

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
September 3, 2019
6:30 pm
Agenda

1. Adoption of Agenda

2. Minutes

- a. Meeting Minutes of July 2, 2019

3. Closed Meeting Session

4. Unfinished Business

Nil

5. Development Permit Applications

- a. Development Permit Application No. 2019-37
Karina & William Cail
Lot 9, Block 17, Plan 7610822
Addition to residence with Secondary Suite

6. Development Reports

- a. Development Officer's Report
 - Report for the months of July and August, 2019

7. Correspondence

Nil

8. New Business

9. Next Regular Meeting – October 1, 2019; 6:30 pm

10. Adjournment

2a

**Meeting Minutes of the
Municipal Planning Commission
July 2, 2019, 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Reeve Brian Hammond, Councillors Quentin Stevick, Terry Yagos, and Member Michael Gerrand and Chairman Jim Welsch

Staff: Director of Development and Community Services Roland Milligan, and Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Absent: Councillors Rick Lemire, Bev Everts

Chairman Jim Welsch called the meeting to order, the time being 6:30 pm.

1. ADOPTION OF AGENDA

Councillor Quentin Stevick 19/022

Moved that the Municipal Planning Commission Agenda for July 2, 2019, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Terry Yagos 19/023

Moved that the Municipal Planning Commission Meeting Minutes for June 4, 2019, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Reeve Brian Hammond 19/024

Moved that the Municipal Planning Commission close the meeting to the public, under the authority of the *Municipal Government Act*, Section 197(2.1), the time being 6:31 pm.

Carried

Reeve Brian Hammond 19/025

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:41 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2019-33
Windsor Heritage Drop In Centre Society
Lots 22-24, Block 3, Plan 2177S; Lundbreck
Sign – Commercial Building

Councillor Terry Yagos

19/026

Moved that Development Permit No. 2019-33, for the Commercial Building Sign, be approved with the following conditions:

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within Alberta Transportation Sign Permit Installation Permit No. 5494-19, attached to and forming part of this permit
3. That the sign panel does not contain or display flashing, intermittent, or moving lights, including animated or scrolling text.

Carried

6. **DEVELOPMENT REPORT**

- a. Development Officer's Report

Councillor Terry Yagos

19/027

Moved that the Development Officer's Report, for the period ending June 2019, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

8. **NEW BUSINESS**

Nil

9. **NEXT MEETING** – September 3, 2019; 6:30 pm.

10. **ADJOURNMENT**

Councillor Terry Yagos

19/028


Moved that the meeting adjourn, the time being 6:45 pm.

Carried

Chairperson Jim Welsch
Municipal Planning Commission


Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT NO. 2019-37 Applicant: Karina and William Cail Location Lot 9, Block 17, Plan 761 0822, Hamlet of Lundbreck Division: 5 Size of Parcel: 739 m² (7959 ft²) Zoning: Hamlet Residential 1 (HR-1) Development: Residential Addition with Secondary Suite	
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PREPARED BY: Roland Milligan	DATE: August 28, 2019
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DEPARTMENT: Planning and Development

Signature: 	ATTACHMENTS: 1. Development Permit Application No. 2019-37 2. Letter from Applicant 3. Email from Adjacent Landowner
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APPROVALS:			
	 Date	 CAO	29 Aug 2019 Date
Department Director			

RECOMMENDATION:

That Development Permit No. 2019-37, for a Residential Addition with a Secondary Suite, be approved, subject to the following Condition(s):

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.**

BACKGROUND:

- On July 16, 2019, the MD received Development Permit Application No. 2019-37 (*Attachment No. 1*) seeking approval for the construction of a residential addition within the Hamlet of Lundbreck.
- The proposed addition is to include an attached garage with a self-contained suite on the upper level.
- In a letter submitted with the permit application (*Attachment No. 2*), the applicants state that they would sharing the residential development with the current resident (family member),”as her medical condition has led to her requiring increasing levels of home care and she is unable to

Recommendation to Municipal Planning Commission

afford home care and/or pay for the costs of house cleaning, yard work, and the cost of getting to and from Pincher Creek for shopping and health services.”

