

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
MARCH 29, 2018**

Present:

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

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:45 a.m.

2. **Approval of Agenda/Additions**

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

MOTION CARRIED

Unanimous

3. **Confirmation of the February 16, 2018 MPC Meeting Minutes**

Moved by Councillor Gord Lawlor that the Minutes of the February 16, 2018 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 3049-2018

Applicant: James Kirk

Legal: Lot 2, Block 33, Plan 1920HW

Municipal: 6004 – 50A Avenue

Proposed Development: 10' x 12' Addition

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

General:

The owner/applicant is proposing to construct a 10' x 12' addition to the existing single family dwelling at 5812 – 50A Avenue.

The existing covered carport is considered non-compliant as the side yard setback of 1.07 meters along the east side of the attached carport is non-compliant in accordance with Land Use Bylaw 2060-15, required 1.5 meters.

The proposed 10' x 12' addition and use will conform to existing regulations other than the side yard encroachments that can be remedied by way of a variance.

The Municipal Government Act:

- Sec 643 & Town of Stettler Land Use Bylaw regulate that non-conforming structures may not be added onto or structurally altered except to make them conforming.
- Sec 643 (5)c MGA indicates an exception to this rule whereas powers identified in a municipalities Land Use Bylaw may invoke powers of variation and whereas according to Land Use Bylaw 2060-15 these powers lie with the Town of Stettler Municipal Planning Commission.

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 applicant receives a side yard variance of 0.43 meters to accommodate the existing encroachment of covered carport thus single family dwelling;
2. The applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2060-15.
3. 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.
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. The proposed development (10' x 12' Addition) shall be located in accordance with the approved plan;
6. The applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code.
7. The owner/applicant shall arrange for and obtain approval for compliance with fire, plumbing, gas, and electrical regulations as applicable;

Discussion:

Director of Planning and Development advised that the owner/applicant is proposing to construct a 10' x 12' addition to the existing single family dwelling at 5812 – 50A Avenue.

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Councillor Al Campbell questioned how the addition would affect the conformity of the building. Director of Planning and Development mentioned the proposed addition is conforming to the Town of Stettler Land Use Bylaw 2060-15 but the existing carport is not conforming and therefore MPC must first vary the carport then approve the proposed addition.

Councillor Al Campbell questioned if the owner/applicant is fixing the whole house. Director of Planning and Development Leann Graham stated they are doing a full renovation inside and out plus the proposed addition.

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

MOTION CARRIED

UNANIMOUS

Adjournment: The meeting adjourned at 8:49 a.m. on a motion by Councillor Al Campbell.