

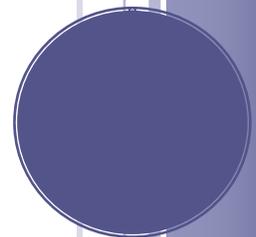


# INTERMUNICIPAL DEVELOPMENT PLAN

*COUNTY OF LETHBRIDGE & TOWN OF COALDALE*

**Bylaw No. 1337 & Bylaw No. 631-P-02-10  
April 2010**

Oldman River Regional Services Commission



Prepared by



*OLDMAN RIVER REGIONAL SERVICES COMMISSION*

COUNTY OF LETHBRIDGE  
IN THE PROVINCE OF ALBERTA

BY-LAW NO. 1337

Bylaw No. 1337 of the County of Lethbridge is for the purpose of adopting the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effect of development transcends municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe and within parts of the town and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

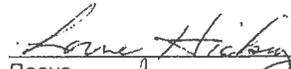
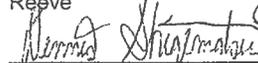
AND WHEREAS both the Councils of the County of Lethbridge and the Town of Coaldale agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities.

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

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

1. Council shall adopt the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan in consultation and as agreed to with the Town of Coaldale.
2. This plan, upon adoption, shall be cited as the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan Bylaw No. 1337 and No. 631-P-02-10.
3. This bylaw shall come into effect upon third and final reading thereof.

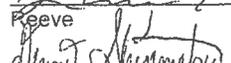
GIVEN first reading this 18 day of February, 2010.

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
County Manager

GIVEN second reading this 15 day of April, 2010.

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
County Manager

GIVEN third reading this 15 day of April, 2010.

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
County Manager



**BYLAW NO. 631-P-02-10**  
**TOWN OF COALDALE**  
**IN THE PROVINCE OF ALBERTA**

Bylaw No. 631-P-02-10 of the Town of Coaldale is for the purpose of adopting the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effect of development transcends municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe and within parts of the town and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

AND WHEREAS both the Councils of the County of Lethbridge and the Town of Coaldale agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities.

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

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

1. Council shall adopt the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan in consultation and as agreed to with the County of Lethbridge.
2. This plan, upon adoption, shall be cited as the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan Bylaw No. 1337 and No. 631-P-02-10.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a first time this 22<sup>nd</sup> day of February, 2010.

\_\_\_\_\_  
*Mayor – Kim Craig*

\_\_\_\_\_  
*Town Manager – Leo Ludwig*

READ a second time this 12<sup>th</sup> day of APRIL, 2010.

\_\_\_\_\_  
*Mayor – Kim Craig*

\_\_\_\_\_  
*Town Manager – Leo Ludwig*

READ a third time and finally PASSED this 12<sup>th</sup> day of APRIL, 2010.

\_\_\_\_\_  
*Mayor – Kim Craig*

\_\_\_\_\_  
*Town Manager – Leo Ludwig*



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## **PART 1: INTRODUCTION AND BACKGROUND**



# Intermunicipal Development Plan

## COUNTY OF LETHBRIDGE & TOWN OF COALDALE

### PART 1: INTRODUCTION AND BACKGROUND

The County of Lethbridge, located in the heart of irrigation country of southern Alberta and the Town of Coaldale, the largest town in the County of Lethbridge, have both experienced a significant amount of growth and development pressures over the past several years. As both municipalities are closely related in terms of economic, agricultural and social connections, along with being impacted by both Highway 3 and the Canamex corridor, it is apparent that coordinated land use policies would be mutually beneficial to both municipalities. An Intermunicipal Development Plan (IMDP) recognizes that the fringe area of an urban municipality is subject to different pressures, problems and opportunities than that of a strictly urban or rural setting.

With the growth pressures experienced in Alberta over the last few years, both the provincial government and municipalities themselves have begun to recognize that fringe area land use decisions cannot be made in isolation. Therefore, municipalities are encouraged to undertake the preparation of an Intermunicipal Development Plan in order to help avoid future land use conflicts and to create rational, sustainable land use practices. By implementing a plan that contains established referral processes, dispute mechanisms and guidelines for future uses, rural and urban municipalities can reach an agreement on fringe area issues and avoid a confrontational atmosphere between jurisdictions.

In the preparation of this plan and the meetings of the Joint Planning Committee, it was determined that, with some exceptions, the concerns about land use, growth and fringe area development and subdivision were largely shared.

#### PURPOSE OF THIS PLAN

The initial purpose of creating an Intermunicipal Development Plan was to allow for and enable orderly development of the areas around Coaldale having regard for the needs of both municipalities by means of a mutually agreed to process. The larger intent of this plan, in accordance with the *Municipal Government Act, Revised Statutes of Alberta*

This IMDP focuses on land use and related matters requiring intermunicipal consultation, cooperation and commitment

2000, Chapter M-26 with amendments (MGA), is to prescribe policy to apply to future land use and development, and any other matter relating to the physical, social or economic development of the area that the councils of the County and Town agree on and deem necessary, especially in regards to minimizing land use conflicts.

This document contains policies that apply to lands both in the rural urban fringe and within the Town and are to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction. Each municipality is ultimately responsible for making decisions within their municipal boundaries using the plan policies and the procedures provided in the plan.

This plan presents possible solutions for discussion by council and the public. After the participants in the planning process have reviewed this information and received some public input, an intermunicipal agreement can be developed with the intent of establishing a forum for continued intermunicipal cooperation.

*Guiding Principles of this plan agreement:*

- 1. The Town and County agree that they shall ensure that the policies of this plan are properly, fairly and reasonably implemented.*
- 2. The Town and County will honour the agreements reached and be clear about what has been decided and how the agreement will be carried out.*
- 3. The Town and County shall monitor and review the policies of this plan on an annual basis or as circumstances warrant.*
- 4. The County's and the Town's Land Use Bylaws and Municipal Development Plans shall be amended and maintained to reflect the policies of this plan.*

## LEGISLATIVE REQUIREMENTS

In order to foster cooperation and mitigate conflict between municipalities, the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA)* has included two mechanisms within the planning legislation which allows a municipality to:

1. include policies regarding coordination of land use, future growth patterns and other infrastructure with adjacent municipalities in their municipal development plans [section 632(3)(iii)] if no intermunicipal development plan exists with respect to those matters;
2. complete and adopt an intermunicipal development plan with adjacent municipalities to address the above matters.

Specifically, the MGA states:

**631(1)** *Two or more councils, may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities, as they consider necessary.*

**(2)** *An intermunicipal development plan*

*(a) may provide for*

- (i) the future land use within the area,*
- (ii) the manner of and the proposals for future development in the area, and*
- (iii) any other matter relating to the physical, social or economic development of the area that the councils consider necessary,*

*and*

*(b) must include*

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,*
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and*
- (iii) provisions relating to the administration of the plan.*

In addition to the MGA, Provincial Land Use Policies are in place to assist municipalities in harmonizing provincial and municipal policy initiatives at the local level. Every municipality in the province is expected to incorporate these policies into its planning decisions, practices and statutory documents as a requirement of the MGA, section 622(3):

**622(3)** *Every statutory plan, land use bylaw and action undertaken pursuant to this Part by a municipality, municipal planning commission, subdivision authority, development authority or subdivision and development appeal board or the Municipal Government Board must be consistent with the land use policies.*

The Provincial Land Use Policies are divided into sections that relate to different municipal planning responsibilities. Section 3 contains policies that relate to a municipality's general approach to planning and its interaction with its residents, neighbouring municipalities, provincial and federal agencies and other jurisdictions:

### ***3.0 Planning Cooperation***

#### ***Goal***

*To foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments and other jurisdictions in addressing planning issues and in implementing plans and strategies.*

#### ***Policies***

- 3.1 Municipalities are encouraged to expand intermunicipal planning efforts to address common planning issues, especially where valued natural features are of interest to more than one municipality and where the possible effect of development transcends municipal boundaries.*
- 3.2 In particular, adjoining municipalities are encouraged to cooperate in the planning of future land uses in the vicinity of their adjoining municipal boundaries (fringe areas) respecting the interests of both municipalities and in a manner which does not inhibit or preclude appropriate long term use nor unduly interfere with the continuation of existing issues. Adjoining municipalities are encouraged to jointly prepare and adopt intermunicipal development plans for critical fringe areas; these plans may involve lands which are in both of the adjoining municipalities.*

The above excerpts from the Provincial Land Use Policies are relevant to intermunicipal cooperation as they support a cooperative approach to land use planning between neighbouring municipalities. On April 27, 2009 the provincial government released Bill 36, the *Alberta Land Stewardship Act*, which is the provincial legislation to begin legal foundation and implementation of the provincial land use policies. This will have a bearing on future intermunicipal cooperation and potential amendments will likely need to be incorporated into the plan by the municipalities.

## PLAN PREPARATION PROCESS

The County of Lethbridge and the Town of Coaldale engaged the Oldman River Regional Services Commission to prepare a new Intermunicipal Development Plan (IMDP) for the two municipalities. The formation of the plan was to be guided by the Joint Planning Committee (to act as the Intermunicipal Development Plan Committee) as established by the respective municipalities. Through a private mediation process in September of 2008, both municipalities agreed to protocols to guide the discussion of the plan process, which included both parties agreeing to cooperate and engage in respectful behavior at all times throughout the discussion process.

As an initial step in the overall process, an expanded plan procedures and discussion protocols guide was established for the Joint Planning Committee. The protocols outlined fundamental ways of creating a plan that focused on building goodwill, respecting other viewpoints, and communicating in ways that promoted understanding and striving for solutions that presented mutual consensus. In addition to this, other protocols were suggested to act as a guide to help resolve plan or policy issues during the formation of the draft plan, by outlining steps for planning committee members to seek clarification or resolution on issues. Both parties agreed that their decision making model would be based on reaching consensus on the issues discussed.

Subsequent to the establishment of a process, a background and study area analysis was undertaken which served as a foundation from which both municipalities could review the existing land use conditions and determine the relevant issues, goals, objectives, and implementation for the Intermunicipal Development Plan. The background review provided an analysis of the existing circumstances, attempted to identify issues and opportunities that have emerged from the analysis of the preliminary information, and acted as an agenda for discussions by the Joint Planning Committee.

Once common issues were identified, these were discussed with each respective council independently to seek guidance and agreement. The issues identified by each municipal council were reviewed by the Joint Planning Committee for its

### *Protocols for Cooperative Collaboration*

*IMDP Committee members acknowledge the importance of respect, trust, and goodwill among us.*

*Committee members will seek explanations before reacting to issues.*

*Committee members will strive to understand and be understood by others.*

*We will seek solutions that meet our joint and individual interests to the fullest extent possible.*

*Committee members will respect each other's roles, opinions, responsibilities, and local authority.*

*We will honour the agreements we reach and be clear about what has been decided and how the agreement will be carried out.*

*Committee members acknowledge that there may be times when we can only "agree to disagree."*

*Committee members will agree to re-meet when necessary to review discussions, and strive for solutions.*

review and agreement, which resulted in policies being formulated to address the issues. A refined document was then prepared, complete with policies and maps, which was submitted for the Committee's final approval.

As part of the public consultation process, the plan preparation notice was distributed to owners of land in the County within the 2009 IMDP boundary and owners of land within the Town who are adjacent to the County/Town boundary.

An open house was scheduled in advance of the mandatory public hearing required by the Municipal Government Act. At the discretion of both councils, the document was then adopted by individual bylaws.

## GOALS AND OBJECTIVES OF THE PLAN

It is important to clearly establish what is intended to be accomplished by the plan. This allows decision makers to ensure the application of the policies of the plan are consistent with the intent of the plan. After a period of time it will be necessary to evaluate the plan. Goals and objectives allow for the measurement of success. The final objectives will be the result of committee discussion, public input and council discussion.

### Goals

The two participating municipalities' overall goal of this plan is to encourage orderly and economical development in the Coaldale fringe area based on the designated plan boundary that has regard to the needs of both municipalities. More specific goals are as follows:

- To address requirements of the Municipal Government Act with respect to intermunicipal conflict resolution procedures, plan administration, and plan amendment or repeal procedures.
- To provide a clear policy framework to guide future land use decisions, by both municipalities, for lands located within the plan boundaries.
- To facilitate sound development, growth and economic opportunities for both municipalities based on shared land use strategies.
- To establish clear principles whereby both municipalities may consistently apply planning policies and land use bylaw decisions within their respective jurisdictions, which respect the goals and objectives of this plan.
- To facilitate intermunicipal communication in planning matters.
- To provide for a continuous and transparent planning process that facilitates ongoing consultation and cooperation among the two municipalities and affected ratepayers.

## Objectives

In relation to the goals, the specific objectives of the intermunicipal development plan are:

- To identify the concerns and opportunities relevant to each municipality.
- To clarify the land use expectations each municipality has for the IMDP area.
- To establish policies addressing the concerns and opportunities identified.
- To recognize the predominant agricultural nature of the lands within the plan area and to provide a decision making framework that helps determine the most appropriate interim and long term uses of the lands with respect to this.
- To make a cooperative effort to plan efficiently and sustainably while allowing both municipalities the flexibility for considering suitable development and land use proposals.
- To identify the potential growth areas or directions for urban expansion for the Town of Coaldale and to ensure development for both municipalities is considered and planned in a manner that is complimentary to existing and proposed developments in both jurisdictions.
- To provide clear guidelines and referral policies for both municipalities in making decisions on land use redesignations, subdivision and development applications in the plan boundary and referral area.
- To provide a clear intermunicipal conflict resolution procedure and attempt to avoid a confrontational atmosphere between municipal jurisdictions.

## PLAN AREA

The Intermunicipal Plan Area consists of 8,099.76 acres (3,277.97 ha) of land adjacent to the Town of Coaldale as illustrated on Map 2. Both municipalities agreed that the area determined to be the applicable plan boundary would be primarily based on the urban fringe district in the County of Lethbridge Land Use Bylaw, with a slight ½ mile extension to the west and east to account for recent growth directions within the Town of Coaldale.

From the perspective of both municipalities, maintaining the integrity of the Intermunicipal Plan Area is critical to the preservation of their long-term interests. This plan is based upon a shared vision of a future growth framework and reflects a mutual recognition and agreement on identifying areas of suitable development or growth for each municipality.

