



**PICTURE BUTTE MUNICIPAL PLANNING COMMISSION MEETING  
HELD IN COUNCIL CHAMBERS  
*Monday, September 27th, 2021 at 5:00 p.m.***

**PRESENT:** Mayor Moore, Deputy Mayor de Kok, Councillor Watson, J. Juris, R. Doenz

**ALSO PRESENT:**

Chief Administrative Officer – K. Davis  
Municipal Enforcement Officer – R. Mosby  
Oldman River Regional Services Commission – M. Baldwin  
Administrative Assistant – C. Johnson

**1. CALL TO ORDER**

Deputy Mayor de Kok called the meeting to order at 5:00 p.m.

**2. APPROVAL OF AGENDA**

MOVED by Councillor Watson that the agenda be accepted as presented.

CARRIED

**3. APPROVAL OF THE MINUTES**

**a. August 23<sup>rd</sup>, 2021 Meeting**

MOVED by R. Doenz that the minutes from the August 23<sup>rd</sup>, 2021 Municipal Planning Commission (MPC) meeting be accepted as presented.

CARRIED

**4. TOPICS**

**a. DEVELOPMENT PERMIT APPLICATION 2021-24 – Moved in Dwelling**

The application was brought back to MPC with the house centered on the lot with 1.2m or 4 ft. side yard setback. New notices with the changes were sent to adjacent landowners. No new letters were received opposing or supporting the application. MPC questioned if the conditions of the permit had been relayed to the landowner. Administration confirmed they had not but the conditions of building permits, security funds and time limit are pretty standard on all developments of this nature.

MOVED by Councillor Watson to approve the application for a moved in dwelling at 761 Crescent Avenue and grant a 1.2m or 4 ft. side yard setback waiver as shown in development permit number 2021-24 with the following conditions:

- The applicant must provide the Town with a copy of the building inspection report stating that the dwelling meets all Alberta Uniform Building Standards.
- The applicant must provide a \$5,000 security deposit to ensure that the application is completed as approved.
- The application is completed as approved within one year from issue of development permit.

CARRIED

**b. DEVELOPMENT PERMIT 2021-28 – Detached Garage – Height Waiver**

Administration noted that the height waiver was requested because the applicant wants to store a trailer in the detached garage. No submissions were received opposing or favouring the waiver. MPC members noted that a few garage height waivers have been seen this year and asked if the height in the Land Use Bylaw should be updated with the current market. Administration agreed that higher garages are becoming more common, especially in the new subdivision, and an amendment could be brought forward at a later date.

MOVED by Mayor Moore to waive the height restriction of 15 feet and allow the requested 18 feet maximum height for the detached garage as presented in development permit number 2021-28.

CARRIED

**c. DEVELOPMENT PERMIT 2021-30 – Building Extension – Side Yard Setback Waiver**

Administration explained to MPC that the subdivision process would normally been done first but can take a significant amount of time. The applicant needs to have a working shop as soon as possible as they have moved from their previous location. The subdivision process will be started after this development has been approved. The application meets all other requirements of the Land Use Bylaw. MPC members asked if this development will have any impact on the industrial lot plans and Administration stated that this development should be treated separately from the future subdivision plans. Administration also noted that Alberta Transportation and Lethbridge County have no concerns with the proposed waiver.

MOVED by Mayor Moore to approve the 1.14m side yard setback request for development permit number 2021-30.

CARRIED

**d. SUBDIVISION APPLICATION 2021-0-157**

Madeleine went through the subdivision application and pointed out what agreements would be required from the landowner on title. There was no opposition from any school districts, utility companies, LNID, Alberta Health services or government parties that were notified.

MOVED by J. Juris that the residential subdivision of Lot 5, Block 8, Plan 7810085 within W ½ 2-11-21-W4M (Certificate of Title No. 211 054 579), to subdivide a 0.24 acre (0.097 ha) lot and create three 0.06 acre (0.023 ha) lots and one 0.07 acre (0.028 ha) for multi-unit residential use; be approved subject to the following:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Picture Butte.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with Development Agreement with the Town of Picture Butte which shall be registered concurrently with the final plan against the title(s) being created.
3. That party wall agreements be established in accordance with the Land Titles Act for the common shared walls between units, which shall be registered concurrently on title with the subdivision.
4. In accordance with Section 654(2) of the Municipal Government Act, the Subdivision Approval Authority of the Town of Picture Butte granted a waiver of the land use bylaw required minimum lot width, minimum lot length and minimum lot area.

CARRIED

**e. ISSUED DEVELOPMENT PERMITS**

MOVED by Councillor Watson to accept the Issued Development Permits Report as presented to MPC.

CARRIED

**5. AS INTRODUCED – NONE**

**6. ADJOURNMENT**

MOVED by R. Doenz that the Municipal Planning Commission meeting adjourn at 5:42 p.m.

CARRIED

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Chair H. de Kok

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CAO Keith Davis