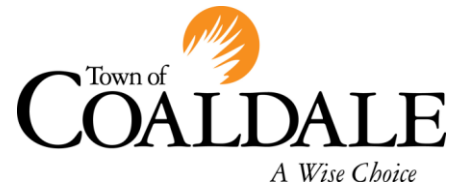


Wednesday, May 13, 2020

5:00 p.m.

Town of Coaldale HUB (2107 13 Street)



Municipal Planning Commission Agenda

1.0 CALL TO ORDER

2.0 ADDITIONS TO THE AGENDA

3.0 ADOPTION OF THE MINUTES

April 8, 2020 meeting

4.0 BUSINESS FROM THE MINUTES

4.1 Development Application 2020-027

1209 – 33 Avenue

Side yard setback waiver

5.0 NEW BUSINESS

5.1 Development Application 2020-039

3016 – 23 Avenue

Side yard setback waiver – accessory building

5.2 Development Application 2020-0-044

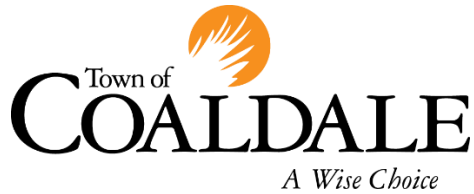
2127 – 21 Avenue

Home Occupation 2 – massage therapy

6.0 INFORMATION ITEMS

7.0 IN-CAMERA DELIBERATIONS

8.0 ADJOURNMENT



**MUNICIPAL PLANNING COMMISSION
WEDNESDAY, April 8, 2020
5:00 PM – COUNCIL CHAMBERS**

PRESENT:	Council Members:	R. Hohm (Chair), D. Lloyd, J. Abrey
	Citizen Members:	T. Stone
	Director of Planning:	S. Croil
	Economic and Community Development Manager:	C. Mills
	ORRSC Planning Advisor:	M. Baldwin
	Recording Secretary:	K. Boehmer
	Gallery:	C. Oberkirsch; D. Bergen; R. Frenette; S. Bos; P. Bos

1.0 CALL MEETING TO ORDER:

R. Hohm called the meeting to order at 5:08 p.m.

2.0 ADDITIONS TO / ADOPTION OF AGENDA:

2.1 Information regarding appeal timelines

S. Croil informed the Municipal Planning Commission (“MPC”) of changes the province has made to legislation. The normal 21-day appeal period timeline has been extended to October 1, 2020. Although it is expected that a change will be made shortly, based on the best interests of the applicants, it was suggested that the decisions of the MPC be tabled until such a change is made.

3.0 ADOPTION OF MINUTES:

Municipal Planning Commission Minutes – March 11, 2020

MOTION: T. Stone moved to approve the March 11, 2020 minutes.

4-0 CARRIED

4.0 BUSINESS ARISING FROM MINUTES: None

5.0 NEW BUSINESS:

**5.1 Development Application 2020-027
1209 33 Avenue
Side yard setback waiver**

BACKGROUND/DESCRIPTION OF APPLICATION:

S. Croil presented the Commission with Development Application 2020-027 to construct a single detached dwelling on the subject property. It was noted that a permit for this dwelling is already in place and was issued as a permitted use permit with no need for a decision from the Municipal Planning Commission. However, a new discretionary use permit is being sought because the foundation was constructed slightly outside of the building footprint that was shown in the original permit and as such, the dwelling now requires waivers on two side yard setbacks to remain compliant with the Town's Land Use Bylaw.

After constructed, the single detached dwelling is located 2.58 metres (8.46 feet) from the westerly side yard, and 2.91 metres (9.55 feet) from the easterly side yard. Given that the required side yard setback for the CR-2 district is 3.05 metres (10 feet), this represents a 15% reduction on the westerly side yard, and a 5% reduction on the easterly side yard.

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been submitted as of the date of the preparation of the report.

- D. Bergen explained that in the original application, the dwelling was set to require a 1-foot side yard waiver on each side. After the drawings had been prepared, it was brought to their attention that a development officer can only grant a 10% waiver on one side, so they modified the plans to comply with the Land Use Bylaw. However, the drawings that were put to tender had the original drawings. Additionally, the concrete contractor kept the plans in his truck and never got the new set of drawings resulting in the foundation being poured according to the original plans.
- S. Croil suggested that should the MPC approve this application, they approve it with an 8 feet setback on the westerly side yard and a 9 feet setback on the easterly side yard, as additional materials and siding still have to go on the dwelling.
- C. Oberkirsch reiterated what D. Bergen explained, adding that he would be in a position to proceed forward with the application pending approval of the MPC, despite the new appeal periods the province implemented.

MOTION: T. Stone moved to approve Development Application 2020-027 with an 8 feet side yard waiver on the westerly side and 9 foot side yard waiver on the easterly side

2-4 DEFEATED

MOTION: D. Lloyd moved to table Development Application 2020-027 until May 13, 2020 to allow the province additional time to come up with an alternate solution to the appeal process timelines.

4-0 CARRIED

**5.2 Development Application 2020-028
 2122 16 Street
 Front yard setback waiver**

S. Croil provided an overview of Application 2020-028 explaining that this application is to construct an addition to an existing single detached dwelling that is located at 2122 16 Street. A single detached dwelling is a permitted use for the R-1A zoning.

The application is a proposed addition to a portion of the front of the existing single detached dwelling. The front yard setback requirement for the R-1A zoning, on a corner lot, is 3.81 metres (12 feet). However, the addition is proposed to project into the front yard setback to the property line, meaning that a portion of the front of the home would be taken down from 2.99 meters to 0 meters. The proposal is approximately double the typical setback from the front of property line for a home on a lot like this.

The applicant is asking an 18ft wide portion of the existing dwelling be extended out into the front yard area an additional 10 feet. According to the Real Property Report, the current distance from the home to the property line is 9.8 feet. If approved, the dwelling would be 0.2 feet into the public right of way, which would require encroachments for the dwelling and eaves. S. Croil suggested that should the application be approved, it be approved to the property line to prevent the dwelling from encroaching into the public right of way.

- R. Frenette advised that this application is her only option with respect to expanding her kitchen. Due to the current layout of her house, an expansion to the kitchen would need to go into the current dining room area leaving her with no dining room. As such, the proposed expansion would be for her dining room area.

MOTION: J. Abrey moved to approve Development Application 2020-028.

1-3 DEFEATED

MOTION: T. Stone moved to refuse Development Application 2020-028 because should the waiver of a 0-lot line request be granted, the resulting development would not be in keeping with the general character of the area.

