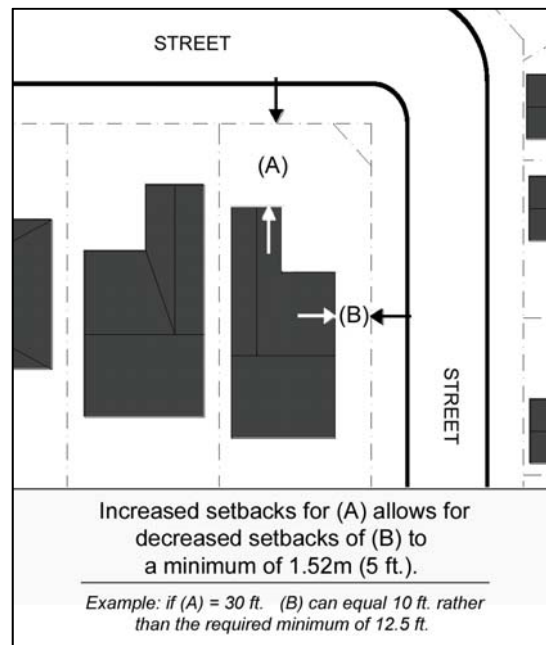
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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

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

MINIMUM YARD SETBACKS FOR A CORNER LOT

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



4. MAXIMUM SITE COVERAGE

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

5. MINIMUM FLOOR AREA

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

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

6. MAXIMUM HEIGHT OF BUILDINGS

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

*See definition for Building Height.

7. DRAINAGE

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

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

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

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

All other uses

As required by the Designated Officer or Municipal Planning Commission

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

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

9. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

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

10. ARCHITECTURAL CONTROL APPROVAL

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

11. PREPLANNED OR COMPREHENSIVE DEVELOPMENTS

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

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

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

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

RESIDENTIAL SMALL LOT – R-1B



Purpose:

To provide for small residential lot sites, usually pre-designated or pre-planned, to accommodate high-quality, single-detached dwellings and semi-detached dwellings. Development is to occur on smaller-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - 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
 - Secondary Suite
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Moved-In Building
- 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 Containers (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	12.19	40	30.48	100	371.55	4,000
Semi-Detached Dwellings (for each side)	12.19	40	30.48	100	371.55	4,000
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.).

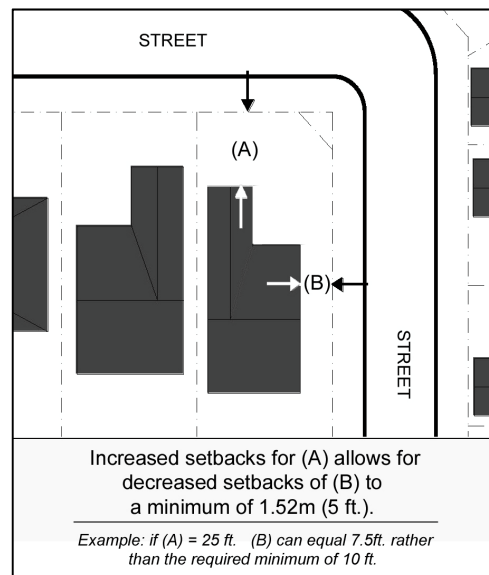
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single Detached Dwelling	6.10	20	3.05*	10*	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	69.68 m ² (750 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.

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- (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, solid waste disposal are usually necessary;
- (h) **Staging of Development** – Proposed staging if the proposed Subdivision or Development will be completed in two (2) or more phases. This should be described together with the purpose of the proposed staging;
- (i) **Architectural Controls** – Any design standards such as type of roofing, building colours, sitting of buildings, fencing, etc. to be complied with;
- (j) **Other Information** – And any other information that may be required by the Development Authority to make a recommendation.

12. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
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18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

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

34. INFILL DEVELOPMENT

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

35. CANNABIS PRODUCTION FACILITY

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



STAFF REPORT
SEPTEMBER 23, 2019 – REGULAR COUNCIL MEETING

LAND USE BYLAW AMENDMENTS PROPOSED AS A RESULT OF ANNEXATION

PURPOSE:

1. To provide Council with a detailed list of the parts of the Town's Land Use Bylaw (LUB) that require adjustment as a result of the 2018 annexation.
2. To provide Council with a detailed list of the parts of the Town's Domestic Animal Bylaw that require adjustment as a result of the 2018 annexation.
3. To present Council with draft bylaws that incorporate the changes identified in points 1 and 2 (Bylaw 768-P-09-19 re: LUB amendments and Bylaw 769-R-09-19 re: Domestic Animal Bylaw amendments).

BACKGROUND:

This report is intended to finalize discussions that have been ongoing with newly annexed landowners off and on for almost twelve months. As noted in the purpose section of this staff report, the entirety of this report is focused on adjusting the Town's Land Use Bylaw and Community Standards Bylaw as a result of the 2018 annexation.

ANNEXED LANDOWNER ENGAGEMENT SUMMARY:

A comprehensive summary of engagement findings was presented to Council at the June 24, 2019 regular meeting.

As a part of the summary that was presented on June 24, staff indicated that a letter would be sent to newly annexed landowners sharing the timelines for LUB amendments and indicating that if a landowner had any comments, concerns or ideas relating to the upcoming amendments, to please contact to the Town to discuss.

As of the date of the preparation of this staff report, additional dialogue has occurred between Town staff and annexed landowners. The topics of the dialogue included the desire to be able to continue to use property in the same way it had been used prior to the annexation.

Recognizing that depending on market conditions, individual landowner desire and the longer-term goals of having the majority of annexed lands be transitioned to urban forms of development, the focus of the bylaw changes that are submitted as a part of this staff report is to minimize the change in restrictions that will be placed on newly annexed properties.

PROPOSED LAND USE BYLAW AMENDMENTS:

Overview

The majority of landowner feedback regarding the rezonings has focused on incorporating land uses currently found in the County's LUB, into the Town's LUB. Specifically, the following "County" land uses have been requested to be incorporated into the Town's LUB:

- Second dwelling
- Agricultural Services
- Garden Centre
- Horticulture
- Market Garden and Nurseries
- Stockpiles
- Shipping Container
- Recreational Vehicle Storage

Before simply adding the uses to the Town's LUB zonings that are most suitable for the newly annexed lands (primarily Urban Reserve and Country Residential 2), it is necessary to identify whether any of the uses listed above are already in the Town's LUB, and whether the uses are defined in the Town's LUB in the same way they are defined in the County's LUB.

The reason definitions are important is because a listed land use can be the same or similar in two bylaws, but be defined differently enough that land use impacts could be different and different in a significant enough way to cause undesirable land use conflicts.

The table on the following two pages provides a side-by-side comparison of each use that has been requested by annexed landowners, and offers a suggested course of action for each use.

SUMMARY OF USES, DEFINITIONS AND SUGGESTED CHANGES TO THE TOWN’S LAND USE BYLAW						
Lethbridge County Land Use Bylaw		Town of Coaldale Land Use Bylaw		Is the definition similar?	Suggested action? <i>*all actions are contingent on IF Council approves changes</i>	Which zoning should the use be included in?
Use	Definition	Same or similar use	Definition			
Second or Additional residences	Means a standalone additional dwelling unit on a lot which is not contained within the principal residence or an accessory building. A secondary dwelling unit may be a manufactured dwelling, ready-to-move dwelling, modular, moved-in dwelling or a site-built dwelling as permitted in accordance with the land use district it is proposed to be located within.	No similar use listed	Not specifically defined	N/A	1. Use and definition added to Town LUB 2. Regulations regarding minimum lot size to accommodate second residence, setbacks, and other considerations to manage impacts of use	Urban Reserve
Agricultural Services	Means establishments primarily engaged in supplying and servicing materials and services for soil preparation, crop treating, landscaping, horticultural services or other animal services.	Agricultural Related Business	Means a development used for the retail sale, repair and maintenance of new or used agricultural equipment or other agricultural supply businesses.	YES and NO - the County definition explicitly includes materials, services and animal services, none of which are currently included in the town’s definition. However, the Town’s definition includes the catch-all phrase “or other agricultural supply businesses” which could be interpreted as all of the specifics the County definition includes.	1. Update Town definition to clarify whether the use includes services specifically listed in the County definition	Urban Reserve
Garden Centre	Means a development for the commercial retail sales of vegetable plants, flowers, shrubs, trees or other plants for transplanting or sale and includes retail uses accessory to the use, such as tools, hardware, fertilizer and may include the in-ground growing of plants or trees on the premises.	Garden Centre / Greenhouse, Commercial	Means a building specifically designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory retail uses on the premises.	YES	1. None	Urban Reserve
Horticulture	Means the use of land or buildings for an agricultural operation concerned with intensively cultivated plants produced on site, typically utilizing smaller areas of land than extensive agricultural practices, high yield production or specialty crops and are either used for food, for medicinal, environmental, aesthetic purposes or sold. These uses may include plant nurseries, greenhouses, market gardens, hydroponic, tree farms, wood lots, mushroom farms, sod farms, specialty crops, or experimental crops. All woodlot operations shall comply and adhere to the Woodlot Management Guidelines of Alberta.	Horticulture Operations or Facilities	Means the commercial production and sales, on or off site, of specialty crops grown by high-yield and high-density techniques. Examples include greenhouses, nurseries, hydroponic operations, market gardens and tree farms but exclude mushroom growing.	NO – overall the definitions are aligned, however there are two important differences. First, the County definition is much more specific regarding the examples used in defining horticulture. Second, the County definition includes mushroom growing, and the Town definition specifically excludes mushroom growing.	1. None	Urban Reserve

Market Garden and Nurseries	Means a horticultural type of establishment for the growth, display, and/or sale of vegetables, fruits, plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without and enclosed building. This use includes a limited area for the display and sale of goods or produce grown or raised on site. For more comprehensive gardening associated retail sales (i.e. tools, pots, hoses, fertilizer, supplies, etc.) the use would be categorized as a “Garden centre”.	Market Garden	Means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.	YES – the County definition, as with other definitions in this report, is more detailed, however the overall definition in this case is similar when comparing the possible outcomes of such a use being constructed and operated on a parcel of land.	1. None	Urban Reserve
Stockpiles	Means the temporary storage of materials on or off a hard surface including but not limited to soil, manure, forage or feed crops, or machinery.	No similar use listed	Not specifically defined	With stockpiles being incidental on properties, and the community standards bylaw addressing any unsightly issues that may arise due to unkempt stockpiles, there is limited benefit to considering the addition of the use and a definition for the same.	1. None	None
Shipping Containers	Means any container that was used for transport of goods by means of rail, truck or by sea, they may also be referred to as cargo containers, c-containers or sea-containers. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.	Shipping Container	Means any container that was or could be used for transport of goods by means of rail, truck, or by sea. These containers are rectangular in shape and are generally made of metal.	YES	1. None	Urban Reserve
Recreational Vehicle Storage	Means the storage, outdoors or inside a permanent structure, of recreational vehicles as defined in this Bylaw, and other recreational or off-road vehicles including, but not limited to, boats, trikes, quads, personal watercraft, snowmobiles and trailers used to transport recreational vehicles.	Outdoor Storage	Means the open storage of goods, merchandise or equipment outside a building. Note: <i>Recreational Vehicle is specifically defined in the Town’s LUB however it is not included in the Outdoor storage definition. The interpretation in this sense could be that no RV storage is permissible in Coaldale, or that RV is included in the broader umbrella of “equipment” as per the Outdoor Storage definition. Current permitting practices adhere to the interpretation that RV storage is not a use that is considered permissible in Coaldale.</i>	N/A	Should Council wish to allow RV storage on Urban Reserve parcels 1. Include use and definition and; 2. Add specific regulations to the use to control impacts	None OR Urban Reserve

Proposed regulatory additions re: specific uses requested

As noted in the table shown in the previous section of this report, three of the uses that have been requested by annexed property owners would benefit from additional regulatory clarity in the Land Use Bylaw.

1. Second or additional residences
2. Recreational Vehicle Storage

The goal of additional regulatory clarity for these three uses is to proactively address the possible areas of conflict that each use represents. Following is a brief summary of the suggested regulatory additions for each specific use:

1. Second or additional residences

What are the potential challenges the use represents?

Overall, the ability to place a second (or additional) residence on a property where there is already a residence, has the potential to provide significant benefit to the property owner. A brief list of examples of benefit include, but are not limited to:

- Housing employees,
- Housing a family member or family that is in need, or
- to generate income by way of renting the second residence

While the potential benefits are recognized, the challenges with having two residences on a property are worth consideration, especially in the context of the long-term goal of properties zoned Urban Reserve (to accommodate future urban growth). Some of the more likely challenges include, but are not limited to:

- siting the second residence in such a way that hinders future urban growth that is likely to occur on the property, with specific reference to the subdivision and servicing of a particular area identified for future growth, and the need to locate roads and other public infrastructure in a logical and orderly manner
- siting a second residence on a property that is not of a size that is sufficient to adequately accommodate two residences
- the possibility of a property owner wishing to subdivide the parcel that two residences would be located on, which would fail to recognize that Urban Reserve parcels are intended primarily to accommodate future urban growth, and not to be subdivided in an ad-hoc fashion for smaller acreage-sized lots

What regulation is proposed to address the use “second residence”?

Lethbridge County has recognized and addressed the possible challenges of a second residence in their Land Use Bylaw. The following sections of the Lethbridge County Land Use Bylaw are proposed to be used in the Town’s Land Use Bylaw, to regulate second residences as a listed use in the Urban Reserve zoning:

(Lethbridge County Land Use Bylaw excerpt regarding second/additional residences on a lot)

Please note: The parts of the County’s regulations that are not as relevant for the Town have been blacklined

The parts of the bylaw that have been proposed to have been updated to better reflect the Town’s context are included in green

18. NUMBER OF DWELLINGS ON A LOT

- (1) No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority subject to Sections 18(2) through (7).
- (2) If the parcel has an area of at least 32.4 ha (80 acres) and the application otherwise conforms to the standards and requirements of this bylaw, the Development Authority:
 - (a) shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a parcel;
 - (b) may issue a development permit to a person that would permit the construction or location of additional dwellings (i.e. more than 2), if the requirements of section 18(3)(a) to (d) are met.
- (3) On parcels less than 32.4 ha (80 acres), the Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
 - (a) ~~is to be occupied by a person who is engaged in agriculture, as defined in this bylaw; or, a second dwelling or residence~~ will be located in a district that allows for such use and the proposal can be supported by the land with consideration for meeting the following criteria:
 - (i) the land is suitable to accommodate the required septic treatment system on-site or the second dwelling can be connected to the municipal sanitary sewage system without interfering with the logical progression of urban development in the immediate area, with all proposed connections being to the discretion and only to be approved by the municipality;

- (ii) access to a public roadway can be provided to the satisfaction of the municipality;
 - (iii) the second dwelling is placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the municipality;
 - (iv) the parcel contains a minimum of 1.62 ha (4.0 acres) of developable land;
 - (v) the parcel, site or land can meet all other requirements and standards of the bylaw, including that the location of the additional dwelling will not be located in a flood prone area, ~~will not be located within any applicable minimum distance separation (MDS) required to a neighbouring confined feeding operation~~, amongst other applicable standards; and
 - (vi) the dwelling meets the standards of development criteria as stipulated in ~~Part~~ **Schedule 4**;
- (c) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units such as but not limited to a duplex, semi-detached dwelling, and multi-unit dwelling;
 - (d) is a manufactured home forming part of a park for manufactured home units; or
 - (e) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a Land Titles Office under the *Condominium Property Act*.
- (4) The Development Authority may, in a development permit, exempt any person or land from the operation of section 18(1) if:
- (a) the dwelling is temporary in nature in accordance with section (5); and
 - (b) the permit has an expiry time (to a maximum period of 3 years); and
 - (c) ~~the second dwelling meets the minimum distance separation calculation for confined feeding operations~~; and
 - (d) the dwelling be located in such a way as not to encourage further subdivision.
- (5) The Development Authority may issue a development permit for a **second or additional dwelling garden suite** in accordance with section 18(4) provided that:
- (a) it is used to temporarily accommodate persons that are dependent (i.e. relying on someone for aid, care, support, etc.) on or associated with the residents in the principal dwelling; ~~or~~
 - ~~(b) where circumstance warrants, a garden suite may be used to temporarily house persons providing care to the resident(s) of the principal building; and~~
 - (c) the dwelling meets the standards of development criteria as stipulated in Part 4.
 - (d) The Development Authority may issue the temporary permit in consideration of a condition that prescribes or specifies the circumstances when the approved temporary permit would cease which would take precedence over the limitations as outlined in Section ~~34~~ **43** for Temporary Uses.

- (6) Development Authority may limit the number of additional dwelling units approved on any one parcel of land.
- (7) In making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5), the Development Authority shall take into consideration compliance to all other standards and requirements of the bylaw.
- (8) The Development Authority shall also consider the following in making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5):
- (a) the second dwelling shall be placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the Development Authority;
 - (b) either the second dwelling unit or the main ~~residence~~ dwelling unit shall be occupied by the owner of the property and is considered the owner's primary residence;
 - (c) the second dwelling unit shall be subject to the same minimum required setbacks for front, side and rear yards as the principal dwelling on the parcel;
 - (d) joint access may be required as a condition of approval;
 - (e) if the second or additional dwelling unit is not able to be serviced by connection to the municipal sanitary sewage system, the applicant shall have a professional soil test/analysis done at their expense to ensure that the soil characteristics are capable of supporting multiple septic fields. The analysis must include identifying and confirming the depth to water table to meet provincial requirements. Analyses of the test must be performed and approved by an engineer or approved agency under Alberta Labour, with a copy of the report submitted with the development permit application.
 - (i) For temporary dwellings approved in accordance with section 18(4) and (5), the second dwelling must tie-in to the existing on-site septic treatment system. Such proposals shall require an examination and report on the current system, prepared by a qualified engineer or approved agency under Alberta Labour, to be undertaken to verify the capacity of the existing septic infrastructure or determine if it needs to be enlarged or upgraded and to what standard.

2. Recreational Vehicle Storage

What are the potential challenges the use represents?