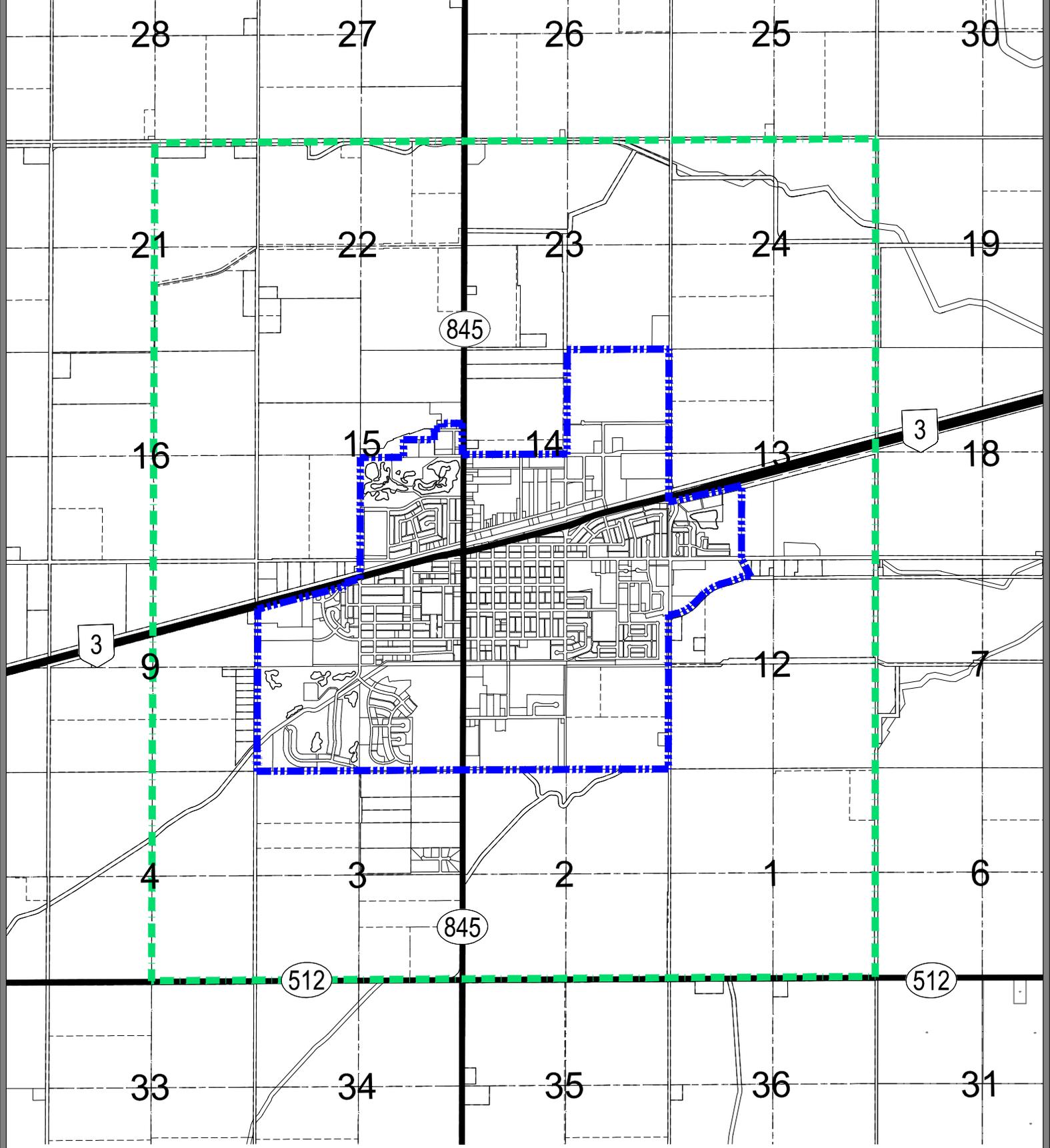
The primary purpose of the IMDP boundary is to act as a referral mechanism to ensure dialogue and information is shared between the two municipalities regarding development within the fringe area. It should be noted that some of the lands contained within the plan boundary are already zoned, subdivided or developed for non-

agricultural uses. It is understood that existing uses within the plan boundary are permitted and will continue operations. However, the expansion or intensification of existing uses shall be required to meet the policies of this IMDP and the applicable land use bylaw. In addition, the IMDP contains policies that recognize additional interest areas of mutual concern that may extend outside of the plan boundary, such as highway corridors.

## PROCEDURE FOR ADOPTION

It is important to ensure any affected person has an opportunity to discuss the policies proposed in a statutory report. This would include owners of land in the County, other affected land owners, residents of the urban areas and municipal authorities. To achieve this, the following procedure was agreed to as part of the process:

1. The identification and discussion of issues between the municipalities – those discussions have been part of the preparation of this document;
2. An updated draft plan containing policies agreed to by the Joint Planning Committee, presented to both councils, the land owners and advertised;
3. A joint public information session held with both the County and the Town;
4. If required after the public meetings, a further refined draft intermunicipal development plan can then be prepared for municipal review;
5. If both councils are satisfied with the proposed plan, statutory public hearings can be conducted in accordance with MGA notification and advertising requirements. The plan may be adopted on the same date, after the public hearings.



**EXISTING RURAL/URBAN FRINGE**

**Map 1**  
 COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

**LEGEND**

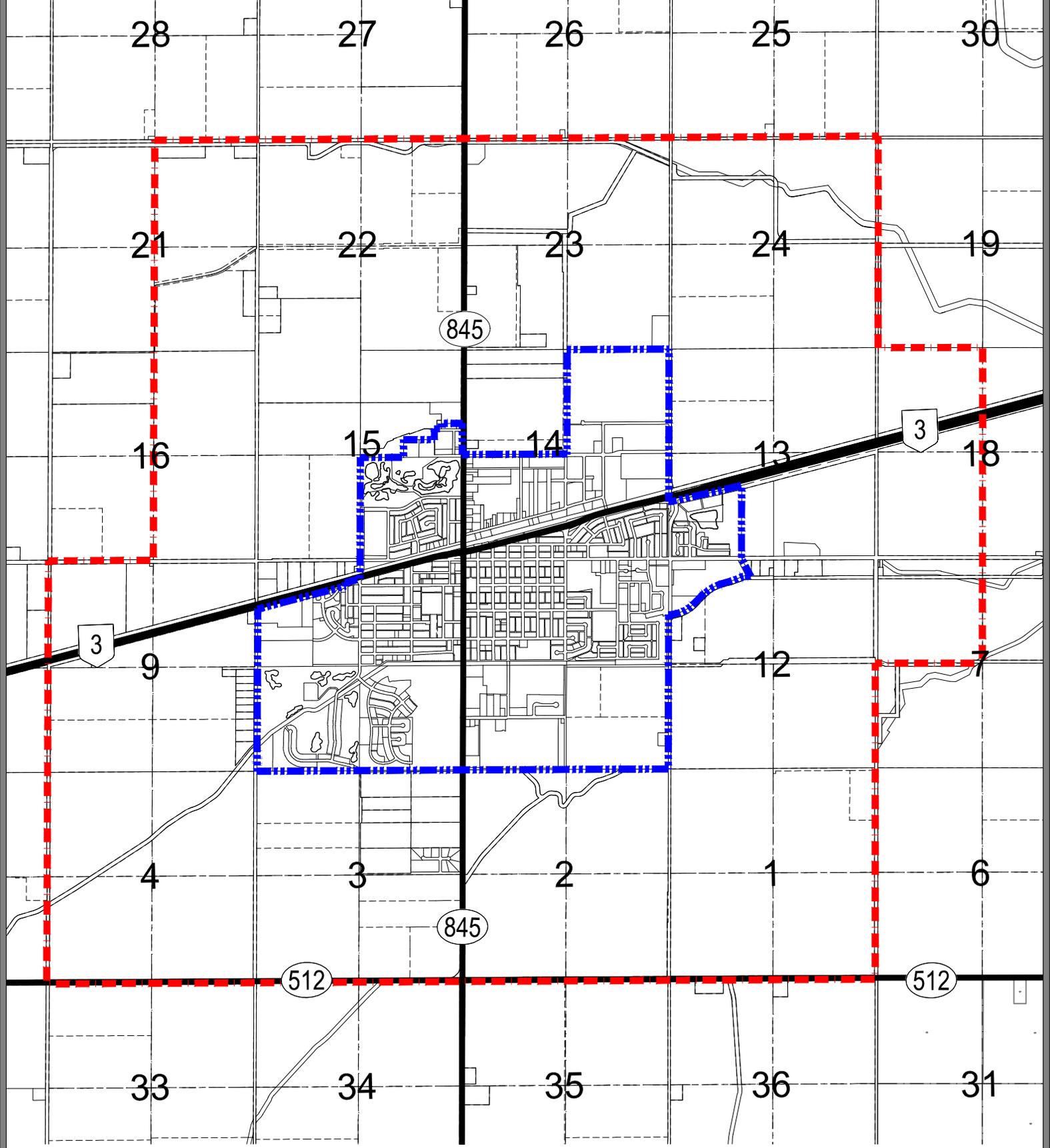
- - - Existing Rural/Urban Fringe Boundary
- - - Coaldale Town Boundary

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 326-1344 TTY: 326-  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



April 21, 2010  
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**INTERMUNICIPAL DEVELOPMENT PLAN BOUNDARY**

**Map 2**  
 COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

**LEGEND**  
 IMDP Boundary  
 Coaldale Town Boundary

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 326-1344 TTY: 326-1345  
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## **PART 2: ANALYSIS OF THE STUDY AREA**



## PART 2: ANALYSIS OF THE STUDY AREA

### BACKGROUND

With the steady population and development growth experienced in Alberta over the last decade, it has become increasingly clear that municipalities cannot make land use decisions in isolation. An intermunicipal development plan recognizes that the fringe area of a town is subject to different pressures, problems and opportunities than a strictly rural or urban area.

The background and analysis of the study area was undertaken to provide an understanding of the existing circumstances, attempt to identify the issues and opportunities that have emerged from the analysis of the preliminary information, and act as an agenda for discussions by the Joint Planning Committee.

An intermunicipal development plan recognizes that the fringe area of a town is subject to different pressures, problems and opportunities than a strictly rural or urban area

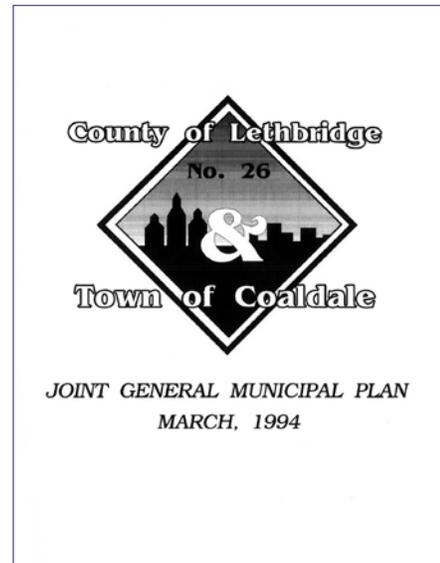
### FORMER JOINT GENERAL MUNICIPAL PLAN

The County of Lethbridge (County) and Town of Coaldale (Town) councils had adopted the *County of Lethbridge and Town of Coaldale Joint General Municipal Plan* on March 14, 1994, Bylaw No. 1040 and Bylaw No. 320-P-12-93, respectively. A Joint Planning Committee, consisting of representatives from both the County of Lethbridge and the Town of Coaldale, was created as an administrative body for the plan.

The need for some form of joint municipal agreement between the County and Town became apparent by 1990 with increased pressure for development, fringe subdivisions, and effects of urban expansion on the Town's utility systems. A Joint General Municipal Plan (GMP) was to focus on land use related matters requiring intermunicipal consultation and cooperation with an overall goal - to encourage orderly and economical development in the designated fringe area that had regard for both municipalities' needs.

The document set out a number of objectives of the Joint GMP including to identify the concerns and opportunities relevant to each municipality, to clarify the land use expectations each municipality had for the fringe area, to identify possible areas of joint ventures such as the provision of municipal services, to establish objectives and policies addressing the concerns and opportunities identified and to provide for a continuous planning process that facilitated ongoing consultation and cooperation.

The Joint GMP outlined general land use policies for residential, fringe area land uses and development standards, subdivision and fragmentation of land ownership, municipal services and engineering, agricultural practices and uses, urban expansion needs and planning process (i.e. how to implement and monitor). The Joint GMP also identified an administrative process to provide methods to amend the various plan policies, a dispute resolution mechanism, and the ability to repeal the plan. During the sixth year following adoption of the plan, both municipalities were to review and plan and either: readopt a suitably amended plan for another prescribed period of time; or allow the plan to lapse. The plan lapsed on the 14<sup>th</sup> day of March 2000.



In general, the policies of the 1994 Joint General Municipal Plan were reflective of the situation during the time period for which it was written. However, the 2009 IMDP will contain more detailed policy components and have sound processes and parameters outlined to provide a framework for land use decision making, dispute resolution and cooperation between the two municipalities.

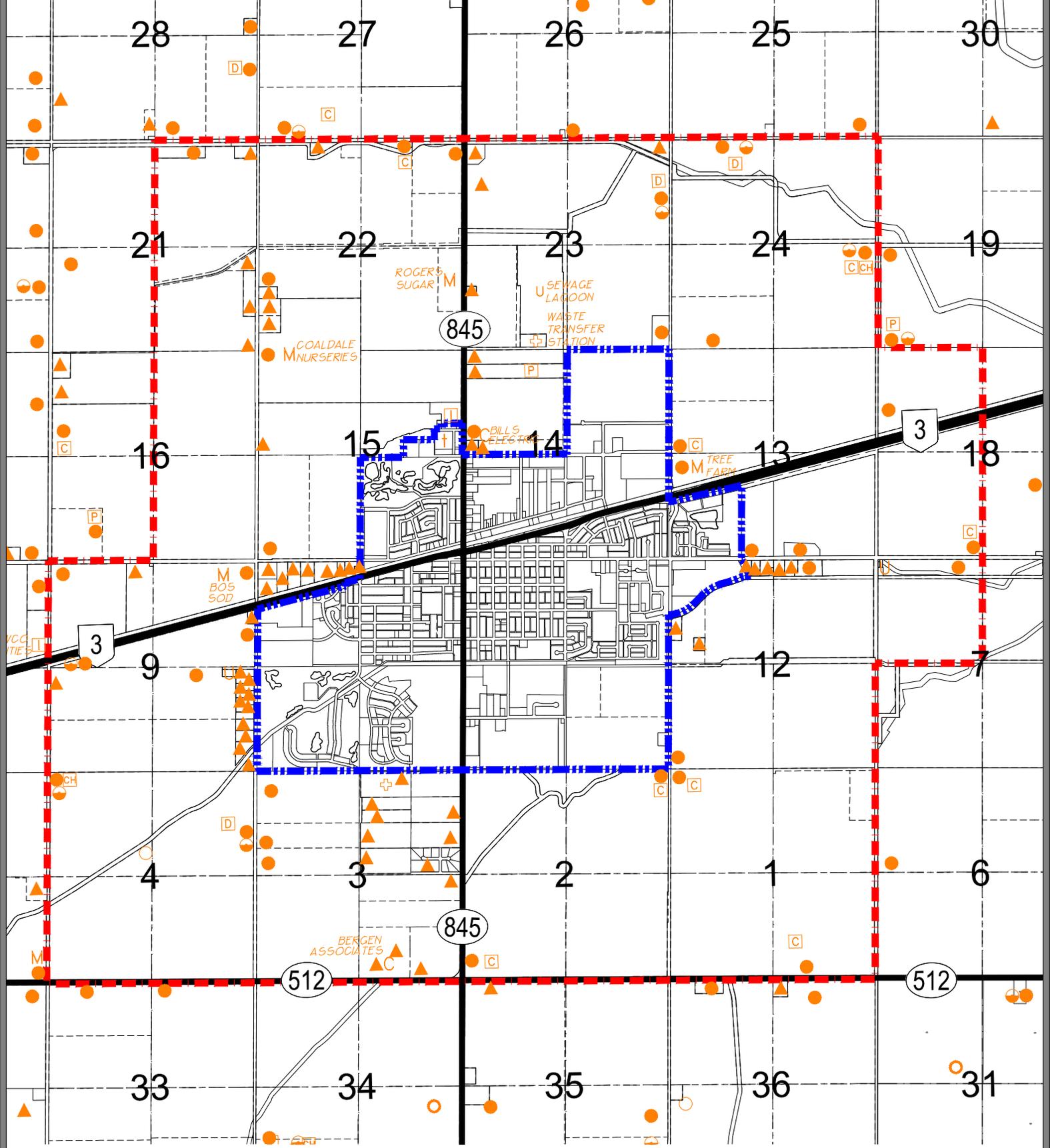
## EXISTING LAND USE

The land contained in the fringe area is primarily agricultural land and typically flat, however, land in the area generally drains to the northeast. The agricultural land is mostly cropped, however, irrigation works are common in the entire area allowing for production of a wide variety of crops and some livestock operations. Typically an urban fringe area will experience pressure to accommodate a variety of different land uses. Man-made features in the plan area that influence land use include urban developed land, country residential developments, a series of isolated commercial, industrial uses, and transportation networks, including highways and a main rail-line. The Town's sewage lagoons and waste transfer station are also located north of town within the fringe.

