

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
August 3, 2021
6:30 pm
Agenda

- 1. Adoption of Agenda**
- 2. Minutes**
 - a. Meeting Minutes of July 6, 2021
- 3. Closed Meeting Session**
- 4. Unfinished Business - Nil**
- 5. Development Permit Applications**
 - a. Development Permit Application No. 2021-43
Blake O'Brien
Lot A, Block 8710138 within NE 23-7-30 W4M
Moved In Residence and Moved In Accessory Building
 - b. Development Permit Application No. 2021-48
Ken & Shelly Olson
Lot 3, Block 16, Plan 7610822
Porch setback variance to bring into compliance
- 6. Development Reports**
 - a. Development Officer's Report
- Report for the month of July 2021
- 7. Correspondence**

Nil
- 8. New Business**
- 9. Next Regular Meeting – September 7, 2021; 6:30 pm**
- 10. Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
July 6, 2021 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Jim Welsch, Reeve Brian Hammond, Councillors' Terry Yagos, Bev Everts, Rick Lemire, Quentin Stevick and Member At Large Jeff Hammond

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

Planning Advisors: ORRSC, Senior Planner Gavin Scott

Absent: CAO Troy MacCulloch

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

1. ADOPTION OF AGENDA

Councillor Quentin Stevick 21/052

Moved that the agenda be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Jeffrey Hammond 21/053

Moved that the Municipal Planning Commission Meeting Minutes for June 1, 2021 be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Bev Everts 21/054

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 6:27 pm.

Carried

Councillor Quentin Stevick

21/055

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:54 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2021-37
Pincher Seed Cleaning Plant
Lots 1 to 6, Block 5, Plan 1993N within SW 1-7-30 W4M
Accessory Buildings for Seed Treating Upgrade**

Reeve Brian Hammond

21/056

Moved that Development Permit No. 2021-37, for the placement of two Accessory Buildings, be approved, subject to the Condition(s) and Variance(s):

Condition(s):

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

Variance(s):

1. A 2.0 meter variance of the 3.0 meter setback requirement from an adjacent parcel is granted for a rear yard setback of 1.0 meter.

Carried

- b. Development Permit Application No. 2021-41
Lundbreck Trading Company
Lots 17 thru 21, Block 3, Plan 2177S
Farmer's Market**

Councillor Terry Yagos

21/057

Moved that Development Permit No. 2021-41, to develop a Farmer's Market, be approved subject to the following Condition(s) and Variance(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the developer operate the Farmer's Market entirely on the Owner's property.

Informative:

1. This permit is issued as a temporary permit for a Farmer's Market to operate for a six (6) month period from the effective date of this permit and may be renewed once according to LUB section 26. It may be revoked if the Development Authority determines that the use has become detrimental to the functionality of Breckenridge Avenue or where it has created impacts on the neighbours.

Carried

6. **DEVELOPMENT REPORT**

- a. Development Officer's Report

Councillor Bev Everts

21/058

Moved that the Development Officer's Report, for the period June 2021, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

8. **NEW BUSINESS**

None

9. **NEXT MEETING** – August 3, 2021; 6:30 pm.

10. **ADJOURNMENT**

Councillor Terry Yagos

21/059



Moved that the meeting adjourn, the time being 7:02 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. 2021-43 Applicant: Blake O'Brien Location Block A, Plan 871 0138 (within NE 23-7-30 W4M) Division: 4 Size of Parcel: 60.0 ha (24.29 Acres) Zoning: Agriculture - A Development: Moved-In Residential Building and Moved-In Accessory Building (Garage)	
PREPARED BY: Roland Milligan	DATE: July 28, 2021
DEPARTMENT: Planning and Development	
Signature: _____	ATTACHMENTS: 1. Development Permit Application No. 2021-43 2. Site Plan
APPROVALS:	
 _____ Roland Milligan	 _____ Troy MacCulloch
Department Director	Date
CAO	Date

