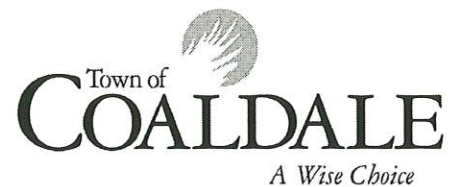


Wednesday, December 13, 2017

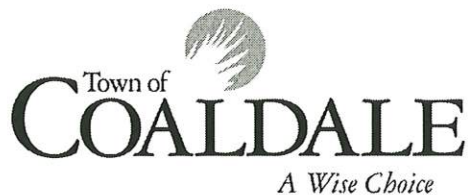
5:00p.m.

Town of Coaldale Council Chambers



Municipal Planning Commission Agenda

- 1.0 CALL TO ORDER
- 2.0 ADDITIONS TO THE AGENDA
- 3.0 ADOPTION OF THE MINUTES
November 8, 2017 meeting
- 4.0 BUSINESS FROM THE MINUTES
- 5.0 NEW BUSINESS
 - 5.1 Subdivision Application 2017-0-179
NE ¼ 14-9-20-W4M
NE Industrial Park
 - 5.2 Development Application 2017-196
Fence height waiver
2805 – 21 Avenue
- 6.0 INFORMATION ITEMS
- 7.0 IN-CAMERA DELIBERATIONS
- 8.0 ADJOURNMENT



MUNICIPAL PLANNING COMMISSION
WEDNESDAY, November 8, 2017
5:00 PM – COUNCIL CHAMBERS

PRESENT:	Council Members:	R. Hohm (Chairman), J. Abrey, D. Lloyd
	Director of Planning:	S. Croil
	ORRSC Planning Advisor:	R. Dyck
	Citizen Member:	R. Pitsol, J. Cortes
	Development Officer:	C. L'Hirondelle
	Recording Secretary:	K. Bly
	Gallery:	N. Hughes, K. Perry, M. Collins

1.0 CALL MEETING TO ORDER:

S. Croil called the meeting to order at 4:47 p.m. He noted the first order of business was to appoint a chair for the commission. J. Abrey nominated R. Hohm for the position of chairman. R. Pitsol asked about information available to help whomever is selected as chairman so they know the order of the meeting and the procedures that have to be followed. R. Dyck questioned if R. Pitsol would like to let his name stand for Chairman. R. Pitsol said he would need a lot of assistance to make sure he follows the procedures required for the meeting. R. Pitsol seconded the nomination of R. Hohm as Chairman. R. Hohm accepted the nomination. S. Croil noted a vice-chairman can also be nominated. D. Lloyd asked if that would not be a good idea to provide for a chairman in training. R. Hohm noted the commission has not had a vice-chair for the past five years.

MOTION: J. Abrey moved that R. Hohm be appointed Chairman of the Municipal Planning Commission.

5-0 CARRIED

R. Hohm called the meeting to order at 5:00 p.m.

2.0 ADDITIONS TO / ADOPTION OF AGENDA :

MOTION: R. Pitsol moved to adopt the agenda.

5-0 CARRIED

3.0 ADOPTION OF MINUTES:

3.1 Municipal Planning Commission Minutes – October 11, 2017
R. Pitsol noted a number of changes to the minutes.

MOTION: R. Pitsol moved to approve the October 11, 2017 minutes as amended.

5-0 CARRIED

4.0 BUSINESS ARISING FROM MINUTES: None

5.0 NEW BUSINESS:

**5.1 Development Application 2017-175
Discretionary Use- Home Occupation 2
1217-22 A Avenue**

C. L'Hirondelle, Development and Environmental Services Manager, presented the Commission with Development Application 2017-175.

BACKGROUND/DESCRIPTION OF APPLICATION:

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2017-175 to establish a Home Occupation 2 for the purpose of therapeutic/medical massage therapy services at the above referenced property.

- Clients are by appointment
- Hours of operation – Monday thru Sunday 1:00pm – 7:00 pm.
- 1-2 parking stalls provided by the existing driveways (2 driveways on-site) – remaining would be on-street parking.

The Town of Coaldale Land-Use Bylaw states that a Home Occupation 2 is a Discretionary Use in the Residential – R-1A zoning. As such, a hearing must be held by the Municipal Planning Commission (MPC) of the Town of Coaldale for consideration of the application.

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been brought forward.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Residential – R-1A
- Land Use Bylaw, Schedule 7, Home Occupations

Land Use Bylaw 677-P-04-13, Schedule 7 – Home Occupations, Section 3 – General Standards, Sub-Section (h) states:

“Home Occupations shall not generate vehicular traffic or parking, in excess of that which is characteristic of the district within it is located.”

Land Use Bylaw 677-P-04-13, Schedule 7 – Home Occupations, Section 3 – General Standards, Sub-Section (q)(ii) states:

"Home Occupations shall not include any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of the neighbouring properties."

RECOMMENDATION

The board considers APPROVAL of Development Application (2017-175) to establish a Home Occupation 2 for the purpose of therapeutic/medical massage at 1217 – 22 A Avenue subject to the following conditions:

1. Applicant complies with the Land Use Bylaw No 677-P-04-13, Schedule 7, Home Occupations District;
2. Development Permit #2017-175 may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighborhood.
3. Applicant applies to the Town of Coaldale for a Business License.
4. Hours of operation will be: Monday through Sunday 1:00pm – 7:00pm
5. By appointment only
6. At no time shall there be a surplus of vehicles parked on or in front of the subject property to ensure there will be no traffic or parking problems within the neighbourhood.
7. A separate sign application must be submitted to the Town of Coaldale.

R. Pitsol asked if the applicant had spoken to her neighbours about starting a business in her home.

N. Hughes said she had spoken to the neighbours when her plans were down the road but flooding at her former site moved her plans up. She noted her neighbours didn't seem to have an issue with her plans. She also noted there are actually three driveways on the property. One is a double side by side in front of the garage and there are two singles.

C. L'Hirondelle noted letters were sent out to neighbouring properties and not letter or phone calls were received on the application.

R. Hohm asked if she would be the single staff member.

N. Hughes said she would be the sole proprietor and staff member.

J. Cortes asked what licensing Hughes hold.

N. Hughes said she has a diploma from the Lethbridge College which allows her to be licensed through an association in Alberta. Alberta is not a regulated province for massage therapy. She is also a licensed nurse. She has her registration in the province.

MOTION: D. Lloyd moved Development Application 2017-175.

5-0 CARRIED

5.2 Development Application 2017-176 Front yard setback waiver 2304-21 A Avenue

C. L'Hirondelle, Development and Environmental Services Manager, presented the Commission with Development Application 2017-176.

BACKGROUND/DESCRIPTION OF APPLICATION:

The above mentioned property currently has concrete steps and a small landing. The applicant would like to build a front deck and entry that is partially covered.

When an older subdivision, such as this lot was a part of, the easement at the front of the property was not included within the property line therefore adding more frontage from the back of the sidewalk to actual property line (approximately 6' for the above mentioned property).

At the above mentioned address, they are asking to cover the front steps that are 21' – 10" away from the property line and 26' away from the back of sidewalk.

Notice of the application was sent to adjacent properties and no written or verbal concerns have been brought forward to date.

OPTIONS:

The board may consider APPROVAL of Development Application (#2017-176) subject to the following recommended conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A.
4. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
5. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighbourhood.

The board may consider REFUSAL of Development Application (#2017-176).

R. Pitsol noted all of the homes in the neighbourhood have the 25 foot setback, so now this one would be closer to the sidewalk.

C. L'Hirondelle noted she received no letters or calls on this application from neighbours.

R. Hohm noted most of the homes in this area have a detached garage and an overhang over their entrance so this one would not look out of place except for the setback.

C. L'Hirondelle noted if they didn't have the easement in front they would still be at 25 feet.

S. Croil said there is some variation in setbacks.

R. Dyck asked if it was 8 feet toward the street.

C. L'Hirondelle said it is 7.7 feet.

R. Pitsol questioned the extra overhang on the roofs, noting they all look the same to him.

R. Hohm said the roof line on the front decks all go over the tops of the carports.

D. Lloyd said this one already looks like it is closer to the road than the other houses.

S. Croil noted it is about the same as the house to the west.

D. Lloyd questioned them wanting to make it closer.

R. Dyck asked if it was a covered, not enclosed.

C. L'Hirondelle said it is partially covered. The deck will come out eight feet.

S. Croil indicated on the map where the eight foot mark is located.

R. Pitsol questioned the distance to the street for the house next door.

S. Croil noted the overhang next door is more pronounced than the one being considered in the application.

R. Pitsol also noted the carport next door is also closer.

R. Hohm questioned if the eight feet is from the front of the house.

C. L'Hirondelle said indicated on the map where the eight feet would end.

S. Croil noted in looking at the pattern of the houses on this same street, this house would be the closest to the street if the waiver were granted.

J. Cortes said it seems those to the left are moving closer to the street, while those to the right are further back. He questioned if it has any impact on the neighbours.

D. Lloyd questioned if it can be tabled or if a decision has to be made tonight.

R. Hohm said it should be approved tonight and noted in the last few years, the commission has approved a number of front decks.

J. Cortes questioned what the rationale was in those decisions.

R. Hohm said it has added to the homes to add the front decks.

R. Dyck said it does look well designed. As to the setbacks, he noted it is a 4 foot waiver.

S. Croil said as to the look of the street, this would not be out of line with the neighborhood.

D. Lloyd asked if the neighbours were contacted.

C. L'Hirondelle said letters went out and she did not receive any calls or letters on this application.

J. Abrey asked how far those would have been circulated.

C. L' Hirondelle said she does a 40 metre radius for lots this close, taken from the centre.

R. Hohm said that would be the two houses on the left, two on the right and the one across the street.

C. L'Hirondelle noted 11 neighbouring properties got the letters.

MOTION: J. Abrey moved Development Application 2017-176 with the recommended conditions.

