

Municipal Planning Commission (MPC) Meeting AGENDA

Thursday May 19, 2022, at 8:30 am In Council Chambers 4512 - 46 Street, Olds, Alberta

As per MPC Bylaw No. 2019-23:

All members of MPC will be asked to advise pecuniary interest for items on the agenda.

1. Call to Order

1A. Added Item(s)

1B. Adoption of Agenda

Page 3 1B) Adoption of the May 19, 2022, MPC Agenda

2. Adoption of Previous Minutes

Pages 4-7 2A) Adoption of the April 21, 2022, MPC Minutes

3. Business Arising from the Minutes

4. New Business

Pages 8-16 4A) DP22-039

4822 56 Street

Detached Dwelling with Variance to Entry Orientation

Pages 17-28 4B) DP22-049

5200 49 Avenue

Mixed Use Building with Industrial-Light and Fitness Centre

Pages 29-43 4C) DP22-055

4310 50 Avenue

Variance to allow second Freestanding Sign on same Parcel

Pages 44-46 4D) DP22-056

9 Wigham Close

Class 2 Home Occupation

Pages 47-51 4E) DP22-057

6206 60 Street

Side Yard Fence Variance to Location

Pages 52-68 4F) DP22-058

4919 49 Avenue Temporary Patio

Pages 69-73 4G) DP22-060

4602 50 Avenue Temporary Patio

5. Correspondence and Information

Pages 74-75 5A) April 2022 Development & Building Permits and Monthly Building Permit Statistics.

6. Adjournment

Next MPC Meeting scheduled for Thursday June 16, 2022, at 8:30 a.m. in the Council Chambers.



TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

MEETING DATE: May 19, 2022

TITLE: Adoption of Agenda

<u>APPLICATION / ISSUE HISTORY:</u>

Current procedure includes presentation of the agenda to the Municipal Planning Commission meeting for approval.

DISCUSSION / OPTIONS / BENEFITS / DISADVANTAGES:

Municipal Planning Commission members may adopt the agenda as presented or amend it to correct any errors or omissions that have been identified and may add any additional items for deliberation as the membership sees fit.

DEVELOPMENT OFFICER'S RECOMMENDED ACTION:

That the Municipal Planning Commission adopts the May 19, 2022, Agenda as presented.



TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

MEETING DATE: May 19, 2022

TITLE: Adoption of Minutes April 21, 2022

APPLICATION / ISSUE HISTORY:

Current procedure includes presentation of the minutes from the previous Municipal Planning Commission meeting for approval.

DISCUSSION / OPTIONS / BENEFITS / DISADVANTAGES:

Municipal Planning Commission members may approve the minutes as presented or amend them to correct any errors or omissions that have been identified.

DEVELOPMENT OFFICER'S RECOMMENDED ACTION:

That the Municipal Planning Commission adopt the April 21, 2022, Minutes as presented.



Minutes of the Town of Olds **MUNICIPAL PLANNING COMMISSION (MPC)** meeting held on Thursday, **April 21, 2022**, at 8:30 a.m.

Present – MPC Members

Public at Large: Leon Muir, Dan Peters, Phyllis Horpenuk

Elected Officials: Councillor Wanda Blatz, Councillor James Cummings, Councillor Darren Wilson

Absent - MPC Members

Absent: Mary Anne Overwater

Present - Staff

Kyle Sloan, Development Officer; Melissa Kilbride, Commission Recorder

Absent - Staff

Absent: Scott Grieco, Municipal Planning Commission Secretary & Director of Operations

1. Call to Order

Chair Mary Anne Overwater called the meeting to order at 8:30 a.m.

1A. Added Item(s)

1B. Adoption of Agenda

Moved by Councillor Darren Wilson "to adopt the agenda for the Municipal Planning Commission meeting of March 17, 2022, as presented."

Motion Carried 22.021

2. Adoption of Previous Minutes

Moved by Coucillor James Cummings, "to adopt the meeting minutes from March 17, 2022, Municipal Planning Commission meeting as presented."

Motion Carried 22.022

3. Business Arising from the Minutes

4. New Business

4A) DP22-033

5530 50 Street

Side yard fence with variance to be located on public boulevard

Kyle Sloan development officer presented this application as contained in the agenda.

Applicant was not present.

*Moved by Commissioner Leon Muir, "that the Municipal Planning Commission refuse Development Permit Application DP22-033, citing the following reasons:

- 1) A fence can reasonably be constructed along the side property line without the need for the variance requested.
- 2) The rationale provided by the applicant does not sufficiently support the relaxation of the regulations in the Town of Olds Land Use Bylaw.

Motion Carried 22.023

4A) DP22-034

51 Hawthorn Way Home Occupation Class 2

Kyle Sloan development officer presented this application as contained in the agenda.

Applicant was not present.

Moved by Councillor James Cummings, "that the Municipal Planning Commission approve Development Permit Application DP22-034 as presented, subject to the added conditions listed in the attached draft Development Permit, as amended to include the added condition below"

1) The applicant shall provide four (4) off-street parking spaces on the property. As the attached garage would be used for the operation of the business, it cannot be included in the number. An additional space for two (2) off-street parking spaces at the rear of the property shall be developed.

Motion Carried 22.024

4A) DP22-037

7 Mountain View Close Home Occupation Class 2

Kyle Sloan development officer presented this application as contained in the agenda.

Applicant was not present.

Moved by Councillor Wanda Blatz "that the Municipal Planning Commission approve Development Permit Application DP22-037 as presented, subject to conditions listed in the attached draft Development Permit"

Motion Carried 22.025

4A) DP22-040

6308 46 Street

Dwelling unit for the occupancy of the owner, operator, or caretaker

Kyle Sloan development officer presented this application as contained in the agenda.

Applicant was/ was not present.

Moved by Commissioner Leon Muir, "that the Municipal Planning Commission approve Development Permit Application DP22-040 as presented, subject to conditions listed in the attached draft Development"

Motion Carried 22.026

4A) DP22-042

4410 55 Avenue

Accessory Building – Detached garage with variances to setbacks

Kyle Sloan development officer presented this application as contained in the agenda.

Applicant was/ was not present.

Moved by Commissioner Leon Muir, "that the Municipal Planning Commission approve Development Permit Application DP22-042 as presented, subject to conditions listed in the attached draft Development Permit"

Motion Carried 22.027

5. Correspondence and Information

5A) March 2022 Development & Building Permits and Monthly Building Permit Statistics

Kyle Sloan, Town of Olds Development Officer reported on the list of development and building permit approvals and the building permit statistics for March 2022.

Municipal Planning Commission request administration for quarterly reports dating back 5 years for a comparison from year to year for development / building permit trends.

Motion Carried 22.028

Moved by Commissioner Leon Muir "that the development and building updates be received as information."

Motion Carried 22.029

6. Adjournment

The next Municipal Planning Commission meeting will be held May 19, 2022, in Council Chambers.

Commissioner Phyllis Horpenuk "moved to adjourn the Municipal Planning Commission meeting at 9:37 a.m.".

Motion Carried 22.030

These Minutes approved	
MARY ANNE OVERWATER CHAIRPERSON	SCOTT GRIECO SECRETARY TO THE COMMISSION

TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4A

Meeting Date: May 19, 2022 File No.: DP 22-039

Civic Address: 4822 56 Street

Legal Description: LOT 15, BLOCK A, PLAN 794JK

Designation: R1 – LOW DENSITY RESIDENTIAL

Proposal: DETACHED DWELLING WITH VARIANCE TO ENTRY ORIENTATION

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a detached dwelling at 4822 56 Street.

This application is classified as a Permitted Use in the R1 land use district. Schedule E, Section 6.4 of the Town of Olds Land Use Bylaw includes supplementary regulations that are specific to the East Olds Area Redevelopment Plan. One of these regulations specifies that residences in this area must have a principal entry orientated towards the primary roadway. This proposal is for a dwelling that is orientated towards the lane to the west of the property. This is a variance that the Development Officer does not have the authority to approve. Therefore, the approval authority is the Municipal Planning Commission (MPC).

Eleven (11) area landowners were circulated with regards to this application. No objections or concerns were received from area property owners.

Planning & Development staff are of the opinion that the detached dwelling would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

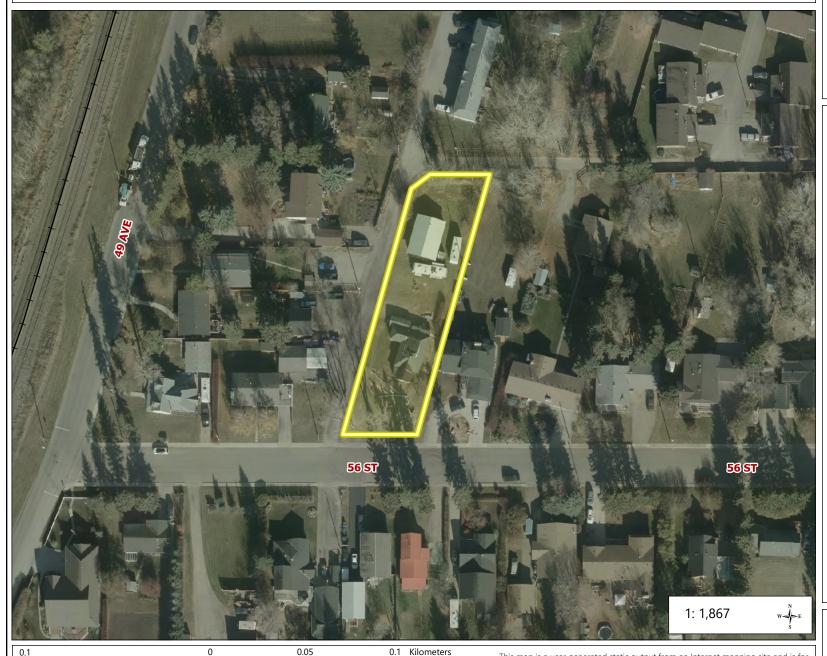
RECOMMENDATION: That the Municipal Planning Commission approve Development Permit application 22-039 as presented, subject to the conditions listed in the attached draft Development Permit.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2. Site Plan
- 3. Draft Development Permit 22-039

4822 56 Street



WGS_1984_Web_Mercator_Auxiliary_Sphere



Legend

- Town Boundary
 - Hwy 2A Symbol
- Hwy 2A
- Hwy 27 Symbol
- Hwy 27
- → Railway
 Road Labels
- Block Text Line

Notes

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



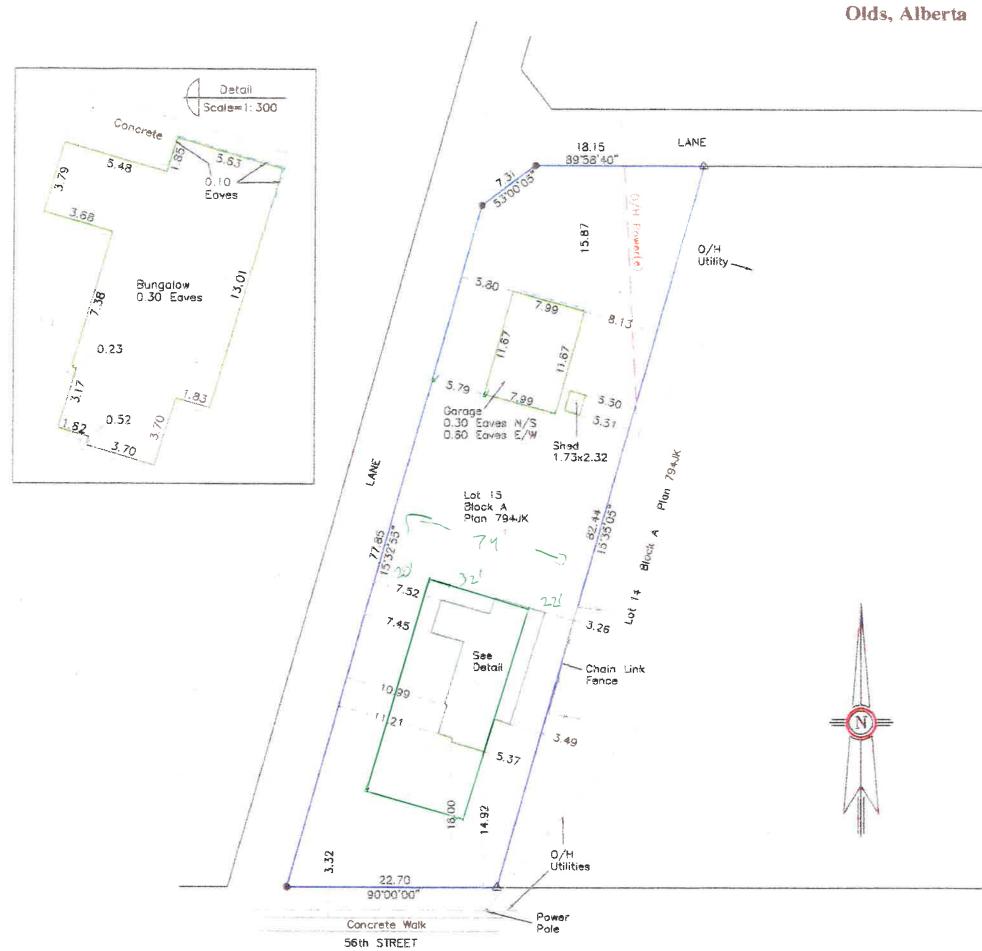
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 3 of a Real Property Report and is ineffective if it is detached from page 1 or 2.

Legal Description: Lot 15 Block A Plan 794JK Civic Address:

2. Page 3 4822 - 26th Stre



ENCUMBRANCES:

Registration No. Particulars

051 297 074

Mortgage - The Toronto Domion Bank

071 085 019

Mortgage - Mountain View Credit Union Limited

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls

- 2. Distances are shown in metres and decimals thereof
- 3. Statutory Iron Posts are shown thus...
- 4. Calculated points are shown thus... △
- 5, (e) denotes encroachment
- 6. Eaves are dimensioned to the line of the fascia
- 7. Unless otherwise noted, fences are shown within 0.20m of Property Lines

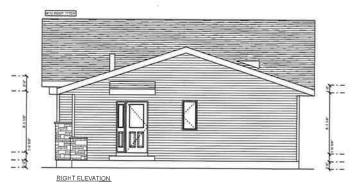


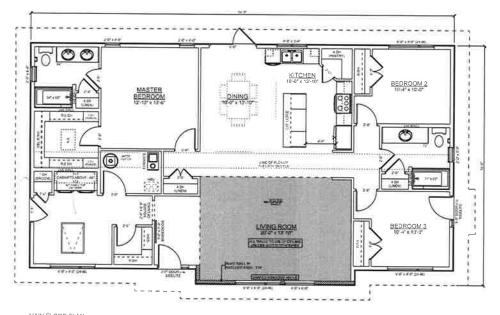
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Wanter of







MAIN FLOOR PLAN SCALE: 1/8" = 1'-0" 1722 SQ FT

6.4 Entrances:

The main entrance to the dwelling should be designed to convey its importance as a focal feature of the façade as well as an important streetscape element which supports the pedestrian-friendly goals for all new residential developments. Principal building entrances shall front onto the primary roadway. Residential developments shall have an easily identifiable entrance that fronts onto each street.

- a) Detached Dwellings, Duplexes/ Semi-Detached Dwellings: Rear principal entrances are prohibited for duplexes and semi-detached dwellings.
- Multi-Dwellings: New multi-dwelling developments or redevelopments should be oriented to the street with the main entry to the front of the property oriented in a prominent and visible manner;
- c) All main floor residential dwelling units that front onto a street shall have an individual front entry that can be accessed directly from the sidewalk, through a private front yard, or in the case of a corner parcel, one entrance should face the front yard and the other should face the side yard. Rear and side main entries are required for multi-dwellings.
- d) Apartments shall have a central entry point directly accessible at ground level fronting onto the street. Where multiple street frontages exist (e.g. corner lots) an additional central entry point shall be developed.



