

MUNICIPAL PLANNING COMMISSION

AGENDA

September 11, 2017

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 August 11, 2017 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3006-2017
Applicant: James Kirk
Legal: Block G, Plan 8820090
Municipal: 4220 – 50 Street
Proposed Development: 20' x 50' Shed
7. Adjournment

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
August 11, 2017

Present:

Councillors Darcy Bachman, Will Brown, Malcolm Fischer and Sean Nolls & Planning & Operations Clerk Angela Stormoen.

1. **Call to Order:** Chairman Darcy Bachman called the meeting to order at 8:51 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 May 15, 2017 MPC Meeting Minutes**

Moved by Councillor Will Brown that the Minutes of the May 15, 2017 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 3008-2017

Applicant: Andy & Carla Vanderburg

Legal: Lot 31, Block 7, Plan 6217AH

Municipal: 5015 – 50 Avenue

Proposed Development: Change in Use to Retail Store and Automobile Repair Garage for the Installation of Vehicle Accessories

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

General:

The Owner/applicant is proposing to change the use of 5015 – 50 Avenue to Automotive Repair Garage and Retail Store to accommodate the installation of vehicle accessories and to operate a cellular retail store.

Under the current zoning of C1: Commercial Central, the use of “Automobile Repair Garage” is discretionary use and therefore requires MPC approval.

Furthermore, parking requirements for the use of Automobile Repair Garage is six off street parking stalls, but due to the location of the proposed business there is only four off street parking stalls available, therefore, the applicant is requesting a parking stall variance of 33%.

Alternatives:

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

Recommendation:

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

1. That the owner/applicant receives a parking stall variance of 4 stalls (33%);
2. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15;
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;
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. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.
6. The owner/applicant must obtain a Development Permit and Building Permit prior to any renovations taking place.

Discussion:

Planning & Operations Clerk Angela Stormoen indicated that the Owner/applicant is proposing to change the use of 5015 – 50 Avenue to Automotive Repair Garage and Retail Store to accommodate the installation of vehicle accessories and to operate a cellular retail store.

Under the current zoning of C1: Commercial Central, the use of "Automobile Repair Garage" is discretionary use and therefore requires MPC approval.

Furthermore, parking requirements for the use of Automobile Repair Garage is six off street parking stalls, but due to the location of the proposed business there is only four off street parking stalls available, therefore, the applicant is requesting a parking stall variance of 33%.

Councillor Darcy Bachman questioned if in the future the building would be occupied by a different business/tenant could the proposed use be utilized as anything listed under the definition. Planning and Operations Clerk Angela Stormoen confirmed that if the use is approved today for automobile repair garage then a different business could also use this building as automobile repair garage in correspondence with the definition.

Councillor Sean Nolls agreed that the broad definition of this use is of concern.

Councillor Malcolm Fischer advised that the Municipal Planning Commission add a requirement to this development that the use must remain as what was presented with this application and any use other than approved must come back to the Municipal Planning Commission.

Councillor Malcolm Fischer made a motion to approve the application on the condition that the applicant/owner shall require approval from Municipal Planning Commission if there is a substantial change to the approved use as defined in the application.

MOTION CARRIED
UNANIMOUS

Please note the following conditions were added to Development Permit 3008-2017 on August 15, 2017:

1. The proposed development (Change in Use to Automotive Repair Garage - Bell Store with Install Bay) shall be located in accordance with the approved plan and details provided on the application; any changes to the plan or application must be approved by the Town of Stettler Development Authority;
2. This permit is only valid for the use/business as described on the application (Change in Use to Automotive Repair Garage - Bell Store with Install Bay) any substantial changes including but not limited to change in ownership, change in tenancy, change in business operation, or change in use must receive approval from the Town of Stettler Development Authority as a discretionary use. The approval is restricted to the use/business as described on the application (Change in Use to Automotive Repair Garage - Bell Store with Install Bay).

