

MUNICIPAL PLANNING COMMISSION

AGENDA

JANUARY 24, 2022

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 November 8, 2021 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3333-2022
Applicant: Easy Street Shed Co. c/o Joel Boese
Legal: Lot 1-2, Block 72, Plan 3781KS
Municipal: 4511 – 59 Street
Proposed Development: Change In Use
7. **Development Application:** 3334-2022
Applicant: Craig Dobbie
Legal: Lot 29, Block 4, Plan 7722835
Municipal: 3811 – 61 Street
Proposed Development: Detached Garage
8. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
November 8, 2021**

Present

Councillors Cheryl Barros, Gord Lawlor, Travis Randall, Kurt Baker & Wayne Smith,
Director of Planning and Development Leann Graham and Planning & Operations
Clerk Angela Stormoen

1. **Call to Order**

Chairman Cheryl Barros called the meeting to order at 8:31 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor Kurt Baker to accept the agenda as presented.

MOTION CARRIED
Unanimous

4. **Confirmation of the September 9, 2021 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the September 9, 2021 MPC
meeting be approved as presented.

MOTION CARRIED
Unanimous

5. **Business Arising**

None.

6. **Development Application: 3322-2021**

Applicant: Canadian Tire

Legal: Lot 14, Block C, Plan 0825300

Municipal: 6607 – 50 Avenue

Proposed Development: Temporary Structure - Five (5) - metal freight/cargo
storage containers

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

General

The applicant is proposing to place Five (5) - metal freight/cargo storage containers to the south of the Canadian Tire building on lands currently owned by Canalta Real Estate. The applicant has acquired a letter from Canalta Real Estate giving Canadian Tire Stettler permission to use the land for the placement of Five (5) metal freight/cargo storage containers.

The applicant has expressed the need for the metal freight/cargo storage containers to solve storage challenges within the Canadian Tire store. Through conversation regarding the highway commercial zoning and the desire for design guidelines, he has indicated that he would prefer to place the metal freight/cargo storage containers and paint them to match the exterior façade of the building. The applicant has however also included pictures in his application showing the possibility of planting hedges to act as a natural barricade around the metal freight/cargo storage containers and mentioned the possibility of fencing off the area to provide screening from adjacent properties.

Under the current C2: Commercial Highway District, Temporary Structures would be considered a Discretionary Use: All Permitted Uses within the Industrial District. The Industrial District does list a Permitted Use for a Temporary Structure however, Land Use Bylaw Section 56: Temporary Structures states that "56.2 Metal freight/cargo storage containers shall only be permitted in Industrial Land Use Districts."

Additionally, when considering an application for discretionary use, MPC shall have regard to the "design, character and appearance of the proposed development and in particular whether it is compatible with the surrounding properties". Furthermore, when considering a Variance of any regulation in the Land Use Bylaw there are additional considerations regarding impact of neighboring parcels as well as the intent of the district. When considering this proposed development, MPC must consider the residential property to the east as well as the Park and Public Use land to the south as well as the Highway Commercial District and the intent of the Highway Commercial Design Guidelines.

Development Review

See Attached Land Use Bylaw Review of the following sections:

Section 9: Definitions

- **Section 19: Decision** specifically 19.3 Discretionary Uses
- 19.3.3 Shall refuse the application if the proposed development does not conform to this Bylaw

Section 21: Variance Authority

Section 56: Temporary Structures specifically 56.2:

- Metal freight/cargo storage containers shall only be permitted in Industrial Land Use Districts.

Section 85: C2 Commercial Highway District

- Discretionary Use: "All Permitted Uses within the Industrial District"

Section 87: I Industrial District

- Permitted Use: "Temporary Structure"

Section 95: OH Overlay Highway Design Guidelines District

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 refuse Development Permit Application 3157-2019 based on the following reasons:

- 1) As per Section 19 of the Land Use Bylaw 2060-15, the application is for a Discretionary Use ("All Permitted Uses in I District" - "Temporary Structure") in the C2 Highway Commercial District and does not conform to the provisions as set out in the Land Use Bylaw 2060-15:
 - i) Section 56.2 states that Metal freight/cargo storage containers shall only be permitted in Industrial Land Use Districts.
- 2) The application does not meet the intent of the C2: Highway Commercial District.
- 3) The application does not meet the intent of the OH: Overlay Highway Design Guidelines District.
- 4) The application is not conducive to the nature of the surrounding properties and has the potential to negatively impact the use and enjoyment of the adjacent residential and public use properties.