Overall, the Recreational Vehicle Storage may be considered a suitable transitional use in that there is generally not a significant amount of investment that needs to be made to prepare a parcel of land for such a use. This is barring possible significant costs associated

with lot grading and graveling, screening and landscaping. Ultimately the idea of significant investment is comparative in that the costs of constructing a more permanent structure such as a building are much more significant, versus simply grading and landscaping a lot.

Additional benefit may be realized by local RV owners being more likely to store their trailers at formalized storage facilities versus parking the trailers on their lots during the off-season.

While the potential benefits of RV Storage are recognized, some of the real and perceived negative impacts can be significant. For instance, there can be substantial negative visual impact if an RV Storage facility is located in such a way that it is highly visible from a community gateway (in this instance Highway 3 or 845). These types of issues can be addressed by way of strict and significant screening requirements for such facilities.

When focusing on the functional impacts of RV Storage facilities, consideration is typically given to traffic flows during spring/fall seasons, security, drainage, and so on.

What regulation is proposed to address the use “Recreational Vehicle Storage”?

IF Town Council wishes to include the use as a discretionary use in the Urban Reserve land use district, the Lethbridge County Land Use Bylaw can be borrowed from again. The County’s Land Use Bylaw provides the following regulations to address the potential impacts of Recreational Vehicle Storage:

(Lethbridge County Land Use Bylaw excerpt regarding second/additional residences on a lot)

Please note: the parts of the County’s regulations that are not as relevant for the Town have been blacklined

28. RECREATIONAL VEHICLE (RV) STORAGE

- (1) The maximum number of recreational vehicle units permitted on the site shall be as determined by the Development Authority. Generally, there should not be permitted more than 60 units per acre of land.
- (2) Storage shall be carried out as required under the Alberta Fire Code pertaining to water for fire suppression, fencing and access.
- (3) Vehicle entrances and exits, as well as internal vehicle routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.

- (4) All on-site roadways shall have a durable hard surface of gravel or similar material and the same shall be ~~drained and~~ developed to the satisfaction of the Development Authority and the ~~Town's Infrastructure and Engineering, and Operations departments.~~
- (5) Where on-site parking or storage is illuminated, all lighting shall be positioned in such a manner that lighting falling onto abutting properties is minimized.
- (6) Any developed portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto public roadways or other neighbouring properties.
- (7) There shall be no storage of hazardous materials or goods on-site.
- (8) No day use or over-night accommodation shall be allowed on-site.
- (9) The storage of recreational vehicles shall not include storage for the salvage of, or for derelict recreational vehicles.
- (10) The recreational vehicle compound ~~may~~ shall be fenced with a minimum 1.83 metre (6.0 ft) high chain link fence around the periphery of the storage area, or as otherwise required by the Development Authority.
- (11) If adjacent to a provincial highway and/or an established residential area, including but not limited to acreage development that has been brought into the Town boundary as a result of annexation, the recreational vehicle compound shall make use of vegetation or another form of visual screening to minimize the visual impact of the storage site, with the type and density of vegetation or other materials deemed suitable to achieve the goal of the screening to the discretion of the Development Authority.
- (12) Any proposed sanitation dump shall be in accordance with the Alberta Safety Code.
- (13) ~~At the discretion of the Development Authority,~~ a landscape plan may be required as part of the submission for a development permit and the plan must be prepared by a certified landscape architect, an arborist, or a person qualified to perform such work.
- (14) Landscaping shall be required for all sites, and shall be to the minimum standards as set out in Schedule 9 of the bylaw, ~~if required by the Development Authority, shall be as follows:~~
 - ~~(a) on sites smaller than 1.5 ha (3.0 acres) a minimum of 10 percent, or as otherwise required by the Development Authority, of the site shall be landscaped;~~

- ~~(b) on sites larger than 1.5 ha (3.0 acres) a minimum of 50 percent, of the required front and side yard setbacks of the site shall be landscaped or as required by the Development Authority;~~
- ~~(c) any or all landscaping standards as outlined in Part 3, Section 25 may be required by the Development Authority.~~

PROPOSED DOMESTIC ANIMAL BYLAW AMENDMENTS:

A small number of properties that are currently Rural Urban Fringe (RUF) and are proposed to be rezoned to Country Residential 2 (CR2) have horses and other animals considered livestock as per the Town's Domestic Animal Bylaw.

The Town's Domestic Animal Bylaw allows livestock on properties zoned Urban Reserve (UR), however it does not allow livestock on properties zoned any other zoning, except to allow farms, intensive livestock or poultry operations, packing plants, a livestock auction mart, livestock brokerage facility, a feed lot, or similar operation, on a parcel that was, based on previous rules and regulations, allowed to have such a use (a legal non-conforming use).

To address the properties that have maintained horses and other livestock, it is suggested that section 3 (2) of the Town's Domestic Animal Bylaw is amended.
Currently 3(2) of the bylaw reads as follows:

No person shall keep livestock, poultry, ornamental, exotic and game birds or bees unless such livestock, poultry or bees are kept within the following locations:

2. *Lands in which an existing use does not conform to the Land Use Bylaw continues legally where the permitted or legal non-conforming use involves a farm, an intensive livestock or poultry operation, a packing plant, a livestock auction market, a livestock brokerage facility, a feed lot or similar operation*

It is proposed that this section of the bylaw be updated to read:

No person shall keep livestock, poultry, ornamental, exotic and game birds or bees unless such livestock, poultry or bees are kept within the following locations:

2. *Lands in which an existing use does not conform to the Land Use Bylaw continues legally where the permitted or legal non-conforming use involves a farm, an intensive livestock or poultry operation, a packing plant, a livestock auction market, a livestock brokerage facility, a feed lot or similar operation; and*
3. *Lands that were annexed as a part of the April 1, 2018 annexation where a landowner can provide evidence that livestock was kept on their*

property immediately prior to the annexation (as in livestock were kept on the property within the calendar year leading up to the 2018 annexation), and the livestock that was kept on the property was kept in accordance with all applicable Lethbridge County bylaws. Evidence considered suitable includes physical evidence on the property as noted by the inspection of orthographic imagery and/or the inspection of the property and the property file. Whether or not evidence is considered suitable is to the discretion of the Town.

DRAFT BYLAWS:

Attached to this staff report are two bylaws:

1. Bylaw 768-P-09-19 (to amend the Town's Land Use Bylaw)

This bylaw includes all suggested changes as per the table entitled *Summary of Uses, Definitions and Changes to the Town's Land Use Bylaw*.

2. Bylaw 769-R-09-19 (to amend the Town's Domestic Animal Bylaw)

This bylaw includes the suggested amendment to the Domestic Animal Bylaw that was presented in the previous section of this report.

PUBLIC ENGAGEMENT:

A final letter prior to the beginning of the formal rezoning process was sent to all annexed landowners in July 2019. Additional 1-on-1 meetings and phone calls were held with a number of annexed residents and feedback was collected. Specific feedback included a desire to be able to continue using property for the purposes it had been used prior to the annexation.

Notification of the general changes that are required to be made to the Town's LUB and the rezoning for each property have been mailed to each property owner in the annexed area.

RECOMMENDATIONS AND COUNCIL ACTION REQUESTED:

1. THAT Council move first reading of Bylaw #768-P-09-19. Further that Council establishes a public hearing date, in accordance with its obligations under section 606 of the Municipal Government Act [2000], for the October 28, 2019 Council meeting;

AND

2. THAT Council move first reading of Bylaw #769-R-09-19;

AND

3. If Council so wishes by way of unanimous consent, that Council move second and third reading of Bylaw #769-R-09-19 with or without amendments.
-

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHMENTS:

- Draft Bylaw #768-P-09-19
- Lethbridge County Rural Urban Fringe (RUF) zoning
- Town of Coaldale Urban Reserve (UR) zoning
- Draft Bylaw #769-R-09-19
- Town of Coaldale Domestic Animal Bylaw #539-R-02-05

This report has been prepared in consultation with the following listed departments:

Department	Signature

**TOWN OF COALDALE
IN THE PROVINCE OF ALBERTA
BYLAW NO. 768-P-09-19**

BEING a bylaw of the Town of Coaldale in the Province of Alberta, to amend Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw.

WHEREAS the municipal council wishes to redesignate lands within the municipality.

AND WHEREAS THE PURPOSE of proposed Bylaw No. 768-P-09-19 is to make a series of omnibus amendments to the Land Use Bylaw, which are focused on accommodating the transition of lands annexed as a part of the approved annexation of April 1, 2019 referenced by the Municipal Government Board's Board Order No. MGB 107/97 and the provincial Order in Council No. O.C.29/2018, from regulations under Lethbridge County's Land Use Bylaw, to regulations under the Town of Coaldale's Land Use Bylaw no. 677-P-04-13.

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

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Coaldale, in the Province of Alberta, duly assembled does hereby enact the following:

1. The Land Use Bylaw 677-P-04-13 is amended by making the following additions:

a. That the following be added to Schedule 4 Standards of Development, as section 36:

Second or additional dwellings on a lot

- (1) No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority subject to Sections 18(2) through (7).
- (2) If the parcel has an area of at least 32.4 ha (80 acres) and the application otherwise conforms to the standards and requirements of this bylaw, the Development Authority:
 - (a) shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a parcel;
 - (b) may issue a development permit to a person that would permit the construction or location of additional dwellings (i.e. more than 2), if the requirements of section 18(3)(a) to (d) are met.
- (3) On parcels less than 32.4 ha (80 acres), the Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
 - (a) will be located in a district that allows for such use and the proposal can be supported by the land with consideration for meeting the following criteria:
 - (i) the land is suitable to accommodate the required septic treatment system on-site or the second dwelling can be connected to the municipal sanitary sewage system without interfering with the logical progression of urban development in the immediate area, with all proposed connections being to the discretion and only to be approved by the municipality;
 - (ii) access to a public roadway can be provided to the satisfaction of the municipality;

- (iii) the second dwelling is placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the municipality;
 - (iv) the parcel contains a minimum of 1.62 ha (4.0 acres) of developable land;
 - (v) the parcel, site or land can meet all other requirements and standards of the bylaw, including that the location of the additional dwelling will not be located in a flood prone area, amongst other applicable standards; and
 - (vi) the dwelling meets the standards of development criteria as stipulated in Schedule 4;
 - (c) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units such as but not limited to a duplex, semi-detached dwelling, and multi-unit dwelling;
 - (d) is a manufactured home forming part of a park for manufactured home units; or
 - (e) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a Land Titles Office under the *Condominium Property Act*.
- (4) The Development Authority may, in a development permit, exempt any person or land from the operation of section 18(1) if:
- (a) the dwelling is temporary in nature in accordance with section (5); and
 - (b) the permit has an expiry time (to a maximum period of 3 years); and
 - (c) the dwelling be located in such a way as not to encourage further subdivision.
- (5) The Development Authority may issue a development permit for a second or additional dwelling in accordance with section 18(4) provided that:
- (a) it is used to temporarily accommodate persons that are dependent (i.e. relying on someone for aid, care, support, etc.) on or associated with the residents in the principal dwelling; and
 - (b) the dwelling meets the standards of development criteria as stipulated in Part 4.
 - (c) The Development Authority may issue the temporary permit in consideration of a condition that prescribes or specifies the circumstances when the approved temporary permit would cease which would take precedence over the limitations as outlined in Section 43 for Temporary Uses.
- (6) Development Authority may limit the number of additional dwelling units approved on any one parcel of land.
- (7) In making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5), the Development Authority shall take into consideration compliance to all other standards and requirements of the bylaw.
- (8) The Development Authority shall also consider the following in making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5):
- (a) the second dwelling shall be placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the Development Authority;
 - (b) either the second dwelling unit or the main dwelling unit shall be occupied by the owner of the property and is considered the owner's primary residence;
 - (c) the second dwelling unit shall be subject to the same minimum required setbacks for front, side and rear yards as the principal dwelling on the parcel;
 - (d) joint access may be required as a condition of approval;

- (e) if the second or additional dwelling unit is not able to be serviced by connection to the municipal sanitary sewage system, the applicant shall have a professional soil test/analysis done at their expense to ensure that the soil characteristics are capable of supporting multiple septic fields. The analysis must include identifying and confirming the depth to water table to meet provincial requirements. Analyses of the test must be performed and approved by an engineer or approved agency under Alberta Labour, with a copy of the report submitted with the development permit application.
 - (i) For temporary dwellings approved in accordance with section 18(4) and (5), the second dwelling must tie-in to the existing on-site septic treatment system. Such proposals shall require an examination and report on the current system, prepared by a qualified engineer or approved agency under Alberta Labour, to be undertaken to verify the capacity of the existing septic infrastructure or determine if it needs to be enlarged or upgraded and to what standard.

b. That the following be added to Schedule 4 Standards of Development, as section 37:

Recreational Vehicle Storage

- (a) The maximum number of recreational vehicle units permitted on the site shall be as determined by the Development Authority. Generally, there should not be permitted more than 60 units per acre of land.
- (b) Storage shall be carried out as required under the Alberta Fire Code pertaining to water for fire suppression, fencing and access.
- (c) Vehicle entrances and exits, as well as internal vehicle routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
- (d) All on-site roadways shall have a durable hard surface of gravel or similar material and the same shall be developed to the satisfaction of the Development Authority and the Town's Infrastructure and Engineering, and Operations departments.
- (e) Where on-site parking or storage is illuminated, all lighting shall be positioned in such a manner that lighting falling onto abutting properties is minimized.
- (f) Any developed portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto public roadways or other neighbouring properties.
- (g) There shall be no storage of hazardous materials or goods on-site.
- (h) No day use or over-night accommodation shall be allowed on-site.
- (i) The storage of recreational vehicles shall not include storage for the salvage of, or for derelict recreational vehicles.
- (j) The recreational vehicle compound shall be fenced with a minimum 1.83 metre (6.0 ft) high chain link fence around the periphery of the storage area, or as otherwise required by the Development Authority.
- (k) If adjacent to a provincial highway and/or an established residential area, including but not limited to acreage development that has been brought into the Town boundary as a result of annexation, the recreational vehicle compound shall make use of vegetation or another form of visual screening to minimize the visual impact of the storage site, with the

type and density of vegetation or other materials deemed suitable to achieve the goal of the screening to the discretion of the Development Authority.

- (l) Any proposed sanitation dump shall be in accordance with the Alberta Safety Code.
 - (m) A landscape plan may be required as part of the submission for a development permit and the plan must be prepared by a certified landscape architect, an arborist, or a person qualified to perform such work.
 - (n) Landscaping shall be required for all sites, and shall be to the minimum standards as set out in Schedule 9 of the bylaw.
- c. That the following uses be added to the discretionary uses list of the "Urban Reserve" land use district contained in Schedule 2 Land Use Districts:
- 1. Second or additional dwelling units
 - 2. Agricultural Services
 - 3. Garden Centre
 - 4. Horticulture
 - 5. Market Garden and Nurseries
 - 6. Shipping Container
 - 7. Recreational Vehicle Storage
- d. That the following definitions be added or changed in Schedule 15 Definitions:

Second or additional dwelling means a standalone additional dwelling unit on a lot which is not contained within the principal dwelling unit or an accessory building. A secondary dwelling unit may be a manufactured dwelling, ready-to-move, modular or moved-in dwelling or a site-built dwelling as permitted in accordance with the land use district it is proposed to be located within.

Recreational Vehicle Storage means the storage, outdoors or inside a permanent structure, of recreational vehicles as defined in this bylaw.

- 2. Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw, is hereby amended.
- 3. Formatting of Bylaw 768-P-09-19 will be cross-referenced and completed subsequent to third and final reading of the bylaw to ensure the amendments align with the formatting of Bylaw No. 677-P-04-13.
- 3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

READ a **second** time this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

READ a **third** time and finally PASSED this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

RURAL URBAN FRINGE – RUF

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structures and Uses to an Approved Permitted Use

Agricultural Buildings and Structures (see Part 1, Section 13 - No permit required)

Day Homes (see Part 1, Section 13 - No permit required and Part 4, Section 13)

Dwellings:

Single-detached Site-built

Single-detached Manufactured Home 1 (see Part 4, Section 22)

Single-detached Manufactured Home 2 (see Part 4, Section 22)

Single-detached Ready-to-move (see Part 4, Section 22)

Extensive Agriculture and Grazing (see Part 1, Section 13 - No permit required)

Home Occupations 1 (see Part 4, Section 20)

Secondary Suites (contained within a single-detached dwelling) (see Part 4)

Secondary Suites (detached garage) (see Part 4)

Signs Type 1 (in accordance with Part 5)

Solar Collectors, Individual (see Part 6, Section 2)

(2) Discretionary Uses

Accessory Buildings, Structures and Uses to an Approved Discretionary Use

Agricultural Services

Alternative or Renewable Energy Facilities, Individual (see Part 6)

Bed and Breakfasts (see Part 4, Section 9)

Cemeteries

Day Care (see Part 4, Section 14)

Dwellings:

Moved-in (see Part 4, Section 22)

Semi-detached (or duplex)

Second or Additional Residences*

Garden Centre

Home Occupations 2 and 3 (see Part 4, Section 20)

Horticulture

Isolated Country Residential (for subdivision purposes)

Market Gardening and Nurseries

Moved-in Buildings (see Part 4, Section 25)

Personal Workshop and Storage (non-commercial) (see Part 4)

Public/Institutional Uses

Recreation, Minor

Public and Private Utilities:

General Utility Structures

Sewage Disposal Plants and Lagoons

Water Treatment Plants and Reservoirs

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

(3) Prohibited Uses

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

◆ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 33, is a Prohibited Use.

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

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

3. MINIMUM LOT SIZE

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

4. MINIMUM YARD SETBACK REQUIREMENTS

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

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

5. MINIMUM SETBACKS FROM ROADWAYS

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

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

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

7. DEVELOPMENT AND SETBACKS NEAR CANALS

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

8. MAXIMUM SITE COVERAGE

- (1) Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be as determined by the Development Authority. No building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage.
- (2) At the discretion of the Development Authority, the maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a parcel may be stipulated as a condition of approval on a development permit.