4-0 CARRIED

5.3 Subdivision Application 2020-0-031 NE 9-9-20 W4M

M. Baldwin introduced Subdivision Application 2020-0-031 explaining that the applicant is looking to subdivide a 10.40-acre (4.21 ha) parcel out from a title of 76.16 acres (30.82 ha), to delineate a home, shop site, storage and sheds. The remainder of the lot will remain agricultural. The proposed subdivision complies with the minimum lot size and regulations in a Urban Reserve land district.

It was noted that Lethbridge County, AHS, Fortis, Canada Post, Telus Communications, ATCO, and ATCO Transmission have no objections or concerns with the application. An easement would need to be registered with SMRID for water supply for the new lot. In addition, since the lot is separated from the highway by the rail right of way and has indirect highway access through the local road network, Alberta Transportation has no issues.

Pursuant to s. 669 (2) and (3) of the MGA, the 10% reserve requirement is required. M. Baldwin proposed that there be a caveat registered on the remainder of the title that reflects the 10% total onto the subject of the parent title so when this area is further subdivided and developed in the future, there's an opportunity to take the municipal reserve and apply it to whatever the towns needs are at that time.

- The applicant requested further clarity on the appeal process if the application is approved.
- M. Baldwin explained that although unlikely, anyone that is within the subdivision and development regulations can appeal the approval. The agencies that the application is required to be referred to, along with school boards, have the option to appeal it.
- The applicant asked if they could proceed with the application at their own risk.
- M. Baldwin confirmed the above.

MOTION: D. Lloyd moved to approve Subdivision Application 2020-0-031 subject to the following conditions:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Coaldale.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the Town of Coaldale which shall be registered concurrently with the final plan against the title(s) being created.
3. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
4. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
5. That any conditions of the St. Mary River Irrigation District shall be met prior to finalization of the application.

4-0 CARRIED

The public portion of the meeting was closed at 5:38 p.m.

MOTION: D. Lloyd moved to adjourn meeting at 6:04 p.m.

4-0 CARRIED

CHAIR- R. HOHM

RECORDING SECRETARY- KYLEY BOEHMER

Staff Report to the Municipal Development Authority Board

Development Application #	2020-027
Applicant	Chet Oberkirsch
Civic Address	1209 33 Avenue (Fieldstone Meadows)
Legal Description	Lot 8, Block 1, Plan 1611387
Zoning	Country Residential 2 (CR-2)
Description of Application	Two (2) side yard setback waivers

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2020-027 to construct a single detached dwelling on the subject property. Please note that a permit for this dwelling is already in place and was issued as a permitted use permit with no need for a decision from the MPC. The reason a new permit is being sought and the reason it has to be decided upon by the MPC is because the foundation was constructed slightly outside of the building footprint that was shown in the original permit, to the point that it now requires waivers on two side yard setbacks to remain compliant with the Town's Land Use Bylaw.

The Town of Coaldale LUB states that the designated officer may only make a decision on permitted use applications that include variances for one (1) measurable standard, to a maximum of 10% of the standard that is required to be met. It should be noted that when the initial application was made and approved, one (1) sideyard had been reduced to the 10% maximum.

In this particular instance, the foundation for the single detached dwelling has been constructed in such a manner that the foundation is 2.58 metres (8.46 feet) from one side yard, and 2.91 metres (9.55 feet) from the other side yard. Given that the required side yard setback for the CR-2 district is 3.05 metres (10 feet), this represents a 15% reduction in the side yard that is 2.58 metres (8.46 feet), and a 5% reduction in the side yard that is 2.91 metres (9.55 feet).

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been submitted as of the date of the preparation of this report.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Country Residential 2 (CR-2)

RECOMMENDATION

The board considers APPROVAL of Development Application (2020-027) to allow for the continued development of a single detached dwelling, subject to the following conditions:

1. Must meet all conditions of Development Permit 2019-169 other than side yard setbacks that were identified in that permit;
2. In recognition of the fact that siding and other exterior finishing materials will add to the amount the home projects into side yard setbacks, the maximum extent to which the single detached dwelling is permitted to project into side yard setbacks shall be no more than 20% (which translates into 0.61 metres or 2 feet) on the west side of the dwelling, and a maximum of 0.305 metres (1 foot) on the east side of the dwelling.

Informative to be added to the permit:

West property boundary

Current distance from the west side of the foundation to the west property line: 2.58 metres (8.46 feet)

Maximum distance from west side of foundation dwelling is permitted to be: 2.44 metres (8 feet)

East property boundary

Current distance from the west side of the foundation to the west property line: 2.91 metres (9.55 feet)

Maximum distance from west side of foundation dwelling is permitted to be: 2.75 metres (9 feet)

The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans must be submitted for reapproval.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHED FILES:

- Site Plan
- CR-2 LUB excerpt
- NEW INFORMATION: stakeout plan and as-built plan from the applicant

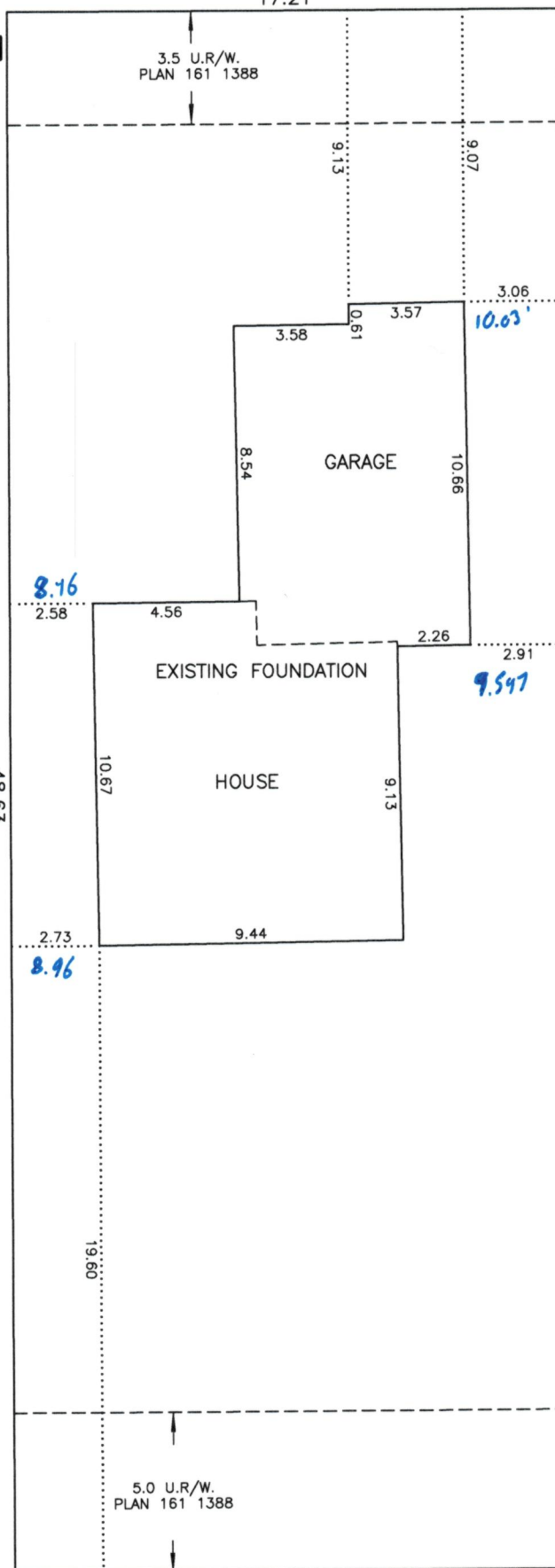
PLOT PLAN SHOWING AS-BUILT LOCATION OF FOUNDATION WITHIN LOT 8, BLOCK 1, PLAN 161 1387

