



BYLAW: 5801

DATE OF CONSOLIDATION: July 5, 2022

Amendment History:

BYLAW 6180	<i>Adds new definition in Section 2 (g); re-lettering of definitions in Section 2 after (g) from (h) through (k); adds a new Section 10, 10.1; re-numbering of sections after 10 as 11 and 12; deletes and replaces Schedule "A"; deletes and replaces Schedule "B".</i>
BYLAW 6202	<i>Deletes and replaces Section 4.1 (a) (l).</i>
Bylaw 6256	<i>Sections 4.1(a)(II) and 4.1(b)(I) are deleted, Delete and Replace Heading of Article 10, Delete and Replace in Section 10.1, New Section 10.2 added.</i>
Bylaw 6322	<i>Deletes and Replaces Schedule 'A' and Schedule 'B'</i>
Bylaw 6330	<i>Deletes and replaces long title; Deletes and replaces the first recital; deletes and replaces s.1; deletes s.2(e) and 2(f); deleting and replacing s.2(g), (h), (j), and (k); deleting and replacing s.3.1; deleting and replacing s 3.2 and 3.3; deleting and replacing s. 3.3 (a), (b), and (c); deleting sections 4, 5, 6, 7, 8, and 9; deleting s.11.1; deleting and replacing the titles of schedules A and B; deleting all occurrences of "officer from schedules A and B and replacing with "Authority".</i>
Bylaw 6365	<i>Deletes s.10 and Replaced with s.10 "Outline Plan Process", adds "Schedule C"</i>

DISCLAIMER:

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Last Revised: July 5, 2022
Effective Date: July 5, 2022
Bylaw 6330

A CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO ESTABLISH
THE CITY OF LETHBRIDGE SUBDIVISION AND DEVELOPMENT AUTHORITIES AND
PRESCRIBE THEIR ROLES AND RESPONSIBILITIES

Bylaw 6330 – May 24, 2022

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Part 17 Division 3, provides that a Municipality must establish a subdivision authority and a development authority.

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NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. **SHORT TITLE**

This Bylaw may be known as "THE SUBDIVISION AND DEVELOPMENT AUTHORITIES BYLAW."

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2. **DEFINITIONS**

In this Bylaw:

- (a) "ACT" means the Municipal Government Act.
- (b) "APPLICANT" means the person who has served written notice of a land use plan, subdivision or development proposal.
- (c) "CITY" means the Municipal Corporation of the City of Lethbridge.
- (d) "CITY COUNCIL" means the municipal council of the City.
- (e) *DELETED.*
- (f) *DELETED.*
- (g) "DIRECTOR" means the member of the City's Senior Management Team under which Planning and Design falls, or their designate.

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- (h) "LAND USE BYLAW" means the City of Lethbridge Land Use Bylaw 6330 as amended or replaced from time to time.

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- (i) "MEMBERS" means a member of the Commission duly appointed pursuant to this Bylaw.

- (j) "REGULATIONS" means the Subdivision and Development Regulations, Alberta Regulation 43/2002 as amended or replaced from time to time.

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- (k) *DELETED.*

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3. **SUBDIVISION AND DEVELOPMENT AUTHORITY**

- 3.1 In accordance with the Act the Subdivision Authority and Development Authority (the "Authorities") are hereby established.

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- 3.2 The Authorities shall advise and assist City Council in the performance of its duties in promoting the orderly and economically beneficial growth and development of the City, as outlined by the Act.

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- 3.3 The Authorities shall consist of:

- (a) Development Authority- Those individuals holding those positions with the City of Lethbridge as identified in Schedule 'A' of this Bylaw are hereby appointed as Development Authorities in respect of any matter assigned to a Development Authority by this Bylaw, the Land Use Bylaw, Regulations, any other bylaw of the City or by City Council; and

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- (b) Subdivision Authority- Those individuals holding those positions with the City of Lethbridge as identified in Schedule 'B' of this Bylaw are hereby appointed as Subdivision Authorities in respect of reviewing and rendering decisions, with or without conditions, on completed subdivision applications, taking into account approved City statutory plans, the Land Use Bylaw and the Regulations.

- (c) *DELETED.*

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- 4. *DELETED.*

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- 5. *DELETED.*

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- 6. *DELETED.*

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- 7. *DELETED.*

8. *DELETED.*

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9. *DELETED.*

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10. **OUTLINE PLAN PROCESS**

For the purposes of this Article 10, “**Outline Plan**” means a document with content as generally described in Schedule “C”. “**Land Use Concept**” is described within the Outline Plan in Schedule “C” under the heading “Land Use Concept”, and “**Technical Elements**” means all content in an Outline Plan that is not the Land Use Concept.

