



TOWN OF COALDALE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

February 27, 2024

5:00 p.m.

Hearing No. DP 2024-002

APPELLANT / APPLICANT: Highlow Construction Ltd.

LIST OF EXHIBITS

- A. Notice of Hearing & Location Sketch Map
- B. List of Persons Notified & Circulation Map
- C. Letter of Appeal & Supporting Documentation
- D. Notice of Decision & Development Application No. 2024-002
- E. MPC Agenda Package including Development Permit Application
- F. Excerpts from Town of Coaldale Land Use Bylaw No. 677-P-04-13

NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Development Application DP 2024-002

Plan 191 1196; Block 11; Lot 10

(2014 30A Avenue, Coaldale AB)

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

**Municipal Planning Commission of the Town of Coaldale
with respect to DP 2024-002**

APPELLANT / APPLICANT: Highlow Construction Ltd.

**LEGAL DESCRIPTION:
(SUBJECT PROPERTY)** Plan 191 1196; Block 11; Lot 10

PROPOSAL: Covered Deck (Post-Construction Waiver)

DECISION: The requested waiver for minimum rear yard setback requirements specified in Development Application No. 2024-002 has been REFUSED by the Development Authority for the following reasons:

1. The setback variance is considered to be excessive and would unduly interfere with the amenities of the neighbourhood, and
2. The resulting structure is not consistent with maintaining the character of the Cottonwood Estates Area Structure Plan

LOCATION OF HEARING: **Council Chambers**
Civic Square
1801 20 Ave, Coaldale, Alberta

DATE OF HEARING: **February 27, 2024**

TIME OF HEARING: **5:00 P.M.**

PROCEDURES PRIOR TO THE HEARING:

1. **Provide Written Submissions** – the Appeal Board is encouraging all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, **NO LATER THAN NOON ON THE 21st DAY OF FEBRUARY 2024**, ideally in a PDF format. Contact the Clerk with your written submissions at:

Email: apclerk@coaldale.ca

Mail: Gerriane Timmerman, SDAB Clerk
PO Box 1236
Coaldale, AB T1M 1N1

If you are bringing information to the hearing for submission, you are required to supply 12 copies.

2. **Exhibit Viewing** – the initial appeal exhibit package will be posted on the Town of Coaldale website at coaldale.engage.civikit.com. Any additional submissions submitted up to February 21, 2024, will be posted to the website prior to the meeting.

DATE OF ISSUANCE: **February 9, 2024**

BOARD CLERK:



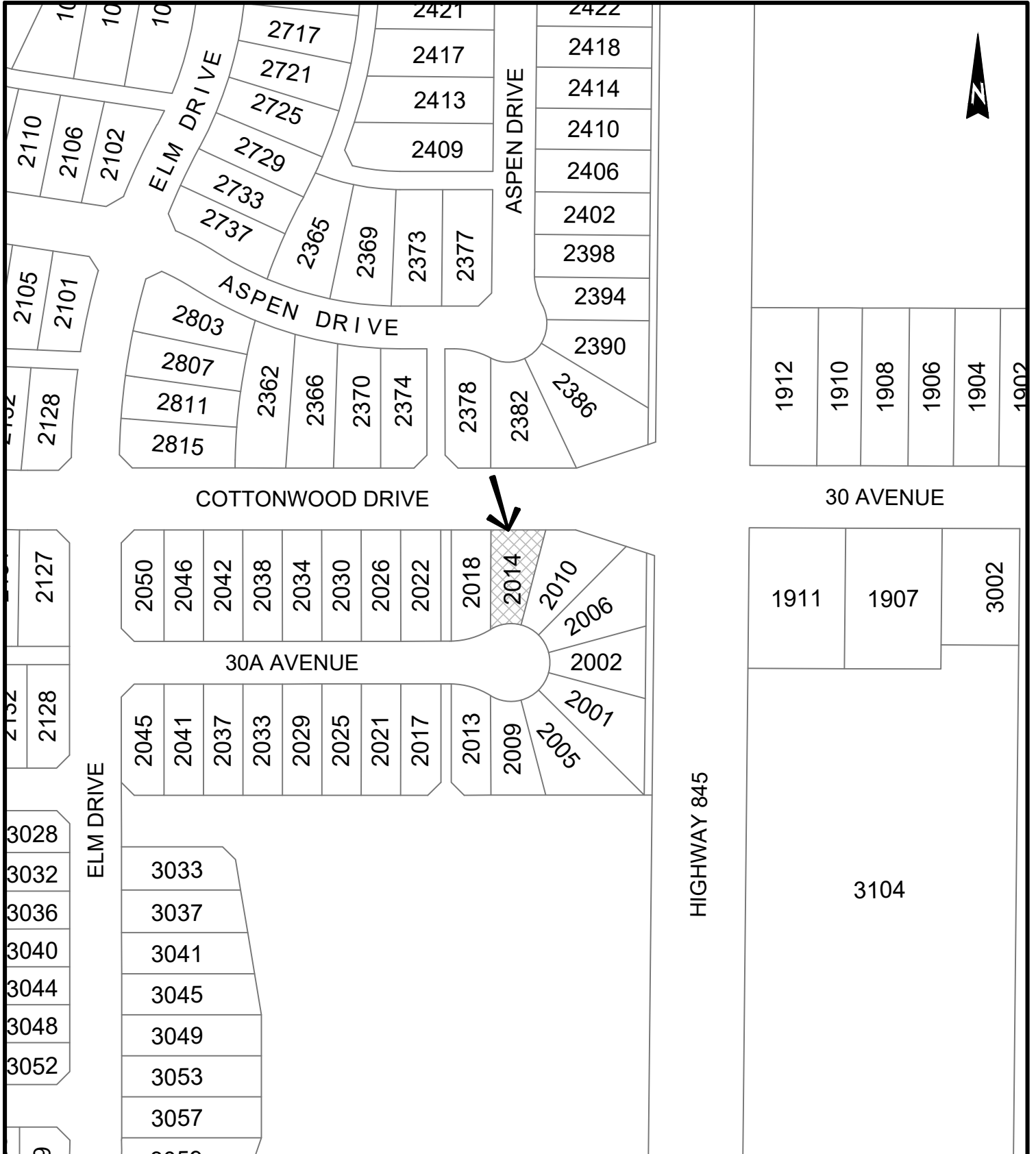
Gerriane Timmerman

TOWN OF COALDALE

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

LAND SUBJECT TO APPEAL HEARING DP 2024-002

2014 30A AVENUE



TOWN OF COALDALE SUBDIVISION & DEVELOPMENT APPEAL BOARD

Development Application No. DP 2024-002

List of Persons Notified

Municipality:

Cameron Mills,
Director of Growth & Investment

SDAB Members:

James Beaton
Bobby Gathercole
Jason Beekman

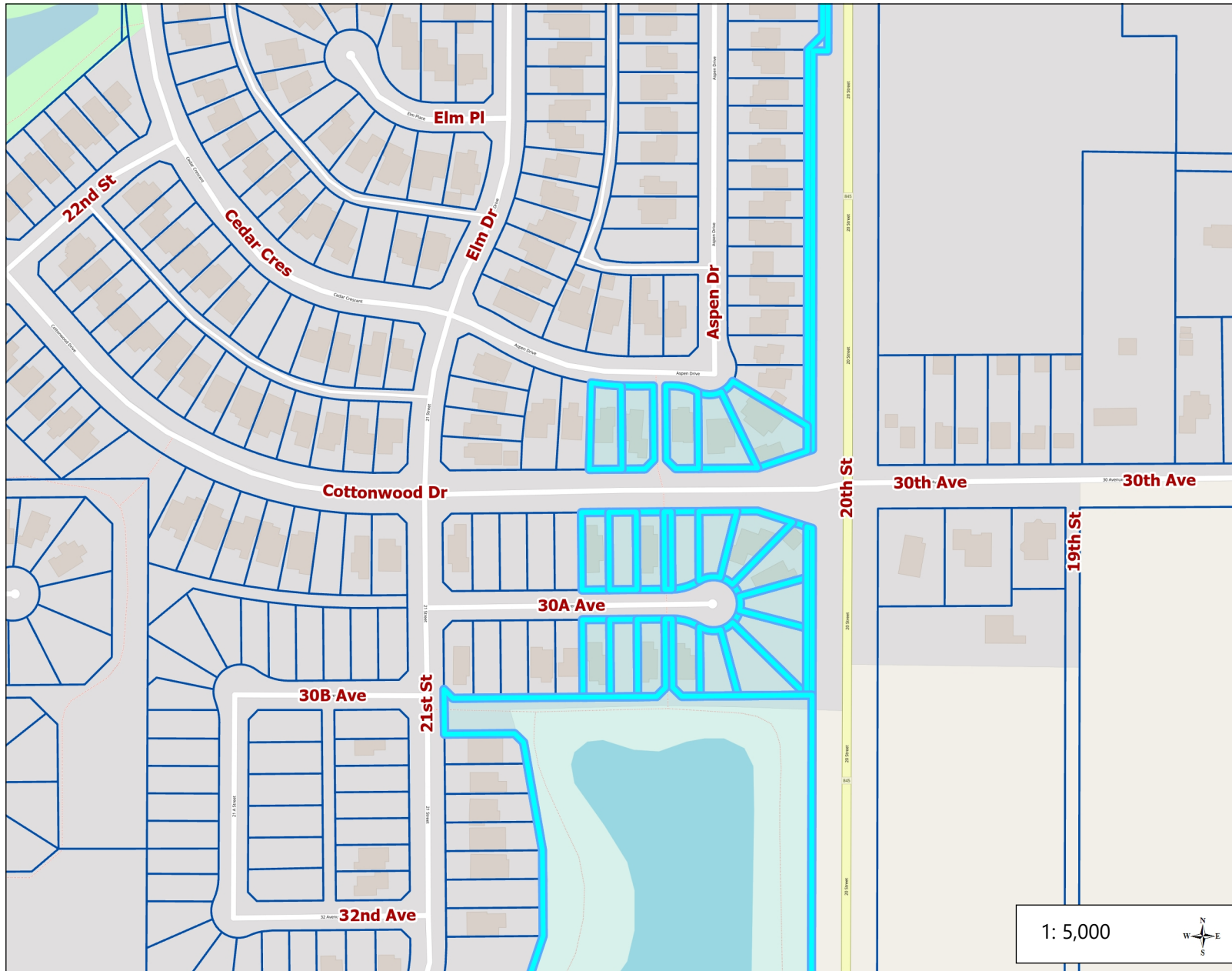
Appellant:

Highlow Construction Ltd.




