

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
August 18, 2011

Present:

Councillors Al Campbell, Leona Thorogood, Malcolm Fischer, Steve Wildeboer and Darcy Bachman, Planning & Development Officer Leann Graham, and Planning & Development Clerk Dara Green

1. **Call to Order:** Chairman Al Campbell called the meeting to order at 8:47 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Steve Wildeboer to accept the agenda as presented.

MOTION CARRIED

Unanimous

3. **Confirmation of the June 24, 2011 MPC Meeting Minutes**

Moved by Councillor Steve Wildeboer that the Minutes of the June 24, 2011 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application: 2584-2011**

Applicant: L & K Land Management Inc.

Legal: Block A, Plan 5834NY

Municipal: 4402 – 50 Avenue

Proposed Development: Recreational Facility RV Park

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

General:

The applicant is proposing development of a Recreational Facility in the form of a campground. The development is proposed in the Land Use District C2: Highway Commercial District. The applicant is proposing to provide full hook ups at each RV site as well as a common shower house. These services will be provided and maintained by the developer with a meter billing system to the Town.

Development Review:

Land Use District - Highway Commercial

Recreational Facility - Discretionary Use

Alternatives:

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

Recommendation:

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

1. The applicant shall meet all conditions required by Alberta Transportation (see attached letter), and
2. The applicant will provide the Town of Stettler with a copy of written approval from Alberta Transportation prior to commencing works related to the proposed development.
3. The applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code. Including but not limited to:
 - a. Two access roads onto the property are required for emergency access
 - b. Roads have a clear width of not less than 6 meters, a centre line radius not less than 12 meters, an overhead clearing not less than 5 meters, a change gradient not more than 1 in 12.5 over a minimum distance of 15 meters,
 - c. Roads must be able to support the expected loads imposed by firefighting vehicles/equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climates.
 - d. Shall develop a fire safety plan and have fire preparedness equipment in place to the satisfaction of the Stettler Regional Fire Department
 - e. Fire hydrant connections must be 4 threads per inch
 - f. Fire Hydrant numbers and locations must be approved by the Stettler Regional Fire Department,
 - g. The applicant may be required to provide looping of water services on the proposed property to ensure adequate fire protection.
 - h. A servicing plan with hydrants must be submitted for approval prior to installation of services.
 - i. And any other/additional conditions required by the Stettler Regional Fire Department.
4. The owner/applicant will be responsible for all water and sewer services contained within the development. The Town of Stettler is not responsible for private servicing. The owner/applicant will be required to pay connection charges as per policy VI-3(c).
5. Only Recreational Vehicles are permitted in RV stalls.
6. Manufactured or modular homes are not permitted in the Recreational Facility Campground
7. Landscaping shall be in accordance with the Commercial and Industrial Design Guidelines.
8. All outdoor storage areas and garbage areas are screened from neighboring residential properties and Highway 12.
9. 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.
10. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #1976-08
11. Compliance with the provisions of Land Use Bylaw #1976-08 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
12. The applicant must ensure that all conditions listed above have been complied with prior to obtaining a business license, and that a final occupancy permit has been issued by the Stettler Regional Fire Department prior to public occupancy.

Discussion

Chairman Al Campbell questioned why two access points were required for the fire department. Planning & Development Officer Leann Graham stated that it was part of the fire departments feedback after review and it was decided that if one access ever became blocked or inaccessible that the second access would come into effect to ensure the fire department could gain access. Councillor Steve Wildeboer mentioned that the access wouldn't have to necessarily be permanent. Planning & Development Officer Leann Graham indicated that the secondary access would be located off of 50 Street (cemetery road) and that it wouldn't be a full access and could consist of knock down bollards accessing a lane or a flat green area.

Councillor Leona Thorogood stated that because of the area being a campground, there should be a high enough berm and dense enough trees to provide privacy to residents adjacent to the proposed campground. She also proposed there be a back alley along the south side of the lot to give more room between the parked RVs and the residential homes. Planning & Development Officer Leann Graham indicated that the property has not yet been surveyed and the landscaping plan would still need to be approved as well as any outdoor storage be screened. Chairman Al Campbell questioned if the back alley would be along the south side of the property. Councillor Leona Thorogood indicated that the residents along the south side of the property should have as much privacy as possible. Councillor Steve Wildeboer suggested having an internal back alley within the property.