9. ACCESS

- (1) The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach(es) necessary to serve the lot or development area in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.
- (2) To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*. If the development is within 304.8 metres (¾ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.
- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) If access is required onto a roadway under the jurisdiction of an adjacent municipality, the affected municipality shall be notified to obtain consent. In the case where an Intermunicipal Development Plan is adopted by the two municipalities, any applicable road network/access policies stipulated in that joint agreement shall apply.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building or structure shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

11. FENCES AND SHELTERBELTS

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

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

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

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

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

13. SERVICING REQUIREMENTS

- (1) Every development shall be required to install a sewage disposal system and potable water system in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or other system as approved by the municipality.
- (2) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- (3) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.

14. LOCATIONAL CRITERIA FOR ISOLATED COUNTRY RESIDENTIAL DEVELOPMENT

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

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

15. HAZARDOUS OR NOXIOUS INDUSTRY

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

16. DEVELOPMENT APPLICATION REFERRALS

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

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

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

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

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

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

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

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

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

25. SIGN REGULATIONS (See Part 5)

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



27. SUBDIVISION CRITERIA (See Part 7)

28. FORMS (See Appendix A)

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

(B) DISCRETIONARY USES

- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Farm Building and Structure
- Home Occupation 2
- Parks and Playgrounds
- Public or Private Utility
- Outdoor Recreation and Sports fields
- 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
- 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

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	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:
 - i. the setbacks which may apply, in the opinion of the Development Authority, on reclassification and/or subdivision of the lot, in the future; and

- ii. the maintenance of adequate setbacks from existing and proposed roadways, including service roadways and lanes; and
- iii. such other matters as the Development Authority considers appropriate.

6. MAXIMUM HEIGHT OF BUILDINGS

- (a) The maximum building height of any dwelling shall be 10 m (33 ft).
- (b) 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.
- (c) 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

**TOWN OF COALDALE
IN THE PROVINCE OF ALBERTA
BYLAW NO. 769-R-09-19**

BEING a bylaw of the Town of Coaldale in the Province of Alberta, to amend Bylaw No. 539-R-02-05, being the municipal Domestic Animal Bylaw.

WHEREAS the municipal council wishes to amend the bylaw in order that the care and control of domestic animals may continue within Town boundaries.

AND WHEREAS THE PURPOSE of proposed Bylaw No. 769-R-09-19 is to allow for the keeping of certain domestic animals on certain properties within the areas that were brought into Town boundaries as a result of the approved annexation of April 1, 2019 referenced by the Municipal Government Board's Board Order No. MGB 107/97 and the provincial Order in Council No. O.C.29/2018.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a regular meeting of Council.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Coaldale, in the Province of Alberta, duly assembled does hereby enact the following:

1. The Domestic Animal Bylaw no. 539-R-09-19 is amended by making the following additions:

In section 3 (Prohibitions) of the bylaw, the and the following regulation be added as point 3 of the same section and all other subsequent parts of this section be renumbered to reflect this change:

3. Lands that were annexed as a part of the April 1, 2018 annexation where a landowner can provide evidence that livestock was kept on their property immediately prior to the annexation (*as in livestock were kept on the property within the calendar year leading up to the 2018 annexation*), and the livestock that was kept on the property was kept in accordance with all applicable Lethbridge County bylaws. Evidence considered suitable includes physical evidence on the property as noted by the inspection of orthographic imagery and/or the inspection of the property and the property file. Whether or not evidence is considered suitable is to the discretion of the Town.
2. Bylaw No. 539-R-02-05, being the municipal Domestic Animal Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

READ a **second** time this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

Unanimous consent to hold third and final reading (motion no. _____)

READ a **third** time and finally PASSED this _____ day of _____, 2019.

Mayor – *Kim Craig*

Chief Administrative Officer – *Kalen Hastings*

BYLAW 539-R-02-05
TOWN OF COALDALE
PROVINCE OF ALBERTA

*A BYLAW OF THE TOWN OF COALDALE TO REGULATE THE KEEPING OF DOMESTIC ANIMALS IN
THE TOWN OF COALDALE.*

WHEREAS by virtue of the powers conferred upon it by the *Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26*, the Council of the Municipality of the Town of Coaldale may pass a Bylaw with respect to domestic animals and activities in relation to them;

AND WHEREAS the Council of the Municipality of the Town of Coaldale, in the Province of Alberta, deems it expedient to pass such a Bylaw;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF COALDALE DULY ASSEMBLED
HEREBY ENACTS AS FOLLOWS:

1 Title

1. This Bylaw may be cited as the "Domestic Animal Bylaw".

2 Definitions

1. In this Bylaw, unless the context otherwise requires:
 1. "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of Vehicles and includes:
 1. a sidewalk (including a boulevard portion thereof);
 2. where a ditch lies adjacent to and parallel with a roadway, the ditch; and
 3. where a Highway right of way is contained within fences or between a fence and one side of a roadway all the land between the fences or all the land between the fence and edge of the roadway as the case may be.
 2. "Inspector" means:
 1. a Public Health Inspector;
 2. a Peace Officer;
 3. a Bylaw Enforcement Officer as appointed under the Municipal Government Act; or
 4. a Special Constable as appointed under the Police Act.

3. "Livestock" means horses, cattle, emus, sheep, alpacas, ostriches, llamas, swine, mules, donkeys, goats, rabbits, and fur-bearing animals raised in captivity excepting dogs and cats.
4. "Ornamental, Exotic and Game Birds" means including but not exclusively limited to Partridge, Quail, Pheasants, Peafowl, Doves, Swans, Cranes, and other species of aquatic and wildfowl, and any related species deemed inappropriate by an inspector.
5. "Owner" means:
 1. a person who has legal control or title of Livestock, Poultry, Ornamental, Exotic and Game Birds, and includes any person who has possession or custody of Livestock, Poultry, Ornamental, Exotic and Game Birds either temporarily or permanently, or harbours a Livestock, Poultry, Ornamental, Exotic and Game Birds; or
 2. the owner or occupant of land upon which Livestock, Poultry, Ornamental, Exotic and Game Birds are kept.
6. "Peace Officer" means:
 1. a Special Constable as appointed under the *Police Act*;
 2. a Police Officer as appointed under the *Police Act*; or
 3. a member of the Royal Canadian Mounted Police.
7. "Poultry" means chickens, turkeys, geese and ducks.
8. "Town" means the Municipal Corporation of the Town of Coaldale, in the Province of Alberta or, where the context requires, a duly authorized official of the Municipal Corporation of the Town of Coaldale or, where the context requires, the area that is contained in the boundaries of the Town of Coaldale.

3 Prohibitions

- 1 No person shall keep Livestock, Poultry, Ornamental, Exotic and Game Birds or bees unless such Livestock, Poultry or bees are kept within the following locations:
 1. lands classified as "Urban Reserve" in compliance with the Land Use Bylaw;
 2. lands in which an existing use does not conform to the Land Use Bylaw continues legally where the permitted or legal non-conforming use involves a farm, an intensive livestock or poultry operation, a packing plant, a livestock auction market, a livestock brokerage facility, a feed lot or a similar operation;
 3. pet shops;
 4. slaughter houses;
 5. exhibition grounds;
 6. auction markets;

7. veterinary clinics or veterinary hospitals;
 8. sportsplex; and
 9. outdoor sports facilities.
2. Notwithstanding Section 3.1 two pet rabbits may be kept per household
3. An Owner shall not create, establish or maintain:
 1. a stable or other building in which Livestock, Poultry, Ornamental, Exotic and Game Birds are kept in such a manner or in such numbers as to be injurious or dangerous to health or which may hinder in any manner the prevention or suppression of disease;
 2. any accumulation or deposit of offensive matter, refuse, offal or manure, wherever situated excepting a Highway, which
 1. is injurious or dangerous to health,
 2. may hinder in any manner the prevention or suppression of disease; or
 3. may provide a breeding place for flies or creation of odours;
 4. any accumulation or deposit of offensive matter, refuse, offal or manure on a Highway.

4 Control of Livestock, Poultry, and/or Ornamental, Exotic and Game Birds

1. All Livestock, Poultry, Ornamental, Exotic and Game Birds not under the direct control of a person shall be placed in a fenced or other secure area which will prevent the free roaming of such Livestock, Poultry, Ornamental, Exotic and Game Birds .
2. When Livestock, Poultry, Ornamental, Exotic and Game Birds are on
 1. public land owned by the Town including Highways;
 2. public land owned by the Crown; or
 3. privately owned land without the consent of the owner of those lands;an Inspector may capture and confine such Livestock, Poultry, Ornamental, Exotic and Game Birds .

5 Inspector

1. Upon receiving a complaint of a violation of this Bylaw, an Inspector shall inquire into the facts, visit the place complained of, and if necessary, hear the statement of any person in connection therewith and for such purposes may enter upon, inspect, and examine the place.
2. An Inspector has authority to order immediate compliance to this Bylaw when violations of this Bylaw are occurring on public lands or Highways or where

violations on private land are deemed to be so severe that they pose an imminent hazard to the public.

3. An Inspector has authority to order the removal of Livestock, Poultry, Ornamental, Exotic and Game Birds from any land and store same at an appropriate holding facility with the cost of housing, feeding and storage of said Livestock, Poultry, Ornamental, Exotic and Game Birds charged against property of the Owner as taxes due and owing and collectible in the same manner as taxes.
4. Upon capturing Livestock, Poultry, Ornamental, Exotic and Game Birds pursuant to Section 4.2 of this Bylaw, an Inspector shall:
 1. report the capture to the Regional Livestock Investigator and the Department of Agriculture of the Province of Alberta; and
 2. within forty-eight (48) hours of the capture complete a statement of capture and expenses incurred in connection with the capture and confinement to the Regional Livestock Investigator.

6 Violations of Bylaw

1. If an Inspector believes that a person has violated any provision of this Bylaw, the Inspector may serve upon such person a written notice requiring such person to abate the same within a time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose.
2. Service of a notice shall be sufficient if it is:
 1. personally served;
 2. served by mail; or
 3. left with a competent person residing with the person alleged to have violated a provision of this Bylaw.
3. Such notice shall be deemed to have been received five days from the date of mailing.
4. Each notice shall:
 1. describe the location at which a violation of any provision of this Bylaw occurs by its municipal address and legal description;
 2. state the contravention of this Bylaw;
 3. give reasonable particulars of the actions required to be made;
 4. state the time within which the actions are to be done;
 5. state that if the required actions are not done within the time specified, the Town may:

1. carry out the actions required and charge the cost thereof against the Owner; or
 2. cause a violation ticket to be served upon the Owner pursuant to Part 2 of the *Provincial Offences Procedure Act*.
5. If a person served with a notice fails to comply with the notice within the time fixed by the notice the Town may:
 1. cause a violation ticket to be served upon such person pursuant to Part 2 of the *Provincial Offences Procedure Act*; or
 2. carry out the actions required in a notice at the expense of the person served with the notice. If the expense and cost incurred by the Town is not paid by the person responsible, the Town may:
 1. recover the expense and cost by action in a court of competent jurisdiction; or
 2. charge the expense and cost against property of the person served with a notice as taxes due and owing and collectible in the same manner as taxes.

7

Penalties

1. A person who contravenes this Bylaw is guilty of an offence and liable for a fine as prescribed under the *Provincial Offences Procedure Act*.
2. A Violation Ticket issued pursuant to Section 6.5 of this Bylaw shall impose penalties as follows:
 1. \$250.00 for a first violation; and
 2. \$500.00 for any subsequent violation.

8

Exemptions

1. **The Alberta Birds of Prey property located at Plan 9012294, Block 8, Lot 8 (2124 - 16 Avenue)** facility is exempt from the provisions of this Bylaw.
2. **The property located at Plan 534 EW, Block B (1501 - 20 Street)** will be exempt from the provisions of this bylaw until there has been a change in the land use on the said property. Once there have been no horses on this property for a term of 6 months, this provision will no longer be in effect. *Once the said property is sold, the new owners will not be exempt from this bylaw and the terms.*

3. The property located at Plan 7710879, Block 02, Lot 08 (1502 - 9 Street) will be exempt from the provisions of this bylaw until there has been a change in the land use on the said property. Once there have been no domestic Livestock, Poultry, Ornamental, Exotic and Game Birds on this property for a term of 6 months, this provision will no longer be in effect. *Once the said property is sold, the new owners will not be exempt from this bylaw and the terms.*

9 Council Intent

1. It is the intention of the Town that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and that if any provisions of this Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

10 Effective Date

1. This Bylaw shall come into force and effect upon the final passing thereof.

11 Repeal of Bylaw

1. Bylaws 485-R-06-01 and all amendments hereto are hereby repealed in their entirety.

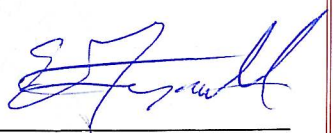
Read a first time this 14 day of February 2005

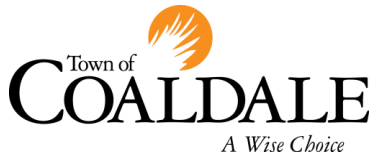
Read a second time this 14 day of February 2005

Unanimous consent to hold third and final reading

Read a third and final time this 14 day of February 2005


TOWN MANAGER


MAYOR



STAFF REPORT
SEPTEMBER 23, 2019 – REGULAR COUNCIL MEETING

PROPOSED LANDUSE RE-DESIGNATION – BYLAW #770-P-09-19
AMENDMENT TO THE LAND USE BYLAW 677-P-04-13

PURPOSE:

To review proposed Bylaw #770-P-09-19 to redesignate those parcels of land that were annexed in 2018 but have not yet been rezoned to a suitable Town of Coaldale land use district.

BACKGROUND:

The Town of Coaldale annexed approximately 1459 acres (590 ha) of land from Lethbridge County in the spring of 2018. As per sec. 135(1)(d) of the MGA:

...bylaws and resolutions of the old municipal authority that apply specifically to the area of land continue to apply to it until repealed or others are made in their place by the new municipal authority.

The process of rezoning the majority of properties that were recently annexed has been ongoing since the winter of 2018/2019 as there has been significant effort put into dialogue with the newly annexed landowners to ensure they are aware of the rezoning process, and what specifically rezoning means for their properties.

PUBLIC ENGAGEMENT:

The Public Hearing for this bylaw is recommended to be scheduled for the October 28, 2019 Council meeting.

Notice of the public hearing will be advertised for 2 consecutive weeks in the Sunny South Newspaper and will also be mailed to surrounding property owners.

With reference to the June 24, 2019 Staff Report (attached), engagement efforts have resulted in a number of specific requests for land uses to be added to the zonings that the annexed lands are proposed to be transitioned to, and a small number of requests have been made regarding specific zonings to be used for certain parcels of land in the annexed area.

REZONING SUMMARY:

The following table provides a list of the lands that are proposed to be rezoned from a County zoning, to a suitable Town zoning (please see the attached map and draft bylaw for further clarity):

FROM RURAL URBAN FRINGE TO URBAN RESERVE
All properties in the N.W. ¼ Sec. 14, Twp. 9, Rge. 20 W4M
All properties in the S.E. ¼ Sec. 16, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 9, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 4, Twp. 9, Rge. 20 W4M
All properties in the N.W. ¼ Sec. 3, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 3, Twp. 9, Rge. 20 W4M excluding Lots 1 to 5 (inclusive), Block 10, Plan 0913542 and Lots 1 to 6 (inclusive), Block 11, Plan 0913542
S.E. ¼ Sec. 9, Twp. 9, Rge. 20 W4M, excluding Lots 2 to 4 (inclusive), Block 1, Plan 9310200 and Lots 6 to 12 (inclusive), Block 1, Plan 9612523
All those portions of legal subdivisions 3 and 6 in the S.W. ¼ which lies west of Plan 8610846
Lot 2, Block 1, Plan 9010972
Lot 9, Block RW, Plan 5684JK
Lot 1 and 2 (inclusive), Block 20, Plan 9910459
Lot 2 to 4 (inclusive), Block A, Plan 7062JK
Lot 1 to 6 (inclusive), Block 3, Plan 731049
Lot 1, Block 1, Plan 1711265
Lot 1, Block 3, Plan 0811507
Block A, Plan 494JK
Block 1, Plan 57JK
Block 2, Plan 57JK
Block 3, Plan 57JK
FROM GROUPED COUNTRY RESIDENTIAL TO COUNTRY RESIDENTIAL 2
Lots 2 to 4 (inclusive), Block 1, Plan 9310200
Lots 6 to 12 (inclusive), Block 1, Plan 9612523
Lots 1 to 5 (inclusive), Block 10, Plan 0913542
Lots 1 to 6 (inclusive), Block 11, Plan 0913542
FROM RURAL URBAN FRINGE TO INSTITUTIONAL/RECREATIONAL
Lot 15, Block 1, Plan 1810235
Lot 16, Block 1, Plan 1810236
Lot 14, Block 1, Plan 1712444
Lot 13, Block 1, Plan 0112789

PARCELS OF LAND NOT INCLUDED:

The lands legally described as Lot 1, Block 11, Plan 0912068 (owned by The Rehoboth Christian Ministries Foundation) are not included in this rezoning bylaw. The reason for this is that the variety of ways in which Rehoboth has been permitted to use their property by the County do not easily fit into any one particular

Town land use district. Therefore, the discussions with Rehoboth have always been centred around the idea of a Direct Control land use district being drafted for their property.

The Direct Control land use district is in the process of being prepared for the Foundation and will be brought forward for Council's consideration at a meeting later this Fall.

ALIGNMENT WITH LAND USE BYLAW AND DOMESTIC ANIMAL BYLAW AMENDMENTS:

Draft Bylaw no. 768-P-09-19 and 769-R-09-19 are both focused on aligning with the Town zonings that the abovementioned properties are proposed to be rezoned to. The focus of bylaws 768 and 769 is to ensure that once the newly annexed properties are transitioned to Town zonings, the property owners are able to carry out the activities on their lots that they have been discussing with the Town over the past year, whether that be the keeping of horses or other livestock on certain parcels, or maintaining the ability to use a parcel for a particular use such as are reflected in Bylaw 768.