Other Persons Notified:

324700 Alberta Ltd.
Blake Kempenaar
Bradley Fontaine
Brandon & Stacey Petite
Ciara & Kyle McNamara
Craig & Colette Citra
Cynthia Bester
Derek & Bailey Stimson
Elisabeth & Keith Harrison
Eric & Roxanne Erickson
Esveld Farms Inc.
Heather Bursaw
Jasher Homes and Construction Ltd.
Jay W. Codd
Jillian Hallworth
John & Beverley Cartman
Jordan M. Nishiguchi
Jordy & Jaime Metzger
Olympian Homes Master Builder Ltd.
Peter & Tristin Mercer
Wanda J. Hierath

DP 2024-002 - Circulation Map



Legend

- Town Boundary
- Symbols
 -  3
 -  845
- Road Labels
- Title Linework
-  Parcels

1: 5,000



0.3 0 0.13 0.3 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© OpenStreetMap contributors

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

© Town of Coaldale

Jan 31st 2024

Dear Municipal Planning Commission Coaldale

I am looking to appeal the decision to refuse the waiver request for 2014 30A ave Coaldale I can provide pictures if needed, but because the steps landing was built with a better space saving way than previously planned, I strongly feel you should reconsider. On the plans, the steps would have used up a lot of the backyard space as because the deck is so high up, the steps came out quite far. Now we built the steps in parallel, along the house which saves a lot of backyard space.

I understand now that I should have applied for a waiver before building it this way, but because this is the first house built by my company, we were not aware of this. That being said, the steps landing is high enough for a person to walk underneath, and not covered by the house like the rest of the deck is, it is just covered by the overhang. The whole house is covered by a 3ft overhang anyway. This step landing that says it is too far out, is actually only 3ft out also, so the roof overhangs got approved for 3ft, but why can't this step build out that's the same width, also be approved.

Best regards
Thank you
John Klassen
HighLow Construction Ltd
[REDACTED]



The house is fully completed now with steps going down the side of the house
This picture was from during construction



Town of Coaldale
#200, 1801 20th Avenue
PO Box 1236
Coaldale, AB
T1M 1N1
403-345-1300

OFFICIAL RECEIPT

HIGHLOW CONSTRUCTION LTD.



GST Reg. #: R108125717
Receipt #: 727753
Receipt Date: 2024/02/05
Page: 1 of 1
Received by: GT

Tax Codes: E=Exempt; T=Taxable; I=Included

Account #	Description	Reference	Tax Code	GST	Payment
	SUB. & DEV. APPEAL 2024-002		E	0.00	315.00
Tender Type & Description	Reference	Amount	TAX		
DD HIGHLOW CONSTRUCTION LTD.	510142563068	315.00		0.00	
			Total Amount Paid:	315.00	
			Tender Received:	315.00	
			Change Given:	0.00	

THANK YOU FOR YOUR PAYMENT



TOWN OF COALDALE
NOTICE OF DECISION ON A DEVELOPMENT PERMIT

Land Use Bylaw No. 677-P-04-13
Development Permit No. 2024-002

Applicant: Highlow Construction Ltd
[Redacted]

In Respect of Works Consisting of: Covered Deck (Post-Construction Waiver)

On land located at: **2014 30A Avenue, Coaldale AB**
Plan 191 1196; Block 11; Lot 10

Zoning: Residential – R-1A

The requested waiver for minimum rear yard setback requirements specified in Development Application No. 2024-002 has been **REFUSED** by the Development Authority for the following reasons:


1. The setback variance is considered to be excessive and would unduly interfere with the amenities of the neighbourhood, and
2. The resulting structure is not consistent with maintaining the character of the Cottonwood Estates Area Structure Plan

Date of Decision: January 17, 2024
By the **Municipal Planning Commission**

Notice of Decision Issued on: January 18, 2024

Development Permit Issued By: Hailey Winder, Senior Planner and Development Officer *on behalf of the Municipal Planning Commission (MPC).*

Signature:



Important Notes (see over)

IMPORTANT:

Notwithstanding the decision of refusal on the development permit application, the applicant or owner, or any neighbouring landowner that feels they are affected by the decision, may choose to appeal the decision:

- (a) within 21 days after the notice of the decision has been posted in accordance with Sec. 686(1) of the Municipal Government Act; or
- (b) until at least 14 days after notice of the decision, in accordance with Sec. 686(1) of the Municipal Government Act, which shall be presumed to be effective 7 days from the date of mailing if the document is mailed in accordance with the Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8

Any persons claiming to be affected by this decision have until the date specified above to appeal to the Secretary of the Subdivision and Development Appeal Board located at: Town of Coaldale, #200, 1801 20 Avenue, Coaldale, Alberta, T1M 1N1 (Mailing Address: PO Box 1236, Coaldale AB, T1M 1N1). Appeals must be submitted in writing and an appeal fee is applicable.