Alternatives

Approve the application with conditions

Discussion

Councillor Wayne Smith mentioned the application is recurring and questioned how to find a solution. Director of Planning and Development Leann Graham noted in accordance with Land Use Bylaw 2060-15 application may be made every 6 months for the same development, however, this application has changed as the original application was for ten (10) metal freight/cargo storage containers (Seacans) and the current application is for five (5) metal freight/cargo storage containers (Seacans).

Councillor Kurt Baker questioned if there has been communication with the adjacent residential area. Director of Planning and Development Leann Graham stated if the application is approved, recommendation would be to include a condition of approval be a direct mail out to the adjacent residential landowners.

Discussion ensued regarding conversation with Canadian Tire owners and corporate to find solutions to the storage challenges.

Councillor Wayne Smith stated his concern would be that if approved it would set a precedent to other businesses and offend previously refused applications with similar request. Also, the effect on the adjacent residential area.

Conversation proceeded in regards to the recommendation and communication to the applicant.

Moved by Councilor Wayne Smith to defeat the application as presented and additionally directed administration to communicate to the applicant we are in favor of a solution to the storage such as:

- a) Work with Canadian Tire corporate to relocate Mark's Work Warehouse to free up the interior space
- b) Work with Canadian Tire corporate regarding storage addition to the East side of the existing building
- c) Construct an accessory building (permanent) on Canadian Tire parcel, or
- d) Construct an accessory building in temporary nature (on skids) on Canalta parcel

MOTION CARRIED
UNANIMOUS

Adjournment

The meeting adjourned at 8:47 a.m. on a motion by Councillor Gord Lawlor.



Request For Decision

Issue:

Development Permit Application: 3333-2022
Applicant: Easy Street Shed Co. c/o Joel Boese
Proposed Location: Lots 1-2, Block 72, Plan 3781KS
Municipal: 4511 – 59 Street
Development: Change in Use

BACKGROUND

General:

The applicant is proposing a change in use for the placement and sale of portable sheds along the west boundary of 4511 – 59 Street (Super 8 Large Truck Parking Lot). The portable sheds are currently located on the west boundary of the lot and are replaced as they sell. The remaining portion of the lot remains a large truck parking lot. The applicant currently has a two-month renewable lease with Super 8 to allow the storage and sale of the sheds.

Under the current zoning of C2: Commercial Highway District, the use of “Parking Facility” and “Similar Use” are Discretionary Uses. We would consider this applicant a “Similar Use” to:

- “Farm Supply Store”
- “Handicraft Business”
- “Temporary Mobile Commercial Sales”

Development Review:

Land Use District – C2: Commercial Highway District
Existing Land Use – Parking Facility
Proposed Use – Parking Facility & Similar Use

DEFINITIONS:

“PARKING FACILITY” means an area of land providing for the parking of motor vehicles. When identified as a specific use in a land use district, this use is contemplated as an exclusive use of a land parcel. Otherwise, parking lots are to be developed in association with other permitted and discretionary uses and in accordance with the regulations found in Part 8 of this Bylaw.

“SIMILAR USE” means a development that is similar, in the opinion of the Municipal Planning Commission Any use that is similar to either a listed permitted and discretionary use within a Land Use District.

- **“FARM SUPPLY STORE”** means establishments which sell their products to the farm industry, and general public. (Permitted Use)
- **“HANDICRAFT BUSINESS”** means the production and selling of handicrafts on a commercial basis. (Permitted Use)

- **“TEMPORARY MOBILE COMMERCIAL SALES”** means the sale of goods from a vehicle or stand for a period not exceeding 180 days per year in the Central Commercial and Highway Commercial Districts. (Discretionary Use)

Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw 2060-15.