The main entrance to the dwellings should be designed as a focal point

6.5 Building Facade / Building Materials

High quality, low maintenance materials should be employed to convey a sense of permanence and quality within the community. A harmonious blend of materials, textures and colours should be provided to reduce monotony in the streetscape.

- a) All exposed building facades shall be architecturally treated to create a unified building exterior. The building shall include the following design elements to reduce the perceived mass and add architectural interest:
 - i. Articulation of the building façade;
 - ii. Creation of architectural pattern;
 - iii. The use of recessions and projections such as porches, bay windows and entrance features:
 - iv. The use of a variety of exterior building cladding materials; and
 - v. Trim work around windows and doors shall be delineated through wider framing or different colours from the main building.



4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856

Fax: 403.507.4856 planning@olds.ca

DEVELOPMENT PERMIT DP22-039

Proposal: Detached Dwelling with Variance to Site Orientation

Deemed Use: Permitted Use - Detached Dwelling

Land Use Bylaw Designation: Low Density Residential District (R1)

Civic Address: 4822 56 Street

Legal Description: Lot 15, Block A, Plan 794JK

Applicant / Owner: Dwayne Doerksen

Decision: **APPROVED** subject to the conditions outlined below:

1. The development must be constructed in accordance with the approved plans and conditions. Any revisions to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority. The approved plans are attached.

- 2. Two on-site parking stalls shall be provided.
- 3. Final grading of the lot must:
 - (a) be in accordance with the geodetic grades shown on the approved site plan;
 - (b) direct surface water drainage away from the building to the street and the rear of the lot; and
 - (c) ensure that surface drainage does not affect adjoining properties.
- 4. After the foundation has been constructed further work on the building must cease until such time as a drawing prepared by an Alberta Land Surveyor has been submitted to and approved by the Development Officer confirming that the building's foundation and grade elevations at top of footings is consistent with the approved plans.
- 5. A variance is granted to the Land Use Bylaw requirement that residences in the East Olds Area Redevelopment Plan are oriented towards the primary street. This dwelling unit may be oriented so that its primary entrance faces the lane to the west of the property as the previous dwelling did.
- 6. Lot coverage for an R1 district is not to exceed 55% which includes all buildings and the hard-surfaced driveway.
- 7. Front yard landscaping must be completed to the satisfaction of the Development Officer in accordance with Land Use Bylaw 01-23. **A minimum of one (1) tree shall be included in the front yard landscaping plan.** Said landscaping must be completed within 1 year of occupancy.
- 8. The address of the property must be posted on the front of the dwelling facing the street and if the dwelling has access to a lane, address identification is always to be displayed at a location plainly visible from the lane as well. Each letter and number must always be not less than 10 cm character size and be plainly visible.
- 9. Occupancy of the dwelling shall occur only after the building permit has been closed.
- 10. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.

- 11. If the development authorized by a development permit is not commenced within 12 months from the date of issue, nor carried out with reasonable diligence, such permit approval ceases and the permit itself is deemed void, expired, and without effect, unless an extension of this period has been previously granted.
- 12. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of the Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Permit: June 9, 2022 (after 3-week appeal period)

Attachments:

- 1. Site Plan:
- 2. Construction Drawings
- 3. Foundation Elevations
- 4. Foundation Report Form
- 5. Water/Sewer Connection Inspection Form
- 6. Typical Sump Pump Discharge Connection

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NOTES TO THE APPLICANT

- 1. This is not a Building Permit. Please contact the Town of Olds Development Authority for information regarding a Building Permit and compliance with the Alberta Building Code. Building Permits are issued through the Town of Olds
- 2. A New Home Warranty is required for the issuance of a Building Permit.
- 3. It is the developer/applicant's responsibility to comply with the Alberta Building Code and obtain the necessary Electrical, Plumbing and Gas Permits. Any of the following are authorized to issue these permits in the Town:
 - i) Davis Inspection Service (800-639-0912 / 403-275-3338),
 - ii) IJD Inspection Ltd. (877-617-8776 / 403-346-6533),
 - iii) Park Enterprises (800-621-5440 / 403-329-3437),
 - iv) Superior Safety Codes (888-717-2344), or
 - v) The Inspections Group (866-554-5048 / 780-454-5048).
- 4. Occupancy of the dwelling shall occur only after the building permit has been closed.
- 5. It is the developer/applicant's responsibility to:
 - 1) Submit a Utility Excavation Permit application and ensure that the terms and conditions of the Utility Excavation Permit are complied with and appropriate fees are paid;
 - 2) Contact Alberta First Call at 1-800-242-3447 and obtain utility locates prior to commencing an excavation; and
 - 3) Contact Operational Services at 403-507-4833 at least 48 hours:
 - (i) prior to commencing an excavation for underground services to arrange for an inspection of the sidewalk and boulevard; and
 - (ii) prior to backfilling the excavation for the water and sewer connections to arrange for an inspection of the connections. Note that the Performance Bond/ Security Deposit will not be returned if the water and sewer connections are not inspected prior to backfilling.
- 6. Weeping tile, roof drainage and surface drainage must not be directed or conveyed to the sanitary sewer.
- 7. Sump installation must comply with Alberta Environment's Standards, Safety Codes (Plumbing) requirements, the Town's Water and Wastewater Bylaw 2014-10. Please see attached Typical Sump Pump Discharge Connection.
- 8. It is the developer/applicant's responsibility to ensure that the curb stop (i.e. water shut off valve) is properly installed and fully operational.
- 9. It is the responsibility of the developer/applicant to contact the Town of Olds to set up a utility account and request a water meter. All water meters for residential construction must be purchased from the Town of Olds and installed by Town of Olds Utilities staff. Meter installation requests must be received at least two working days before installation is required. All wiring must be in place for both the meter and an exterior remote reading device in place BEFORE installation of a meter. The cost for all water meters is Town of Olds cost plus a 10% administration fee. Water meters are available in the following standard sizes: 5/8", ¾", 1", 2".
- 10. Snow removal on the municipal sidewalk is the responsibility of the owner.
- 11. It is the developer/applicant's responsibility to comply with Bylaws of the Town of Olds including the Land Use Bylaw No. 01-23 and the Community Standards Bylaw 2015-08. These Bylaws require in part:
 - That construction rubbish, dirt, stones, old implements, automobiles, scrap iron or any other rubbish must not be allowed to accumulate so as to cause an unsightly condition, hazard or nuisance;

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- 2) That construction rubbish is not blown onto neighbouring parcels;
- 3) That occupants/owners cut grass or weeds on their property, including town property adjacent to their premises, (i.e. sidewalks, boulevards and back alleys). Restricted and noxious weeds must be controlled in a manner as prescribed by the weed inspector;
- 4) That no person shall place or deposit any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other matter onto a roadway, sidewalk, boulevard, or median within the Town, excepting vehicles and materials for which specific permission has been granted by the Chief Administrative Officer; and
- 5) No concrete may be placed in the gutter of a roadway.
- 12. Return of Development Security Once the Building Inspector has determined that the building is suitable for occupancy the development security will be returned on completion of the following to the satisfaction of the Development Authority:
 - 1) Submission of the Request for Development Security. This form is available from Planning & Development. Please deliver, fax (403-507-4856) or email (<u>planning@olds.ca</u>) the completed form to Planning and Development;
 - 2) Completion of the development as approved, including, but not limited to the completion of landscaping and hard surfacing;
 - 3) Proper installation of the curb stop and ensuring it is fully operational;
 - 4) Confirmation that the sidewalk, curb, gutter, boulevard, and curb stop have not been damaged. If any of these are damaged then repair or rehabilitation of same by the Applicant is required. See Utility Excavation Permit's pre-excavation inspection of the sidewalk and boulevard:
 - 5) Proper installation and orientation of eaves troughs and proper installation of the sump Pump
- 13. A development permit for all discretionary use or any permitted use for which a variance or relaxation was granted, issued pursuant to *Part Two: Development Permits, Contravention and Appeal* of the Land Use Bylaw 01-23, does not come into effect until 21 days after the date on which the notice of issuance of the permit is given under Section 2.4 (3) of the Land Use Bylaw 01-23. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 14. The date of issue of a permit for any permitted use that conforms in all respects to the requirements of Land Use Bylaw 01-23 and was approved with or without conditions pursuant to this part comes into effect immediately upon approval by the development authority.
- 15. If the development authorized by this development permit is not commenced within 12 months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, nor carried out with reasonable diligence as determined by the Town of Olds development authority, this development permit ceases to be effective, unless an extension of this period, being no longer than an additional 12 months, has previously been granted by the development authority.

16. Appeal Procedure

This Development Permit and any conditions of this Development Permit may be appealed to the Subdivision and Development Appeal Board in accordance with Section 2.7 of the Land Use Bylaw. Appeals must be filed with the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the notice of issuance of the permit is given, must include the reason(s) for the appeal, and must be addressed to the Town Office to the attention of the Subdivision Development and Appeal Board. The fee for an appeal is \$240.00 in accordance with the Town's Rates Bylaw 2020-17, Schedule E, as amended. This fee must be paid when the appeal letter is submitted to the Town prior to the expiration of the above referenced appeal period.

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TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4B

Meeting Date: May 19, 2022 File No.: DP 22-049

Civic Address: 5200 49 Avenue

Legal Description: LOT 8, BLOCK 7, PLAN 1911259
Designation: I1 – LIGHT INDUSTRIAL DISTRICT

Proposal: Mixed Use Building with Industrial-Light and Fitness Centre

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a mixed-use building that would have two commercial units. One of the units will be an industrial-light use and the other would be a fitness centre.

Fitness Centre is listed as a Discretionary Use in the I1 land use district. The approval authority for Discretionary Uses is the Municipal Planning Commission (MPC).

"fitness centre" means a use:

- a) where a space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities; and
- b) that may include the incidental sale of products relating to the service provided.

Six (6) area landowners were circulated with regards to this application. No objections or concerns were received from area property owners.

Planning & Development staff are of the opinion that the proposed building would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

RECOMMENDATION: That the Municipal Planning Commission approve Development Permit application 22-049 as presented, subject to the conditions listed in the attached draft Development Permit.

Prepared by: Kyle Sloan, Development Officer

- Attachments:
- 1. Site Location Aerial Photo
- 2. Site Plan
- 3. Draft Development Permit 22-049

5200 49 Avenue





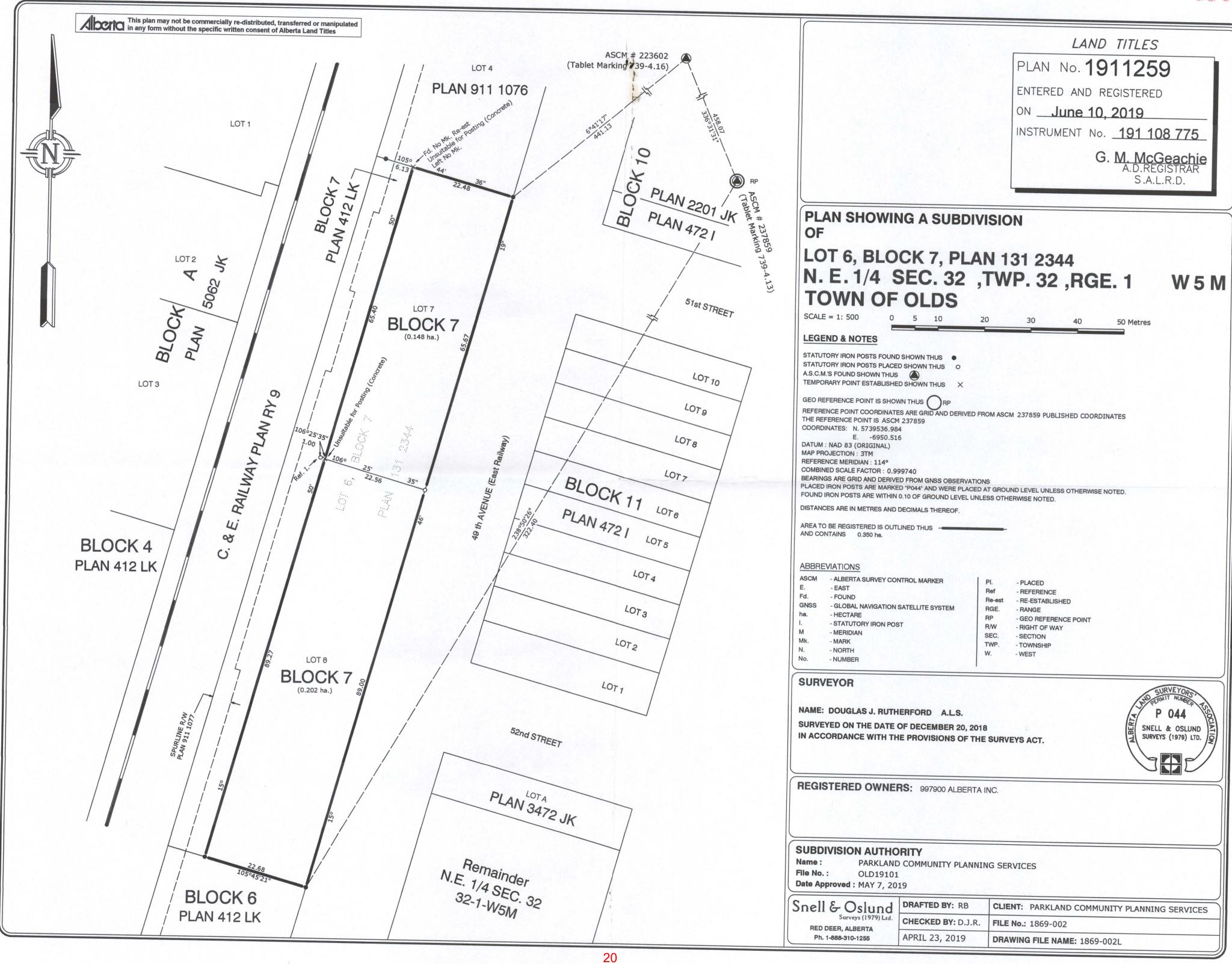
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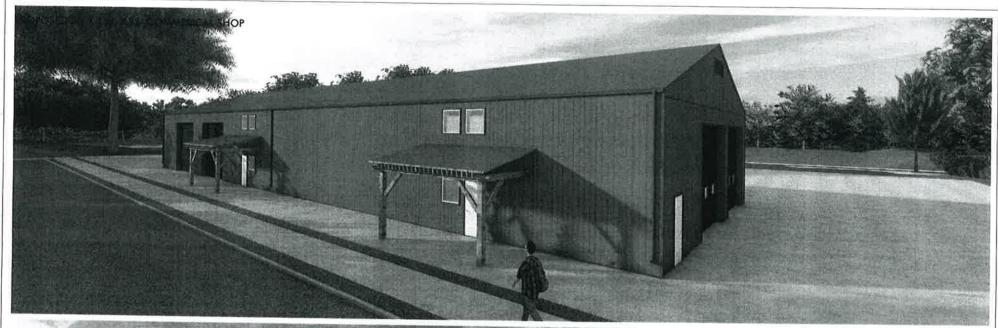
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- Hwy 2A Symbol
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- Hwy 27 Symbol
- Hwy 27
- → Railway
 Road Labels
- Block Text Line

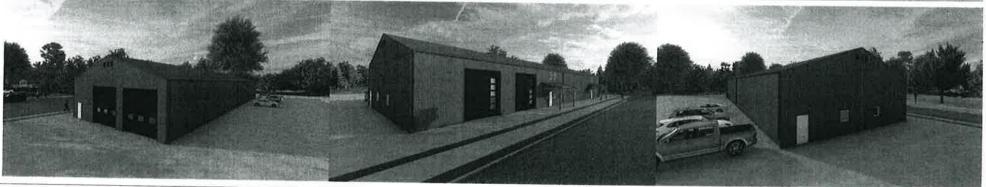
Notes

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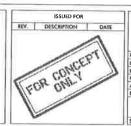


PROPOSED 50' X 152' X 16'

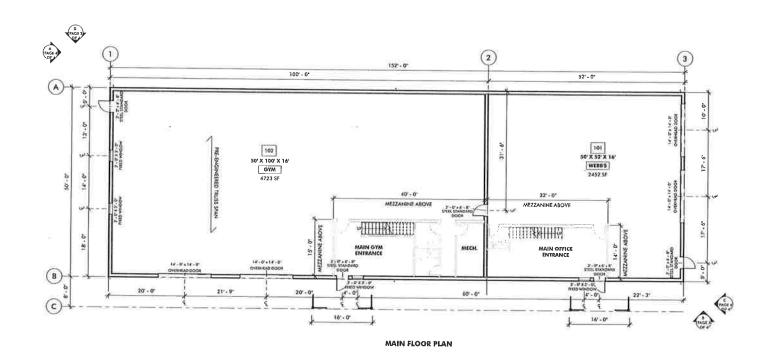
COMMERICAL SHOP

SHANE WEBB

OLDS, AB



	DRAWING TITLE:			
	COVER SHEET			
	PROJECT NUMBER	22-157		
ĺ	DATE	2022/05/06		
ı	DRAWN BY	AE		
ĺ	CHECKED BY	KC		
ı	APPROVED BY	DC		
	ENGINEER			
	PAGE 1	OF 4		
	SCALE			





48223 338 AVE E, OKOTOKS, AB T1S 1A8 (403) 938-9376

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 THE CONTRACTOR SHALL CHECK AND VERIFY ALL IMBRISIONS AND REPORT ALL ERROR AND OMISSIONS TO THE ENGINEER PIDIO TO COMMENCING THE WORK.
 THESE DRAWING ARE NOT TO BE SCALED.