Drafting and Approval of the Outline Plan

10.1 Any party drafting an Outline Plan (the “Developer”) must complete the following mandatory steps, and may complete the optional step, generally in the order contained below:

- (a) Mandatory – pre-application meeting at Civic Works Standing Policy Committee (“CWSPC”) – prior to making an application for Outline Plan approval, the Developer must attend a meeting of the CWSPC to present the Developer’s vision of the Outline Plan. The presentation must explain the connection of the area to the applicable Area Structure Plan, and may include a draft preliminary Land Use Concept and other information the Developer may wish to share about a proposed Land Use Concept.
- (b) Optional – information sharing meeting at CWSPC – the Developer may attend a meeting of the CWSPC to present additional information about the Developer, their vision, a draft Land Use Concept, and their overall intent for the outline plan area. The Developer may provide information about the conditions that will influence the Outline Plan development. The content presented is at the Developer’s discretion. The CWSPC may provide feedback to the Developer on a draft Land Use Concept.
- (c) Mandatory – Developer-led public open house – the Developer must hold a minimum of one public open house for the purposes of providing an opportunity for the public to see and hear about plans for the area and for the public to provide feedback to the Developer. The Developer must have available at the public open house, a proposed Land Use Concept and the connection to the overall Area Structure Plan, for the public to review.
- (d) Mandatory – attend a CWSPC meeting to present the Land Use Concept to CWSPC and request a recommendation to City Council for Land Use Concept approval. This mandatory meeting must follow the process outlined in s. 10.2.

Approval of the Land Use Concept

- 10.2 For the Civic Works Standing Policy Committee (“CWSPC”) meeting referred to in s 10.1(d):
- a) the CWSPC meeting will be advertised in advance in the same manner as statutory plan amendments are advertised;
 - b) the public will be notified in advance of the CWSPC meeting in the same manner as for a statutory plan amendment; and,
 - c) the public will be allowed to provide input at, and make submissions to, the CWSPC meeting, in a manner similar to a public hearing;
- 10.3 CWSPC will make a recommendation to City Council on whether or not to approve the Land Use Concept.
- 10.4 City Council may, by resolution, approve the Land Use Concept.

City Administration

- 10.5 If the Land Use Concept is approved by City Council, City Administration will review the Technical Elements for approval.
- 10.6 Throughout the drafting and approval process, City Administration will work with the Developer to:
- (a) review the vision for the Outline Plan area, along with specific requirements, issues, concerns or challenges;
 - (b) confirm that the Land Use Concept aligns with any applicable policies of the Area Structure Plan regarding infrastructure capacity and availability;
 - (c) attend one public open house led by the Developer; and,
 - (d) provide ongoing review of the draft Technical Elements to ensure they reflect Council’s final approval of the Land Use Concept.

Developer Objections

- 10.7 If the Developer objects to City Administration’s decision pursuant to s. 10.5:
- a) the Developer may escalate its concerns to the General Manager of Planning and Design for a review of the decision; and,
 - b) if the Developer is not satisfied by the review by the General Manager of Planning and Design, the Developer may further escalate its concerns to the Director(s) responsible for Infrastructure and Planning, whose decision will be final.

Changes to the Outline Plan

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- 10.8 Any changes to the Land Use Concept, with the exception of minor variations to the street network, must follow the approval process outlined in sections 10.1(c), 10.1(d), 10.2, 10.3, and 10.4.
- 10.9 Changes to the Technical Elements of the Outline Plan must be reviewed by City Administration for approval in accordance with sections 10.5 and 10.6, and any objections must follow the process outlined in s. 10.7.

Bylaw 6365 – July 5, 2022

11.1 *DELETED.*

Bylaw 6330 – May 24, 2022

11. Bylaw 4774 and Bylaw 5236 are hereby repealed.
12. This Bylaw shall come into full force and effect upon the passing of third and final reading.

READ A FIRST TIME THIS 19TH DAY OF FEBRUARY, 2013.

READ A SECOND TIME THIS 4TH DAY OF MARCH, 2013.

READ A THIRD TIME THIS 4TH DAY OF MARCH, 2013.

(Sgd.) C.A. Spearman
MAYOR

(Sgd.) A. Neufeld
CITY CLERK

Last Amendment Date: August 24, 2021
Amending Bylaw: 6322

Schedule "A"
To The Subdivision and Development Authorities Bylaw

Bylaw 6330 – May 24, 2022

1. The individuals holding the following positions with the City of Lethbridge are each appointed as a Development Authority:
 - (a) Director of Infrastructure Services
 - (b) General Manager, Planning and Design

Bylaw 6330 – May 24, 2022

2. The individuals listed in s. 1 above are authorized to further delegate the powers, duties and functions of Development Authority pursuant to this bylaw, the Land Use Bylaw, Regulations, any other bylaw of the City, or by City Council, to any employee of the City of Lethbridge Planning and Design department.