Table 1

Type of Use	2008 No.
Farmstead	35
Ancillary residence	6
Abandoned Farm	1
Livestock	14
(*CFO's	8)
Country residence	58
Commercial	2
Industrial	1
Miscellaneous	4
Utilities	3
Waste/Dump	2
<i>*Note: The CFO no. is also included in the total no. for livestock operations</i>	

Map 3 illustrates the existing land uses within the fringe area IMDP boundary. Farmsteads and country residential uses are the largest number of uses present, but it is



## EXISTING LAND USE WITHIN IMDP BOUNDARY

### LEGEND

- IMDP Boundary
- Coaldale Town Boundary

### EXISTING LAND USE (Sept 15, 2008)

- Abandoned Farm Building
- Ancillary Farm Residence
- † Cemetery
- C Commercial
- ▲ Country Residence
- + Dump/Junkyard
- Farmstead

- Industrial
- Intensive Livestock:**
- C Cattle
- CH Chickens
- D Dairy
- P Pigs
- M Misc
- U Utilities

### Map 3

COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 329-1244 FAX: 329-1253  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



April 21, 2010  
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noted that once a farm has been subdivided from the quarter section, it is then considered as a country residential use. There are four specific grouped country residential areas adjacent to the Town, with two of those designated under the County's land use bylaw as such. The miscellaneous uses are typically mixed land use activities both agricultural and commercial in nature, such as the tree farm, Bos Sod, and the Rogers Sugar site. Table 1 indicates the types and numbers of land uses that exist within the IMDP boundary.

## AGRICULTURAL PRACTICES

Map 4 indicates the Canada Land Inventory (CLI) soil classification and agricultural capability of the land (see *Definitions* for soil classifications). Much of the land in the plan area is of a high quality, class 1 and 2, especially the land on the west portion of the Town, partially attributed to the availability of irrigation water.

Two policies of the Provincial Land Use Policies apply to agricultural land:

### ***6.1 Agriculture***

- 1. Municipalities are encouraged to identify, in consultation with Alberta Agriculture, Food and Rural Development, areas where agricultural activities, including extensive and intensive agricultural and associated activities, should be a primary land use.*
- 2. Municipalities are encouraged to limit the fragmentation of agricultural lands and their premature conversion to other uses, especially within the agricultural areas identified in accordance with policy #1."*

Agriculture is also protected by the provincial legislation, the "Farm Practices Protection Statutes Amendment Act" and the "Agricultural Operation Practices Act".

It is the policy of the County of Lethbridge to both protect agricultural lands and encourage a diversity of associated land uses where appropriate. In terms of agricultural production, the existing use in the fringe is largely cropland with a few feeding operations. Policies in this plan are intended only to affect those uses that may have a very negative impact on lifestyles and property values while allowing most agricultural practices to continue unaffected.

## CONFINED FEEDING OPERATIONS

The livestock industry has traditionally located in the County of Lethbridge because of:

- availability of high-quality feed;

- available water, particularly in the irrigated areas;
- quality roads;
- efficient access and proximity to the United States border.

Approvals of livestock operations or confined feeding operations (CFOs) lie with the Natural Resources Conservation Board (NRCB), and the County of Lethbridge no longer issues permits or enforces legislation in regards to these operations. As previously the County did not have threshold numbers for livestock operations, most types of agricultural operations with livestock were classified as intensive livestock operations. The NRCB uses established threshold numbers, so under today’s provincial legislation, there are eight operations technically classified as a CFO within the IMDP boundary.

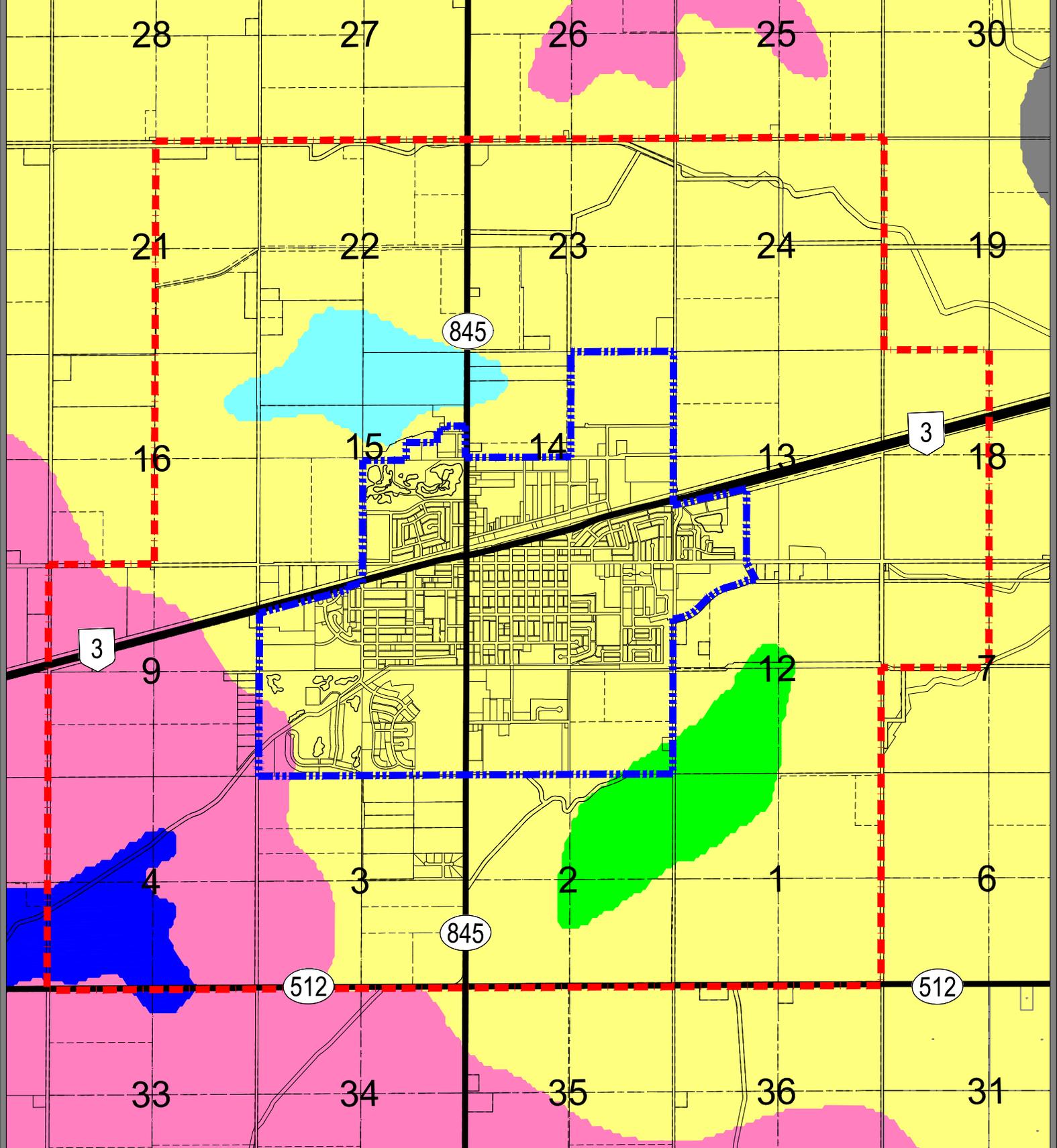
Prior to approvals being given, the staff of the NRCB will review local municipal plans and request comments from the municipality. The “Agricultural Operation Practices Act Standards and Administration Regulation” generally limits the establishment or expansion of CFOs in designated fringe areas.

## FRINGE AREA SUBDIVISION AND FRAGMENTATION

Over the last decade, the most prevalent type of subdivision activity within the IMDP boundary has predominately been in the form of farmsteads or country residential parcels. Table 2 illustrates the number and type of subdivision applications approved since the former Joint GMP expired in March 2000. There has been eight applications approved which created eighteen additional new titles.

Table 2

Subdivision Activity in County of Lethbridge–Coaldale IMDP Boundary Area					
Year	No. of Applications	No. of Parcels	Country Residential	Agricultural	Industrial
2008	1	10	10	0	0
2007	2	3	2	0	1
2006	1	1	1	0	0
2005	1	1	1	0	0
2004	0	0	0	0	0
2003	0	0	0	0	0
2002	2	2	1	1	0
2001	1	1	1	0	0
2000	0	0	0	0	0



### SOIL CLASSIFICATION

#### LEGEND

- - - IMDP Boundary
- - - Coaldale Town Boundary
- CLASS 1
- CLASS 2S
- CLASS 2T
- CLASS 3T
- CLASS 3W
- CLASS 3SW

**Map 4**  
 COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 329-1344 FAX: 329-1323  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Historically, there were a number of areas in Coaldale's fringe that were approved for multi-lot subdivision, which are now located adjacent to the Town's present boundary. The subdivided area to the south of Coaldale was created prior to any planning legislation in effect, while some of the others were created on appeal to the former Alberta Planning Board. These are past historical situations that fragmented land and must now be taken into consideration. There are four main grouped country residential areas adjacent to the Town:

- The *Harrison subdivision* to the northwest, adjacent to the north side of the CPR tracks, with 9 country residential lots;
- The NE quarter of Section 3-9-20-W4, south of the Town boundary, west of Highway 845 and north of Highway 512 (containing the Neufeld subdivision known as *Spruce Woods Country Estates*);
- The *Evergreen Estates* to the west side of town, adjacent to Land-O-Lakes Golf course with 10 country residential lots; and
- An area east of the Town boundary, lying between the extension of 20<sup>th</sup> Ave. and the SMRID canal (NW & NE 12-9-20-W4), containing 7 country residential parcels.

Only two of these areas are designated as Grouped Country Residential under the County of Lethbridge Land Use Bylaw, one 20 acre title in the NE 3-9-20-W4 (*Spruce Woods Country Estates*), and the 10 lots in *Evergreen Estates*. The others are designated as Rural Urban Fringe. These fragmented areas are immediately adjacent to the Town's boundaries and may make future urban expansion and extension of municipal services more difficult and costly.

The example of the parcels south of town created in 1949 (NE¼ 3-9-20-W4), illustrates the effects of unplanned subdivision, whereas the titles once created can remain in existence for many years.

- 
- *The Harrison subdivision* - original application refused but created on an appeal to the Alberta Planning Board in 1972, subsequent applications have been refused. Both the County and the Town indicated they desired an ASP for the area prior to any further subdivision considerations.
  - *The NE quarter of Section 3-9-20-W4*, majority of the lots were created in 1949, (20, 40 and some 80 acre lots). Since 1984, five subsequent applications to resubdivide have been refused. The 1994 joint GMP considered further subdivision if an ASP was done for the entire section.
  - *Evergreen Estates* - first 3 applications in 1991, 1992, and 1993 were granted on appeal to the Alberta Planning Board, and the County subsequently allowed further subdivision in 1996 with the preparation of an ASP and a redesignation to Grouped Country Residential.
  - *NW & NE 12-9-20-W4* - parcels created as fragmented/cut-off parcels due to the county road and SMRID canal. Subsequent subdivisions were approved based on the County policy of "20 acres or less poor quality land". Both the Town of Coaldale and County have recommended an ASP be done for any future subdivisions.
-

## POPULATION GROWTH

As an urban population centre, the Town of Coaldale has continuously experienced strong population growth. According to Statistics Canada, the 2006 population of Coaldale was at 6,177, growing by 2.81% from the 2001 population of 6,008. In the previous census period, 1996–2001, the population had increased 4.83% from the 1996 population of 5,731. The Town's own municipal census conducted in the spring of 2009 pegged the population at 6,943. This is a healthy 12.4% increase from the 2006 census data population. The average yearly rate of change since 1956 has been a strong 1.97%.

Likewise the County has also experienced strong growth, with a 3.75% increase between 2001 and 2006.<sup>1</sup> The population of the County of Lethbridge in 2006 was 10,302. Although some population increase has occurred in the County's designated hamlets, dwellings located on country residential parcels continue to be a popular living choice.

## URBAN GROWTH PATTERNS

This plan illustrates the possible likely areas and type of growth for the Town of Coaldale (refer to Map 5). These areas are only for general reference as the details of expansion have not been fully explored. The areas are based on:

- historical growth patterns,
- type of land use proposed for expansion,
- the Town's current Municipal Development Plan,
- existing uses in the fringe,
- location of existing municipal infrastructure and servicing potential.

