

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
Council Chambers
July 5th, 2022
6:30 pm
Agenda

1. Adoption of Agenda

2. Minutes

- a. Meeting Minutes of May 3rd, 2022

3. Closed Meeting Session

4. Unfinished Business

5. Development Permit Applications

- a. Development Permit Application No. 2022-18
Vance & Erika Bekker
within SE 16-9-1 W5
SDR, Garage & Barn (Variance)
- b. Development Permit Application No. 2022-19
Twin Butte Country General Store & Restaurant
within NW 4-4-29 W4
Entertainment Establishment – Outdoor Live Music
- c. Development Permit Application No. 2022-23
Ken & Charity McLeod
Within SW 21-6-29 W4
Garden Suite
- d. Development Permit Application No. 2022-24
Mark & Eleanor Stephens
Within NW 15-6-30 W4
Shipping Container
- e. Development Permit Application 2022-25
Tom & Vivian Judd
SW 24-6-2 W5
Moved In Residential Building

6. Development Reports

- a. Development Officer's Report
- Report for May & June 2022

7. Correspondence

Nil

8. New Business

9. Next Regular Meeting – September 6th, 2022; 6:30 pm

10. Adjournment

**Meeting Minutes of the
Municipal Planning Commission
May 3rd, 2022 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Jim Welsch, Reeve Rick Lemire, Councillors Tony Bruder, Dave Cox, Harold Hollingshead and John MacGarva and Member At Large Jeff Hammond

Staff: Director of Development and Community Services Roland Milligan, Assistant Planning and Development Officer Laura McKinnon

Planning Advisor: ORRSC, Senior Planner Gavin Scott and ORRSC, Staff Hailey Winder

Absent: CAO Troy MacCulloch

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

1. ADOPTION OF AGENDA

Councillor Tony Bruder 22/018

Moved that the agenda for May 3rd, 2022, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Reeve Rick Lemire 22/019

Moved that the Municipal Planning Commission Meeting Minutes for April 5th, 2022 be approved as amended.

Carried

3. CLOSED MEETING SESSION

Member At Large Jeff Hammond 22/020

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

Councillor Tony Bruder 22/021

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:55 pm.

Carried

4. **UNFINISHED BUSINESS**

- a. Development Permit Application No. 2022-04
Stone Developments Inc
Lot 97, Block 4, Plan 051 3736, Castle Mountain Resort
Multi-Unit Dwelling (Fourplex)**

Member at Large Jeff Hammond

22/022

Moved that Development Permit No. 2022-04, to construct a Multi-Unit Dwelling (Fourplex) be approved as presented.

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That prior to occupancy of the building, the developer working in conjunction with Castle Mountain Resort Inc, complete the storm water drainage mitigation work as recommended within the MPE Engineering memorandum dated April 20, 2022, attached to and forming part of this permit.

Variance(s):

1. A 0.38-meter variance of the 2.50-meter setback requirement from the west property boundary for the uncovered deck is granted for a rear yard setback of 2.12-meters (15.2% variance).

Carried

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2022-09
Daniel Feldman (Carnerlian Investments Inc)
Within SW 3-6-2 W5
Bed & Breakfast w/ Secondary Building**

Reeve Rick Lemire

22/023

Moved that Development Permit No. 2022-09, for the development of a Bed and Breakfast and the placement of an additional building (Moved-In Residence, Oilfield Trailer) to be used in conjunction with the Bed and Breakfast Use be denied for the following reason.

The proposed development does not meet the definition of Bed and Breakfast within Land Use Bylaw 1289-18, as a Bed and Breakfast Facility is defined as being a private owner-occupied dwelling.

Carried

**b. Development Permit Application No. 2022-11
Elk Valley Homes Ltd
6 Cardinal Road, within NW 27-7-2 W5
Manufactured Home**

Councillor Dave Cox

22/024

Moved that Development Permit No. 2022-11, to place a Singlewide Manufactured Home be approved as presented.

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the home be finished from the floor level to the ground within 90 days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling to the satisfaction of the development authority.
3. That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the Alberta Safety Code.
4. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.

Carried

6. DEVELOPMENT REPORT

a. Development Officer's Report

Member At Large Jeff Hammond

22/025

Moved that the Development Officer's Report, for the period April 2022, be received as information.

Carried

7. CORRESPONDENCE

Nil

8. NEW BUSINESS

None

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
May 3, 2022

9. **NEXT MEETING** – June 7th, 2022; 6:30 pm.

10. **ADJOURNMENT**

Councillor John MacGarva

22/026


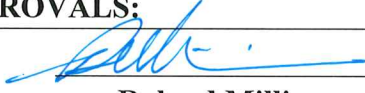

Moved that the meeting adjourn, the time being 7:06 pm.

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. 2022-18 Applicant: Vance and Erika Bekker Location Lot 1, Block 1, Plan No. 2111877 Within SE 16-9-1 W5M Division: 4 Size of Parcel: 6.4 ha (15.79 Acres) Zoning: Agriculture – A Development: Single Detached Residence, Detached Garage & Pole Barn – Setback Variance			
PREPARED BY: Roland Milligan	DATE: June 9, 2022		
DEPARTMENT: Planning and Development			
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2022-18 2. GIS Site Plan 3. Applicant Letter		
APPROVALS:			
_____ Roland Milligan	 _____ Roland Milligan	 _____ Interim CAO	_____ Date
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That Development Permit Application No. 2022-18, to place a Single Detached Residence, Detached Garage and Pole Barn, be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

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

Waiver(s):

1. That a 22m (72.18 ft) Setback Variance be granted from the minimum Setback from Public Roadways 30m (98.42 ft) for a Setback of 8m (26.25 ft) to the East for the Single Detached Residence.
2. That a 22m (72.18 ft) Setback Variance be granted from the minimum Setback from Public Roadways 30m (98.42 ft) for a Setback of 8m (26.25 ft) to the East for the Detached Garage.
3. That a 22m (72.18 ft) Setback Variance be granted from the minimum Setback from Public Roadways 30m (98.42 ft) for a Setback of 8m (26.25 ft) to the North for the Barn.
4. That a 22m (72.18 ft) Setback Variance be granted from the minimum Setback from Public Roadways 30m (98.42 ft) for a Setback of 8m (26.25 ft) to the East for the Barn.

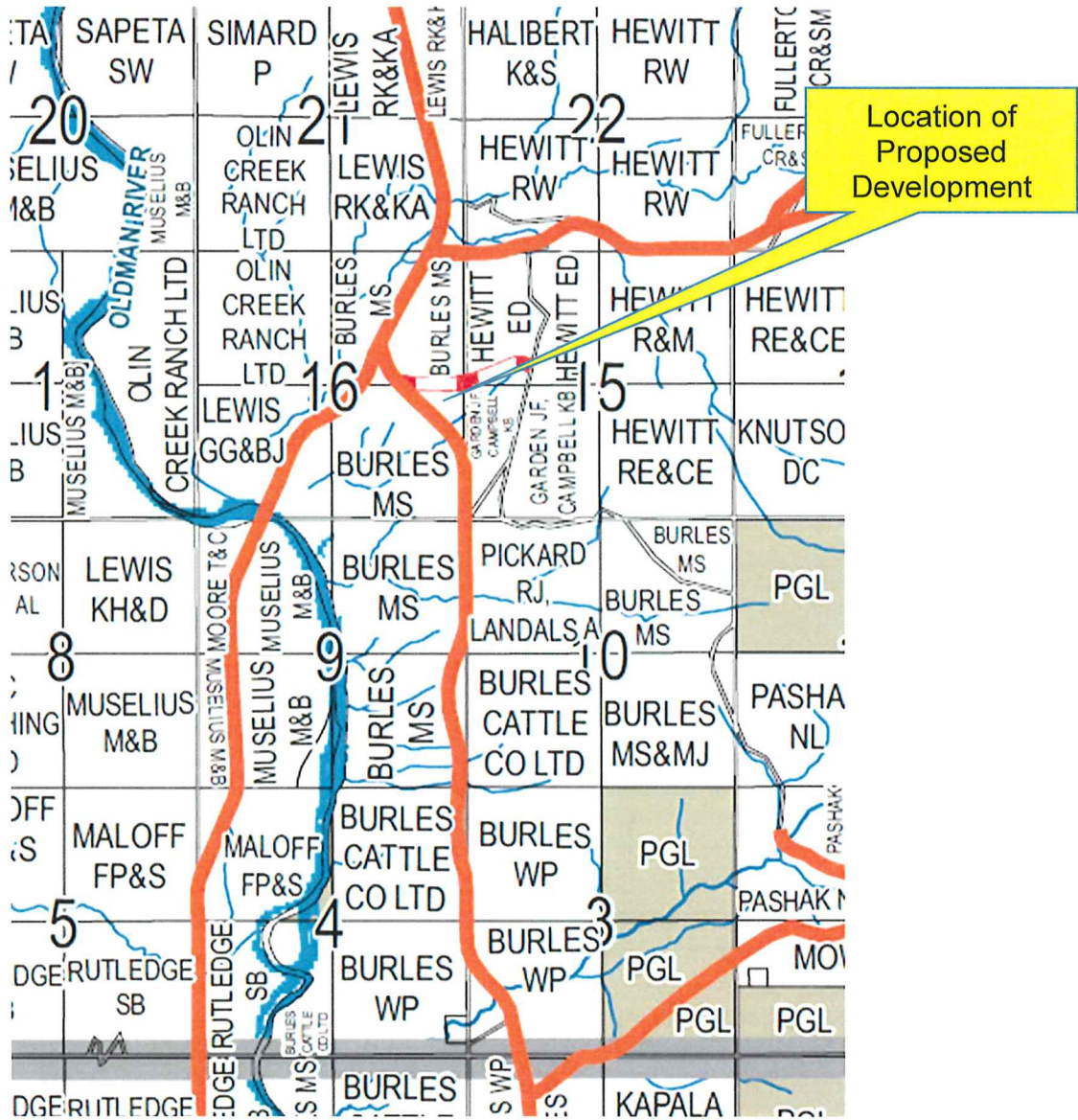
Recommendation to Municipal Planning Commission

BACKGROUND:

- On June 2, 2022, the MD accepted the Development Permit Application No. 2022-18 from applicants Vance and Erika Bekker. (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Agriculture – A Land Use District, a Setback Variance is a Discretionary Use.
 - The setback distance requirement from Public Roadways is 30m (98.42ft). The proposed location of the Single Detached Residence, Detached Garage and Pole Barn does not meet these provisions and will require a setback variance of 22m (72.18 ft) on both the North and East side of the property. (*Attachment No. 2*).
 - The Applicant submitted a letter with the development permit application, where they have stated the following reasons as to why the buildings are to be located where proposed (*Attachment No. 3*).
 - *We purchased pasture land at SE 16-09-01 W5M to establish a small permaculture farm and we want to build the house and barn (including water tanks) in the NE corner of the property.*
 - *Our vision for the land is to maximize and effectively use our pasture to pursue regenerative mixed farming and minimize impractical land use; however, the existing setback presents certain hardships.*
 - *Current setbacks significantly reduce the usability of the land.*
 - *We believe building the homestead in the NE corner will minimize unusable land and allow us to take advantage of the landscape and natural contours in the planning and layout of the farm.*
 - *The existing coulee divides the land into two separate pieces and by default, reduces any agricultural use. Access to the small pasture would most likely require separate access. On the ridges of the coulee we are introducing native trees to stimulate a silvopasture environment and promote habitat for wildlife.*
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received, with the respondent stating that they had no issues with the proposed development.

