

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
September 26, 2016**

**Present:**

Councillors Al Campbell, Darcy Bachman, Sean Nolls Malcolm Fischer, and Will Brown, Director of Planning & Development Leann Graham and Planning & Operations Clerk Angela Stormoen.

1. **Call to Order:** Chairman Al Campbell called the meeting to order at 8:42 a.m.

2. **Approval of Agenda/Additions**

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

MOTION CARRIED

Unanimous

3. **Confirmation of the September 8, 2016 MPC Meeting Minutes**

Moved by Councillor Darcy Bachman that the Minutes of the September 8, 2016 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

4. **Business Arising**

None.

5. **Development Application:** 2951-2016

**Applicant:** Hackers Indoor Golf

**Legal:** Lot W4, Block 1, Plan 5128KS

**Municipal:** 6122 – 50 Avenue

**Proposed Development:** Change In Use – Gaming/Gambling Establishment

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

**General:**

The Owner/applicant is proposing to change the use to include the operation of VLT's. The owner/applicant requires an approval from the Town for AGLC requirements to change from a Class "A" minors allowed licensing to a Class "A" minors prohibited licensing. See the attached letter.

Under the current zoning of Highway Commercial, the use of "Gaming or Gambling Establishment" is discretionary use and therefore requires MPC approval.

**Alternatives:**

- Defeat the application stating reasons

**Recommendation:**

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

1. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2018-11;

2. 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;
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. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.

**Discussion:**

Director of Planning and Development Leann Graham indicated that the Owner/applicant is proposing to change the use to include the operation of VLT's. The owner/applicant requires an approval from the Town for AGLC requirements to change from a Class "A" minors allowed licensing to a Class "A" minors prohibited licensing. See the attached letter.

Under the current zoning of Highway Commercial, the use of "Gaming or Gambling Establishment" is discretionary use and therefore requires MPC approval.

Councillor Al Campbell questioned if the change in use would prohibit minors. Director of Planning and Development Leann Graham mentioned currently the use allows for minors but the change in use will not allow minors.

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

MOTION CARRIED  
UNANIMOUS

6. **Development Application:** 2952-2016  
**Applicant:** Sean Zitaruk  
**Legal:** Lot 17, Block 2, Plan 0324269  
**Municipal:** 5207 – 59 Street Close  
**Proposed Development:** Detached Garage – Rear Yard / Driveway Setback Variance

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

**General:**

The applicant is proposing to construct a new detached garage at 5907 – 59 Street Close and is requesting a south rear yard setback /driveway variance. The Land Use Bylaw requires a 3 meter rear yard/drive way setback when a detached garage is accessing a lane that is less than 8 meters wide. The proposed detached garage accesses a lane of 7 meters wide and the applicant is proposing a 1 meter driveway setback. The property is the last parcel to the north of a dead end lane and on the south side of the lane is the rail right of way, therefore the proposed 1 meter rear yard setback/ driveway does not impact adjacent properties nor would it interfere with vehicle sightlines or turning radius.

**Alternatives:**

- 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 rear yard / driveway setback variance of 2.0 meters to accommodate a 1.0 meter driveway length on the south side of the proposed detached garage
2. The owner/applicant must comply with all the provisions of the Town Of Stettler Land Use Bylaw #2018-11;

3. 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;
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 (Detached Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
6. 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;
7. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
8. The owner/applicant must obtain a building permit for this development following the mandatory 14 day appeal period

**Discussion:**

Director of Planning and Development Leann Graham indicated that the applicant is proposing to construct a new detached garage at 5907 – 59 Street Close and is requesting a south rear yard setback /driveway variance. The Land Use Bylaw requires a 3 meter rear yard/drive way setback when a detached garage is accessing a lane that is less than 8 meters wide. The proposed detached garage accesses a lane of 7 meters wide and the applicant is proposing a 1 meter driveway setback. The property is the last parcel to the north of a dead end lane and on the south side of the lane is the rail right of way, therefore the proposed 1 meter rear yard setback/ driveway does not impact adjacent properties nor would it interfere with vehicle sightlines or turning radius.

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

MOTION CARRIED  
UNANIMOUS

**Adjournment:** The meeting adjourned at 8:51 a.m. on a motion by Councillor Malcolm Fischer.