



AGENDA

Municipal Planning Commission Meeting

5:00 PM - Wednesday, December 8, 2021

Virtual

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	2.0	ACCEPTANCE OF THE AGENDA
	3.0	ADOPTION OF PREVIOUS MINUTES
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MINUTES

Municipal Planning Commission Meeting

5:00 PM - Wednesday, November 10, 2021
Online

The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, November 10, 2021, at 5:00 PM, via Zoom, with the following members present:

PRESENT:

R. Hohm, Committee Member (Chair)
J. Van Rijn, Mayor (Vice Chair)
D. Pickering, Councillor
J. Abrey, Deputy Mayor
R. van de vendel, Committee Member

STAFF PRESENT:

S. Croil, Director of Planning & Development
C. Mills, Manager of Economic Development and Strategic Initiatives
K. Stone, Recording Secretary

GALLERY:

A. Fritz; H. Doeve

1.0 CALL TO ORDER

J. Van Rijn called the meeting to order at 5:00 P.M.

2.0 ADDITIONS TO THE AGENDA

2.1 Add item 5.3 - Virtual or In-Person Meetings

54-2021

MOTION: J. Van Rijn moved to accept the agenda as amended.

CARRIED 5-0

3.0 ADOPTION OF PREVIOUS MINUTES

3.1 MPC Meeting Minutes - October 13, 2021

55-2021

MOTION: J. Abrey moved to APPROVE the October 13, 2021 minutes.

CARRIED 5-0

4.0 BUSINESS ARISING FROM THE MINUTES

None.

6.0 DELEGATIONS

6.1 J. Van Rijn called for a selection of a new Chairperson and Vice Chairperson for the upcoming Municipal Planning Commission term.

- R. Hohm indicated he would let his name stand for Chairperson.
- J. Van Rijn indicated he would let his name stand for Vice Chairperson.

56-2021

MOTION: R. van de Vendel moved to nominate R. Hohm as the Chairperson for the upcoming Municipal Planning Commission term.

CARRIED 5-0

57-2021

MOTION: R. Hohm moved to nominate J. Van Rijn as Vice Chairperson for the upcoming Municipal Planning Commission term.

CARRIED 5-0

5.0 NEW BUSINESS

5.1 SUB 2021-013 - SW 23-9-20-4

C. Mills presented SUB 2021-013 where the applicant is proposing to subdivide three (3) parcels of land to allow for a lot line adjustment, consolidation, and title correction of the lands legally described as SW 23-9-20-W4M.

The purpose of this application is to subdivide three (3) parcels of land to allow for a lot line adjustment and consolidation for the creation of two (2) new parcels with one (1) lot of 26.261 ha (64.89 ac) and the second lot of 29.556 ha (73.03 ac), for the purposes of re-designating an area of 1.250 ha (3.09 ac) to Industry (I) and to correct an issue where two titles have been created for the same parcel of land.

The application is generally consistent with the Town of Coaldale's Municipal Development Plan (Town Plan) and Infrastructure Master Plan (IMP). In addition, the location of the existing sewage lagoons is within 300 m of land use and development in accordance with Section 12 of the Subdivision and Development Regulation.

It was noted that the subdivision proposal includes a change of title of the 1.250 ha (3.09 ac) area located adjacent to the lagoons and are within the Town of Coaldale's boundary. The intent of the proposed subdivision is to expand the eastern parcel for the existing use as a sewage lagoon. The title correction is due to an overlap of existing titles where both parcels claim the 1.250 ha (3.09 ac) area of land on the title. The proposed subdivision will effectively resolve the existing overlap of titles.

The current zoning of the 1.250 ha (3.09 ac) area of land is Urban Reserve (UR). However, a land use re-designation application will be processed prior to the completion of this subdivision with the proposed land use district for the 1.250 ha (3.09 ac) area being designated to Industry (I).

SUB 2021-013 has been circulated to surrounding properties and the appropriate referral agencies.

Commentary received from circulation to external agencies is as follows:

Alberta Transportation

Alberta Transportation does not anticipate that the creation of the two (2) boundary adjustment/consolidation parcels for lagoon use as proposed would have an appreciable impact on the provincial highway network.

As such, AT grants a waiver of Sections 14 and 15 (2) of the Subdivision and Development Regulation. Sections 14 and 15 identify additional requirements for parcels within 1.6 km from the highway and the provision of service roads.

Further, should the municipality receive any appeals in regard to this application and as per Section 678(2.1) of the MGA and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision.

ATCO Gas

In reference to the proposed subdivision, the landowner is to be notified that an existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument # 911 037 648.

Therefore, ATCO Gas has no objection to the proposed subdivision.

ATCO Pipelines

The engineering department at ATCO Transmission reviewed the subdivision proposal and has no objections subject to the following conditions:

1. Any existing land rights shall be carried forward in kind and registered on any newly created lots, public utility lots, or other properties.
2. Ground disturbances and surface works within 30 metres require written approval from ATCO Transmission before commencing any work.
3. Parking and/or storage is not permitted on ATCO Transmission facility(s) and/or right(s)-of-way.
4. Encroachments are not permitted on ATCO Transmission facility(s) and/or right(s)-of-way.
5. ATCO Transmission recommends a minimum 15 metre setback from the centreline of the pipeline(s) to any buildings.

6. Any changes to grading that alter drainage affecting ATCO Transmission right-of-way or facilities must be adequate to allow for ongoing access and maintenance activities.
7. Any revisions or amendments to the proposed plan(s) must be re-circulated to ATCO Transmission for further review.

Canada Post

No comments at this time.

Lethbridge County

No concerns with the proposed subdivision/realignment.

SMRID

No objection to the proposed subdivision as this land is classified as 'dry'.

A Service Fee of \$100.00 plus GST will apply.

TELUS Communications Inc.

No objection to the circulation.

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations.

1. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
2. That any conditions of Alberta Transportation shall be met prior to finalization.
3. Consideration of adjacent landowners and referral agency comments.

In accordance with the provisions of Sec. 663 of the Municipal Government Act, Municipal Reserve is not required for the proposed subdivision.

58-2021

MOTION: *D. Pickering moved to APPROVE SUB 2021-013
subject to conditions:*

- 1. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
- 2. That any conditions of Alberta Transportation shall be met prior to finalization.*
- 3. Consideration of adjacent landowners and referral agency comments.*

CARRIED 5-0

5.2 DP 2021-140 - 2802 30 Street - S. Croil

S. Croil presented 2021-140, an application requesting a waiver of maximum fence height requirements to allow for a fence at the property legally described as Plan 9612523, Block 1, Lot 12. The subject property is zoned as Country Residential Two - CR-2

Within Schedule 4: Standards of Development in the current Land Use Bylaw 677-P-04-13, it states the maximum height allowance for a fence shall be no greater than 0.9 m (3 ft.) in height in the front yard of any residential district.

The applicant is proposing a 2 m (6 ft.) fence, which would result in a one-hundred (100%) percent waiver of height requirements.

At the time of application, the applicant initially requested an additional waiver for the location of the fence 3.6 m (12 ft.) east of the property line within the Town's Road right-of-way.

Following an internal review by the Engineering and Operations departments, it was determined a water main runs parallel to the property line, approximately 2.6 m at the nearest point.

Given this information, the applicant withdrew the request for an encroachment agreement.

Applicable Sections of the Land Use Bylaw:

- Schedule 4: Standards of Development, Section 14, Fence and Hedges

Should the Commission wish to consider approval of DP 2021-140 to allow for a waiver of maximum fence height requirements, the following conditions are recommended:

1. Must obtain approval of a building permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement, if necessary.
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 the current Land Use Bylaw 677-P-04-13, Schedule 2, Country Residential 2 - CR-2 requirements.
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. Ensure lot drainage is maintained.
6. The fence, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

As per the Municipal Government Act (MGA) and the Town's Land Use Bylaw (LUB), notification of the application was circulated to neighbouring property owners within a 60-metre distance of the property 12 days prior to the scheduled meeting.

No responses from the neighbouring property owners have been received.

- A. Fritz commented on the elegance of the home and the dramatic scale of the frontage due to it being an acreage. The yard is designed for biking, so the gate ties into the design. In addition, the tree line will be expanded with the planting of new trees.
- H. Doeve advised that the intent is to add elegance to the property and to maintain the height of the solid portion between the posts at no more than 3 ft. The fence would help enhance the property value without being obnoxious.
- J. Van Seters advised that they don't have any objections and think it looks elegant.
- The Commission asked for clarification of the height of the masonry.

- A. Frtiz advised that solid masonry along the bottom would be 3ft in height, and the top part would be the rod iron.

59-2021

MOTION: J. Van Rijn moved to APPROVE DP 2021-140 with conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at(403) 320-0734 prior to commencement, if applicable.
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, Country Residential 2 – CR-2 requirements.
4. As shown on the illustrations and elevations submitted with the application, for any portion of the fence that is above 3' (0.91 m) in height, a minimum of 50% (fifty percent) of that portion of the fence shall be open/transparent.
5. The fence must be constructed to match the design and materials choices shown in the illustrations and elevations provided with the application.
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. Ensure lot drainage is maintained.
8. The fence, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

CARRIED 5-0

5.3 Virtual or In-Person Meetings

- The Commission commented that the meetings should remain virtual for three months to see if that coincides with the lifting of restrictions.

60-2021

MOTION: J. Abrey moved to have the Municipal Planning Commission meetings remain virtual until the January 12, 2022 meeting at which time the item will be revisited.

CARRIED 5-0

6.0 INFORMATION ITEMS

7.0 CLOSED MEETING

8.0 ADJOURNMENT

8.1 The public portion of the meeting was closed at 5:22 P.M.

61-2021

MOTION: J. Van Rijn made a motion to move into the closed session.

CARRIED 5-0

8.2 **62-2021**

MOTION: R. van de Vendel moved to adjourn the meeting at 5:28 P.M.

CARRIED 5-0

CHAIR – R. HOHM

RECORDING SECRETARY - K. STONE

AGENDA ITEM REPORT



Title: DP 2021-154 - 1005 Summer Street - M. Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 08 Dec 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

COMMITTEES & BOARDS:

Municipal Planning Commission

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application requesting a waiver of rear yard setback requirements to allow for a pre-existing deck at the property legally described as Plan 1910294, Block 90, Lot N/A.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the Commission.

ANALYSIS:

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, with the Manufactured Home Park - R-3 zoning district, manufactured dwellings are to be located at a minimum of 1.5 m (5 ft.) from the side, front and rear lot lines (except where permitted to be closer in accordance with a comprehensive plan).

Currently, the existing deck is located 0.54 m (1.77 ft.) and 0.56 m (1.8 ft.) from the eastern (rear) property line, which results in a 37% waiver of rear setback requirements.

Applicable Sections of the Land Use Bylaw:

- Schedule 2, Manufactured Home Park R-3 zoning district

KEY CONSIDERATIONS:

Should the Commission wish to consider approval of Development Application (DP 2021-140) to allow for a waiver of minimum rear yard setback requirements to permit a pre-existing deck, the following conditions are recommended.

1. Must obtain approval of a building permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement, if necessary.
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 the current Land Use Bylaw 677-P-04-13, Schedule 2, Manufactured Home Park - R-3 requirements, with exception of the 0.54 m (1.77 ft.) and 0.56 m (1.8 ft.) rear setback.
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. Ensure lot drainage is maintained.
6. The existing deck is not to be further enlarged unless the necessary permits have been applied for and approved.
7. The deck shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

FINANCIAL IMPACT:

None

STAKEHOLDER ENGAGEMENT:

As per the Municipal Government Act (MGA) and the Town's Land Use Bylaw (LUB), notification of the application was circulated to neighbouring property owners within a 60-metre distance of the property 12 days prior to the scheduled meeting.

At the time of this report, no responses from the neighbouring property owners have been received.

DECISION OPTIONS:

The Commission may wish to:

1. Approve development permit application (DP 2021-154) with the suggested conditions.
2. Table development permit application (DP 2021-154) pending the receipt of further information.
3. Reject development application (DP 2021-154) with reasons.

