

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING**  
**August 11, 2014**

**Present:**

Councillors Malcolm Fischer, 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 8:51 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Malcolm Fischer to accept the agenda as presented.

MOTION CARRIED

Unanimous

3. **Confirmation of the July 14, 2014 MPC Meeting Minutes**

Moved by Councillor Will Brown that the Minutes of the July 14, 2014 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 2806-2014

**Applicant:** Tremmel Construction

**Legal:** Lot 4, Block C, Plan 8020403

**Municipal:** 4818 – 62 Street

**Proposed Development:** 4 Bay Retail Building

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

**General:**

The applicant is proposing development of a 4 Bay Retail Building. The development is proposed in the Land Use District C2: Highway Commercial District and needs to meet the regulations set out in the Commercial and Industrial Design Guidelines.

Further the applicant is requesting a front yard variance of 6 meters (67%) on the North Side of the property. According to Section 40: Corner/Double Fronting Lot Restriction in Land Use Bylaw 2018-11, one front yard can be reduced to 3.0 meters. The East side would be a permitted reduction in the front yard setback and was the existing setback for the CKS Liquor Store. The distance from the Highway 12 edge of Asphalt to the property line is approximately 28 meters creating 31 meters from the Highway to the propose building.

The primary reason a variance of this magnitude is required is due to the Alberta Environment Flood Mapping and the restrictions of building within the flood way. The current flood way limit only allows for only the most easterly 20 meters of the parcel to be developed in the form of a structure. This variance will allow the developer to proceed with the re-development of this highway commercial property that is profitable. Alberta Environment has indicated that permitted development in a flood way is non obstructive development such as parks, open structures like a gazebo, parking lots, etc. The applicant has designed this redevelopment to have the building in the flood fringe (permitted) and will be elevated 1 foot higher than the floodway elevation with the parking lot extending by 25.72 meters into the floodway (permitted).

### **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. That the owner/applicant receives a front yard variance on the North Side of 6 meters (67%) to accommodate the proposed 4 Bay Retail Building
2. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2018-11;
3. The owner/applicant shall meet the regulations set out in the Commercial and Industrial Design Guidelines.
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 #2018-11 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
6. The proposed development (4 Bay Retail Building) shall be located in accordance with the approved plan; any changes to this plan must be approved by the Town of Stettler;
7. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.
8. The applicant/owner will ensure that a drainage plan is approved by the Town of Stettler's Director of Operations.
  - a) The owner/applicant shall address storm water run-off with onsite retention of a rate of 2L/s/ha as designed by a professional engineer.
9. The owner/applicant shall obtain approval from the Town of Stettler's Director of Operational Services for the location and construction of the access to the site from 62 Street;
10. The owner/applicant will be required to close the existing access (north) to 62 Street and replace all portions of existing dropped crossing with new curb and gutter.
11. The owner/applicant will ensure that the driving surfaces on the proposed development site consist of a pavement top.
12. The owner/applicant will be required to landscape and maintain the ditch/boulevard adjacent to the property;
13. Landscaping must be completed by the end of the first growing season following the date of approval;
14. The owner/applicant will be required to install curbing around all parking and landscaped areas.
15. All outdoor storage areas and garbage areas will be screened from neighboring residential properties, 50 Street and Highway 12.
16. Each tenant of the building must obtain an occupancy permit to ensure that the use is conducive to the land use district and that the occupancy meets municipal, provincial and federal legislation.
17. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.
18. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
19. 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 4 Bay Retail Building. The development is proposed in the Land Use District C2: Highway Commercial District and needs to meet the regulations set out in the Commercial and Industrial Design Guidelines.

Further the applicant is requesting a front yard variance of 6 meters (67%) on the North Side of the property. According to Section 40: Corner/Double Fronting Lot Restriction in Land Use Bylaw 2018-11, one front yard can be reduced to 3.0 meters. The East side would be a permitted reduction in the front yard setback and was the existing setback for the CKS Liquor Store. The distance from the Highway 12 edge of Asphalt to the property line is approximately 28 meters creating 31 meters from the Highway to the propose building.

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Councillor Darcy Bachman questioned if Municipal Planning Commission approves the variance, is the Town of Stettler responsible for any flood damage that could occur. Planning and Development Officer Leann Graham mentioned they are responsible for their own flood protection measures as they are building within the flood fringe.

Councillor Malcolm Fischer questioned if the same requirements would apply to others developing in the floodway. Planning and Development Officer Leann Graham mentioned it would, as Alberta Environment will hold the town to the current flood map for all development.

Councillor Malcolm Fischer questioned by approving this variance what it would affect. Planning and Development Officer Leann Graham stated the variance is required to get out of the flood way and to allow redevelopment on this parcel.

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

MOTION CARRIED  
UNANIMOUS

**Adjournment:** The meeting adjourned at 8:59 a.m. on a motion by Councillor Sean Nolls.