6. **Development Application:** 3009-2017

Applicant: James Eugene Lockhart

Legal: Lot 2, Block 21, Plan 5849HW

Municipal: 5904 – 50 Avenue

Proposed Development: Relocation of Single Family Dwelling

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

General:

The Owner/applicant is proposing to relocate a single family dwelling from the County of Stettler to a vacant lot at 5904 – 50 Avenue. The house is 24' x 58' with an attached deck of 12' x 60' and was built in 1977. The applicant proposes to move the house onto a foundation with the elevation being similar to the east facing side as shown in the picture below. The siding will remain the same as it is like new condition, shingles will be replaced and the deck will be redone to new condition.

A detached garage may also be newly constructed but most likely not until 2018.

Alternatives:

- Approve the application with additional or revised 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 #2060-15;
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 #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. Landscaping must be completed by the end of the first growing season following the date of approval;
5. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.

6. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
7. The owner applicant shall ensure all HIRF Code restrictions are met, specifically but not limited to openings on side yards;
8. 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:

Planning & Operations Clerk Angela Stormoen indicated that the Owner/applicant is proposing to relocate a single family dwelling from the County of Stettler to a vacant lot at 5904 – 50 Avenue. The house is 24' x 58' with an attached deck of 12' x 60' and was built in 1977. The applicant proposes to move the house onto a foundation with the elevation being similar to the east facing side as shown in the picture. The siding will remain the same as it is like new condition, shingles will be replaced and the deck will be redone to new condition.

A detached garage may also be newly constructed but most likely not until 2018.

Moved by Councillor Sean Nolls to approve the application as presented.

MOTION CARRIED
UNANIMOUS

Adjournment: The meeting adjourned at 9:00 a.m. on a motion by Councillor Malcolm Fischer.



Request For Decision

Issue:

Development Permit Application: 3006-2017
Applicant: James Kirk
Proposed Location: Block G, Plan 8820090
Municipal: 4220 – 50 Street
Development: Pole Shed

BACKGROUND

General:

The applicant is proposing to construct a new 20' x 50' pole shed to store his motorhome at 4220 - 50 Street. The applicant is requesting to locate the structure in the front yard. The Land Use Bylaw states that the siting of a detached garage (defined as: an accessory building or portion thereof which is designed and used for the storage, parking, or the maintenance of personal vehicles) is not to be in the front yard.

The proposed pole shed would be accessed from 50 Street and a second driveway on the north end of the property as shown on the attached site plan. Currently the single family dwelling has a front yard setback of 24.6 meters and the pole shed would have a front yard setback of 3.05 meters.

Furthermore, under the current zoning of UR: Urban Reserve, the proposed pole shed would require MPC approval as the discretionary use states that “Uses that will not, in the opinion of the Municipal Planning Commission: materially alter the use of the land from that existing on the date that the land was designated to this land use district; or conflict with urban expansion”.

Development Review:

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

- Siting of Detached Garage: Not in front yard– Proposed 21.5 meters into front yard
- Minimum Side Yard: 0.6 meters required– Proposed 0.6 meters
- Minimum Distance from Dwelling: 2.0 meters required - Proposed ~20.5 meters

Section 91: UR Urban Reserve District

91.1 Purpose:

To reserve land for future subdivision and development until an Area Structure Plan is prepared for and approved by Council.

91.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition Farming	Accessory Use Communication Tower Uses that will not, in the opinion of the Municipal Planning Commission: materially alter the use of the land from that existing on the date that the land was designated to this land use district; or conflict with urban expansion Signs Utility Building

91.3 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.

Outdoor Storage and Display

Shall be screened. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels. Garbage storage shall be confined to a designated area on the parcel.