RECOMMENDATION:

N/A

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[DP 2021-154 - Notice Letter to Neighbouring Landowners - Deck](#)

[DP 2021-154 - Site Plan](#)

[October 20, 2021 Letter of Compliance](#)

[Coaldale LUB Residential R-3 LU district excerpt](#)



November 24, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-154

APPLICANT: RMCD LAW OFFICES

**ADDRESS: 1005 SUMMER STREET, COALDALE, ALBERTA
PLAN 1910294, BLOCK 90, LOT N/A**

ZONING: MANUFACTURED HOME PARK – R-3

Dear Sir/Madam,

We are in receipt of Development Application #2021-154 for an application requesting a waiver of rear yard setback requirements to allow for a pre-existing deck at the above-mentioned address.

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Manufactured Home Park – R-3 zoning district, it states that manufactured dwellings shall be located at minimum of 1.5 m (5 ft.) from the side, front and rear lot lines (except where permitted to be closer in accordance with a comprehensive plan).

The existing deck is currently located 0.54 m (1.77 ft.) and 0.56 m (1.8 ft.) from the eastern (rear) property line. For this reason, the application requires the review of the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the December MPC meeting.

- **This application will be heard by the MPC at the December 8th, 2021 meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**
- **For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.**

The full agenda will be posted on our website by December 2nd, 2021 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, December 8th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-154.**

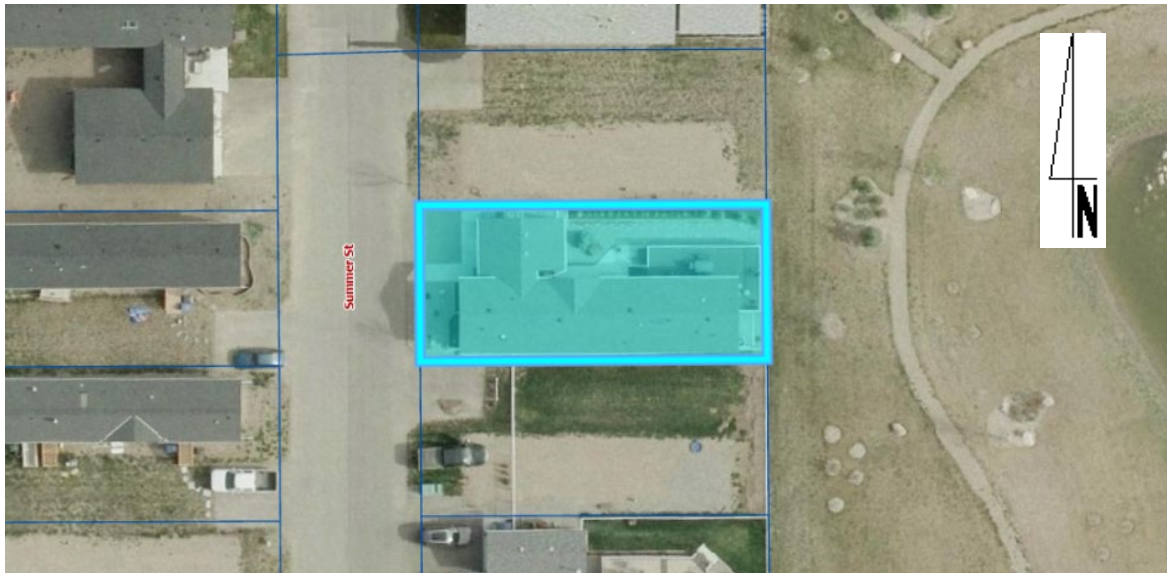
Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, December 8th, 2021 or verbally and by virtual means at the meeting. Comments 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,

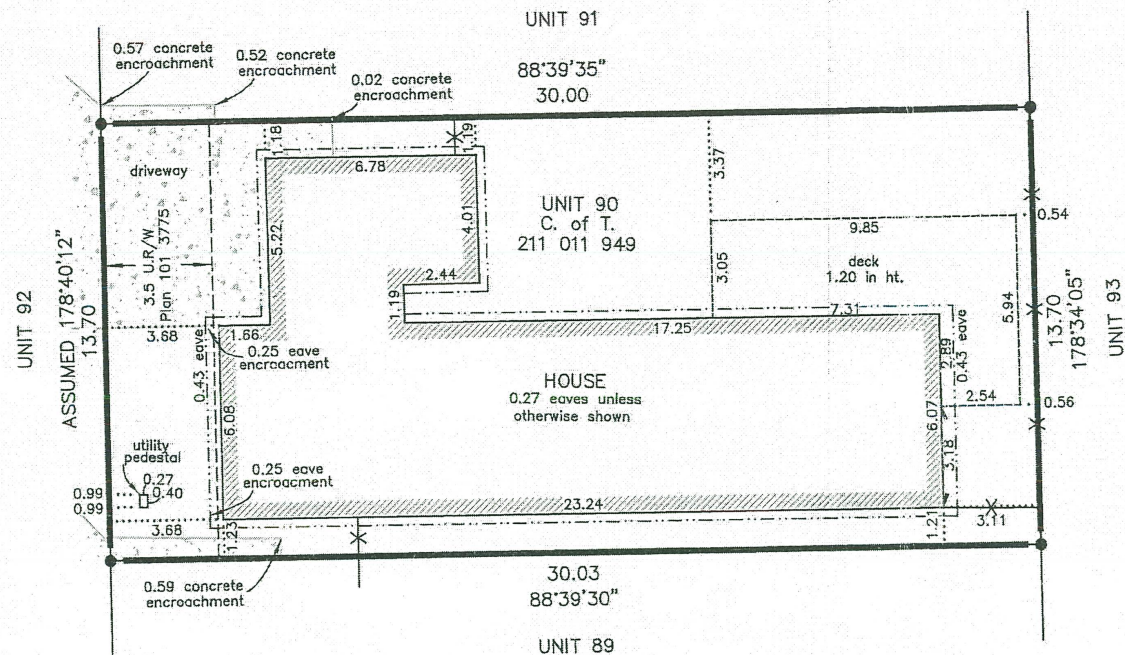


Spencer Croil, RPP MCIP
Director of Planning and Development
Development Officer

cc. Applicant



[illegible]



The Property is subject to the following Right of Ways and easements:
Easement; Instrument No. 101 325 184
Easement; Instrument No. 101 331 201
Utility Right-of-Way; Easement; Instrument No. 101 325 865
Utility Right-of-Way; Easement; Instrument No. 101 325 866
Utility Right-of-Way; Easement; Instrument No. 101 325 867
Utility Right-of-Way; Instrument No. 061 013 360
Utility Right-of-Way; Instrument No. 101 238 159
Utility Right-of-Way; Instrument No. 101 258 711
Utility Right-of-Way; Instrument No. 141 301 065
For all other registrations, see certificate of title.

LEGEND

Statutory Iron Posts found • Property line —

Fence lines —X—
are within 0.20 metres of property line
unless otherwise dimensioned.

Distances from property boundaries
are shown to siding

Eaves dimensioned to the line of the fascia. NOTE: Fd. No Mk's except where survey evidence is shown

Distances are shown in metres and decimal parts thereof.

Alberta Land Surveyor's Real Property Report

To: RMcD Law Offices
243 - 12B STREET NORTH
LETHBRIDGE, AB
T1H 2K8

PROPERTY DESCRIPTION ("THE PROPERTY")

PLAN 191 0294, UNIT 90 AND 95 UNDIVIDED ONE TEN
THOUSANDTH SHARES IN THE COMMON PROPERTY

CERTIFICATION

I hereby certify that this report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association Manual of Standard Practice and supplements thereto. Accordingly, within those standards as of the date of this report, I am of the opinion that:

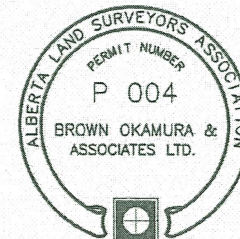
1. the Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice and registered easements and rights-of-way affecting the extent of the title to the Property.
2. the Improvements are entirely within the boundaries of the Property, except for driveway encroachment into Unit 91, as shown.
3. no visible encroachments exist on the Property from any improvements situated on an adjoining property, except for driveway encroachment from Unit 89, as shown.
4. no visible encroachments exist on registered easements or rights-of-way affecting the extent of Property, except for eave encroachment into U.R/W Plan 101 3775, as shown.

PURPOSE

This Report and the related plan have been prepared for the benefit of the Property owner, subsequent owners, and any of their agents for the purpose of a land conveyance, support of a subdivision application, a mortgage application, a submittal to the Municipality for a compliance certificate, etc. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights-of-way affecting the extent of the Property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The attached plan should not be used to establish property boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this Property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

Dated at Lethbridge, Alberta
This 18th Day of October, 2021

D.J. Amantea
Alberta Land Surveyor, 2021



brown okamura & associates ltd.
2830 - 12 Avenue North, Lethbridge, Alberta T1H 5J9
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Scale:	1:200 (metric)	Drawn: BB
Job	12287	Ref. file:
Date of Title Search:	SEPTEMBER 14, 2021	
Date of Survey:	SEPTEMBER 29, 2021	

MUNICIPAL ADDRESS:
1005 SUMMER STREET, COALDALE
Roll # 100001070 R3.



Town of Coaldale

1920 – 17th Street Coaldale, AB T1M 1M1
Phone: 403-345-1300 • Email: office@coaldale.ca • Fax: 403-345-1311

October 20, 2021

ROLL # 1000010770

Brown Okamura & Associates Ltd.
2830 12 Ave North
Lethbridge, AB T1H 5J9

Dear Sir/Madam:

**RE: COMPLIANCE REQUEST FOR 1005 SUMMER STREET, COALDALE, ALBERTA
PLAN 1910294, UNIT 90**

Please be advised that the above mentioned property is designated "Manufactured Home Park – R-3" in the Town of Coaldale Land Use Bylaw 677-P-04-13. Within this land use district a Single Detached Manufactured Dwelling is a Permitted Use.

- a. A review of the Real Property Report (RPR), dated October 18, 2021 and signed by D.J. Amantea, Alberta Land Surveyor, which is attached hereto and forms part of this letter shows that the location of the Single Detached Manufactured Dwelling does comply with the setback requirements of Land Use Bylaw 677-P-04-13.
- b. We note that the side yard setback measurements of 1.18m and 1.19m on the Single Detached Dwelling are less than the required 1.20m specified in Land Use Bylaw 677-P-04-13; however they are within the 0.05m tolerance specified in Compliance Policy C-007.
- c. In addition, we note there has been no Development Permit applied for or approved for the uncovered deck. As such, a Development Permit must be applied for within sixty (60) days.
- d. Lastly, the Real Property Report shows concrete encroaching from Unit 89 into Unit 90, and concrete from Unit 90 encroaching into Unit 91. Because this is private property, the encroachments will need to be rectified by way of private encroachment agreements.