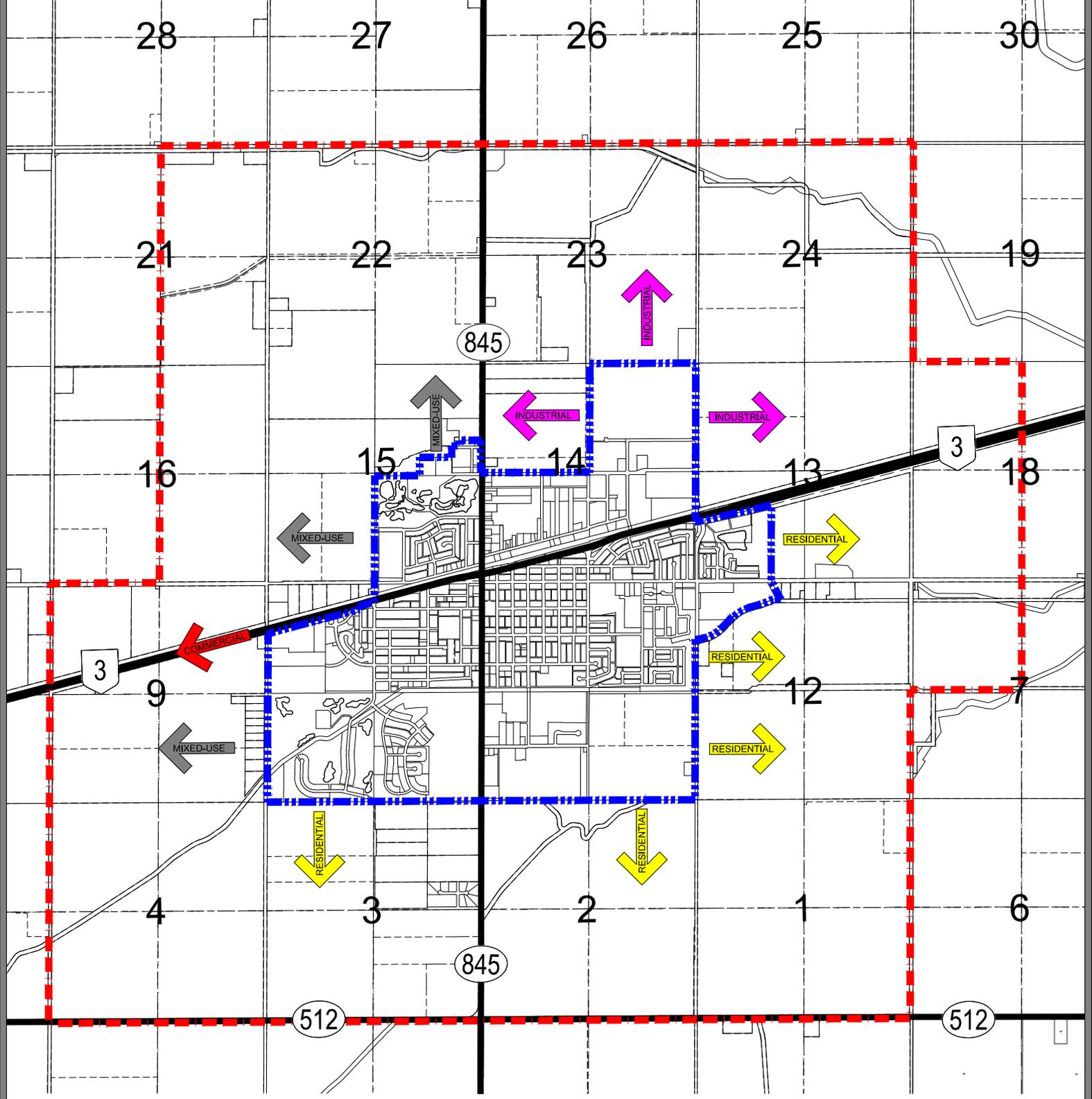
Most recent residential town growth has been south of Highway 3 on the west, south and east sides of the Town. The Waterfront Harbour, Cottonwoods, and Parkside Acres subdivisions have seen substantial new residential housing growth over the last few years. For Coaldale, 2007 experienced a record year for the number of new residential development permits being issued, at 137, with 286 development permits being issued overall. Industrial development is predominant in the northeast of the Town and likely to continue in that direction in the future. Much of the most recent commercial development has occurred to the west side of Coaldale, adjacent to Highway 3.

## TRANSPORTATION AND ROAD NETWORKS

A number and types (road, railway) of major transportation systems influence land use and are shown on Map 1. At present, three main highways traverse the plan area providing access both to the Town and through to other destinations:

---

<sup>1</sup> 2006 Stats Canada Census Information



## FUTURE URBAN EXPANSION DIRECTIONS

### LEGEND

- - - IMDP Boundary
- - - Coaldale Town Boundary

### TYPE OF USE:

- ➔ PRIMARILY COMMERCIAL
- ➔ PRIMARILY INDUSTRIAL
- ➔ PRIMARILY RESIDENTIAL
- ➔ MIXED USE DEVELOPMENT

**Map 5**  
 COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 326-1344 T114-263  
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- Highway 3 – Medicine Hat to British Columbia and Calgary
- Highway 845 – connection to Highway 4, south to Coutts and the US
- Highway 512 – which connects to the City of Lethbridge

Highways 3 and 4 in particular are major thoroughfares as part of the “north–south trade route”. The province has developed plans to create a major freeway system, known as the Canamex corridor, with the purpose of efficiently moving goods and transport between Canada and Mexico. There will likely be some pressure for subdivision and development in proximity to these highways. This will potentially affect Highway 3, between the City of Lethbridge and Coaldale, as this highway will also likely be subject to unique development pressures.

One CPR main line lies parallel to Highway 3, located in an east–west orientation, which is a main route from Medicine Hat through to the Crowsnest Pass. This line dissects the Town into portions lying both north and south of the tracks, which makes growth planning for the municipality more difficult due to access, safety and servicing issues.





## **PART 3: IDENTIFICATION OF ISSUES**



## PART 3: IDENTIFICATION OF ISSUES

### 3.1 EXTENSIVE AGRICULTURE

Much of the plan area is used for extensive agriculture and crop production, while there are also a few mixed farming operations. Good quality land is worth protecting by all parties, but there is pressure to develop these lands as their land value increases the closer proximity to town they are. Farm operations can continue and the “Farm Practices Protection Statutes Amendment Act” affects these lands.

Impacts or problems have traditionally occurred between agricultural uses and urban areas in terms of:

- noise from farm equipment, such as irrigation pumps;
- dust from hauling or harvesting activities;
- odour from feeding operations or spreading of manure;
- flies generated from feeding facilities;
- weed control;
- insect control and pesticide application;
- potential environmental problems from agricultural runoff; and
- irrigation.

Agricultural operations may also experience impacts of urban proximity in terms of:

- increased traffic on rural roads;
- garbage and waste dumping;
- trespass and property vandalism;
- complaints against normal farming practices;
- increases in land values;
- weed control.

### 3.2 INTENSIVE AGRICULTURE

This is an issue in many areas of the County but also affects this area and can lead to conflict with both rural and urban residents. Currently new confined feeding operations are prohibited in the designated rural urban fringe; however, the NRCB has the mandate to make decisions on such operations.

### 3.3 SUBDIVISION AND RESIDENTIAL USES

The numbers of residences are increasing and the County is experiencing pressure to allow further development. The County generally limits subdivision to the first parcel from the quarter section, but may allow subdivision on poor quality land and parcels with less than 20 acres of farmable land. There are some historic fragmented land parcels around Coaldale which may experience pressure to further subdivide. Issues surrounding fringe subdivision include:

- location, and consideration for urban expansion;
- different standards of development;
- quality of development;
- coordination of some standards either side of the boundary;
- municipal services.

### 3.4 INDUSTRIAL AND OTHER NON-AGRICULTURAL LAND USES

These types of uses are increasing as is the requests to allow further uses close to the Town. In the past, both County and Town ratepayers indicated in questionnaires (1994 and 2000 ratepayer surveys) that they wanted to limit the number of industrial or noxious type of uses in the fringe area. Issues of servicing and compatibility to other types of developments have been issues in the past. New land uses, such as those related to biofuel, solar or green energy, are coming to the forefront and may need special considerations.

### 3.5 URBAN EXPANSION AND ANNEXATION

The Town has experienced above average growth the last number of years, and may require additional lands for expansion at some point. It should be discussed with the Town where their infrastructure and capital investments have been made, and identified where the logical areas for expansion may be. Municipal roads between jurisdictions are often affected by annexations and a mechanism to deal with the affected roads to be included in an annexation should be discussed. Discussing a mutually agreed to process to guide future urban expansion needs and eventual annexation applications is valuable to both parties.

### 3.6 LAND USES AND DEVELOPMENT STANDARDS

Poorly-planned developments can create impacts that go beyond individual property lines or municipal boundaries. Consideration for applying some development standards between municipal jurisdictions warrants review, especially in regards to requesting professional information for development in the plan area, and on adjacent lands within the Town. Storm water management is an especially important development topic to address for both municipalities.

### 3.7 TRANSPORTATION AND ROAD NETWORKS

Provincial plans for Highway 3 and the Canamex corridor will affect both municipalities. The County and Town should work cooperatively to form policies that address and possibly take advantage of the pressure for development that will likely result. The local road network inter-connects through both communities' jurisdiction as it moves persons and goods through the region. Future Town expansion can also affect the management and traffic on adjacent County roads and a discussion to address this topic should be considered.

### 3.8 AREAS OF SPECIAL CONCERN

These are areas that may affect or provide opportunities to both municipalities, and cooperation on joint policy areas should be looked at. These special areas may include:

- storm water drainage and the Malloy drain,
- Canamex corridor,
- Birds of Prey centre,
- highway entrances.

Provincial highways provide an opportunity from which the travelling public initially experiences a community. Therefore approaches to urban centres, like the Town of Coaldale, are often considered as advantageous locations for the development of commercial and industrial uses. In many situations, the lands adjacent to highway corridors and corresponding intersections are often under the control of private land owners and many property owners have little regard for the visual impact they create. It is therefore the role of both municipalities, the County and the Town, within this IMDP to apply standards to create high-quality developments.

### 3.9 SHARED SERVICES & ECONOMIC DEVELOPMENT COOPERATION

There is provincial support for shared services and tax revenue between municipalities in some situations. This is often a difficult topic to approach and discuss between different municipal jurisdictions. However, some developments or economic proposals may be mutually beneficial to both the Town and County. Revenue or tax sharing agreements can signal to developers and industry that the municipalities are open for business and able to come to solutions that benefit the economic region as a whole. Services and service sharing may be discussed, including the topics of:

- availability,
- cost and tax sharing,
- process for implementation.

The growth and development of the Town and County are linked and a cooperative agreement may be beyond the scope of the plan, however, a process may be commenced of how these issues may be discussed or approached.

### 3.10 ADDRESSING POLICY OBJECTIVES OF THE PROVINCIAL LAND USE FRAMEWORK AND BILL 36

The Land Stewardship Act (Bill 36) was passed by provincial Cabinet in June 2009. The focus on regional planning perspective across jurisdictions is a core theme, and anticipating what some general requirements may be should be addressed somewhat in the plan. A process to amend or update the plan to adhere to provincial requirements once the plan is adopted needs to be put in place.

### 3.11 RECIPROCAL POLICIES

It is important to remember an intermunicipal development plan should give consideration to both sides of the municipal boundary. In each issue area, the reciprocal nature of the policy should be discussed and such policies should apply to area structure plans, engineered plans, storm water plans, referral notifications on applications, etc. so each municipality is following a common practice, and gives each other the same courtesy, and notification and time to respond to applications.

### 3.12 DISPUTE SETTLEMENT

The Municipal Government Act allows for a legislative dispute settlement, however, this plan should consider a local settlement prior to relying on a provincial decision. There should be consideration for a series of mediation steps provided to settle any disputes, in attempt to reach a resolution. Policy should respect the process and MGB timeframes to launch an appeal, etc. which is mandated in the MGA.

### 3.13 PLANNING AND ADMINISTRATIVE ISSUES

For a plan to be successful, clear processes will need to be outlined in the plan to enable both municipalities and their administrative staff to implement and monitor the plan. This section should address: referrals and notifications, meetings, role of ongoing committee, staff roles and authority in implementing the plan, ongoing public participation, repeal and amendment of the plan, etc.



## **PART 4: INTERMUNICIPAL LAND USE POLICIES**



## PART 4: INTERMUNICIPAL LAND USE POLICIES

This section outlines policies that apply to lands in the intermunicipal plan boundary and are to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction. Each municipality is responsible for decisions within their boundaries using the plan policies and the procedures provided in the plan.

### 4.1 AGRICULTURAL PRACTICES (EXTENSIVE)

#### *Intent*

Policy should permit agricultural activity to continue to operate under acceptable farming practices, and seek to facilitate the coexistence of rural and urban land uses in close proximity. To provide a process to discuss and possibly consult or negotiate solutions if problems should arise, which should be based on guidelines rather than regulations.

#### *Policies*

- 4.1.1 Both councils recognize and acknowledge the main use of land found within the County portion of the Intermunicipal Development Plan area and much of the vacant land near the Town's boundary is extensive agriculture (cultivation and grazing). These activities and other agricultural activities may continue to operate under acceptable farming practices and are protected under the Agricultural Operation Practices Act.
- 4.1.2 Extensive agriculture will continue to be the primary land use of the lands designated on the Land Use Guide Map as Rural Urban Fringe, until these lands are redesignated in a land use bylaw in accordance with this plan. Land uses will be allowed in accordance with the Rural Urban Fringe district contained within the County of Lethbridge Land Use Bylaw.
- 4.1.3 Both municipalities will attempt to work cooperatively together in supporting and encouraging 'considerate' good neighbour farming practices, such as for weed, dust, and insect control adjacent to developed areas, through good agricultural management practices and Alberta Agriculture guidelines. If problems should arise, the County of Lethbridge may be notified and will consult with a landowner to emphasize, and enforce if needed, the County's Agricultural Service Board's policies.
- 4.1.4 Both municipalities agree that they will have current weed control bylaws/policies adopted and will dutifully enforce them within their own respective municipal jurisdictions.

- 4.1.5 If problems or complaints in either municipality should arise between ratepayers and agricultural operators, the municipality receiving the complaint will attempt to direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution wherever possible.
- 4.1.6 Both councils will attempt to protect good quality agricultural land and limit their premature conversion to other uses until such time it is absolutely needed for some other use. To assist in this endeavor, both municipalities will attempt to:
- (a) dutifully take into consideration the location, type and quality of agricultural land when making plan, bylaw and subdivision decisions related to accommodating development;
  - (b) recognize the importance of compact design (Smart Growth) concepts to protect land conversion and will encourage these practices within their own respective municipality.

## 4.2 INTENSIVE AGRICULTURE (CONFINED FEEDING OPERATIONS)

### *Intent*

It is the desire of the County of Lethbridge and the Town of Coaldale to minimize potential conflict between residential uses and confined feeding operations within the Intermunicipal Development Plan area.

### *Policies*

- 4.2.1 New confined feeding operations (CFOs) shall be prohibited within the intermunicipal development plan area and as designated in the land use bylaw as the Rural Urban Fringe district.
- 4.2.2 Both councils recognize and acknowledge that existing confined feeding operations located within the intermunicipal development plan area or Rural Urban Fringe district will be allowed to continue to operate under acceptable operating practices and within the requirements of the Agricultural Operation Practices Act and Regulations.
- 4.2.3 With respect to existing confined feeding operations (CFOs), expansions should be restricted in the Rural Urban Fringe district, except in cases where the terms of policy 4.2.5 can be met.
- 4.2.4 For confined feeding operations, existing or proposed, located within the intermunicipal development plan area, the review process as outlined in the Agricultural Operation Practices Act should be followed by the Natural Resources Conservation Board (NRCB) and both municipalities must be notified in accordance with this.