AGENDA

Municipal Planning Commission Meeting

5:00 PM - Wednesday, January 17, 2024

Main Floor Administrative Meeting Room, #100, 1801 - 20th Avenue, Coaldale

Page

- 1.0 CALL TO ORDER
- 2.0 ACCEPTANCE OF THE AGENDA
- 3.0 ADOPTION OF PREVIOUS MINUTES
 - 2 - 6 3.1 [Municipal Planning Commission - 13 Dec 2023 - Minutes - Pdf](#)
- 4.0 BUSINESS ARISING FROM THE MINUTES
- 5.0 NEW BUSINESS
 - 7 - 20 5.1 Development Application 2024-002 - 2014 30A Avenue - Hailey Winder, Senior Planner
 - [Development Application 2024-002 - Existing Deck \(variance\) - Pdf](#)
- 6.0 INFORMATION ITEMS
- 7.0 CLOSED MEETING
- 8.0 ADJOURNMENT



MINUTES

Municipal Planning Commission Meeting

5:00 PM - Wednesday, December 13, 2023
Council Chambers

The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, December 13, 2023, at 5:00 PM, in Council Chambers with the following members present:

PRESENT: Jack Van Rijn, Chairperson
Jacen Abrey, Vice Chairperson
Dale Pickering, Commission Member
Brad Calder, Commission Member
Anthony Van De Vendel, Commission Member

EXCUSED:

STAFF PRESENT: Cameron Mills, Director of Growth & Investment
Kyle Stone, Recording Secretary

GALLERY:

1.0 CALL TO ORDER

J. Van Rijn called the meeting to order at 5:00 P.M.

2.0 ACCEPTANCE OF THE AGENDA

3.0 ADOPTION OF PREVIOUS MINUTES

3.1 J. Van Rijn inquired whether there were any errors or omissions in the November 8, 2023 Minutes.

65-2023

Brad Calder moved to approve the November 8, 2023 Minutes.

CARRIED 5-0

4.0 BUSINESS ARISING FROM THE MINUTES

None.

5.0 NEW BUSINESS

5.1 January MPC Meeting

C. Mills asked if the Municipal Planning Commission would consider rescheduling the January 10, 2024 meeting to January 17, 2024.

66-2023

Jacen Abrey moved to reschedule the January 10, 2024 meeting to January 17, 2024.

CARRIED 5-0

5.02 Subdivision Application 2023-006 - Town of Coaldale - PUL Lots

C. Mills presented SUB 2023-006 where the applicant (the Town) is proposing to create two (2) Public Utility Lots being 0.220 ha (0.54 acres) and 0.185 ha (0.46 acres) in size, from four (4) existing titles, in order to accommodate the development of a rail spur line connecting the existing CPKC line with industrial operations within the North Industrial Area Structure Plan.

The lands subject to the subdivision application are designated Industry I. There is an existing shop on Block 3, Plan 831 1236, the Town of Coaldale shop facilities are located on Block 20, Plan 961 0938, and a small shop with industrial storage is located on Block 13, Plan 2835FJ. Lot 1, Block 2, Plan 061 1585 and Block 2, Plan 831 1236 are currently vacant.

The nature of the proposed lots is to provide for the installation of rail lines, and will be designated as public utility lots (PUL). Access to the proposed Lot 2 PUL, Block 2, Plan 831 1236 will be

maintained off of 18 Avenue, and access to Lot 2 PUL, Block 20, Plan 961 0938 is proposed through Block 20, Plan 961 0938 by way of an access ROW agreement.

Any utility ROWs and caveats registered on title will be required to be brought forward for registration on any newly created titles (as applicable).

The application is generally compliant with the Land Use Bylaw and Town Plan (MDP), and as such the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner, or both, enter into a Development Agreement with the Town of Coaldale which shall be registered concurrently with the final plan against the Title(s) being created.
3. That any easement(s) as required by utility companies and/or the municipality shall be established.
4. That any conditions of Alberta Transportation are met.
5. Consideration of adjacent landowners and referral agencies.

Reserve:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider requiring land, cash-in-lieu of land, or the deferment of the Municipal Reserve requirement by way of the execution of a deferred reserve caveat, to be placed on either the new lot to be created or the remainder of the subject parcel.

Pursuant to the Municipal Government Act (MGA) and the Matters Relating to the Subdivision and Development Regulation, notice of the application was circulated to external agencies and landowners 19 days prior to the scheduled meeting.

At the time of this report, no landowner submission had been received.

At the time of this report, the following referral agency comments have been received:

Telus Communications
No objection.

ATCO HP
No objection.

ATCO Gas
No objection.

Fortis Alberts
No easement is required.

- D. Pickering inquired about the existing shop on one of the parcels.
- C. Mills advised that the Town will subdivide the parcel so the building will remain.

67-2023

Dale Pickering moved to approve SUB 2023-006 subject to suggested conditions.

CARRIED 5-0

6.0 INFORMATION ITEMS

7.0 CLOSED MEETING

The public portion of the meeting was closed at 5:06 P.M.

8.0 ADJOURNMENT

68-2023

Jacen Abrey moved to adjourn the meeting at 5:06 P.M.

CARRIED 5-0

Jack Van Rijn – Chairperson

Kyley Stone – Recording Secretary

AGENDA ITEM REPORT



Title: Development Application 2024-002 - 2014 30A Avenue - Hailey Winder, Senior Planner

Report Type:

Report Author: Hailey Winder

Meeting: Municipal Planning Commission - 17 Jan 2024

Department: Municipal Planning Commission

Reviewed by Supervisor/Peer: Cameron Mills

TOPICS:

COMMITTEES & BOARDS:

Municipal Planning Commission

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application for a post-construction waiver for an existing covered deck on property legally described as Lot 10, Block 11, Plan 191 1196 (2014 30A Ave).

