

TOWN OF BLACKFALDS
MUNICIPAL PLANNING COMMISSION
Civic Cultural Center – 5018 Waghorn Street
Tuesday, October 22, 2024 at 6:15 p.m.

AGENDA

1. WELCOME AND CALL TO ORDER

- 1.1 Welcome to the Municipal Planning Commission. We like to remind members of the public in the gallery during meetings to adhere to the conduct set forth in Part 20 of the Council Procedural Bylaw.
- 1.2 Call to Order
- 1.3 Approval of Agenda

2. LAND ACKNOWLEDGEMENT

- 2.1 Treaty Six Land Acknowledgement - Blackfalds Municipal Planning Commission acknowledges that we are on Treaty 6 territory, a traditional meeting ground, gathering place, and travelling route to the Cree, Saulteaux (So-toe), Blackfoot, Métis, Dene (De-nay) and Nakota Sioux (Sue). We acknowledge all the many First Nations, Métis, and Inuit whose footsteps have marked these lands for centuries.

3. BUSINESS

- 3.1 Approval of Minutes from August 27, 2024
- 3.2 Application 278-24 – Change of Use – Similar Use
- 3.3 Application 300-24 – Rear Yard Relaxation

4. CONFIDENTIAL

None

5. ADJOURNMENT

MEMBERS PRESENT

Jim Sands – Vice Chairperson, Town of Blackfalds Deputy Mayor
Brenda Dennis, Town of Blackfalds Councillor
Richard Poole, Member at Large

OTHERS ATTENDING

Kim Isaak, Chief Administrative Officer
Jolene Tejkl, Planning & Development Manager
Robert Cote, Applicant
Gordon Lau, Applicant
Joanne DeAeth, Member of the public

REGRETS

Laura Svab – Chairperson, Town of Blackfalds Councillor
Alex Garcia, Member at Large

WELCOME AND CALL TO ORDER

Vice Chairperson Sands welcomed all attending and called the Municipal Planning Commission Meeting to order at 6:01 p.m.

APPROVAL OF AGENDA

31/24 Member Dennis moved That the Municipal Planning Commission approve the agenda as presented.

CARRIED UNANIMOUSLY

TREATY SIX LAND ACKNOWLEDGEMENT

Vice Chairperson Sands read a Land Acknowledgement to recognize that the Town of Blackfalds is on Treaty Six territory.

BUSINESS

Approval of Minutes

32/24 Member Dennis moved that the Municipal Planning Commission approve the Minutes from July 23,2024, as presented.

CARRIED UNANIMOUSLY

Application 215-24 – Height Variance for Detached Garage
65 Vintage Close (Lot 33 Block 3 Plan 074 0219)

Administration provided background information on the proposed development.

33/24 MOVED by Vice Chairperson Sands that the Municipal Planning Commission APPROVE the application for height relaxation for the detached garage from 16.40 ft. to 20 ft as presented in Development Permit 215-24, located at 65 Vintage Close (Lot 33 Block 3 Plan 074 0219) and subject to the following conditions being met to the satisfaction of the Development Officer:

1. The applicant shall ensure that the height of the detached garage does not exceed 20 ft.
2. Any changes to the approved application shall require a separate permit application.

Development Conditions:

3. Approved accessory buildings shall consider the principal building appearance to ensure compatibility and incorporate similar exterior colours and materials.

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4. The applicant is responsible for ensuring that no development or portion thereof shall be located over municipal lands, road rights-of-way or municipal easements.
 5. An Accessory Building or Structure shall not be constructed over an Easement or right of way.

Ongoing Conditions:

6. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.
7. All off-street parking areas, where entered onto by a paved road, shall be hard surfaced as defined in the Land Use Bylaw in force.

NOTES

1. *The applicant is to provide any revised drawings clearly indicating any changes to the approved drawing set.*
2. *This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
3. *Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site. No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area.*
4. *This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
5. *The requirements of the Land Use Bylaw or this approval does not exempt a person from compliance with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, provincial or federal statutes or regulations.*
6. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*
7. *The Town of Blackfalds now requires that a dual check valve for backflow prevention be installed for all residential and/or commercial properties.*

CARRIED

34/24

Application 217-24 – 2 Rear Yard Setback Relaxations
66 Pondsides Crescent (Lot 20, Block 9, Plan 042 7015)

Administration provided background information on the proposed development.

MOVED by Member Poole that the Municipal Planning Commission APPROVE the application for the rear yard relaxations for the existing detached garage from 1.0 m to 0.85 m and 1.19 m as presented in Development Permit 217-24, located at 66 Pondsides Crescent (Lot 20 Block 9 Plan 042 7015) and subject to the following conditions being met to the satisfaction of the Development Officer:

1. The applicant shall ensure that the rear yard setback relaxations for the detached garage does not exceed 0.15 m on the southwest corner and 0.19 m on the southeast corner.
2. Any changes to the approved application shall require a separate permit application

Development Conditions:

3. Approved accessory buildings shall consider the principal building appearance to ensure compatibility and incorporate similar exterior colours and materials.
4. The applicant is responsible for ensuring that no development or portion thereof shall be located over municipal lands, road rights-of-way or municipal easements.
5. An Accessory Building or Structure shall not be constructed over an Easement or right of way.