PROJECT TITLE:

50' X 152' X 16'

COMMERICAL SHOP

SHANE WEBB

OLDS, AB

DRAWING TITLE:

FLOOR PLAN

PROJECT NUMBER	22-157
CATE	2022/05/86
DAMIN BY	AL
ORDITORY	KC
APPROVED BY	DC
ENGINEER	

PAGE 2 OF 4

PROTECT YOUR CONCRETE FROM FROST HEAVE

-WITH-**FROST SHIELD**

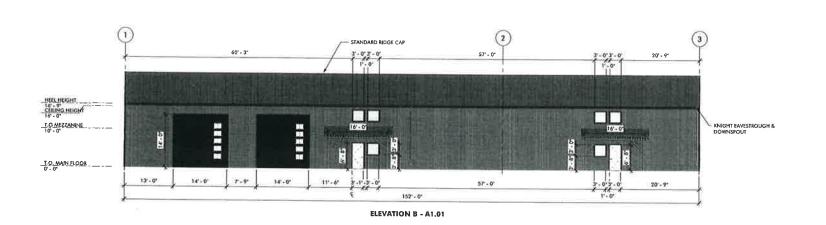
Creates a thermal barrier between the exterior and your buildings concrete slab and promotes drainage away from your building.

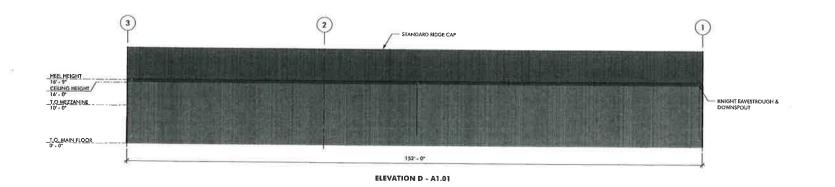
REDUCE THE RISK OF WIND DAMAGE

STORM BRACKET

The perfect solution if you live in a region with high winds amd frequent storms.









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PROJECT TITLE:

50' X 152' X 16'

COMMERICAL SHOP

SHANE WEBB

OLDS, AB

DRAWING TITLE:

ELEVATIONS

PROJECT HUMBER	22-157
DATE	2022/05/06
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APPROVED BY	DC
EHSHEEK	

PAGE 3 OF 4

INSULATION **PACKAGES**

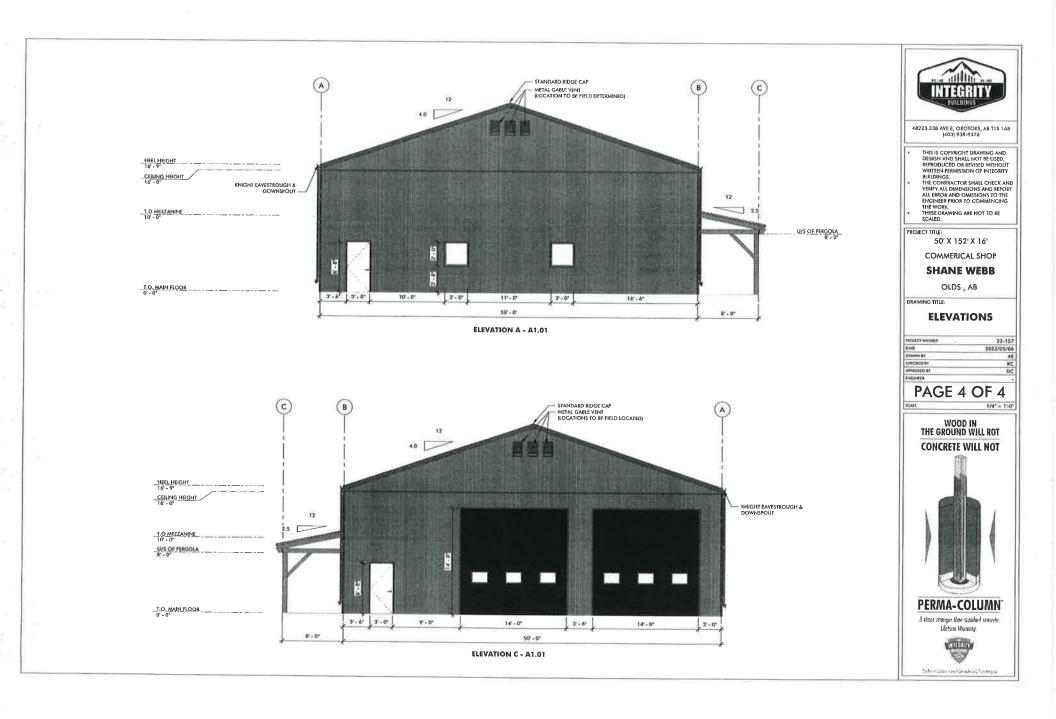
BRIGHT INTERIOR SAVE ENERGY

> STAY WARM ADD VALUE

INTEGRITY



S 1977 WINDOWSKY BROKENTY A YEAR COVIED WINDOW AND DOOR TENTONEY







4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856

planning@olds.ca

DEVELOPMENT PERMIT DP22-049

Proposal: 150' x 50' Industrial-Light / Fitness Centre

Deemed Use: Permitted Use – Industrial-Light; Discretionary Use – Fitness Centre

Land Use Bylaw Designation: Light Industrial District (I1)

Civic Address: 5200 49 Avenue

Legal Description: Lot 8, Block 7, Plan 1911259

Applicant / Owner: Sasha Curr / 997900 Alberta Inc.

Decision: **APPROVED** subject to the conditions outlined below:

- 1. The development of the buildings and site improvements must be constructed in accordance with the approved plans and conditions. Any modifications or changes to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority. The approved site plan is attached.
- 2. Prior to the issuance of a Building Permit, the developer/applicant shall submit security in the form of a Performance Bond or an irrevocable letter of credit in the amount of 10% of the construction value of the project or a mutually agreed upon amount to the satisfaction of the Development Authority.
- 3. After the foundation has been constructed further work on the building must cease until such time as a drawing prepared by an Alberta Land Surveyor has been submitted to and approved by the Development Officer confirming that the building's foundation is consistent with the approved plans. Failure to submit the required drawing may result in a Stop Order being issued by the Development Authority.
- 4. A minimum of 7 parking stalls shall be provided and include one barrier-free parking stall. The barrier free parking stall must be a minimum width of 3.7 meters with an access aisle width of at least 1.5 meters.
- 5. The front driveway(s) must be hard surfaced to at least 4 metres from the property line within one year of the effective date of this permit. The maximum width for the driveway(s) is 12 meters each.
- 6. A detailed Landscaping Plan shall be provided to and approved by the Development Authority. A minimum of 10 percent of the site area shall be landscaped. A maximum of 30 percent of this landscaped area may be hard landscaped.
- 7. Completion of landscaping must occur within one year of the completion of construction or the commencement of the use, whichever first occurs. All soft landscaping must be maintained for the life of the project. Landscaping includes boulevard treatment and weed control. Boulevard and proposed gravel area on the north portion inside the property line adjacent to the boulevard shall be decorative crushed rock or grass.
- 8. The developer/applicant must provide on-site provisions for municipal garbage and recycling pickups to the satisfaction of the Development Authority. A commercial garbage bin shall be provided in accordance with the Waste Management Bylaw of the Town of Olds. The bin shall be placed in a screened enclosure at a location accessible by garbage collectors.
- 9. The developer/applicant shall be responsible for maintaining all signage in a proper state of repair.

- 10. The address of the property must be posted on the front of the building facing the street. Each letter and number must be not less than 10 cm in area and be plainly visible at all times.
- 11. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
- 12. If the development authorized by this development permit is not commenced within 12 months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, nor carried out with reasonable diligence as determined by the Town of Olds development authority, this development permit ceases to be effective, unless an extension of this period, being no longer than an additional 12 months, has previously been granted by the development authority.
- 13. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of the Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Development Permit: June 9, 2022 (after 3-week appeal period)

Attachments:

1. Site Plan

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NOTES TO THE APPLICANT

- 1. This is not a Building Permit. Please contact the Town of Olds Development Authority for information regarding a Building Permit and compliance with the Alberta Building Code.
- 2. It is the developer/applicant's responsibility to comply with the Alberta Building Code and obtain the necessary Electrical, Plumbing and Gas Permits. Any of the following are authorized to issue these permits in the Town:
 - i) Davis Inspection Service (800-639-0912 / 403-275-3338),
 - ii) IJD Inspection Ltd. (877-617-8776 / 403-346-6533),
 - iii) Park Enterprises (800-621-5440 / 403-329-3437), or
 - iv) Superior Safety Codes (888-717-2344)
- 3. It is the developer/applicant's responsibility to:
 - 1) Contact Alberta First Call at 1-800-242-3447 and obtain utility locates prior to commencing an excavation; and
 - 2) Contact Operational Services at 403-507-4833 at least 48 hours prior to backfilling the excavation for the water and sewer connections to arrange for an inspection of the connections. Note that the Security Deposit will not be returned if the water and sewer connections are not inspected prior to backfilling.
- 4. It is the developer/applicant's responsibility to ensure that the curb stop (i.e. water shut off valve) is properly installed and fully operational.
- 5. It is the responsibility of the developer/applicant to contact the Town of Olds to set up a utility account and request a water meter. All water meters for commercial and industrial construction must be purchased from the Town of Olds and installed by Town of Olds Utilities staff. Meter installation requests must be received at least two working days before installation is required. All wiring must be in place for both the meter and an exterior remote reading device in place BEFORE installation of a meter. The cost for all water meters is Town of Olds cost plus a 10% administration fee. Water meters are available in the following standard sizes: 5/8", 3/4", 1", 2". For information on sizes larger than 2", contact the Utilities Administrator.
- 6. It is the developer/applicant's responsibility to comply with Bylaws of the Town of Olds including the Land Use Bylaw No. 01-23, the Community Standards Bylaw No. 15-08 and the Traffic Bylaw 04-15. These Bylaws require in part:
 - That construction rubbish, dirt, stones, old implements, automobiles, scrap iron or any other rubbish must not be allowed to accumulate so as to cause an unsightly condition, hazard or nuisance:
 - 2) That construction rubbish is not blown onto neighbouring parcels;
 - 3) That occupants/owners cut grass or weeds on their property, including town property adjacent to their premises, (i.e. sidewalks, boulevards and back alleys). Restricted and noxious weeds must be controlled in a manner as prescribed by the weed inspector;
 - 4) That no person shall place or deposit any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other matter onto a roadway, sidewalk, boulevard or median within the Town, excepting vehicles and materials for which specific permission has been granted by the Chief Administrative Officer; and
 - 5) No concrete may be placed in the gutter of a roadway.
- 7. Return of Security Deposit Once the Building Inspector has determined that the building is suitable for occupancy the security will be returned on completion of the following to the satisfaction of the Development Authority:
 - Submission of the Request for Security Refund. This form is available from Planning

28 Page 3 of 4

- and Development. Please deliver, fax (403-507-4856) or email (<u>planning@olds.ca</u>) the completed form to Planning and Development;
- 2) Completion of the development as approved, including, but not limited to the completion of landscaping and hard surfacing;
- 3) Proper installation of the curb stop and ensuring it is fully operational;
- 4) Confirmation that the curb, gutter, boulevard and curb stop have not been damaged. If any of these are damaged then repair or rehabilitation of same by the Applicant is required. See Utility Excavation Permit's pre-excavation inspection of the sidewalk and boulevard; and
- 5) Proper installation and orientation of eaves troughs and proper installation of the sump pump.
- 8. A development permit for all discretionary use or any permitted use for which a variance or relaxation was granted, issued pursuant to *Part Two: Development Permits, Contravention and Appeal* of the Land Use Bylaw 01-23, does not come into effect until 21 days after the date on which the notice of issuance of the permit is given under Section 2.4 (3) of the Land Use Bylaw 01-23. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 9. The date of issue of a permit for any permitted use that conforms in all respects to the requirements of Land Use Bylaw 01-23 and was approved with or without conditions pursuant to this part comes into effect immediately upon approval by the development authority.

10. Appeal Procedure

This Development Permit and any conditions of this Development Permit may be appealed to the Subdivision and Development Appeal Board in accordance with Section 2.7 of the Land Use Bylaw. Appeals must be filed with the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the notice of issuance of the permit is given, must include the reason(s) for the appeal, and must be addressed to the Town Office to the attention of the Subdivision Development and Appeal Board. The fee for an appeal is \$240.00 in accordance with the Town's Rates Bylaw, as amended. This fee must be paid when the appeal letter is submitted to the Town prior to the expiration of the above referenced appeal period.

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TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4C

Meeting Date: May 19, 2022 File No.: DP 22-055

Civic Address: 4310 50 Avenue

Legal Description: LOT F, PLAN 5892JK

Designation: I1 – LIGHT INDUSTRIAL DISTRICT

Proposal: Variance to allow second Freestanding Sign on same Parcel

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Permit Application for a Freestanding Sign at 4310 50 Avenue.

Schedule D, Section 8.0(c) of the Land Use Bylaw states that only one freestanding sign shall be allowed on each parcel. There is already one such sign on the subject property, so approval of this sign would require a variance to this regulation. The Development Officer cannot approve this variance, so the approval authority is the Municipal Planning Commission.

Twelve (12) area landowners were circulated with regards to this application. No objections or concerns were received from area property owners.

Planning & Development staff are of the opinion that the sign would not unduly affect the use and enjoyment of the neighbouring parcels of land. However, administration does not believe that there is a strong rationale for varying the above noted regulation and, therefore, do not support approval of this application.