Recommendation to Municipal Planning Commission

Location of Proposed Development





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. 2022-18

Date Application Received 2022/06/02

PERMIT FEE \$100 Permitted
\$150 Discretionary

Date Application Accepted 2022/06/07

RECEIPT NO. 53926

Tax Roll # 3871.010

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: VANCE BERKER + ERIKA BERKER

Address: PO Box 116 COWLEY TOK SK

Telephone: [REDACTED] Email: [REDACTED]

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:

House + GARAGE + POLE BARN

Legal Description: Lot(s) SE 16 - 9 - 1 WSM.

Block _____

Plan _____

Quarter Section _____

Estimated Commencement Date: June 1, 2022

Estimated Completion Date: June 1, 2024

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? ~ 6 Deg. 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			
(2) Area of Building	<u>3200 sq/ft</u>		
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing: <u>SW</u>	<u>175 M</u>	<u>30 M</u>	<u>yes</u>
(5) Rear Yard Setback Direction Facing: <u>NE</u>	<u>8 M</u>	<u>30 M</u>	<u>NO</u>
(6) Side Yard Setback: Direction Facing: <u>SE</u>	<u>8 M</u>	<u>30 M</u>	<u>NO</u>
(7) Side Yard Setback: Direction Facing: <u>NW</u>	<u>95 M</u>	<u>30 M</u>	<u>yes</u>
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

SITE PLAN + DETAILED PLAN OF BUILDINGS LOCATION

ACCESSORY BUILDING Pole Barn.	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building	6400 sq/ft		
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing: W	310 M	30M	yes
(5) Rear Yard Setback Direction Facing: E	8M	30M	NO
(6) Side Yard Setback: Direction Facing: S	300 M	30M	yes
(7) Side Yard Setback: Direction Facing: N	8M	30M	NO
(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: _____

Applicant

Registered Owner

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

ACCESSORY BUILDING (Garage)	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building	1800 sq/ft		
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing: W	265M	30M	yes
(5) Rear Yard Setback Direction Facing: E	8M	30M	NO
(6) Side Yard Setback Direction Facing: N	50M	30M	yes
(7) Side Yard Setback Direction Facing: S	313M	30M	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 : N/A

Area of size: _____

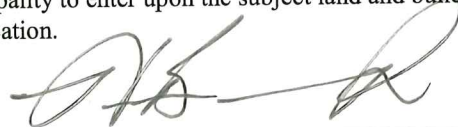
Type of demolition planned: _____

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: 2 June 2022



 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:

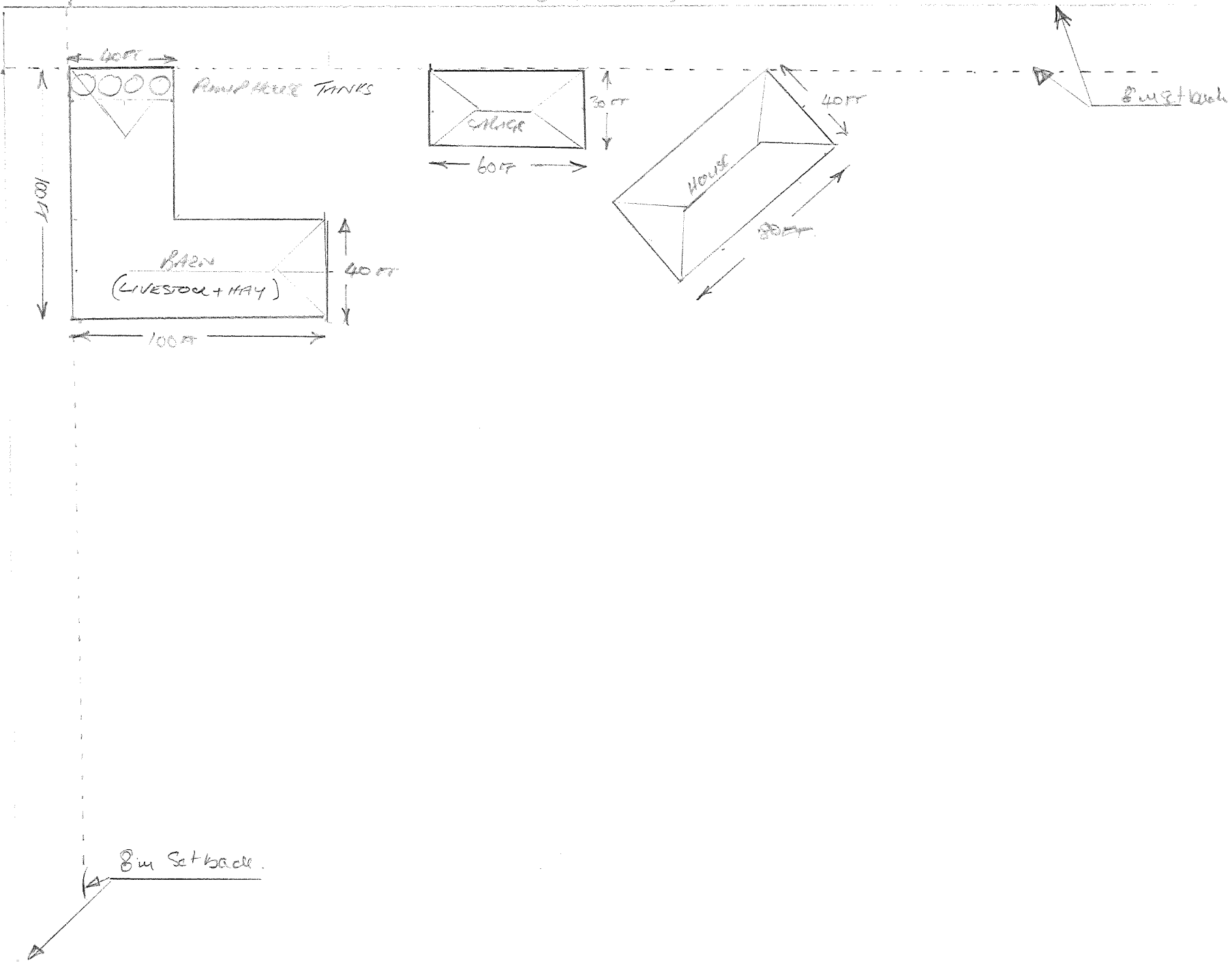
“ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER.”
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development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

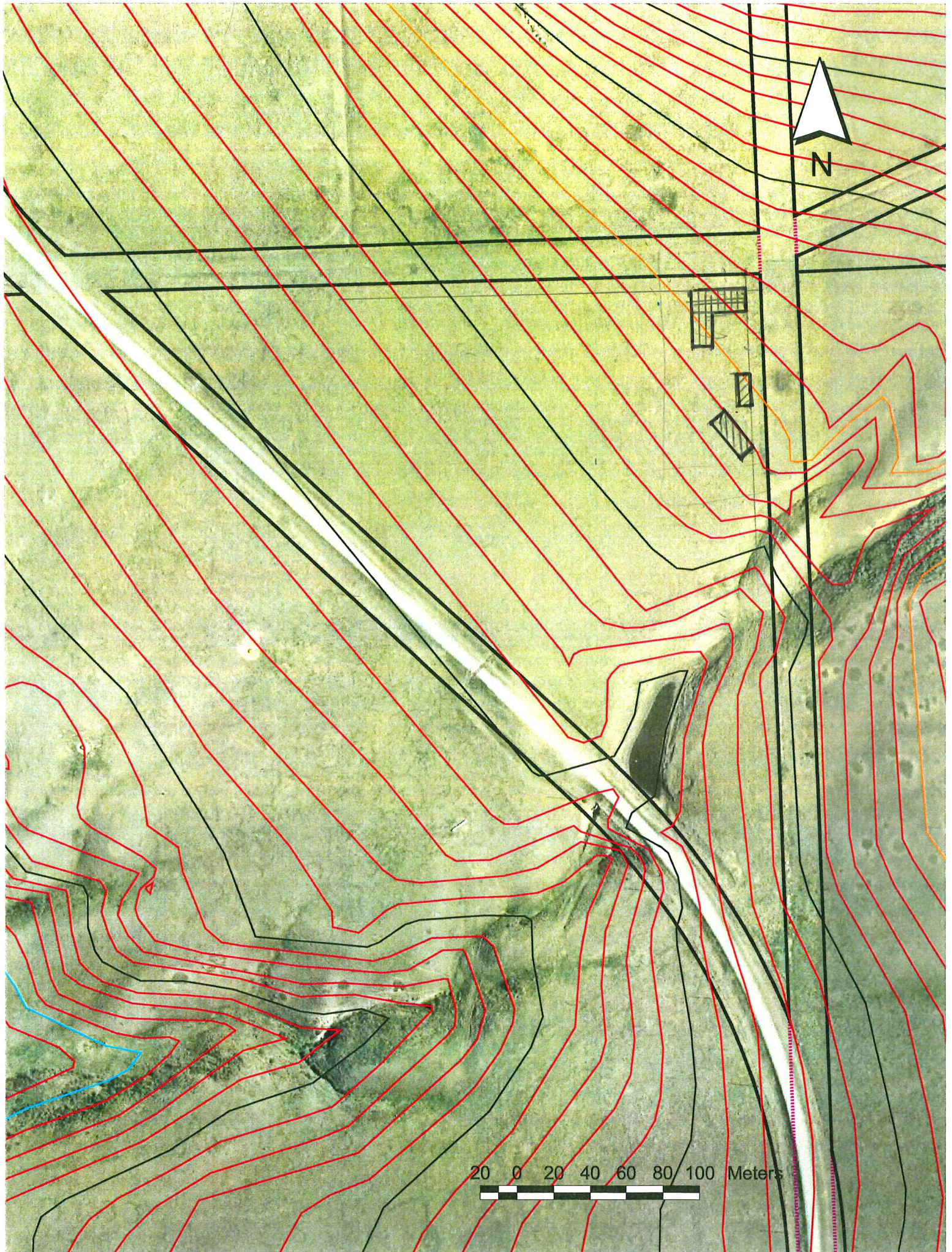
A decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address sign, supplied by the municipality. 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.

