



AGENDA

Municipal Planning Commission Meeting

5:00 PM - Wednesday, July 14, 2021

Virtual

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- 1.0 CALL TO ORDER**
- 2.0 ACCEPTANCE OF THE AGENDA**
- 3.0 ADOPTION OF PREVIOUS MINUTES**
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- 4.0 BUSINESS ARISING FROM THE MINUTES**
- 5.0 NEW BUSINESS**
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- 6.0 INFORMATION ITEMS**
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- 8.0 ADJOURNMENT**



MINUTES

Municipal Planning Commission Meeting

5:00 PM - Wednesday, June 9, 2021
HUB (Virtual)

The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, June 9, 2021, at 5:00 PM, in the HUB (Virtual), with the following members present:

PRESENT:

R. Hohm, Councillor (Chair)
J. Abrey, Councillor
D. Lloyd, Councillor
J. Van Hierden, Committee Member
J. Peters, Committee Member

STAFF PRESENT:

S. Croil, Director of Planning & Development
M. Messier, Planning Intern
K. Stone, Recording Secretary

GALLERY:

M. Thompson; P. Bos; D. Stimson; A. Fritz; J. Quinton;
M. Baines

1.0 CALL TO ORDER

R. Hohm called the meeting to order at 5:00 P.M.

2.0 ADDITIONS TO THE AGENDA

2.1 SUB 2021-005 item 5.8

3.0 ADOPTION OF PREVIOUS MINUTES

3.1 MPC Meeting Minutes - May 12, 2021

31-2021

MOTION: J. Abrey moved to APPROVE the May 12, 2021 minutes.

Carried 5-0

4.0 BUSINESS ARISING FROM THE MINUTES

None

5.0 NEW BUSINESS

5.1 SUB 2021-007 - 93039 HWY 845 - S. Croil

S. Croil presented SUB 2021-007 to adjust the boundaries of the three lots in question by removing 1.394 ha (3.44 ac) from Lot 4, Block 1, Plan 1811388 and enlarging Lot 5, Block 1, Plan 1811388 by 0.178 ha (0.44 ac) and Lot 2, Block 1, Plan 1512220 by 1.214 ha (3.0 ac).

The subdivision proposal is intended to allow for the future expansion of the business currently located on Lot 2, Block 1, Plan 1512220, and allow for a slight expansion to Lot 5, Block 1, Plan 1811388. The subject properties currently contain a light industrial business (electrical contractor), which is located on Lot 2, Block 1, Plan 1512220, a dwelling and related outbuildings, which is situated on Lot 5, Block 1, Plan 1811388, and vacant land that is slated for future industrial development, which is Lot 4, Block 1, Plan 1811388.

It was noted that the properties that are the subject of this subdivision application are identified as being within an area having a Historic Resource Value of 3H, and as such, Historic Resources Act approval shall be required to be obtained if the subdivision is approved.

The ultimate intent of development within the quarter section within which the subject properties are located is to accommodate future industrial development. However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section, of which one is situated on Lot 5, Block 1, Plan 1811388.

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

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. The Historic Resources Act approval be obtained prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

In accordance with Sec. 663(c) of the Municipal Government Act (parcel is under 0.8 ha in size), Municipal Reserve is not required for Lot 5, Block 1, Plan 1811388. In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedicated on Lot 2, Block 1, Plan 1512220 and Lot 4, Block 1, Plan 1811388 by way of land, cash-in-lieu of land, or by deferred reserve caveat.

The application was circulated to neighbouring properties and the appropriate referral agencies. The commentary received included:

- Alberta Transportation – The subject parcels are within an urban area and access to the highway will remain to be consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, Alberta Transportation does not anticipate that boundary adjusted parcels for light industrial and urban reserve as proposed would have any appreciable impact on the highway.
- Lethbridge County – No concerns.
- SMRID – No objections given the lands are classified as "dry".
- FortisAlberta Fortis has indicated they require no easements associated with the subdivision.
- ATCO had a representative phone the Town and indicated they are willing to provide approval for the subdivision from

their office, however, they wish for the east boundary to be adjusted to avoid the existing right of way having to be on two utilities.

- M. Thompson advised that with respect to the ATCO right of way, the reasoning for the current boundary was to hit the exact acreage as per a deal between the landowners involved. However, if the MPC wishes to appease ATCO and move the boundary, the applicants would prefer to move the boundary to the eastern side of the ATCO right of way.

32-2021

MOTION: D. Lloyd moved to APPROVE SUB 2021-007 subject to conditions:

- 1. Any outstanding property taxes shall be paid to the Town of Coaldale.*
- 2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.*
- 3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
- 4. That the east boundary of what is proposed as Lot 6, Block 1, be moved east, to fully encompass the ATCO Pipelines r-o-w that is described as P/L R/W Plan 9112212.*
- 5. That Historic Resources Act approval be obtained prior to finalization.*

Carried 5-0

5.2 SUB 2021-008 - 92073 HWY 845

S. Croil presented SUB 2021-008 to create one new lot by subdividing one 1.21 ha (3 ac) lot out of the existing 8.17 ha (20.19 ac) parcel at 92073 HWY 845.

The proposal is intended to allow for the separation of the residential part of the property from the industrial and vacant parts of the property. The ultimate intent of development within the quarter section where the subject property is located is to accommodate future industrial development.

However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section that were in place prior to the annexation that brought the quarter section into Town boundaries.

These residential uses and the separation of existing residential developments from land that is either vacant or already being used for industrial purposes is accounted for in the annexation order and the Town's Land Use Bylaw.

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

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments

In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication by way of land, cash-in-lieu of land, or by deferred reserve caveat.

The application has been circulated to surrounding properties and the appropriate referral agencies. The commentary that was provided included:

- Alberta Transportation advised the parcels of land are within an urban area and access will remain consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, Alberta Transportation does not anticipate that the creation of the residential and industrial parcels as proposed will have any appreciable impact on the highway.
- Lethbridge County had no objections.

- FortisAlberta has indicated they do not require an easement associated with the subdivision.
- ATCO has no objections.

33-2021

MOTION: J. Van Hierden moved to APPROVE SUB 2021-008 subject to conditions:

1. *Any outstanding property taxes shall be paid to the Town of Coaldale.*
2. *The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.*
3. *That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
4. *That any conditions of Alberta Transportation shall be met prior to finalization.*

Carried 5-0

5.3 SUB 2021-009 - Town of Coaldale

M. Messier presented SUB 2021-009 to consolidate three parcels equaling a total of 1.214 ha (3 ac) and subdivide into two larger parcels of equal size or 0.607 ha (1.5 ac) for future industrial use at 917, 1005 and 1009 12 Avenue.

The subject properties are owned by the Town of Coaldale and are located within the northeast industrial area of Town. The subject area currently contains no buildings or structures and has been slated for future industrial development. The proposed subdivision is to create larger lots for interested buyers in the northeast industrial area and to allow for future industrial development that is permitted or permissible as per the Town of Coaldale's Industry-I land use district.

The Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.

2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as require by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

In accordance with the provisions of Sec. 663 of the Municipal Government Act, reserves are not required.

The application has been circulated to adjacent properties and the appropriate referral agencies. The commentary received includes:

- ATCO Gas noted it has an existing gas line on the subject property registered as #121 257 666 General URW, Town of Coaldale and therefore has no objection to the proposed subdivision.
- Alberta Transportation noted the parcels to be created will be well removed from Highway 3, with indirect access to the highway being gained solely by way of the local street system. As such, Alberta Transportation does not anticipate that the creation of the two (2) consolidated industrial parcels as proposed would have any appreciable impact on the highway.
- Canada Post had no comment.
- FortisAlberta advised no easement is required by FortisAlberta.
- SMRID has no objections.
- TELUS has no objections.

34-2021

MOTION: D. Lloyd moved to APPROVE SUB 2021-009 subject to conditions:

1. *Any outstanding property taxes shall be paid to the Town of Coaldale.*
2. *The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.*

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

Carried 5-0

5.4 SUB 2021-010 - SW 13-9-20-W4M

S. Croil presented SUB 2021-010, an application to subdivide eleven parcels of land, with 10 of the 11 parcels being between 405 m² and 450 m², and one lot of 1.122 ha (2.77 ac), out of the parent parcel of 4.84 ha (11.961 ac), for the purposes of the creation of 10 lots to be designated as Residential Starter Lot (R-1C) and one lot to be designated as Residential Multi-unit (R-2), in accordance with the Parkside Acres Area Structure Plan (ASP).

The application is generally consistent with the Parkside Acres Area Structure Plan (ASP). The ASP contains a conceptual framework for the subdivision and development of the community. It was noted that the subdivision proposal includes approximately 900 m² (the approximate area of two Residential R-1C lots) of land that is shown to be within the Residential Multi-unit lot (the 1.122 ha or 2.77 ac lot) that is currently identified in the ASP as being future R-1C lots. However, given the relatively small area of the change and the resultant favourable geometry of the multi-unit lot, the intent of the concept plan contained in the ASP can be considered to be met.

The current zoning of the subject parcel is Urban Reserve (UR). However, a land use redesignation application is being processed in conjunction with this subdivision application, and the proposed land use districts for this subdivision include Residential Starter Lot (R-1C) for the 10 lots of between 405 m² and 450 m², and Residential Multi-unit (R-2) for the 1.122 ha (2.7 ac) lot that is proposed to be created.

The application is generally compliant with the Parkside Acres Area Structure Plan and the Land Use Bylaw, and as such the Municipal Planning Commission may consider approval of the

subdivision application subject to the following suggested conditions:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matters the Town deems necessary.
3. That the applicant pays the applicable fees as required by the Town of Coaldale.
4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
5. That any conditions of Alberta Transportation shall be met prior to finalization.
6. Consideration of adjacent landowner and referral agency comments

In accordance with the provisions of Sec. 666, 667, and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

The application has been circulated to neighbouring properties and the appropriate referral agencies. The commentary that was received included:

- Alberta Transportation noted that the parcels to be created will be well removed from Highway 3 with indirect access to the highway being gained solely by way of the local street system. As such, strictly from Alberta Transportation's point of view, it does not anticipate that the creation of the one (1) residential parcel would have any appreciable impact on the highway.
- Canada Post Canada Post will provide service to the eleven new addresses through an existing Community Mailbox and mail service for the multi-family development will be through new community mailboxes to be installed within the development.
- SMRID has no objection as the parcel is classified as "dry".
- TELUS has no objections. However, noted protection of future facilities to provide service will be required by way of a TELUS-named utility right of way, a joint-use utility right

of way or public road and requests that the requirement is placed under the conditions of approval for the proposed subdivision.

The road is shown at 16m in width. However, the intention is to increase to 17m to allow for wider road surface that would include parking, driving lanes and sidewalks on both sides.

- The Commission inquired if the condominium units will be two story.
- P. Bos advised that they will be one level with basements.

35-2021

MOTION: J. Abrey moved to APPROVE SUB 2021-010 subject to conditions:

- 1. Any outstanding property taxes shall be paid to the Town of Coaldale.*
- 2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.*
- 3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
- 4. That any conditions of Alberta Transportation shall be met prior to finalization.*
- 5. Consideration of adjacent landowner and referral agency comments.*

Carried 5-0

5.5 DP 2021-075 - 2005 30A Avenue

S. Croil presented DP 2021-075, an application requesting two waivers.

First, the landscaping waiver presented herein originated out of a request made as a part of development permit no. 2021-050. At the May 12th meeting of the MPC, the Commission approved a covered deck for this property, but tabled a decision on the landscaping waiver that was requested at the same time. The landscaping waiver has now come back to MPC as development permit no. 2021-075.

Second, upon further review of development plans for the property, the garage height was noted to be 0.8 m (2.5 ft) above the maximum accessory structure height requirements to allow for a detached garage. Therefore, the garage height waiver was added to this application as well.

Garage Height Waiver

Within the Residential R-1A land use district, an accessory structure, such as a detached garage, has a maximum height limit of 4.57 m (15 ft). A detached garage was issued a permit on April 27th, 2021 (DP 2021-055) is shown in the plans as being 5.33 m (17.5 ft). The identification of the garage as being over-height was not made until after the initial permit had been issued.

It was noted that the Architectural Controls administrator for Cottonwood Estates has indicated they have no concerns with the garage as designed.

