

MUNICIPAL PLANNING COMMISSION

AGENDA

AUGUST 18, 2023

8:30 A.M. – TOWN OFFICE – UPSTAIRS MEETING ROOM

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the July 11, 2023 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3461-2023
Applicant: S&J Schultz
Legal: Lot 19, Block 22, Plan 0729463
Municipal: 6929 – Meadowview Close
Proposed Development: Driveway
7. Adjournment

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
July 11, 2023

Present:

Councillors Cheryl Barros, Gord Lawlor, Wayne Smith, Scott Pfeiffer, Travis Randell and Kurt Baker, Acting Director of Planning and Development Angela Stormoen and Planning & Operations Clerk Maddie Standage and Maya Brennan

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:29 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor Gord Lawlor to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the June 29, 2023 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the June 29, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Development Application:** 3458-2023

Applicant: Tyler Volker

Legal: Lot 11, Block 18, Plan RN54A

Municipal: 4701 – 49 Street

Proposed Development: Deck and Fence

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to construct a new deck and fence in the front yards of his lot at 4701 – 49 Street. The proposed deck meets the requirements set out in the Town of Stettler Land Use Bylaw 2060-15, however, the applicant is requesting a variance for the height and placement of the proposed fence.

Section 46.2 within the Town of Stettler Land Use Bylaw 2060-15 states: The maximum height of a fence as measured from grade shall be: -2.0 m for that portion of the fence which does not extend beyond the most forward portion of

the principal building on the lot; -1.2 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot.

Therefore, the applicant is requesting a variance of 0.8 meters in height for the portion of the fence that extends beyond the front of the principal dwelling (3 meters west) to align with the new proposed deck.

Furthermore, the applicant is requesting a variance to Section 46.3 of the Town of Stettler Land Use Bylaw 2060-15 which states: Fence construction in all districts must be confined to the property line and shall not encroach onto any adjoining property including road and land right-of-way, utility easements or rights-of way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments as expressly approved by the Development Officer.

The applicant is proposing to erect the fence 1.5 meters beyond the south property boundary into the Towns boulevard.

Due to 4701 – 49 Street being a corner/double fronting lot at 49 Street and 47 Avenue, staff recommendation is that the fence be approved at the requested height of 2.0 meters and the location 3 meters beyond the front of the principal dwelling, however, must be contained within the property boundaries. This would be similar to existing fences in the neighborhood and not impact vehicle sightlines.

Development Review:

Land Use District – R2: Residential General
Existing Land Use – Residential with a Single Family Dwelling and Detached Garage
Proposed Land Use – Front Deck & Fence
Corner / Double Fronting Lot – 49 Street & 47 Avenue

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 variance to allow a 2 meter (6.5 feet) fence extending 3 meters (10 feet) beyond the front portion of the principal dwelling;

2. The owner/applicant must comply with Section 46.3 of the Town of Stettler Land Use Bylaw 2060-15:

Section 46.3 Fence construction in all districts must be confined to the property line and shall not encroach onto any adjoining property including road and land right-of-way, utility easements or rights-of-way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments as expressly approved by the Development Officer.

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;

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 (Front Deck and Fence) shall be located in accordance with the approved plan;

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 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

Alternatives:

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

Discussion:

Councillor Wayne Smith commented in favor of staff's recommendation to approve the variance for the fence extending 3 meters beyond the front portion of the dwelling, but deny the applicant's request to extend the fence 1.5 meters beyond the south property boundary line. Councillor Wayne Smith stated that extending the fence beyond the property boundary would cause sightline concerns.

Moved by Councillor Gord Lawlor to approve the application as presented.
MOTION CARRIED
Unanimous

Adjournment:

6. The meeting adjourned at 8:34 a.m. on a motion by Councillor Kurt Baker.



Request For Decision

Issue:

Development Permit Application: 3461-2023

Applicant: S&J Schultz

Legal: Lot 19, Block 22, Plan 0729463

Civic: 6929 – Meadowview Close

Proposed Development: Driveway

BACKGROUND

General:

The applicant is proposing to extend the existing driveway 4.88 meters north to create a drive-thru lane on their property at 6929 – Meadowview Close. This would create a total driveway width of 10.98 meters. As per the Town of Stettler Land Use Bylaw 2060-15 the maximum allowable driveway width is 10 meters and therefore the applicant is requesting a 0.98 meter variance.

