

ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION MEETING
BEING HELD IN ALBERTA BEACH COUNCIL CHAMBERS
TEMPORARILY LOCATED AT UNIT 5A, 4000 MUSEUM ROAD
ON FEBRUARY 18, 2020 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER
2. AGENDA ADDITIONS / DELETIONS
3. AGENDA ADOPTION
4. NEW BUSINESS
 - a. Request for Decision – Development Permit Application #20DP01-01
Plan 201BT, Block 12, Lot 11 (5007 – 56 Street)
Application for an attached deck to the modular home requesting a variance of the front yard setback to 5.06 m (16.18 ft.).
 - b. Request for Decision – Development Permit Application #19DP36-01
Plan 3321BQ, Block 5, Lot 6 (5024 – 50th Avenue)
Application to leave one (1) freestanding sign and two (2) wall signs on the building.
5. ADJOURNMENT

**ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION (MPC)
REQUEST FOR DECISION**

Date: February 18, 2020, MPC Meeting
From: Kim Kozak - Development Officer
To: All Members of Alberta Beach Municipal Planning Commission (MPC)

RECOMMENDATION

That MPC passes a motion to approve Development Permit No. 20DP01-01 for the variance of the front yard setback to 5.06 m. (16.8 ft.) for the proposed attached deck to the Modular Home located at Plan 201BT, Block 12, Lot 11.

BACKGROUND INFORMATION

- The applicant is requesting approval for a variance of a proposed deck attached to the dwelling;
- The property, located at 5007-56 street, is identified within the Land Use District Map as R1 – Residential – Single Family District;
- The Modular Home is approved through Development Permit No. 19DP21-01;
- The development permit application submitted for the Modular Home did not include an attached deck;
- The proposed deck is over 0.6 m. (1.97 ft.) above grade; therefore, the proposed deck is technically not considered a deck;
- Within the R1 District, the required front yard setback is 7.6 m. (24.9 ft.);
- The applicant is proposing to build the deck 5.06 m (16.8 ft.) to the front yard property line;
- The applicant has advised the front yard setback variance is needed to provide access to the water well located at the rear of the property; and
- The Development Authority is permitted to vary a floor area or a site setback of a maximum of 20%; the proposed development exceeds 20%. Therefore, the Development Authority does not have the authority to determine the decision of this application.

MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 251-17

The application is consistent with Section 3.6 – General Residential Development of the Municipal Development Plan as the proposed development is an example of a range of housing types within a residential community.

LAND USE BYLAW NO. 252-17

Section 1.9 Definitions of Meaning – Deck – “ means a hard surfaced (usually wooden) area usually adjoining a dwelling unit; no more than 0.6 m. (1.97 ft.) high above grade, for outdoor living.”

Section 3.7.2(c) – Decision on Development Permit Applications states, “the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.”

The application is consistent with Section 5.2 – R1 Residential – Single Family District and Regulations, except for the front yard setback.

DEVELOPMENT AUTHORITY'S OPINION

It is of the opinion of the Development Authority; that the deck adds value to the dwelling. Also, the variance of the front yard setback would not unduly interfere with the amenities of the neighbourhood, materially interfere with or affect the use, enjoyment, or value of neighbouring properties for the proposed deck will be located entirely on the property. Furthermore, a Notice of Proposed Development was mailed to all landowners within 30.5 m. (100 ft.) of the subject lands, on January 30, 2020. The letter informed the residents of an application received by Alberta Beach, seeking approval for a front yard setback variance. To date of this report, the Development Officer has received no contact from the landowners regarding the proposed development.

CONCLUSION

That the Municipal Planning Commission APPROVE Development Permit No. 20DP01-01, in accordance with the Development Authority's recommended conditions:

1. All municipal taxes have been paid or are current with Alberta Beach.
2. That the applicant(s) display for no less than fourteen (14) days after the permit issued, in a conspicuous place on the subject property, the enclosed Notice (last page of this document).
3. The deck shall be completed in accordance with the drawings, submitted as part of the permit application and which forms a part of this approval.
4. The applicant shall obtain and comply with the requirements, where applicable, from the appropriate authority, permits relating to building, and all other permits which may be required in connection with the proposed development.
5. Positive grading away from structures (> or = to 1.5%) is required to ensure proper drainage.
6. The applicant shall complete the grading of the property to ensure that all surface runoff does not discharge from the site onto adjacent properties.
7. No person shall keep or permit to be kept in any part of a yard any excavation, storage, or piling of materials required during construction unless all safety measures are undertaken. The owner of the property shall assume full responsibility to ensure the situation does not prevail longer than necessary to complete construction.
8. The site shall be maintained in a clean and tidy condition during construction. Receptacle for control and disposal of rubbish must be provided, and regularly maintained.

9. Arrangements for the provision of sanitary facilities for the project site, satisfactory to the Development Authority, must be provided and maintained throughout construction.
10. The applicant shall prevent excess soil or debris from being spilled on public streets and lanes, and shall not place soil or any other material on adjacent properties without permission in writing from the adjacent property owner(s).
11. That all development shall be completed within twelve (12) months of the effective date of this permit.

OR

The Municipal Planning Commission may consider two (2) Alternative Motions, which are:

1. That the Municipal Planning Commission table Development Permit No. 20DP01-01 pending additional information; or
2. That the Municipal Planning Commission refuse Development Permit No. 20DP01-01.

February 11, 2019
Date Report Written



Kim Kozak - Development Officer

ATTACHMENTS

1. Email from applicant dated January 25, 2020
2. Development Permit Application
3. Elevation Plans
4. Site Plan
5. Notice of Proposed Development
6. Section 3.6 – General Residential Development of the Municipal Development Plan Bylaw 251-17
7. Section 1.9 – Definitions of Meaning – Deck of the Land Use Bylaw 252-17
8. Section 3.7 – Decision on Development Permit Applications of the Land Use Bylaw 252-17
9. Section 5.2 – R1 – Residential – Single Family of the Land Use Bylaw 252-17

Subject: application for set back variance and deck
From:
Date: Sat, January 25, 2020 8:39 am
To: development@albertabeach.com
Priority: Normal
Status: answered, flagged

Hi Kim
please find attached the application for deck build and the variance for front set back. As discussed I need to move the home forward to accommodate access to the water well at the rear of the home. I spoke with Blakeman drilling to ensure the access was to their specifications and I had the team at Mod Solid do the calculations to be accurate. Any questions contact

Thanks

This communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal and or privileged information. Please contact us immediately if you are not the intended recipient of this communication, and do not copy, distribute, or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

Attachments

- | | | |
|------------------------------|-----------------|---------|
| <u>untitled-[1.2].html</u> | text/html | 2.6 KiB |
| <u>IMG_20200125_0001.pdf</u> | application/pdf | 868 KiB |
| <u>IMG_20200125_0002.pdf</u> | application/pdf | 789 KiB |
| <u>IMG_20200125_0003.pdf</u> | application/pdf | 751 KiB |
| <u>IMG_20200125_0004.pdf</u> | application/pdf | 474 KiB |
| <u>IMG_20200125_0005.pdf</u> | application/pdf | 999 KiB |
| <u>IMG_20200125_0006.pdf</u> | application/pdf | 1.1 MiB |

2054 01-01

LINKED WITH → 19DP21-01

	<p>Development Permit Application</p> <p>ALBERTA BEACH 4935-50th Avenue PO Box 278 Alberta Beach, Alberta T0E 0A0</p> <p>Phone: (587) 988-7668 (Development Officer) Fax: (780) 924-3313 Email: development@albertabeach.com</p>
<p>R-1 or R-2 New Home Construction or Addition</p>	<p>Cost for Development Permit \$ _____ See page 4) Payment made directly to Alberta Beach. Paid <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N</p>

I HEREBY MAKE APPLICATION UNDER THE PROVISIONS OF THE LAND USE BYLAW FOR A DEVELOPMENT PERMIT, IN ACCORDANCE WITH THE PLANS AND SUPPORTING INFORMATION SUBMITTED HEREWITH AND WHICH FORM PART OF THIS APPLICATION.

Name: _____

Mailing Address: _____

Telephone @ home _____ Fax: _____

Registered Owner (if different from above): _____

Mailing Address (if different from above): _____

Interest of Applicant (if not the registered owner): _____

This information is being collected under the authority of Sec. 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used by the Development Authority to determine a development permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at (780) 924-3181.

Legal Description:

Municipal Address: 5007 56 STREET

Lot: 11 Block: 12 Plan: 201BT

Description of proposed development: DECK ALONGSIDE HOME FOR ACCESS TO SIDE DOOR & REAR DECK FOR SUMMER ENJOYMENT COVERED ROOF LINE TO BE SAME AS HOUSE

Estimated cost of development: INCLUDED IN HOUSE BUILD \$300,000

Estimated commencement date: SPRING 2020

Estimated completion date: SUMMER 2020

Lot Width: 15.21 M

Lot Length: 42.66 M

Area of Site: 6991.14

Area of existing development: _____

Area of proposed development: _____

Total % of Site Coverage: 36.39%

Owner(s)/Applicants consent to communicate with Alberta Beach and its applicable contractors through electronic means.

Section 608 of the Municipal Government Act, R.S.A. 2000, c.M-26 provides that: Any document required by this or any other enactment or bylaw to be sent by a person may be sent by any electronic means so long as it is possible to make a copy of the document from the electronic signals used by the electronic means.

Being the registered owner(s) or Agents for the lands described on Page 1, for the purpose of this Development Permit's decision, I desire to enter into an agreement with Alberta Beach and its applicable contractors to communicate through electronic means:

Name: _____

Signature: _____

Date: 07/1

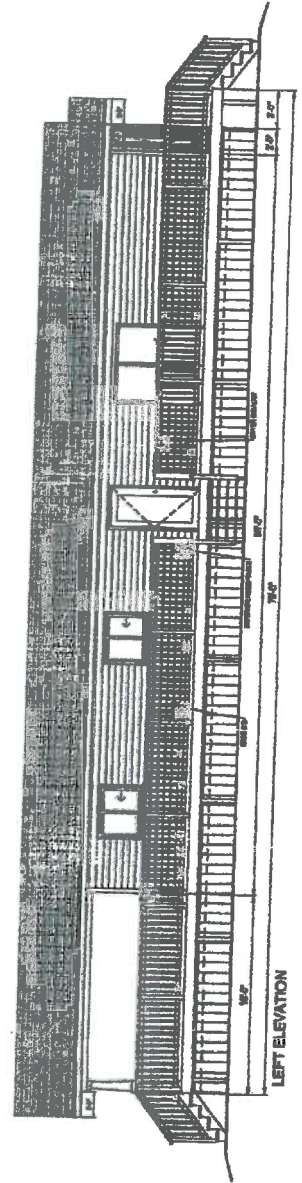
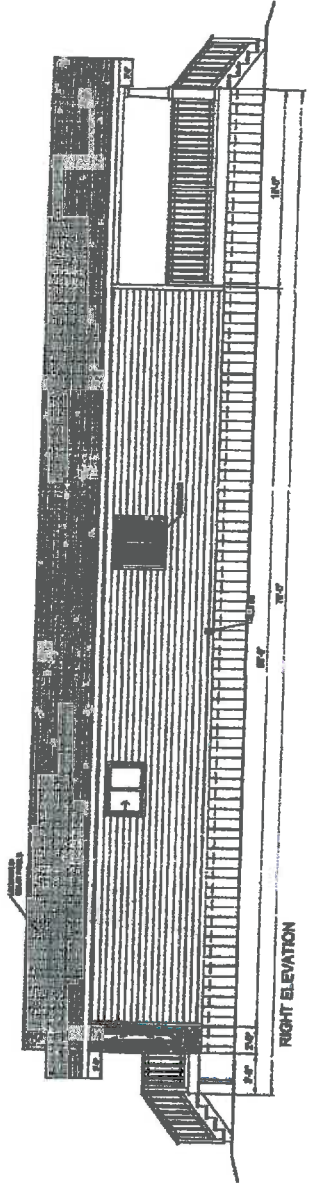
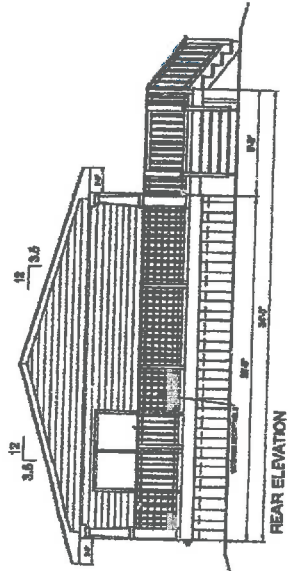
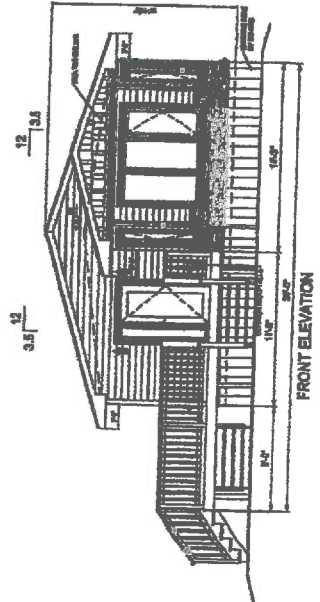
Mail Address: _____

APPLICATION FOR DEVELOPMENT PERMIT (R-1 or R-2)

<u>Principal Building/Addition:</u> (Y/N)	<u>Proposed</u>	<u>Bylaw Requirements</u>	<u>Conforms</u> (Yes or No)
FOR WATER WELL ACCESS @ REAR OF HOUSE Front Yard Setback: <u>33.42%</u> <u>5.06M</u>		> or = 7.6 M	_____
Lake Front Yard Setback: <u>N/A</u>		> or = 8.0 M	_____
Rear Yard Setback: _____		> or = 7.6 M	_____
Side Yard Setback: _____		> or = 1.5 M	_____
Side Yard Setback: _____		> or = 1.5 M	_____
Floor Area (lots < than 400 M2): _____		> or = 74.3 M2 (800 Ft2)	_____
Floor Area (lots > than 400 M2): _____		> or = 93.9 M2 (1000 Ft2)	_____
Site Coverage (all structures): _____		< or = 40%	_____
Height of Building: _____		< or = 9.0 M	_____
No. of Off-Street Parking Stalls: _____		> or = 2 stalls	_____

For NEW HOME CONSTRUCTION -- requirements of the "New Home Buyer Protection Act"

- a) Is this an application seeking to construct a new home? YES NO
- b) If YES, please provide details of the builders' (either contractor or property owner) new home warranty coverage as required by the Province of Alberta
PROGRESSIVE HOME WARRANTY
- c) If the property owner is electing to proceed with construction -- without the required new home warranty coverage -- please ensure that the required waiver from the Province of Alberta (www.municipalaffairs.alberta.ca/NHBP) is forwarded with this Development Permit application.
- d) Failure to provide this information to the satisfaction of the Development Officer will result in an immediate denial of the Development Permit application for any new home.



MDSOLID
northplex IN

8000 - 8032
P.O. BOX 4500
BIRMINGHAM, AL 35214
PHONE (205) 236-0885
FAX (205) 236-0888

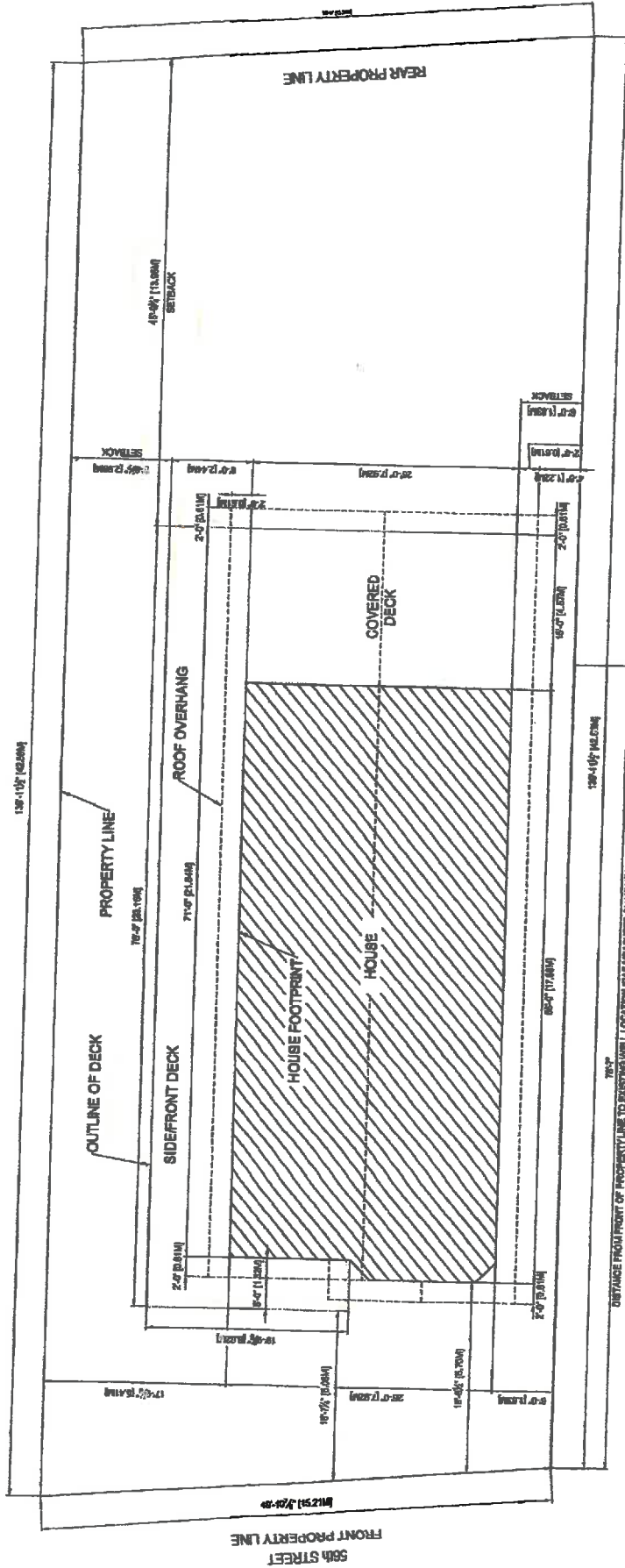
REVISIONS

NUMBER	DATE	BY	REASON	DESCRIPTION
01	Nov. 1, 19		INITIAL RELEASE	
02				
03				
04				

NOTICE: THESE DRAWINGS ARE THE PROPERTY OF MDSOLID AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF MDSOLID. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PROJECT NUMBER: PN 946.DWG
PROJECT NAME:

TITLE: ELEVATION WITH DECK
DATE: Nov. 1, 19
DRAWN BY: DUB
CHECKED BY: NYS
DESIGN TEAM
REFERENCE NUMBER: NPL-758



LOT # 11
BLOCK 12
HOUSE - 1480 SQ. FT.
COVERED DECK - 380 SQ. FT.
SIDE/FRONT DECK - 667 SQ. FT.

DISTANCE FROM FRONT OF PROPERTY LINE TO EXISTING WELL LOCATION ("AS MEASURED BY HOMEOWNER")

5804 - 8038
P.O. Box
Baltimore, MD 21114
PHONE: (703) 544-6868
FAX: (703) 544-0868



REVISIONS	NUMBER	DATE	BY	DESCRIPTION
01		Dec. 18, 19		INITIAL RELEASE
02				
03				
04				

CONCEPT DESIGN. THIS DRAWING IS AN APPROXIMATION OF WHAT WILL BE BUILT. IT IS NOT A CONTRACT. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND ALL OTHER AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND ALL OTHER AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND ALL OTHER AGENCIES.

SERIAL NUMBER
PROJECT INFO
PN 946.DWG

TITLE	SCALE	SITE PLAN
DATE	Dec. 18, 19	SCALE: NTS
DRAWN BY:	DJB	CHECKED BY: NTS
DESIGN TEAM		
REFERENCE NUMBER:	NPL-758	



Notice of Proposed Development

ALBERTA BEACH
4935-50th Avenue
PO Box 278
Alberta Beach, Alberta T0E 0A0

Phone: 587-988-7668 (Development Officer)
Fax: 780-924-3313
Email: development@albertabeach.com

January 30, 2020

XXXXXX

XXXXX

XXXXXX

Re: Development Permit No: 20DP01-01
Municipal Address: 5007-56th Street
Plan: 201BT, Block: 12, Lot: 11

As a property landowner, that is in close proximity to the above-noted property, you are being notified that Alberta Beach has received a development permit application. The application is for the construction of a front deck that will be closer to the front property line than the required 7.6 m setback. Therefore, a Variance of 5.06 m from the front yard to the property line is being requested. Please note that the Development Authority is currently considering this application.

It is Council's desire to give the adjacent property owners, who may or may not be affected by the proposed development, the opportunity to provide any feedback prior to a final decision being made for this application.

Pursuant to Section 5.2 – R1 – Residential – Single Family District of Land Use Bylaw 252-17, the proposed development is a permitted land use within this district; however, the request of the variance changes the land use to a discretionary use.

Please contact the undersigned at 587-988-7668 if you have any questions regarding the proposed development no later than February 7, 2020.

Sincerely,

Kim Kozak
Development Authority

- (k) Laneless subdivisions may be considered where they don't conflict with traffic and pedestrian movements of adjoining laned subdivisions.
- (l) Trees and landscaping features that have a positive impact on the future Development of a parcel should be maintained.
- (m) Roadways within new developments shall be designed to avoid double fronted lots other than on corner lots or where the fronting roadway is classed as an Arterial Road.
- (n) Multi floor residential buildings exceeding 10 metres above grade may require a larger side yard setback from adjoining roadways or lower density residential buildings.
- (o) All properties are to be landscaped in a manner that restricts access to and from roadways other than at approved access or egress points.
- (p) Wet ponds are preferred over dry ponds for stormwater containment purposes. In non-industrial areas, wet ponds shall be developed as a feature and recreational amenity. Where possible, wet ponds should be integrated into parks and pathway systems.
- (q) Wet ponds shall be designated as an Environmental Reserve Lot and dry ponds shall be designated as a Public Utility Lot.

3.6 GENERAL RESIDENTIAL DEVELOPMENT

Alberta Beach encourages a diverse residential community offering a range of housing types. The following objectives and policy directions describe the future residential growth goals for single detached, secondary suite housing, multi-family, public and private housing, and temporary housing choices within the Village.