RECOMMENDATION:

That Development Permit No. 2021-43, for the placement of Moved-In Residence and Moved-In Accessory Building (Garage), be approved, subject to the following Condition(s) and Variance(s):

Condition(s):

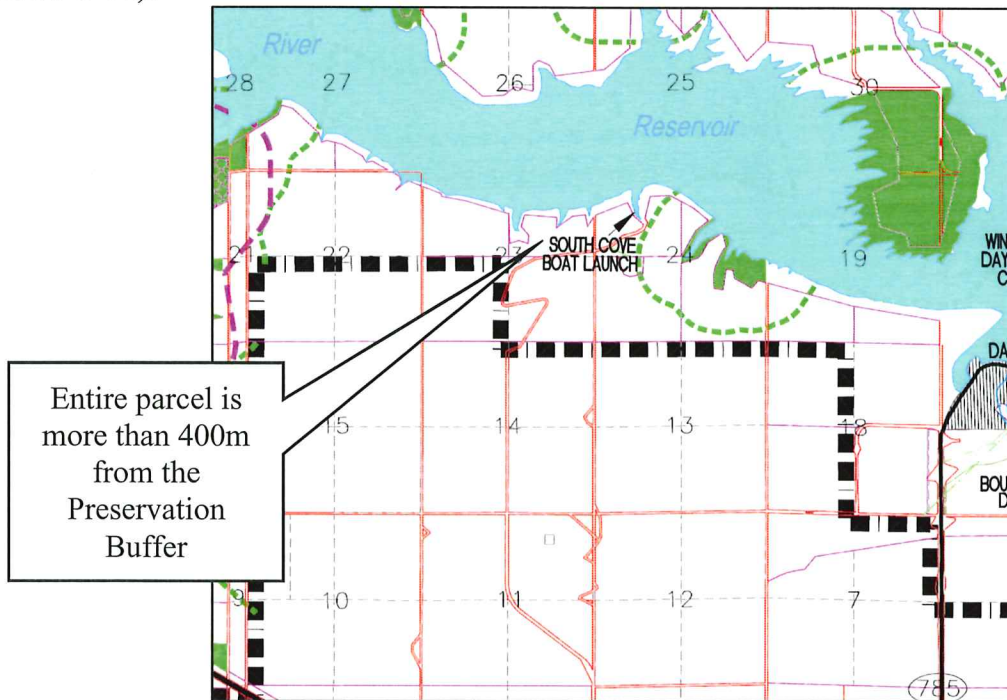
1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.

BACKGROUND:

- On June 17, 2021 the MD received Development Permit Application No. 2021-43 for the placement of a Moved-In Residence and Moved-In Accessory Building (Garage) on an undeveloped parcel adjacent to the Oldman River Reservoir. (*Attachment No 1*).
- This application is being placed in front of the MPC because:
 - Within the Agriculture – A land use district, Moved-In Residence and Moved-In Accessory Building are Discretionary Uses.
- Although the building is shown as a duplex, the applicant’s intent is to develop it as a single detached residence.
- The garage is from the same location but no photos were supplied.
- The proposed location of the residence meets the setback requirements of the land use district.