Chet Oberkirsch
1209 33 Avenue, Coaldale



LOT 9

48.63



Existing foundation was surveyed on March 23rd, 2020
Distances measured to foundation
Distance are in metres and decimals thereof

brown okamura & associates ltd.

2830 - 12 Avenue North, Lethbridge, Alberta T1H 5J9

Drawn: MJ	Checked: TCP	Scale: 1 : 200 (metric)
Date: MARCH 24, 2020	JOB	9353AS-BUILT

COUNTRY RESIDENTIAL TWO – CR-2



Purpose:

To establish a residential large lot district to ensure that any development will proceed in an orderly and economical manner.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Prefabricated
 - Single-Detached Site Built
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Child Care Facility
- Home Occupation 2
- Moved-In Building
- Public or Private Utility
- Sign Types¹: 2, 4, 5², 12

Notes: 1 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.
2 – See Schedule 13, subsection 8(5)(i) for restrictions on freestanding signs in residential districts.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Single detached manufactured dwelling
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use.*

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single-detached dwellings	24.38	80	33.52	110	817.21 (0.081 ha)	8,800 (0.20 acre)
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- (a) The Designated Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.
- (b) Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage³ of 6 m (19.68 ft.).

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	m	ft.	m	ft.	m	ft.	m	ft.
Principal Use	7.62	25	7.62	25	3.05	10	6.10	20
Accessory Buildings	–	–	–	–	1.52	5	1.52	5
All other uses	As required by the Designated Officer or Municipal Planning Commission							

4. MAXIMUM SITE COVERAGE

(a) **Principal Building – 35%**

The principal building shall not occupy more than 35 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.

(b) **Accessory Buildings – 10%**

Any accessory buildings shall not occupy more than 10 percent of the surface area of a lot.

(c) Other development shall be at the discretion of the Development Authority.

5. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
Accessory Buildings	4.57 m (15 ft.)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*See definition for Building Height.

6. DRAINAGE

- (a) All dwellings and accessory structures must have eaves and downspouts, proper site grading and all surface drainage must be contained on-site and directed into approved municipal infrastructure.

7. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (a) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings	See (f) and (g) below.				3.05	10	4.57	15

Note: Measurements are from the respective property line to the nearest point of the building.

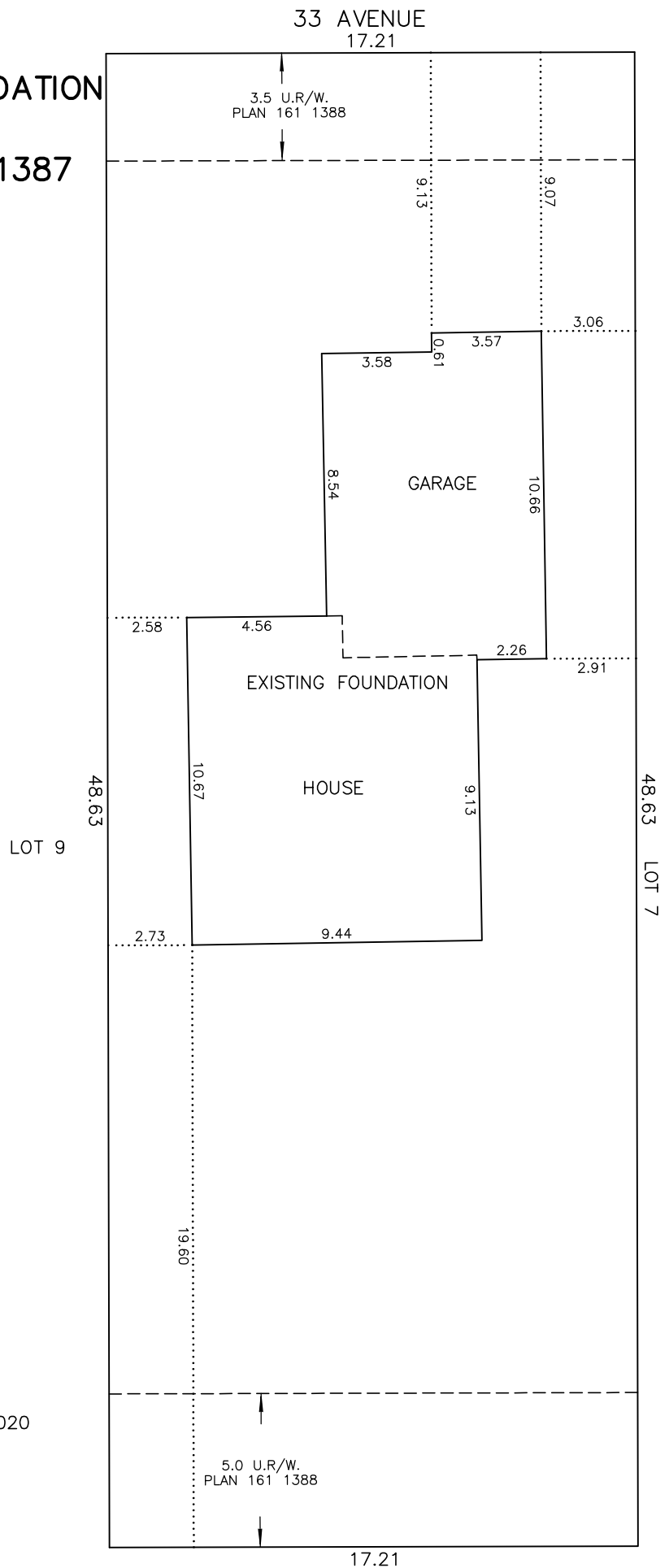
- (b) No accessory building or use shall be allowed on a lot without an approved principal building or use.

