



Municipality of Crowsnest Pass
Municipal Planning Commission Minutes

Wednesday, March 22, 2023, at 2:00 PM

PRESENT: Justin Ames, Chair
Gaston Aubin, Vice Chair
Dave Filipuzzi, Member
Kevin Bergeron, Member
Don Montalbetti, Member
Sam Silverstone, Member
Dean Ward, Member

ADMINISTRATIVE: Katherine Mertz, Development Officer
Kim Kozak, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Ryan Dyck, ORRSC
Sasha Lassey, Recording Secretary

ABSENT:

1. CALL TO ORDER

Meeting called to order at 2:00 p.m. by Justin Ames.

2. ADOPT AGENDA

2.1 Additions/Deletions

Additions: **9.1 Roundtable Discussion – Land Use Bylaw Amendment Omnibus 3**
9.2 Roundtable Discussion – Update on DP2022-197

MOTION by Dean Ward to accept the agenda as amended.

CARRIED

3. CONSENT AGENDA

4. ADOPTION OF MINUTES

4.1 Regular Meeting (February 22, 2023)

***MOTION** by Don Montalbetti to adopt the minutes of February 22, 2023, as presented.*

CARRIED

5. SUBDIVISION APPLICATIONS

6. DEVELOPMENT PERMIT APPLICATIONS

6.1 DP2022-072 - 5286 19 Avenue, Coleman (Lot 10 Block 2 Plan 2211401)

MOTION by Don Montalbetti to:

Refuse DP2022-072, for a "Home Occupation Class 2" (discretionary use) (TIG Contracting Ltd.), with variances for the number of outside employees and to allow outdoor storage of Heavy Vehicles and Equipment related to the Construction Industry, with conditions as identified by Alternative A in the MPC request for decision package for the following reason:

The application does not meet the requirements of the current Land Use Bylaw.

DEFEATED

MOTION by Dean Ward to:

Approve DP2022-072, for a "Home Occupation Class 2" (discretionary use) (TIG Contracting Ltd.), with variances for the number of outside employees and to allow outdoor storage of Heavy Vehicles and Equipment related to the Construction Industry, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 DP2022-191 - 101 Southmore Drive, Blairmore (Lot 44 Block 1 Plan 0812254)

MOTION by Kevin Bergeron to:

Approve DP2022-191, to construct a "Secondary Suite" (54m² stand-alone building) (discretionary use) with a 51% variance to the building height and a 100% variance to the rear yard setback, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.3 DP2023-003 - 20618 23 Avenue, Bellevue (Lot 13 Block 17 Plan 8111830)

MOTION by Dean Ward to:

Approve DP2023-003, for a "Single-Family Dwelling" (balcony addition in the front yard and west side yard) (permitted use), with a variance to the west side yard setback, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.4 DP2023-014 - 13338 15 Avenue, Blairmore (Lot 17 Block 18 Plan 2110534)

MOTION by Dave Filipuzzi to:

Approve DP2023-014, for a "Secondary Suite" (82m²) inside an Accessory Building (discretionary use) with variances to the building heights by 82%, floor area by 71%, and lot coverage by 20%, with conditions as identified by Alternative A in the MPC request for decision package.

DEFEATED

MOTION by Don Montalbetti to:

Refuse DP2023-014, for a "Secondary Suite" (82m²) inside an Accessory Building (discretionary use) with variances to the building heights by 82%, floor area by 71%, and lot coverage by 20%, with conditions as identified by Alternative A in the MPC request for decision package for the following reason:

The proposed Secondary Suite is too large for the size of the existing principal Single-family Dwelling. The Land Use Bylaw restricts the Municipal Planning Commission's variance authority for the floor area of a Secondary Suite to 10% - the applicant is requesting a 71% variance.

CARRIED

6.5 DP2023-025 - 1714 117 Street, Blairmore (Lot 7 Block A Plan 2703GY)

MOTION by Dean Ward to:

Approve DP2023-025, for an "Accessory Building" over 72.93m² in area (95m² Detached Garage) (discretionary use) with a variance to the South side yard setback by 24%, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.6 DP2023-027 - 8122 26 Avenue, Coleman (Lot 5 Block 8A Plan 8211078)

MOTION by Don Montalbetti to:

Refuse DP2023-027, for an 8% variance to the maximum coverage of an existing Single-Family Dwelling, and a "Secondary Suite" (discretionary use) created within the existing two-story Single-Family Dwelling, with a variance to the maximum floor area of the Secondary Suite of 66%, with conditions as identified by Alternative A in the MPC request for decision package for the following reasons:

1. *The variance request for the maximum floor area of the Secondary Suite exceeds 10% and the Land Use Bylaw prohibits the Municipal Planning Commission from exceeding this percentage when a variance is approved.*
2. *Section 3.6 of Schedule 18 re. Tourist Homes read together with section 1.3 of Schedule 15 re. Secondary Suites is understood to prohibit the operation of a Secondary Suite together with a Tourist Home.*

CARRIED

2:49 PM Donald Montalbetti recused himself from the next agenda item due to a pecuniary interest.

