

**Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION**

May 5, 2020

6:30 pm

Agenda

- 1. Adoption of Agenda**
- 2. Minutes**
 - a. Meeting Minutes of April 7, 2020
- 3. Closed Meeting Session**
- 4. Unfinished Business**

Nil
- 5. Development Permit Applications**
 - a. Development Permit Application No. 2020-09
Angela Reimer, Michael Safranka
Lot 1, Block 1, Plan 1711156
Garden Suite
- 6. Development Reports**
 - a. Development Officer's Report
- Report for the month of April 2020
- 7. Correspondence**

Nil
- 8. New Business**
- 9. Next Regular Meeting** – June 2, 2020; 6:30 pm
- 10. Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
April 7, 2020 6:00 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Reeve Brian Hammond, Quentin Stevick, Terry Yagos, Bev Everts, Rick Lemire, Member Michael Gerrand and Chairman Jim Welsch

Staff: Director of Development and Community Services Roland Milligan, and Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Planning
Advisors: ORRSC, Senior Planner Gavin Scott

Absent: CAO Troy MacCulloch, Assistant Planners Hailey Winder and Max Kelly

Chairman Jim Welsch called the meeting to order, the time being 6:30 pm.

Chairman Jim Welsch requested recorded votes for all motions made during this conference call meeting.

1. **ADOPTION OF AGENDA**

Councillor Quentin Stevick 20/001

Moved that the agenda be approved.

2. **ADOPTION OF MINUTES**

Reeve Brian Hammond 20/002

Moved that the Municipal Planning Commission Meeting Minutes for December 3, 2019 be approved as presented.

Carried

3. **CLOSED MEETING SESSION**

Councillor Rick Lemire 20/003

Moved that the Municipal Planning Commission close the meeting to the public, under the authority of the *Municipal Government Act*, Section 197(2.1), the time being 6:31 pm.

Carried

Councillor Terry Yagos 20/004

Moved that the Municipal Planning Commission open the meeting to the public, the time being 7:05 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2020-09
Angie Reimer / Michael Safranka
Lot 1, Block 1, Plan 1711156 (SE 06-07-01 W5)
Moved-In Accessory Building - (Bunkhouse)**

Reeve Brian Hammond 20/005

Moved that Development Permit No. 2020-09, for the Moved-In Accessory Building (Bunkhouse) be approved as presented:

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.**
- 2. That this permit is a temporary permit, being valid for five (5) years, with the requirement that the building be removed five (5) years from the date of issue.**

Variance(s):

- 1. A 19.5 meter variance of the 30 meter setback requirement from a municipal road is granted for a municipal road setback of 10.5 meters.**

Recorded vote,

Councillor Bev Everts – In Favour
Councillor Rick Lemire – Opposed
Reeve Brian Hammond – In Favour
Councillor Terry Yagos – In Favour
Member Michael Gerrand – Opposed
Chairman Jim Welsch – Opposed
Councillor Quentin Stevick - Opposed

Denied 4/3

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
April 7, 2020

Councillor Bev Everts

20/006

Moved that Development Permit No. 2020-09, for the Moved-In Accessory Building (Bunkhouse) be recirculated as a Garden Suite designation with conditions as stated in current recommendation:

Condition(s):

1. **That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.**
2. **That this permit is a temporary permit, being valid for five (5) years, with the requirement that the building be removed five (5) years from the date of issue.**

Variance(s):

1. **A 19.5 meter variance of the 30 meter setback requirement from a municipal road is granted for a municipal road setback of 10.5 meters.**

Recorded vote,

Councillor Bev Everts – In Favour
Councillor Rick Lemire – In Favour
Reeve Brian Hammond – In Favour
Councillor Terry Yagos – In Favour
Member Michael Gerrand – Opposed
Chairman Jim Welsch – Opposed
Councillor Quentin Stevick – Opposed

Carried 4/3

**b. Development Permit Application No. 2018-12
Renewable Energy Services Ltd.
(McLaughlin Wind Farm)
Ptn. SE 22-6-29 W4M
Timeline Suspension**

Councillor Quentin Stevick

20/007

Moved that Development Permit No. 2018-12 to allow a timeline suspension under Section 57.19(d) be approved.

