

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
July 12, 2018**

**Present:**

Councillors Al Campbell, Gord Lawlor, Scott Pfeiffer and Cheryl Barros, Director of Planning and Development Leann Graham and Planning & Operations Clerk Angela Stormoen & Maddie Hall

1. **Call to Order:**

Chairman Cheryl Barros called the meeting to order at 8:29 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor Al Campbell to accept the agenda as presented.

MOTION CARRIED  
Unanimous

4. **Confirmation of the June 5, 2018 MPC Meeting Minutes**

Moved by Councillor Gord Lawlor that the Minutes of the June 5, 2018 MPC meeting be approved as presented.

MOTION CARRIED  
Unanimous

5. **Business Arising**

No new business. Richard Duff has not moved forward with his development.

6a. **Development Application:** 3077-2018

**Applicant:** Paul and Barb Asaph

**Legal:** Lot 9, Block 2, Plan 5128KS

**Municipal:** 6114 – 50a Avenue

**Proposed Development:** Temporary Structure

A report prepared by the Director of Planning and Development goes as follows;

**General:**

The applicant is proposing to install a temporary structure to house a restored antique vehicle. The temporary structure is a 12' x 24' and 10' high tarped garage, it is proposed to be located in the rear yard on an existing graveled parking area. The Land Use Bylaw requires Municipal Planning Commission approval for all temporary structures and in a residential district the permit is only valid for a 24 month period at which time the applicant will need to re-apply or remove the temporary structure.

Further to the approval needed the applicant is requesting a variance of approximately 6.75 square meters for the total floor area of 26.75 square meters.

**Development Review:**

Section 56: Temporary Structures

56.1 A temporary structure may not be erected without permission of the Municipal Planning Commission which may be granted as follows:

56.1.1 Any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;

56.1.2 A residential district provided that:

- (a) No such temporary building shall have a floor area of 20.0 square metres, be more than 3.0 metres in height or set back less than 1.2 metres from the side and rear property lines; and
- (b) The owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;
- (c) There shall be no more than one temporary structure per site;
- (d) A temporary building being used as a garage must be placed in the rear yard only;
- (e) In the case of a pre-manufactured temporary building, the elevations shall be subject to approval of the Municipal Planning Commission; and
- (f) The building is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary building permit shall expire at the end of 24 months, unless renewed by the Development Officer for a further term, and that such building will comply with this Bylaw.

**Recommendation:**

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

1. The owner/applicant receive a temporary permit for a temporary structure expiring August 2, 2020;
2. The owner/applicant receive a variance of 6.75 square meters to accommodate the 12' x 24' temporary structure.
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 (Temporary Structure (Tarped Garage)) 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;

**Discussion:**

Director of Planning and Development advised that the applicant is proposing to install a temporary structure to house a restored antique vehicle. The temporary structure is a 12' x 24' and 10' high tarped garage, it is proposed to be located in the rear yard on an existing gravel parking area. The Land Use Bylaw requires Municipal Planning Commission approval for all temporary structures and in a residential district the permit is only valid for a 24 month period at which time the applicant will need to re-apply or remove the temporary structure.

Further to the approval needed the applicant is requesting a variance of approximately 6.75 square meters for the total floor area of 26.75 square meters.

Councillor Gord Lawlor inquired about the appeal process. Director of Planning and Development Leann Graham explained that it gets advertised for two weeks in the newspaper and if there are no appeals then the permit is issued for August 2, 2018 and will expire August 2, 2020.

Councillor Al Campbell questioned if the applicant has room to add onto their garage in the future. Director of Planning and Development Leann Graham explained that there has been no discussion with the applicant to do so but the location allows for an addition if requested in the future.

Moved by Councillor Al Campbell to approve the application as presented.

MOTION CARRIED

Unanimous

- 6b. **Development Application:** 3082-2018  
**Applicant:** Echo Ridge Homes Inc.  
**Legal:** Lot 67 & 68, Block 6, Plan 0825091  
**Municipal:** 6011 A & 6011 B – 53 Avenue Court  
**Proposed Development:** Fourplex

A report prepared by the Director of Planning and Development was reviewed as follows;

**General:**

The applicant is proposing to convert an existing duplex into a fourplex at 6011 A & B 53 Avenue Court in Emmerson Estates. The Land Use Bylaw identifies the use of a fourplex in the R2 district as discretionary. The existing duplex was constructed in 2008, the applicant further applied for basement suites in each unit and was denied by MPC as basement suites in duplexes are not a permitted or discretionary use. The applicant is not proposing converting the duplex into a fourplex and will be required to update all construction in accordance with the Alberta Building Code to create 4 separate dwelling units including but not limited to separate mechanical, grade access and fire separation between units.