3.6.1 Single Detached Housing:

Single detached housing is and shall continue to be the dominant housing type within Alberta Beach. General policy directions for this single detached (unit) housing includes:

- a) Where spot re-districting is considered by the municipality, the impact of the district change on the character of the overall neighbourhood shall be given careful consideration, and be done in light of the provisions of the Municipal Development Plan and the Municipality's Land Use Bylaw.
- b) Single detached neighbourhoods shall have a minimum housing unit density of 13 units per hectare.
- c) Small scale business operations which do not conflict with the Character of the neighbourhood may be allowed within single detached neighbourhoods.
- d) Secondary, garden, and garage suites may be allowed within single detached neighbourhoods provided they can be fully serviced on-site and not alter the Character of the neighbourhood.
- e) New development shall give due regard to environmentally sensitive lands and lands subject to flooding or other hazards. No new habitable development shall be permitted below an elevation of 723.8 m (723.8 m ASL contour). In no case shall basement development be permitted within this area.

3.6.2 Manufactured Home Parks / Subdivisions:

Manufactured Home Parks / Subdivisions are a housing type which has not historically had exposure within the Village. The purpose of this type of development is to allow for a wider variety of residential buildings. General policy direction for Manufactured Home Parks / Subdivisions includes:

"CURB CUT" - means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel;

"DAY CARE FACILITY" - means a facility and program for the provision of care, maintenance and supervision for four or more children under the age of fifteen years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty-four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare;

"DAY HOME" - means a development operated from a dwelling supplying supervision to a maximum of six (6) children under the age of eleven (11) years or senior citizens, including any resident children and seniors, for periods of more than three (3) but no more than fourteen (14) consecutive hours. A day home may supply an outside recreation space that is both fenced and gated, and shall meet all fire and health regulations;

"DECK" - means a hard surfaced (usually wooden) area usually adjoining a dwelling unit; no more than 0.6 m (1.97 ft.) high above grade, for outdoor living;

"DENSITY" - means a quantitative measure of the average number of persons, families or dwelling units per unit of area;

"DESIGNATED OFFICER" - means a person authorized to exercise development authority powers on behalf of the municipality pursuant to the provision of the Municipal Government Act and this Bylaw;

"DEVELOPABLE AREA" - means an area of land suitable for a building site and containing adequate surface elevation to preclude marshland, wetland, or high water table conditions;

"DEVELOPER" - means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

"DEVELOPMENT" - means development as defined in the Act, and includes the following:

- a) the carrying out of any construction or excavation, or other operations, in, on, over or under land, or the making of any change in the use or the intensity of use of any land, buildings or premises, and, without restricting the generality of the foregoing, includes the removal of topsoil. For the purposes of this Bylaw, development also means the demolition of a building,

9. Notwithstanding other provisions of Section 3.6 of this Bylaw, in accordance with Section 685(3) of the Act, a development permit for a permitted use without variance does not require notification other than to the landowner and applicant.

3.7 DECISION ON DEVELOPMENT PERMIT APPLICATIONS

1. Permitted and Discretionary Use Applications (Non-Direct Control Districts).
 - a) The Development Authority shall be the approving authority for all proposed development, which is listed as either a permitted or discretionary use under a land use district under this Bylaw.
 - b) Upon receipt a completed application for a development permit for a permitted use, the Development Officer shall approve the application with or without conditions, where the proposed use conforms to this Bylaw. Generally, the Development Officer is authorized to approve all permitted use development permit applications.
 - c) Subject to Section 3.7.1(d), the Development Officer is authorized to decide all discretionary use development permit applications which are related to an approved use on the subject property.
 - d) All development permit applications which are discretionary and not related to an approved use on the subject property and/or which require a variance to any quantitative regulation (i.e., side yard setback) contained in this Bylaw shall be referred to the Municipal Planning Commission for decision.
 - e) The Municipal Planning Commission is authorized to decide all development permit applications that are referred to it by the Development Officer.
 - f) When approving a discretionary use application, the Development Authority may attach conditions to the approval to ensure that the proposal conforms to this Bylaw.

2. Variance Provisions:

- a) The Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion,
 - (i) the proposed development would not,
 - A. unduly interfere with the amenities of the neighbourhood, or
 - B. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
 - (ii) the proposed development conforms to the uses prescribed for that land or building in this Bylaw,

- b) Notwithstanding the above, a variance shall be considered only in cases of unnecessary hardship or practical difficulties to the use, character, or situation of land or building which are not generally common to other land in the same district.

- c) When considering a variance to quantitative criteria such as floor area or a site setback, the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.

3. Development Permit Refusals:

When refusing an application for a development permit, the Development Authority shall clearly describe the reasons for the said refusal on the notice of decision.

4. Temporary Permits:

Where a development permit is not required on a permanent basis, the Development Authority may approve the development permit for a specified period of time. The

5.2 R1 – RESIDENTIAL – SINGLE FAMILY

1. General Purpose of District

This land use district is generally intended to establish areas of single detached housing comprised of standard parcels and dwellings with the opportunity for a secondary suite.

2. Permitted Uses

- Buildings and uses accessory to permitted uses
- Garage Suite
- Garden Suite
- Home Office
- Modular home
- Recreational Vehicles and Temporary Living Accommodations
- Secondary Suites
- Single Detached Dwelling

Discretionary Uses

- Bed & Breakfast
- Buildings and uses accessory to discretionary uses
- Day Home
- Home Occupations
- Parks and playgrounds
- Public or quasi-public uses
- Public utilities required to serve the immediate area
- Show homes
- Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

3. Parcel Coverage

Coverage of all buildings shall not exceed 40% of the total parcel area.

4. Minimum Floor Area (not including attached garage)

- a) Where a lot has an area of less than or equal to 400.0 m² (4305.6 ft²), the minimum floor area shall be 74.3 m² (800.0 ft²);
- b) Where a lot has an area greater than 400.0 m² (4305.6 ft²), the minimum floor area shall be 93.0 m² (1000.0 ft²).

5. Maximum Height

The height of all structures shall not exceed 9.0 m (29.5 ft.) and is subject to the provision of this Bylaw.

6. Minimum Parcel Width and Area

All new parcels to be created shall have a minimum parcel width of 15.0 m (50.0 ft.) and a minimum parcel area not less than 557.4 m² (6000.0 ft²).

7. Minimum Front Yard Setback

- a) Lakefront lots: at the discretion of the Development Officer, but not less than 8.0 m (26.2 ft.).
- b) All other cases: 7.6 m (24.9 ft.).
- c) For accessory buildings see Section 4.10.

8. Minimum Side Yard Setback

- a) Minimum of 1.5 m (4.9 ft.).
- b) For accessory buildings see Section 4.10.

9. Minimum Rear Yard Setback

- a) Minimum of 7.6 m (24.9 ft.), except in the case of garages as in Section 4.10.
- b) For accessory buildings see Section 4.10.

10. Length to Width Ratio

No dwelling in this district shall have a length to width (or width to length) ratio of greater than 2.0 : 1.0. This rule shall not apply to those portions of a dwelling which are deemed by the Development Authority to be either deck or attached garage.

11. Other Provisions

- a) Administrative procedures and regulations: refer to Parts 1-3 of this Bylaw.
- b) General Parcel Provisions: refer to Part 4 of this Bylaw.
- c) Special Land Use Provisions: refer to Part 4 of this Bylaw.
- d) Parking and Loading Regulations: refer to Part 4 of this Bylaw.
- e) Sign Regulations: refer to Part 4 of this Bylaw.

**ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION (MPC)
REQUEST FOR DECISION**

Date: February 18, 2020, MPC Meeting
From: Kim Kozak
Development Officer
To: All Members
Alberta Beach MPC

RECOMMENDATION

That the Municipal Planning Commission passes a motion to APPROVE Development Permit No. 19DP36-01, to leave one (1) Freestanding Sign and two (2) Wall Signs on the building located at Plan 3321BQ Block 5 Lot 6.

BACKGROUND INFORMATION

- The applicant is requesting approval to leave one (1) Freestanding Sign, and two (2) Wall Signs, advertising the new Chinese Restaurant located at 5024-50th Avenue;
- The property is identified within the C1 – Commercial District of the Land Use District Map;
- The property is situated between a C3 – Commercial Highway District and an R1 – Single Family District;
- The Chinese Restaurant is an Accessory Use to the existing Motel;
- A minor eating, drinking establishment, and operations of the existing four-room motel were approved through Development Permit No. 16DP16-01 by the Municipal Planning Commission on June 21, 2016;
- Section 4.23 provides Regulations for Signs in Commercial Developments;
- Subsections of 4.23 states the following:
 - o d) "One wall sign only will be permitted to indicate the name and nature of the occupancy for each tenancy within the development. The sign shall not exceed a total area of 0.9 m2 (9.68 ft2) of copy for each lineal metre of building occupancy,
 - and
 - o e) "if the occupancy is on a corner, one wall sign will be permitted for each face.";
- This application is brought forward to the Municipal Planning Commission, as the Development Officer does not have the authority to approve two (2) Wall Signs on a building that is not located on a corner lot; and
- The Development Authority is permitted to vary a floor area or a site setback of a maximum of 20%; the proposed development exceeds 20%.

MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 251-17

The application is consistent with Section 3.9 – Commercial of the Municipal Development Plan for the following reasons:

- meets the objectives, as the business is located within the center of the Village; and
- meets the policy as the business serves residents and visitors.

LAND USE BYLAW NO. 252-17

Section 3.7.2(c) – Decision on Development Permit Applications states, “the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.” Therefore, the Development Authority does not have the authority to determine the decision of this application.

The application is consistent with Section 4.23 – Signs in Commercial Developments regulations, except for the extra Wall Sign.

The application is consistent with Section 5.9 – C1 - Commercial District, as a Restaurant is a Permitted Use in this district.

DEVELOPMENT AUTHORITY'S OPINION

In the opinion of the Development Officer, the second 2'9" x 2' Wall Sign, facing 50th avenue, would not have a negative impact on the adjacent lands or residents of Alberta Beach as the sign is placed flat against the building. Also, the photo attached to the 2018, Assessment Summary shows there was more than one (1) Wall Sign on the building related to the previous business.

CONCLUSION

That the Municipal Planning Commission APPROVE Development Permit No. 19DP36-01, in accordance with the Development Authority 's recommended conditions:

1. All municipal taxes have been paid or are current with Alberta Beach.
2. That the applicant(s) display the enclosed Notice for no less than fourteen (14) days after the permit is issued, in a conspicuous place on the subject property.
3. The Signs shall not project over or onto an easement.
4. The Wall Signs shall not project more than 1.0 metre (3.3 feet) from the building wall, nor project above the roof or parapet.
5. The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
6. The Development Officer, Municipal Planning Commission, or Council may require the removal of any Sign which, in their opinion, is or has become unsightly or is such a state of disrepair as to constitute a hazard.
7. The Signs shall not be moved, altered, or enlarged except with the approval of the Development Authority, which may require separate Development Permit Approval.
8. That all improvements shall be completed within twelve (12) months of the effective date of this permit.

OR

The Municipal Planning Commission may consider two (2) Alternative Motions, which are:

1. That the Municipal Planning Commission table Development Permit No. 19DP36-01 Pending additional information; or
2. That the Municipal Planning Commission Refuse Development Permit No. 19DP36-01.

