MPC AGENDA

Meeting: October 11, 2022 @ 5:45 p.m.
Location: 502 – 2nd Avenue, Council Chambers

1. **CALL TO ORDER**
2. **EXCUSED FROM MEETING**
3. **ADOPTION OF AGENDA**
4. **ADOPTION OF MINUTES**

   4.1 September 12, 2022

5. **DEVELOPMENT REPORT**

   5.1 None

6. **DEVELOPMENT PERMITS/REQUESTS**

   6.1 Plan 4437AD, Block 10, Lots 5-7 – TOB-D-18-22 – Variance

7. **SUBDIVISIONS**

   None

8. **INFORMATION ITEMS**

   None

9. **QUESTION PERIOD**
10. **CLOSED SESSION**

    None

11. **ADJOURNMENT**

MINUTES OF THE **MUNICIPAL PLANNING COMMISSION MEETING** OF THE TOWN OF BASSANO HELD IN THE COUNCIL CHAMBERS ON **SEPTEMBER 12, 2022.**

MPC MEMBERS	
CHAIR	John Slomp
BOARD MEMBERS	Irv Morey
	Sydney Miller
	Kevin Jones
	Sonya Procter
STAFF	Amanda Davis, Chief Administrative Officer
OTHER	None

Unapproved

1. CALL TO ORDER

CHAIR SLOMP called the meeting to order at 6:00 p.m.

2. EXCUSED FROM MEETING

- None

3. ADOPTION OF AGENDA

MPC06/22 Moved by **MEMBER MOREY** that the agenda is approved as presented.

CARRIED

4. ADOPTION OF MINUTES

4.1 Adoption of minutes from the Municipal Planning Commission meeting on August 8, 2022

MPC07/22 Moved by **MEMBER PROCTER** that the Municipal Planning Commission minutes of August 8, 2022 are approved as presented.

CARRIED

5. DEVELOPMENT REPORT

5.1 None

6. DEVELOPMENT PERMITS/REQUEST

6.1 Plan 811 0435, Block 1 - TOB-D-16-22 – Variance

Development permit TOB-D-16-22 was presented and discussed.

MPC08/22 Moved by **MEMBER MOREY** that the Municipal Planning Commission approves development permit TOB-D-16-22 on Plan 811 0435; Block 1 for the purpose of a 4.2m x 2.1m freestanding sign in accordance with the development permit received on August 8, 2022 with the following conditions:

Variance

1. To allow for a second freestanding sign at the stated location.

Conditions

1. That the development proceeds as specified with the documents submitted in the Development Permit Application received on August 8, 2022.
2. Any changes to approved drawings requires the written approval of the Development Officer.
3. The proposed development shall conform with all Federal, Provincial and Municipal statutes, regulations, codes, and standards except as waived in writing by the appropriate authority.
4. Any future development (demolition or new) must comply with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.
5. All signs must be maintained in good condition.
6. A civic address must be affixed to the front and rear of the property in accordance with Fire Bylaw 885/19.
7. Plan 811 0435; Block 1 must be kept in an aesthetically pleasing manner as defined in the Beautify Bassano Initiative and respective bylaws.

CARRIED

7. SUBDIVISIONS

None

8. INFORMATION ITEMS

None

9.QUESTION PERIOD

None

10.CLOSED SESSION

None

11.ADJOURNMENT

Unapproved

MPC09/22 Moved by **CHAIR SLOMP** to adjourn the regular Municipal Planning Commission meeting of September 12, 2022 at 6:07 p.m.

CARRIED

_____ _____

Chairperson Chief Administrative Officer

Unapproved

REQUEST FOR DECISION

Meeting: October 11, 2022 MPC
Agenda Item: 6.1

Plan 4437AD, Block 10, Lots 5-7 – Variance Request
Development Permit Application TOB-D-18-22

BACKGROUND

Applicant: Irvin Morey
Plan 4437AD, Block 10, Lots 5-7
Land Use: Residential (R1)
Location: 411 – 7th Avenue, Bassano

An application has been received to request separation setback variance between the principal dwelling and an accessory structure (garage).

Land Use Bylaw 921/21 was recently passed and requires a minimum separation setback of 10 feet unless the Development Authority allows for a variance/waiver. The applicant seeks a variance to reduce the 10 feet to 5.7 feet (wall to wall).

The front yard variance shown on the site plan from 25 feet to 22 feet can is acceptable within the variance powers of the development officer.