RECOMMENDATION: That the Municipal Planning Commission refuse Development Permit application 22-055 for the following reasons:

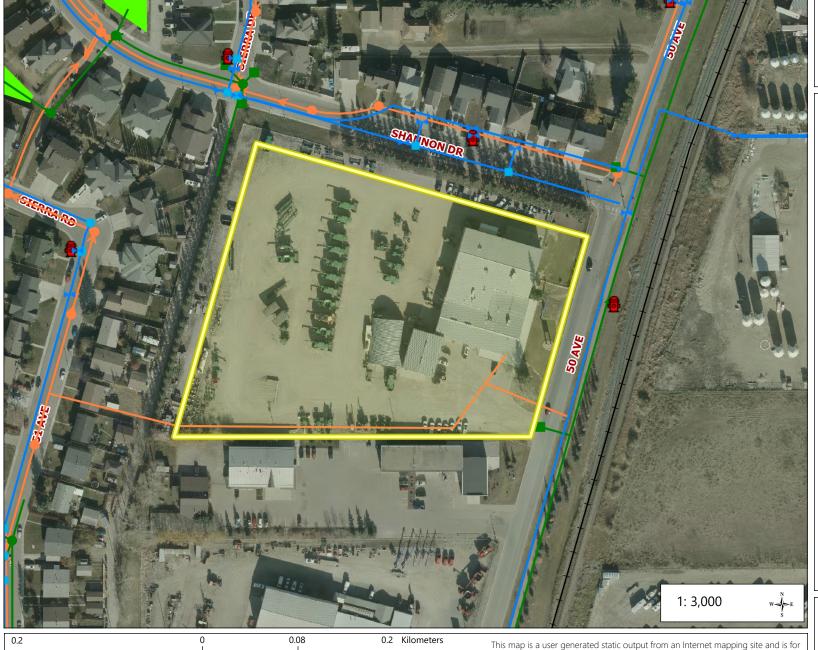
- 1) One freestanding sign already exists on this parcel. The existing freestanding sign is on the same frontage, only 30m from the proposed sign location. The existing sign could reasonably be altered to display all information presented on the proposed second sign.
- 2) The proposed location is very close to a Town sanitary line and would need to be moved slightly north, even closer to the existing sign.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2. Site Plan
- 3. Draft Development Permit 22-055

4310 50 Avenue



WGS_1984_Web_Mercator_Auxiliary_Sphere



Legend

- Town Boundary
- Hwy 2A Symbol
- Hwy 2A
- Hwy 27 Symbol
- Hwy 27
- → Railway
 Road Labels
- Block Text LineWater Point
 - Fitting
 - Main Valve
 - Reducer
 - Stub
- Water Curbstop
- Water Hydrant
- Water Pressure Main
- Water Service Line
- Storm Catch Basin
- Storm Manholes
- Storm Flow Direction
- Storm Gravity Main
- Storm Drainage Canal
- Storm Pond
- Sanitary Pressure Main
- Sanitary Manhole
- Sanitary Flow Direction

Notes

© Town of Olds

reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.





www.fivestarpermits.com 637 Lakeside Court Oliver BC V0H 1T4 250-487-1210

Scale 1cm=10m Scale

Client approves sign locations



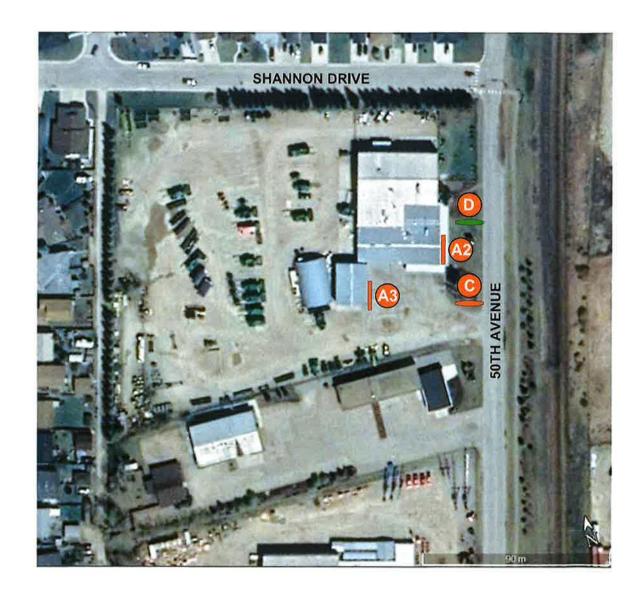
SITE PLAN

LOCATION 2.14: OLDS, ALBERTA

ADDRESS: 4310 50TH AVENUE STATUS: LEASED

PROPOSED:

- 'A2' letter signage
 'A3' letter signage
 Type 'C' pylon
 Replace decal on type 'D' pylon





Clearance 10'(3.0m)





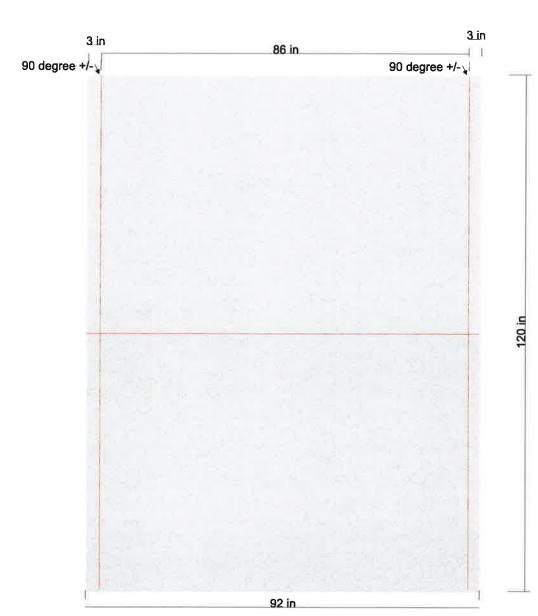
Clearance 17'(5.2m)

### Sign solutions Ca. 2006 Cate Cate	all being CICNE	Salesperson: Trent Boyd Sharlene	Company: Brandt Developments	Site Address;		
C Signs	all brite SIGNS	3 - 5 -	Name:			Artwork Details:
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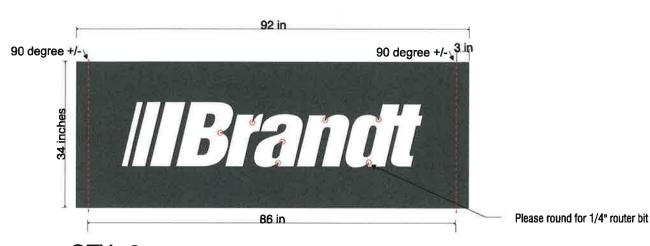
C Signs - Qty is based per sign

1. Artwork: On File Customer Supply New Design
2. Corporate Guidlines: Yes N/A

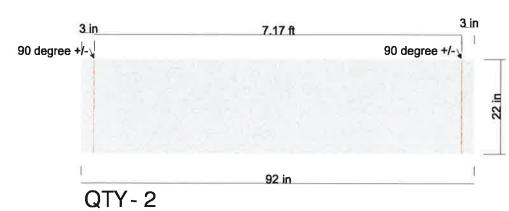
*modify for material thickness tolerance



QTY-2 1/8" Aluminum - Finish size to be 86"(W) with curve.



QTY - 2 1/8" Aluminum - Finish size to be 86"(W) with curve.

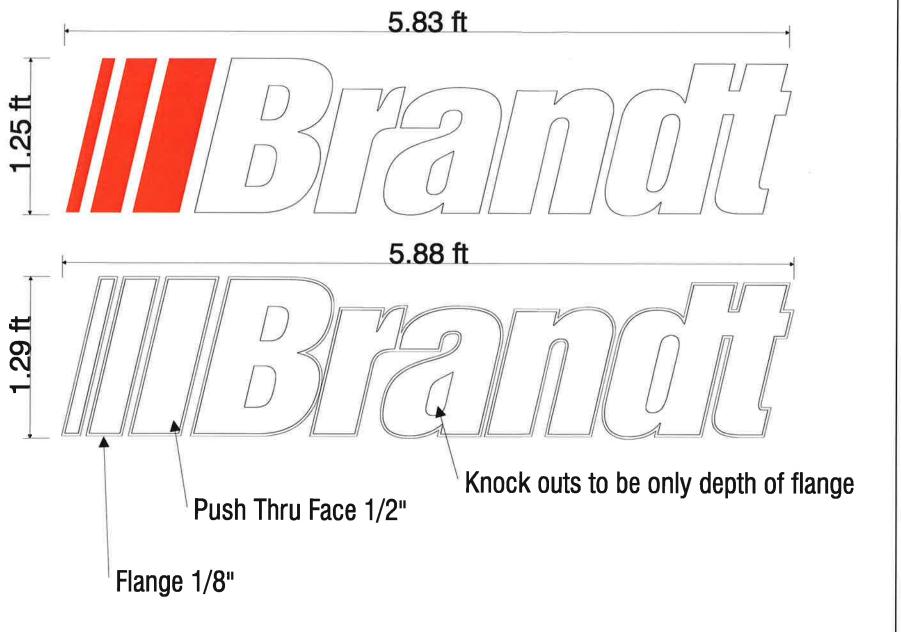


1/8" Aluminum - Finish size to be 86"(W) with curve.



QTY-4 1/8" Aluminum - Finish size to be 82"(W) with curve.

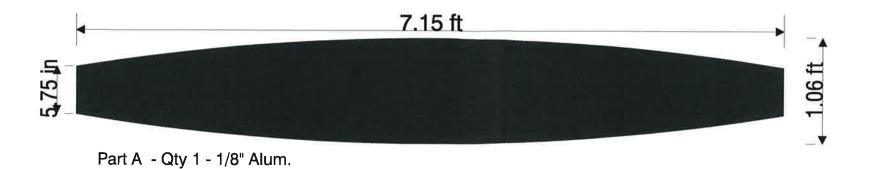
C Signs



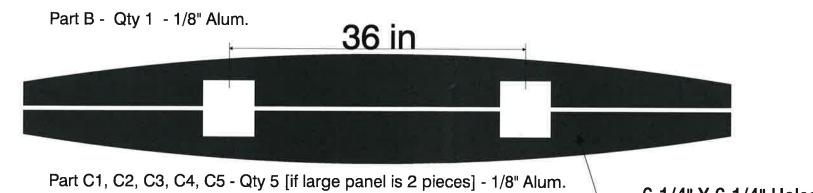
Artwork Details:
1. Artwork: On File Customer Supply New Design
2. Corporate Guidlines: Yes N/A
Push Thru Letters
1. Material:
Clear Acrylic
White Acrylic
Thickness: 1/2"
Flange Thickness: 1/8"
Flange Girth: 1/4"
2. Mount:
Adhesive Type:
3. # of letters/pieces:
4. Permit:
Sign Sol Allbrite Client
5. Installer:
All Brite
☐Sub-Contractor:
6. Shipping:
Ship To: N/A Sub-Contractor Site
Ship Via:

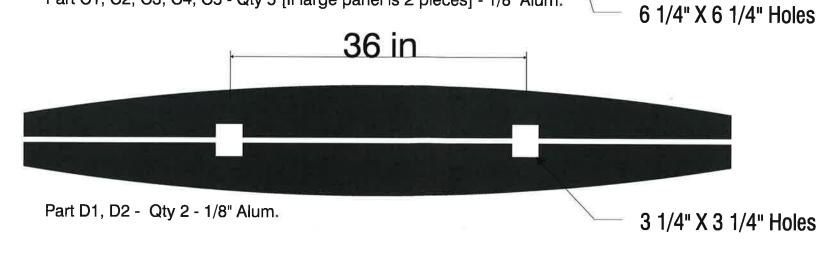
Pantone / Vinyl Colors: Avery UC 900-421-T

C Signs









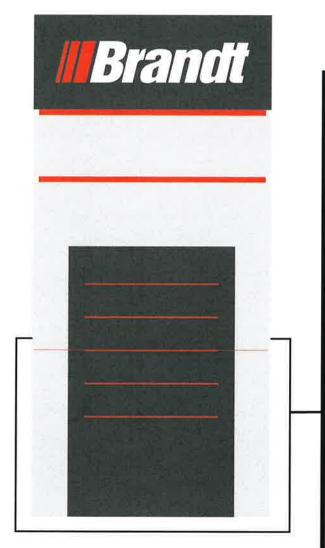
Discs - Qty 24 -1/8" Alum. [1 1/4"]

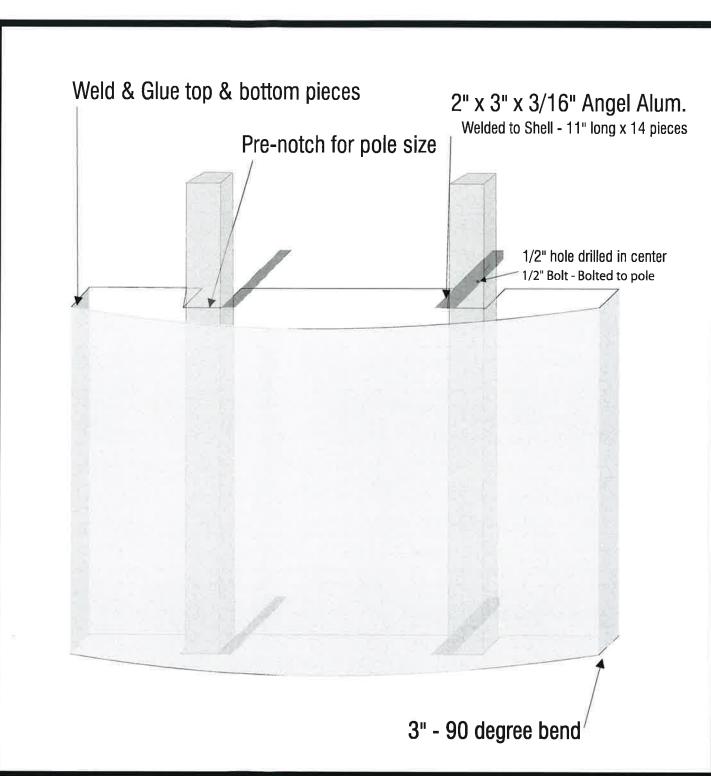
Artwork Details:

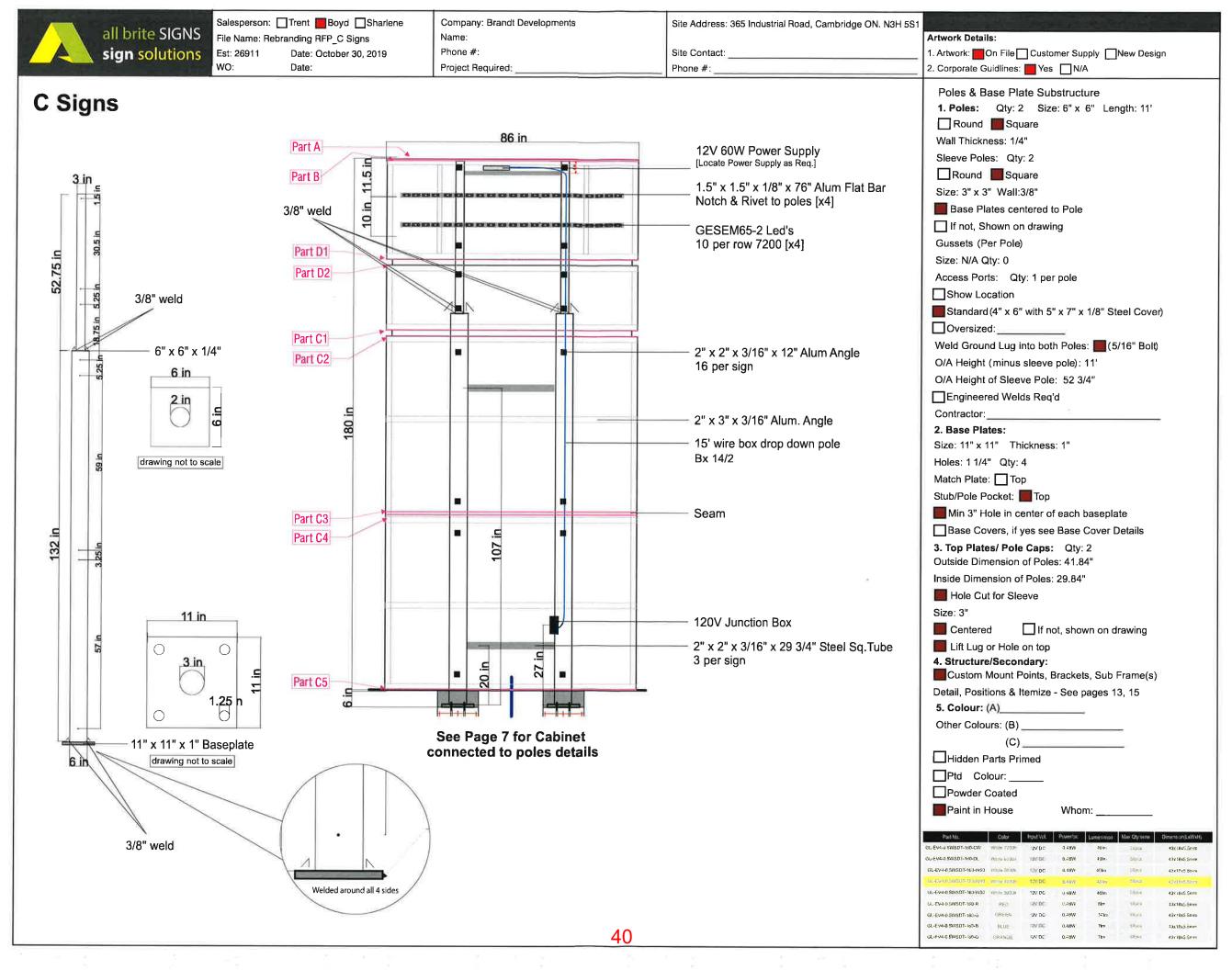
1. Artwork: On File Customer Supply New Design