EAST - UNDEVELOPED ROAD

NORTH

EXISTING UNMAINTAINED ROAD





1:2500 1mm = 2.5m

FW: Request for variance SE 16-09-01 W5M
Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>
Wed 2022-06-08 11:08 AM
To:

- Laura McKinnon <AdminDevAsst@mdpincercreek.ab.ca>

Please include this with the Bekker's permit application file.

From: Erika Bekker <bekkerea@gmail.com>
Sent: June 7, 2022 8:25 PM
To: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>; Vance Bekker <leslievance@gmail.com>
Subject: Request for variance SE 16-09-01 W5M

Attn: Roland Milligan

RE: Request for variance

We purchased pasture land at SE 16-09-01 W5M to establish a small permaculture farm and we want to build the house and barn (including water tanks) in the NE corner of the property.

Our vision for the land is to maximize and effectively use our pasture to pursue regenerative mixed farming and minimize impractical land use; however, the existing setback presents certain hardships.

Current setbacks significantly reduce the usability of the land.

We believe building the homestead in the NE corner will minimize unusable land and allow us to take advantage of the landscape and natural contours in the planning and layout of the farm.


The existing coulee divides the land into two separate pieces and by default, reduces any agricultural use. Access to the small pasture would most likely require separate access. On the ridges of the coulee we are introducing native trees to stimulate a silvopasture environment and promote habitat for wildlife.

We are prepared to purchase the unused and unmaintained county road on the north border of the property. This road currently serves as the primary access to the homestead and would require us to maintain the road.

We are requesting council's approval for variance along the eastern boundary of the property to build the homestead. We hope this meets your favourable approval.

Sincerely,

Erika & Vance Bekker
Little Protea Farm

 (Erika mobile)
(Vance mobile)

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2022-19 Applicant: Twin Butte Country General Store & Restaurant Location: #33 Hwy 6 Twin Butte Within NW 4-4-29 W4M Division: 1 Size of Parcel: 0.70 ha (1.72 Acres) Zoning: Hamlet Highway Commercial – HHC Development: Entertainment Establishment – Outdoor Live Music		
PREPARED BY: Roland Milligan	DATE: June 10, 2022	
DEPARTMENT: Planning and Development		
Signature: _____		ATTACHMENTS: 1. Development Permit Application 2022-19 2. Development Permit Application 2010-63 3. GIS Site Plan 4. Applicant Letter 5. Alberta Transportation Letter
APPROVALS:		
	 _____	
Roland Milligan	Roland Milligan	
Department Director	Date	Interim CAO Date

RECOMMENDATION:

That Development Permit Application No. 2022-19, to host live music outdoors in The Smoke Shack area, 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.
2. Live performances outside shall only take place between the hours of 3pm and 9pm.

BACKGROUND:

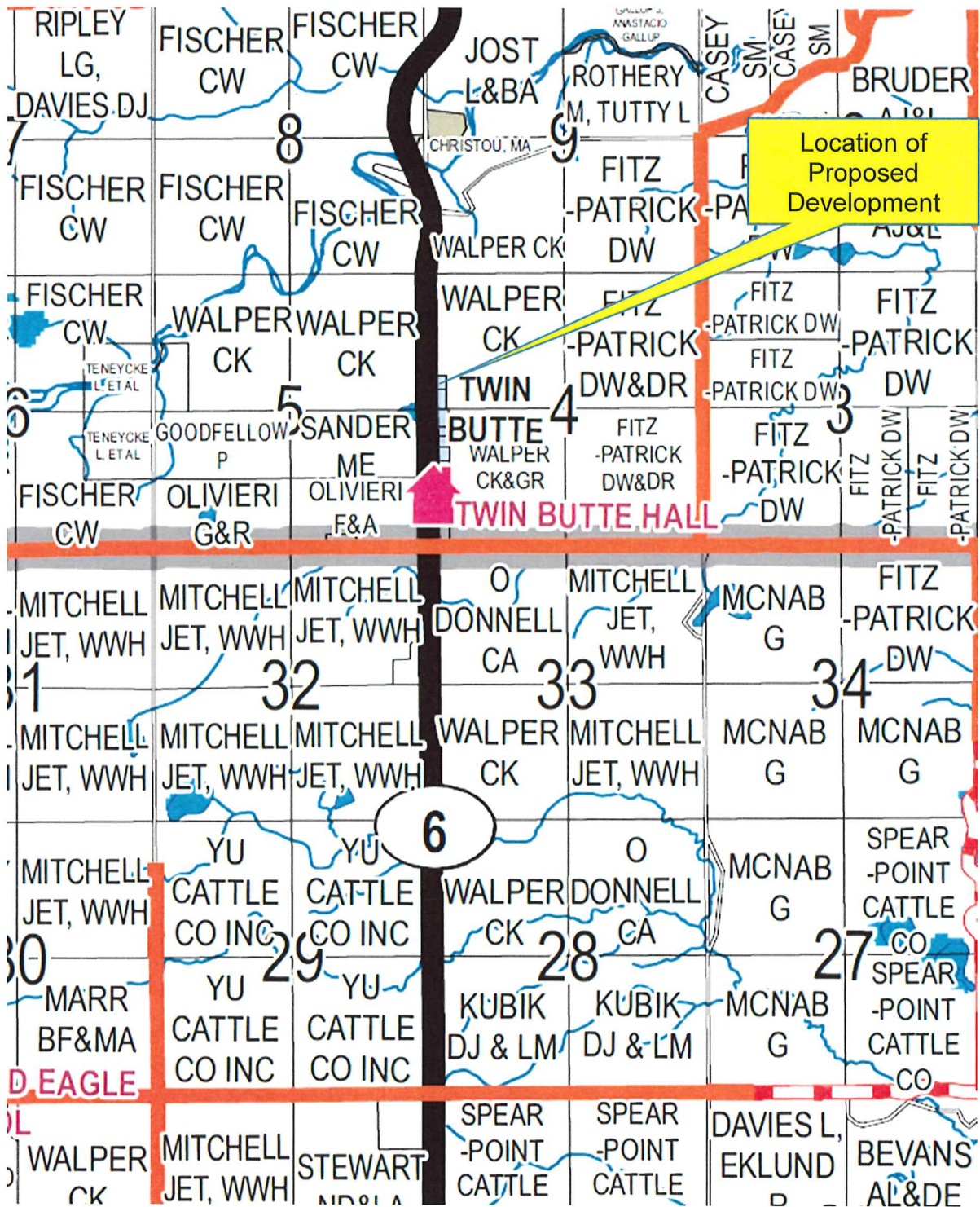
- On May 30, 2022, the MD accepted the Development Permit Application No. 2022-19 from applicant Jeny Akitt (Twin Butte Country General Store & Restaurant). (*Attachment No. 1*).
- On October 15, 2010, The MD approved Development Permit No. 2010-63 to Twin Butte Country General Store & Restaurant as an Entertainment Establishment, with the following relevant condition (*Attachment No. 2*)
 - Live music performances shall only take place inside the establishment and not on the patio.
- This application is being placed in front of the MPC because:
 - Within the Hamlet Highway Commercial – HHC Land Use District, an Entertainment Establishment is a Discretionary Use.
- The Applicant submitted a letter with the development permit application, where they have stated the following reasons as to why they are seeking approval for outdoor live music (*Attachment No. 4*).

Recommendation to Municipal Planning Commission

- *In 2021 we built an outdoor patio/smoke shack area in the back of the Twin Butte Store. We would like to have an outdoor stage in this new area and have live entertainment.*
- *This entertainment would be available to our customers in the afternoon or evenings (between 3pm and 9pm).*
- *We would ensure that the music would be finished by 9pm and that everyone would be out of the outdoor area by 10pm.*
- The proposed location for the residence meets all setback requirements of the land use district **(Attachment No. 3)**.
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received, with the respondent stating that they had no issues with the proposed development.
- As the proposed development is within 300m of a numbered highway, a Roadside Development permit was applied for from Alberta Transportation.
 - Alberta Transportation returned the application stating that *“A permit from Alberta Transportation will not be required for the proposed development.” (Attachment No. 5)*.

Recommendation to Municipal Planning Commission

Location of Proposed Development





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. 2022-19

Date Application Received May 30/22

PERMIT FEE \$100 Permitted / \$150 Discretionary

Date Application Accepted _____

RECEIPT NO. 53959

Tax Roll # 1346.000

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: Twin Butte Country Gen. Store & Restaurant

Address: Box 461 Twin Butte AB T0K 2J0

Telephone: [REDACTED] Email: [REDACTED]

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:

We would like to be able to have live music outside in the smoke shack outdoor patio/restaurant.

Legal Description: Lot(s) _____

Block 33 Twin Butte

Plan _____

Quarter Section NW 4 4 29 W4

Estimated Commencement Date: _____

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: Hamlet Highway Commercial Division: 1

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			
(2) Area of Building			
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

<u>ACCESSORY BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(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: May 26 2022

Jenny Akitt
Applicant JENY AKITT

Registered Owner

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

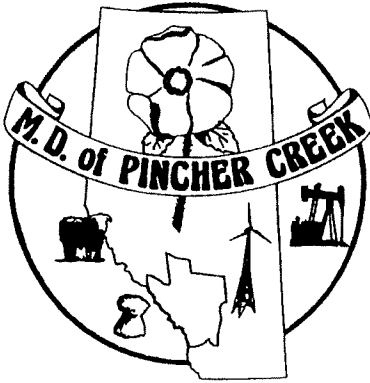
IMPORTANT NOTES:

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.



