



# MPC AGENDA

Meeting: August 20, 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 June 4, 2018 MPC Meeting
5. **DEVELOPMENT REPORT**
  - 5.1 August 20, 2018
6. **DEVELOPMENT PERMITS/REQUESTS**
  - 6.1 Basement Redevelopment – Legal Non-Conforming – Plan 3872T, Block 7, Lot 7
7. **SUBDIVISIONS**

n/a
8. **INFORMATION ITEMS**

n/a
9. **QUESTION PERIOD**
10. **IN CAMERA**

n/a
11. **ADJOURNMENT**



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION  
MEETING OF THE TOWN OF BASSANO HELD IN COUNCIL  
CHAMBERS ON JUNE 4, 2018**

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PRESENT

CHAIR:

Tom Rose

BOARD MEMBERS:

Kevin Jones

Lynn MacWilliam

John Slomp

Wanda Wallace

Ron Wickson

STAFF:

Kevin Miller – Development Officer

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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 Doug Barlow

**3. ADOPTION OF AGENDA**

**020/18** 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 May 14, 2018**

**021/18** Moved by **MEMBER WALLACE** that Council approve the minutes of the regular MPC Meeting held on May 14, 2018 as presented.

**CARRIED**

## 5. DEVELOPMENT REPORT

None

## 6. DEVELOPMENT PERMITS/REQUESTS

### 6.1 Electric Vehicle Charging Station – Lot 1, Block 3, Plan 071 2544

Chair Rose declared a pecuniary interest in this item, as the proposed location is also the property for the Bassano Subway, and left the room at 6:32pm.

MPC Member WICKSON assumed the chair.

**022/18** Moved by **MEMBER BARLOW** THAT the Municipal Planning Commission APPROVE Development Permit TOB-D-07/18, allowing for a waiver for the minimum setback from the north property line be reduced to 1.5m, with the following conditions:

- (1) That the development proceed as specified with the site plan, documents, and drawings submitted in the Development Permit Application dated May 22, 2018. Any changes to the approved drawings 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.

**CARRIED**

Chair Rose returned to the meeting at 6:41 p.m. and resumed the Chair's duties.

### 6.2 Auto Sales – Lot 7, Block 50, Plan 041 1235

**023/18** Moved by **MEMBER JONES** THAT The MPC Approve Development Permit Application #TOB-D-08/18, for the development of an auto sales lot, granting a waiver to allow for a maximum fence and gate height of 6' in the front yard, and the installation of a moved-in building as the sales office, with the following conditions:

- (1) That the moved-in structure for the sales office NOT be used for any residential purpose.
- (2) That the developer enter into a Development Agreement with the Town of Bassano for the provision of municipal services, landscaping, site drainage, and other items as may be required by the Development Officer.
- (3) That the proposed development be constructed in accordance with the submitted drawings and site plan as part of the Development Permit Application dated May 16, 2018. Any changes to the development require the written permission 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) 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**

8.1 Verbal report on prior developments

**9. QUESTION PERIOD**

None

**10. IN CAMERA**

None

**11. ADJOURNMENT**

Chair Rose adjourned the regular Municipal Planning Commission meeting of June 4, 2018 at 7:04 p.m.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Chief Administrative Officer



# DEVELOPMENT REPORT

Meeting: August 20, 2018 MPC  
Agenda Item: 5.1

Amanda Davis, Interim Chief Administrative Officer

The following development permits were issued between June 4, 2018 – August 20, 2018:

PERMIT NUMBER	LOCATION	DEVELOPMENT
TOB-D-07/18	Plan 071 2544, Block 3, Lot 1 (601 – 12 <sup>th</sup> Street, Bassano)	Electric vehicle charging station.
TOB-D-08/18	Plan 041 1235, Block 50, Lot 7 (309 – 1 <sup>st</sup> Avenue, Bassano)	Auto Lot/Sales Office.
*TOB-D-08/18	Plan 071 2544, Block 1, Lot 13 (636 – 12 <sup>th</sup> Street, Bassano)	Shipping container storage.
TOB-D-10-18	Plan 4437AD, Block J (240 – 6 <sup>th</sup> Avenue, Bassano)	Demolition – storage shed and portable classroom.
TOB-D-11/18	Plan 3154AC, Block 16, Lot 14 (426 – 4 <sup>th</sup> Avenue)	Storage shed.
TOB-D-12/18	Plan 911 0620, Block1, Lot 9 (114 – 8 <sup>th</sup> Avenue, Bassano)	Accessory building – garage.
**TOB-D-13/18	Plan 3872T, Block 7, Lot 7 (425 – 3 <sup>rd</sup> Avenue, Bassano)	Basement reconstruction.
TOB-D-14/18	Plan 3154AC, Block 21, Lots 18- 19 (706 – 2 <sup>nd</sup> Avenue)	Gazebo

