



MINUTES

Municipal Planning Commission Meeting

5:00 PM - Wednesday, November 9, 2022
Council Chambers

The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, November 9, 2022, at 5:00 PM, in the Council Chambers, with the following members present:

PRESENT: Roger Hohm, Chair
Jack Van Rijn, Mayor
Dale Pickering, Councilor
Jacen Abrey, Councilor
Brad Calder, Member

EXCUSED:

STAFF PRESENT: Melanie Messier, Senior Planner

GALLERY: L. Reis, M. Van Buuren, S. Van Buuren

1.0 CALL TO ORDER

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

60-2022

MOTION: J. Van Rijn made a motion to appoint R. Hohm the Chair of the Municipal Planning Commission.

2.0

Carried

ACCEPTANCE OF THE AGENDA

R. Hohm posed whether there were any additions or amendments to the agenda.

61-2022

MOTION: R. Hohm made a motion to accept the agenda as circulated.

Carried

3. ADOPTION OF PREVIOUS MINUTES

- 3.1 R. Hohm posed the question whether there were any errors or omissions in the October 12, 2022 minutes as presented.

62-2022

MOTION: J. Van Rijn made a motion to APPROVE the minutes as presented.

Carried

4.0 BUSINESS ARISING FROM THE MINUTES

- n/a

5.0 NEW BUSINESS

- 5.1 Subdivision Application 2022-002 - New Rock Enterprises -
Melanie Messier, Senior Planner

The following report is to present the Municipal Planning Commission with a subdivision application to create twenty-six (26) bareland condominium units with one (1) unit for common road property and the remainder of the subject property being one (1) lot for residential use.

The subdivision takes up approximately 1.12 ha (2.76 ac) and is located at the property legally described as SW-1/4 13-9-20 W4M, with no existing civic address.

The proposal is generally consistent with the Parkside Acres Area Structure Plan (2001), where the plan calls for strategically-placed multi-family residential sites. It is worth noting, a majority of the proposed lots meet the minimum lot size requirement identified within the current Land Use Bylaw 677-P-04-13. However, there are seven (7) lots that fall below the minimum lot size requirement of 265 m² stated within the Residential Multi-Unit R-2 zoning district.

The application is consistent with the Town's Municipal Development Plan (Town Plan), through meeting the following Residential Policy Goals:

- 2(a) Supporting a diversity of housing forms that provide options for residents.
- 2(b) Encouraging housing options that cater to people of diverse abilities and means so that everyone in the community has access to safe housing.
- 2(c) Ensuring residential development makes efficient use of infrastructure and achieves densities that support the long-term prosperity of the Town.

The application is generally compliant with the Town's current Land Use Bylaw, and as such the Municipal Planning Commission may consider approval of the subdivision subject to the following suggested conditions:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant/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 Commission may wish to consider the following options:

1. THAT the MPC approves subdivision application (2022-002) with the suggested conditions.
2. THAT the MPC tables subdivision application (2022-002) pending the receipt of additional information.
3. THAT the MPC refuses subdivision application (2022-002) with reasons.

63-2022

MOTION: J. Van Rijn made a motion to APPROVE the subdivision application (2022-002) with the suggested conditions.

5.2 Subdivision 2022-003 - 845 Developments - Melanie Messier, Senior Planner

The following report is to present the Municipal Planning Commission with a subdivision application proposing to create twenty-size (26) lots ranging in size with twenty (20) lots being approximately 0.4 ha (1 ac), four (4) lots being 0.46 ha (1.14 ac), one (1) being 0.7 ha (1.73 ac), and one (1) being 3.717 ha (9.18) at the lot legally described as part of the NW 1/4 14-9 W4M.

The subject lands have mixed zoning, including Industry - I and Highway Commercial C-2, with the future proposed use for Industrial purposes.