ADMINISTRATION OFFICE
P.O. BOX 279
PINCHER CREEK, ALBERTA
T0K 1W0
PHONE 627-3130 • FAX 627-5070
E-MAIL: info@mdpincercreek.ab.ca
www.mdpincercreek.ab.ca

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DEVELOPMENT PERMIT
DEVELOPMENT PERMIT No. 2010-63

This development permit is hereby issued to:

NAME: **Twin Butte Country General Store and Restaurant**
c/o Jeny Akitt and Clint Davis
ADDRESS: **P.O. Box 461**
Twin Butte, AB T0K 2J0

In respect of works consisting of: • **Entertainment Establishment**

On land located at: **Portion of NW 4-4-29 W4M;**
Hamlet of Twin Butte

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. **2010-63**

and is subject to the Condition(s) and Informative(s) contained herein:


Condition(s):

1. This development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. Live music performances shall take place on no more than five nights per week.
3. Live music performances shall only take place between the hours of 8:00 pm and 11:00 pm on weekdays and 8:00 pm and 12:00 pm on weekends.
4. Live music performances shall only take place inside the establishment and not on the patio.
5. That a 2.4 m (8 ft) privacy fence be installed on the south property line to the satisfaction of the Development Authority.
6. That a well lit parking lot be established on the north side of the property to the satisfaction of the Development Authority.
7. Adequate parking signage be installed including no parking and short term parking zones be established on the south side of the property.

Informative(s):

1. The MD shall contact Alberta Transportation with regards to the possibility of developing separate access for the two distinct uses, reducing speed through Twin Butte and/or paving the approach.

This permit becomes effective the **15th day of October, 2010**, unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days.

SIGNED: 
Roland Milligan, Development Officer

IMPORTANT – See Attached

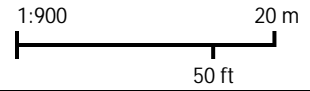
THIS IS NOT A BUILDING PERMIT



2022-19 Twin Butte General Store



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.

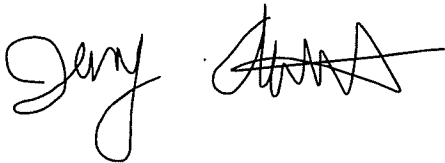


June 2, 2022

Dear Roland and MD Council,

The Twin Butte Country General Store and Restaurant is applying to have live music outdoors for the summer months. In 2021 we built an outdoor patio/smoke shack area in the back of the Twin Butte Store. We would like to have an outdoor stage in this new area and have live entertainment. This entertainment would be available to our customers in the afternoon or evenings (between 3pm and 9pm). We would ensure that the music would be finished by 9pm and that everyone would be out of the outdoor area by 10pm. We are proud to say that this is our 26th year in business and throughout these years we have had many musicians through our doors and would like to continue on with that tradition. If you have any questions or concerns, please feel free to contact us at 4 [REDACTED]. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeny Akitt". The signature is written in a cursive style with a large, stylized initial "J" and a long horizontal stroke extending to the right.

Jeny Akitt/owner & operator of Twin Butte Store



Construction and Maintenance Division
 Southern Region; Lethbridge
 909 - 3 Avenue N. Administration Building (Lethbridge)
 Lethbridge AB T1H0H5
 (403) 388 3105
www.alberta.ca

Permit Number: 2022-0003397
 File Number: RPATH0003397

2022-06-21 14:38:18
 Municipal District of Pincher Creek No. 0

Subject: Alberta Transportation Development Permit

Description	General Location
<p>Live entertainment in outside patio area between the hours of 3pm and 9pm. "The Smoke Shack"</p>	

Alberta Transportation Permit No. **2022-0003397** is issued to the above named Permittee under authority of

Section 14 of the *Highways Development and Protection Act* (the Act) authorizing the development(s) listed herein.

Alberta Transportation has the following additional comments and/or requirements with respect to this proposal:

1. A permit from Alberta Transportation will not be required for the proposed development.
Thank you for the referral and opportunity to comment.

Failure to comply with the terms and conditions of this permit is an offense pursuant to Section 35 of the *Highways Development and Protection Regulation* (the Regulation), and may result in enforcement or penalties as described in Section 55 of the Act and Section 35-36 of the Regulation.

In consideration of the permit issued in respect to this development, the Permittee shall indemnify and hold harmless Alberta Transportation, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized.

All works authorized by this permit shall be constructed, altered, maintained or operated at the sole expense of the Permittee. The Permittee consents to a person designated by Alberta Transportation to enter upon land during construction and again upon completion of construction for the purpose of inspection to ensure the terms and conditions of this permit are met.

This permit is valid for a period of two years from the date of issuance. If the work authorized by this permit has not commenced within this timeframe, the permit expires and the Permittee must submit a request for an extension, or reapply for a new permit, if they wish to proceed.



Issuance of this permit does not excuse violation of any regulation, bylaw, or act that may affect the proposed project.

If you have any questions about the permit or any of the conditions, please contact the undersigned.

Yours truly,

Leah Olsen
leah.olsen@gov.ab.ca

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2022-23 Applicant: Ken & Charity McLeod Location 6311 Rge Rd 29-4 Within SW 21-6-29 W4M Division: 2 Size of Parcel: 1.62 ha (4 Acres) Zoning: Agriculture - A Development: Garden Suite			
PREPARED BY: Roland Milligan	DATE: June 15, 2022		
DEPARTMENT: Planning and Development			
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2022-23 2. GIS Site Plan		
APPROVALS:			
_____ Roland Milligan	 _____ Roland Milligan	 _____ 2022/06/30	
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That Development Permit Application No. 2022-23, to move a small cabin on a skid for a family member, 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.
2. That the applicant submit drawings of cabin before construction commences.
3. That this development permit is re-evaluated after five years.

BACKGROUND:

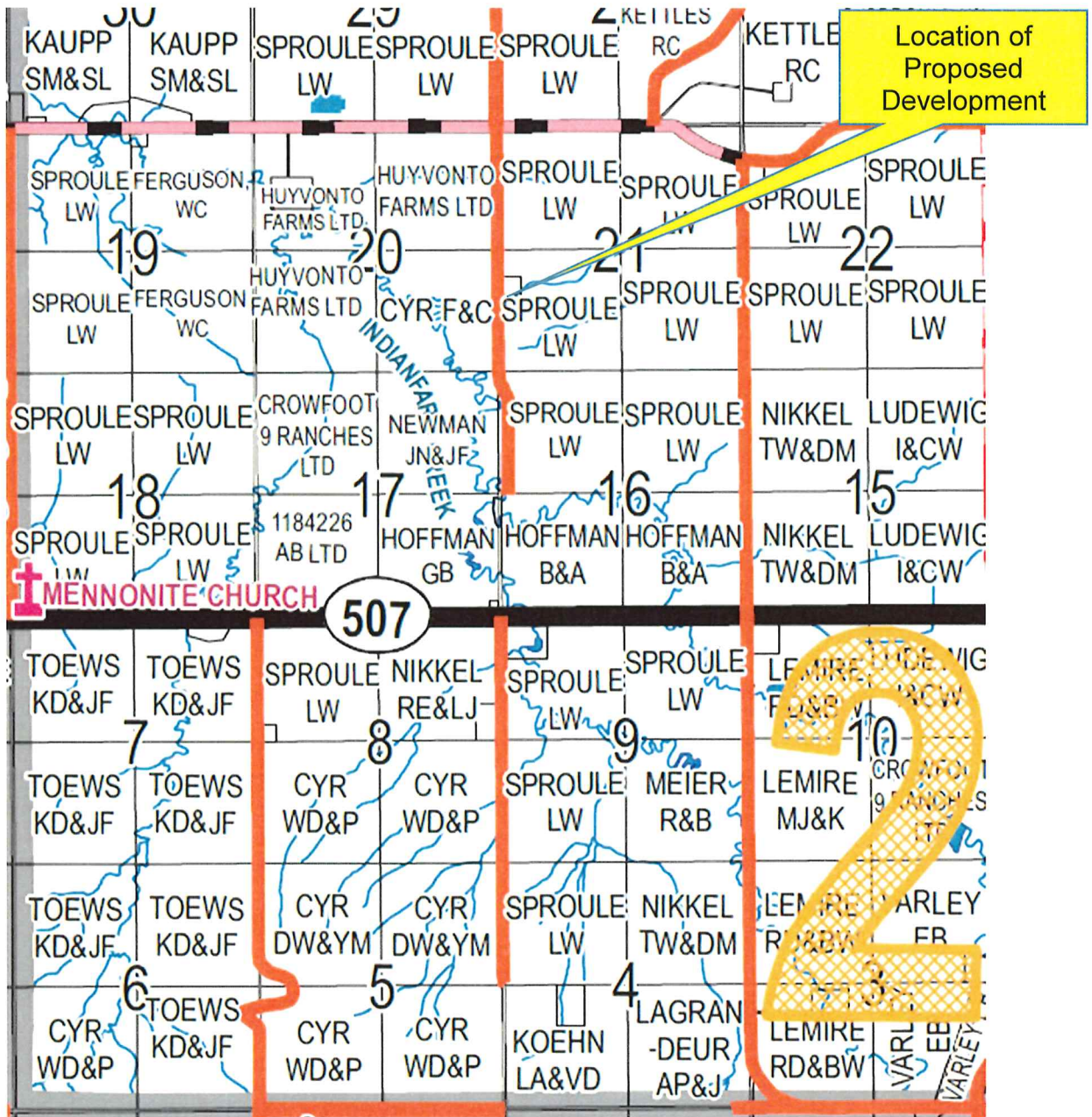
- On June 13, 2022, the MD accepted the Development Permit Application No. 2022-23 from applicants Ken and Charity McLeod. (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Agricultural – A Land Use District, a Garden Suite is a Discretionary Use.
- The Applicant submitted a description with the development permit application, where they have stated the following reasons as to why they are seeking approval for a garden suite.
 - *Building a Gardeners Suite (Granny Suite) for our elderly mother. No foundation, looking at a small cabin on a skid with a loft.*

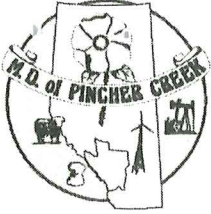
Recommendation to Municipal Planning Commission

- The proposed location for the residence meets all setback requirements of the land use district (*Attachment No. 2*).
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received, with the respondent stating that they had no issues with the proposed development.

Recommendation to Municipal Planning Commission

Location of Proposed Development





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. 2022-23

Date Application Received June 13/22

PERMIT FEE \$100 Permitted / \$150 Discretionary

Date Application Accepted _____

RECEIPT NO. 54140

Tax Roll # 1777.000

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: Ken & Charity McLeod

Address: 6311-29-4

Telephone: [REDACTED] mail: [REDACTED]

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:

Gardener's Suite (Granny Suite) for our elderly mother. no foundation, looking at small cabin on skid with a loft.