## Land Use Bylaw (LUB) Update

Council, administration, and the planning authority are working on two LUB revisions. The first revision addresses Cannabis (retail and production). The second revision addresses various legislative updates. The legislative updates are administrative and are necessary to ensure the bylaw conforms to the Municipal Government Act.

In addition, council and administrative prepared a smoking bylaw. The purpose of the bylaw is to define and regulate where people are permitted to use smoking devices and products. The smoking bylaw supports upcoming LUB amendments. First reading was given on July 23, 2018 (183/18).

Proposed LUB revisions and Smoking Bylaw 879-18 will be presented to town council on September 10, 2018 by Ian MacDougall, Oldman River Regional Services Commission and Amanda Davis, Interim CAO.

## Attachments:

1. Smoking Bylaw 879-18



# BYLAW

Bylaw Number: 879/18

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## SMOKING REDUCTION BYLAW

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**WHEREAS** it is deemed desirable and equitable to enact a Bylaw to provide for the control and regulation of the consumption of smoking products; and

**WHEREAS** it is provided in and by the Municipal Government Act, being Chapter M-26, 2000, Section 7(a) provides for a Council to pass a Bylaw for purposes respecting the safety, health, and welfare of people and the protection of people and property; and

**WHEREAS** the Tobacco and Smoking Reduction Act, being Chapter T-3.8 of the Statutes of Alberta, 2005, Section 10 allows for a municipal Bylaw that is more restrictive than the Act;

**NOW THEREFORE** the Council of the Town of Bassano in the Province of Alberta, duly assembled, enact as follows:

### **1. DEFINITIONS**

This Bylaw may be cited as the “Smoking Reduction Bylaw” of the Town of Bassano.

- 1.1** “**Electronic Smoking Device**” means a handheld device containing a product that is vaporized and inhaled, and includes, but is not limited to, electronic cigarettes, e-cigarettes, personal vaporizers, and any other electronic delivery system for the consumption of legal or illegal products, but does not include any device used for the delivery of a bone fide prescription medication, prescribed by an individual licensed and authorized to prescribe medication.
- 1.2** “**Outdoor Public Space**” means any park, green space, playground, sports field, recreational area, campground, “highway” as defined by the *Traffic Safety Act*, sidewalk, or any other place or area that is owned, operated, or leased by the Town of Bassano or the Crown in Right of the Province of Alberta to which the public has access by right, or by invitation.
- 1.3** “**Smoking Product**” means any product intended to be consumed by inhaling the combusting material, or with an Electronic Smoking Device, regardless of the legality or illegality of said product, but does not include a product sold as a prescription medication when used under the direction and guidance of a licensed medical professional authorized to prescribe medication.

### **2. ENACTMENT**

- 2.1** In addition to any places where smoking is prohibited in accordance with the *Tobacco and Smoking Reduction Act*, smoking is prohibited in any public outdoor space.

- 2.2 In addition to any products prohibited in accordance with the *Tobacco and Smoking Reduction Act*, the use of any Smoking Product in any public outdoor space is prohibited.
- 2.3 Town of Bassano Council may, by resolution, designate all, or a portion of a Public Outdoor Space as a Designated Smoking Area.
- 2.3.1 A Designated Smoking Area approved by Council must have signage placed indicating it as a Designated Smoking Area, and must have a suitable ashtray type receptacle placed for the extinguishing of smoking products.
- 2.4 Nothing in this Bylaw is intended to control or regulate property that is not owned, operated, or leased by the Town of Bassano.
- 2.5 Nothing in this Bylaw is intended to prevent a Person from the consumption of a bone fide prescription medication used under the direction and guidance of a licensed medical professional authorized to prescribe medication.