Ongoing Conditions:

6. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.
7. All off-street parking areas, where entered onto by a paved road, shall be hard surfaced as defined in the Land Use Bylaw in force.

NOTES

1. *The applicant is to provide any revised drawings clearly indicating any changes to the approved drawing set.*
2. *This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
3. *The requirements of the Land Use Bylaw or this approval does not exempt a person from compliance with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, provincial or federal statutes or regulations.*
4. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*

CARRIED UNANIMOUSLY

35/24

Application 221-24 – Landscape Variance
5465 Vista Trail (NW 27-39-27-W4M)

Administration provided background information and the proposed development.

MOVED by Member Poole that the Municipal Planning Commission APPROVE the application for landscaping variances presented in Development Permit 221-24, located at 5465 Vista Trail (NW 27-39-27-W4M) and subject to the following conditions being met to the satisfaction of the Development Officer:

1. The applicant shall ensure that the landscaping variances do not exceed 47% for trees and 48% for shrubs and maintains a minimum of 30% landscaped area.
2. Landscaping to be completed as per approved plans.

Development Conditions:

3. The applicant shall ensure that the proposed development is located outside of all and maintains a minimum setback of 0.50 m from any active utility and/or access right of way.
4. The applicant is responsible for ensuring that no development or portion thereof shall be located over municipal lands, road rights-of-way or municipal easements.
5. The developer shall provide a letter of credit or other form of security equal to 100% of the estimated Landscaping costs to ensure that Landscaping in accordance with the Land Use Bylaw and approved plans. Any changes to the plans shall require approval of the Development Authority.
6. Landscaping is to be complete by the end of the first full growing season following completion of construction. Landscaping security refund of 50% is received upon completion of the approved landscaping. Prior to receiving any additional refunds, the developer must satisfactorily complete a one (1) year maintenance period where no deficiencies exist. It is the responsibility of the developer to contact the Director of Infrastructure and Property Services to request a final inspection.
7. All landscaped areas shall be designed to facilitate effective surface drainage consistent with the submitted grading plan. This includes a minimum of 300.00 mm (11.81 in) of topsoil to facilitate growth.
8. The applicant shall repair or reinstate, or to pay for the repair or reinstatement, to original Condition, any public property, Street furniture, curbing, boulevard Landscaping and tree planting or any other property owned by the Town which is damaged, destroyed or otherwise harmed by Development or construction upon the site.

Ongoing Conditions:

9. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.
10. All off-street parking areas, where entered onto by a paved road, shall be hard surfaced as defined in the Land Use Bylaw in force.

NOTES

1. *The applicant is to provide any revised drawings clearly indicating any changes to the approved drawing set.*
2. *This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
3. *The requirements of the Land Use Bylaw or this approval does not exempt a person from compliance with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, provincial or federal statutes or regulations.*
4. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*

CARRIED UNANIMOUSLY

36/24 Application 227-24 – Side yard setback relaxation of 70% and lot coverage relaxation of 2%
5558 Prairie Ridge Avenue (Lot 56, Block 6, Plan 072 6123)

Administration provided background information and the proposed development.

MOVED by Member Dennis that the Municipal Planning Commission APPROVE the application for the side yard relaxation for the proposed detached garage from 1.0 m to 0.30 m and granted the 2% increase on lot coverage as presented in Development Permit 227-24, located at 5558 Prairie Ridge Avenue (Lot 56 Block 6 Plan 072 6123) and subject to the following conditions being met to the satisfaction of the Development Officer:

1. The applicant shall ensure that the side yard setback relaxation for the detached garage does not exceed 0.30 m.
2. The applicant shall ensure that the lot coverage does not exceed 57%.
3. Any changes to the approved application shall require a separate permit application.
4. The applicant shall ensure that no development or portion thereof encroaches onto the adjacent property.

Development Conditions

5. Approved accessory buildings shall consider the principal building appearance to ensure compatibility and incorporate similar exterior colours and materials.
6. The applicant is responsible for ensuring that no development or portion thereof shall be located over municipal lands, road rights-of-way or municipal easements.
7. An Accessory Building or Structure shall not be constructed over an Easement or right of way.

Ongoing Conditions:

8. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.
9. All off-street parking areas, where entered onto by a paved road, shall be hard surfaced as defined in the Land Use Bylaw in force.

NOTES

1. *The applicant is to provide any revised drawings clearly indicating any changes to the approved drawing set.*
2. *This permit indicates that only the development to which it related is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
3. *The requirements of the Land Use Bylaw or this approval does not exempt a person from compliance with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, provincial or federal statutes or regulations.*
4. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*

CARRIED UNANIMOUSLY

ADJOURNMENT

Vice Chairperson Sands adjourned the Municipal Planning Commission Meeting at 6:24 p.m.