- (c) Accessory structures and uses not specifically included within a development permit require a separate development permit application.

- (d) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (e) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (f) Accessory buildings shall not be located in the front yard.
- (g) Accessory buildings shall not be located in a side yard between the property line and a principal building.
- (h) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other structure or dwelling.
- (i) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (j) A minimum separation distance of 1.22 m (4 ft.) shall be provided between a principal building and any accessory building or structure.

8. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
9. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
10. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
11. HOME OCCUPATIONS	– SCHEDULE 7
12. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
13. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
14. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
15. SIGN REGULATIONS	– SCHEDULE 13

Chet Oberkirsch
1209 33 Avenue, Coaldale



Existing foundation was surveyed on March 23rd, 2020
Distances measured to foundation
Distance are in metres and decimals thereof

brown okamura & associates ltd.

2830 – 12 Avenue North, Lethbridge, Alberta T1H 5J9

Drawn: MJ	Checked: TCP	Scale: 1 : 200 (metric)
Date: MARCH 24, 2020	JOB	9353AS-BUILT



LOT 8, BLOCK 1, PLAN 161 1387
1209 - 33 AVENUE, COALDALE

CHECKED BY: DS

1	5000	000000	5000	000000	864	701000
2	5000	270585	5011	597976	900	000000
3	5000	401173	5017	195321	864	670000
4	4992	403349	5017	381913	864	831000
5	4961	771684	5018	096560	864	875000
6	4953	773861	5018	283152	864	688000
7	4951	774405	5018	329800	900	000000
8	4951	373232	5001	134479	900	000000
9	4953	372688	5001	087831	864	769000
10	4961	370512	5000	901239	864	961000
11	4992	002176	5000	186592	864	860000
12	4981	781032	5003	172186	900	000000
13	4981	883546	5007	566206	900	000000
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15	4980	524760	5008	131452	900	000000
16	4980	626634	5012	498048	900	000000
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18	4971	115934	5003	421006	900	000000
19	4990	415624	5007	367150	900	000000
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21	4991	106813	5010	857178	900	000000
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23	4980	535660	5014	609961	900	000000
24	4983	541027	5003	207346	900	000000
25	4983	593777	5005	468346	900	000000
26	4968	243708	5007	985040	900	000000
27	4968	298804	5010	346597	900	000000
28	4968	353900	5012	708155	900	000000

Staff Report to the Municipal Development Authority Board

Development Application #	2020-039
Applicant	Darrell Gauthier
Civic Address	3016 23 Street (Cottonwood Estates)
Legal Description	Lot 16, Block 2, Plan 0714116
Zoning	Residential R-1A
Description of Application	Side yard waiver (accessory building in side yard)

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2020-039 to construct an accessory building (an 8' wide by 16' long by 10' high shed) on the subject property. The size and height of the shed falls within what is permitted for the property. However, the location of the shed, entirely in the side yard, between the principal building (the dwelling) and the property line, is noted in the R-1A zoning regulation as not being permitted. Specifically, Section 8(g) of the zoning regulation states that:

"Accessory buildings shall not be located in a side yard between the property line and a principal building."

The Town of Coaldale LUB states that the designated officer may only make a decision on permitted use applications that include variances for one (1) measurable standard, to a maximum of 10% of the standard that is required to be met. In this particular instance there is not necessarily a setback issue, if the 3' side yard setback is to be applied, as the shed is shown on the site plan to be 4' from the property line. The shed also meets the minimum separation requirement for any accessory structure from the dwelling, in that it is shown to be 5' from the dwelling that is on the lot (with the minimum being 4').

Ultimately, the fact that the shed is proposed to be placed in the side yard between the home and property line is what requires this application to be brought before the Municipal Planning Commission. The requirement for no accessory building to be in the side yard is not a measurable standard it is what may be considered an absolute standard and therefore it cannot be decided upon by the development officer.

Please note that the shed has already been constructed on the property in the location shown on the sketch that is included as a part of this report.

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been submitted as of the date of the preparation of this report.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Residential R-1A land use district

RECOMMENDATION

The board considers APPROVAL of Development Application (2020-039) to allow for the placement of the shed in the side yard of the property, 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.
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. Exterior siding is to match the material, size and colour of the siding used on the dwelling located on the property.
5. Roof shingles are to match the colour and style of roof shingle that was used on the dwelling located on the property.
6. A minimum separation distance of 4' shall be provided between a principal building and any accessory building.
7. 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.
8. Ensure lot drainage is maintained.
9. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
10. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