### **3. PENALTIES AND ENFORCEMENT**

- 3.1 Any person who violates any portion of this Bylaw is guilty of an offense, and is liable upon summary conviction to a fine of not more than \$150.00.
- 3.2 Where a Peace Officer believes that any person has contravened any provision of this Bylaw, they may serve upon the person a violation ticket, in accordance with Sections 8(1) and 8(2) of the *Tobacco and Smoking Reduction Act*.
- 3.3 A violation ticket will be deemed to have been sufficiently served if served personally upon the accused, if sent by registered mail, or if left at the accused's normal place of residence with a person at that residence who appears to be at least 18 (eighteen) years of age or over.
- 3.4 A violation ticket must include the provision(s) of this bylaw which were violated, provide for a voluntary payment about pursuant to this Bylaw, and/or provide for a date, time and location for the accused to appear in Court should an accused choose to exercise their right to defend any charge(s) pursuant to this Bylaw.

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**4. EFFECTIVE DATE AND READINGS**

- 4.1 This Bylaw shall take effect effect on the date of 3<sup>rd</sup> and final reading.
- 4.2 Read a first time this 23 day of July, 2018.
- 4.3 Read a second time this \_\_ day of \_\_\_\_\_, \_\_\_\_
- 4.4 READ a third and final time this \_\_ day of \_\_\_\_\_, \_\_\_\_

**TOWN OF BASSANO**

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**





# REQUEST FOR DECISION

Meeting: August 20, 2018 MPC  
Agenda Item: 6.1

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## **Basement Redevelopment – Legal Non-Conforming – Plan 3872T, Block 7, Lot 7 Development Permit Application TOB-D-13/18**

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### **BACKGROUND:**

An application was received for the reconstruction of a residential basement on Plan 3872T, Block 7, Lot 7 (425 – 3<sup>rd</sup> Avenue, Bassano).

The current structure is deemed legal non-conforming because the side yard setback does not meet the minimum setback requirement of five (5) feet per Land Use Bylaw 845/13.

#### Considerations:

1. Relocating the existing structure to meet minimum side yard setbacks is not realistic because the structure was built in 1925.
2. The new basement will not change the footprint of the structure.
3. Reconstructing the basement will improve the structure of the home.
4. Public notice was issued – no comments or concerns were received.

#### Development timeline:

The applicant will begin reconstructing the basement upon receipt of an approved development permit. The applicant anticipates that the development will take 3-6 weeks to complete.

#### Site plan summary:

- The 'addition' is already existing and does not impact the application.
- The 'deck' is already existing and does not impact the application.

#### Basement construction:

- The house will be lifted with blocks and jacks.
- Development material – concrete.

#### Applicant responsibility:

1. Secure the perimeter of the property for public safety.
2. Remove any construction debris by October 31, 2018 (to include dirt piles and excess building material).
3. Obtain additional permits (building, electrical, plumbing, etc.).
4. Complete a line locate prior to construction.
5. Work with the town's public works department to temporarily disconnect water and sanitary services.

### **OPTIONS:**

#1 – Approve Development Permit TOB-D-13/18, allowing for a waiver for the minimum setback from the northeast property line with the following conditions:

1. That the applicant secures the perimeter of the property with snow fence or chain link fence during construction.
2. That safety signage is erected on the site to indicate an open excavation.
3. That the applicant obtains all secondary permit disciplines.
4. That the applicant completes an Alberta OneCall prior to any construction.
5. That the applicant and the town's public works department arranges for the temporary disconnection of municipal services.
6. That all construction debris is removed from the property by October 31, 2018. Construction debris is defined as dirt piles and excess building material.

#2 – Approve Development Permit TOB-D-13/18, allowing for a waiver for the minimum setback from the northeast property line with no restrictions.

#3 – Refuse Development Permit TOB-D-13/18, for the following reasons:  
(list reasons for refusal)

**PROPOSED RESOLUTION:**

That the Municipal Planning Commission approves Development Permit TOB-D-13/18, allowing for a waiver for the minimum setback from the northeast property line with the following conditions:

1. That the applicant secures the perimeter of the property with snow fence or chain link fence during construction.
2. That safety signage is erected on the site to indicate an open excavation.
3. That the applicant obtains all secondary permit disciplines.
4. That the applicant completes an Alberta OneCall prior to any construction.
5. That the applicant and the towns public works department arranges for the temporary disconnection of municipal services.
6. That all construction debris is removed from the property by October 31, 2018. Construction debris is defined as dirt piles and excess building material.