Legal Description: Lot(s) SW21

Block _____

Plan _____

Quarter Section SW21-6-29-W4

Estimated Commencement Date: August (when her trailer sells in town)

Estimated Completion Date: October (hoping before snow fly's)

SECTION 3: SITE REQUIREMENTS

Land Use District: A - Agriculture Division: 2

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</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

<u>ACCESSORY BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(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 12/2022

Applicant

Registered Owner

John M. J. Charity M. Leach

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.



Mcleod Property

N



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

RR294

RR294

Granny suite

Septic

Sprinkles

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2022-24 Applicant: Mark Stephens & Eleanor Maund-Stephens Location: 30230 Twp Rd 6-2A Within NW 15-6-30 W4M Division: 2 Size of Parcel: 13.23 ha (32.69 Acres) Zoning: Urban Fringe - UF Development: Shipping Container		
PREPARED BY: Roland Milligan	DATE: June 15, 2022	
DEPARTMENT: Planning and Development		
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2022-24 2. Photo of Shipping Container 3. GIS Site Plan 4. Notes from June 24 2022 IMCP Meeting	
APPROVALS:		
_____ Roland Milligan	 _____ Roland Milligan	_____ 2022/06/30
Department Director	Date	Interim CAO
		Date

RECOMMENDATION:

That Development Permit Application No. 2022-24, to move a shipping container for storage purposes, 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.
2. That pursuant to Section 58.7 of the LUB, shipping containers shall be painted the color(s) of the principal building or to the satisfaction of the Development Authority.

BACKGROUND:

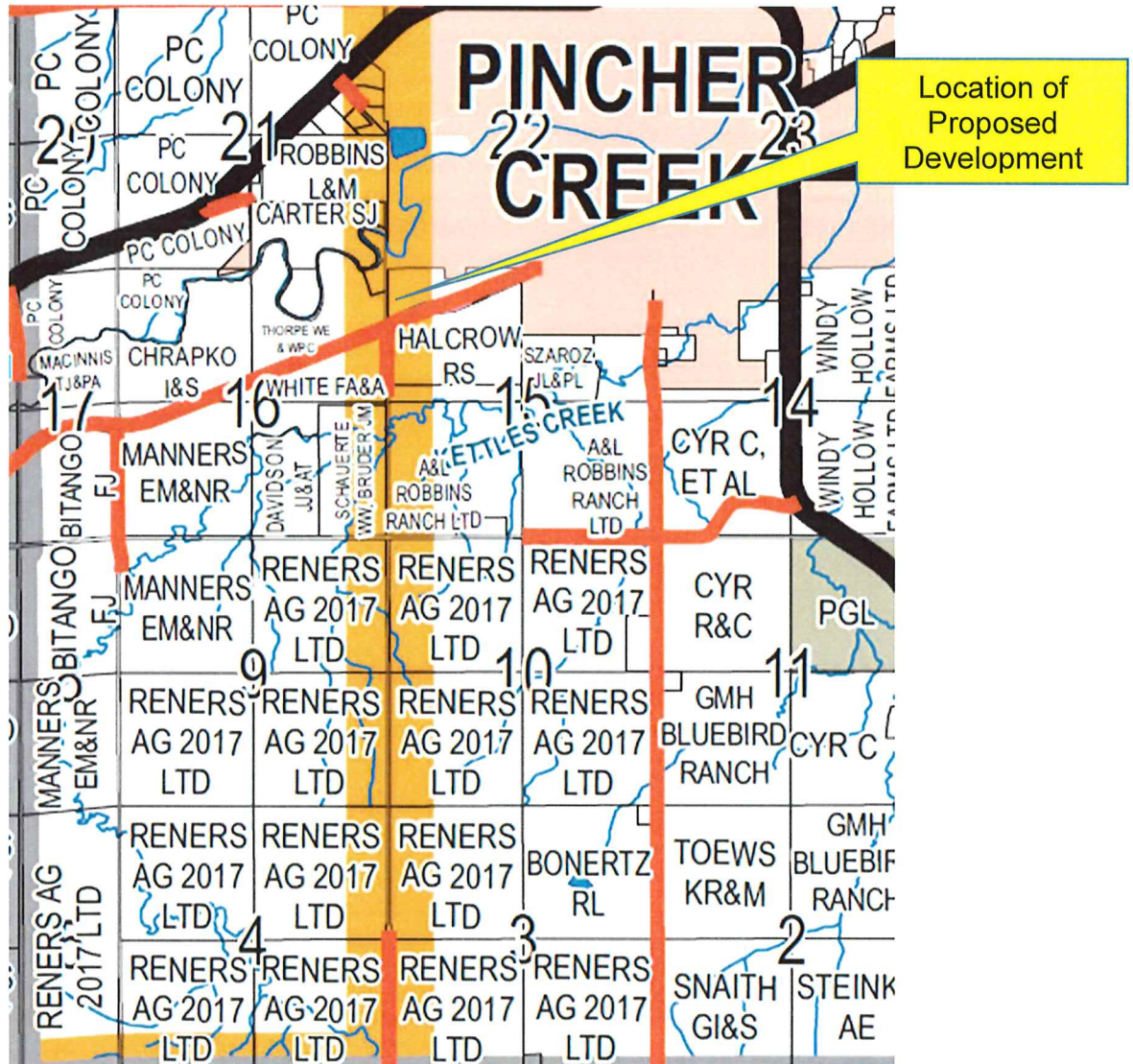
- On June 13, 2022, the MD accepted the Development Permit Application No. 2022-24 from applicants Mark Stephens and Eleanor Maund-Stephens. (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Urban Fringe - UF Land Use District, a shipping container is a Discretionary Use.
- The Applicant submitted a photo of the shipping container. (*Attachment No. 2*).
- The application contained two potential locations for the shipping container. Both locations meet the setback requirements of the land use district (*Attachment No. 3*)
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received, with the respondent stating that they had no issues with the proposed development.

Recommendation to Municipal Planning Commission

- As the proposed development is a Discretionary Use and is within the Inter Municipal Urban Fringe District as established within Bylaw 1200-10, being the Inter Municipal Development Plan between the Town of Pincher Creek and MD of Pincher Creek No. 9, this proposed application was presented to the IMDP Committee on June 24 2022 for comment.
- At that meeting, the IMDP indicated they had no concerns with the proposed development, following the conditions (*Attachment No. 4*).

Recommendation to Municipal Planning Commission

Location of Proposed Development





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. 2022-24Date Application Received June 14/22PERMIT FEE ^{\$100 Permitted} \$150 Discretionary

Date Application Accepted _____

RECEIPT NO. 54185Tax Roll # 2609.010

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: Mark Stephens and Eleanor Maund-StephensAddress: 30230 TR 62ATelephone: [REDACTED] Email: [REDACTED]

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:

53' insulated shipping container for storage.Eventually to be part of 2-container structure with roof covering both.Legal Description: Lot(s) 1Block 1Plan 0411155Quarter Section 15 within NW 15-6-30-W4Estimated Commencement Date: 30JUL2022Estimated Completion Date: 15AUG2022

SECTION 3: SITE REQUIREMENTS

Land Use District: Urban Fringe (UF) Division: 2

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</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces	na		

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

<u>ACCESSORY BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	32acres		
(2) Area of Building	42sqmtr		
(3) % Site Coverage by Building (within Hamlets)	NA		
(4) Front Yard Setback Direction Facing:	180m, S	N/A	yes
(5) Rear Yard Setback Direction Facing:	100m, N	6.1m	yes
(6) Side Yard Setback: Direction Facing:	120m, W	3m	yes
(7) Side Yard Setback: Direction Facing:	300+m, E	3m	yes
(8) Height of Building	3m		
(9) Number of Off Street Parking Spaces	NA		

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

Site plan with numbers 1 and 2 in red.

Numbers indicate planned location and alternate location, respectively.

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: 14JUN2022



 Applicant


 Registered Owner

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

IMPORTANT NOTES:

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 - (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;
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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.

S.E. 1/4 Sec. 21,
Twp. 6, Rge. 30
W. 4th Mer.

S.W. 1/4 Sec. 22,
Twp. 6, Rge. 30, W. 4th Mer.

10.06 Water Line
R/W Plan 4618 J.K.

See Well
Detail Page 1

121.92 x 76.20 Fortis Alberta
Inc. Easement, Instrument
Number: 761 102 775

See Site
Detail

Lot 2
Block
Plan 88:

Lot 3
Block 1
Plan 051 0062

Lot 1
Block 1
Plan 051 0428

Fd. I. cs. 0.1,
1.0 W. and 1.4 S.
of F.C.P.

303
Allowance (Range Road)

Government Road

20.12
89°59'15"
331.28
359°56'50"
119.41
120.21
32.70
359°56'50"

154.51
149.77
107.20
107.95
259.74
248°43'40"

343.68
89°59'15"
Rock pile
(on septic field)

68°43'40"
862.11
30.48 Road Plan 921 0548
377.71
248°43'40"

Lot 1
Block 1
Plan 041 1155

Fd. I. flush,
Mp. 0.3 N.
0.4 S. of F/L

N.W. 1/4 Sec.
Twp. 6, Rge. 30, W.

