Municipal District of Pincher Creek No. 9 MUNICIPAL PLANNING COMMISSION May 6, 2014 – 6:30 pm Agenda

1.	Adoption of Agenda
2.	Adoption of MPC Minutes from April 1, 2014 Pkg 1
3.	Aquaculture Amendment Review - Email from Gavin Scott, dated May 1, 2014
4.	In Camera
5.	Unfinished Business
6.	Development Permit Applications
	a. Development Permit Application No. 2014-16 Dean and Kathy Quinn Ptn. SW 6-9-1 W5M
	b. Development Permit Application No. 2014-17 GERO Construction Lot 3, Block 1, Plan 891 000; Hamlet of Pincher Station
	c. Development Permit Application No. 2014-18 Andrew and Elizabeth Towe Portion of NE 32-2-29 W4M
7.	Development Reports
	a. April 2014
8.	Correspondence
9.	New Business
10.	Next Regular Meeting – June 3, 2014; 6:30 pm
11.	Adjournment

Meeting Minutes of the Regular Meeting of the Municipal Planning Commission April 1, 2014 – 6:30 pm Municipal District of Pincher Creek No. 9 Administration Building

ATTENDANCE

Commission: Reeve Brian Hammond, Councillors Fred Schoening and Garry

Marchuk, and Members Dennis Olson and Bev Garbutt

Absent: Councillors Terry Yagos and Grant McNab

Staff: Chief Administrative Officer Wendy Kay, Director of Development and

Community Services Roland Milligan and Executive Assistant Tara

Cryderman

COMMENCEMENT

Vice Chairman Fred Schoening called the meeting to order, the time being 6:35 pm.

1. **ADOPTION OF AGENDA**

Reeve Brian Hammond

14/017

Moved that the April 1, 2014 Municipal Planning Commission Agenda be approved as presented.

Carried

2. **ADOPTION OF MINUTES**

Councillor Garry Marchuk

14/018

Moved that the Municipal Planning Commission Minutes of March 4, 2014 be approved as presented.

Carried

3. IN CAMERA

Member Dennis Olson

14/019

Moved that MPC and staff move In-Camera, the time being 6:39 pm.

Carried

Councillor Garry Marchuk

14/020

Moved that MPC and staff move out of In-Camera, the time being 6:57 pm.

Carried

MINUTES Municipal Planning Commission (MPC) Municipal District of Pincher Creek No. 9 April 1, 2014

4. UNFINISHED BUSINESS

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

a) Development Permit Application No. 2014-08
 Michael Morley
 Lots 17-20, Block 16, Plan 7850AL; Hamlet of Beaver Mines

Reeve Brian Hammond

14/021

Moved that Development Permit Application No. 2014-08 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 0.58 m (1.9 ft) Height Waiver be granted from the maximum height of 4.6 m (15.1 ft) for a building height of 5.18 m (17.0 ft).

Carried

b) Development Permit Application No. 2014-10
 Marilyn and Bert Nyrose
 Lots 1-4, Block 15, Plan 7850AL; Hamlet of Beaver Mines

Councillor Garry Marchuk

14/022

Moved that Development Permit Application No. 2014-10 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 4.5 m (14.8 ft) Rear Yard Setback Waiver be granted from the minimum Rear Yard Setback of 7.5 m (24.6 ft) for a Rear Yard Setback of 3.0 m (10.0 ft).

Carried

MINUTES Municipal Planning Commission (MPC) Municipal District of Pincher Creek No. 9 April 1, 2014

6. **DEVELOPMENT REPORTS** Reeve Brian Hammond 14/023 Moved that the Director of Development and Community Services Report for March 2014 be received as information. Carried 7. **CORRESPONDENCE** There was no correspondence to discuss. 8. **NEW BUSINESS** There was no new business to discuss. NEXT MEETING – Tuesday, May 6, 2014; 6:30 pm 9. 10. **ADJOURNMENT** Councillor Garry Marchuk 14/024 Moved that the meeting adjourn at 7:02 p.m. Carried

Chairperson Terry Yagos Municipal Planning Commission Director of Development and Community Services Roland Milligan Municipal Planning Commission

Tara Cryderman

From:

Gavin Scott <gavinscott@orrsc.com>

Sent:

Thursday, May 1, 2014 11:41 AM

To: Cc: Tara Cryderman Roland Milligan

Subject:

Emailing: Aquaculture Amendment Review

Attachments:

Aquaculture Amendment Review.pdf

Please find attached the proposed amendments for aquaculture and greenhouses to be reviewed by MPC. By defining greenhouses as a specialty manufacturing/cottage industry it sets a building threshold (by definition at 5100sqft) whereby anything larger would be considered industrial and require a rezoning or when already industrially zoned the use becomes intensive horticulture.

1. Revise the Land Use Bylaw definitions under Part I Section 6 as follows (in bold):

6.7 Agricultural Operation(s)

An agricultural activity (either intensive or extensive) conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land;
- (b) the raising of livestock, but excluding 'Confined Feeding Operations' as defined by the Agricultural Operations and Practices Act (AOPA);
- (c) the production of agricultural field crops;
- (d) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- (e) the production of milk and eggs;
- (f) the production of honey;
- (g) the operation of agricultural machinery and equipment including irrigation pumps and the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides including application by ground and aerial spraying for agricultural purposes;
- (h) the production of aquaculture or aquaponics.

See also Extensive Agriculture and Intensive Horticulture Operation.

