

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
SEPTEMBER 19, 2019**

Present:

Councillors Gord Lawlor, Malcolm Fischer, Wayne Smith, Scott Pfeiffer and Cheryl Barros,
Director of Planning and Development Leann Graham and Planning & Operations Clerk
Maddie Hall

1. **Call to Order:** Chairman C. Barros called the meeting to order at 8:27 a.m.

2. **Additions to Agenda**

None

3. **Approval of Agenda**

Moved by Councillor M. Fischer to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the August 28, 2019 MPC Meeting Minutes**

Moved by Councillor W. Smith that the Minutes of the August 28, 2019 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3176-2019

Applicant: Jay Byer

Legal: Lot 1 Pt 2, Block 53, Plan 4508HW

Municipal: 4720 – 53 Street

Proposed Development: Attached Garage and Deck

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to build an attached garage on the south side of the existing dwelling and a low grade deck on the west side of the dwelling. The applicant is asking for a 0.6 meter side yard setback variance to accommodate the proposed single car garage.

At this proposed setback the applicant will be require to fire rate the wall in accordance to Alberta Building Code and Alberta Fire Code. The applicant is aware of the additional work this requires and stated that he would like to go forward and ask for the variance.

Development Review:

Land Use District – R2: Residential General District

- Purpose – to provide an area for a variety of dwelling types which are compatible with a residential area.

Existing Land Use – Dwelling, Single Detached

Proposed Land Use – Garage – Attached

- Definition (Garage) – mean an accessory building of portion thereof which is designed and used for the storage, parking, or the maintenance of personal vehicles.
- Minimum Front Yard – 6 meters required – proposed 20 feet or 6.1 meters
 - Minimum Side Yard – 1.5 meters required – proposed 3 feet or 0.9 meters
 - Maximum Height – 6.5 meters or the height of the principal dwelling unit whichever is less – proposed 11 feet or 3.35 meters

Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw 2060-15.

Recommendation:

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

1. That the applicant receives a side yard setback variance of 0.6 meters to accommodate the attached garage with a side yard of 0.9 meters;
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 (Attached Garage and Deck) shall be located in accordance with the approved plan;
6. The owner/applicant must comply with attached specification sheet regarding curb removal;
7. The owner/applicant shall ensure every off-street parking space provided, and the access thereto shall be hard surfaced if the access is from a street or lane that is hard surfaced;
8. 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;
9. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;

10. The owner/applicant must obtain a building permit for this development following the mandatory 14 day appeal period.

Alternatives:

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

Discussion

Councillor M. Fischer stated that he thinks the variance is acceptable due to the south wall needing to be solid with no openings as per Alberta Building Code.

Councillor W. Smith asked if there have been similar developments in town where a variance was granted. Director of Planning and Development explained that this has happened in the past and is most often seen in the older parts of town or where applicants have converted an existing carport into a garage.

Moved by Councillor G. Lawlor to approve the application as presented.

MOTION CARRIED

Unanimous

7. **Adjournment:** The meeting adjourned at 8:31 a.m. on a motion by Councillor S. Pfeiffer.