- This application is in front of the MPC because:
 - Within the Hamlet Single Detached Residential 1 Land Use District (HR-1), a Secondary Suite is a Discretionary Use.
 - The proposed development conforms to all setback, lot coverage, and height requirements for the HR-1 district.
 - Notification letters were sent to the adjacent neighbours. At the time of preparing this report, one response was received from the adjacent landowner directly north of the parcel (*Attachment No. 3*). They state “*our concern is the project will change a single dwelling to a multi-dwelling for rental purposes.*”

Recommendation to Municipal Planning Commission

Location of Proposed Development Hamlet of Lundbreck





P.O. Box 279
Pincher Creek, AB T0K 1W0
Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2019-37

Date Application Received JULY 16/19

PERMIT FEE ~~\$100~~ ^{\$150} ~~Discretionary~~ 150.00

Date Application Accepted JULY 24/19

RECEIPT NO. 41993

Tax Roll # 0396.000

IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9

SECTION 1: GENERAL INFORMATION

Applicant: KARINA WILLIAM CAIL

Address: _____

Telephone: _____

Owner of Land (if different from above): N/A

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

ADD GARAGE (ATTACHED TO HOUSE) WITH
SECONDARY SUITE ON SECOND FLOOR.

Legal Description: Lot(s) LOT # 9

Block 17

Plan 7610822

Quarter Section N/A

Estimated Commencement Date: AUGUST 1 2019

Estimated Completion Date: APRIL 15 2020

SECTION 3: SITE REQUIREMENTS

Land Use District: HRI Division: 5
 Permitted Use Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? _____ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes No Don't know Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes No Don't think so

PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site <u>739 m²</u>	<u>7159 sq ft</u>	<u>N/A</u>	<u>—</u>
(2) Area of Building : <u>EXISTING 1580 sq ft</u>	<u>2900 sq ft</u>	<u>> 802 sq ft</u>	<u>YES</u>
(3) %Site Coverage by Building (within Hamets)	<u>36.4%</u>	<u>< 4.5%</u>	<u>YES</u>
(4) Front Yard Setback Direction Facing: <u>WEST</u>	<u>12 m</u>	<u>6 m</u>	<u>YES</u>
(5) Rear Yard Setback Direction Facing: <u>EAST</u>	<u>7.5 m</u>	<u>7.5 m</u>	<u>YES</u>
(6) Side Yard Setback: Direction Facing: <u>SOUTH</u>	<u>9.1 m</u>	<u>1.5 m</u>	<u>YES</u>
(7) Side Yard Setback: Direction Facing: <u>NORTH</u>	<u>1.5 m</u>	<u>1.5 m</u>	<u>YES</u>
(8) Height of Building	<u>20 FT</u>	<u>< 27.9 ft</u>	<u>YES</u>
(9) Number of Off Street Parking Spaces	<u>6</u>	<u>2</u>	<u>YES</u>

Other Supporting Material Attached (e.g. site plan, architectural drawing)

M/D SITE PLOT PLAN

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	8250 sq FT		
(2) Area of Building : PROPOSED	1320 sq FT		
(3) % Site Coverage by Building (within Hamlets)	7.45 %		
(4) Front Yard Setback Direction Facing: WEST	20 FT		
(5) Rear Yard Setback Direction Facing: EAST	10 FT		
(6) Side Yard Setback: Direction Facing: NORTH	8 FT		
(7) Side Yard Setback: Direction Facing: SOUTH	5 FT		
(8) Height of Building	26 FT		
(9) Number of Off Street Parking Spaces	6		

Other Supporting Material Attached (e.g. site plan, architectural drawing)

BUILDING DRAWING (NOTE I HAVE NOT PURCHASE DETAILED PLANS UNTIL APPROVED PERMIT, SITE PLAN, FIRST CALL, CERTIFICATE OF TITLE)