2. Corporate Guidlines: Yes N/A

C Signs







22-055

	Trent Boyd Sharlene	Company: Brandt Developments	Site Address:	Channel Letters
all brite SIGNS File Name: Freder		Name:		1. Survey: Needed Complete N/A
Sign Solutions	Date: 10/1/2021	Phone #:	Site Contact:	a. Construction Complete at time of Survey Yes No IF NO DO NOT Commence with our written confirmation of final survey
wo:	Date:	Project Required:	Phone #:	2. Elevation:
				3. Wall Type:
				A. Tin / Metal (3" weather guards)
				B. ☐ Brick / Concrete (Hilti and tapcon) C. ☐ Vinyl Siding (3" weather guards)
				D. Wood Siding
				E. Stucco W/ Plywood Backer (3" weather guards)
				1) Stucco Thickness: 2) Hardware Thickness:
PARTIES AND ARREST ARREST ARREST AND ARREST ARR				F. Stucco W/O Backer (Thru bolt with plywood sandwich)
		The state of the s		1) Słucco Thickness: 2) Hardware Thickness:
				4. Building color: 5. Wall Thickness(over 10" longer install time):
		Brandt		6. Any obstructions in way of view: Yes:
				7. Removal Required? Yes No
				If yes,
		Company of States of Control of		A. ☐ Dispose ☐ Leave on site B. Repair Required? ☐ Yes ☐ No
				If yes,
		JOHN DEERE		C. Full repair Silicone Holes (Clear DOW732)
				D. Done by: Sign Solutions All Brite Sub Customer 8. Permit: Sign Solutions Allbrite Client N/A
				9. SaskPower Permit Required: Yes No (In Sask - remote wired letters, LED retro fits, sign service above lamps)
		M Ditch Witch		10. Sask Travel Permit Required: Yes (Sign Solutions in Sask) No 11. Access Requirements (must have one of the following):
				A. Closed interior wall with accessible ceiling type (survey 5b)
		Apounce		B. Bulkhead with 24" x 24" exterior access to sign area (survey 1c)
		♦ BOMAG		C. Parapet with 10" height minimum to mount power supplies in weather proof boxes on backside w/o penetrating ceiling (survey
A W WAR I		NEW		D. None of the above (go to raceway mount)
AND DESCRIPTION OF THE PARTY OF	the state of the state of	NPK		12. Electrical Requirements (must have one of the following):
	State of the latest with the latest with the latest window to the latest	# TOPCON	Mint A. at a	A. Existing power lead (will need to be pulled back thru wall, survey 5a
				B. Dedicated circuit 10' from sign area behind the interior wall (5c) C. Dedicated circuit 10' from sign area in bulkhead (survey 1c)
		HAMMERHEAD	Maria Maria Carlos Carl	D. None of the above - an electrician will need to run a dedicated
				13. Installation:
			The state of the s	A. Number of Installers: 1 2
				B. Equip: Pickup Bucket 40' Elliot L60 Bucket/Crane Tra
Charles Children	THE RESERVE OF THE		every a substantial state of the second	C. Install Time: D. Travel Time:
and the state of t	(b) at a second			E. Overnight: Yes, How many: N/A
			。 一种是一种主义是一种主义是一种主义是一种主义是一种主义是一种主义是一种主义是一种	14. Can the truck reach? Yes No (knuckle boom lift required)
THE PARTY OF THE P				15. Wall condition: Good Poor
		があるという。		16. Any exterior obstructions? Yes No
				17. Any interior obstruct/beams? Yes (move leads or letters)
Salar State of the		一个工艺工艺		18. Any powerlines within 7m of install? Yes (blanket lines)
STATE OF THE PARTY				19. Will ground be good if it rains? Yes No (Call Ahead)
PROPERTY CONTROL OF STREET AND STREET AND STREET			The state of the s	20. Is snow removal required? No Yes, Who:
			the state of the s	21. Truck setup? Yes No:
	池			22. Meter Bagging Permit Required? Yes, # of meters:
			7 41 M	23. Sidewalk Closure Permit Required? Yes No 24. Lane Closure Permit Required? Yes No
		The state of the s	The state of the s	25. Is a ladder required for install? Yes No
			The state of the s	If yes, is there a tie off point?
			Charles Mary Land	☐ N/A - feet are not above 9'10" (4f)
H. H. Carrier				Yes, size of ladder needed: Step: 6' 8' 10' Ext: 24'
	发展表现		The second secon	□ No (Lift Needed)
William Street Street			FFLON SIGN	26. Tools required:
THE PARTY OF THE P	N. A.			27. Electrician required for nookup (aways in Sask). [] Yes [] No
	200		1 / 1	Total weight of sign:
	(3.2)			Eyehook type: BS16 V2 WLL (2600lb) Shackel type: WLL2T (2 Tons)
				Sling type: 1" Type 3 (6200lb)
	1			The location of the disconnect switch after installation shall comply with Article 600.6
STATE OF SALES			Je Maro = 10x00	(1) of the National Electric Code.
		4	1, 6 tg 300 = 14000 7995 / S	UL Tag #:This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable
		4	<u>1</u>	local codes. This includes proper grounding and bonding of the sign.

7.0 Fascia Signs

- (a) No fascia sign shall be lower than 2.5 m (8.2 ft) above grade, except in the case of signs intended solely for the information of pedestrians in which case the height shall be determined by the Development Authority having regard, amongst other things, to clarity and public safety.
- (b) No fascia sign on a single storey building shall be higher than the eave line of the building.
- (c) No fascia sign shall project more than 0.4 m (1 ft) over a street or public property.
- (d) No fascia sign on a building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of a sign attached to a windowless wall, unless otherwise approved by the Development Authority.
- (e) Fascia signs shall be affixed wholly upon the building to which the sign refers.
- (f) Fascia signs shall be non-illuminated or illuminated internally or illuminated by external lighting fixtures focused directly on the sign.

8.0 Freestanding Signs

- (a) Freestanding signs shall be situated wholly upon the site of the building or land use to which the sign refers except in the case of:
 - (i) advance directional signs which may be approved by the Development Authority in locations where it considers the free and safe flow of traffic may be enhanced, or
 - (ii) signs used solely by community organizations.
- (b) A sign shall not project over the property line.
- (c) Only one freestanding sign shall be allowed on each parcel.
- (d) No freestanding sign shall extend beyond 6 m (20 ft) above grade or be larger than 4.5 m² (48 ft²) except in the Highway Commercial District and Shopping Centre Commercial District.
- (e) In the Highway Commercial District:
 - (i) the maximum for a freestanding sign, other than a district shopping center, shall be 7 m (23 ft) in height and 18.58 m² (200 ft²) in area, and
 - (ii) at a district shopping center, the maximum shall be 8.5 m (28 ft) in height and 18.58 m² (200 ft²) in area.

- (f) In the Shopping Centre Commercial District, the following regulations shall apply:
 - (i) freestanding pylon signs shall have a maximum height of 11 m (36 ft) and a maximum sign area of 29 m² (312 ft²),
 - (ii) freestanding pylon signs shall be a minimum of 2.5 m (8.2 ft) above grade level,
 - (iii) freestanding monument signs shall have a maximum height of 4.8 m (16 ft.) and a maximum sign area of 9.3 m² (100 ft²),
 - (iv) Each freestanding sign shall be located at least 50 m (164 ft) from any other freestanding sign on the same site and at least 25 m (82 ft) from each parcel boundary which does not abut a public roadway. When determining setback requirements of freestanding signs from parcel boundaries, distances from parcel boundaries are from the overall comprehensive planned site boundary.
 - (v) The number of freestanding signs allowed on a site shall be calculated based on one (1) sign per site plus one (1) sign per 2 hectares (5 acres) of site area. The maximum number of freestanding signs on a single site shall not exceed eight (8) signs.
 - (vi) A mixture of freestanding monument signs and freestanding pylon signs shall be provided to the satisfaction of the Development Authority.
- (g) Where more than one freestanding sign is permitted on a parcel that is not designated Shopping Centre Commercial District, freestanding signs on the same parcel shall be separated by a minimum distance of 30 m (98 ft) from each other.
- (h) No freestanding sign shall be erected in such proximity to a Recreation Facility or Environmental Open Space District that it would detract from the natural aesthetics of that District.
- (i) At the discretion of the Development Authority, landscaping may be required at the base of the sign in addition to the required landscaping for that District.

9.0 Billboards

- (a) The maximum sign area of a billboard shall be 3.10 m (10 ft) high by 6.10 m (20 ft) long.
- (b) The maximum height above grade of a billboard shall be 4.5 m (14.8 ft).
- (c) Illumination of billboards shall be restricted to lighting that directs light downwards toward the sign and shall not incorporate flashing lights.
- (d) The land and the site in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner.
- (e) The sign shall not be located closer than 3.05 m (10 ft) to any property line.
- (f) At the discretion of the Development Authority, landscaping may be required at the base of the sign in addition to the required landscaping for that District.



4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856

planning@olds.ca

DEVELOPMENT PERMIT DP22-055

Proposal: Freestanding Sign

Deemed Use: Discretionary Use – Freestanding Sign

Land Use Bylaw Designation: I1 – Light Industrial District

Civic Address: 4310 50 Avenue

Legal Description: Lot F, Plan 5892JK

Applicant / Owner: David Atkinson / Skyline Commercial Real Estate Holdings Inc.

Decision: **APPROVED** subject to the conditions outlined below:

- 1. The development must be constructed in accordance with the approved plans and conditions. Any revisions to the approved plans must be submitted for approval to the Development Authority. The approved site plan is attached.
- 2. The maximum sign area for freestanding signs in the Light Industrial District is 4.5m². A variance is granted to allow for a total sign area of 9.77m².
- 3. A variance is granted to the Land Use Bylaw provision which restricts the number of freestanding signs on a parcel to one in order to allow for a second freestanding sign on this parcel.
- 4. The applicant shall be responsible for maintaining the sign in a proper state of repair and shall:
 - i. Ensure that all structural members and guy wires are properly attached to the sign and building and meet proper safety standards; and
 - ii. Clean all sign surfaces as it becomes necessary.
- 5. Where the sign no longer fulfils its function under the terms of the Town of Olds Land Use Bylaw, the applicant shall:
 - i. Remove the sign and all related structural components within thirty (30) days from the date of receipt of such notice;
 - ii. Restore the immediate area around the sign to the satisfaction of the Town of Olds Development Authority, and
 - iii. Bear all the costs related to such removal and restoration.
- 6. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
- 7. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of the Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Permit: June 9, 2022 (after 3-week appeal period)

Attachments:

- 1. Site Plan
- 2. Sign Image
- 3. Site Context Aerial with Infrastructure

TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4D

Meeting Date: May 19, 2022 File No.: DP 22-056

Civic Address: 9 Wigham Close

Legal Description: LOT 63, BLOCK 4, PLAN 1413182
Designation: R1 – LOW DENSITY RESIDENTIAL

Proposal: CLASS 2 HOME OCCUPATION
Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a Class 2 Home Occupation at 9 Wigham Close. The proposal is for a reflexology business that would operate from 10am to 5pm, Monday to Friday. The applicant indicates that they will see up to 4 customers per day.

This application is classified as a Discretionary Use in the R1 land use district. The approval authority for Discretionary Uses is the Municipal Planning Commission (MPC).

Seven (7) area landowners were circulated with regards to this application. No objections or concerns were received from area property owners.

Planning & Development staff are of the opinion that the proposed business would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

RECOMMENDATION: That the Municipal Planning Commission approve Development Permit application 22-056 as presented, subject to the conditions listed in the attached draft Development Permit.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2. Draft Development Permit 22-056

9 Wigham Close



WGS_1984_Web_Mercator_Auxiliary_Sphere



Legend

- Town Boundary
- Hwy 2A Symbol
- Hwy 2A
- Hwy 27 Symbol
- Hwy 27
- → Railway
 Road Labels
- Block Text Line

Notes

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current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856 planning@olds.ca

DEVELOPMENT PERMIT DP22-056

Proposal: Home Occupation – Class 2: Reflexology Business

Deemed Use: Discretionary Use

Land Use Bylaw Designation: R1 – Low Density Residential District

Civic Address: 9 Wigham Close

Legal Description: Lot 63, Block 4, Plan 1413182

Applicant/Owner: Kara Ripco

Decision: **APPROVED** subject to the conditions outlined below:

- 1. The development must be constructed in accordance with the approved conditions. Any revisions to the approved conditions must be submitted for approval to the Development Authority.
- 2. This Home Occupation must be carried out so that the privacy and enjoyment of neighbouring residents is not compromised.
- 3. The maximum area to be used for the Home Occupation shall be limited to a maximum of the lesser of 20% or 30m² (333sf) of the gross floor area of the principal building.
- 4. The business shall not be visited by more than four (4) clients per day and ten (20) per week.
- 5. The business shall not operate outside the hours of 10:00am to 5:00pm and no more than five days per week.
- 6. This permit may be revoked at any time, if in the opinion of the Development Authority; the operator of the home occupation has violated any provisions of the Bylaw or the conditions of this permit.
- 7. A Business License is required to carry out a home occupation.
- 8. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Permit: June 9, 2022 (after 3-week appeal period)

TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4E

Meeting Date: May 19, 2022 File No.: DP 22-057

Civic Address: 6206 60 Street

Legal Description: LOT 7, PLAN 9711625

Designation: R1 – LOW DENSITY RESIDENTIAL

Proposal: SIDE YARD FENCE WITH VARIANCE TO LOCATION

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a fence along the northwest side yard of 6206 60 Street.

The proposed fence would be located beyond the property line in order to create a gated driveway that could enclose a vehicle. As the approval of this location is beyond the variance abilities of the Town of Olds Development Officer, the Municipal Planning Commission (MPC) is the approval authority.

Eight (8) area landowners were circulated with regards to this application. One letter of support has been received from area property owners.