3-2 CARRIED

IN FAVOUR: J. Abrey, R. Hohm, J. Cortes
OPPOSED: R. Pitsol, D. Lloyd

5.3 Development Application 2017-177
Side yard setback waiver
1235- 11 Street

C. L'Hirondelle, Development and Environmental Services Manager, presented the Commission with Development Application 2017-177.

BACKGROUND/DESCRIPTION OF APPLICATION:

The above mentioned property currently has an Industrial building on it and the applicant would like to build a second industrial building on the lot.

At the above mentioned address, they are asking to situate the building 0' away from the north (side) property line and 10' from the east (rear) property line. The owner of the property is in the process of consolidating the 2 lots but they would like to commence construction before that is completed so the side yard waiver is needed. The rear yard waiver will still be valid after the consolidation.

Notice of the application was sent to adjacent properties and no written or verbal concerns have been brought forward to date.

OPTIONS:

The board may consider APPROVAL of Development Application (#2017-177) subject to the following recommended conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Industry-I.
4. A person to whom a Development Permit for Industrial building has been issued shall provide the Designated Officer prior to construction a letter from a qualified Alberta Land Surveyor confirming that a qualified Alberta Land Surveyor conducted the Stakeout of the site for construction.
5. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
6. Any outstanding fees and deposits associated with the development application must be paid prior to the release of the permit.
7. The applicant/ owner shall comply with Land Use Bylaw No. 677-P-04-13, Schedule 11, Off-Street Parking & Loading Requirements.
A MINIMUM OF 14 PARKING STALLS MUST BE MAINTAINED ON THE PROPERTY FOR THIS BUILDING
8. For safe work-site purposes, it is recommended that the civic address of the site be displayed so it is visible from the street at all times during construction in the event that emergency services personnel are called to attend the site.
9. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighbourhood.

The board may consider REFUSAL of Development Application (#2017-177).

- R. Pitsol sought clarification on Nutrisource's ownership of the land in the application.
- C. L'Hirondelle said they currently own both lots.
- R. Pitsol said if it is being consolidated into one lot it isn't an issue.
- C. L'Hirondelle said it wouldn't be but they want to start construction before it is consolidated.
- R. Hohm questioned if the application for consolidation has been submitted.
- C. L'Hirondelle said they are working on getting it done and submitted to land titles.
- R. Dyck said it will be a simple process for consolidation, it is just a form. He noted the commission will recall it dealt with an application for a subdivision last year. This used to be 3 lots, three rectangles and went to two lots.
- C. L'Hirondelle said there plans did change and now they want to consolidate.
- R. Dyck questioned why they wanted two parcels and now they want to consolidate.
- C. L'Hirondelle said she didn't know why they are consolidating.
- D. Lloyd questioned if their business has increased and the need to expand their building.
- C. L'Hirondelle said she is not sure why their plans have changed.
- R. Dyck said they did show a smaller building originally.
- C. L'Hirondelle said the fenced in storage is already completed on site.
- R. Pitsol said it is not an issue with the consolidation.

C. L'Hirondelle said the zero side yard will be wiped out. What will be the rear of the building, will still be within building requirements.
R. Pitsol questioned if there is a building on the side or will it be vacant.
C. L'Hirondelle noted it is a vacant lot.
R. Dyck questioned if the side yard requirement for the lot to the east would be 10 feet as well.
C. L'Hirondelle said yes.
R. Dyck said it would be a reciprocal 10 and 11 feet.
C. L'Hirondelle said the building would be at minimum 21 feet 3 inches away
R. Dyck questioned if they would have a further front yard setback.
C. L'Hirondelle said yes of 25 feet.
R. Pitsol questioned where the setback would be.
C. L'Hirondelle indicated on the map where it would be.
D. Lloyd questioned if the entrance on the west will change to the east.
C. L'Hirondelle said the entrance will still be on the west.
R. Dyck questioned the landscaping asking if they meet the standard.
C. L'Hirondelle said they paid the landscaping deposit.
R. Dyck suggested the \$1,000 landscaping deposit be added.

MOTION: D. Lloyd moved Development Application 2017-177 with the recommended conditions as noted.

5-0 CARRIED

**5.4 Development Application 2017-178
Discretionary Use- Amusement Facility
Off-street parking waiver
2011- 18 Street**

C. L'Hirondelle, Development and Environmental Services Manager, presented the Commission with Development Application 2017-178.

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2017-178 to establish a dance studio at the above referenced property.

The Town of Coaldale Land-Use Bylaw states that an Amusement Facility, which by definition a dance studio is classified as, is a Discretionary Use in the Residential – R-1A zoning. As such, a hearing must be held by the Municipal Planning Commission (MPC) of the Town of Coaldale for consideration of the application.

Also, the applicant is proposing five (5) off-street parking stalls but as per Schedule 11, Off-street Parking & Loading Requirements and Schedule 2, Commercial - C-1 of Land Use Bylaw 677-P-04-13, six (6) off-street parking stalls are required

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been brought forward.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Commercial – C-1
- Land Use Bylaw, Schedule 11, Off street Parking & Loading Requirements

RECOMMENDATION

The board considers APPROVAL of Development Application (2017-178) to establish a Dance Studio at 2011 – 18 Street subject to the following conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement for any renovations.
2. Applicant/Owner shall contact the fire department at 403-345-1330 and arrange for a fire inspection prior to occupancy.
3. Approval is for the building only. A separate permit must be applied for and approved for any signs.
4. A Business License must be obtained from the Town of Coaldale
5. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
6. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
7. For safe work-site purposes, it is recommended that the civic address of the site be displayed so it is visible from the street at all times during construction in the event that emergency services personnel are called to attend the site.
8. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighborhood.
9. The applicant/ owner shall comply with Land Use Bylaw No. 677-P-04-13, Schedule 11, Off-Street Parking & Loading Requirements.

A MINIMUM OF 5 PARKING STALLS MUST BE MAINTAINED ON THE PROPERTY

- R. Pitsol questioned the setbacks, asking if they are less because it is downtown.
- C. L'Hirondelle said yes, that is the case.
- R. Pitsol also asked about parking asking if it could be turned.
- K. Perry said they put in parking stalls to the standard, and they have tried moving them around but can still only get 5 stalls.
- R. Pitsol questioned one of the stalls, close to the building could be too close and might clip the building.
- K. Perry said it will be a shale finish, landscape rock so the back can be altered.
- R. Pitsol questioned if either direction would still only provide five stalls.
- K. Perry said yes. He noted three to four would be sufficient, five or six would be standard. There could be more stalls south facing but by the time you back up it would be close.
- R. Dyck asked if this was employee parking.
- K. Perry said yes, the drop off for dancers would be in front.
- R. Dyck asked if the back would be hard surface or gravel.
- K. Perry noted it would be gravel.
- R. Dyck asked with the overlay for downtown with special parking provision is it applicable here.
- C. L'Hirondelle said they are in the downtown overlay.
- R. Dyck said the 50 per cent relaxation would be applicable.
- C. L'Hirondelle noted at six, it is at 50 per cent.
- D. Lloyd questioned if it is not a business being a dance studio.
- C. L'Hirondelle said it is commercial zoning but under the town's C-1 district she had to find a definition and as a dance studio it fell under this one.

R. Dyck said it could also have gone under the personal service one such as fitness facility. It could have gone either way but would still have come to the commission because of the waiver.

R. Hohm noted the focus is the waiver and he asked if anyone had an issue with the parking.

MOTION: J. Abrey moved Development Application 2017-178 with the recommended conditions.

5-0 CARRIED

**5.5 Development Application 2017-179
Side and rear yard setback waiver
1306-24 Avenue**

C. L'Hirondelle, Development and Environmental Services Manager, presented the Commission with Development Application 2017-179.

BACKGROUND/DESCRIPTION OF APPLICATION:

The above mentioned property currently has Single Detached Dwelling on it on it and the applicant would like to build an attached garage onto the rear of the dwelling.

At the above mentioned address, they are asking to situate the building 3' – 1" away from the east (side) property line and 4" from the north (rear) property line.

Notice of the application was sent to adjacent properties and no written concerns have been brought forward to date. One phone call was received from the neighbour to the east with concerns regarding how close the garage would be to the property line and his visual being just a large, high wall. The neighbour was encouraged to submit a formal letter outlining all of his concerns for the committee.

OPTIONS:

The board may consider APPROVAL of Development Application (#2017-179) subject to the following recommended conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential – R-1A
4. A person to whom a Development Permit for Industrial building has been issued shall provide the Designated Officer prior to construction a letter from a qualified Alberta Land Surveyor confirming that a qualified Alberta Land Surveyor conducted the Stakeout of the site for construction.
5. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
6. Any outstanding fees and deposits associated with the development application must be paid prior to the release of the permit.
7. The applicant/ owner shall comply with Land Use Bylaw No. 677-P-04-13, Schedule 11, Off-Street Parking & Loading Requirements.

A MINIMUM OF 2 PARKING STALLS MUST BE MAINTAINED ON THE PROPERTY

8. For safe work-site purposes, it is recommended that the civic address of the site be displayed so it is visible from the street at all times during construction in the event that emergency services personnel are called

- to attend the site.
9. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighbourhood. Any damage that may occur to the laneway during construction MUST be fixed by the applicant at their cost.