Furthermore, as the proposed development is on a corner lot there is an additional requirement within the sightline section of the Town of Stettler Land Use Bylaw 2060-15 for driveways to be setback from parcel boundaries which form the intersection not less than 6.0 meters. Therefore, the applicant is also requesting a variance of 2.5 meters for the driveway to be located within the sightline restrictions. With the large boulevard and the property line angle of the proposed site (see attached site plan), administration has no concerns with the sightlines pertaining to the proposed development.

The proposed development is a result of landscaping requirements set out in Town of Stettler Development Permit 2961-2016 for the single-family dwelling. Due to the date of construction and landscape requirements not being met to date, administration is recommending a condition for all landscaping at 6929-Meadowview Close as per Development Permit 3461-2016 to be complete no later than September 30, 2023.

Development Review:

Requirements pertaining to the proposed development are regulated within the Land Use Bylaw 2060-15 as follows:

Section 41: Corner / Double Fronting Lot Restrictions

41.1 No person on a corner lot in any District shall erect, place or maintain, within a triangle formed by the boundaries of the site common with the streets abutting them and a straight line connecting points on each of the said boundaries a distance of six metres from the point where they intersect, a wall, fence, shrub, trees, hedge or any object over one metre in height above the lowest street grade adjacent to the intersection.

Section 60: Vehicles

60.5 Driveways

60.5.1 At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than:

(a) 6 metres where the driveway serves not more than 4 dwelling units
60.5.2 The maximum width of a driveway shall be 10 metres.

Key Issues:

Driveway Width – The applicant is proposing a 10.98 meter wide driveway which requires a 0.98 meter variance.

Sightline Restrictions – The applicant is proposing to develop the driveway 2.5 meters into the 6.0 meter sightline restriction from street intersections.

Landscaping requirements – Time restriction to complete landscaping as per Development Permit from 2016

Legislation and Policy:

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

RECOMMENDATION

Recommendation:

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

1. That the applicant receives a front driveway width variance of 0.98 metres;
2. That the applicant receives a front driveway variance of 2.5 meters into 6.0 meter sightline restrictions;
3. The owner/applicant must complete all landscaping requirements as per Town of Stettler Development Permit 2961-2016 no later than September 30, 2023;
4. The owner/applicant must comply with all the provisions of the Town of Stettler 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 (Driveway) 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 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;

Alternatives:

Defeat the application stating reasons.

Author:

Angela Stormoen for Leann Graham, Director of Planning and Development

DEVELOPMENT PERMIT APPLICATION FORM
TOWN OF STETTLER LAND USE BYLAW NO. 2060-15

APPLICATION # 3461-2023 TAX ROLL # _____

APPLICATION TYPE: COMMERCIAL: _____ INDUSTRIAL: _____ INSTITUTIONAL: _____ RESIDENTIAL: _____ OTHER: _____

PROJECT TYPE: NEW CONSTRUCTION: _____ RENOVATION: _____ DEMOLITION: _____ CHANGE IN USE: _____ OTHER: _____

APPLICANT: S. & J Schultz MAILING ADDRESS: Box 2102

CITY: Stettler PROV: Alberta POSTAL CODE: T0C 2L0

PHONE: 403 742 3003 FAX: _____ EMAIL: jsfamily@telus.net

REGISTERED OWNER: S & J Schultz ADDRESS: _____

ADDRESS OF PROPERTY TO BE DEVELOPED: 6929 Meadowview Close

LOT: _____ BLOCK: _____ REGISTERED PLAN: _____

EXISTING USE: _____ LAND USE DISTRICT: _____

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: _____

BUILDING OCCUPANCY CLASSIFICATION **NEW or CHANGE:** _____

**See Reverse for Major Occupancy Classifications and STETTLER REGIONAL FIRE DEPARTMENT REVIEW FORM*

PARCEL TYPE: INTERIOR _____ CORNER _____ PARCEL AREA: _____

SETBACKS OF EITHER EXISTING OR PROPOSED BUILDINGS: _____

FRONT YARD: _____ SIDE YARDS: _____ and _____

**Refer to Alberta Building Code High Intensity Residential Fire Standards if applicable*

REAR YARD: _____ FLOOR AREA: _____ PARCEL COVERAGE: _____ %

HEIGHT OF MAIN BUILDING: _____ NO. OF OFF-STREET PARKING STALLS: _____

EXISTING: _____ PROPOSED: _____ SIZE OF OFF-STREET LOADING SPACE: _____

RTM OR MOBILE HOME MAKE OF UNIT _____ YEAR BUILT _____

PROPOSED ACCESSORY USE OF LAND AND OR BUILDINGS (garages, etc.) driveway

SIZE OF ACCESSORY BUILDING: driveway 36 m X _____ X _____ IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: _____ DRIVEWAY LENGTH: _____

DISTANCE FROM SIDE PARCEL BOUNDARY: _____ PARCEL COVERAGE: _____ %

ESTIMATED COST OF THE PROJECT OR CONTRACT PRICE: not sure

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: between Aug 21-31 /2023

DATE OF APPLICATION: July 10 /2023 SIGNATURE OF APPLICANT: Sena Schultz

APPLICATIONS SHALL BE ACCOMPANIED BY THE FOLLOWING:

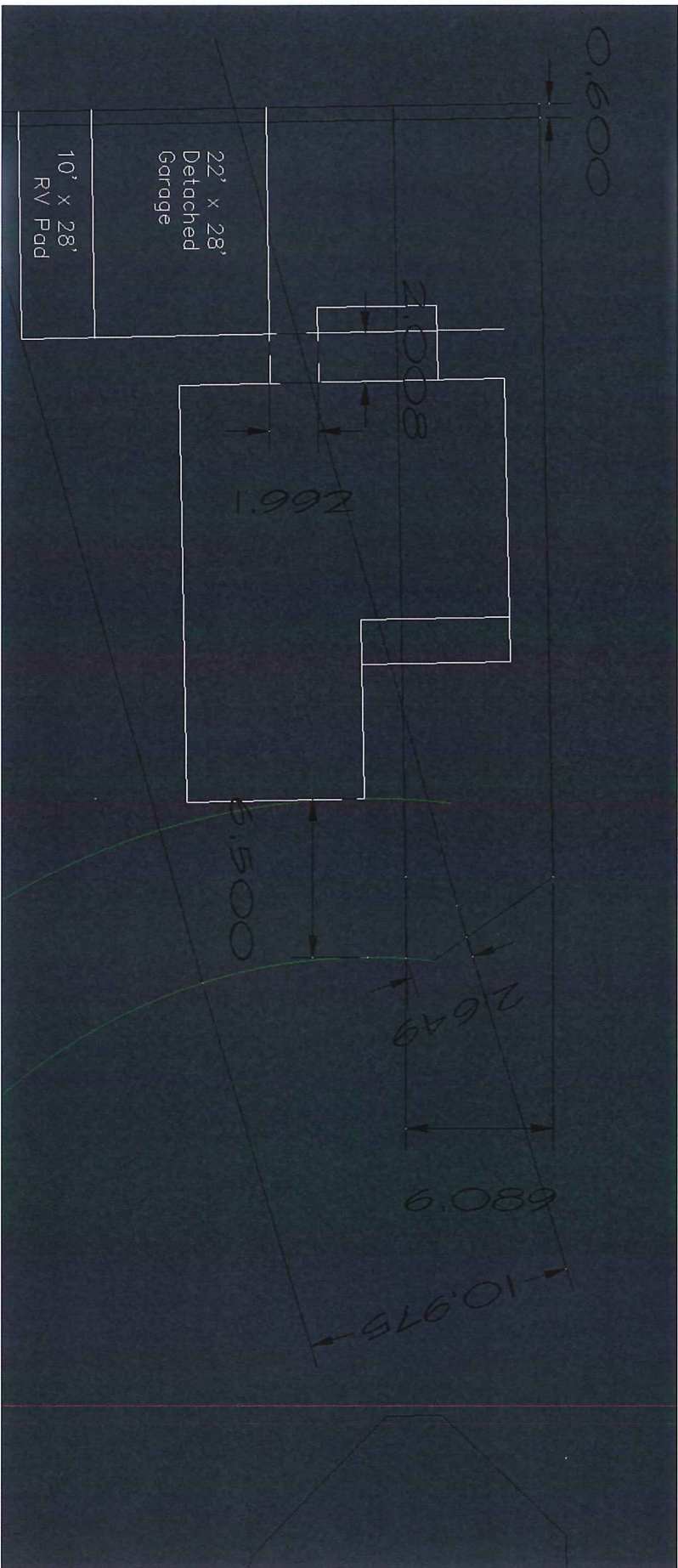
- (1) A **NON-RETURNABLE PROCESSING FEE** (SEE POLICY IV-1 – BUILDING AND DEVELOPMENT PERMIT FEE SCHEDULE)
- (2) A **SCALED SITE PLAN** IN DUPLICATE SHOWING THE TREATMENT OF LANDSCAPED AREAS, IF REQUIRED, THE LEGAL DESCRIPTION, THE FRONT, REAR AND SIDE YARDS, IF ANY, ANY PROVISION OF OFF-STREET LOADING AND VEHICLE PARKING, AND ACCESS AND EGRESS POINTS TO THE PARCEL.
- (3) **SCALED FLOOR PLANS, ELEVATIONS AND BUILDING SECTIONS** IN DUPLICATE.
- (4) FURTHER INFORMATION MAY ALSO BE REQUIRED.