The applicant is requesting a waiver of 0.7 m (2.5 ft) of maximum accessory structure requirements and for this reason, requires the review of the Municipal Planning Commission.

Landscaping Waiver

Within the Residential R-1A land use district in Land Use Bylaw 677-P-04-13, a minimum of 25% of the front yard area of the principal building is required to contain landscaping. At the regularly scheduled meeting of the Municipal Planning Commission (MPC) held on May 12th, 2021, the applicant requested a new minimum of front yard landscaping of 15.8 percent, equivalent to a 9.2 percent waiver of landscaping requirements.

The applicant has now provided an updated proposal showing a request to reduce the required landscaping from 25% to 20%. This represents a waiver request of 5%, as compared to the initial request of 9.2%.

It was also noted that the applicant has confirmed they will be planting at least one tree in the front yard, and that the Architectural Controls administrator for Cottonwood Estates has approved the request for a waiver to 20% of the front yard area.

Should the Commission wish to consider approval of DP 2021-075 with a waiver for landscaping, and a waiver for maximum height requirements, the following conditions are recommended. These conditions are in addition to standard development conditions associated with the installation of landscaping, and the development of an accessory structure or detached garage.

1. That the detached garage is not to be further enlarged unless the appropriate permits have been applied for.
2. That at no point shall the amount of landscaping in the front yard area be reduced to less than 20% of the yard area, and that at least one tree shall be maintained in the front yard indefinitely.

- D. Stimson advised that he has increased the landscaping in the front yard to try and get as close to the landscaping requirement as possible, while still maintaining access to the detached garage. As for the height, the one foot would reduce lumber waste in building the walls and would work better for construction.
- The Commission inquired if there were any other requirements or needs for the requested height other than the construction savings.
- D. Stimson advised that the height would help accommodate a potential car lift that would require an additional foot of clearance, so any consideration would be appreciated.

36-2021

MOTION: J. Abrey moved to REFUSE DP 2021-075 as the Development Authority has determined that the waivers being requested were considered excessive and would be out of character with surrounding properties and the general aesthetic of the neighbourhood, and that if the waiver requests were to be granted, the resulting development would not be in keeping with the general character of the area.

Carried 4-1

5.6 DP 2021-076 - 90050 Hwy 845

M. Messier presented DP 2021-076 an application requesting a waiver of maximum accessory building height requirements to allow for a garage/workshop with an undeveloped attic space at the subject property located at 90050 HWY 845.

Within the Urban Reserve zoning district in Land Use Bylaw 677-P-04-13, the maximum allowable height for accessory structures is 4.6 m (15 ft). The applicant is proposing a detached garage be constructed in the northeast section of the property with a total height of 7.33 metres (24 ft).

The subject property is in the far north of the community, where no future residential development has been planned to occur at any point within the next 25 years. This is highlighted in the context of the potential for impacts that the waiver may have on surrounding properties, which is generally the primary focus of the Land Use Bylaw.

The applicant is requesting a 2.7 m (9 ft) waiver equivalent to a 60% increase in height allowance.

Should the Commission wish to consider approval of DP 2021-076 to allow for a waiver of maximum accessory building height requirements, the following conditions are recommended:

1. Setbacks to conform to the 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, Urban Reserve.
2. The detached garage is not to be further enlarged unless the necessary permits have been applied for and approved.
3. Ensure lot drainage is maintained both during and after construction.

The application has been circulated to neighbouring property owners.

Due to the subject property's location near the northern municipal boundary, a copy of the notice of application was forwarded to Lethbridge County. Lethbridge County has expressed it has no concerns with the proposed height waiver.

- The Commission inquired if there would be living quarters in the upper area of the garage.

- A. Fritz advised that there would be no living quarters, as it's intended to be a garage. They may be back in the future to attach a house.
- The Commission asked where the garage would be located in regards to the Birds of Prey.
- A. Fritz indicated it would be due north from the Birds of Prey.

37-2021

MOTION: J. Peters moved to APPROVE DP 2021-076 subject to conditions:

1. *Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.*
2. *Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.*
3. *Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Urban Reserve - UR.*
4. *A minimum separation distance of 4' shall be provided between a principal building and any accessory building.*
5. *No waiver of minimum required setback distances will be granted for any portion of the structure.*
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. *The accessory structure is not to be further enlarged unless the necessary permits have been applied for and approved.*
8. *Ensure lot drainage is maintained during and after construction.*
9. *The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.*
10. *The exterior finish must be the same or complimentary to the principal building.*

Carried 4-1

5.7 DP 2021-082 - 1206 19 Avenue

M. Messier presented DP 2021-082 an application requesting a waiver of front yard setback requirements to allow for a three unit dwelling to be located at the subject property located at 1206 19 Avenue.

Within the Residential Multi-unit (R-2) zoning district in Land Use Bylaw 677-P-04-13, a three-unit dwelling is a permitted use. However, the front yard setback in the R-2 zoning is 7.52 m (25 ft), while the applicant is proposing a front yard setback of 4.57 m (15 ft) from the front property boundary. As such, the application requires the review of the Municipal Planning Commission (MPC).

It was noted that that Schedule 4, Sec. 34 (Infill Development) of the Land Use Bylaw does recognize that the setbacks of adjacent lots should be considered, if a waiver for a yard setback is a part of an application in an established area in the community. In this particular instance, adjacent lots are oriented differently than the subject lot itself, and the existing dwellings on the subject lot sit approximately 3 m (10 ft) off the front property boundary, which may also be worth consideration by the MPC.

Should the Commission wish to consider approval of DP 2021-082 to allow for a waiver of front yard setback requirements, staff recommends the following conditions. These conditions are in addition to standard development conditions associated with the development of a multi-unit dwelling development.

1. Setbacks to conform to the site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential Multi-unit R-2, with the exception of the front yard setback which shall be reduced to 4.57 metres (15 ft).

Notice was sent to surrounding properties owners and feedback was received:

- M. Dejager expressed concerns regarding the previous development and how long it was undergoing construction. Other concerns included project timelines, whether the units would be rentals or condominiums, if there was adequate street parking and the zoning.

Staff was able to address the concerns of M. Dejager.

- J. Quinton advised that they're excited to get the project started.
- M. Baines advised that he would be constructing the three-unit dwelling and could give a guarantee that they could have it built from start to finish within an 8–10-month time frame.
- The Commission commented that they're excited to see something good come out of the lot.

38-2021

MOTION: D. Lloyd moved to APPROVE DP 2021-082 subject to conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential Multi-unit R-2, with the exception of the front yard setback which shall be reduced to 4.57 metres (15 ft).
4. A person to whom a Development Permit has been issued shall notify the Designated Officer following the Stakeout of the site but prior to the commencement of construction.
5. Construction will conform with the current Land Use Bylaw 677-P-04-13, Schedule 4, Section 34, Infill Development.
6. A person to whom a Development Permit for a Multi-unit dwelling has been issued shall provide the Designated Officer prior to construction a letter from a qualified Alberta Land Surveyor confirming that a qualified Alberta Land Surveyor conducted the Stakeout of the site for construction.
7. All elevations and grades shall comply with the Lot Grading Site Plan.
8. The applicant/owner shall submit to the Town of Coaldale a soil bearing report.
9. Must obtain a competent Alberta Land Surveyor to establish the vertical grades and cuts prior to the excavation of the foundation. **(Should the building be constructed lower than design finish grade due to a failure to survey the vertical grades for the foundation as per the lot grading design it may be at risk for flooding.)**

10. *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.*
11. *This development must meet the requirements of Storm Drainage Bylaw No. 764-R-07-19.*
12. *The connection of weeping tile foundation drainage systems to the sanitary sewer services in this development is **STRICTLY PROHIBITED**.*
13. *Ensure water does not drain into neighbouring properties during or after construction.*
14. *For safe work-site purposes, it is recommended that the civic address of the site be displayed so it is visible from the street at all times during construction in the event that emergency services personnel are called to attend the site.*
15. *Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighborhood.*

Carried 5-0

5.8 SUB 2021-005 - Approved subdivision of the SE 10-9-20 W4M (Cottonwood Estates) - Developer request - lot line adjustment

S. Croil presented SUB 2021-005, which was previously heard at the regular meeting of the MPC held on May 12th, 2021 wherein the MPC approved the last phase of Cottonwood Estates.

Since the initial approval by the MPC, the developer has spoken with Town staff a number of times regarding a slight adjustment to the plan.

Specifically, the developer has requested that the lot shown as Lot 48MR be adjusted so that the MR portion of the lot is 10 metres in width instead of the current 20 metres in width, and that the remaining 10 metres in width (the east half) be brought into Lot 47 of the last phase of lots for which subdivision approval has been granted.

The primary consideration for this request is the amount of MR that has been provided for the Cottonwood Estates neighbourhood since its inception.

The original parcel of land Cottonwood Estates was created from was 60.94 ha (150.6 acres) in size, and the amount of MR that may be required by a municipality is 10% of the original area of a lot to be subdivided. Anything beyond 10% is generally at the discretion of the developer.

In the instance of Cottonwood Estates, the developer has provided 7.23 ha (17.87 acres) of MR, which is an over-dedication of 1.13 ha (2.81 acres) or 4.6%.

The developer has, by way of a separate process, requested a small portion of MR be disposed of from a previous phase, which reduces the over-dedication by 0.015 ha (0.037 ac), leaving the over dedication at 1.115 ha (2.773 acres).

The area the developer is now requesting to be brought back into Lot 47 represents an estimated 0.05 ha (0.12 acres), which leaves the over-dedication at 1.065 ha (2.63 acres).

39-2021

MOTION: J. Abrey moved to APPROVE SUB 2021-005 subject to conditions:

- 1. That, pursuant to Section 654(1) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Coaldale.*
- 2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the Town of Coaldale which shall be registered concurrently with the final plan against the title(s) being created.*
- 3. That the applicant pays the applicable off-site levies and development fees as required by the Town of Coaldale.*
- 4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
- 5. That any conditions of Alberta Transportation shall be met prior to finalization.*
- 6. Consideration of adjacent landowner and referral agency comments*

Carried 5-0

6.0 INFORMATION ITEMS

7.0 CLOSED MEETING

8.0 ADJOURNMENT

8.1 The public portion of the meeting was adjourned at 5:50 P.M.

40-2021

MOTION: J. Peters moved to adjourn the meeting at 6:24 P.M.

Carried 5-0

R. HOHM - CHAIR

K. STONE - RECORDING SECRETARY

AGENDA ITEM REPORT



Title: SUB 2021-011 - New School Site and Recreation Centre
Report Type:
Report Author: Spencer Croil
Meeting: Municipal Planning Commission - 14 Jul 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 subdivision application SUB 2021-011, where the Town of Coaldale is proposing the creation of lots for the development of a new high school and multi-use recreation centre as well as the creation of two bareland condominium lots.

The parcels of land subject to review include legal subdivisions 3 and 6 in SW 15-9-20 W4M, and legal subdivisions 4 and 5, in SW 15-9-20 W4M.

PREVIOUS COUNCIL DIRECTION:

This is the first time the matter has appeared before council.

ANALYSIS:

The purpose of the applications is first to subdivide five (5) parcels of land, ranging in size from 8.49 (20.98 ac) to 14.34 ha (35.43 ac) in size, to accommodate the development of a new high school and multi-use recreation centre and access to the same, and second, to allow for the creation of two bareland condominium lots for the purposes of allowing legal separation between the high school and multi-use recreation centre.

The lot to be used for the purposes of creating the two condominium units is shown on the proposed plan titled "Drawing 21-15311TA" as Lot 5, Block 1 (9.59 ha (23.68 ac) in size). The proposed plan showing the condominium units is entitled "Drawing 21-15311TB."

For the sake of clarity, it is worth noting that on the proposed plan titled "Drawing 21-15311TA," proposed Lot 6, Block 1, and Lot 2, Block 1, are to remain vacant for the time being. Proposed Lot 3, Block 1 and Lot 5, Block 1 contain stormwater management facilities.

KEY CONSIDERATIONS:

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations for the creation of the five (5) lots:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

In addition, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations for the creation of the two (2) condominium units:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

Advertisement(s)
Other

SUB 2021-011 has been circulated to neighbouring properties and the appropriate referral agencies. The commentary received included:

Alberta Transportation

Alberta Transportation reviewed the Highway 3 and 30th Street Traffic Impact Assessment (TIA) prepared by MPE Engineering Ltd. and stated, "the development of the school and recreational facility will be expressly based on and subject to **Section 7 Conclusions, Subsection 7.2 Recommendations** of the said Town of Coaldale Highway 3 and 30th Street Traffic Impact Assessment document."