RECOMMENDATIONS AND/OR OPTIONS:

Option #1

THAT Council move first reading of Land Use redesignation Bylaw #770-P-09-19. Further, that Council establishes a public hearing date, in accordance with its obligations under section 606 of the Municipal Government Act [2000], for the October 28, 2019 Council meeting.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHMENTS:

- Illustrative map of the properties to be rezoned
- Proposed Bylaw #770-P-09-19
- Lethbridge County Rural Urban Fringe Land Use District
- Lethbridge County Grouped Country Residential Land Use District
- Town of Coaldale Urban Reserve Land Use District
- Town of Coaldale Country Residential 2 Land Use District
- Town of Coaldale Institutional/Recreational Land Use District
- June 24, 2019 Staff Report entitled *Annexed Lands – Rezoning Process Update*

This report has been prepared in consultation with the following listed departments:

Department	Signature

**TOWN OF COALDALE
IN THE PROVINCE OF ALBERTA
BYLAW NO. 770-P-09-19**

BEING a bylaw of the Town of Coaldale in the Province of Alberta, to amend Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw.

WHEREAS the municipal council wishes to redesignate lands within the municipality.

AND WHEREAS THE PURPOSE of proposed Bylaw No. 770-P-10-19 is to redesignate lands legally described as:

All properties in the N.W. ¼ Sec. 14, Twp. 9, Rge. 20 W4M
All properties in the S.E. ¼ Sec. 16, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 9, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 4, Twp. 9, Rge. 20 W4M
All properties in the N.W. ¼ Sec. 3, Twp. 9, Rge. 20 W4M
All properties in the N.E. ¼ Sec. 3, Twp. 9, Rge. 20 W4M excluding Lots 1 to 5 (inclusive), Block 10, Plan 0913542 and Lots 1 to 6 (inclusive), Block 11, Plan 0913542
S.E. ¼ Sec. 9, Twp. 9, Rge. 20 W4M, excluding Lots 2 to 4 (inclusive), Block 1, Plan 9310200 and Lots 6 to 12 (inclusive), Block 1, Plan 9612523
All those portions of legal subdivisions 3 and 6 in the S.W. ¼ Sec. 23, Twp. 9, Rge. 20 W4M which lies west of Lot 1, Block 1, Plan 8610846
Lot 2, Block 1, Plan 9010972
Lot 9, Block RW, Plan 5684JK
Lot 2 to 4 (inclusive), Block A, Plan 7062JK
Lot 1 to 6 (inclusive), Block 3, Plan 731049
Lot 1, Block 1, Plan 1711265
Lot 1, Block 3, Plan 0811507
Block 1, Plan 9012243
Block A, Plan 494JK
Block 1, Plan 57JK
Block 2, Plan 57JK
Block 3, Plan 57JK

(and as shown in Schedule "A" of this bylaw)

from "Rural Urban Fringe" to "Urban Reserve" to provide for the opportunity to develop the lands in compliance with the municipal Land Use Bylaw.

AND lands legally described as:

Lots 2 to 4 (inclusive), Block 1, Plan 9310200
Lots 6 to 12 (inclusive), Block 1, Plan 9612523
Lots 1 to 5 (inclusive), Block 10, Plan 0913542
Lots 1 to 6 (inclusive), Block 11, Plan 0913542

(and as shown in Schedule "B" of this bylaw)

from "Grouped Country Residential" to "Country Residential 2" to provide for the opportunity to develop the lands in compliance with the municipal Land Use Bylaw.

AND lands legally described as:

Lot 15, Block 1, Plan 1810235
Lot 16, Block 1, Plan 1810236
Lot 14, Block 1, Plan 1712444
Lot 13, Block 1, Plan 0112789

(and as shown in Schedule "C" of this bylaw)

from "Rural Urban Fringe" to "Institutional/Recreational" to provide for the opportunity to develop the lands in compliance with the municipal Land Use Bylaw.

AND WHEREAS the said lands are illustrated on the map in Schedule "A" and Schedule "B" and Schedule "C" attached hereto.

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

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Coaldale, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands legally described and illustrated on the map in Schedule "A" attached hereto shall be redesignated from "Rural Urban Fringe" to "Urban Reserve"
2. Lands legally described and illustrated on the map in Schedule "B" attached hereto shall be redesignated from "Grouped Country Residential" to "Country Residential 2"
3. Lands legally described and illustrated on the map in Schedule "C" attached hereto shall be redesignated from "Rural Urban Fringe" to "Institutional/Recreational"
4. Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw, is hereby amended.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

READ a **second** time this ____ day of _____, 2019.

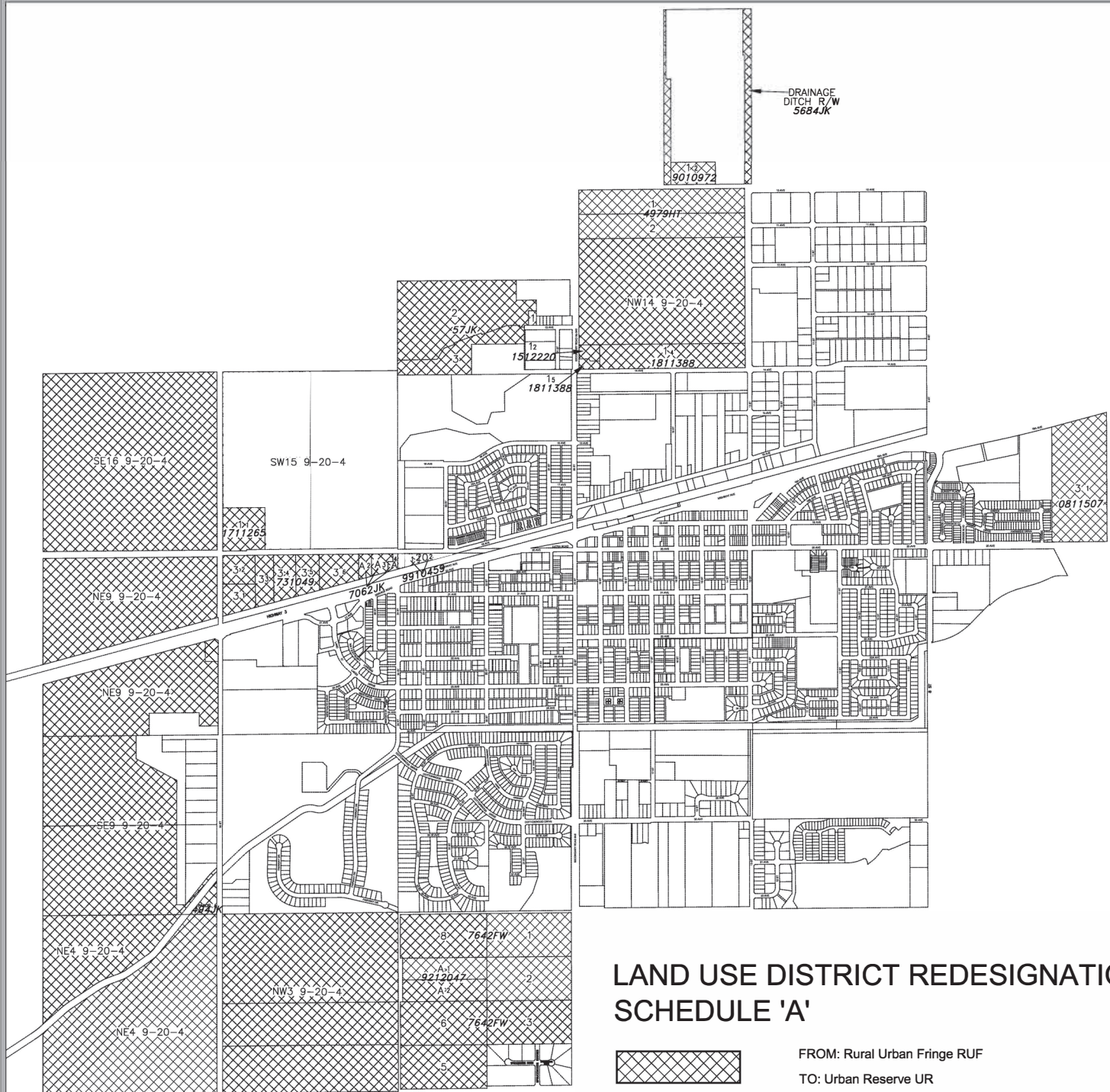
Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings

READ a **third** time and finally PASSED this ____ day of _____, 2019.

Mayor – Kim Craig

Chief Administrative Officer – Kalen Hastings



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Rural Urban Fringe RUF
TO: Urban Reserve UR

Bylaw #: **770-P-09-10**

Date: **September 23, 2019**

MAP PREPARED BY:

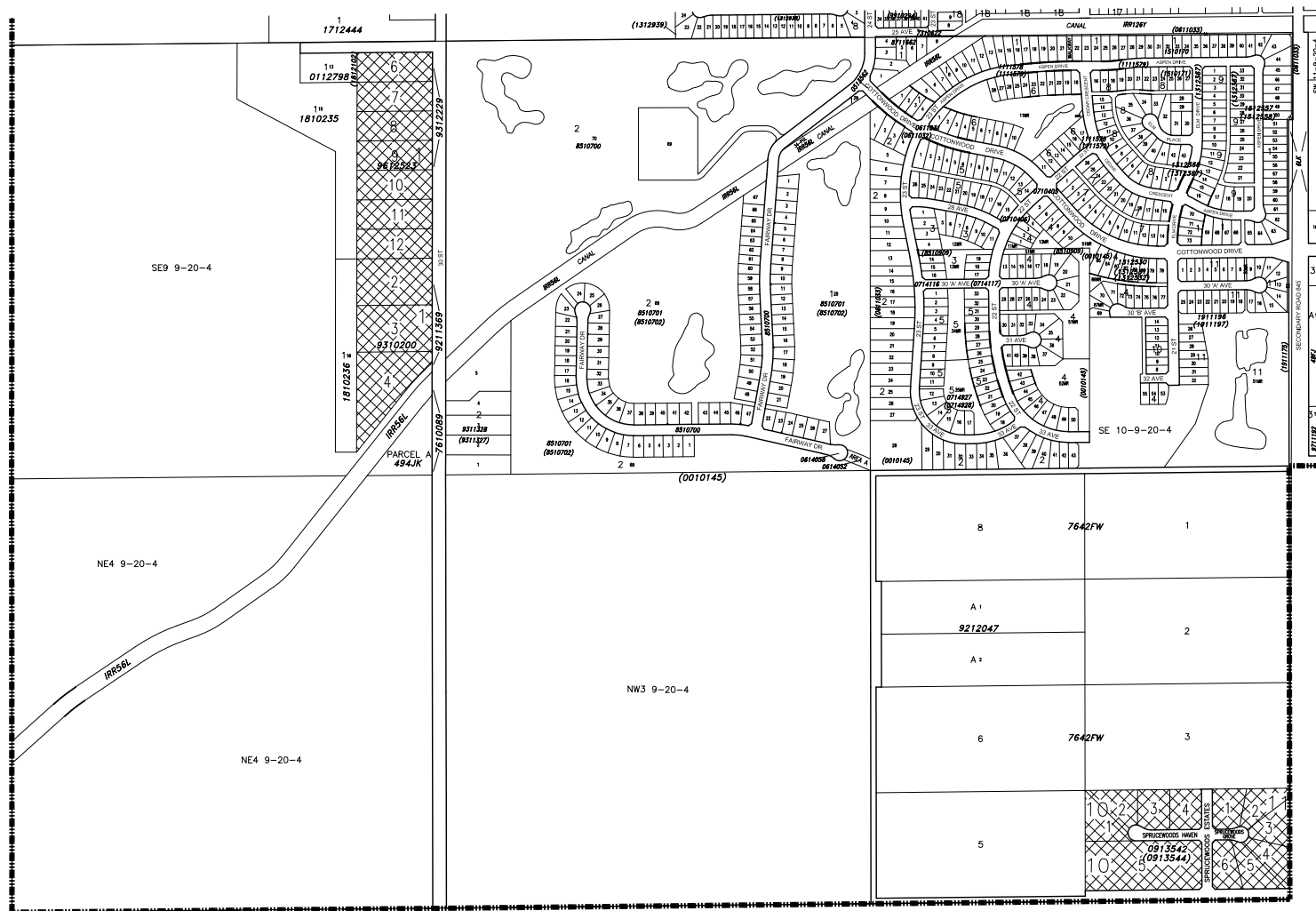
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

ALL OF NW14 9-20-4 & ALL OF SE16 9-20-4 & ALL OF NE9 9-20-4 & ALL OF NE4 9-20-4
ALL OF NW3 9-20-4
ALL OF NE3 9-20-4 EXCLUDING LOT 1 TO 5 (INCLUSIVE); BLOCK 10; PLAN 0913542 &
LOT 1 TO 6 (INCLUSIVE); BLOCK 11; PLAN 0913542
ALL THOSE PORTION OF LEGAL SUBDIVISIONS 3 AND 6 THAT LIE DIRECTLY WEST
OF LOT 1, BLOCK 1, PLAN 8610846 IN THE SW23 9-20-4
SE9 9-20-4 EXCLUDING LOTS 2 TO 4 (INCLUSIVE); BLOCK 1; PLAN 9310200 &
LOTS 6 TO 12 (INCLUSIVE); BLOCK 1; PLAN 9612523
LOT 2; BLOCK 1; PLAN 9010972
LOT 9; BLOCK RW; PLAN 5684JK
LOT 2 TO 4 (INCLUSIVE); BLOCK A; PLAN 7062JK
LOT 1 TO 6 (INCLUSIVE); BLOCK 3; PLAN 731049
LOT 1; BLOCK 1; PLAN 1711265
LOT 1; BLOCK 3; PLAN 0811507
BLOCK 1; PLAN 57JK
BLOCK 2; PLAN 57JK
BLOCK 3; PLAN 57JK
MUNICIPALITY: TOWN OF COALDALE
DATE: SEPTEMBER 17, 2019



OLDMAN RIVER REGIONAL SERVICES COMMISSION



LAND USE DISTRICT REDESIGNATION SCHEDULE 'B'



FROM: Grouped Country Residential GCR

TO: Country Residential Two CR-2

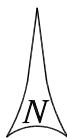
LOT 2 to 4; BLOCK 1; PLAN 9310200 &
 LOT 6 to 12; BLOCK 1; PLAN 9612523
 ALL WITHIN SE 1/4 SEC 9 TWP 9 RGE 20 W 4 M
 LOT 1 to 5; BLOCK 10; PLAN 0913542 &
 LOT 1 to 6; BLOCK 11; PLAN 0913542
 ALL WITHIN SE 1/4 SEC 9 TWP 9 RGE 20 W 4 M
 MUNICIPALITY: TOWN OF COALDALE
 DATE: SEPTEMBER 17, 2019

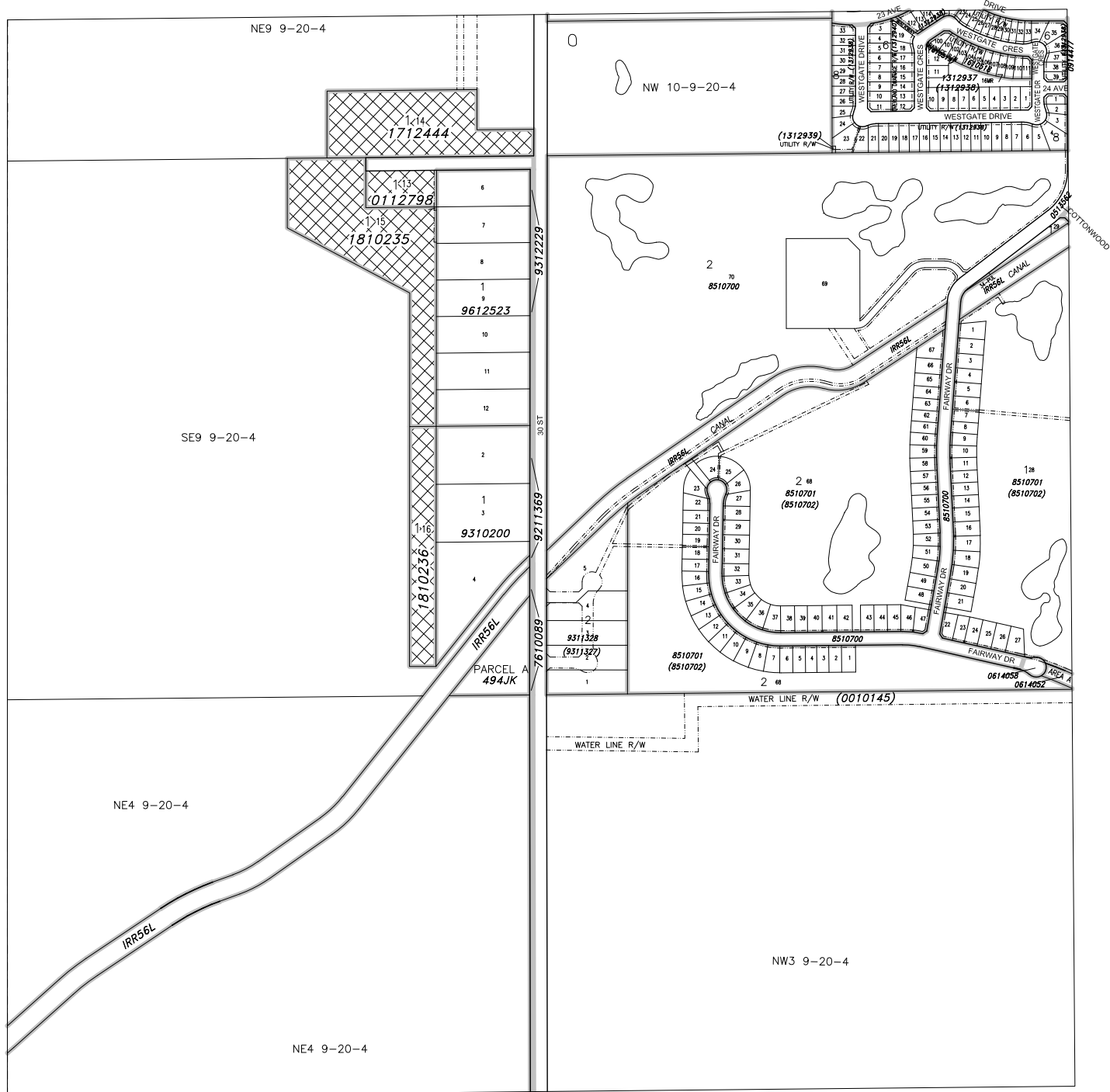
Bylaw #: **770-P-09-10**
 Date: **September 23, 2019**