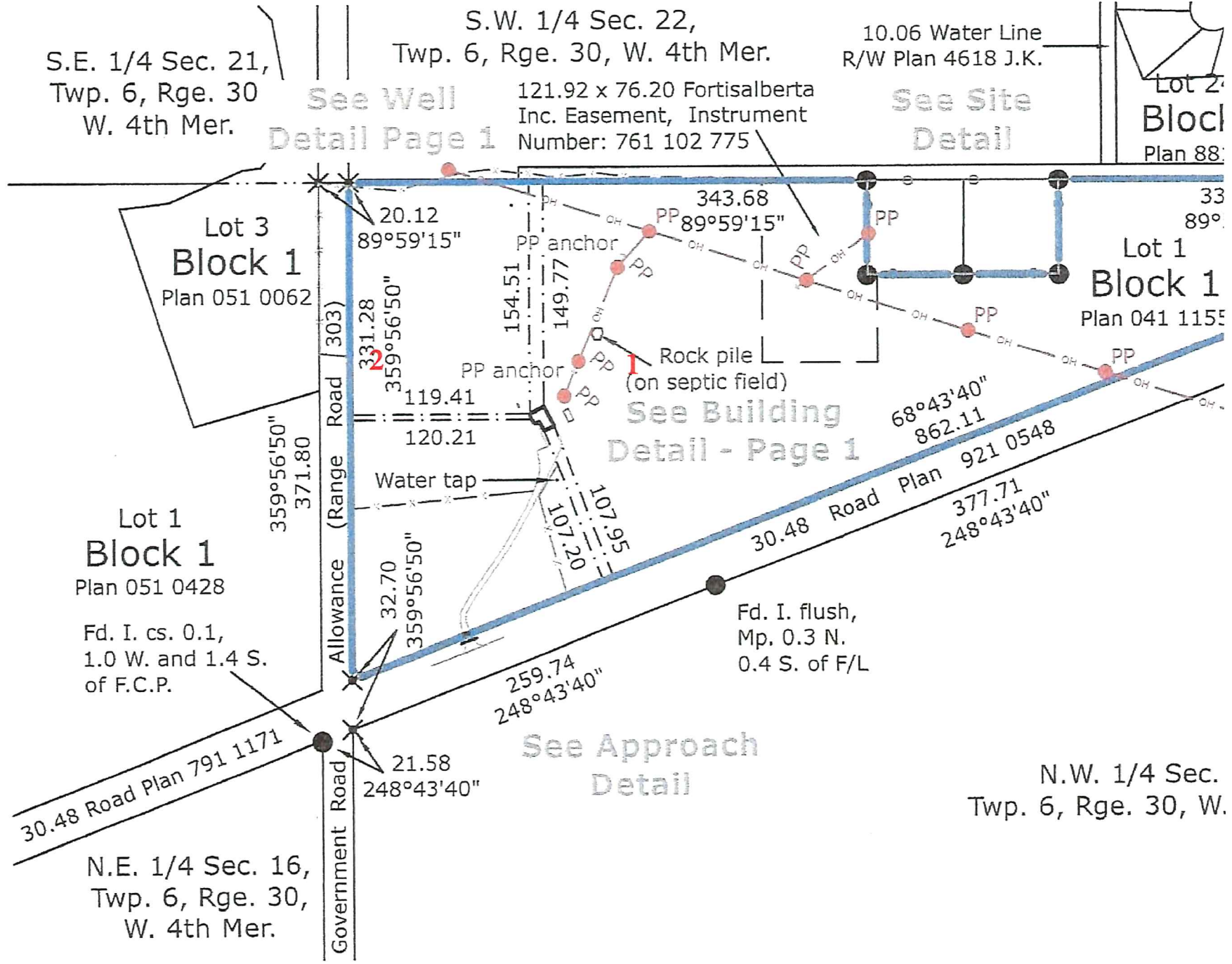
30.48 Road Plan 791 1171

N.E. 1/4 Sec. 16,
Twp. 6, Rge. 30,
W. 4th Mer.

See Approach
Detail

See Building
Detail - Page 1



Survey Detail
Scale - 1:5,000



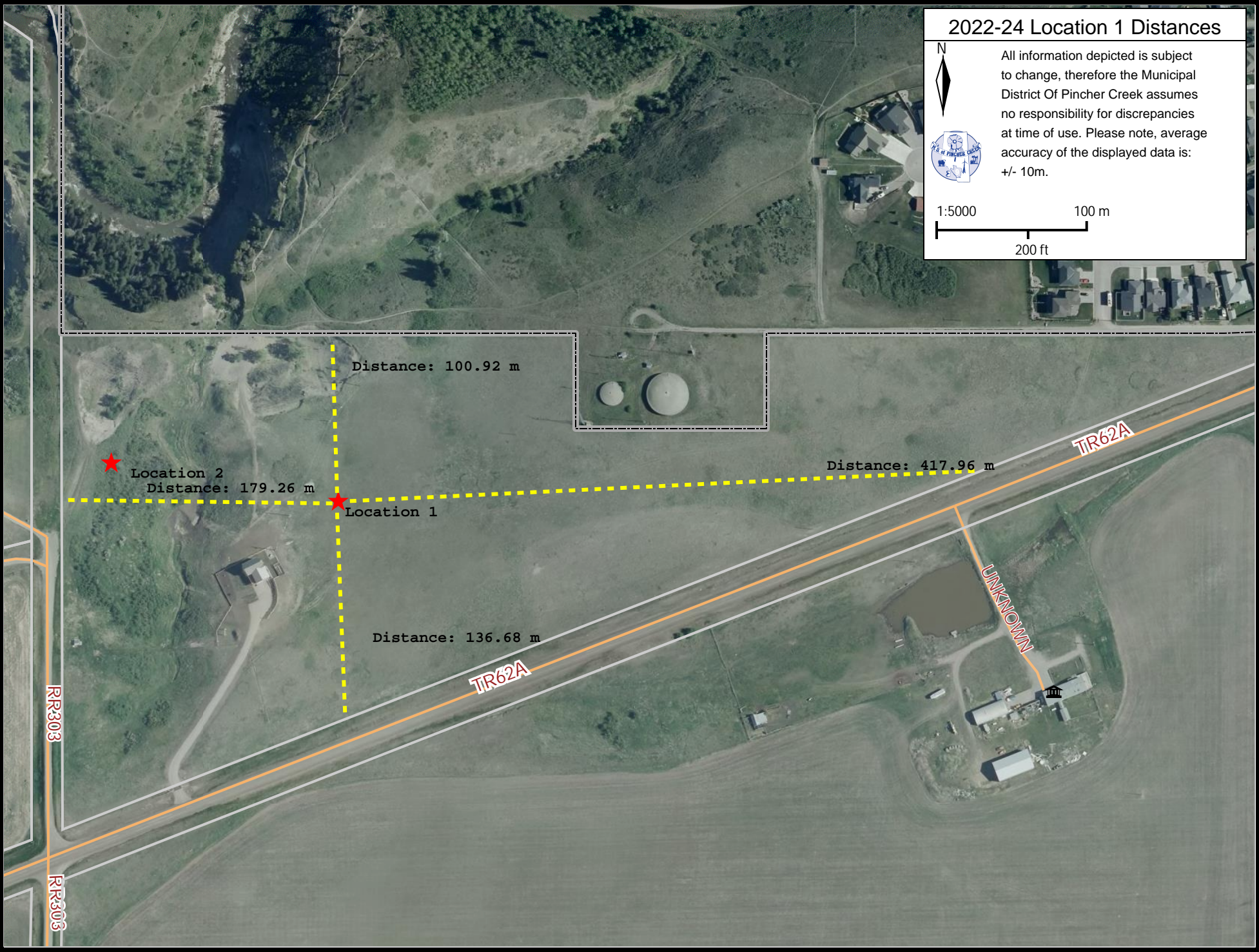


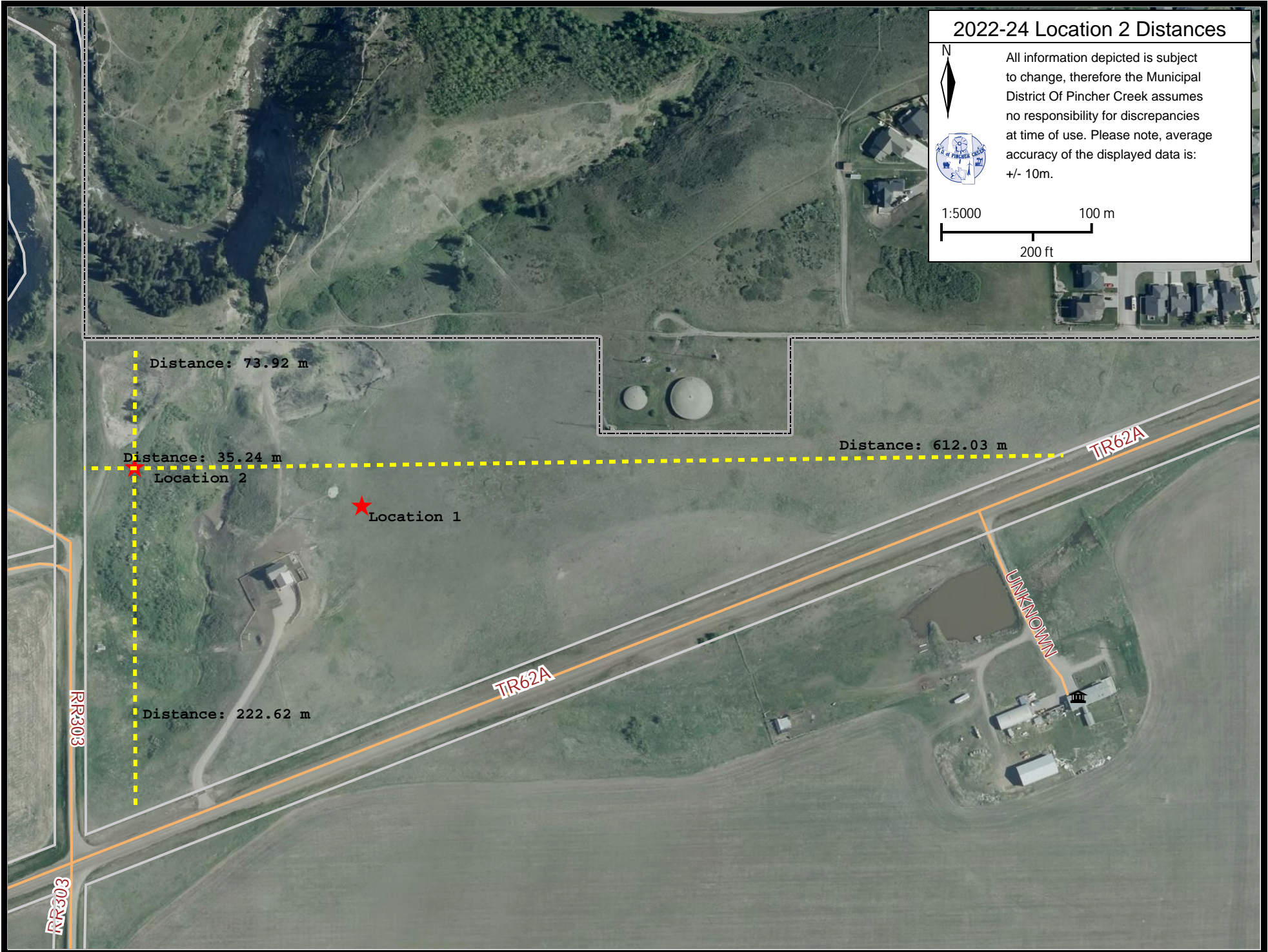
2022-24 Location 1 Distances

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.