Notice of the variance was emailed/mailed to adjacent landowners on September 29, 2022. No comments were received at the time this report was prepared.

The MPC's must decide on the setback variance.

When deciding on the application, the MPC must determine if:

1. The variance unduly interferes with the amenities of the neighborhood,

2. The variance materially interferes with or affects the use, enjoyment, or value of neighboring properties, and

3. The proposed development conforms with the use prescribed for that land or building within Schedule 2 – Use Regulations.

4. Granting a variance is a last resort as the purpose of a Land Use Bylaw is to set standards. Does the variance meet the definition for extenuating circumstance?

The Development Officer confirms:

1. The variance does not unduly interfere with the amenities of the neighborhood.

2. The variance as proposed does not seem to materially interfere with or affect the use, enjoyment of value of the neighboring properties.

3. The proposed development conforms with the use prescribed within Schedule 2 – Use Regulations.

4. Granting the variance is reasonable because the design is complimentary to the land and buildings. It is important however, to consider how this decision may influence future variance requests under LUB 921/21. Similar variances have been granted by the MPC in the past it simply requires the application to improve build design to ensure adequate fire protection in accordance with the Alberta Building Code.

OPTIONS:

☒ #1 – That the Municipal Planning Commission approves the development permit TOB-D-18-22 on Plan 4437AD; Block 10; Lots 5-7 for the purpose of a 30' x 18' accessory structure (garage) in accordance with the development permit received on September 28, 2022 with the following conditions:

Variance

1. To allow for a separation variance between the principal building and the accessory structure from 10 feet to 5.7 feet (wall to wall).
2. To allow for a front yard setback from 25 feet to 22 feet to align the accessory structure with the front of the principal building.

Conditions

1. That the development proceeds as specified with the documents submitted in the Development Permit Application received on September 28, 2022.
2. A maximum of two (2) accessory structures over 100 square feet and a maximum of one (1) accessory structure under 100 square feet are allowed per lot in the residential district. Two accessory structures shall be removed from the property by September 28, 2023 as recorded on the site plan, the 10'x12' shed at the rear of the property and the 6'x5' addition on the east property line.
3. Any changes to approved drawings requires the written approval of the Development Officer.
4. The proposed development shall conform with all Federal, Provincial and Municipal statutes, regulations, codes, and standards except as waived in writing by the appropriate authority.
5. Any future development (demolition or new) must comply with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.

6. A civic address must be affixed to the front and rear of the property in accordance with Fire Bylaw 885/19.
7. Plan 4437AD; Block 10; Lots 5-7 must be kept in an aesthetically pleasing manner as defined in the Beautify Bassano Initiative and respective bylaws.

☐ #2 – That the Municipal Planning Commission rejects the development permit separation variance on TOB-D-18-22 Plan 4437AD; Block 10; Lots 5-7 for the purpose of a 30' x 18' accessory structure (garage).

DEVELOPMENT OFFICER COMMENTS
None

PROPOSED RESOLUTION

☒ #1 – That the Municipal Planning Commission approves the development permit TOB-D-18-22 on Plan 4437AD; Block 10; Lots 5-7 for the purpose of a 30' x 18' accessory structure (garage) in accordance with the development permit received on September 28, 2022 with the following conditions:

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4. The proposed development shall conform with all Federal, Provincial and Municipal statutes, regulations, codes, and standards except as waived in writing by the appropriate authority.
5. Any future development (demolition or new) must comply with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.
6. A civic address must be affixed to the front and rear of the property in accordance with Fire Bylaw 885/19.
7. Plan 4437AD; Block 10; Lots 5-7 must be kept in an aesthetically pleasing manner as defined in the Beautify Bassano Initiative and respective bylaws.

Prepared by: Amanda Davis, Development Officer

Attachments:
1. Development Permit Application TOB-D-18-22
2. Public Notice to Adjacent Landowners

TOWN OF BASSANO
SEP 28 2022
RECEIVED

TOWN OF BASSANO
RESIDENTIAL ACCESSORY BUILDING DEVELOPMENT PERMIT APPLICATION

Date of Application: 28/09/2022

Development Permit Application No.	TOB-D-18-22

***IMPORTANT NOTICE**: This application **does not** permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.*

THIS DOES NOT CONSTITUTE A BUILDING PERMIT.
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.

APPLICANT INFORMATION

Name of Applicant: IRVIN Morey
Mailing Address: [redacted]
Phone: [redacted]
Phone (alternate):
City: BASSANO AB
Email: [redacted]
Postal Code: TOJ 0B0

Is the applicant the owner of the property? ☑ Yes ☐ No

IF "NO"

Name of Owner:
Mailing Address:
Phone:
Phone (alternate):
City:
Email:
Postal Code:

Applicant's interest in the property:
- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other

PROPERTY INFORMATION

Municipal Address: 411 - 7th Ave
Roll Number: 373000.
Legal Description: Lot(s) 5-7 Block 10 Plan 4437AD
Land Use District: R1
What is the existing use? SFD.

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- ☑ Construct an accessory building or structure *(if greater than 500 ft ² see abandoned well information section)*
  - The accessory building is a:
    - ☑ Garage (detached) *(if greater than 500 ft ² see abandoned well information section)*
    - ☐ Shed/workshop *(if greater than 500 ft ² see abandoned well information section)*
    - ☐ Other _____
- ☐ Other

Projected Construction Cost $35,000

Anticipated Construction Start Date 09/00/2022 **Completion Date** 01/06/2023

Describe the proposed use, any changes from existing use, and any work to be done.

- detached garage / 18'x30' / white vinyl siding / grey asphalt shingles
- 1 12x7 overhead door / 1 - 36"x80 entrance door with window
- set back at 22' from north property line
- Set back of 2' from rendered eavestrough
- garage wall height of 9' / no openings on residence side of garage / non vented soffit
- MAX height of 15' from garage pad.
- remove 10x12' shed by SEPT 1/2023 / ~~remove east shed portion of east shed by Sept 2023~~

- remove 6' x 5' shed addition by September 2023 per site plan.

BUILDING REQUIREMENTS

	Principal/Accessory Building			Office Use			
Parcel Size	11,250	☐ m²	☑ sq. ft.	11,250	☐ m²	☒ sq. ft.	
Building Size	540	☐ m²	☑ sq. ft.	540	☐ m²	☒ sq. ft.	
Height of Building	MAX 15	☐ m	☑ ft.	15	☐ m	☒ ft.	
Proposed Setbacks from Property Lines							
Front	22	☐ m	☑ ft.	22	☐ m	☒ ft.	
Rear	98	☐ m	☑ ft.	98	☐ m	☒ ft.	
Side	6	☐ m	☑ ft.	6	☐ m	☒ ft.	
Side	2' to house	☐ m	☑ ft.	5.7	☐ m	☒ ft.	
Parcel Type:	☑ Interior Lot		☐ Corner Lot				

WAIVERS

Is a waiver of one or more standards of the Land Use Bylaw being requested? ☑ Yes ☐ No

If yes, please specify: front setback & side setback to residence

ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 sq. m.), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

1. Obtain map and well information

Please go to the AER's Abandoned Well Viewer (viewer) on the AER website at www.aer.ca. The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the AER Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: Inquiries@aer.ca, or
- the AER Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4**.

2. Submit the following as part of your development permit application

- the AER information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or AER Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the AER Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