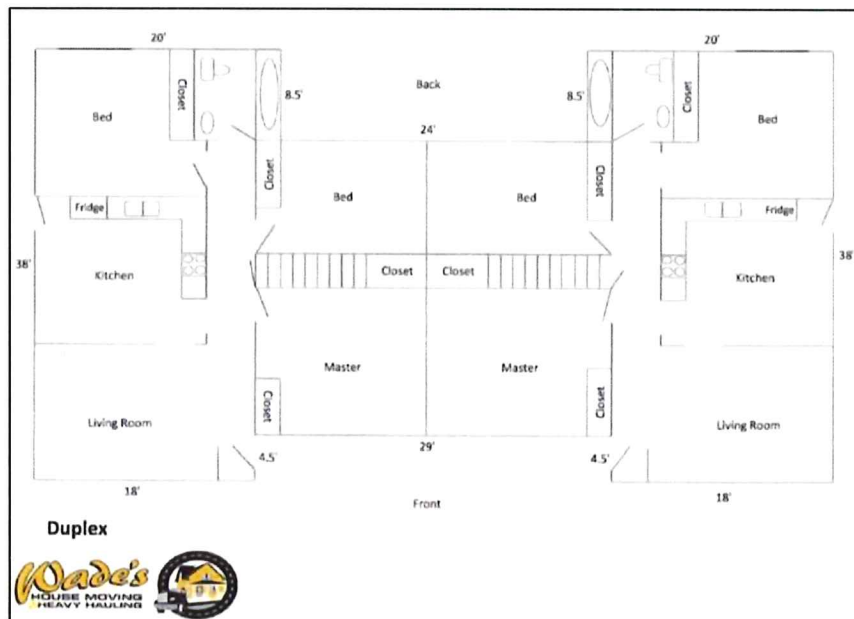
Recommendation to Municipal Planning Commission

- The parcel is also within the boundary of the Oldman River Reservoir Area Structure Plan (Bylaw No. 1120-06).



Portion of Map 5 from ORRASP showing the parcel location relative to preservation areas.

- The application was forwarded to the adjacent landowners, Province included, for comment. No responses were received prior to the preparation of this report.



