



MPC AGENDA

Meeting: January 14, 2019 6:00 p.m.
Council Chambers
502 – 2 Avenue Bassano

1. CALL TO ORDER

2. EXCUSED FROM MEETING

3. ADOPTION OF AGENDA

4. ADOPTION OF MINUTES

4.1 November 26, 2018 MPC Meeting

5. DEVELOPMENT REPORT

5.1 January 8, 2019

6. DEVELOPMENT PERMITS/REQUESTS

6.1 Temporary Permit Extension – Plan 2600AM, Block 16, Lots 8-9

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 NOVEMBER 26, 2018**

PRESENT

CHAIR:

Tom Rose

BOARD MEMBERS:

Kevin Jones

Ron Wickson

John Slomp

Doug Barlow

Lynn MacWilliam

Sonya Procter

STAFF:

Amanda Davis – Development Officer

OTHER:

Bruce McIntosh - Observer

1. CALL TO ORDER

Chair Rose called the meeting to order at 6:00 p.m.

2. EXCUSED FROM MEETING

None

3. ADOPTION OF AGENDA

032/18 Moved by **MEMBER PROCTER** that the agenda is approved as presented.

CARRIED

4. ADOPTION OF MINUTES

4.1 Adoption of minutes from the Municipal Planning Commission meeting on September 10, 2018.

033/18 Moved by **MEMBER JONES** that Municipal Planning Commission minutes of September 10, 2018 are approved as presented.

CARRIED

5. DEVELOPMENT REPORT

5.1 Adoption of the development report for the period ending November 21, 2018.

034/18 Moved by **MEMBER BARLOW** that the development report for the period ending November 21, 2018 is approved as presented.

CARRIED

6. DEVELOPMENT PERMITS/REQUESTS

6.1 Variance Request – Legal Non-Conforming – Plan 1418LK, Block 1, Lot 18

035/18 Moved by **MEMBER PROCTER** that the Municipal Planning Commission approves Development Permit TOB-D-19-18 allowing for a waiver of the side yard setback from 1.5 meters to 0.66 meters for the accessory building with the following condition:

1. That any future development (demolition or new) must be in compliance with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.

CARRIED

6.2 Discretionary Use/Variance – Retail Cannabis – Plan 3872T, Block 4, Lots 1-4

0/18 Moved by **MEMBER MACWILLIAM** that the Municipal Planning Commission approves Development Permit TOB-D-20-18 in two parts. First, allowing for a waiver for the building height from 35 feet to 38 feet with the condition that any future development adheres to the building restrictions defined in the Land Use Bylaw. Second, allowing for a Retail Cannabis Store with the following conditions:

- a. The applicant must provide the Town of Bassano with a copy of the Retail Cannabis License issued by the Alberta Gaming and Liquor Association prior to occupancy.
- b. The hours of operation for the Cannabis Retail Store are permitted from 10:00 a.m. to 10:00 p.m. daily with no exception.
- c. All advertising inside the premises shall not be visible from the outside of the building.
- d. Portable signs are strictly prohibited on the premises.
- e. As shown in the site plan, the Retail Cannabis Store must operate separately from all other businesses on the premises.
- f. Goods and paraphernalia shall not be visible from the outside of the building premises.
- g. All secondary permit disciplines (e.g. Building, Plumbing, Electrical, Gas) must be obtained prior to any construction. All development must conform to the Alberta Codes and Regulations.
- h. The applicant must provide the Development Officer with a parking plan that conforms to the Parking Requirements defined within the Land Use Bylaw.

- i. A sign permit application must be submitted to the Development Officer, and the applicant must receive approval of the sign prior to occupancy.
- j. A business license must be obtained at the Municipal Office for Retail Cannabis.
- k. Finally, Plan 3872T, Block 4, Lots 1-4 must be kept in an aesthetically pleasing manner as defined in the Beautify Bassano Initiative and respective bylaws. All grass must be trimmed, and weeds must be sprayed and removed on a regular basis.

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 November 26, 2018 at 6:12 p.m.

Chairperson

Chief Administrative Officer



DEVELOPMENT REPORT

Meeting: January 14, 2019 MPC
Agenda Item: 5.1

Amanda Davis, Interim Chief Administrative Officer

The following development permits were issued between November 21, 2018 and January 8, 2019:

| PERMIT NUMBER | LOCATION | DEVELOPMENT |
|---------------|--|--|
| TOB-D-19-18 | Plan 1418LK, Block 1, lot 18 (229 – 2 nd Avenue) | Shed location – variance approved by the MPC. |
| TOB-D-20-18 | Plan 3872T, Block 4, Lots 1-4 | Cannabis retail – approved by the MPC. The applicant has yet to submit their sign permit and parking plan as of Nov. 28, 2018. |

Municipal Development Plan (MDP) Update

Oldman River Regional Planning Services (ORRSC) will be drafting the Town's MDP over the next 4-6 weeks. A project timeline is being finalized by administration and the contractor.

Attachments:

1. n/a



REQUEST FOR DECISION

Meeting: January 14, 2019 MPC
Agenda Item: 6.1

Temporary Permit Extension – Plan 2600AM, Block 16, Lots 8-9 Development Permit Application TOB D-14/17 and TOB D 16/17

Applicant: Madelene Crapo
Plan 2600AM, Block 16A, Lots 8-9
415 – 4th Street, Bassano

Plan 2600AM; Block 16A; Lots 8-9 (415 – 4th Street) is zoned Residential (R1). The R1 district is intended to provide for a high-quality low-density residential environment with an appropriate range of housing types.

The Municipal Planning Commission (MPC) issued three permits to the above applicant in 2017. There was very poor record keeping and considerable discrepancies in the files. Information provided to the MPC was not necessarily accurate which may have led to poor decisions as explained throughout the report. The Development Officer has relied on the paper files recovered in the office to address this file. It is recognized that many discussions were had up to the point of decision. The *approved* development permits are the only relevant items that can be used to address the current situation.

The Development Officer recognizes the importance of working with residents and business owners. I am working closely with the applicant on this file to ensure everyone is informed and represented in a professional manner moving forward.

In the following sections of this report, the MPC can expect to find:

1. A summary of the current state of operations at 415 – 4th Street, Bassano;
2. A timeline of events that relate to the development approvals issued in 2017 at 415 – 4th Street, Bassano;
3. Request from the applicant moving forward;
4. Action steps and bylaw implications moving forward; and
5. Summary and Recommendations.

PART 1 – Current State of Operations (415 – 4th Street)

The MPC granted three permits in 2017:

1. TOB-D-14/17 Discretionary Use Application for a Home Occupation 2 in the Residential – R1 Land Use District. This was granted for the storage and sale of plants within an accessory structure. The temporary permit is set to expire on September 25, 2019.

Currently, the applicant has two businesses operating at this location, sale of plants within the accessory structure and the sale of “things” within the addition at the primary residence. When receiving approval of TOB-D-14/17, the applicant was unaware that sales were limited to the accessory structure only.