Effectively, granting a waiver of Sections 14 and 15(2) of the Subdivision and Development Regulation, Alberta Regulation 43/2002, consolidated up to 188/2017 ("the regulation").

Given the foregoing and in order that all transportation requirements are fully addressed, pursuant to and in accordance with the approved Town of Coaldale – Highway 3 and 30th Street Traffic Impact Assessment (TIA) a condition of subdivision approval would be subject to the following:

By the Year 2024:

- Changes on the intersection layout: one EB-LT auxiliary lane (minimum 180m storage); and one SB-LT auxiliary lane (minimum 70m storage),
- Pedestrian crosswalks on the east and south legs of the intersection,
- Actuated-coordinated traffic signals with a cycle length of 110 seconds in the AM and PM peak hour, EB and WB left-turns coded as protected-permitted, other left-turns and right-turns coded as permitted. 1.0 m/s pedestrian walking speed is assumed,

Short-Term Study Intersection's Recommendations

- implement a monitoring strategy for the intersection to monitor actual growth,
- implement a strategy to provide pedestrian's facilities upgrades need to support the school and recreational facility development (Phase 1) including the CPR crossing at 30th Street,
- coordinate with Alberta Transportation to reduce the posted speed from 70 kph to 50 kph along Highway 3 at the intersection of Highway 3 and 30th Street

The design and construction of the intersection would be to the satisfaction of and accomplished at no cost to Alberta Transportation.

Written verification that By the Year 2024 Recommendations and Short-Term Study Intersection's Recommendations are in place and are to the satisfaction of Alberta Transportation will be required prior to endorsement of the final linen by the approval authority.

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

ATCO Gas

ATCO Gas will require 3.5m URW's in locations identified in red on the attached plan. The URW's are to be registered as general utility rights-of-way in the town's name.

FortisAlberta

Determined no easement would be required. FortisAlberta is the Wire Service Provider for this area and the developer can arrange the installation of electrical services for the subdivision through FortisAlberta.

Canada Post

No comment.

Lethbridge County

No concerns.

St. Mary River Irrigation District (SMRID)

No objection provided the permanent irrigation rights are removed from Legal Subdivisions 3 & 6 and Legal Subdivisions 4 & 5 all in the SW 15-09-20-W4.

DECISION OPTIONS:

The Municipal Planning Commission may wish to consider:

1. Approval of Subdivision Application (SUB 2021-011) with conditions.
2. Deferral of the subdivision application for additional information.
3. Refusal of the subdivision application, with reasons.

RECOMMENDATION:

THAT SUB 2021-011 be approved by resolution, with conditions.

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:

[SUB 2021-011 - Notice of Application](#)

[21-15311TA Plan](#)

[21-15311TB Plan](#)

[SUB 2021-011 - Resolution](#)



TOWN OF COALDALE NOTICE OF APPLICATION FOR SUBDIVISION

DATE: June 24, 2021

Date of Receipt:

June 11, 2021

Date of Completeness:

June 11, 2021

TO: Landowner: Town of Coaldale

File Manager: Spencer Croil

Referral Agencies: Holy Spirit RC School Division, Palliser School Division, AltaLink Management, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services Lethbridge, St. Mary's Irrigation District (SMRID), AB Transportation, AB Environment & Parks, Historical Resources Administrator, AER, Canada Post

Adjacent Landowners: MICHAEL S. & MELANIE GAJDOSTIK, MARGARET MCCANN, BERT & CHERYL SALOMONS, JOHN & CECILE CHUTE, CINDY WEBER, GEORGE SCHUMACHER, PHIL & GALE RICHARDSON, CAROL WILBUR, BRADY & ANITA MACGILLIS, MAGGIE MAE BESON, BARRY & JANET HIEBERT, PATRICK & LANA FIRTH, WAYNE MELNYCHUK, ROBERT MILLER, ELIZABETH WALTERS, SUSAN FALEBRENZA, GEORGE EVANS, ANDREW & MONICA MULDER, STEPHEN KROPF, HAL & HELEN THOMPSON, TREVOR & DONNA TOMLINSON, RALPH & MARY WOODS, IRWIN & MARY D. BERREVOETS, DOROTHY TOMLINSON, PETER & GERARDA JOHANNA BOS, COLIN GEORGE WEIR, JOHN & DOROTHY HUBERT, ROSS & ROBERTA TAYLOR, HARRY H. MUELLER, HELEN & PERRY LAYTON, ELIZABETH SARAH ALLEN, STEVEN R & CORINNE J RASMUSSEN, EDWARD DWAYNE STRUM, TATE & ANGELINE STRUM

The Town of Coaldale is in receipt of the following subdivision applications. This letter serves as the formal notice that the submitted applications have been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to provide comments respecting the proposed subdivision, please submit them via email or mail no later than July 11, 2021 (Please quote our File No. SUB 2021-011 in any correspondence that you submit to our office.)

File No: SUB 2021-011
Legal Description LEGAL SUBDIVISIONS 3 and 6 in SW 15-9-20 W4M, AND LEGAL SUBDIVISIONS 4 AND 5, in SW 15-9-20 W4M
Civic Address: N/A
Land Designation INSTITUTIONAL/RECREATIONAL AND URBAN RESERVE
Existing Use: VACANT LOT
Proposed Use: INSTITUTIONAL/RECREATIONAL AND URBAN RESERVE
Lots Created: 5
Certificate of Title: 171032357, 171162603

Proposal: First, to subdivide five (5) parcels of land, ranging in size from 8.49 ha (20.98 ac) to 14.34 ha (35.43 ac) in size, to accommodate the development of a new high school and multi-use recreation centre and access to the same, and second, to allow for the creation of two bareland condominium lots for the purposes of allowing legal separation between the high school and multi-use recreation centre.

Planner's Preliminary Comments:

The purpose of the applications is first to subdivide five (5) parcels of land, ranging in size from 8.49 ha (20.98 ac) to 14.34 ha (35.43 ac) in size, to accommodate the development of a new high school and multi-use recreation centre and access to the same, and second, to allow for the creation of two bareland condominium lots for the purposes of allowing legal separation between the high school and multi-use recreation centre.

The applications propose first to create five lots, and second, to use one of the five lots to create two condominium units to allow for legal separation between the high school and multi-use recreation centre. The lot to be used for the purposes of creating the two condominium units is shown on the proposed plan titled "Drawing 21-15311TA" as Lot 5, Block 1 (9.59 ha (23.68 ac) in size). The proposed plan showing the condominium units is entitled "Drawing 21-15311TB".

For the sake of clarity, it is worth noting that on the proposed plan titled "Drawing 21-15311TA", proposed Lot 6, Block 1, and Lot 2, Block 1, are to remain vacant for the time being. Proposed Lot 3, Block 1 and Lot 5, Block 1 contain stormwater management facilities.

The current zoning of the subject parcels is Institutional/Recreational (I/R) and Urban Reserve (UR).

The Municipal Planning commission may consider approval of the subdivision applications subject to the following suggested conditions.

For the creation of the five (5) lots:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

For the creation of the two (2) condominium units:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

Relevant information:

The Town of Coaldale's statutory planning documents and other related planning and development resources are available at <https://www.coaldale.ca/PlanningandDevelopment/directory-planning-and-development-policies-and-resources>.

Please see below for details regarding the date, time and place of the meeting at which this subdivision will be considered, and the ways in which agencies or adjacent landowners are able to provide feedback, should they wish to do so.

THIS APPLICATION WILL BE CONSIDERED AT THE MAY MUNICIPAL PLANNING COMMISSION MEETING, TO BE HELD VIRTUALLY AT 5 PM, WEDNESDAY, JULY 14th, 2021.

If you are an adjacent landowner and wish to provide feedback regarding the application:

1. In-person at the Municipal Planning Commission meeting

Please contact the File Manager (Spencer Croil) prior to July 14th, 2021 in order that information on how to join the virtual meeting can be provided to you well in advance of the meeting. You may reach Spencer at (403) 345 1304 or planner@coaldale.ca.

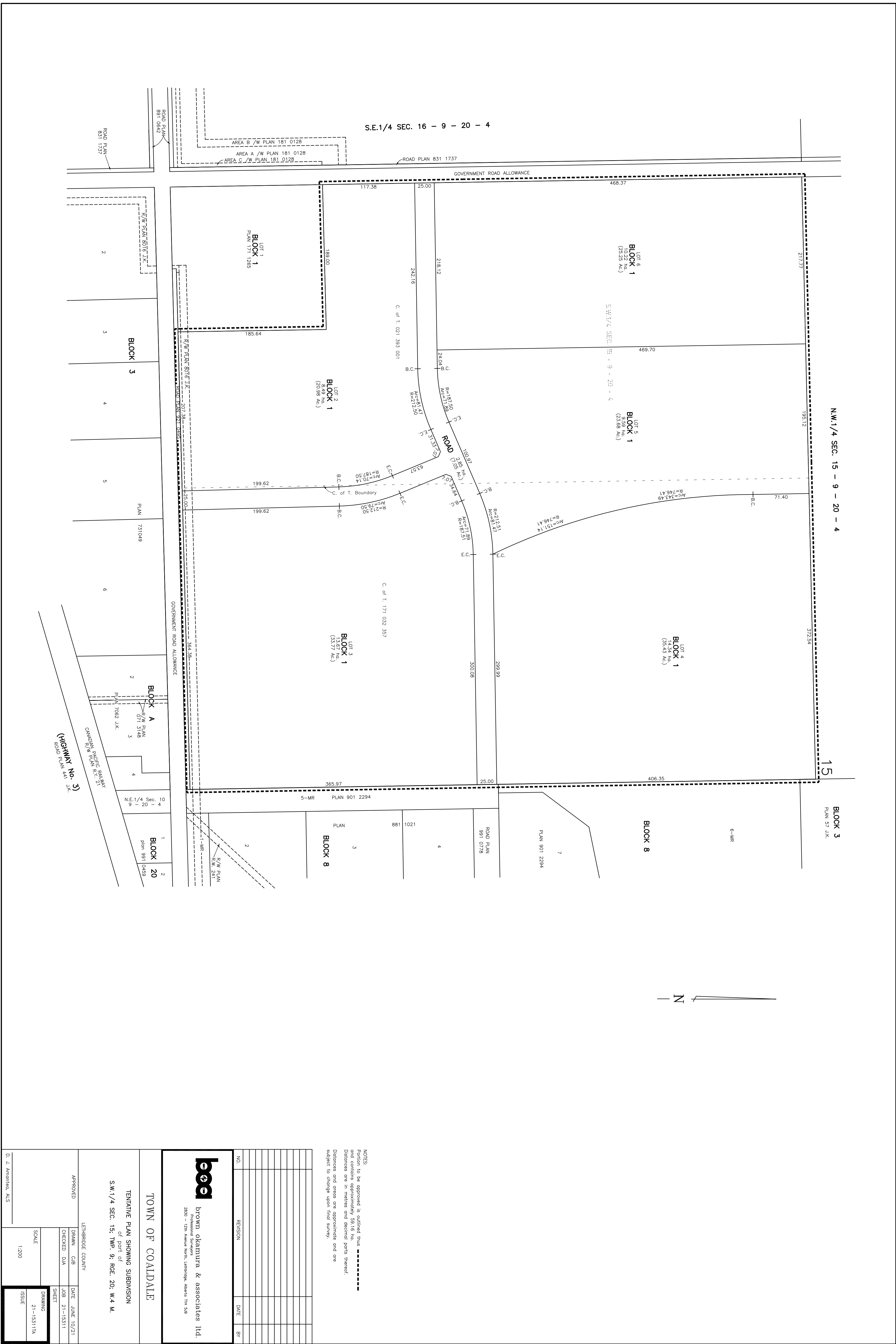
2. In writing (anonymous submissions will not be accepted)

Please forward your written comments to the File Manager no later than July 7th, 2021, in order that written submissions may be included in the agenda for the Municipal Planning Commission. Please note that written comments will still be accepted up to July 14th. However, it is always appreciated if written feedback can be forwarded to the file manager prior to the posting of the meeting agenda, in order that written comments can be a part of the agenda package for the meeting.