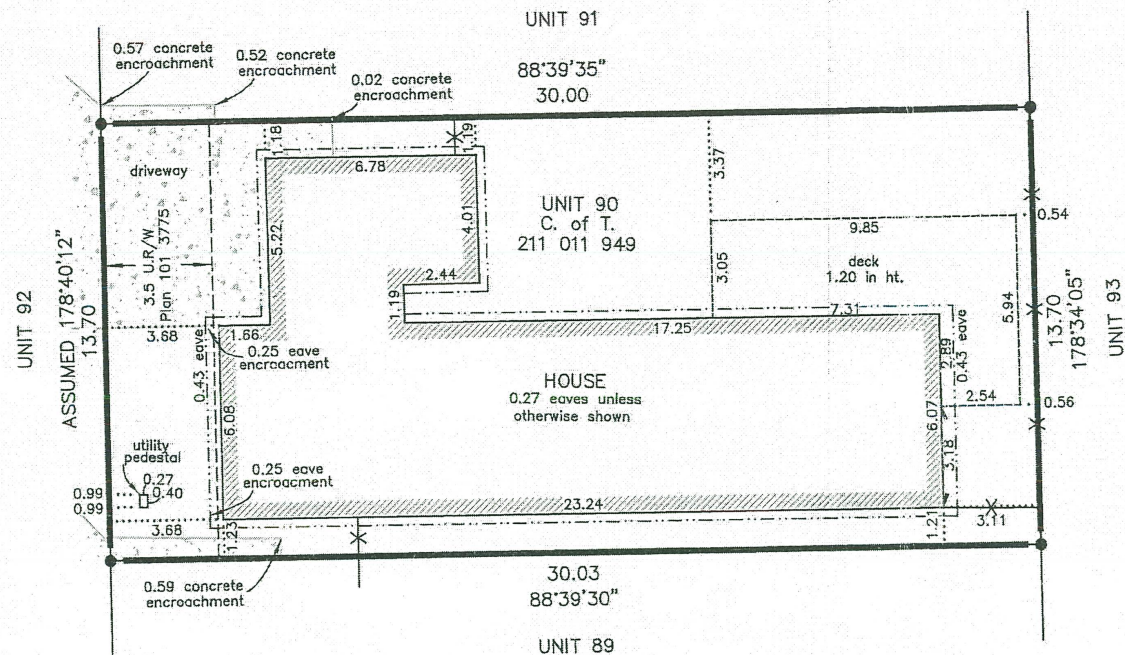
The position of the Town is based solely on the information contained in the survey document referred to in paragraph (a) above. Only compliance or non-compliance of principle and accessory buildings (larger than 100 sq. ft.) within the subject property shown on the survey document has been addressed in this letter. The Town of Coaldale makes no representation as to buildings, improvements or measurements incorrectly shown or not shown on the survey document.

The Town advises that it has not in any way verified, checked or reviewed any document, plan, affidavit, statutory declaration or letter provided and exclusively and strictly relies upon the author or signatory for accuracy and veracity of all statements and details provided.

Sincerely,

Cameron Mills,
Manager of Community Development





The Property is subject to the following Right of Ways and easements:
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Easement; Instrument No. 101 331 201
Utility Right-of-Way; Easement; Instrument No. 101 325 865
Utility Right-of-Way; Easement; Instrument No. 101 325 866
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Utility Right-of-Way; Instrument No. 101 258 711
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LEGEND

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are within 0.20 metres of property line
unless otherwise dimensioned.

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are shown to siding
Eaves dimensioned to the line of the fascia. NOTE: Fd. No Mk's except where survey evidence is shown

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Real Property Report

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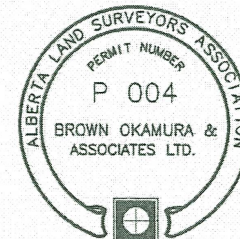
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Dated at Lethbridge, Alberta
This 18th Day of October, 2021

D.J. Amantea
Alberta Land Surveyor, 2021



boa brown okamura & associates ltd.
2830 - 12 Avenue North, Lethbridge, Alberta T1H 5J9
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Scale:	1:200 (metric)	Drawn: BB
Job	12287	Ref. file:
Date of Title Search:	SEPTEMBER 14, 2021	
Date of Survey:	SEPTEMBER 29, 2021	

MUNICIPAL ADDRESS:
1005 SUMMER STREET, COALDALE
Roll # 100001070 R3.

MANUFACTURED HOME PARK – R-3



Purpose:

To provide areas suitable for the location of Manufactured Home Parks, when a comprehensive plan has been agreed to by the Development Authority. These parks would be designated and provide for high-quality development that complements adjacent uses.

1. (A) PERMITTED USES

- Dwellings:
 - Single-Detached Manufactured (double wide or single wide)
- Addition to single-detached manufactured dwelling
- Accessory building, structure or use to an approved permitted use
- Day Home
- Garden Shed
- Home Occupation 1
- Parks and Playgrounds
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Single-detached dwelling (site-built or prefabricated) for park operator
- Accessory building, structure or use to an approved discretionary use
- Dwelling, Single-detached Prefabricated, Panellized
- Home Occupation 2
- Maintenance/Utility Uses
- Manufactured Home Park
- Park Maintenance/Storage Uses
- 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)
- Park Model Trailer
- 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. ELIGIBLE MANUFACTURED DWELLINGS

- (a) New factory built single-detached manufactured dwellings.
- (b) Used factory built single-detached manufactured dwellings in a state of good repair.
- (c) Single-detached manufactured dwellings shall be Canadian Standards Association (CSA) certified.
- (d) All single-detached manufactured dwellings shall be registered with the Provincial Personal Property Registration. The CSA model number and serial number shall be provided at the time of submission of a development permit application and are required to be registered with the Town.
- (e) Application for a used single-detached manufactured home shall be accompanied by recent colour photographs showing the complete exterior of the structure.

3. MINIMUM LOT SIZE

- (a) All uses as required by the Development Authority in accordance with an approved comprehensive plan.

4. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

- (a) All uses as required by the Development Authority in accordance with an approved comprehensive plan, or in the absence of an approved comprehensive plan that deals specifically with this matter, the siting criteria listed in Section 10(k) of this district.

5. FOUNDATIONS

- (a) All single-detached manufactured dwellings shall be placed on foundations, constructed in accordance with the latest CSA standards and shall be skirted to the satisfaction of the Designated Officer.

6. MINIMUM FLOOR AREA

Single-Wide Manufactured Dwellings – 58.1 m² (625 ft²)

Double-Wide Manufactured Dwellings – 79.9 m² (860 ft²)

7. MAXIMUM HEIGHT OF ACCESSORY STRUCTURES

- (a) No accessory structure shall exceed 4.6 m (15 ft.) in height above grade.

8. FENCING

- (a) Any fencing of leased lots should be done only with the permission of the registered owner using as a guideline only those standards set out in Schedule 4.

9. 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.

10. COMPREHENSIVE PLAN

Prior to the issuance of a development permit for a manufactured home park, the Municipal Planning Commission shall receive and adopt by resolution a comprehensive plan for the park. A comprehensive plan shall be in accordance with, but not necessarily limited to, the following:

(a) Aesthetics and Overall Appearance

The manufactured home park plan shall incorporate detailed aesthetic considerations such as:

- i. substantial landscaping design of the entire park in general, and of individual sites in particular;
- ii. treatment of communal areas, both indoor and outdoor;
- iii. imaginative handling of street furniture such as lamp standards, litter bins, benches, street signs, and accessories of this nature.

(b) Integration with Adjoining Residential Uses

The park design and subsequent placement of single-detached manufactured dwellings on lots shall integrate well with adjoining residential development so as not to be obtrusive.

(c) Density

The design of the park shall be such that the net site density of the park does not exceed 20 units per ha (8 units per acre).

(d) Open Space Requirements

A minimum of 10 percent of the manufactured home park area shall be developed for park use for the enjoyment of the inhabitants.

(e) Servicing Requirements

- i. A qualified engineer shall be engaged at the expense of the developer to consult with the Town and utility companies to arrive at a design for all interior servicing, including roads, drainage, grading, sewer, water, natural gas, telephone, electrical and fire protection.
- ii. All on-site servicing shall be built to the standards and requirements of the Town of Coaldale, any applicable utility companies, and the Town of Coaldale Fire Department.
- iii. Utility easements as required shall be provided within the site, and reasonable access to these easements shall be granted to the Town Public Works Department and utility companies for the installation and maintenance of services as required.

(f) Internal Roads

- i. Roads shall be provided in the manufactured home park to allow access to individual lots within the park and to other facilities where access is required.
- ii. These roads shall be privately owned and maintained and form part of the common area.
- iii. The street system shall be designed to be compatible with existing municipal street and public utility systems.
- iv. The street system shall provide convenient circulation by the use of local roads and properly located collector roads within the manufactured home park. Dead-end roads shall be discouraged; however, where design alternatives are not available, a minimum 16.5 m (54.1 ft.) radius shall be provided for vehicle turn-around purposes. At the time of comprehensive plan submission the minimum radius may be modified based on municipal needs and standards.
- v. If the public roadway to access the manufactured home park is paved, then the roads within the manufactured home park shall be paved.
- vi. A minimum right-of-way of 12.19 m (40 ft.) is required for all roads within the manufactured home park.

(g) Additions to Single-detached Manufactured Dwellings

- i. Any addition to a single-detached manufactured dwelling shall be of a design and finish which will complement the manufactured dwelling unit and the neighbouring units in the vicinity, as determined by the Development Authority.
- ii. Additions shall be located to the rear or side of the single-detached manufactured dwelling only. Where any lot has more than one front yard line, the front yard requirements shall apply to one yard only and additions may be permitted in the other front yard.
- iii. Additions shall not exceed 30 percent of the floor area of a single-detached manufactured dwelling.

(h) Storage Compound

- i. The developer of the manufactured home park shall provide, within the park, an area to accommodate the storage of recreational vehicles such as, but not limited to motor boats and travel trailers.

- ii. The size of this storage compound shall be a percentage of the total site area as determined by the Development Authority.
- iii. The storage compound shall be screened by fences, trees, landscape features, or a combination thereof, to the satisfaction of the Development Authority, and shall be maintained in good repair.

(i) Landscaping Standards

The developer shall provide a landscaping plan detailing the location, number and type of trees and other aesthetically pleasing vegetation that shall be planted within the manufactured home park. The landscaping plan should provide a park-like atmosphere and must be done to the satisfaction of the Development Authority.

(j) Recreation and Open Space

A minimum of 10 percent of the total area of the manufactured home park shall be designated to open space in order to accommodate recreational activities. The open space must include:

- i. a playground for younger children; and
- ii. benches and a walkway for passive recreation.

(k) Siting Criteria

The following distances must be observed in locating a structure within a designated manufactured home park:

- i. A minimum of 1.5 m (5 ft.) must separate the single-detached manufactured dwelling from the single-detached manufactured dwelling lot lines (front, rear, and side yards) except as provided for in a comprehensive plan.
- ii. A minimum of 5.5 m (18 ft.) must separate adjacent single-detached manufactured dwellings (driveways and garages are allowable in this space).
- iii. The distance between a single-detached manufactured dwelling stand and an abutting common area such as a paved street or walkway or public parking area shall be 3.7 m (12 ft.).
- iv. All open porches, garages and accessory buildings shall be set back a minimum 4.6 m (15 ft.) from the front lot line.
- v. Accessory buildings may be located 1.5 m (5 ft.) from the single-detached manufactured dwelling side lot line, provided structures on the adjoining parcel are 3 m (10 ft.) away.
- vi. Accessory buildings may be permitted with a zero lot line setback, provided they are located on the same side of a manufactured home unit with a zero lot line placement, and it is in conjunction with an approved comprehensive plan.
- vii. Covered decks and porches (walls, roof, etc.) shall be considered part of the principal building and must meet the stipulated setbacks for the single-detached manufactured dwelling except that a covered deck or porch shall be allowed within a side yard provided there is a minimum of 2.4 m (8 ft.) between the porch or deck and an adjacent single-detached manufactured dwelling.
- viii. Decks must be located in the wider side yard only.

(l) Site Coverage

- i. Any accessory building shall not occupy more than 15 percent of the total surface area of the lot, or 56 m² (603 ft²), whichever is less.
- ii. Any and all additions shall not exceed 30 percent of the gross floor area of a single-detached manufactured dwelling, the units shall not occupy more than 50 percent of the total surface area of the lot.

(m) Drawings to be submitted by Applicants

i. Site Plan

- a. A scaled site plan shall be submitted showing the manufactured home park and its immediate surroundings.
- b. The site plan shall indicate, among other things, the mix of single-wide and double-wide manufactured dwelling lots, the lot size dimensions, street and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system.

ii. Utility Plan

- a. The utility plan shall be based on the site plan.
- b. The utility plan shall indicate the location of all utilities necessary for the provision of the following services to the area to be developed:
 - water supply (including any proposed irrigation)
 - sanitary sewer
 - storm sewer
 - power
 - natural gas
 - telephone
 - cablevision
 - street lighting
- c. The sizing and specifications of all utilities to be determined in consultation with the Town's Public Works Department and the respective utility companies or agencies.
- d. In conjunction with the above (b), and in relation to the storm sewer, an engineered storm water management plan must be provided to the satisfaction of the Development Authority

iii. Layout Plan Showing Typical Single-detached Manufactured Home Lots

- a. The layout plan shall indicate typical arrangement of single-detached manufactured dwellings.
- b. The layout plan shall also indicate parking areas and landscaping of the lot.

iv. Landscaping Plan

- a. A detailed landscaping plan shall illustrate the types of tree planting and ground occupy for internal buffer strips, open space and playground areas, irrigation layout, all single-detached manufactured dwelling lots, and entrances to the park.