Land Use Bylaw (LUB) 845/13 (11.7) states “Unless otherwise approved by the Municipal Planning Commission, not more than one home occupation is permitted on a lot.”

2. TOB-D-15/17 an addition. Specific details regarding the addition were not located in any municipal files. However, the Development Officer assumed this was for the closure of the carport located on the premise. Building permits were obtained through Superior Safety Codes for this development but issued under Development Permit TOB-D-14/17. *Permit number discrepancies.*

The addition is complete.

3. TOB-D-16/17 Discretionary Use Application for an Accessory Building in the Residential – R1 Land Use District. This is a temporary permit set to expire on September 25, 2019.

Currently, the applicant is propagating flowers and plants in the accessory building. However, the permit stated that “The production, cultivating, farming or propagating of vegetables, flowers and plants is not permissible in the accessory building.”

LUB 845/13 states:

Garden Centre or Greenhouse Operations

In the R1 District, a garden center or green house is not permitted nor discretionary. This indicates that the listed use type is not allowed within the respective land use district.

- “Garden Centre or Greenhouse” means a building specifically designed and used for the commercial growing of vegetables, flowers or other plans for transplanting or sale. The use may include accessory retail on the premises.

A “Garden Centre or Greenhouse” is classified a Discretionary Use within the Highway Commercial (C2) and Industrial Commercial (IC) districts.

LUB 845/13 states within the R1 District, an “Accessory Building” or “Accessory Structure” is deemed a permitted use.

- “Accessory Building” means any structure that is physically separate from the principle building on the lot which both are located and which is subordinate and incidental to that of the principle dwelling. The use is subordinate and incidental to that of the principle use of the site on which it is located and examples of a typical building is a private garage or shed. No accessory building shall be used for human habitation.
- “Accessory Structure” means a building that is detached from the principle building. It is ancillary, incidental, and subordinate to the principle building or use. Typical accessory structures include flagpoles, swimming pools, storage tanks, garages, and sheds. When a structure is attached to the principle building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principle building. No accessory structure shall be used for human habitation.

However, **RESIDENTIAL STANDARDS OF DEVELOPMENT** states:

- 1.5 Quonsets, Quonset-style buildings or semicircular metal structures shall not be permitted as accessory buildings in the Residential – R1, Medium Density Residential – R2 and Residential Manufactured Home – RM land use districts.

Visual Aids taken on January 10, 2019 by Amanda Davis, Development Officer.

Front view



Side View 1



Side View 2



Rear View 1



Rear View 2



Rear View 3



Side View 3



Side View 4



Side View 5



PART 2 – Timeline of events that relate to the development approvals issued in 2017 at 415 – 4th Street, Bassano

| Permit Issued | Timeline | Conditions | Compliance (Y/N) |
|--|--|--|---|
| <p>Discretionary Use Application for a Home Occupation 2 in the Residential – R1 Land Use District</p> <p>For the storage and sale of plants within an accessory structure located in the Residential – R1 Land Use District.</p> <p>TOB-D-14/17</p> | <p>Approved on Sept. 25, 2017</p> <p>Valid until Sept. 25, 2019.</p> | <ol style="list-style-type: none"> 1. Development must conform to site plan approved with application dated Sept. 7, 2017. 2. Must conform to Schedule 5 & 6 of LUB. 3. Must conform to Schedule 6, Section 11, Home Occupation. 4. Business hours will be consistent with Supporting Documentation. 5. No offensive noise, electrical interference, etc. 6. Must not generate more vehicular or pedestrian traffic than normal in the district. 7. Shall not cause an increase in demand placed on utilities. 8. Allowance for home occupation is intended to foster small-scale business. Any change to the use will require further approval. 9. Permit valid for two years and may be renewed with approval of the MPC. | <p>*Contravention, the Applicant is operating selling plants and things from the enclosed addition attached to the home. The permit was issued for the sale of plants and things within an accessory structure.</p> |

| | | | |
|--|--|---|---|
| | | 10. Expires on Sept. 25, 2019. | |
| An Addition TOB-D-15/17 | Approved on Sept. 25, 2017. | | |
| Discretionary use application for an <u>Accessory Building</u> in the Residential – R1 Land Use District. TOB D-16/17 | Approved on Sept. 25, 2017. Valid until Sept. 25, 2019. | <ol style="list-style-type: none"> 1. Development must conform to site plan approved with application dated Sept. 7, 2017. 2. Development must conform to Schedule 3, Dimensional Standards and Setbacks, Schedule 5, General and Use Specific Standards, and Schedule 6, Residential Standards of Development. 3. The production, cultivating, farming and propagating of vegetables, flowers and plants is not permissible in the accessory building. 4. The development permit is valid for 2 years as per applicants Supporting Documentation and may be renewed with the approval of the MPC. 5. Expiry date of the Development | <p>Accessory building approved, 40'x16'.</p> <p>Actual Accessory Building installed 50'x16'.</p> <p>Outcome: contravenes TOB D-16/17</p> <hr/> <p>Propagating of flowers and plants occurs within the Accessory Building. The applicant plants plugs, waters them to transplant for sale.</p> <hr/> |

| | | | |
|--|--|------------------------------|--|
| | | Permit is Sept. 25, 2019. | |
|--|--|------------------------------|--|

PART 3 – Request from applicant moving forward

Accessory Building for Greenhouse Operations

The applicant requests that the MPC review Development Permit TOB-D-16/17 for an Accessory Building for the storage and sale of plants located in the Residential – R1 Land Use District Home (date of decision, September 25, 2017) and grants a 9-year extension in order to secure and sustain the businesses operations. If the request to extend the permit is not granted, the applicant must a) relocate the business in town or out of town, or b) close the business after September 25, 2019 unless the MPC revokes the temporary permit prior to that date.

Approval of TOB-D-16/17 was subject to the following conditions:

1. That this development is located as shown on the site plan approved in this application and submitted September 7, 2017. Any changes to that plan require the written approval of the Development Officer.
2. Development must conform to Schedule 3, Dimensional Standards and Setbacks, Schedule 5, General and Use Specific Standards and Schedule 6, Residential Standards of Development.
3. The production, cultivating, farming, or propagating of vegetables, flowers and plants is not permissible in the accessory building.
4. The development permit is valid for 2 years from the date of decision as per applicants Supporting Documentation and may be renewed with the approval of the Municipal Planning Commission.
5. Expiry of this Development Permit is September 25, 2019.

**See Attachment 1 – Bassano Plants and Things Summary dated January 7, 2019*

Item 2 - Home Occupation 2 – Operation of a Greenhouse

The applicant requests that the MPC review Development Permit TOB-D-14/17 Discretionary Use Application for a Home Occupation 2 in the Residential – R1 Land Use District for the storage and sale of plants within an accessory structure and grants a 9-year extension in order to secure and sustain the businesses operations.

Approval of TOB-D-14/17 was subject to the following conditions:

1. That this development is located as shown on the site plan approved in this application submitted September 7, 2017. Any changes to that plan require the written approval of the Development Officer.
2. Development must conform to Schedule 5, General and Use Specific Standards and Schedule 6, Residential Standards of Development.
3. Development must conform to Schedule 6, Section 11, Home Occupation,
4. Business hours of operation will be consistent as outlined in the Supporting Documentation presented by the applicant.