- 4.2.5 It is recognized that the NRCB may consider allowing existing confined feeding operations to limited expansion and to upgrade and modernize within the requirements of the Agricultural Operation Practices Act and Regulations, but it is recommended to the NRCB that this review includes:
- (a) consideration of the minimum distance separation calculation contained in the Agricultural Operation Practices Act, Standards and Administration Regulation;
  - (b) demonstrating changes will reduce negative impacts to the rural and urban residents of the area;
  - (c) additional environmental protection will be considered;
  - (d) comments from both the County and Town are received and considered.
- 4.2.6 The Natural Resources Conservation Board (NRCB) is requested to discourage the spreading of manure in the municipal fringe area due to concerns with the quality of drainage entering the Town during a storm event. However, in all cases the procedures outlined in the Agricultural Operation Practices Act, Standards and Administration Regulation or the recommendations or conditions of the Natural Resources Conservation Board (NRCB) should be strictly adhered to, with some reasonable consideration for weather conditions present.
- 4.2.7 Both municipalities support confined feeding operators committed to good standards of practice and operators will be expected to follow and adhere to any regulations or permit conditions as required by the NRCB.
- 4.2.8 If problems or complaints of an operator's practices should arise and are brought to the Town of Coaldale's attention, the Town will notify and consult with the County of Lethbridge prior to engaging provincial authorities.
- 4.2.9 For statutory plan consistency, as required under the MGA, the County of Lethbridge Municipal Development Plan CFO policies and associated map shall be reviewed and updated to reflect the CFO Exclusionary Area as defined by the Map 2 IMDP boundary in this plan, within six months of this plan being adopted.

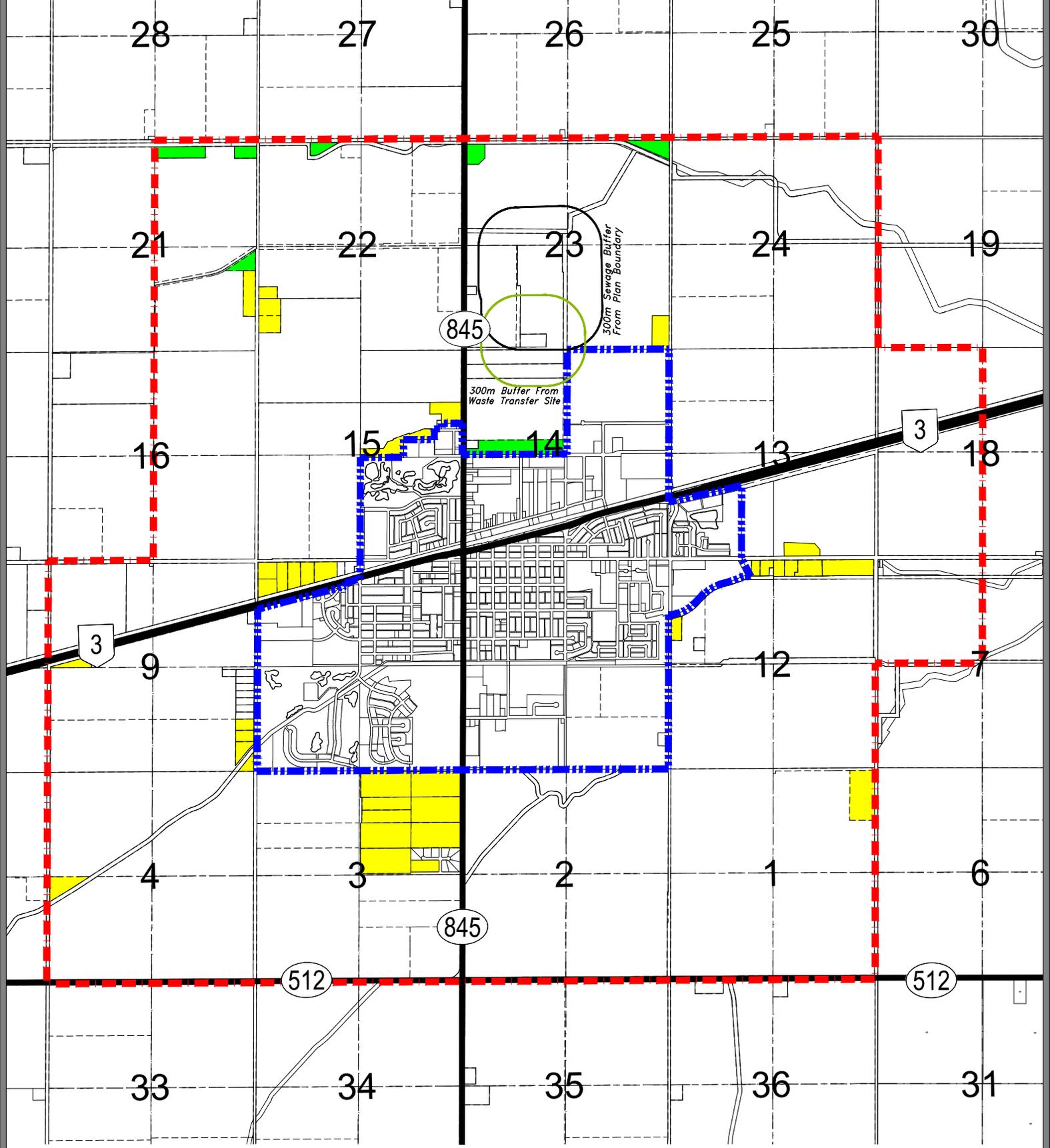
## 4.3 SUBDIVISION AND RESIDENTIAL USES

### *Intent*

It is acknowledged that lands within the intermunicipal plan boundary are influenced by the proximity to the Town of Coaldale. The fringe area is the focus of pressure by land owners and developers for conversion of traditional agricultural lands to non-agricultural uses. The policies are to set out a framework and criteria to manage the lands.

## *Policies*

- 4.3.1 Unless otherwise stipulated in this plan, subdivision of a ¼-section within the rural urban fringe and IMDP boundary shall generally be restricted to first parcel out, as either an isolated farmstead/country residential title, the creation of two 80-acre titles on irrigated land, or a parcel defined as a cut-off parcel under the County of Lethbridge Land Use Bylaw (as per present County subdivision policy).
- 4.3.2 Further subdivision of a ¼-section that has been previously subdivided should not be allowed except in certain areas agreed to in the plan and as specifically authorized (see policy 4.3.4 below).
- 4.3.3 Certain areas in the fringe may be considered suitable for further subdivision by the County of Lethbridge, if they are well planned, compatibility to adjacent land uses are considered, and an acceptable Area Structure Plan is adopted. This decision making process should include consideration for and respecting the investment and location of Town infrastructure so it is not adversely impacted.
- 4.3.4 Certain existing fragmented areas of parcels 20 acres or less in size have been identified and mapped (see Map 6). These areas shown on Map 6 may be considered for further subdivision but only in accordance with an approved conceptual design scheme or Area Structure Plan outlining the details of the subdivision and development, and including an engineered storm water management plan as a component, which is to be prepared at the developer's expense.
- 4.3.5 For any further subdivision proposal in conjunction with policy 4.3.4, the referral process will include the County of Lethbridge referring the submitted draft conceptual design scheme or Area Structure Plan to the Town of Coaldale to review and be able to provide comment on, as per the agreed to referral policies in Part 5 of this plan.
- 4.3.6 For any multi-lot subdivision or development proposal within the urban fringe and IMDP boundary, the County of Lethbridge will require architectural controls, as approved by the municipality, to be applied and registered on title to ensure quality development. This component should be submitted by the developer as part of the required Area Structure Plan information.
- 4.3.7 Major subdivision or development proposals located on either side of the joint municipal boundary which may affect or impact the other municipality should be circulated to the other respective municipality for consideration and comment on the proposal.
- 4.3.8 Both municipalities will stipulate that any required reports and plans to be provided by developers for major or multi-lot subdivisions or development



## ELIGIBLE SUBDIVISION TITLES - 20 ACRES OR LESS

### Map 6

COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

#### LEGEND

- - - IMDP Boundary
- - - Coaldale Town Boundary
- Titles 20 Acres or less in size potentially eligible for subdivision
- Titles 20 Acres or less in size located within the MDS to neighboring CFO

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 326-1364 TTY: 326-  
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proposals within their jurisdiction (for lands lying on either side of the joint municipal boundary) be expertly prepared by land use planning professionals (i.e. architect, engineer, planner).

- 4.3.9 Both municipalities agree that they will strive to better communicate, cooperate and share any information provided on storm water management plans for developments, when plans are required as outlined in this agreement.
- 4.3.10 All storm water management plans required as per the policies of this plan and as submitted to either municipality must be professionally prepared by a licensed engineer and approved by Alberta Environment.
- 4.3.11 The County of Lethbridge has adopted an *Engineering Guidelines and Minimum Servicing Standards* manual which it shall apply as a minimum stipulation to any subdivision or development proposal on any lands within the County jurisdiction of this plan.
- 4.3.12 The County of Lethbridge shall require, as a condition of approval, that existing standards as identified in Alberta Environment guidelines and Municipal Affairs' *Private Sewage Standards Guidelines* relating to private septic systems are met.

## 4.4 INDUSTRIAL AND OTHER NON-AGRICULTURAL LAND USES

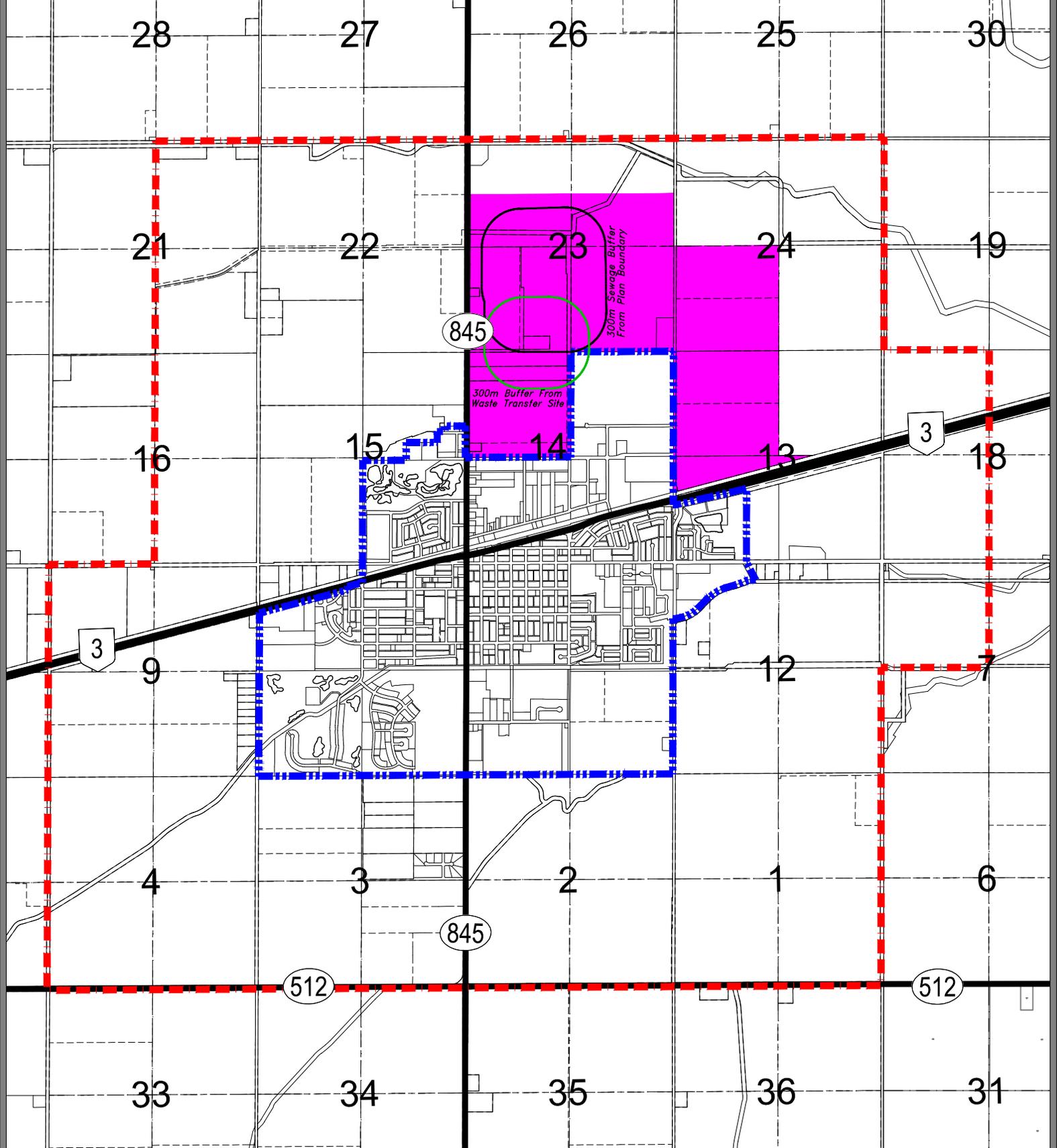
### *Intent*

This document attempts to direct these types of land uses to appropriate areas but acknowledges that development of industrial or other non-agricultural uses may occur in areas that cannot be easily serviced by municipal infrastructure but have other qualities, such as access to transportation routes and existing adjacent uses, which may be compatible with this type and scope of development. Policies should also address the non-compatibility of certain uses to adjacent land uses.