Floor Plan

Recommendation to Municipal Planning Commission



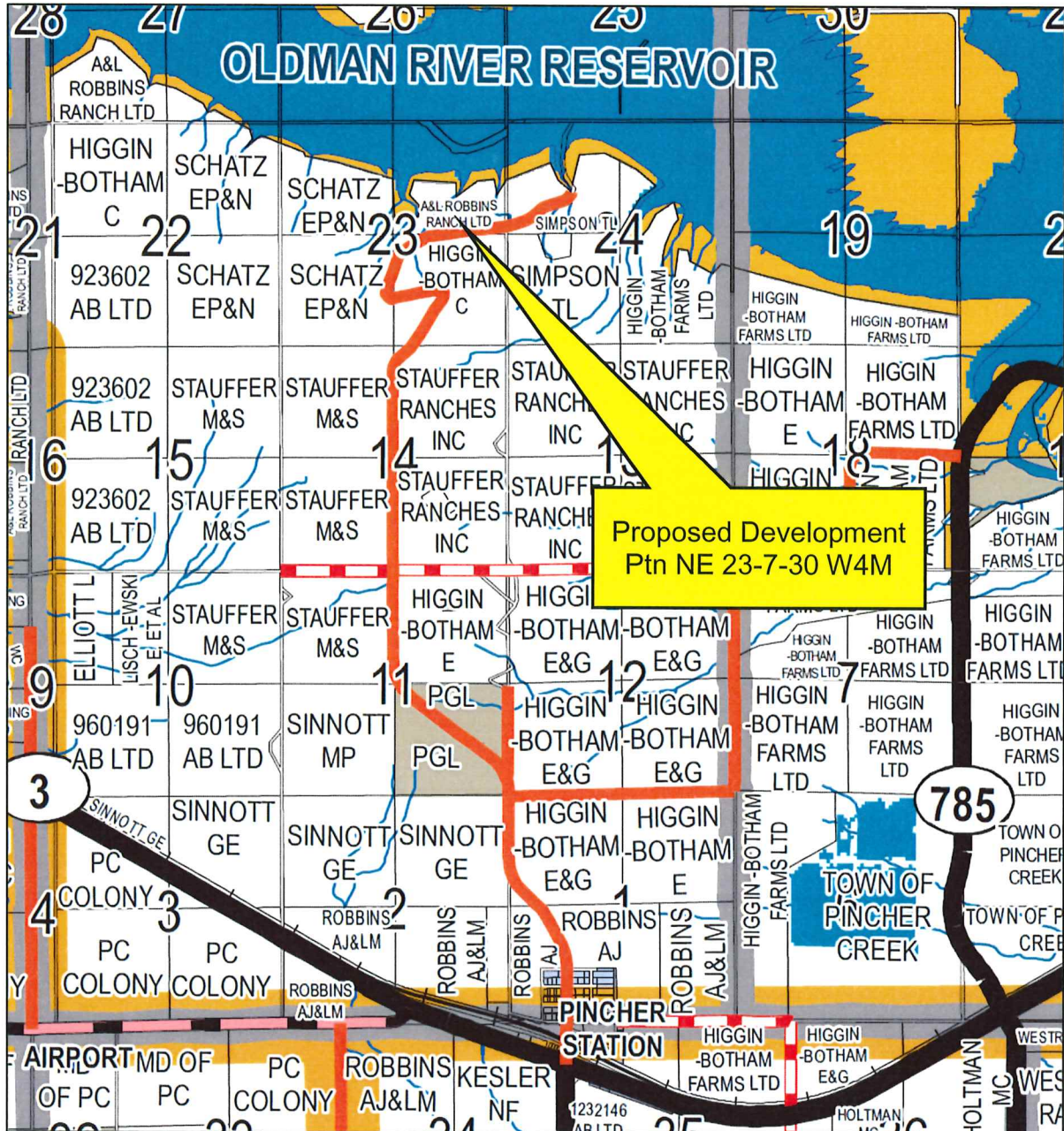
Front of Residence



Rear of Residence

Location of Proposed Development

Recommendation to Municipal Planning Commission





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. <u>2021-43</u>	
Date Application Received <u>JUNE 17/21</u>	PERMIT FEE <u>\$100 Permitted / \$150 Discretionary</u>
Date Application Accepted <u>JULY 13/21</u>	RECEIPT NO. <u>49849</u>
Tax Roll # <u>2803.020</u>	

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: BLAKE O'BRIEN

Address: _____

Telephone: _____

Owner of Land (if different from above): _____

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:

TO PURCHASE A HOUSE AND GARAGE FROM A HOUSE MOVER AND SITE IT ON PROPERTY. SERVICES TO FOLLOW AS SOON AS POSSIBLE

Legal Description: Lot(s) A CIVIC NEEDED

Block _____

Plan 8710138 line 0013785804

Quarter Section NE 23-7-30 W4M

Estimated Commencement Date: AUGUST 2021

Estimated Completion Date: OCTOBER 2021

SECTION 3: SITE REQUIREMENTS

Land Use District: A Division: 4

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? 4 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

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	60 ha	-	-
(2) Area of Building	2000 ft ²		
(3) %Site Coverage by Building (within Hamets)	-	-	-
(4) Front Yard Setback Direction Facing: SOUTH	265m	30m	YES
(5) Rear Yard Setback Direction Facing: NORTH	50m	50m	YES
(6) Side Yard Setback: Direction Facing: EAST	200m	30m	YES
(7) Side Yard Setback: Direction Facing: WEST	≈ 600m	7.5m	YES
(8) Height of Building	APPROX 15'	NA	-
(9) Number of Off Street Parking Spaces	N/A	-	-

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

AERIAL PHOTO OF APPROXIMATE LOCATION & APPROACH ROAD

PICTURES OF HOUSE, ROUGH FLOOR PLAN

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	60 ha	-	-
(2) Area of Building	1500 ft ²	-	-
(3) % Site Coverage by Building (within Hamlets)	-	-	-
(4) Front Yard Setback Direction Facing: SOUTH	≈ 250m	30m	YES
(5) Rear Yard Setback Direction Facing: NORTH	75m	50m	YES
(6) Side Yard Setback: Direction Facing: EAST	180m	30m	YES
(7) Side Yard Setback: Direction Facing: WEST	≈ 620m	7.5m	YES
(8) Height of Building	APPROX 12'		
(9) Number of Off Street Parking Spaces			

