

MUNICIPAL PLANNING COMMISSION

AGENDA

March 26, 2019

8:15 A.M. – TOWN OFFICE – Upstairs Meeting Room

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the October 16, 2018 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3126-2019
Applicant: Coralee Ventnor
Legal: Lot 7, Block 5, Plan 980RS
Municipal: 5710 – 51 Avenue
Proposed Development: Basement Suit
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
October 16, 2018**

Present:

Councillors Wayne Smith, Gord Lawlor, Scott Pfeiffer and Cheryl Barros, Director of Planning and Development Leann Graham and Planning & Operations Clerk Maddie Hall

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:34 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor Wayne Smith to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the July 12, 2018 MPC Meeting Minutes**

Moved by Councillor Gord Lawlor that the Minutes of the July 12, 2018 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

Director of Planning and Development Leann Graham updated Councillors of the progress of the fourplex at 6011 – 53 Avenue Court stating that they have pulled their building permits.

- 6a. **Development Application:** 3104-2018

Applicant: Kyle Mcghan

Legal: Lot 7B, Block 7, Plan 7920258

Municipal: 4707 – 41 Street

Proposed Development: Cannabis Production Facility

A Report prepared by the Director of Planning and Development goes as follows;

General:

The owner/applicant is proposing to change the use of the building at 4707 – 41 Street to a Cannabis Production Facility.

Under the current zoning of I: Industrial, the use of "Cannabis Production Facility" is a discretionary use and therefore requires MPC approval.

Development Review:

Land Use Bylaw Definition:

"CANNABIS PRODUCTION FACILITY" means a facility used for the production of Cannabis licensed by the Federal Government of Canada where Cannabis and Cannabis products and produced for Medical and/or Retail uses.

I: Industrial District:
Discretionary Use
"Cannabis Production Facility "

Legislation and Policy:

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

Recommendation:

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

1. The owner/applicant will be required to provide the Town of Stettler security in the amount of \$10,000 in the form of a Letter of Credit or Cash (to be returned upon completion) to ensure that all of the conditions listed below have been met to the satisfaction of the Town of Stettler.
2. The Town of Stettler will not authorize occupancy and operation of the Cannabis Production Facility until all of the conditions listed below have been met to the satisfaction of the Town of Stettler.
3. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
4. The proposed development (Cannabis Production Facility) shall be located in accordance with the approved plan, and all improvements as indicated on the submitted plans shall be constructed as shown unless otherwise stated in these conditions or approved hereafter by the Town of Stettler Development Authority;
5. The owner/applicant must provide any changes to the site plan or floor plan and obtain approval for the Town of Stettler's Development authority.
6. The owner/applicant must supply any sign details and obtain approval from the Town of Stettler's Development Authority prior to installation;
7. The owner/ applicant shall arrange for and obtain approval from the Stettler Regional Fire Department to confirm compliance with the Provincial Fire Code;
8. The owner/applicant shall arrange for and obtain approval from the Stettler RCMP, and provide a notification from the RCMP to the Town of Stettler for retention;
9. The owner/applicant must comply with all applicable provisions of the Alberta Gaming, Liquor, and Cannabis Act (AGLC) pertaining to Cannabis Production Facilities;
10. The owner/applicant must provide the Town of Stettler with a copy of their AGLC license pertaining to Cannabis Production Facilities for retention;

11. The owner/applicant must comply with all provisions set out by the Federal Regulations, Access to Cannabis for Medical Purpose Regulations (ACMPR) for Cannabis Production Facilities including, but not limited to;
 - a) Physical Security Measures;
 - b) Good Production Practices;
 - c) Packaging, Labelling and Shipping Requirements;
 - d) Import and Export Permits (if applicable); and
 - e) Security Clearance.
12. The owner/applicant must provide the Town of Stettler with a copy of their Federal License pertaining to Cannabis Production Facilities for retention;
13. The owner/applicant must meet all security requirements set out by Health Canada's Directive on Physical Security Requirements for Controlled Substances for the storage of cannabis and other marijuana plants;
14. The owner/applicant must comply with all relevant sections within the Food and Drugs Act (FDA);
15. The owner/applicant must comply with all relevant sections within the Narcotic Control Regulations (NCR) that apply to cannabis;
16. The owner/applicant must possess and submit a copy of their license for all activities associated with cannabis growing, processing, packaging, testing, destruction or storage as issued by Health Canada;
17. The owner/applicant must submit copies of any and all inspection and compliance documents completed by Health Canada to the Town of Stettler;
18. The owner/applicant must submit a Public Utility and Waste Management Plan, completed by a qualified professional, that includes details on;
 - a) The incineration of waste products and air borne emission, including smell;
 - b) The quantity and characteristics of liquid and waste material discharged by the facility; and
 - c) The method and location of collection and disposal of liquid and material waste.
19. 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;
20. 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;
21. The owner/applicant must obtain a business license from the Town of Stettler
22. 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:

Councillor Gord Lawlor questioned why administration has included a security amount of \$10,000. Director of Planning and Development advised that this is a common practice for discretionary uses to ensure that all conditions are met. It was discussed that if the

applicant cannot get all applicable licensing and wants to cancel the development permit the security will then be released.

Councillor Wayne Smith asked if the applicant has seen the conditions yet. Director of Planning and Development advised that the applicant has not seen these conditions yet but will see them upon approval.

Councillor Scott Phifer questioned the number of conditions and likelihood of them all being met by the applicant. Discussion ensued on this topic and the different steps the applicant will have to take to get all Provincial and Federal licensing. Director of Planning and Development assured Councillors that many of the conditions set out upon approval are conditions put forth by the Federal and Provincial Governments and that the Town has included these conditions to ensure the applicant will meet them and submit appropriate documents for record retention.

Mover by Councillor Gord Lawlor to approve the application as presented.

MOTION CARRIED
Unanimous

Adjournment: The meeting adjourned at 8:47 a.m. on a motion by Councillor Wayne Smith.



Request For Decision

Issue:

Development Permit Application: 3126-2019
Applicant: Coralee Ventnor
Proposed Location: Lot 7 , Block 5, Plan 980RS
Municipal: 5710 – 51 Avenue
Development: Basement Suite – Dwelling, Single Detached Only

BACKGROUND

General:

The applicant is proposing to remodel the pre-existing basement suite and bring it up to Alberta Building Code Standards. This basement suite does not have a development permit issued for the use of a secondary suite. The Basement suite was built prior to the Alberta Building Code changes in 2006 and does not meet the current requirements outlined in the Alberta Building Code.

This basement suite will serve as an additional dwelling to the existing single family dwelling at 5710 – 51 Avenue. The proposed basement suite will have a separate entrance and the applicant is required to provide 4 off street parking stalls to accommodate 2 stalls per dwelling unit as required by the Town of Stettler’s Land Use Bylaw.

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 Land Use District R2: General Residential and as such the basement suite is considered a discretionary use.

Development Review:

Land Use District – R2: Residential General
Existing Land Use –Dwelling, Single Detached
Proposed Land Use – Basement Suite – Dwelling, Single Detached Only

- Definition – means a basement developed as a dwelling unit within a Single Family Dwelling and approved by the Development Authority all dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw 2060-15.

RECOMMENDATION

Recommendation:

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

1. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15.
2. 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.
3. 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;
4. The proposed development (Basement Suite) shall be located in accordance with the approved plan;
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.

Alternatives:

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

Author:

Leann Graham, Director of Planning and Development

DEVELOPMENT PERMIT APPLICATION FORM
TOWN OF STETTLER LAND USE BYLAW NO. 2060-15

APPLICATION # 3126-2019 TAX ROLL # _____

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

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

APPLICANT: Coralee Ventnor TELEPHONE: 403 741 4576

ADDRESS: Box 1743 Stettler, AB POSTAL CODE: T0C 2L0

REGISTERED OWNER: Same ADDRESS: _____

ADDRESS OF PROPERTY TO BE DEVELOPED: 5710 - 51 avenue

LOT: 7 BLOCK: 5 REGISTERED PLAN: 980RS.

EXISTING USE: residential LAND USE DISTRICT: R2

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: _____

basement suit → up to code

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: > 4

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: _____

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: May 15 / 2019

DATE OF APPLICATION: Mar 8 / 2019 SIGNATURE OF APPLICANT: Coralee Ventnor

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: _____



5710-51ave
from Coralce V.

28 x 14 3/4

