

# MUNICIPAL PLANNING COMMISSION

## AGENDA

June 24, 2016

8:45 A.M. - TOWN OFFICE – Upstairs Meeting Room

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1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the March 31, 2016 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 2935-2016  
**Applicant:** Erick Osterud  
**Legal:** Lot 25, Block 7, Plan RN54  
**Municipal:** 4909 – 51 Street  
**Proposed Development:** Basement Suite
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
March 31, 2016**

**Present:**

Councillors Al Campbell, Will Brown and Sean Nolls and Planning & Operations Clerk Angela Stormoen.

1. **Call to Order:** Chairman Al Campbell called the meeting to order at 8:56 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Sean Nolls to accept the agenda as presented.

MOTION CARRIED

Unanimous

3. **Confirmation of the March 9, 2016 MPC Meeting Minutes**

Moved by Councillor Will Brown that the Minutes of the March 9, 2016 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 2919-2016

**Applicant:** Eric Osterud

**Legal:** Lot 25, Block 7, Plan RN54

**Municipal:** 4909 – 51 Street

**Proposed Development:** Change in Use – Dwelling, Single Detached (Existing)

A report prepared by the Planning & Operations Clerk Angela Stormoen was reviewed as follows:

**General:**

The existing property is currently permitted for commercial use. The applicant is proposing to change the use of the property to Single Detached Dwelling.

The proposed development is located in a C1: Commercial Central Land Use District. The recent amendment to Land Use Bylaw 2060-15 added Dwelling, Single Detached (Existing) and Basement Suite uses to the C1: Commercial Central District therefore the Dwelling, Single Detached (Existing) is considered a discretionary use.

**Alternatives:**

- Defeat the application, stating reasons.

**Recommendation:**

That the Municipal Planning Commission consider approval of 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. Compliance with the provisions of Land Use Bylaw does not exempt the owner/applicant from compliance with any provincial, federal, or other municipal legislation;

3. The owner/applicant must ensure the proposed development (Change in Use – Dwelling, Single Detached (Existing)) shall be located in accordance with the approved plan;
4. The owner 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.
5. The applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code.

**Discussion:**

Planning and Operations Clerk Angela Stormoen indicated that the existing property is currently permitted for commercial use. The applicant is proposing to change the use of the property to Single Detached Dwelling.

The proposed development is located in a C1: Commercial Central Land Use District. The recent amendment to Land Use Bylaw 2060-15 added Dwelling, Single Detached (Existing) and Basement Suite uses to the C1: Commercial Central District therefore the Dwelling, Single Detached (Existing) is considered a discretionary use.

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

MOTION CARRIED  
UNANIMOUS

6. **Development Application:** 2921-2016

**Applicant:** Cathie Potter

**Legal:** Lot 15, Block 32, Plan 1850Z

**Municipal:** 4909 – 54 Street

**Proposed Development:** Basement Suite – Dwelling, Single Detached Only

A report prepared by the Planning & Operations Clerk Angela Stormoen was reviewed as follows:

**General:**

The existing property currently consists of a new single family dwelling with an unfinished basement. The applicant is proposing to add a basement suite as an additional dwelling. The proposed basement suite will have a separate entrance as required by the Town of Stettler's Land Use Bylaw and the applicant is required to provide 4 off street parking stalls to accommodate 2 stalls/dwelling unit.

The applicant will be required to ensure the basement suite is built to the current Alberta building Code standards, including proper fire separation between units, hard wired fire alarms, separate heating systems, proper egress from basement windows, etc.

The proposed development is located in a R2: General Residential Land Use District and as such the basement suite is considered a discretionary use.

**Alternatives:**

- Defeat the application, stating reasons.

**Recommendation:**

That the Municipal Planning Commission consider approval of 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. Compliance with the provisions of Land Use Bylaw does not exempt the owner/applicant from compliance with any provincial, federal, or other municipal legislation;
3. The owner/applicant must ensure the proposed development (Basement Suite – Dwelling, Single Detached Only) shall be located in accordance with the approved plan;
4. The owner 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.
5. The applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code.
6. The applicant must provide four off street parking stalls to accommodate each dwelling unit.

