

MUNICIPAL PLANNING COMMISSION

AGENDA

December 12, 2016

8:45 A.M. - TOWN OFFICE – UPSTAIRS MEETING ROOM

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the November 4, 2016 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 2967-2016
Applicant: Wanderlust Events Inc.
Legal: Lot 73, Block 4, Plan 9120521
Municipal: 6121 – 38 Avenue
Proposed Development: Home Occupation – Event Rentals/Planning
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
November 4, 2016**

Present:

Councillors Al Campbell, Darcy Bachman, Sean Nolls, Malcolm Fischer, and Will Brown, Director of Planning & Development Leann Graham and Planning & Operations Clerk Angela Stormoen.

1. **Call to Order:** Chairman Al Campbell called the meeting to order at 8:41 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Darcy Bachman to accept the agenda as presented.

MOTION CARRIED

Unanimous

3. **Confirmation of the September 26, 2016 MPC Meeting Minutes**

Moved by Councillor Sean Nolls that the Minutes of the September 26, 2016 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 2961-2016

Applicant: 1287104 Alberta Ltd.

Legal: Lot 19, Block 22, Plan 0729463

Municipal: 6929 – Meadowview Close

Proposed Development: Single Family Dwelling with Attached Garage

A report prepared by the Director of Planning & Development was reviewed as follows:

General:

The applicant is proposing to develop a Single Family Dwelling with Attached Garage at 6929 Meadowview Close. The applicant is requesting a front yard variance in accordance with the Corner Lot requirements on the North side of the parcel to esthetically place and fit the proposed dwelling. The applicant previously developed 6905 on the opposite corner of the close with a similar North front yard variance.

Alternatives:

- Defeat the application stating reasons

Recommendation:

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

1. The owner/applicant receives a front yard/corner lot variance of 1.4 meters on the North side of the proposed development.
2. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;

3. The owner/applicant must meet the design requirements and provisions in Section 94: OM Overlay Meadowlands by the Park District of the Town of Stettler Land Use Bylaw #2060-15;
4. Landscaping must be completed by the end of the first growing season following the date of approval;
5. 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 or otherwise;
6. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
7. The proposed development (Single Family Dwelling with Attached Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
8. Approved without covered deck in accordance with owner/applicant notification;
9. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.
10. 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 #2060-15;
11. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
12. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
13. The owner applicant shall ensure all HIRF Code restrictions are met, specifically but not limited to openings on side yards;
14. The owner/applicant must obtain a building permit for this development. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

Discussion:

Director of Planning and Development Leann Graham indicated that the applicant is proposing to develop a Single Family Dwelling with Attached Garage at 6929 Meadowview Close. The applicant is requesting a front yard variance in accordance with the Corner Lot requirements on the North side of the parcel to esthetically place and fit the proposed dwelling. The applicant previously developed 6905 on the opposite corner of the close with a similar North front yard variance (see attached photos).

Councillor Malcolm Fischer made a motion to approve the application as presented.

MOTION CARRIED
UNANIMOUS

6. **Development Application:** 2964-2016
Applicant: Roger Silva
Legal: Lot 14, Block 19, Plan 7922597
Municipal: 3809 – 64A Street Close
Proposed Development: Detached Garage

A report prepared by the Director of Planning & Development was reviewed as follows:

General:

The applicant is proposing to construct a new detached garage at 3809 – 64A Street Close. The applicant is proposing to finish the exterior of the Detached Garage with Metal Clad Siding in colors that match the Dwelling. In accordance with Land Use Bylaw, the exterior finish is brought to MPC for review, based on previous application and other developments approved similar in nature, it is recommended that MPC approve the proposed exterior finish.

Section 38: Building Design, Character, Orientation and Appearance

38.1 The design, character, location, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures shall be to the satisfaction of the Development Officer/Municipal Planning Commission. Where applicable, buildings shall comply with any architectural/design guidelines in an Area Structure Plan.

Alternatives:

- 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 #2060-15;
2. Landscaping must be completed by the end of the first growing season following the date of approval;
3. 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 or otherwise;
4. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
5. The proposed development (Detached Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
6. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.
7. 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 #2060-15;
8. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
9. The owner/applicant must obtain a building permit for this development. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

Discussion:

Director of Planning and Development Leann Graham indicated that the applicant is proposing to construct a new detached garage at 3809 – 64A Street Close. The applicant is proposing to finish the exterior of the Detached Garage with Metal Clad Siding in colors that match the Dwelling. In accordance with Land Use Bylaw, the exterior finish is brought to MPC for review, based on previous application and other developments approved similar in nature, it is recommended that MPC approve the proposed exterior finish.