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
 TEL. 403-329-1344
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



0 Metres 100 200 300 400





LAND USE DISTRICT REDESIGNATION SCHEDULE 'C'



FROM: Rural Urban Fringe RUF

TO: Institutional / Recreational I/R

LOT 15; BLOCK 1; PLAN 1810235 & LOT 16; BLOCK 1; PLAN 1810236

LOT 14; BLOCK 1; PLAN 1712444 & LOT 13; BLOCK 1; PLAN 0112789

ALL WITHIN SE 1/4 SEC 9 TWP 9 RGE 20 W 4 M

MUNICIPALITY: TOWN OF COALDALE

DATE: SEPTEMBER 17, 2019

Bylaw #: **770-P-09-10**

Date: **September 23, 2019**



September 19, 2019 N:\Lethbridge-County\Coaldale\Coaldale LUD & Land Use Redesignations\LUDRedesignations\Coaldale - Bylaw769-P-10-19 Schedule C.dwg

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

RURAL URBAN FRINGE – RUF

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structures and Uses to an Approved Permitted Use

Agricultural Buildings and Structures (see Part 1, Section 13 - No permit required)

Day Homes (see Part 1, Section 13 - No permit required and Part 4, Section 13)

Dwellings:

Single-detached Site-built

Single-detached Manufactured Home 1 (see Part 4, Section 22)

Single-detached Manufactured Home 2 (see Part 4, Section 22)

Single-detached Ready-to-move (see Part 4, Section 22)

Extensive Agriculture and Grazing (see Part 1, Section 13 - No permit required)

Home Occupations 1 (see Part 4, Section 20)

Secondary Suites (contained within a single-detached dwelling) (see Part 4)

Secondary Suites (detached garage) (see Part 4)

Signs Type 1 (in accordance with Part 5)

Solar Collectors, Individual (see Part 6, Section 2)

(2) Discretionary Uses

Accessory Buildings, Structures and Uses to an Approved Discretionary Use

Agricultural Services

Alternative or Renewable Energy Facilities, Individual (see Part 6)

Bed and Breakfasts (see Part 4, Section 9)

Cemeteries

Day Care (see Part 4, Section 14)

Dwellings:

Moved-in (see Part 4, Section 22)

Semi-detached (or duplex)

Second or Additional Residences*

Garden Centre

Home Occupations 2 and 3 (see Part 4, Section 20)

Horticulture

Isolated Country Residential (for subdivision purposes)

Market Gardening and Nurseries

Moved-in Buildings (see Part 4, Section 25)

Personal Workshop and Storage (non-commercial) (see Part 4)

Public/Institutional Uses

Recreation, Minor

Public and Private Utilities:

General Utility Structures

Sewage Disposal Plants and Lagoons

Water Treatment Plants and Reservoirs

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

(3) Prohibited Uses

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

◆ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 33, is a Prohibited Use.

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

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

3. MINIMUM LOT SIZE

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

4. MINIMUM YARD SETBACK REQUIREMENTS

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

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

5. MINIMUM SETBACKS FROM ROADWAYS

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

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

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

7. DEVELOPMENT AND SETBACKS NEAR CANALS

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

8. MAXIMUM SITE COVERAGE

- (1) Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be as determined by the Development Authority. No building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage.
- (2) At the discretion of the Development Authority, the maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a parcel may be stipulated as a condition of approval on a development permit.

9. ACCESS

- (1) The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach(es) necessary to serve the lot or development area in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.
- (2) To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*. If the development is within 304.8 metres (¾ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.
- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) If access is required onto a roadway under the jurisdiction of an adjacent municipality, the affected municipality shall be notified to obtain consent. In the case where an Intermunicipal Development Plan is adopted by the two municipalities, any applicable road network/access policies stipulated in that joint agreement shall apply.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building or structure shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

11. FENCES AND SHELTERBELTS

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

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

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

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

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

13. SERVICING REQUIREMENTS

- (1) Every development shall be required to install a sewage disposal system and potable water system in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or other system as approved by the municipality.
- (2) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- (3) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.

14. LOCATIONAL CRITERIA FOR ISOLATED COUNTRY RESIDENTIAL DEVELOPMENT

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

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

15. HAZARDOUS OR NOXIOUS INDUSTRY

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

16. DEVELOPMENT APPLICATION REFERRALS

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

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

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

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

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

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

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

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

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

25. SIGN REGULATIONS (See Part 5)

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



27. SUBDIVISION CRITERIA (See Part 7)

28. FORMS (See Appendix A)

GROUPED COUNTRY RESIDENTIAL – GCR

1. PURPOSE

To provide for a high quality of clustered residential development in areas where no conflict with agriculture or industrial type land uses can be anticipated pursuant to the Municipal Development Plan. Uses which are incompatible with the primarily residential character of this district are discouraged.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structures and Uses to an Approved Permitted Use

Day Homes (see Part 1, Section 13 - No permit required)

Dwellings:

Single-detached Site-built

Single-detached Manufactured Homes 1 (see Part 4, Section 22)

Single-detached Ready-to-move (see Part 4, Section 22)

Home Occupations 1 (see Part 4, Section 20)

Secondary Suites (contained within a single-detached dwelling) (see Part 4)

Signs Type 1 (in accordance with Part 5)

Solar Collectors, Individual (see Part 6, Section 2)

(2) Discretionary Uses

Accessory Buildings, Structures and Uses to an Approved Discretionary Use

Bed and Breakfasts (see Part 4, Section 9)

Day Care (see Part 4, Section 14)

Dwellings:

Semi-detached / Duplex

Single-detached Manufactured Homes 2 (see Part 4, Section 22)

Home Occupations 2 (see Part 4, Section 20)

Manufactured Home Parks

Moved-in Buildings (see Part 4, Section 25)

Parks, Playgrounds and Sportfields

Secondary Suites (detached garage) (see Part 4)

Signs Type 2 Fascia (in accordance with Part 5)

Small Wind Energy Conversion Systems (see Part 6, Part 3)

Tourist Homes (see Part 4, Section 37)

(3) Prohibited Uses

- ♦ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 33, is a Prohibited Use.

3. MINIMUM LOT SIZE

(1) The minimum required parcel or lot size shall be:

- (a) existing parcels;
- (b) 0.8 ha (2 acres) of developable land or greater as reasonably required to support the proposed use if private disposal sewage systems are used.

- (2) Parcels or lots less than 0.8 ha (2 acres) in size may be considered in the following circumstances:
 - (a) the lots are to be connected to municipal services; or
 - (b) the lots are included in a municipal approved area structure plan or design scheme and the lot area is based on an alternative or communal waste water treatment system acceptable to the municipality. In such situations, the minimum lot area should not be less than 0.2 ha (20,000 sq. ft.) unless special circumstances warrant a smaller size; or
 - (c) the lots are part of an area that has a valid area structure plan or design scheme applicable to it, which was approved by Council prior to this land use bylaw taking effect, and the subdivision is being registered or developed in stages which have been initiated.

4. MINIMUM YARD SETBACK REQUIREMENTS

(1) Side Yard

No building, structure (excluding fencing) or dugout banks shall be within 6.1 metres (20 ft.) of a property line not fronting on or adjacent to a municipal roadway, or as established in an adopted area structure plan or design scheme.

(2) Front yards

Front yards setbacks for all uses shall be a minimum of 15.2 metres (50 ft.) from the property line adjacent to or fronting a local or internal subdivision road, not categorized as a statutory municipal road allowance. For setbacks adjacent to or fronting other roadways Section 5 stipulations shall apply, unless a variance is approved by the Development Authority or Alberta Transportation.

(3) Special Setback Requirements

- (a) All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a provincial highway may have special requirements for setback, access and service roadways imposed as a condition of approval by the Development Authority in accordance with the requirements of Alberta Transportation and the *Highways Development Protection Regulation*.
- (b) As determined by the Development Authority, all buildings, structures and development that are to be located in the vicinity of an escarpment, coulee break, river bank or other geographical feature may have special requirements for setbacks upon due consideration of any geotechnical or slope stability analysis reports requested by the municipality.

5. MINIMUM SETBACKS FROM ROADWAYS

- (1) No part of a building, structure or development shall be located within:
 - (a) 38.1 metres (125 ft.) of the centre line of any public roadway which is not designated as a provincial highway under the *Highways Development Protection Regulation*;
 - (b) 70.0 metres (230 ft.) of the centre line or 40.0 metres (131 ft.) from the right-of-way boundary, whichever is greater, of roads designated as provincial highways under the *Highways Development Protection Regulation*;
 - (c) for any development adjacent to provincial roadways classified as a four-lane divided highway or freeways/expressways, the required setback distances and accesses will be reviewed on a highway-by-highway/development-by-development basis and shall be as prescribed by Alberta Transportation;

- (d) any greater distance that may be required by the Development Authority in order to facilitate future road widening, service road dedication, to reduce potential snow drifting, or vision restrictions.
- (2) Where any parcel or part of a parcel has frontage on a provincial highway, special standards for setbacks, access, and service roadways may be required by Alberta Transportation under the *Highways Development Protection Regulation*.

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

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

7. DEVELOPMENT AND SETBACKS NEAR CANALS

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

8. MAXIMUM SITE COVERAGE

- (1) Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be:
 - (a) as determined by the Development Authority – no building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage; or
 - (b) as established in an adopted area structure plan or design scheme.
- (2) The maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a lot or parcel shall not exceed the sizes as stipulated in Section 10 of this district.

9. ACCESS

- (1) The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach(es) necessary to serve the lot or development area in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.
- (2) To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*. If the development is within 304.8 metres (¼ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.

- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) A shared local service road or the construction of shared accesses/approaches may be required to be provided by the developer of multi-lot subdivisions in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building.
- (6) Maximum height – No accessory buildings shall exceed 6.1 metres (20 ft.) in height.
- (7) Maximum size of accessory buildings or structures:
 - (a) on parcels 0.8 ha (2.0 acres) or less in size, the maximum size of an accessory building or structure shall not exceed 167.22 m² (1,800 sq. ft.);
 - (b) on parcels greater than 0.8 ha (2.0 acres) in size, the maximum size of an accessory building or structure shall not exceed 914.4 m² (3,000 sq. ft.).

11. FENCES AND SHELTERBELTS

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

- (a) no fence, hedge or shelterbelt shall be erected which would unduly restrict the vision of approaching traffic;
- (b) fencing surrounding public utility lots shall be as per *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or as stipulated in a Development Agreement;
- (c) all fences must be sited to be able to meet the required corner site triangle setbacks as stipulated in Part 3, Section 11;
- (d) a chain link, split rail or barb wire type fence may be located adjacent to the property line or within the required setbacks to a public road, but, solid material fences and snow fences must meet the stipulated setbacks to the public road.
- (e) no hedge or shelterbelt shall be erected closer than the distances as stipulated in Part 3, Section 11, Fences, Trees and Shelter Belts in Rural Areas, Diagram 3.5, of the right-of-way of a public road.

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

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

13. SERVICING REQUIREMENTS

- (1) Every development shall be required to install a sewage disposal system and potable water system in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or other system as approved by the municipality.
- (2) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- (3) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.

14. STANDARDS OF DEVELOPMENT

Standards detailed in Parts 3 and 4 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme.

15. DEVELOPMENT STANDARDS FOR MANUFACTURED AND READY-TO-MOVE HOMES

Standards detailed in Part 4, Section 22 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme.

16. AREA STRUCTURE PLANS AND DESIGN SCHEMES

Pursuant to the criteria outlined in the Municipal Development Plan:

- (1) Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or conceptual design scheme.
- (2) The Subdivision Authority or Development Authority may recommend that Council require the adoption of an area structure plan or design scheme prior to approving applications for subdivision or development, where it becomes apparent to the relevant approval authority or the municipality that too much development is being concentrated in one area without a formal land use designation being approved.

17. SITE GRADING AND DRAINAGE

- (1) If not provided in conjunction with an approved area structure plan or design scheme, or at the land use redesignation stage, the Subdivision Authority or Development Authority may request a drainage study conducted by a licensed, qualified engineer to be submitted as part of an application for subdivision or

development approval. The study must include the land that is subject to the application as well as adjacent and other lands that may be affected by the development and drainage proposals.

- (2) The Development Authority may require as a condition of development approval:
 - (a) engineered grading and drainage plans for the development and a legal survey demonstrating that engineered grades have been met;
 - (b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;
- (3) The applicant is responsible for ensuring adherence to any required final grades that are established by the engineer and approved by the municipality.

18. ARCHITECTURAL CONTROLS

All development must comply with any approved architectural controls if required as part of an area structure plan or subdivision approval. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application.

19. AIRPORT AREA RESTRICTIONS

Properties that lie within the area shown in Map 1, Part 4, will have additional subdivision and development restrictions as outlined in Part 4, Section 2, Airport Area Restrictions.

20. RIVER VALLEYS AND SHORELANDS

- (1) Before approving any application in or adjacent to a river valley or shoreland area to locate or expand a land use, or which requires a land use bylaw waiver, the Development Authority shall refer such an application to any local, regional, provincial or federal government agency that, in its opinion, has an interest in land use management.
- (2) No application to locate or expand a land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Development Authority, the proposal will not:
 - (a) be located in a flood prone area; and
 - (b) cause soil erosion or damage to a river bank; and
 - (c) cause deterioration of water quality; and
 - (d) hinder the flow of water to the river; and
 - (e) compromise aesthetic quality or natural amenities; and
 - (f) be detrimental to area of ecologically sensitive habitat or of historic or scenic importance; and
 - (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is for a non-agricultural use; and
 - (h) have a detrimental effect on existing or proposed recreation areas; and
 - (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.
- (3) Where a proposed development is granted permission to locate within the one in one hundred year flood plain of any watercourse, the Development Authority may request the developer to provide any or all of the following requirements prior to the issuance of a development permit:

- (a) the registration of a Save Harmless Agreement against the title indemnifying the municipality in case of a subsequent flood causing damage to the development;
- (b) the provision of an appropriate private sewage disposal system to the satisfaction of the appropriate health authority and the *Safety Codes Act*;
- (c) a certificate from a qualified Alberta Land Surveyor stating the top of the footings of any proposed development will be at or above the one in one hundred flood plain level and proof of such elevation;
- (d) an assurance that any proposed setback requirements as established by Alberta Environment or other government department are met or exceeded.

21. SITE SUITABILITY

- (1) The Subdivision Authority or Development Authority shall take into consideration Part 1 – Administrative, Sections 20-22 of this Bylaw, when making a decision on an application for subdivision or development in this land use district.
- (2) The Subdivision Authority or Development Authority may place any or all of the following conditions, in addition to a development agreement, on subdivision or development permit approval to ensure any concerns over the suitability of the land and development are satisfied:
 - (a) the provision of a professional geotechnical investigation/test and report to ensure the site is suitable in terms of topography, stability, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
 - (b) require the developer to provided suitable access, so the site will be legally and physically accessible to a developed municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;
 - (c) stipulate the alteration of proposed lot configurations, building sizes or locations to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
 - (d) any reasonable measures to ensure any other requirements of this Land Use Bylaw are complied with;
 - (e) any measures to adequately ensure applicable provincial legislation such as the *Safety Codes Act* is complied with or not compromised.

22. HAZARDOUS OR NOXIOUS USES

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

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

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

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

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

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



- 28. **MOVED-IN BUILDINGS** (See Part 4 – Use Specific Provisions)
- 29. **HOME OCCUPATIONS** (See Part 4 – Use Specific Provisions)
- 30. **SIGN REGULATIONS** (See Part 5)
- 31. **ALTERNATIVE / RENEWABLE ENERGY DEVELOPMENTS** (See Part 6)
- 32. **FORMS** (See Appendix B)
- 33. **FEES** (See Appendix C)

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

(B) DISCRETIONARY USES

- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Farm Building and Structure
- Home Occupation 2
- Parks and Playgrounds
- Public or Private Utility
- Outdoor Recreation and Sports fields
- 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
- 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

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	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:
- i. the setbacks which may apply, in the opinion of the Development Authority, on reclassification and/or subdivision of the lot, in the future; and

- ii. the maintenance of adequate setbacks from existing and proposed roadways, including service roadways and lanes; and
- iii. such other matters as the Development Authority considers appropriate.

6. MAXIMUM HEIGHT OF BUILDINGS

- (a) The maximum building height of any dwelling shall be 10 m (33 ft).
- (b) 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.
- (c) 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

COUNTRY RESIDENTIAL TWO – CR-2



Purpose:

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

1. (A) PERMITTED USES

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

(B) DISCRETIONARY USES

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

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

(C) PROHIBITED USES

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

2. MINIMUM LOT SIZE

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

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

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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

4. MAXIMUM SITE COVERAGE

(a) **Principal Building – 35%**

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

(b) **Accessory Buildings – 10%**

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

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

5. MAXIMUM HEIGHT OF BUILDINGS

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

*See definition for Building Height.

6. DRAINAGE

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

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

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

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

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

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

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

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

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

INSTITUTIONAL / RECREATIONAL – I/R



Purpose:

To provide for institutional, public and semi-public uses which are compatible with each other and with adjoining uses.

1. (A) PERMITTED USES

- Accessory building, structure or use to an approved permitted use
- Government Services
- Hospital
- Outdoor Recreation and Sports fields
- Parks and Playgrounds
- Recreation, Public
- School
- Shipping Container (temporary)
- Sign Types¹: 1A, 2, 4
- Utility, Public

(B) DISCRETIONARY USES

- Accessory building, structure or use to an approved discretionary use
- Child Care Facility
- Cemetery
- Dwellings
 - Moved-in
 - Prefabricated
- Educational Institution
- Golf Course
- Institutional Facilities or Uses
- Medical/Health Facility
- Moved-In Building
- Museum
- Recreation, Private
- Public or Religious Assembly
- Sign Types¹: 1B, 3, 5, 6, 8, 9, 10, 11, 12
- Small Wind Energy System – Type A and B²
- Utility, Private

Notes: 1 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.

2 – See Schedule 4, Section 27 for definition of small wind energy system types.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Sign Type 7
- 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

All Uses – As required by the Designated Officer or Municipal Planning Commission.