Jim Sands, Vice Chairperson

Jolene Tejkl, Recording Secretary/Planning &
Development Manager

DRAFT

**TOWN OF BLACKFALDS
MUNICIPAL PLANNING COMMISSION MEETING
Tuesday, October 22, 2024**

TO: Municipal Planning Commission

PREPARED BY Billie Scott, Development Officer II

PRESENTED BY Billie Scott, Development Officer II

DEVELOPMENT: Development Permit 278-24

- Change of Use - Youth Centre for afterschool programming and events

ADDRESS: 4911 Broadway Avenue (Lot 10, Plan XV11 (RN17))

ZONING: Commercial Central District (C-1)

SUMMARY:

The applicant has submitted a Development Permit application to establish a Youth Centre on the ground floor at 4911 Broadway Avenue, intended for after-school programming and events with the continued use of apartments on the top level.

This property is located in the Commercial Central District (C-1) land use district, which supports various smaller commercial activities. This land use district aims to create a vibrant, pedestrian-friendly environment while promoting organized redevelopment in line with the Downtown Revitalization Plan and accommodating a limited range of compatible uses.

Administration supports this application.

BACKGROUND:

The Planning Department first learned of this Development when Council was invited to a grand opening at the subject property. The landowner was informed by the Planning and Development department that no permits had been applied for. Since then, the applicant has submitted a Development Permit application for a Change of Use which would be considered a Similar Use in the C-1 District and the continued use of the second-floor apartments. Previously, the building functioned as a coffee shop with the apartments above.

The intent of the new use is to provide services for youth, including leader-led programming during specific hours. For example, a Ju Jitsu class will be held every Tuesday and Thursday from 4:30 PM to 6:00 PM, alongside drop-in services during other hours where youths can hang out and play games. The hours of operation will range from 2:00 PM to 9:00 PM, Monday through Friday.

As this development is a discretionary use, the Municipal Planning Commission serves as the approving authority. To assist the applicant in complying with the Land Use Bylaw, especially since they are already operational, the first fire inspection has been completed, and a re-inspection was required within

15 days. On October 7, 2024, the Fire Department has notified the Planning Department that the second inspection has been completed and all requirements have been met.

This application has been referred to adjacent landowners for comment. To date no responses have been received.

POLICY:

Downtown Revitalization Plan

Town of Blackfalds Land Use By-law 1268/22 and amendments thereto:

- Section 2.2 – Development Authority and Decisions on Development Permit Applications
- Section 6.9 – Commercial Central District (C-1)

ANALYSIS:

Administration has reviewed the application, considered the C-1 District requirements of the Land Use Bylaw and the Downtown Revitalization Plan. The proposed change of use is classified as a Similar Use, meaning it aligns closely with either a Permitted Use or a Discretionary Use, according to the Development Authority's assessment. The spirit of the Commercial Central is to foster a variety of smaller commercial activities while creating an attractive, active, and pedestrian-friendly environment. Parking can be accommodated on-site, and on-street parking is encouraged per the Downtown Revitalization Plan. Therefore, we believe that the application for the Change of Use to a Youth Centre for afterschool programming and events should be approved.

RECOMMENDATION:

That the Municipal Planning Commission APPROVE the application for Change of Use – Youth Centre for afterschool programming and events as presented in Development Permit 278-24, located at 4911 Broadway Avenue (Lot 10, Plan XV11 (RN17)) and subject to the following conditions being met to the satisfaction of the Development Officer:

CONDITIONS

1. Development must commence within one (1) calendar year of the issuance of the Development Permit. Failure to commence development within the one (1) year will cause this Development Permit to expire.

General Development Conditions

2. The proposed development shall be undertaken and completed in accordance with the approved plans.
3. Unless specifically exempted from the requirements to obtain a Development Permit, all signs, including relocation, enlargement, or modification to a sign, require a separate development permit.

NOTES

1. *Prior to occupancy a fire inspection must be completed by the Town of Blackfalds Fire Department. Please call 403.885.4144 to schedule an inspection time.*
2. *This permit indicates only the development for which it relates is authorized.*

3. *Final approval **may** be required from Alberta Health Services (AHS) prior to operation of the approved use. Contact Alberta Health Services for more information. Please forward a copy of approval to the Town of Blackfalds Planning & Development Department, if applicable.*
4. *The requirements of the Land Use Bylaw does not exempt any person from compliant with any federal, provincial, or municipal legislation, code, or statute.*
5. *A person is responsible for complying with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, or provincial or federal statutes or regulations.*
6. *Nothing in this permit or the Land Use Bylaw exempts a person from any requirements of, or excuse or authorize the violation of any regulation, bylaw or act administered by this or any other agencies or levels of government that may affect the proposed development.*
7. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*

ALTERNATIVES

- A. Refer the application to administration to more information
- B. Deny the application, citing reasons for its refusal.