Bylaw 6330 – May 24, 2022

Last Amendment Date: August 24, 2021
Amending Bylaw: 6322

**Schedule “B”
To The Subdivision and Development Authorities Bylaw**

Bylaw 6330 – May 24, 2022

1. The individuals holding the following positions with the City of Lethbridge are each appointed as a Subdivision Authority:

- (a) Director of Infrastructure Services
- (b) General Manager, Planning and Design
- (c) Senior Subdivision Planner

Bylaw 6330 – May 24, 2022

2. The individuals listed in s. 1 above are authorized to further delegate the powers, duties and functions of Subdivision Authority pursuant to this bylaw, to any employee of the City of Lethbridge Planning and Design department.

Bylaw 6330 – May 24, 2022

Last Amendment Date: July 5, 2022
Amending Bylaw: 6365

**Schedule “C”
To The Subdivision and Development Authorities and MPC Bylaw**

Content of an Outline Plan

An Outline Plan consists of a Land Use Concept and Technical Elements. The “Land Use Concept” is described under the heading “Land Use Concept” and “Technical Elements” means all content in the Outline Plan that is not the Land Use Concept.

The content requirements for the Technical Elements will be posted on the City’s website and may be updated from time to time. The content requirements may vary depending on the context, but at minimum, will address the following areas:

1. Introduction and Plan Context – City Administration Approval

This section contains an introduction stating the vision/purpose of the plan and its location within the City. This section also describes how the Outline Plan complies with relevant Statutory Plans, non-Statutory Plans, non-Statutory Master Plans, and other applicable plans and policies approved by resolution of City Council.

2. Opportunities and Constraints – City Administration Approval

This section articulates both in written and visual form the topography of the area along with natural or man-made constraints or opportunities to the development. This includes, but is not limited to elements such as: adjacent development and land use interface, oil and gas wells and underground lines; electrical or telecommunications infrastructure, extensive and intensive agricultural operations, dugouts, existing buildings or structures, roads and access points, drainage corridors, wetlands, wildlife habitat areas, historic resource sites, coulees, natural grasslands, and vegetation.

3. Land Use Concept – City Council Approval

The Land Use Concept of an Outline Plan includes identification of general land use categories (e.g. low/medium/high-density residential, commercial, industrial, parks, or public lands, etc.), and does not identify specific Land Use Districts from the Land Use Bylaw. This allows Council to consider the balance of and interface between these broader land use categories within the Outline Plan area while providing greater flexibility to adjust Land Use Districts within the same general land use category and/or density range based upon market conditions closer to the time of actual development of individual parcels.

General land use categories and densities proposed at the Outline Plan stage should generally conform to the Area Structure Plan (ASP), recognizing that the ASP shows these at a high level. As such, minor variations from the ASP Land Use Concept are acceptable. An example would be the adjustment of a boundary between a commercial and a residential area based on a refined street network. Other variations, such as a change in general land use category (e.g. Residential to Commercial) or a substantial change to the planned density (e.g. low density to medium density residential) would be significant variations, as they

could result in major changes to servicing or transportation requirements. Significant variations would require amendments to the ASP if this level of change has not already been addressed or anticipated within the ASP.

The Land Use Concept section will include a Land Use Concept map.

4. Open Space Concept – City Administration Approval

The layout of parks and school sites identified in the ASP will be refined at the Outline Plan to clearly show concepts for the layout of school, parks amenities and linear pathway connections within the Outline Plan and to existing and future neighbourhoods.

5. Servicing Network – City Administration Approval

This section includes identification of the location of required electrical, major storm water facilities (ponds, storm sewer lines), sanitary sewer facilities (sewer lines and lift stations), water facilities (water lines and reservoirs) and size requirements, addresses any off site funded requirements, and outlines any alternative designs that may have been considered by other City Master Plans or identified by higher order Policy Plans. The servicing network will also consider lands adjacent to the Outline Plan area and how the servicing will interface with existing and future neighbourhoods.

6. Transportation Network – City Administration Approval

This section describes and illustrates the planned location and capacity of roads, how multi-modal options are being included, any traffic control devices such as roundabouts or right in/right outs that are being employed, the interface with existing and future road networks, and the effects of any proposed alternative designs that may have been considered in an approved ASP.

7. Implementation and Phasing Strategy – City Administration Approval

The Outline Plan will show the proposed phases of subdivision and sequence of development that the developer intends to follow in constructing new subdivisions. This section will indicate which infrastructure requirements must be constructed for each phase to begin.

8. Technical Background Documents – City Administration Approval

A number of supporting technical reports may be required as part of the Outline Plan if:

- it has not previously been provided to a sufficient level of detail, or
- previous reports surfaced matters/issues that require further deliberation, and/or
- there is a policy direction to obtain such information set up in higher order Policy Plans (the ASP).

These technical background documents commonly include:

- Geotechnical Reports
- Environmental Reports
- Historical Resource Assessments or Historic Resource Impact Assessment
- Traditional Knowledge and Land Use Study
- Traffic Impact Assessment
- Servicing Master Plan