

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
February 13, 2017**

Present:

Councillors Al Campbell, Sean Nolls, Malcolm Fischer, and Will Brown, Director of Operational Services Melissa Robbins and Planning & Operations Clerk Angela Stormoen.

1. **Call to Order:** Chairman Al Campbell called the meeting to order at 8:41 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 December 12, 2016 MPC Meeting Minutes**

Moved by Councillor Malcolm Fischer that the Minutes of the December 12, 2016 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 2972-2017

Applicant: Petro-Maxx Construction (BC) LLP

Legal: Lot 1&2, Block 55, Plan 5606HW

Municipal:4520 – 50 Street

Proposed Development: 1) Demolition of Existing Building

2) Construction of New Convenience Store with Restaurant and Drive Thru.
Includes New Tanks, Dispensers, Canopy and Lights

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

General:

The applicant Petro-Maxx Construction Ltd. is proposing the development of a New Convenience Store with Restaurant and Drive Thru. Includes New Tanks, Dispensers, Canopy and Lights. The applicant will be required to construct the site in accordance with Town of Stettler Departments approvals for items such as access, drainage, lot elevations and parking. The proposed development application does meet the basic requirements of the Land Use Bylaw and is being presented to MPC for the purpose of Highway Commercial Design Guidelines.

Alternatives:

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

Recommendation:

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

1. The applicant/owner will be required to provide the Town of Stettler security in the amount of \$15,000 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 owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15.
3. The owner/applicant shall meet the regulations set out in the Commercial and Industrial Design Guidelines.
4. The owner/applicant must submit interior floor plans including the number of seats proposed to the Town of Stettler Director of Planning and Development to approve the minimum parking requirements.
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 obtain approval from the Town of Stettler's Director of Operational Services for the location and construction of accesses to the site from 46 Avenue:
 - a. The owner/Applicant is required to construct the access on 46 Avenue with 8" (200 mm) Heavy Duty Asphalt. This work is required to extend beyond the property line to include the driveway crossing the boulevard as well as,
 - b. The owner/Applicant is required to extend the 8" (200 mm) Heavy Duty Asphalt into the Town road the width of the driveway access from curb to curb.
7. The owner/applicant must ensure all accesses to 50 Street/Highway 12 are approved by Alberta Transportation and Infrastructure.
8. The owner/applicant will be required to install curb and gutter along 50 Street and 46 Avenue to the satisfaction of the Town of Stettler's Director of Operational Services and Alberta Transportation and Infrastructure.
9. The owner/applicant will ensure that all driving surfaces on the proposed development site consist of a pavement top.
10. The owner/applicant will be required to install curbing around all parking and landscaped areas.
11. The owner/applicant will submit a detailed drainage/lot grading plan to the Town of Stettler's Director of Operational Services for review and approval prior to construction. Majority of drainage to be directed away from the adjacent lane. Efforts shall be taken to direct drainage to the north when possible.
12. The owner/applicant must submit detailed plans for the final lot elevations and engineered plans for any required retaining walls.
13. The owner/applicant must submit a landscape plan to the Town of Stettler's Director of Planning and Development for approval prior to commencing any work on the site;
14. The landscaping plan must be in accordance with Section 48 of the Land Use Bylaw 2060 -15;
15. The owner/applicant will be required to landscape and maintain the boulevard adjacent to the property;
16. Landscaping must be completed by the end of the first growing season following the date of approval;
17. That all outdoor storage areas and garbage areas are screened from Highway 12 and neighboring properties.

18. 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.
19. 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;
20. The proposed development (New Convenience Store with Restaurant and Drive Thru. Includes New Tanks, Dispensers, Canopy and Lights) 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.
21. The owner/applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code.
22. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code; and
23. 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.
24. The owner/applicant must obtain a building permit for this development following the mandatory 14 day appeal period beginning February 15, 2017. (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:

Director of Operational Services indicated that the applicant Petro-Maxx Construction Ltd. is proposing the development of a New Convenience Store with Restaurant and Drive Thru. Includes New Tanks, Dispensers, Canopy and Lights. The applicant will be required to construct the site in accordance with Town of Stettler Departments approvals for items such as access, drainage, lot elevations and parking. The proposed development application does meet the basic requirements of the Land Use Bylaw and is being presented to MPC for the purpose of Highway Commercial Design Guidelines.