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	m	ft.	m	ft.	m	ft.	m	ft.
All Uses	7.62	25	3.05	10	3.05	10	7.62	25
Accessory Buildings	As required by the Designated Officer or Municipal Planning Commission							

4. MAXIMUM SITE COVERAGE

(a) **All Buildings – 50%**

Principal buildings and accessory buildings shall not occupy more than 50 percent of the surface area of any lot within this land use district.

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

STAFF REPORT
JUNE 24, 2019 – REGULAR COUNCIL MEETING

ANNEXED LANDS – REZONING PROCESS UPDATE

PURPOSE:

1. To provide Town Council with an update regarding the rezoning process associated with the properties that were recently annexed from Lethbridge County into the Town of Coaldale.
2. To outline findings from meetings and discussions that occurred with annexed property owners over the winter and spring of 2019.
3. To identify next steps and associated timelines that are required to complete the rezoning of recently annexed properties.

BACKGROUND:

On April 1, 2018, approximately 590 hectares (1459 acres) of land were annexed into the Town of Coaldale. Within this area are 66 individually titled properties and a number of rights-of-way. As per sec. 135(1)(d) of the MGA:

...bylaws and resolutions of the old municipal authority that apply specifically to the area of land continue to apply to it until repealed or others are made in their place by the new municipal authority.

This means that the Lethbridge County Land Use Bylaw (LUB) continues to apply to all annexed properties until such time that the land use district for each annexed property is rezoned to a suitable Town of Coaldale land use district.

The rezoning process began with Town-owned properties north of Highway 3, including:

- the lands the lagoons are situated on; and
- the quarter section where the Malloy Phase 2a ponds are located, along with approximately 32 hectares (80 acres) of developable land to the west of the constructed wetlands.

The remaining Town-owned properties and privately-owned properties still need to be rezoned in order that the Town's LUB can be applied to the land use activities that occur or are proposed to occur on these properties.

It should be noted that the original timeline to have rezoning bylaws in front of Council was early May, which would have allowed the rezoning process to be finalized by the end of May or beginning of June. Other priorities ended up taking precedent and as such, the revised timeline is as follows:

JUNE – provide Council with a summary of feedback collected from annexed landowners

JULY/AUGUST – prepare land use district amendments and rezoning bylaws

SEPTEMBER – present land use district and rezoning bylaws for 1st reading

SEPTEMBER – advertising and public hearings for the abovementioned bylaws

SEPTEMBER/OCTOBER – land use district and rezoning processes finalized

ANNEXED LANDOWNER ENGAGEMENT:

In order to ensure the perspectives of the newly-annexed landowners are considered in the rezoning process, landowner engagement was undertaken in the winter/early spring of 2019.

Specifically, the following engagement efforts were undertaken:

1. A rezoning package was sent to all newly-annexed landowners in January 2019.

The rezoning package included an explanation of why the rezoning of newly annexed properties needs to take place, and what the most suitable Town zonings are for each of the broad property categories represented in the annexation area i.e. much of the area is currently zoned Rural Urban Fringe (RUF) and the suitable Town zoning is Urban Reserve (UR).

Attachment 1: *rezoning packages that were sent to the landowners*

2. Five rezoning meetings were scheduled over the course of two weeks in February 2019.

A series of rezoning meetings were scheduled and the dates/times for the meetings was mailed out to each newly-annexed landowner.

Attachment 2: *letter sent to landowners*

3. For those landowners who could not attend any of the scheduled meetings, they were encouraged to contact the Town to set up one-on-one meetings to ensure their questions, comments and concerns were discussed.

As a result of the engagement efforts noted above, the following interactions took place:

- 4 one-on-one meetings
- A number of phone calls and emails
- 3 different sets of landowners attended the scheduled workshops

ENGAGEMENT FINDINGS:

Following is a brief overview of the findings from the landowner engagement efforts, categorized by either a particular property or by a particular land use district:

1. **Plan 091 2068, Block 11, Lot 1 (Rehoboth Christian Ministries)**



The property owned by the Rehoboth Christian Ministries is currently zoned Rural Commercial. Although the parcel was initially determined to be suitable to rezone to the Town's Highway Commercial – C2 zoning, due to the unique nature of the activities that are undertaken on the property, the most suitable Town zoning is Direct Control (DC).

A Direct Control bylaw is currently being worked on with the landowner and will be ready to present to Council either just before or just after the scheduled summer break.

Rehoboth Christian Ministries – summary of requests:

That the parcel be rezoned to a suitable Town zoning that will allow for the continued operation of the facilities.

2. Plan 57JK, Lots 2 and 3 (Alberta Birds of Prey Foundation and Mr. Colin Weir)



The properties that are noted above include Plan 57JK, Lot 2 (the Foundation's lot) and Plan 57JK, Lot 3 (Mr. Weir's personal property), which are adjacent to one another.

The property owned by the Alberta Birds of Prey Foundation was originally suggested as suitable for rezoning to the Institutional/Recreational – I/R zoning, as it can be considered similar in intent, with similar land uses, to the Town lands located to the south of the subject parcel. However, through discussion and formal correspondence with the Foundation’s legal advisors, the property has been requested to be rezoned to Urban Reserve instead. The full details of the request can be found in the letter that was submitted by Milne Pritchard Law Office. A summary of the request is as follows:

- The ability to accommodate staff and volunteer housing on a suitable portion of the parcel would align with future plans for the Foundation
- The wetlands that are in the process of being designed for the parcel are considered a “private utility” under the Land Use Bylaw as per the definition of the term including reference to the storage and transmission of water
- Educational and tourism-focused structures can be erected on the parcel

In addition to the above, the Foundation, by way of the letter submitted by Milne Pritchard, has also requested that a second dwelling be included as a listed use in the Urban Reserve land use district.

Alberta Birds of Prey Foundation – summary of requests:

That the parcel legally described as Plan 57JK, Block 5, Lot 2, be rezoned from the current County zoning of Rural Urban Fringe (RUF) to the Town’s Urban Reserve (UR) zoning.

That the use “second dwelling” or “additional dwellings” be included as a listed use in the Town’s UR zoning.

For Mr. Weir’s personal property, the request made is similar to that of the other parcel. Mr. Weir wishes to have his personal property rezoned to UR, and that the listed uses in the UR land use district include “second dwelling” or “additional dwellings”.

Mr. Weir – summary of requests:

That the parcel legally described as Plan 57JK, Block 5, Lot 3, be rezoned from the current County zoning of Rural Urban Fringe (RUF) to the Town’s Urban Reserve (UR) zoning.

That the use “second dwelling” or “additional dwellings” be included as a listed use in the Town’s UR zoning.

Attachment 3: letter of request from the Foundation and Mr. Weir’s lawyer

3. Summary of feedback from other landowners

In addition to the requests discussed above, a number of other landowners have provided feedback regarding changes to the Town zonings that they wish to have considered as the land use bylaw amendment and rezoning processes are undertaken.

- A general desire for “second dwelling” or “additional dwellings” to be a listed use in the Urban Reserve, and Country Residential 2 (CR2) land use districts
- The inclusion of the following uses in the Urban Reserve land use district:
 - Agricultural Services
 - Garden Centre
 - Horticulture
 - Market Garden and Nurseries
 - Stockpiles
 - Shipping Container
 - Recreational Vehicle Storage

PLEASE NOTE: The list of uses noted above does not necessarily reflect the desires of all annexed landowners and is only intended to be representative of the comments and feedback received from landowners who chose to attend the engagement activities or contact the Town individually with feedback.

MOVING FORWARD:

The timeline that was presented earlier in this report is suggested to be the process that is followed in order to process and finalize the rezoning of the annexed properties:

1. JUNE – provide Council with a summary of feedback collected from annexed landowners
2. JULY/AUGUST – prepare land use district amendments and rezoning bylaws
3. SEPTEMBER – present land use district and rezoning bylaws for 1st reading
4. SEPTEMBER – advertising and public hearings for the abovementioned bylaws
5. SEPTEMBER/OCTOBER – land use district and rezoning processes finalized

Focusing on Step 2 (July/August), a comprehensive LUB amendment package will be prepared over the summer and will include commentary on the possible impacts (positive and negative) of the list of uses that has been requested to be added into the UR or C2 land use districts.

PUBLIC ENGAGEMENT:

A letter is being prepared for the annexed landowners and will be ready to send out by early July.

The letter will summarize the list of requested changes and amendments to the Town's LUB and the applicable land use districts and will also clarify that the landowners may provide final comments to the Town over the summer.

Once the formal Land Use Bylaw amendment and rezoning process begins in early Fall, standard advertising and notification requirements will be followed, including public hearings.

RECOMMENDATIONS AND COUNCIL ACTION REQUESTED:

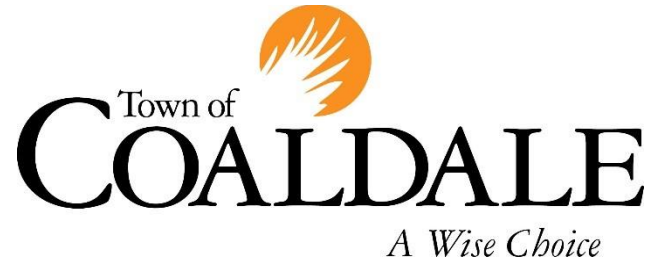
1. THAT Council accept this report for information.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

This report has been prepared in consultation with the following listed departments:

Department	Signature
Kalen Hastings, CAO	



Newly annexed landowners

Land Use information package

December 2018

1.0 Introduction

Newly annexed landowners | Land Use information package

During the annexation process, you may remember hearing or reading that the Lethbridge County Land Use Bylaw (LUB) applies to newly annexed properties even after annexation, until such time that the Town works with you to identify a Town of Coaldale land use zoning that is suitable for your property.

The reason that your property needs to be transitioned from a Lethbridge County zoning to Town of Coaldale zoning is to allow the Town to effectively and efficiently regulate land uses on your property, and to ensure you are able to undertake the activities you may wish to undertake on your land, while accounting for the Town's growth needs, which was the driving force behind the annexation of your lands.

This information package contains a brief overview of the Lethbridge County zoning that currently governs your property, and a list of the Town zoning(s) that would be best-suited for your property. The intent of this package is to provide you the comparative zonings and other information from the Town's Land Use Bylaw, in order that you may identify any parts of the Town bylaw that you have questions or concerns about, before your property is transitioned to a Town zoning.

As a follow-up activity, annexed landowner workshops will be held in January and February of 2019 to ensure there is opportunity to consult with you regarding any questions, concerns or ideas you may have, prior to any zoning changes being taken forward to Town Council.

2.0 A brief comparison of Land Use districts (zonings)

The County zonings that currently apply to newly annexed properties include the following:

- Rural Urban Fringe – RUF (43 properties)
- Grouped Country Residential – GCR (21 properties)
- Rural Commercial – RC (1 property)

The Town zonings that would be most similar to the abovementioned zonings include:

- Urban Reserve – UR (replaces RUF)
- Country Residential 2 – CR2 (replaces GCR)
- Highway Commercial – C2 (replaces RC)

3.0 Rural Urban Fringe (RUF) compared to Urban Reserve (UR)

Your property is one of the 43 properties that are currently zoned Rural Urban Fringe (RUF). The most similar Town of Coaldale zoning is Urban Reserve (UR).

Please take a moment to review the RUF excerpt from the Lethbridge County Land Use Bylaw, and the UR excerpt from the Town Land Use Bylaw.

There are some differences between the County's RUF and the Town's UR land use districts. The most notable differences will be in the types of land uses that may be carried out. There are many land uses that are the same or similar however the County and Town use slightly different terms.

For example, the County allows "Agricultural Buildings and Structures" as a permitted use, while the Town allows "Extensive Agriculture" as a permitted use. Extensive Agriculture does not explicitly state that buildings are allowed, but in the definition for the term, it is clarified that agricultural buildings and structures are allowed:

EXTENSIVE AGRICULTURE means the production of crops or livestock or both by expansive cultivation or open grazing only. Barns, quonsets and other similar buildings associated with extensive agriculture are classified as accessory structures. This use does not include agricultural-related industry buildings or uses such as packaging plants, processing plants, agricultural support services or any other similar uses or structures.

- Schedule 14 (Definitions), Page 16 of the Town's Land Use Bylaw

As the definition clarifies, buildings and structures are still permitted, but in the Town's Land Use Bylaw they are considered accessory structures instead of listed as their own uses explicitly.

There are also land uses that are permitted or discretionary in the County's RUF zoning, but that are not permitted or discretionary in the Town's UR zoning. For instance, a second dwelling may be permitted (as a discretionary use) in the RUF zoning, but a second dwelling is not allowed under the Town's UR zoning.

Please see the table on the following page for a comparative list of land uses that are permitted or discretionary in the County's RUF zoning, and those that are permitted or discretionary in the Town's UR zoning.

Lethbridge County RUF land uses	Allowed in the Town's UR zoning?
Permitted Uses (allowed)	
Accessory Buildings, Structures and Uses to an Approved Permitted Use	Yes – same terminology
Agricultural Buildings and Structures	Yes – considered accessory buildings/structures
Day Homes	Yes – same terminology
Dwellings:	Yes to some
Single-detached Site-built	Yes
Single-detached Manufactured Home 1	No – prohibited in Town UR zoning
Single-detached Manufactured Home 2	No – prohibited in Town UR zoning
Single-detached Ready-to-move	Yes – termed “prefabricated dwelling”
Extensive Agriculture and Grazing	Yes – termed “extensive agriculture”
Home Occupations 1	Yes – same terminology
Secondary Suites (contained within a single-detached dwelling)	No
Secondary Suites (detached garage)	No
Signs Type 1	Yes – sign types differ between County and Town
Discretionary Uses (decision of Municipal Planning Commission)	
Accessory Buildings, Structures and Uses to an Approved Discretionary Use	Yes – same terminology
Agricultural Services	No – Agricultural Services is not listed in the Town's UR zoning (it is considered industrial)
Alternative or Renewable Energy Facilities, Individual	No
Bed and Breakfasts	Yes – same terminology
Cemeteries	No
Day Care	No
Dwellings:	No
Moved-in	No
Semi-detached (or duplex)	No
Second or Additional Residences*	No
Garden Centre	No
Home Occupations 2 and 3	Yes to Home Occupation 2 – same terminology
Horticulture	No
Isolated Country Residential (for subdivision purposes)	No
Market Gardening and Nurseries	No
Moved-in Buildings	No
Personal Workshop and Storage (non-commercial)	Yes – this would fall under “accessory building or structure to an approved use”
Public/Institutional Uses	No
Recreation, Minor	Yes – this would fall under “Public Recreation” as a permitted use

Public and Private Utilities: General Utility Structures Sewage Disposal Plants and Lagoons Water Treatment Plants and Reservoirs	Yes – termed “Public or Private Utility”
Public Parks	Yes – termed “Parks and Playgrounds”
Recreational Vehicle Storage	No
Signs Type 2 Fascia	Yes – sign types differ between County and Town
Shipping Containers	No – this is a listed prohibited use
Small Wind Energy Conversion Systems	Yes – same terminology
Stockpiles	No
Telecommunication Facilities	No
Veterinary Clinics, Small Animal	No
Wind Energy Conversion Systems	No – only “Small Wind Energy Conversion Systems” are listed

“No” uses and activities as per the Town’s Urban Reserve (UR) zoning

All “no” uses and activities that were permitted by the County prior to annexation are allowed to continue and are considered “legal non-conforming” uses and activities. This means that the uses are allowed to continue in perpetuity, BUT that they are not allowed to expand or be altered in any way.

The Province of Alberta Municipal Government Act (MGA), the legislation that governs how, what, where and why municipalities may regulate land uses, provides the following regulations for “legal non-conforming” buildings and land uses. Following is an excerpt from the MGA:

Non-conforming use and non-conforming buildings (Sec. 643)

- (1)** *If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.*
- (2)** *A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.*
- (3)** *A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.*
- (4)** *A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.*

(5) *A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except*

*(a) to make it a conforming building,
(b) for routine maintenance of the building, if the development authority considers it necessary, or
(c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.*

(6) *If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.*

(7) *The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.*

4.0 Next Steps

As indicated during the annexation process and at the newly annexed landowners barbeque that was held in the summer of 2018, there will be opportunity to meet with the Town's planning and development staff to discuss any questions, concerns or ideas you may have regarding the rezoning of your property. Annexed landowner workshops will be scheduled for January and February of 2019 and invitations will be sent to each annexed landowner well in advance of the events.

No zoning changes will be proposed to take place until after the workshops have taken place and all questions, concerns and ideas have been discussed.

If you have any questions, concerns or ideas you wish to discuss in advance of the workshops that will be scheduled for January and February of 2019, please don't hesitate to contact the undersigned at planner@coaldale.ca or 403.345.1304.

Best Regards,



Spencer Croil, RPP MCIP
Director of Planning and Community Development

RURAL URBAN FRINGE – RUF

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

(2) Discretionary Uses

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

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

(3) Prohibited Uses

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

◆ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 33, is a Prohibited Use.

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

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

3. MINIMUM LOT SIZE

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

4. MINIMUM YARD SETBACK REQUIREMENTS

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

(2) Special Setback Requirements

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

5. MINIMUM SETBACKS FROM ROADWAYS

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

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

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

7. DEVELOPMENT AND SETBACKS NEAR CANALS

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

8. MAXIMUM SITE COVERAGE

- (1) Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be as determined by the Development Authority. No building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage.
- (2) At the discretion of the Development Authority, the maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a parcel may be stipulated as a condition of approval on a development permit.

9. ACCESS

- (1) The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach(es) necessary to serve the lot or development area in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.
- (2) To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*. If the development is within 304.8 metres (¾ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.
- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) If access is required onto a roadway under the jurisdiction of an adjacent municipality, the affected municipality shall be notified to obtain consent. In the case where an Intermunicipal Development Plan is adopted by the two municipalities, any applicable road network/access policies stipulated in that joint agreement shall apply.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building or structure shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

11. FENCES AND SHELTERBELTS

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

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

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

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

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

13. SERVICING REQUIREMENTS

- (1) Every development shall be required to install a sewage disposal system and potable water system in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or other system as approved by the municipality.
- (2) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- (3) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.