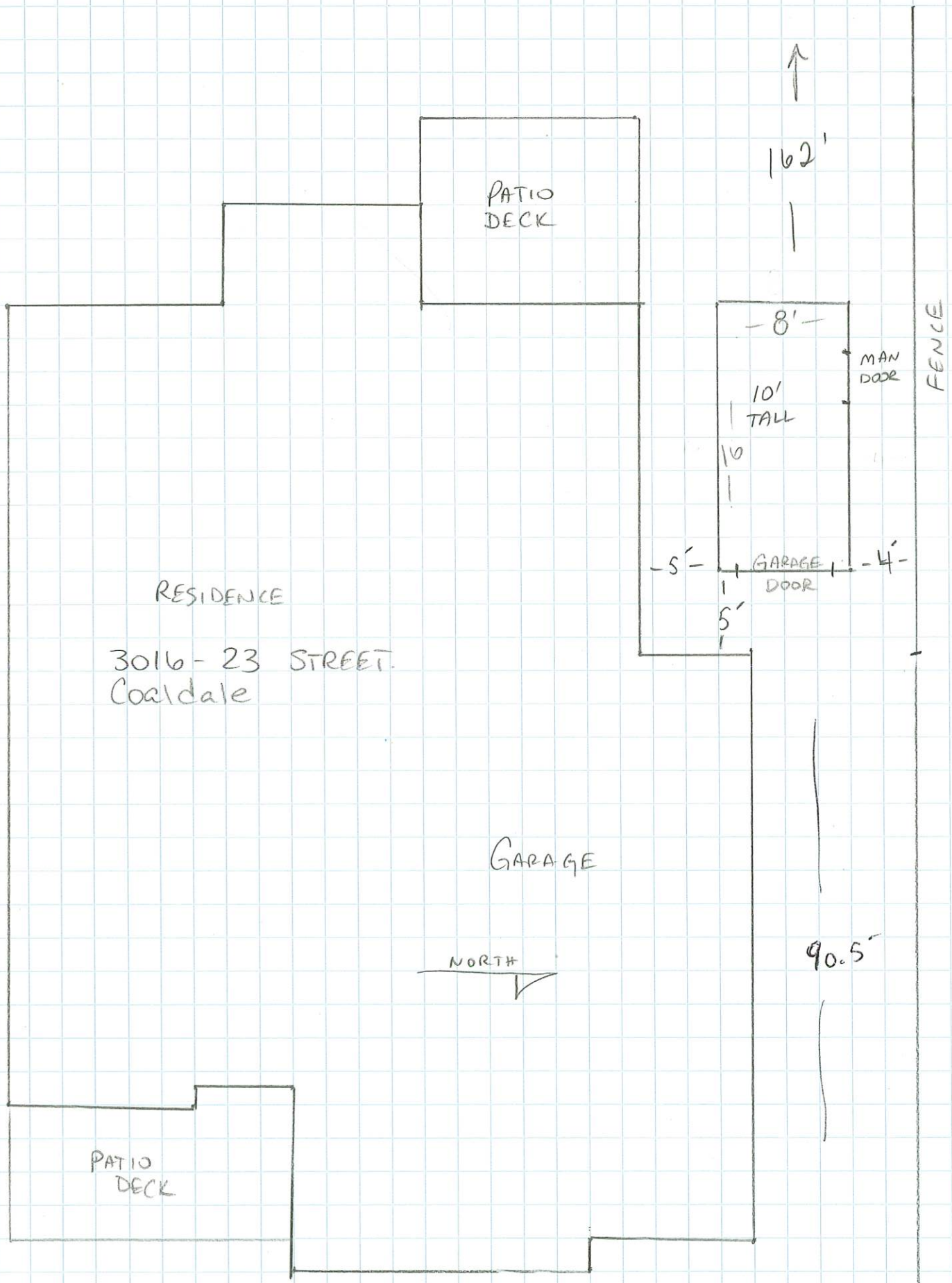
The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans must be submitted for reapproval.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHED FILES:

- Site Plan
- Notice to neighbouring properties
- R-1A LUB excerpt



RESIDENCE
3016-23 STREET.
Coaldale

GARAGE

PATIO
DECK

PATIO
DECK

← 23 STREET →



April 29, 2020

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2020-039

APPLICANT: DARRELL GAUTHIER

**ADDRESS: 3016 - 23 STREET, COALDALE, ALBERTA
PLAN 0714116, BLOCK 2, LOT 16**

ZONING: RESIDENTIAL – R-1A

Dear Sir/Madam,

We are in receipt of Development Application 2020-039 regarding the construction of an 8' wide by 16' long, by 10' high accessory building (shed) at the above address. Within the Residential – R-1A zoning, an accessory building is a permitted use, however in this particular instance, the accessory building has been requested to be in the northern side yard of the property, between the principle dwelling and property line.

As per the R-1A zoning regulations contained in the Town's Land Use Bylaw (LUB), no accessory structures are to be located in the side yard of a property, between the principle dwelling and the property line. However, an applicant is able to request a waiver from the standard rules of the LUB as per section 37 of the Administration part of the LUB, and as such this application is required to be brought forward to the Municipal Planning Commission (MPC) for a decision.

This application will be heard by the MPC at the May 13th meeting. The meeting will be held at 5 pm and attendance is currently limited to virtual means. For those individuals who wish to attend the meeting, a meeting invitation will be sent to you prior to the meeting. Please contact the undersigned if you wish to attend the meeting virtually.

The full agenda will be posted on our website by May 7th, 2020 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>. However, if you wish to view the details of this application prior to that date please contact the Town by email or phone at buildingcoaldale@coaldale.ca or 403 345-1304 and a copy of the application can be sent to you digitally.

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, May 13, 2020, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2020-039, requesting a waiver. The hearing will take place virtually and if you wish to attend, please contact the Town at your earliest convenience.**

Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 1:00pm on Friday, May 8th, 2020 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,



Spencer Croil, RPP MCIP
Director of Planning and Community Development
cc. Applicant



RESIDENTIAL – R-1A



Purpose:

To provide for a high-quality residential environment with the development of primarily single-detached dwellings on standard-sized lots or semi-detached dwellings development and other compatible uses. Development is to occur on standard-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
 - Semi-Detached - Pre-Planned¹
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Public or Private Utility
- Sign Types³: 2, 4, 5⁴, 12

Notes:

1 – Semi-Detached Dwelling – Pre-Planned means a semi-detached dwelling or a proposed semi-detached dwelling that **would** be located on a site designated for that purpose in an adopted Statutory Plan.

2 – Semi-Detached Dwelling – Isolated means a semi-detached dwelling or proposed semi-detached dwelling that would be located on a site **not** designated for that purpose in an adopted Statutory Plan.

3 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.

4 – See Schedule 13, subsection 8(5)(i) for restrictions on freestanding signs in residential districts.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Single-detached manufactured dwellings
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use*

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	15.24	50	33.53	110	511.00	5,500
Semi-Detached Dwellings (for each side)	10.67	35	33.53	110	357.76	3,850
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- (a) The Designated Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.
- (b) Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage of 6 m (19.68 ft.).

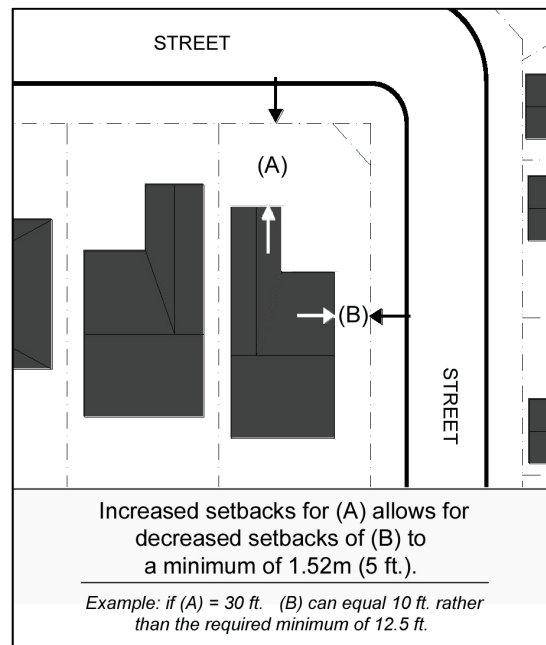
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	7.62	25	3.81*	12.5*	1.52	5	7.62	25
Semi-Detached Dwellings (for each side)	7.62	25	3.81*	12.5*	1.52	5	7.62	25
All other uses	As required by the Designated Officer or Municipal Planning Commission							

Note: Measurements are from the respective property line to the nearest point of the building.