6.141 Specialty Manufacturing / Cottage Industry

Development used for small-scale, on-site production of goods in a building not exceeding a gross floor area of 510 m² (5,490 ft²), including areas devoted to retail sales, display and storage. This use includes bakeries and specialty food production facilities, pottery and sculpture studios, taxidermists, **greenhouses** and specialty furniture makers.

2. Add to the Land Use Bylaw new definitions under Part I Section 6 as follows:

Aquaculture

An agricultural operation, also known as aquafarming or cultured fish, where the use of land or building produces aquatic organisms such as fish, crustaceans, molluscs and aquatic plants. Aquaculture involves cultivating freshwater and saltwater populations under controlled conditions. This use must comply with all regulation and permitting of Alberta Agriculture.

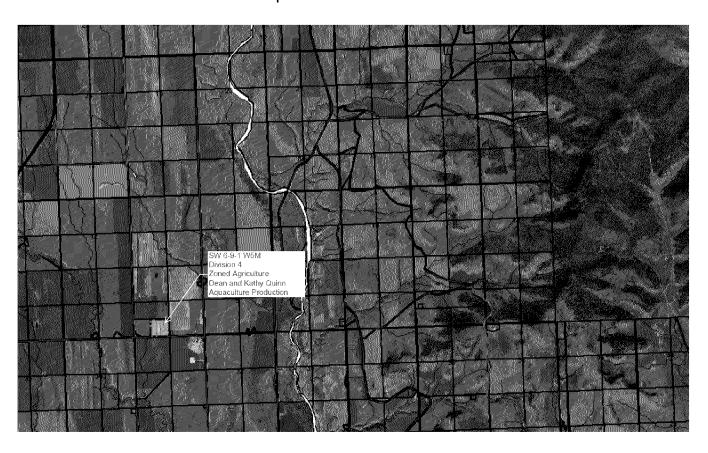
Aquaponics

An agricultural operation, where the use of land or building, combines conventional aquaculture with hydroponics (cultivating plants in water) in a symbiotic environment for food production. This use must comply with all regulation and permitting of Alberta Agriculture.

- 3. Add to the Land Use Bylaw under Part VIII Agriculture A as follows:
 - 2.1 <u>Permitted Uses</u> Farm buildings and structures (see section 14)
 - 2.2 <u>Discretionary Uses</u> Aquaculture Aquaponics

Development Permit Application No. 2014-16

Dean and Kathy Quinn SW 6-9-1 W5M Aquaculture Production





TO:

Municipal Planning Commission

FROM:

Roland Milligan, Director of Development and Community Services

SUBJECT:

Development Permit Application No. 2014-16

1. Applicant

Applicant(s):

Dean and Kathy Quinn

Location

LSD 3-6-9-1 W5M

Division:

4

Size of Parcel:

16.2 ha (40 Acres)

Zoning:

Agriculture - A

Development:

Saltwater Shrimp Aquaculture Facility

2. Background/Comment

- On April 11, 2014 MD received an application for the development of an aquaculture (saltwater shrimp) facility (Enclosure No. 1).
- The proposed development will consist of a single building, 686m² (7384 ft²), in which the entire operation will be contained.
- The applicant is not the landowner but is applying for the permit as part of a purchase agreement for the 16.2 ha (40 acre) parcel. The landowners have signed off on the proposal (additional signature page included in application).
- The application is in front of the MPC pursuant to Section 16.11 of Land Use Bylaw 1140-08 (LUB). Within the LUB, Aquaculture is not a defined use. For this permit application, the Municipal Planning Commission shall determine and make a ruling on the proposed use as to its similarity to a use within the Agriculture land use district.
- The following is Section 16.11 from the LUB.
 - 16.11 At the request of the applicant, where a use is applied for which is not specifically considered in any land use district, but is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the following process shall apply:
 - (a) the matter shall be referred by the Development Officer to the Municipal Planning Commission:
 - (b) the Municipal Planning Commission shall determine and make a ruling on the proposed use as to its similarity to a permitted or discretionary use in the district;
 - (c) if the use is deemed similar, the proposed use shall be reviewed by the Municipal Planning Commission as a discretionary use for that land use district;
 - (d) given the above, if the application is approved by the Municipal Planning Commission a development permit shall be issued in accordance with Section 19.

The use that seems the best comparison and the most similar in nature appears to be "Intensive Horticultural" as defined within the LUB.

6.76 Intensive Horticultural Operation

Uses of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponics or market gardens, tree, mushroom, and sod farms. "Extensive agriculture" and "Topsoil stripping" are separate uses.

- Aquaculture is defined as:

The cultivation of aquatic animals and plants, especially fish, shellfish, and seaweed, in natural or controlled marine or freshwater environments; underwater agriculture.

- There may have been an oversight within the LUB as Intensive Horticultural Operation was not included on either list of uses with the Agriculture land use district.
- The MPC may wish to direct staff to propose the required amendments to the LUB that would allow for the consideration of these uses within the appropriate land use districts of the MD.