(n) Garbage Enclosures

If not using Town services for garbage collection, garbage enclosures shall be properly screened to the satisfaction of the Development Authority. Common garbage receptacle areas, if provided in the comprehensive plan, must be suitably and effectively screened to the satisfaction of the Development Authority.

(o) Anchoring of a Single-detached Manufactured Dwelling

Every single-detached manufactured dwelling shall be anchored in conformity with CSA standards.

(p) Park Maintenance/ Storage Uses

The design of the park shall include an area or accessory building for the use of park maintenance and storage uses to be constructed for the care and maintenance of the park.

11. ELIGIBLE PANELLIZED DWELLINGS

- (a) Panellized dwellings shall be of a shape and design similar and compatible with the predominant shape and design of existing manufactured homes in the community.
- (b) A panellized dwelling shall be subject to the same development standards and requirements as a manufactured dwelling.

12. STANDARDS OF DEVELOPMENT

– SCHEDULE 3

13. PREFABRICATED DWELLING REGULATIONS

– SCHEDULE 6

14. HOME OCCUPATIONS

– SCHEDULE 7

15. OFF-STREET PARKING AND LOADING REQUIREMENTS

– SCHEDULE 11

16. SIGN REGULATIONS

– SCHEDULE 13

AGENDA ITEM REPORT



Title: DP 2021-151 - 2236 21 Avenue - M. Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 08 Dec 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application requesting a waiver of side yard setback requirements to allow for an existing shed at the property legally described as Plan 7711008, Block 4, Lot 34.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the Commission.

ANALYSIS:

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A zoning district, accessory structures are to be located at a minimum of 0.9 m (3 ft.) from the side property line. Furthermore, accessory structures are not permitted within the side yard between the property line and a principal building.

Currently, the (12 ft. x 20ft.) existing shed is located 0.6 m (2 ft.) from the eastern property line and is situated between the property line and the principal building.

The applicant is requesting a 33% waiver of side yard setback requirements.

It is worth mentioning that with lots such as this, which are created through subdivision long after the initial layout of the neighbourhood was completed, tend to result in abnormal lot types where it can be difficult to apply the regulations of the LUB in the way they are intended to be applied. Specifically, the lot in question is relatively shallow and with the laneway to the east of the lot, it is unclear whether side or secondary front yard rules apply, neither of which fully suits the context of the lot in question.

Applicable Sections of the Land Use Bylaw:

- Schedule 2, Residential R-1A zoning district

KEY CONSIDERATIONS:

Should the commission wish to consider approval of Development Application (DP 2021-151) to allow for a waiver of side yard setback requirements, the following conditions are recommended:

1. Must obtain approval of a building permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement, if necessary.
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 are to conform to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A, with exception of the 0.6m (2 ft.) side yard setback requirement.
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. Ensure lot drainage is maintained.
6. The existing shed is not to be further enlarged unless the necessary permits have been applied for and approved.
7. The exterior finish of the existing shed must be the same or complementary to the principal building.
8. The existing shed shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

FINANCIAL IMPACT:

The applicant has requested a waiver of post-construction fees of one thousand dollars (\$1000).

STAKEHOLDER ENGAGEMENT:

As per the Municipal Government Act (MGA) and the Town's Land Use Bylaw (LUB), notification of the application was circulated to neighbouring property owners within a 60-metre distance of the property 12 days prior to the scheduled meeting.

At the time of this report, no responses from the neighbouring property owners have been received.

DECISION OPTIONS:

The Commission may wish to:

1. Approve the development application (DP 2021-151) with the suggested conditions and approve a waiver of post-construction fees of one thousand dollars (\$1000).
2. Approve the development application (DP 2021-151) with the suggested conditions and refuse the waiver of post-construction fees of one thousand dollars (\$1000).
3. Table the development application (DP 2021-151) pending the receipt of further information.
4. Reject the development application (DP 2021-151) and the request for a waiver of post-construction fees of one thousand dollars (\$1000), with reasons.

RECOMMENDATION:

N/A

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[DP 2021-151 - Notice Letter to Neighbouring Landowners - Existing Shed](#)

[DP 2021-151 - Site Plan](#)

[DP 2021-151 - Existing Shed Photos](#)

[DP 2021-151 - Applicant correspondence](#)

[Coaldale LUB Residential R-1A LU district excerpt](#)



November 24, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-151

APPLICANT: JOHN OUDSHOORN

**ADDRESS: 2236 21 AVENUE, COALDALE, ALBERTA
PLAN 7711008, BLOCK 4, LOT 34**

ZONING: RESIDENTIAL R-1A

Dear Sir/Madam,

We are in receipt of Development Application #2021-151 for an application requesting a waiver of side yard setback requirements to allow for a pre-existing shed at the above-mentioned address.

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A zoning district, it states that accessory structures shall be located at minimum 0.9 m (3 ft.) from the side property line. In addition, within the Residential R-1A zoning district, an accessory structure is not permitted within the side yard between the property line and a principal building.

The existing shed is currently located 0.6 m (2 ft.) from the eastern property line, while the shed is situated between the property line and the principal building. For these reasons, the application requires the review of the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the December MPC meeting.

- **This application will be heard by the MPC at the December 8th, 2021 meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**
- **For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.**

The full agenda will be posted on our website by December 2nd, 2021 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, December 8th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-151.**

Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, December 8th, 2021 or verbally and by virtual means 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,

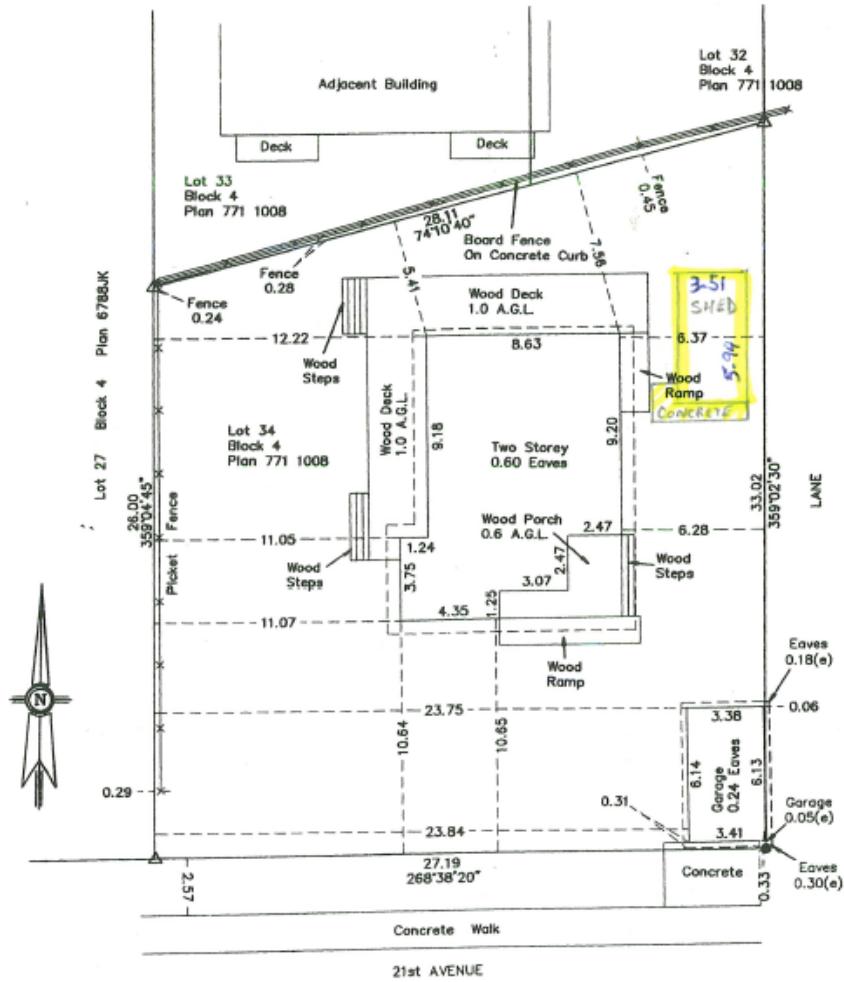


Spencer Croil, RPP MCIP
Director of Planning and Development
Development Officer

cc. Applicant



Site Plan – Current Siting of the Existing Shed



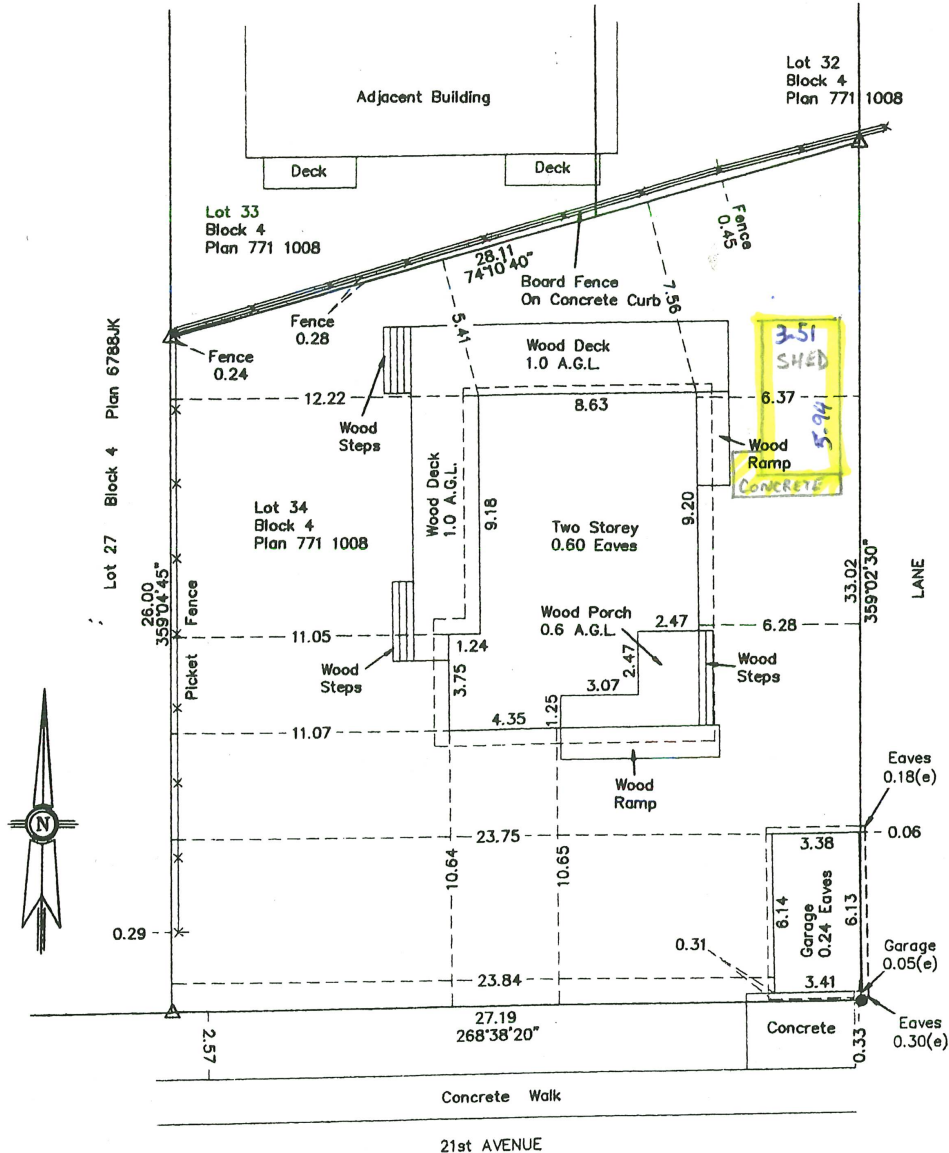
ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This Plan is Page 3 of a Real Property Report and is ineffective if it is detached from page 1 or 2.