1:5000 100 m
200 ft





NOTES
Municipal District of Pincher Creek No. 9
and
Town of Pincher Creek
Intermunicipal Development Plan Committee Meeting
Council Chambers – MD Administration Office
Friday, June 24, 2022
9:30 am

Attendance:

Wayne Oliver	Councillor, Town of Pincher Creek
Mark Barber	Councillor, Town of Pincher Creek
Lisa Goss	Legislative Services Manager , Town of Pincher Creek
Rick Lemire	Reeve, MD of Pincher Creek
Dave Cox	Councillor, MD of Pincher Creek
Roland Milligan	Interim CAO, Director of Development and Community Services, MD of Pincher Creek
Laura McKinnon	Assistant Planning and Development Officer, MD of Pincher Creek

Reeve Rick Lemire called the meeting to order, the time being 9:34 am.

1. Adoption of Agenda

Councillor Dave Cox

Moved that the June 24, 2022 IMDP Agenda, be approved as presented.

Carried

2. Development Permit Application No. 2022-24
Mark & Eleanor Stephens
Lot 1, Block 1, Plan 0411155 (within NW 15-6-30 W4)
Shipping Container

MD of Pincher Creek, Director of Development and Community Services, Roland Milligan introduced Development Permit Application No. 2022-24, and explained:

Mark and Eleanor Stephens applied to move a shipping container onto their property for storage purposes. The property is located within the Urban Fringe – UF Land Use District, therefore an Inter Municipal Development Committee meeting was called. The purpose is to obtain comment from The Town of Pincher Creek committee members.

The applicants proposed two different locations for the shipping container on their property, both of which meet the required setbacks.

Discussion was held regarding both locations. Councillor Oliver reviewed the locations and confirmed they are not close to the walking path that borders The Town. The committee

expressed preference for Location 2, as it is the least visible location from both the road and The Town.

All committee members were in agreeance with Condition #2 being that pursuant to Section 58.7 of the LUB, shipping containers shall be painted the color(s) of the principal building or to the satisfaction of the Development Authority.

Both Councillor Wayne Oliver and Councillor Mark Barber gave positive comments for the Shipping Containers and expressed no concerns.

Councillor Mark Barber

Moved that the documentation, and information, regarding Development Permit 2022-24, be received;

And that the Intermunicipal Development Plan Committee advises that they have no concerns with Development Permit Application No. 2022-24, and recommends approval.

Carried

3. Adjournment

Councillor Wayne Oliver

Moved that the meeting be adjourned, the time being 9:45 am.

Carried

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2022-25 Applicant: Thomas and Vivian Judd Location: Block 1, Plan 9912510 Within SW 24-6-2 W5 Division: 3 Size of Parcel: 35.57 ha (87.89 Acres) Zoning: Agriculture - A Development: Moved In – Residential Building			
PREPARED BY: Roland Milligan	DATE: June 15, 2022		
DEPARTMENT: Planning and Development			
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2022-25 2. Photo of cabin 3. GIS Site Plan 4. Adjacent Landowner Responses		
APPROVALS:			
_____ Roland Milligan	 _____ Roland Milligan	 _____ Interim CAO	_____ 2022/06/30
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That Development Permit Application No. 2022-25, to relocate a cabin from Beaver Mines to be a guest house, be approved subject to the following Condition(s):

Condition(s):

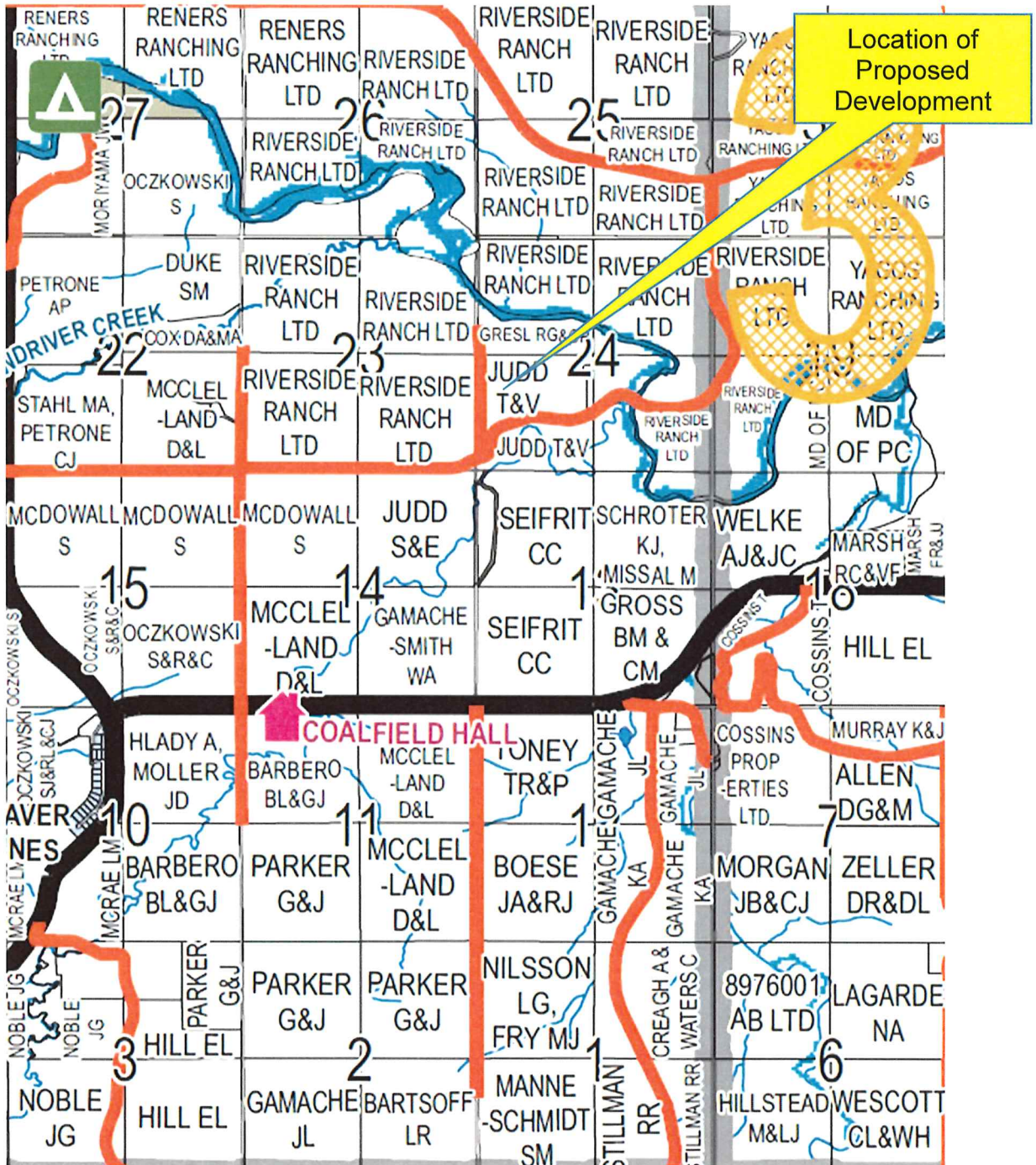
1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.

BACKGROUND:

- On June 14, 2022, the MD accepted the Development Permit Application No. 2022-25 from applicants Tom and Vivian Judd. (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Agricultural – A Land Use District, a Moved In – Residential Building is a Discretionary Use.
- The building currently is located in Beaver Mines and is used as a summer cabin. (*Attachment No. 2*)
- Once moved, the applicant would be using it for guest and RBO (Rental by Owner) purposes.
- The proposed location for the residence meets all setback requirements of the land use district (*Attachment No. 3*).
- The application was forwarded to the adjacent landowners for comment, with three responses received at the time of preparing this report (*Attachment No. 4*).

Recommendation to Municipal Planning Commission

Location of Proposed Development





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. 2022-25

Date Application Received June 15 22

PERMIT FEE ^{\$100 Permitted} _{\$150 Discretionary}

Date Application Accepted _____

RECEIPT NO. 54211

Tax Roll # 4318.000

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: Thomas and Vivian Judd

Address: PO Box 582 Pincher Creek AB T0K1W0

Telephone: [REDACTED] Email: [REDACTED]

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:

Relocate summer cottage to be used as guest house
+ VBO (Vacation by owner)

Legal Description: Lot(s) _____

Block 1

Plan 991 2510

Quarter Section SW-24-06-02-N5

Estimated Commencement Date: August 15, 2022

Estimated Completion Date: August 15, 2023

SECTION 3: SITE REQUIREMENTS

Land Use District: Agriculture (A) Division: 3

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</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	+/- 3 acres		
(2) Area of Building	1000 sqft		
(3) %Site Coverage by Building (within Hamets)	< 1%		
(4) Front Yard Setback Direction Facing: <u>Municipal Road</u>	<u>100ft +/- facing west</u>	<u>98.4ft (30m)</u>	<u>yes</u>
(5) Rear Yard Setback Direction Facing:	<u>n/a 680m facing east</u>	<u>7.5m (24.6ft) 680m</u>	<u>yes</u>
(6) Side Yard Setback: Direction Facing: <u>Municipal Road</u>	<u>n/a 108m facing south</u>	<u>98.4ft (30m)</u>	<u>yes</u>
(7) Side Yard Setback: Direction Facing:	<u>n/a 390m facing north</u>	<u>7.5m (24.6ft)</u>	<u>yes</u>
(8) Height of Building	<u>25ft.</u>		
(9) Number of Off Street Parking Spaces	<u>n/a</u>		

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

n/a (picture available)