Discussion

- The operation will be entirely enclosed within the single building.
- The applicants have supplied a fact sheet that outlines the scope of the operation.
 - Because our product is a closed saltwater based system there in zero risk to the local environment through water contamination or product infiltration into local ecosystems.
 - Our farm will use a zero exchange aerobic heterotrophic system. This produces water as close to the fish's own natural habitat as possible minus all pollutants. No hormones, chemicals, or antibiotics are added to the water.
 - Water recycling is utilized as a safe and effective waste reduction method, after the initial filling of 6600 gallons per tank the water use is minimal with no saltwater going into the sewage system. The average household of 5 will use more water per year than we will use.
 - The solid by-products claimed from the tanks is recycled and reused within the system, this and the fact that our products will be sold live and whole means there is no solid waste to dispose of.
 - Maximum daily use of water is 50 gallons per day to replace evaporation and handling use. Another approx. 50 gallons per day will be used for floor wash down etc.
 - Any products imported into our facility are specific pathogen free and regulated closely per Fish and Wildlife and Canadian Food Inspection Agency.
 - With the exception of a semi-annual delivery of feed and supplies the only traffic to and from the parcel will be light duty such as a delivery van, running only a few times a week. We will be working with the local producers and it is our intention to utilize local suppliers and contractors to support the local economy. Eventually we will be looking to local residents for full and part-time employment.

- A grow out facility 52 ft x 150 ft will be built to accommodate our operation, both for the safety of our crop, the protection of surrounding ecosystem and to allow year round viable operations.
- Eventually after getting our project in full operation we would like to be able to offer both public and school tours. To promote diverse agriculture projects that highlight a conscience environmental approach.
- To ensure viability we are working closely with several aquaculture suppliers and biologists in this field, all having more than 20 years of experience in the aquaculture industry.
- The application was circulated to the adjacent landowners for comment as required.
- At the time of preparing this report an adjacent landowner contacted the MD and stated the following concerns:
 - 1) What would happen if there were a spill of water/wastewater?
 - 2) Is it contained on site, and is the site designed for spill containment?
 - 3) Would it have to be trucked off site to a waste facility/landfill?
- The applicant was contacted and the following information was received.

The facility is designed to hold 9 fully functional grow out tanks, but only 8 are in production at any given time, leaving one for water transfer/storage should a need arise. That is only if a major leak did happen.

Also the entire facility slopes and drains to a common place, which is piped to a lined dug-out that is sized accordingly. Any water caught in the dug-out would evaporate, with the left over sea salt taken to the dump. This amount is so small, no producer has yet to discard of any.

The cost to get the water to 18 percent salt is very high, so every effort is taken to reduce, reuse, and recycle the water and salt.

- The adjacent landowner was subsequently updated with this information.
- No other concerns were received.
- The province of Alberta, through legislation maintained by the Fisheries Management Division at Alberta Sustainable Resource Development regulates the industry. Only certain species of fish are eligible for fish farming activities.
- Although the proposed species is not currently listed on the species schedule, I was informed by Jim Wagner of AESRD that as of April 1, 2014 they were an approved species.
- The province issues a license for production through Alberta Agriculture under a Memorandum of Understanding with AERSD.
- The province only issues a licence after a risk assessment has taken place following a thorough review of a detailed plan of the facility.
- The following information on the regulatory process is from the Aquaculture page of the Alberta Agriculture and Rural Development website.
 - The production and marketing of fresh-water fish in Alberta must comply with both federal and provincial regulations. These regulations are designed to protect native species of fish, provincial fish hatcheries and public water bodies.

- Alberta regulates possession of live cultured fish in the province through legislation maintained by the Fisheries Management Division at Alberta Sustainable Resource Development. Only certain species of fish are eligible for fish farming activities.
- O Alberta Agriculture, Food and Rural Development's Inspection/Investigation
 Branch issues three types of fish licences. Under the Alberta Fisheries Act, these
 licenses are required to acquire, grow, breed, keep and sell live cultured fish. The
 licence can be recreational, or Class A or B commercial, depending on purpose
 and species being raised.
- o A Class **B** Commercial Licence allows you to sell and keep fish in contained waters. These can be indoors or isolated from other water sources. The fish can include Atlantic, chinook, coho and sockeye salmon, freshwater prawn, goldfish, koi, tilapia, bigmouth buffalo fish or American eel.
- Each application for a Commercial Fish Culture Licence is evaluated to ensure the proposed site and species do not interfere with or threaten the native fish species. The licence holder is required to complete an annual report. All licences issued are for specific species at the designated culture site. Commercial hatcheries can only sell fingerlings to individuals holding a valid recreational or commercial licence. Commercial fish farmers can only acquire their fish stocks from licenced suppliers.
- The applicant is in the process of obtaining a detailed design plan for the building. Plans will be submitted to the MD when available.
- The proposed location of the building meets all setback requirements of the land use district.
- If the MPC approves the use, a condition that no development commence until a provincial approval is received should be placed on any permit.

Recommendation No. 1:

That Development Permit Application No. 2014-16 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.
- 2. That the applicant provide a copy of the required Provincial Commercial Licence B to operate the aquaculture facility prior to commencement of construction.

Recommendation No. 2:

That Development Permit Application No. 2014-16 be denied as it does not comply with the requirements of Land Use Bylaw 1140-08.

Recommendation No. 3:

That Development Permit Application No. 2014-16 be approved subject to conditions and/or variances as determined by the Municipal Planning Commission.

Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2014-16

Respectfully Submitted,

Roland Milligan

Reviewed by: Wendy Kay, CAO W. Koy

May 1, 2014



All grey areas will be completed by the Planning Authority

Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB TOK 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. 2014-16
Date Application Received 11/04/14 PERMIT FEE #150.00
y y
Tax Roll #3839. 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: DEAN = KATHY QUINN
Address: R.R. #8-20-30 LETHBR DGE, AB TIJ4194
Telephone: 463-329-3621 Email: - 951xgarge telusplanet, net
Address: R.R. #8-20-36 LETHBRIDGE, AB Telephone: 463-329-362 Email: - as 1x garage telus planet, net Owner of Land (if different from above): Address: R.R. #8-20-36 LETHBRIDGE, AB Owner of Land (if different from above): Telephone: Tel
Address: Telephone:
Interest of Applicant (if not the owner): Buyer
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 dev elopment is as follows:
Construct and develop a facility to
produce aquaculture (farm raised) products
Legal Description: Lot(s)
Block
Plan
Quarter Section 5W-6-9-1-W5
Estimated Commencement Date: MAY 1, 2014
Estimated Completion Date: OCTOBER 1, 2014

Municipal District of Pincher Creek, No. 9 Land Use Bylaw 1140-08

Appendix B

	SECTION 3: SITE REQUIREMENTS			
Land Use District: <u>Qgriculture</u>		Divis	ion: 4	
☐ Permitted Use ☐ Discretionary Use	httarapagnetenstradikken (1900cool) (1900coo	*** C ********************************	- Contraction of the Contraction	
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☐ Yes 🗹 No				
Is the proposed development below a licenced of	lam?			
☐ Yes				
Is the proposed development site situated on a s	slope?	NO	•	
☐ Yes 💢 No				
If yes, approximately how many degrees of	slope?deg	rees		
Has the applicant or a previous registered owne geotechnical evaluation of the proposed develo	r undertaken a slo oment site?	pe stability study	or	
☐ Yes ☐ No ☐ Don't k	now 🗷 No	ot required		
Could the proposed dev elopment be impacted b	y a geographic fea	ature or a waterbo	dy?	
☐ Yes 💢 No ☐ Don't th	nink so		•	
PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms	
(1) Area of Site	Darves	<u>}</u>	y	
(2) Area of Building 142' × 52' (686-12)	73845gf		VE3	
(3) %Site Coverage by Building	1.79% of 10	acres	YES	
(4) Front Yard Setback Direction Facing: SOUTH 704	MIN. 50 me	trey 50m	YES	
(5) Rear Yard Setback Direction Facing: NORTH ZESS	Min. 50 met	res. 7.5m	YES	
(6) Side Yard Setback: Direction Facing: UEST 2904	MINI. 10met	cs 7.5m	YES	
(7) Side Yard Setback: Direction Facing: EAST 75m	MIN-10 metro	5 7.5m	Yes	
(8) Height of Building	24.6 MAX.	Ms		
(9) Number of Off Street Parking Spaces	N/A.	·	,	
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Other Supporting Material Attached (e.g. site plan, architectural drawing) PLOT PLAN NOT TO SCALE. ARCHITECTURAL				
DRAWINGS UPON COMPLETION OF SALE.				

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(5) Rear Yard Setback Direction Facing:			
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Information on this application form will become part of a file which may be considered at a public meeting.

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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.

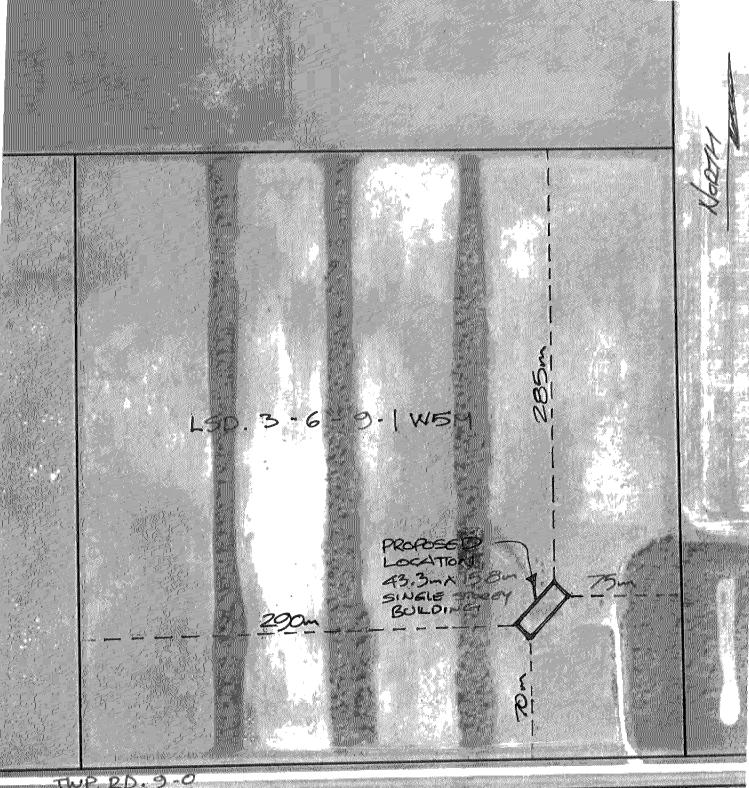
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

EL: 5N6-9-1-WSM

Applicant

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

Municipal District of Pincher Creek, No. 9 Land Use Bylaw 1140-08 Appendix B



TWP. RD. 9-0

DP DPP 2014-16 SCALE 1:2500

10-19 GRAN-OUT ROPM 521 × 1119' WORK AREA
STORAGE
30'-X 32" WASHEROM DEFICE LINEMOOM BOY x 32'

MOT I SCAL

Development Permit Application No. 2014-17

GERO Construction and Development Ltd. Lot 3, Block 1, Plan 981 0001 16ft Wind Fence



TO:

Municipal Planning Commission

FROM:

Roland Milligan, Director of Development and Community Services

SUBJECT:

Development Permit Application No. 2014-17

1. Applicant

Applicant(s):