Page 3 of 3

Legal Description: Lot 34 Block 4 Plan 771 1008

Civic Address: 2236 - 21st Avenue
Coaldale, Alberta



ENCUMBRANCES:

Registration No.	Particulars
921 295 758	Encroachment Agreement
031 323 551	Mortgage - The Bank of Nova Scotia

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... Δ
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Unless otherwise noted, fences shown are within 0.20m of Property Lines



Scale : 1: 250 Drawn: RLJ

File No. : 04-861

SexSmith Associates

Land Surveys Ltd.
Box 1473, Didsbury, Alberta, T0M 0W0
©Copyright, 2004



NEW ASPHALT DURATION SHINGLES OVER
ICE & WATER SHIELD - ENTIRELY

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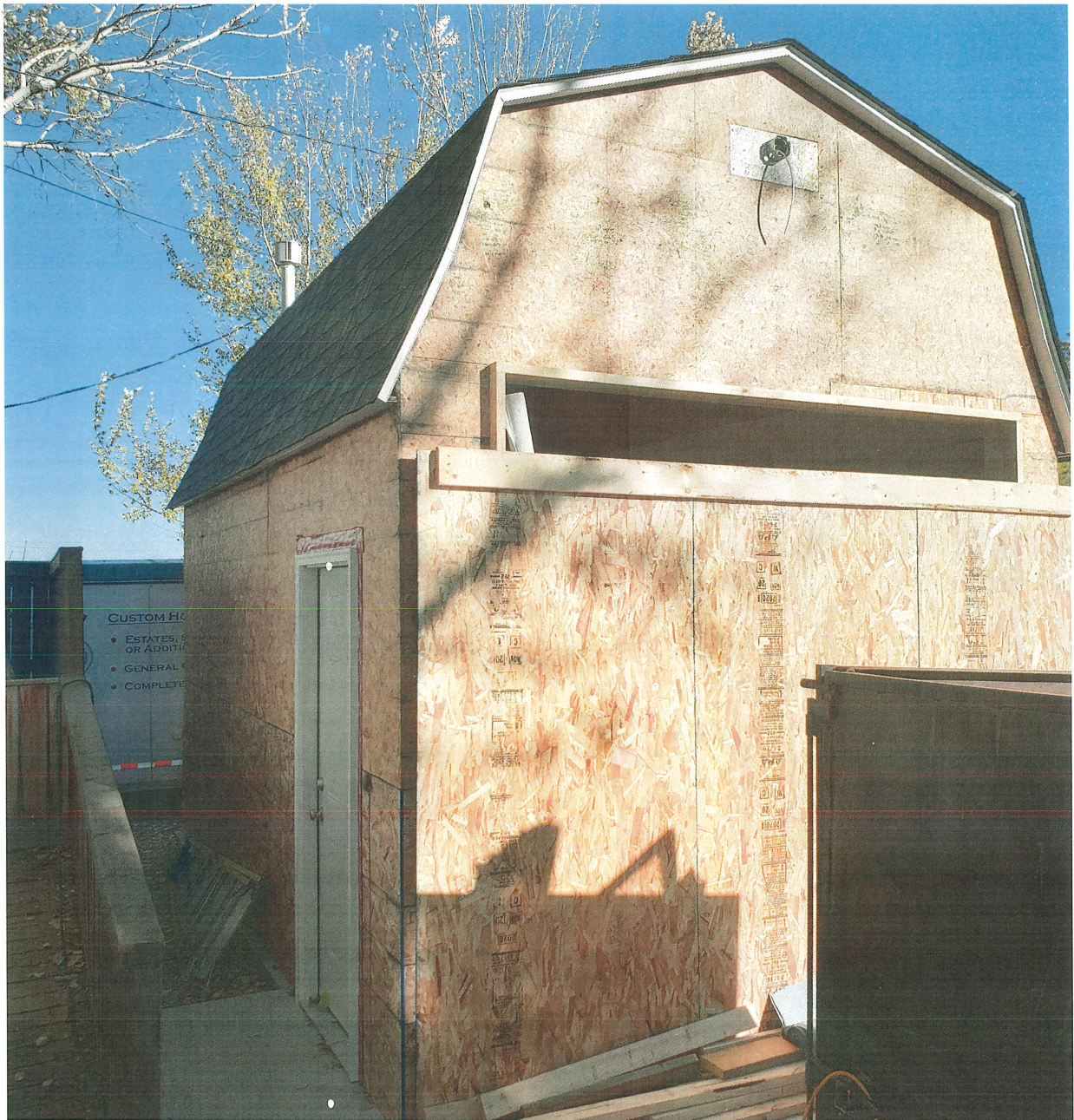


NEW PICTURE WINDOW ON EAST $\frac{1}{2}$ NORTH UPPER WALL AREA.

27' BETWEEN BUILDINGS

TWENTY-SEVEN





NEW 9x9 OH DOOR CHAIN HOIST ON SOUTH
 NEW 36" MAN DOOR ON WEST
 SOUTH WALL EXTERIOR FINISH - CULTURED STONE TO 20" AROUND CORNERS
 REMAINDER HARDI PLANK

N
 W ↑ E
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John Oudshoorn <artisanhomes2006@gmail.com>

Dry Storage shed permit

John Oudshoorn <artisanhomes2006@gmail.com>
Draft

Mon, Nov 1, 2021 at 12:12 PM

Good afternoon, John Oudshoorn Artisan Homes here. I have made an error in re-locating a shed prior to permitting approvals. A little background on this situation.... The town of Coaldale purchased numerous lots on 19th street to enable the future civic square and possible future public outdoor stage / farmers market area on lot 1905, 1907, and 1909- 19th street respectively. On one of these lots (1905) there was a approx 12 x 20ft shed in rear yard that Coaldale Backhoe had not included in his demolition quote. I offered to take the shed off property to ease costs on behalf of the town, or losses to John from Coaldale Backhoe Services. I relocated this shed, as shown on my RPR, with the understanding I was not over on my height, square footage or set back regulations. I have an odd shaped lot (2236- 21 ave) because the initial lot was more than twice as deep going north up to 20th ave. This was subdivided prior to my purchase in 2004, with a 6 plex built in place. However, my house now is situated close to the center of my lot, with no rear yard to accept buildings. I chose to place it on the east side of my house, as there is an alley with 27 ft to the closest wall on neighbors property (2232 21 ave). I am not bottlenecking this alley, as behind 2232 there is only 19 ft fence to fence (alley maximum width, and less where there are utility poles). I am asking for the \$1000 post construction fee to be waived, and I will make sure this repurposed shed will add value to my local vicinity, by renovating entire unit to be aesthetically pleasing, using cultured stone on entire south wall, and James Hardie country lane red cement siding to match my home. My apologies, and please advise, John Oudshoorn- 403 894-6067 or artisanhomes2006@gmail.com

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.).

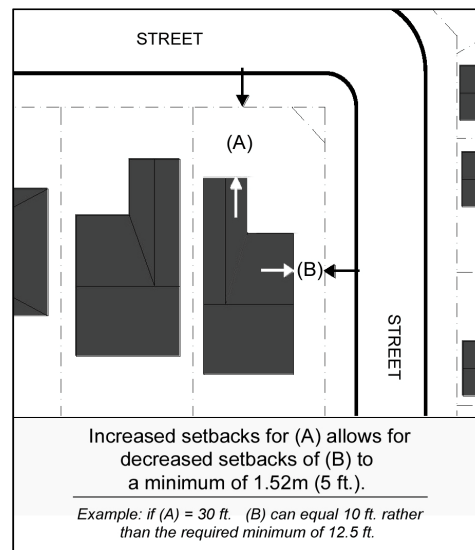
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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, siting 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

AGENDA ITEM REPORT



Title: DP 2021-161 - 2123 23 Avenue - M. Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 08 Dec 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

COMMITTEES & BOARDS:

Municipal Planning Commission

OBJECTIVE:

The following report is to provide the Municipal Planning Commission (MPC) with an application requesting three (3) separate requests for waivers including waivers for maximum accessory structure lot coverage, maximum accessory structure building height and siting requirements to allow for an addition to a detached garage at the property legally described as Plan 5703HJ, Block 16, Lot 7.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the Commission.

ANALYSIS:

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A zoning district, the maximum lot coverage of accessory structures is 10% of the total lot area, while the maximum height of accessory structure requirements is 4.57 m (15 ft.).

Additionally, within the Residential R-1A zoning district, accessory structures are not permitted to be located within the side yard between the property line and a principal dwelling.

The applicant is proposing:

- A garage addition of 111 m² (1194 ft²) amounting to a total of 19% of total accessory structure lot coverage
- A proposed garage addition with a height of 6.7 m (22 ft.)
- That the addition be located within the eastern side yard of the property between the principal dwelling and the property line

Applicable Sections of the Land Use Bylaw:

- Schedule 2, Residential R-1A zoning district

KEY CONSIDERATIONS:

Should the commission wish to consider approval of Development Application (DP 2021-161) to allow for three (3) waiver requests including maximum accessory structure lot coverage, maximum accessory structure height and siting requirements, the following conditions are recommended:

1. Must obtain approval of a building permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement, if necessary.
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 the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential - R-1A requirements.
4. Refuse and garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
5. Ensure lot drainage is maintained.
6. The garage, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

As per the Municipal Government Act (MGA) and the Town's Land Use Bylaw (LUB), notification of the application was circulated to neighbouring property owners within a 60-metre distance of the property 12 days prior to the scheduled meeting.

Within the initial development application, three (2) letters of support were provided by the following residents:

- 2127 23 Avenue
- 2121 23 Avenue
- 2120 24 Avenue

At the time of this report, no additional responses have been received.

DECISION OPTIONS:

The Commission may wish to:

1. Approve development permit application (DP 2021-161) with the suggested conditions.
2. Table development permit application (DP 2021-161) pending the receipt of further information.
3. Reject development application (DP 2021-161), with reasons.

RECOMMENDATION:

N/A

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[DP 2021-161 - Notice Letter to Neighbouring Landowners - Garage Addition](#)

[DP 2021-161 - Site Plan](#)

[DP 2021-161 - Building Elevations](#)

[DP 2021-161 - Letters of Support](#)

[Coaldale LUB Residential R-1A LU district excerpt](#)



November 24, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-161

APPLICANT: FRED TOLSDORF

**ADDRESS: 2123 23 AVENUE, COALDALE, ALBERTA
PLAN 5703HJ, BLOCK 16, LOT 7**

ZONING: RESIDENTIAL R-1A

Dear Sir/Madam,

We are in receipt of Development Application #2021-161 for an application requesting three (3) separate requests for waivers, including waivers for maximum lot coverage, maximum accessory structure building height and siting requirements to allow for an addition to a detached garage at the above-mentioned address.

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A zoning district, the maximum lot coverage of accessory structures is 10% of the total lot area, while the maximum height of accessory structures requirements is 4.57 m (15 ft.). Additionally, within the Residential R-1A zoning district, accessory structures are not permitted to be located within a side yard between the property line and a principal dwelling.

The applicant is proposing:

- A garage addition of 111 m² (1194 ft²) amounting to a total of 19% of total accessory structure lot coverage
- A proposed garage addition with a height of 6.7 m (22 ft.)
- That the addition be located within the eastern side yard of the property between the principal dwelling and property line

For these reasons, the application requires the review of the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the December MPC meeting.