You may submit your written comments by email or hard copy. If you wish to submit your written comments by email, please send them to planner@coaldale.ca.

Alternatively, if you would rather provide written comments by hard copy, please drop your written comments off at the front desk of the Town Office during regular business hours, OR by placing your written comments in the mail slot located to the right of the front doors of the Town Office. The Town Office is located at 1920, 17th Street, Coaldale.

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





(6.0 sq. ft.)

RESOLUTION

2021-011

Town of Coaldale

Residential subdivision of: Legal Subdivisions 3 & 6 and Legal Subdivisions 4 & 5, in SW 15-19-20 W4M

THAT the subdivision of **Legal Subdivisions 3 & 6 and Legal Subdivisions 4 & 5, in SW 15-19-20 W4M** (Certificate of Title No. 171032357 & 171162603), to subdivide five (5) parcels of land, ranging in size from 8.49 ha (20.98 ac) to 14.34 ha (35.43 ac) in size, to accommodate the development of a new high school and multi-use recreation centre and access to the same, and second, to allow for the creation of two bareland condominium lots for the purposes of allowing legal separation between the high school and multi-use recreation centre.: BE APPROVED subject to the following conditions:

CONDITIONS:

For the creation of the five (5) lots:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

For the creation of the two (2) condominium units:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

MUNICIPAL RESERVE:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

INFORMATIVE:

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

Reference your file to create five (5) parcels for institutional/recreational and urban reserve use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

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

To that end and in lieu of the preplanning availed by said Section 14, Alberta Transportation is in receipt and has reviewed the Town of Coaldale – Highway 3 and 30th Street Traffic Impact Assessment (TIA) Final Report dated January 14, 2020, of which was prepared by MPE Engineering Ltd., Project #1400-213-00, on behalf of the town to support and qualify this application.

Moreover development of the school and recreational facility will be expressly based on and subject to Section 7 Conclusions, Subsection 7.2 Recommendations of the said Town of Coaldale Highway 3 and 30th Street Traffic Impact Assessment document.

Pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Given the foregoing and in order that all transportation requirements are fully addressed, pursuant to and in accordance with the approved Town of Coaldale – Highway 3 and 30th Street Traffic Impact Assessment (TIA) a condition of subdivision approval would be subject to the following:

By the Year 2024:

- changes on the intersection layout: one EB-LT auxiliary lane (minimum 180m storage); and one SB-LT auxiliary lane (minimum 70m storage),
- pedestrian crosswalks on the east and south legs of the intersection,
- actuated-coordinated traffic signals with a cycle length of 110 seconds in the AM and PM peak hour, EB and WB left-turns coded as protected-permitted, other left-turns and right-turns coded as permitted. 1.0 m/s pedestrian walking speed is assumed,

Short-Term Study Intersection’s Recommendations

- implement a monitoring strategy for the intersection to monitor actual growth,
- implement a strategy to provide pedestrian’s facilities upgrades need to support the school and recreational facility development (Phase 1) including the CPR crossing at 30th Street,

- coordinate with Alberta Transportation to reduce the posted speed from 70 kph to 50 kph along Highway 3 at the intersection of Highway 3 and 30th Street

The design and construction of the intersection would be to the satisfaction of and accomplished at no cost to Alberta Transportation.

Written verification that By the Year 2024 Recommendations and Short-Term Study Intersection's Recommendations are in place and are to the satisfaction of Alberta Transportation will be required prior to endorsement of the final linen by the approval authority. The applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance a permit from Alberta Transportation will not be required and development of the institutional/recreational and urban reserve parcels could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

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

d) Canada Post – Wendy Bauer

No Comment.

e) St. Mary's Irrigation District

No objection to the proposed subdivision provided the permanent irrigation rights are removed from Legal Subdivisions 3 & 6 and Legal Subdivisions 4 & 5 all in the SW 15-09-20-W4.

f) ATCO Gas

ATCO will require 3.5m URW's in locations identified in red on the attached plan. The URW's are to be registered as general utility rights-of-way in the towns name.

g) FortisAlberta

Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

h) Lethbridge County

Lethbridge County has no concerns with the subdivision.

MOVER

CHAIRMAN

DATE

AGENDA ITEM REPORT



Title: DP 2021-088 - 1302 18 Avenue - M.Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 14 Jul 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 an intensification of use and a request for the provision of minimum parking requirements at the property legally described as Lot 7, Block 1, Plan 7910846.

PREVIOUS COUNCIL DIRECTION:

In August 2020, at the regular commission meeting, the commission moved to approve Development Permit (2020-092) and the subject property to allow the current use as an 'Automotive Repair and Service Shop.'

ANALYSIS:

Within the Industry-I land use district in Land Use Bylaw 677-P-04-13, an 'Automotive Sales and Service Shop' is considered a discretionary use. For this reason, the application requires the review of the Commission. The applicant is proposing an accessory use in addition to the current use as an 'Automotive Repair and Service Shop.'

As part of the discussion for the MPC, staff respectfully requests that parking requirements be reviewed as Schedule 11: Off-Street Parking and Loading Requirements states the MPC or Designated Officer must designate the minimum number of required parking spaces for an accessory use.

The applicant is proposing an addition of ten (10) additional parking stalls to accommodate the storage of vehicles for purchase, which will be located at the rear of the building in an enclosed fenced area.

Applicable Sections of the Land Use Bylaw:

- Schedule 2: Industry-I land use district
- Schedule 11: Off-Street Parking and Loading Requirements

Additional Business:

As a matter of process, it is important to note that the landscaping requirements outlined in the applicant's previous Development Permit (2020-092) have not been met and to ensure compliance with the conditions, the applicant will be providing a landscape plan, which will be presented at the July 14, 2021, regular commission meeting.

KEY CONSIDERATIONS:

Should the commission wish to consider approval of Development Application (2021-088) to allow for an intensification of use and the provision of minimum parking 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.
2. Applicant/Owner shall contact the fire department at 403-345-1330 and arrange for a fire inspection prior to occupancy.
3. Approval is for the building only. A separate permit must be applied for and approved for any signs.
4. A Business License must be obtained from the Town of Coaldale.
5. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighbourhood.
6. 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.
7. The applicant shall complete landscaping on or before the date agreed to in permit no. 2020-092, unless otherwise decided by the Municipal Planning Commission.
8. 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.

FINANCIAL IMPACT:

None

STAKEHOLDER ENGAGEMENT:

The application has been circulated to neighbouring property owners.

DECISION OPTIONS:

The Municipal Planning Commission may:

1. Approve the development application with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of information.

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:

[2021-088 - 1302 18 Avenue - Notice Letter to Surrounding Landowners - Intensification of use](#)

[2021-088 - Site plan](#)

[Schedule 2 - Industry-I land use district](#)

[Schedule 11 - Off-Street Parking and Loading Requirements](#)



June 24, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-088

APPLICANT: 1845163 ALBERTA LTD.

**ADDRESS: 1302 18 AVENUE, COALDALE, ALBERTA
PLAN 7910846, BLOCK 1, LOT 7**

ZONING: INDUSTRY – I

Dear Sir/Madam,

We are in receipt of Development Application #2021-088 for an application requesting an intensification of use to allow the addition of an 'Automotive Sales and Service Shop' to the existing 'Automotive Repair and Service Shop' and to consider a request for minimum parking requirements at the above-mentioned address.

Within the Industry - I land use district in Land Use Bylaw 677-P-04-13, an 'Automotive Sales and Service Shop' is considered a discretionary use and must be considered by the Municipal Planning Commission (MPC). In this case, the proposed use would be considered an accessory use to the existing use as an 'Automotive Repair and Service Shop'.

As part of the discussion for the MPC, parking requirements will be considered as Land Use Bylaw 677-P-04-13, Schedule 11: Off-Street Parking and Loading Requirements, states that the Municipal Planning Commission or Designated Officer must designate the minimum number of required parking spaces for an accessory use. The applicant is proposing the addition of ten (10) parking stalls to store vehicles for purchase to be located at the rear of the building in an enclosed fenced area.

For the reasons noted above, the request for an intensification of use and minimum parking requirements for an accessory use, Development Application 2021-088, 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 March MPC meeting.

- **This application will be heard by the MPC at the July 14th 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 July 8th, 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, July 14th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-088.**

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, July 14th, 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.

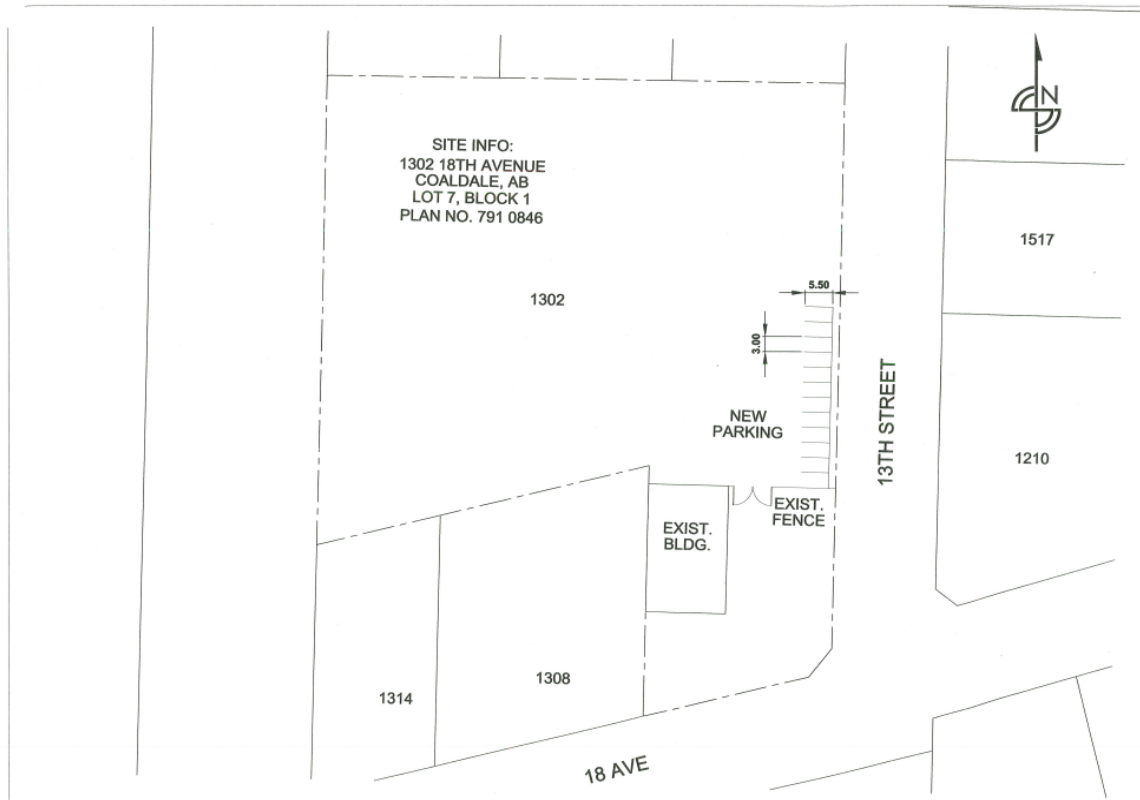
Sincerely,



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

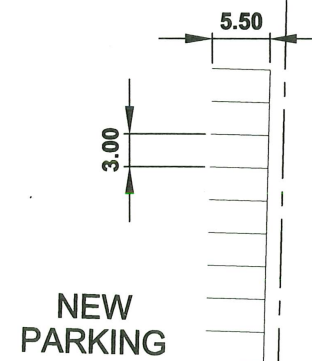
cc. Applicant





SITE INFO:
1302 18TH AVENUE
COALDALE, AB
LOT 7, BLOCK 1
PLAN NO. 791 0846

1302



NEW
PARKING

EXIST.
FENCE

EXIST.
BLDG.