GERO Construction

Location

Lot 3, Block 1, Plan 891 0001: Hamlet of Pincher Station

Division:

3

Size of Parcel:

0.86 ha (2.13 acres)

Zoning:

Hamlet Highway Commercial - HHC

Development:

Wind Fence (Accessory Structure): Variance Requested for

Height

2. Background/Comment

- On March 14, 2014 MD received an application for the request for a height variance for the construction of an Accessory Structure (Fence). (Enclosure No. 1).
- The application is in front of the MPC because:
 - Within the Hamlet Highway Commercial HHC Land Use District of Land Use Bylaw 1140-08, pursuant to Section 33.2 of the LUB, Fences and gates within commercial and industrial districts within designated hamlets shall not exceed 2 m (6.6 ft), and whereas the applicant is requesting that he be granted permission to construct a fence to act as a wind fence that is to be 4.87m (16 ft) in height. A variance of 2.88m (9.45ft) from the maximum height of 2.0 (6.6 ft) is being requested.

Discussion

- The application was circulated to the adjacent landowners for comment as required.
- At the time of preparing this report an adjacent landowner had indicated that they had concerns with the proposal. They were against granting the variance because the proposed fence would be too tall, the fence would act as a garbage collector on their east property line.
- If the fence was placed 3m (9.8 ft) from the property line, this is the regular building side yard setback within the land use district, it would may alleviate the issue.
- The applicant is considering two types of fences, for which at the time of preparing this report we have yet to receive any images or technical information.
- The applicant stated that they would endeavour to have something to the MPC at the time of the meeting.

- One type being considered is the fabric type of wind break as is presently at several locations within the MD.
- The second type is a fence using horizontally placed slats with a porosity of 50% for the fence. The applicant states that the horizontal boards would case less visual disturbance and would cause less snow drifting.
- Pursuant to Section 16.17 of the LUB, the MPC may approve or conditionally approve a discretionary use that does not comply with this bylaw if, in the opinion of the MPC, the use complies with the following tests:
 - (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels; and
 - (b) the proposed development conforms to the use intended for that land or building as described in the district within this bylaw.

Recommendation No. 1:

That Development Permit Application No. 2014-17 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 2.88 m (9.45 ft) Height Waiver be granted from the maximum height of 2.0 m (6.6 ft) for a fence height of 4.87 m (16.0 ft).

Recommendation No. 2:

That Development Permit Application No. 2014-17 be denied as it does not comply with the requirements of Land Use Bylaw 1140-08.

Recommendation No. 3:

That Development Permit Application No. 2014-17 be approved subject to conditions and/or variances as determined by the Municipal Planning Commission.

Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2014-17

Respectfully Submitted,

Roland Milligan

Reviewed by: Wendy Kay, CAO May 1, 2014



Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB TOK 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION

SECTION 3: SITE F	REQUIREMENT	THE STATE OF THE S		illinger Mallace of the extension of the sign of the country line in parties on the sign of the sign o	
Land Use District	HAMLET	HIBHWON	Consuces	<i>uic</i> Divis	ion: 3
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is the proposed de	velopment site	within 100 metro	es of a swamp,	gully, ravine, coule	e, natural
drainage course or	•				
☐ Yes	□ No				
Is the proposed dev	-	ow a licenced da	m?		
☐ Yes	□ No				
is the proposed dev	velopment site	situated on a sl	ope?		
☐ Yes	□ No				
If yes, appro	ximately how m	any degrees of sl	ope? deg	grees	
Has the applicant of geotechnical evaluation				ope stability study	or
☐ Yes	□ No	☐ Don't kno	w □ N	lot required	
Could the proposed	d development	be impacted by	a geographic fe	eature or a waterbo	dy?
☐ Yes	□ No	☐ Don't thir	ık so		
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(7) Side Yard Setbac Direction Facing				6.0	
(8) Height of Building		aasuurraanileen myötäään jättöinyn Pittin, parijesta ja vassalakaan pyrinnaa yläään eläännä	rian university pure entre prime and the contribution of the contr		managanik salikan salikunga kanaganik kanaga kanagan nasak Akan Ammani kanagal Ammani kanagan
(9) Number of Off St	reet Parking Sp	paces	минера (1964) на попераціоння у применера на продободи Мідалистення очення довина на довин	pomining between exemple on the first participation of the first participat	ylan gala na galaki kiri di dan merana ama tara Pinasa Pinina Affirma (1996) ilih Milan A
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Other Supporting Ma	aterial Attached	(e.g. site plan, ar	chitectural drawii	ng)	
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N	A

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
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(2) Area of Building			
(3) %Site Coverage by Building		e e anny liter i staggell from Since His i spilling	
(4) Front Yard Setback . Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			Section 1975 Annual Control of the C
(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)		
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		Propalate and Property (CC)
SECTION 4: DEMOLITION		KENNYANO NYEERY ESSENIANA
		AND ASSESSMENT OF THE PARTY OF
Type of building being demolished :		anesenga Nilana Sana
Area of size:		
Tomo of down life at planned.		
Type of demolition planned:		Mar-salas
SECTION 5: SIGNATURES (both signatures rec	quired)	

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.

