



# MINUTES

## Municipal Planning Commission Meeting

5:00 PM - Wednesday, May 12, 2021  
HUB (Virtual)

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The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, May 12, 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

**EXCUSED:**

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:**

B. Frache; A. Parker; W. Warnock; J. Warnock; D. Stimson;  
S. Pauls

**1.0 CALL TO ORDER**

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

**2.0 ACCEPTANCE OF THE AGENDA**

**2.1 21-2021**

*MOTION: D. Lloyd moved to APPROVE the Agenda.*

***Carried 3-0***

**3.0 ADOPTION OF PREVIOUS MINUTES**

3.1 MPC Meeting Minutes - April 14, 2021

**22-2021**

*MOTION: J. Abrey moved to APPROVE the April 14, 2021 minutes.*

***Carried 3-0***

#### **4.0 BUSINESS ARISING FROM THE MINUTES**

None

#### **5.0 NEW BUSINESS**

##### **5.1 SUB 2021-005 - SE10-9-20-4**

S. Croil presented SUB 2021-005, an application to subdivide the last phase for the Cottonwood Estates neighbourhood, the lands upon which make up a portion of the S.E. 10-9-20 W4M.

The application is for 41 residential (R-1A) lots and the creation of 3 additional Municipal Reserve (MR) parcels for the neighbourhood.

The application is generally consistent with the Cottonwood Estates Area Structure Plan (ASP) Bylaw No. 547-P-06-05 adopted by Town Council in 2005. The ASP contains a detailed framework for the subdivision and development of the community. Inclusive of the dedication of municipal reserve, which has been fulfilled in previous subdivision applications for the Cottonwood Estates neighbourhood.

The current zoning of the subject parcel is a mixture of Residential (R-1A) and Urban Reserve (UR). However, the UR zoning is only on areas identified as future road and as such, the correct zoning (R1A) is in place on all lands that are slated to become lots.

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the applicant has fulfilled the dedication of Municipal Reserve requirements. The size of the original, unsubdivided parcel was 60.94 ha (150.6 ac), and the total MR dedicated is 7.23 ha (17.87 ac), representing an over-dedication of 1.13 ha (2.81 ac). It was noted that as per the tentative plan, an area in the SE corner of the lands legally described as Lot 51MR, Block 11, Plan 1911196 equaling 0.015

ha (0.037 ac) is shown as being incorporated back into what is shown as Lot 40 on the tentative plan. This is as a result of Council Motion 401-2020, whereby Town of Coaldale Council approved a request from the developer to allow for the reincorporation of the part of the MR as described above, into Lot 40. It was also noted that all necessary processes will be completed to dispose of the MR designation on the 0.015 ha (0.037 ac) portion that is currently designated MR.

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 matter the Town deems necessary.
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.

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

1. Alberta Transportation has granted a waiver to Sec. 14 and 15(2) of their regulations and advises the applicant that any development within the right-of-way of Highway 845 or within 300 metres beyond the limit of the highway or within 800 metres from the centrepont of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. However, Alberta Transportation also noted that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in which case a permit from Alberta Transportation would not be required and development of the 41 residential lots can proceed under the direction, control and management of the Town.

2. Alberta Environment and Parks has indicated that as long as the existing stormwater infrastructure meets the requirements specified in the Malloy Master Drainage Plan, AEP has no concerns with the subdivision related to the Water Act.
3. Canada Post had no comments on the proposed subdivision.
4. FortisAlberta has responded indicating that they do not require an easement.
5. SMRID has responded that they have no objections to the proposed subdivision as the area in question is classified as 'dry'.
6. TELUS has responded indicating that they have no objections to the proposed subdivision.

D. & J. Brown purchased a house in Phase 2 and they expressed their concerns regarding an adjustment to the original plan that changed the privacy in their backyard. They expected a Green Space behind their lot which is no longer there, and a lot will be directly behind them. The realtor who assisted in this purchase also expressed her concerns, stating that the Green Strip was a big factor when purchasing this lot.

The developer and D. & J. Brown are scheduling a meeting to speak with one another to see if there's some common ground they can reach.