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

SECTION 4: DEMOLITION

Type of building being demolished : _____

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: 2021/06/16


Applicant

Registered Owner

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



Oldman River Reservoir

Block A

Proposed
Moved-In
Dwelling and
Garage

Plan 871 0138

(Ptr. NE 23-7-30 W4M)




Rge. Rd. 30-1A

SE 23-7-30 W4M

23



Recommendation to Municipal Planning Commission

TITLE:	DEVELOPMENT PERMIT No. 2021-48 (Part A and B)	
Applicant:	Kenneth and Shelly Olson	
Location	Lot 3, Block 16, Plan No. 761 0822 431 Hamilton Ave., Hamlet of Lundbreck	
Division:	5	
Size of Parcel:	729.7 m ² (7854ft ²)	
Zoning:	Hamlet Single Detached Residential 1 – HR-1	
Development:	Residential Addition	
PREPARED BY: Roland Milligan		DATE: July 27, 2021
DEPARTMENT: Planning and Development		
Signature:		ATTACHMENTS:
_____		<ol style="list-style-type: none"> 1. Development Permit Application 2021-48 2. Real Property Report Site Plan
APPROVALS:		
 _____ Roland Milligan	 _____ Troy MacCulloch	
Department Director	Date	CAO
		Date

RECOMMENDATION:

That Development Permit Application No. 2021-48 Part A and 2021-48 Part B, for an addition to an existing residence and a covered deck, 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.

Variance(s):

1. A 0.85 meter variance of the 6.0 meter front yard setback requirement is granted, for a front yard setback of 5.15 meters.

BACKGROUND:

- On June 29, 2021, the MD received Development Permit Application No. 2021-48 from Kenneth and Shelly Olson to bring into compliance a **front entrance addition (Part A)** and a **covered portion of deck (Part B)** on the existing residence (*Attachment No. 1*).
- The applicants had submitted a compliance request as the property is for sale. When reviewing the Real Property Report for the request it was noted that the front entrance and covered portion of the deck at the rear of the residence had been constructed without the required development permits.
- Part B of the development permit application, the covered deck, could have been issued by the Development Officer. However, the applicant is required to bring the front entrance addition into

Recommendation to Municipal Planning Commission

compliance also. In order to assist the applicants, both developments are included on one development permit application.

- The location of the front entrance does not meet the front yard setback requirements of the land use district (*Attachment No. 2*).
- The applicants are requesting a 0.85 meter variance (14%) of the 6.0 metre front yard setback requirement for the land use district.
- This application is being placed in front of the MPC because:
 - The applicants are requesting a variance of the required front yard setback within the Hamlet Single Detached Residential – HR-1 land use district.
 - Pursuant to Section 18.17(a) of the Land Use Bylaw, any setback variance request greater than 10% becomes the jurisdiction of the Municipal Planning Commission as the development authority.