Billie Scott
Development Officer II

Attachments:

1. Development Permit Application;
2. Subject Property and Adjacent Landowner Referral Map;
3. Floor Plan

Development Permit #: 278-24

Application Date: Sep 5 2024

To Be Completed By Applicant:

Do you have a Business License with the Town of Blackfalds? Yes No

Permit Being Applied for By: Land Owner Applicant/Contractor

Landowner Name(s): Association of Central Alberta Youth for Christ

Mailing Address: 5025 50 Street

City: Lacombe Prov: AB Postal Code: T4L 1X9

Phone: 403 789 2298 Alt Phone: _____

Email Address: info@cayu.ca

Preferred Method of Correspondence: Email Mail Phone

(Same as Landowner)

Applicant/Contractor Name(s): _____

Mailing Address: _____

City: _____ Prov: _____ Postal Code: _____

Phone: _____ Alt Phone: _____

Email Address: _____

Preferred Method of Correspondence: Email Mail Phone

PROJECT INFORMATION

Proposed Land Use:

Civic Address of Property to be Developed: 4911 Broadway Ave

Lot: 10 Block: 4 Plan: XVII Land Use District: RN17 C-1

New Construction Addition Second Floor Development

Demolition Renovation Accessory Building Change in Occupancy/Use

Temporary Building (Duration Required): _____

Other: _____

Proposed Use (Description): Youth Centre & Upstairs apartments: supported independent housing for screened tenants

Existing Land Use: Vacant Shop Storage Sheds Other: Used to be a Coffee Shop

Hazardous Materials on Site (specify): _____

Outdoor Storage Height (avg. from ground level to peak): _____

Total Parcel Coverage: _____ % (must include structures & hard surfacing) Lot Area: _____

Landscaped Area: _____ sq. meters sq. feet Number of parking stalls provided: _____

Water Meter Size: 3/4" 1" 1.5" 2" Other (please specify size): _____

Temporary Water Connection Needed Yes No Other: _____

Overall Area of Building or Addition: _____ sq. meters sq. feet

Office: _____ sq. meters sq. feet Upper Level: _____ sq. meters sq. feet

Number of Bays: _____ Overall Height to Peak from grade: _____ meters feet

Structure Type: _____ Exterior Finish: _____ Colors: _____ Roofing Materials: _____

Proposed Commencement Date: _____ Proposed Completion Date: _____

Approximate Value of Development: \$ 0
(Building Materials and Labour)

Variance Required: Reason for variance: _____

Personal information collected on this form will be used for issuance of permits, property assessment, and/or safety codes compliance monitoring and verification. This information is collected under the authority of the *Municipal Government Act*, the *Safety Codes Act* and the current Land Use Bylaw in force, as well as Section 33(c) of the *Freedom of Information and Protection of Privacy Act* and will be protected under Part 2 of the Act. Applicant names and the nature of permits issued may be made publicly available. Questions regarding the collection and/or use of this information may be directed to the Records Management & FOIP Coordinator at foip@blackfalds.com or by phone at 403.885.6370.

Development Permit #: 278-24 Application Date: _____

Is the property the subject of a license, permit, approval, or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission? Yes No

If yes, please describe: _____

Is the property the subject of the application the subject of a license, permit, approval, or other authorization granted by the Minister or granted under any Act the Minister is responsible for under s.16 of the Government Organization Act*? Yes No

If yes, please describe: _____

Is the subject property immediately adjacent to the County boundary? Yes No

If yes, please describe: _____

*The Minister is responsible for the following acts: AB Land Stewardship Act, Environmental Protection Act, Public Lands Act, Surveys Act, Water Act.

RESOURCES:

Water Act & Environmental Protection and Enhancement Act Approvals - Alberta Energy Regulator: <https://aww.alberta.ca/ApprovalViewer.aspx>
Historic Sites/Resources (requires an account) - Online Permitting and Clearance (OPAC): <https://www.opac.alberta.ca/Login.aspx>
Abandoned Wells - Abandoned Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/index.html>
Pipeline/Well Locations - Regulatory Assurance: <https://regulatoryassurance.alberta.ca/dras?id=public-notice>

Detailed description of work and/or intended use or occupancy of the building (include extra paper if needed):
Youth centre for after-school programming/events. Previously-existing apartments upstairs to be used for screened youth tenants.

NOTES:

1. This Application constitutes part of the permit.
2. Every Development Application shall be completed and submitted in accordance with the Town of Blackfalds current Land Use Bylaw in force.
3. Failure to comply with this form fully and lack of the required information and plans may cause delays in processing this Development Application.
4. An Application for a Development Permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of receipt of the Application.
5. Any questions related to the collection and use of this permit information should be referred to the Planning and Development Department at 403.885.9679.

A DEVELOPMENT PERMIT COMES INTO EFFECT:

- a. if it is issued by the Development Authority, twenty-one (21) days after the date of decision.
- b. if it is issued by Town Council with respect to a development in a Direct Control District, upon the date of its issue, or
- c. if an appeal is made, on the date that the appeal is finally determined.

A development permit remains in effect for twelve (12) months from the date of its issue and thereafter is null and void unless an extension has been requested and approved. A time extension request must be received a minimum of one (1) month prior to expiry.

