

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
October 3, 2017
6:30 pm
Agenda

- 1. Adoption of Agenda**
- 2. Minutes**
 - a. Minutes of September 5, 2017
- 3. In Camera**
- 4. Unfinished Business**
 - a. Development Permit Application No. 2017-42
Murray Hauck
Ptn. NE 29-6-2 W5M
Apex Trailer – Setback Variance Request
- 5. Development Permit Applications**
 - a. Development Permit Application No. 2017-49
Dave and Marg Cox
Ptn. NE 22-6-2 W5M
Secondary Farm Residence
 - b. Development Permit Application No. 2017-50
Stewart and Kelly McRae
NE 24-8-30 W4M
Moved-In Residential Building
 - c. Development Permit Application No. 2017-52
Hutterian Brethren Church of Spring Point
NW 25-8-29 W4M
Secondary Farm Residence (Triplex)
- 6. Development Reports**
 - a. Development Officer's Reports
 - Report for the month of September 2017
- 7. New Business**
- 8. Next Regular Meeting** –November 7; 6:30 pm
- 9. Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
September 5, 2017 – 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

2a

ATTENDANCE

Commission: Chairman Terry Yagos, Reeve Brian Hammond, Councillors Fred Schoening, Garry Marchuk, and Quentin Stevick, and Members Dennis Olson and Michael Gerrand

Staff: Director of Development and Community Services Roland Milligan, Planning Advisor Gavin Scott, and Executive Assistant Tara Cryderman

Chairman Terry Yagos called the meeting to order, the time being 6:30 pm.

1. ADOPTION OF AGENDA

Councillor Fred Schoening 17/68

Moved that the September 5, 2017 Municipal Planning Commission Agenda, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Quentin Stevick 17/69

Moved that the Municipal Planning Commission Minutes of July 4, 2017, be approved as presented.

Carried

3. IN CAMERA

Councillor Fred Schoening 17/70

Moved that MPC and staff move In-Camera, the time being 6:31 pm.

Carried

Reeve Brian Hammond 17/71

Moved that MPC and staff move out of In-Camera, the time being 7:11pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2017-42
Murray Hauck
Ptn. NE 29-6-2 W5M
Apex Trailer – Setback Variance Request

Reeve Brian Hammond

17/72

Moved that the report from the Director of Development and Community Services, regarding Development Permit Application No. 2017-42, for the placement of an APEX Trailer, be postponed to the October 3, 2017 Municipal Planning Commission Meeting, pending further information.

Carried

- b. Development Permit Application No. 2017-43
Mark Peters
NE 24-8-30 W4M
Moved-In Residential Building

Councillor Fred Schoening

17/73

Moved that the report from the Director of Development and Community Services, regarding Development Permit Application No. 2017-43, for a Moved-In Residential Building, be received;

And that Development Permit Application No. 2017-43, be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the existing Manufactured Home be removed from the parcel within one (1) year of occupancy of the Moved-In Residential Building.

Carried

6. **DEVELOPMENT REPORTS**

a. Development Officer's Report

Councillor Garry Marchuk

17/74

Moved that the Development Officer's Report, for the months of July and August 2017, be received as information.

Carried

7. **NEW BUSINESS**

No new business was added to the agenda.

8. **NEXT MEETING** – October 3, 2017; 6:30 pm.

9. **ADJOURNMENT**

Councillor Fred Schoening

17/75

Moved that the meeting adjourn, the time being 7:15 pm.

Carried

Chairperson Terry Yagos
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

Recommendation No. 1:

That the report from the Director of Development and Community Services, regarding Development Permit Application No. 2017-42, for the placement of an APEX Trailer, be received;

And that Development Permit Application No. 2017-42, 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 1140-08.

Waivers(s):

1. That a 37 metre Setback Distance waiver be granted, from the minimum 50 metre Setback Distance from Road Plan 3385AZ, for a Setback distance of 13 metres.