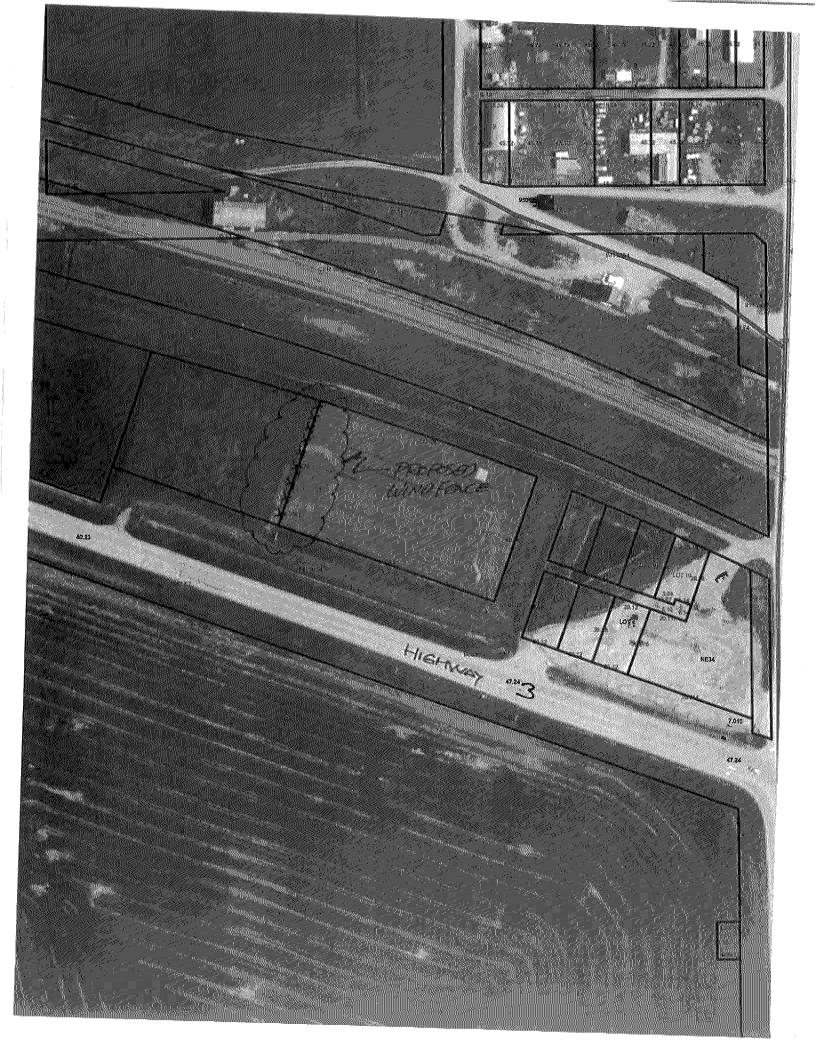
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: March 17/14

Mero Construction -

Registered Owner

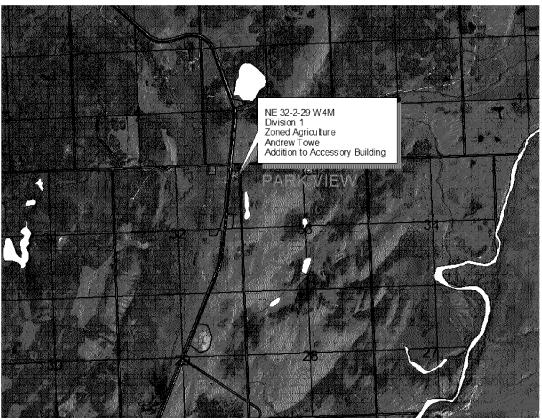
Information on this application form will become part of a file which may be considered at a public meeting.



Development Permit Application No. 2014-18

Andrew Towe
NE 32-2-29 W4M
Addition to Accessory Building - Barn





TO: Municipal Planning Commission

FROM: Roland Milligan, Director of Development and Community Services

SUBJECT: Development Permit Application No. 2014-18

1. Applicant

Applicant(s): Andrew and Elizabeth Towe Location Ptn. of NE 32-2-29 W4M

Division:

Size of Parcel: 9.6 ha (23.7 Acres) Agriculture - A Zoning:

Development: Addition to Existing Accessory Building: Variance requested

for location of existing building to bring it into compliance and

the subsequent addition to the building.

2. Background/Comment

On April 16, 2014 MD received the complete application for a proposed addition to an existing legal non-conforming accessory building (Enclosure No. 1).

The application is in front of the MPC because:

Within the Agriculture - A Land Use District of Land Use Bylaw 1140-08, the minimum secondary front yard setback requirement from a municipal road rightof-way is 25m ((82 ft). The current location of the existing accessory building is 14.99m and is not in compliance with the LUB. The applicant is seeking an approval for the location of the existing building, thereby being allowing the request to construct the addition to said building.

Discussion

- The application was circulated to the adjacent landowners for comment as required.
- At the time of preparing this report no comments or concerns were received from adjacent landowners.
- The applicant is proposing to construct an addition 7.3m x 7.3 m (24ft x 24ft) addition to an existing steel clad accessory building.
- The applicant supplied the following explanation as to why they are seeking to bring the building into compliance rather than construct a new building.

This is to explain why we need to add on to the existing building rather than build a free standing building a few feet away which would be in compliance. The property is under a conservation easement with Natures Conservancy and that easement prohibit building any new free standing buildings, but allows additions to existing

- buildings.. Essentially, we want to build a wood shop on the front of an existing building (steel clad).
- The addition is to be on the north of the building and would not decrease the setback to the road allowance.
- Pursuant to Section 16.17 of the LUB, the MPC may approve or conditionally approve a discretionary use that does not comply with this bylaw if, in the opinion of the MPC, the use complies with the following tests:
 - (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels; and
 - (b) the proposed development conforms to the use intended for that land or building as described in the district within this bylaw.