MINIMUM YARD SETBACKS FOR A CORNER LOT

*The required secondary front yard distance on a corner lot may be reduced by 0.15 m (0.5 ft.) for each 0.3 m (1 ft.) that the front yard setback is increased, providing the resulting secondary front yard setback is never less than 1.52 m (5 ft.). (see diagram)



4. MAXIMUM SITE COVERAGE

- (a) **Total allowable coverage:** 45% inclusive of all buildings
- (b) **Principal building:** 35 - 45% depending on accessory building(s)
The principal dwelling shall not occupy more than 45 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.
- (c) **Accessory buildings:** 0 - 10% depending on principal building
The combined total of all accessory buildings, including detached garages, shall be no more than 10 percent of the surface area of the lot, or less, depending on the total lot coverage of the principal building.
- (d) Other development shall be at the discretion of the Development Authority.

5. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	74.32 m ² (800 ft ²)
Semi-Detached Dwellings (both units)	130.06 m ² (1,400 ft ²)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*Total floor area of all floors as measured by floors above grade or floors not more than 1.5 m (5 ft.) below grade.

6. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
Accessory Buildings	4.57 m (15 ft.)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*See definition for Building Height.

7. DRAINAGE

- (a) All dwellings and accessory structures must have eaves and downspouts, proper site grading and all surface drainage must be contained on-site and directed into approved municipal infrastructure.

8. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (a) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots and laneless corner lots	See (f) and (g) below.				0.90	3	0.90	3
– laned corner lots	Same as principal		3.05	10	0.90	3	0.90	3

All other uses

As required by the Designated Officer or Municipal Planning Commission

Note: Measurements are from the respective property line to the nearest point of the building.

- (b) No accessory building or use shall be allowed on a lot without an approved principal building or use.
- (c) Accessory structures and uses not specifically included within a development permit require a separate development permit application.
- (d) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (e) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (f) Accessory buildings shall not be located in the front yard.
- (g) Accessory buildings shall not be located in a side yard between the property line and a principal building.
- (h) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other structure or dwelling.
- (i) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (j) A minimum separation distance of 1.22 m (4 ft.) shall be provided between a principal building and any accessory building or structure.

9. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

- (a) The overhanging eaves of a principal building shall not be less than 0.61 m (2 ft.) from the side lot line.

10. ARCHITECTURAL CONTROL APPROVAL

- (a) Development permits may require developer's Architectural Control review and approval PRIOR to a development permit being issued.

11. PREPLANNED OR COMPREHENSIVE DEVELOPMENTS

Applications for preplanned or comprehensive Developments or Subdivisions should be accompanied by:

- (a) **Development Concept** – A graphic rendering of the project together with a brief written summary of the concept and purpose of the development;
- (b) **Site Plans and Drawings** – Site plans, drawn to an appropriate scale, should be submitted in duplicate. Among other things, they should indicate: dimensions of all existing and proposed lots, existing and proposed roadways and public areas, parking stalls, the location of adjoining parcels and other details needed to describe the proposal;
- (c) **Topographic Details** – Topography of the site, including one metre or one-half metre contours should be provided either on the site plan or on a separate drawing;
- (d) **Contouring and Drainage** – Any proposed cutting and filling or other contouring of the site should be shown on a separate site plan. Proposed drainage of surface runoff should be detailed either on this plan or the main site plan;

- (e) **Roadways and Access** – All existing and proposed public roadways, such as streets, lanes and walkways should be shown and should include the proposed width of each as well as linkages to existing public roads;
- (f) **Development Specifications** – Specifications of the actual development should include such items as: minimum setbacks of all existing or proposed structures from lot boundaries, location, dimension and capacity of parking, driveway access points, approximate location of buildings on each lot, height of structures, etc.;
- (g) **Services and Utilities** – Information on all utilities that will be provided to the site including details pertaining to road construction, sidewalks, curb and gutter, water supply, storm sewer, sanitary sewage disposal and solid waste disposal;
- (h) **Staging of Development** – Proposed staging if the proposed Subdivision or Development will be completed in two (2) or more phases. This should be described together with the purpose of the proposed staging;
- (i) **Architectural Controls** – Any design standards such as type of roofing, building colours, sitting of buildings, fencing, etc. to be complied with;
- (j) **Other Information** – And any other information that may be required by the Development Authority to make a recommendation.

12. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
13. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
14. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
15. HOME OCCUPATIONS	– SCHEDULE 7
16. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
17. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

Staff Report to the Municipal Development Authority Board

Development Application #	2020-044 (previously numbered as 042)
Applicant	Christina Neufeld
Civic Address	2127 21 st Avenue
Legal Description	Lot 6, Block 8, Plan 5703HJ
Zoning	Residential R-1A
Description of Application	Home Occupation 2 – massage therapy

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2020-044 to allow for a home occupation 2 – massage therapy and reflexology business to be run out of the home at 2127 21st Avenue.

Due to the potential for perceived or real impacts to surrounding properties, Home Occupation 2 applications are always decided upon by the Municipal Planning Commission (MPC).

The applicant has noted that they expect the following for operation of the business:

- Hours of operation would be 9:00am – 6:00pm, Monday - Friday
- There are expected to be between 1 to 5 clients each day
- There are 3 (three) off-street parking stalls available for client visits.
- No additional employees other than the business owner

Please note that the applicant has run the same business at another location in Coaldale previously and the Town received no complaints regarding the business when it was operating previously.

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been submitted as of the date of the preparation of this report.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Residential R-1A land use district
- Land Use Bylaw, Schedule 7, Home Occupations

RECOMMENDATION

The board considers APPROVAL of Development Application (2020-044) to allow for the operation of a Home Occupation 2 (massage therapy) subject to the following conditions:

1. Applicant complies with the Land Use Bylaw No 677-P-04-13, Schedule 7, Home Occupations;
2. Development Permit #2020-044 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: 9:00 am – 6:00 pm, Monday - Friday.
5. Appointments would be one at a time, by appointment
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.

The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans must be submitted for reapproval.

