

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
May 18, 2023

Present:

Councillors Cheryl Barros, Wayne Smith, and Travis Randell, Director of Planning and Development Leann Graham and Planning & Operations Clerks Angela Stormoen and Maddie Standage

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:30 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor Wayne Smith to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the April 26, 2023 MPC Meeting Minutes**

Moved by Councillor Travis Randell that the Minutes of the April 26, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3446-2023

Applicant: Aaron & Tara Nixon

Legal: Lot Pt. 6 & 7, Block 32, Plan 1850Z

Municipal: 4908 – 53 Street

Proposed Development: Detached Garage

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to construct a new detached garage at 4908 – 53 Street and requesting a rear yard /driveway setback variance of 2 meters. The Land Use Bylaw 2060-15 requires a 3-meter rear yard/driveway setback when a detached garage is accessing a lane that is less than 8 meters wide. The proposed detached garage accesses a lane of 6 meters wide and the applicant

is proposing a 1-meter driveway setback to accommodate the required distance between the principal dwelling and the proposed detached garage of 2 meters.

The proposed detached garage rear yard/driveway setback of 1 meter is similar to existing detached garages in the neighborhood and therefore does not impact adjacent properties nor would it interfere with vehicle sightlines or turning radius.

Development Review:

Land Use District – R2: Residential General

Existing Land Use – Residential with a Single Family Dwelling and Attached Garage

Proposed Land Use – Detached Garage

- Definition – means an accessory building or portion thereof is designed and used for the storage, parking, or the maintenance of personal vehicles.

Lane Width – 6 meters

Proposed Rear Yard / Driveway Length Setback – 1 meter

Required Rear Yard / Driveway Length Setback – 3 meters

Proposed Side Yard Setbacks – 0.6 meter

Required Side Yard Setbacks – 0.6 meter

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. The owner/applicant receives a 2 meter rear yard, driveway length variance;
2. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15.
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;
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 must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;

8. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
9. The owner/applicant must obtain a building permit for each dwelling unit of this development following the mandatory 21 day appeal period. (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 Wayne Smith asked if a problem could ever arise granting variances and exceptions to multiple development applications or if doing so would mean we should review our Land Use Bylaw setbacks and regulations.

Acting Director, Angela Stormoen explained that in most cases, and in the case of Development Permit 3446-2023, a variance is given because the applicant is tied to other regulations within the Land Use Bylaw or Alberta Building Code. For Development Permit 3446-2023 the applicants are tied to the 2 metre setback from the principle dwelling which is being met at the proposed location. Director of Planning and Development Leann Graham added that out of the applications that administration receives it is a small percent that ask for variances. Graham proposed that prior to the next MPC administration put together some statistics to present to MPC regarding this.

Moved by Councillor Wayne Smith to approve the application as presented.
MOTION CARRIED
Unanimous

7. The meeting adjourned at 8:35 a.m. on a motion by Councillor Travis Randell.