Recommendation No. 2:

That Development Permit Application No. 2017-42 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2017-42 be denied, as it does not meet the minimum requirements of Land Use Bylaw 1140-08.

4. Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2017-42 and supporting documents

Respectfully Submitted,

Roland Milligan

Reviewed by: Wendy Kay, CAO



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. 2017-48

Date Application Received 2017/07/26

PERMIT FEE \$100.00 Permitted
\$150.00 Discretionary

Date Application Accepted 2017/08/01

RECEIPT NO. 328376
32836

Tax Roll | [REDACTED]

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: Murray Hauck

Address: [REDACTED]

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:

12x60 apex trailer

Legal Description: Lot(s) _____

Block _____

Plan _____

Quarter Section NE 29-10-2 WSM

Estimated Commencement Date: September 1, 2017

Estimated Completion Date: September 15, 2017

IMPORTANT NOTES:

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. **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.**
5. 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."
6. In accordance with the Municipal Government Act, 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 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number 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.

- The cabin's location will require a 6.4m waiver of the 50m setback requirement from a municipal road.
- The cabin, if considered a secondary farm residence, will also require a waiver of Section 38.3(a) of the LUB, as the parcel is under the 80 acre requirement stated.

Recommendation No. 1:

That the report from the Director of Development and Community Services, regarding Development Permit Application No. 2017-49, for a Secondary Farm Residence, be received;

And that Development Permit Application No. 2017-49, 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 1140-08.

Waiver(s):

1. That a 6.4 metre Setback Distance waiver be granted for the Secondary Farm Residence, from the minimum 50 metre Setback Distance from Range Road 2-2, for a front yard Setback distance of 43.6 metres.
2. That a waiver of Section 38.3(a) of the LUB, requiring that the parcel be a minimum of 32.4 ha (80 acre), is granted.

Recommendation No. 2:

That Development Permit Application No. 2017-49 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2017-49 be denied, as it does not meet the minimum requirements of Land Use Bylaw 1140-08.

4. Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2017-49 and supporting documents

Roland Milligan

Reviewed by: Wendy Kay, CAO



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. 2017-49

Date Application Received 2017-08-31

PERMIT FEE \$100.00 Permitted
 \$150.00 Discretionary **\$300**

Date Application Accepted _____

RECEIPT NO. 33130

Tax Roll # _____

6318 Rge Rd 2-2

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: DAVID COA

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:

and existing cabin

Reo tower
20'w x 28'2

Legal Description: Lot(s) _____

Legal Description: Lot(s) _____

Block _____

Block _____

Plan _____

Plan _____

Quarter Section _____

Quarter Section _____

Estimated Commencement Date: Oct 1, 2016

Estimated Commencement Date: _____

Estimated Completion Date: Oct 1, 2018

Estimated Completion Date: _____

IMPORTANT NOTES:

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. **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.**
5. 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."
6. In accordance with the Municipal Government Act, 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 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number 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.

SEPTEMBER 22 / 201

Attention: Roland Millig.

1 AL PETRONE definitely object to
the development permit application
No 2017-49 For approval of existing
Secondary Form Residence of land described
as NE 22-6-2 W5M.

Objections:

1. This parcel of land does not meet
minimum requirements.
2. The setback from a MDRoad is 50m.
Does not meet requirements.
3. Should not break rules otherwise
it results in chaos.

Mr. Cox had divided land in the past
that was bought by Mr. Glissen. There was
no access to this land in the spring due
to high flood waters. Mr. Glissen wanted
to drive across our land, which he was
denied, strictly for liability.

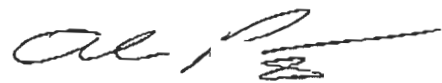
The place is a eyesore with open
excavation for a sewer. This place
should never have been allowed to
be built.

If every farmer starts to divide their
land we would soon loose our beautiful
country side and the land scope would
be dotted with houses and people.

Please do not break the rules.