I hereby make application for a Development Permit under the provisions of the Town of Blackfalds Land Use Bylaw in force in accordance with the plans and supporting information submitted herewith and which form part of this application and will abide by all conditions of approval. By submitting this application I hereby allow right of entry for inspection purposes.

Permit Applicant Name(s): Association of Central Alberta Youth for Christ (Board Chair Dean DenOudsten)

Permit Applicant Signature(s): 

Landowner Name(s): Association of Central Alberta Youth for Christ (Board Chair Dean DenOudsten)

Landowner Signature(s):  (AMT)

BELOW FOR OFFICE USE ONLY

Lot: 370610 Block: _____ Plan: XVII Land Use District: C-1 Tax Roll #: 000660

Variance Requested (if applicable): MPC Development Officer DISC USE "similar use"

IF DEMOLITION PERMIT - COPIES SENT TO: Utility Department Tax Department

Development Permit Fee: (1-61-00-520)	\$ <u>150-</u>	MPC Date: <u>Tent Oct 22/24</u>
TOTAL:	\$ <u>150-</u>	SDAB Date: _____
		Notification Date: _____

Receipt #: 611389 Date Application Deemed Complete: _____

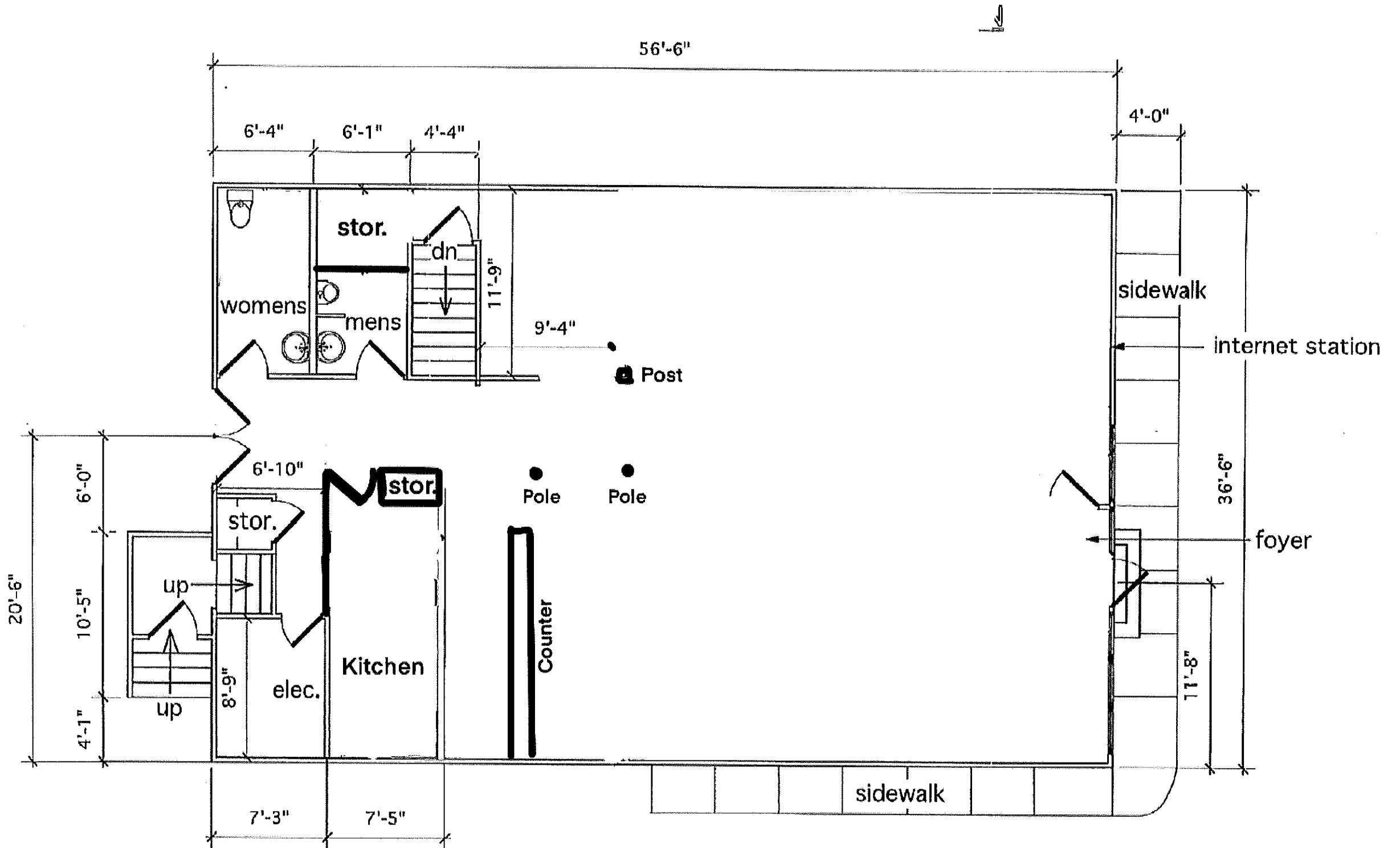


Permit 282-24

- Projecting Sign

Notification Addresses ★

Subject Property – 4911 Broadway Avenue ★



**TOWN OF BLACKFALDS
MUNICIPAL PLANNING COMMISSION MEETING
Tuesday, October 22, 2024**

TO: Municipal Planning Commission

PREPARED BY Billie Scott, Development Officer II

PRESENTED BY Billie Scott, Development Officer II

DEVELOPMENT: Development Permit 300-24

- Rear yard relaxation of 0.74m (74%) for proposed detached garage

ADDRESS: 42 Aurora Heights Boulevard (Lot 36, Block 7, Plan 142 1784)