**Prepared By: Amanda Davis, Development Officer**

**Attachments:**

1. Development Permit Application TOB-D-13/18
  2. Public Notice – July 26, 2018
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**APPROVED BY:**

**DATE:**

**ACTION REQUIRED:**

**TOWN OF BASSANO  
RESIDENTIAL DWELLING DEVELOPMENT PERMIT APPLICATION**

Date of Application: July 26, 2018

Development Permit Application No. TOS-D-13/18

**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: Adam Branson  
 Mailing Address: Po Box 962 Phone: 403 501 8004  
 Phone (alternate): 403 793 4850  
 City: Bassano Fax: \_\_\_\_\_  
 Postal Code: TOS 0B0 Email: adam.branson@hotmail.com

Is the applicant the owner of the property?  Yes  No  
 IF "NO"

Name of Owner: _____	Phone: _____
Mailing Address: _____	Phone (alternate): _____
City: _____	Fax: _____
Postal Code: _____	Email: _____
Applicant's interest in the property: <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	

**PROPERTY INFORMATION**

Municipal Address: 425 3 Avenue Roll Number: 299000  
 Legal Description: Lot(s) 7 Block 7 Plan 3872T  
 Land Use District: R1  
 What is the existing use? Residential House

**DEVELOPMENT INFORMATION**

This application is to: (Check all that apply)

- Construct a new dwelling (if greater than 500 ft<sup>2</sup> see abandoned well information section)

The dwelling is a:

- Single-unit dwelling
- 2 unit, 3 unit or 4 unit dwelling
- Manufactured home
- Moved-in dwelling
- Other \_\_\_\_\_

- Alter/renovate the existing building

The renovation is a:

- Addition (if greater than 500 ft<sup>2</sup> see abandoned well information section)
- Deck(s) (if greater than 500 ft<sup>2</sup> see abandoned well information section)
- Other New Foundations

- Other \_\_\_\_\_

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

Lift and support Home, Remove Old Foundations  
Install New Concrete Foundations

**BUILDING REQUIREMENTS**

	Principal Building	Office Use
Parcel Size	8350 <input type="checkbox"/> m <sup>2</sup> <input checked="" type="checkbox"/> sq. ft.	<input type="checkbox"/> m <input type="checkbox"/> sq. ft.
Building Size	1580 <input type="checkbox"/> m <sup>2</sup> <input checked="" type="checkbox"/> sq. ft.	<input type="checkbox"/> m <input type="checkbox"/> sq. ft.
Height of Building	27' <input type="checkbox"/> m <input checked="" type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.
Proposed Setbacks from Property Lines		
Front	51' <input type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.
Rear	80' <input type="checkbox"/> m <input checked="" type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.
Side	20' <input type="checkbox"/> m <input checked="" type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.
Side	2' <input type="checkbox"/> m <input checked="" type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.
Parcel Type:	<input checked="" type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot

**WAIVERS**

Is a waiver of one or more standards of the Land Use Bylaw being requested?

- Yes
- No

If yes, please specify: 2' setback.

## 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 ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.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 ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB 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 ERCB 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 ERCB 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 ERCB 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