13TH STREET

1517

1210

1308

1314

18 AVE



REVISIONS
CONSULTANTS



DOUGLAS J. BERGEN
& ASSOCIATES LTD.
ARCHITECTURAL TECHNOLOGY
TEN KM EAST OF LETHBRIDGE ON HIGHWAY 512
BOX 1667 COALDALE ALBERTA T1M 1N1
P (403) 345-2116 F (403) 345-2125
www.djbergen.com

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- THIS DRAWING AND DESIGN REMAINS AT ALL TIMES THE EXCLUSIVE PROPERTY OF DOUGLAS J. BERGEN & ASSOCIATES LTD. AND MAY NOT BE REPRODUCED IN PART OR IN WHOLE WITHOUT WRITTEN CONSENT.
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PROJECT TITLE
GM TIRE

COALDALE, AB

CLIENT

MR. BERNARD BERGEN

DRAWING TITLE

SITE PLAN

DATE MARCH 2021
PROJECT NO. 0821
SCALE 1:800
DRAWN CMP
PLOTTED
CADD FILE GM TIRE SITE.DWG

SHEET NO.

A1

INDUSTRY – I



Purpose:

To provide for a broad range of industrial and storage uses. The location of individual uses will have regard to both the effect on adjacent uses and the ability to provide adequate services to the site.

1. (A) PERMITTED USES

- Accessory building, structure or use to an approved permitted use
- Building Supplies
- Car Wash
- Contractor, Building and Trade
- Contractor, Heavy Duty Equipment
- Equipment Sales, Rental and Service
- Farm/Industrial Machinery Sales, Rental and Service
- Light Industry/Manufacturing
- Public or Private Utility
- Railway and Railway Related Uses
- Seasonal Sales
- Sign Types²: 1A, 2, 3, 4, 5, 6, 10
- Truck Transportation Depots
- Truck Wash
- Warehouse, Retail
- Warehouse, Wholesale
- Warehouse Storage

(B) DISCRETIONARY USES

- Abattoirs
- Accessory building, structure or use to an approved discretionary use
- Adult Entertainment Facility¹
- Alternative/Renewable Energy, Commercial/Industrial
- Auto Body Repair and Paint Shop
- Automobile Sales and Service
- Automotive Repair and Service Shop
- Bulk Fuel Storage and Sales
- Feed Mill/ Grain Elevator
- Fertilizer Storage and Sales
- Food Processing Facility
- Garden Centre/ Greenhouse
- Gas Bar
- Horticultural Operations or Facilities
- Industry with a Heavy Utility Demand
- Kennel
- Outdoor Recreation and Sports fields
- Pet Care Services
- Recreation, Private
- Recycling Facility
- Service Station
- Sign Types²: 1B, 7³, 8, 9, 11, 12
- Shipping Container
- Small Wind Energy System - Type A and B⁴
- Sand Blasting Facility
- Veterinary Clinic

- Notes:**
- 1 – See Schedule 4, Section 31 for setback requirements.
 - 2 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.
 - 3 – Sign Type 7 (Billboard) limited to lots immediately adjacent to Highway 3.
 - 4 – See Schedule 4, Section 27 for definition of small wind energy system types.

(C) PROHIBITED USES

- Salvage Yard
- 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
All uses	30.48	100	30.48	100	929.03	10,000

- (a) The Designated Officer or Municipal Planning Commission may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
All uses	7.62	25	4.57	15	3.05	10	7.62	25

4. MAXIMUM SITE COVERAGE

- (a) **All Buildings – 60%**
Principal buildings and accessory buildings shall not occupy more than 60 percent of the surface area of any lot within this land use district.

5. OUTDOOR STORAGE

- (a) No outdoor storage shall be permitted in the required front yard setback of 7.6 m (25 ft.) or in the required corner lot secondary front yard setback of 4.6 m (15 ft.).
- (b) Outdoor storage areas shall be effectively screened from view by buildings, solid fences, trees, landscaped features or combinations thereof and be maintained in good repair to the satisfaction of the Development Authority.

6. OUTSIDE DISPLAY OF GOODS

- (a) Outside display of goods shall be limited to examples of products, merchandise, equipment, and/or items sold by the business or industry on the lot(s) or development site and shall be located in conformance with *Schedule 9: Landscaping and Amenity Area Standards and Guidelines*.

7. LANDSCAPING REQUIREMENTS

- (a) Landscaping shall be provided on all street frontage and shall be to the satisfaction of the Designated Officer or the Municipal Planning Commission. See *Schedule 9: Landscaping and Amenity Area Standards and Guidelines*.

8. ENVIRONMENTAL SITE ASSESSMENT / ENVIRONMENTAL IMPACT ASSESSMENT

- (a) Where, in the opinion of the Designated Officer or the Municipal Planning Commission, a proposed development may create an unacceptable environmental impact and/or where there may have been historical environmental impacts (i.e. soil contamination), an environmental site assessment and/or environmental impact assessment may be required prior to dealing with the application.

9. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
10. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
11. INDUSTRIAL, COMMERCIAL AND WAREHOUSING STANDARDS	– SCHEDULE 10
12. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
13. COMMERCIAL / INDUSTRIAL ALTERNATIVE / RENEWABLE ENERGY	– SCHEDULE 12
14. SIGN REGULATIONS	– SCHEDULE 13

SCHEDULE 11: OFF-STREET PARKING AND LOADING REQUIREMENTS

1. APPLICABILITY

- (a) The off-street parking and loading requirements and design standards apply to:
 - i. all new buildings and uses, and
 - ii. the expansion or enlargement of existing buildings or uses.
- (b) In the case of expansion or enlargement of an existing building or use, additional off-street parking spaces will be required to serve the expanded or enlarged area only, not the entire building or use.

2. MINIMUM REQUIRED OFF-STREET PARKING

- (a) The minimum required off-street parking for a development shall be calculated in accordance with Table 1 (Minimum Required Off-street Parking) of this Schedule.
- (b) All required off-street parking shall be provided at the time of construction and prior to occupancy.
- (c) The applicant must provide a site plan and/or parking plan (and in some cases an alternative parking plan) showing the location and dimensions of all off-street parking requirements.
- (d) Off-street parking requirements based on floor area are to be computed on the gross floor area (GFA) of the building, unless otherwise stipulated in this Bylaw.
- (e) Calculation of off-street parking requirements resulting in a fractional number of 0.5 or greater shall be rounded up and rounded down when resulting in a fractional number of 0.49 or less.
- (f) A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Municipal Planning Commission. An alternative parking plan shall be submitted in proposing a shared parking scenario and is based upon the proposed sharing of parking spaces between two or more uses on a lot and/or utilization of lot area on a lot other than that in which the use is proposed and must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot(s) to guarantee the continuous use of the site for parking for the life of the development.
- (g) Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in Table 1.
- (h) All required parking spaces shall be provided on the same lot as the building or use, except where the Municipal Planning Commission may approve an alternative parking plan in permitting off-site parking spaces to be provided on a lot within 152.4 m (500 ft.) of the building or use if, in the Municipal Planning Commission's opinion, it is impractical to provide parking on the same lot as the building or use. Where such off-site parking is approved, a caveat shall be registered against the lot(s) to guarantee the continuous use of the site for parking for the life of the development.

Table 1 – Minimum Required Off-Street Parking

USE	MINIMUM PARKING SPACES
COMMERCIAL/INDUSTRIAL	
Abattoirs	As required by the MPC
Accessory, buildings structures or uses	As required by the MPC or Designated Officer
Amusement facility	1 space/27.9 m ² (300 ft ²) of GFA
Assisted living facility	1 space per 2.5 dwelling units
Autobody repair/paint shop	1 space/46.5 m ² (500 ft ²) of GFA
Automotive sales and/or service	1 space/46.5 m ² (500 ft ²) of GFA
Building - trade contractors/building supplies	1 space/65 m ² (700 ft ²) of GFA
Bulk fuel storage and sales	1 space/46.5 m ² (500 ft ²) of GFA
Business support service	1 space/46.5 m ² (500 ft ²) of GFA
Car wash	1 space per employee
Child care/day care facility	1 space per employee plus 1 space for every 10 children
Civic and governmental offices	1 space/46.5 m ² (500 ft ²) of GFA
Convenience store	1 space/27.9 m ² (300 ft ²) of GFA
Drive-in/drive-through use	1 space/5.1 m ² (55 ft ²) of seating area plus 1 space per employee
Eating establishment	1 space per 4 seats plus 1 per employee
Entertainment establishment	1 space/5.1 m ² (55 ft ²) of patron use area plus 1 space per employee
Equipment sales, rental and service	1 space/65 m ² (700 ft ²) of GFA
Farm/industrial machinery sales and service	1 space/65 m ² (700 ft ²) of GFA
Feed mills/grain elevators and ancillary uses	1 space/65 m ² (700 ft ²) of GFA
Fertilizer storage and sales	1 space/46.5 m ² (500 ft ²) of GFA
Financial institution	1 space/37.2 m ² (400 ft ²) of GFA
Food processing	As required by the MPC
Funeral facility	1 space/5 seating spaces plus 1 space per employee
Garden centres and horticulture operations and facilities	1 space/65 m ² (700ft ²) of GFA
Golf course	As required by the MPC
Government/institutional facilities	As required by the Designated Officer or MPC
Grocery store	1 space/37.2 m ² (400 ft ²) of GFA
Hotel/motel	1 space per guest room
Industry with a heavy utility demand	1 space/92.9 m ² (1000 ft ²) of GFA
Kennel	1 space/46.5 m ² (500 ft ²) of GFA
Landscaping materials sales	1 space/65 m ² (700 ft ²) of GFA
Light industry/manufacturing/fabrication	1 space/65 m ² (700 ft ²) of GFA
Liquor store	1 space/18.6 m ² (200 ft ²) of GFA
Lounges/beverage rooms	1 space/5.1 m ² (55 ft ²) patron use area plus 1 space per employee
Machinery and equipment rental	1 space/65 m ² (700 ft ²) of GFA
Maintenance/utility uses	1 space/65 m ² (700 ft ²) of GFA
Manufacturing	1 space/46.5 m ² (500 ft ²) of GFA
Medical/health facility	1 space per staff member and 1 space per examination room
Mini storage	As required by the Designated Officer
Museum/library/art gallery	As required by the Designated Officer or MPC
Office	1 space/46.5 m ² (500 ft ²) of GFA

Outdoor storage	As required by the Designated Officer or MPC
Personal service	1 space/37.2 m ² (400 ft ²) of GFA
Pet care services	1 space/46.5 m ² (500 ft ²) of GFA plus 1 space per employee
Recreation facility, public or private	1 space/27.9 m ² (300 ft ²) of GFA
Recycling facility	1 space/65 m ² (700 ft ²) of GFA
Research and development facility	1 space/92.9 m ² (1000 ft ²) of GFA
Restaurant	1 space per 4 seats plus 1 space per employee
Retail store	1 space/37.2 m ² (400 ft ²) of GFA
Salvage or wreckage yard	As required by the MPC
Service station/gas bar	1 space/37.2 m ² (400 ft ²) of GFA
Shopping centre	1 space/23.2 m ² (250 ft ²) of GFA
Specialty manufacturing/cottage industry	1 space/46.5 m ² (500 ft ²) of GFA
Tourist information	1 space/46.5 m ² (500 ft ²) of GFA
Transportation/delivery service	1 space/46.5 m ² (500 ft ²) of GFA
Truck transportation/dispatch depot	1 space/65 m ² (700 ft ²) of GFA
Truck wash	1 space per employee
Veterinary clinics (large or small animal)	1 space/46.5 m ² (500 ft ²) of GFA
Warehousing	1 space/65 m ² (700 ft ²) of GFA
Waste disposal facility	As required by the MPC
Wholesale trade	1 space/65 m ² (700 ft ²) of GFA
RESIDENTIAL	
Bed and breakfast	1 space per guest room
Boarding/lodging houses	1 space per bedroom
Communal facility	As required by the Designated Officer or MPC
Dwellings:	
-Apartment	1.5 spaces per dwelling unit plus 0.5 space per unit for visitor parking
-Duplex/semi-detached	2 spaces per dwelling unit
-Multi-unit/townhouse	2 spaces per dwelling unit plus 0.5 space per unit for visitor parking
-Single-detached dwellings (site built, manufactured, prefabricated, moved-in)	2 spaces per dwelling unit
Home occupation 1	N/A
Home occupation 2	1 additional space
Manufactured home park -visitor parking	As required by the Designated Officer or MPC
Secondary suite	2 additional spaces
Senior citizen housing	1 space per 2.5 dwelling units
PUBLIC	
Cemetery	As required by the MPC
Clubs and organizations	1 space/5.1 m ² (55 ft ²) patron use area plus 1 space per employee
Community hall/cultural facility	1 space/5 seating spaces plus 1 space per employee
Educational institutions/schools	3 spaces per classroom
Exhibition ground	As required by the MPC
Group care facility	1 space per employee
Hospital	1 space per bed
Institutional facilities or uses	As required by the MPC
Parks and playgrounds	As required by the Designated Officer
Religious assembly	1 space/5 seating spaces

3. PAYMENT-IN-LIEU OF OFF-STREET PARKING

- (a) In lieu of providing the minimum requirements for off-street parking in compliance with this Schedule, an owner of land and/or an applicant for a development permit may, subject to the Municipal Planning Commission's approval (i.e. waiver or variance of the minimum required off-street parking requirements), pay to the municipality an amount of money on such terms as Council considers reasonable (as established by resolution of Council) in return for the equivalent public parking space to be provided by the municipality.
- (b) The option for payment-in-lieu of providing off-street parking spaces is only applicable to those developments on lands located in the Downtown Overlay as shown in Section 8 of the Commercial (C-1) land use district.
- (c) To be eligible for the payment-in-lieu provision, a minimum of 25 percent of the required off-street parking spaces shall be provided on the same lot as the proposed building and/or use.

