

6. DEVELOPMENT PERMITS FOR MPC CONSIDERATION**A) Development Permit Application 10-DP-154
Chris and Becky Turner
Lots 28-30, Block 26, Plan 3042AV (918 5 Street SE)
Portable Garage**

Chris and Becky Turner had applied to legalize the portable garage that they had placed on their property. The 10' x 17' (170 sq ft / 15.79 m²) structure is located in the side yard on their paved parking pad and is anchored with 16 x 4" long concrete nails.

D. Wirth commented that, as stated in the Bylaw, a portable garage can not be located in the front or side yard. C. Dacre then added that the structure should be anchored with concrete piles and not the concrete nails being used. He also has concerns with the applicant's requesting a temporary permit. D. Mastel stated that there have been temporary permits issued in the past. C. Dacre added that the applicants should have stated the time frame they wanted the permit for. D. Mastel suggested that would be something that could be addressed through a condition on the permit. C. Dacre then stated that the Bylaw refers to the required side yard distance; however it doesn't mention a distance required from the structure to the dwelling. D. Wirth added that the Bylaw states a portable garage is not to be located in the front or side yards so it's irrelevant how far the structure is required to be away from the dwelling. C. Dacre stated that there should still be a regulation regarding how far away the portable garage needs to be from the residence. D. Mastel stated that in the Bylaw under the requirements for accessory buildings; a minimum distance of 1.5 m is required from the dwelling as well as from all other accessory buildings. J. Beach inquired about having standards regarding how these structures are anchored. B. Crozier pointed out that information is stated under Section 56 of the Land Use Bylaw. He also added that one of the first applications for a portable garage had been approved; however one of the conditions stated on the permit was that it was to be moved to the rear yard.

B. Duncan inquired if the use of portable garages was included in the discussions of the current review of the Land Use Bylaw because it had been a concern of the Municipal Planning Commission in the past. The concern they had was they do not want the use of portable garages to be allowed within the Town. K. Snyder commented that he wasn't sure if it had been addressed as of yet; however it could still be looked at since the review is still going on. D. Mastel stated that she would speak with Rebecca Row from Scheffer Andrew about it.

D. Wirth move that development permit application **10-DP-154** for Chris and Becky Turner on Lots 28-30, Block 26, Plan 3042AV (918 5 Street SE) be **REFUSED** subject to the following reasons:

1. The application does not follow the requirements under Section 56 (1) (b) & (d) from the Town of Redcliff's Land Use Bylaw; which states:
 - (b) The Portable Garage and Shelter is not located in the front or side yards,

- (d) The Portable Garage and Shelter exceeding 11.15 m² are adequately anchored with 1m x 150mm diameter concrete pile or equivalent form per post.

- Carried.

**B) Development Permit Application 10-DP-155
Melody Burgess
Lots 9-10, Block 108, Plan 1117V (118 4 Street NE)
Home Occupation – Day Home**

Melody Burgess had applied to legalize her day-home as a home occupation. The day-home has been operating for the past two years; however she is intending to become a privatized day-home facility which requires a business license. Off-site parking is provided and indicated on the site plan submitted with the application.

B. Crozier wanted to add for information, that under the Alberta Building Code, a Family Day Home means a child care program providing child care to no more than 6 children 0 to 12 years old in the private residence of the child care provider. He also stated that private family day homes are not licensed under the Child Care Licensing Act (C-10.5 2007) nor approved by a family day home agency. They are not required to meet the standards in the legislation but cannot care for more than 6 children other than their own without going through the process of becoming a licensed child care program. He then added that his interpretation of the application was that the applicant wants to be a private day home and does not want to be licensed through the government.

D. Wirth stated that the applicant did not indicate how many children she would be caring for. B. Duncan added that her letter states she would care for 1 – 3 families but it doesn't indicate how many children.

K. Snyder commented that the Town of Redcliff's Land Use Bylaw has a definition for a Child Care Facility – means development providing provincially-licensed care or education, without overnight accommodation. This use is found in the commercial districts and not in the residential ones. His interpretation of the use of this application is that it is different than a Child Care Facility, one of the reasons being because of the number of children. Once that number exceeds a certain amount then it would fall under a Child Care Facility as clarified by B. Crozier.

There was general discussion that if that permit was approved that one of the conditions that could be added to the permit is that she meet Alberta Building Code regulations. D. Mastel inquired that if building code requirements are added as a condition on the Development Permit, who would regulate that. B. Crozier stated that it may be something the Fire Chief could do. He stated that if the permit is issued he wanted to make sure that the Development Permit isn't in contravention with the Building Code. J. Beach confirmed that B. Crozier would check the Building Code and the Fire Chief would check the Fire Code.

J. Beach moved that development permit application **10-DP-155** for Melody Burgess on Lots 9-10, Block 108, Plan 1117V (118 4 Street NE) be **APPROVED** subject to the following conditions:

1. All Development Standards, as listed under Section 58(9(d)) of Residential Districts in the Town of Redcliff's Land Use Bylaw shall be adhered to by the applicant.
2. The applicant must comply with all current Alberta Building Code regulations.
- Carried.

7. ADJOURNMENT

D. Schaffer moved adjournment of the meeting at 12:55 p.m. – Carried.



Chairman



Secretary