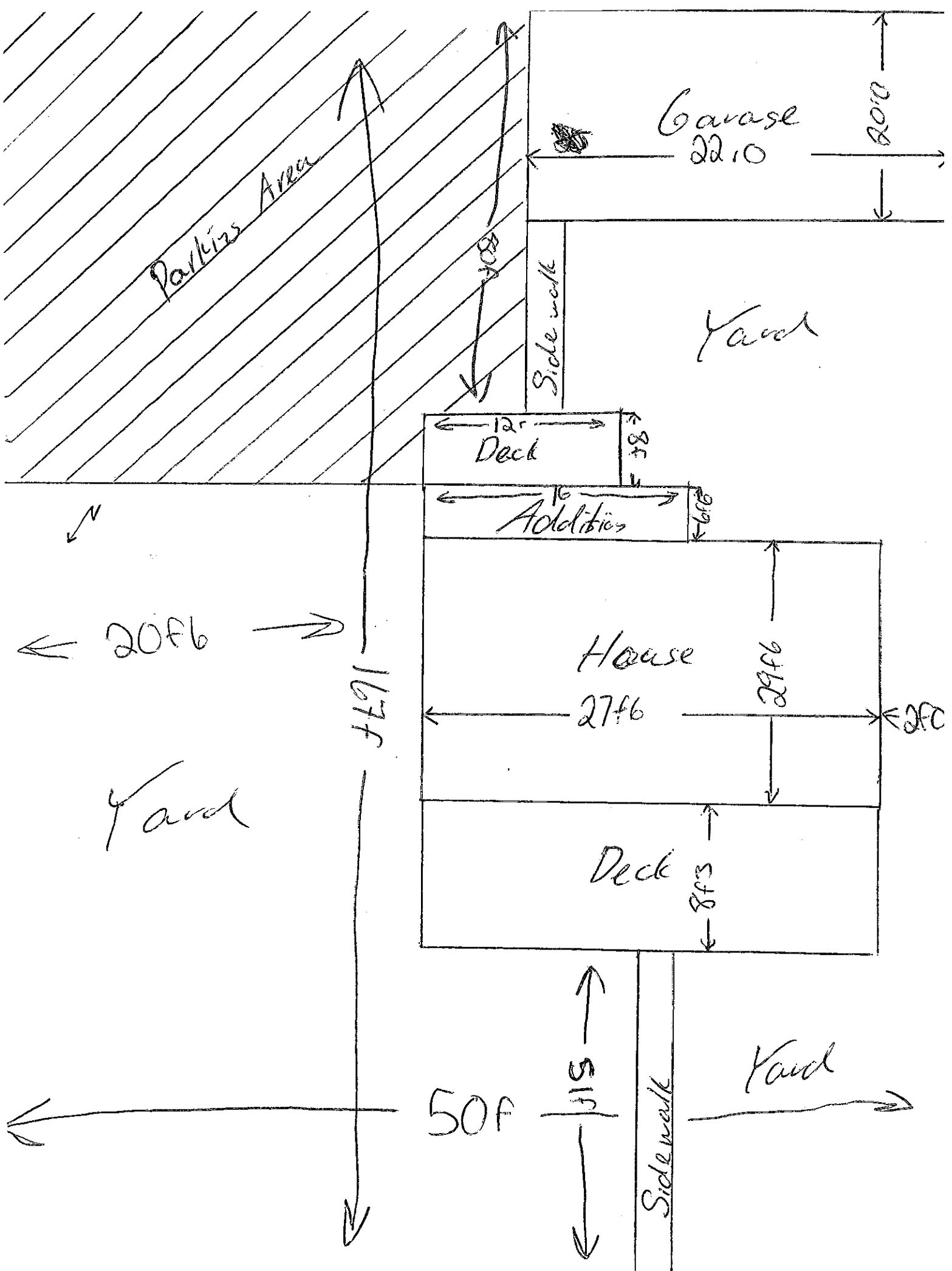
The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