The board may consider REFUSAL of Development Application (#2017-179).

R. Pitsol questioned why such a large garage.

M. Collins said he has a collection of cars he wants to store and work on.

R. Pitsol asked what the material for the exterior of the garage is.

M. Collins said same as the house. '

R. Pitsol asked if the applicant was open to suggestions to reduce the size.

M. Collins said he would like this size.

R. Pitsol asked if he could move it over closer to the sundeck to get to the 1.2 metre setback for the house and the garage.

M. Collins said he could but it would waste space on the lot and there is no real advantage to the neighbour by having that two feet.

R. Pitsol said a minimum for residential housing is 1.2 metres.

M. Collins said he took a detached and an attached, took the two bylaws and combined them. If it is detached you're allowed three feet, for attached you're allowed five feet. His man door coming in from the front, it wouldn't be of use on the side.

R. Pitsol said it could go on the East side.

M. Collins said it is better much better this way.

R. Pitsol said are you not just turning the door to the corner. Asked if it was possible to move the door.

M. Collins said it would shrink the garage because there are two windows for the basement. He said there is also a window to the kitchen that looks out to the corner.

R. Pitsol asked if it is existing.

M. Collins said that is where the kitchen will be.

R. Pitsol asked if it couldn't be moved.

M. Collins said no.

J. Cortes asked if he had spoken to his neighbour.

M. Collins said yes he had and they didn't oppose.

S. Croil asked if the height of the garage is higher than the dwellings.

M. Collins said the gutters are all attached continuously.

S. Croil said it does look like the garage peak is higher.

M. Collins said it should be higher.

R. Pitsol said he is not questioning overall height but if the garage is higher than the house.

S. Croil asked if the height is slightly higher on the garage.

M. Collins said it is so there can be an extra panel on the door to bring it up to 12 feet.

R. Dyck asked the applicant if the commission were to choose to grant one waiver and not the other, which he would prefer.

M. Collins said he would like to keep the length.

R. Pitsol said there has been issues with fire jumping from building to building, these requirements were put into the code for safety.

M. Collins noted with a detached it is allowed.

R. Pitsol noted the difference is there are people living in the house, not in the garage.

J. Abrey said he has an issue with the application as it is an excessive garage already at 60 feet long.

R. Pitsol said it is 1870 square feet, it is a big garage. If he is an antique buff and wants to restore cars.

J. Abrey questioned how much work will be done in the garage, will it be painting and body work,

R. Pitsol said he is not keen on putting it so close to the neighbour's and it is only five feet from the back lane. He questioned if looking out of place.

R. Hohm said if you drive down the back alley, the neighbour's detached garage is already there. He suggested it would not look out of place in this neighbourhood.

C L'Hirondelle said there is currently or there was a detached garage on this property that he was demoing and it was three feet from the property line. In this case he is putting the garage back in and extending it up and attaching it. She noted she did receive one phone call from a neighbour. Unofficially he would like to see the bylaw enforced. He would like to see it at five feet, a difference of two feet. She is concerned with run off. Referring to the storm water bylaw she noted within the three feet it would be hard not to drain water on to the neighbouring property.

S. Croil said the issue he would bring forward is the height even though it is an attached garage. Generally the best practice is not to have the accessory portion higher than the principal portion, especially as it is in a rear area. That sight line is going to draw attention. Height and garage size can create issues in neighbourhoods.

R. Hohm asked if there is anything in writing that says garage height can't be higher than the house.

S. Croil said it is not uncommon in bylaws but it is not in writing.

D. Lloyd said there is a height of 15 feet.

C. L'Hirondelle said that is for detached garages not attached. She noted a principal building within the R-1 zoning can be to a maximum of 33 feet in height. It could include your garage.

R. Dyck said it has come up before, if you attach it with a breeze-way is it part of the principal building.

R. Pitsol said there are homes like that in Coaldale.

J. Cortes said is there times to ask what it will be used for, so the commission knows if it will be used as a business.

C. L'Hirondelle tries to ask what the reason is for it, but the use doesn't exist until there is an application. It would be flagged if an application was submitted for a home occupation.

R. Pitsol said he would like to see at least 1.2 or 1.5 metres on the side and he doesn't like it four or five feet from the back lane because it is considered a residence. To him it is excessive, if it is approved he questioned how anyone else can be turned down.

J. Cortes asked if certain conditions can be placed on it so he can still build a garage.

R. Pitsol said he is concerned if approved, four or five feet from back lane.

D. Lloyd said it would be setting a precedent. She questioned the height.

C. L'Hirondelle said it is 17 feet, 9 1/4 inches.

D. Lloyd said it is already higher than what is allowed for a detached.

S. Croil said the applicant seemed not to be as concerned about the width and for the height he didn't have a logical reason. He suggested there could be a middle ground for the commission.

R. Hohm said the commission could approve with the five foot setback and a maximum roof height as two conditions.

R. Pitsol said he is still he is still not happy with the four or five feet from the back lane. He questioned how the commission could agree to this and deny other applications.

S. Croil said there have been other properties in town that have been granted at three feet from the back.

J. Cortes said the neighbour's concern still has to be taken into consideration.

R. Dyck said it doesn't meet the setbacks.

J. Abrey said the waiver is excessive for an attached garage. If he wants to detach it he can still have a garage that is 58 feet in length.

R. Dyck said as long as he is good with the lot coverage.

J. Abery said it can be moved four feet from the house, two feet closer to the alley and still have a 58 foot garage at 30 feet wide. And he can do so without coming to the commission.

C. L'Hirondelle said yes, if he lowers the height to 15 feet.

R. Pitsol asked if the land use bylaw is going to be amended so there will be a restriction on the area size of garages instead of percentage of area.

S. Croil said at the last MPC meeting there were several recommendations from the commission and staff for changes to the land use bylaw which will be go forward to council.

C. L'Hirondelle noted currently in the town's bigger zoning districts, such as country residential lots there is a max site coverage and/or a max size of 1200 feet. But those are bigger lots.

MOTION: J. Cortes moved Development Application 2017-179 be denied due to the height of the garage exceeding that of the principal building, the rear yard setback waiver being requested is considered excessive and storm water management would become an issue for neighboring properties with the building set so close to the site property line. Please refer to Land Use Bylaw 677-P-04-13, Schedule 2, Residential – R-1A, #9 – Minimum lot line setbacks for overhanging eaves AND to Drainage Bylaw 673-R-11-12.

5-0 CARRIED

Chairman R. Hohm closed the public portion of the meeting at 5:28 p.m.

MOTION: D. Lloyd moved to adjourn meeting at 5:58 p.m.

CARRIED



CHAIR- ROGER HOHM

RECORDING SECRETARY- KATE BLY

RESOLUTION

2017-0-179

Town of Coaldale

Industrial subdivision of NE1/4 14-9-20-W4M

THAT the Industrial subdivision of NE1/4 14-9-20-W4M (Certificate of Title No. 161 263 121 +14), to create twenty two (22) lots ranging from 0.41 ha (1.02 ac) to 1.37 ha (3.39 ac) in size, from a parcel containing 20.04 ha (49.52 ac), for industrial use; BE APPROVED subject to the following:

RESERVE: The a portion of the 10% reserve requirement, pursuant to Sections 661 and 666 of the Municipal Government Act, be dedicated as a 9.1 m (30 ft.) wide buffer, representing approximately 0.48 acres, along the easterly boundary of the subdivision area (parallel to 8th street) and;

That the remaining portion of the 10% Municipal Reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 6.409 acres at the market value of \$_____ per acre with the actual acreage and amount to be paid to the Town of Coaldale to be determined at the final stage, for Municipal Reserve Purposes.

CONDITIONS:

1. That a utility right-of-way of a sufficient width (ie. 3.5m along frontage and 3.0m along flankage) be established by plan for joint utility servicing.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. Stormwater management, which must be addressed pursuant to Section 4.8.2 of the Intermunicipal Development Plan, will be conveyed to the existing storm pond located southwest of the parcel being subdivided.
4. A municipal reserve strip parallel to 8th Street has been dedicated so to provide a buffer between land uses.

INFORMATIVE:

- (a) Municipal reserve is applicable and is to be provided by both land and cash-in-lieu dedications.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)

(d) Lethbridge County – Hilary Janzen, Senior Planner:

"Lethbridge County has the following comments with regards to the proposed subdivision:

- Generally Lethbridge County has no concerns with the proposed subdivision as it appears to meet the town's MDP
- That the policies of the IDP be adhered to and a stormwater management plan be completed prior to any development of the subject lands
- That the future development of the lands be considerate of the adjacent residences in the county (i.e. debris/dust from construction and installation of infrastructure and utilities)

If you have any questions regarding these comments please contact me."

(e) TELUS has no objection to this circulation.

(f) FortisAlberta has no easement requirement.

(g) "Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as instrument(s) # 821 023 347. Therefore, ATCO Gas has no objection to the proposed subdivision."

(h) ATCO Pipelines has no objection.

(i) Alberta Health Services – Brittany Dulle, Executive Officer:

"The application for subdivision was reviewed and a site visit was completed.

Alberta Health Services has no objections to the proposed amendment provided that:

1. All pertinent regulations, standards and bylaws are adhered to.
2. No nuisance conditions are created. A nuisance is any condition that is or that might become injurious or dangerous to the public health, or that might hinder in any manner the prevention or suppression of disease.
3. The Alberta Energy Regulator's requirements for abandoned wells and surface development near abandoned wells is adhered to and applied to the abandoned gas well situated in proposed Lot 2, Block 21.

Response emailed to subdivision@orrs.com as per request.

Should you have any questions regarding this report, please do not hesitate to contact me at 403-502-8648 x2430."