ANALYSIS:

The subject property is designated Residential R-1A, and is within the Cottonwood Estates ASP, and is occupied by a single-detached dwelling and improvements.

The history of the subject property is described as follows:

- On August 12, 2022, DP 2022-083 was issued to the applicant for the construction of a single-detached dwelling with an attached garage (see attachment). This application did not include any variance requests.
- In December 2023, the landowner/applicant applied for a compliance letter for the subject property. At this time, the Development Officer noted that the Real Property Report did not match the site plan that was approved as part of DP 2022-083, and that the covered deck was built within the minimum rear-yard setback requirement.
- On December 5, 2023, a Compliance Certificate was issued to the applicant noting the non-compliance.
- On December 13, 2023, Town Administration received an application for a variance to the minimum rear-yard setback requirements in order to bring the rear deck into compliance.

KEY CONSIDERATIONS:

Should the Municipal Planning Commission wish to consider approval of the post-construction waiver, the following conditions are suggested:

1. Must obtain **approval** of a Building Permit from Superior Safety Codes Inc (403) 320-0734.

2. Development shall conform to the site plan (Real Property Report), which was attached as part of the Development Permit application, and to the Land Use Bylaw No 677-P-04-13, Schedule 2, Residential R-1A.
3. The existing deck is **NOT** to be further enlarged or altered unless the necessary permits have been applied for and approved.
4. The development shall meet or exceed provincial building requirements.

STAKEHOLDER ENGAGEMENT:

Advertisement(s)

As per the MGA and the Town of Coaldale Land Use Bylaw, notification of the development application was circulated to neighbouring property owners within a 60-metre distance of the property in advance of the scheduled meeting.

At the time of this report no written comments or submissions have been received.

DECISION OPTIONS:

1. That the MPC APPROVE Development Permit 2024-002 with the suggested conditions.
2. That the MPC TABLE Development Application 2024-002 pending the receipt of further information.
3. That the MPC REFUSE Development Application 2024-002 with reasons.
4. That the MPC provide alternative direction to Administration.

RECOMMENDATION:

N/A

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Public Safety



2. Recreation



3. Service Excellence



4. Community Growth & Economic Prosperity



5. Relationships



6. Community Experience

ATTACHMENTS:

[DP 2024-002 - Application - 2014 30A Ave - Deck](#)

[DP 2024-002 - Notice to Neighbouring Landowners - Existing Structure](#)



TOWN OF COALDALE RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Date of Application: Aug 24 2022
~~Dec 13 2023~~

Estimated Start Date: Sept 2022

Estimated Value of Construction: 580,000

Development Permit Application No.	06955C 22 80079
Date Application Deemed Complete:	11/10/23
Development Application Fee:	\$3509. ⁰⁰

IMPORTANT NOTICE: This application **does not** permit you to commence construction until such time as a permit 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 (please print): Highlow construction ltd Phone (primary): [Redacted]

Mailing Address: [Redacted] Phone (alternate): [Redacted]

City/Town: [Redacted] Fax: [Redacted]

Postal Code: [Redacted] Email: [Redacted]

Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? Yes No
Sold Nov 30 2023 IF "NO" please complete box below

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

PROPERTY INFORMATION

Municipal Address: 2014 309 ave Coaldale

Legal Description: Lot(s) 10 Block 11 Plan 191 1196

Land Use District: Single Family

What is the existing use(s)? _____

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- Construct a new dwelling
 - The dwelling is a:
 - Single-unit dwelling
 - 2-unit dwelling
 - Multi-unit – please specify the number of dwelling units _____
 - Other apply for setback extension
- Alter/renovate the existing building
 - The renovation is a:
 - Addition
 - Deck(s)
 - Other _____
- Construct an accessory building / structure
 - The accessory building is a:
 - Garage (detached)
 - Shed/workshop
 - Other _____
- Moved-in dwelling
- Manufactured home (move-in or move-out)
- Demolish existing building (attach completed **Demolition Form**)
- Other

Describe the proposed use, any changes from existing use, and any work to be done (attach separate sheet if necessary).

Compliance letter does not comply. apply for exception.
Stairs are past the setback line

BUILDING REQUIREMENTS

	Principal Building		Accessory Building		Office Use
Parcel Size	<input type="checkbox"/> m ²	<input type="checkbox"/> ft ²	<input type="checkbox"/> m ²	<input type="checkbox"/> ft ²	
Building Size	<u>2165</u>	<input type="checkbox"/> m ²	<input checked="" type="checkbox"/> ft ²	<input type="checkbox"/> m ²	<input type="checkbox"/> ft ²
Height of Building	<u>28</u>	<input type="checkbox"/> m	<input checked="" type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Proposed Setbacks from Property Lines					
Front	<u>40</u>	<input type="checkbox"/> m	<input checked="" type="checkbox"/> ft	<input type="checkbox"/> m	<input type="checkbox"/> ft
Rear	<u>25</u>	<input type="checkbox"/> m	<input checked="" type="checkbox"/> ft	<input type="checkbox"/> m	<input type="checkbox"/> ft
Side	<u>5</u>	<input type="checkbox"/> m	<input checked="" type="checkbox"/> ft	<input type="checkbox"/> m	<input type="checkbox"/> ft
Side	<u>5</u>	<input type="checkbox"/> m	<input checked="" type="checkbox"/> ft	<input type="checkbox"/> m	<input type="checkbox"/> ft
Parcel Type: <input type="checkbox"/> Interior Lot <input type="checkbox"/> Corner Lot					