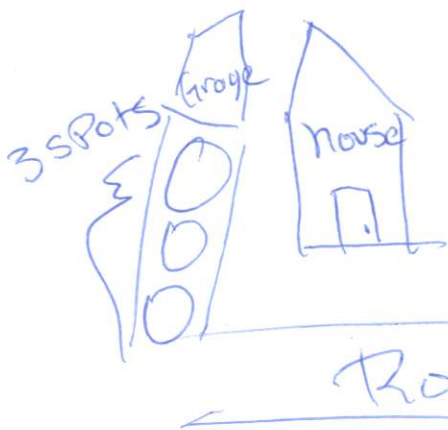
Respectfully Submitted:

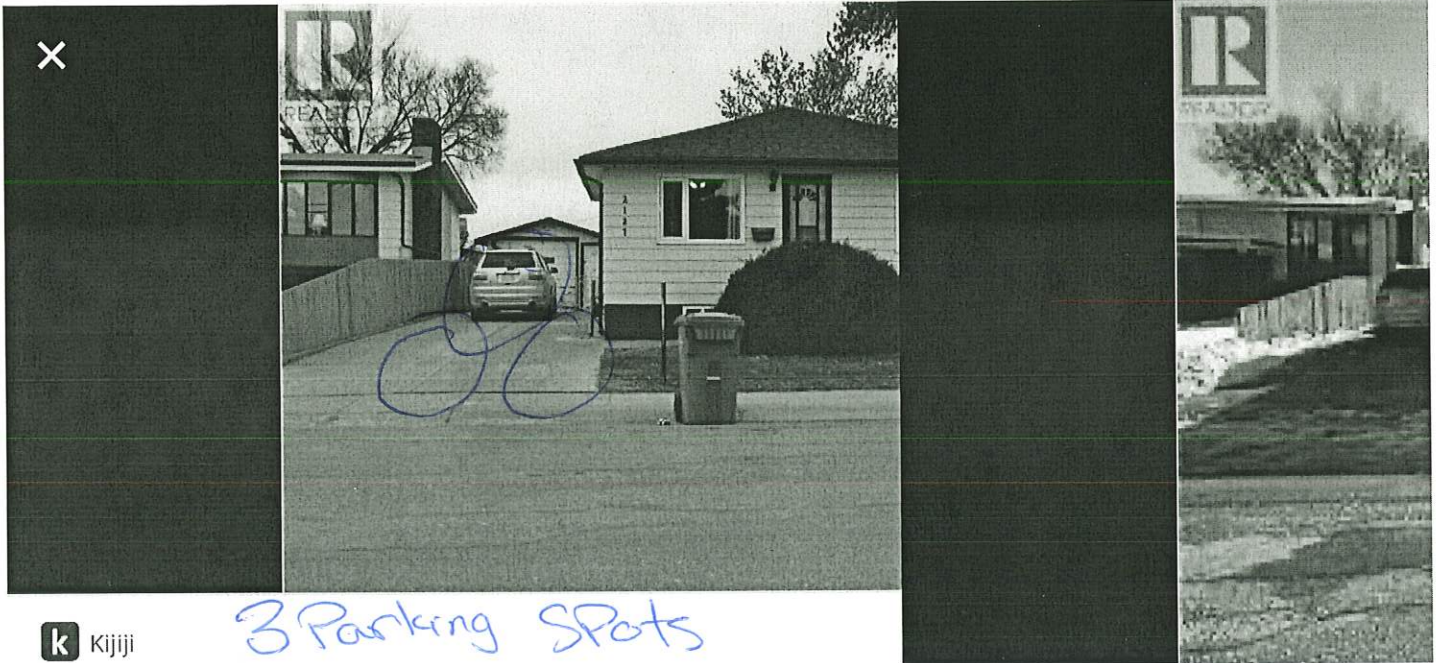
Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHED FILES:

- Narrative description and imagery from the application
- Notice to neighbouring properties
- R-1A LUB excerpt
- Schedule 7 excerpt

I will be running a massage
business from my home (2127 21 ave Coaldale)
Monday-Friday 9am-6pm this will not
Interfere with anyone in the area. Also
there are 3 Parking stalls (Unable to
Print Photo if more info needed Please
Call) These will not impact anyone
in the area or be in their way.
My business is quite and will
not be ~~heard~~ at all.





k Kijiji

3 Parking Spots

2127 21 Avenue Coaldale, Alberta | Houses for Sale | Lethbridge

Images may be subject to copyright. [Learn more](#)

Related images

P Purplebricks.ca

2127 21 Avenue, Coaldale for sale

\$238,900.00 CAD* · In stock

Backing on to Kate Andrews High School t
Basement has been updated beautifully in

* Check website for latest pricing and avai



932 21 Avenue, Coaldale, AB | MLS® # ...
lethbridgerealestate.com · In stock



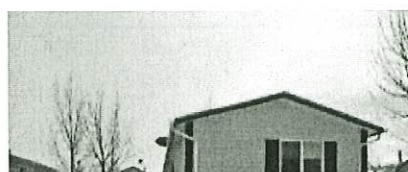
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zolo.ca



Coaldale - 42 mobile homes in Coaldal...
realestate.mitula.ca



Airbnb® | Coaldale-Vacation Rentals ...
airbnb.ca





May 1, 2020

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2020-042

APPLICANT: CHRISTINA NEUFELD

**ADDRESS: 2127 21st AVENUE, COALDALE, ALBERTA
PLAN 5703HJ, BLOCK 8, LOT 6.**

ZONING: RESIDENTIAL – R-1A

Dear Sir/Madam,

We are in receipt of Development Application #2020-042 requesting a Home Occupation 2 – Massage therapy and Reflexology at the above noted address:

- Hours of operation would be 9:00am – 6:00pm, Monday - Friday
- There are 3 (three) off-street parking stalls available for client visits.
- No additional employees other than the business owner

The Town of Coaldale Land-Use Bylaw states that discretionary uses within zoning districts 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 by May 7, 2020 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>

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, May 13, 2020, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit (#2020-042). The hearing will take place at the HUB (2107 13th Street) however public attendance will be limited to virtual means only.**

IF YOU WISH TO ATTEND THE MEETING, PLEASE CONTACT THE TOWN AT 403.345.1304 OR buildingcoaldale@coaldale.ca IN ADVANCE.

Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 1:00pm on Tuesday May 12, 2020 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,
Spencer Croil
Director of Planning and Community Development

cc. Applicant



RESIDENTIAL – R-1A



Purpose:

To provide for a high-quality residential environment with the development of primarily single-detached dwellings on standard-sized lots or semi-detached dwellings development and other compatible uses. Development is to occur on standard-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
 - Semi-Detached - Pre-Planned¹
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Public or Private Utility
- Sign Types³: 2, 4, 5⁴, 12

Notes:

1 – Semi-Detached Dwelling – Pre-Planned means a semi-detached dwelling or a proposed semi-detached dwelling that **would** be located on a site designated for that purpose in an adopted Statutory Plan.

