

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
March 10, 2021

Present:

Councillors Al Campbell, Gord Lawlor, Malcolm Fischer, Wayne Smith, Scott Pfeiffer and Cheryl Barros, Director of Planning and Development Leann Graham and Planning & Operations Clerks Maddie Standage and Rachel Morbeck

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:28 a.m.

2. **Additions to Agenda**

none

3. **Approval of Agenda**

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

MOTION CARRIED

Unanimous

4. **Confirmation of the February 16, 2021 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the February 16, 2021 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

Director of Planning & Development Leann Graham updated the board members regarding the discussion last meeting stating that the applicant is now reconsidering a more suitable storage solution after an attempted break in. L. Graham stated that as per Land Use Bylaw #2060-15, the applicant is able to reapply every 6 months.

Councillor Malcolm Fischer has no problem with the applicant reapplying for development of seacans beside the building, as long as they are kept neat and tidy looking. Councillor Scott Pfeiffer and Councillor Gord Lawlor agreed. G. Lawlor stated that security is very important, although he would like to see the applicant come with full details of the development should there be a second application.

Councillor Al Campbell shared his concern that if the seacans are granted, other people may want to implement them as storage options as well. Councillor Wayne Smith stated that this may be a conversation for the future since there is no established proposal as of right now. Councillor Gord Lawlor agreed with W. Smith that this is a conversation for a later date once they have more detail. L. Graham will be in contact with the applicant and figure out the next steps.

6. **Development Application:** 3264-2021
Applicant: Amy Smith
Legal: Lot 51, Block 3, Plan 0720227
Municipal: 5333 – 60 Street
Proposed Development: Temporary Structure – Tented Carport

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to install a temporary structure on the above referenced property. The temporary structure is a 10' x 20' and 6.76' high tarped garage, it is proposed to be located in the rear yard adjoining to a gravel parking pad. The Land Use Bylaw requires Municipal Planning Commission approval for all temporary structures and in a residential district the permit is only valid for a 24 month period at which time the applicant will need to re-apply or remove the temporary structure.

Development Review:

Section 56: Temporary Structures

56.1 A temporary structure may not be erected without permission of the Municipal Planning Commission which may be granted as follows:

56.1.1 Any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;

56.1.2 A residential district provided that:

- (a) No such temporary building shall have a floor area of 20.0 square metres, be more than 3.0 metres in height or set back less than 1.2 metres from the side and rear property lines; and
- (b) The owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;
- (c) There shall be no more than one temporary structure per site;
- (d) A temporary building being used as a garage must be placed in the rear yard only;
- (e) In the case of a pre-manufactured temporary building, the elevations shall be subject to approval of the Municipal Planning Commission; and
- (f) The building is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary building permit shall expire at the end of 24 months, unless renewed by the Development Officer for a further term, and that such building will comply with this Bylaw.

Legislation and Policy:

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

Recommendation:

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

1. The owner/applicant receive a temporary permit for a temporary structure expiring 2 years after date of issuance;
2. The Temporary Structure – Tarped Garage must be of new condition;
3. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
4. The owner/applicant must ensure the side yard setback is 1.2 meters as per Section 56.1.2(a) of Land Use Bylaw #2060-15;
5. 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;
6. 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;
7. The proposed development (Temporary Structure - Tarped Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;

Alternatives:

Defeat the application stating reasons.

Discussion

Councillor Al Campbell asked for clarification on the 24 month permit. Director of Planning and Development Leann Graham indicated that the permit for the temporary structure will only be valid for 24 months at which time the applicant must remove it or reapply.

Moved by Councilor Malcolm Fischer to approve the application as presented.

MOTION CARRIED

Unanimous

7. **Development Application:** 3266-2021
Applicant: James Patko Contracting Inc.
Legal: Lot Unit 43, Plan 9423139
Municipal: #10 6500 – 40 Avenue
Proposed Development: Single Family Dwelling with Attached Garage

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to build a new single family dwelling located at #10 6500 – 40 Avenue. House plans have been provided outlining a total footprint of 213.4 square meters with a 33% site coverage.

Due to the pie shape of the lot and narrow rear yard, the applicant is requesting a front yard variance of 2.8 meters in order to meet the proposed 3.2 meter setback and will maintain the side yard setback of 1.5 meters.

Development Review:

Land Use District – DC2: Direct Control Residential District 2

Existing Land Use – Empty Lot

Proposed Land Use – Single Family Dwelling

- Minimum Front Yard – 6.0 meters required – Proposed 3.2 meters.
- Minimum Side Yard – 1.5 meters – Proposed 1.5 meters.

Maximum Site Coverage – 40% - Proposed 33%.

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 front yard variance of 2.8 meters.
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 650 of the Municipal Government Act with regard to the connection to municipal services.
3. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
4. 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 or otherwise;
5. 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;
6. The proposed development (Single Family Dwelling with Attached Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
7. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services;
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 must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
10. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
11. Applicant must provide the Town of Stettler with an Alberta Home Warranty registration number prior to issuance of a Building Permit;
12. Applicant must provide the Town of Stettler with an Alberta Energy Efficiency Report prior to issuance of a Building Permit;
13. The owner/applicant must obtain a building permit for this development. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

Alternatives:

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

Discussion

Councillor Al Campbell requested clarification on whether the applicant's proposed side yard setback of 1.5 meters is compliant with Land Use Bylaw #2060-15. Director of Planning and Development Leann Graham confirmed that the plan provided by the applicant is compliant with the side yard setback, but the front yard setback is what they are seeking the variance for.

Councillor Gord Lawlor asked upon the completion of this subdivision if it would trigger the original developer to pave the alley. Director of Planning and Development Leann Graham clarified that since the land titles are all under different ownership in that area, the only way pavement would proceed by way of local improvement.

Councillor Al Campbell stated his concern about pavement potentially affecting the drainage. Discussion ensued regarding drainage concerns. L. Graham stated that if the pavement were to move forward, it would need to be engineered.

Moved by Councilor Gord Lawlor to approve the application as presented.

MOTION CARRIED

Unanimous

8. **Adjournment:** The meeting adjourned at 8:45 a.m. on a motion by Councillor Al Campbell.