Councillor Will Brown questioned if traffic flow would be a concern at that location. Director of Operational Services mentioned the applicant must receive approval from Alberta Transportation and the Town has requested the expected daily vehicle trips for the proposed business.

Moved by Councillor Malcolm Fischer to approve the application as presented.

MOTION CARRIED
UNANIMOUS

Councillor Will Brown was excused from the meeting.

6. **Development Application:** 2974-2017
Applicant: Automotive Buy & Sell
Legal: Lot 4A, Block C, Plan 1520094
Municipal: 4818 – 62 Street
Proposed Development: 12' x 36' Temporary Office Trailer, Vehicle Sales and Display

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

General:

The applicant, Automotive Buy and Sell Ltd. is proposing the development of a 12' x 36' Temporary Office Trailer, Vehicle Sales and Display at 4814 – 62 Street. The Landowner, 1143470 Alberta Ltd. has submitted a letter of support and intention for the proposed development. The premise behind the temporary permit is to determine the viability of the development at this location prior to building a permanent structure and developing a paved parking and display area.

The Temporary Trailer has been delivered to the site, the applicant has indicated the intentions to meet the design guidelines will be to re-orientate the temporary trailer to have the solid wall facing the rear south property line and thus reduce some of the required façade treatments.

Alternatives:

- Defeat the application stating reasons and direct administration to issue a Stop Work Order for the Temporary Trailer.

Recommendation:

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

1. The permit is only valid for a one year period from the date of its approval. A one year extension may be requested beyond this deadline if a development has been obtained to construct a new facility for the use of office space.
2. The owner/applicant shall provide the Town of Stettler with Security in the amount of \$5,000 in accordance with Land Use Bylaw 2060-15 for the Temporary Office Trailer (20.3) and Conditions to meet the Highway Commercial Design Guidelines (19.2.2)
3. The owner/applicant shall meet the regulations set out in the Commercial and Industrial Design Guidelines, specifically including but not limited to:
 - a) All outdoor storage areas must be screened from 62 Street, Highway 12 or the onsite public parking
 - 4.1.5 *All utility areas (e.g. outdoor storage, waste disposal, building equipment such as heating and cooling, etc.) visible from an adjacent street or an on-site client parking lot must be enclosed with screening, or be otherwise designed or treated to the satisfaction of the approving municipality's Development Authority, to match the overall design of the development.*
 - b) All sides of the temporary trailer elevations visible from 62 Street, Highway 12 or the onsite public parking must be finished to the same standard, this can be accomplished by extending the siding color changes to all 4 sides of the temporary trailer or by re-orientating the temporary trailer to have the entrance face Highway 12 and the solid wall face the rear of the lot (south).
 - 4.3.2 *Each building elevation facing an adjacent street or an on-site client parking lot shall be finished to the same level of architectural treatment.*
 - 4.3.2.1 *A minimum of two major exterior cladding materials are required for any elevation of a principal or an accessory building facing an adjacent street or an on-site client parking lot, the proportions of which must be sensitively designed. Major exterior cladding materials must be perceived as occupying a significant proportion of any wall.*
 - 4.3.3 *A variety of exterior materials and/or colors is encouraged to prevent the creation of monotonous streetscapes.*

- c) The entrances of the temporary trailer must have entrance protection installed.

4.3.4.1 Entrance protection is required above all public entry doors. This can be accomplished through using entry canopies integral to the building design, recessed entries with roof overhangs or surface mounted canopies. All entry features must be designed to fit in the balance of the architectural treatment.

- d) The temporary trailer must have windows that are architecturally designed to form part of the overall building facade on all elevations visible from 62 Street, Highway 12 or the onsite public parking. This can be accomplished by the addition of similar windows to that of the entrance wall to the solid wall of the temporary trailer or by re-orientating the temporary trailer to have the entrance face Highway 12 and the solid wall face the rear of the lot (south).

4.3.5 Windows shall be architecturally designed to form part of the overall building façade. The use of full front glazing is not recommended.

- e) The base of the temporary trailer must be defined at a 4:1 ratio by the way of block, stone or brick material or like material on all elevations visible from 62 Street, Highway 12 or the onsite public parking. This can be accomplished by the addition of base material to all 4 sides of the building or by re-orientating the temporary trailer to have the entrance face Highway 12 and the solid wall face the rear of the lot (south) and adding the base definition to the face of the temporary trailer and to the 2 ends of the temporary trailer.