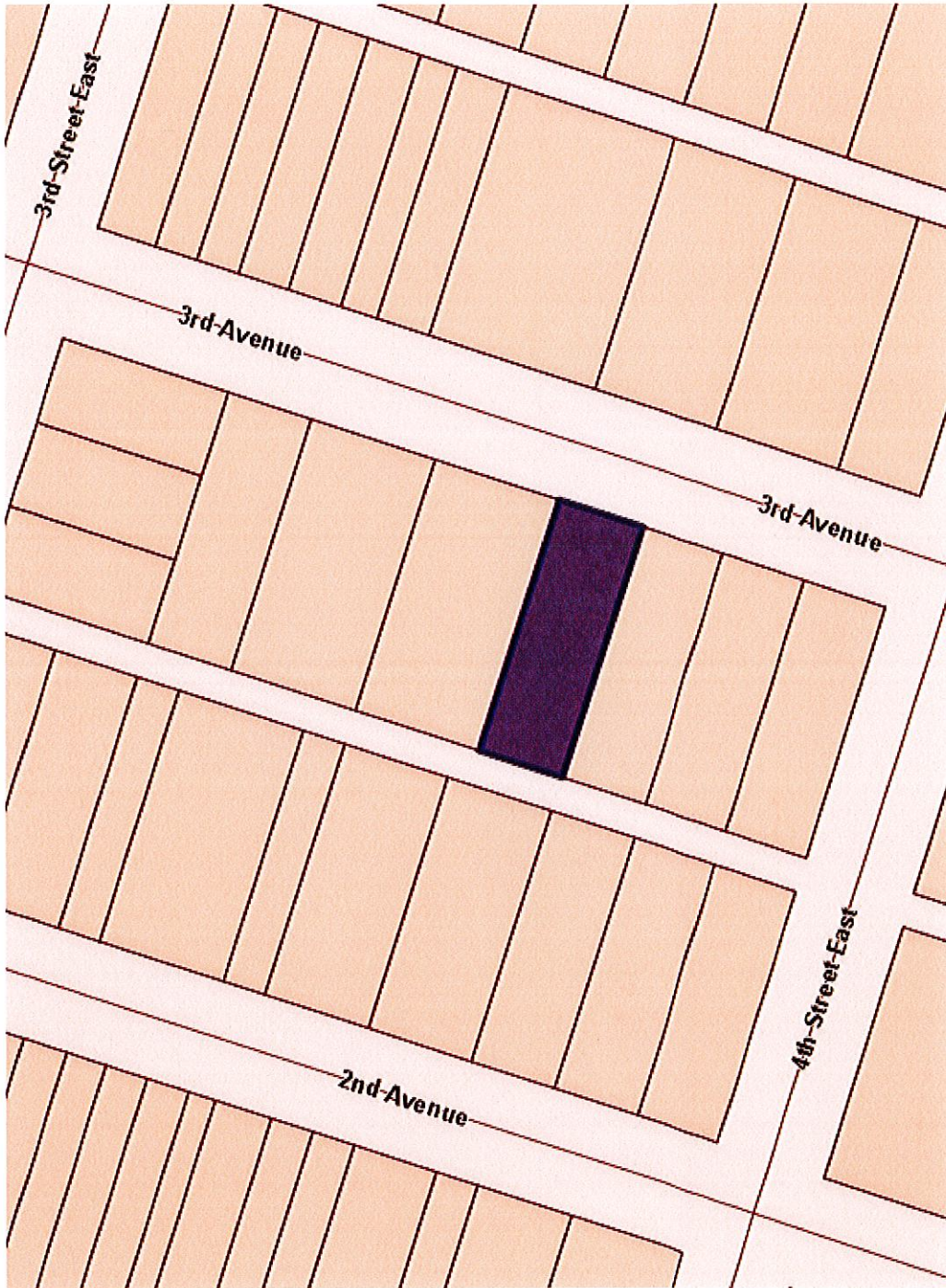
*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*



APPLICANT

Registered Owner (if not the same as applicant)





*Handwritten signature or initials.*

# TOWN OF BASSANO

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

July 26, 2018

Notice is hereby given that an application will be considered by the Municipal Planning Commission for a Development Permit with regard to the following:

<b>DEVELOPMENT APPLICATION:</b>	<b>Development Permit No. TOB D – 13/18</b> <b>Application for: Residential House – New Basement Foundation &amp; Existing Garage Setbacks</b>
<b>DISTRICTING:</b>	<b>Residential R1</b>
<b>CIVIC ADDRESS:</b>	<b>425 3 Avenue</b>
<b>LEGAL DESCRIPTION:</b>	<b>Lot(s) 7    Block 7    Plan 3872T</b>

**Dear Sir or Madame:**

Pursuant to Section 32 of Land Use Bylaw No. 845/13 of the Town of Bassano, notice is hereby given that on **Monday, August 13<sup>th</sup>, 2018 at 6:30 p.m.**, the MPC will consider **Development Application No. TOB D – 13/18**.

Persons requesting to be heard at the meeting may submit comments to the Development Officer no later than Friday, August 10, 2018 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 – 2<sup>nd</sup> Avenue Bassano, AB. Comments may be dropped off or mailed to the Town Office; or directed to Development Officer/Town of Bassano at [cao@bassano.ca](mailto:cao@bassano.ca) or faxed to 403-641-2585.

Any questions regarding the application may be directed to the Development Officer at 403-641-3788.

Kevin Miller  
Development Officer/Town of Bassano