- The Commission asked if any changes made by D. & J. Brown and the developer will need to come back to MPC if the application is approved.
- S. Croil advised that any changes made as a result of their discussion would not need to come back to MPC. It would be a matter of communicating with the surveyor to make an adjustment before being sent off to Land Titles for registration.
- B. Frache advised that overall, the feedback he has received has been positive. He indicated he hopes to come to a compromise with the lot owner wherein he will be satisfied.

### **23-2021**

*MOTION: D. Lloyd 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 3-0**

5.2 SUB 2021-006 - 1606 20th Ave.

S. Croil presented subdivision application SUB 2021-006 to subdivide 1606 20 Ave, which is currently 0.132 ha (0.33) acres in size. The application proposes to subdivide the subject lands into four (4) lots of 0.032 ha (0.08 acres) in size.

The purpose of the application is to subdivide one 0.132 ha (0.33 acre) lot into four (4) commercial lots of equal size (0.032 ha or 0.08 ac each) for the purposes of a commercial development. The subject property is at the corner of 16th Street and 20th Avenue and has the civic address of 1606, 20th Avenue.

The subdivision proposal is intended to allow for the future development of 4 commercial lots, which are planned to be sold and developed by future potential businesses. The subject area currently contains one single-story residential building. This building has been deemed inhabitable and has been vacant for a number of years.

The width of each lot is proposed at 7.62 m (25 ft) in width (measuring east/west) and 42.6 m (139.8 ft) in depth (measuring east/west), which means each lot meets or exceeds the minimum

lot dimensions of the Town's Commercial C-1 land use district, specifically within the Downtown Overlay area.

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.

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

1. Alberta Transportation has responded that, due to the parcels that are proposed to be created being removed from the highway network, with indirect access to the highway being granted by way of the local street system, it is not anticipated that there will be any appreciable impact on the highway system. Therefore, Alberta Transportation has indicated that they are willing to grant a waiver of Sec. 14 and 15(2) of their regulations.
2. ATCO Gas has indicated that they have no existing utility r-o-w registered on the subject property and as such, they will require a r-o-w to their satisfaction, as a part of the subdivision process.
3. Canada Post No comment.
4. FortisAlberta indicated that no easement is required.
5. SMRID indicated that they have no objection to the proposed subdivision because it is classified as a 'dry' parcel.
6. TELUS indicated they have no objection to the proposed subdivision.
7. Surrounding property owners Notice of the application was mailed to all surrounding property owners and no responses have been received.

## **24-2021**

*MOTION: D. Lloyd moved to APPROVE SUB 2021-006 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 enter into a utility r-o-w agreement with ATCO Gas and that the agreement be registered on title at the same time the subdivision is registered.*
- 4. That any conditions of Alberta Transportation be met.*

**Carried 3-0**

### **5.3 DP 2021-047 - 1507 21 Avenue**

M. Messier presented DP 2021-047, an application to review a waiver request for maximum lot coverage to allow for a detached garage at the subject property located at 1507 21 Avenue.

The property is zoned Residential R-1A, within this zoning district the maximum lot coverage for accessory structures is 10% of the total lot area, inclusive of all accessory buildings. The applicant is proposing an addition of a garage, increasing the total accessory structure lot coverage to 13%, equivalent to a 3% waiver. As such, the application requires the review of the Municipal Planning Commission (MPC).

The applicant is proposing a garage be built in the southeast section of the parcel. Currently, there is a temporary garage acting as the home's primary storage area.

The dimensions of the proposed garage are as follows:

- 9.1 metres (30 ft) length x 9.1 metres (30 ft) width
- 4.5 metres (15 ft) in height

Staff requests that the commission considers approval of Development Application 2021-047 to allow for a waiver of

maximum lot coverage subject to the following conditions. These conditions are in addition to standard development permit conditions associated with the development of a detached garage.

1. 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.
2. Ensure lot drainage is maintained and that lot grade is maintained.
3. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
4. There shall be no construction of additional accessory structures until the existing structures have been removed.

Notice of the application was sent to neighbouring property owners and one letter of support was received.