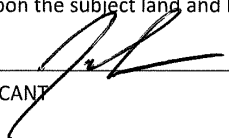
General Contractor Highlow Construction Electrical Contractor John Capatos
 Basement Contractor Lethbridge Basements Framing Contractor Berry
 Concrete Contractor Ka-bar concrete Plumbing Contractor Flushmasters Plumbing
 Other Contractor _____

**TOWN OF COALDALE
RESIDENTIAL DEVELOPMENT PERMIT APPLICATION**

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.

APPLICANT



Registered Owner (if not the same as applicant)

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- Copy of Site Plan.** Site plan shall provide the following information:
(May be provided on a survey plan or sketch)
 - Legal description and municipal address of subject property
 - Scale and north arrow
 - Adjacent roadways and lanes
 - Lot dimensions, lot area, and percentage of lot coverage for all structures
 - Existing residence and/or any other buildings with dimensions of foundation and projections including decks
 - Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
 - The proposed distances from the foundation of the building to the front, side, and rear property lines
 - Location of lot access, existing sidewalk(s) and curbs
 - Location of any registered utility right of ways or easements
 - Location and number of off-street parking spaces

- Copy of Building Plans.** Plans shall be to scale and contain the following information:
 - Scale and dimensions of exterior walls and interior rooms
 - Floor plan of all living space proposed to be developed
 - Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS (CONTINUED)

INFILL DEVELOPMENT:

Infill Development means the development or redevelopment of a vacant or partially developed parcel within an existing developed neighbourhood that was subdivided more than 25 years ago or within an existing developed neighbourhood that was subdivided more than 10 years ago and is more than 80% built out.

The following items shall be attached to all Development Permit Applications for infill developments.

- Existing and proposed grades for the lot to be developed
 - Existing grades for each adjacent lot
 - A basic nuisance mitigation strategy that addresses the minimization of dust, noise and other nuisances during the development
 - Location(s) for the stockpiling of materials to be moved through stripping and grading
 - The setbacks of existing developments on each adjacent lot (only necessary where a waiver is requested)
 - Measures to be taken to ensure surface drainage of properties and/or public right-of-way is not unduly affected during or after development
 - Any other information deemed necessary by the Development Authority
-
- If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.
 - Application fee payable to the Town of Coaldale.**

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the Town of Coaldale, the term "Development" includes the making of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. In accordance with Part 5, Schedule 4, a grade plan is required for development in all zoning districts.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the provincial building requirements.
6. Any development carried out prior to the effective date of the appropriate Development Permit is done solely at the risk of the applicant and/or landowner.

ADDITIONAL INFORMATION:

In addition to the above requirements, the Designated Officer may also require:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Landscape information and/or plans where landscaping is required by the Land Use Bylaw.
3. Additional plans and information may be required and requested due to the nature and magnitude of a proposed development of use.
4. Development drawings that include foundation and floor plans showing all occupancies and uses, elevations, cross sections, height by metres and the number of storeys.

Please note: Review of a Development proposal may be delayed if the form and/or additional information provided is incomplete.

FOIP Notification: Your name, home phone number, home address and postal code are collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. This information will be used in the administration of Town of Coaldale programs. If you have any questions about this collection, contact the FOIP Coordinator, Town of Coaldale, 1920-17th Street, T1M 1M1 or 403-345-1300.

Alberta Land Surveyor's Real Property Report

ALBERTA LAND SURVEYOR'S CERTIFICATION

I hereby certify that this Report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association's Manual of Standard Practice and supplements thereto. Accordingly, within those standards and as of the date of this Report, I am of the opinion that:

1. The plan illustrates the boundaries of the property, the improvements as defined in Part D Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, and registered easements, and rights-of-way, affecting the extent of the title to the property:
2. The Improvements are entirely within the boundaries of the Property, **unless otherwise shown**.
3. No visible encroachments exist on the property from any improvements situated on an adjoining property, **unless otherwise shown**.
4. No visible encroachments exist on registered easements or rights of way affecting the extent of property, **unless otherwise shown**.

PURPOSE OF REPORT

This Report and related plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a submittal to the municipality for a compliance certificate. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements, and utility rights of way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report.

The attached plan should not be used to establish boundaries (e.g.: for fencing) because of the risk of misinterpretation or measurement error by the user.

The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements because subsequent development changes on the property will not be reflected on the Report.

Dated at Lethbridge, Alberta
this 10th day of July, 2023




Bruce A. Barnett, A.L.S.
(copyright reserved)

This document is not valid unless it bears the original signature (in blue ink) of an Alberta Land Surveyor and a Martin Geomatic Consultants Ltd. permit stamp (in red ink).

MARTIN GEOMATIC CONSULTANTS LTD.