5. No offensive noise, vibration, electrical interference, smoke, dust, odors, heat or glare shall be produced by the use.
6. The use must not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
7. The use shall not cause or increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceeds the normal demand for residences in the area.
8. Allowance for home occupations are intended to foster small-scale business. Any change to the use will require a new development permit application and may be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
9. The development permit is valid for 2 years from the date of decision as per applicants Supporting Documentation and may be renewed with the approval of the Municipal Planning Commission.
10. The expiry date of this Development permit is September 25, 2019.

Accessory Structure Business Summary

The applicant advised that she does not grow plants or flowers from seed in the Accessory Structure. Rather, the applicant purchases plugs from a supplier, relocates the plugs to the Accessory Structure, waters and transplants them for sale. This plan reduces failure risk and eliminates the need for year-round heating and ongoing temperature control within the Accessory Structure. Minimal heating is required in the Spring to accommodate the growth of started plants and is done through a propane system.

Moving forward, if the application is extended, condition 3 ("The production, cultivating, farmed, or propagating of vegetables, flowers and plants is not permissible in the accessory building") hinders the businesses ability to operate.

**See Attachment 1 – Bassano Plants and Things Summary dated January 7, 2019*

- As directed by the Development Officer, the applicant has prepared and submitted a new Home Occupation 2 permit (as a result of all the prior discrepancies from 2017). The applicant requests that the MPC permits the sale of plants and things in both the Accessory Structure and the enclosed addition as the products sold in both are directly related to the business.

Part 4 – Action steps and bylaw implications moving forward

Step 1

Prior to addressing an extension to the existing Development Permits, the MPC must first assess the existing temporary applications. At a minimum, the following items must be considered and discussed:

1. Has the development exceeded the small-scale business environment and would it be more suitable in an industrial or commercial district? What is the logistics of relocating the business on a regular basis? The MPC could put a cap on the size of the operation in the existing location if there was evidence that the businesses growth/operations were negatively impacting adjacent landowners.
2. Does the development include adequate off-street parking to accommodate the businesses operation?

3. In the opinion of the MPC has the applicant met the conditions up to this point as outlined in the approval notices?
4. Is the condition of the property acceptable?

Development Officer Comments

Accessory building for greenhouse (TOB-D16/17)

1. The condition of the property is unacceptable and is deemed unsightly. The accumulation of items in the side yard and rear yard negatively impacts the surrounding property values, it is a fire and safety hazard.
2. The Accessory Building that was approved was 40' x 16' (640 sq. ft). The actual structure is 50' x 16' (800 sq. ft). The Accessory Building is in contravention of the conditions applied to the development approval.
3. The applicant is propagating within the Accessory Building. This is a direct contravention of the conditions applied to the development approval.
4. On-street parking was authorized by the MPC, however, on-street parking cannot be designated as this is public property. Off-street parking was not correctly defined in the original application.
5. Based on the unsightly condition of the property, it could be argued that the small-scale business environment would be more suitable in an industrial or commercial district.
6. Greenhouses are not permitted within the Residential – R1 District.
7. Quonset style Accessory Buildings are not permitted in the Residential – R1 District.
8. Where in the opinion of the Development Authority, a proposed use is of a temporary nature, it may approve a temporary development permit valid for up to one year for a use, provided the use is listed as a permitted use, discretionary use or deemed similar to a permitted use or discretionary use in the applicable land use district.

Home Occupation 2 (TOB-D-14/17)

No comments.

Final Summary/Recommendations

The purpose of the January 14, 2019 MPC meeting is to notify the commission of discrepancies found, discuss non-compliance issues and consider resolutions. The Development Permits that were issued in 2017 do not conform to the LUB. The complexity of this file is high and record keeping is poor. As requested by the Development Officer, the applicant submitted new applications for consideration. Before consideration is given, the MPC must address the current state. It is important to recognize that the applicant is where she is at today partially due to the guidance provided by the municipality.

Recommendation:

1. That the Municipal Planning Commission (MPC) acknowledges that the applicant is in breach of Development Permit TOB-D-14/17 and TOB-D-16/17 due to:
 - a. The unsightly condition of the property and the negative impact that it has on the surrounding property owners,

- b. That the Accessory Building installed is 50' x 16' (800 sq. ft) versus the approved size of 40' x 16' (640 sq. ft),
- c. That propagating of flowers and plants is occurring within the Accessory Building, and
- d. That two home-based businesses are operating on the premise however, only one was granted.

The MPC also acknowledges and takes partial responsibility for the issues resulting in the Development Permit application and approval process in 2017 and the guidance provided by the municipality to the applicant. As a result, the MPC will take reasonable measures to work with the applicant to reach compliance of the temporary development permits TOB-D-14/17 and TOB-D-16/17 by allowing the Accessory Building 50'x16' (800 sq. ft.) to remain in place while the Development Officer works with the applicant on an updated proposal. And, that the applicant may continue to operate the sale of plants and things from the Accessory Building and the home addition while the Development Officer works with the applicant on an updated proposal. The timeline to complete these items shall not exceed the expiry date of the temporary permits (September 25, 2019).

The reasonable measures taken above by the MPC are taken in good faith and it does not guarantee future approval for operations on this site in any capacity.

To reach compliance of item (a) above the applicant must:

- a. Clean-up the side yard and rear yard within 90 days which includes but is not limited to:
 - i. Removal of all wood piles,
 - ii. Removal of all garbage bags,
 - iii. Storage of all lawn items and hand tools,
 - iv. Remove piles of household items strewn around the property,
 - v. Alignment of registered vehicles and utility trailers in the rear of the property, and
 - vi. Removal and clean-up of any other item deemed appropriate by the Development Officer, Amanda Davis or her delegate.

During this process, the MPC directs the Development Officer and Planner I. MacDougall of Oldman River Regional Services Commission to prepare a course of action to address the development process and limitations on this file moving forward. It is recognized that this may be a timely process and that a kick-off meeting has been scheduled for January 15, 2019.

Finally, no decisions regarding the request for an extension to the temporary permits will be considered at this time because more information and planning is required.

Prepared By: Amanda Davis, Development Officer

Attachments:

1. Bassano Plants and Things Summary dated January 7, 2019

JAN 07 2019

Submitted to Amanda Davis by

Madelene Crapo

Bassano Plants and Things

January 7, 2019

Package includes:

- Home Occupation Development Permit Application
- Residential Dwelling Development Permit Application (not required / included in Jan 14/19 MPC pkg).
- Bassano Plants and Things (Resubmission of information Re: Permits TOB-D-14/17 and TOB-D-16/17)
- Property Site Plan for 415 4th Street Bassano
- Narrative, floor plan, outside view for carport enclosure as submitted to Superior Safety Codes
- Narrative to accompany Building Permit Application for Accessory Building at 415 4th Street BassAB

**TOWN OF BASSANO
HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION**Date of Application: January 7, 2019Home Occupation
Permit Application No.