(j) SMRID – Linda Park, Land Administrator:

"We have no objection to the proposed subdivision as it is classified as "dry" and is located within the Town of Coaldale."

(k) Alberta Transportation – Leah Olsen, Subdivision Technician:

"Reference your file to create 22 industrial parcels at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, ("the regulation").

Alberta Transportation's primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, the proposed parcels to be created will be well removed from Highways 3 and 845 with indirect access to the provincial highway system solely by way of the local street system. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the industrial parcels as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance the department grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the centre point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is stipulated in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is not within the noted control lines and given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance, a permit from the department will not be required and development of the industrial parcels could proceed under the direction, control, and management of the town.

The department accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. Moreover, as far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application."

(I) Canada Post – Wendy Bauer, Delivery Services Officer:

"Thank you for contacting Canada Post regarding plans for a new subdivision in Coaldale. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
 - a. Given the number and the layout of the (21) lots in the subdivision, we have determined that 1 CMB(s) site is to be installed to service these new addresses. The site is identified on the site plan below.

Site 1 – BLK 18 LOT 18

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s)."

(See Attachment)

(m) Adjacent Landowner – Tony and Nellie Kreft:

"We received the subdivision application for the development of the rest of the industrial plots yesterday. We would please ask you to consider the landowner (Tony Kreft - TN Kreft Farm Ltd) to the east of this projected development.

In the past, when construction was taking place on the current lots we had to deal with too much construction garbage in our field! Everything from sheets of siding, bats of insulation, plastic wrapping from lumber even vent hoods! It is not a pleasant task to have to pick up all this garbage before you can work and seed the field. Not to mention the fact that most of this construction will be taking place through the summer when our crops are growing. The trash is very damaging to harvesting equipment as well. Therefore we plead with you to make a temporary wind fence across the east side of the lots to catch all this blowing garbage.

Secondly, the traffic situation on our gravel road has increased 100 fold and it has become a major route for many into the industrial area. We therefore also request that this road be paved and have a posted speed limit. Having said that, we appreciate very much the dust control that the town has put in place on our gravel road the past 2 years. It has made living here a bit more bearable with the traffic going past. I might point out also, that this has become a major haul route as a by pass around Coaldale since they put the electrical lines underground. Almost weekly we see houses being transported along the gravel road as well. I should also mention the ruts that occur in this particular stretch of road as it just cannot sustain the heavy traffic. The town of Coaldale and the county need to come up with a plan for this road way.

It would be much appreciated if these concerns would be addressed!"

(n) Adjacent Landowner – Simon Bos:

"Few questions, comments and concerns, I have regarding the proposed extension of the Coaldale Industrial park.

My main and biggest concern is that none of the Industrial area has any green space. And my recommendation is to allow for a green buffer along the far East end along RR201 of a minimum of about 40M. By creating some hills pathway and trees. If I am not mistaken there is an architectural requirement in place on some kind of vegetation, for lot owners. However, it's one of those measures that's put at the very bottom of priorities, by everyone involved (except for a few that take pride in their property curb appeal) Initial intentions are possibly well meant but with little time it gets neglected. A drive through the industrial park will prove my point.

I am encouraged to see that the plan allows for an Avenue on the far North end (10 Ave). RR 201 has been our front entry and remains our front entry. Having industrial lots backing up right at your front door with large pieces of iron is not considered being a good neighbor. The lot on 14th Ave and 8 Street is a good example! So, lot #5 and #10 are potentially cause for concern. I did attend the open house in the past year on the annexing and future growth of the Town of Coaldale. At that time, I voiced these same concerns. This leaves me to wonder if any of this verbal communication was taken back for consideration, I certainly do not see any evidence in this proposed application.

Another suggestion would be to have a similar lot compared to the Nudura lot and have the East as frontage (Nudura by the way has set a great example what street appeal should look like!)

I look forward hearing back from The Town of Coaldale on how they can address the above concerns. Let's get this done right!

Simon Bos

simon@bosnurseries.com

403 330 8010"

(o) Adjacent Landowner – Henk Pastink:

"I, (Henk Pastink) am the owner of the land SE 23-9-20 W4M, north of the proposed subdivision.

On this land I grow Timothy hay for export to Japan and the USA, this land has to stay clean.

I can't have any garbage on there.

I suggest a green strip between our land and the proposed subdivision. On the land is a pivot that has to go round, I can't have any obstacles on the field, parked cars etc.

Also when the pivot irrigates and we have a northern wind, the water will drift a bit to the south.

A green strip will improve the situation.

Otherwise I'm alright with the proposed subdivision."

(p) Adjacent Landowner – Donald & Debbie Kovacs:

"We, Donald & Debbie Kovacs are adjacent property owners to the Proposed Subdivision by the Town of Coaldale to be located on NE1/4 14-09-20-W4M. We would like to convey to you a few comments and concerns in regards this Proposed Subdivision (File No. 2017-0-179).

The Kovacs Family has resided at this location for almost 60 years (SE1/4 23-09-20 W4M, rural address: 93006 RGE RD 201). As a second generation family, we continue to enjoy working on the acreage to grow produce, raise livestock for personal use, and rent the home on the property to tenants, generating revenue.

We realize now that this "Future Industrial Subdivision" is inevitable and would appreciate this opportunity to provide input.

The following is a list of concerns pertaining to our property:

- Water drainage on to our property from this development could become a concern.
Until now, our property has never incurred any issues with water drainage.
- Traffic, Noise, and Dust created by present and potential future businesses in this industrial subdivision;

There has been a noticeable increase in traffic on the county road. This also seems to be a result of additional businesses in the existing industrial development. We have had to incur costs over the last two summers to have Lethbridge County apply dust control, which only last for a short period of time depending on the moisture conditions. The development drawings we recently received in the mail shows that 10th Avenue is to be constructed directly adjacent to our property, we were never previously made aware of these drawings until now and it is a serious concern.

With the increase in traffic as the lots of the Subdivision are sold; noise, dust, and trespassing from the development will become a real concern.

- Garbage (debris);

Over the last several years we have noticed a substantial increase in trash and debris accumulating in our shelterbelt (the trees on both south and west side of our property). Years ago, we very seldom had to clean debris and garbage out of our trees, but now it seem we have to collect garbage monthly that seemingly is either coming from the Town of Coaldale or the Waste Transfer Station to the west of our property. Our neighbors across the road to the east and especially to the southeast seem to have a ridiculous amount of debris and trash accumulating in their fields from prevailing southwest winds.

- Potential decrease in quality of life and property value;

We feel that if this 10th Avenue and Proposed Subdivision is not constructed to allow for some kind of set-back and separation barriers from our property line, this will decrease our quality of life and property value.

Having stated the above, we wish to remain good neighbours with the Town of Coaldale and would like to suggest the following option to alleviate our concerns.

Debris and trespassing is already an issue as a result of the recent Coaldale Demolition Derby and Mud Bog this past summer.

We would like to see the construction of 10th Avenue set back far enough from our property line to allow for the construction of a raised earth/grass berm with an adequate amount of trees to separate and reduce increasing noise that will undoubtedly be generated in the future from this Proposed Subdivision. In addition, a minimum 6 – 8 foot tall chain-link fence to be installed on the property line to help alleviate debris and trespassing.

We have further concerns with a few questions below that we were never given the opportunity to convey:

- What assurance can we be provided from the Town of Coaldale that our privacy will not be compromised?
- What assurance can we expect from the Town of Coaldale that a 24 hour operating industrial business will not be permitted directly adjacent to our property?
- What assurance can we be given from the Town of Coaldale that a continuous odor producing or intense noise generating facility such as a Hide/rendering,

Fertilizer or Asphalt Plants, to name a few examples, are not permitted directly adjacent or up wind of our property?

We hope our concerns and comments are taken seriously and the options provided, which we consider reasonable, will alleviate future issues that undoubtedly we will incur with the Proposed Subdivision.

Unfortunately, just prior to submitting this letter of concern and it being heard, ground breaking construction has already commenced on Tuesday, December 5, 2017 in the Proposed Subdivision.

If you have any questions, please contact us.

We look forward to hearing from you.

