

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
October 4, 2011

Present:

Councillors Al Campbell, Malcolm Fischer 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 8:45 a.m.

2. **Approval of Agenda/Additions**

Moved by Councillor Darcy Bachman to accept the agenda as presented.

MOTION CARRIED
Unanimous

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

Moved by Councillor Malcolm Fischer that the Minutes of the August 18, 2011 MPC meeting be approved as presented.

MOTION CARRIED
Unanimous

4. **Business Arising**

None.

5. **Development Application: 2594-2011**

Applicant: Sunalta Fertilizer Ltd.

Legal: Lot 5, Block 13, Plan 0224418

Municipal: 4801 & 4707 – 51A Avenue

Proposed Development: Fertilizer Plant Operation with:

- One 70' x 200' Warehouse (4801 & 4707)
- One 70' x 40' Office (4801 & 4707)
- Two 70' Bin Silo's with a 100' Grain Leg (newly subdivided rail ROW)
- One 70' x 140' Warehouse (to be subdivided CP Lands)

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 to be 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 (9 m)

Rear Yard Setback – Required (0m) and proposed (6.0m)

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 #2018-11;
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 #2018-11 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
7. The proposed development 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

Planning & Development Officer Leann Graham indicated that conditions are unchanged from the previous proposal. Planning & Development Officer Leann Graham and Director of Operational Services Melissa Robbins are currently working with the owner to take a road widening for 51A Avenue. The main concern is whether or not there will be enough room to add to the width of the road on the east end as the adjacent properties are not owned by the applicant. Chairman Al Campbell questioned if the road was useable. Planning & Development Officer Leann Graham indicated that the road was usable, but at only a 6 meter wide top it would not accommodate two way large truck traffic. Having the road widened to a 10 meter right of way from the current 8 meters would accommodate an 8 meter wide road with 1 meter on each side for drainage.

Chairman Al Campbell questioned if the owner was prepared in building the road. Planning & Development Officer Leann Graham stated that the owner was more than willing to accommodate the road being rebuilt and that the only issue would be finding room to widen it along the two properties to the east of the development. A request has been made to the title-holders of the AGT Road Right of Way along the two easterly properties to discuss widening the road as well as the use of utilities in the ROW. The Town and the applicant will arrange for a road widening along the properties being developed

Chairman Al Campbell questioned if the remainder of the road would be widened. Planning & Development Officer Leann Graham replied that she was not sure about the internal width of the road, however once it crosses over onto private property, would be considered a private driveway.

Councillor Malcolm Fischer inquired if the silo and leg would be relatively the same height as the existing elevator. Planning & Development Officer replied yes that the 70 ft silo and 100 ft grain leg would be relatively close to the height of the existing elevator.

Councillor Darcy Bachman made a motion to approve the application as presented.

MOTION CARRIED

Unanimous

6. **Development Application: 2597-2011**

Applicant: Red Deer Co-op Ltd.

Legal: Lot 29-30, Plan 430AD

Municipal: 4821 – 62 Street

Proposed Development: Gas Bar and Car Wash Facility

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

General:

The applicant is proposing development of a Gas Bar, Convenience Store and Car Wash. The development is proposed in the Land Use District C2: Highway Commercial District and will need to meet the regulations set out in the Commercial and Industrial Design Guidelines.

Development Review:

Requirements pertaining to the proposed development are regulated under Section 85 of the Land Use Bylaw 2018-11:

- Minimum Front Yard – Minimum requirement 9.0 m and proposed 9.0 m to pump canopy
- Minimum Side Yard – Minimum requirement 3.0 m and proposed 3.0 m to parking curbs (west) and 3.0m to asphalt (east)
- Minimum Rear Yard – Minimum requirement 3.0 m and proposed 5.9 m to carwash
- Maximum Building Height – Maximum building height 18.75 m and proposed 10.4m
- Parcel Coverage – Proposed parcel coverage 15%
- Sign Height – Maximum Height 9.0 m and proposed 9.332 m (Variance of 0.332 m)

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 owner/applicant will be required to provide the Town of Stettler security in the amount of \$20,000 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 shall meet the regulations set out in the Commercial and Industrial Design Guidelines.
3. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services.
4. Access points onto 62 Street and 50 Avenue to the proposed development shall be approved by the Town of Stettler's Director of Operational Services.
5. The owner/applicant will be required to install curb and gutter along 62 street and 50 Avenue to the satisfaction of the Town of Stettler's Director of Operational Services (Please see attached curb and gutter standards).
6. The owner/applicant will ensure that a drainage plan is approved by the Town of Stettler's Director of Operations.
7. The owner/applicant will ensure that the driving surfaces on the proposed development site consist of a pavement top.
8. Landscaping shall be completed by the end of the first growing season following the date of approval.
9. The owner/applicant will landscape and maintain the boulevard around the development.
10. That all outdoor storage areas and garbage areas are screened from neighboring residential properties and Highway 12.