Application deemed complete: _____

IMPORTANT NOTICE: This application **does not** permit you to operate the business until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.

APPLICANT INFORMATION

Name of Applicant: Madelene Crapo (Heffel)
Mailing Address: Box 1112 Phone: (403) 793-0594
City: Bassano Phone (alternate): _____
Postal Code: T0J 0B0 Fax: _____
Email: _____

Is the applicant the owner of the property?

☒ Yes☐ No

IF "NO"

Name of Owner: Madelene Crapo (Heffel)
Mailing Address: Box 1112 Phone: 403 793 0594
City: Bassano Phone (alternate): _____
Postal Code: T0J 0B0 Fax: _____

Applicant's interest in the property:

☐ Agent☐ Contractor☐ Tenant☐ Other _____**PROPERTY INFORMATION**

Municipal Address of Home Occupation: 415-4th Street Bassano Roll Number: 49000
Legal Description: Lot(s) 8+9 Block 16A Plan 2660A.M

- ☐ Permitted Use - Application Fee of \$50.00 payable to the Town of Bassano is included.
☐ Discretionary Use or requesting a Waiver (s) - Application Fee of \$150.00 payable to the Town of Bassano is included.

BUSINESS DESCRIPTION

- (1) Describe the primary function of your business. What goods and/or services are provided? Attach an additional sheet describing the business. Plants, Produce, gifts, garden supplies
- (2) Is there another home occupation already operating out of the residence? ☐ Yes ☒ No
- (3) Where will the business operate from? ☒ In-home ☒ Accessory building
- (4) How will you interact or do business with your clients or customers?
- ☒ In person. Clients/customers will come to the residence. On average, how many clients will come to the residence?
- ☒ Less than 1 per day ☐ 1-5 per day ☒ More than 5 per day Varied
- ☐ Remotely. Clients/customers will not be coming to the residence but will only be in contact by:
- ☐ Phone ☐ Fax ☐ Mail ☐ Courier ☐ Internet/Email
- (5) How many parking spaces for any client visits, deliveries, etc. will be available? 4
- (6) What will the days of operation be? ☒ Mon-Fri ☒ Tues-Sat ☐ Weekends ☒ 7 days/wk ☐ Part-time
- (7) Will there be any employees that are not residents of the dwelling? ☒ Yes ☐ No
- If YES:
- How many employees will come to the residence? Casual
- Will more than 1 employee come to the residence at a time? ☒ Yes ☐ No
- (8) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?
- ☒ Yes (list materials & quantities) Planter pots Soil Tools
- ☐ No
- (9) Will any vehicles/machinery/tools be used to operate the business? Please list. Lawn mowers, snow blowers, trailers - enclosed water (3) utility
- (10) Will there be any flammable or hazardous materials on the premises as a result of the business?
- ☒ Yes (list materials & quantities) Bottled propane for heating (stored in accessory bldg)
- ☐ No
- (11) Will any goods be displayed at the residence? (only inside accessory bldg) ☒ Yes ☐ No
- (12) Will there be a sign for the business? ☒ Yes ☐ No

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 Home Occupation. 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).

Madeline J. Blay
APPLICANT

Registered Owner (if not the same as applicant)

Bassano Plants and Things

Resubmission of information re:

Development Permits TOB-D-14/17 (Approved September 17, 2017 - Effective October 14, 2017) and, Development Permit TOB-D-16/17 (Approved September 17, 2017 - Effective October 15, 2017)

It has come to my attention over the past weeks that there is significant concern throughout the Town of Bassano regarding legal matters pertaining to the construction of an accessory building on the property at 415 4th Street in Bassano as well as the construction of an area approved for the operation of our Home Occ 2 business.

It is my goal to provide some clarity to planning and processes which resulted in develops as permitted in the above mentioned development permits.

- 1) Initially the business at 415 4th Street was named "Maddy's Wings". This business was licensed in 2015 as a greenhouse and gift operation.
- 2) The Town of Bassano was approached about the processes necessary for posting a sign on the property. I was advised that since the business was a Home Occ 1 business I would be allowed to put a sign in my window. No further information was provided. In 2016 a

business name change was granted and the business began operation as Bassano Plants and Things. A sign permit was granted and a sign was placed on the property.

- 3) In the Spring of 2017 we were advised that our business was not actually a Home Occ 1 business but that we needed to make application for a Home Occ 2 business. It was with this information that the original application for Home Occ 2 business was initiated.
- 4) Prior to the application for a Home Occ 2 business several attempts were made to locate our business in an area other than the residential area where it now operates. In April of 2017 a significant down payment was made to the owner of a lot on 2nd Street in Bassano. After lengthy discussions with Town of Bassano staff, who had significantly limited knowledge of necessary process and legal aspects of the requested development, as well as with County of Newell staff and representatives it became apparent that in the light of stated limitations and legislation, the business as proposed would not be feasible. This reality became clear after the 2017 growing season. (The planned development was to include a greenhouse structure to the back of the property with a garden centre/gift store at the front of the property constructed in a rustic 'log house' manner. We felt this design would enhance the Bassano down town area thereby beautifying the downtown and thereby possibly encourage further retail development.)

- 5) In the meantime it became clear to us that we would not be financially able to purchase other properties which we felt were somewhat unsuitable for our business as we envisioned it to be. Although several properties owned by the Town of Bassano were presented to us, because these properties were not serviced it was deemed that they were unsuitable for our needs.
- 6) A development permit application was submitted in the summer of 2017. Two separate permits were submitted - one permit for the construction of an accessory building and the second permit for the construction of an area to house the Home Occ 2 business. In keeping with the previously issued Town of Bassano Business licenses the Home Occ 2 business was identified as a "Greenhouse/Gift" type of business. A site plan was submitted to the Town of Bassano office (which was to be photocopied - a copy for town records and a copy for the applicant). A copy was not sent to the applicant.
)****(Parking spaces - see below)
- 7) Letters advising the applicants of the approval of the permits were mailed from the Town of Bassano Chief Administrators Office dated September 27, 2017. These documents stated that the permits (TOB - D - 14/17 became effective October 14, 2017 and TOB - D - 16/17 became effective October 15, 2017)
- 8) Once the initial approvals were obtained a brief discussion was had with Ed Frere, Building inspector. He advised us that in order to close in the "Car Port"

area of our home we would need to install a 4 foot frost wall around all exposed walls of the structure. This was felt to be an inappropriate solution to our problem at the time. in light of this we decided to “set up shop” in the building at 214 2nd Street. In order to allay confusion for customers, the decision was made to operate the downtown business under the name of The Shoppe.