- **This application will be heard by the MPC at the December 8th, 2021 meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**
- **For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.**

The full agenda will be posted on our website by December 2nd, 2021 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, December 8th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-161.**

Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, December 8th, 2021 or verbally and by virtual means 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 Development
Development Officer

cc. Applicant

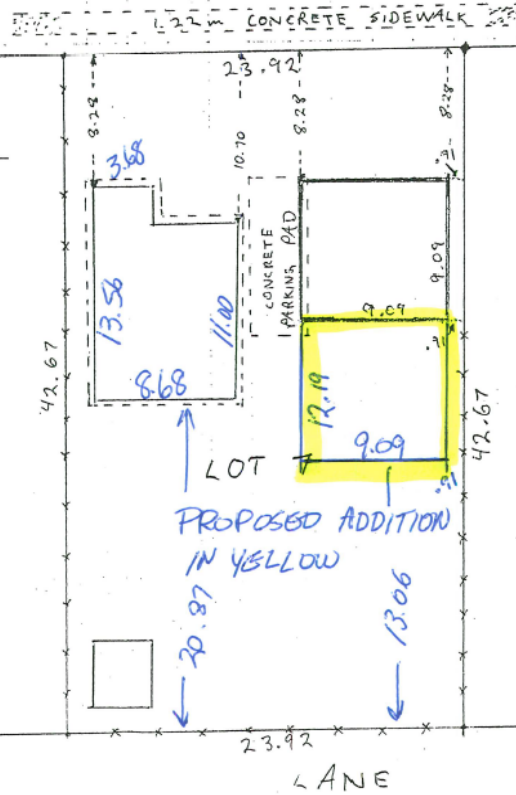


Site Plan - Proposed Garage Addition

23 rd. A V E N U E

SUBMITTED FOR BUILDING
PERMIT BY
LLOYD DYCK OF

2123 - 23 Ave
Coaldale, AB
ph#345-4005

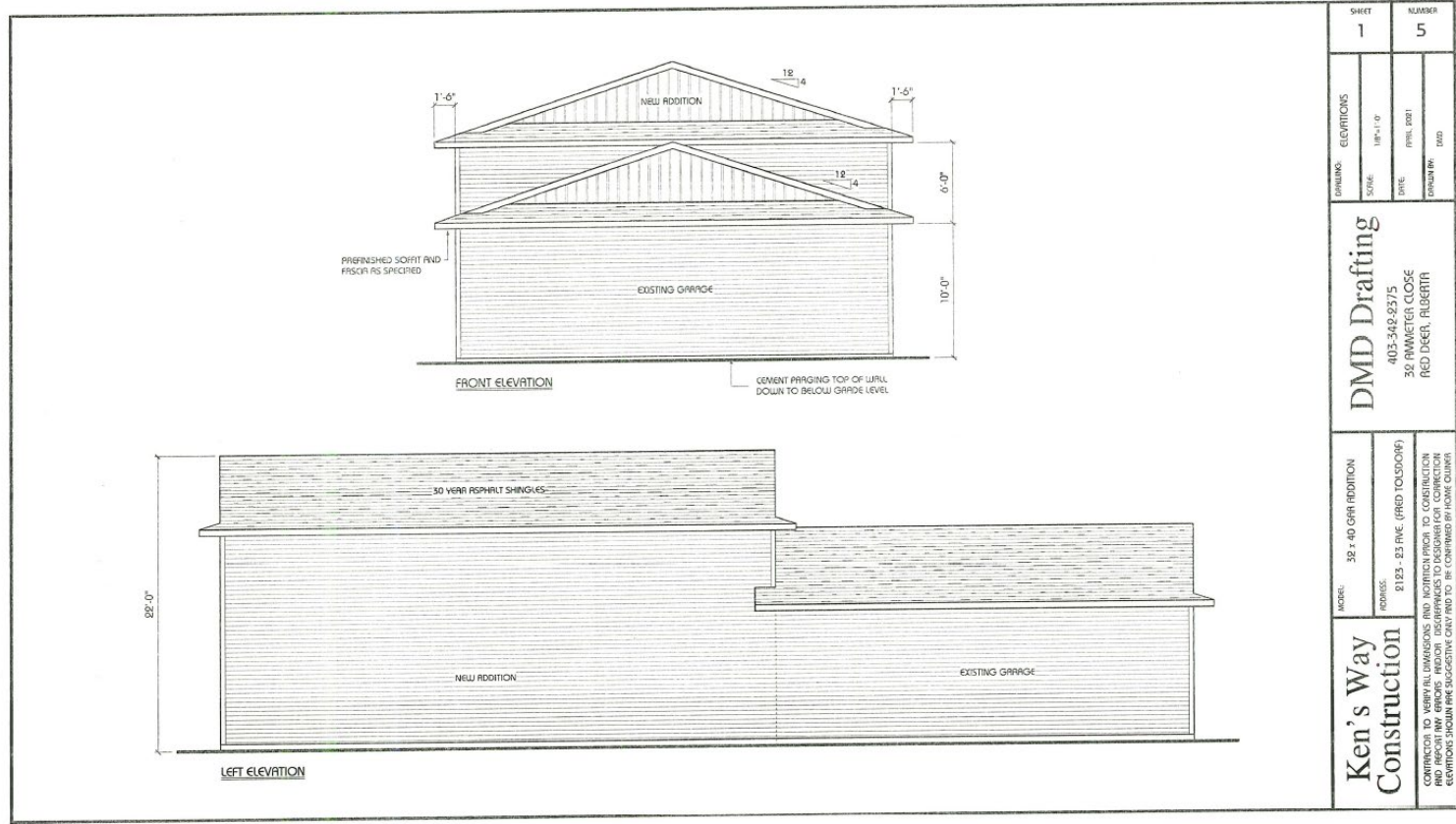


LEGAL DESCRIPTION OF PROPERTY
PLAN 5703 H.T. BLOCK 16
LOT(S) 7

MUNICIPAL ADDRESS
2123 - 23 Avenue
Coaldale, AB.

- Distances shown are in metres and decimals thereof.
- Dimensions are to the exterior cladding of the buildings.
- Existing buildings shown in pen.
- Proposed building (Garage) shown in pencil
- Proposed garage walls shall be 10' (feet) high, producing a peaked roof to be 15' (feet) high in the middle.

Building Elevations – Proposed Garage Addition



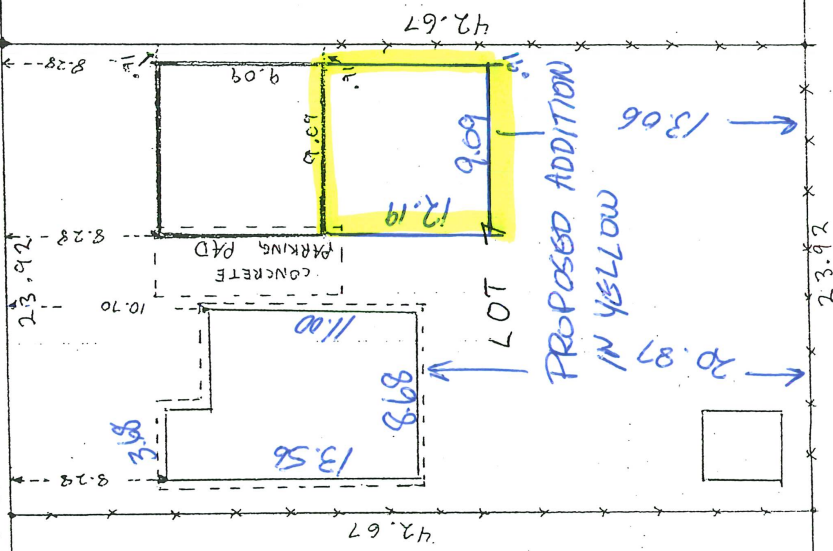
23rd A V E N U E

122'w CONCRETE SIDEWALK

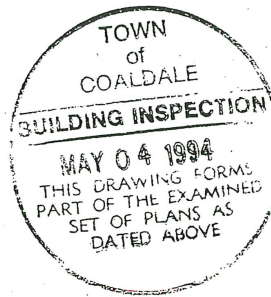
LEGAL DESCRIPTION OF PROPERTY
PLAN 5703 H.J. BLOCK 16
LOT(S) 7

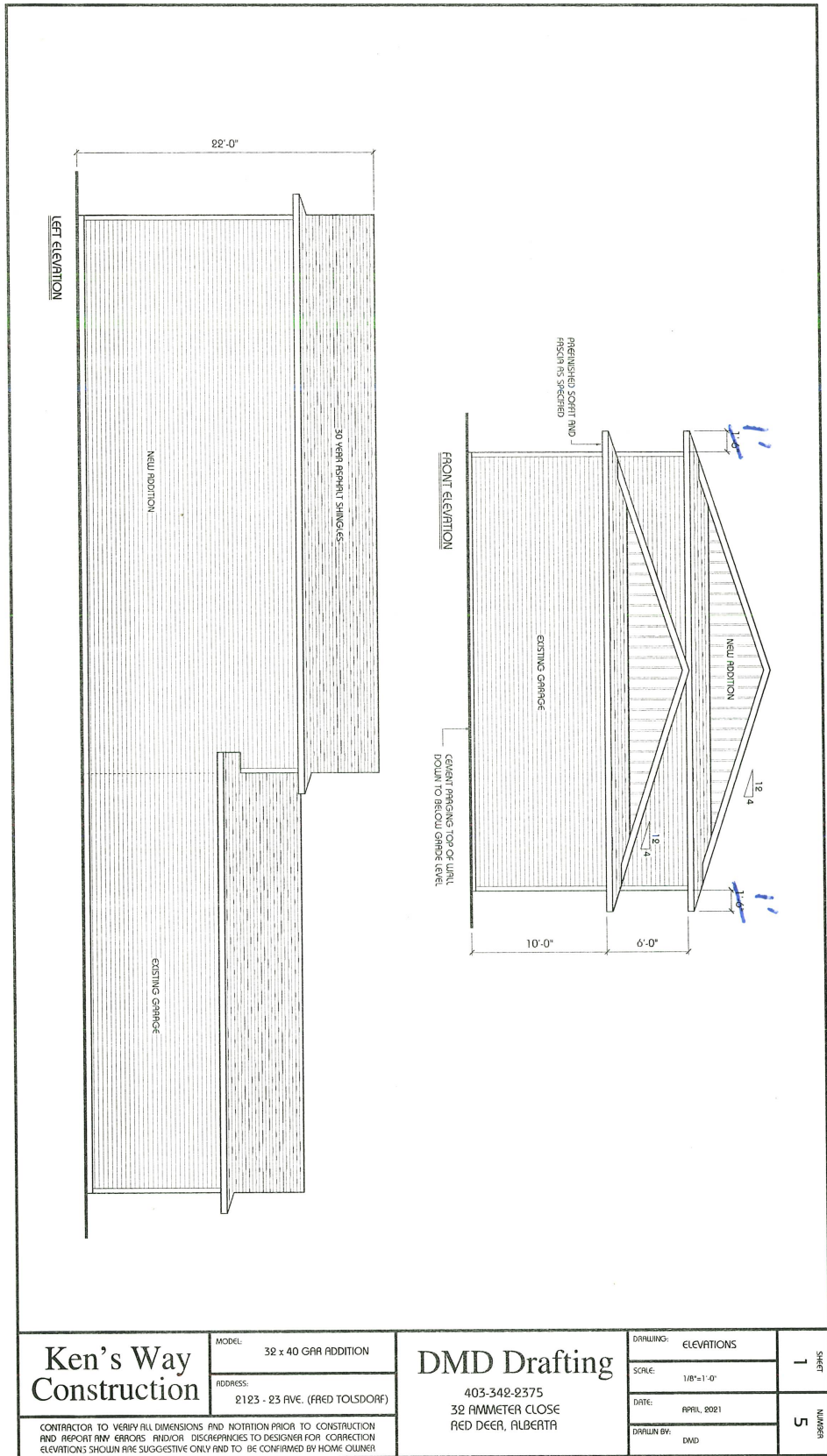
MUNICIPAL ADDRESS
2123 - 23 Avenue
Coaldale, AB.

- Distances shown are in metres and decimals thereof.
- Dimensions are to the exterior cladding of the buildings.
- Existing buildings shown in pen.
- Proposed building (Garage) shown in pencil
- Proposed garage walls shall be 10' (feet) high, producing a peaked roof to be 15' (feet) high in the middle.