Recorded vote,

Councillor Bev Everts – In Favour
Councillor Rick Lemire – In Favour
Reeve Brian Hammond – In Favour
Councillor Terry Yagos – In Favour
Member Michael Gerrand – In Favour
Chairman Jim Welsch – In Favour
Councillor Quentin Stevick – In Favour

Carried 6/0

6. **DEVELOPMENT REPORT**

- a. Development Officer's Report
- b. Planner Gavin Scott advised that Municipal Affairs have extended appeal deadlines to October 1, 2020, due to the COVID-19 pandemic. Discussions are taking place to leave the current 21 day appeal period in place. This will allow construction to go ahead without appeal concerns. Until changes to the appeal deadline extension are implemented, care must be taken with approvals.

Councillor Terry Yagos

20/008

Moved that the Development Officer's Report, for the period December, 2019 to April 2, 2020, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

8. **NEW BUSINESS**

Nil

9. **NEXT MEETING** – May 5, 2020; 6:30 pm.

10. **ADJOURNMENT**

Councillor _____

20/009

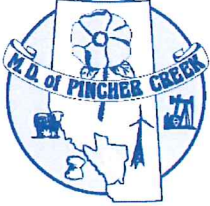
Moved that the meeting adjourn, the time being 7:21 pm.

Carried

Chairperson Jim Welsch
Municipal Planning Commission


Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

Recommendation to Municipal Planning Commission



TITLE: DEVELOPMENT PERMIT NO. 2020-09 Applicant: Michael Safranka and Angie Reimer Location: Lot 1, Block 1, Plan 171 1156 (SE 6-7-1 W5M) Division: 3 Size of Parcel: 2.83 ha (7.0 Acres) Zoning: Agriculture -A Development: Garden Suite	
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PREPARED BY: Roland Milligan	DATE: April 28, 2020
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DEPARTMENT: Planning and Development

Signature: 	ATTACHMENTS: 1. Development Permit Application No. 2020-09 2. Assessor's Image Report 3. GIS Aerial Image (Site Plan)
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APPROVALS:

_____ Roland Milligan	 _____ Date	_____ Troy MacCulloch	 _____ Date
Department Director	Date	CAO	Date

RECOMMENDATION:

That Development Permit No. 2020-09, for a Garden Suite, be approved, subject to the following Condition(s) and Variance(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. Pursuant to Section 49.1(b) of the LUB, this permit is a temporary permit, being valid for five (5) years.

Variance(s):

1. A 19.5 meter variance of the 30 meter setback requirement from a municipal road is granted for a municipal road setback of 10.5 meters.

BACKGROUND:

- During a routine survey of MD properties for assessment purposes during the fall of 2019, a new building located on the parcel was reported to the Development Department (*Attachment No. 2*).

Recommendation to Municipal Planning Commission

- On January 14, 2020, a registered letter was sent to the landowner to inform them of the required permitting process.
- The applicant submitted Development Permit Application No. 2020-09 (*Attachment No. 1*) with associated fee.
- The building is being used as a bunkhouse for sleeping purposes.
- This application was initially presented to the MPC at the April 7, 2020 meeting. At that meeting the application was denied and direction was given to administration to recirculate the application to the adjacent landowners as the Garden Suite use, as defined within the LUB.

6.65 Garden Suite

A supplementary dwelling unit that is located on the same lot or parcel as a principal dwelling unit, where one dwelling is used to house on temporary basis individuals that are receiving care from or providing care to residents of the principal dwelling.

SECTION 49 GARDEN SUITES

49.1 *Garden suites shall:*

- (a) *not exceed one (1) storey in height;*
- (b) *require a development permit which shall expire in 5 years and is renewable once at the discretion of the Development Officer based on the original criteria of the approval and renewable thereafter at the discretion of the Municipal Planning Commission.*

49.2 *Garden suite shall be used to house individuals providing care to or receiving care from the resident(s) of the principal building.*

49.3 *Garden suites are subject to Alberta Safety Codes.*

49.4 *The structure being proposed shall be shown to be readily moveable upon expiry of the approval period.*