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.

4.3.7.1 Permitted ways to define the base include but are not limited to the following; block, stone, brick, a change in exterior material or a change in exterior color or a change in the direction of exterior material. The painting of the exterior material is not permitted.

4.3.7.2 The ideal ratio for defining the base height is 4:1. For example, if the building height is 12'-0" the base should be 3'-0".

4.3.7.3 All base definition must return around the corners a minimum of 18" (450mm), except along any building elevation that is visible from an adjacent street or an on-site client parking lot, in which case the base definition shall follow along the entire length of the elevation.

- f) The entrance of the temporary trailer will require a landing and railings that complement the completed façade of the temporary trailer and are in accordance with the Land Use Bylaw and Alberta Building Code.

4. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15;
5. The applicant/owner will ensure that a drainage/grading plan is approved by the Town of Stettler's Director of Operational Services prior to construction of the parking lot.
6. 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. And storm connections are approved by the Town of Stettler's Director of Operational Services.
7. Any landscaping must be completed by the end of the first growing season following development in accordance with the approved plan.

8. The owner/applicant will be required to landscape and maintain the ditch/boulevard adjacent to the property;
9. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.
10. 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 or otherwise;
11. 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;
12. The proposed development (12' x 36' Temporary Office Trailer, Vehicle Sales and Display) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
13. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
14. The owner/applicant is required to obtain the applicable permits to confirm compliance with the Safety Codes Act and Provincial Fire, Plumbing, Gas & Electrical Regulations.
15. The owner/applicant must obtain a building permit for this development following the mandatory 14 day appeal period beginning February 15, 2017. (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:

Director of Operational Services indicated that the applicant, Automotive Buy and Sell Ltd. is proposing the development of a 12' x 36' Temporary Office Trailer, Vehicle Sales and Display at 4814 – 62 Street. The Landowner, 1143470 Alberta Ltd. has submitted a letter of support and intention for the proposed development. The premise behind the temporary permit is to determine the viability of the development at this location prior to building a permanent structure and developing a paved parking and display area.

The Temporary Trailer has been delivered to the site, the applicant has indicated the intentions to meet the design guidelines will be to re-orientate the temporary trailer to have the solid wall facing the rear south property line and thus reduce some of the required façade treatments.

Councillor Malcolm Fischer mentioned the trailer, at its current location, looks out of place and it would be favorable to ensure the trailer will meet the same design standards as the adjacent building. Councillor Sean Nolls agreed that the trailer orientation and appearance does not meet the requirements in that area. Director of Operational Services Melissa Robbins mentioned the conditions of the Development Permit will state that the applicant has an option to either re-orientate the temporary trailer to have the entrance face Highway 12 and the solid wall face the rear of the lot (south) or all sides of the temporary trailer elevations visible from 62 Street, Highway 12 or the onsite public parking must be finished to the same standard, which can be accomplished by extending the siding color changes to 3 sides of the temporary trailer. It was agreed that the condition would remain as stated above as either would remedy the concern to meet guidelines and make it more esthetically pleasing.

Councillor Al Campbell questioned how the Town of Stettler can ensure the recommendations are complete. Melissa Robbins mentioned the occupancy permit will not be issued until all recommendations are met.

Councillor Al Campbell questioned if paving the lot should be a recommendation. Melissa Robbins stated that in conversation with the applicant/owner it was agreed that due to the temporary state of the permit, pavement would not be required as the long term plan is to eventually build a permanent structure at the location which then would include paving requirements. Also, due to the permit being valid for one year and MPC approval required, the application will return to MPC for approval when the permit expires for a one year extension, if a development plan for a building is proposed.

Councillor Sean Nolls questioned if the flood plain is affected. Melissa Robbins mentioned that there is no current floodway legislation to enforce the application.

Councillor Malcolm Fischer questioned if services would be connected to the trailer. Melissa Robbins mentioned water and sewer services would be connected to the trailer at a shallow depth to allow for ease of removal when the permanent structure is constructed.

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

MOTION CARRIED
UNANIMOUS

Adjournment: The meeting adjourned at 9:07 a.m. on a motion by Councillor Malcolm Fischer.