Councillor Leona Thorogood stated that having an RV Campground at this location would provide quiet winter months away from anything that's commercial and that it is a great compromise for such a multipurpose area. She indicated that a search should be done to determine whether or not a traffic impact assessment had already been done or not. Planning & Development Officer Leann Graham indicated that having the traffic impact assessment is one of the conditions listed. Councillor Leona Thorogood requested that the back lane and a higher berm be added to the conditions. Planning & Development Officer Leann Graham indicated that the back alley can be more clearly defined in the conditions. Councillor Malcolm Fischer commented that there would have to be a significant noise barrier designed. Councillor Steven Wildeboer stated that the Town of Stettler does have the noise by-law in effect.

MOTION CARRIED

Unanimous

6. **Development Application: 2588-2011**

Applicant: Sunalta Fertilizer Ltd.

Legal: Lot 5, Block 13, Plan 0224418

Municipal: 4801 – 51A Avenue

Proposed Development: Two 70' Bin Silo's with a 100' Grain Leg

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

General:

The applicant is proposing to install 2 bin silos and grain leg in place of the demolished grain elevator. A height variance for the silos and leg is required as follows:

Maximum Building Height = 18.75 meters (61.5 feet)

Proposed Silo's = 21.34 meters (70 feet) variance required 2.59 meters (8.50 feet)

Proposed Leg = 30.48 meters (100 feet) variance required 11.73 meters (38.47 feet)

Development Review:

Land Use District – Industrial

Front Yard Setback - Required (9m) and proposed (34m)

Side Yard Setback – Required (0m) and proposed (59.74 m)

Rear Yard Setback – Required (0m) and proposed (9.14m)

Maximum Building Height = 18.75 meters (61.5 feet)

Proposed Silo's = 21.34 meters (70 feet) variance required 2.59 meters (8.50 feet)

Proposed Leg = 30.48 meters (100 feet) variance required 11.73 meters (38.47 feet)

Alternatives:

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

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 #1976-08;
2. The applicant will be required to upgrade the existing access road to a wider cross section with upgraded ditches to accommodate the heavy traffic use and drainage ditches.
3. The applicant will provide a road cross section and drainage plan to the Town of Stettler's Director of Operations for approval.
4. The applicant will be required to provide an emergency access turn around with a minimum centre radius of 12 meters.
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 current Alberta Building Code;
6. Compliance with the provisions of Land Use Bylaw #1976-08 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
7. The proposed development (Silo's) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler.
8. It is the applicant's responsibility to ensure building grades are acceptable for service connections and drainage.
9. The applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code.

Discussion

Chairman Al Campbell questioned why 51A Avenue has to be rebuilt when it's just a trail and they are the only operation benefiting. Planning & Development Officer Leann Graham indicated that the biggest concern was drainage. Initially the public works department had constructed a drainage ditch, but because of all the heavy traffic, the drainage ditch has since been destroyed. Chairman Al Campbell disagreed that Sunalta Fertilizer Ltd. should have to rebuild the road for the Town of Stettler. Councillor Leona Thorogood stated that in most developments, the developers usually build the roads and the Town of Stettler maintains them. Chairman Al Campbell commented that despite this fact, the road already exists and it's not reasonable for Sunalta Fertilizer Ltd. to be required to pay for the entire road rebuild.

Planning & Development Officer Leann Graham indicated that the main concern at present is the drainage and maintenance of the road. Part of the recommended conditions will include the drainage ditches and a wider road upon subdivision of the parcel west of Sunalta Fertilizer Ltd. which goes to council September 6, 2011.

Councillor Malcolm Fischer questioned if the road had been discussed with Sunalta Fertilizer Ltd. up until now. Planning & Development Officer Leann Graham indicated that she had spoke with Sunalta Fertilizer Ltd. about the grading and drainage issues and they are aware of the concern.