4. BARRIER-FREE PARKING

- (a) The minimum number of barrier-free parking spaces to be provided for the disabled shall be a portion of the total number of off-street parking spaces required, in accordance with Table 2, Barrier-Free Parking Spaces.
- (b) Each barrier-free parking space for the disabled shall be:
 - i. at least 3.7 m (12 ft.) wide,
 - ii. have a firm, slip-resistant and level surface,
 - iii. be clearly marked as being for the use of persons with disabilities only.
- (c) Where there are two or more adjacent barrier-free parking stalls, a 1.5 m (5 ft.) wide access aisle shall be provided between the stalls.
- (d) Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.
- (e) There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.
- (f) It is recommended that an additional number of spaces be considered when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking, such as, but not limited to, medical services and restaurants.

Table 2 - Barrier-Free Parking Spaces	
Number of parking spaces required for a use	Number of barrier-free spaces required for use by persons with disabilities
0-10	0*
11-25	1
26-50	2
51-100	3
for each additional increment of 100 or part thereof	one additional stall

* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

5. LOADING SPACE REQUIREMENTS

- (a) One loading space shall be provided for each loading door.
- (b) There shall be a minimum of one off-street loading space per building in the *C-1, C-2, Industry – I* and *Light Industry – I-2* land use districts.
- (c) The Designated Officer or Municipal Planning Commission may require that off-street loading areas be provided in any land use district.
- (d) The minimum dimensions for a loading space shall be 3.1 m (10 ft.) by 9.1 m (30 ft.) with an overhead clearance of 4 m (13 ft.).
- (e) Each loading area shall provide a doorway into the building sufficient to meet the needs of the use within the building.
- (f) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- (g) The Development Authority may require additional loading areas or doors if, in the Development Authority's opinion, such additional areas or doors are deemed necessary.
- (h) The Development Authority may consider a joint loading area for two or more uses if, in the Development Authority's opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

6. STACKING SPACES FOR DRIVE-THROUGH USES

- (a) In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
 - i. Restaurant use: 30.5 m (100 ft.) from order box to pick-up window
 - ii. Gas station: 9.1 m (30 ft.) from each end on pump island
 - iii. Bank machine: 22.9 m (75 ft.) from bank machine window
 - iv. Car wash: 15.2 m (50 ft.) from car wash entrance
 - v. Other: As determined by the Development Authority
- (b) The minimum stacking space requirements in (a) above may be varied by the Municipal Planning Commission depending upon the intensity of the proposed development.

7. OFF-STREET PARKING DESIGN STANDARDS

- (a) Off-street parking areas shall be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions in Figure 1, Parking Layout Alternatives.
- (b) Parking space designs proposing tandem or stacked parking to a maximum of 2 vehicles per stall may be approved by the Municipal Planning Commission provided the spaces are for employee parking only.
- (c) The stall width and depth requirements for an off-street parking space may be reduced by the Municipal Planning Commission where spaces are designed to accommodate compact vehicle parking.
- (d) Where a use or development may need to accommodate over-sized vehicles such as tractor-trailers, large recreational vehicles, buses or other similar vehicles, the Development Authority may require larger parking space and aisle dimensions.

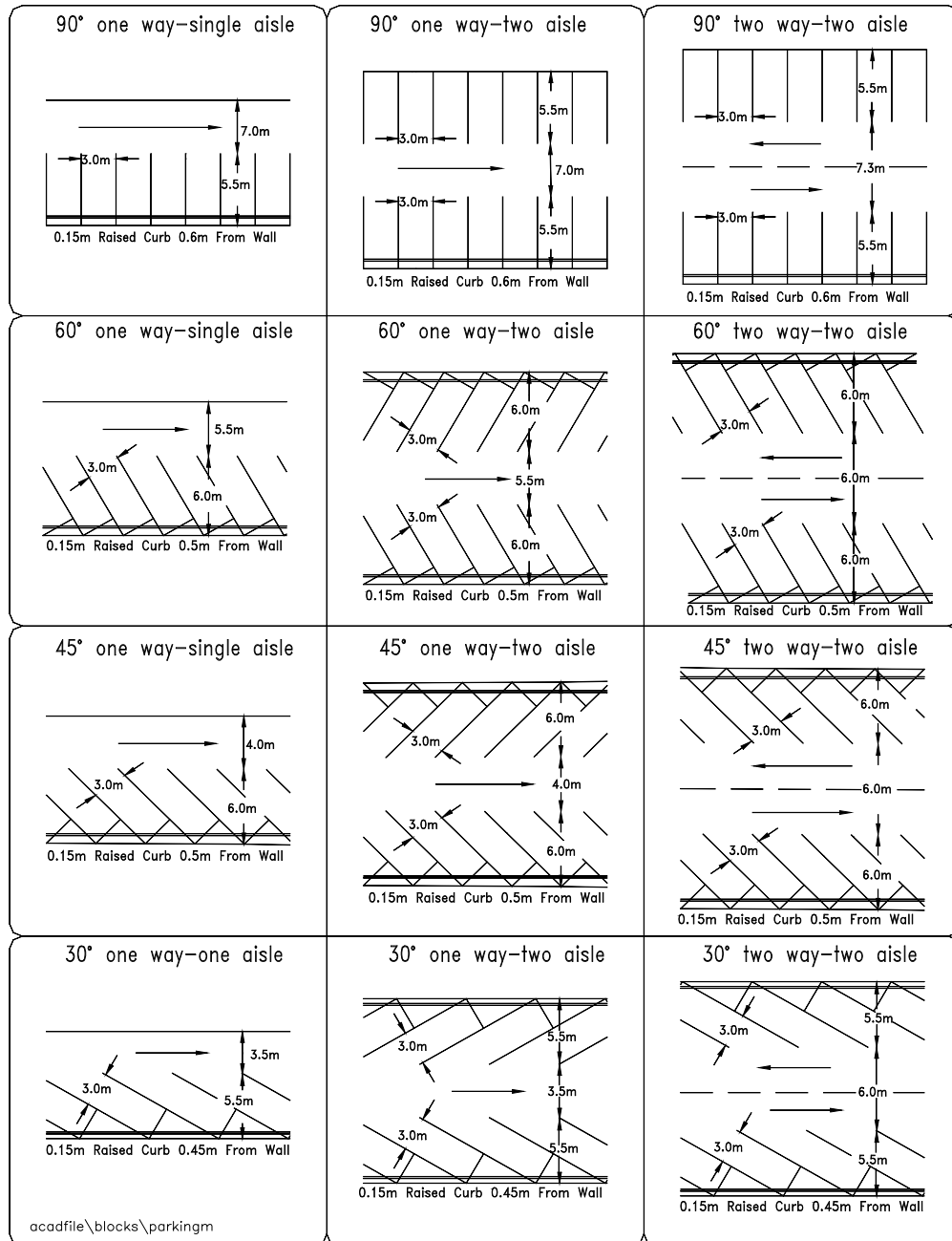
- (e) Off-street parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- (f) Off-street parking spaces adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.
- (g) The Development Authority may require that off-street parking areas or portions thereof be hard-surfaced (pavement, cement, etc.) as a condition of approval, prior to occupancy or an alternative timeframe as agreed to between the Town and the applicant. A security deposit for completion of this condition may be required.

8. DRIVEWAY STANDARDS

- (a) Driveway and lot access location and configuration shall be to the satisfaction of the Development Authority.
- (b) Vehicular access for corner lots will be limited to locations along the minor street unless site specific considerations require otherwise.
- (c) Driveways and manoeuvring aisles serving as fire lanes shall be at least 6.1 m (20 ft.) wide.
- (d) In all land use districts the Development Authority may require that driveways be hard-surfaced (paved, concrete, or similar equivalent) as a condition of approval.

Figure 1

PARKING LAYOUT ALTERNATIVES-METRES



AGENDA ITEM REPORT



Title: DP 2021-089 - 20A Avenue Cul-de-sac - M. Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 14 Jul 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 submitted on the behalf of the Town of Coaldale, requesting to issue a blanket waiver for various setback requirements for dwellings and accessory structures within the residential subdivision legally described as Lots 26-50, Block 14, Plan 7711285 and referenced as the '20A Avenue Cul-de-Sac' for the purposes of this report.

PREVIOUS COUNCIL DIRECTION:

At the February 12, 2020, regular commission meeting, the commission moved to approve Development Permit (2019-182) a request for a compliance letter submitted by applicant C. Moman.

At the February 22, 2021, regular council meeting, Council moved to approve the motion that the '20A Avenue Cul-de-Sac' item be referred to the Municipal Planning Commission.

Additional motions at the February 2021 meeting included waiving the costs associated with the proposed blanket waiver and a refund of compliance letter fees paid by resident C. Moman.

ANALYSIS:

During the review of the initial request brought forth by C. Moman, a resident of the '20A Avenue Cul-de-Sac,' it was realized that the lot size of the subject property was below the minimum lot size requirement.

At this time, staff determined that minimum lot size requirements were an overarching issue within the subdivision and continued to conduct a comprehensive review for each parcel to determine the level of compliance with the current Land Use Bylaw 677-P-04-13 and the Land Use Bylaw at the time. It was determined that of the twenty-seven (27) lots, 22 or eighty-one percent (81%) of dwellings were in some level of non-compliance of front, side or rear yard setbacks requirements.

Following the February 22, 2021 council meeting and the direction of Council, staff conducted an additional review of accessory structures to determine their level of compliance with minimum setback requirements. When reviewing the accessory structures, it was determined that of the twenty-seven

(27) parcels, thirteen (13) were non-compliant with setback requirements. A total of ten (12) parcels did not have an accessory structure, while one (1) property had a compliant accessory structure.

Should the commission wish to issue a blanket waiver, they may consider to apply a waiver to dwellings and accessory structures to ensure residents are able to obtain a letter of compliance in light of the subdivision not meeting the minimum lot size requirements.

Applicable Section of the current Land Use Bylaw:

- Land Use Bylaw, Schedule 2, Residential Multi-unit R-2
- Land Use Bylaw, Schedule 2, Residential Small Lot R-1B

KEY CONSIDERATIONS:

Should the commission wish to consider the approval of Development Application (2021-089) to allow for a blanket waiver of all existing dwelling and accessory structure minimum setback requirements, the following conditions are recommended:

1. Dwellings or accessory structures may not be added to or altered without obtaining a valid Development Permit.

For information purposes, and should the commission find merit in the blanket waiver request, in the notice of decision sent to property owners, it will be clarified that the waiver applies to structures in place up to July 2021 only.

FINANCIAL IMPACT:

At the February 22, 2021, regular council meeting, Council moved to approve a waiver of costs associated with the development application for the residential subdivision legally described as Lots 26 to 50, Block 14, Plan 7711285.

STAKEHOLDER ENGAGEMENT:

Other

Notice of the application was circulated to neighbouring property owners.

Due to the history of decisions by the commission and council, staff provided an informational project webpage on the Let's Connect Coaldale online platform for access to resources such as previous council reports, site location and the council meeting recorded livestream. While not standard practice, a URL link to the webpage was included within the circulated notice.