2 – Semi-Detached Dwelling – Isolated means a semi-detached dwelling or proposed semi-detached dwelling that would be located on a site **not** designated for that purpose in an adopted Statutory Plan.

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- Shipping Container (permanent)
- Single-detached manufactured dwellings
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use*

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All other uses	As required by the Designated Officer or Municipal Planning Commission					

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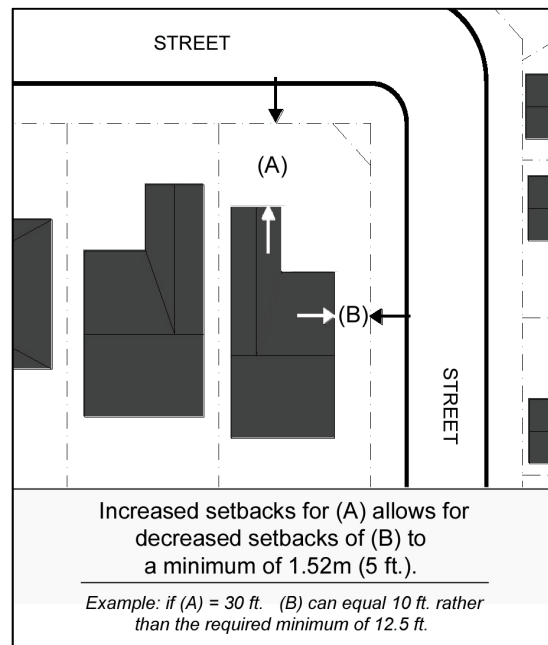
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Semi-Detached Dwellings (for each side)	7.62	25	3.81*	12.5*	1.52	5	7.62	25
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Note: Measurements are from the respective property line to the nearest point of the building.

MINIMUM YARD SETBACKS FOR A CORNER LOT

*The required secondary front yard distance on a corner lot may be reduced by 0.15 m (0.5 ft.) for each 0.3 m (1 ft.) that the front yard setback is increased, providing the resulting secondary front yard setback is never less than 1.52 m (5 ft.). (see diagram)



4. MAXIMUM SITE COVERAGE

- (a) **Total allowable coverage:** 45% inclusive of all buildings
- (b) **Principal building:** 35 - 45% depending on accessory building(s)
The principal dwelling shall not occupy more than 45 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.
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*Total floor area of all floors as measured by floors above grade or floors not more than 1.5 m (5 ft.) below grade.

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Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
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– laned corner lots	Same as principal		3.05	10	0.90	3	0.90	3

All other uses

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Note: Measurements are from the respective property line to the nearest point of the building.

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- (h) **Staging of Development** – Proposed staging if the proposed Subdivision or Development will be completed in two (2) or more phases. This should be described together with the purpose of the proposed staging;
- (i) **Architectural Controls** – Any design standards such as type of roofing, building colours, sitting of buildings, fencing, etc. to be complied with;
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12. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
13. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
14. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
15. HOME OCCUPATIONS	– SCHEDULE 7
16. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
17. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

SCHEDULE 7: HOME OCCUPATIONS

1. HOME OCCUPATION 1

The Designated Officer is authorized under Administration Section 14 of the Land Use Bylaw, to decide upon any of the home occupations listed below as Home Occupation 1 only if:

- (a) the use involves phone and office only,
- (b) the use involves no outdoor storage,
- (c) there is no display of goods on the interior of the residence,
- (d) all sales occur off the premises,
- (e) the use complies with the general standards found in Section 3 of this Schedule.

If there is a doubt as to whether a proposed home occupation is a Home Occupation 1, then the Designated Officer may refer the application to the Municipal Planning Commission for a decision.

2. HOME OCCUPATION 2

The Municipal Planning Commission is to decide upon any of the home occupations listed below as Home Occupation 2 only if:

- (a) there is a limited volume of on-premises sales,
- (b) the proposed storage is not exposed to public view,
- (c) there is a limited display proposed for the inside of the building,
- (d) the use complies with the general standards found in Section 3 of this Schedule.

3. GENERAL STANDARDS

Home occupations may be permitted subject to the following conditions:

- (a) Except with the approval of the Development Authority, no person other than the applicant shall be engaged in such home occupations on the premises.
- (b) The applicant shall be a permanent resident of the dwelling.
- (c) No variation from the external appearance and residential character of land or building shall be permitted.
- (d) Home occupations shall be operated as a secondary or subordinate use to the principal use of the lot/site with a residence or dwelling unit.
- (e) Home occupations shall not be permitted in any residential land use district if, in the opinion of the Development Authority, the use would be more appropriately located in a commercial or industrial land use district.
- (f) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (g) Advertising may only be permitted in compliance with Schedule 13: Sign Regulations.
- (h) Home occupations shall not generate vehicular traffic or parking, in excess of that which is characteristic of the district within which it is located.

- (i) On-site parking stalls shall be provided and utilized for all business vehicles associated with a home occupation. Any and all business vehicles associated with the home occupation shall comply with all requirements and regulations of the relevant and applicable Town of Coaldale traffic/road bylaw(s).
- (j) The Municipal Planning Commission may require additional parking spaces due to the type of Home Occupation 2 proposed as they determine to be necessary.
- (k) Traffic shall be controlled by and conform to the Town of Coaldale Traffic Bylaw.
- (l) No offensive noise, vibration, smoke, dust, odours, heat or glare discernible beyond the property lines shall be produced by the use.
- (m) The development permit shall be applicable only for the period of time the property is occupied by the applicant. Any permit issued is non-transferable.
- (n) All permits issued for home occupations shall be subject to the condition that the permit 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 neighbourhood.
- (o) A Home Occupation permit issued may be subject to review each year by the Designated Officer to determine if the home occupation is in compliance with the Land Use Bylaw and any conditions placed on the approved permit.
- (p) A Home Occupation permit may be issued temporarily in accordance Section 43 of the Administration Section.
- (q) Home occupations shall **not** include:
 - i. activities that use or store hazardous materials;
 - ii. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
 - ii. any use declared by resolution of Council to be undesirable as a home occupation.
- (r) The applicant shall be responsible for compliance with the Alberta Health Standards and Guidelines and the Alberta Building Code requirements.
- (s) The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.