Recommendation No. 1:

That Development Permit Application No. 2014-18 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 10.01 m (32.8 ft) Setback Waiver be granted from the minimum Secondary Front Yard Setback of 25m (82.0 ft) for a Setback of 14.99m (49.2 ft).

Recommendation No. 2:

That Development Permit Application No. 2014-18 be denied as it does not comply with the requirements of Land Use Bylaw 1140-08.

Recommendation No. 3:

That Development Permit Application No. 2014-18 be approved subject to conditions and/or variances as determined by the Municipal Planning Commission.

Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2014-18

Respectfully Submitted,

Roland Milligan

Reviewed by: Wendy Kay, CAO

W. 64

March 26, 2014



All grey areas will be completed by the Planning Authority

Municipal District of Pincher Creek, No. 9

Land Use Bylaw 1140-08

Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB TOK 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

Appendix B

DEVELOPMENT PERMIT APPLICATION NO. 3014-18

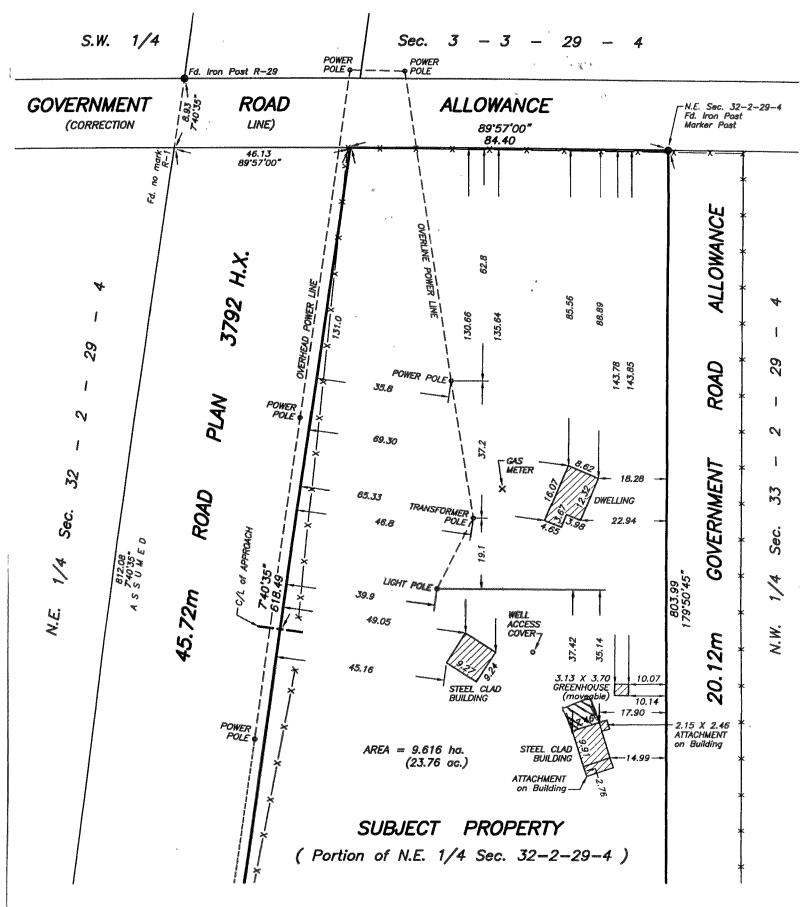
DEVELOPMENT PERMIT APPLICATION

Date Application Received <u>2014/05/16</u>	PERMIT FEE 150			
Date Application Accepted <u>2014/0</u>	RECEIPT NO. 16107			
Tax Roll # 1163.000 2229 Huy 6				
IMPORTANT: This information may also be shared with appropriety on file by those agencies. This information may also be services. The application and related file contents will become as of the Freedom of Information and Protection of Privacy Act (FO this information, please contact the Municipal District of Pincher	priate government / other agencies and may also be used by and for any or all municipal programs and vailable to the public and are subject to the provisions IP). If you have any questions about the collection of			
SECTION 1: GENERAL INFORMATION				
Applicant: Andrew Towe	222			
Address: P.O. Box 142 Water for R	uh, AB TOK-2MO - 2224 Mya			
Telephone: 403-629-1662 Email: 6	wh, AB TOK-2MO - 2229 Hyu nobytowe @ toughcountry net			
Owner of Land (if different from above):	V V			
Address:	Telephone:			
Interest of Applicant (if not the owner):				
SECTION 2: PROPOSED DEVELOPMENT				
I/We hereby make application for a Development Permit under twith the plans and supporting information submitted herewith and				
A brief description of the proposed development is as				
24x24 addition on he north	of the barn for wood shop			
Legal Description: Lot(s)				
Block				
Plan				
Quarter Section NE 3a - 2	0-29 W4			
Estimated Commencement Date: Spring/Summer 2014				
Estimated Completion Date: Fall 2014				