### *Policies*

- 4.4.1 Both Councils recognize that the County of Lethbridge has a right to having non-agricultural land uses within its jurisdiction if appropriately planned and in conformity with the IMDP policies.
- 4.4.2 Some of the lands contained within the plan boundary are already zoned, subdivided or developed for non-agricultural uses. It is recognized that any existing non-agricultural uses located within the IMDP boundary are permitted and can continue their operations.
- 4.4.3 Both municipalities agree that good land use practices should be followed and when considering industrial development proposals, each municipality should determine the compatibility to adjacent land uses, either existing or proposed

- future, and the potential impacts to both County and Town ratepayers (refer to Map 5).
- 4.4.4 In making decisions on applications involving noxious industrial uses (as defined in this plan, see *Definitions*) both municipalities will take into consideration the location and proximity of adjacent residential uses, whether rural or urban, and where such uses may negatively impact (i.e. smoke, dust, noise, glare) the residences, such uses should be discouraged.
- 4.4.5 For the purposes of making land use decisions in regards to this plan, three types of industrial land uses may be referred to: *Isolated Light Industrial* for single parcel industrial uses that would not substantially change the agricultural characteristics of an area; *Industrial* for manufacturing, fabricating, processing, etc., provided that the use does not generate any detrimental impact, potential health or safety hazard, or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated; and *Noxious Industrial* which generally means industry which involves processing of an extractive or agricultural resource which is deemed to be hazardous, noxious, unsightly or offensive (smoke, dust, noise, glare) and cannot therefore be compatibly located in a proximity of a residential environment (see *Definitions* for full descriptions).
- 4.4.6 Residential uses of any type should be discouraged by both municipalities in the northeast area of the plan boundary (refer to Map 7) which is in close proximity to the Town's industrial area and sewage lagoons, and any use should be compatible and meet appropriate setbacks.
- 4.4.7 As the County of Lethbridge Land Use Bylaw contains a very general and broad category for isolated industrial land uses, the Town of Coaldale's comments should be taken into consideration on discretionary isolated industrial land uses in the plan area. The County of Lethbridge shall refer development applications for such to the Town of Coaldale to review and be able to provide comment on, as per the agreed to referral policies in Part 5 of this plan.
- 4.4.8 Isolated Light Industrial uses may be considered within the plan area provided adjacent land uses are considered and the Town of Coaldale's comments are taken into consideration in conjunction with policy 4.4.7.
- 4.4.9 Both Councils recognize that some types of large-scale industrial developments require adequate municipal servicing and may only be approved where they can accordingly be located to connect to such services and infrastructure.
- 4.4.10 Large-scale industrial developments that require adequate servicing may be an opportunity for both municipalities to engage in dialogue on joint venturing.



**AREA RECOMMENDED FOR NON-RESIDENTIAL TYPE LAND USES**

**Map 7**  
 COUNTY OF LETHBRIDGE  
 (Bylaw 1337, April 15, 2010) And  
 TOWN OF COALDALE  
 (Bylaw 631-P-02-10, April 12, 2010)  
 INTERMUNICIPAL DEVELOPMENT PLAN

- LEGEND**
-  IMDP Boundary
  -  Coaldale Town Boundary
  -  Area recommended for non-residential type land uses

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA  
 TEL: 326-1364 FAX: 326-1363  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



OLDMAN RIVER REGIONAL SERVICES COMMISSION

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April 21, 2010  
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- 4.4.11 The Joint Planning Committee may meet on request by either municipality to review and comment on major development proposals.
- 4.4.12 The County of Lethbridge may consider implementing future land use bylaw amendments that separate out and define different categories and classifications of industrial land uses.
- 4.4.13 The County of Lethbridge *Engineering Guidelines and Minimum Servicing Standards* manual shall apply as a minimum stipulation to any commercial or industrial proposal on any lands within the County jurisdiction of this plan, and the County may impose additional requirements and standards if they determine it is needed.
- 4.4.14 Land use proposals that may not conform or are not clearly defined in the plan, may be discussed and considered with agreement between the two municipalities. Such proposals must be brought before a meeting of the Joint Committee for discussion and comment, and any major amendments to the plan must be agreed to by both municipal councils and adopted in conjunction with policy 7.2.

## 4.5 URBAN EXPANSION AND ANNEXATION

### *Intent*

The identification of the Town's likely directions for growth will assist decision makers in both jurisdictions when dealing with discretionary situations. Some policy or guidelines on protecting certain land from conflicting land uses should be taken into consideration. Policies are in place to ensure the opinion of all stakeholders into the expansion process is considered.

### *Policies*

- 4.5.1 As part of the long-term urban growth plan, the Town of Coaldale will endeavor to encourage private land owners within the Town to support developing existing areas that can accommodate infill development and will also consider and support compact design (Smart Growth) concepts of urbanization and development.
- 4.5.2 In order to allow for the planning and installing of costly infrastructure, the Town has identified in the intermunicipal development plan process the general and long-term directions and likely type of growth to occur. Future annexation of any of these lands will occur in the framework and context of long-range planning documents and in consultation with the County of Lethbridge.

- 4.5.3 Identification of Town's likely directions and type of growth (see Map 5) is to assist decision makers in both jurisdictions when dealing with discretionary situations and attempts to protect these lands from conflicting or incompatible land uses should be taken into consideration in decision making.
- 4.5.4 When the Town of Coaldale determines that annexation of land is necessary to accommodate growth, it will prepare and share with the County of Lethbridge a growth strategy/study which indicates the necessity of the land, proposed uses, servicing implications and any identified financial impacts to both municipalities.
- 4.5.5 Annexation involves a number of stakeholders that need to be involved in the process including:
- land owners directly affected by the application must be part of the negotiation process;
  - Town of Coaldale, who must make the detailed case for annexation and be a major participant in any negotiations;
  - County of Lethbridge, who must evaluate the annexation application and supporting documentation for the impact on its financial status and land base as well as ratepayer issues. The County will, as part of the negotiation with ratepayers, wish to see arrangements regarding, but not limited to:
    - property taxes of ratepayers,
    - use of land continuing as agriculture until needed for development,
    - ability to keep certain animals on site;
  - authorities such as Alberta Transportation and Alberta Environment;
  - Municipal Government Board, who will evaluate the application and responses from the stakeholders.
- 4.5.6 The County of Lethbridge and Town of Coaldale may negotiate and enter into an agreement regarding revenue or tax sharing between the two municipalities as it applies to annexation.
- 4.5.7 Any annexation study or application proposed must include a detailed description of rural municipal roads that may be affected by the annexation or municipal boundary change. Proposed annexation boundaries should be based on the principle of including the outer limits of any adjacent road right-of-way boundary so that adjacent parcels identified to accommodate Town urban growth (i.e. parcels being the subject of the annexation) will be under the control and management of the urban municipality and the rural jurisdiction will not be affected or responsible for any future management or maintenance issues resulting from urban expansion.

- 4.5.8 Notwithstanding policy 4.5.4 above, the County or Town may initiate an application for annexation if the proposal is for a minor boundary adjustment to accommodate existing title property line reconfigurations, roads, canals, or utility rights-of-way that may be split by municipal jurisdiction boundaries and the two municipalities agree the annexation proposed is minor and logical.
- 4.5.9 Proposed annexation boundaries should follow existing legal boundaries to avoid creating fragmented patterns or titles with split municipal jurisdiction.
- 4.5.10 Within six months upon a Municipal Board Order approving an annexation, the Intermunicipal Development Plan boundary shall be reviewed and amended as required to reflect the municipal boundary change.
- 4.5.11 Within the same six month timeframe described in policy 4.5.10 above, the County of Lethbridge Rural Urban Fringe (RUF) district boundary in the Land Use Bylaw should also be amended and expand in equal manner as the municipal boundary expands, so that all plans, boundaries and described areas are in conformity with each other.

## 4.6 LAND USES AND DEVELOPMENT STANDARDS

### *Intent*

To create some common development practices between the two municipalities and in particular, both should request professional area structure plans and engineered storm water management plans for new development as a standard practice.

### *Policies*

- 4.6.1 Existing land uses with valid development permits that exist as of the date of approval of this plan may continue to operate in accordance with the provisions of the County of Lethbridge Land Use Bylaw and the Municipal Government Act.
- 4.6.2 Any parcels within the IMDP boundary that are currently zoned to districts other than the Rural Urban Fringe (RUF) may continue under those districts identified in the County of Lethbridge Land Use Bylaw. New applications for subdivision and development on these lands shall be subject to any policies of this IMDP.
- 4.6.3 All subdivision shall comply with the subdivision criteria found in Schedule 4, County of Lethbridge Land Use Bylaw No. 1090 (or subsequent bylaw) for:
- agricultural uses,
  - existing and fragmented parcels,
  - single lot country residential (farmstead), and
  - commercial/industrial uses.

- 4.6.4 Any application submitted for redesignation shall be accompanied by a professionally prepared area structure plan or conceptual design scheme containing the information requirements as prescribed in the County of Lethbridge Land Use Bylaw and Municipal Development Plan.
- 4.6.5 Applicants may be asked to provide a conceptual “shadow plan” with eventual urban sized lots illustrated, road alignments, servicing corridors, and ‘building pockets’ shown as to where dwellings would be located, so as not fragment or interfere with potential urban expansion, if it were to occur.
- 4.6.6 When Area Structure Plans are required for land within the Town adjacent to the municipal boundary, and within the County in the IMDP boundary area, both municipalities shall stipulate that any of the required plans, design schemes or other reports in support of major subdivisions/developments must be professionally prepared and engineered.
- 4.6.7 Both municipalities will require developers to prepare storm water management plans required as per the policies of this plan, which must be professionally prepared by a licensed, qualified engineer.
- 4.6.8 If problems or disputes should arise between the two municipalities in regards to any storm water issues, the two parties agree to consult with each other and attempt to resolve the issue locally prior to engaging Alberta Environment or other provincial authorities. If a simple resolution cannot be easily achieved, the two parties should use the dispute mechanism process as outlined in Part 5 of this plan.
- 4.6.9 It is recognized that standards of development are different for the County as a rural municipality, than the Town as an urban. As such the County will endeavor to ensure as best it can that quality developments are approved and it shall apply its adopted *Engineering Guidelines and Minimum Servicing Standards* manual as a minimum stipulation to any subdivision or development proposal on any lands within the County jurisdiction of this plan.

## 4.7 TRANSPORTATION AND ROAD NETWORKS

### *Intent*

Policies should attempt to address and deal with expected development and growth pressures and provide a forum for consultation when dealing with transportation issues that will impact both municipalities.

## *Policies*

- 4.7.1 The County and Town should work cooperatively together to provide a cohesive and joint policy when dealing with transportation issues that will impact both municipalities.
- 4.7.2 In conjunction with policy 4.5.7, any annexation study or application proposed by the Town must include identification and a detailed description of rural municipal roads that may be affected by the annexation or municipal boundary change.
- 4.7.3 Each municipality must be duly notified for any development or subdivision proposal in the other municipality that will result in access being required from an adjoining road under its control or management. The affected municipality must give its approval or decision in writing prior to the application being considered as complete by the other municipality, as blanket conditional approvals for road access should not be permitted. In relation to this policy, the referral time frames as stipulated in Part 5 of this plan should be respected.
- 4.7.4 If the both municipalities are in agreement, an “*Assignment of Jurisdiction*” as it applies to public roads may be discussed and agreed to, in consultation with and approval by Alberta Transportation, if all parties agree that it is an appropriate mechanism to address a road or access issue for a particular development proposal.
- 4.7.5 Whenever possible, urban designs and Area Structure Plans within the Town should be prepared in such a way as to limit the number of entry points on roads that are either under County jurisdiction or link directly to the County road system.
- 4.7.6 The Town and County may agree to consult and cooperate on the preparation of future Transportation Master Plans if it is determined that the plan may have implications or benefits to the other municipality, such as for road networks that transcend through each respective jurisdiction.
- 4.7.7 The two municipalities may enter into discussions to create and identify standards for a hierarchy of roadways to be established between the two jurisdictions. Access control regulations should also be established to ensure major collectors and arterials are protected.
- 4.7.8 If required by Alberta Transportation or either municipality, at the time of subdivision or development, the developer shall conduct traffic studies with respect to impact and access onto Highways 3, 845, and 512 and the future Highway 4 Bypass. Any upgrading identified by such studies shall be

implemented by the developer at its sole cost and to the satisfaction of the municipality and Alberta Transportation.

- 4.7.9 Any future land use impacts that may result from the Canamex highway and potential effects to Highway 3 may be evaluated and discussed by the Joint Planning Committee as part of ongoing monitoring of this plan.

## 4.8 AREAS OF SPECIAL CONCERN

### *Intent*

These are areas or regional issues that may affect or benefit both municipalities, and cooperation on joint policy areas should be looked at.

### *Policies*

- 4.8.1 The County and Town both support cooperating to work together on joint policy areas to effectively address issues that may impact or provide opportunities for both municipalities.
- 4.8.2 Any development proposal within the Town of Coaldale must address storm water drainage and include considerations for how it may impact the Malloy Drain and the County of Lethbridge.
- 4.8.3 Any development proposal within the County of Lethbridge IMDP boundary must address storm water drainage and include considerations for how it may impact the Malloy Drain and the Town of Coaldale.
- 4.8.4 Both municipalities support commitment to a Malloy Drain basin storm water management plan, and may enter into separate discussions or agreements regarding any aspects resulting from the final drainage study.
- 4.8.5 Both municipalities recognize the regional importance of the Birds of Prey centre and agree to take into consideration the Birds of Prey existing operations and expansion plans (which may depend on outcomes of Malloy basin drainage study) when making long-term land use decisions in proximity to the Birds of Prey centre.
- 4.8.6 Each municipality should recognize the importance of the main entranceways into the Town of Coaldale and these should be given special consideration by both municipalities in approvals to protect and enhance the view with special aesthetic standards. Standards applied to developments adjacent to these points should include landscaping, signage, screening and fencing, which may be applied through architectural controls.

- 4.8.7 The County should ensure that any area structure plan or conceptual design scheme includes policies addressing standards for lighting, landscaping, signage, screening and fencing which should apply to any parcel used for non-agricultural purposes that is to be visible from the highway. Depending on proximity to the highway, these standards may need to be provided to the satisfaction of Alberta Transportation.
- 4.8.8 Freestanding signage along entranceways into the Town of Coaldale is discouraged and should be prohibited within the first half-mile of highway entrances into the Town.
- 4.8.9 As part of ongoing monitoring of this plan and dialogue between the members of the Joint Planning Committee, the committee should regularly evaluate and discuss any future development pressure or land use impacts that may result along the Highway 3 entrance into Coaldale as a result of the Canamex highway being developed.
- 4.8.10 Both municipalities agree to jointly discuss ways to cooperate with provincial agencies and utility service providers to help facilitate the efficient delivery of infrastructure and services that are of a mutual benefit.

## 4.9 SHARED SERVICES & ECONOMIC DEVELOPMENT COOPERATION

### *Intent*

To promote a high degree of cooperation between the two jurisdictions and further opportunities for joint activities on a wide variety of issues that may become available in the future.

### *Policies*

- 4.9.1 The Town of Coaldale and the County of Lethbridge are encouraged to engage in dialogue on cooperative ventures that may be beneficial to both parties.
- 4.9.2 It is recognized by the two municipalities that some economic or development proposals may be regionally significant or mutually beneficial to both parties and the two agree to meet to discuss such proposals when they come forward. Joint council meetings may be used as forum to discuss and negotiate particular proposals.
- 4.9.3 Both municipalities recognize that the City of Lethbridge may need to be consulted and give approval for any development proposals that contemplate water and/or waste water services being provided from the City.