DECISION OPTIONS:

The Municipal Planning Commission may wish to:

1. Approve development application (2021-089) with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of information.

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:

[2021-089 - Notice Letter to Surrounding Landowners](#)

[2021-089 - Resident Correspondence](#)

[Schedule A - Cul-de-Sac overview](#)

[Coaldale LUB Residential R-2 LU district excerpt](#)

[Coaldale LUB Residential R-1B Small Lot LU district excerpt](#)



June 28, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-089

APPLICANT: TOWN OF COALDALE

ADDRESS: 20A AVENUE CUL-DE-SAC, COALDALE, ALBERTA
PLAN 6651FG; BLOCK B; LOT 1

ZONING: MULTIPLE ZONING DISTRICTS (RESIDENTIAL MULTI-UNIT R-2 & RESIDENTIAL
SMALL LOT R1-B)

Dear Sir/Madam,

We are in receipt of Development Application #2021-089 for an application requesting a waiver of setback requirements for an assortment of non-compliant principal dwellings and accessory structures at the subdivision legally known as Plan 6651FG, Block B, Lot 1.

Following a historical review of the subdivision located at the above-mentioned address, it was determined that the existing twenty-seven (27) lots were not in compliance with minimum lot size requirements of either the bylaw at the time or the current Land Use Bylaw 677-P-04-13. As a result, several of the existing principal dwellings and accessory structures are not in compliance with setback requirements and require a blanket waiver to relax minimum setback requirements.

At the February 22, 2021, regular council meeting, Council moved to approve the motion that the application be forwarded to the Municipal Planning Commission (MPC) and that the fees associated with the cost of issuing a blanket waiver be waived. As such, the request for a waiver of an assortment of minimum setback requirements for principal dwellings and accessory structures at the above-mentioned address requires the review of the Municipal Planning Commission (MPC).

For additional information on Development Application No. 2021-089, including previous council reports and access to the February 22, 2021, regular council meeting livestream, visit:
<https://letsconnectcoaldale.ca/development-application-no-2021-089>

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

- **This application will be heard by the MPC at the July 14th meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**



Melanie Messier <melanie.messier@coaldale.ca>

Re: July 14th town meeting

Spencer Croil <planner@coaldale.ca>

Tue, Jul 6, 2021 at 10:05 PM

To: [REDACTED]
Cc: Melanie Messier <melanie.messier@coaldale.ca>

Hi [REDACTED],

Thanks very much for reaching out.

The item can be described as a proactive effort to make sure all dwellings and accessory buildings currently in place in the cul-de-sac are compliant with the Town's Land Use Bylaw (LUB), without each individual property owner having to apply for waivers for their property.

The reason waivers would be required for many of the properties in the 20A Ave. cul-de-sac is because there is no record of the dwellings having met the requirements of the LUB that was in place when many of the units were first built. Additionally, many of the dwellings in this cul-de-sac do not meet today's LUB either.

The reason it's important for the dwellings to meet the LUB is because the LUB sets out how close to property boundaries a dwelling can be built. When a person sells their home there is usually a request from the purchasing realtor's lawyer to have a letter of compliance prepared by the municipality, based on a real property report (sometimes called an RPR). The reason this can be frustrating in areas like 20A Ave. is because the Town can't currently issue a letter of compliance for many of the dwellings in this area without first requesting that the landowner make an application to have a waiver (special permission to not meet the proper side, rear or front yard setbacks) before the compliance letter can be issued.

So, the purpose of the item for the 20A Ave. area that will be going forward to the July 14th meeting, is to proactively allow for all properties in the 20A Ave. area to become compliant, which will save property owners time and money if you ever choose to sell. In addition to helping with the sale of property, if a homeowner in the 20A Ave. area would like to add on to their dwelling, they would first have to apply for waivers to allow their dwelling to come into compliance with the current rules, before being granted permission to proceed with adding on. This will also help avoid those situations as well, since all homes will be compliant from July 14 onward.

I am happy to follow-up with a phone call if you would like to discuss further, and we can send along instructions on how to join the meeting once we have the ZOOM link prepared for the July 14th MPC meeting.

Thanks again for reaching out and please do let me know if you'd like to discuss this over the phone.

Have a great evening

On Tue, Jul 6, 2021 at 8:08 PM [REDACTED] wrote:

To whom it may concern,

My name is [REDACTED]

I live in the culdesac that is in question for the town meeting on July 14th at the address [REDACTED] 20A Avenue. I recieved the letter in the mail about this concern, as well as watched the original meeting about this topic in February and I feel I am still having trouble truly understanding what this concern is about or what it means for us residents living here.

If I could get more information on this subject in fairly simple terms that are easier to understand I would greatly appreciate it. As well as information on how to join the meeting on July 14th.

Thank you for your time,

[REDACTED]

--

"SCHEDULE A"

Figure 1. Aerial View of Lot 1, Block B, Plan 6651FG



Table 1 – Land Use Bylaw Requirements

Iteration of Land Use Bylaw	Current LUB	Current LUB	1977 LUB
Zoning and Requirements	R-2 – Residential Multi-unit	R1-B – Residential Small Lot	Residential-R
Minimum Lot Size	357.76 m ² (3850 sq ft)	371.55 m ² (4000 sq ft)	232.25 m ² (2500 sq ft)
Maximum Lot Coverage	30-40%	35-40%	33%
Side Yard Setback	1.52 m (5 feet)	1.52 m (5 feet)	1.5 m (5 feet)
Rear Yard Setback	7.62 m (25 feet)	7.62 m (25 feet)	7.62 m (25 feet)
Front Yard Setback	7.62 m (25 feet)	7.62 m (25 feet)	N/A

Table 2 – Dwellings - Minimum Land Use Bylaw Requirements

Non-compliant

Property	Roll #	Zoning	Lot size (ft²)	Meets current LUB min. lot coverage	Meets 1977 LUB min. lot coverage	Meets previous and current LUB side yard setbacks	Meets current LUB front yard setback	Meets previous and current rear yard setback
1	210222010	R-2	3304	Yes	No	No	Yes	Yes
2	210202010	R-2	2195	Yes	Yes	No	Yes	Yes
3	210182010	R-2	2195	Yes	Yes	No	Yes	Yes
4	210162010	R-2	3057	Yes	Yes	No	Yes	Yes
5	210142010	R-2	3057	Yes	Yes	No	Yes	Yes
6	210122010	R-2	2195	Yes	Yes	No	Yes	Yes
7	210102010	R-2	2088	Yes	Yes	No	Yes	Yes
8	210082010	R-2	2335	Yes	No	No	Yes	Yes
9	210062010	R-2	2604	Yes	Yes	No	No	Yes
10	210042010	R-2	2744	Yes	Yes	No	Yes	Yes
11	210022010	R-2	2335	Yes	No	No	Yes	Yes

13	209422010	R-1B	4047	Yes	Yes	No	Yes	No
14	209412010	R-1B	3659	Yes	No	No	Yes	No
15	209392010	R-1B	5715	Yes	No	Yes	Yes	Yes
16	210012010	R-1B	3725	Yes	No	No	Yes	Yes
17 (2 lots)	210072010	R-1B	2497	Yes	Yes	No	No	Yes
18 (2 lots)	210092010	R-1B	3616	Yes	Yes	No	No	Yes
20 (2 lots)	210232010	R-1B	6458	Yes	Yes	No	Yes	Yes

Compliant

Property	Roll #	Zoning	Lot size (ft²)	Meets current LUB min. lot coverage	Meets 1977 LUB min. lot coverage	Meets previous and current LUB side yard setbacks	Meets current LUB front yard setback	Meets previous and current rear yard setback
12	209402010	R-1B	5446	Yes	Yes	Yes	Yes	Yes
19 (4 lots)	210172010	R-2	10,365	Yes	Yes	Yes	Yes	Yes

Figure 2- Aerial View for the aligning view of properties with varying levels of compliance.



Table 3 – Accessory Structures – Level of Compliance

Property	Roll #	Zoning	Meets current LUB minimum setback requirements
1	210222010	R-2	No
2	210202010	R-2	N/A
3	210182010	R-2	No
4	210162010	R-2	No
5	210142010	R-2	N/A
6	210122010	R-2	N/A
7	210102010	R-2	N/A
8	210082010	R-2	N/A
9	210062010	R-2	No
10	210042010	R-2	Yes
11	210022010	R-2	N/A

12	20940201	R-1B	N/A
13	209422010	R-1B	No
14	209412010	R-1B	No
15	209392010	R-1B	N/A
16	210012010	R-1B	No
17 (2 lots)	210072010	R-1B	No
18 (2 lots)	210092010	R-1B	N/A
19 (4 lots)	210172010	R-2	No
20 (2 lots)	210232010	R-1B	N/A

RESIDENTIAL MULTI-UNIT – R-2



Purpose:

To provide high-quality multi-unit dwelling environments, integrated into either existing or proposed residential neighbourhoods.

1. (A) PERMITTED USES

- Dwellings:
 - Apartment (up to 4 units)
 - Semi-Detached
 - Townhouse (up to 6 units)
- Accessory building, structure or use to an approved permitted use
- Day Home
- Garden Shed
- Home Occupation 1

(B) DISCRETIONARY USES

- Dwellings:
 - Apartment (more than 4 units)
 - Townhouse (more than 6 units)
- Accessory building, structure or use to an approved discretionary use
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Outdoor Recreation and Sport fields
- 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 Containers
- 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
Semi-Detached Dwellings (each side)	10.67	35	33.53	110	357.76	3,850
Apartments	30.48	100	33.53	110	1,021.99	11,000
Townhouses (per unit)						
– interior	7.92	26	33.53	110	265.56	2,860
– end	12.19	40	33.53	110	408.73	4,400
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.
Semi-Detached Dwellings	7.62	25	3.81	12.5	1.52	5	7.62	25
Apartments (4 units or less)	7.62	25	4.57	15	3.05	10	7.62	25
Apartments (5 units or more)	9.14	30	6.10	20	4.57	15	7.62	25
Townhouses	7.62	25	4.57	15	3.05	10	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.

4. MAXIMUM SITE COVERAGE*

*This site coverage applies to applications for semi-detached dwellings and other uses not covered by floor area ratio calculations.

- (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. FLOOR AREA RATIO*

*This site coverage applies to applications for apartments and townhouse dwellings.

- (a) Floor area ratios apply to applications for apartments and townhouse dwellings and are calculated by dividing the net floor area by the gross lot area as follows:

$$\text{Floor Area Ratio} = \frac{\text{net floor area}}{\text{gross lot area}}$$
- (b) Net floor area comprises the gross floor area minus the areas of common corridors, common utility rooms, common rooms, non-habitable basement area or parking facilities within the main structure.
- (c) Wherever outside balcony areas are provided to units above the main floor, the area of those balconies may be added to the gross lot area in determining the floor area ratio of the development.

(d) Maximum floor area ratio for apartments and townhouses:

- One storey – 0.45
- Two or more storeys – 0.70

6. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Semi-Detached Dwellings	130.1 m ² (1,400 ft ²)
Apartments and Townhouses (per unit)	65 m ² (700 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.

7. MAXIMUM HEIGHT OF BUILDINGS

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

- (a) Buildings with more than three (3) storeys will require additional measures such as sprinkler systems to ensure they meet provincial legislation.

8. 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.

9. 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

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.

10. 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.

11. ARCHITECTURAL CONTROL APPROVAL

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

12. SPECIAL CONSIDERATIONS

The Development Authority, when considering an application for an apartment or townhouse development in an established residential area, shall take into consideration, among the other factors listed in this Bylaw, the following:

- (a) traffic generation and adequacy of street and lane access,
- (b) ease of utility servicing,
- (c) relative proximity to other multiple family dwellings,
- (d) proximity to and amount of open space,
- (e) compatibility of scale and building design with surrounding dwellings and neighbourhood.

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

RESIDENTIAL SMALL LOT – R-1B



Purpose:

To provide for small residential lot sites, usually predesignated or pre-planned, to accommodate high-quality, single-detached dwellings and semi-detached dwellings. Development is to occur on smaller-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - 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
 - Secondary Suite
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Moved-In Building
- 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 Containers (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	12.19	40	30.48	100	371.55	4,000
Semi-Detached Dwellings (for each side)	12.19	40	30.48	100	371.55	4,000
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- 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.
- Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage of 6 m (19.68 ft.).