Section 38: Building Design, Character, Orientation and Appearance

38.1 The design, character, location, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures shall be to the satisfaction of the Development Officer/Municipal Planning Commission. Where applicable, buildings shall comply with any architectural/design guidelines in an Area Structure Plan.

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

MOTION CARRIED
UNANIMOUS

Adjournment: The meeting adjourned at 8:45 a.m. on a motion by Councillor Sean Nolls.



Request For Decision

Issue:

Development Permit Application: 2967-2016

Applicant: Wanderlust Events Inc.

Proposed Location: Lot 73, Block 4, Plan 9120521

Municipal: 6121 – 38 Avenue

Development: Home Occupation – Event Planning and Decor Rental

Recommendation:

1. The owner/applicant receives a Land Use Bylaw Regulation Variance for Standard 47.3.1 to allow the applicant to operate a Home Occupation in the Basement of a dwelling of which they are not a permanent resident.
2. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15;
3. The owner/applicant must obtain an annual Town of Stettler Business License;
4. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
5. The proposed development (Home Occupation – Event Planning and Décor Rental) shall be located in accordance with the approved plan; any changes must be approved by the Town of Stettler;
6. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code if any structural alterations are required;
7. If Structural Alterations are required the owner/applicant must obtain a building permit for this development. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

BACKGROUND

General:

The applicant is proposing to operate a home occupation of an event planning and décor rental business in the basement of a dwelling of which they are not the permanent resident. Therefore the applicant requires a variance of the Land Use Bylaw Regulation 47.3.1 to allow for the home occupation to be operated by an individual who is not the permanent resident of 6121 -38 Avenue. The applicant has received a written letter of approval from the owner and permanent resident to rent the space and operate Wanderlust Events Inc. from the basement at 6121-38 Avenue.

The Land Use District R2: Residential General allows for the a Home Occupation as a Permitted Use and the business meets the Home Occupation Definition provided in Section 9.

Development Review:

Land Use Bylaw 2060-15

Section 9: Definitions

“HOME OCCUPATION” means any occupation, trade, profession or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building.

Section 47: Home Occupations

- 47.1 Any persons wishing to operate a home occupation from their residence shall be required to apply for a development permit, and must meet all the criteria in Sections 47.2 and 47.3.
- 47.2 All home businesses shall comply with the following general regulations:
- 47.2.1 All home businesses shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
 - 47.2.2 One professionally non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275 square metres in an area placed within the dwelling unit or any accessory building is permitted.
 - 47.2.3 The applicant shall obtain a business license after to the issuance of a development permit.
 - 47.2.4 A home occupation, whether or not a development permit has been issued, shall be reviewed by the Town, when complaints are registered against a home occupation by an affected landowner. A permit issued for a home occupation is liable to recall on the basis of non-compliance within 60 days’ notice.
- 47.3 Home businesses shall meet all the requirements of 47.2 above and shall comply with the following regulations:
- 47.3.1 The home business shall be operated by the permanent resident(s) of the principal dwelling and may employ one non-resident on-site employee.
 - 47.3.2 The home business shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - 47.3.3 Any storage of materials or goods related to the minor home business must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
 - 47.3.4 The home business shall have no more than two (2) home business vehicles used in conjunction with the home business, parked and maintained on the site. There shall be no heavy vehicles (as defined in the traffic bylaw) used in conjunction with a minor home business.

Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw.

Alternatives:

Defeat the application stating reasons.

Author:

Leann Graham, Director of Planning and Development

HOME OCCUPATION APPLICATION

BUSINESS LICENSE
LAND USE BYLAW 2018-11
TOWN OF STETTLER

APPLICATION NO. 2967-2016 TAX ROLL NO. 204462009
BUSINESS NAME: Wanderlust Events Inc. TELEPHONE: 403-741-6228
CIVIC ADDRESS: 6121 38th Ave Stettler, AB T0C 2L1
MAILING ADDRESS: 4129 61st Stettler, AB T0C 2L1
OWNER / MANAGER: Stacey Benjamin

IS THE APPLICANT THE CURRENT OWNER OF THE RESIDENCE THEY WISH TO OPERATE FROM? YES ___ NO

IF NO, HAS THE APPLICANT SUBMITTED A LETTER OF APPROVAL FOR THE OPERATION OF A HOME OCCUPATION FROM THEIR LANDLORD? YES NO ___

LEGAL DESCRIPTION: LOT: 73 BLOCK: 4 PLAN: 9120521

BUSINESS DESCRIPTION: (Specify Fully)

Wanderlust Events Inc provides event rentals + event planning expertise/advise. Customers may visit the property for consultations and to pick up rentals.