ZONING: Residential Single Dwelling Small Lot District (R-1S)

SUMMARY:

The applicant has submitted a Development Permit application requesting a rear yard relaxation for a proposed detached garage due to irregular shaped lot. The Land Use Bylaw requires a setback of either 1.0m or 6.0m for garages. The applicant is seeking a relaxation to 1.74 m (74% of the required rear yard setback) instead of the 1.0 m.

This property is located in the Residential Single Dwelling Small Lot District (R-1S), which provides an area to accommodate a low-density residential development on small lots and other uses, which are compatible.

Administration supports this application.

BACKGROUND:

On July 29, 2024, the Planning Department issued Development 216-24 to the applicant approving a detached garage with the required minimum rear yard setback of 1.0 m. On September 25, 2024, the applicant submitted an application requesting a rear yard relaxation. The applicant informed us that at this time that he was preparing his property to start the build of the detached garage and had a surveyor prepare a site plan. Upon review of the site plan the applicant became aware that his lot was an irregular shape, and he would not be able to maintain the minimum required rear setback of 1.0 m.

As this relaxation being sought after is outside the 17% tolerance permitted by the Development Officer, the Municipal Planning Commission is the approving Authority.

This application has been referred to adjacent landowners for comment. To date no responses have been received.

POLICY:

Town of Blackfalds Land Use By-law 1268/22 and amendments thereto

- Section 2.2 – Development Authority and Decisions on Development Permit Applications
- Section 2.16 – Variances
- Section 3.20.10 – Vehicle Access Parking Space Standards
- Section 4.1.2 – Accessory Buildings in Residential Land Use Districts
- Section 6.3 – Residential Single Dwelling Small Lot District (R-1S)

ANALYSIS:

Administration has considered the requirements of the R-1S District of the Land Use Bylaw, has reviewed the application and is of the opinion the request for a rear yard relaxation due to an irregular shaped lot should be approved. The proposed Development would not unduly interfere with the amenities of the neighborhood or materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land.

Given the irregular shape of the lot, the applicant cannot meet the minimum 1.0 m setback but, with the requested relaxation, they can achieve it at the closest point. Additionally, the applicant is seeking a relaxation of 1.74 m from the 1.0 m setback, as moving the garage back to 6.0 m would eliminate any usable backyard space.

RECOMMENDATION:

That the Municipal Planning Commission APPROVE the application for relaxation of rear yard for the proposed detached garage as presented in Development Permit 300-24, located at 42 Aurora Heights Boulevard (Lot 36, Block 7, Plan 142 1784)) and subject to the following conditions being met to the satisfaction of the Development Officer:

CONDITIONS

1. The applicant shall ensure that the rear yard setback relaxation for the detached garage does not exceed 1.74 m.
2. Any changes to the approved application shall require a separate permit application.

General Development Conditions

3. The proposed development shall be undertaken and completed in accordance with the approved plans.
4. Approved accessory buildings shall consider the principal building appearance to ensure compatibility and incorporate similar exterior colours and materials.
5. The applicant is responsible for ensuring that no development or portion thereof shall be located over municipal lands, road rights-of-way or municipal easements.
6. An Accessory Building or Structure shall not be constructed over an Easement or right of way.

Ongoing Conditions:

7. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.
8. All off-street parking areas, where entered onto by a paved road, shall be hard surfaced as defined in the Land Use Bylaw in force.

NOTES

1. *The applicant is to provide any revised drawings clearly indicating any changes to the approved drawing set.*
2. *This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other Bylaw, orders and/or regulations affecting such development.*
3. *The requirements of the Land Use Bylaw or this approval does not exempt a person from compliance with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, provincial or federal statutes or regulations.*
4. *The Development Authority may, in accordance with the Land Use Bylaw in force and Part 17 of the Municipal Government Act (MGA), take such actions as necessary to ensure that the provisions are complied with.*

ALTERNATIVES

- A. Refer the application to administration to more information
- B. Deny the application, citing reasons for its refusal.