SUBMITTED FOR BUILDING PERMIT BY
LLOYD DYCK OF
2123 - 23 Ave
Coaldale, AB
PL# 345-4005





**Ken's Way
Construction**

MODEL: 32 x 40 GAR ADDITION
ADDRESS: 2123 - 23 AVE. (FRED TOLSDORF)

CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTATION PRIOR TO CONSTRUCTION AND REPORT ANY ERRORS AND/OR DISCREPANCIES TO DESIGNER FOR CORRECTION. ELEVATIONS SHOWN ARE SUGGESTIVE ONLY AND TO BE CONFIRMED BY HOME OWNER.

DMD Drafting

403-342-2375
32 AMMETER CLOSE
RED DEER, ALBERTA

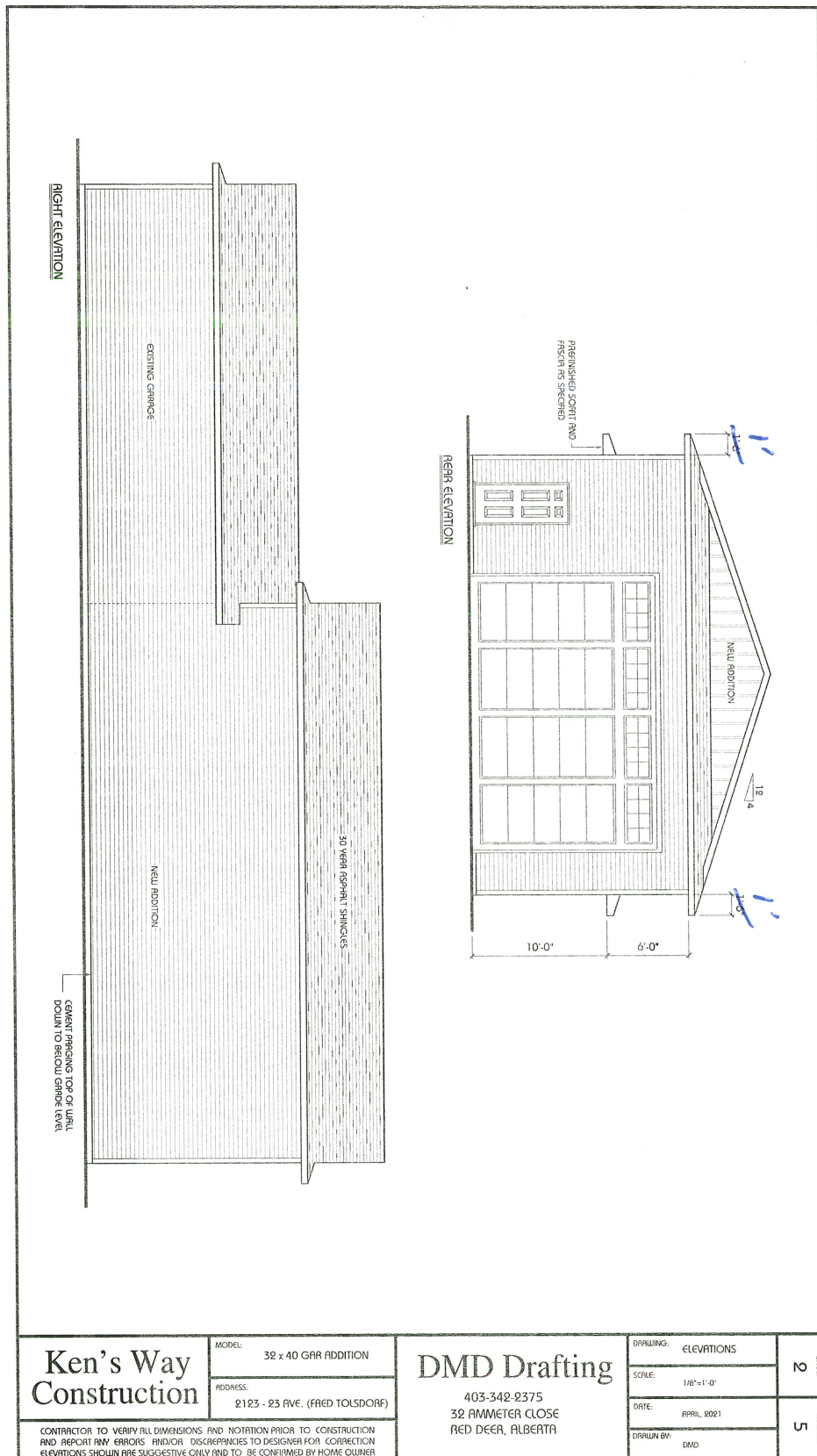
DRAWING: ELEVATIONS

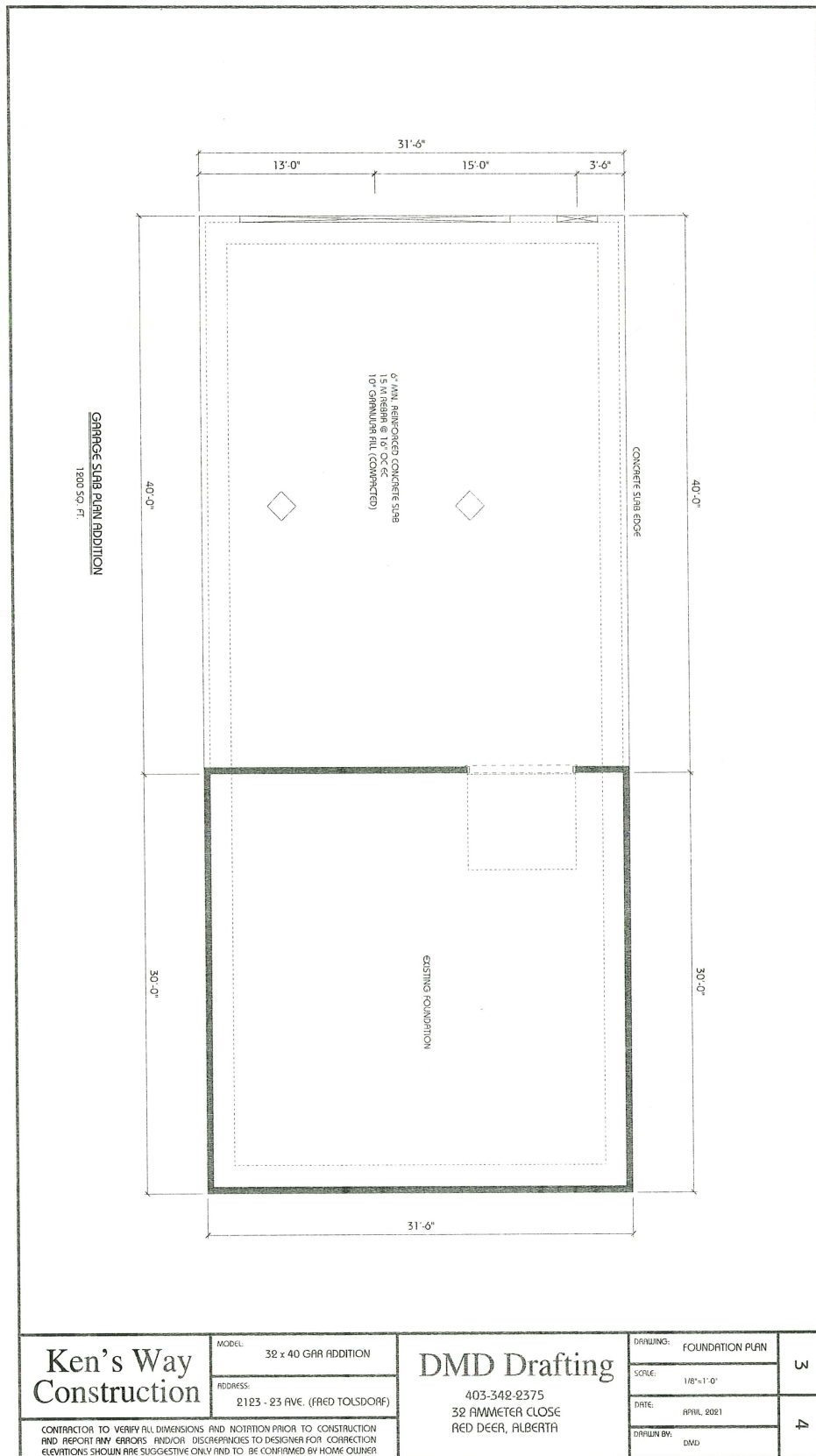
SCALE: 1/8"=1'-0"

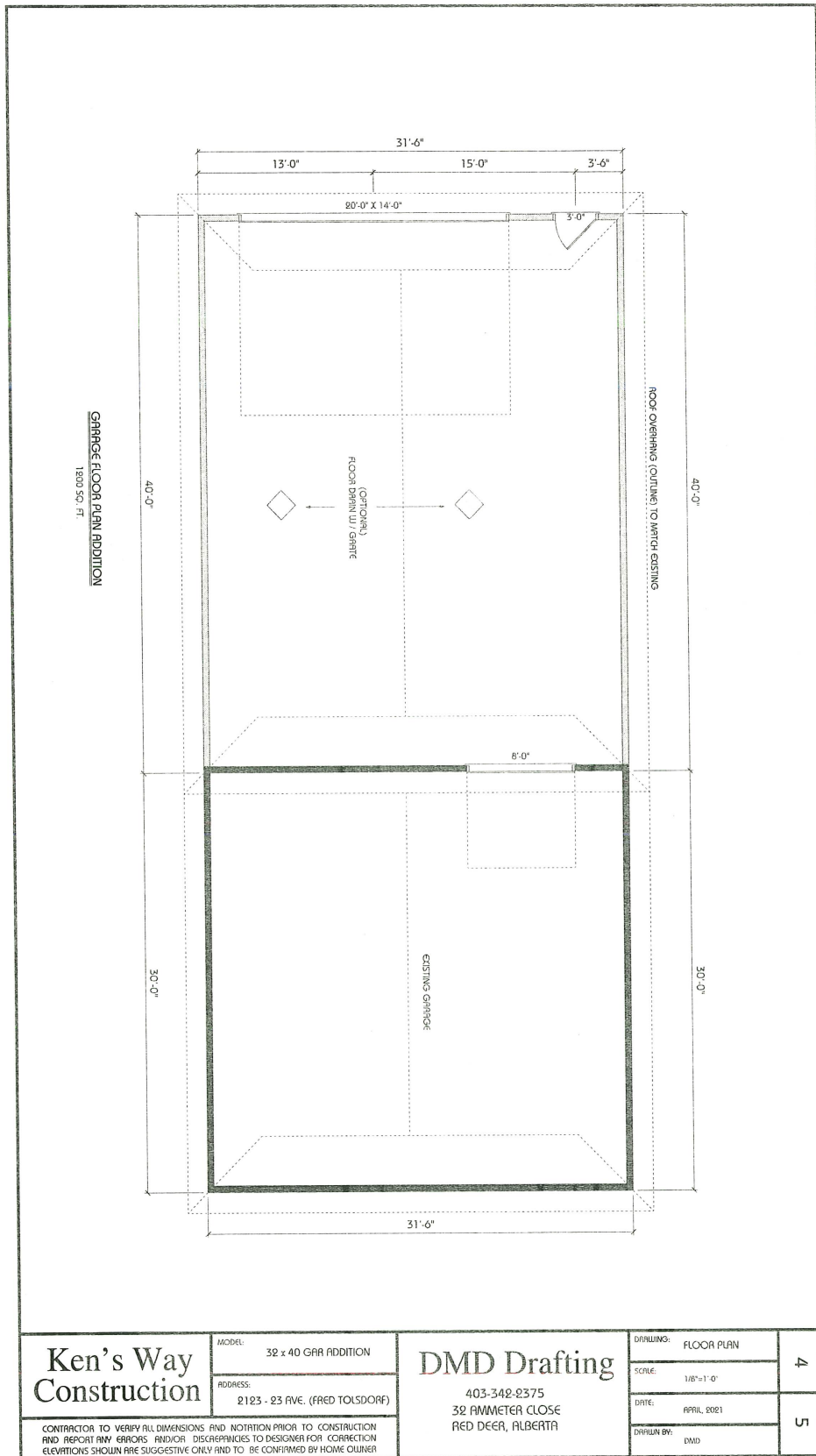
DATE: APRIL, 2021

DRAWN BY: DMD

SHEET
1
NUMBER
5







November 8, 2021
Coaldale AB.