Councillor Leona Thorogood questioned if there are any residential development to the east of the parcels. Planning & Development Officer Leann Graham replied that the buildings directly to the east are Sunalta's bins and they are intending on purchasing all of the property. There would be a boundary improvement payable to Sunalta Fertilizer Ltd. for lands developed to the north. Councillor Malcolm Fischer questioned if it was for the north east area. Planning & Development Officer Leann Graham indicated it would be from benefitting lands to the north of the improved road.

Planning & Development Officer Leann Graham stated Sunalta Fertilizer Ltd. intends to purchase all of the lots to the west and that there is no legal access. There is a locked private entrance that provides emergency access turnaround. Chairman Al Campbell questioned who had access to the entrance. Planning & Development Officer Leann Graham replied that Sunalta Fertilizer Ltd. and the Stettler Fire Department are the only ones that have access to the private entrance. Councillor Malcolm Fischer questioned if the fire

department would be able to use the private entrance for emergency purposes. Councillor Steven Wildeboer stated that having access available for the fire department should be a condition on the development permit.

Councillor Leona Thorogood recommended that condition number two and three include that the applicant may be required to cost share the upgrade of the existing road on completion of a drainage study. Chairman Al Campbell argued that the road already exists and that it shouldn't be required to be rebuilt. Councillor Leona Thorogood replied that Chairman Al Campbell should look at the whole area plan and how the road will fit in to the area plan. She indicated that she did agree, however that the development shouldn't be stopped because of the road issues.

Chairman Al Campbell confirmed that the condition shouldn't be applied until a drainage study is performed. Planning & Development Officer Leann Graham stated that if the condition isn't currently enforced, the Town of Stettler won't have an opportunity to recover cost on the upgrade. Chairman Al Campbell questioned what the cost of the upgrade would be. Planning & Development Officer Leann Graham replied that it hadn't been determined yet.

Councillor Darcy Bachman motioned to approve the application with Councillor Leona Thorogood's recommendation to add in a condition involving cost sharing of the road rebuild on completion of a drainage study.

MOTION CARRIED

Unanimous

7. **Development Application: 2590-2011**

Applicant: DGH Engineering Ltd. c/o D & L Ford Holdings

Legal: Lot 5, Block C, Plan 80204003

Municipal: 4812 – 62 Street

Proposed Development: Carwash Building and Office

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

General:

The applicant is proposing a Carwash development in a Highway Commercial zone. The proposed development meets the requirements of the Land Use Bylaw and the Commercial and Industrial Design Guidelines.

Development Review:

Requirements pertaining to the proposed development are regulated under Section 85 of the Land Use Bylaw 1976-08:

- Minimum Front Yard – Minimum requirement 9.0 m and proposed 9.0 m
- Minimum Side Yard – Minimum requirement 3.0 m and proposed 3.0 m
- Minimum Rear Yard – Minimum requirement 3.0 m and proposed 3.0 m to asphalt
- Maximum Building Height – Maximum building height 18.75 m and proposed 8.43 m
- Building Floor Area – Proposed floor area 791.25 sq m
- Parcel Coverage – Proposed parcel coverage 20%

Alternatives:

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

Recommendation:

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

1. Landscaping shall be completed by the end of the first growing season following the date of approval;
2. The owner/applicant will landscape and maintain the boulevard of 3.0 meters around the development as proposed.
3. The owner/applicant will landscape and maintain a boulevard of 3.0 meters between the south property boundary and the existing residential development.
4. The applicant will increase the density of trees on the south side of the property to ensure a buffer between residential and commercial developments. The increase in trees will be an additional 5 trees or greater to meet the tree density requirement in the Land Use Bylaw 1976-08 (a total of 18 for the development).
5. The owner/applicant will ensure that a drainage plan is approved by the Town of Stettler's Director of Operations that may require a grit/water separator.
6. That all outdoor storage areas and garbage areas are screened from neighboring residential properties and Highway 12.
7. The proposed development shall meet the industrial and commercial design guidelines, including but not limited to section 4.3.7 "the base of all buildings on sides requiring architectural treatment pursuant to these guidelines must be clearly defined and provide a visual anchor to the building."
8. 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.
9. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #1976-08
10. Compliance with the provisions of Land Use Bylaw #1976-08 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
11. The proposed development 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's Development Authority.
12. The owner/applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code.
13. The owner/applicant must obtain a building permit for this development prior to commencement of construction. This permit can be obtained following the mandatory 14 day appeal period commencing from the date of approval. In order to obtain a building permit all appropriate fees, plans, schedules, and applications must be submitted.
14. The owner/applicant must ensure that all conditions listed above have been complied with prior to obtaining a business license, and that a final occupancy permit has been issued by the Stettler Regional Fire Department prior to public occupancy.