Sincerely,

Donald & Debbie Kovacs

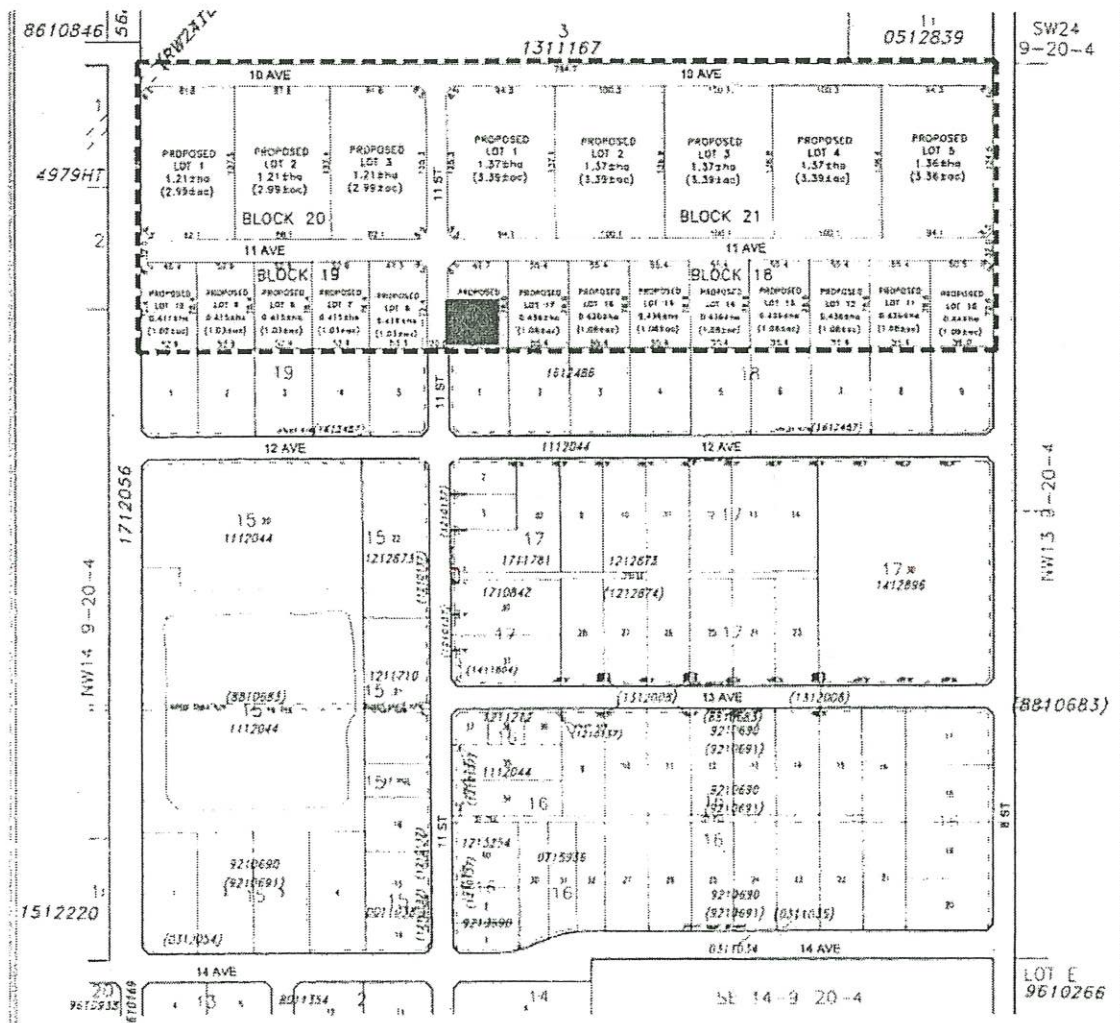
403-394-6379"

MOVER

CHAIRMAN

DATE

Appendix B



SUBDIVISION SKETCH

See tentative plan of subdivision by Stewart Weir, file no, S-39906

WITHIN NE1/4 SEC 14, TWP 9, RGE 20, W 4 M

MUNICIPALITY: TOWN OF COALDALE

DATE: NOVEMBER 10, 2017

FILE: 2017-0-179



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
Fax: (403) 327-6847
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: November 16, 2017

Date of Receipt: November 8, 2017

TO: Landowner: Town of Coaldale

Agent or Surveyor: Connie Peterson, A.L.S. - Opus Stewart Weir Ltd.

Referral Agencies: Town of Coaldale, Butch Pauls, Lethbridge County, Steve Harty - Senior Planner, Palliser School Division, Holy Spirit RC School Division, TELUS, FortisAlberta, AltaLink, ATCO Gas, ATCO Pipelines, AB Agriculture, SMRID, AB Transportation, AB Environment & Parks - K. Murphy, AER, Encana Corporation

Adjacent Landowners: Simon Bos Nurseries Ltd., Grace Holtrop, Kadiak Dairy Ltd., Donald R & Deborah A Kovacs, Tn Kreft Farm Ltd., Donald K. & Mary K. Miller, Dennis G & Julie B Overweg

Planning Advisor: Ryan Dyck

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the Town of Coaldale. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **December 5, 2017**. (Please quote our File No. **2017-0-179** in any correspondence with this office).

File No: 2017-0-179

Legal Description: NE1/4 14-9-20-W4M

Municipality: Town of Coaldale

Land Designation: Industrial - I
(Zoning)

Existing Use: Industrial

Proposed Use: Industrial

of Lots Created: 21

Certificate of Title: 161 263 121 +14

Proposal: To create twenty two (22) lots ranging from 0.41 ha (1.02 ac) to 1.37 ha (3.39 ac) in size, from a parcel containing 20.04 ha (49.52 ac), for industrial use.

Planner's Preliminary Comments:

The purpose of the application is to create twenty two (22) lots ranging from 0.41 ha (1.02 ac) to 1.37 ha (3.39 ac) in size, from a parcel containing 20.04 ha (49.52 ac), for industrial use. The parcel subject of the application is vacant and is located at the northerly end of the northeast industrial park, adjacent to Lethbridge County, and is owned by the Town of Coaldale.

This application represents the completion of the Town's existing industrial park, which was last expanded in 2016 (14 lots), 2012 (28 lots) and 1992 (41 lots). Two sizes of lots are proposed as part of this application. The southerly lots (14) average around 53 m (174 ft.) wide and 78.5 m (257 ft.) deep, with an area of approx. 1.0 acre, and are a mirror image of the lots to the south. The northerly lots (8) are wider, ranging from 82 to 100 m, and deeper, at 136 m, with an area between 3 to 3.4 acres. These larger lots have resubdivision potential given their depth and double frontage. All lot dimensions and areas are compliant with the requirements of the Land Use Bylaw.

Access and servicing to the subdivision will be provided through the dedication of new E/W roadways – being 10th and 11th Avenues – and extensions of the existing utility network. A front shared utility right-of-way is anticipated to facilitate shallow utilities. An abandoned gas well is situated in proposed Lot 2, Block 21. A minimum 5.0 m setback from the well to future development must be maintained as per Alberta Energy Regulator Directive 079 (a note should be added to the property file for this lot to ensure compliance at the time of development permit). Comments from Alberta Transportation are being solicited so to ascertain the opinion of the Department respecting the traffic impact onto Highway 3.

As the subject lands are earmarked for "Future Industrial" in the Town's Municipal Development Plan and zoned Industry (I) in the Town's Land Use Bylaw the application should be considered for approval, subject to the Municipal Planning Commission's positive evaluation of the application, along with the following suggested conditions:

1. That any easement(s) as required by utility companies or the municipality shall be established, prior to finalization of the subdivision.
2. Consideration of any stormwater management issues (per 4.8.3 of IMDP)
3. Consideration of adjacent landowner, referral agencies and Lethbridge County comments.

RESERVE:

The 10% Municipal Reserve (MR) requirement was previously deferred pursuant to Section 666 & 669 of the Municipal Government Act. A deferred reserve caveat is registered against the certificate of title in the amount of 6.889 acres. Cash-in-lieu of MR is recommended, at a land value acceptable to the Subdivision Authority, seeing as further subdivision is unlikely.

If you wish to make a presentation at the subdivision authority meeting, please notify the Town of Coaldale Municipal Administrator as soon as possible.

Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



APPLICATION FOR SUBDIVISION URBAN MUNICIPALITY

FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw): <u>IC (Industrial)</u>		
Fee Submitted: <u>Invoiced</u>	File No: <u>2017-0-179</u>	
APPLICATION SUBMISSION		
Date of Receipt: <u>Nov. 8/17</u>	Date Deemed Complete: <u>Nov. 8/17</u>	Accepted By: <u>RE</u>

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: The Town of Coaldale

Mailing Address: 1920 - 17th Street Postal Code: T1M 1M1

Telephone: 403-345-1300 Cell: _____ Fax: 403-345-1311

Email: admin@coaldale.ca

Name of Agent (Person Authorized to act on behalf of Registered Owner): Connie Petersen c/o Opus Stewart Weir Ltd.

Mailing Address: Suite 140 2121 Premier Way, Sherwood Park AB Postal Code: T8H 0B8

Telephone: 780 410 2580 Ext 244 Cell: 780 721 8725 Fax: 780-410-2589

Email: Connie.Petersen@opusw.com

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All/part of the NE $\frac{1}{4}$ Section 14 Township 9 Range 20 West of 4 Meridian (e.g. SE $\frac{1}{4}$ 36-1-36-W4M)
- Being all/part of: Lot/Unit _____ Block _____ Plan _____
- Total area of existing parcel of land (prior to subdivision) is: 21.661 hectares 53.64 acres
- Total number of lots to be created: 22 Size of Lot(s): From 0.411 to 1.37 ha.
- Municipal/Civic Address (if applicable): _____
- Certificate of Title No.(s): 161 263 121 +14

3. LOCATION OF LAND TO BE SUBDIVIDED

- The land is located in the municipality of Town of Coaldale
- Is the land situated immediately adjacent to the municipal boundary? Yes ☒ No ☐
If "yes", the adjoining municipality is Lethbridge County
- Is the land situated within 0.8 kilometres ($\frac{1}{2}$ mile) of the right-of-way of a highway? Yes ☒ No ☐
If "yes" the highway is No. Highway 3
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes ☐ No ☒
If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes ☐ No ☒

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- Existing use of the land Vacant
- Proposed use of the land Industrial Park (Zoned I)

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
None
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Mixed
- d. Is this a vacant parcel (void of any buildings or structures)? Yes ☒ No ☐
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.

- e. Are there any active oil or gas wells or pipelines on the land? Yes ☐ No ☒
- f. Are there any abandoned oil or gas wells or pipelines on the land? Yes ☒ No ☐

6. WATER SERVICES

- a. Existing source of water Municipal ☐ Other ☐
If other, describe existing source of potable water _____
- b. Proposed source of water Municipal ☒ Other ☐
If other, describe proposed source of potable water _____

7. SEWER SERVICES

- a. Existing sewage disposal Municipal ☐ Other ☐
If other, describe existing sewage disposal _____
- b. Proposed sewage disposal Municipal ☒ Other ☐
If other, describe proposed sewage disposal _____

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I Connie Petersen hereby certify that

- ☐ I am the registered owner ☒ I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed: _____

Date: November 3, 2017

9. RIGHT OF ENTRY

I _____ hereby authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.

