



Municipality of Crowsnest Pass
Minutes, Municipal Planning Commission
Wednesday, April 26, 2023, at 2:00 PM

- PRESENT:** Gaston Aubin, Vice Chair
Dave Filipuzzi, Member
Sam Silverstone, Member
Dean Ward, Member
- ADMINISTRATIVE:** Katherine Mertz, Development Officer
Kim Kozak, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Sasha Lassey, Recording Secretary
- ABSENT:** Justin Ames, Chair
Kevin Bergeron, Member (Resigned)
Don Montalbetti, Member
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1. CALL TO ORDER

As Chair Justin Ames is not present, Gaston Aubin will be acting chair for the meeting. Gaston Aubin called the meeting to order at 2:04 pm

Johan clarified some additional meeting procedures including 1) the result of a split vote (the motion to approve is deemed lost and the application is deemed refused, and members who voted against the motion to approve are required to provide their reasons, which must be recorded) and 2) that making a "negative motion" should be avoided and the definition of a "negative motion" (i.e. a motion to refuse an application is not deemed to be a negative motion, and thus is acceptable).

2. ADOPT AGENDA

2.1 Additions/Deletions

Additions: Roundtable – 9.2 Seacan in Blairmore
Delegation of Authority

MOTION by Dean Ward to accept the agenda as amended.

CARRIED

3. CONSENT AGENDA

4. **ADOPTION OF MINUTES**

4.1 Minutes of March 22, 2023

Dean Ward requested a change in the Minutes of March 22, 2023, to reflect Roundtable Discussion item 9.1 to include Justin Ames as a member of the Sub-Committee

MOTION by Dave Filipuzzi to adopt the minutes of March 22, 2023, as amended.

CARRIED

5. **SUBDIVISION APPLICATIONS**

6. **DEVELOPMENT PERMIT APPLICATIONS**

6.1 **DP2022-198 - 7914 20 Avenue, Coleman (Lot 9-10 Block 25 Plan 820L)**

MOTION by Dean Ward to:

Approve DP2023-198, to operate a "Hostel", "Workshop accessory to an approved use" (Art Studio and Artist Retreat) (both discretionary uses) inside an existing building, "Freestanding Sign" (discretionary use) and a "Fascia Sign" (permitted use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 **DP2023-049 - 3013 221 Street, Bellevue (Lot 14-15 Block 2 Plan 8311587)**

MOTION by Dave Filipuzzi to:

Approve DP2023-049, to operate a "Home Occupation - Class 2" Woodworking (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.3 **DP2023-056 - 2132 128 Street, Blairmore (Lot 4 Block 21 Plan 1810330)**

MOTION by Dave Filipuzzi to:

Approve DP2023-056, for a "Single-family dwelling" (permitted use) and "Modular Home" (discretionary use), supported by a Comprehensive Site Development Plan for future phases (three additional dwelling units).

Approve the Comprehensive Site Development Plan for future phased development of four "Single-family Dwellings" / "Modular Dwellings" and a Development Permit for Phase 1 containing one (1) "Single Family Dwelling" (permitted use) / "Modular Home" (discretionary use) (Unit No. 2), with a 35% variance to the front yard setback, a 60%

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variance to the rear yard setback, a 2% variance to the side yard setbacks, and tandem parking, with conditions as identified by Alternative A in the MPC request for decision package and add the condition as follows:

#5 - A condominium subdivision plan must also be registered prior to a development permit being issued for Units 1, 3 and 4.

CARRIED

6.4 DP2023-TH006 - 1837 71 Street, Coleman (Lot 3 Block A Plan 2466AA)

MOTION by Dean Ward to make a recommendation to council to amend the Land Use Bylaw to grant Development Officers the authority to automatically refuse any discretionary applications that are not eligible to be approved under the authority of the Municipal Planning Commission.

CARRIED

MOTION by Dean Ward to:

Refuse DP2023-TH006, to operate a "Tourist Home" (discretionary use) with a 54% variance to the minimum separation distance from 200 meters to 91 meters, and a 100% variance to the off-street parking requirement, with conditions as identified by Alternative A in the MPC request for decision package for the following reason:

- 1) The land use bylaw prescribes that the Municipal Planning Commission shall not approve a variance of these measurable standards.

CARRIED

6.5 DP2023-TH007 - 11105 108 Street, Blairmore (Lot 1 Block 1 Plan 1711995)

MOTION by Dave Filipuzzi to:

Approve DP2023-TH007, 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

6.6 DP2023-TH008 - Unit #3 - 11910 21 Avenue, Blairmore (Unit 3, Block N/A, Plan 0611201)

MOTION by Dave Filipuzzi to:

Approve DP2023-TH008, to operate a "Tourist Home" (discretionary use) in one unit of a condominium fourplex, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.7 DP2023-022 - 1716 East Hillcrest Drive, Hillcrest (NE 9-7-3 W5M)

MOTION by Dean Ward to:

Approve DP2023-022, for a "Single-Family Dwelling" (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.8 DP2023-035 - 12731 20 Avenue, Blairmore (Lot 6 Block 6 Plan 3319I)

MOTION by Dean Ward to:

Approve DP2023-035, for a "Fascia Sign" (permitted use) with a variance to its location of the front sign to the roofline by 100% and for the number of signs by 100%, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.9 DP2023-046 - 14838 22 Avenue, Frank (Lot 33-34 Block 29 Plan 2563BS)

MOTION by Dave Filipuzzi to:

Approve DP2023-046, for an "Accessory Building" (59.2m² detached garage) (permitted use) / Moved-in building (discretionary use), and two existing "Accessory Buildings" (14.4m² shed 1 and 19.8m² shed 2) (permitted uses), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.10 DP2023-057 - 2000 1 Street, Coleman (Lot 17 Block 1 Plan 0815532)