14. LOCATIONAL CRITERIA FOR ISOLATED COUNTRY RESIDENTIAL DEVELOPMENT

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

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

15. HAZARDOUS OR NOXIOUS INDUSTRY

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

16. DEVELOPMENT APPLICATION REFERRALS

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

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

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

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

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

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

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

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

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

25. SIGN REGULATIONS (See Part 5)

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



27. SUBDIVISION CRITERIA (See Part 7)

28. FORMS (See Appendix A)

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

(B) DISCRETIONARY USES

- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Farm Building and Structure
- Home Occupation 2
- Parks and Playgrounds
- Public or Private Utility
- Outdoor Recreation and Sports fields
- 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
- 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

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	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:
- i. the setbacks which may apply, in the opinion of the Development Authority, on reclassification and/or subdivision of the lot, in the future; and

- ii. the maintenance of adequate setbacks from existing and proposed roadways, including service roadways and lanes; and
- iii. such other matters as the Development Authority considers appropriate.

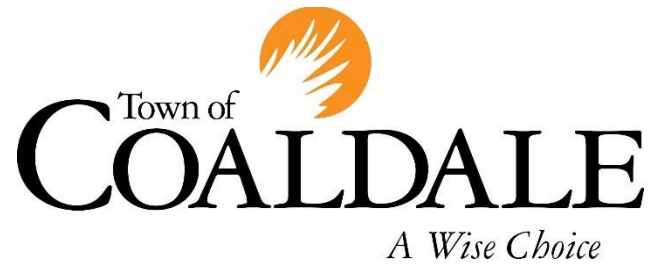
6. MAXIMUM HEIGHT OF BUILDINGS

- (a) The maximum building height of any dwelling shall be 10 m (33 ft).
- (b) 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.
- (c) 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



Newly annexed landowners

Land Use information package

December 2018

1.0 Introduction

Newly annexed landowners | Land Use information package

During the annexation process, you may remember hearing or reading that the Lethbridge County Land Use Bylaw (LUB) applies to newly annexed properties even after annexation, until such time that the Town works with you to identify a Town of Coaldale land use zoning that is suitable for your property.

The reason that your property needs to be transitioned from a Lethbridge County zoning to Town of Coaldale zoning is to allow the Town to effectively and efficiently regulate land uses on your property, and to ensure you are able to undertake the activities you may wish to undertake on your land, while accounting for the Town's growth needs, which was the driving force behind the annexation of your lands.

This information package contains a brief overview of the Lethbridge County zoning that currently governs your property, and a list of the Town zoning(s) that would be best-suited for your property. The intent of this package is to provide you the comparative zonings and other information from the Town's Land Use Bylaw, in order that you may identify any parts of the Town bylaw that you have questions or concerns about, before your property is transitioned to a Town zoning.

As a follow-up activity, annexed landowner workshops will be held in January and February of 2019 to ensure there is opportunity to consult with you regarding any questions, concerns or ideas you may have, prior to any zoning changes being taken forward to Town Council.

2.0 A brief comparison of Land Use districts (zonings)

The County zonings that currently apply to newly annexed properties include the following:

- Rural Urban Fringe – RUF (43 properties)
- Grouped Country Residential – GCR (21 properties)
- Rural Commercial – RC (1 property)

The Town zonings that would be most similar to the abovementioned zonings include:

- Urban Reserve – UR (replaces RUF)
- Country Residential 2 – CR2 (replaces GCR)
- Highway Commercial – C2 (replaces RC)

3.0 Rural Urban Fringe compared to Grouped Country Residential 2

Your property is one of the 21 properties that are currently zoned Grouped Country Residential (GCR). The most similar Town of Coaldale zoning is Country Residential 2 (CR2).

Please take a moment to review the GCR excerpt from the Lethbridge County Land Use Bylaw, and the CR2 excerpt from the Town Land Use Bylaw.

There are some differences between the County's GCR and the Town's CR2 land use districts. The most notable differences will be in the types of land uses that may be carried out.

There are also land uses that are permitted or discretionary in the County's GCR zoning, but that are not permitted or discretionary in the Town's CR2 zoning. For instance, a secondary suite in a garage may be permitted (as a discretionary use) in the GCR zoning, but a secondary suite in a garage is not allowed under the Town's CR2 zoning.

Please see the table on the following page for a comparative list of land uses that are permitted or discretionary in the County's GCR zoning, and those that are permitted or discretionary in the Town's CR2 zoning.

Lethbridge County GCR land uses	Allowed in the Town's CR2 zoning?
Permitted Uses (allowed)	
Accessory Buildings, Structures and Uses to an Approved Permitted Use	Yes – same terminology
Day Homes	Yes – same terminology
Dwellings: Single-detached Site-built Single-detached Manufactured Homes 1 Single-detached Ready-to-move	Yes to some Yes No – prohibited in Town CR2 zoning Yes – termed “Single Detached Prefabricated”
Home Occupation 1	Yes – same terminology
Secondary Suites (contained within a single-detached dwelling)	Yes – same terminology
Signs Type 1	No – prohibited in CR2 zoning
Solar Collectors, Individual	No
Discretionary Uses (decision of Municipal Planning Commission)	
Accessory Buildings, Structures and Uses to an Approved Discretionary Use	Yes – same terminology
Bed and Breakfasts	Yes – same terminology
Day Care	No
Dwellings: Semi-detached / Duplex Single-detached Manufactured Homes 2	Yes – same terminology No No
Home Occupations 2	Yes – same terminology
Manufactured Home Parks	No
Moved-in Buildings	Yes – moved in dwellings are also included here
Parks, Playgrounds and Sportfields	No
Secondary Suites (detached garage)	No
Signs Type 2 Fascia	Yes – sign types may be different
Small Wind Energy Conversion Systems	No
Tourist Homes	No

“No” uses and activities as per the Town's Grouped Country Residential 2 (CR2) zoning

All “no” uses and activities that were permitted by the County prior to annexation are allowed to continue and are considered “legal non-conforming” uses and activities. This means that the uses are allowed to continue in perpetuity, BUT that they are not allowed to expand or be altered in any way.

The Province of Alberta Municipal Government Act (MGA), the legislation that governs how, what, where and why municipalities may regulate land uses, provides the following regulations for “legal non-conforming” buildings and land uses. Following is an excerpt from the MGA:

Non-conforming use and non-conforming buildings (Sec. 643)

- (1) *If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.*
- (2) *A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.*
- (3) *A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.*
- (4) *A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.*
- (5) *A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except*
 - (a) to make it a conforming building,*
 - (b) for routine maintenance of the building, if the development authority considers it necessary, or*
 - (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.*
- (6) *If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.*
- (7) *The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.*

4.0 Next Steps

As indicated during the annexation process and at the newly annexed landowners barbeque that was held in the summer of 2018, there will be opportunity to meet with the Town's planning and development staff to discuss any questions, concerns or ideas you may have regarding the rezoning of your property. Annexed landowner workshops will be scheduled for January and February of 2019 and invitations will be sent to each annexed landowner well in advance of the events.

No zoning changes will be proposed to take place until after the workshops have taken place and all questions, concerns and ideas have been discussed.

If you have any questions, concerns or ideas you wish to discuss in advance of the workshops that will be scheduled for January and February of 2019, please don't hesitate to contact the undersigned at planner@coaldale.ca or 403.345.1304.

Best Regards,

A handwritten signature in black ink, appearing to read "Spencer Croil". The signature is fluid and cursive, with the first name "Spencer" written in a larger, more prominent script than the last name "Croil".

Spencer Croil, RPP MCIP
Director of Planning and Community Development

GROUPED COUNTRY RESIDENTIAL – GCR

1. PURPOSE

To provide for a high quality of clustered residential development in areas where no conflict with agriculture or industrial type land uses can be anticipated pursuant to the Municipal Development Plan. Uses which are incompatible with the primarily residential character of this district are discouraged.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structures and Uses to an Approved Permitted Use

Day Homes (see Part 1, Section 13 - No permit required)

Dwellings:

Single-detached Site-built

Single-detached Manufactured Homes 1 (see Part 4, Section 22)

Single-detached Ready-to-move (see Part 4, Section 22)

Home Occupations 1 (see Part 4, Section 20)

Secondary Suites (contained within a single-detached dwelling) (see Part 4)

Signs Type 1 (in accordance with Part 5)

Solar Collectors, Individual (see Part 6, Section 2)

(2) Discretionary Uses

Accessory Buildings, Structures and Uses to an Approved Discretionary Use

Bed and Breakfasts (see Part 4, Section 9)

Day Care (see Part 4, Section 14)

Dwellings:

Semi-detached / Duplex

Single-detached Manufactured Homes 2 (see Part 4, Section 22)

Home Occupations 2 (see Part 4, Section 20)

Manufactured Home Parks

Moved-in Buildings (see Part 4, Section 25)

Parks, Playgrounds and Sportfields

Secondary Suites (detached garage) (see Part 4)

Signs Type 2 Fascia (in accordance with Part 5)

Small Wind Energy Conversion Systems (see Part 6, Part 3)

Tourist Homes (see Part 4, Section 37)

(3) Prohibited Uses

- ♦ Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 33, is a Prohibited Use.

3. MINIMUM LOT SIZE

(1) The minimum required parcel or lot size shall be:

- (a) existing parcels;
- (b) 0.8 ha (2 acres) of developable land or greater as reasonably required to support the proposed use if private disposal sewage systems are used.

- (2) Parcels or lots less than 0.8 ha (2 acres) in size may be considered in the following circumstances:
 - (a) the lots are to be connected to municipal services; or
 - (b) the lots are included in a municipal approved area structure plan or design scheme and the lot area is based on an alternative or communal waste water treatment system acceptable to the municipality. In such situations, the minimum lot area should not be less than 0.2 ha (20,000 sq. ft.) unless special circumstances warrant a smaller size; or
 - (c) the lots are part of an area that has a valid area structure plan or design scheme applicable to it, which was approved by Council prior to this land use bylaw taking effect, and the subdivision is being registered or developed in stages which have been initiated.

4. MINIMUM YARD SETBACK REQUIREMENTS

(1) Side Yard

No building, structure (excluding fencing) or dugout banks shall be within 6.1 metres (20 ft.) of a property line not fronting on or adjacent to a municipal roadway, or as established in an adopted area structure plan or design scheme.

(2) Front yards

Front yards setbacks for all uses shall be a minimum of 15.2 metres (50 ft.) from the property line adjacent to or fronting a local or internal subdivision road, not categorized as a statutory municipal road allowance. For setbacks adjacent to or fronting other roadways Section 5 stipulations shall apply, unless a variance is approved by the Development Authority or Alberta Transportation.

(3) Special Setback Requirements

- (a) All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a provincial highway may have special requirements for setback, access and service roadways imposed as a condition of approval by the Development Authority in accordance with the requirements of Alberta Transportation and the *Highways Development Protection Regulation*.
- (b) As determined by the Development Authority, all buildings, structures and development that are to be located in the vicinity of an escarpment, coulee break, river bank or other geographical feature may have special requirements for setbacks upon due consideration of any geotechnical or slope stability analysis reports requested by the municipality.

5. MINIMUM SETBACKS FROM ROADWAYS

- (1) No part of a building, structure or development shall be located within:
 - (a) 38.1 metres (125 ft.) of the centre line of any public roadway which is not designated as a provincial highway under the *Highways Development Protection Regulation*;
 - (b) 70.0 metres (230 ft.) of the centre line or 40.0 metres (131 ft.) from the right-of-way boundary, whichever is greater, of roads designated as provincial highways under the *Highways Development Protection Regulation*;
 - (c) for any development adjacent to provincial roadways classified as a four-lane divided highway or freeways/expressways, the required setback distances and accesses will be reviewed on a highway-by-highway/development-by-development basis and shall be as prescribed by Alberta Transportation;

- (d) any greater distance that may be required by the Development Authority in order to facilitate future road widening, service road dedication, to reduce potential snow drifting, or vision restrictions.
- (2) Where any parcel or part of a parcel has frontage on a provincial highway, special standards for setbacks, access, and service roadways may be required by Alberta Transportation under the *Highways Development Protection Regulation*.

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

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

7. DEVELOPMENT AND SETBACKS NEAR CANALS

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

8. MAXIMUM SITE COVERAGE

- (1) Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be:
 - (a) as determined by the Development Authority – no building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage; or
 - (b) as established in an adopted area structure plan or design scheme.
- (2) The maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a lot or parcel shall not exceed the sizes as stipulated in Section 10 of this district.

9. ACCESS

- (1) The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach(es) necessary to serve the lot or development area in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.
- (2) To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*. If the development is within 304.8 metres (¼ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.

- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) A shared local service road or the construction of shared accesses/approaches may be required to be provided by the developer of multi-lot subdivisions in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards*.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- (5) As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building.
- (6) Maximum height – No accessory buildings shall exceed 6.1 metres (20 ft.) in height.
- (7) Maximum size of accessory buildings or structures:
 - (a) on parcels 0.8 ha (2.0 acres) or less in size, the maximum size of an accessory building or structure shall not exceed 167.22 m² (1,800 sq. ft.);
 - (b) on parcels greater than 0.8 ha (2.0 acres) in size, the maximum size of an accessory building or structure shall not exceed 914.4 m² (3,000 sq. ft.).

11. FENCES AND SHELTERBELTS

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

- (a) no fence, hedge or shelterbelt shall be erected which would unduly restrict the vision of approaching traffic;
- (b) fencing surrounding public utility lots shall be as per *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or as stipulated in a Development Agreement;
- (c) all fences must be sited to be able to meet the required corner site triangle setbacks as stipulated in Part 3, Section 11;
- (d) a chain link, split rail or barb wire type fence may be located adjacent to the property line or within the required setbacks to a public road, but, solid material fences and snow fences must meet the stipulated setbacks to the public road.
- (e) no hedge or shelterbelt shall be erected closer than the distances as stipulated in Part 3, Section 11, Fences, Trees and Shelter Belts in Rural Areas, Diagram 3.5, of the right-of-way of a public road.

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

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

13. SERVICING REQUIREMENTS

- (1) Every development shall be required to install a sewage disposal system and potable water system in accordance with *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or other system as approved by the municipality.
- (2) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- (3) The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.

14. STANDARDS OF DEVELOPMENT

Standards detailed in Parts 3 and 4 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme.

15. DEVELOPMENT STANDARDS FOR MANUFACTURED AND READY-TO-MOVE HOMES

Standards detailed in Part 4, Section 22 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme.

16. AREA STRUCTURE PLANS AND DESIGN SCHEMES

Pursuant to the criteria outlined in the Municipal Development Plan:

- (1) Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or conceptual design scheme.
- (2) The Subdivision Authority or Development Authority may recommend that Council require the adoption of an area structure plan or design scheme prior to approving applications for subdivision or development, where it becomes apparent to the relevant approval authority or the municipality that too much development is being concentrated in one area without a formal land use designation being approved.

17. SITE GRADING AND DRAINAGE

- (1) If not provided in conjunction with an approved area structure plan or design scheme, or at the land use redesignation stage, the Subdivision Authority or Development Authority may request a drainage study conducted by a licensed, qualified engineer to be submitted as part of an application for subdivision or

development approval. The study must include the land that is subject to the application as well as adjacent and other lands that may be affected by the development and drainage proposals.

- (2) The Development Authority may require as a condition of development approval:
 - (a) engineered grading and drainage plans for the development and a legal survey demonstrating that engineered grades have been met;
 - (b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;
- (3) The applicant is responsible for ensuring adherence to any required final grades that are established by the engineer and approved by the municipality.

18. ARCHITECTURAL CONTROLS

All development must comply with any approved architectural controls if required as part of an area structure plan or subdivision approval. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application.

19. AIRPORT AREA RESTRICTIONS

Properties that lie within the area shown in Map 1, Part 4, will have additional subdivision and development restrictions as outlined in Part 4, Section 2, Airport Area Restrictions.

20. RIVER VALLEYS AND SHORELANDS

- (1) Before approving any application in or adjacent to a river valley or shoreland area to locate or expand a land use, or which requires a land use bylaw waiver, the Development Authority shall refer such an application to any local, regional, provincial or federal government agency that, in its opinion, has an interest in land use management.
- (2) No application to locate or expand a land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Development Authority, the proposal will not:
 - (a) be located in a flood prone area; and
 - (b) cause soil erosion or damage to a river bank; and
 - (c) cause deterioration of water quality; and
 - (d) hinder the flow of water to the river; and
 - (e) compromise aesthetic quality or natural amenities; and
 - (f) be detrimental to area of ecologically sensitive habitat or of historic or scenic importance; and
 - (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is for a non-agricultural use; and
 - (h) have a detrimental effect on existing or proposed recreation areas; and
 - (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.
- (3) Where a proposed development is granted permission to locate within the one in one hundred year flood plain of any watercourse, the Development Authority may request the developer to provide any or all of the following requirements prior to the issuance of a development permit:

- (a) the registration of a Save Harmless Agreement against the title indemnifying the municipality in case of a subsequent flood causing damage to the development;
- (b) the provision of an appropriate private sewage disposal system to the satisfaction of the appropriate health authority and the *Safety Codes Act*;
- (c) a certificate from a qualified Alberta Land Surveyor stating the top of the footings of any proposed development will be at or above the one in one hundred flood plain level and proof of such elevation;
- (d) an assurance that any proposed setback requirements as established by Alberta Environment or other government department are met or exceeded.

21. SITE SUITABILITY

- (1) The Subdivision Authority or Development Authority shall take into consideration Part 1 – Administrative, Sections 20-22 of this Bylaw, when making a decision on an application for subdivision or development in this land use district.
- (2) The Subdivision Authority or Development Authority may place any or all of the following conditions, in addition to a development agreement, on subdivision or development permit approval to ensure any concerns over the suitability of the land and development are satisfied:
 - (a) the provision of a professional geotechnical investigation/test and report to ensure the site is suitable in terms of topography, stability, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
 - (b) require the developer to provide suitable access, so the site will be legally and physically accessible to a developed municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;
 - (c) stipulate the alteration of proposed lot configurations, building sizes or locations to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
 - (d) any reasonable measures to ensure any other requirements of this Land Use Bylaw are complied with;
 - (e) any measures to adequately ensure applicable provincial legislation such as the *Safety Codes Act* is complied with or not compromised.