ALBERTA LAND SURVEYORS
255 - 31st Street North
Lethbridge, Alberta
Phone: 329-0050 Fax: 329-6594
E-mail: geomart@mgcl.ca

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

DESCRIPTION OF PROPERTY

Lot 10
Block 11
Plan 191 1196
C. of T. 231 014 927

MUNICIPAL ADDRESS

2014 - 30 A Avenue

Coaldale, Alberta

Date of Survey: June 22, 2023

Date of Title Search: July 7, 2023

MARTIN GEOMATIC CONSULTANTS LTD.

ALBERTA LAND SURVEYORS
255 - 31st Street North
Lethbridge, Alberta
Phone: 329-0050 Fax: 329-6594
E-mail: geomart@mgcl.ca



Town of Coaldale
#200, 1801 20th Avenue
PO Box 1236
Coaldale, AB
T1M 1N1
403-345-1300

OFFICIAL RECEIPT

HIGHLOW CONSTRUCTION LTD.



GST Reg. #: R108125717
Receipt #: 720245
Receipt Date: 2023/12/14
Page: 1 of 1
Received by: KS

Tax Codes: E=Exempt; T=Taxable; I=Included

Account #	Description	Reference	Tax Code	GST	Payment
	Dev Permit-10% MDA Fees Post		E	0.00	1,000.00
	DEV PERMIT-2014 30A AVE		E	0.00	50.00

Tender Type & Description	Reference	Amount	TAX	
DD HIGHLOW CONSTRUCTION LTD.	006026	1,050.00		0.00
Total Amount Paid:				1,050.00
Tender Received:				1,050.00
Change Given:				0.00

THANK YOU FOR YOUR PAYMENT



January 2, 2024

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2024-002

APPLICANT: HIGHLOW CONSTRUCTION LTD

**ADDRESS: 2014 30A AVENUE, COALDALE AB
PLAN 191 1196; BLOCK 11; LOT 10**

ZONING: RESIDENTIAL R-1A

Dear Sir/Madam,

We are in receipt of Development Application #2024-002 to review an application requesting a post-construction waiver to the minimum year-yard setback for a covered-deck at the subject property (2014 30A Avenue).

Within the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A attached, covered decks must conform to the minimum setback requirements for the principle building (dwelling). The minimum rear-yard setback is 25 ft, whereas the existing deck is located 21.4 ft. from the rear-yard property line, amounting to a 3.6 ft. variance.

Pursuant to the provisions of Section 42 of the Bylaw 677-P-04-13 being the Land Use Bylaw of the Town of Coaldale, notice is hereby given that the application will be considered and decided upon by the Municipal Planning commission (MPC) at the **Regular Meeting on January 17, 2024 at 5:00 pm in Council Chambers (1801 20th Avenue).**

The full agenda will be posted on our website by January 12, 2024 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>. However, if you wish to view the details of this application prior to that date please contact the Town by email or phone at hailey.winder@coaldale.ca or 403 345-1313 and a copy of the application can be sent to you digitally.

Any comments you wish to make concerning the application can be submitted by mail or by email to the Town of Coaldale up to and including the date of the meeting, or may be given verbally at the meeting. It is encouraged that any submissions be forwarded by 4:00pm on **Wednesday, January 17, 2024**. Comments for the application can be dropped off in person at the Town Office, faxed to 403-345-1311 or emailed to hailey.winder@coaldale.ca. **Please note that all submissions will be made public.**

Sincerely,

Hailey Winder RPP, MCIP
Senior Planner & Development Officer

cc. Applicant

Site Location



RESIDENTIAL – R-1A



Purpose:

To provide for a high-quality residential environment with the development of primarily single-detached dwellings on standard-sized lots or semi-detached dwellings development and other compatible uses. Development is to occur on standard-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
 - Semi-Detached - Pre-Planned¹
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Public or Private Utility
- Sign Types³: 2, 4, 5⁴, 12

- Notes:**
- 1 – Semi-Detached Dwelling – Pre-Planned** means a semi-detached dwelling or a proposed semi-detached dwelling that **would** be located on a site designated for that purpose in an adopted Statutory Plan.
 - 2 – Semi-Detached Dwelling – Isolated** means a semi-detached dwelling or proposed semi-detached dwelling that would be located on a site **not** designated for that purpose in an adopted Statutory Plan.
 - 3 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.**
 - 4 – See Schedule 13, subsection 8(5)(i)** for restrictions on freestanding signs in residential districts.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Single-detached manufactured dwellings
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use*

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	15.24	50	33.53	110	511.00	5,500
Semi-Detached Dwellings (for each side)	10.67	35	33.53	110	357.76	3,850
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- The Designated Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.
- Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage of 6 m (19.68 ft.).

