

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

July 6, 2021

6:30 pm

Agenda

- 1. Adoption of Agenda**
- 2. Minutes**
 - a. Meeting Minutes of June 1, 2021
- 3. Closed Meeting Session**
- 4. Unfinished Business - Nil**
- 5. Development Permit Applications**
 - a. Development Permit Application No. 2021-37
Pincher Creek Seed Cleaning Plant
Lots 1 to 6, Block 5, Plan 1993N within SW 1-7-30 W4M
Accessory Building for Seed Treating Upgrade
 - b. Development Permit Application No. 2021-41
Lundbreck Trading Company
Lots 17 thru 21, Block 3, Plan 2177S
Farmer's Market
- 6. Development Reports**
 - a. Development Officer's Report
- Report for the month of June 2021
- 7. Correspondence**

Nil
- 8. New Business**
- 9. Next Regular Meeting – August 3, 2021; 6:30 pm**
- 10. Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
June 1, 2021 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Jim Welsch, Reeve Brian Hammond, Councillors' Terry Yagos, Bev Everts, Rick Lemire, Quentin Stevick and Member At Large Jeff Hammond

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

Planning Advisors: ORRSC, Senior Planner Gavin Scott

Absent: CAO Troy MacCulloch

Chairman Jim Welsch called the meeting to order, the time being 6:39 pm.

1. ADOPTION OF AGENDA

Councillor Quentin Stevick 21/045

Moved that the agenda be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Terry Yagos 21/046

Moved that the Municipal Planning Commission Meeting Minutes for May 4, 2021 be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Rick Lemire 21/047

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 6:41 pm.

Carried

Councillor Terry Yagos 21/048

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:44 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. **Development Permit Application No. 2021-19
Todd and Chaz Vance
NW 2-5-29 W4M
Moved-in Residential Building**

Councillor Quentin Stevick 21/049

Moved that Development Permit No. 2021-19 as Amended, for the placement of Moved-In Residence, be approved, subject to the Condition(s) and Variance(s):

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.

Carried

6. **DEVELOPMENT REPORT**

- a. Development Officer's Report

Reeve Brian Hammond 21/050

Moved that the Development Officer's Report, for the period May 2021, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

8. **NEW BUSINESS**

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
June 1, 2021

None

9. **NEXT MEETING** – July 6, 2021; 6:30 pm.

10. **ADJOURNMENT**

Councillor Terry Yagos

21/051





Moved that the meeting adjourn, the time being 6:53 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. 2021-37	
Applicant:	Pincher Creek Seed Cleaning Cooperative Ltd.	
Location	Lots 1 thru 6, Block 5, Plan 1993N, Hamlet of Pincher Station	
Division:	2	
Size of Parcel:	2088m ² (22475ft ²)	
Zoning:	Hamlet General Industrial and Warehousing - HGIW	
Development:	Accessory Building for Seed Treating Upgrade	
PREPARED BY: Roland Milligan		DATE: June 30, 2021
DEPARTMENT: Planning and Development		
Signature:		ATTACHMENTS:
		<ol style="list-style-type: none"> 1. Development Permit Application No. 2021-37 2. Site Plan
APPROVALS:		
		
Roland Milligan	2021/06/30	Troy MacCulloch
Department Director	Date	CAO
		02 July, 2021
		Date

RECOMMENDATION:

That Development Permit No. 2021-37, for the placement of two Accessory Buildings, 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.

Variance(s):

1. A 2.0 meter variance of the 3.0 meter setback requirement from an adjacent parcel is granted for a rear yard setback of 1.0 meter.

BACKGROUND:

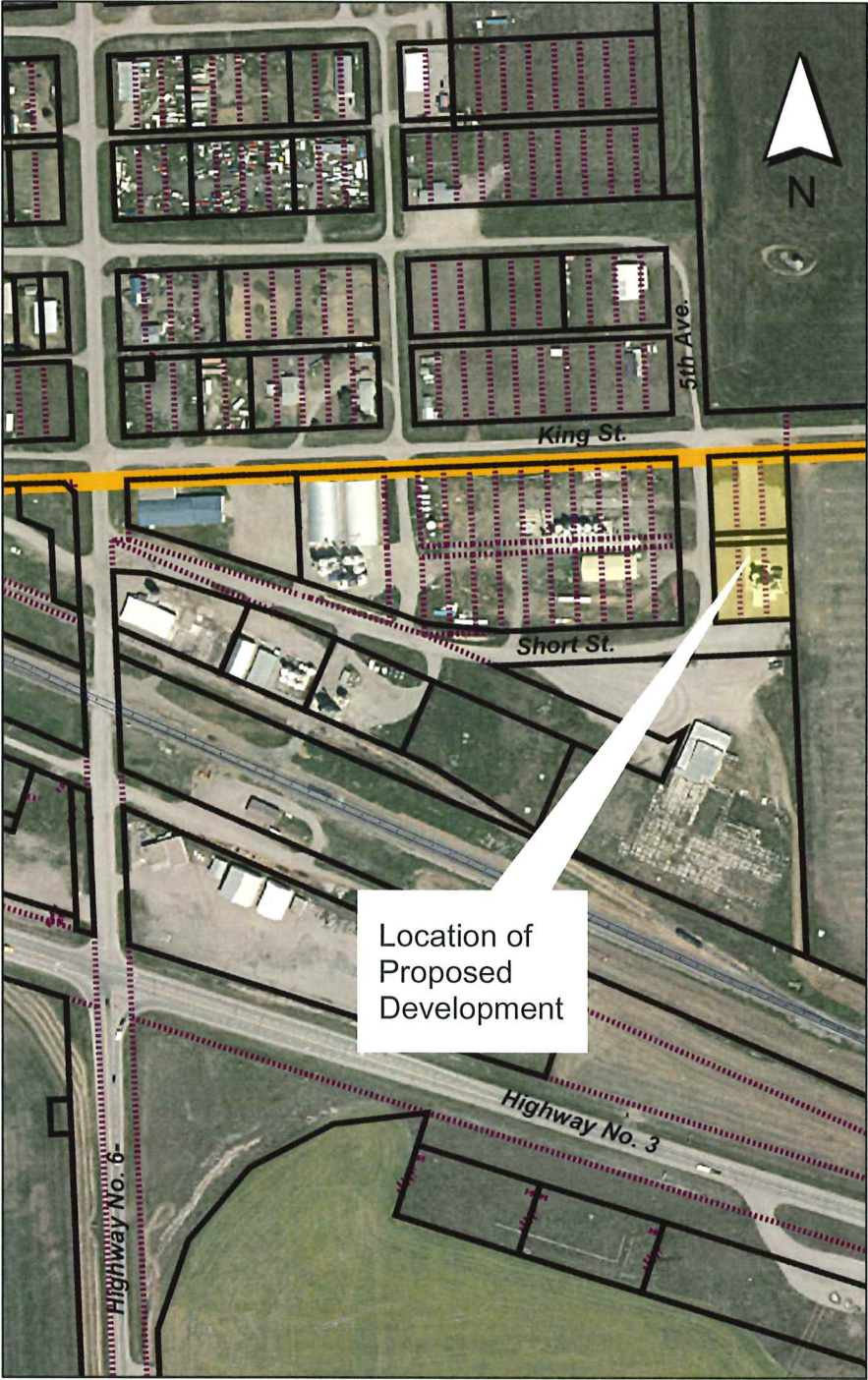
- On June 8th, 2021 the MD received Development Permit Application No. 2021-37, for the placement of two (2) Accessory Buildings within Lots 1-3, Block 5, Plan 1993N, to be part of a seed treating facility (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Hamlet General Industrial Warehousing - HGIW land use district, an Accessory Building is a Discretionary Use.

Recommendation to Municipal Planning Commission

- The proposed location of Accessory Building No. 1 will require a rear yard setback variance of 2 meters, which can only be granted by the MPC.
- The Pincher Seed Cleaning Co-op is proposing to develop a seed treating facility to operate in conjunction with the current seed cleaning plant.
- This development proposes to add two accessory buildings and a round hopper to the parcel.
- The proposed location of Accessory Building No. 1 meets the setback requirements of the land use district (*Attachment No. 2*).
- However, the location of the smaller building (Building No. 2) will require a variance of 2m from the 3m required setback from the closed lane that remains owned by the MD.
- Upon review of the site and the aerial imagery, the existing scale on the west side of the Seed Cleaning Plant is within the MD's closed lane. This is an issue that will be brought to Council in the near future to see if there is a way of the MD disposing of this parcel and have the Seed Cleaning Co-op take ownership.
- The application was forwarded to the adjacent landowners for comment, no responses were received at the time of preparing this report.