22. HAZARDOUS OR NOXIOUS USES

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

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

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

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

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

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



- 28. **MOVED-IN BUILDINGS** (See Part 4 – Use Specific Provisions)
- 29. **HOME OCCUPATIONS** (See Part 4 – Use Specific Provisions)
- 30. **SIGN REGULATIONS** (See Part 5)
- 31. **ALTERNATIVE / RENEWABLE ENERGY DEVELOPMENTS** (See Part 6)
- 32. **FORMS** (See Appendix B)
- 33. **FEES** (See Appendix C)

COUNTRY RESIDENTIAL TWO – CR-2



Purpose:

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

1. (A) PERMITTED USES

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

(B) DISCRETIONARY USES

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

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

(C) PROHIBITED USES

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

2. MINIMUM LOT SIZE

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

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

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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

4. MAXIMUM SITE COVERAGE

(a) **Principal Building – 35%**

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

(b) **Accessory Buildings – 10%**

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

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

5. MAXIMUM HEIGHT OF BUILDINGS

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

*See definition for Building Height.

6. DRAINAGE

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

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

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

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

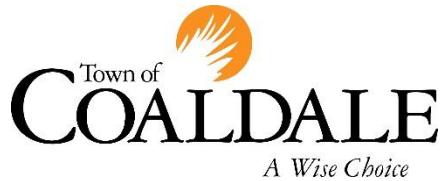
Note: Measurements are from the respective property line to the nearest point of the building.

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

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

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

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



February 8, 2019

Mail merge

Dear mail merge

In late December or early January an information package regarding the rezoning of newly annexed properties was sent out. In the information package it was indicated that rezoning workshops would be organized for January and February. Since January has passed, the workshops are now scheduled for mid-to-late February.

Workshops will be held on the following dates and times:

DATE	TIME	PLACE
Wednesday, February 20	7 to 8 pm	All workshops will be held at the Community Centre (1217 20th Avenue)
Saturday, February 23	10 to 11 am <i>and</i> 11 am to 12 pm	
Tuesday, February 26	5 to 6 pm	
Wednesday, February 27	7 to 8 pm	

Meeting as an area

As an alternative to attending a general rezoning workshop, if you prefer to attend a workshop with your fellow landowners from a particular area, please let me know and I will accommodate the time and date that works best for all landowners in the given area. For the purposes of the rezoning workshops, an example of an area would be the:

- Harrison Estates area
- Evergreen Estates area
- All landowners in the quarter-section directly west of Highway 845 on the new southern boundary of the Town
- All large-lot landowners (lots over 20 acres in size)

Meeting individually

If you prefer to meet one-on-one, please let me know and I will accommodate the time and date that works best for you.

Meeting format (workshops)

The meetings will be formatted as workshops focused on the following items:

- Reviewing your current property zoning
- Reviewing the current Town zonings that are most suitable to rezone your properties to
- Identifying and discussing questions/concerns/ideas regarding the Town zonings, and potential changes to the Town zonings that newly annexed landowners may desire

As mentioned in the mailout that you received previously, the County zonings currently in place on the newly annexed areas includes Rural Urban Fringe (RUF), Grouped Country Residential (GCR) and Rural Commercial (RC). Town zonings that have been proposed as suitable to transition to include Urban Reserve (UR), Country Residential 2 (CR2) and Highway Commercial (C2).

You will be grouped based on the most suitable Town zoning for your property, which was identified in the information package you received. There will be Urban Reserve (UR), Country Residential 2 (CR2) and Highway Commercial (C2) discussion groups.

Post-annexation matters

In conjunction with the rezoning discussions, the workshops present an opportunity to discuss any questions, concerns or ideas you may have as new Town residents, with specific reference to those operational and service-related matters that were covered during the annexation process.

If there are any questions, concerns or ideas that you wish to discuss prior to the workshops being held, please do not hesitate to contact me at your earliest convenience at 403.345.1304 (office), 403.393.5858 (cell) or at planner@coaldale.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Spencer Croil', written in a cursive style.

Spencer Croil, RPP MCIP
Director of Planning and Community Development



J. BRUCE MILNE*
bruce@milnepritchard.com
F. MURRAY PRITCHARD, Q.C.*
murray@milnepritchard.com
CRAIG A. McMAHON
craig@milnepritchard.com
SARAH A. LEBEAU
sarah@milnepritchard.com

Our File No. 5033-6
Legal Assistant: Kelsey Lewis
Email: kelsey@milnepritchard.com
Via fax to 403-345-1311

April 12, 2019

Town of Coaldale
1920 17th Street
Coaldale, AB T1M 1M1

Attention: Spencer Croil, RPP MCIP – Director of Planning and Community Development

Dear Mr. Croil:

**Re: Alberta Birds of Prey Foundation and Colin George Weir
Rezoning of Annexed Properties**

We represent both the Alberta Birds of Prey Foundation and Colin Weir in regards to their properties which are subject to the recent annexation and proposal for rezoning. My client's properties are shown on the attached aerial photo for ease of reference.

Following our meeting on April 9th, 2019 and after considering the proposed zoning for these properties my clients are of the opinion that parcels 2 and 3 on the attached aerial photo would most appropriately be rezoned under the urban reserve designation. The long term planning for this property contemplates the following uses:

1. Continued or expanded residential purposes for semi-detached drawings;
2. Environmental wetlands associated with the storage and transmission of water constituting a utility under the land use bylaw;
3. Educational/tourism structures associated with the environmental wetlands.

It is our understanding that the urban reserve designation would most appropriately accommodate these forecasted uses and avoid conflicts with existing development and future proposed development.

In addition of the foregoing, would be asking that consideration be given to an amendment to the urban reserve designation to contemplate secondary and/or additional dwellings to be permitted on each lot. This would help to facilitate my client's future plans for the development of staff housing on these lands to support the Alberta Birds of Prey Foundation's charitable/nonprofit operations and community contributions.

Suite 807 • Melcor Centre • 400 - 4th Avenue South • Lethbridge, AB • T1J 4E1

Phone: 403 329-1133 • Fax: 403 329-0395

*DENOTES PROFESSIONAL CORPORATION

We wish to thank the town council for having provided the opportunity for input into the rezoning of these lands which will be critical to the continued operation of our clients facility as well as the potential management of storm water runoff in this region.

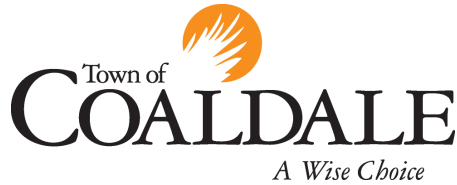
Yours very truly,

MILNE PRITCHARD LAW OFFICE


PER: F. MURRAY PRITCHARD, Q.C.

/kl

Encl.



Request for Decision

SEPTEMBER 23, 2019 REGULAR COUNCIL MEETING

ATCO GAS AND PIPELINES LTD. FRANCHISE AGREEMENT

Attached is correspondence from ATCO Gas and Pipelines Ltd. regarding clause 4(a) of the franchise agreement in which the Town of Coaldale has the ability to request a change to the ATCO Gas franchise fee for 2020.

The current franchise fee is 13% in which any changes must be submitted to ATCO prior to November 1st, 2019.

As part of the 2019-2021 operating budget, Council approved a 0% increase in the municipal residential mill rate for 2019 and 2020.

RECOMMENDATION:

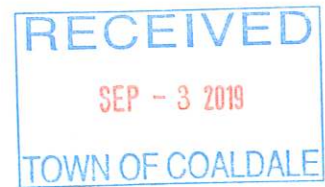
1. THAT Council make no changes to the ATO Gas and Pipelines Ltd. franchise fee for 2020.

Respectfully Submitted:

Kyle Beauchamp, CPA, CA
Director of Corporate Services

August 27, 2019

Town of Coaldale
1920 – 17 Street
Coaldale, AB
T1M 1M1



Attention: Kalen Hastings / Chief Administrative Officer

RE: ATCO Gas and Pipelines Ltd. Franchise Agreement Clause 4(a)

Pursuant to Clause 4(a) of our franchise agreement, the municipality has the ability to change the franchise fee percentage in 2020; this request must be received by ATCO Gas in writing prior to November 1st. If you are considering changing the franchise fee in 2020, please contact us as soon as possible to begin the process.

As you are aware, ATCO Gas pays the Town of Coaldale a franchise fee. The franchise fee is collected from customers in the community based on a percentage of our Delivery Tariff. In the Town of Coaldale, this percentage is 13.00%.

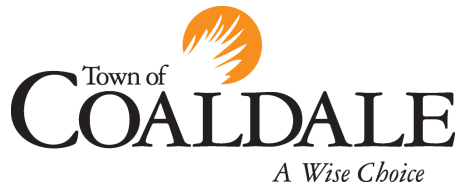
In 2018, our Delivery Tariff revenue in the Town of Coaldale was \$1,560,967. Our forecast Delivery Tariff revenue for 2020 is \$1,706,937. Therefore, based on the current franchise fee percentage, the forecast 2020 franchise fee revenue would be \$221,902.

We trust you will find this information useful, and, if you have any questions or require anything further, please do not hesitate to contact me at (780) 380-5401 or Shane.Ellis@atco.com.

Yours truly,

A handwritten signature in blue ink that reads "Shane Ellis".

Shane Ellis
Manager, Lethbridge
ATCO Natural Gas Division



Request for Decision

SEPTEMBER 23, 2019 - REGULAR COUNCIL MEETING

YOUTH ENGAGEMENT WORKING GROUP

PURPOSE:

The purpose of the following report is to request permission for the formation of a 'Youth Engagement Working Group' for the purposes of providing an outlet for youth in our community to become more involved in Town projects.

BACKGROUND:

The Youth DO Crew was formed on May 31, 2019 in partnership between FCSS and the Boys and Girls Club of Lethbridge to offer youth the opportunity to volunteer towards service projects in their community. Upon further consultation with the first generation of Coaldale's Youth DO Crew, it was identified that our youth were looking for more opportunities to provide their input and feedback on Town projects, especially if the projects involved youth-related activities. Thus, the idea to form a Youth Engagement Working Group that offers our youth a strong connection with the Town and current/future projects is proposed.

OVERVIEW:

The Youth Engagement Working Group will act as an advisory body that offers non-binding input, suggestions, and feedback on current and future Town projects. The working group is intended to provide a much-needed medium for youth in our community to become involved in happenings around Town, particularly with projects that may be of a special interest to youth (e.g. skateparks, pools, etc).

SCOPE:

This program would be promoted through FCSS's Youth DO Crew initiative, however, any youth in the community between the ages of 12-19 would be welcome to join. In order to facilitate a sign-up process that is less onerous and more conducive to the schedules of students, we will work with Kaitlynn Weaver from FCSS to conduct in-class recruitment and sign-up sessions at Kate Andrews High School over the month of September. Students would not be required to fill out a formal nomination form like a traditional working group and instead would only be expected to attend the working group meetings on an informal, drop-in basis. In addition, we will work with the school to ensure the necessary processes are followed to work with the youth (i.e. protection of student information, etc). An online sign-up form would also be promoted via our social media channels and website for youth outside of Kate Andrews High School to sign-up and attend the sessions.

The working group would run during bi-weekly or monthly Youth DO Crew meetings at the HUB between 4:00pm and 6:00pm and would be contingent on the availability of Town projects that

are of interest to the members or Council. The program would be active for an indefinite term or at a fixed term as advised by Council.

FACILITATORS:

The Youth Engagement Working Group will be facilitated by Josh Radford and/or Spencer Croil in partnership with Kaitlynn Weaver, the Youth DO Crew Coordinator with FCSS. Either Josh or Spencer will be present during Youth DO Crew meetings to help coordinate the working group and gather relevant feedback from the participants.

NEXT STEPS:

Upon successful formation of the working group, the program will begin at the next Youth DO Crew meeting at 4:00pm on Monday, September 23, 2019. Should the program begin immediately, the following question is offered to Council for discussion:

What current or future Town projects would Council wish for the Youth Engagement Working Group to focus on for the remainder of 2019?

RECOMMENDATION:

1. THAT Council approve the formation of the Youth Engagement Working Group, AND
2. THAT Council decide on the term for the Youth Engagement Working Group.

Respectfully Submitted:

Josh Radford,
Assistant Municipal Planner

This report has been prepared in consultation with the following listed departments:

Department	Signature
Spencer Croil, Director of Planning & Community Development	

ATTACHMENTS:

THE YOUTH DO CREW

DO Good. Feel Good.

A partnership between FCSS and the
Boys and Girls Club



WHO CAN JOIN?

Youth in Grades 10-12 who are in or
around the communities of
Raymond, Taber, Coaldale, or
Coalhurst

WHAT CAN YOU EXPECT?

Imagine and then **DO** a volunteer
service project that tackles a
social issue in your community



WHAT SKILLS WILL YOU LEARN?

You will gain relevant skills in
communication and leadership
through lessons in skill building,
empowerment, and mentorship

WHAT'S IN IT FOR YOU?

Boost your resume, make life-long
friendships, develop yourself and
your community!



HOW CAN YOU GET INVOLVED?

Contact the Youth DO Crew
Coordinator, Kaitlynn Weaver at
(403) 332-0629 or
kaitlynn.weaver@fcss.ca

 @YouthDOCrew

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 www.fcss.ca/do-crew



Boys & Girls Clubs
of Canada



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Apt 403—75 York St.
Kitchener, ON
Canada N2G 1T5

September 2, 2019

Dear Mayor Kim Craig and Coaldale Town Council,

I had the privilege of attending the Coaldale Centennial Celebrations. I grew up in Coaldale and visited on a regular basis until my parents died.

I want to thank you and the members of the Coaldale Town Council for making this happen. Although several people were part of making the idea of a Centennial Celebration a reality and many volunteers were involved during the weekend, I am also aware that Doreen Lloyd was the POWERHOUSE behind this effort. She is a visionary and a great organizer and you are lucky to have her on the leadership team in Coaldale. The weekend went so smoothly and Doreen looked like it was an effortless piece of cake.

The visits to the museum and the Birds of Prey were interesting for me, because I had not seen them for several years and great strides forward have been made in both. I very much enjoyed the Saturday afternoon program and learned a lot about Coaldale from the various presentations. Duncan Lloyd and Bill Martens made a fine pair—both information-wise and humor-wise. It was good to meet some authors from Coaldale. Rudy Wiebe grew up next to my grandma and his daughter is a friend of mine, so it was great to be part of “Meet the Authors”. I think the whole weekend was a wonderful tribute to the pioneers who build Coaldale over the years. I also found the worship service on Sunday very meaningful—the speaker, the choir and the atmosphere created around these.

I appreciate the book very much. Thank you.

So, with a very special thank you to Mayor Craig and Doreen, and thank to all who helped to make this special weekend happen, I can say I am proud to be from Coaldale.

Please get in touch if you ever find yourself wandering in this neck of the woods. I moved to Kitchener/Waterloo after 35 years of living abroad because my sister and her husband and children live here. But, you might also be interested to know that there are many others from Coaldale living in the southern Ontario region. For three years now we have had an annual gathering of all Coaldalites living in this area and their spouses—a total of about 19--and hopefully we will have another one next year. Please join us if you are in the area.

With warm wishes for a continuing journey,
Kathy Bergen
bergenkathy@gmail.com

September 12, 2019

Mayor Kim Craig
Town of Coaldale
1920 - 17th Street
Coaldale AB T1M 1M1

via email: mayor@coaldale.ca

Dear Mayor Craig:

RE: Rail Safety Week 2019

On behalf of Canadian Pacific (CP), I am writing to ask for your support to promote rail safety in your community during Canada's 17th Rail Safety Week, which runs from September 23 to 29, 2019.

Your municipality can participate in the following ways:

- Engage on social media with CP's RailSense campaign, highlighting dangerous behavior near the tracks.
- Ask your local police service to declare Rail Safety Week over social media.
- Engage with Operation Lifesaver's #STOPTrackTragedies campaign that will tell the personal stories of those affected by railway crossing and trespassing incidents, and will feature the voices of locomotive engineers, emergency responders, and friends and family members of rail incident victims from across Canada. The campaign will be launched on Monday, September 23 in Kamloops B.C., and will be promoted nationally through digital and traditional media campaigns.

Again this year, CP and the Canadian Pacific Police Service (CPPS) will be educating the public during Rail Safety Week about safety in and around railway property. CP and CPPS will conduct rail safety blitzes in communities across our network with participation from other police agencies and schools to educate motorists, pedestrians and the general public about the role we each play in staying safe.

"Incidents can happen in a split-second and can have tragic and far-reaching consequences for your family, friends and community, said Al Sauve, CP Police Service Chief. "Rail safety requires 24/7 vigilance, and CP asks that everyone think about their safety around railway property. We continue to focus education and enforcement efforts towards building communities of rail safety ambassadors young and old. Just like how we speak to children about safely crossing the street, everyone should know how to interact safely with railway property and equipment."

CP is proud to be the safest railway in North America, with the lowest FRA reportable train accident rate among all Class 1 railways for 13 years straight.

The strong commitment of municipalities like yours continues to have a significant impact on community awareness, helping to reduce avoidable accidents, injuries, and damage caused by collisions between trains and vehicles or pedestrians. Together with other communities, railways, and members of the public, your support this year will go a long way towards making Canada's rail network even safer.

CP greatly appreciates your participation in Rail Safety Week. We welcome any information about your plans to promote rail safety this year.

Sincerely,

Mike LoVecchio
Director Government Affairs
Canadian Pacific

August 28, 2019

Attention Spencer Croid
Town of Coaldale

Spencer

I am a resident of Sunny South Lodge on 20 avenue and I am concerned about the safety of the crosswalk that is directly in front of the building. I have witnessed several incidents where drivers have failed to stop for pedestrians trying to use this crosswalk, both seniors and children. I had a close call in this crosswalk when a driver of a pickup truck apparently failed to see me and narrowly missed hitting me. If I had taken another step I would have been hit.

I would like to see a flashing light setup at this crosswalk just like the one at the crosswalk west of this one. I have used the walk to the west on numerous occasions and it works very well for getting the vehicles to stop. I think it would be greatly appreciated by the residents of the lodge as we walk across 20th avenue daily. Your attention to this matter would be very helpful.

I can be reached for any further discussion at 403-330-9292 or email at cc878ward@gmail.com.

I have lived in this area for about 18 years and believe Coaldale is A Wise Choice for myself and seniors in general.

Thankyou
Cameron Ward Craig