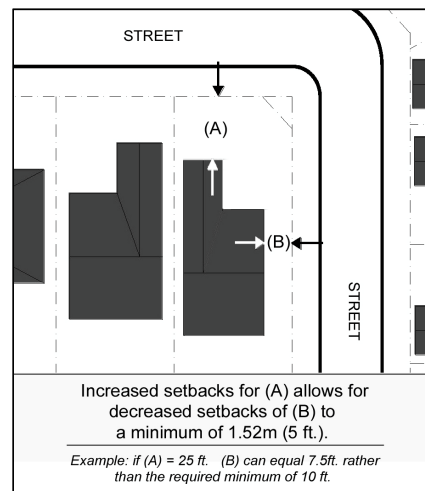
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single Detached Dwelling	6.10	20	3.05*	10*	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	69.68 m ² (750 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, solid waste disposal are usually necessary;
- (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 2021-097 - 2006 30A Avenue
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 14 Jul 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 accessory building height requirements to allow for a detached garage at the property legally described as Lot 12, Block 11, Plan 1911196.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the commission.

ANALYSIS:

Within the Residential R-1A land use district in Land Use Bylaw 677-P-04-13, it states the maximum height of any accessory building shall be no more than 4.6 metres (15 feet). The applicant is proposing a new height of 5.8 metres (17 feet 8 inches), which would equal an eighteen percent (18%) waiver.

For this reason, the application requires the review of the Municipal Planning Commission (MPC).

Applicable Sections of the Land Use Bylaw:

- Schedule 2, Residential R-1A

KEY CONSIDERATIONS:

Should the commission wish to consider approval of Development Application (2021-097) to allow for a waiver of maximum accessory height requirements, the following conditions are recommended:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc., at (403) 320-0734 OR at www.superiorsafetycodes.com prior to commencement.
2. Shall 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 shall conform to site plan, which was attached as part of the Development Permit application and to Land Use Bylaw No. 677-P-04-13, Schedule 2, Residential R-1A.

4. Ensure lot drainage is maintained and that lot grade is maintained, and at no time shall lot drainage negatively impact adjacent properties.

5. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.

6. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

7. The detached garage is not to be further enlarged unless the necessary permits have been applied for.

8. There shall be no construction of additional accessory buildings until the existing structures have been removed.

FINANCIAL IMPACT:

None

STAKEHOLDER ENGAGEMENT:

The application has been circulated to neighbouring property owners.

DECISION OPTIONS:

The Municipal Planning Commission may wish to:

1. Approve development application (2021-097) with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of additional information.

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 2021-097 - 2006 30A Avenue - Notice Letter to Surrounding Landowners](#)

[DP 2021-097 - Garage building plans](#)

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



June 29, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-097

APPLICANT: GRIZZLY RIDGE DEVELOPMENTS

**ADDRESS: 2006 30A AVENUE, COALDALE, ALBERTA
PLAN 1911196; BLOCK 11; LOT 12**

ZONING: RESIDENTIAL R1-A

Dear Sir/Madam,

We are in receipt of Development Application #2021-097 for an application requesting a waiver of accessory building height requirements to allow for a detached garage at the above-mentioned address.

Within the Residential R1-A land use district in Land Use Bylaw 677-P-04-13, the maximum height of any accessory building shall be 4.6 metres (15 ft). The applicant is proposing a new height of 5.8 metres (17 feet 8 inches), which equals an 18 percent waiver or 1.86 metres (2.8 feet).

For the reasons noted above, the request a waiver of maximum accessory building height requirements, Development Application 2021-097, 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 March MPC meeting.

- **This application will be heard by the MPC at the July 14th 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 July 8th, 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, July 14th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-097.**

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, July 14th, 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.

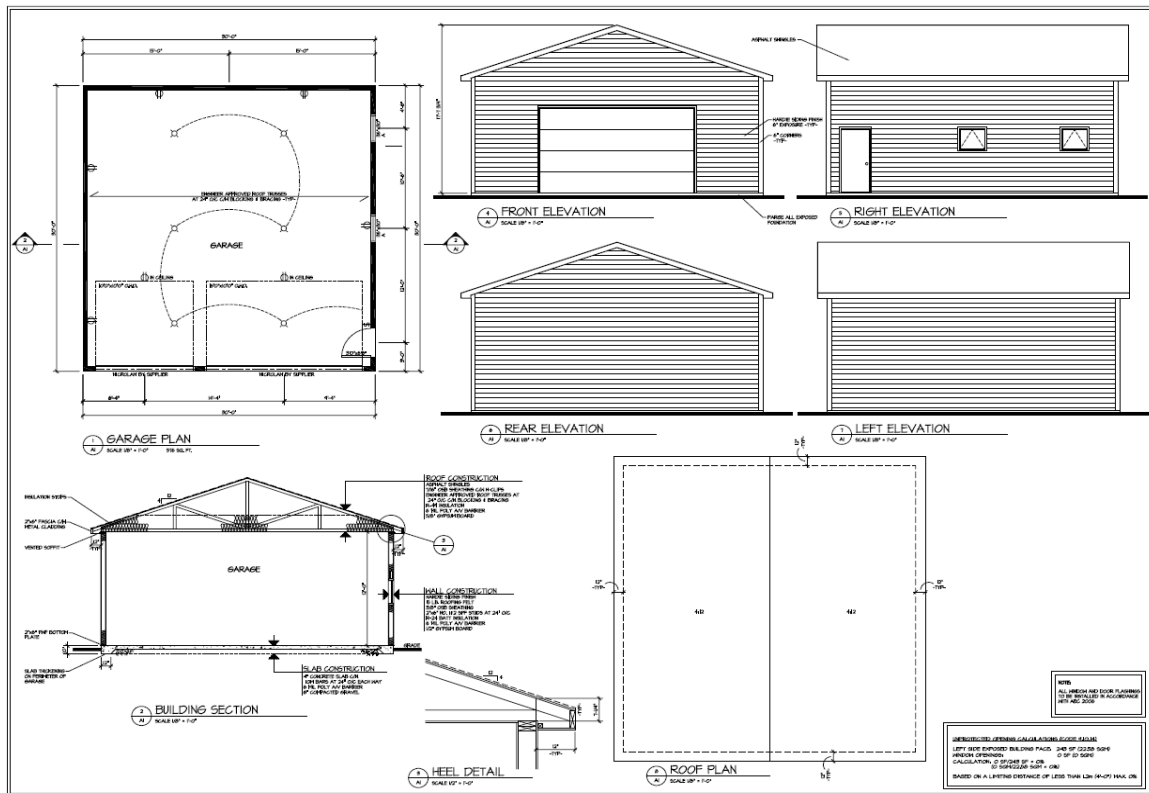
Sincerely,

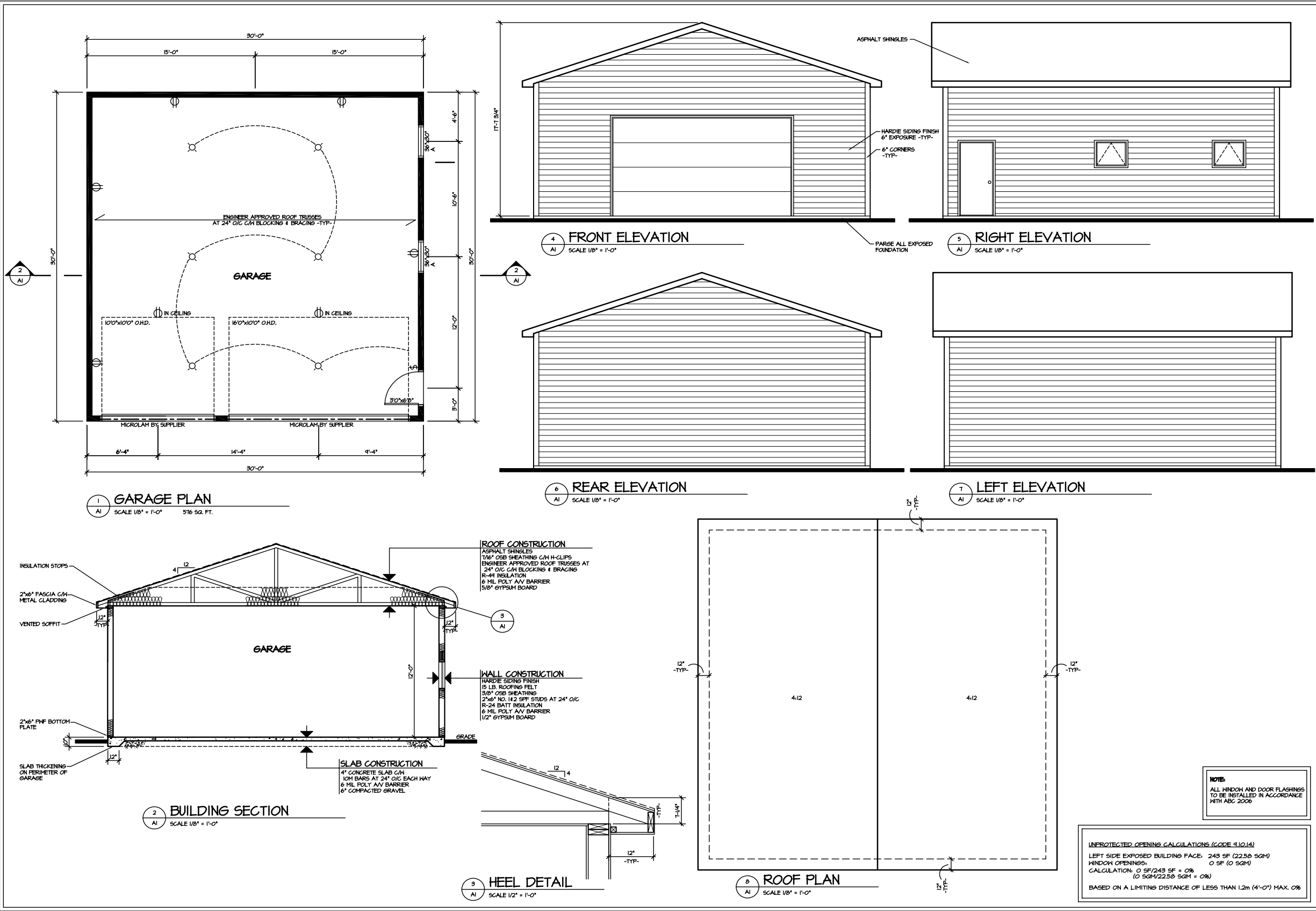


Spencer Croil, RPP MCIP
Director of Planning and Community Development
Development Officer

cc. Applicant







REVISIONS

CONSULTANTS



VERIFY ALL DIMENSIONS AND DATUMS PRIOR TO COMMENCEMENT OF WORK.
ALL CONSTRUCTION IS TO COMPLY WITH THE ALBERTA BUILDING CODE AND ANY APPLICABLE LOCAL REGULATIONS.
ALL ENGINEERED BEAMS, JOISTS, AND TRUSSES SPECIFIED ARE TO BE DESIGNED BY THE SUPPLIER.
THE DESIGNER DOES NOT ASSUME LIABILITY FOR ANY ERRORS AND/OR OMISSIONS ON THESE DRAWINGS.

PROJECT TITLE
30'x30' GARAGE
(12' WALL HT)

CLIENT
GRIZZLY RIDGE DEVELOPMENTS

DRAWING TITLE
GARAGE PLAN
BUILDING SECTION
DETAIL
ELEVATIONS
ROOF PLAN

DATE JUNE 2021
PROJECT NO. -
SCALE AS SHOWN
DRAWN KLH
CADD FILE 30x30_GARAGE

SHEET NO.

AI

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.).

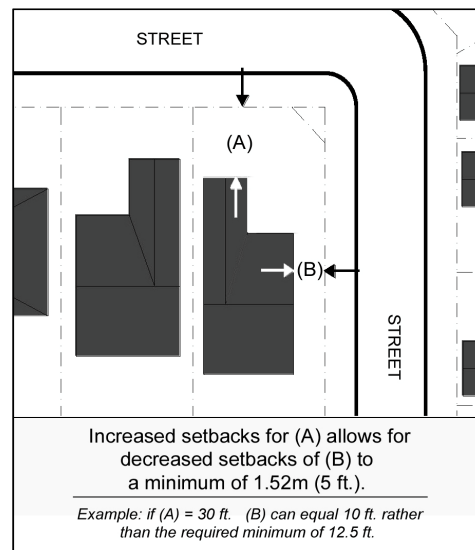
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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