February 8, 2020
Date Report Written



Kim Kozak - Development Officer

ATTACHMENTS

1. Development Permit Application
2. Photos of Proposed Sign
3. Assessment Summary
4. Development Officer's Report 16DP16-01
5. Minutes of the Municipal Planning Commission meeting held on June 21, 2016
6. Section 3.9 – Commercial of the Municipal Development Plan Bylaw 251-17
7. Section 3.7 – Decision on Development Permit Applications of the Land Use Bylaw 252-17
8. Section 4.23 – Signs in Commercial Developments of the Land Use Bylaw 252-17
9. Section 5.9 – C1 - Commercial District of the Land Use Bylaw 252-17
10. Land Use Map

195136-01

	<p align="center">Development Permit Application</p> <p>ALBERTA BEACH 4935-50th Avenue PO Box 278 Alberta Beach, Alberta T0E 0A0</p> <p>Phone: (587) 988-7668 (Development Officer) Fax: (780) 924-3313 Email: development@albertabeach.com</p>
<p>Sign Permit(s) Permanent or Temporary</p>	<p>Cost for Development Permit <u>\$50.00 (plus gst) each</u> Payment made directly to Alberta Beach. Paid - Y / N</p>

I HEREBY MAKE APPLICATION UNDER THE PROVISIONS OF THE LAND USE BYLAW FOR A DEVELOPMENT PERMIT, IN ACCORDANCE WITH THE PLANS AND SUPPORTING INFORMATION SUBMITTED HERewith AND WHICH FORM PART OF THIS APPLICATION.

Please review the definitions and Land Use regulations contained in pages 4-5 of application.

To be filled out by the Applicant(s)

Name: _____

Mailing Address: _____

Telephone @ Work: _____ Home: _____ Fax: _____

Registered Owner (if different from above) _____

Mailing Address (if different from above) _____

Interest of Applicant (if not the registered owner): _____

This information is being collected under the authority of Sec. 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used by the Development Authority to determine a development permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at (780) 924-3181.

Definitions: as per Alberta Beach Land Use Bylaw 252-17

"SIGN" - means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event, the specifications, design and location of which must first be approved by the Development Authority;

"SIGN, CANOPY" - means a sign which is part of or attached to the outside edge of a canopy;

"SIGN, FREESTANDING" - means a sign supported by one or more uprights, braces or pylons, and which stands independently of buildings;

"SIGN, OFF-SITE" - means a sign that advertises goods, products, services or facilities, or directs persons to a different location from where the sign is located. Such a sign is not located on the parcel of the goods, products, services or facilities advertised;

"SIGN, PROJECTING" - means a sign which is affixed to any building or part thereof and extends beyond the building wall or parts thereof by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground;

"SIGN, ROOF" - means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building;

"SIGN, UNDER-CANOPY" - means a sign which is attached to the bottom face of a canopy;

"SIGN, WALL" - means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 1.0 m (3.3 ft.) from the wall, and which does not project above the roof or parapet;

Please indicate type (and number) of signs proposed in this Development Permit application.

1	Freestanding	Billboard
	Canopy	Balloon (temporary – up to 90 days)
	Under Canopy	Portable (temporary – up to 90 days)
1	Wall or Fascia	Developer Signage (Marketing on-site)
	Roof	Developer Signage (Directional)
	Projecting	Other
	Changeable Copy (permanent)	Changeable Copy (temporary – up to 90 days)

Legal Description:

Municipal Address: 5024-50th Avenue

Lot: 6 Block: 5 Plan: 3321BQ

Description of proposed Sign(s): Signage used to advertise new menu products up-sell drink orders. Showcase a new promotion etc. to grab potential customer's attention and get them to walk through the front door.

Estimated cost of development: \$400

Estimated commencement date: 11-20-2019

Estimated completion (installation or removal) date: 11-20-2019

Are you proposing any construction? Y/N Have you made application for other Permit(s)? Y/N

N

N

Owner(s)/Applicants consent to communicate with Alberta Beach and its applicable contractors through electronic means.

Section 608 of the Municipal Government Act, R.S.A. 2000, c.M-26 provides that: Any document required by this or any other enactment or bylaw to be sent by a person may be sent by any electronic means so long as it is possible to make a copy of the document from the electronic signals used by the electronic means.

Being the registered owner(s) or Agents for the lands described on Page 1, for the purpose of this Development Permit's decision, I desire to enter into an agreement with Alberta Beach and its applicable contractors to communicate through electronic means:

Name: _____ Signature: _____

Date: 11-20-2019 Email Address _____

AUTHORIZATION AND RIGHT OF ENTRY:

I/we, _____ am/are the registered owner, or the agent for the registered owner, authorized to act on behalf of the registered owner, and 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 this application for a Development Permit.

As provided for by Sec. 653(2) of the Municipal Government Act I/we also consent to an authorized person(s), designated by the Municipality as the Development Authority, to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application and completion of the proposed development.

Signature(s): _____

Date: _____

Acknowledgement of Development Permit Application (must be dated and signed)

I acknowledge that if this development permit application is approved that it is subject to an appeal permit as per Municipal Government Act, RSA 2000, C-26.1 and that the decision could be overturned or amended. I do accept that if I commence development prior to the appeal expiry date, I do so at my "own risk" accepting all legal responsibilities and with all required building permits issued.

Date _____

Applicant's Signature _____

Sec. 4.22 of Land Use Bylaw 252-17 "GENERAL SIGN REGULATIONS" – states:

1. All placements of temporary signs shall require an approved Development Permit.
2. No sign of an advertising, directional or information, nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Development Officer.
3. Signs shall comply with the setback requirements for principal buildings in the district in which the sign is located unless otherwise allowed by this Bylaw or the Development Officer.
4. In considering a development application for a sign the Development Officer shall have due regard for the amenities of the area and the design of the proposed sign.
5. No sign, other than one providing a public service and deemed appropriate by the Development Officer shall be permitted to locate on a public right of way or reserve.

#1 - Sign to remain



#1A

Sign to be removed

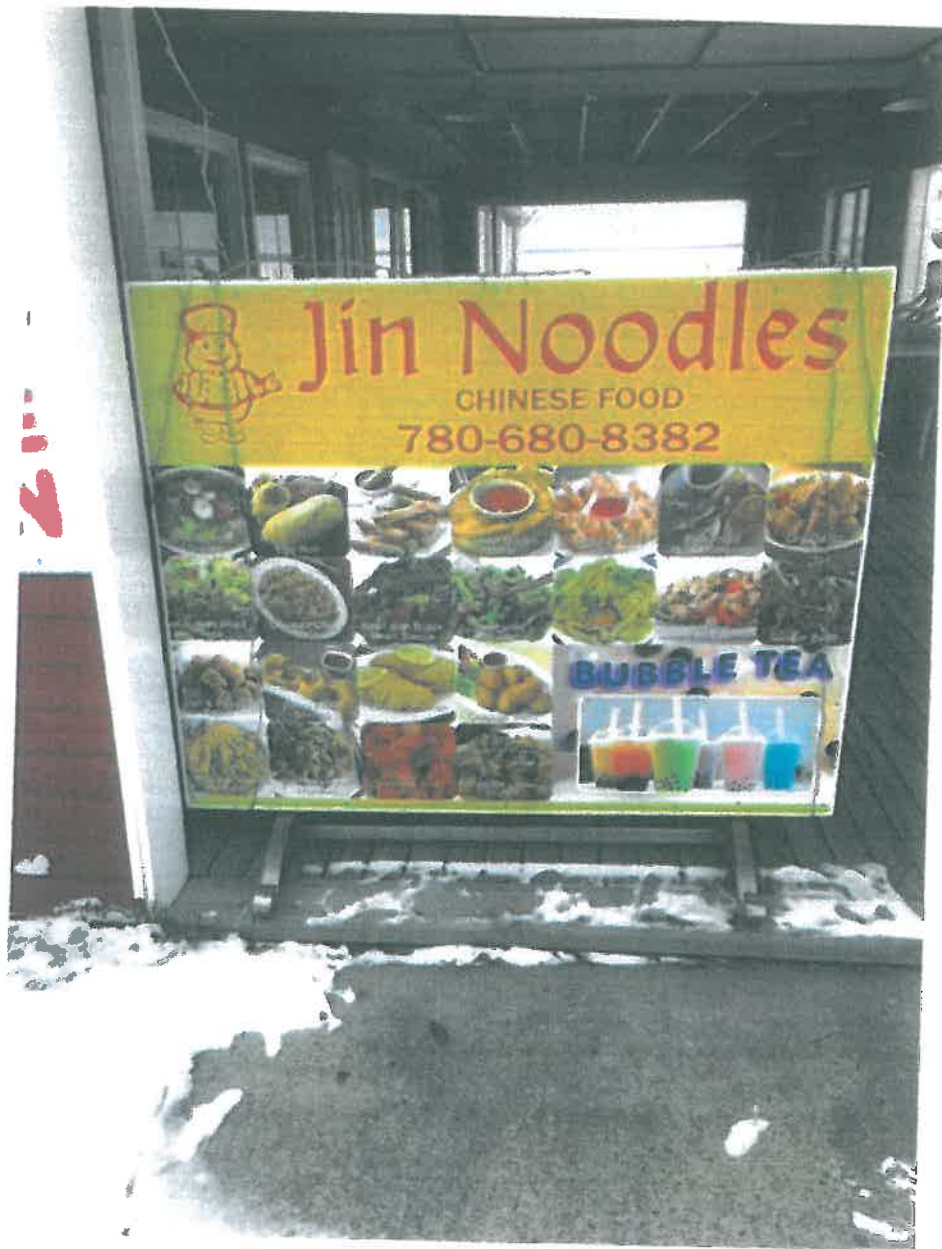
NOW OPEN
CHINESE FOOD
WELCOME
PLEASE COME IN
780-680-8382

#2.



3

Detached





Assessment Summary

Year of General Assessment: 2018

Legal: 3321BQ 5 6
Address: 5024 - 50 AVE.

Land Area: 7,892 Sq. Feet
Subdivision: VILLAGE OF ALBERTA BEACH
Zoning:
Actual Use:

Wall Signs
Free standing sign



Market Land Valuation

Site Area: 7,892 Sq. Feet

Marshall & Swift

Main Level & Conc. Slab	Motel (Side x Side)	Area (Ft2)	Built
		4,045 Sq Feet	1973

Assessment Totals

Tax Status	Code	Description	Assessment
T	TC	510 Improved Commercial	
Grand Totals For 2018			

The data contained in this report is only as accurate as the last inspection of the property and could be inaccurate due to errors or omissions. This data was collected by Municipal Assessment Services Group for the sole use of creating property assessments for the municipality in which the property is located. Any use of this data for other purposes is prohibited.