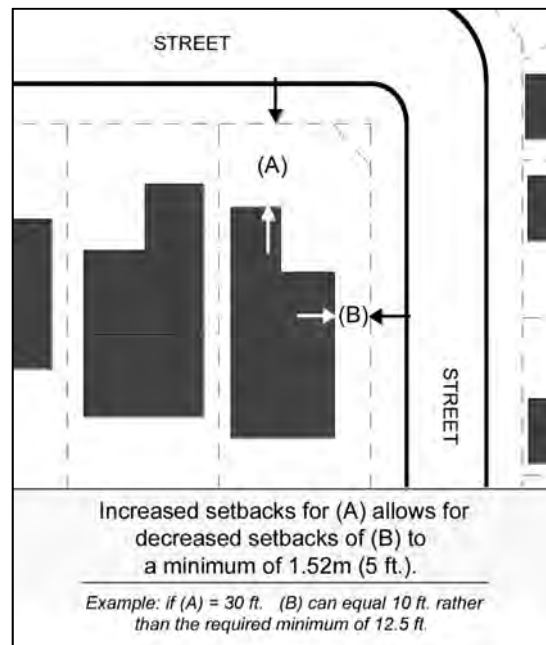
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	7.62	25	3.81*	12.5*	1.52	5	7.62	25
Semi-Detached Dwellings (for each side)	7.62	25	3.81*	12.5*	1.52	5	7.62	25
All other uses	As required by the Designated Officer or Municipal Planning Commission							

Note: Measurements are from the respective property line to the nearest point of the building.

MINIMUM YARD SETBACKS FOR A CORNER LOT

*The required secondary front yard distance on a corner lot may be reduced by 0.15 m (0.5 ft.) for each 0.3 m (1 ft.) that the front yard setback is increased, providing the resulting secondary front yard setback is never less than 1.52 m (5 ft.). (see diagram)



4. MAXIMUM SITE COVERAGE

- (a) **Total allowable coverage:** 45% inclusive of all buildings
- (b) **Principal building:** 35 - 45% depending on accessory building(s)
The principal dwelling shall not occupy more than 45 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.
- (c) **Accessory buildings:** 0 - 10% depending on principal building
The combined total of all accessory buildings, including detached garages, shall be no more than 10 percent of the surface area of the lot, or less, depending on the total lot coverage of the principal building.
- (d) Other development shall be at the discretion of the Development Authority.

5. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	74.32 m ² (800 ft ²)
Semi-Detached Dwellings (both units)	130.06 m ² (1,400 ft ²)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*Total floor area of all floors as measured by floors above grade or floors not more than 1.5 m (5 ft.) below grade.

6. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
Accessory Buildings	4.57 m (15 ft.)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*See definition for Building Height.

7. DRAINAGE

- (a) All dwellings and accessory structures must have eaves and downspouts, proper site grading and all surface drainage must be contained on-site and directed into approved municipal infrastructure.

8. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (a) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots and laneless corner lots	See (f) and (g) below.				0.90	3	0.90	3
– laned corner lots	Same as principal		3.05	10	0.90	3	0.90	3

All other uses

As required by the Designated Officer or Municipal Planning Commission

Note: Measurements are from the respective property line to the nearest point of the building.

- (b) No accessory building or use shall be allowed on a lot without an approved principal building or use.
- (c) Accessory structures and uses not specifically included within a development permit require a separate development permit application.
- (d) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (e) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (f) Accessory buildings shall not be located in the front yard.
- (g) Accessory buildings shall not be located in a side yard between the property line and a principal building.
- (h) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other structure or dwelling.
- (i) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (j) A minimum separation distance of 1.22 m (4 ft.) shall be provided between a principal building and any accessory building or structure.

9. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

- (a) The overhanging eaves of a principal building shall not be less than 0.61 m (2 ft.) from the side lot line.

10. ARCHITECTURAL CONTROL APPROVAL

- (a) Development permits may require developer's Architectural Control review and approval PRIOR to a development permit being issued.

11. PREPLANNED OR COMPREHENSIVE DEVELOPMENTS

Applications for preplanned or comprehensive Developments or Subdivisions should be accompanied by:

- (a) **Development Concept** – A graphic rendering of the project together with a brief written summary of the concept and purpose of the development;
- (b) **Site Plans and Drawings** – Site plans, drawn to an appropriate scale, should be submitted in duplicate. Among other things, they should indicate: dimensions of all existing and proposed lots, existing and proposed roadways and public areas, parking stalls, the location of adjoining parcels and other details needed to describe the proposal;
- (c) **Topographic Details** – Topography of the site, including one metre or one-half metre contours should be provided either on the site plan or on a separate drawing;
- (d) **Contouring and Drainage** – Any proposed cutting and filling or other contouring of the site should be shown on a separate site plan. Proposed drainage of surface runoff should be detailed either on this plan or the main site plan;

- (e) **Roadways and Access** – All existing and proposed public roadways, such as streets, lanes and walkways should be shown and should include the proposed width of each as well as linkages to existing public roads;
- (f) **Development Specifications** – Specifications of the actual development should include such items as: minimum setbacks of all existing or proposed structures from lot boundaries, location, dimension and capacity of parking, driveway access points, approximate location of buildings on each lot, height of structures, etc.;
- (g) **Services and Utilities** – Information on all utilities that will be provided to the site including details pertaining to road construction, sidewalks, curb and gutter, water supply, storm sewer, sanitary sewage disposal and solid waste disposal;
- (h) **Staging of Development** – Proposed staging if the proposed Subdivision or Development will be completed in two (2) or more phases. This should be described together with the purpose of the proposed staging;
- (i) **Architectural Controls** – Any design standards such as type of roofing, building colours, siting of buildings, fencing, etc. to be complied with;
- (j) **Other Information** – And any other information that may be required by the Development Authority to make a recommendation.

12. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
13. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
14. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
15. HOME OCCUPATIONS	– SCHEDULE 7
16. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
17. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