**Discussion:**

Planning and Operations Clerk Angela Stormoen indicated that the existing property currently consists of a new single family dwelling with an unfinished basement. The applicant is proposing to add a basement suite as an additional dwelling. The proposed basement suite will have a separate entrance as required by the Town of Stettler's Land Use Bylaw and the applicant is required to provide 4 off street parking stalls to accommodate 2 stalls/dwelling unit.

The applicant will be required to ensure the basement suite is built to the current Alberta building Code standards, including proper fire separation between units, hard wired fire alarms, separate heating systems, proper egress from basement windows, etc.

The proposed development is located in a R2: General Residential Land Use District and as such the basement suite is considered a discretionary use.

Councillor Sean Nolls made a motion to approve the application as presented.

MOTION CARRIED  
UNANIMOUS

7. **Development Application:** 2922-2016  
**Applicant:** Allen & Lorna Piche  
**Legal:** Lot 10, Block 9, Plan RN54A  
**Municipal:** 4902 – 52 Street  
**Proposed Development:** Variance of 0.8m for fence in front yard

A report prepared by the Planning & Operations Clerk Angela Stormoen was reviewed as follows:

**General:**

The applicant is proposing to extend the existing fence along 8 meters of the south property boundary which is currently 1.2 meters (4 ft), to 2.0 meter (6.5 ft). The applicant is requesting a variance for the portion of the fence that extends beyond the front of the dwelling.

The purpose for this fence is to provide privacy from 49 Avenue as the trees they originally planted for that purpose did not grow as planned and had to be taken down.

**Alternatives:**

- Defeat the application, stating reasons.

**Recommendation:**

That the Municipal Planning Commission consider approval of 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. The fencing must be maintained to its original condition for the extent of the use.
3. Compliance with the provisions of Land Use Bylaw does not exempt the owner/applicant from compliance with any provincial, federal, or other municipal legislation;
4. The owner/applicant must ensure the proposed development (Variance of 0.8m to fence in front yard) shall be located in accordance with the approved plan;
5. The owner 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.

**Discussion:**

Planning and Operations Clerk Angela Stormoen indicated that the applicant is proposing to extend the existing fence along 8 meters of the south property boundary which is currently 1.2meters (4 ft), to 2.0 meter (6.5 ft). The applicant is requesting a variance for the portion of the fence that extends beyond the front of the dwelling.

The purpose for this fence is to provide privacy from 49 Avenue as the trees they originally planted for that purpose did not grow as planned and had to be taken down.

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

MOTION CARRIED  
UNANIMOUS

**Adjournment:** The meeting adjourned at 9:04 a.m. on a motion by Councillor Will Brown.



## Request For Decision

### **Issue:**

Development Permit Application: 2935-2016

Applicant: Erick Osterud

Legal: Lot 25, Block 7, Plan RN54

Municipal: 4909 -51 Street

Proposed Development: Basement Suite – Discretionary Use.

### **Recommendation:**

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

1. The owner 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.
2. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15
3. The applicant must comply with all applicable provisions of the Alberta Building Code.
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.

### **General:**

The applicant is proposing to develop a basement suite at 4909 – 51 Street. In March of 2016, Council passed a land use bylaw amendment to include basements suites as a discretionary use for existing single family dwellings within the C1: Commercial Central District. At the time of this land use bylaw amendment it was led by this particular property however also rectified 7 other single family dwelling (existing) within the district.

The applicant has ample room to accommodate parking for both dwelling units with the rear detached garage and parking area. A basement suite requires 1 stall per bedroom.

### **Legislation and Policy:**

1. Staff has assessed this application against the provisions outlined in the Intermunicipal Development Plan, and the Land Use Bylaw 2060-15.

### **Development Review:**

Land Use District - C1: Commercial Central

### **Alternatives:**

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

### **Author**

Leann Graham, Director of Planning and Development

## Zoning Map

C1: Commercial Central  R2A: Residential Mixed  R2: Residential General



**Air Photo 4909 – 51 Street**





409-51 STREET.

Scale 1 cm = 2 feet. (approximately)  
9' 8 1/2" 20'