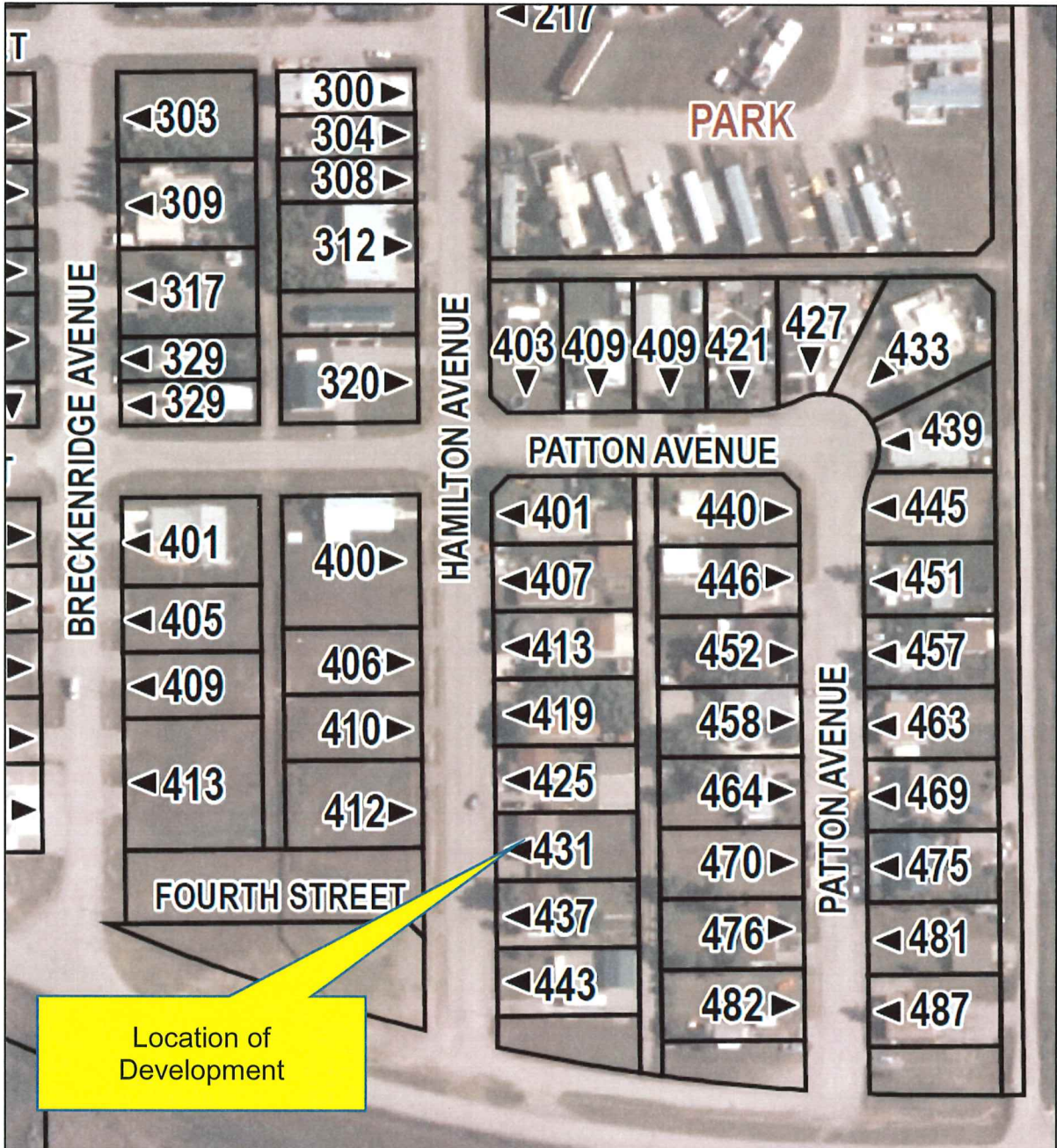


Front Entrance (Porch Addition) looking east from Hamilton Ave.

- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses were received.

Recommendation to Municipal Planning Commission

Location of Proposed Development





Attachment No. 1

Municipal District of Pincher Creek
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. 2021-48

Date Application Received JUNE 29/21

PERMIT FEE ^{\$100 Permitted} ~~\$150 Discretionary~~ \$300.