No other type of business is to be conducted unless specified & all home occupations must abide by the additional conditions of approval as set out on the Notice of Decision.

LAND USE BYLAW 2018-11

6(1) Home Occupations shall comply with the following:

- (i) a home occupation shall not include any use or operation which detracts from the amenities of a residential neighborhood, by way of creating dangerous or objectionable conditions;
- (ii) a home occupation shall be incidental and subordinate to both the residential use and the accessory residential building;
- (iii) there shall be no exterior display or advertisement;
- (iv) there shall be no outside storage of material, commodities or finished products;
- (v) no commodity other than the product or service of the home occupation shall be sold on the premises.

AUTHORIZATION:

1. ALL QUESTIONS ON THIS APPLICATION MUST BE COMPLETE OR DELAY WILL RESULT IN PROCESSING. APPLICATION FEE MUST ACCOMPANY THE APPLICATION.
2. I CERTIFY THAT THE INFORMATION GIVEN IS TRUE AND CORRECT AND AGREE TO ABIDE BY ALL AND ANY BYLAWS, RULES, AND REGULATIONS THAT ARE NOW OR HEREAFTER MAY BE IN FORCE RESPECTING THE SAME TRADE OR BUSINESS OR CALLING HEREBY LICENSED.
 - a. IF APPROVAL IS GIVEN, YOU WILL NEED TO OBTAIN A TOWN OF STETTLER BUSINESS LICENSE PRIOR TO STARTING YOUR BUSINESS OPERATION.

Stacey Benjamin
SIGNATURE OF APPLICANT

Brandon
WITNESS TO SIGNATURE OF APPLICANT

Barbara Lawson
6121 38 Ave
Stettler, AB T0C 2L1

November 21, 2016

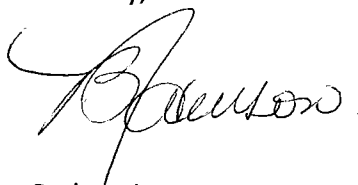
Town of Stettler
Box 280
Stettler, AB T0C 2L1

To Whom it may concern;

I am the landowner and currently reside at the location of 6121 38 Avenue in Stettler. I would like to put forward my approval for Stacey Benjamin to rent space in the basement of my dwelling for the operations of Wanderlust Events Inc. This includes storage of rental equipment, a work space and a small office for consultation purposes.

Any questions can be brought to my attention at 403-742-4269.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Barbara Lawson', with a small dot at the end.

Barbara Lawson

Date: _____

BUSINESS LICENSE REGISTRATION

BUSINESS LICENSE
BYLAW NO. 1807-99
AMENDMENT 2044-13
TOWN OF STETTLER

CUSTOMER I.D NO. _____ LICENSE NO. _____

I HEREBY MAKE APPLICATION UNDER THE PROVISIONS OF BYLAW 1807-99 FOR A BUSINESS LICENSE IN ACCORDANCE WITH THE SUPPORTING INFORMATION SUBMITTED HERewith AND WHICH FORM PART OF THIS APPLICATION.

BUSINESS NAME: Wanderlust Events Inc. E-MAIL ADDRESS: StaceyLbenjamin@gmail.com

CIVIC ADDRESS: 6121 38 Ave CITY Stettler PROV AB P/C _____ TEL: _____

MAILING ADDRESS: 4129 61 St CITY Stettler PROV AB P/C _____ TEL: _____

OWNER/MANAGER: Stacey Benjamin PUBLISH IN DIRECTORY: CIVIC (T or MAILING (T or NONE (T)

PROPOSED BUSINESS: Event planning + decor rental WEBSITE: _____ NO OF EMPLOYEES: _____

RATES:

D01	DAILY RATE - (24 HOURS)	\$100.00
WK01	WEEKLY RATE - (7 DAYS)	\$200.00
L01	LOCAL RATE	\$150.00
NL01	NON LOCAL RATE	\$350.00

AFTER SEPTEMBER 1ST:

NPRO	NON LOCAL PRO-RATE	\$175.00
LPRO	LOCAL PRO-RATE	\$75.00

LICENSE TYPE:

<u>AS</u>	AUTOMOTIVE SUPPLY AND SERVICE
<u>CS</u>	COMMERCIAL SERVICES
<u>ES</u>	FARM SUPPLY & SERVICE
<u>HO</u>	HOME OCCUPATION
<u>RL</u>	RESTAURANTS
<u>RS</u>	RETAIL SERVICES

DISCOUNT PRO-RATE OPTION (AFTER SEPTEMBER 1ST):

PAY 100% OF UPCOMING YEAR AND THE REMAINING DAYS IN THE CURRENT YEAR:

- LOCAL - \$150.00 + \$0.41 PER DAY
- NON LOCAL - \$350.00 + \$0.96 PER DAY

PLEASE PROVIDE THE FOLLOWING INFORMATION IF APPLICABLE:

- IS YOUR BUSINESS CLASSIFIED AS A MAJOR OCCUPANCY GROUP A OR B? (See Reversed)
YES _____ NO ✓
- IF YES, HAVE YOU OBTAINED AN OCCUPANCY PERMIT FROM THE STETTLER REGIONAL FIRE DEPARTMENT?
(THE STETTLER FIRE DEPARTMENT NEEDS 3 WEEKS NOTICE FOR INSPECTIONS & PERMIT ISSUANCE)
YES _____ NO ✓
- DOES YOUR BUSINESS REQUIRE A HEALTH INSPECTION PERMIT? (See Reversed)
YES _____ NO ✓
- IF YES, HAVE YOU OBTAINED A PERMIT FROM THE LOCAL HEALTH INSPECTOR?
(STETTLER HEALTH UNIT: MEL CHERLENKO - 403-742-3326)
YES _____ NO ✓
- DOES YOUR BUSINESS REQUIRE A LICENSE FROM AMVIC (Alberta Motor Vehicle Industry Council)? (See Reversed)
YES _____ NO ✓
- IF YES, HAVE YOU OBTAINED A LICENSE FROM THE AMVIC?
(Alberta Motor Vehicle Industry Council: TOLL FREE: 1-877-979-8100)
YES _____ NO ✓
- ARE YOU GOING TO A CONSUMER'S HOME TO SOLICIT AND NEGOTIATE CONTRACTS TO DO RENOVATIONS?
YES _____ NO ✓
- DO YOU REQUEST A DEPOSIT OR ANY PAYMENT BEFORE THE JOB IS COMPLETED?
YES ✓ NO _____
- PROVINCIAL BUSINESS LICENSE # 2020050817

Stacey Benjamin
SIGNATURE OF APPLICANT

WITNESS AS TO SIGNATURE OF APPLICANT

APPLICATIONS SHALL BE ACCOMPANIED BY COPIES OF THE FOLLOWING WHEN REQUIRED:

- (1) AMVIC LICENSE FOR AUTOMOTIVE BUSINESSES
- (2) HEALTH INSPECTION REPORT FOR BUSINESSES REQUIRING A HEALTH INSPECTION PERMIT
- (3) OCCUPANCY PERMIT FOR BUSINESSES REQUIRING OCCUPANCY INSPECTIONS & PERMIT ISSUANCE

FURTHER INFORMATION MAY ALSO BE REQUIRED.

PLEASE NOTE:

1. YOU WILL BE **RE - INVOICED** FOR THE FOLLOWING YEAR **UNTIL** YOU HAVE ADVISED THE TOWN OF STETTLER IN WRITING THAT YOU DO NOT REQUIRE A LICENSE FOR THE CURRENT YEAR OR THAT YOUR BUSINESS IS NO LONGER IN OPERATION.
2. IN THE EVENT THAT YOU RECOMMENCE BUSINESS, IT IS THE BUSINESS OWNERS RESPONSIBILITY TO NOTIFY THE TOWN OF STETTLER AND PURCHASE ANOTHER LICENSE.
3. **OPERATING A BUSINESS WITHIN THE TOWN OF STETTLER WITHOUT A BUSINESS LICENSE WILL RESULT IN A MINIMUM FINE OF \$400.00 PLUS THE BALANCE OWING PURSUANT TO BUSINESS LICENSE BYLAW 1807-09 & SUBSEQUENT AMENDMENT 2044-13.**

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. If you have any questions about the collection or use of this information, please contact the Secretary-Treasurer of the Town.