The proposal is consistent with the recently approved West Industrial Area Structure Plan (ASP), where the plan accommodates for the development of the quarter section for the purposes of industrial development. All proposed lots meet the minimum lot size requirement identified within the current Land Use Bylaw 677-P-04-13, with the exception of two larger parcels.

The largest lot being 3.717 ha (9.18 ac) is proposed to be developed as a stormwater management pond, while the 0.7 ha (1.73 ac) will be subdivided in a future phase (Phase 3) of the development.

The creation of the proposed twenty-six (26) lots is the initiation of the first phase of the West Industrial Area, where portions of 12th Avenue, 16th Street, 14th Street, and 13th Avenue will be partially developed to accommodate for traffic flows to Phase 1 of the NE Industrial Park.

The application is consistent with the Town of Coaldale's Municipal Development Plan (Town Plan), through meeting the following Industrial Development Policy Goals:

- 4(a) Supporting industrial development to help achieve a sustainable municipal tax ration of 20 percent non-residential to 80 percent residential.

The Commission may wish to consider the following options:

1. THAT the MPC approves subdivision application (2022-003) with the suggested conditions.
 2. THAT the MPC tables subdivision application (2022-003) pending the receipt of additional information.
 3. THAT the MPC refuses subdivision application (2022-003) with reasons.
- M. Messier noted that the applicant wished for an extension on decision for this permit.

64-2022

MOTION: D. Pickering made a motion to APPROVE the tabling of subdivision application (2022-003) pending the receipt of additional information.

Carried

5.3 Development Permit 2022-110 - 906 11 Avenue – Melanie Messier, Senior Planner

The following report is to present the Municipal Planning Commission with an application for a "Shipping Container, Permanent" at the property with the legal description Lot 5, Block 21, Plan 181 1685 and the civic address 906 11 Avenue.

Within the Land Use Bylaw, Schedule 2, Industry-I, it states that a "Shipping Container, Permanent" is a discretionary use.

The applicant is proposing a shipping container with the following parameters:

- Container dimensions: 12.1 m x 2.4 m (40 ft. x 8 ft.)
- Proposed use: storage
- Proposed rear yard setback: 1.21 m (4 ft.)

Within Schedule 4: Standards of Development, states shipping containers must comply with the setback requirements for accessory structures in the applicable land district. Given the minimum rear yard setback in Industry - I zoning district is 7.62 m (25 ft.) whereas the applicant is proposing a 1.21 m (4 ft.) rear yard setback, an 84% relaxation of setback requirements is being requested.

Should the Commission wish to consider approval of development permit (2022-110) for a "Shipping Container, Permanent" with a waiver of rear yard setback requirements, the following conditions are recommended:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 before commencement.
2. Setbacks to conform to the site plan attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Industry - I, except for the 1.21 m (4 ft.) rear yard setback as approved by the Municipal Planning Commission.
3. Refuse, and garbage during construction shall be in appropriate containers and be adequately screened and placed in an approved enclosure until removed for disposal.
4. Ensure lot drainage is maintained.
5. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
6. The applicant shall ensure no combustibles are stored in the shipping container at any time.

The Commission may wish to consider the following options:

1. THAT the MPC approves development permit (2022-110) with the suggested conditions.
 2. THAT the MPC tables development permit (2022-110) pending the receipt of further information.
 3. THAT the MPC refuses development permit (2022-110) with reasons.
 4. THAT the MPC provides alternative direction to Administration.
- J. Van Rijn asked why a storage container cannot store combustibles.
 - M. Messier stated the standard condition of previous permits disallowed the storage of combustibles.
 - M. Messier stated that she would look into combustible question further with Superior Safety Codes.
 - J. Van Rijn asked why the container is permanent

- M. Messier said the reason was that the container will stay on the site longer than 6 months and it will remain indefinitely.
- D. Pickering asked if there are any codes as to how the shipping container should look.
- M. Messier stated that there are codes for appearance and that she would include a condition that the container needs to match the existing principal building.