Legislation and Policy:

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

OPTIONS

Option A:

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

1. The owner/applicant must site the proposed pole shed in accordance with the Town of Stettler Land Use Bylaw 2060-15 and ensure it is located in either the side or rear yard;
2. The owner/applicant must ensure any building into which a vehicle may enter from the street shall have a driveway on the parcel which is equal to or greater than the minimum yard requirement for the building;
3. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15;
4. 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;
5. 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;
6. The proposed development (Pole Shed) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
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 following the mandatory 14 day appeal period;

Option B:

- Approve the proposed pole shed with changes or conditions

Options C:

- Defeat the application stating reasons

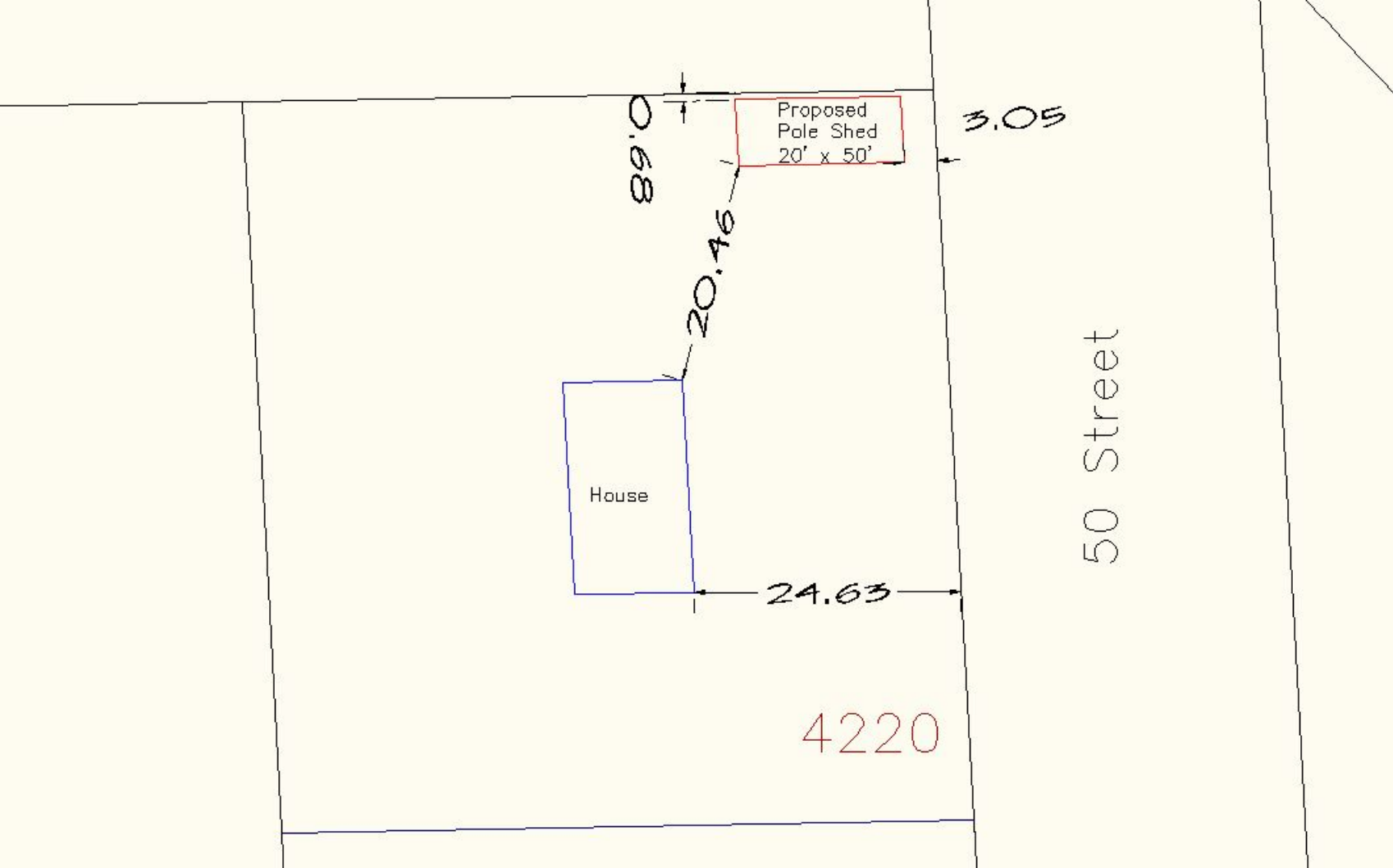
Author:

Angela Stormoen, Planning and Operations Clerk

Proposed 20' x 50' Pole Shed



 - Pole Shed



Street Views