The owner/applicant must provide two off street parking stalls per dwelling unit and a total of 8 off street parking stalls. A condition that 6 stalls be provided in the rear yard and 2 in the front yard is based on the narrow frontage of the parcel and that stacking of 2 cars on each parcel cannot be accommodated without impacted the property to the south and/or the cul-de-sac.

**Development Review:**

Definition:

"DWELLING, FOURPLEX" means a building containing four dwelling units each with direct access to the outside grade, but not all the units are required to have separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly. This shall not mean row housing dwelling or duplex dwelling. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

**Recommendation:**

That the Municipal Planning Commission consider approval of this application subject to the following conditions:

1. The owner/applicant must obtain a building permit for this development and comply with the current Alberta Building Code;
2. The owner/applicant must comply with 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 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 municipal legislation;
5. The owner/applicant must ensure the proposed development (Fourplex) shall be located in accordance with the approved plan;
6. The owner/applicant must provide two off street parking stalls per dwelling unit; a total of 8 off street parking stalls to be provided with 6 in the rear yard and 2 in the front yard.

## **Discussion:**

Director of Planning and Development advised that the applicant is proposing to convert an existing duplex into a fourplex at 6011 A & B 53 Avenue Court in Emmerson Estates. The Land Use Bylaw identifies the use of a fourplex in the R2 district as discretionary. The existing duplex was constructed in 2008, the applicant further applied for basement suites in each unit and was denied by MPC as basement suites in duplexes are not a permitted or discretionary use. The applicant is now proposing to convert the duplex into a fourplex and will be required to update all construction in accordance with the Alberta Building Code to create 4 separate dwelling units including but not limited to separate mechanical, grade access and fire separation between units.

The owner/applicant must provide two off street parking stalls per dwelling unit and a total of 8 off street parking stalls. A condition that 6 stalls be provided in the rear yard and 2 in the front yard is based on the narrow frontage of the parcel and that stacking of 2 cars on each parcel cannot be accommodated without impacted the property to the south and/or the cul-de-sac.

Councillor Gord Lawlor agreed that the front drive way is too small to have two parking spots although he is worried that the future residents will park more than one vehicle on the front drive way. Director of Planning and Development mentioned if complaints are received the Town will be able to enforce on the approved conditions of this application with only allowing 2 parking stalls in the front.

Councillor Gord Lawlor inquired about the parking standard in the back yard. Director of Planning and Development Leann Graham explained that within our bylaw it states that an approved parking pad must be hard top if the entrance is from a paved street and gravel pad when accessing a gravel lane. Leann further explained that they will not be approved to park on the grass that is currently there.

Councillor Al Campbell questioned if a new resident moves into the cul-de-sac and has an issue with the parking density but never got a chance to appeal the original development, what will happen. Director of Planning and Development explained that if council approves the decision any future complaints will be referred back to the conditions of approval and condition (ie. Parking stalls) will need to be enforced.

Councillor Scott Pfeiffer asked about parcel coverage with the new rear parking pads that would have to be installed upon approval. Director of Planning and Development Leann Graham explained that because the lots are a large pie shape that there is ample room to accommodate parking without impacting the parcel coverage requirements.

Councillor Cheryl Barros mentioned the entrances to the dwelling will affect the parking. Conversation ensued, after plans were pulled the Director of Planning and Development was able to confirm that currently there are doors at the front and rear of each dwelling.

Councillor Gord Lawlor brought up a concern asking who will be enforcing the parking and use of stalls upon approval. Councillor Lawlor was concerned that there will be too many vehicles parked at front and if there was ever company over there wouldn't be room to park. Councillor Al Campbell explained that he didn't think that visitor parking would be an issue because there is street parking on the north end of the cul-de-sac and visitors can walk. Director of Planning and Development Leann Graham explained that council has to consider the impacts from the proposed increased density.

Councillor Scott Pfeiffer wanted to know if the lots and dwellings will be sold or used as rentals. Director of Planning and Development Leann Graham explained that council has to consider the impacts from the proposed increase density and that the Town of Stettler has no control on rental versus owner occupied dwellings.

Councillor Gord Lawlor asked for clarification on the appeal process if appeals were to come in. Director of Planning and Development Leann Graham explained that appeals can come in from any affected residents at which time it will be taken to the Subdivision and Development Appeal Board

Moved by Councillor Al Campbell to approve the application as presented.

IN FAVOR

Councillors Al Campbell, Cheryl Barros and Gord Lawlor

OPPOSED

Scott Pheiffer

**Adjournment:**

The meeting adjourned at 8:51 a.m. on a motion by Councillor Al Campbell.