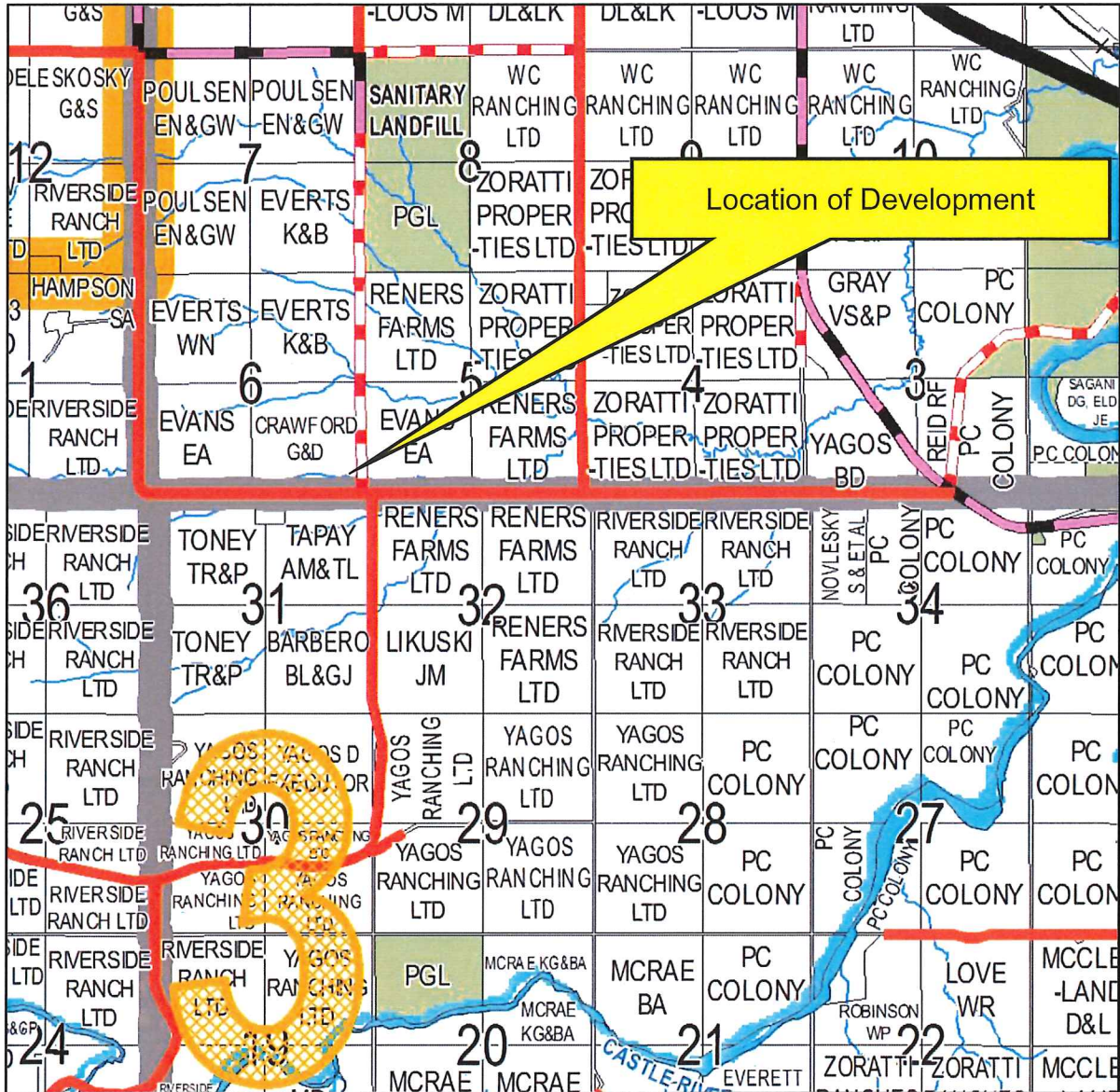
- A site plan has been prepared showing the location of the building on the parcel (*Attachment No. 3*).
- The building is located approximately 10.5 meters from the west edge of Range Road 1-5. The road is a Local Road on the Road Classification map but does not received year round service.
- This application is in front of the MPC because:
 - Within the Agricultural Land Use District, the required setback from a municipal road is 30 meters. The applicant is therefore requesting a 19.5 meter variance of the 30 meter setback requirement.
- All other required setbacks comply with the LUB.
- The applicant has also submitted a letter stating the reasons for locating the building at the current location (*Attachment No. 4*).
 - When they purchased the home in June of 2019, they found that they could not develop bedrooms in the basement due to flooding issues.
 - The drainage on the parcel restricted the locations it could be placed.
 - Reduced cost of supplying power to the building.
 - Did not want to block off access to the garage.
 - Did not want to block view of the mountains.
 - They have so few acres that they do not want to develop too much of the agricultural land.
 - They see this as a temporary use of the building. They are stating that it would be removed within five years.