Date Application Accepted July 6/21

RECEIPT NO. 50342

Tax Roll # 0373.000

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SECTION 1: GENERAL INFORMATION

Applicant: KENNETH + SHELLEY OLSON

Address

Telephone

Owner

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:

A) VARIANCE - FRONT SETBACK VARIANCE .85m

5.15m SETBACK
6m SETBACK REQUIRED
PREVIOUS VARIANCE OF .22m GRANTED

B) DECK, PARTIALLY COVERED

Legal Description: Lot(s) 3 431 HAMILTON AVE, LUNDBRECK

Block 16

Plan 7610822

Quarter Section _____

Estimated Commencement Date: EXISTING

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: HR-1 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

<u>PRINCIPAL BUILDING ADDITION</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	720.7m ²	-	-
(2) Area of Building	102.2m ²		
(3) %Site Coverage by Building (within Hamets)	14%	< 35%	YES
(4) Front Yard Setback Direction Facing: <u>W</u>	5.15m	6m	0.85 MINIMUM REQ. 0
(5) Rear Yard Setback Direction Facing: <u>E</u>	19.35	7.5m	YES
(6) Side Yard Setback: Direction Facing: <u>N</u>	1.75m	1.5m	YES
(7) Side Yard Setback: Direction Facing: <u>S</u>	5.82m	1.5m	YES
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

ACCESSORY BUILDING STRUCTURE	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building DECK ENCLOSED PORTION 1.94m X 5.03m	5.03 X 3.77m		
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:	16.19m	6m	YES
(5) Rear Yard Setback Direction Facing:	19.35m	1.5m	YES
(6) Side Yard Setback: Direction Facing:	5.82m	1.5m	YES
(7) Side Yard Setback: Direction Facing:	7.72m	1.5m	YES
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

SECTION 4: DEMOLITION

Type of building being demolished : _____

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.

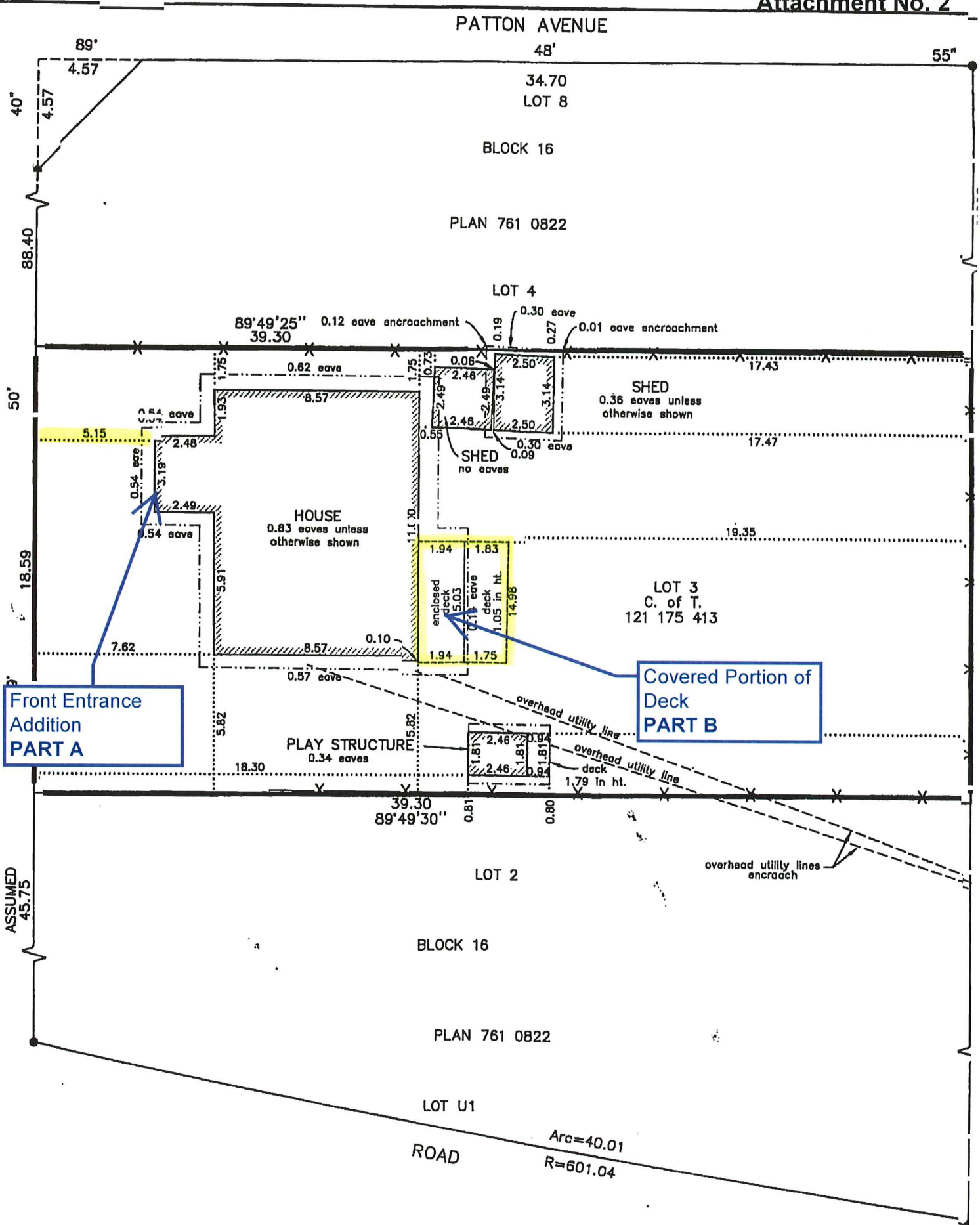
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: JUNE 29/21