SECTION 4: DEMOLITION

Type of building being demolished : N/A

Area of size: _____

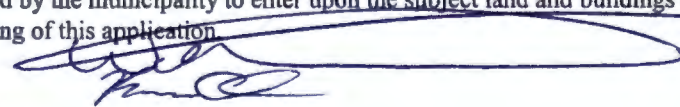
Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

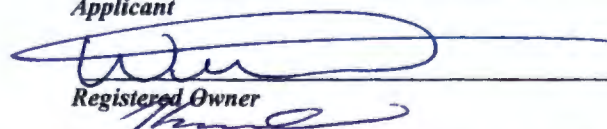
The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: 2019-07-16



Applicant



Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.

IMPORTANT NOTES:

THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. All development permits shall contain the following informative:

“ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER.”
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

A decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address sign, supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.

Attachment No. 1

DP 2019-37 - CAIL

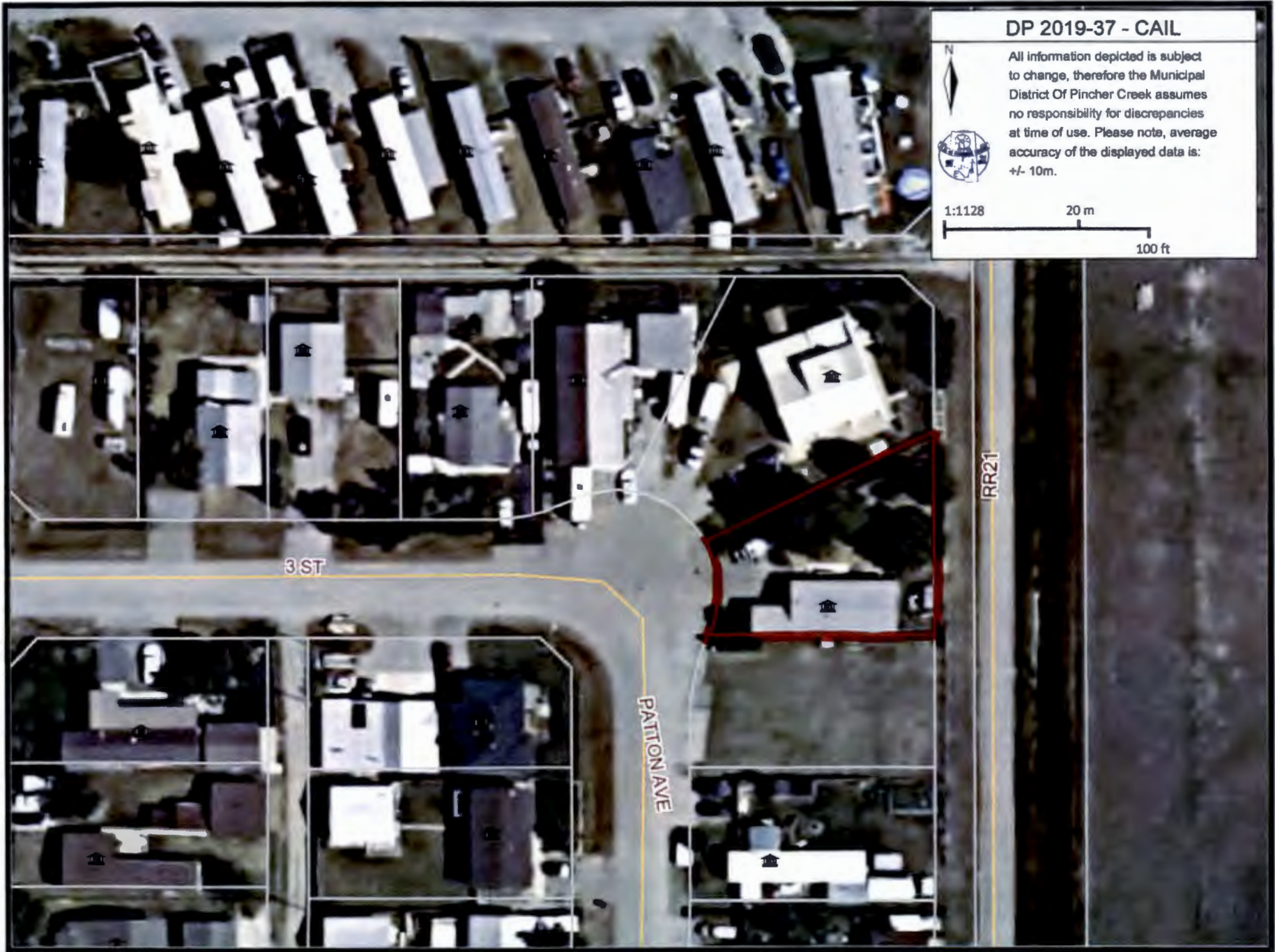
All information depicted is subject to change, therefore the Municipal District Of Pincher Creek assumes no responsibility for discrepancies at time of use. Please note, average accuracy of the displayed data is: +/- 10m.