Billie Scott
Development Officer II

Attachments:

1. Development Permit Application;
2. Subject Property and Adjacent Landowner Referral Map;
3. Site Plan

RECEIVED
September 27, 2024

Development Permit #: 300-24

Application Date: Sept 25/24

To Be Completed By Applicant:

Do you have a Business License with the Town of Blackfalds? Yes No

Permit Being Applied for By: Land Owner Applicant/Contractor

Landowner Name(s): **Section 17(4)(g)(i)**

Mailing Address: 42 Aurora heights Blvd

City: Blackfalds Prov: AB Postal Code: **Section 17(1)**

Phone: **Section 17(1)** Alt Phone: _____

Email Address: **Section 17(1)**

Preferred Method of Correspondence: Email Mail Phone

(Same as Landowner)

Applicant/Contractor Name(s): _____

Mailing Address: _____

City: _____ Prov: _____ Postal Code: _____

Phone: _____ Alt Phone: _____

Email Address: _____

Preferred Method of Correspondence: Email Mail Phone

PROJECT INFORMATION

Proposed Land Use (*please note that one (1) Development Permit Application is required per lot / title):

SFD Deck (covered/uncovered) Addition Accessory Suite Accessory Building (garage/shed)

Duplex Four Plex Manufactured/Modular Home Demolition Moved In Building

Other: _____

Approximate Value of Development: \$ 30,000
(Building Materials and Labour)

Civic Address of Property to be Developed: 42 Aurora heights Blvd, Blackfalds, AB

Lot: 36 Block: 7 Plat: 1421284 Land Use District: R-15

Existing Land Use: _____

Number of Storeys: _____ Height (avg. from ground level to peak): _____

Lot Area: _____ Uncovered Deck Construction Included: If yes, size: _____ sq m sq ft

Total Parcel Coverage: _____ % (include any deck(s), garage(s) – attached or detached, accessory building(s), verandahs, etc.)

Yard Setbacks - Front Yard: _____ Left Side Yard: _____

Right Side Yard: _____ Rear Yard: _____

Number of off-street parking stalls: _____ (location and size must be shown in the site/plot plan)

Primary Building: sq. meters sq. feet

Main Floor: _____ Upper Floor: _____ Basement: _____ Attached Garage: _____

Accessory Building(s): sq. meters sq. feet

Shed: _____ Detached Garage: 24 x 24

Accessory Suite Information (if applicable): Existing Suite New Suite

Accessory Suite Total Floor Area: sq. meters sq. feet

Basement Floor (Accessory Suite): _____

Variance Required: Reason for variance: irregular shaped lot. setback of 1.75

Proposed Commencement Date: _____ Proposed Completion Date: _____

Is the property the subject of a license, permit, approval, or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission? Yes No

If yes, please describe: _____

Development Permit #: _____ Application Date: _____

Is the property the subject of the application the subject of a license, permit, approval, or other authorization granted by the Minister or granted under any Act the Minister is responsible for under s.16 of the Government Organization Act*? Yes No

If yes, please describe: _____

Is the subject property immediately adjacent to the County boundary? Yes No

If yes, please describe: _____

*The Minister is responsible for the following acts: AB Land Stewardship Act, Environmental Protection Act, Public Lands Act, Surveys Act, Water Act.

RESOURCES:

Water Act & Environmental Protection and Enhancement Act Approvals - Alberta Energy Regulator: <https://avw.alberta.ca/ApprovalViewer.aspx>
Historic Sites/Resources (requires an account) - Online Permitting and Clearance (OPAC): <https://www.opac.alberta.ca/Login.aspx>
Abandoned Wells - Abandoned Well Map Viewer: <https://extramapviewer.aer.ca/AERAbandonedWells/index.html>
Pipeline/Well Locations - Regulatory Assurance: <https://regulatoryassurance.alberta.ca/dras?id=public-notice>

Detailed description of work and/or intended use or occupancy of the building (Include extra paper if needed):

*Detached Garage originally approved on Permit 216-24/
survey shows irregular lot - need relaxation on lot setback
to 1.74m setback*

NOTES:

1. This Application constitutes part of the permit.
2. Every Development Application shall be completed and submitted in accordance with the Town of Blackfalds current Land Use Bylaw in force.
3. Failure to comply with this form fully and lack of the required information and plans may cause delays in processing this Development Application.
4. An Application for a Development Permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of receipt of the Application.
5. Any questions related to the collection and use of this permit information should be referred to the Planning and Development Department at 403.885.9679.

A DEVELOPMENT PERMIT COMES INTO EFFECT:

- a. if it is issued by the Development Authority, twenty-one (21) days after the date of decision.
- b. if it is issued by Town Council with respect to a development in a Direct Control District, upon the date of its issue, or
- c. if an appeal is made, on the date that the appeal is finally determined.

A development permit remains in effect for twelve (12) months from the date of its issue and thereafter is null and void unless an extension has been requested and approved. A time extension request must be received a minimum of one (1) month prior to expiry.

I hereby make application for a Development Permit under the provisions of the Town of Blackfalds current Land Use Bylaw in force in accordance with the plans and supporting information submitted herewith and which form part of this application and will abide by all conditions of approval. By submitting this application I hereby allow right of entry for inspection purposes.