This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Signature of Registered Owner



LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0037 378 156

4;20;9;14;NE

161 263 121 +14

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 20 TOWNSHIP 9

SECTION 14

QUARTER NE

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

		HECTARES	ACRES	MORE OR LESS
PLAN 9210690	SUBDIVISION	19.08	47.15	
PLAN 1112044	SUBDIVISION	17.789	43.96	
PLAN 1612486	SUBDIVISION	6.17	15.25	

EXCEPTING THEREOUT ALL MINES AND MINERALS

AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 111 154 369 +18

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
--------------	-----------	---------------	-------	---------------

161 263 121	03/11/2016	SUBDIVISION PLAN		
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OWNERS

THE TOWN OF COALDALE.

OF P.O. BOX 970, COALDALE

ALBERTA T0K 0L0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

5733GF

RESTRICTIVE COVENANT

"SUBJECT TO THE RIGHTS AND RESERVATIONS CONTAINED
IN TRANSFER"

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 263 121 +14

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

7285EB . 02/03/1929 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.
320-17 AVE SW
CALGARY
ALBERTA T2S2V1
AS TO PORTION OR PLAN:RW241
"BY 1333FR"
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 021217386)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 071356668)

1485KX . 21/06/1971 IRRIGATION ORDER/NOTICE
THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER
IRRIGATION DISTRICT

821 023 347 09/02/1982 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

871 099 991 12/06/1987 CAVEAT
RE : RIGHT OF WAY AGREEMENT
CAVEATOR - ALBERTA GOVERNMENT TELEPHONES.
ATTENTION: KEN WALKER REAL ESTATE SPECIALIST
ALBERTA GOVERNMENT TELEPHONES BOX 2411
EDMONTON
ALBERTA
AGENT - KEN WALKER

881 195 671 28/10/1988 UTILITY RIGHT OF WAY
GRANTEE - ALBERTA GOVERNMENT TELEPHONES.

881 212 400 22/11/1988 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - THE BOARD OF DIRECTORS OF THE ST. MARY
RIVER IRRIGATION DISTRICT
BOX 278
LETHBRIDGE
ALBERTA T1J3Y7

161 263 123 03/11/2016 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - THE TOWN OF COALDALE.
C/O OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16TH AVENUE NORTH
LETHBRIDGE
ALBERTA T1H5E8
AGENT - OLDMAN RIVER REGIONAL SERVICES COMMISSION.

(CONTINUED)

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 27 DAY OF
OCTOBER, 2017 AT 03:48 P.M.

ORDER NUMBER: 33975241

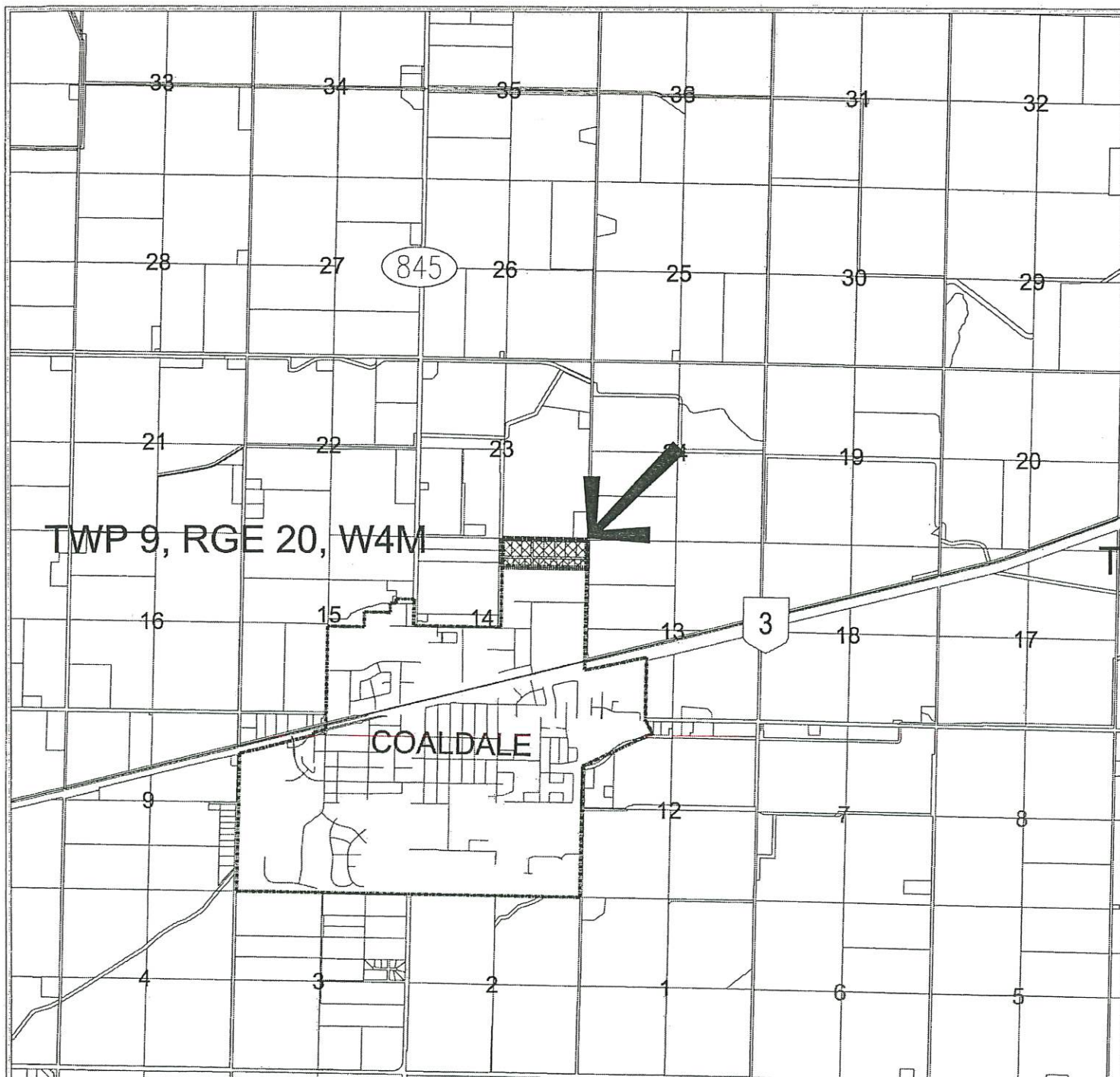
CUSTOMER FILE NUMBER: S-39966



END OF CERTIFICATE

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APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

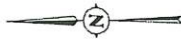


TWP 9, RGE 20, W4M

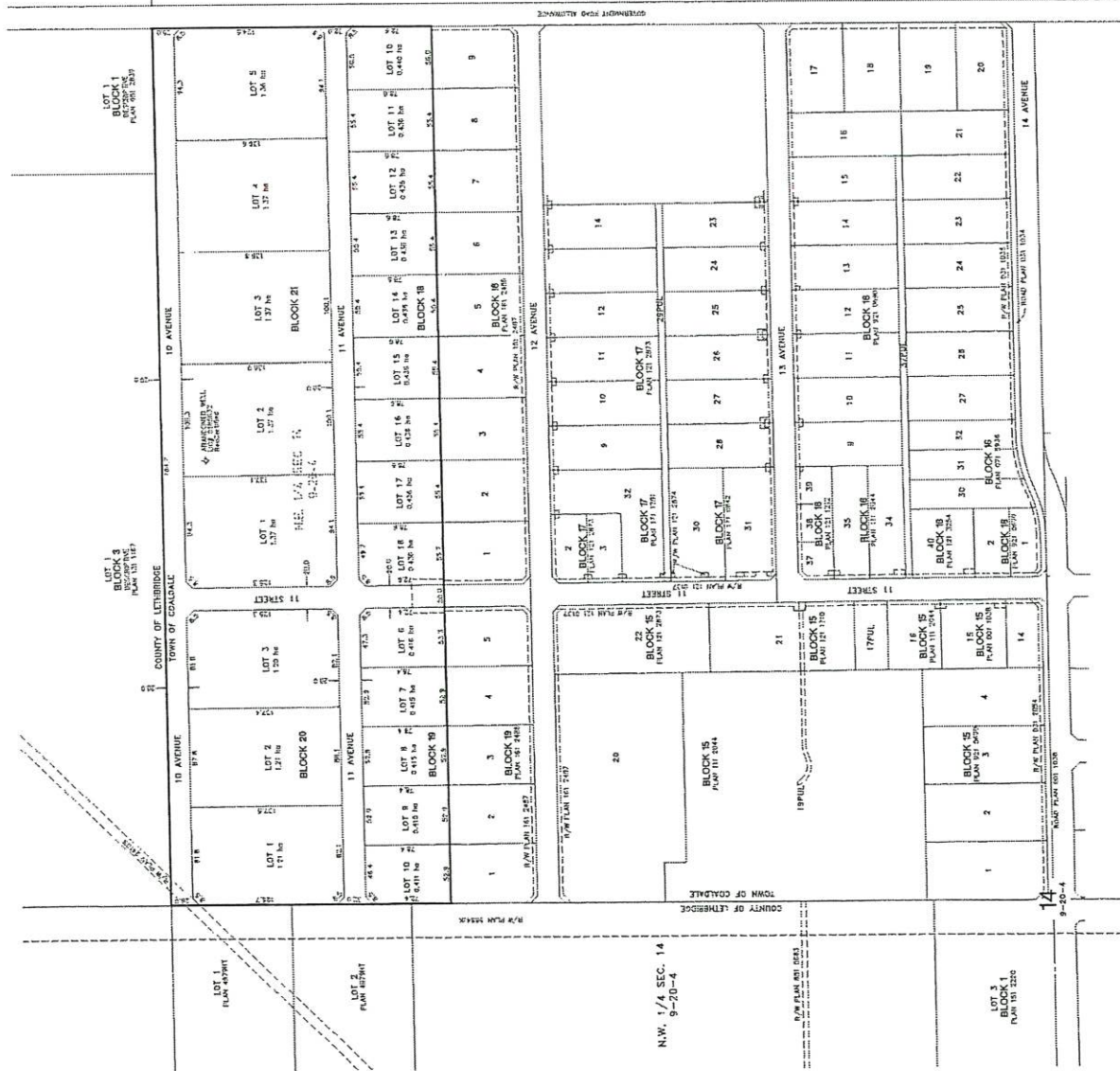
COALDALE

SUBDIVISION LOCATION SKETCH
WITHIN NE1/4 SEC 14, TWP 9, RGE 20, W 4 M
MUNICIPALITY: TOWN OF COALDALE
DATE: NOVEMBER 10, 2017
FILE: 2017-0-179