1:1128

20 m

100 ft

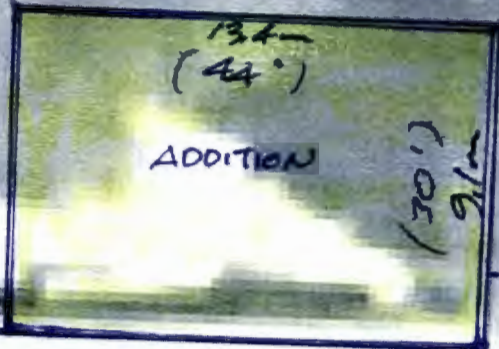




Scale 1:5000
when printed
8.5x11

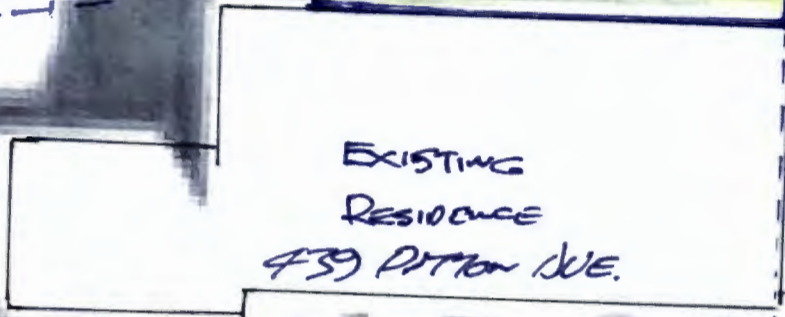
LOT 9
Block 17
PLAN 761 0822

21.5m



ADDITION

≈ 12m



EXISTING
RESIDENCE
439 PITMAN AVE.

9.1m

Garage Plan 85372

Garage Collection

Order Code PT104

Home Search My Plans Viewed

Plan Number

House Plans

Best Selling



New Plans

Garage Plans



If you are the kind of person that thinks less is more, you may appreciate the Lite Version of our website.

Specifications

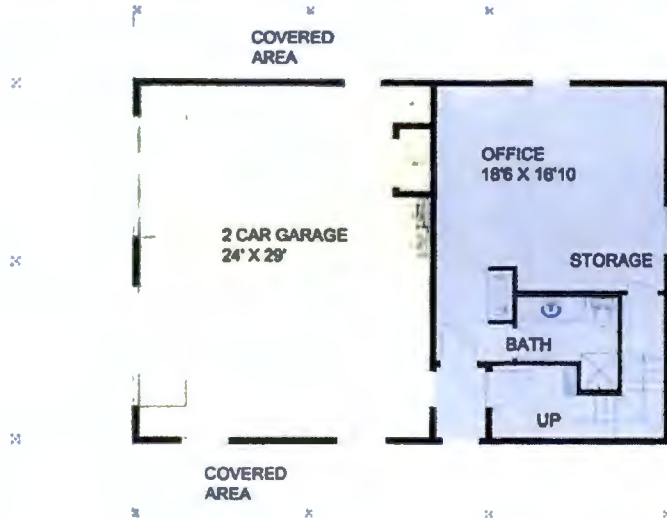
Total Living Area 1901 sq. ft.