From: ALBERTA BEACH

To: TONY

06/17/2016 11:03

#949 P.001/010



Development Services for

Alberta Beach

Box 2945, Stony Plain, AB., T7Z 1Y4
Phone (780) 718-5478 Fax (866) 363-3342
Email: pcm1@telusplanet.net

DEVELOPMENT PERMIT APPLICATION FORM

Application No: _____

Permit Fee: 300

Make Cheque Payable to: Tony Sonnieitner

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant

Mailing Address

Email Address

Telephone Number

Owner of Land
(if different from above)

Address

Telephone Number

Interest of Applicant (if not the Owner)

H-5 Builders
#1 - 5300 Sunview Lane
Sherwood Park T8H 0S2

Doing business as
'The Beachside Eatery'

SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A brief description of the proposed development is as follows:

operation of a minor eating & drinking establishment with 4 rooms

Estimated cost of Development _____

Legal Description

Lot(s) _____

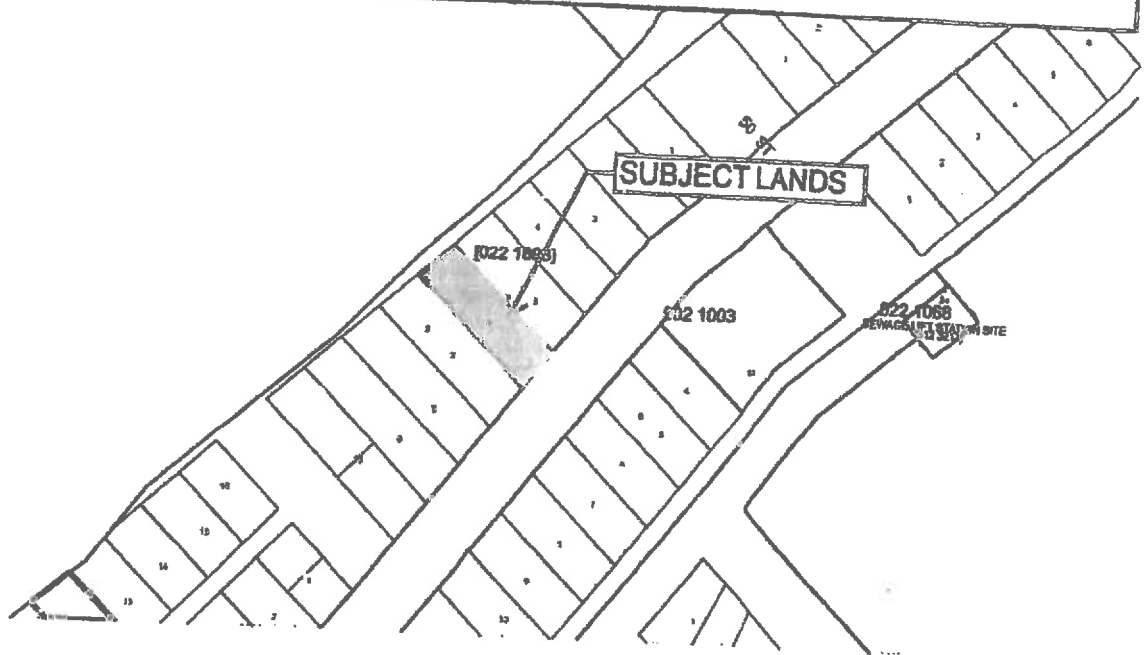
Block(s) _____

Plan _____

Municipal Address _____

LOCATION MAP

PLAN 3321 BQ, BLOCK 5, LOT 6 : 5024 - 50 AVENUE WITHIN ALBERTA BEACH



DEVELOPMENT OFFICER'S REPORT 16DP16-01

APPLICANT: Hy-5 Builders

OWNER:

EXISTING USE: Commercial

ZONE: C1 - Commercial

LEGAL DESCRIPTION: Lot 6, Block 5, Plan 3321BQ (the "Land")
5024 - 50th Avenue within Alberta Beach

PROPOSAL:

To change the use of the existing four table concession to a minor eating & drinking establishment and operation of the existing four-room motel.

REGULATIONS:

Section 65	Motels/Hotels
Section 94	C1 - Commercial District
Part VIII	Parking and Loading Regulations

COMMENTS:

The applicant has applied to change the use upon the Lands from the existing "four table concession and four room motel (approved under Development Permit 05DP28-01) to Operation of a Minor Eating & Drinking Establishment and Operation of a Four-Room Motel. The change in use is highlighted by a change in the menu and the inclusion of the sale of alcohol. The operation of the existing four-room motel would continue.

Pursuant to Part V111 of the Land Use Bylaw, the existing and proposed development would require ten parking stalls. Finding is prudent to do so, and due to the limitations for parking on the site, the Municipal Planning Commission approved Development Permit 05DP28-01, with a variance to the parking requirements, requiring the provision of seven parking stalls through a combination of the development of five parking stalls upon the site and the rental of two additional parking stalls from the Municipality. The intensity of use of the development upon the site is not increased by this application, however; the addition of the sale of alcohol in immediate proximity to the Municipal park / beach presents security concerns. In an effort to forestall the security concerns, it is recommended that the NE and NW boundaries of the Lands be fenced; preferably the fence would be 1.83 m tall and of "chain-link" construction.

Discussion between the Applicant and Alberta Beach have taken place, with the objective of potentially enlarging the area to be leased to the Applicant for parking purposes. If agreement can be reached, it is recommended that this avenue be explored. Such additional parking would make the parking associated with this development much more efficient and usable.

RECOMMENDATION: Approval of the application 16DP16-01 for

**OPERATION OF A MINOR EATING AND DRINKING ESTABLISHMENT AND FOUR
-ROOM MOTEL**

with the following conditions:

1. The applicant shall obtain, where applicable, from the appropriate authority, permits relating to health, sale of alcohol, building, electricity, plumbing and drainage, and all other permits required in connection with the proposed development.
2. The applicant shall be financially responsible during the construction for any damage by the applicant, his servants, his suppliers, agents, or contractors to any public or private property.
3. The applicant shall prevent excess soil or debris from being spilled on public streets and lanes, and shall not place soil or any other material on adjacent properties without permission on writing from adjacent land owners.
4. That the applicant display for no less than fourteen (14) days after the permit is issued, in a conspicuous place on the site or on the streets abutting the site, the enclosed notice (printed on yellow paper).
5. Improvements shall be completed in twelve (12) months from the effective day of the permit.
6. Seven (7) parking stalls shall be provided for the operation of the motel and restaurant. Failure to provide the required parking shall be cause for the review, amending or revoking of this authorization by Alberta Beach.
7. Construction of a "Chain-link" fence with a minimum height of 1.83 m on the NW and NE perimeter of the Lands, plus the parking stalls leased from the Municipality shall be included in the enclosed area.
8. On-site signage shall be provided designating and directing patrons of the motel and restaurant-concession to the reserved parking stalls. All stalls are to be clearly marked for the use of patrons only.

Estimate Commencement Date

June 15, 2016

Estimate Completion Date

SECTION 3: SITE REQUIREMENTS (does not need to be completed if applying only for a permit of sign)

Land Use District _____

Permitted Use _____ () _____

Discretionary Use _____ () _____

Note: It is important to indicate the access point to the subject lands on any site drawings. Please discuss access to the lands with the Public Works Supervisor by calling (780) 824-3181.

PRINCIPAL BUILDING

	Proposed	*Bylaw Requirements	*Conforms to Bylaw Requirements (Yes or No)
(1) Area of Site	_____	_____	_____
(2) Area of Building	_____	_____	_____
(3) % Site Coverage by Building	_____	_____	_____
(4) Front Yard Setback	_____	_____	_____
(5) Rear Yard Setback	_____	_____	_____
(6) Side Yard Setback	_____	_____	_____
(7) No. of Off-Street Parking Spaces	_____	_____	_____
(8) Height of Building	_____	_____	_____
Other Supporting Material Attached (e.g., site plan, architectural drawing)			

ACCESSORY BUILDINGS, ETC.

	Proposed	*Bylaw Requirements	*Conforms to Bylaw Requirements (Yes or No)
(1) Area of Site	_____	_____	_____
(2) Area of Building	_____	_____	_____
(3) % Site Coverage by Building	_____	_____	_____
(4) Front Yard Setback	_____	_____	_____
(5) Rear Yard Setback	_____	_____	_____
(6) Side Yard Setback	_____	_____	_____
(7) No. of Off-Street Parking Spaces	_____	_____	_____
(8) Height of Building	_____	_____	_____

*To be completed by Development Officer.

SECTION 4: SIGN INFORMATION (This section only needs to be completed if a sign is being proposed)

Check One: Permanent Temporary
 Name _____ Length _____ Height _____
 Area _____ Type of Support _____
 Elec _____
 Lot _____
 App _____
 Plan _____ Flashing or Animated: Yes No
 Quarter Section _____
 Owner of Building
 Owner of Land Where Sign is Proposed

TO BE COMPLETED BY APPLICANTS FOR PERMANENT SIGN ONLY

Building Owner _____
 Telephone Number _____
 Occupancy of Building _____
 Number of Existing Signs _____

TO BE COMPLETED BY APPLICANTS FOR PERMANENT SIGN ONLY

The Lot is: A Single Business Occupancy
 A Multiple Business Occupancy

The sign is proposed to be displayed on the above site for _____ days.

Identification No. _____ Number of Existing Signs _____
 Sign Owners Name _____
 Address _____
 Telephone Number _____

I hereby understand that should the Land Use Bylaw or conditions of this permit be contravened my sign is liable to be impounded and that I shall be responsible for the payment of costs prior to the recovery of the sign from the Municipality.

SIGN OWNER'S SIGNATURE

NOTE: To be valid each application must be signed by the applicant, the sign owner, and the owner of the land (or his agent) upon which the sign is proposed to be placed.

SECTION 5: AUTHORIZATION

I, _____ am _____ the registered owner authorized to act on behalf of the registered owner

and 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 this 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.

June 17, 2016
Date



SECTION 6: PROCESSING TIME LIMITS

DATE OF ACCEPTANCE OF DEVELOPMENT/SIGN PERMIT APPLICATION FORM

(to be completed by the development officer)

Where a decision on this application is not made within forty (40) days if the date of acceptance specified above, you may:

- (a) consider this development application to be **REFUSED** by the Development Officer and appeal this decision to the Development Appeal Board within fourteen (14) days of the date of this refusal; or
- (b) obtain and complete an extension agreement available from the Development Officer to extend the forty (40) day decision period specified to allow the Development Office additional time to reach a decision.

ADDITIONAL INFORMATION REQUIRED

PLEASE INDICATE BELOW THE TYPE OF SEWAGE DISPOSAL AND WATER SUPPLY TO BE USED ON THE DEVELOPMENT / SUBDIVISION.

TYPE OF WATER SUPPLY	
<input checked="" type="checkbox"/>	WELL
<input type="checkbox"/>	CISTERN & HAULING
<input type="checkbox"/>	MUNICIPAL SERVICE
<input type="checkbox"/>	OTHER (Please Specify)

TYPE OF SEWAGE DISPOSAL	
<input type="checkbox"/>	OPEN DISCHARGE / SEPTIC TANK
<input type="checkbox"/>	SUB-SURFACE DISPOSAL / SEPTIC TANK
<input type="checkbox"/>	ABOVE GROUND / SEPTIC TANK
<input type="checkbox"/>	SEWAGE LAGOON
<input type="checkbox"/>	OUTDOOR PRIVY
<input checked="" type="checkbox"/>	MUNICIPAL SERVICE
<input type="checkbox"/>	OTHER (Please Specify)

PLEASE INDICATE IF THE ABOVE IS:

(A) EXISTING

(B) PROPOSED

(If unsure please check with the local Health Unit or the Plumbing Inspection Branch)

IMPORTANT NOTES

1. In addition to completing this application in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provisions for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances.
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-returnable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. **THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**

**FREEDOM OF INFORMATION AND PROTECTION OF
PRIVACY ACT NOTICE**

Please be advised that the information contained in your application for:

- Development permit approval
- Subdivision approval
- Re-Districting approval

is being collected for the purpose of decision making by the Development Authority and the Subdivision Approving Authority. For this purpose, your application may be forwarded to the following people/organizations,

- ◊ Adjacent landowners
 - ◊ Utility Companies
 - ◊ Adjacent Municipality Municipal Offices
 - ◊ Government Departments
 - ◊ Statistics Canada
 - ◊ Other organizations as determined by the Development Authority
 - ◊ Local newspaper for public advertisement

Under the authority of Sections 606, 640(1), 653(4) of the Municipal Government Act, Statutes of Alberta, Chapter M-26.1, as amended and the Subdivision and Development Regulation 212/95.