Town Of Coaldale Development Dept.

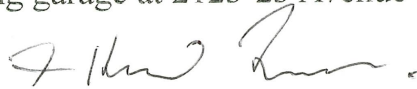
Dear Sir/Madam,

Mr Fred Tolsdorf of 2123-23 Avenue Coaldale has shown me his plan to put an addition on his existing garage on his property. He has asked me if I would have any objection to the addition as a direct neighbor living next door or to the rear of the above address.

My concerns are listed as follows:

Thank you for excepting my concerns for the construction of the proposed addition to the existing garage at 2123-23 Avenue Coaldale

2127-23 Avenue



403 380-8733

2121-23 Avenue

2121-24 Avenue

November 8, 2021
Coaldale AB.

Town Of Coaldale Development Dept.

Dear Sir/Madam,

Mr Fred Tolsdorf of 2123-23 Avenue Coaldale has shown me his plan to put an addition on his existing garage on his property. He has asked me if I would have any objection to the addition as a direct neighbor living next door or to the rear of the above address.

My concerns are listed as follows:

No concerns from 1908445 AB Ltd / John Van Beek


Thank you for excepting my concerns for the construction of the proposed addition to the existing garage at 2123-23 Avenue Coaldale

2127-23 Avenue

2121-23 Avenue

2121-24 Avenue

November 8, 2021
Coaldale AB.

Town Of Coaldale Development Dept.

Dear Sir/Madam,

Mr Fred Tolsdorf of 2123-23 Avenue Coaldale has shown me his plan to put an addition on his existing garage on his property. He has asked me if I would have any objection to the addition as a direct neighbor living next door or to the rear of the above address.

My concerns are listed as follows:

None.

Thank you for excepting my concerns for the construction of the proposed addition to the existing garage at 2123-23 Avenue Coaldale

2127-23 Avenue

~~2121-23 Avenue~~

2121-24 Avenue

John Tolsdorf

403-627-6947

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.).

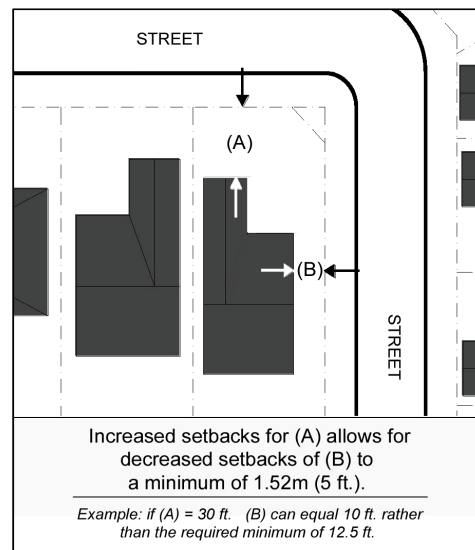
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	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, siting 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
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18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

AGENDA ITEM REPORT



Title: DP 2021-088 - 1302 18 Avenue - M. Messier
Report Type: Information Update
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 08 Dec 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

COMMITTEES & BOARDS:

Municipal Planning Commission

OBJECTIVE:

The following report is to present the Commission with a request for a time extension to complete landscaping requirements for development permit (2021-088) assigned to the property legally described as Plan 7910846, Block 1, Lot 7.

PREVIOUS COUNCIL DIRECTION:

The Commission reviewed Development Permit (2021-088) at the Wednesday, July 14, 2021, regular commission meeting.

The Commission moved to approve a change of use to allow an 'Automotive Sales and Service Shop' with the condition that landscaping from a previous development permit (2020-092) was to be completed within six (6) months of the new development permit (2021-088) issue date: July 15, 2021.

Informative:

Development permits (2020-092) and (2021-088) were applied for by a previous tenant (1845163 Alberta Ltd.). Landscaping requirements were never fulfilled as part of either permit and are now being reviewed as part of the transfer of the development permit to a new tenant.

ANALYSIS:

As part of a transfer of development permit, (Due West Tire Co.) of 1302 18 Avenue is requesting a time extension for a condition of a previously approved development permit, which was not fulfilled by the previous tenant.

The applicant is proposing to install landscaping by Spring/Summer 2022 and requires the review of the Municipal Planning Commission as a development permit may be extended **only one (1) time for up to six (6) additional months.**

The applicant has indicated that they will be installing Option One (1) of the previously submitted landscaping plans with the removal of one existing tree and replacement of five (5) shrubs or more.

KEY CONSIDERATIONS:

The applicant has requested a time extension of six (6) months to allow for ample time to remove an existing tree located at the entrance of the principal building and to install new landscaping as per the 'Option One' landscaping plan.

FINANCIAL IMPACT:

None

STAKEHOLDER ENGAGEMENT:

Given the request results in no changes to the original permit, circulation of the permit was not required.

DECISION OPTIONS:

The Commission may wish to:

1. Approve the request for a time extension of six (6) months to fulfill landscaping requirements for development permit (2021-088).
2. Table the request for a time extension of six (6) months to fulfill landscaping requirements for development permit (2021-088).
3. Refuse the request for a time extension of six (6) months to fulfill landscaping requirements for development permit (2021-088), with reasons.

RECOMMENDATION:

N/A

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[Site Location](#)

[Coaldale LUB - Section 46 - Permit validity and transferability excerpt](#)

[2021-088 - Landscape plan options - FINAL OPTION 1](#)

[DP 2021-088 - permit - 1302 18 Avenue - Change of use](#)



DEVELOPMENT PERMIT VALIDITY AND TRANSFERABILITY

44. REAPPLICATION FOR A DEVELOPMENT PERMIT

- (a) If an application for a development permit is refused by the Designated Officer, the Municipal Planning Commission or by the Subdivision and Development Appeal Board or Council in regard to the Direct Control district, another application for development on the same lot, and for the same or similar use, may not be made for at least six (6) months after the date of refusal.
- (b) If an application was refused solely because it did not comply with the standards of this Bylaw, the Designated Officer may accept another application on the same lot for the same or similar use before the time period referred to in subsection 45(a) has lapsed, provided the application has been modified to comply with this Bylaw.

45. COMMENCEMENT OF DEVELOPMENT

- (a) Notwithstanding the issuing of a development permit, no development authorized by the issuing of a permit **shall commence**:
 - i. until at least 21 days from the day the decision is given;
 - ii. if an appeal is made, until the appeal is decided upon; and
 - iii. any development commencing prior to the dates determined under subsections 45(a)(i), (ii) and (iii) is entirely at the risk of the applicant, developer, or landowner.
- (b) Notwithstanding subsection 45(a), development may commence prior to the date of validity established in the notice of the issuance of the permit pursuant to Sections 33 and 42, if the applicant for the development permit, and the landowner if the applicant is not the landowner, has executed the "Voluntary Waiver of Claims" for in Appendix B.

46. VALIDITY OF DEVELOPMENT PERMIT

- (a) Unless a development permit is suspended or cancelled, the application must be commenced or carried out with reasonable diligence in the opinion of the Municipal Planning Commission or Designated Officer within 12 months from the date of issuance of the permit; otherwise the permit is no longer valid.
- (b) The validity of a development permit may be extended **only one (1) time for up to six (6) additional months**:
 - i. by the Designated Officer or the Municipal Planning Commission, if the Designated Officer issued it; or
 - ii. by the Municipal Planning Commission, if the Municipal Planning Commission issued it.

47. TRANSFER OF DEVELOPMENT PERMIT

- (a) A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.

48. DISCONTINUATION OF USE

- (a) When any use has been discontinued for a period of six (6) months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

OPTION 1 LEGEND

GREEN ASH (3)  <i>Fraxinus pennsylvanica</i> Size: 18m tall, 12m spread Extremely hardy, will grow in clay soil and extreme climates, fast growing	AUSTRIAN PINE (1)  <i>Pinus nigra</i> Size: 12m tall, 6-7m spread Drought and wind tolerant once established	KENTUCKY BLUE GRASS SOD: 1122 SQ.FT. WASHED GRAVEL MULCH: 818 SQ.FT. TOTAL LANDSCAPE AREA: 1940 SQ.FT.
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**TOWN OF COALDALE
DEVELOPMENT PERMIT**

*Land Use Bylaw No. 677-P-04-13
Development Permit No. 2021-088*

This Development Permit is hereby issued to: 1845163 Alberta Ltd.
PO Box 811
Coaldale, AB
T1M 1M7

In Respect of Works Consisting of: Change of Use (Accessory Use) – Automotive Repair
Shop and Sales

On land located at: **1302 18 Avenue, Coaldale, AB**
Plan 7910846, Block 1, Lot 7

Zoning: Industry – I

And as described on Development Application No. 2021-088 and on plans submitted by the applicant, subject to the conditions contained herein:

CONDITIONS:

1. Must obtain **approval** of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 **prior** to commencement.
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 change of use 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. The applicant/owner shall consult with the Alberta Motor Vehicle Industry Council for updated permissions involving their commercial business license.
6. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighborhood.
7. The applicant/ owner shall comply with Land Use Bylaw No. 677-P-04-13, Schedule 11, Off-Street Parking & Loading Requirements, 1 (one) space per 500 ft² of GFA.

8. The applicant shall complete landscaping within 6 months of the permit issuance as decided upon by the Municipal Planning Commission (MPC).
9. 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 re-approval. Failure to comply with any condition of this permit shall render the permit null and void at the discretion of the Development Officer.

THIS IS NOT A BUILDING PERMIT

The applicant is responsible for obtaining the necessary Building Permits and any other approvals or adherence to provincial regulations etc.

Development Permit Issued On:

July 14, 2021

Development Permit Valid Effective On:

August 4, 2021

Development Permit Issued By:

Spencer Croil, Director of Planning and Community
Development and Development Officer
On behalf of the Municipal Planning Commission

Signature:



IMPORTANT:

Notwithstanding the issuing of a development permit, no development authorized by the issuing of a permit shall commence:

- (a) until at least 21 days after notice of the issuance of the permit, has been posted, in accordance with section 686(1) of the *Municipal Government Act*; or
- (b) until at least 14 days after notice of the issuance of the permit, in accordance with section 686(1) of the *Municipal Government Act*, which shall be presumed to be effective 7 days from the date of mailing if the document is mailed in accordance with the *Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8*; or
- (c) if an appeal is made, until the appeal is decided upon; and
- (d) any development commencing prior to the dates determined under subsections (a), (b) and (c) is entirely at the risk of the applicant, developer, or landowner.

Notice of approval in no way removes the need to obtain any Permit or approval required by any federal, provincial, or municipal legislation, and/or regulations pertaining to Development approved. Persons affected by this decision have 14 days from the date of receipt to appeal to the Secretary of the Subdivision and Development Appeal Board located at: Town of Coaldale, 1920 – 17th Street, Coaldale, Alberta, T1M 1M1. Appeals must be submitted in writing and an appeal fee is applicable

EXTERIOR FINISH:

1. The exterior, including painting, of any new or renovated building must be completed to the satisfaction of the Designated Officer within 12 months from the date of issue of this Development Permit.
2. The yard requirement shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Designated Officer.

NOTES:

The Development outlined on the reverse side is subject to the following conditions:

1. This Permit indicates that only the Development to which it relates is authorized in accordance with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw, laws, orders and/or regulations affecting such Development.
2. This Permit, issued in accordance with the Notice of Decision, is valid for a period of 12 months from the date of issue. If, at the expiry of this period, the Development has not been commenced or carried out with reasonable diligence in the opinion of the Designated Officer or Development Authority, this Permit shall be null and void.
3. The Designated Officer may, in accordance with Section 645 of the Act, take such action as is necessary to ensure that the provisions of this Bylaw are complied with.