Recommendation to Municipal Planning Commission

Location of Proposed Development





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2021-37

Date Application Received June 8/21
Date Application Accepted June 23/21
Tax Roll # 0086.010

PERMIT FEE \$100 Permitted / \$150 Discretionary
RECEIPT NO. 49564

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: Pincher Creek Seed Cleaning Co-op
Address: Box 2952 Pincher Creek Tok 1W0 1605 Short St. Pincher Station
Telephone: 403-627-5010 Email: seedinfo@pcseedplant.com
Owner of Land (if different from above): _____
Address: _____ Telephone: _____
Interest of Applicant (if not the owner): _____

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: 10x20 TREATER BUILDING + HOPPER BOTTOM BIN

Hopper Bottom Bin White smooth wall = 50 mt which feeds a treater building that applies seed treatment to grain that is augered onto a truck. Hopper bin will be on a concrete pad.

Legal Description: Lot(s) 1 to 6 36' CONVEYOR BELT (ENGINEERED)
TO GO FROM HEAD HOUSE OF PLANT
TO TOP OF HOPPER BIN.
Block _____
Plan 1993 W, Pincher Station
Quarter Section _____

Estimated Commencement Date: Aug. 10 2021
Estimated Completion Date: Aug. 17 2021

SECTION 3: SITE REQUIREMENTS

Land Use District: _____ Division: _____

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? _____ 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>Access</u> PRINCIPAL BUILDING No. 1	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building 10'w by 20'L by 13.5'H	200 sq ft 18.6m	N/A	—
(3) %Site Coverage by Building (within Hamets)	N/A	—	—
(4) Front Yard Setback Direction Facing: S	40.5m	4.6m	YES
(5) Rear Yard Setback Direction Facing: N	1 m	3m	2m VARIANCE REQ'D.
(6) Side Yard Setback: Direction Facing: E	14.5m	3m	YES
(7) Side Yard Setback: Direction Facing: W	28.5m	3m	YES
(8) Height of Building	4.3m	< 15.2m	YES
(9) Number of Off Street Parking Spaces	N/A	—	—

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

- Hopper Bin = 14' diameter, 45' Height
 - 6" concrete pad.
 - building has a 4" internal Drip tray to contain any spills or leaks.

ACCESSORY BUILDING 102	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building	572m ²	NA	—
(3) % Site Coverage by Building (within Hamlets)	NA	—	—
(4) Front Yard Setback Direction Facing: S	30m	4.6m	YES
(5) Rear Yard Setback Direction Facing: N	5m	3m	YES
(6) Side Yard Setback: Direction Facing: E	6m	3m	YES
(7) Side Yard Setback: Direction Facing: W	345m	3m	YES
(8) Height of Building	4.3m	5.52m	YES
(9) Number of Off Street Parking Spaces	NA	—	—