11. Any security lighting must be approved by the Town of Stettler's Development Authority prior to installation to ensure that the lighting does not pose a nuisance to neighboring residential districts.
12. 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.
13. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2018-11.
14. Compliance with the provisions of Land Use Bylaw #2018-11 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation.
15. 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.
16. The applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code.

17. The applicant must obtain a building permit for this development prior to any 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.
18. 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

Planning & Development Officer Leann Graham stated that approval was required for both a height variance for the free standing sign as well as the design guidelines as a highway commercial property. Chairman Al Campbell asked if the Stettler Red Deer Co-op site would be identical to the pictures in the agenda. Planning & Development Officer Leann Graham replied that the Red Deer Co-op in Stettler would be designed identical to the concept drawings in the agenda and that certain aspects of the photos in the agenda would be seen at the Stettler location. The proposed freestanding sign would resemble the diagram and photo of the sign included in the agenda and requires a 0.332 Meter height variance.

Planning & Development Officer Leann Graham indicated that the existing hole on site would be filled and leveled before winter this year and should be ready for development in the spring of next year. Red Deer Co-op will work with Director of Operational Services Melissa Robbins to obtain approved entrances into the site with curb and gutter along both the 62 Street and 50 Avenue sides of the development.

Planning & Development Officer Leann Graham indicated that landscaping should be finished before the first growing season after construction.

Councillor Malcolm Fischer made a motion to approve the application as presented.

MOTION CARRIED
Unanimous

7. **Development Application: 2598-2011**

Applicant: B&B Construction

Legal: Lot 20, Block 1, Plan 0626839

Municipal: 6018 – 55 Avenue

Proposed Development: Single Family Dwelling with Attached Garage

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

General:

The applicant is proposing to develop a Single Family Dwelling with Attached Garage in Emmerson Acres on the corner lot of 55 Avenue and 61 Street. The proposed development is located at 6018 – 55 Avenue. The property is located on a corner lot and therefore is required to meet the regulations of the Land Use Bylaw 2018-11 Section 40: Corner/Double Fronting Lot Restrictions. According to the site plan submitted the development will meet the setback requirements for the minimum front yard (south side), and both side yards, however the proposed front yard (west) does not meet the 3.0 meter setback requirement. The proposed development requires a variance of 0.92 meters on the west front yard.

The applicant has requested the Single Family Dwelling be situated at a 1.63 meter minimum on the east side as opposed to the Land Use Bylaw minimum of 1.5 meters. The reasoning for the placement of the home was for the 10 minute fire rating required under the Alberta Building Code, with a greater setback distance the need for additional provisions of fire protection is less based on the 10 minute or less response times.

This property is located in the R1: Residential Low Density Land Use District and as such a Single Family Dwelling with Attached Garage is considered a permitted use.

Development Review:

Requirements pertaining to the proposed development are regulated under the Land Use Bylaw as follows:

- Minimum Front Yards – Minimum requirements 6.5 m and 3m: proposed south side 6.5 m and proposed west side 2.08 (requires a 0.92 meter variance)
- Minimum Side Yards – Minimum requirements 1.5 m: proposed north side yard 9.97 m and east side yard 1.63 m

Alternatives:

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

Recommendation:

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

1. The applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2018-11
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 the Alberta Building Code.
3. Compliance with the provisions of Land Use Bylaw #2018-11 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. The proposed development (Single Family Dwelling with Attached Garage) shall be located in accordance with the approved plan;
5. The applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code.
6. The applicant is responsible for ensuring that the final grade of the dwelling will not affect neighboring properties with respect to storm water drainage.
7. A variance for the front yard (west side) of 0.92 meters.

Discussion

Planning & Development Officer Leann Graham indicated that the proposed dwelling does meet the setback requirements for the minimum front yard (south side), and both side yards, however the proposed front yard (west side) does not meet the 3.0 meter setback requirement. The proposed development requires a variance of 0.92 meters on the west front yard. The applicant has requested the Single Family Dwelling be situated at a 1.63 meter minimum on the east side as opposed to the Land Use Bylaw minimum of 1.5 meters.

Planning & Development Officer Leann Graham continued to state that the east boundary could be moved over to make the 1.5 meter setback but it would still require a variance of 0.79 meters as opposed to the original 0.92 meter variance. Keeping the 1.63 meter setback would eliminate the need for the entire east wall of the dwelling to be increased in R value for the 10 minute fire rating required under the Alberta Building Code. In addition, the west wall of the dwelling wouldn't require a high R value either because of being situated on a corner lot and having no adjacent buildings to the west.

Councillor Darcy Bachman made a motion to approve the application as presented.

MOTION CARRIED

Unanimous

Adjournment: The meeting adjourned at 8:55 a.m. on a motion by Councillor Darcy Bachman.