6.7 DP2023-029 - 1313 20 Avenue, Blairmore (Lot 15-19 Block 7 Plan 2437BS)

MOTION by Kevin Bergeron to:

Approve DP2023-029, for a Temporary Development Permit for a "Temporary Storage Yard" (including a moveable accessory building (Shed), boat, trailer, and Recreational Vehicle (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package and add to the conditions as follows:

3. This development permit shall be a temporary development permit allowing for the "Temporary Storage" of an accessory building (shed), boat, trailer and one Recreational

Vehicle, pursuant to Administration s. 17 in the Land Use Bylaw, and the period for which it shall be valid and during which the use may be operated shall be five years from the date of issuance of the development permit or immediately upon the completion of construction of a principal building, whichever comes first. **Please note: Where activities approved under this development permit need to continue beyond the time period for which this development permit is valid, a new development permit application will be required to consider an extension of the timelines. Failure to comply with this condition of following the development permit expiry date or receiving an extension of the expiry date will result in the security deposit being forfeited.**

CARRIED

2:55 pm Donald Montalbetti returned to the meeting.

6.8 DP2023-030 - 11321 21 Avenue, Blairmore (Lot 9-12 Block 20 Plan 2347BS)

MOTION by Don Montalbetti to:

Approve DP2023-030, for a "Secondary Suite" 64m² (inside a Single-Family Dwelling) (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.9 DP2023-031 - 12714 21 Avenue, Blairmore (Lot 16-17 Block 1 Plan 3319I)

MOTION by Kevin Bergeron to:

Approve DP2023-031, for an "Accessory Building" over 72.93m² in area (Detached Garage) (discretionary use) with a variance to the building height by 16% and the site coverage by 18%, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.10 DP2023-036 - 13437 20 Avenue, Blairmore (Lot 7-10 Block 8 Plan 3319I)

MOTION by Gaston Aubin to:

Approve DP2023-036, For a "Mixed-Use Development" (discretionary use) including the main floor "Office", one lower-level residential unit, one main floor residential unit, two upper-level residential units, and the carriage house development as a detached building containing two residential units with an 89% variance to the

height (for the carriage house), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

3:12 pm Justin Ames recused himself from the next agenda item due to a pecuniary interest. Gaston Aubin assumed the chair.

6.11 DP2023-037 - 22726, 22734, 22738 8 Avenue, Hillcrest (Lot 10-13 Block 34 Plan 5150S)

MOTION by Kevin Bergeron to:

Approve DP2023-037, for a Temporary Development Permit for a "Third-Party Sign" (discretionary use) with a variance to the sign area, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.12 DP2023-038 - 22726, 22734, 22738 8 Avenue, Hillcrest (Lot 10-13 Block 34 Plan 5150S)

MOTION by Dean Ward to:

Approve DP2023-038, for a Temporary Development Permit for "Temporary Storage Yard" (including a moveable accessory building (Shed) (discretionary use). Also see DP2023-037 Third-Party Sign, with conditions as identified by Alternative A in the MPC request for decision package and add to the conditions as follows:

1. This development permit shall be a temporary development permit allowing for the "Temporary Storage" of an accessory building (Shed), building materials, and construction vehicles / trailers, pursuant to Administration s. 17 in the Land Use Bylaw, and the period for which it shall be valid and during which the use may be operated shall be five years from the date of issuance of the development permit or immediately upon the completion of construction of a principal building, whichever comes first. **Please note: Where activities approved under this development permit need to continue beyond the time period for which this development permit is valid, a new development permit application will be required to consider an extension of the timelines. Failure to comply with this condition of following the development permit expiry date or receiving an extension of the expiry date will result in the security deposit being forfeited.**

CARRIED

3:16 pm Justin Ames returned to the meeting.

6.13 DP2023-040 - 12919 20 Avenue, Blairmore (Lot 4-5 Block 3 Plan 3319I)

MOTION by Gaston Aubin to:

Approve DP2023-040, to operate a "Fitness Centre" (Yoga Studio with an associated retail area) (discretionary use) in an existing building, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.14 DP2023-051 - 3006 226 Street, Bellevue (Lot 8 Block 2 Plan 0714739)

MOTION by Dave Filipuzzi to:

Approve DP2023-051, for a "Home Occupation - Class 2" (Food Preparation and Sales) (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.15 DP2023-TH002 - 13509 20 Avenue, Blairmore (Lot 7-8 Block 1 Plan 2897R)

MOTION by Dean Ward to:

Approve DP2023-TH002, to operate a "Short-Term Rental / Bed & Breakfast" (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.16 DP2023-TH004 - 20526 24 Avenue, Bellevue (Lot 2 Block N/A Plan 9033GM)

MOTION by Dean Ward to:

Approve DP2023-TH004, to operate a "Tourist Home" (discretionary use), but deny the 33% variance request for the size of the sign, with conditions as identified by Alternative A in the MPC request for decision package and add to the conditions as follows:

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Condition 2 Table:

TOURIST HOME – STANDARDS	PROPOSED	VARIANCE APPROVED
Minimum separation distance between Tourist Homes – 200m	Greater than 200m	N/A (The Development Authority cannot approve a variance)
# of off-street parking stalls (1 stall per 4 guests) – required: 2 stalls	4 stalls	N/A (The Development Authority cannot approve a variance)
# of Guests Per Bedroom - Maximum two guests per bedroom	3 bedrooms + 1 Bonus Room Max 2 guests per bedroom	N/A (The Development Authority cannot approve a variance)
Maximum Occupancy - Maximum of 6 guests over the age of two in the Residential R-1 district	6 guests	N/A (The Development Authority cannot approve a variance)
Maximum Number of Rental Units - Maximum one	1	N/A (The Development Authority cannot approve a variance)
Sign – one sign is required, between 0.18m ² and 0.72m ² in sign area, not exceeding 1.5m in height, and located in the front yard	2 - 0.12m ² signs "Casa Leroux Parking"	DENIED 0.06m ² or 33% less than minimum size standard. 2 signs instead of 1 to identify parking area.

Condition

6. The landowner shall submit for the review of the Development Officer a proposed sign design and location, and if approved, shall install and maintain for the lifetime of the Short-Term Rental / Bed & Breakfast, Tourist Home operation one wall sign or freestanding sign between 0.18m² (3ft²) and 0.72m² (8ft²), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public ("the approved sign").

CARRIED

6.17 DP2023-TH005 - Unit 57 801 232 Street, Hillcrest (Lot 2 Block A Plan 7811285)

MOTION by Don Montalbetti to:

Refuse DP2023-TH005, to operate a "Tourist Home" (discretionary use) with a variance to the parking standard (allow tandem parking), with conditions as identified by Alternative A in the MPC request for decision package for the following reason:

The application does not meet the requirements of the current Land Use Bylaw with regards to tandem parking.

DEFEATED

MOTION by Dean Ward to:

Approve DP2023-TH005, to operate a "Tourist Home" (discretionary use) with a variance to the parking standard (allow tandem parking), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

3:44 pm Justin Ames called a short recess.

3:48 pm Justin Ames reconvened the meeting.

7. BYLAW AMENDMENTS

7.1 Bylaw 1142, 2023 - Schedule A

7.2 Bylaw 1143, 2023 - Schedule A

7.3 Bylaw 1144, 2023 - Schedule A

7.4 Bylaw 1145, 2023 - Schedule A

7.5 Bylaw 1146, 2023 - Schedule A

MOTION by Kevin Bergeron to accept the Bylaw Amendments as information.

CARRIED

8. APPEALS

Katherine Mertz updated the committee on the appeal hearing held on February 22, 2023.

9. ROUND TABLE DISCUSSION

9.1 Land Use Bylaw Amendment Omnibus 3

Johan van der Bank updated the committee on land use bylaw amendment Omnibus 3 and requested the delegation of a sub-committee to assist Administration in the development of the amendment.

MOTION by Dave Filipuzzi that Justin Ames, Don Montalbetti and Dean Ward, with Gaston Aubin as an alternate, serve as a sub-committee delegated to work with Administration on the development of the land use bylaw amendment Omnibus No. 3.

CARRIED

9.2 Update on DP2022-197

Katherine Mertz updated the committee on the status of DP2022-197.

10. NEXT MEETING

The next meeting is scheduled for April 26, 2022 @ 2:00 pm.

MOTION by Justin Ames to close the meeting to the public for Agenda Item 11 as per Section 197, Intergovernmental relations at 4:02 pm.

Those present: Justin Ames, Gaston Aubin, Kevin Bergeron, Gaston Aubin, Sam Silverstone, Dean Ward, Dave Filipuzzi

CARRIED

Johan van der Bank, Kim Kozak, Katherine Mertz, Ryan Dyk and Sasha Lassey left the meeting.

11. IN CAMERA

MOTION by Dean Ward to open the meeting to the public at 4:08 pm.

CARRIED

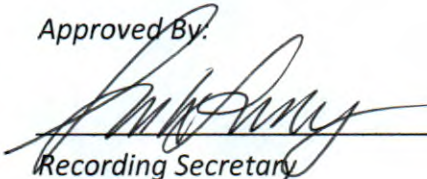
Johan van der Bank, Kim Kozak, Katherine Mertz, Ryan Dyk and Sasha Lassey returned to the meeting.

12. ADJOURN

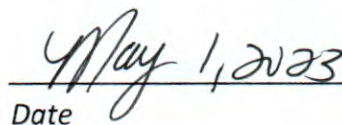
MOTION by Dave Filipuzzi to adjourn the meeting at 4:09 pm.

CARRIED


Approved By:




Recording Secretary



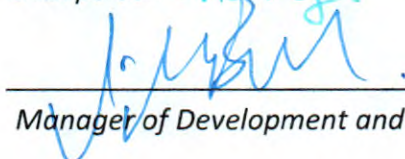
Date



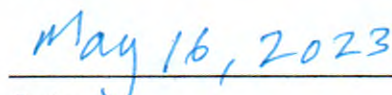
Chairperson - Acting



Date



Manager of Development and Trades



Date