Planning & Development staff are of the opinion that the fence would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

RECOMMENDATION: That the Municipal Planning Commission either:

- 1) Approve Development Permit application 22-057 as presented, subject to the conditions listed in the attached draft Development Permit; or
- 2) Refuse Development Permit application 22-057, providing supporting rationale for this decision.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2. Site Plan
- 3. Draft Development Permit 22-057

6206 60 Street



WGS_1984_Web_Mercator_Auxiliary_Sphere



Legend

- Town Boundary
 - Hwy 2A Symbol
- Hwy 2A
- Hwy 27 Symbol
- Hwy 27
- → Railway Road Labels
- Block Text Line

Notes

© Town of Olds

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

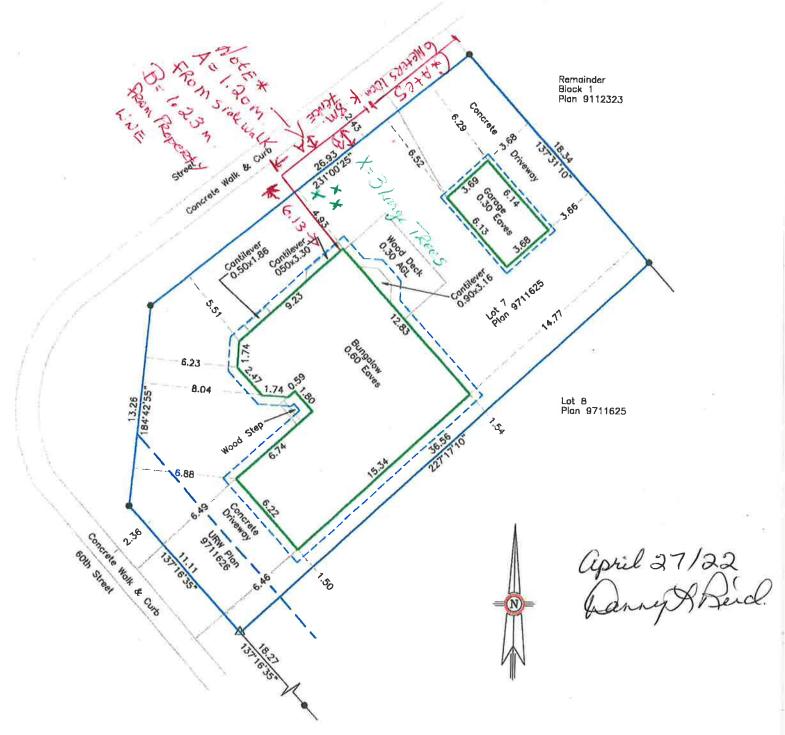
49

THIS MAP IS NOT TO BE USED FOR NAVIGATION

AI TERTA LAND CURVEYOR'S REAL PROPERTE REPORT - PLAN

This is Page 2 of a Rea. operty Report and is ineffective if it is detached om page 1. Page 2 of Legal Description: Lot 7 Plan 971 1625 Civic Address: 6206 - 60th Street

Olds, Alberta



ENCUMBRANCES:

Registration No. 971 299 971

Particulars

Utility Right of Way - The Town of Olds (Plan 971 1626)

NOTES:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls

2. Distances are shown in metres and decimals thereof

3. Statutory Iron Posts are shown thus...

4. Calculated points are shown thus...

5. (e) denotes encroachment

6. Eaves are dimensioned to the line of the fascia

Scale: 1:250 Drawn: GFF File No.: 98-190



I would like to build a finer encompassing the back driveway of my property and a stiding gate, We would like the finer to be 1.2 metres from sedinall instead of 2.43 metres. The reason we would like to do this is my wuding truck was stelen off the driving in back in January. We ful a finer around the area might help alleviate this from happening again in the future.

Please refer to the RED lines in the RPR from the town as to where we want to build the finer.

We are requesting to put in a 6' finer with metalgaty Please notice that we would like to encompass 3 large existing evergrees trees enside the finer. We don't want to have to kemone any of these trees. Shank for

Darry Reid

Melissa Kilbride

From: Mike Schell < gearbox63@icloud.com>

Sent: Saturday, May 7, 2022 3:10 PM

To: Kyle Sloan **Subject:** File # DP22-057

CAUTION: This Email is from an external sender. Be alert for Phishing. Do not click links if you do not know the sender.

Hi Kyle

I would like to point out an error in the letter I received concerning a proposed fence at 6206 60 St - I just talked to Danny Reid; Please know that the proposed fence is on the north side, not the west side. If it were on the west side as the letter states, it would likely draw many complaints. However, on the north side where he wants it would actually enhance the appearance, and we are very much in favour of his proposed fence.

It may be a good idea to notify the other recipients of the letter.

Thank you Mike Schell and Debbie Rogers

Sent from my iPhone

TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4F

Meeting Date: May 19, 2022 File No.: DP 22-058

Civic Address: 4919 49 Avenue

Legal Description: LOTS 1-5, BLOCK 9, PLAN 2186H

Designation: C1 – CENTRAL COMMERCIAL DISTRICT

Proposal: TEMPORARY PATIO

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a temporary patio at 4919 49 Avenue. The patio would be installed at the rear of the drinking establishment in the parking area. If approved, the use of this temporary patio would be allowed until October 31, 2022, or another date as decided by the development authority.

Because this temporary use would reduce the number of parking spaces available on the subject parcel, a variance of the parking requirements of the Land Use Bylaw would be needed for its approval. Such a variance would be beyond the authority of the Town of Olds Development Officer, and therefore, the Municipal Planning Commission (MPC) is the approval authority.

The proposed patio is similar to a temporary patio that was approved in 2021 but the size has been reduced. Town of Olds Municipal Enforcement staff have confirmed that no complaints about noise or nuisance were received during the operation of the patio in 2021.

Six (6) area landowners were circulated with regards to this application. One letter of concern was received from an area landowner. This correspondence is attached.

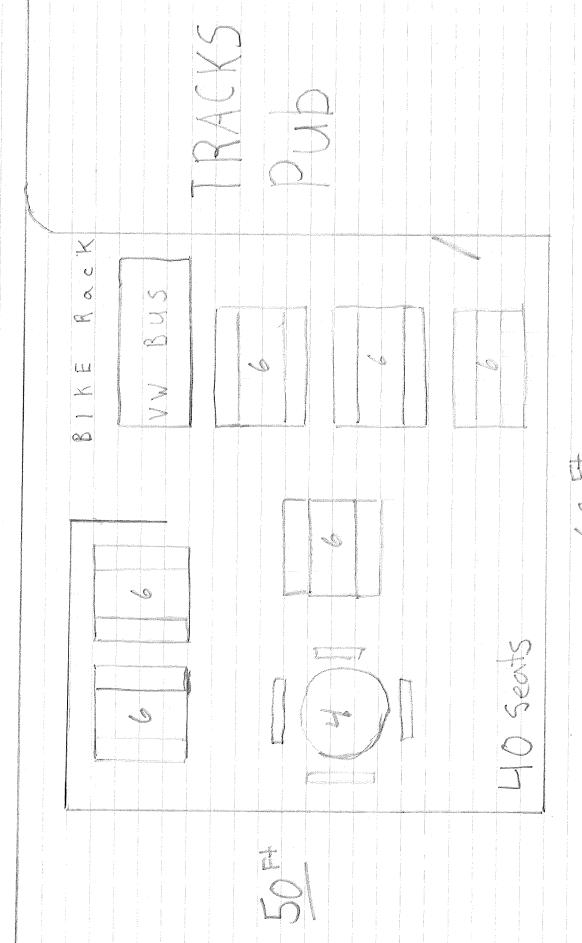
Planning & Development staff are of the opinion that the temporary patio would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

RECOMMENDATION: That the Municipal Planning Commission approve Development Permit application 22-058 as presented, subject to the conditions listed in the attached draft Development Permit.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2 Site Plan
- 3. Area Landowner Correspondence
- 4. Draft Development Permit 22-058



ALVIN F. GANSER

Barrister & Solicitor TELEPHONE 403-556-8481

Fax 403-556-3830

Mailing address: P.O. Box 4040, Olds, Alberta, T4H 1P7
Office address: 4834 – 50 Street, Olds, Alberta

Email address: aganser@oldsnet.ca

Our File: 1001

May 12, 2022

Town of Olds 4512 46 Street Olds, Alberta T4H 1R5

Attention: Kyle Sloan, Development Officer

RE: Proposal – Temporary Patio

Town File No - DP22-058

Civic Address - 4919 - 49th Avenue, Olds, Alberta - Tracks Pub

Legal - Lots 15, Block 9, Plan 2186H

Land Use District - C1 - Central Commercial District

In response to your letter of May 2, 2022, this is to advise that I have the following concerns in respect to the aforesaid proposal:

- Questions arise as to whether Applicant is in possession of a valid permit, or entitled to a
 permit, to operate a Drinking Establishment, given that many of the conditions required to
 obtain a permit to operate such an establishment have not yet been met;
- ii) Status of Applicant to bring an application for a Patio permit if Applicant does not hold a valid permit to operate a drinking establishment.
- iii) Issuing of a permit to change the existing parking area(s) to other uses would be a breach of condition # 7 and # 8 of the written decision of the Town of Olds Subdivision and Development Appeal Board, issued on April 2, 2008 (hereinafter referred to as the "Olds SDAB decision");
- iv) Issuing of a permit to have patio dining would be a breach of condition # 9 of the SDAB decision;
- v) Patio dining has the potential to increased noise contrary to condition # 6 of the SDAB decision noise minimization; in respect of residents of the surrounding community;
- vi) Outdoor Patio dining may not be compatible in what is largely a residential neighborhood, there being residential premises/units on 3 sides of Tracks Pub;
- vii) Issuing of a permit for patio dining would amount to the Municipal Planning Commission

overruling a SDAB decision; only the Alberta Court of Appeal had authority to change the conditions imposed in the 2008 SADA decision; no appeal made to the Alberta Court of Appeal.

I have enclosed:

- i) A copy of the Olds SDAB's decision signed on April 2, 2008 (which issued from their meeting held on March 18, 2008);
- ii) A copy of my letter to the Town of Olds, dated May 6, 2022;
- iii) A copy of my letter to the Town of Olds dated May 11, 2022;
- iv) A copy of a letter from the Town of Olds dated May 11, 2022, with attached:
 - aa) Request To Access Information
 - bb) Copy of letter to Tracks Pub dated May 10, 2022
 - cc) Copy of Subdivision and Development Appeal Board Hearing (held March 18, 2008, and signed on April 2, 2008 [which is the same enclosure as submitted in (i) above].

Note: Letter from the Town of Olds addressed to Tracks Pub dated May 10, 2022 (enclosure (iv) (bb) above, acknowledges that the Landowner(s), Owner(s) and Operators(s) of Tracks Pub, may not have met the conditions of approval for a permit to operate a drinking establishment as required by the decision of the Olds Subdivision and Appeal Board hearing held on March 18, 2008 (which decision was signed on April 2, 2008).

Yours truly,

ALVIN F. GANSER

AFG/afg

Delivered by hand

ALVIN F. GANSER

Barrister & Solicitor
TELEPHONE 403-556-8481
Fax 403-556-3830
Mailing address: P.O. Box 4040, Olds, Alberta, T4H 1P7
Office address: 4834 – 50 Street, Olds, Alberta

Our File: 1001

May 6, 2022

"Without Prejudice"

Town of Olds 4512 46 Street Olds, Alberta T4H 1R5

Attention: Judy Dahl, Mayor

RE: Development Permit # 07-323 (4919 - 49th Avenue, Olds, Alberta – Tracks Pub)

This letter will confirm my meeting with:

- i) Kyle Sloan on June 21, 2021;
- ii) yourself on March 22, 2022, and
- iii) Kyle Sloan, Scott Grieco, Sheena Linderman and yourself on April 13, 2022.

At each of these meetings the writer brought to the attention of the personnel in attendance the 15 conditions attached to the Development Permit Application granted by the Subdivision and Development Appeal Board on March 18, 2008, with respect to a Drinking Establishment to be developed on property located at 4919 49 Ave., Olds Alberta (hereinafter referred to as the "Pub").

At the meeting of June 21, Kyle Sloan acknowledged that he had not reviewed the decision of the Subdivision and Development Appeal Board (hereinafter referred to as the "SDAB"), prior to issuing permits for temporary patio operation by the Pub. As a result his decision was made without taking into consideration the prohibition contained in the Decision of the SDAB in respect if patio seating. Mr. Sloan also advised that the applicant, Scott Van de Pypekamp (hereinafter referred to as the "owner", of the Pub) did not advise him of the restriction prohibiting patio seating contained in the Decision of the SDAB when making application for the temporary patio seating permits. Mr. Sloan acknowledged his decisions to grant temporary Permits were made in error. Nothing was seen to be done by the Town subsequent to this meeting to revoke the said temporary permits.

At the time of my meeting with you on March 22, 2022, you advised the writer that it was the responsibility of the Town to have reviewed the aforesaid Decision of the SDAB before considering any application for further permits. You advised that had this been done, no permits should have been issued in 2021 for patio seating in respect of the Pub.

It was confirmed to the writer by the Town personnel at the April 13, 2022, meeting that the owner of the

Pub was still operating under the permit, referred to above. I reviewed with those present all of the conditions imposed in the Decision of the SDAB pertaining to this permit, and outlined the many conditions that do not appear to have been complied with by the Pub owner in respect of the said Development Permit.

I put to the Town the question as to whether the Pub had a valid permit to operate, given that many of the conditions had not been met to date, even though more than 14 years had lapsed since the SDAB hearing.

Accordingly I questioned the Town as to what documents they had on file evidencing the fact that these 15 conditions had been met. You advised the Town would review its file and provide information to me as to the compliance with the said 15 conditions. To date I have heard nothing, and therefore I would appreciate receiving:

- 1. Proof that all 15 conditions have been met, and continue to be met at the present time;
- 2. A copy of the Permit issued by the Town to the Pub, once it had proof that all 15 conditions had been met;
- 3. Details as to the times the personnel from the Town attended at the Pub, subsequent to March 18, 2008, to determine if compliance was being carried out with respect to the 15 conditions, and met, by the owner of the Pub;
- 4. What steps were taken by the Town subsequent to March 18, 2008, in respect of any of the 15 conditions found not to be complied with;
- 5. What the arrangement is that the owner of the Pub put in place regarding a portion of the off-street parking required, that appear to have been designated to the north of the Pub. Please provide any written agreements put in place in this regard.

I look forward to a timely response to the information requested herein, and if possible by May 11, 2022, at the latest. There is a MPC Hearing scheduled for a temporary permit on May 19, 2022, and the Town is seeking written responses from concerned individuals by May 12 at 4:00 p.m. I received this notice yesterday, at noon. Given that the Town has had since April 13, 2022, to review its file to gather the proof that was to be forthcoming I trust you will be able to provide the documents and information in short order, and will be able to do this by May 13, 2022.

Please phone my office at 403-556-8481 when the materials are available and we will arrange for pick up.

Yours truly,

ALVIN F. GANSER AFG/afg

Delivered by hand

ALVIN F. GANSER

Barrister & Solicitor
TELEPHONE 403-556-8481
Fax 403-556-3830
Mailing address: P.O. Box 4040, Olds, Alberta, T4H 1P7
Office address: 4834 – 50 Street, Olds, Alberta

Our File: 1001

May 11, 2022

Town of Olds 4512 46 Street Olds, Alberta T4H 1R5

Attention: Kyle Sloan, Development Officer

RE: Proposal – Temporary Patio
Town File No - DP22-058
Civic Address - 4919 - 49th Avenue, Olds, Alberta – Tracks Pub
Legal – Lots 15, Block 9, Plan 2186H
Land Use District – C! – Central Commercial District

Further to our letter dated May 6, 2022, please provide me with:

- a copy of any documentation the Town has regarding the aspect that all 15 conditions set out in the Subdivision and Development Appeal Board Decision dated April 2, 2008 were met by the applicant (Tracks Pub);
- a copy of the Permit that was issued by the Town of Olds in respect to the drinking establishment.

When the documentation is available, please phone the writer's office at 403-556-8481 and we will arrange for pickup. The writer will provide a cheque for the \$25.00 fee for the provision of the said information.