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

SECTION 4: DEMOLITION

Type of building being demolished : _____

Area of size: _____

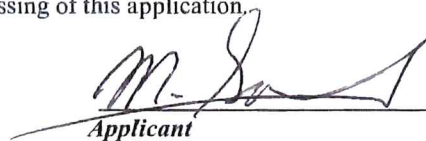
Type of demolition planned: _____

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: 01-06-21


Applicant

Registered Owner

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

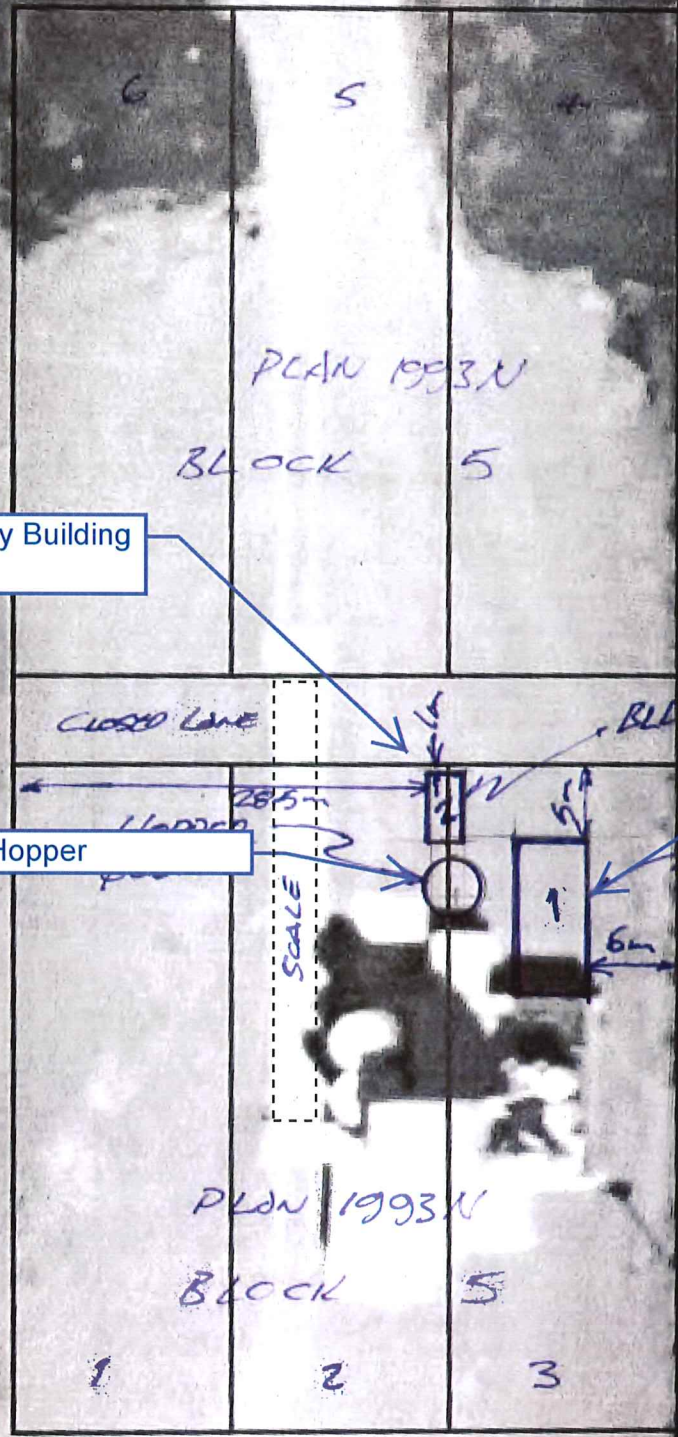
IMPORTANT NOTES:

THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. All development permits shall contain the following informative:

“ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER.”
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

A decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address sign, supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.




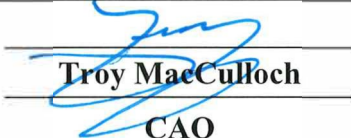
Accessory Building No. 1

Hopper

Accessory Building No. 2



Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2021-41 Applicant: Lundbreck Trading Company Location: Lots 17 thru 21, Block 3, Plan 2177S Hamlet of Lundbreck Division: 5 Size of Parcel: 1447 m ² (15575 ft ²) Zoning: Hamlet Commercial – HC Development: Farmer’s Market	
PREPARED BY: Roland Milligan	DATE: June 30, 2021
DEPARTMENT: Planning and Development	
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2021-41
APPROVALS:	
 _____ Roland Milligan	 _____ Troy MacCulloch
_____ Department Director	_____ Date
_____ Date	_____ Date

RECOMMENDATION:

That Development Permit Application No. 2021-41, to develop a Farmers Market, 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.

BACKGROUND:

- On June 4th, 2021, the MD received Development Permit Application No. 2021-41 from Karla McGee applying to operate a Farmer’s Market in front of the Lundbreck Trading Company as part of the commercial operation being developed on the parcel (*Attachment No. 1*).
- This application is being placed in front of the MPC because:
 - Within the Hamlet Commercial - HC Land Use District, Farmer’s Market is a Discretionary Use.
- The proposed location is in front of the old Lundbreck Pizza shop that the new owner is in the midst of redeveloping.
- The major issue will most likely be parking. Pursuant to the LUB, Section 56, the amount of parking spaces is up ‘as required by the MPC’. The applicant is stating that there are 9 spaces in front of the five lots that make up the parcel.

Recommendation to Municipal Planning Commission

- The area proposed for the outdoor sale of goods is just over 25 sq.m. A retail store requires one (1) parking space per 30 sq.m. of floor space.
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report one response was received stating “*We think this development is a good thing for Lundbreck. It is so nice to be able to buy local produce and crafts.*”



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. 2021-41
 Date Application Received JUNE 4/21 PERMIT FEE \$100 Permitted / \$150 Discretionary
 Date Application Accepted JUNE 5/21 RECEIPT NO. 49667
 Tax Roll # 0184.000

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: Lundbreck Trading Company
 Address: 108 Breckenridge Ave, Lundbreck AB T0K 1H0
 Telephone: 403.583.2819 Email: karla@lundbrecktradingcompany.com
 Owner of Land (if different from above): _____
 Address: _____ Telephone: _____
 Interest of Applicant (if not the owner): _____

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:

market, on property, outside, on "parking lot" area.
Bring in local veggies & crafts; ~~market~~ in front of store.

