

# MUNICIPAL PLANNING COMMISSION

## AGENDA

November 7, 2011

8:45 A.M. - TOWN OFFICE – Boardroom

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1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the October 20, 2011 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application: 2606-2011**  
**Applicant:** B & B Construction  
**Legal:** Lot 21, Block 1, Plan 0626839  
**Municipal:** 6016 – 55 Avenue  
**Proposed Development:** Single Family Dwelling with Attached Garage
9. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
October 20, 2011**

**Present:**

Councillors Al Campbell, Malcolm Fischer, Steven Wildeboer, 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 October 4, 2011 MPC Meeting Minutes**

Moved by Councillor Malcolm Fischer that the Minutes of the October 4, 2011 MPC meeting be approved as presented.

MOTION CARRIED  
Unanimous

4. **Business Arising**

None.

5. **Development Application: 2590-2011**

**Applicant:** DGH Engineering Ltd. C/o D & L Ford Holdings

**Legal:** Lot 5, Block C, Plan 80204003

**Municipal:** 4812 – 62 Street

**Proposed Development:** Carwash Building & Office

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

**General:**

The applicant has began site prep of the approved development, upon berm formation it was determined that slope will become too great for drainage, landscaping and maintenance.

**Alternatives:**

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

**Recommendation:**

That the Municipal Planning Commission Approve the amendment of condition #9 of Development Permit 2590-2011 as follows:

The berm along the south boundary (abutting residential) from 1 meter to 0.5 meters in height

## **Discussion**

Planning & Development Officer Leann Graham indicated that MPC increased the condition of the berm height to 1 meter at the August 18, 2011 MPC Meeting. The applicant has begun work on site and determined the height of the berm would create a drainage issue between properties, jeopardize the stability of the tree roots, create landscaping challenges and provide an unsustainable slope. The applicant is asking to lower the height of the berm from 1 meter to 0.5 meters in height.

Planning & Development Officer Leann Graham indicated there are currently 13 proposed trees to be on the berm with the option to increase the density of trees if desired. Discussions ensued about density, type and distance of the trees. Councillor Steven Wildeboer commented that the trees would eventually fill in the gaps between themselves creating a denser barrier without looking crowded. Chairman Al Campbell questioned what types of trees were going to be planted on the berm. Councillor Steven Wildeboer recalled that it would be a mix of coniferous and deciduous trees.

Planning & Development Officer Leann Graham questioned if the trees should be alternating. Chairman Al Campbell suggested the developer should be left to make that decision and it should be part of the motion to verify with the landscaper what type of trees would be planted, what the distances are between them, and if they would be alternating.

Councillor Steven Wildeboer asked if the neighboring fence in the photo runs all along the entire south side of the property. Planning & Development Officer Leann Graham indicated that the fence was complete but an opening remains at the end of the alley that abuts the property, which the condo association intends to close in. Councillor Steven Wildeboer commented that there should be no issues with providing a sufficient barrier between the condos and the carwash by having the existing fence and an installation of a berm.

Councillor Malcolm Fischer made a motion to approve the application with a condition to verify with the landscaper what type of trees would be planted, what the distances are between them, and if they would be alternating.

MOTION CARRIED

Unanimous

### **6. 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:**

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)

A front yard variance for the office is required as follows:

Minimum front yard setback = 9.0 meters

Proposed Setback = 5.41 meters, variance required of 3.59 meters.

## **Development Review:**

Land Use District – Industrial

Front Yard Setback - Required (9m) and proposed (5.41 m) variance required 3.59 meters

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)

## **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 owner/applicant shall enter into, and comply with the terms and conditions of, a development agreement with and to the satisfaction of the Town of Stettler, in accordance with Section 655 of the Municipal Government Act, as amended, with regard to all municipal improvements and recoverable costs:
  - a. The owner/applicant will be required to construct the road (51A Avenue) to a wider cross section with upgraded ditches to accommodate the heavy traffic use and drainage ditches.
  - b. The owner/applicant will be required to construct the road within the Town of Stettler's Road Right-of-way and extend to the west boundary of the proposed subdivided parcel.
  - c. The owner/applicant will provide a road cross section and drainage plan to the Town of Stettler's Director of Operations for approval.
  - d. The owner/applicant will be required to construct the roadway to the standards set out by the Alberta Building Code.
  - e. The applicant will be required to supply adequate water supply for fire protection services, based on Stettler Regional Fire Department review and specifications.
  - f. The issuance of a Construction Completion Certificate for the municipal improvements to the Town's satisfaction, pursuant to the subdivision development agreement referenced above.
  - g. The installation of a private sewage disposal system
  - h. Any easements required for servicing the newly subdivided property.
3. The applicant will be required to enter into a deferred servicing agreement for future sanitary connections.
4. The applicant will be required to provide an emergency access turn around with a minimum centre radius of 12 meters with an access agreement on private lands.
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 the applicant has revised the site plan and now requires a front yard variance of 3.59 meters for an office building. The revised site plan consists of a larger 70' x 320' warehouse that is situated along the south side of the parcel, a truck lane that runs east and west on the north side of the warehouse and a truck scale that's adjacent to the truck lane. Additionally, the applicant proposes lean tos on the north and south side, which overhang the truck lane and railway tracks. Chairman Al Campbell questioned if the lean to was for loading and if the rail line would run alongside the warehouse. Planning & Development Officer Leann Graham indicated that the lean tos on the north side and