N.W. 1/4 SEC. 13
9-20-4



TENTATIVE PLAN
SHOWING PROPOSED
SUBDIVISION
OF PART OF
N.E. 1/4 SEC. 14
TWP. 9 - RGE. 20 - W. 4M.
TOWN OF COALGATE - ALBERTA

SCALE 1:2000
2017
COURTNEY PETERSEN, A.L.S.

OPUS STEWART INC.
2111 16th Street SW
Calgary, Alberta T2C 1Y5
Phone: 403-243-7255
Fax: 403-243-7256
Email: info@opusstewart.com

CREATED DATE: 2017-07-27
CREATED BY: COURTNEY PETERSEN
LOCAL TIME: 10:00 AM
SHEET NO.: 101
SHEET TOTAL: 101

Staff Report to the Municipal Planning Commission

DEVELOPMENT PERMIT #:	2017-196
APPLICANT:	Wind & Sun Protection Inc.
TYPE OF DEVELOPMENT:	To erect a 15' high wind fence
CIVIC ADDRESS:	2805 – 21 Avenue
LEGAL DESCRIPTION:	Plan 161 2081, Block 5, Lot 5
LAND USE ZONING:	Highway Commercial – C-1
USE:	Commercial Building – Permitted Use
HEIGHT:	15' high wind fence – 6' tall maximum

BACKGROUND/DESCRIPTION OF APPLICATION:

The applicant requests approval for a 16' high wind fence on the west property line extending 247.7' in length from the southwest corner, north. The fence will be used as a wind barrier and also a visual barrier for the neighboring property as the rear yard will be used for lumber storage. Fence height restrictions are explained in Schedule 4, Section 14 and Schedule 14 (pg. 36) of the Land Use Bylaw.

Notice of the application was sent to adjacent properties and no verbal or written concerns have been brought forward.

In addition to the approval and refusal options below, the MPC could consider an approval conditional upon the fence height being reduced.

OPTIONS:

The board may consider APPROVAL of Development Application (#2017-196) subject to the following recommended conditions:

1. Shall contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines **PRIOR** to commencement.
2. The fence shall not exceed 15' in height at the location and with the materials specified in the development permit application. All fences aside from this portion shall comply with the height standards of the current Land Use Bylaw 677-P-04-13, Section 14 of Schedule 4.
3. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
4. All surface water must drain from the building site to the street and/or lane and not adversely affect neighboring properties. Should retaining walls be required they are at the expense of the developer

The board may consider REFUSAL of Development Application (#2017-196) for the following reasons:

1. The fence exceeds the maximum height as established in Schedule 4, Section 14 of the Land Use Bylaw and the Development Authority is not prepared to issue a variance pursuant to section 37(c)(i) of the Land Use Bylaw.
-

Respectfully Submitted:



Cindy L'Hirondelle
Manager of Development & Environmental Services

ATTACHED FILES:

- Letter to neighboring property owners
- Site plan
- Picture to show look
- Building plan



November 28, 2017

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2017-196

APPLICANT: WIND AND SUN PROTECTION INC.

ADDRESS: 2805 - 21 AVENUE, COALDALE, ALBERTA
PLAN 161 1987, BLOCK 5, LOT 5

ZONING: HIGHWAY COMMERCIAL - C-2

Dear Sir/Madam,

We are in receipt of Development Application #2017-196 requesting a 9' (2.65m) wind fence height waiver for the above mentioned address. The 15' high wind fence is to be located along the west property line, from the southwest corner of the property, extending 247.7' (75.5m) in length north.

The Town of Coaldale Land-Use Bylaw states that any waiver greater than 10% shall be considered by the Municipal Planning Commission (MPC). As such, a hearing must be held for consideration of this application.

The full agenda will be posted on our website, www.coaldale.ca, by December 6, 2017.

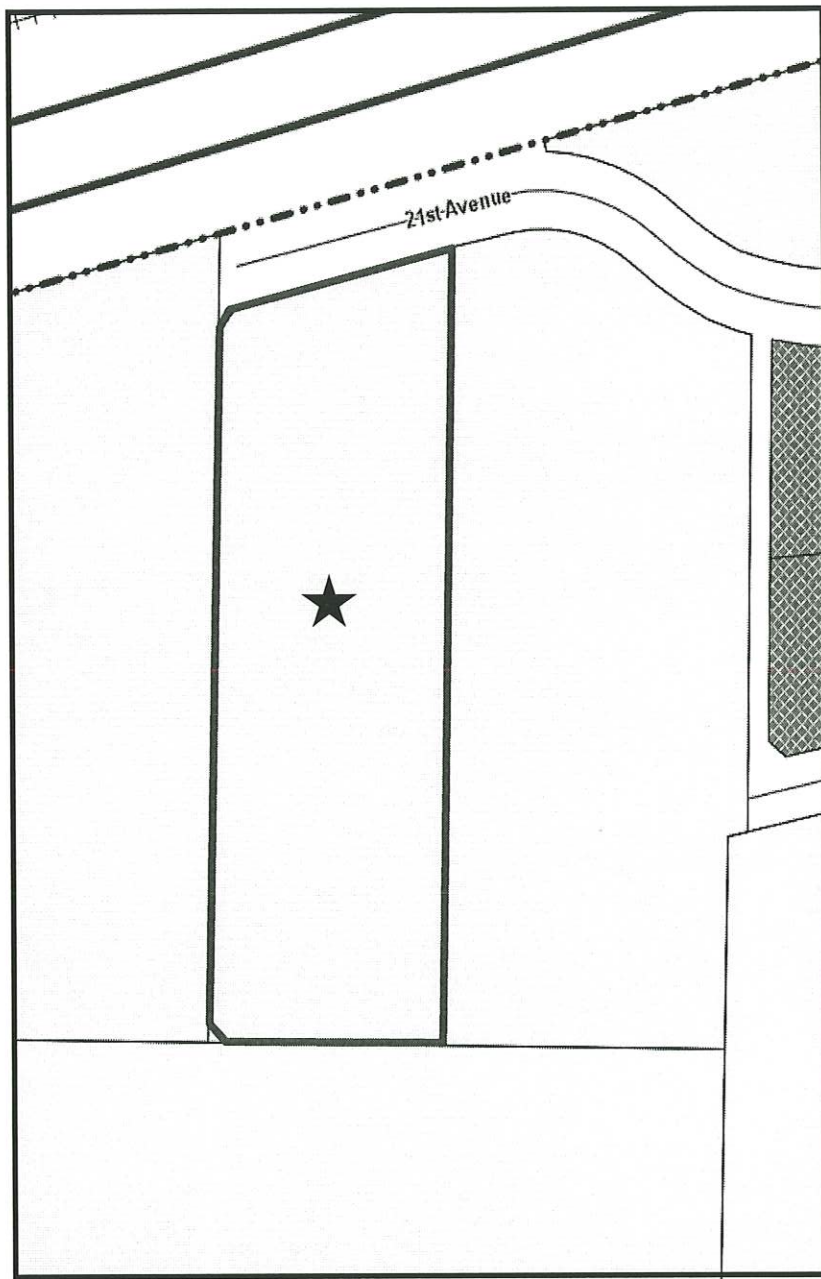
Pursuant to the provisions of Section 42 of the Bylaw 677-P-04-13 being the Land Use Bylaw of the Town of Coaldale, notice is hereby given that on **Wednesday, December 13, 2017, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit (#2017-196) requesting a waiver. The hearing will take place in the Town Council Chambers at 1920 - 17 Street Coaldale, Alberta.**

Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale by 1:00pm on Friday, December 8, 2017 or verbally at the meeting. Comments for the application can be dropped off in person at the Town Office, faxed to 403-345-1311 or emailed to buildingcoaldale@coaldale.ca. Please note that all submissions will be made public.