- 9) It soon became apparent that the building at 214 2nd Street was not a suitable setting for The Shoppe. In the initial months we experienced a number of roof leaks caused by melting snow and plumbing insufficiencies in the upstairs living quarters. The inappropriateness of the building became more apparent with ‘break downs’ in the entrance door (ie. 7 door knob changes resulting in loss of 90 percent of our poinsettia plants as well as creating an image of concern when upon entry to the premises customers frequently were locked out because the door knob fell off in their hands when they tried to enter, etc, etc, etc)
- 10) The vision of The Shoppe was to allow local artisans an opportunity to showcase their wares in a consignment environment. In spite of the shortcomings in the downtown area we were able to experience some profits.
- 11) Due to the nature of our businesses, The Shoppe was temporarily closed from mid April to early July in order to facilitate operations of the plant related business at 415 4th Street location.

- 12) In July The Shoppe went back into operation with significant success. However significant signs of environmental breakdown in the building became apparent. For example, pieces of mudding material began to fall off the ceiling exposing previously supposedly sealed areas of black mould. As well the building began to exude a continuously stronger musty odour. The basement area, it was identified, was moist and very muddy. At one point a skunk was found living very near the rear entrance of the building. Mice also became a problem in the business area.
- 13) There were multiple other issues related to the building at 214 4th Street so a meeting was held with the property owner who ended the discussion with the decision that he “would rather sell the building to [you]” than spend the money to fix it. It was at this point we decided to research other options in order to make any necessary changes prior to the 2018 winter season.
- 14) We researched several other areas in the downtown business area to determine if there possibly existed another location which could appropriately house The Shoppe. We spoke with “Sonny” at Harry’s Place regarding the possibility of renting the former Laundry Mat; we investigated the possibility of renting space at the Armando’s ‘mall’; we previewed the former cafe area to the Hotel. None of these areas met our needs. It was then that we decided to research further into the possibility of fulfilling the permit granted in Sept of 2017 and enclose the car port at our home on 415 4th Street.

15) We met with Ed Frere again to determine exactly what was required to meet the standards outlined in the building code. After some excavation around the foundation of the carport area, it was determined that a four foot frost wall was not required because the existing base was already more than adequate.

16) In making the decision to act on the development permit we took into consideration the following aspects;

- 1) The residents of Bassano have been supportive of our business ventures up to this point and many of them expressed concern should either The Shoppe or the plant business move out of the community.
- 2) With the gift store (The Shoppe) and the plant sales business located in closer proximity to each other, the need to shut down operations of the gift store (to accommodate the plant sales season) would not exist thereby providing more opportunities for shopping to Bassano residents and tourists to the town. (A large portion of business in both 'legs' of our business comes from visitors to Bassano from surrounding communities and from tourists.)
- 3) We hoped that as our business became situated there might be a greater feeling of positivity in the Town of Bassano in regard to the pre-existing ideas such as "Bassano is dying", "Nobody wants to do business here!" and "the Town of Bassano

discourages businesses from setting up here.”

Marcus and I do not sell out to these mindsets and we hoped that we could quell some of the rhetoric by moving forward

There have been some challenges related to moving our business to our home address.

1. Firstly we understand that our yard needs to be maintained in a “pristine” condition when a home based business is operated on our premises. This aspect has been a bit of a challenge this year given that due to unforeseen circumstances we were gifted with building supplies and tools from the sale of the property of my husband’s late father. Much of this has been cleaned up however there remains some work to be done.
2. Secondly it was our plan to reopen the gift store on or about October 15, 2018. Unfortunately due to unforeseen circumstances such as weather and building permit approval, etc, our opening was delayed until November 28, 2018.
3. We did not realize that in completing the building permit we were in an unfavourable situation with the Town of Bassano. It was our understanding that the approved permit allowed us to move forward in a way that encouraged a smooth transition for our business.

Bassano Plants and Things is a family owned business that has been in operation since 2015 - initially operating under a different name. The business is owned and operated by Marcus and Madelene Crapo. Bassano Plants and Things is a retail business which provides residents of Bassano and surrounding communities as well as customers from outside the area with the opportunity to purchase top quality plants, hanging baskets and planters throughout the growing season. During the remainder of the year customers are able to purchase gifts, souvenirs and fresh locally grown summer produce at a reasonable price in a home based environment.

The Accessory building is where plants are prepared and stored for public sale. Every effort is made to ensure that terms of the permit are met such as maintaining a noise free environment, etc There are no exhaust fans installed in the building. In order to maintain the minimal sound requirement, several small portable fans are used for air movement during the growing season. Requirements for heating are provided by propane gas heaters which most frequently operate during the night to maintain temperature levels above freezing.

The Gift Store is attached to our home. It is heated separately by a small gas stove. The store is stocked with hand crafted items, home decor pieces, artwork, jewelry and many other hand created items which are sold on a

consignment basis. Locally produced vegetables, and preserves can also be found here.

Bassano Plants and Things recognizes two “open” schedules. During the busy seasons of Christmas and Plants Sales hours of operation are 10-7 pm seven days a week. In the more relaxed season business hours are reduced to 10 - 5pm Tuesday to Saturday.

It is our goal to support both consumer and supplier in our business. Local suppliers trust us to display their wares in the gift shop on a consignment basis. We feel it is our work to ensure that everyone experiences success whether it be crafter, grower, or merchant. From the perspective of supporting individuals in the community we have experienced significant success in encouraging residents to share their skills and thereby building their confidence and self esteem.

Bassano Plants and Things believes in seeing the best in people and thereby encouraging to share the talents they possess. It would be dishonest to say that as an organization we don't expect to see some profits from our work but we also realize that pay offs are not always financial in nature.

In summary, Bassano Plants and Things operates in the residential area of the Town of Bassano. As citizens of this community we strive to work within the boundaries of the

Town of Bassano Bylaws as much as possible. We also work to demonstrate respect to our neighbours at all times. Marcus and I work hard to serve the Bassano Community to the best of our ability. We realize that like all people we are not perfect but it is our goal to be better each day at what we do and who we are.

We invite everyone to share their concerns with us as they arise. It is through the encouragement of our many customers and friends that we are able to continue working harder.

**** Parking spaces

As per site plan we currently have identified two parking spaces along the south (lane) side of the property. We are also proposing a 5.75 foot high fence along the west and north borders of the property (see site plan). Upon completion there will be three additional parking spaces in the back yard