Discussion

Councillor Leona Thorogood questioned if the sludge would go into the sewer pipes. Planning & Development Officer Leann Graham informed that the drainage for the sludge would be tied into the storm drain and would have to be approved by the Director of Operational Services Melissa Robbins before proceeding.

Chairman Al Campbell questioned why the residents had an issue with the development. Planning & Development Officer Leann Graham replied that they enjoyed the view from their back deck looking out at the highway. Councillor Malcolm Fischer stated that the noise and lighting in the evening would be issues that need addressed. Planning & Development Officer Leann Graham confirmed that the noise and lighting concerns would be dealt with under the Town's nuisance and noise by-laws.

Councillor Malcolm Fischer indicated that lighting could cause issues if they have lights such as Stettler Motors which had to be dimmed down to avoid disturbing neighboring residents. Councillor Steven Wildeboer commented that the carwash wouldn't have the security issues that Stettler Motors has and they would have minimal lighting. Chairman Al Campbell recommended as an additional condition that any security lighting

must be approved by the Town of Stettler Development Authority prior to installation to ensure that the lighting does not pose a nuisance to the neighboring residential districts.

Councillor Malcolm Fischer indicated as a condition, that the density of trees on the south side of the property needs to be increased to ensure a buffer between residential and commercial developments. The increase in trees should be an additional 6 trees or greater. Planning & Development Officer Leann Graham explained that the Commercial and Industrial Design Guidelines will ensure that the size and number of trees are adequate. Councillor Leona Thorogood recommended that the trees used in the landscape be a mix of coniferous and deciduous trees to make the lot look good all year long.

Councillor Malcolm Fischer suggested that the berm be at least one meter high, the residents were there first. Planning & Development Officer Leann Graham confirmed that the size of the berm could be increased. Councillor Malcolm Fischer questioned if the berm at one meter would be high enough. Councillor Darcy Bachman confirmed that one meter would be sufficient.

MOTION CARRIED
Unanimous

8. **Development Application: 2591-2011**

Applicant: Ron Young

Legal: Lot 1, Block 2, Plan 1890RS

Municipal: 6009 – 43 Avenue

Proposed Development: 1.82 meters (6 ft) tall vinyl fence along the north property boundary.

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

General:

The applicant is proposing to install a 1.82 meters (6 ft) vinyl fence along the north property boundary. 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 a block to stop snow drifting into the front yard as well as create a break from 44 Avenue.

Development Review:

Land Use District - R1 – Residential Low Density

Maximum Height for a Fence that does not extend beyond the front most portion of the principal building = 2.0 meters (6.56 ft) and Proposed = 1.82 meters (6 ft)

Maximum Height for a Fence that extends beyond the front most portion of the principal building = 1.2 meters (4 ft) and Proposed = 1.82 meters (6 ft)

Required Variance for the Fence that extends beyond the front most portion of the principal building = 0.62 meters (2 ft)

Alternatives:

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

Recommendation:

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

1. The fencing must be maintained to its original condition for the extent of the use.
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. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #1976-08
4. Compliance with the provisions of Land Use Bylaw #1976-08 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation.

Discussion

Councillor Malcolm Fischer stated that there is a great deal of cement debris behind the house and a fence would make the property less unsightly. Planning & Development Officer Leann Graham indicated that there was no concern with the intersection.

MOTION CARRIED
Unanimous

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