65-2022

MOTION: J. Abrey made a motion to APPROVE development permit (2022-110) with the suggested conditions for the 1.21 m (4 ft.) rear yard setback.

Carried

5.4 Development Permit 2022-114 - 92073 Highway 845 - Melanie Messier, Senior Planner

The following report is to present the Commission with an application for a Detached Garage requesting a waiver of height requirements at the property legally described as Lot 1, Block 1, Plan 211 1990 and the civic address 92073 HWY 845.

Within the Land Use Bylaw, Schedule 2, Urban Reserve, it states the maximum height of all "Accessory Buildings" shall be 4.6 m (15 ft.) unless otherwise required by the Designated Officer or Municipal Planning Commission.

The applicant is proposing a Detached Garage with the following considerations:

- Relocation of existing Detached Garage to another location on-site until sold.
- New Detached Garage to be 157 m² (1700 ft²)
- Proposed height of 7.31 m (24 ft.)

The proposed height of the Detached Garage would result in a 60% waiver request.

Should the Commission wish to consider approval of development permit application (2022-114) for a detached garage with a waiver of maximum height requirements, the following conditions are recommended:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
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.
4. The detached garage is not to be further enlarged without the appropriate application and approval of the necessary permits.
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 complementary to the principal building.

The Commission may wish to consider the following options:

1. THAT the MPC approves development permit (2022-114) with the suggested conditions.
2. THAT the MPC tables development permit (2022-114) pending the receipt of further information.
3. THAT the MPC refuses development permit (2022-114) with reasons.
4. THAT the MPC provides alternative direction to Administration

66-2022

MOTION: J. Van Rijn made a motion to APPROVE development permit (2022-114) with the suggested conditions.

Carried

5.5 Subdivision Application 2022-122 – 1009 11 Avenue - Melanie Messier, Senior Planner

The following report is to provide the Municipal Planning Commission with an application for a Moved-In Detached Garage requesting a waiver of rear yard setback requirements at the property legally described as Lot 16, Block 18, Plan 181 1685 with the civic address 1009 11 Avenue.

Within the Land Use Bylaw, Schedule 2, Industry - I, states the maximum height of all "Accessory Buildings" shall be 7.62 m (25 ft.) from the rear property line. The applicant proposes a rear yard setback of 1.5 m (5 ft.), resulting in an 80% waiver of rear yard back requirements.

Should the Commission wish to consider approval of the Moved-In Detached Garage with a waiver of rear yard setback requirements, the following conditions are recommended:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Industry-I, except for the 1.5 m (5 ft.) rear yard setback waiver as approved by the Municipal Planning Commission.
4. The detached garage is not to be further enlarged without the appropriate application and approval of the necessary permits.
5. Refuse and garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
6. Ensure lot drainage is maintained during and after construction.
7. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

The Commission may wish to consider the following options:

1. THAT the MPC approves development permit (2022-122) with the suggested conditions.
 2. THAT the MPC tables development permit (2022-122) pending the receipt of additional
 3. information.
 4. THAT the MPC refuses development permit (2022-122) with reasons.
 5. THAT the MPC provide alternative direction to Administration.
- D. Pickering questioned if it would be put on a foundation.
 - M. Messier indicated that it would.
 - J. Abrey questioned if there was electrical to the building.
 - M. Messier explained that superior safety codes would run the approval for that.

67-2022

MOTION: J. Abrey made a motion to APPROVE development permit (2022-122) with the suggested conditions.

Carried

6.0 INFORMATION ITEMS

6.1 Land Use Bylaw Amendment - Melanie Messier, Senior Planner

68-2022

MOTION: R. Hohm made a motion to APPROVE to move the Land Use Bylaw Amendment to this to council

Carried

7.0 CLOSED MEETING

- Closed session began at 5:40 pm.

8.0 ADJOURNMENT

69-2022

MOTION: R. Hohm made a motion to adjourn at 5:50 pm.

Carried

Chair

Recording Secretary - Melanie Messier