Bedrooms 2

Bathrooms 3

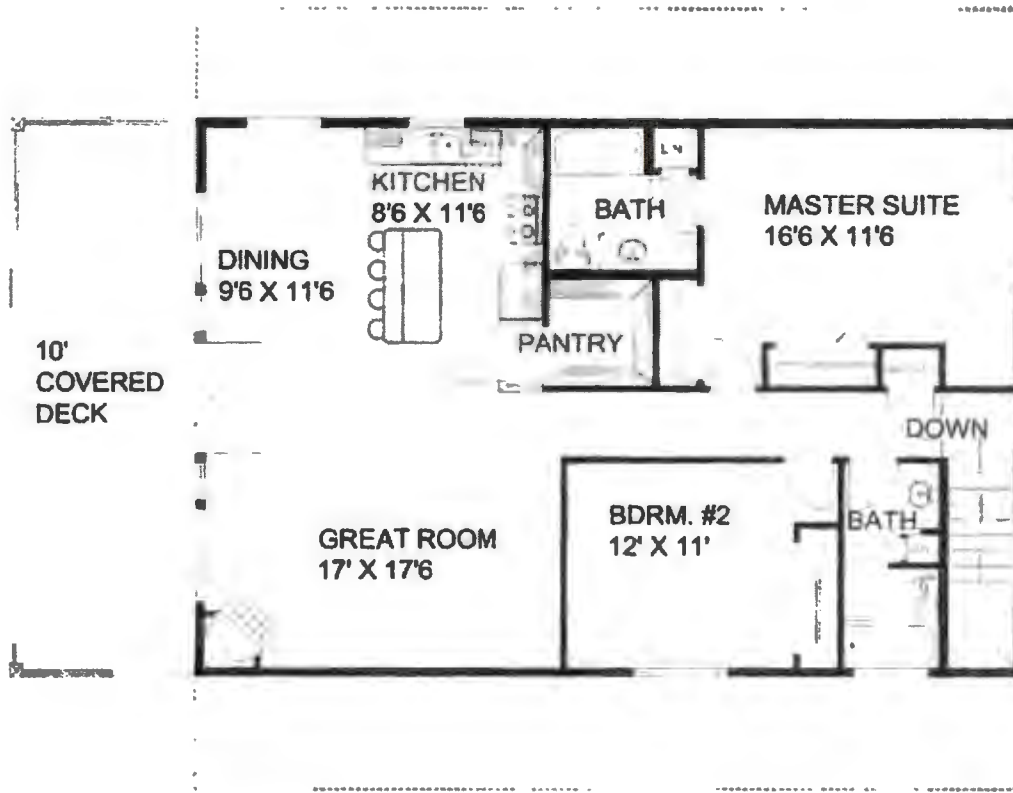
Garage Bays 2 Bay

Dimensions 30'0 W x 44'0 D



top

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MAIN LEVEL FLOOR PLAN

Save

[Click Here to Mirror Reverse Image Level One](#)