Sincerely,

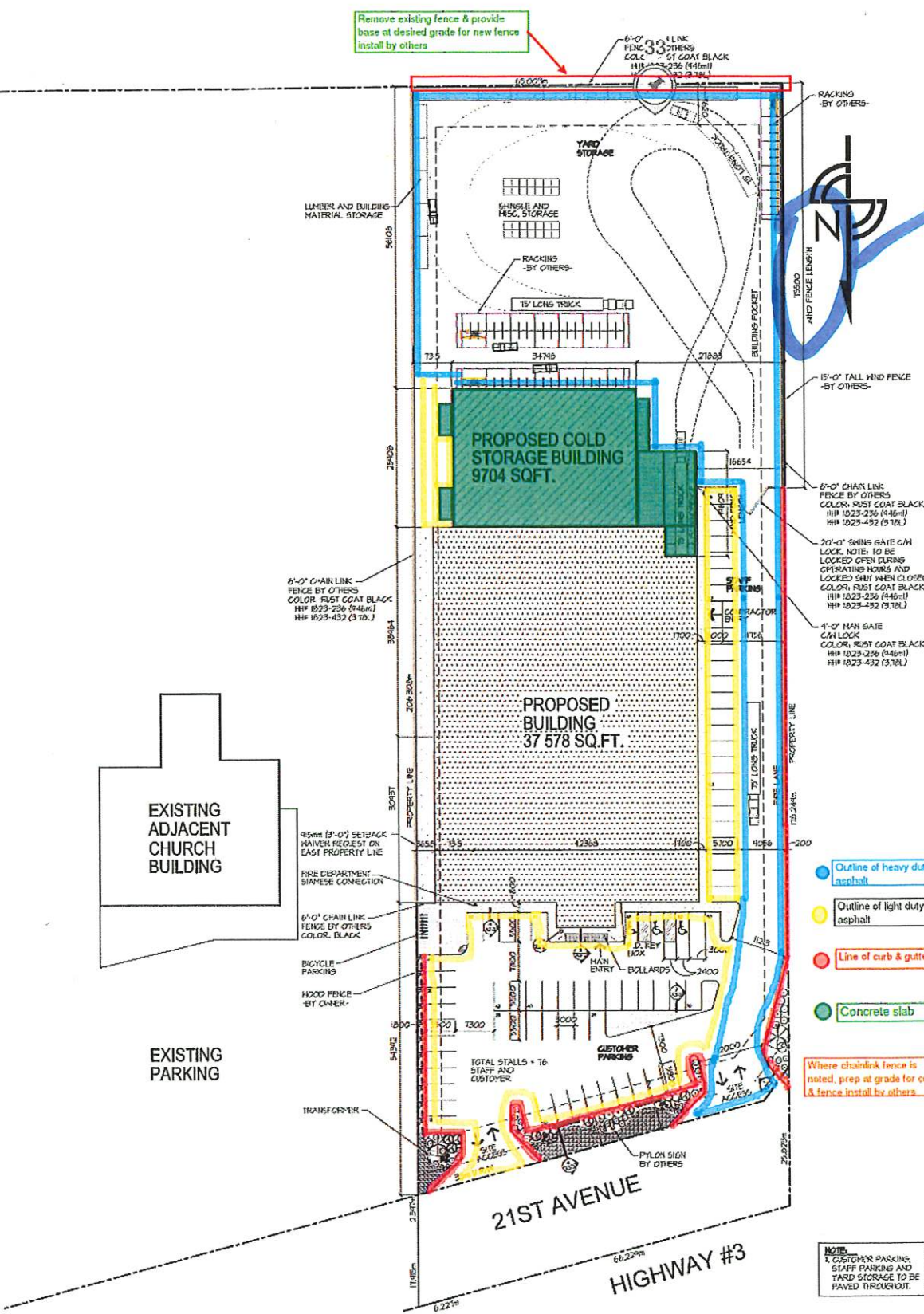
Cindy L'Hirondelle
Manager of Development & Environmental Services

cc. Applicant



Remove existing fence & provide base at desired grade for new fence install by others

wind
→ Fence



20/6/11/10 RACKING & 2ND FLOOR CONC.
20/6/10/26/10 REVISOR FOR CONSTRUCTION
REVISIONS

CONSULTANTS

Rick Balbi Architect Ltd.
5917 1st Street SW
Calgary, Alberta, T2H 0G4
403 253 1833 403 353 3078 Fax



DOUGLAS J. BERGEN & ASSOCIATES LTD.
ARCHITECTURAL TECHNOLOGY
TEN KM EAST OF LETHBRIDGE ON HIGHWAY 312
BOX 1067 COALDALE ALBERTA T1M 1N3
P (403) 345-2118 F (403) 345-3123
www.djbergen.com

- Outline of heavy duty asphalt
- Outline of light duty asphalt
- Line of curb & gutter
- Concrete slab

Where chainlink fence is noted, prep at grade for curb & fence install by others

- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND BATHS PRIOR TO COMMENCEMENT OF WORK AND SHALL NOTIFY THIS OFFICE OF ANY ERRORS AND/OR OMISSIONS.
- THIS DRAWING AND DESIGN REMAINS AT ALL TIMES THE EXCLUSIVE PROPERTY OF DOUGLAS J. BERGEN & ASSOCIATES LTD. AND MAY NOT BE REPRODUCED IN PART OR IN WHOLE WITHOUT WRITTEN CONSENT.
- SCALING OF THIS DRAWING IS NOT PERMITTED.
- MODIFICATIONS AND VARIATIONS TO THIS DESIGN ARE NOT PERMITTED WITHOUT WRITTEN CONSENT.
- ALL CONSTRUCTION IS TO COMPLY WITH THE ALBERTA BUILDING CODE AND ANY APPLICABLE LOCAL REGULATIONS.

PROJECT TITLE
HOME HARDWARE
-COALDALE-

CLIENT
MR. MARK HEINER

DRAWING TITLE
SITE PLAN
LANDSCAPE PLAN

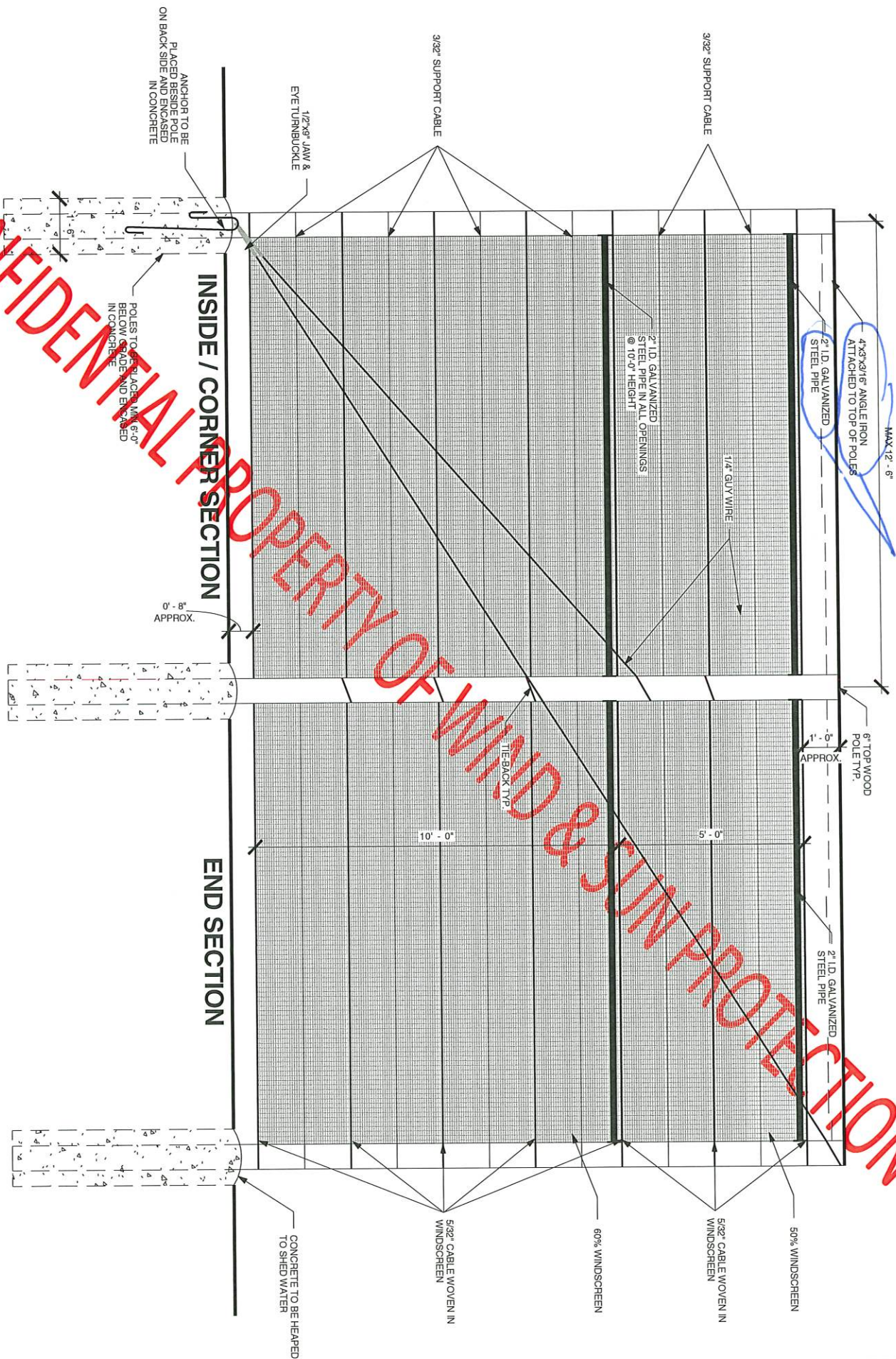
DATE MAY 2016
PROJECT NO. 0716
SCALE AS SHOWN
DRAWN CWP / SHD
PLOTTED -
CADD FILE 0716_SITE_hsl.dwg

SHEET NO.
A2-1

SITE PLAN
A2-1 SCALE 1:500



Not required in all sections



15'-0" HIGH-FREE STANDING TYPICAL