south side would be for loading trucks and the train. The rail line is approximately 3 meters away from the proposed warehouse.

Planning & Development Officer Leann Graham indicated that because of the change in size of the warehouse there was now an issue with getting adequate water supply to the site for fire protection. There are two locations water can connect from, the UFA parcel to the east of the property 293 meters away or at the Stettler Vet Clinic to the south of the property 330 meters away. The maximum distance that can exist between hydrants is 90 meters.

Chairman Al Campbell questioned how the measurements of 293 meters from the UFA property and 330 meters from the vet clinic were calculated. Planning & Development Officer Leann Graham explained that the water line can only be on public property and Town of Stettler Right of Ways.

Councillor Steven Wildeboer asked if there was potable water on site. Planning & Development Officer Leann Graham indicated that there was an existing well on site but it would not provide an adequate water supply to extinguish a fire for such large buildings.

Planning & Development Officer Leann Graham stated that it would be possible to provide all services to Sunalta's property. The applicant would essentially enter into a deferred services agreement for sanitary sewer as future connections would be made to the trunk main proposed north of the Sunalta property. Presently the key concern is to acquire a sufficient water supply to provide adequate fire protection.

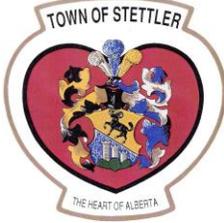
Councillor Steven Wildeboer questioned if boring the water line would be an option. Planning & Development Officer Leann Graham commented that the elevations maybe too low for boring so the water line might have to be trenched in. Chairman Al Campbell questioned who would be responsible for payment to Alberta Transportation for the water line crossing the Highway. Planning & Development Officer Leann Graham stated that the cost would be charged to the developer and they would have a choice of using a contractor or the Town of Stettler.

Councillor Malcolm Fischer expressed his concern with the applicant's desire to continuously change the site plan after it's already been approved by Municipal Planning Commission. Planning & Development Officer Leann Graham replied that building plans were currently being designed. Councillor Malcolm Fischer questioned how high the warehouse was going to be. Planning & Development Officer Leann Graham replied that the applicant was aware of the maximum height restriction. Councillor Malcolm Fischer questioned what the warehouse would look like and if there were any guidelines on its design. Planning & Development Officer Leann Graham replied that the lot is zoned industrial and as a result there are no guidelines for the design of the warehouse.

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

MOTION CARRIED  
Unanimous

**Adjournment:** The meeting adjourned at 9:08 a.m. on a motion by Councillor Darcy Bachman.



# Request For Decision

## Agenda Item:

### Issue:

Development Permit Application: 2606-2011  
Applicant: B&B Construction  
Legal: Lot 21, Block 1, Plan 0626839  
Civic: 6016 – 55 Avenue  
Proposed Development: Single Family Dwelling with Attached Garage

### 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 rear yard of 0.58 meters.

## IMPLICATIONS OF RECOMMENDATION

### General:

The applicant is proposing to develop a Single Family Dwelling with Attached Garage in Emmerson Acres on 55 Avenue. The proposed development is located at 6016 – 55 Avenue. According to the site plan submitted the development will meet the setback requirements for the minimum front yard, and both side yards, however the proposed rear yard does not meet the 7.5 meter setback requirement. The proposed development requires a variance of 0.58 meters on the rear yard.

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.

## BACKGROUND

### Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Municipal Development Plan where the goals of said documents have been maintained in compliance with the Land Use Bylaw 2018-11, other than key issues mentioned above.

### Development Review:

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

- Minimum Front Yard – Minimum requirements 6.5 m: proposed 6.5m
- Minimum Side Yards – Minimum requirements 1.5 m: proposed west side yard 2.46m and east side yard 2.46 m
- Minimum Rear Yard – Minimum requirements 7.5m: proposed 6.92m (Variance of 0.58m)

- Parcel Coverage: - Maximum Coverage 40%: Proposed 31.5%

Other Comments:

Existing Land Use – Vacant

Proposed Land Use – Single Family Dwelling with Attached Garage

Alternatives

Defeat the application, stating reasons.

Author:

Leann Graham, Planning & Development Officer