_____ have no objections to the above stated procedures being used in the review and decision making process for application no. _____

Signature _____

Date: June 17, 2016

For more information contact:

Village of Alberta Beach
Freedom of Information and Protection of Privacy Coordinator
Box 278
Alberta Beach, Alberta
T0E 0A0
(780) 924-3181

From: ALBERTA BEACH

To: TONY

06/17/2016 11:07

#949 P.008/010

RIGHT OF ENTRY

File No: _____

I authorize the Development Authority of the Village of Alberta Beach and other agencies as designated in Section 653(2) of the Municipal Government Act, 2000 to enter my land for the purpose of conducting a site inspection in connection with my application.

SIGNED: [Signature] Registered Owner

[Signature] Registered Owner

DATE: June 17, 2016

NOTICE

Compliance Monitoring

Agencies Authorized by Alberta Municipal Affairs to Issue Permits and Provide Compliance Monitoring in Non-Accredited Municipalities

Agency Name	Phone	Fax	Building Permits	Electrical Permits	Gas Permits	Plumbing Permits
Alberta Safety Inspections Inc.	(780) 897-1998 1-877-780-7233	(780) 539-7185 1-888-780-7232	Yes	No	No	No
Superior Safety Codes Inc.	(780) 489-4777 1-866-999-4777	(780) 489-4711 1-866-900-4711	Yes	Yes	Yes	Yes
The Inspections Group Inc.	(780) 434-5048 1-866-554-5048	(780) 434-5222 1-866-434-5222	Yes	Yes	Yes	Yes

From: ALBERTA BEACH

To: TONY

06/17/2016 11:08 #949 P.009/010

DEVELOPMENT PERMIT FEES
EFFECTIVE: March 15, 2016

PERMITTED USES				
Accessory/Additions	Septic, Cistern, Fence	Dwellings	Demolition	Commercial
\$100.00	\$50.00	\$300.00	\$50.00	\$300.00

DISCRETIONARY USES			
Accessory/Additions	Septic, Cistern, Fence	Dwellings	Commercial
\$150.00	\$100.00	\$500.00	\$500.00

NOTE: FEE PLUS APPLICABLE G.S.T.

LETTERS OF COMPLIANCE FEES

STANDARD RATES	RUSH RATE <72 HOURS
\$95.00	\$190.00

NOTE: FEE PLUS APPLICABLE G.S.T.

From: ALBERTA BEACH

To: TONY

06/17/2016 11:08

#949 P.010/010

HY-5 BUILDERS & CONSTRUCTION MANAGERS LTD.

000334

DATE 2016-06-17
Y Y Y Y M M D D

PAY TO: Tony Sommer

Three hundred

\$ 300.00

XX DOLLARS

THE BANK OF NOVA SCOTIA
BASELINE VILLAGE
222 BASELINE ROAD
SHERWOOD PARK AB T8H 1R9

42309

HY-5 BUILDERS & CONSTRUCTION MANAGERS LTD.

RE

PER

⑆000334⑆ ⑆42309⑆002⑆ 00707⑆18⑆

SECTION 65 MOTELS/HOTELS

(1) Interpretation:

For the purposes of this Section, a rentable unit means a separate unit on a motel parcel used or intended to be used for the temporary dwelling accommodation of one or more persons.

(2) Parcel Requirements:

	Minimum Parcel Area/Unit	Minimum Building Setbacks	On-Parcel Parking	Minimum Floor Area/Unit
One Storey	140.0 m ² (1507 ft ²)	Front 7.6 m (24.93 ft) Side 3.0 m (9.84 ft) Rear 3.0 m (9.84 ft)	1 per Rentable Unit and 1 per 3 Employees	26.5 m ² (285 ft ²)
Two Storey	93.0 m ² (1001 ft ²)	Same as Above	Same as Above	Same as Above

(3) Driveways, Entrances and Exits:

- (a) Pursuant to Section 35 of this Bylaw, each rentable unit shall face onto or abut a driveway not less than 6.0 m (19.69 ft) in width, with unobstructed access thereto, and the parcel must be suitable, in the opinion of the Development Authority, in terms of safe and efficient internal traffic circulation and access to/egress from the parcel.

SECTION 94 C1 - COMMERCIAL DISTRICT

(1) General Purpose of District

This district is generally intended to provide for a wide variety of retail commercial and office uses at higher densities than would normally be found or provided for in other commercial areas of the Municipality.

(2) Permitted Uses

Discretionary Uses

Retail establishment
Medical clinic
Major or minor eating and drinking establishment
Personal service establishment
Park
Convenience retail store

Amusement arcade
Repair service establishment (not including the repair of automobiles or heavy machinery)
Gas bar, service station or car wash establishment
Second hand store
Recreational use
Private club or lodge
Home day care
Family care facility
Group care facility
Commercial school (not including a school using heavy and industrial vehicles)
Private liquor outlet
Public or quasi-public use
Public utility
Public utility building
Parking facility
Residential dwelling unit attached to a commercial operation
Accessory building
Any use that is similar, in the opinion of the Municipal Planning Commission to the permitted or discretionary uses listed above.

(3) **Site Coverage**

No maximum, provided that adequate provision is made for parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(4) **Minimum Site Area**

Shall not be less than 150.0 m² (1615 ft²) with a width of not less than 5.0 m (16.4 ft) and a depth of not less than 30.0 m (98.4 ft).

(5) **Minimum Front Yard Setback**

No front yard shall be required except as specified under Section 39 of this Bylaw.

(6) **Minimum Side Yard Setback**

Not required unless abutting a residential district. The side yard required where the site abuts a residential district shall be 2.4 m (7.9 ft) or one-half the height of the building which ever is greater.

(7) Minimum Rear Yard Setback

The minimum rear yard setback shall be 6.1 m (20.0 ft) or at the discretion of the Development Officer/Municipal Planning Commission.

(8) Height of Buildings

Shall not exceed 12.0 m (39.4 ft) unless the site abuts another district in which case the building will not exceed the maximum height for the adjacent district.

(9) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I - V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

SECTION 76 OFF-STREET PARKING DEVELOPMENT REGULATIONS

- (1) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility to the satisfaction of the Development Authority.
- (2) Except in the case of residential land use districts where the off-street parking area for an individual residential dwelling unit is accessed directly from the public street, and unless otherwise specified in this Bylaw, all off-street parking areas/facilities shall be separated from public streets by a landscaped area at least 1.0 m (3.28 ft) in width as measured from the outside edge of the parked vehicle to the edge of the public street right-of-way.
- (3) All non-residential off-street parking facilities shall be constructed according to the following standards:
 - (a) Necessary curb cuts shall be located and designed to the satisfaction of the Development Officer.
 - (b) In all land use districts where the requirement for off-street parking spaces exceeds two, except where more than two off-street parking spaces are required for a bed and breakfast operation in accordance with Section 57 of this Bylaw,

Business, public administration and offices other than doctor and dentist.

1 space for every 40.0 m² (431 ft²) of gross floor area.

Medical and dental offices or clinics.

1 space for every 30.0 m² (323 ft²) of gross floor area.

Retail/service shops with a gross floor area of 1000.0 m² (10,764 ft²) or less.

1 space for every 30.0 m² (323 ft²) of gross floor area.

Retail/service shops with a gross floor area of between 1000.0 m² (10,764 ft²) and 4000.0 m² (43,057 ft²).

1 space for every 20.0 m² (215 ft²) of gross floor area.

Retail/service shops and shopping centre buildings with a gross floor area of more than 4000.0 m² (43,057 ft²) on one parcel.

1 space for every 17.0 m² (183 ft²) of gross floor area.

Restaurants, cocktail bars, beer parlours.

1 per 4 seating spaces or 1 space for every 6.0 m² (65 ft²) used by the patrons, whichever is deemed to be the most applicable standard given the nature of the application as determined by the Development Authority.

Drive-in restaurants.

1 per 4 seating spaces or 1 space for every 2.8 m² (30 ft²) used by the patrons, whichever is deemed to be the most applicable standard given the nature of the application as determined by the Development Authority.

Automotive repair and services; automobile sales lots and showrooms; automobile accessory sales and service; recreational vehicle sales and service; auto body repair and paint shops; and tire sales and services.

1 space for every 46.0 m² (495 ft²) of gross floor area. Parking for customers and the service department (if applicable) shall be clearly identified and separate from the sales and display lot.

every off-street parking space provided, and the access thereto, shall be hard-surfaced if the access is from a street or lane which is hard-surfaced, using the same or similar material for the off-street parking space as is found in the hard-surfaced street or lane giving access.

- (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential parcel and other parcel where in the opinion of the Development Authority it would have adverse effects.
- (d) Grades and drainage shall dispose of surface water to the satisfaction of the Development Authority. In no case shall grades be established that would permit surface drainage to cross any sidewalk or parcel boundary without the approval of the Development Authority.
- (e) Parking for the physically handicapped shall be provided as provincial regulations require, be considered as part of the number of stalls required for the project and be clearly identified for use by the physically handicapped.

SECTION 77 NUMBER OF OFF-STREET PARKING STALLS REQUIRED

(1) The minimum number of off-street parking stalls required for each use of a building or development shall be as follows:

(a) Residential:

Single Detached Dwelling, modular home, mobile home within a mobile home subdivision or park and duplex.	1 per dwelling unit.
Multiple family dwellings of one bedroom or less per dwelling unit.	1.5 per dwelling unit.
Multiple family dwellings of two or more bedrooms per dwelling unit.	2 per dwelling unit.
Senior citizen self contained dwelling units.	2 for every 3 dwelling units.

In addition to the total number of parking spaces required for multi-family dwellings, one space for every four dwelling units must be assigned to guest parking, and must be clearly identified as guest parking.

(b) Commercial:

Public or Private, Senior High Schools which do or do not include an auditorium, gymnasium or swimming pool.

1 per daytime school employee plus 1 for every 8 students. Parking for auditoriums and swimming pools, as part of the school development, shall be provided as per Section 77 (1)(d) and may be reduced accordingly to accommodate joint use and peak use activity

- (2) Where a building is enlarged, or altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provisions shall be made for the additional parking spaces required under the parking provisions of this Bylaw. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.
- (3) Where in the opinion of the Development Authority, parking facilities have previously been provided in accordance with Section 76 to specifically serve a proposed project, the number of parking stalls required on a parcel pursuant to Section 77(1) may be reduced accordingly.
- (4) The number of parking stalls required may be reduced where, in the opinion of the Development Authority, the parking required by various users on a parcel will vary according to time so that all needs as defined in this Bylaw can be met at any given time by the reduced number of stalls.
- (5) In the case of a use not specified in Section 77(1), the number of stalls provided shall be the same as for a similar use as determined by the Development Authority.
- (6) Where a development on a parcel falls within more than one use of a building or development, the required number of spaces shall be the sum of the requirements for each of the uses as specified under Section 77(1).
- (7) Where there is a fractional number of parking spaces required by this Bylaw, the next highest number of stalls shall be provided.
- (8) The design of the parking area can be altered where the Development Authority considers that the situation warrants variance of the standard design.

SECTION 78 COMMUNAL AND OFF-PARCEL PARKING

- (1) Parking may be supplied on a parcel other than the parcel of the principal use provided that it is in accordance with the following regulations:

Restaurants (food exclusively taken off the parcel).