Narrative to accompany site plan submitted to Town of Bassano
January 9, 2019

- Site plan is not produced as a scale drawing

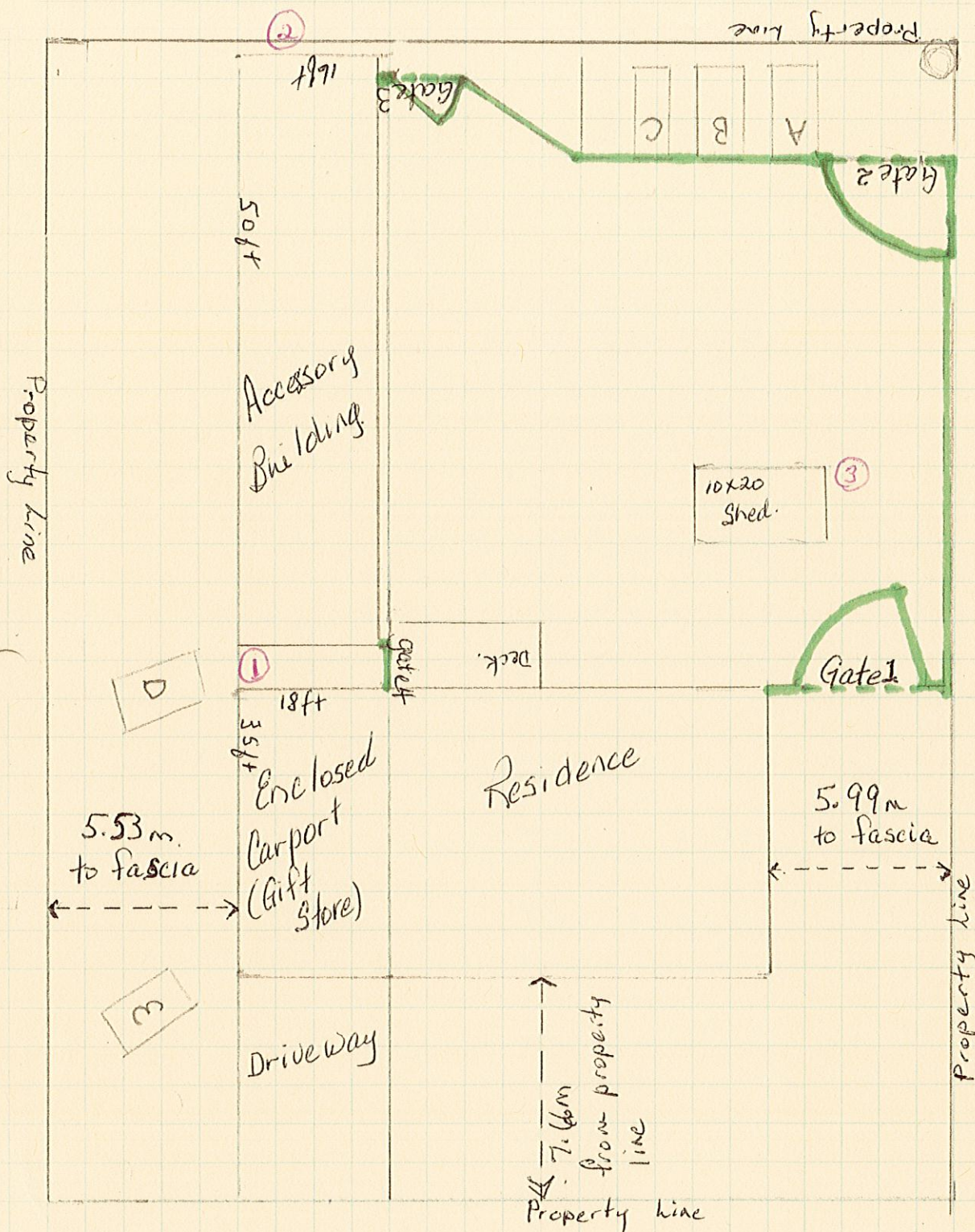
The submitted site plan includes the identification of a proposed fence to enclose the rear portion of the yard. The purpose of this fence is to:

- Provide privacy
- Identify the borders of the property at 415 4th Street

The proposed fence is scheduled to be completed by May 1, 2019:

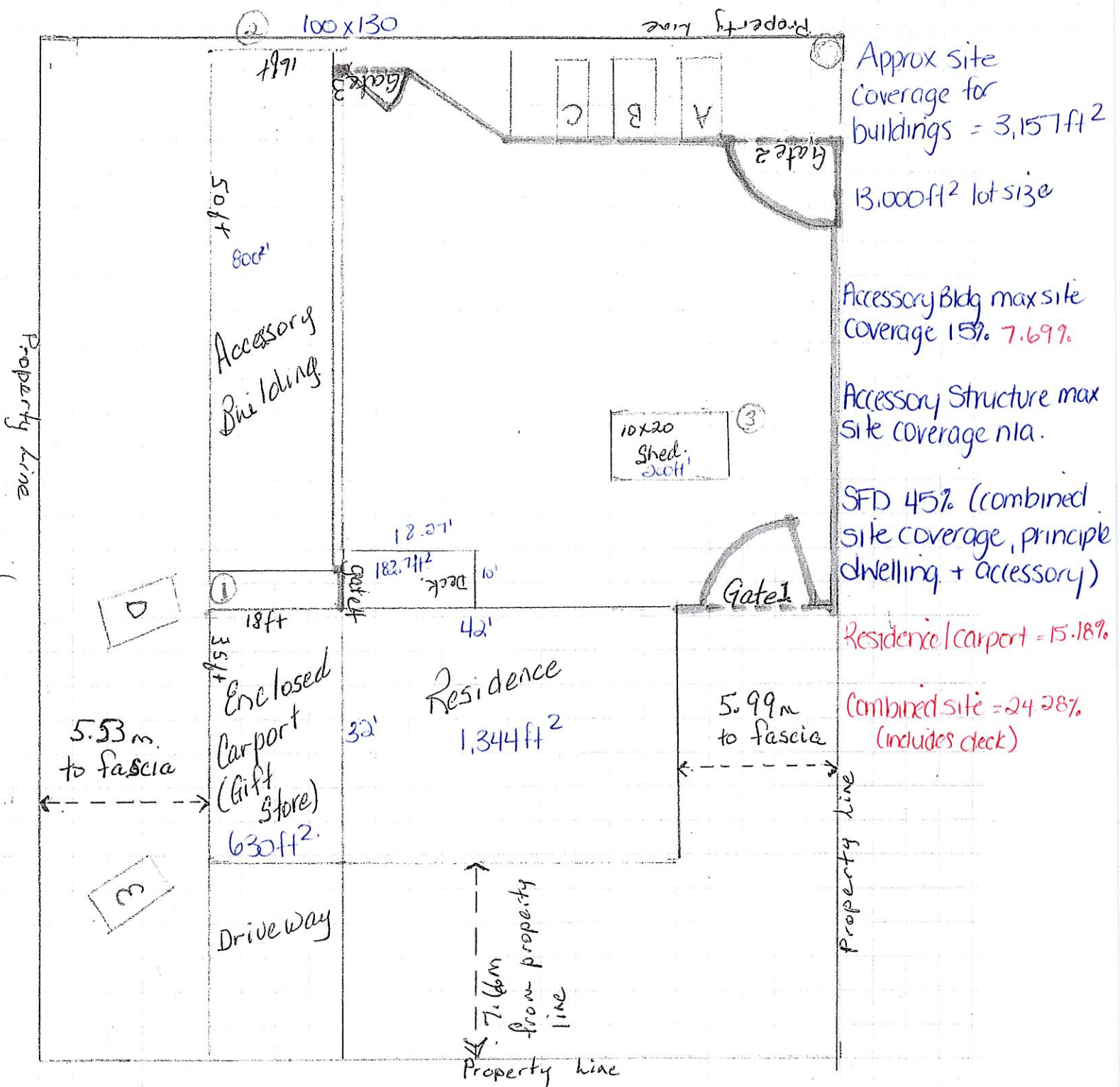
- It will be constructed entirely of treated lumber.
- 6 foot 1X6 boards arranged in tight proximity will create a solid wall.
- 4X4 posts will be used to support the 'walls' of the fence
- 6X6 posts will be used in the corner supporting the front gate (Identified as Gate 1) and the rear gate (identified as Gate 2). These 10 foot openings in the fence are intended for the purpose of moving equipment and supplies in and out of the backyard area.
- Gate 3 and Gate 4 will be 6 feet in width and are intended for personal travel in and out of the backyard area.
- Materials used in the fence will be green in cooler (as per treated wood) and will later be clad in an appropriate type of green paint or stain.