Yours truly,

ALVIN F. GANSER AFG/afg

Delivered by hand



Request to Access Information

	Personal information on this form Act and will be used to respond to	is collected under Alberta's Freedom your request. See instructions for o	m of Information and I completing this form.	Protection of Privac										
About you	Title (optional) Last Name		First Name Alvin F.											
	Name of Company or Organization (if applicable)													
	Mailing Address Street P.O.Box 4040	City/Town/Village	Province AB	Postal Code TYH 1P7										
	Telephone Number (daytime) (403) 556-8481 E-mail Address	Telephone Number (evening) ()	Fax Number (403) 556											
About your request	 What kind of information do you want to access? General information (An initial fee of \$25 is required – see instructions for explanation of fees.) Your own personal information (No initial fee is required for personal information.) To which public body are you making your request? (Please fill in the name of the public body that has the records you wish to access. For a complete listing of public bodies, consult the Directory of 													
	Public Bodies on the FOIP website at foip.alberta.ca.) Town of Olds													
	3. Do you want to: receive		amine the record?											
About the information you want to	1. What records do you want to access? Please give as much detail as possible. (If you want access to your own personal information, be sure to give all your previous names. For another person's information, you must attach proof that you can legally act for that person.)													
access	1. Any documentation the Town has re: 15 conditions set out in the SDAB decision dated April 2, 2008 -were they met? 2. Copy of the Permit issued by the Town of olds for Tracks Po													
	2. What is the time period of the records? Please give specific dates. (See instructions for details.)													
	April 2008													
ır signature	Signature Date May 11 2022													
ere to send our request	Send your completed request form, and initial fee if applicable, to the FOIP Coordinator of the public body that has the records you wish to access. For contact information, consult the Directory of Public Bodies on the FOIP website at foip.alberta.ca.													
	Data Davids	FOR OFFICE USE ONLY												
	Date Received	Request Number # 2022-03	•											
	2022-05-11 Comments													

SA 112 (2012/08)



Town of Olds

Reference #2022-03

May 11, 2022

Alvin F. Ganser Barrister & Solicitor P.O. Box 4040 Olds, Alberta T4H 1P7

Dear Alvin:

Re: Freedom of Information and Protection of Privacy Act Response to Access Request

I am replying to your request of May 11, 2022, for access to the following:

- A copy of any documentation the Town has regarding the aspect that all 15 conditions set out in the Subdivision and Development Appeal Board Decision dated April 2, 2008 were met by the applicant (Tracks Pub);
- 2. A copy of the permit that was issued by the Town of Olds in respect to the drinking establishment (Tracks Pub).

I am pleased to provide access to the information you have requested to the best of my knowledge.

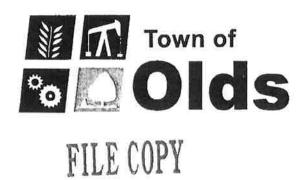
Under section 65 of the *Freedom of Information and Protection of Privacy Act*, you may ask the Information and Privacy Commissioner to review the decision. You have 60 days from receipt of this notice to request a review by writing the Information and Privacy Commissioner at:

Information and Privacy Commission 410, 9925 – 109 Street Edmonton, AB T5K 2J8

Section 67(1) of the *Freedom of Information and Protection of Privacy Act* requires the Commissioner to give a copy of your request for review to the head of a public body and to any other person who, in the Commissioner's opinion, is affected by the request. Therefore your request for review should not contain any information that you do not wish exchanged with the other parties.

May 10, 2010

TRACKS PUB 4919 - 49TH STREET OLDS, AB



PERSONAL SERVICE

Attention: LANDOWNERS, OWNERS & OPERATORS - TRACKS PUB

Re: COMPLIANCE WITH MARCH 18, 2008 TOWN OF OLDS SDAB RULING

Lots: 1-5 Block: 9 Plan: 2186H 4919 – 49 Avenue, Olds, AB

Tracks Pub

This letter is sent to your attention in relation to complaints received regarding the operation of Tracks Pub at the above noted address. Please take note that the operation of tracks Pub was enabled via the April 2, 2008 ruling of the Town of Olds Subdivision and Appeal Board (SDAB) following their public hearing of March 18, 2008. A copy of this ruling is attached for your reference.

It has been brought to the attention of the Town of Olds via resident complaints and a subsequent sight inspection, that all of the conditions of approval may not have been met as they are detailed in the attached copy of the above referenced April 2, 2008 SDAB ruling. A subsequent site inspection by Town of Olds staff has indicated that this indeed may be the case.

Please accept this letter in official notification that the subject Landowner(s), Owner(s) and Operator(s) have until **Thursday**, **June 10**, **2010** to come into full compliance with the April 2, 2008 Town of Olds SDAB. Please note that subsequent site inspection(s) shall be undertaken by Town of Olds staff to determine if compliance has been forthcoming. Kindly govern yourselves accordingly.

Sincerely Yours,

Sean David Carter, ACP/MCIP

Development Officer II

encl.

Town of Olds Subdivision and Development Appeal Board Hearing Decision Hearing: March 18, 2008 Development Approval Lots 1-5, Block 9, Plan 2186H 4919 49 Avenue, Olds, Alberta.

I. Introduction

This appeal relates to a discretionary development application for a drinking establishment (the "Development") to be developed in the building (the "Building") located on property located at 4919 49 Avenue, Olds, Alberta, [Legal: Lots 1 -5, Block 9, Plan 2186H] (the "Lands"). The appeal of the Municipal Planning Commission's decision refusing the development permit application was filed by Mr. Scott Van de Pypekamp and Mr. Curtis Husted (Appellants).

II. Decision

For the reasons outlined below, the Board upholds the appeal and approves the development application, subject to the following conditions:

- 1. The Development must meet all applicable Alberta Building Code requirements.
- 2. The Development must meet all applicable Alberta Fire Code requirements.
- 3. The plans submitted with the Development Permit Application (the "Plans") form part of the Development Permit approval.
- 4. The computer generated image of the Building presented at the SDAB hearing (the "Image") forms part of the Development Permit approval.
- 5. The operation of the Development must adhere to the provisions of the Town of Olds Noise Control Bylaw #1178-80.
- 6. Noise arising from the operation of the Development must be minimized so as not to adversely affect residents located either within the Building or within the surrounding community by adherence to the following conditions:
 - a) Removal of the four (4) windows located on the south side of the main floor of the Building and replacing the windows with solid walls,
 - b) All public access to the Building shall be via either a set of double doors or, alternatively, a revolving door to ensure that the noise generated by the Development is contained within the Building,



- c) All music played at levels detectible by residents in the Building or in the proximate area must cease at 11:00 p.m., and
- d) No music is to be played or broadcasted outside the Building at any time.
- 7. The areas designated as "off-street" parking in the Plans must be maintained at not less than thirty (30) off street parking stalls.
- 8. The identified parking areas on the Plans cannot be converted to other uses.
- 9. No patio tables or exterior seating shall be allowed on the Lands.
- 10. Garbage containers, recycling containers and cigarette disposal units must be installed at each public entrance to the Building.
- 11. The exterior of the Building shall be upgraded substantively in accordance with the Plans and the Image including but not limited to the removal of all existing siding on the building and the installation of new siding treatment on the entire exterior of the Building, all to the reasonable satisfaction of the Development Officer.
- 12. The Development must include the installation of appropriate and adequate lighting of the exterior of the Building and adjacent site parking which maintains an average of 2 foot candles of light on the exterior of the Building and adjacent site parking when natural light is not present. All lighting must utilize Full Cut-Off Light Fixtures to ensure that the Development lighting does not negatively impact adjacent properties.
- 13. Occupancy of the Building shall be restricted to a maximum of 84 persons.
- 14. Signage shall be installed at all public entrances to the Building, on both the inside and outside of the Building, which include the following information:
 - a) Patrons must respect the community and the community residents' peaceful enjoyment of their homes,
 - b) No loitering outside the Building, and
 - c) All smoking materials and litter must be placed in the receptacles supplied.
- 15. Signage shall be installed at all entrances to the Lands and the Building which contains the following information:
 - a) Directions to the Tracks Neighbourhood Pub parking lots, and
 - b) If Patrons intend to leave their vehicles overnight, vehicles must be parked in the Tracks Neighbourhood Pub parking lots.

III. Background and Reasons for Decision

The Appellants' appeal to the Subdivision and Development Appeal Board (the "Board") was presented by Scott Van de Pypekamp and Curtis Husted. The Board heard from the Appellants, residents who spoke in favor of the appeal, residents who spoke in opposition of the appeal and a representative from the Parkland Regional Planning Commission.

Issues Raised

Negative impact to residential properties in the area

a) Conduct of Development's Patrons

Residents living in proximity to the Lands raised concerns with respect to the conduct of patrons leaving licensed liquor establishments including: litter, broken bottles, and illegal activities (vandalism, drug use and sales, property damage).

Board's Deliberation:

The Lands in question are located within the Central Commercial (C1) district as outlined in the Town of Olds Land Use By-Law. A drinking establishment is a discretionary use within the C1 district.

As stated in the Town of Olds Municipal Development Plan, the intent of the C1 District "is to encourage the continued growth and intensification of Downtown Olds as a vibrant mixed use centre....and is an attractive place to shop, work, live and play" and that the "Town shall support the ongoing redevelopment of the downtown area as the centre and heart of the Town and as the primary area for the highest level of administrative, retail, office, institutional, cultural and entertainment facilities".

Accordingly, the Board is inclined to approve the Development permit application as long as the concerns raised by the area residents can, to the extent possible under the Board's authority, be mitigated through conditions placed on the Development permit. The Board is placing conditions on the Development permit approval including installation of waste containers, exterior lighting, signage and conditions to limit noise generation to address the area residents' concerns.

While the Board is sympathetic to the concerns raised by the area residents with respect to the conduct of patrons leaving a drinking establishment, the Board does not have the authority to deal with the anticipated illegal activity of

individuals and, in the event that such activities do occur, the residents should contact the RCMP or the Town Bylaw Enforcement department for assistance.

b) Noise

Area residents raised the concern that the proposed Development will generate noise which will disturb the residents and negatively impact their peaceful enjoyment of their homes. The residents advised the Board that they had experienced significant noise from this location when it was operated as a billiard hall in the past. The sources of noise identified by the residents included: noisy patrons, loud music and vehicles.

The Board was satisfied from the evidence received that the previous business owner(s) had not made any improvements to the building to reduce the noise coming from the previous billiard hall establishment.

Board's Deliberation:

The Town of Olds Bylaw 1178-80 Noise Control Bylaw regulates when noise can be generated and the extent to which it is tolerated. The Bylaw states that a person engaged in creating the noise shall conduct the activity "in such a manner so as not to create a nuisance, of such sound, as practical under the circumstances".

The Board is satisfied that the Building renovations planned by the Appellants, including the removal of windows on the south side of the Building and replacement of the windows with a solid wall and the installation of double doors or a revolving door at public entrances to the Building will limit the noise heard by the residents in the area.

The Board further directs that no outside patio tables or exterior seating shall be permitted on the Lands to minimize the amount of noise generated by patrons outside the Building.

The Board is satisfied that the combination of enforcement of the Noise Control Bylaw, the restriction against exterior patio tables and seating, limiting the number of patrons to 84, limiting the hours when music is played in the Development, and the required Building renovations will adequately address the area residents concerns relating to noise generated by the Development.

c) Parking

Area residents, adjacent business owners, area churches, the Town's Development Officer and the Olds Fire Department, all raised the issue of adequate parking for the Development. The primary concern regarding

parking is that patrons often leave vehicles parked over night causing a parking issue for those persons wishing to park the next day.

The Development proposal contemplates increasing the numbers of patrons on the Lands from the current occupancy of 60 people to 84 people but the Development proposal does not address the parking requirements of the tenants living upstairs or staff members working in the establishment.

The Development proposal indicates that there are thirty (30) "off-street" parking stalls available for use by the patrons for the Development. Eighteen (18) of the stalls are located immediately behind the building on the Lands and an additional twelve (12) stalls are located north of the Lands at 4901 49 Avenue.

The Board further notes that there is public parking located across the street from the Lands and on-street parking is also permitted on the adjacent streets.

Board's Deliberation:

The Board is satisfied that the thirty (30) identified "off-street" parking stalls in the Development proposal meet the requirements for the patrons, staff and residents of the Development

The areas on the Lands designated as "parking" in the Development proposal must be maintained at the levels shown on the Plans and no patio tables or exterior seating shall be allowed on the Lands.

The Board does not have the authority to restrict on-street parking and defers the matter of "on-street" parking to the Town Council for their handling.

 d) Control of beverage containers leaving the premises and litter created by patrons of the lands.

A number of area residents raised their concerns about their past experiences with the inappropriate disposal of garbage, litter, bottles and cans associated with patrons leaving existing drinking establishments in Town.

The Appellants have indicated that they will install appropriate containers for garbage, litter, and smoking materials. The Appellants further advise that it is a requirement under the liquor license for the establishment that no alcoholic beverages or alcoholic beverage containers leave the licensed premises.

Board's Deliberation

The Board is satisfied that the installation of appropriate containers for garbage, litter and smoking materials will adequately address the concerns with respect to

litter and garbage accumulating on and off the Lands. Further, the Town has the ability to take enforcement steps to ensure that the Lands do not present a nuisance to the area with respect to the accumulation of garbage and litter.

The Board is further satisfied that it is a requirement of the Development's liquor license that no alcoholic beverages or alcoholic beverage containers leave the licensed premises.

e) Exterior treatment and appearance of the Development.

The Development proposal as submitted indicates that upgrading is going to take place to the exterior of the existing Building on the Lands. The Development proposal included a computer generated image of the Building which was shown at the hearing. The computer generated image of the Building indicated that all the existing siding was to be removed and replaced with new siding treatment.

Board's Deliberation:

The Board is satisfied that the proposed renovation of the Building will improve the Building's appearance and contribute to the overall evolution of the area streetscape.

The Appellants are required to carry out their proposal to renovate the exterior of the Building substantively in accordance with the computer generated image of the Building which was shown at the SDAB hearing.

f) Lighting Requirements

There is a concern from area residents that appropriate and adequate lighting of the exterior of the building is insufficient which would contribute to vandalism and other problematic activities in the area adjacent to the Development.

Board's Deliberation

The Board is satisfied that establishing proper lighting on the exterior of the Building will assist in deterring inappropriate activities on the Lands and in the area adjacent to the Development. The Board is mindful that excessive or intrusive lighting can cause a nuisance to adjacent residents. Accordingly, the Board is requiring the installation of Full Cut Off Light Fixtures sufficient in number to achieve an average of 2 foot candles of light around the outside of the Building and within the parking areas.

g) Safety & Building Code requirements

The Town's Fire Chief and Building Inspector raised concerns related to Building and Fire Code issues with the proposed renovation of the Building on the Lands.

Board's Deliberation

While these matters are properly within the scope and operation of the Safety Codes Act, the Board notes that the Appellants are required to comply with all Alberta Building Code and Fire Code requirements as such requirements relate to the Development.

With the additional conditions outlined in this decision, the Board is satisfied that the proposed Development will not negatively impact the existing developments in the area.

Chairman of Subdivision and Development Appeal Board.

NOTICE

An Appeal of this decision, on a question of law or jurisdiction may be made to the Alberta Court of Appeal (Section 688(1) Municipal Government Act), within 30 days.



4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856 planning@olds.ca

DEVELOPMENT PERMIT DP22-058

Proposal: Temporary Patio for Drinking Establishment

Deemed Use: Discretionary Use - Drinking Establishment

Land Use Bylaw Designation: C1 – Central Commercial District

Civic Address: 4919 49 Avenue

Legal Description: Lots 1-5, Block 9, Plan 2186H

Applicant / Owner: 1340289 Alberta Ltd.