- 4.9.4 It is recognized by the two municipalities that benefits can occur through cooperation and both may explore various intermunicipal options, such as sharing future services and/or revenues (taxes), through the development of special agreements negotiated between the County and Town.
- 4.9.5 Any special agreements negotiated between the County and Town should be negotiated in good faith. Both parties agree to honour the agreements reached and the agreements must be clear about what has been decided and how the agreement will be carried out.
- 4.9.6 In consideration of providing certain services to areas or proposals agreed to between the two municipalities, the County of Lethbridge and Town of Coaldale may discuss the need to create and apply off-site levies, development fees or servicing fees to the recipient or proposal as part of the agreement.

#### 4.10 ADDRESSING POLICY OBJECTIVES OF THE PROVINCIAL LAND-USE FRAMEWORK

##### *Intent*

Bill 36 was passed by provincial Cabinet in June, 2009, and preparation has begun on a South Saskatchewan Regional Plan. The Town of Coaldale and the County of Lethbridge are under the mandate of this legislation and will need to comply with the adopted regional plan policies.

##### *Policies*

- 4.10.1 Amendments may be required to be made to the plan to adhere to provincial requirements and the policies of the South Saskatchewan Regional Plan once adopted and both municipalities should discuss possible amendments at that time.
- 4.10.2 Both councils are supportive of the principle that an agreement negotiated locally between the two parties is more desirable than an agreement imposed by the province, and both municipalities will work together to cooperate on joint policy areas under the authority allowed by the province.
- 4.10.3 Both municipalities agree that they will work in a cooperative manner to try and address the terms and requirements imposed on them by the province through Bill 36, the South Saskatchewan Regional Plan, and any subsequent provincial regulations, and amend the plan accordingly.

- 4.10.4 An updated plan containing policies to address any provincial requirements will be reviewed by the Joint Planning Committee, revised if needed, and then be prepared for municipal review.
- 4.10.5 If both councils are satisfied that the proposed amendments meet the requirements of the province, statutory public hearings can be conducted in accordance with MGA notification and advertising requirements. The revised intermunicipal development plan may be adopted on the same date, after the public hearings.





## **PART 5: PLAN ADMINISTRATION AND IMPLEMENTATION**



## PART 5: PLAN ADMINISTRATION AND IMPLEMENTATION

It is not possible to identify all decisions that may be taken by either party that may affect the other; therefore, when situations arise that have not been specifically mentioned, an attempt shall be made to keep communications open at all times.

Land use issues are addressed at six main points in the approval system including:

- municipal development plans and amendments,
- all other statutory plans and amendments,
- land use bylaws and amendments,
- subdivision of a parcel and any appeal,
- development approval and any appeal,
- storm water drainage/management plans.

Each referral shall contain all available information for review and a municipality may request further information to be provided. In the case of all referrals, a timely written response is expected.

1. The Committee shall appoint a secretary from the host municipality staff, who shall attend and keep the records of all meetings of the Committee.
2. Amendments may be made to the plan from time to time if both councils pass the same amending bylaws.

Following the adoption of this plan by bylaw, there are a number of ways to ensure that the Town's and County's goals, objectives and policies can be achieved. The plan's administration and implementation will be the ongoing responsibility of both councils whose actions must reflect the plan. The support and cooperation of the Joint Planning Committee, public and private organizations and the public will also be needed for implementation.

It is intended that this plan will be a working document allowing for flexibility of decision making and giving a framework for consistent decisions. In part, this requires processes for continued coordination and cooperation. When municipalities disagree, a system to promote a consensus is also an important aspect.

### *Guiding Principles:*

1. *The Town and County agree that they shall ensure that the policies of this plan are properly, fairly and reasonably implemented.*

2. *The Town and County will honour the agreements reached and be clear about what has been decided and how the agreement will be carried out.*
3. *The Town and County shall monitor and review the policies of this plan on an annual basis or as circumstances warrant.*
4. *The County's and the Town's Land Use Bylaws and Municipal Development Plans shall be amended and maintained to reflect the policies of this plan.*

Both municipalities have adopted land use bylaws and municipal development plans and, as statutory plans, they are required to be consistent with all other adopted statutory plans. If after adoption of the Intermunicipal Development Plan it appears either the Town's and/or the County's Municipal Development Plans and Land Use Bylaws may be inconsistent with the policies of this plan with respect to future growth aspirations, fringe area boundaries and annexation proposals, these will require amendments. It is necessary to have these amendments considered for adoption at the same time as the Intermunicipal Development Plan.

## 5.1 INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE

### *Intent*

The implementation of this plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A joint representative committee will ensure continued cooperation, as the purpose of the committee is intended to promote cooperation and resolve potential conflicts, and wherever possible, come to a consensus decision.

### *Policies*

- 5.1.1 For the purposes of administering and monitoring the Intermunicipal Development Plan the County of Lethbridge and the Town of Coaldale agree that the Intermunicipal Development Plan Committee shall be the members assigned by each respective council to the Joint Planning Committee.
- 5.1.2 The Joint Planning Committee shall be established and shall be a working committee consisting of six elected officials, three from the County and three from the Town. The hosting municipality will chair committee meetings and meetings will rotate between municipalities. At least one member of the Town's and the County's administrative staff should attend all meetings of the Committee.
- 5.1.3 The Town and the County agree that the main functions of the Committee are:
  - (a) to address concerns regarding the policies of the plan;

- (b) to address proposed amendments to the plan;
  - (c) to address changes to land use districts or other land use amendments affecting the lands in the plan;
  - (d) to address issues in relation to implementation of plan policies, comments related to subdivision and/or development proposals;
  - (e) to engage in resolving any conflicts or disputes which arise from this plan — both municipalities will equally share costs associated with using outside assistance to resolve a dispute;
  - (f) any other land use issues deemed appropriate not explicitly identified in the plan.
- 5.1.4 Meetings of the Committee shall be held at least twice annually or at the request of either municipality, with the first meeting to be held prior to the last day of November of each year. Committee meetings should be held as quickly as possible if any conflict arises, or if any matter is brought before it.
- 5.1.5 If a matter has been referred to the Committee for comment, the Committee shall issue written comments as soon as possible. Both councils agree that the Committee shall issue its response in the form of comments, not recommendations.
- 5.1.6 A matter may be brought before the Committee by the administrative staff of either the Town or the County, or by any other person or entity affected by the plan (i.e. government, agency, landowner, developer).
- 5.1.7 A municipality may call a meeting of the Joint Planning Committee at any time upon not less than five days notice of the meeting being given to all members of the committee and all resource persons, stating the date, time, purpose and the place of the proposed meeting. The five days notice may be waived with 4/6 of the Committee members' agreement noted.
- 5.1.8 All six members of the IMDP Committee will make their best efforts to attend each meeting. Meetings will be held as long as each party is represented by a minimum of any two of its representatives. If a member must be absent for an extended period of time, the respective council will appoint a new member to the Committee.
- 5.1.9 Any changes to the Committee format, composition, roles, responsibilities or any aspect of its existence or operation may be requested by either party.
- 5.1.10 Where a matter involving the two municipalities cannot be resolved to the satisfaction of the Committee, the Committee is authorized to initiate the conflict resolution system in this plan, Part 6, as follows.

## 5.2 REFERRALS

### *Intent*

Land use issues are addressed at six main points in the approval system including:

- municipal development plans and amendments,
- all other statutory plans and amendments,
- land use bylaws and amendments,
- subdivision of a parcel and any appeal,
- development approval and any appeal,
- storm water drainage/management plans.

Each referral shall contain all available information for review and a municipality may request further information to be provided. In the case of all referrals, a timely written response prior to the decision date is expected.

### *Policies*

**5.2.1** As the first step in the referral process, all applications within the plan boundary or proposed documents affecting the plan area boundary shall be submitted to administration of the respective municipality and possibly to the Joint Planning Committee for comment (see below for specific referrals).

#### **5.2.2 Municipal Development Plans and Amendments**

- (a) A newly proposed County of Lethbridge Municipal Development Plan or amendment that will have an impact on this plan shall be referred to the Town for comment.
- (b) A newly proposed Town of Coaldale Municipal Development Plan or amendment affecting the municipal expansion policies shall be referred to the County for comment.
- (c) The above referrals shall be made and considered prior to a public hearing, with a minimum 21 day referral period prior in all cases.

#### **5.2.3 Area Structure Plans and Other Statutory Plans and Amendments**

- (a) A newly proposed County of Lethbridge Area Structure/Statutory Plan or amendment proposed within the intermunicipal planning area or that will have an impact on this plan shall be referred to the Town and Joint Planning Committee for comment.
- (b) A newly proposed Town of Coaldale Area Structure/Statutory Plan or amendment affecting the policies of this plan or municipal expansion policies shall be referred to the County and Joint Planning Committee for comment.

- (c) The above referrals shall be made and considered prior to a public hearing, and a decision should not be rendered until such time the Joint Planning Committee has met and commented on the proposal.
- (d) Any changes to a proposed Area Structure/Statutory Plan following the public hearing that may have an impact on this plan or the urban expansion of the Town should be recirculated to the other municipality and the Joint Planning Committee for review prior to 2<sup>nd</sup> hearing. Based on the significance of the changes, the municipality processing the application should consider convening a new public hearing.
- (e) Area Structure Plans for major tracts of vacant land within the Town shall be forwarded to the County of Lethbridge administration for comment prior to the public hearing.

#### **5.2.4 Land Use Bylaws and Amendments (redesignation and text amendments)**

- (a) All Land Use Bylaw amendments in the County of Lethbridge which change a land use district (zoning redesignation) within the plan boundary or a part of the Land Use Bylaw which would affect the policies of this plan shall be referred to the Town and Joint Planning Committee.
- (b) The Town shall refer all redesignation applications for major tracts of vacant land that are located adjacent to the County boundary to the County and Joint Planning Committee for comment.
- (c) The above referrals shall be made and considered prior to a public hearing, and a decision should not be rendered until such time the Joint Planning Committee has met and commented on the proposal.
- (d) Any proposed new Land Use Bylaw in the County or Town shall be referred to the other administration for comment prior to a public hearing, with a minimum 21 day referral period prior in all cases.
- (e) For parcels of land subject to a redesignation application (land use zoning change) and the proposed zoning conforms to an Area Structure Plan already reviewed by the Joint Planning Committee and adopted by the municipality, the application shall be forwarded to the other respective administration for comment prior to the public hearing and will not have to be resent to the Joint Planning Committee.

#### **5.2.5 Subdivision Applications**

- (a) The County shall refer all subdivision applications within the boundaries of this plan to the Town for comment.
- (b) The Town shall refer all subdivision applications located on lands adjacent to the Town–County boundary to the County for comment.

- (c) The above referrals shall be made and considered prior to a decision being made. Each party receiving a subdivision referral shall have the established 19 day circulation review period, to respond or comment on the proposal.
- (d) The municipality in receipt of a subdivision appeal within the intermunicipal planning area shall notify the other municipality of the appeal date and decision.

#### **5.2.6 Development Applications**

- (a) The County shall refer all discretionary use applications for parcels located within the plan boundary to the Town for comment and may refer permitted use applications if there are some conditions that may alleviate a perceived conflict with a Town property.
- (b) The Town shall refer to the County all discretionary use applications, if the application is on a parcel located adjacent to lands in the County and any application involving a use of land or buildings which may have a noxious, hazardous or otherwise detrimental impact on land within the County.
- (c) The above referrals shall be made a minimum 14 days prior to the decision date, and comments considered prior to a decision being made.
- (d) The municipality in receipt of a development appeal within the intermunicipal development planning area shall notify the other municipality of the appeal date and decision.

#### **5.2.7 Storm Water Drainage/Management Plans**

- (a) Developers are responsible to submit to each municipality for review, copies of all required professionally engineered storm water drainage/management plans prior to submissions or applications to Alberta Environment being made by the developer. The plan submissions to each municipality shall be provided a minimum 21 days prior to an application being made to Alberta Environment if the drainage plan pertains to a bylaw adoption, redesignation (rezoning), subdivision or development within the plan area.
- (b) In conjunction with policy 5.2.7(a) above, each municipality shall include in the Development Agreement with developers a clause that stipulates the developer is responsible for ensuring this referral storm water management plan condition is met.

**5.2.8** Each municipality should refer to each other for comment non-statutory plans, such as conceptual design schemes or comprehensive site plans, which will have an impact on this plan or could have an effect on the adjacent municipality, especially if the plans are for land located adjacent to the shared municipal boundary.

**5.2.9** The municipalities are encouraged to refer to each other for comment, land use or planning matters that have the potential to impact the other jurisdiction, even if it involves lands that may not be located within the established plan boundary.





## **PART 6: DISPUTE SETTLEMENT**



## PART 6: DISPUTE SETTLEMENT

### *Intent*

By its nature, the policies of this plan are general and make each municipality responsible for decisions made in their own jurisdiction. This suggests that different plan interpretations or actions may result in disputes that may arise from time to time. Using the following system, it is hoped the dispute can firstly be avoided, and secondly, settled locally. Only after a series of steps would the dispute go beyond the local level.

### *Process*

In the case of a dispute, the following process will be followed to arrive at a solution:

- Step 1** It is important to avoid any dispute by ensuring the plan is adhered to as adopted, including full circulation of any permit or application that may affect a municipality or as required in this plan and prompt enforcement of the policies of the plan and Land Use Bylaw.
- Step 2** When an intermunicipal issue comes to the attention of either party, it will be directed to the CAOs who will review the issue and make a decision within 10 days, if it is within their authority to do so.
- Step 3** If an issue is contentious or outside the scope of the CAOs' authority or at the request of the CAOs, the matter will be referred to the Joint Planning Committee for its review and decision or comment. Additionally, should either municipality identify an issue related to this plan that may result in a more serious dispute, that municipality should approach the Joint Planning Committee to call a meeting of the Committee to discuss the issue.
- Step 4** Prior to the meeting of the Committee, each municipality through its administration, must ensure the facts of the issue have been investigated and clarified, and information is made available to both parties. Staff meetings may occur at this point to discuss possible solutions.
- Step 5** The Committee should discuss the issue with the intent to seek a solution by consensus.
- Step 6** Should the Joint Planning Committee be unable to arrive at a consensus, then either municipality will contact the appropriate chief elected officer to arrange a joint meeting of the two whole councils who will discuss possible solutions.
- Step 7** Should the councils be unable to reach a solution, the two parties, by agreement, shall contact a professional mediator to commence a mediation

process of which the results of the mediation report will be binding on each municipality. If one or the other parties is not in agreement with this private mediation step, then either municipality may contact Alberta Municipal Affairs to commence a mediation process under the department's guidance.

**Step 8** In a case where further action under the Municipal Government Act is unavailable, the results of the mediation report will be binding on each municipality.

**Step 9** In the case of a dispute regarding:

- a statutory plan or amendment, or
- a land use bylaw or amendment,

a dispute under section 690(1) of the Municipal Government Act may be initiated. Using this section of the MGA is the final stage of dispute settlement, as this outlines the procedure for the municipalities to request the Municipal Government Board to intercede and resolve the issue.