Legal Description: Lot(s) 17-21
 Block 3
 Plan 21775 SE 26 7 2 W5 LUNDBRECK
 Quarter Section INC 0020154175

Estimated Commencement Date: ASAP. We would like to start as soon as we are able to
 Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: HC HAMLET COMMERCIAL Division: 5

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? _____ 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

PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(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			
(9) Number of Off Street Parking Spaces	9		

(front of 5 lots)

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

ACCESSORY BUILDING			
	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(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			
(9) Number of Off Street Parking Spaces			

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: June 4 2021

Karla McDee
Applicant

Karla McDee
Registered Owner

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

Recommendation to Municipal Planning Commission

Location of Proposed Development



DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT

June 2021

Development / Community Services Activities includes:

- June 1 Subdivision Meeting/MPC Meeting
- June 3 Dam Safety Review Kick-Off Meeting
- June 4 Bottle Depot Review
- June 8 Council Committee Meeting / Council Meeting
- June 9 SMT Meeting
- June 9 JHSC Meeting
- June 10 Dam Safety Review Site Visits
- June 10 Municipal Energy Project Lead Committee Meeting
- June 15 Landfill Meeting
- June 22 Council Committee Meeting / Council Meeting
- June 23 SMT Meeting
- June 24 MEPL Committee Meeting
- June 29 South Region ESS Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for June 2021

No.	Applicant	Division	Legal Address	Development
2021-36	Lu, Jason	3	Lot 12, Block 1, Plan 0614102 with NE 21-6-30 W4M	Deck with Storage Shed Under
2021-38	Taggart, Dave	4	Lot 1, Block 1, Plan 2011923 within SE 21-8-30 W4M	Single Detached Residence w/Attached Garage
2021-39	Clever Design & Planning	5	Lot 2, Block 1, Plan 1111171 2415 Twp. Rd. 7-3A	Accessory Building (Garage)
2021-40	Clymer, Charles	3	SW 2-6-1 W5M 5401 Rge. Rd. 1-2	Addition to Single Detached Residence (Sunroom) and Deck
2021-42	Williams, Dustin	5	Lot 23, Block 17, Plan 7810643 within SE 26-7-2 W5M	Accessory Building
2021-44	Leman, Robert	4	SW 15-7-29 W4M	Accessory Building (Garage & Breeze-way)
2021-45	Lynk, Melissa & Timothy	1	NW 26-4-30 W4M	Accessory Building
2021-47	Scheuerman, Judy & Larry	8	Lot 9, Block 1, Plan 9511008 within NW 12-7-3 W5M	Accessory Building

Development Permits Issued by Municipal Planning Commission June 2021

2021-19	Vance, Chaz	1	NW 2-5-29 W4M	Moved-In Residence
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Development Statistics to Date

DESCRIPTION		2021 To date (June)	2020	2019	2018
Dev Permits Issued	3 – Jan 5 – Feb 6 – Mar 9 - April 11 – May 9 - June	43 33-DO 10-MPC	67 57 – DO 10 - MPC	54 45-DO 9-MPC	22 17-DO 5-MPC
Dev Applications Accepted	3 – Jan 9 – Feb 7 – Mar 8 - April 8 – May 14- June	49	67	57	24
Utility Permits Issued	2 – Jan 1 – Feb 8 – Mar 1 – April 1 – May June - 4	17	27	33	14
Subdivision Applications Approved	1 – Jan 2021 1 – Feb 2021 2 – April 2021 2 – May 2021 3 – June 2021	9	18	12	4
Rezoning Approved		0	0	1	0
Compliance Cert	5 - Jan 3 – Feb 5 – Mar 1 – Apr 2 – May 3 – June	19	24	22	5

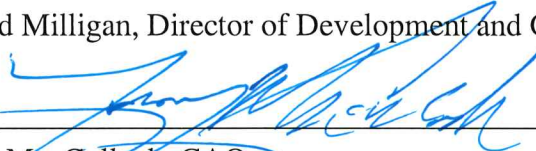
RECOMMENDATION:

That the report for the period ending June 30, 2021, be received as information.



Prepared by: Roland Milligan, Director of Development and Community Services

Date: June 30, 2021



Reviewed by: Troy MacCulloch, CAO

Date: June 30, 2021

Submitted to: Municipal Planning Commission

Date: July 6, 2021