ACCESSORY BUILDING <i>n/a</i>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

n/a

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: *June 15, 2022*

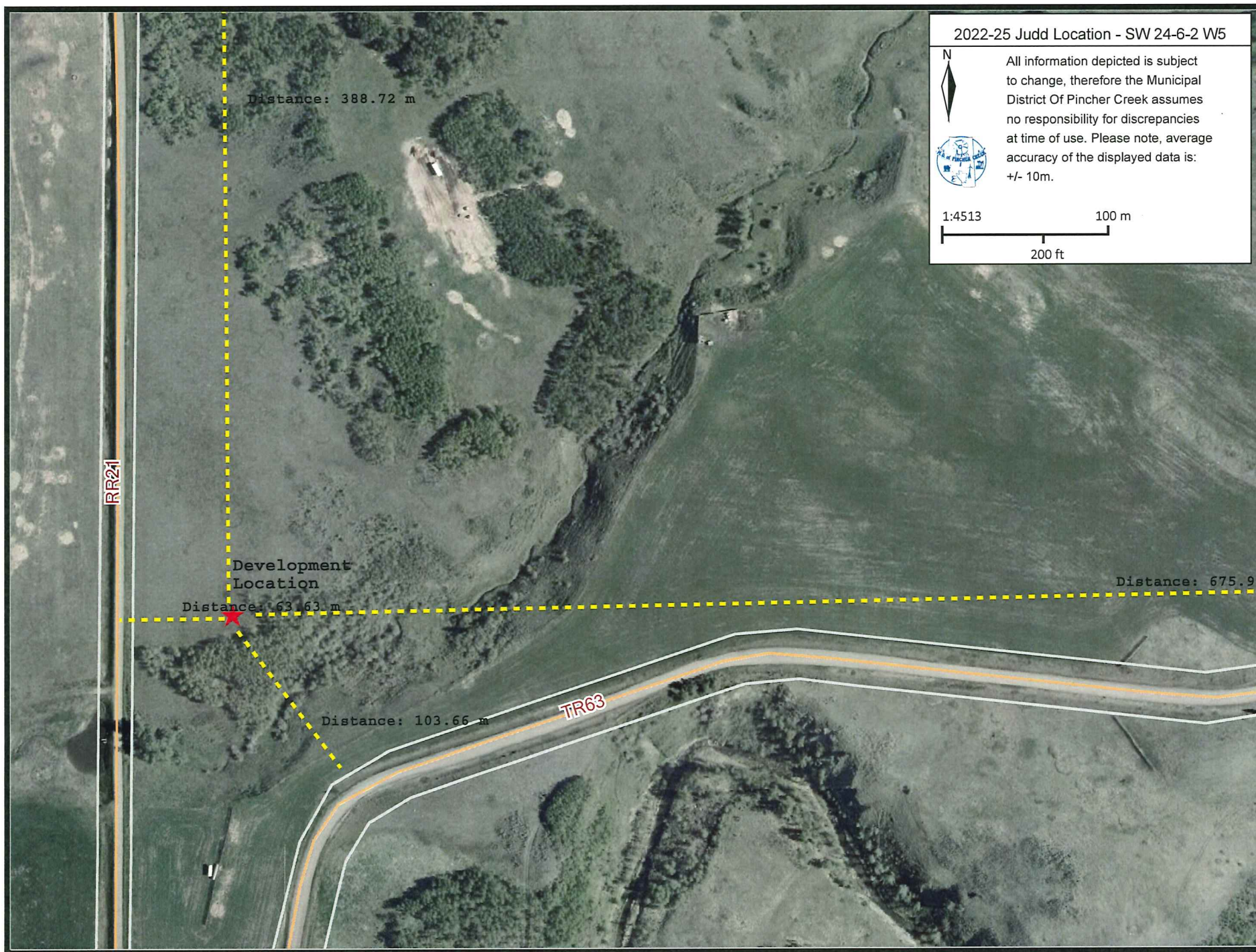
[Signature]
Applicant *Tom, Sudd*

[Signature]
Registered Owner *Urban L Sudd*

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



425
2ND AVE.



development permit application No. 2022-25

Zoratti <[REDACTED]>

Wed 2022-06-29 8:29 AM

To:

- Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>;
- Laura McKinnon <AdminDevAsst@mdpincercreek.ab.ca>

Good day,

I would like to submit this email as comment on behalf of Riverside Ranch (Zoratti) Ltd., an adjacent land owner to the proposed development application 2022-25, Tom and Vivian Judd moving in a residential building on SW 24-6-2-W5. I am Mark Zoratti and I am the sole Owner and Director of Riverside Ranch (Zoratti) Ltd. I want to clarify that if comments are submitted by Berny Zoratti, who lives on Riverside Ranch (Zoratti) Ltd. property adjacent to the proposal, that his comments do not reflect the view of Riverside Ranch (Zoratti) Ltd.

It is my understanding from a brief conversation from the MD development department that this type of development needs to adhere to the standard development criteria set out by our MD for setbacks, water development, sewer development, and any other development that comes with a subdivision. I also am under the impression this is not a subdivision. With this in mind I do not oppose this addition to his property.

I would like to add a quick comment concerning the loss of agricultural land. My concern in general is the loss of agricultural land to subdivisions and development of homes which almost always see loss of agricultural use. I believe as well that this process is the driving force behind rising land prices which make it impossible to purchase for agriculture use. I believe our MD does a good job balancing the property rights of landowners and the conservation of agriculture land and hope that this is always in mind going forward.

Thanks for the opportunity for comment,

Mark Zoratti
per Riverside Ranch (Zoratti) Ltd, Box 1360 Pincher Creek, AB

- Compose
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- Contacts
- RSS
- Files
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From: b [REDACTED]

To: MD PINCHER CREEK

Subject: Development Permit Application

HTML Plain text

I am Berny Zoratti and reside in a yard owned by Riverside Ranch (Zoratti) Ltd. and I am a shareholder. Tom Judd has applied for a permit [2022-25] to move a cabin onto his property. I can not accept this application because there has not been enough information brought forward.

1. Where will the sewer go? The cabin will be next to a major water drainage coulee.
2. Where will the power line come in? Nobody wants more power poles on their property.
3. Where will the water supply come from?
4. Guide lines for a wood burning stove and/or firepit must be met. There can be tall grass in the adjoining bush which would be a real fire hazard.
5. The existing road on our lane way and servicing this cabin is narrow with practically no shoulders and good for only one way traffic. Passing traffic going into this rental cabin would be awkward and dangerous in some spots. This is the road going into our yard and is essential for our ranching business and is used a lot on a daily basis often with heavy equipment.
6. Moving a cabin onto this quarter where there are no existing utilities will be a very expensive endeavor. MAYBE its just the first step in meeting the quidelines to subdivide another acreage off this quarter as

Send

June 29, 2022
Berny Zoratti
 [REDACTED]
 [REDACTED]
 cell 402- [REDACTED]

Maximu

Return recei

Priority

Save sent m
in



June 2022

Municipal District of Pincher Creek No. 9
Box 279, 1037
Herron Avenue Pincher Creek, AB
T0K 1W0

Development Permit Application number 2022-25

To whom it may concern,

1. The purpose of this letter is to strongly object to the dwelling proposed on application number 2022-25.
2. This delicate eco system is a wild life corridor for numerous animals in the area and another dwelling could potentially upset this well preserved area of Southern Alberta. This area is home to Bears, Cougars, Elk, Deer, Moose, Turkeys and other small animals. More infrastructure and people in the area hinders their movement and wellbeing across the prairies with noise and waste pollution.
3. If this dwelling is approved it may have a hazardous effect on the natural water source that could contaminate my water well which I rely on for everyday living.
4. Climate change has had an adverse effect on the terrain of this area over the last two decades the soil is not containing moisture and is drier than ever on record. The current residents in the area have proven irrigation system that keep risk of fire to a minimum. If this is approved a grass fire could be devastating to both land owners and wildlife.
5. Range Road 2-1 is not suitable for more vehicle traffic as it is a one lane road with hazardous conditions in the winter months. This road is also susceptible to over land flooding which has occurred three times in the last 25 years. River Side Ranch also uses this road on daily basis for transporting hay and livestock. The size of these transport vehicles are a freightliner and a 1 ton truck making two way traffic virtually impossible.
6. This area of prairie should be left in an undisturbed state to protect wildlife and act as a natural grazing area for livestock and future generations.
7. I hope you sincerely consider these reasons for not approving this application.
8. If you have any questions or concerns please feel free to email or call me at ,chuckgresl@yahoo.com or my cell (403) 741-8222

Very respectfully,

A handwritten signature in black ink, appearing to read 'R.C. Gresl'. Below the signature, the name 'C.P. Gresl' is printed in a smaller font.

C.P. Gresl

R.C. Gresl

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES & ITERIM CAO REPORT

May & June 2022

Development / Community Services Activities includes:

- May 2 ALUS Meeting
- May 3 South Region ESS Meeting
- May 4 All Staff – Health, Safety & Wellness Lunch
- May 5 Riplinger Project Intro
- May 9 Asset Management SMT Check-in
- May 10 Council and Committee Meeting
- May 11 Joint Health and Safety Meeting
- May 12 Staff Meeting
- May 17 Emergency Advisory Committee Meeting
- May 24 Council and Committee Meeting
- May 25 Meeting at Castle Mountain Resort with Planner, LUB Amendments
- May 30 Staff Meeting
- May 31 Special Meeting - Appointed Interim CAO
- June 1 ASB Meeting
- June 2 PCREMO Meeting
- June 14 Council and Committee Meeting
- June 16 DMO Update Meeting
- June 21 Wildlife Corridor Analysis Tool Meeting in Lethbridge
- June 23 PCREMO Meeting
- June 24 IMDP Committee Meeting
- June 28 Council and Committee Meeting
- June 29 ICF Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for May & June 2022

No.	Applicant	Division	Legal Address	Development
2022-15	Mark & Sarah Amatto	5	Within NW 7-7-2 W5	SDR & Detached Garage
2022-16	Charles Clymer	3	Lot 1, Block 1, Plan 1712411	Category 1 WECS
2022-20	Tim Ewing	3	Lot 1, Block 1, Plan 0011427	Addition
2022-21	Derek & Lorna Fidler	5	Lot 3, Block 3, Plan 9411856	Accessory Building
2022-22	Ryan Yagos	5	Within SE 8-7-2 W5	Modular Residence
2022-26	Call Marr	1	SE 28-4-29 W4	Single Detached Residence

Development Permits Issued by Municipal Planning Commission May & June 2022

2022-04	Stone Developments Inc	3	Lot 97, Block 4 Plan 051 3736 CMR	Multi-Unit Dwelling (Fourplex)
2022-09- DENIED	Carnerlian Investments (Feldman)	3	Within SW 3-6-2 W5	Bed and Breakfast & Addition of pre-fab wellsite trailer
2022-11	Elk Valley Homes Ltd	5	Within NW 27-7-2 W5	Manufactured Home

Development Statistics to Date

DESCRIPTION		2022 To date (June)	2021	2020	2019
Dev Permits Issued	8 – May & June	20 15 -DO 5 -MPC	68 46 – DO 19 - MPC	67 57-DO 10-MPC	54 45-DO 9-MPC
Dev Applications Accepted	12 – May & June	26	70	67	57
Utility Permits Issued	3 – May & June	7	31	27	33
Subdivision Applications Approved	0 – May & June	1	20	18	12
Rezoning		0	0	0	1
DESCRIPTION		2022 to Date (June)	2021	2020	2019
Compliance Cert	7 – May & June	13	41	24	22

RECOMMENDATION:

That the report for the period ending June 30, 2022, be received as information.

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

Date: June 30, 2022

Submitted to: Municipal Planning Commission