RECOMMENDATION

Recommendation:

That the Municipal Planning Commission approve 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 #2060-15;
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 #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. The proposed development (Change In Use) shall be located in accordance with the approved plan; any changes to this plan must be approved by the Town of Stettler;
5. The owner/applicant will ensure that the access and parking area as identified on the approved site plan consist of an adequate base and gravel standard to accommodate the size and load of the proposed Mobile Educational Trailer. The owner/applicant will ensure that this is completed prior to initial placement of the Mobile Educational Trailer;
6. Landscaping as identified on the approved site plan must be completed by the end of the 2021 growing season.

Alternatives:

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

Author:

Leann Graham, Director of Planning and Development

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

APPLICATION # 3333-2022

TAX ROLL # 720170007

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

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

APPLICANT: Easy Street Shed Co. % Joel Boese ADDRESS: Box 1091

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

PHONE: 780 608 8032 FAX: _____ EMAIL: easy street shed company@gmail.com

REGISTERED OWNER: Joel Super 8 Stettler ADDRESS: _____

ADDRESS OF PROPERTY TO BE DEVELOPED: 4511 - 595+ Stettler AB

LOT: 1-2 BLOCK: 72 REGISTERED PLAN: 381K5

EXISTING USE: _____ LAND USE DISTRICT: _____

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: Storage + Sales of Portable Sheds

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.) _____

SIZE OF ACCESSORY BUILDING: _____ 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: _____

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: _____

DATE OF APPLICATION: January 6, 21 SIGNATURE OF APPLICANT: Joel Boese

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:

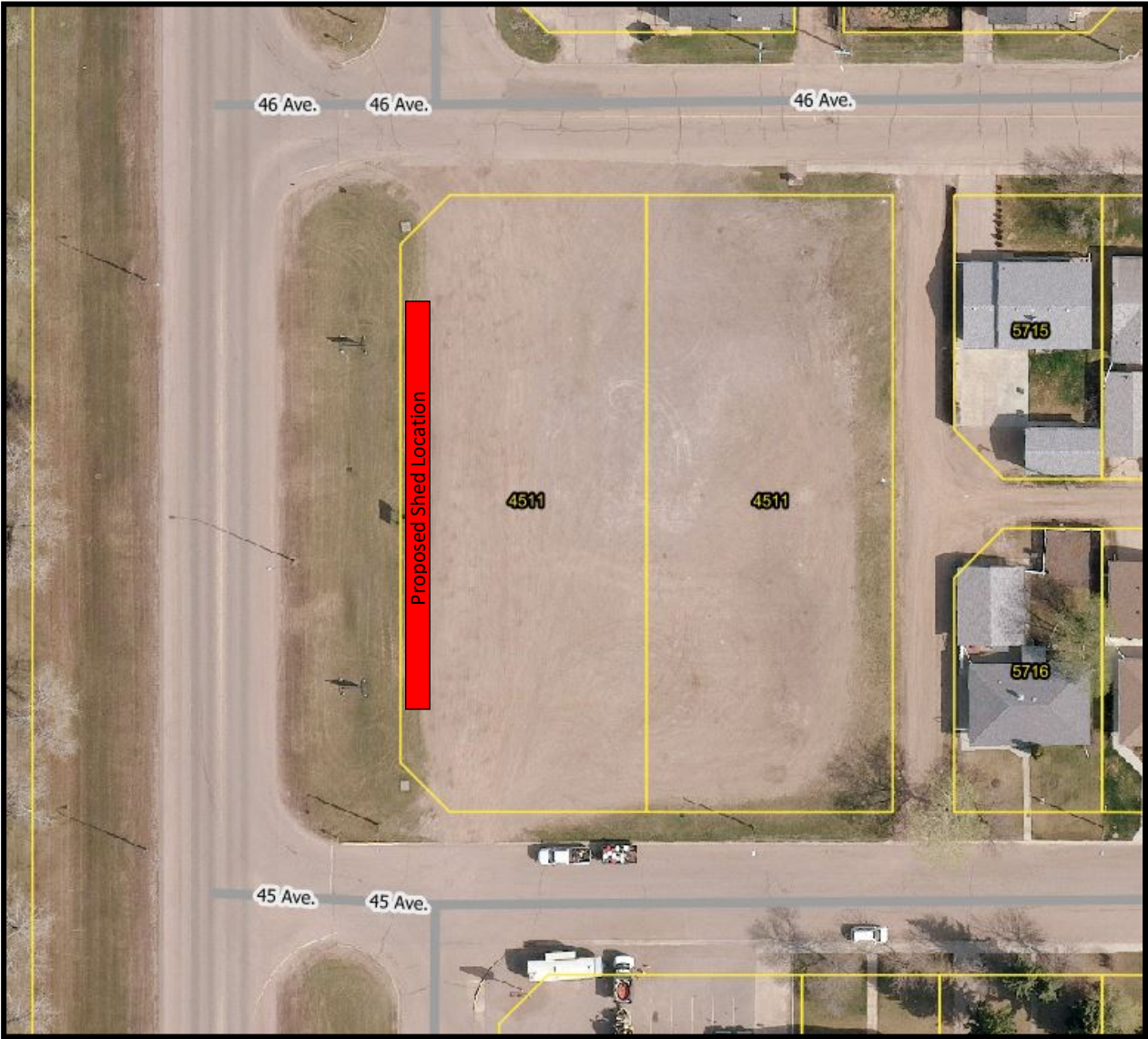
- 1. THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE REQUIRED INFORMATION IS NOT SUPPLIED OR WHERE, IN HIS/HER OPINION, THE QUALITY OF THE MATERIAL SUPPLIED IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.
- 2. THE DEVELOPMENT OFFICER MAY DEAL WITH AN 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: <input type="checkbox"/>	MPC Required: <input type="checkbox"/> MPC Date: _____ MPC Approval: _____
Business License Required: <input type="checkbox"/>	Alberta Transportation Review (adjacent to Hwy 12 or 56): <input type="checkbox"/>
County Referral Required: <input type="checkbox"/>	Alberta Environment Review (adjacent to Red Willow Creek or Cold Lake): <input type="checkbox"/>
Fire Department Review: <input type="checkbox"/>	Advertisement Date: _____ Permit Issue Date: _____
Engineering Review: <input type="checkbox"/>	Application Accepted By: _____
Water: <input type="checkbox"/> Transportation: <input type="checkbox"/>	Application Approved By: _____

Aerial View of 3811 – 61 Street



Angela Stormoen

From: Easy Street Shed Company <easystreetshedcompany@gmail.com>
Sent: January 14, 2022 10:04 PM
To: Angela Stormoen
Subject: Rental Agreement between Super 8 Stettler & Joel Boese/ Easy Street Shed Company
Attachments: Rental Agreement.pdf

Hi Angela,

Here is the rental agreement we have with Super 8. It's pretty basic so I hope it serves the purpose. Let me know what more you need and I'll do best to get it. As I mentioned if the committee is concerned with the two month thing I could see if Super 8 could go longer term. Or feel free to contact Michael at Super 8 for my part if there are concerns.

Thanks,
Joel

Rental Agreement

Date: Jan 14, 2022

Agreement between **Super8 Stettler** and **Derek Wohlgemuth** and **Joel Boese** to rent the parking area beside Grandview grocery.

Tenants agree to rent this parking lot on a month to month basis for \$ 500 per month payable.

They will pay for the month of January 26, 2022 - March 26, 2022 . (Two month rent)

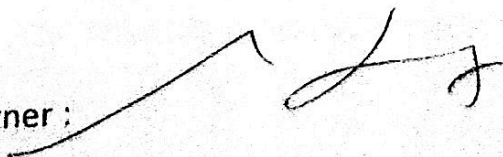
TENANTS AGREE TO THE FOLLOWING:

- To keep the parking areas clean.
- To keep on making loud noises and disturbances and play music and broadcast programs at all times so as not to disturb other's people peace and quiet.
- To pay for any garbages left on the premises, they or their guest caused.