In 2014 I had moved a piece of land
from the NW 625 quarter to the S - 625
quarter for the field would not
be split and as long as this was
Ag land the MPC approval of this.
At the time I had applied to
divide a portion of land from SW 625
quarter This was to add a piece
of land that had a former house and
burns to a hay field. The hay field
was already divided previously in 2004
I was told only one divide and that
the MPC was adamant about this.
If this is the case the rules should
apply to every body. Thank you.
Again, I strongly disagree.

AL PETROW



SEPTEMBER 22/2017

Poland



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. 2017-50

Date Application Received 2017-09-18

PERMIT FEE \$150.00 (led) \$100.00 Discretionary

Date Application Accepted 2017-09-18

RECEIPT NO. 33259

Tax Roll # 29415 Twp Rd 5-0

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: Stewart McRAE

Address: _____

Telephone: _____ Email: _____

Owner of Land (if different from above): _____

Address: _____ Telephone: _____ Address: _____

Interest of Applicant (if not the owner): _____ Interest of Applicant: _____

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 GARDEN suite to house our
In laws Jim and Elaine Hyde.

Legal Description: Lot(s) _____

Block _____

Plan _____

Quarter Section NW 32 4 29 west of 4th.

Estimated Commencement Date: End of August.

Estimated Completion Date: When Permit is Received.

MD OF PINCHER CREEK

September 27, 2017

TO: Municipal Planning Commission
FROM: Roland Milligan, Development Officer
SUBJECT: Development Permit Application No. 2017-52

1. Application Information

Applicant: Hutterian Brethren of Spring Point
Location: NW 25-8-29 W4M
Division: 4
Size of Parcel: 160 acres / 64.7 ha
Zoning: Agriculture
Development: Secondary Farm Residence (Triplex)

2. Background

- On August 1, 2017, the MD accepted Development Permit Application No. 2017-52 for the construction of a Three-Plex as a Secondary Farm Residence. (Enclosure No. 1).
- The application is in front of the MPC because:
Within the Agriculture Land Use District, Secondary Farm Residence is a discretionary use.

3. Comment/Discussion

- The applicant is proposing to construct a new triplex within the parcel.
- In 2104 the MD issued DP 2014-31 for the first of five triplexes that the applicant has stated they wish to construct to replace their aging residences (Site Plan Enclosure No. 1).
- The location of the proposed residence meets all setback requirements within the LUB.



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. 2017-52

Date Application Received 2017/09/21
 Date Application Accepted 2017/09/21
 Tax Roll # _____

PERMIT FEE \$100.00 Permitted
 \$150.00 Discretionary
 RECEIPT NO. 39280

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: HUTTERIAN BROTHER CHURCH OF SPRING POINT COLONY
 Address: _____
 Telephone: _____ Email: _____
 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:
3 PLEX HOUSING -
SECONDARY FARM RESIDENCE

Legal Description: Lot(s) NW 1/4 - SEC 25 - TOWNSHIP 8
 Block RANGE 29 - WEST OF THE 4TH
 Plan _____
 Quarter Section _____

Estimated Commencement Date: _____
 Estimated Completion Date: _____

IMPORTANT NOTES:

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. **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.**
5. 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."
6. In accordance with the Municipal Government Act, 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 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number 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.

Development Statistics to Date

			September 2016	2016	2015
Dev Permits Issued	9 8-DO / 1-MPC	52 36-DO / 16-MPC	7 3-DO / 4-MPC	64 40-DO / 24-MPC	70 54-DO / 16-MPC
Dev Applications Accepted	6	55	6	66	78
Utility Permits Issued	2	16	1	25	31
Subdivision Applications Approved	0	2	2	12	12
Rezoning Applications Approved	2	2	0	1	1
Compliance Cert	1	15	7	27	21

RECOMMENDATION:

That the report for the period ending September 28, 2017, be received as information.

Prepared by: Roland Milligan, Director of Development
Community Services

September 28, 2017

Reviewed by: Wendy Kay, CAO

Date:

Submitted to: Municipal Planning Commission

Date: October 3, 2017