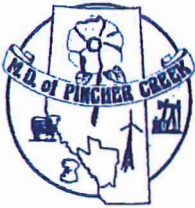
Recommendation to Municipal Planning Commission

- Notification letters were once again sent to the adjacent neighbours. At the time of preparing this report, one positive response as been received.
- The permit was circulated to the Public Works Superintendent for comment. A site inspection was done on March 13, 2020. The following are the Superintendent's comments:
 - o *I went to have a look at location this morning and I don't have any concern. In normal circumstances, drifting on the road right away would be a concern but the building is sitting on the east side of a Barn/Garage and the house, which would catch most of the wind and snow.*

Recommendation to Municipal Planning Commission

Location of Proposed Development





Attachment No. 1
Municipal District of Pincher Creek
 P.O. Box 279
 Pincher Creek, AB T0K 1W0
 Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2020-09

Date Application Received Feb 18/20

PERMIT FEE ^{\$100 Permitted} ^{\$150 Discretionary} X2

Date Application Accepted March 3/20

RECEIPT NO. 43675 \$300

Tax Roll # 3416.010

IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9

SECTION 1: GENERAL INFORMATION

Applicant: Angie Reimer

Address: [REDACTED]

Telephone: [REDACTED] Email: [REDACTED]

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): Michael Sapranka

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows: CURRENT PLAN: 4-5 years will be moved

- insulated hobby sheds and/or cabin on a removal pad
Easement required to the road.

Legal Description: Lot(s) 1

Block 4

Plan 1711156 / 7002 RRI-5

Quarter Section SE-06-07-01 W5

Estimated Commencement Date: July 31/2019

Estimated Completion Date: August 10/2019

SECTION 3: SITE REQUIREMENTS

Land Use District: GCR Division: 3

Permitted Use Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? 2 degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes No Don't know Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes No Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			/
(2) Area of Building <u>32' x 11.3</u> <u>9.78m x 3.45m</u>	<u>33.75m²</u>		
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building	<u>12'</u>		
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

Garden Suite <i>BUILDINGS</i>	Proposed	By Law Requirements	Conforms
(1) Area of Site	<i>7ac</i>	<i>N/A</i>	<i>—</i>
(2) Area of Building	<i>34m²</i>	<i>> 106m²</i>	<i>PERMIT REQUIRED</i>
(3) % Site Coverage by Building (within Hamlets)	<i>N/A</i>	<i>—</i>	<i>—</i>
(4) Front Yard Setback Direction Facing: <i>EAST</i>	<i>10.5m</i>	<i>30m</i>	<i>NO</i>
(5) Rear Yard Setback Direction Facing: <i>WEST</i>	<i>137m</i>	<i>7.5m</i>	<i>YES</i>
(6) Side Yard Setback: Direction Facing: <i>NORTH</i>	<i>114m</i>	<i>7.5m</i>	<i>YES</i>
(7) Side Yard Setback: Direction Facing: <i>SOUTH</i>	<i>72m</i>	<i>30m</i>	<i>YES</i>
(8) Height of Building	<i>~3.0m</i>	<i>N/A</i>	<i>—</i>
(9) Number of Off Street Parking Spaces	<i>N/A</i>	<i>—</i>	<i>—</i>

Other Supporting Material Attached (e.g. site plan, architectural drawing)

SECTION 4: DEMOLITION

Type of building being demolished : _____

Area of size: _____

Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: *02/15/2020*

Michael Satronka

Applicant

Annie Reimer
A Reimer

Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.



Roll: 3416.010	Alt. Key:	Land Area: 7.02 Acres
Legal: 1711156 1 1 SE-6-7-1-5		Subdivision:
Address: 1 Mile South of Landfill 7002 RR 15		Market 30 Div.3 West of PC
		Zoning: Agricultural
Prop. Desc:		Property Type:
		Economic Zone:

Image Date: 10-22-2019
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Default: No



Image Date: 10-22-2019
Image Type: Photo
Image Desc: Photo
Default: No



Lot 1
Block 1
Plan No. 171 1156

Location of existing
9.7m x 3.5m
Accessory Building

114m

137m

10.5m

72m

30.48

Rge. Rd. 1-5 (Unimproved Road to Landfill)

30.48

Twp. Rd. 7-0



1:1000 1cm = 1m

I wanted to try and show how we come up with the decision to place our cabin where it is and why we decided to purchase it and remodel it. We are a blended family and when we purchased the acreage on June 28 2019 we found that the basement was not appropriate for building bedrooms due to flooding. We are so in love with land we were willing to put up with the basement.