1 space for every 13.0 m² (140 ft²) of gross floor area plus 1 for each three employees on maximum shift.

Hotels, motor hotels, motels and apartment hotels.

1 per rentable unit and 1 space per three employees on maximum shift.

Private liquor outlet

3 spaces and 1 space per 30.0 m² (323 ft²) of gross leasable floor area.

(c) Industrial:

Light manufacturing plants; warehouse space; wholesale and storage buildings and yards; servicing and repair establishments; research laboratories; and public utility buildings. Medium to heavy manufacturing plants, mills or shops.

1 space per employee on maximum shift. These standards may be varied, at the discretion of the Development Authority, to no fewer than 1 space per three employees on maximum shift.

(d) Places of Assembly:

Private clubs or lodges, funeral homes/chapels, /auditoriums, places of worship, halls, theatres, cinemas and other amusement or recreational establishments.

1 per 5 seating spaces or 1 space for every 4.6 m² (50 ft²) used by the patrons, whichever is deemed to be the most applicable standard given the nature of the application as determined by the Development Authority.

(e) Schools:

Elementary and Junior High Schools.

5 plus 1 per daytime school employee on a maximum shift.

required and construct the parking facility and required number of parking stalls. Money so received by the Municipality will be used only for the development or improvement of municipal, off-street parking facilities.

SECTION 79 OFF-STREET LOADING

- (1) Where a proposed development will, from time to time, require pick up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the parcel to the satisfaction of the Development Authority.
- (2) Pursuant to Section 79(1), the Development Authority shall consider all of the criteria listed in Section 76(3) when reviewing off-street loading requirements.
- (3) Off-street loading spaces shall:
 - (a) have dimensions of not less than 4.0 m (13.1 ft) in width and 8.0 m (26.2 ft) in length, or a length greater than 8.0 m (26.2 ft), at the discretion of the Development Officer, taking into account the type of motor transport vehicle typically associated with delivering the commodities to the parcel(s);
 - (b) have overhead clearance of not less than 5.3 m (17.4 ft) above grade;
 - (c) have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
 - (d) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
 - (e) be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross parcel boundaries or sidewalks without the approval of the Development Authority;
 - (f) be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
 - (g) have adequate lighting to the satisfaction of the Development Authority; and
 - (h) be screened on each side adjoining or fronting on any parcel in a residential district by a wall, fence, earth berm or hedge of not less than 2.0 m (6.56 ft) in height to the satisfaction of the Development Authority.

- (a) Except in the case of residential, arterial commercial land use districts as well as parcel in parks/recreation or urban services and use districts adjacent to residential parcels, and subject to the approval of the Municipal Planning Commission, an owner of land or a group of such owners may pool his or their required off-street parking stalls within one or more communal parking facilities and may thereby collectively fulfill the requirements of Section 77(1);
 - (b) Where a group of uses is served by a communal parking facility, the requirement for such facility shall be the sum of the off-street parking requirements for each of the uses served by the parking facility;
 - (c) Where a group of uses or businesses pool their parking requirements onto one parcel, such a communal parcel shall be located no more than 120.0 m (39.37 ft) from any one of the owners who have pooled their off-street parking requirements;
 - (d) The owners who have pooled their parking requirements shall enter into an agreement with the Municipality and the owners shall consent to such an agreement being registered as an encumbrance against the titles of land involved; and
 - (e) The owners involved in a communal parking arrangement shall pay the full costs of preparation and registration of the agreement referred to in Section 78(1)(d).
- (2) Where all of the required off-street parking cannot be provided on-parcel, the necessary additional off-street parking may, at the discretion of the Municipal Planning Commission, be provided on lands within 120.0 m (393.7 ft) of the extremities of the parcel subject to the following conditions:
- (a) The owner/developer of the lands required for off-street parking shall enter into an agreement with the Municipality the owner/developer shall consent to such agreement being registered as an encumbrance against the title of the lands; and
 - (b) The owner/developer shall pay the full costs of preparation and registration of the agreement referred to in Section 78(2)(a).
- (3) At the option of Council, and in lieu of providing off-street parking, an owner/developer of land proposed for development shall pay the Municipality to provide the equivalent parking area. The amount of money required will be determined by a resolution of Council and shall be based on the amount needed to purchase the land

SECTION 80 MINIMUM PARKING FACILITY DIMENSIONS

- (1) The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with the following regulations.

BASIC STALL: 6.0 m (19.7 ft) X 2.75 m (8.4 ft)

PARALLEL STALL: 7.0 m (22.9 ft) X 2.8 m (9.2 ft)

DIMENSION TABLE

Minimum dimensions when parking at any of these angles (For Standard Size Cars):

ANGLE OF PARKING (DEG.)	ISLE WIDTH	DEPTH OF STALL	MODULAR WIDTH
30	3.4 m (11.2 ft)	4.6 m (15.1 ft)	12.6 m (41.3 ft)
45	3.7 m (12.1 ft)	5.5 m (18.0 ft)	14.7 m (48.2 ft)
55	4.3 m (14.1 ft)	5.8 m (19.0 ft)	15.9 m (52.2 ft)
60	4.9 m (16.1 ft)	5.8 m (19.0 ft)	16.5 m (54.1 ft)
65	5.2 m (17.1 ft)	5.8 m (19.0 ft)	16.8 m (55.1 ft)
70	5.5 m (18.0 ft)	5.8 m (19.0 ft)	17.1 m (56.1 ft)
90	6.7 m (22.0 ft)	5.5 m (18.0 ft)	17.7 m (58.1 ft)

Note: For small cars, aisle width can be reduced by 600 mm (2.0 ft) and stall depth can be reduced by 600 mm (2.0 ft). For large cars, add 300 mm (1.0 ft) to each dimension.

Roll 687C

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
OF ALBERTA BEACH IN THE PROVINCE OF ALBERTA
HELD IN COUNCIL CHAMBERS
JUNE 21, 2016 AT 7:00 P.M.**

PRESENT:

Mayor Jim Benedict
Deputy Mayor Bill Love
Councillor Angela Duncan
Councillor Tara Elwood
Councillor Don McNair
C.A.O. Kathy Skwarchuk
Development Officer..... Tony Sonnleitner

CALL TO ORDER:

Mayor Benedict called the meeting to order at 7:25 P.M.

AGENDA ADDITIONS OR DELETIONS:

AGENDA ADOPTION:

MOVED BY Deputy Mayor Love that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

NEW BUSINESS:

DEVELOPMENT PERMIT APPLICATION #16DP16-01:

Lot 6, Block 5, Plan 3321BQ (5024 - 50th Avenue)

Application to change the use of the existing four table concession to a minor eating & drinking establishment and the operation of the existing four room motel.

The Development Officer reviewed the Development Permit Application with the members of the Municipal Planning Commission. He has recommended approval subject to the conditions as outlined in his report. The applicant attended the meeting to review the application.

MOVED BY Councillor Duncan that Development Permit Application #16DP16-01 to change the use of the existing four table concession to a minor eating & drinking establishment and the operation of the existing four room motel on Lot 6, Block 5, Plan 3321BQ (5024 - 50 Avenue) be approved subject to the conditions as per the Development Officer's Report.

CARRIED UNANIMOUSLY

ADJOURNMENT:

The Municipal Planning Commission meeting adjourned at 7:39 P.M.

Mayor - Jim Benedict

C.A.O. - Kathy Skwarchuk

3.8.2 Policies:

- a) Council should seek continued support of local community groups to provide assistance with the provision and upkeep of community facilities;
- b) New community facilities shall be made accessible to all persons with physical disabilities;
- c) Council should investigate options for improving accessibility to existing facilities, resources permitting;
- d) The Village should investigate the possibility of attracting a seniors housing development to the community; and
- e) The Village should explore all opportunities to upgrade, rebuild, and relocate the Village administration building.

3.9 COMMERCIAL

Increased mobility, and economies of scale found in larger urban centers, have made it increasingly difficult for smaller, local businesses to compete with centers such as Edmonton, Spruce Grove, and Stony Plain. It is therefore important for the Village to fully capitalize on the needs and desires of the local and surrounding citizens and to maximize the commercial development potential. Provision of a wider range of low order goods and services may encourage more local shopping which may in turn make the Village more attractive to additional, new business.

It is important for the Village to present itself as a desirable location in which to do business. The Municipality and the business community should encourage and support new business activities. Part of this process includes the promotion of the Central Area which caters to the local residents and visitors in the center of the Village. This area is located along both sides of 50th Avenue and should be maintained and enhanced whenever possible. Commercial business compatible with providing office, retail and services should be encouraged to locate in this area.

Currently, commercial development is located along 50th Avenue between 47th and 51 Streets and along 47th Street. Both areas have potential for further commercial development either on vacant land or through redevelopment. A strengthening of commercial development along 50th Avenue would aid in defining the Central District as a primary focus of the community. The Plan provides for the future development of this area and makes provisions for coordinated efforts in developing appropriate improvements to the Central District. In order to promote the Central District as the primary focus of the community, all commercial developments (excluding those permitted in the Arterial

Commercial District) shall be concentrated within the C1 - Commercial District and will coexist with land uses associated with recreational, cultural and social activity.

The Arterial Commercial District provides an area within the Village for business which cater primarily to vehicular traffic.

3.9.1 Objectives:

1. To provide, as economically feasible, the widest range of community services;
2. To encourage commercial business to locate in the Village;
3. To recognize the distinction between the arterial commercial area and the central commercial area of the Village;
4. To encourage the concentration of commercial businesses in the center of the Village;
5. To ensure that an adequate supply of commercial land exists to meet demands for both commercial and arterial commercial uses;
6. To encourage a high standard of design.

3.9.2 Policy:

1. Council should encourage new commercial development within the center of the Village to serve local residents and visitors.
2. The Village will work with the Central Business community to assist in improving the visual character and function of the Central District, as resources permit.
3. The Village shall encourage land intensive and/or traffic oriented commercial uses to locate within the arterial commercial district.
4. The type and size of retail uses in the arterial commercial area shall be limited to maintain and minimize the impacts on the commercial area in the center of the Village.

5. The Village shall ensure a high standard of development and design for all commercial development.
6. Council shall ensure that arterial commercial businesses supply enough parking to serve their customers.

3.10 INDUSTRIAL

The Village is predominately resort-residential in character. However, the municipality encourages industrial land uses to locate within the community.

Presently, there is very limited light industrial activity within the community. An existing area along the south side of Museum Rd. Twp. Rd. 543A was established to accommodate such land uses. It is expected that this area should accommodate the light industrial demand in the short term; where the land on the north side of this road is allocated under this Municipal Development Plan for future light industrial use.

3.10.1 Objectives:

1. To encourage light industrial development compatible with the character of Alberta Beach to locate within the Village;
2. To ensure an adequate reserve of industrial land is maintained to meet future needs.

3.10.2 Policies:

1. The Village shall ensure new light industrial developments provide an adequate supply of water for existing land uses and fire fighting in accordance with relevant provincial regulations and standards.
2. Buffering and fencing should be provided where light Industrial uses abut non-industrial uses.
3. Alberta Beach shall encourage full provision of on-site parking to minimize impacts of parking on adjacent areas and streets.

9. Notwithstanding other provisions of Section 3.6 of this Bylaw, in accordance with Section 685(3) of the Act, a development permit for a permitted use without variance does not require notification other than to the landowner and applicant.