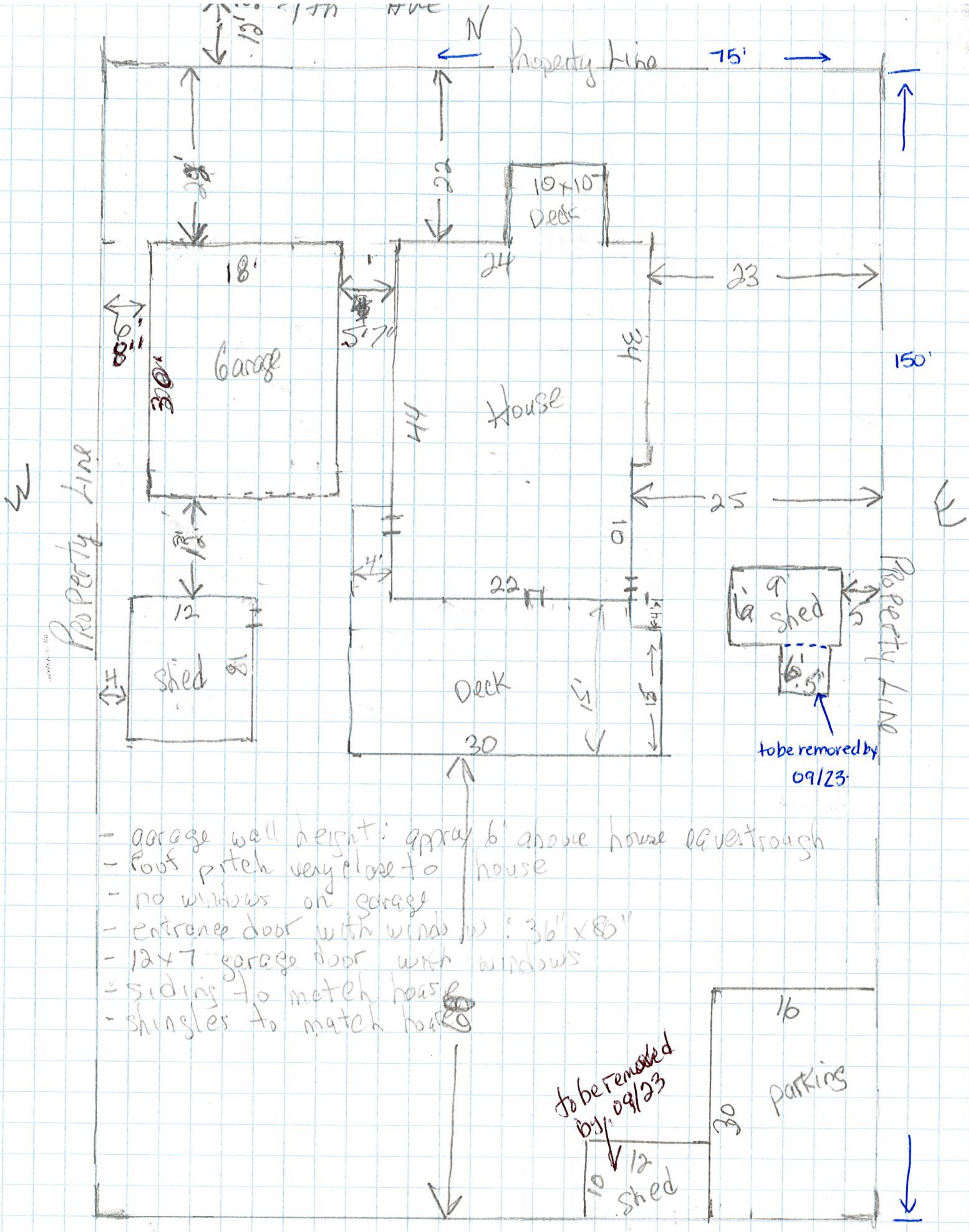
DECLARATION OF APPLICANT/AGENT

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 the 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.

IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. 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).

IRVIN Morey
APPLICANT

Registered Owner (if not the same as applicant)



- garage wall height: approx 6' above house eavestrough
- roof pitch very close to house
- no windows on garage
- entrance door with window: 36" x 80"
- 12 x 7 garage door with windows
- siding to match house
- shingles to match house

1 = 4' Length - N/S
1 = 3' WIDTH - E/W

S

Detached Accessory Structure
411 7th Ave

- build attached garage 18'x30
- white vinyl siding
- grey asphalt shingles
- 2x6 x 9' walls
- roof height not to exceed 15'
- 1 12'x7' overhead door
- 1 36" x 80" entrance door
- garage wall height of 9'

- remove shed 10x12 at rear of property
- remove portion of shed at east of property
- Removal to be complete by Sept. 2023
- variance of 22' applied for on front
- Variance of 2' applied for between garage + residence

TOWN OF BASSANO

PUBLIC NOTICE OF DEVELOPMENT APPLICATION
ADJACENT LANDOWNERS AND PERSONS LIKELY TO BE AFFECTED

Emailed/mailed September 29, 2022

Notice is hereby given that an application will be considered by the Municipal Planning Commission (MPC) for a Development Permit about the following:

DEVELOPMENT APPLICATION:	**Development Permit No. TOB-D-18-22** **Application for: 18' x 30' Accessory Structure (Garage) with Setback Variance**
DISTRICTING:	**Residential (R1)**
CIVIC ADDRESS:	**411 – 7th Avenue, Bassano, AB T0J 0B0**
LEGAL DESCRIPTION:	**Plan 4437AD, Block 10, Lots 5-7**

Dear Sir or Madame:

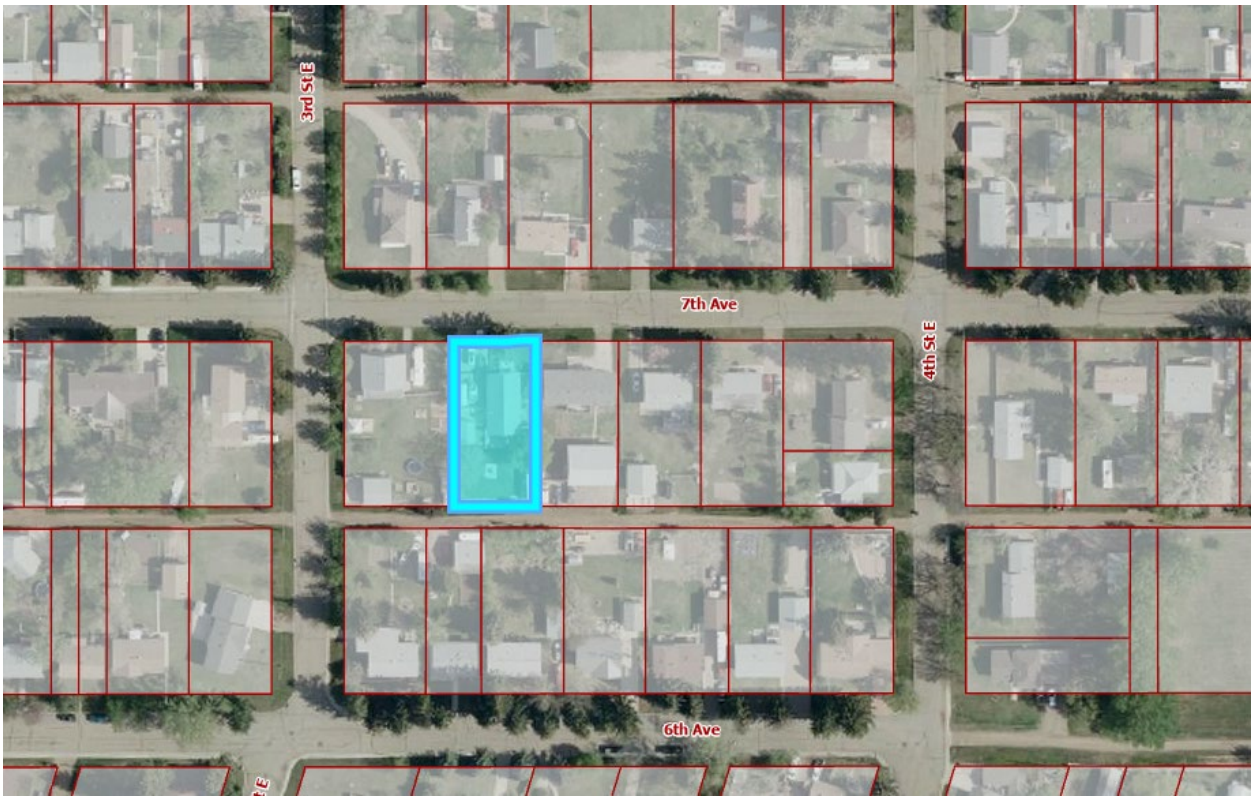
Pursuant to Section 34 of Land Use Bylaw No. 921/21 of the Town of Bassano, notice is hereby given that on **Tuesday, October 11, 2022 at 5:45 p.m.**, the MPC will consider **Development Application No. TOB-D-18-22** in the Council Chambers at 502 – 2nd Avenue, Bassano.

The application under consideration is to provide for an allowance for:

- To reduce the minimum separation setback between the principal dwelling and the 18' x 30' accessory structure from 10' to 5.7'. The accessory structure conforms to the Land Use Bylaw. The only matter to be addressed is the variance request for the setback.

Persons requesting to be heard at the meeting may submit comments to the Development Officer no later than Tuesday, October 11, 2022 at 12:00 p.m. Persons who do not submit comments for inclusion in the agenda package may attend the meeting and submit comments in person. A copy of the application is available for inspection at the Town Office – 502 – 2nd Avenue Bassano, Alberta. Comments may be dropped off or mailed to the Town Office; or directed to Amanda Davis, Development Officer/Town of Bassano at cao@bassano.ca or 403-641-3788. No response indicates your acceptance of the proposed development.

Amanda Davis, MBA
Development Officer
Town of Bassano



BOX 299, BASSANO, ALBERTA T0J 0B0| TELEPHONE: (403) 641-3788 FAX: (403) 641-2585
e-mail: cao@bassano.ca | home page: www.bassano.ca