



## MPC AGENDA

Meeting: April 23, 2018 6:30 p.m.  
Council Chambers  
502 – 2 Avenue Bassano

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**1. CALL TO ORDER**

**2. EXCUSED FROM MEETING**

**3. ADOPTION OF AGENDA**

**4. ADOPTION OF MINUTES**

4.1 April 9, 2018 MPC Meeting

**5. DEVELOPMENT REPORT**

None

**6. DEVELOPMENT PERMITS/REQUESTS**

6.1 Carport Pergola – Lot 26, Block 13, Plan 971 1873

**7. SUBDIVISIONS**

None

**8. INFORMATION ITEMS**

None

**9. QUESTION PERIOD**

**10. IN CAMERA**

None

**11. ADJOURNMENT**



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION  
MEETING OF THE TOWN OF BASSANO HELD IN COUNCIL  
CHAMBERS ON April 9, 2018**

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**PRESENT**

**CHAIR:** Tom Rose  
**BOARD MEMBERS:** Kevin Jones  
Lynn MacWilliam  
John Slomp

**STAFF:** Kevin Miller – Development Officer

**OTHERS IN  
ATTENDANCE:** None

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**1. CALL TO ORDER**

Chair Rose called the meeting to order at 6:30 p.m.

**2. EXCUSED FROM MEETING**

- 2.1 Member Barlow, with notice
- 2.2 Member Wallace, with notice
- 2.3 Member Wickson, with notice

**3. ADOPTION OF AGENDA**

**009/18** Moved by **MEMBER JONES** that the agenda be adopted as presented.

**CARRIED**

**4. ADOPTION OF MINUTES**

**4.1 Adoption of Minutes from the Municipal Planning Commission Meeting  
February 26, 2018**

**010/18** Moved by **MEMBER MACWILLIAM** that the Municipal Planning Commission approve the minutes of the regular Meeting held on February 26, 2018 as corrected.

**CARRIED**

## 5. DEVELOPMENT REPORT

011/18 Moved by **MEMBER SLOMP** that the Development Officer's Report be accepted as information.

**CARRIED**

## 6. DEVELOPMENT PERMITS/REQUESTS

### 6.1 Bulk Fertilizer Storage – Lot 14&15, Block 34, Plan 121 3174

012/18 Moved by **MEMBER JONES** THAT The Municipal Planning Commission APPROVE Development Permit TOB-D-03/18 with the following conditions:

- (1) The proposed development is granted a waiver to the maximum height allowed, from 35 feet to 47 feet.
- (2) That this development is located as shown on the site plan approved in this application and submitted 15-March-2018 and in accordance with the setbacks identified in the Town of Bassano Land Use Bylaw and in this report. Any changes to that plan or these setbacks shall require the written approval of the Development Officer.
- (3) That this development conform to all Federal, Provincial, and Municipal statutes, regulations, codes and standards except for where a waiver has been expressly granted in writing.
- (4) The developer must obtain all necessary permits and comply with all Alberta Building Codes and Safety Codes, where applicable.

**CARRIED**

### 6.2 Sign Permit – Lot 13, Block 1, Plan 071 2544

012/18 Moved by **MEMBER SLOMP** THAT The Municipal Planning Commission APPROVE Development Permit TOB-D-02/18 with the following conditions:

- (1) That these signs are placed and sized as shown on the building drawings submitted 15-March-2018. Any changes to that plan shall require the written approval of the Development Officer.
- (2) The proposed sign development shall conform with all Federal, Provincial and Municipal statutes, regulations, codes and standards except as waived in writing by the appropriate authority.
- (3) The developer must obtain all necessary permits and comply with all Alberta Building Codes and Safety Codes, where applicable.

**CARRIED**

## 7. SUBDIVISIONS

**None**

**8. INFORMATION ITEMS**

None

**9. QUESTION PERIOD**

None

**10. IN CAMERA**

None

**11. ADJOURNMENT**

Chair Rose adjourned the regular Municipal Planning Commission meeting of April 9, 2018 at 6:46 p.m.