- In relation to Step 9 above, if by the 25<sup>th</sup> day after the passing of a bylaw or statutory plan under dispute a resolution has not yet been reached at any step in the dispute resolution process, the municipality initiating the dispute action may, without prejudice, file an appeal with the Municipal Government Board (for statutory plan or land use bylaw issues) so that the statutory right and timeframe to file an appeal is not lost.

This appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two parties prior to the Municipal Government Board meeting. *(This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 30 day appeal filing process as outlined in the MGA.)*



## **PART 7: PLAN VALIDITY AND AMENDMENT**



## PART 7: PLAN VALIDITY AND AMENDMENT

This plan will not contain a “sunset” clause, but rather, a method of continuous updating as required.

### *Policies*

- 7.1 This plan comes into effect on the date it is adopted by both the Town of Coaldale and County of Lethbridge. It remains in effect until either council rescinds the plan by bylaw after giving six months notice, or by mutual agreement of both municipalities.
- 7.2 Recognizing that this plan may require an amendment from time to time to accommodate an unforeseen situation, such an amendment must be adopted by both councils using the procedures established in the Municipal Government Act.
- 7.3 Third party (i.e. landowner or developer) applications for an amendment to this plan shall be made to either municipality based on their respective jurisdiction and be accompanied by the appropriate fees to each municipality.
- 7.4 The Intermunicipal Development Plan Committee (Joint Planning Committee) shall initiate a full-scale review of the plan every five years from the date of adoption and report to the respective councils on the success of the plan and the need for revision. This does not preclude periodic revision of portions of the plan, as outlined in 7.2 above, that are of mutual concern.



# Definitions

**Accessory Building** means a building or structure, incidental, subordinate and located on the same lot as the principal building, but does not include a building or structure used for human habitation.

**Accessory Use** means a use of a building or land, which is incidental to and subordinate to the principal use of the site on which it is located.

**Adjacent Land** means land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature and any other land identified in a land use bylaw as adjacent for the purpose of notifications under the Act.

**Agricultural Land, Higher Quality** means:

- (a) land having a Canada Land Inventory (CLI) classification of 1–4, comprising 64.8 ha (160 acre) parcels of dryland or 32.4 ha (80 acre) parcels of irrigated land;
- (b) land contained in an irrigable unit;
- (c) land having a CLI classification of 5–7 with permanent water rights, with the exception of:
  - (i) cut-off parcels of 4.0 ha (10 acres) or less. To be considered a cut-off, a parcel must be separated by:
    - a permanent irrigation canal as defined by the irrigation district,
    - a permanent watercourse normally containing water throughout the year,
    - a railway,
    - a graded public roadway or highway,
    - an embankment, or
    - some other physical feature,

which makes it impractical to farm or graze either independently or as part of a larger operation, including nearby land;

- (ii) land which is so badly fragmented by existing use or ownership that the land has a low agricultural productivity or cannot logically be used for agricultural purposes. For the purpose of subdivision, fragmented land may be considered

to be land containing 8.1 ha (20 acres) or less of farmable agricultural land in CLI classes 1–4.

**Agricultural Operation** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land;
- (b) the raising of livestock, including game–production animals within the meaning of the “Livestock Industry Diversification Act” and poultry;
- (c) the raising of fur–bearing animals, pheasants or fish;
- (d) the production of agricultural field crops;
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- (f) the production of eggs and milk;
- (g) the production of honey (apiaries);
- (h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- (i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- (j) the collection, transportation, storage, application, use transfer and disposal of manure; and
- (k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**Agricultural Service Board** means the County of Lethbridge board which provides agricultural services, information and new technology in liaison with other governments, jurisdictions, agencies and industry by establishing policy that insures statutory requirements and the collective interests of clients are met. Several key pieces of provincial government legislation that are enforced are the Weed Control Act; the Agricultural Service Board Act; the Soil Conservation Act; the Agricultural Pests Act and the Agricultural Chemicals Act.

**Architectural Controls** means special standards or controls applied to development which are often restrictive in nature. Typically this includes a specified building scheme that applies to building details, such as building types, finish, colors and materials, fences or landscaping. These controls may be registered by a Restrictive Covenant at the time a plan of survey is filed with Land Titles Office.

**Area Structure Plan** means a statutory plan in accordance with the Municipal Government Act and the County of Lethbridge Municipal Development Plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality. The plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), storm water drainage, fire protection and other utilities across the entire plan area.

**Assignment of Jurisdiction** means the same as the provincial department of Transportation meaning and refers to Alberta Transportation allowing a portion of public road located in one municipal jurisdiction to be signed over by agreement to another municipal jurisdiction for control and maintenance.

**Building Site** means a specific portion of the land that is the subject of an application on which a building can or may be constructed (Subdivision and Development Regulation AR 43/2002).

**Canamex Corridor or Highway** means a provincial road development as such by Ministerial Order pursuant to the Highway Traffic Act, and is the designated freeway corridor as established and gazetted by the province with the purpose of efficiently moving goods and transport between Canada and Mexico.

**Commercial Establishment** means a building, or part thereof, for the sale of goods or services to the general public.

**Commercial, Isolated** means the same as the County of Lethbridge Land Use Bylaw definition.

**Commercial Use** means the use of land and/or buildings for the purpose of public sale, display and storage of goods, merchandise, substances, materials and/or services on the premises. Any on-premises manufacturing, processing or refining of materials is typically incidental to the sales operation.

**Committee** means the Joint Planning Committee established in this Plan.

**Conceptual Design Scheme** means a general site layout plan which provides for the orderly development of a parcel or group of parcels, usually for less than five lots. It is a planning tool which is a type of “mini” area structure plan, usually less detailed, typically illustrating lot layouts & sizes, roads, topography and general servicing information. It is usually not adopted by bylaw, but may be if the municipality desires to do so.

**Confined Feeding Operation** means an activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval

under the conditions set forth in the *Agricultural Operation Practices Act (AOPA)*, as amended from time to time, but does not include seasonal feeding and bedding sites.

**Country Residential, Grouped** means existing or proposed residential uses on more than two adjacent parcels of less than the minimum extensive agricultural parcel size, and may consist of the yard site of a former farmstead.

**Country Residential, Isolated** means one or two existing or proposed country residential uses.

**Country Residential Use** means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied seasonally, for vacation purposes or otherwise, or permanently.

**County** means the County of Lethbridge.

**Development** means:

- (a) an excavation or stockpile and the creation of either but does not include turning over soil with no immediate activity on the land in the near future; or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or
- (c) a change of use, or a building, or an act done in relation to land or a building that results in, or is likely to result in, a change in the use of the land or building; or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the intensity of use of the land.

**Discretionary Use** means the use of land or a building in a land use district for which a development permit may be approved at the discretion of the Development Authority with or without conditions.

**District** means a defined area of a municipality as set out in the land use district schedule of uses and indicated on the Land Use District Map.

**Dispute Settlement or Resolution** means a formal process that provides the means by which differences of view between the parties can be settled, in a peaceful and cooperative manner. These differences may be over their opinions, interpretations, or actions of one party in regards to decision making in the IMDP plan area or interpretation of the IMDP policies.

**Dwelling Unit** means self-contained living premises occupied or designed to be occupied by an individual or by a family as an independent and separate housekeeping establishment and in which facilities are provided for cooking and sanitation. Such units include single-detached dwellings, modular homes, manufactured homes and moved-in buildings for residential use.

**Extensive Agriculture** means the general raising of crops and grazing of livestock in a non-intensive nature, typically on existing titles or proposed parcels usually 64.8 ha (160 acres) on dryland or 32.4 ha (80 acres) on irrigated land.

**Farmstead** means an area in use or formerly used for a farm home or farm buildings or both and which is impractical to farm because of the existing buildings, vegetation or other constraints.

**Farming** means the use of land or buildings for the raising or producing of crops and/or livestock but does not include a confined feeding operation for which a registration or approval is required from the Natural Resources Conservation Board.

**First Parcel Out** means the first subdivision from a previously unsubdivided quarter-section of land. The subdivision authority may consider a quarter-section to be unsubdivided if the previous subdivisions were for the purpose of public or quasi-public use.

**Freestanding Sign** means any sign or display supported by a freestanding column or structure.

**Fringe or Urban Fringe** means the approximate one-mile area around the municipal boundary of an urban municipality and includes the designated Rural Urban Fringe district of the County of Lethbridge Land Use Bylaw.

#### **Industrial –**

**Isolated Light Industrial** means industrial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing industrial uses, and that, in the opinion of the Development Authority, would not substantially change the agricultural characteristics of an area.

**Industrial** means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution use which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard, or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

**Noxious Industrial** means industry which involves processing of an extractive or agricultural resource which is deemed to be hazardous, noxious, unsightly or offensive (smoke, dust, glare) and cannot therefore be compatibly located in proximity of a residential environment. Examples should include, but are not limited to: anhydrous ammonia storage, abattoirs, oil and gas plants, seed cleaning plants, bulk fuel depots, livestock sales yards, gravel/sand pits or stone quarries, auto wreckers or other such uses determined by the Development Authority to be similar in nature.

**Intermunicipal (IMDP) Development Plan Committee** means the members assigned by each respective council to the Joint Planning Committee for the purposes of administering and monitoring the Intermunicipal Development Plan.

**Intermunicipal (IMDP) Plan Boundary** means the agreed to area the IMDP will govern and is the referral area for the plan and all development applications and statutory bylaw amendments on lands within the identified plan area that will be referred to the IMDP Committee.

**Malloy Drain** is a channel located east of Coaldale which collects irrigation spill water from laterals in the Coaldale area and carries it to the Stafford Reservoir. The Malloy Drain was developed in the 1950's to drain pockets of water within the Malloy Basin and increase production and  $\frac{3}{4}$  of the Malloy Drain is owned and operated by SMRID.

**Malloy Drainage Basin** is described as a topographic region lying between Stafford Reservoir and the eastside of the City of Lethbridge from which the Malloy receives runoff, throughflow, and groundwater flow. The drainage basin is the area of land that contributes the water it receives as precipitation (except for losses through evaporation, transpiration from plants, incorporation into the soil, groundwater, etc) to the Stafford reservoir.

**Major Tracts of Land** means primarily undeveloped lands or parcels that are intended to be subdivided and are not what would normally be considered part of present developed areas.

**May** means, within the context of a policy, that a discretionary action is permitted.

**MGA** means the Municipal government Act Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**Mixed Use** means the land or a identified parcel may be used or designated for more than one specific type of land use, and typically involves some type of residential use mixed with commercial and/or public/institutional.

**Municipal Council** within the boundary of the Town of Coaldale means the Coaldale Council, and within the boundary of the County of Lethbridge means the County Council.

**Municipal Development Plan** means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act, which is used by municipalities as a long range planning tool.

**Noxious Use** means a use, usually industrial or commercial in nature which, by reason of emissions (i.e. air, water or noise), is hazardous to human health, safety or well-being and cannot reasonably be expected to co-exist in proximity to population concentrations.

**Nuisance** means any use, prevailing condition or activity which adversely effects the use or enjoyment of property or endangers personal health or safety.

**Off-Site Levy** means the rate established by a municipal Council that will be imposed upon owners and/or developers who are increasing the use of utility services, traffic services, and other services directly attributable to the changes that are proposed to the private property. The revenues from the off-site levies will be collected by the municipality and used to offset the future capital costs for expanding utility services, transportation network, and other services that have to be expanded in order to service the needs that are proposed for the change in use of the property.

**Permitted Use** means the use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Plan** means the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan.

**Principal Building or Use** means the building or use of land or buildings that constitutes the dominant structure or activity of the lot.

**Provincial Highway** means a road development as such by Ministerial Order pursuant to the Highway Traffic Act and described by plates published in the Alberta Gazette pursuant to Alberta Reg. 164/69 as 500, 600, 700 & 800 series or Highways 1 and 36.

**Provincial Land Use Policies** means those policies adopted by the Minister of Municipal Affairs pursuant to section 622(1) of the Municipal Government Act.

**Public and Quasi-Public Building and Uses** means a building or use which is available to or for the greater public for the purpose of assembly, instruction, culture or community

activity and includes, but is not limited to, such uses as a school, church, cemetery, community hall, educational facility, parks or government facilities.

**Public Roadway** means:

- (a) the right-of-way of all or any of the following:
  - (i) a local road or statutory road allowance;
  - (ii) a service road;
  - (iii) a street;
  - (iv) an avenue; or
  - (v) a lane;
  - (vi) that is or is intended for public use; or
- (b) a road, street or highway pursuant to the Public Highways Development Act.

**Public Utility** means a system, works, plant, equipment or service owned and operated by a municipality or corporation under agreement with or franchised by the municipality, or by a corporation licensed under a Federal or Provincial Statute and which furnishes services and facilities to the public and includes, but is not limited to:

- (a) communication by way of telephone, television or other electronic means;
- (b) public transportation by bus or other means; and
- (c) production, transmission, delivery or furnishing of water, gas or electricity to the general public.

**Setback** means the perpendicular distance that a development must be set back from the front, side, or rear property lines of the building site as specified in the particular district in which the development is located.

**Shadow Plan** means a conceptual design drawing which indicates how parcels of land may be further subdivided and typically illustrates minimum sized urban lots, road alignments to adjacent road networks, servicing corridors and building pockets as to where dwellings should be located, so as not to fragment land or interfere with urban growth plans.

**Shall or Must** means, within the context of a policy, that the action is mandatory.

**Should** means, within the context of a policy, that the action is strongly encouraged but it is not mandatory.

**Smart Growth or Compact Design** is a term used to describe approaches to managing the growth and development of communities that aim to improve environmental, economic and social sustainability, particularly by reducing urban sprawl and dependence on the automobile for transportation. It means more compact, higher-density and promotes mixed-use, especially along connecting corridors. Smart growth policies are intended to integrate land-use and infrastructure planning, fiscal and taxation measures, sustainable energy and regional governance.

**Soils Classifications** means the classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based and intensity, rather than kind, of their limitations for agriculture. The classes as indicated on Map 4 include:

*Class 1* – Soils in this class have no significant limitations in use for crops.

*Class 2* – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

*Class 3* – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

*Subclass S* – limitations meaning adverse soil characteristics which include one or more of: undesirable structure, low permeability, a restricted rooting zone because of soil characteristics, low natural fertility, low moisture holding capacity, salinity.

*Subclass T* – limitations meaning adverse topography, either steepness or the pattern of slopes limits agriculture.

*Subclass W* – limitations meaning excess water – excess water other than from flooding limits use for agriculture. The excess water may be due to poor drainage, a high water table, seepage or runoff from surrounding areas.

**Town** means the Town of Coaldale.

**Waiver or Variance** means a relaxation of the numerical standard(s) required of a development as established in the land use bylaw. A waiver cannot be granted for use.

**Working Area** means those areas that are currently being used or that still remain to be used for the placing of waste material, or where waste processing or a burning activity is conducted in conjunction with a hazardous waste management facility, landfill or storage site (Subdivision and Development Regulation AR 43/2002).