SECTION 3: SITE RE	EQUIREMEN	TS			1343) 33da 200700 ⁴⁴⁴ 444 40 40 40 40 40 40 40 40 40 40 40 40
Land Use District:	ani	culture		Divis	ion: /
☐ Permitted Use	().	cretionary Use			100
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Is the proposed deve drainage course or f		e within 100 metr	es of a swamp,	gully, ravine, coule	e, natural
☐ Yes	⊠ No				
Is the proposed deve	elopment be	low a licenced da	ım?		
☐ Yes					
Is the proposed deve	elopment site	e situated on a sl	ope?		
☐ Yes	☑ No				
If yes, approx	imately how r	many degrees of s	lope? deg	yrees .	
Has the applicant or geotechnical evaluat				ope stability study	or
☐ Yes	□ No	☐ Don't kno	ow 🗆 N	lot required	
Could the proposed	developmen	t be impacted by	a geographic fe	ature or a waterbo	dy?
☐ Yes	⊠ No	☐ Don't thi	nk so		
PRINCIPAL BUILDIN	G	and the same of th	Proposed	By Law Requirements	Conforms
(1) Area of Site		CONTINUENT IN HIS HOUSE AND A STATE OF THE S	Mikimanaparan pagagaga fili didakkan menonggan pogat Mikili inca mena annggaga pili.		
(2) Area of Building	o general and and his living opposite the same of the	CONTRACTOR OF THE PROPERTY OF			
(3) %Site Coverage by	y Building				
(4) Front Yard Setbac	k		and the state of t		
Direction Facing: (5) Rear Yard Setback		23.1000.00000000000000000000000000000000	местиниция при		
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(6) Side Yard Setback Direction Facing:					
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(9) Number of Off Stre	et Parking S	paces	"	18 min 18 18	
Other Supporting Material Attached (e.g. site plan, architectural drawing)					

ACCESSORY BUILDING ADDITION	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building 7,3mx 7,5m DODITION	- Contract Contract		
(3) %Site Coverage by Building			
(4) Front Yard Setback Direction Facing: NOZF1	49~	50m	yes
(5) Rear Yard Setback Direction Facing:	49m	50m	YES
(6) Side Yard Setback: SECO-ODA FROM 7 Direction Facing: ESS7	14.99 -	250	No rom waiver &
(7) Side Yard Setback: Direction Facing:	30	80m	YES
(8) Height of Building			
(9) Number of Off Street Parking Spaces			
	chitectural drawing	3)	
SECTION 4: DEMOLITION			
SECTION 4: DEMOLITION Type of building being demolished:			
SECTION 4: DEMOLITION			
SECTION 4: DEMOLITION Type of building being demolished:			
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SECTION 4: DEMOLITION Type of building being demolished:	red) plete and is, to tan Development Part the municipality	he best of my kn Permit.	

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



DETAIL A SCALE = 1 : 1000

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT -April 2014

Development / Community Services Activity include:

•	April 1	Municipal Planning Commission Meeting
•	April 2	David Ramsay, Municipal Affairs
•	April 8	Policy and Plans Meeting
•	April 8	Council Meeting
•	April 10	Staff Meeting
•	April 10	Department Head Staff Meeting
•	April 10	Department Head Budget Meeting
•	April 14-18	Vacation
•	April 22	Policy and Plans Meeting
•	April 22	Council Meeting
•	April 23	Castle Mountain Area Structure Plan Review
•	April 24	Staff Meeting
•	April 24	Department Head Staff Meeting
•	April 24	Kevin Finn, Castle Mountain Resort
•	April 24	Riverdale Resources Meeting
•	April 30	Met with taxpayer
•	April 30	Steve Sapeta, Taxpayer

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by Development Officer for April 2014

2014-11	Amy Hemminger	Lot 6, Block 5, Plan 0815791; Castle View Estates	Single Detached Residence
2014-12	Curtis and Sharon Eaton	Lot 1, Block 1, Plan 0011427; SW3-7-2 W5M	Bring into Compliance; Existing Garage
2014-13	Kent Bonertz and Wendy McClelland	SE 19-5-2 W5M	Single Detached Residence – Cabin
2014-15	Bill Ullman and Peggy Dingreville	Lots 13-16, Block 3, Plan 2177S; Hamlet of Lundbreck	Addition to Store
2014-19	Murray Barnett	Lot 9, Block 1, Plan 0310751; NW 13-7-3 W5M	Accessory Building – Storage Shed
2014-20	Boy Scouts Association	NE 11-5-3 W5M	Addition to Building

Development Permits Issued by Municipal Planning Commission for April 2014

tita nag tilikuna hilikung jeleka mag gipilikung tilikih nag jeleka nag jeleka nag		Lots 17-20, Block 16, Plan 7850AL; Hamlet of Beaver	
2014-08	Michael Morley	Mines	Accessory Building - Garage
		Lots 1-4, Block 15, Plan	
		7850AL; Hamlet of Beaver	
2014-10	Marilyn and Bert Nyrose	Mines	Single Detached Residence

Development Statistics to Date

DESCRIPTION	April 2014	2014 to Date	April 2013	2013	2012
Dev Permits Issued	9 7– DO /2 – MPC	17 13– DO /4 – MPC	6 4 – DO /2 – MPC	67 42 – DO / 25– MPC	68 49 – DO / 19 – MPC
Dev Applications Accepted	9	21	4	66	74
Utility Permits Issued	1	10	2	32	36 .
Subdivision Applications Approved	0	2	0	9	15
Rezoning Applications Approved	0	0	0	2	1
Seismic / Oil / Gas	0	0	0	3	3
Compliance Cert	1	5	1	19	24

RECOMMENDATION:

That the Development Officer's Report for the period ending April 30, 2014, be received as information.

Prepared by:

Roland Milligan, Director of Development and

Community Services

Date: April 30, 2014

Reviewed by:

Wendy Kay, CAO

Date: May 1,2014

Submitted to:

Municipal Planning Commission

Date: May 6, 2014