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Chairman

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Chief Administrative Officer



## REQUEST FOR DECISION

Meeting: April 23, 2018 MPC  
Agenda Item: 6.1

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### Carport Pergola - Lot 26, Block 13, Plan 971 1873 – Development Permit #TOB-D-04/18

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#### BACKGROUND:

Applicant Mirjam Janzen has made application to the Town of Bassano for the construction of a pergola in the front yard of Lot 26, Block 13, Plan 971 1873.

The plans indicate a 19 foot by 17 foot pergola to be constructed in the front of the existing duplex structure. The plans cross the property line into the adjacent parcel, and is intended to enhance the existing gravel parking pad.

The neighbor has submitted a letter of support indicating that he has viewed the planned development and has no objections. It is worth noting that the adjacent landowner is the spouse of Ms. Janzen.

The land is currently zoned R2 – Medium Density Residential.

The Land Use Bylaw itself is mostly silent in regards to a carport development. Schedule 6, Section 1.7 states "*Carports attached to an accessory building shall comply with the provisions for accessory buildings. Carports attached to a principal dwelling or building shall comply with the provisions for principal dwelling or building.*" In this case, the Development Officer has chosen to view this as attached to the principal dwelling and forming part of the external deck structure already in existence.

The development would require a variance regarding the front property line setback. The required minimum setback required under the Land Use Bylaw is 25' – the distance from the proposed pergola to the front property line is only 12' 5 ½". However, the current duplex existing on-site has an extension on the west side and a garage on the neighboring property that project the same distance into the front yard. As such, the Development Officer is of the opinion that the proposed development would conform with the existing use of the parcel, and only serve to enhance the front appearance of the property.

Regarding the encroachment upon the neighboring property, should the MPC wish to approve this development, the Development Officer would recommend including a condition which would require the owner of the development (Ms. Jenzen) to enter into an encroachment agreement, to be registered on title of the adjacent property, allowing the construction of the pergola and allowing the owner of the pergola access to the adjacent property for the purposes of repair and maintenance of the development. This will protect Ms. Jenzen and any future owner of the property so that they will be able to carry out any future maintenance.

Notice of the development was mailed to adjacent landowners April 11, 2018. No comments were received.

#### OPTIONS:

#1 – Approve Development Permit #TOB-D-04/18, allowing for a waiver for the front yard setback to be reduced to twelve and one half feet (12.5'), without conditions.

#2 – Approve Development Permit #TOB-D-04/18, allowing for a waiver for the front yard setback to be reduced to twelve and one half feet (12.5'), with the following conditions:

- (1) That this development is located as shown on the site plan approved in this application and submitted 20-March-2018 and in accordance with the setbacks identified in the Town of Bassano Land Use Bylaw and in this report. Any changes to that plan or these setbacks shall require the written approval of the Development Officer.
- (2) 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.
- (3) The developer must obtain all necessary permits and comply with all Alberta Building Codes and Safety Codes, where applicable.
- (4) The developer shall enter into an encroachment agreement with the owner of Lot 25, Block 13, Plan 971 1873 regarding the development, which shall be registered on the title.
- (5) (Any other conditions as considered by the Municipal Planning Commission)

#3 – Refuse Development Permit #TOB-D-04/18, with reasons as follows:  
(List reasons for refusal)

**PROPOSED RESOLUTION:**

THAT The Municipal Planning Commission APPROVE Development Permit TOB-D-03-18 for the construction of a carport pergola, subject to the conditions below:

- (1) That this development is located as shown on the site plan approved in this application and submitted 20-March-2018 and in accordance with the setbacks identified in the Town of Bassano Land Use Bylaw and in this report. Any changes to that plan or these setbacks shall require the written approval of the Development Officer.
- (2) 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.
- (3) The developer must obtain all necessary permits and comply with all Alberta Building Codes and Safety Codes, where applicable.
- (4) The developer shall enter into an encroachment agreement with the owner of Lot 25, Block 13, Plan 971 1873 regarding the development, which shall be registered on the title.
- (5) (Any other conditions as considered by the Municipal Planning Commission)

**Prepared By: Kevin Miller, Development Officer**

APPROVED BY:



DATE: April 20, 2018

ACTION REQUIRED: \_\_\_\_\_