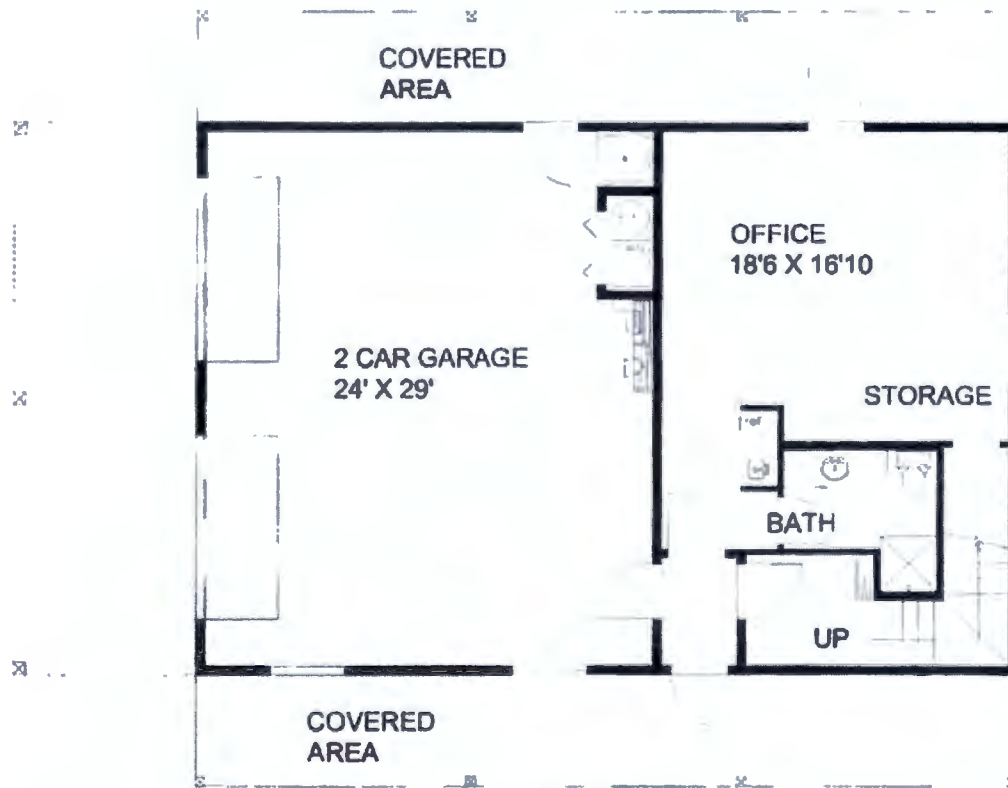
[Order This Plan](#)

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Top



[Click Here to see an even larger picture](#)



LOWER LEVEL FLOOR PLAN

Save

Top

[Click Here to Mirror Reverse Image Lower Level](#)

Order This Plan

Attachment No. 1

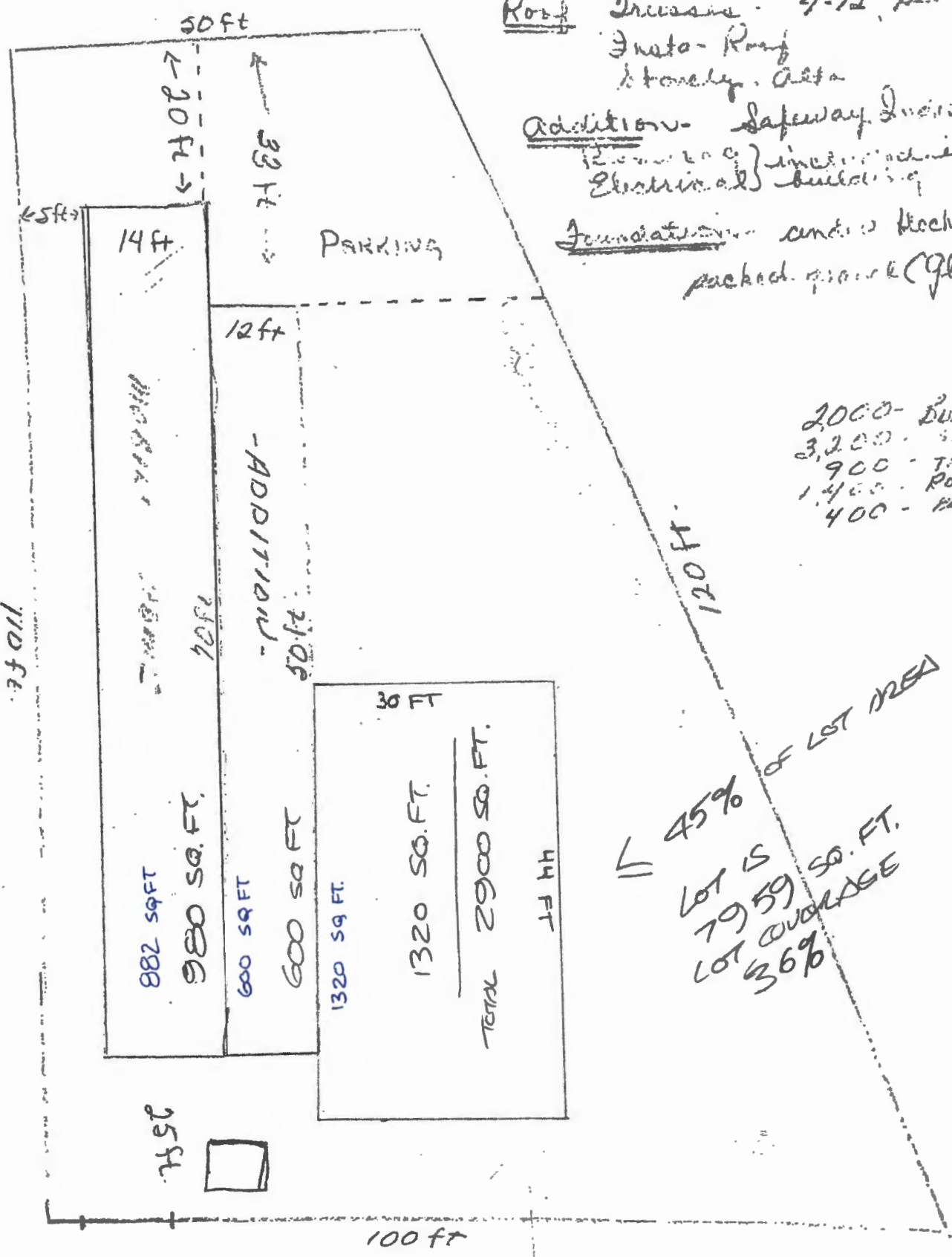
Insulated Vinyl Siding -
 James Industries
 St. M. Leo, Alta