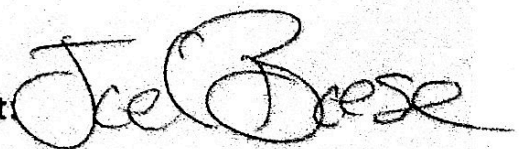
Violation of any part of this Agreement or nonpayment of rent when due shall be cause for eviction under applicable code sections.

Tenant(s) hereby acknowledge that they have read the Agreement, understand it, agree to it, and have been given a copy.

Owner :



Tenant





Request For Decision

Issue:

Development Permit Application: 3334-2022
Applicant: Craig Dobbie
Legal: Lot 29, Block 4, Plan 7722835
Civic: 3811 – 61 Street
Proposed Development: Detached Garage

BACKGROUND

General:

The applicant is proposing to construct a new detached garage at 3811 - 61 Street and is requesting a variance to the height of the building in accordance with the accessory building restrictions in a R3A Residential Mobile Home Subdivision District.

The accessory building requirements within the Town of Stettler Land Use Bylaw #2060-15 Section 34 states the following:

Section 34.2.2: An accessory building shall not exceed 6.5 m, or the height of the principal dwelling, whichever is less. In mobile home districts an accessory building must not exceed 4.5 m in height.

The applicant is requesting to build a detached garage 5.18 meters in height which would be the same height as the existing mobile home. In the past we have approved applications in alternate residential districts in accordance with the above section, therefore, we would recommend approval of the proposed detached garage as it does not exceed the height of the principal dwelling.

Development Review:

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

- Minimum Front Yard – 6 meters required – proposed 6 meters
- Minimum Side Yard – 0.6 meters required – Proposed 0.6 meters
- Minimum Distance to Mobile Home – 2.0 meters – Proposed 1.2 meters (meets Alberta Building Code requirements, therefore does not require a variance)
- Maximum Height – 4.5 meters required – Proposed 5.18 meters (requires 0.68 meter variance)
- Maximum Parcel Coverage – 35% coverage – proposed 34%

Key Issues:

Height – The applicant is proposing a 5.18 meter high detached garage which requires a 15% variance.

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 height of the detached garage be at the same height of the mobile home at 5.18 meters.
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; 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 21 day appeal period

Alternatives:

Defeat the application stating reasons.

Author:

Leann Graham, Director of Planning and Development

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

APPLICATION # 3334-2022 TAX ROLL # 204298009

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

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

APPLICANT: Craig Dobbie ADDRESS: 3811 61st

CITY: Stettler PROV: AB POSTAL CODE: T0C2L1

PHONE: 403 740 9657 FAX: _____ EMAIL: cdobbie78@gmail.com

REGISTERED OWNER: Craig Dobbie ADDRESS: 3811 61st

ADDRESS OF PROPERTY TO BE DEVELOPED: 3811 61st

LOT: 29 BLOCK: 4 REGISTERED PLAN: 772 2835

EXISTING USE: Residential LAND USE DISTRICT: R3A

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: Detached Garage 20x25'

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.) Detached Garage 20x25'

SIZE OF ACCESSORY BUILDING: 20' w X 25' D X 15.5' IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: _____ DRIVEWAY LENGTH: _____

DISTANCE FROM SIDE PARCEL BOUNDARY: _____ PARCEL COVERAGE: 33 %

ESTIMATED COST OF THE PROJECT OR CONTRACT PRICE: \$40,000

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: Sept 1, 2022

DATE OF APPLICATION: Jan 13, 2022 SIGNATURE OF APPLICANT: [Signature]

- APPLICATIONS SHALL BE ACCOMPANIED BY THE FOLLOWING:
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Engineering Review: <input type="checkbox"/>	Application Accepted By: _____
Water: <input type="checkbox"/> Transportation: <input type="checkbox"/>	Application Approved By: _____