## **25-2021**

*MOTION: J. Abrey moved to APPROVE DP 2021-047 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 – Residential – R-1A.*
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. *Ensure lot drainage is maintained during and after construction of the garage.*
8. *The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.*



9. *The exterior finish must be the same or complimentary to the principal building.*

**Carried 3-0**

#### 5.4 DP 2021-050 - 2005 30A Avenue

M. Messier presented DP 2021-050, an application to review a request for a waiver of minimum rear yard setback requirements to allow for a covered deck and a waiver of minimum landscaping requirements at 2005 30A Avenue.

The parcel is zoned as Residential R-1A where minimum rear yard setback requirements for single detached dwellings is 7.62 metres (25 ft). Within the Land Use Bylaw, covered decks are considered part of the principal dwelling and must meet the stipulated setbacks for the single-detached dwelling.

The applicant is proposing a new rear yard setback of 4.2 metres (13 ft and 2 inches), which equals a 45% waiver or 3.4 metres (11').

Additionally, within the Residential R-1A zoning district in the Land Use Bylaw, a minimum of 25% of the front yard area of the principal dwelling is required to contain landscaping. The applicant is proposing a new minimum of front yard landscaping of 15.8%, equivalent to a 9.2% waiver of landscaping requirements.

Staff requests that the commission considers approval of Development Application 2021-050 to allow for a waiver of minimum rear yard setback requirements and a waiver of minimum landscaping requirements subject to the following conditions.

These conditions are in addition to standard development conditions associated with the development of a single-detached dwelling.

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 R-1A, with the exception of the rear yard setback which shall be reduced to 4.2 metres (13 ft and 9 inches).

2. The deck is not to be further enlarged, covered or enclosed unless necessary permits have been applied for and approved.
  3. Ensure lot drainage is maintained.
- D. Stimson advised that the concrete on the north side of the house is to access the detached garage in the backyard. Further, he advised that in order to squeeze a vehicle between the landscaped area and the side yard, he still wouldn't meet the 25% landscaping requirement.

With respect to the Covered Deck, he indicated it would help finish the aesthetics of the house. He inquired if the neighbouring property getting approved for a similar application would be taken into consideration.

- The Commission confirmed that they do take previously approved applications into consideration when making their decision.
- D. Stimson advised that he had letters of support from the developer and neighbouring property owner, which were previously provided to the Commission.

## **26-2021**

**MOTION:** *D. Lloyd moved to APPROVE DP 2021-050 - **Covered Deck** with conditions.*

1. *Must obtain approval of a Building Permit from Superior Safety Codes Inc. (403) 320-0734.*
2. *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, with the exception of the rear yard setback which shall be reduced to 4 metres (13.ft and 2 inches).*
3. *The deck is NOT to be further enlarged, covered or enclosed unless necessary permits have been applied for and approved.*
4. *Ensure lot drainage is maintained during and after construction.*
5. *Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.*
6. *The development, when completed, shall meet or exceed provincial building requirements.*

**Carried 3-0**

**27-2021**

**MOTION:** *D. Lloyd moved to TABLE DP 2021-050 - **Landscaping Waiver** to allow the applicant time to provide a landscaping plan for the front yard to the satisfaction of the Commission.*

**Carried 3-0**

**5.5 DP 2021-052 - 2105 8 Street**

M. Messier presented DP 2021-052, an application to review a request for a waiver of accessory building height requirements to allow for a detached garage at 2105 8 Street.

The parcel is zoned Urban Reserve - UR, where it states within the Land Use Bylaw 677-P-04-13, the maximum height for any accessory building shall be 4.6 metres (15 ft).

The applicant is proposing a detached garage located on the southeast section of the parcel with a proposed new height of 7 metres (23 ft), which equals a 53% waiver or 2.4 metres (8 ft). For this reason, the application requires the review of the Municipal Planning Commission.

Staff requests that the commission considers approval of Development Application 2021-052 to allow for a waiver of accessory building height requirements for the construction of a detached garage subject to the following conditions. These are in addition to the standards conditions associated with the development of detached garage permits.

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 UR.
2. Ensure lot drainage is maintained.
3. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
4. The accessory structure is not to be further enlarged without the application and approval of the necessary permits.

Notice of the application was sent to neighbouring property owners, and one letter expressing concern about proposed equipment that will be stored was received. This concern was resolved by staff.