MOTION by Dave Filipuzzi to:

Approve DP2023-057, for a "Home-Occupation - Class 2" (discretionary use) (Coal Town Furnace & AC - Plumbing and Heating), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.11 DP2023-058 - 2925 214 Street, Bellevue (Lot 34 Block 5 Plan 2310236)

MOTION by Dean Ward to:

Approve DP2023-058, for a "Single-Family Dwelling" (permitted use) with a variance to the Lot Coverage by 34%. This application must be read in conjunction with DP2023-059 for a "Secondary Suite" by the same applicant in the basement of the Single-Family that is the subject of this DP2023-058, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.12 DP2023-059 - 2925 214 Street, Bellevue (Lot 34 Block 5 Plan 2310236)

MOTION by Dean Ward to:

Refuse DP2023-059, for a "Secondary Suite" (76m²) (discretionary use) within the "Single-Family Dwelling", with conditions as identified by Alternative A in the MPC request for decision package for the following reason:

- 1) The proposed Secondary Suite floor area exceeds the standard of 84m² by 70% (59.06m²). Administration, section 14.2 (b) (vi) of the Land Use Bylaw states that the Municipal Planning Commission shall not approve a variance of more than 10% to the floor area of a secondary suite; and
- 2) Schedule 15, section 1.7 (b) states that an application for a secondary suite that encompasses the majority of the habitable floor area of the basement in a single storey Single-family Dwelling shall be refused, and where applicable the applicant shall be directed to apply for an up-down Duplex. A Duplex is a discretionary use in the R-1 District.

CARRIED

6.13 DP2023-060 - 8001 23 Avenue, Coleman (Lot 1 Block 35 Plan 820L)

MOTION by Dave Filipuzzi to:

Approve DP2023-060, for "Accessory Buildings":

- a. a 106.29m² Detached Garage (discretionary use) with a 52.60% variance to the lot coverage,
- b. a 6.94m² Metal Shed (permitted use) with an 87.5% variance to the east side yard setback, a 10.8% variance to the rear yard setback, and a 62.57% variance to the lot coverage, and
- c. a 9.52m² Wooden Shed (permitted use) with a 96.67% variance to the west side yard setback and a 76.24% variance to the lot coverage, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.14 DP2023-063 - 12915 19 Avenue, Blairmore (Lot 3 Block 1 Plan 0311508)

MOTION by Dave Filipuzzi to:

Approve DP2023-063, for a "Temporary Storage Yard" and "Shipping Container, accessory to an approved use" (discretionary uses) for the placement of one 30m² shipping container for five years, with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.15 DP2023-064 - 13550 18 Avenue, Blairmore (Lot 8-9 Block 3 Plan 6050L)

MOTION by Dave Filipuzzi to:

Approve DP2023-064, for a "Home Occupation - Class 2" (discretionary use) ("South Mountain Beauty" Beauty Salon), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.16 DP2023-066 - 2778 Valley Ridge Rd, Frank (Lot 3 Block 2 Plan 9912103)

MOTION by Dave Filipuzzi to:

Approve DP2023-066, for an "Accessory Building" (247.12m² garage) (discretionary use) with a variance to exceed the standard height from 6.7m to 11.04m (65%), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.17 DP2023-068 - 1738 East Hillcrest Drive, Hillcrest (Lot 1 Block 2 Plan 0712040)

MOTION by Dean Ward to:

Approve DP2023-068, for a "Secondary Suite" (59m² stand-alone) (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

7. BYLAW AMENDMENTS

8. APPEALS

9. ROUND TABLE DISCUSSION

9.1 Kamloops Tree Protection Bylaw

Discussion with the board regarding the Kamloops Tree Protection Bylaw and whether a similar bylaw should be included in the Land Use Bylaw Omnibus No. 3 review. The Municipal Planning Commission reached consensus that there is a need for at least considering such a bylaw amendment, and that there should be consideration for appropriate rules for urban areas versus rural areas. The consensus was that the question of whether to include tree protection should be posed at the Council workshop on Omnibus No. 3.

9.2 Blairmore Sea Can

Johan provided an update on the noted Seacan in Blairmore. Under the previous Land Use Bylaw, the owners were issued a development permit, however it is no longer allowed, therefore the recent application has been refunded. The owner will be referred to acquire a "hoarding permit" from the transportation department under the Traffic Bylaw to occupy a road allowance.

9.3 Delegation of Authority

The Municipal Planning Commission reached consensus to request that Administration bring a land use bylaw amendment to Council to delegate authority from the Municipal Planning Commission to the Development Officer regarding the following items:

- 1) Approval of a Tourist Home or Short-Term Rental / Bed & Breakfast that complies with all the established standards and does not propose a variance.
- 2) Automatic refusal of a Tourist Home or Short-Term Rental / Bed & Breakfast that proposes a variance beyond the Municipal Planning Commission's authority as established in the bylaw.
- 3) Site coverage for a Single-family Dwelling with an attached garage.
- 4) A Moved-in Building and a Moved-in Dwelling.
- 5) Single-family Dwelling in the NUA-1 district.
- 6) Tandem parking.

10. **NEXT MEETING**

10.1 Next Meeting May 24, 2023, at 2:00 pm.


11. **IN CAMERA**

12. **ADJOURN**

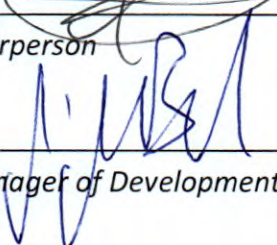
MOTION by Dave Filipuzzi to adjourn the meeting at 3:46 pm.

CARRIED

Approved By:



Chairperson



Manager of Development and Trades

May 24, 2023
Date

June 01, 2023
Date