

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.