- W. Warnock clarified that with respect to some concern regarding an existing shed on the property, it was only placed there temporarily and it will be moved. He added that the positioning of the detached garage on the site plan was incorrect. The proposed garage would be further south.
- The Commission asked where the garage would fit in line with north tree line.
- W. Warnock advised that it will be south east of the tree line. The main entrance of the garage would be facing west, and the doors would be facing north.

#### **28-2021**

*MOTION: J. Abrey moved to APPROVE DP 2021-052 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. *Ensure lot drainage is maintained during and after construction.*

8. *The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.*
9. *The exterior finish must be the same or complimentary to the principal building.*

**Carried 3-0**

5.6 DP 2021-062 - 2516 21 Avenue

M. Messier presented DP 2021-062, an application to review the placement of two existing freestanding signs, and the addition of a third freestanding sign at 2516 21 Avenue.

The subject property is located within the Highway Commercial C-2 zoning, wherein the Land Use Bylaw, a freestanding sign is a discretionary use.

The Tim Horton's located at the subject property is in the process of adding a second drive-through lane. The expansion of the drive-through lane was approved as Development Permit 2021-048 and was approved at the staff level, as the application met all requirements of the Land Use Bylaw including minimum parking requirements.

Application 2021-062 is a sign permit application, for three (3) signs, two of which are menu/order boards, and one of which is a menu board only. The application approved last year only contained a request for two (2) signs, whereas the application received this year, is for three (3) signs inclusive of one new sign.

The proposed menu sign will be 0.6 metres (2 ft) long and 1.8 metres (6 ft) high, while the second and third signs will be 1.8 metres (6 ft) long and 1.8 metres (6 ft) high. All of the signs are proposed to be located near the north boundary of the lot, adjacent to Highway 3. Sign faces are proposed to be positioned towards the drive-through lanes. The signs will consist of electronic changeable content, animation and internal illumination.

The LUB states no more than one freestanding sign is permitted per property/business, however, given the context and the historic allowance of more than one sign as a fundamental part of the

drivethrough part of the business, consideration should be given to continuing to allow the number of freestanding signs on the lot as proposed

Staff requests that the Commission considers approval of Development Application 2021-062 to allow for a waiver of the maximum allowance of freestanding signs permitted per property/business subject to the following conditions. These are in addition to the standard conditions associated with freestanding sign permits.

1. 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, Highway Commercial C-2.
2. Applicant/owner shall comply with Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations. Freestanding signs shall not exceed 1.8 metres (6 ft) in height.
3. The freestanding signage to be placed and installed on the property must be removed prior to the installation of any new freestanding signage.

- S. Pauls advised that double drive-through lanes are proven to be effective to help with traffic control.
- The Commission asked if there is any chance of a flash being picked up on the highway as a distraction.
- S. Pauls advised that the drive-through signs are menu signs wherein they're digital, but not advertising with moving, flashing text.
- S. Croil added that a condition of the permit is that the applicant must receive a roadside permit with Alberta Transportation to address any concerns regarding the signs.
- The Commission inquired which direction the signs would face.
- S. Pauls confirmed that each sign would face the north lane.

### **29-2021**

*MOTION: J. Abrey moved to APPROVE DP 2021-062 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, Highway Commercial C-2.*
4. *Applicant/owner shall comply with Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations. The freestanding sign shall not exceed 1.8 m (6 feet) in height.*
5. *The freestanding signage intended to be replaced on the property **must** be removed prior to new freestanding signage installation.*
6. *The freestanding sign shall be used only for on-site advertising and shall contain NO third-party advertising.*
7. *The applicant/owner must meet all the requirements for signage outlined by Alberta Transportation.*
8. *The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority.*

***Carried 3-0***

## **6.0 INFORMATION ITEMS**

## **7.0 CLOSED MEETING**

## 8.0 ADJOURNMENT

The public portion of the meeting was closed at 5:45 P.M.

### 8.1 **30-2021**

*MOTION: D. Lloyd moved to adjourn the meeting at 6:15 P.M.*

***Carried 3-0***

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CHAIR – R. HOHM

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RECORDING SECRETARY – K. STONE