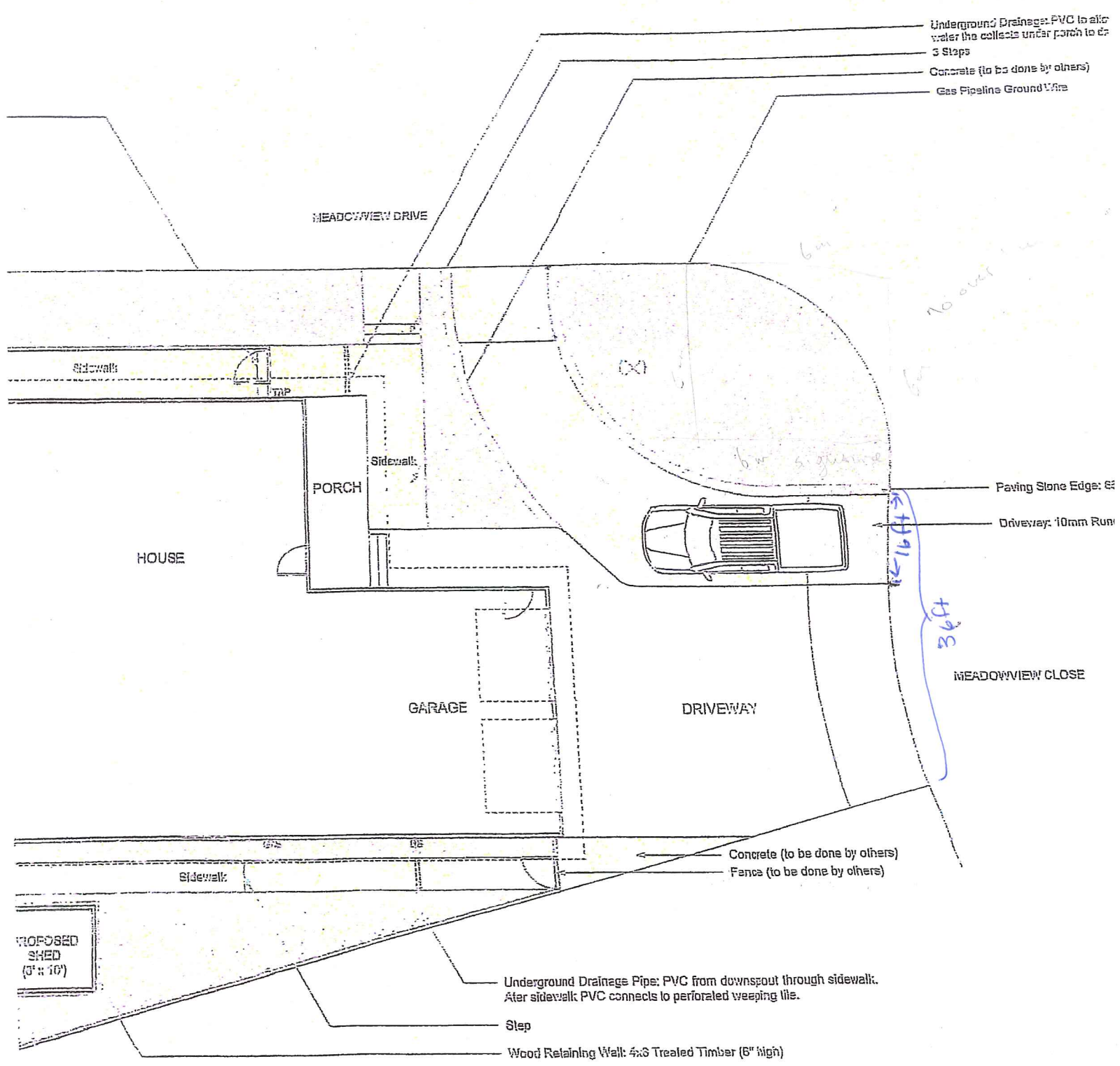
NOTE:

- 1. THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE REQUIRED INFORMATION IS NOT SUPPLIED OR WHERE, IN HIS/HER OPINION, THE QUALITY OF THE MATERIAL SUPPLIED IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.
- 2. THE DEVELOPMENT OFFICER MAY DEAL WITH AN APPLICATION WITHOUT ALL OF THE INFORMATION REQUIRED, IF HE/SHE IS OF THE OPINION THAT A DECISION ON THE APPLICATION CAN BE PROPERLY MADE WITHOUT SUCH INFORMATION.

The personal information on this form is collected under the authority of Section 32 of the Alberta Freedom of Information and Protection of Privacy Act. The information will enable us to process your application and is necessary for municipal operations.

TOWN OF STETTLER OFFICE USE ONLY:	
Building Permit Required: _____	MPC Required: _____ MPC Date: _____ MPC Approval: _____
Business License Required: _____	Alberta Transportation Review (adjacent to Hwy 12 or 56): _____
County Referral Required: _____	Alberta Environment Review (adjacent to Red Willow Creek or Cold Lake): _____
Fire Department Review: _____	Advertisement Date: _____ Permit Issue Date: _____
Engineering Review: _____	Application Accepted By: _____
Water: _____ Transportation: _____	Application Approved By: _____





Underground Drainage: PVC to also
water the collect under porch to 3
Steps
Concrete (to be done by others)
Gas Pipeline Ground Wire

MEADOWVIEW DRIVE

Sidewalk



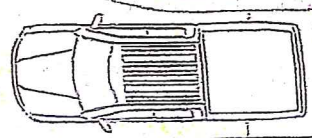
Sidewalk

PORCH

HOUSE

GARAGE

DRIVEWAY



Paving Stone Edge: 6"

Driveway: 10mm Run

16ft

36ft

MEADOWVIEW CLOSE

Sidewalk

Concrete (to be done by others)
Fence (to be done by others)

PROPOSED
SHED
(5' x 10')

Underground Drainage Pipe: PVC from downspout through sidewalk.
After sidewalk PVC connects to perforated weeping tile.

Step

Wood Retaining Wall: 4x3 Treated Timber (6" High)