Roof Trusses - 4-12 pitch
 Gato-Roof
 Storey, Alta

Addition - Safeway Industries
 (2000 sq ft) including
 Electrical building

Foundation - concrete blocks &
 packed gravel (plus 5%)

2000 - BUILDING
 3,200 - TRUSSES
 900 - ROOFING
 1,400 - ROOFING
 400 - BLOCKS &
 GRAVEL



14 ft
 12 ft
 30 ft
 75 ft
 100 ft

PARKING

882 SQ FT
 980 SQ. FT.
 600 SQ FT
 600 SQ FT
 1320 SQ FT.

ADDITIONAL
 50 FT

TOTAL 2900 SQ. FT.
 44 FT

45% OF LOT AREA
 LOT IS 7959 SQ. FT.
 LOT COVERAGE 36%

Attachment No. 2

July 30, 2019

From:

William and Karina Cail

Development Permit Application for #439 Patton Avenue, Lundbreck

To whom this may concern,

As requested, we have presented a letter providing additional information into why we wish to add an additional living area to our home at 439 Patton Avenue Lundbreck, Alberta.

We are planning on building a 2-bay garage and living area on the second floor that would attach to the existing structure. Once this new structure is built we would then renovate the main home, the new living area above the garage will provide a better living space for the existing resident and the garage will add storage space to the residency. In addition to these two main points, we are also like to sell the house that we are currently living in and the plan is to move to 439 Patton Avenue. This would benefit the current resident (Karina Cail's mother), as her medical condition has led to her requiring increasing levels of home care and she is unable to afford home care and/or pay for the costs of house cleaning, yard work and the cost of getting to and from Pincher creek for shopping and health services.

We appreciate your patience with us throughout this application process, and we wish you the best of luck with coming to your final decision.

Warm Regards

William and Karina Cail

Attachment No. 3

From:
To: [Roland Milligan](#)
Subject: 2019-37
Date: August 20, 2019 4:00:07 PM

Dear Mr. Milligan,

As adjacent residents to project 2019-37 our concern is the project will change a single dwelling to a multi dwelling for rental purposes.