3.7 DECISION ON DEVELOPMENT PERMIT APPLICATIONS

1. Permitted and Discretionary Use Applications (Non-Direct Control Districts).
 - a) The Development Authority shall be the approving authority for all proposed development, which is listed as either a permitted or discretionary use under a land use district under this Bylaw.
 - b) Upon receipt a completed application for a development permit for a permitted use, the Development Officer shall approve the application with or without conditions, where the proposed use conforms to this Bylaw. Generally, the Development Officer is authorized to approve all permitted use development permit applications.
 - c) Subject to Section 3.7.1(d), the Development Officer is authorized to decide all discretionary use development permit applications which are related to an approved use on the subject property.
 - d) All development permit applications which are discretionary and not related to an approved use on the subject property and/or which require a variance to any quantitative regulation (i.e., side yard setback) contained in this Bylaw shall be referred to the Municipal Planning Commission for decision.
 - e) The Municipal Planning Commission is authorized to decide all development permit applications that are referred to it by the Development Officer.
 - f) When approving a discretionary use application, the Development Authority may attach conditions to the approval to ensure that the proposal conforms to this Bylaw.

2. Variance Provisions:

- a) The Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion,
- (i) the proposed development would not,
 - A. unduly interfere with the amenities of the neighbourhood, or
 - B. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
 - (ii) the proposed development conforms to the uses prescribed for that land or building in this Bylaw,
- b) Notwithstanding the above, a variance shall be considered only in cases of unnecessary hardship or practical difficulties to the use, character, or situation of land or building which are not generally common to other land in the same district.
- c) When considering a variance to quantitative criteria such as floor area or a site setback, the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.

3. Development Permit Refusals:

When refusing an application for a development permit, the Development Authority shall clearly describe the reasons for the said refusal on the notice of decision.

4. Temporary Permits:

Where a development permit is not required on a permanent basis, the Development Authority may approve the development permit for a specified period of time. The

expiry date of all temporary development permits shall be clearly indicated on the notice of decision.

3.8 DEEMED REFUSALS ON DEVELOPMENT PERMIT APPLICATIONS

In accordance with Section 684 of the Municipal Government Act, 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 the completed application being received by the Development Authority unless the applicant and the Development Authority have mutually entered into an agreement to extend the forty (40) day period.

3.9 SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS

1. If, after a development permit has been issued, the Development Authority becomes aware that:
 - a) the application for the development contains a misrepresentation;
 - b) facts concerning the application or the development were not disclosed at the time the application was considered;
 - c) the development permit was issued in error; or
 - d) the conditions of Development Permit Approval are not being complied with in to the satisfaction of the Development Authority,the Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it.
2. A person whose development permit is suspended or cancelled under this section may appeal to the Subdivision and Development Appeal Board.

7. There shall be a minimum clearance height of 2.5 m (8.0 ft.) above finished grade to the bottom of any sign projecting over a public right-of-way or sidewalk.
8. No sign shall project more than 1.5 m (4.9 ft.) above the top of any main wall or parapet to which it is affixed, unless in the opinion of the Development Officer it has been designed as an integral part of the building.
9. No sign shall project more than 1.5 m (4.9 ft.) out from the face of any building to which it is affixed unless, in the opinion of the Development Officer it has been designed as an integral part of the building.
10. The Development Officer may refuse to allow any sign which is deemed to be offensive in nature or inappropriate in design.
11. The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
12. The Development Officer, Municipal Planning Commission, or Council may require the removal of any sign which, in their opinion is or has become unsightly or is in such state of disrepair as to constitute a hazard.

4.23 SIGNS IN COMMERCIAL DEVELOPMENTS

Where commercial buildings are permitted the following regulations shall apply:

- a) For each principal building, one identification sign; not to exceed 3.0 m² (32.29 ft²) in area.
- b) Signs may be detached if they do not exceed a height of 2.0 m (6.56 ft.) or project into any required setback area.
- c) Where a sign is not detached, it shall be placed flat against the building or be designed as part of an architectural feature thereof, or as a canopy sign.
- d) One wall sign only will be permitted to indicate the name and nature of the occupancy for each tenancy within the development. The sign shall not exceed a total area of 0.9 m² (9.68 ft²) of copy for each lineal metre of building occupancy.
- e) If the occupancy is on a corner, one wall sign will be permitted for each face.

- f) If the building includes a canopy, each tenant will be permitted one under-canopy sign of no more than 0.5 m² (5.38 ft²).

4.24 KEEPING OF ANIMALS

1. No person shall keep or permit to be kept in any part of any yard in any Land Use District any livestock except as described in Alberta Beach Animal Control Bylaw, as amended.
2. No person shall keep or permit to be kept in any part of any yard in any Land Use District any pets or domestic animals of any kind on a commercial basis, that is, for the purpose of breeding or caring in exchange for pay or other compensation or remuneration, unless said keeping occurs within the confines of an approved kennel.
3. In addition to this Section, the regulations in the Residential Districts respecting the keeping of animals will apply.

4.25 SEA CANS

As a condition of granting a development permit for a sea can, the Development Authority may require the sea can to conform aesthetically to buildings upon adjacent properties and those within the District. This may include, but is not limited to, buffering it from public view and/or enclosing it entirely within a building.

4.26 FIRE PITS

Within the corporate limits of Alberta Beach, fire pits must:

5.9 C1 – COMMERCIAL

1. General Purpose of District

This land use district is generally intended to provide for a wide variety of retail, commercial, and office uses to serve residents of Alberta Beach and surrounding communities.

2. Permitted Uses

Discretionary Uses

- Bakery
- Bar
- Buildings and uses accessory to permitted uses
- Car wash
- Community facility
- Day care facility
- Education service
- Gas Bar
- Government service
- Office
- Park
- Personal service
- Pet grooming
- Recreation facility
- Restaurant
- Retail store
- Surveillance Suite
- Major or minor eating and drinking establishment
- Theatre or cinema

- Bar
- Buildings and uses accessory to discretionary uses
- Place of Worship
- Sea Can
- Tourist information centre
- Veterinary clinic
- Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

3. Subdivision Regulations

- a) Site area minimum shall be 475.0 m² (5113.0 ft²).
- b) Site area maximum shall be 1.5 ha (3.7 ac.).

4. Development Regulations

- a) Lot coverage maximum shall be 60%.

b) Front, rear, and side yard setbacks shall be a minimum of 0.00 m.

c) Building height maximum shall be 12.0 m (39.0 ft.).

d) Notwithstanding Section 5.9(4)(b), and in addition to the provisions of Parts VI and VII of this Bylaw, side and rear yard setbacks immediately adjacent to a residential land use district shall be 3.0 m (9.8 ft.) or one-half the height of the building, to a maximum of 6.0 m (19.7 ft.), whichever is the greater distance.

5. Other Provisions

a) Administrative procedures and regulations: refer to Parts 1-3 of this Bylaw.

b) General Parcel Provisions: refer to Part 4 of this Bylaw.

c) Special Land Use Provisions: refer to Part 4 of this Bylaw.

d) Parking and Loading Regulations: refer to Part 4 of this Bylaw.

e) Sign Regulations: refer to Part 4 of this Bylaw.

ALBERTA BEACH



LAND USE DISTRICT MAP

RESIDENTIAL

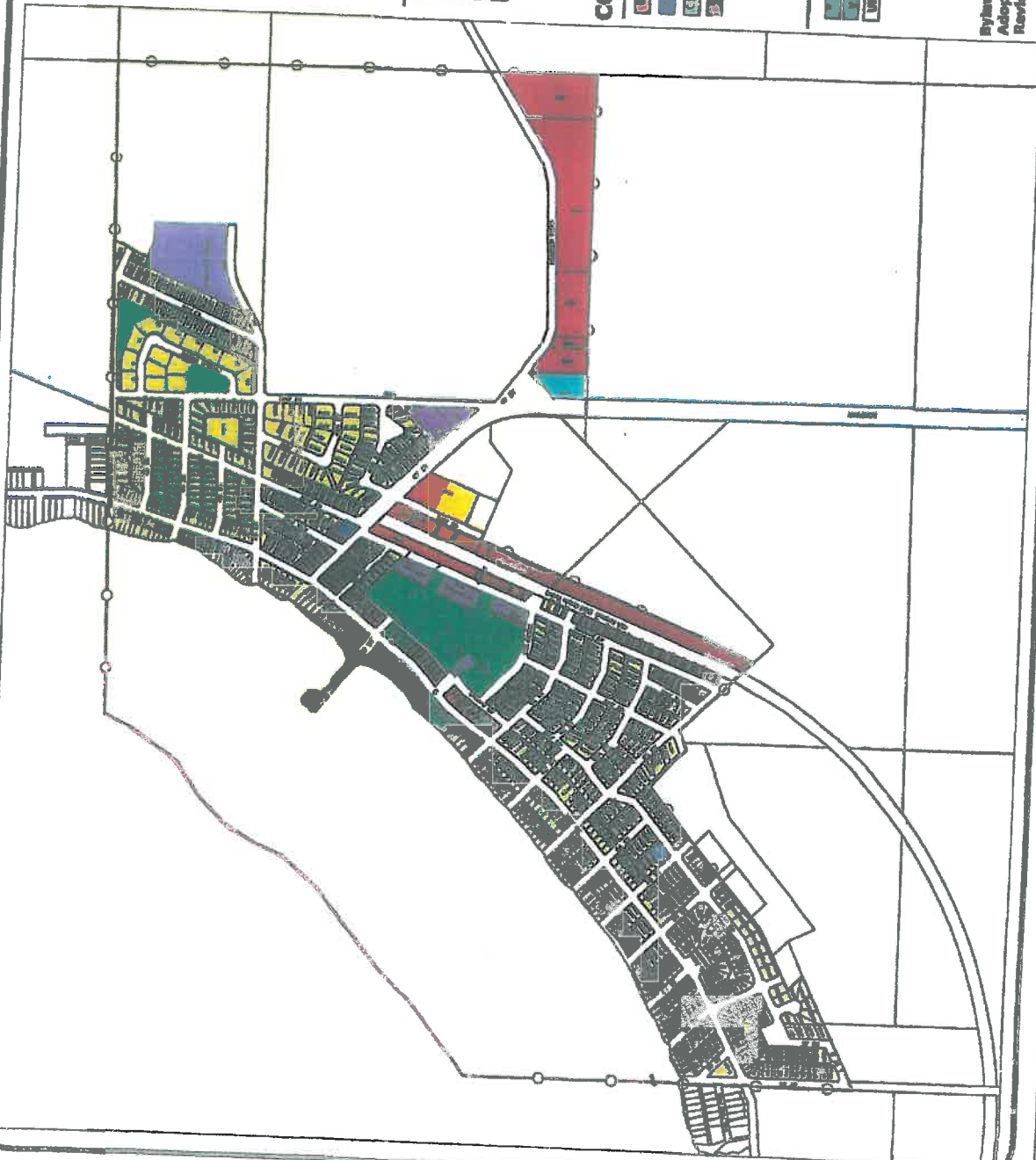
- R1 - Single Family
- R2 - Single Family Narrow Lot
- R3 - Single Family Special Lot
- R4 - Medium Density

COMMERCIAL & INDUSTRIAL

- C1 - Commercial
- C2 - Mixed Use
- C3 - Highway
- M1 - Light Industrial

OTHER

- P - Parks
- US - Urban Services
- UR - Urban Reserve



Bylaw No.: 252-17
Adopted Date: Sept 19, 2017
Revision Date: