

MUNICIPAL PLANNING COMMISSION

AGENDA

January 14, 2014

8:45 A.M. - TOWN OFFICE – Board Room

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the October 10, 2014 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 2837-2015
Applicant: Brian McBride
Legal: Lot 17, Block 60, Plan 5847HW
Municipal: 4607-54 Street
Proposed Development: Basement Suite
7. Adjournment

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
October 10, 2014

Present:

Councillors Darcy Bachman, Will Brown and Sean Nolls, Planning & Development Officer Leann Graham, and Planning & Development Clerk Angela Alder

1. **Call to Order:** Chairman Darcy Bachman called the meeting to order at 8:46 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Will Brown to accept the agenda as presented.

MOTION CARRIED
Unanimous

3. **Confirmation of the August 11, 2014 MPC Meeting Minutes**

Moved by Councillor Sean Nolls that the Minutes of the August 11, 2014 MPC meeting be approved as presented.

MOTION CARRIED
Unanimous

4. **Business Arising**

Planning and Development Officer Leann Graham mentioned that there was a change to application 2806-2014, the proposed four bay retail building has been revised to a two bay retail building as the one tenant required more square footage, everything else remains the same.

5. **Development Application:** 2825-2014

Applicant: Northstar Trucking

Legal: Lot 2&3, Block 4, Plan 002772

Municipal: 4102 & 4106 – 50 Avenue

Proposed Development: Concrete Manufacturing / Plant

Planning & Development Officer Leann Graham reviewed the report as follows:

General:

The applicant is proposing development of a Concrete Manufacturing / Plant at 4106 & 4102 – 50 Avenue. The development is proposed in the Land Use District I: Industrial District and the use of a concrete manufacturing/ plant is discretionary, therefore requires approval from MPC. The applicant purchased 2 industrial lots from the Town in 2012, has built a shop and office on the West lot and is now proposing a concrete batch plant on the north side of the building.

Alternatives:

- Approve the application with additional conditions
- Defeat the application stating reasons.

Recommendation:

That the Municipal Planning Commission approves this application subject to the following conditions:

1. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2018-11;
2. The owner/applicant is responsible for the cost and repair of any damage to public property or works located thereon that may occur as a result of undertaking work regulated by the Alberta Building Code;

3. Compliance with the provisions of Land Use Bylaw #2018-11 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. The proposed development (Concrete Manufacturing / Plant) shall be located in accordance with the approved plan; any changes to this plan must be approved by the Town of Stettler;
5. It is the owner/applicant's responsibility to ensure that lot grading and drainage are compliant with Section 51 of the Town Of Stettler Land Use Bylaw #2018-11;
6. The owner/applicant shall ensure that any water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.
7. The owner/applicant must submit a landscape plan to the Town of Stettler's Planning and Development Officer for approval prior to commencing any work on the site;
8. The owner/applicant will be required to landscape and maintain the boulevard adjacent to the property;
9. Landscaping must be completed by the end of the first growing season following the date of approval;
10. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.
11. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
12. The owner/applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code.

Discussion

Planning & Development Officer Leann Graham indicated that the applicant is proposing development of a Concrete Manufacturing / Plant at 4106 & 4102 – 50 Avenue. The development is proposed in the Land Use District I: Industrial District and the use of a concrete manufacturing/ plant is discretionary, therefore requires approval from MPC. The applicant purchased 2 industrial lots from the Town in 2012, has built a shop and office on the West lot and is now proposing a concrete batch plant on the north side of the building.

Councillor Sean Nolls questioned if the applicant meets all the requirements and regulations. Planning and Development Officer Leann Graham assured they did.

Councillor Darcy Bachman questioned if the proposed development would affect the new pavement in the area. Planning and Development Officer Leann Graham mentioned the pavement design was intended for industrial use and the area already experiences heavy traffic.

Councillor Darcy Bachman inquired if the proposed site has water services. Planning and Development Officer Leann Graham stated that a separate service will require a separate meter and as per recommendation number six the owner/applicant shall ensure that any water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.

Councillor Sean Nolls inquired if there would be any waste disposal of a by-product for the proposed plant. Planning and Development Officer Leann Graham mentioned there was no indication of a by-product. Councillor Darcy Bachman added that a usual concrete plant would only produce small amounts of excess water.

Councillor Will Brown made a motion to approve the application as presented.

MOTION CARRIED
UNANIMOUS

Adjournment: The meeting adjourned at 8:52 a.m. on a motion by Councillor Sean Nolls.



Request For Decision

Issue:

Development Permit Application: 2837-2015
Applicant: Brian McBride
Legal Address: Lot 17, Block 60, Plan 5847HW
Municipal Address: 4607 – 54 Street
Proposed Development: Basement Suite

Recommendation:

That the Municipal Planning Commission consider this application and refuse the proposed development in accordance with section 19.6 of the Land Use Bylaw:

“Municipal Planning Commission shall refuse a development permit for a use or development that is not listed as a permitted or discretionary use.”

IMPLICATIONS OF RECOMMENDATION

General:

The proposed development is the construction of a basement suite in an existing single family dwelling. The applicant is prepared to ensure the suite is built to the current Alberta Building Code standards.

The proposed Single Family Dwelling with Basement Suite is within the R1 – Residential Low Density zoning of the Land Use Bylaw 2018-11.

When considering varying any standard MPC must adhere to the section below:

Section 21: Variance Authority

- 21.1 *The Municipal Planning Commission may allow a variance of any standard prescribed in this bylaw provided the variance complies with the requirements of the Alberta Building Code, and the variance does not unduly affect the neighbourhood which includes variances for non-conforming buildings.*
- 21.2 *In considering a variance the Municipal Planning Commission shall:*
 - 21.2.1 *Not grant a variance which would infringe the Airport zoning regulations; and*
 - 21.2.2 *Have regard to the purpose and intent of the district and the nature and value of developments on adjacent properties.*
- 21.3 *If a variance is granted, the Municipal Planning Commission shall specify its nature in the development permit approval.*

The purpose of the R1 district as defined by Land Use Bylaw 2018-11 is:
To provide an area for single detached residential development.

Legislation and Policy:

1. Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw and Municipal Government Act

Development Review:

Requirements pertaining to the proposed development are regulated under the Land Use Bylaw as follows:

Section 73: R1 Residential Low Density District

73.1 Purpose:

To provide an area for single detached residential development.

73.2 Uses:

<i>Permitted Uses</i>	<i>Discretionary Uses</i>
<i>Accessory Building</i>	<i>Accessory Uses</i>
<i>Dwelling, Single Detached</i>	<i>Bed and Breakfast Facility</i>
<i>Home Occupation</i>	<i>Building Demolition</i>
<i>Public Assembly</i>	<i>Dwelling, Duplex (Existing)</i>
<i>Public Use</i>	<i>Garden Suite</i>
	<i>Sign</i>
	<i>Utility Building</i>

73.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

<i>Site Coverage</i>	<i>40%</i>
<i>Minimum Floor Area</i>	<i>100 square metres</i>
<i>Maximum Building Height</i>	<i>10.0 m</i>
<i>Minimum Parcel Area</i>	<i>Interior Parcels 550 square metres Corner Parcels 600 square metres</i>
<i>Double Fronting Yards</i>	<i>A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.</i>
<i>Front Yard Setback</i>	<i>Dwelling – 6.5 m</i>
<i>Side Yard Setback</i>	<i>Dwelling – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.</i>
<i>Rear Yard Setback</i>	<i>Dwelling - 7.5 m except on corner or double fronting lots.</i>
<i>Landscaping</i>	<i>35% of Site Area.</i>
<i>Parking</i>	<i>A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.</i>
<i>Accessory Buildings</i>	<i>Section 34 of this Bylaw.</i>

Other Comments:

Existing Land Use – Single Family Dwelling

Proposed Land Use – Single Family Dwelling with Basement Suite

Alternatives:

Approve the application with conditions

Author:

Leann Graham, Planning and Development Services

DEVELOPMENT PERMIT APPLICATION FORM
TOWN OF STETTLER LAND USE BYLAW NO. 2018-11

APPLICATION # 2837-2015 TAX ROLL # 601790009

APPLICATION TYPE: COMMERCIAL: INDUSTRIAL: INSTITUTIONAL: RESIDENTIAL: OTHER:

PROJECT TYPE: NEW CONSTRUCTION: RENOVATION: DEMOLITION: CHANGE IN USE: OTHER:

APPLICANT: Dorian McBride TELEPHONE: 712-5299 741-4484

ADDRESS: 4607-5497 POSTAL CODE: Tec-2L6

REGISTERED OWNER: Same ADDRESS: Same

ADDRESS OF PROPERTY TO BE DEVELOPED: Same

LOT: 17 BLOCK: 60 REGISTERED PLAN: 5847 HW.