Site Plan 415-4th Street (Jan 8/19)



- ① Distance between fascia and Accessory Building = 10ft
- ② Distance between rear property line and Accessory Building = 5ft
- ③ Distance between storage shed and property line = 9.7ft
- A, B, C, D, E, = Parking spots (stalls)
- Proposed fence (See narrative)

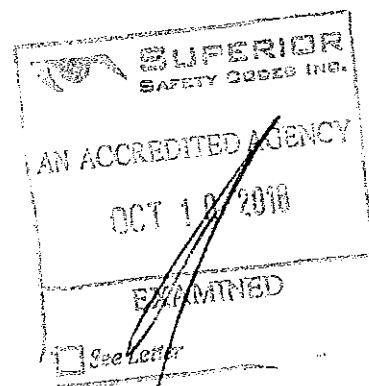
Site Plan 415-4th Street (Jan 8/19)



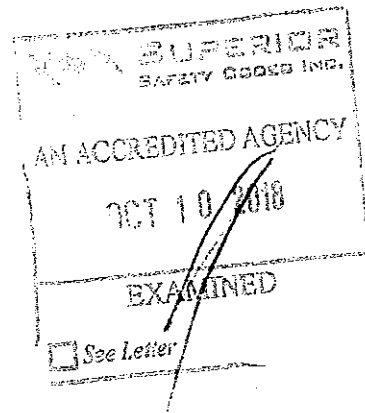
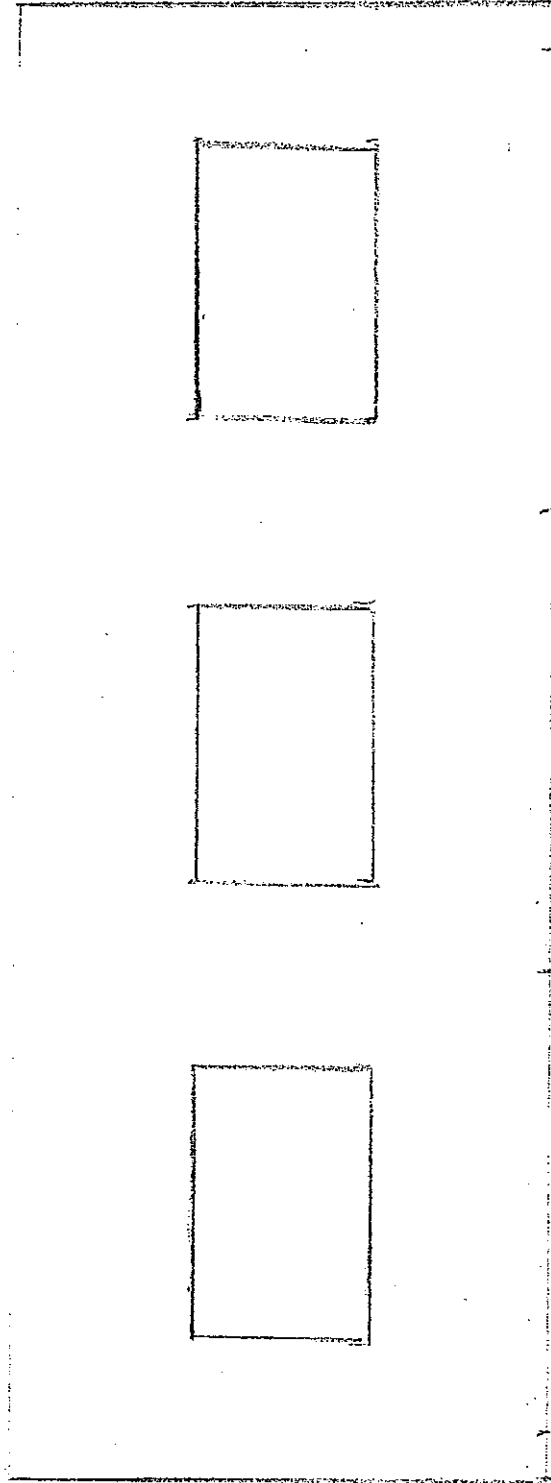
- ① Distance between fascia and Accessory Building = 10 ft ✓
 - ② Distance between rear property line and Accessory Building = 5 ft
 - ③ Distance between storage shed and property line = 9.7 ft
- A, B, C, D, E, = Parking spots (stalls)
- █ Proposed fence (See narrative)

Narrative to accompany building permit application for
renovation to existing carport at 415 4th Street
Bassano Alberta