Sincerely Lindsay, Kerry & Keith Thornton

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
July - August 2019

Development / Community Services Activities includes:

- July 2 Subdivision Authority and MPC Meetings
- July 8 Joint Health and Safety – PW Inspection
- July 9 Council Committee / Council Meeting
- July 10 Joint Health and Safety Meeting
- July 11 Staff Meeting
- July 15 SMT and PCREMO EMA Meetings
- July 29 EAC Meeting
- August 7 DMO Update Meeting
- August 13 Council Committee / Council Meeting
- August 14 Joint Health and Safety Meeting
- August 14 JHSC Meeting
- August 19 Violence and Harassment Prevention Plan Meeting
- August 20 Staff Meeting
- August 26 REMO Advisory Committee Meeting
- August 27 Council Committee / Council Meeting
- August 29 Information Session Vision XS
- August 29 Summer Safety BBQ

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for July - August 2019

No.	Applicant	Division	Legal Address	Development
2019-31	Dain Van Herk	3	SE 3-7-1 W5M	Single Detached Residence
2019-36	David & Amanda Willms	3	NW 20-5-2 W5M	Single Detached Residence
2019-38	Robert Ryziuk	3	NE 16-6-2 W5M	Single Detached Residence
2019-39	McGillivray-Corey	3	SW 15-6-2 W5M	Accessory Building - Shed
2019-41	Valerie Michalsky & Tyler Dingreville	5	NW 7-7-2 W5M 7129 Hwy. 507	Accessory Building – Storage/Garage
2019-43	Willy Peters	2	Lots 6-10, Block 1, Plan 7850AL (SW 10-6-2 W5M) Hamlet of Beaver Mines	Accessory Buildings – Garage & Shed
2019-44	Greg Hochstein	2	SW 13-5-29 W4M 29024 Twp.Rd.5-2	Manufactured Home Replacement
2019-45	Erickson & Sons Construction (Hyde & Mercik)	5	Lot 9, Block 1, Plan 9712391 NE 12-7-3 W5M 5 Hidden Valley Estates	Accessory Building – Detached Garage with sleeping quarters

Development Permits Issued by Municipal Planning Commission for July and August 2019

No.	Applicant	Division	Legal Address	Development
2019-33	Windsor Heritage Drop In Centre Society	5	Lots 22-24, Block 3, Plan 2177S	Commercial Building Sign

Development Statistics to Date

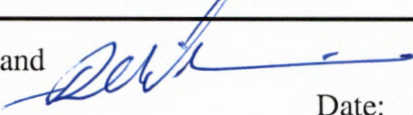
DESCRIPTION		2019 to Date	2018 to Date (May)	2017	2016
Dev Permits Issued	2 – Jan 2 – Feb 1 – March 9 – April 10 – May 6 – June 4 – July 7 – August	41 34 – DO / 7 – MPC	22 17-DO / 5-MPC	65 45-DO /20- MPC	64 40-DO /24- MPC
Dev Applications Accepted	2 – Jan 2 – Feb 3 – March 12 – April 9 – May 5 – June 5 – July 5 – August	43	24	63	66
Utility Permits Issued	1 – Jan 3 – Feb 2 – March 3 – April 5 – May 4 – June 4 – July 1 – August	23	14	22	25
Subdivision Applications Approved	4 – Feb 2 – April 2 – May 1 – June	9	4	3	12
Rezoning Applications Approved	1 – Feb	1	0	2	1

DESCRIPTION		2019 to Date	2018 to Date (May)	2017	2016
Compliance Cert	1 – Jan 2 – Feb 2 – March 3 – April 3 – May 3 – June 1 – July 3 - August	18	5	22	27

RECOMMENDATION:

That the report for the period ending August 31, 2019, be received as information.

Prepared by: Roland Milligan, Director of Development and
Community Services



Date: August 29, 2019

Reviewed by: Troy MacCulloch 

Date: August 29, 2019

Submitted to: Municipal Planning Commission

Date: September 3, 2019