Permit Applicant Name(s): **Section 17(4)(g)(i)**

Permit Applicant Signature(s) **Section 17(1)**

Landowner Name(s): _____

Landowner Signature(s): _____

FOR OFFICE USE ONLY

Lot: _____ Block: _____ Plan: _____ Land Use District: _____ Tax Roll #: _____

Variance Requested (if applicable): MPC Development Officer

IF DEMOLITION PERMIT - COPIES SENT TO: Utility Department Tax Department

Development Permit Fee: (1-61-00-520)	\$ _____	MPC Date: _____
TOTAL:	\$ 100.00	SDAB Date: _____
		Notification Date: _____

Receipt #: _____ Date Application Deemed Complete: _____

Personal information collected on this form will be used for issuance of permits, property assessment, and/or safety codes compliance monitoring and verification. This information is collected under the authority of the Municipal Government Act, the Safety Codes Act and the current Land Use Bylaw in force, as well as Section 33(c) of the Freedom of Information and Protection of Privacy Act and will be protected under Part 2 of the Act. Applicant names and the nature of permits issued may be made publicly available. Questions regarding the collection and/or use of this information may be directed to the Records Management & FOIP Coordinator at foip@blackfalds.com or by phone at 403.885.6370.



Permit -24

- Rear yard relaxation of 0.74m (74%) for proposed detached garage. Shown as 1.74m, should be 1.0m.

Subject Property – 42 Aurora Heights Blvd ★

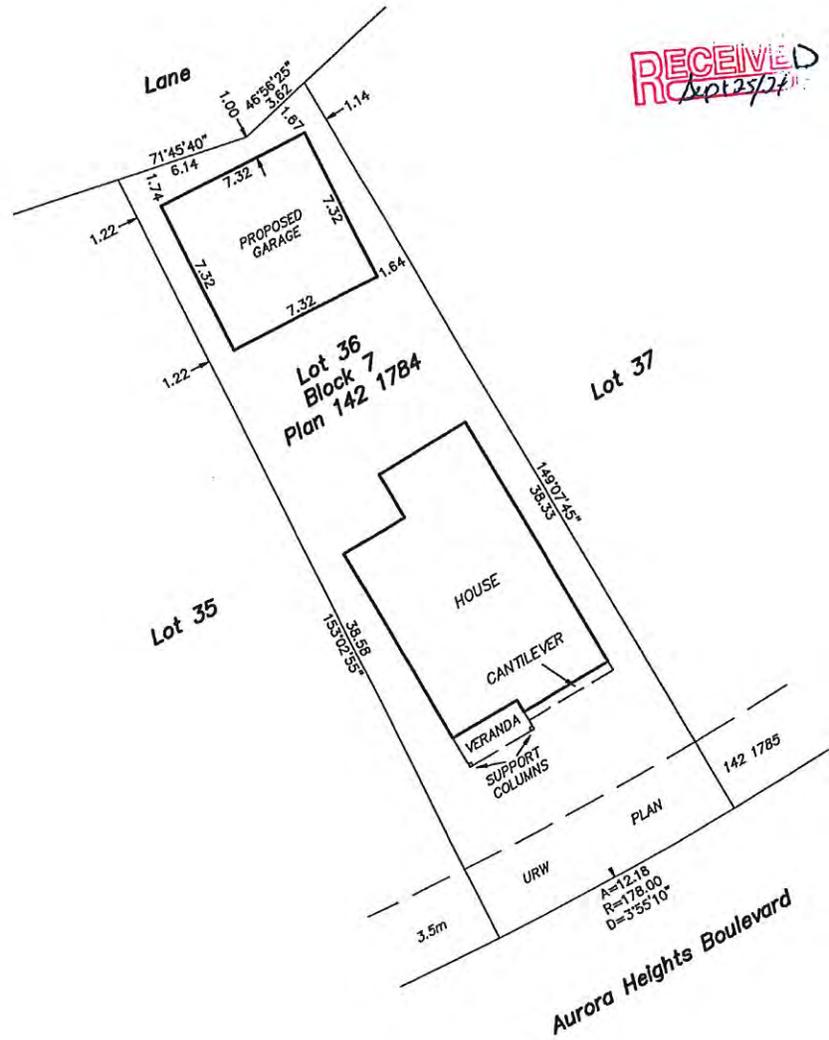
Notification Addresses ★

PLOT PLAN

300-24.



RECEIVED
Apt 25/24



<p>LEGAL DESCRIPTION</p> <p>Lot(s) <u>36</u> Block <u>7</u> Plan <u>142 1784</u></p> <p>CLIENT</p> <p><u>ETIENNE BERGERON</u></p> <p>MUNICIPAL ADDRESS</p> <p><u>#42 AURORA HEIGHTS BOULEVARD, BLACKFALDS, ALBERTA</u></p>	<p>Drawn By: EM Chk'd: MM</p> <p>Date: September 24th, 2024</p> <p>Scale: 1 : 250</p> <p>File No.: C-223-24 pp</p> <p>BEMOCO LAND SURVEYING LTD</p> <p>100, 6040-47th Avenue Red Deer, Alberta</p> <p>www.bemoco.com PHONE: 403-342-2611</p>
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