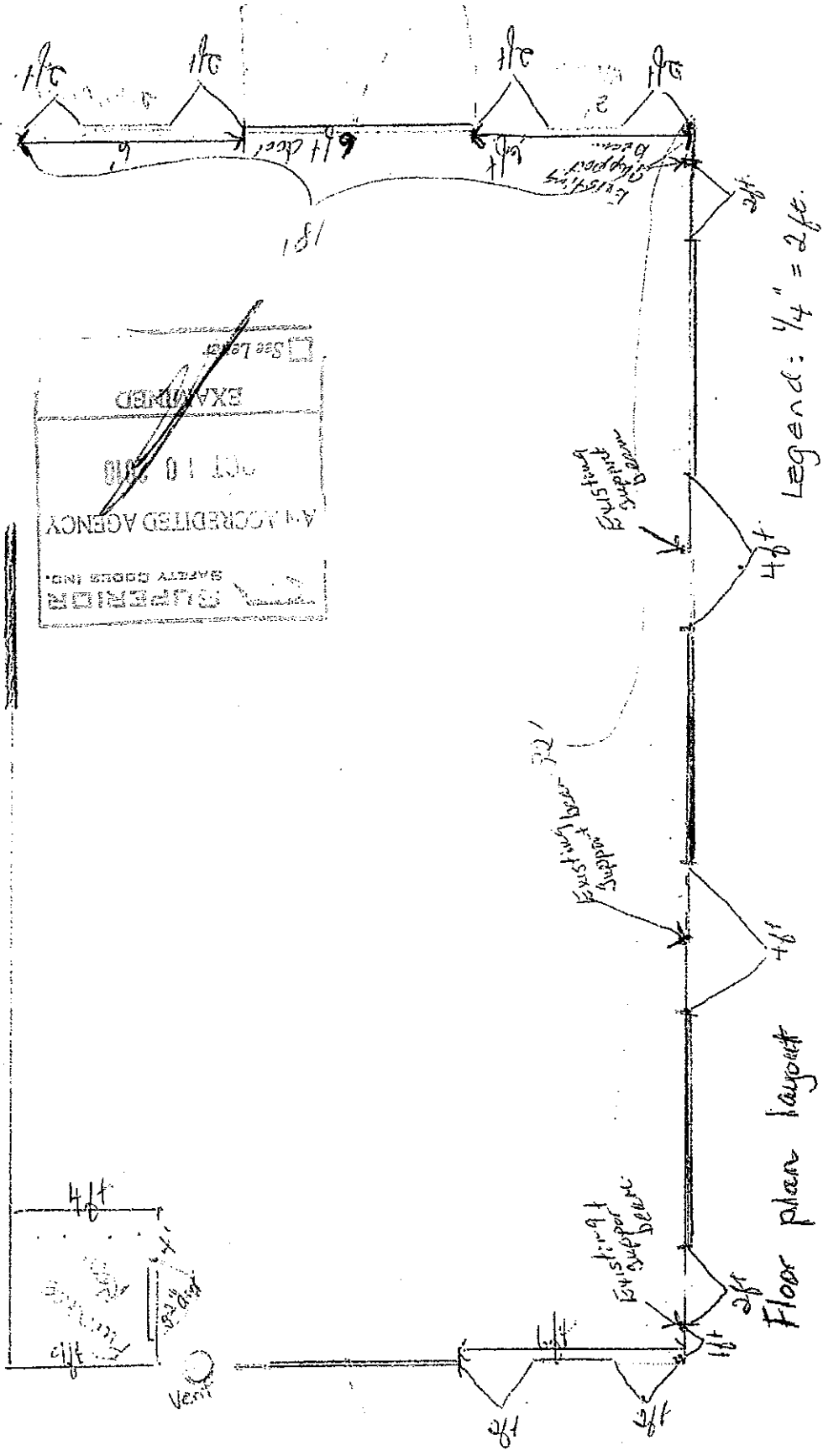
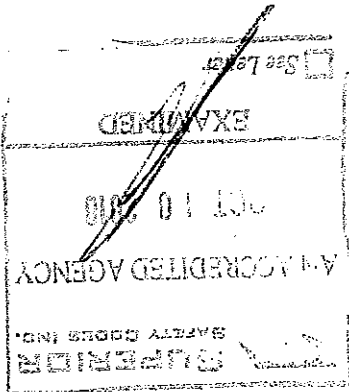
- Existing frost wall has been identified upon excavation
- All exterior walls of the structure will be framed with 2X6 studs - 24 inch on centre; exterior clad with 3/8 inch OSB; wrapped in Tyvec sheeting and finished with concrete wall material
- Interior insulation - R22 fibreglass bats; covered with poly vapour barrier and finished with 1/2 inch gyproc
- Roof to be insulated with R59 cellulose insulation
- Vapour barrier to be applied to interior roof surface and subsequently covered with 1/2 inch gyproc sheeting
- Structure to be heated with gas furnace. Fresh air vent to be installed in west wall.



Bath Wall



of
existing
doorway

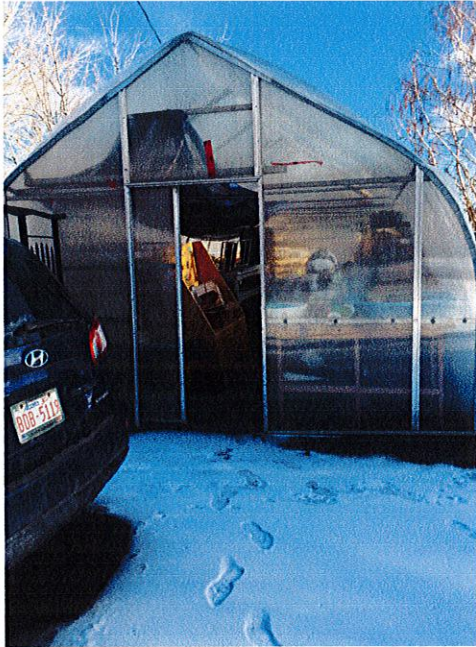


Floor plan layout

Handwritten notes at the bottom of the page, including "Check dimensions" and "1/4\" = 2'0\".

Narrative to accompany Building Permit application for
Accessory Building
415 4th Street Bassano, Alberta (Permit No. TOB-D-16/17)

The Accessory building is intended for the growth of started bedding plants, and storage of plants prepared for retail sale.



Materials and tools for planting will also be housed here. Such materials include potting soil, fertilizer, etc. Toxic chemicals will not be housed in this area

The manufactured greenhouse building is built in a gothic style which supports the movement of snow from the roof surface. A steel frame supports the building which is clad in an inflated double layer 6 mil plastic cover. Air is continuously injected between the plastic layers by a small air compressor.

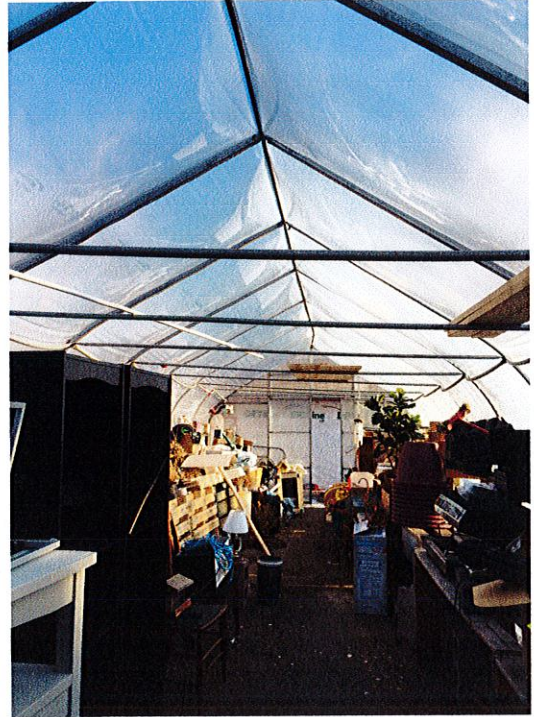
The structure is anchored to the concrete/asphalt base with 14 in anchor bolts placed at 6 foot intervals on either side of the structure.

In order to meet permit guidelines, which address concerns regarding noise levels in a residential area, the structure is ventilated by 4-6 portable fans for temperature control. Electricity for the structure is provided by outdoor outlets attached to the house. Portable propane heaters operate intermittently during the early growing season as needed.

The ends of the building are closed with a steel framing and polycarbonate material. Sliding doors provide entrance to the structure. As noted in the attached photographs diagonal bars placed near the ends of the structure provided necessary stability.



Diagonal support



Frameworks

Building Height = 10.25 feet at peak

Building width = 16 feet

Building Length = 50 Feet

Distance from back boundary of property = 5 feet

Distance from eaves of house = 10 feet

Distance from other existing structures = 56 inches

As per site map distance from property line to exterior border of building = 5.53 meters



Anchor bolts used to anchor structure to concrete/asphalt base similar to bolts in image.