EXISTING USE: Residential LAND USE DISTRICT: R1

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: Renovation 1080 sqft.
Basement suite?

BUILDING OCCUPANCY CLASSIFICATION NEW or CHANGE: _____

*See Reverse for Major Occupancy Classifications and STETTLER REGIONAL FIRE DEPARTMENT REVIEW FORM

PARCEL TYPE: INTERIOR CORNER PARCEL AREA: _____

SETBACKS OF EITHER EXISTING OR PROPOSED BUILDINGS: _____

FRONT YARD: _____ SIDE YARDS: _____ and _____

*Refer to Alberta Building Code High Intensity Residential Fire Standards if applicable

REAR YARD: _____ FLOOR AREA: _____ PARCEL COVERAGE: _____%

HEIGHT OF MAIN BUILDING: _____ NO. OF OFF-STREET PARKING STALLS: 3 - Variance required

EXISTING: _____ PROPOSED: _____ SIZE OF OFF-STREET LOADING SPACE: _____

RTM OR MOBILE HOME MAKE OF UNIT _____ YEAR BUILT _____

PROPOSED ACCESSORY USE OF LAND AND OR BUILDINGS (garages, etc.) _____

SIZE OF ACCESSORY BUILDING: _____ X _____ X _____ IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: _____ DRIVEWAY LENGTH: _____

DISTANCE FROM SIDE PARCEL BOUNDARY: _____ PARCEL COVERAGE: _____%

ESTIMATED COST OF THE PROJECT OR CONTRACT PRICE: \$30,000

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: _____

DATE OF APPLICATION: Jan 6/15 SIGNATURE OF APPLICANT: Dorian McBride

APPLICATIONS SHALL BE ACCOMPANIED BY THE FOLLOWING:

- (1) A **NON-RETURNABLE PROCESSING FEE** (SEE POLICY IV-1 – BUILDING AND DEVELOPMENT PERMIT FEE SCHEDULE)
- (2) A **SCALED SITE PLAN** IN DUPLICATE SHOWING THE TREATMENT OF LANDSCAPED AREAS, IF REQUIRED, THE LEGAL DESCRIPTION, THE FRONT, REAR AND SIDE YARDS, IF ANY, ANY PROVISION OF OFF-STREET LOADING AND VEHICLE PARKING, AND ACCESS AND EGRESS POINTS TO THE PARCEL.
- (3) **SCALED FLOOR PLANS, ELEVATIONS AND BUILDING SECTIONS** IN DUPLICATE.
- (4) FURTHER INFORMATION MAY ALSO BE REQUIRED.

NOTE:

- 1. THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE REQUIRED INFORMATION IS NOT SUPPLIED OR WHERE, IN HIS/HER OPINION, THE QUALITY OF THE MATERIAL SUPPLIED IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.
- 2. THE DEVELOPMENT OFFICER MAY DEAL WITH AN APPLICATION WITHOUT ALL OF THE INFORMATION REQUIRED, IF HE/SHE IS OF THE OPINION THAT A DECISION ON THE APPLICATION CAN BE PROPERLY MADE WITHOUT SUCH INFORMATION.

The personal information on this form is collected under the authority of Section 32 of the Alberta Freedom of Information and Protection of Privacy Act. The information will enable us to process your application and is necessary for municipal operations.

TOWN OF STETTLER OFFICE USE ONLY:	
Building Permit Required: _____	MPC Required: _____ MPC Date: _____ MPC Approval: _____
Business License Required: _____	Alberta Transportation Review (adjacent to Hwy 12 or 56): _____
County Referral Required: _____	Alberta Environment Review (adjacent to Red Willow Creek or Cold Lake): _____
Fire Department Review: _____	Advertisement Date: _____ Permit Issue Date: _____
Engineering Review: _____	Application Accepted By: _____
Water: _____ Transportation: _____	Application Approved By: _____

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