Another consideration is that the youngest boy staying in the cabin is now 13 so in four to five years our intentions are to sell the building and move it, that is the reason for it being on skids and the electrical plug the way it is.

I also want to say that Angie and I made several decisions as to why we put it where we did. The water drainage to the creek and the trees as well as cutting costs for the electrical from the house, blocking off access to the two car garage and beautiful uplifting views of the mountains for a positive view from the windows and as much heat from the sun that is possible to cut down on monthly costs.

I owned a small farm in a area SE of Edmonton and was raised on a farm so I do have intentions of raising my children and instilling values and customs I hold true.

We have so few acres on our acreage, so I intend to be very practical with what we have which is another consideration.

I hope to further discuss this matter and come to a resolve.

Michael Saffronka

Hilroy

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
April 2 to April 30, 2020

Development / Community Services Activities includes:

- April 3 PCREMO Command & General Staff Meeting
- April 3 PCREMO Funeral Home Meeting
- April 3 PCREMO Personnel Scheduling Meeting
- April 5 ICS 201 Prep
- April 6 PCREMO Command & General Staff Meeting
- April 6 Regional Emergency Advisory Committee
- April 7 MD's Business Continuity Plan – Fit for Duty Meeting
- April 7 PCREMO Command & General Staff Meeting
- April 7 AEMA COVID-19 DEM and DDEM Update
- April 7 MPC Meeting
- April 8 PCREMO Command and General Staff Meeting
- April 9 PCREMO Command and General Staff Meeting
- April 10 PCREMO Command and General Staff Meeting
- April 13 PCREMO Command and General Staff Meeting
- April 14 Council Committee Meeting
- April 14 PCREMO Command & General Staff Meeting
- April 14 Council Meeting
- April 14 AEMA COVID-19 DEM and DDEM Update
- April 15 PCREMO Command and General Staff Meeting
- April 15 ASB Meeting
- April 16 PCREMO Command and General Staff Meeting
- April 16 PCREMO Work Plan Workshop
- April 17 PCREMO Command and General Staff Meeting
- April 20 Jesson Luco, AES Seasonal Staff Safety Orientation
- April 20 PCREMO Command and General Staff Meeting
- April 21 AEMA COVID-19 DEM and DDEM Update
- April 21 Enel Tour, Riverview Wind Farm
- April 22 PCREMO Command and General Staff Meeting
- April 22 MD Operational Staff Safety Meeting
- April 22 SW Alberta EMAs COVID-19
- April 22 Spread Eagle Road Site Visit
- April 23 PCREMO Emergency Management Agency Planning Meeting
- April 24 PCREMO Command and General Staff Meeting
- April 24 Site Meeting Castle River Intake
- April 27 PCREMO Command and General Staff Meeting
- April 28 AEMA COVID-19 DEM and DDEM Update
- April 28 Council Meeting
- April 29 PCREMO Command and General Staff Meeting
- April 30 PCREMO AHS Update
- April 30 PCREMO Emergency Management Planning Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for April 2020

No.	Applicant	Division	Legal Address	Development
2020-12	Didkowsky / Voramwald	3	6004 Rge. Rd. 1-4	Single Detached Residence and Shop
2020-13	Spring Point Colony	4	8432 Hwy 785	3 Plex Residential Building

Development Permits Issued by Municipal Planning Commission April 2020

None to report.

Development Statistics to Date

DESCRIPTION		2020 to Date (April)	2019	2018	2017
Dev Permits Issued	5 – Jan 3 – Feb 2 - April	10 10 – DO 0 - MPC	54 45-DO 9-MPC	22 17-DO 5-MPC	65 45-DO 20-MPC
Dev Applications Accepted	6 – Jan 4 – Feb 1 – March 3 – April	14	57	24	63
Utility Permits Issued	0 – Jan 5 – Feb 2 – March 3 - April	10	33	14	22
Subdivision Applications Approved		0	12	4	3
Rezoning Applications Approved		0	1	0	2
Compliance Cert	1 – Jan 1 – Feb 1 – March 1 - April	4	22	5	22

RECOMMENDATION:

That the report for the period ending April 30, 2020, be received as information.

Prepared by: Roland Milligan, Director of Development and Community Services *RM* Date: April 30, 2020
 Reviewed by: Troy MacCulloch *TM* Date: April 30, 2020
 Submitted to: Municipal Planning Commission Date: May 5, 2020