Applicant

KENNETH + SHELLEY OLSEN
Registered Owner

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



NOTE: Fd. No M²s except where survey evidence is shown

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT

July 1 to 27, 2021

Development / Community Services Activities includes:

- July 6 Planning Session/Subdivision Meeting/MPC Meeting
- July 8 Energy Management Session
- July 13 Council Committee Meeting / Council Meeting
- July 15 Staff Meeting
- July 21 Bulk Water Meeting
- July 27 Regional Emergency Advisory Committee Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for July 1 to 27, 2021

No.	Applicant	Division	Legal Address	Development
2021-49	Anderson, Chad	2	Lot 1, Block 1, Plan 1512955 within NW 24-5-30 W4M	Home Occupation (Automotive Repair)
2021-50	Degraaf, Shannon & Rene	3	SE 22-5-1 W5M	Single Detached Residence

Development Permits Issued by Municipal Planning Commission July 1 to 27, 2021

2021-37	Pincher Seed Cleaning Cooperative Ltd.	2	Lots 1-6, Block 5, Plan 1993N, Pincher Station	Seed Treatment Facility
2021-41	Lundbreck Trading Company	5	Lots 17-21, Block 3, Plan 2177S, Lundbreck	Farmer's Market

Development Statistics to Date

DESCRIPTION		2021 To date (July)	2020	2019	2018
Dev Permits Issued	3 – Jan				
	5 – Feb				
	6 – Mar	47	67	54	22
	9 - April	35-DO	57 – DO	45-DO	17-DO
	11 – May	12-MPC	10 - MPC	9-MPC	5-MPC
	9 - June				
	4 - July				
Dev Applications Accepted	3 – Jan				
	9 – Feb				
	7 – Mar				
	8 - April	51	67	57	24
	8 – May				
	14- June				
	2 - July				

Utility Permits Issued	2 – Jan 1 – Feb 8 – Mar 1 – April 1 – May 4 – June 2 - July	19	27	33	14
Subdivision Applications Approved	1 – Jan 2021 1 – Feb 2021 2 – April 2021 2 – May 2021 3 – June 2021 2 – July 2021	11	18	12	4
Rezoning Approved		0	0	1	0
Compliance Cert	5 - Jan 3 – Feb 5 – Mar 1 – Apr 2 – May 3 – June 4 - July	23	24	22	5

RECOMMENDATION:

That the report for the period ending July 27, 2021, be received as information.



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

Date: July 27, 2021

Reviewed by: Troy MacCulloch, CAO

Date: July 27, 2021

Submitted to: Municipal Planning Commission

Date: August 3, 2021