Decision: APPROVED subject to the conditions outlined below:

- 1. The development must be constructed in accordance with the approved plans and conditions. Any revisions to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority. The approved plans are attached.
- 2. The patio must comply with all regulations of Alberta Health Services (AHS) and Alberta Gaming, Liquor and Cannabis Commission (AGLC).
- 3. Based on the requirements of the Land Use Bylaw, the required number of parking spaces for all uses on this property is 30. The original approval of the drinking establishment recognized that 12 stalls were located on the subject property and 18 were available for Tracks use on Lots 8-10 on the same block. A variance is granted to temporarily reduce the number of parking stalls available on the subject property, recognizing the availability of stalls on the nearby parcel as well as the Town parking lot located at the southwest corner of 49 Avenue and 50 Street.
- 4. This temporary Development Permit expires on October 31, 2022.
- 5. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
- 6. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of the Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Permit: June 9, 2022 (after 3-week appeal period)

Attachments: Site Plan

TOWN OF OLDS MUNICIPAL PLANNING COMMISSION

REQUEST FOR DECISION REPORT

Agenda Item No.: 4G

Meeting Date: May 19, 2022 File No.: DP 22-060

Civic Address: 4602 50 Avenue

Legal Description: LOTS 7 & 8, BLOCK 1, PLAN 868E

Designation: C1 – CENTRAL COMMERCIAL DISTRICT

Proposal: TEMPORARY PATIO

Originated By: Kyle Sloan, Development Officer

MPC Secretary Approval: Scott Grieco, Director of Operations

REVIEW OF DEVELOPMENT PERMIT APPLICATION

The Town has received a Development Permit Application for a temporary patio at 4602 50 Avenue. The patio would be installed at the front of the restaurant in the parking area. If approved, the use of this temporary patio would be allowed until October 31, 2022, or another date as decided by the development authority.

Because this temporary use would reduce the number of parking spaces available on the subject parcel, a variance of the parking requirements of the Land Use Bylaw would be needed for its approval. Such a variance would be beyond the authority of the Town of Olds Development Officer, and therefore, the Municipal Planning Commission (MPC) is the approval authority.

Four (4) area landowners were circulated with regards to this application. No objections or concerns were received from area property owners.

Planning & Development staff are of the opinion that the patio would not unduly affect the use and enjoyment of the neighbouring parcels of land and, therefore, support approval of this application.

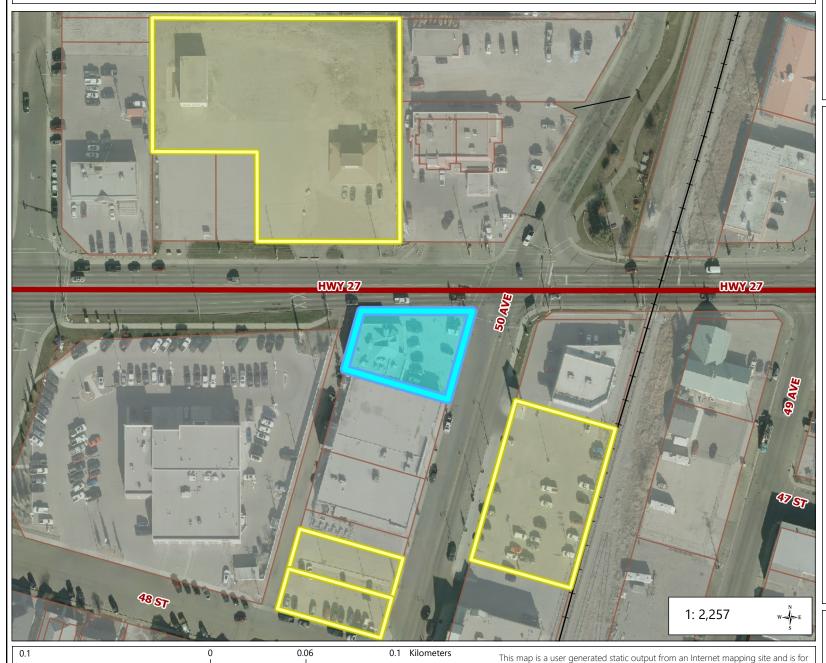
RECOMMENDATION: That the Municipal Planning Commission approve Development Permit application 22-060 as presented, subject to the conditions listed in the attached draft Development Permit.

Prepared by: Kyle Sloan, Development Officer

Attachments:

- 1. Site Location Aerial Photo
- 2. Site Plan
- 3. Draft Development Permit 22-060

4602 50 Avenue



WGS_1984_Web_Mercator_Auxiliary_Sphere



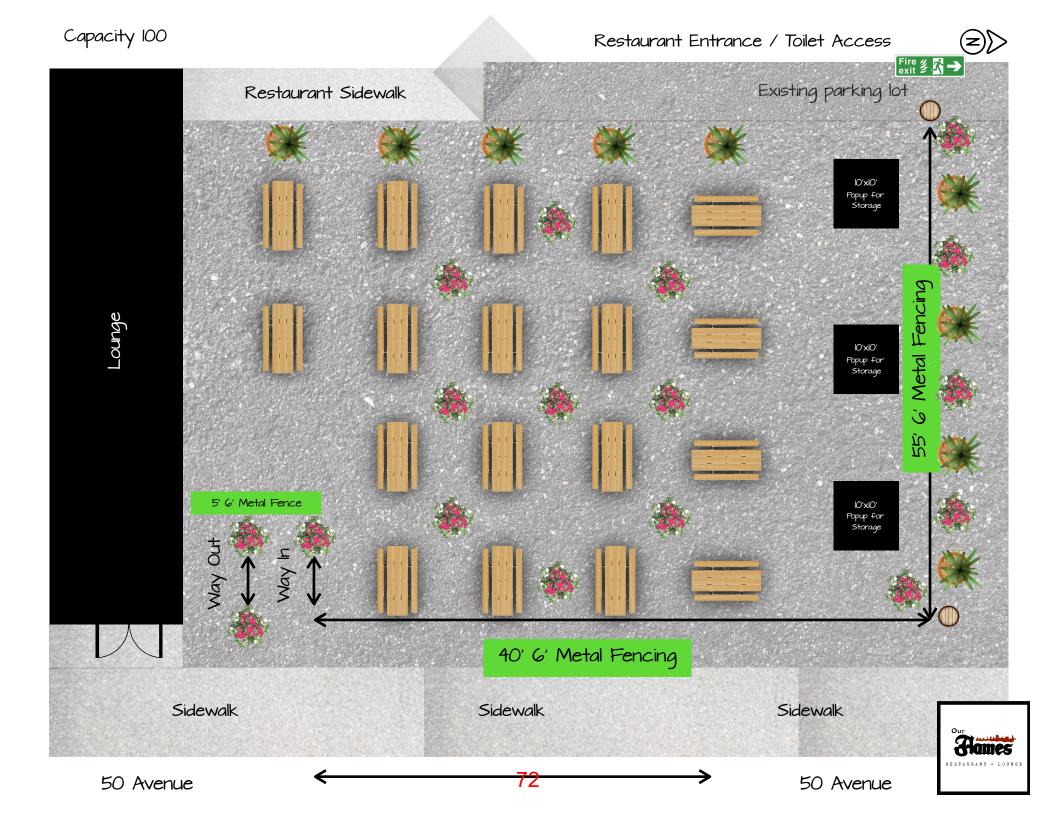
Legend

- Town Boundary
- Hwy 2A Symbol
- Hwy 2A
- Hwy 27 Symbol
- Hwy 27
- Railway
- Road Labels
- Block Text Line Title Linework
- Parcels

Notes

current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

reference only. Data layers that appear on this map may or may not be accurate,



Melissa Kilbride

From: Prokopis Restaurant LTD proko.ourflames@oldsnet.ca>

Sent: Tuesday, May 3, 2022 9:21 AM **To:** Melissa Kilbride; Kyle Sloan

Cc: Chance Nyle Seely

Subject: Re: Temporary Patio Our Flames Olds

CAUTION: This Email is from an external sender. Be alert for Phishing. Do not click links if you do not know the sender.

Good Morning Kyle:

Thank you for your email. As for parking, please take into consideration that our family (Vasilios Holdings) owns the property to the North. From the DQ to Grouchy Daddies and when we sold the former IGA property, Shoppers is permitted to use our property for parking at the Bulldogs lot and we have access to the property across the street in the North lot. So parking would not be an issue for our customers. We've proved this last year with success when we had our patio in our lot.

Thank you again for your consideration,

Prokopis (Proko) Roussakos Owner, Operator & Chef

Hames



4512 46 Street Olds AB T4H 1R5 Main: 403.507.4804 Fax: 403.507.4856 planning@olds.ca

DEVELOPMENT PERMIT DP22-060

Proposal: Temporary Patio for Restaurant

Deemed Use: Permitted Use - Restaurant

Land Use Bylaw Designation: C1 – Central Commercial District

Civic Address: 4602 50 Avenue

Legal Description: Lots 7 & 8, Block 1, Plan 868E

Applicant / Owner: Vasilios Holdings Ltd.

Decision: APPROVED subject to the conditions outlined below:

- 1. The development must be constructed in accordance with the approved plans and conditions. Any revisions to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority. The approved plans are attached.
- 2. The patio must comply with all regulations of Alberta Health Services (AHS) and Alberta Gaming, Liquor and Cannabis Commission (AGLC).
- 3. The required number of parking spaces for this property is 20. These spaces may be located at 5022 46 Street and 4714-4718 50 Avenue, which have the same owner as the subject property. There is also an agreement in place to share the parking at 4607 50 Avenue.
- 4. This temporary Development Permit expires on October 31, 2022.
- 5. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
- 6. Use and development of the subject site shall conform to all other applicable requirements of the Town of Olds Land Use Bylaw 01-23 except where a relaxation has been expressly granted.

Scott Grieco, Secretary of the Municipal Planning Commission

Date of Decision: May 19, 2022

Date of Notice in Newspaper: May 24, 2022

Effective Date of Permit: June 9, 2022 (after 3 week appeal period)

Attachments: Site Plan

Town of OLDS

Development & Building Permits

April 2022

Permit #	Roll #	Owner	Applicant	Civic Address	Lot	Block	Plan	Land Use District	App Description	Category	Value of Project
22-020	4301900	Skyline Commercial Management	Five Star Permits	4310 50 Avenue	F		5892JK	I1	Freestanding & Fascia Signs	Signage	\$27,000.00
22-034	3656800	Archie Maaliw	Archie Maaliw	51 Hawthorn Way	39	3	0213480	R1	Class 2	Home Occupation	
22-035	52193900	Long Sky Developments Ltd.	Priority Permits Ltd.	900-6700 46 Street	7	12	0710120	C-SC	Signs at McDonalds	Signage	\$125,822.00
22-036	6020900	Richardson Bros (Olds) Ltd.	Stevenson Homes	4 Coutts Close	59	1	1611540	R1	Detached Dwelling	New Residential	\$400,000.00
22-037	4402700	Jake & Catharina Enns	Jake Enns	7 Mountain View Close	7	5	1518JK	R1	Class 2	Home Occupation	
22-038	2703600	Dennis & Jan Combs	G&G Developments	5303 50 Avenue	3	5	0613171	C1	Commercial Kitchen	Commercial Renovation	\$120,000.00
22-040	4605600	Advanced Telecommunication II	Alison Caputo	6308 46 Street	4B	11	9811906	СН	Dwelling Unit for Owner	Change of Use	
22-041	4513200	Brent & Deborah Collins	C.C. Homes Ltd.	5613 Sherwood Crescent	24	9	7711470	R1	Detached Garage	Residential Accessory Building	\$35,000.00
22-042	4506100	Laura Avison	C.C. Homes Ltd.	4410 55 Avenue	10	7	2183JK	R1	Detached Garage	Residential Accessory Building	\$50,000.00
22-043	3416600	Manor Investments Ltd.	Stevenson Homes	16 Vireo Avenue	7	7	1512052	R1	Detached Dwelling	New Residential	\$325,000.00
22-046	3104004	Complete Concrete Services Ltd.	Complete Concrete Services Ltd.	4851 58 Street	14	3	1711160	11	Workshop and Storage Building	New Industrial	\$115,000.00
22-048	52194100	Long Sky Developments Ltd.	The Pit	870-6700 46 Street	9	12	0710777	C-SC	Temporary Patio	Commercial Addition	
22-050	3416400	Travis Anderson	Travis Anderson	12 Vireo Avenue	5	7	1512052	R1	Garden Shed	Residential Accessory Building	\$8,000.00
22-051	3500300	Loblaw Properties West Inc.	Nejmark Architect	6509 46 Street		E	4735HB	СН	Fascia Signs	Signage	
22-052	4200100	1575435 Alberta Ltd. 1927141 Alberta Ltd.	Kelly Quinlan	Unit 4, 4530 49 Avenue	4		7710400	СНА	Fascia & Window Signs	Signage	\$2,125.00
22-053	4203700	1598375 Alberta Ltd.	Craig Sutherland	4520 46 Street	2	А	8810024	СН	Temporary Patio	Commercial Addition	\$6,000.00

\$1,213,947.00



2022 BUILDING PERMIT STATISTICS

	Residential											Commercial		Industrial		Institutional		TOTALS	
	Deta	ached Dwelling		Du	plex		Multi	-Unit	Acc	c. Bldg/Other	Š	mmerciai	-	ndustriai	in	institutional		TOTALS	
	#	Value	#	Units	Value	#	Units	Value	#	Value	#	Value	#	Value	#	Value	#	Value	
Jan	2	\$750,000.00							1	\$40,000.00	1	\$80,000.00			1	\$197,500.00	5	\$1,067,500.00	
Feb	1	\$350,000.00	2	2	\$440,000.00				5	\$36,000.00	4	\$95,000.00	3	\$81,000.00			15	\$1,002,000.00	
Mar	1	\$400,000.00							3	\$26,000.00							4	\$426,000.00	
Apr	2	\$725,000.00							3	\$93,000.00	1	\$120,000.00	1	\$115,000.00			7	\$1,053,000.00	
May																	0	\$0.00	
Jun																	0	\$0.00	
Jul																	0	\$0.00	
Aug																	0	\$0.00	
Sep																	0	\$0.00	
Oct																	0	\$0.00	
Nov																	0	\$0.00	
Dec																	0	\$0.00	
_	6	\$2,225,000.00	2	2	\$440,000.00	0	0	\$0.00	12	\$195,000.00	6	\$295,000.00	4	\$196,000.00	1	\$197,500.00	31	\$3,548,500.00	

2021 BUILDING PERMIT STATISTICS

	Residential											Commercial		Industrial		Institutional		TOTALS		
	Deta	ached Dwelling		Du	plex		Multi	-Unit	Ac	c. Bldg/Other	Š	mmerciai	-	ndustriai	In	institutional		TOTALS		
	#	Value	#	Units	Value	#	Units	Value	#	Value	#	Value	#	Value	#	Value	#	Value		
Jan	2	\$640,000.00							2	\$130,000.00	1	\$80,000.00					5	\$850,000.00		
Feb	4	\$982,000.00							3	\$75,500.00							7	\$1,057,500.00		
Mar	2	\$640,000.00							9	\$445,700.00	2	\$57,000.00	1	\$50,000.00			14	\$1,192,700.00		
Apr	1	\$200,000.00							4	\$32,544.00	2	\$45,000.00	1	\$20,000.00			8	\$297,544.00		
May	1	\$430,000.00							9	\$177,500.00	2	\$92,600.00					12	\$700,100.00		
Jun									4	\$20,500.00	1	\$5,000.00					5	\$25,500.00		
Jul									5	\$110,460.00			1	\$28,000.00	1	\$22,405.00	7	\$160,865.00		
Aug	1	\$370,000.00							9	\$126,780.00	1	\$50,000.00			1	\$750,000.00	12	\$1,296,780.00		
Sep	1	\$340,000.00							4	\$30,000.00			1	\$3,200.00			6	\$373,200.00		
Oct	2	\$875,000.00							1	\$10,000.00	4	\$219,973.00			1	\$150,000.00	8	\$1,254,973.00		
Nov	2	\$750,000.00	2	2	\$440,000.00				1	\$23,687.00	2	\$110,000.00	2	\$228,935.00			9	\$1,552,622.00		
Dec	1	\$300,000.00									2	\$65,000.00	1	\$285,000.00			4	\$650,000.00		
	17	\$5,527,000.00	2	2	\$440,000.00	0	0	\$0.00	51	\$1,182,671.00	17	\$724,573.00	7	\$615,135.00	3	\$922,405.00	97	\$9,411,784.00		