

MUNICIPAL PLANNING COMMISSION

AGENDA

AUGUST 4, 2022

8:30 A.M. – TOWN OFFICE – COUNCIL CHAMBERS

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the July 14, 2022 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3377-2022
Applicant: Micheal Paradis
Legal: Lots 11-12, Block 21, Plan RN54A
Municipal: 4901 – 48 Street
Proposed Development: Temporary Structure
7. **Development Application:** 3391-2022
Applicant: Lee Birkett
Legal: Lot 10, Block 6, Plan RN54
Municipal: 4902 – 49 Street
Proposed Development: Basement Suite – Dwelling, Single Detached
8. **Development Application:** 3393-2022
Applicant: Nutrien Ag Solutions (Canada)
Legal: Lots 12 & 13, Block 56, Plan 9524556
Municipal: 4302 & 4310 – 53 Street
Proposed Development: Security Fence (Chain Link)
9. **Development Application:** 3395-2022
Applicant: Stettler Regional Fire Department
Legal: Lot 20, Block 29, Plan 1423410
Municipal: 4805 – 47 Avenue
Proposed Development: Accessory Use – Metal Freight Container
10. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
JULY 14, 2022**

Present:

Councillors Scott Pfeiffer, Travis Randell and Kurt Baker, and Planning & Operations Clerks Angela Stormeon and Maddie Standage

1. **Call to Order:** Chairman Scott Pfeiffer called the meeting to order at 8:45 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

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

MOTION CARRIED

Unanimous

4. **Confirmation of the July 7, 2022 MPC Meeting Minutes**

Moved by Councillor Travis Randell that the Minutes of the July 7, 2022 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

Acting Director, Angela Stormoen advised that the applicant for Development Permit 3380-2022 had contacted administration regarding the possibility to relocate the existing deck with the house. The applicant had originally proposed to construct a landing to the front door. Angela Stormoen advised that the house would still meet all required set backs if the applicant decides to relocated the existing deck with the house.

6. **Development Application:** 3382-2022
Applicant: Kneeland and Sons Construction Ltd.
Legal: Lot 22-24, Block 4, Plan RN54
Municipal: 5009, 5011, 5013 – 49 Street
Proposed Development: Duplex and Rowhouse

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to construct one duplex and one rowhouse over the three lots currently address as 5009, 5011 and 5013 on 49 Street. This area in town is already developed with rowhouses to the south and the west, across the street.

The applicant is proposing each unit to have an attached, two car garage which will meet the parking requirements as outlined in Land Use Bylaw 2060-15.

The proposed development is located in Land Use District C1A: Commercial Transitional District and as such the Dwelling - Rowhouse is permitted but the Dwelling - Duplex is discretionary falling under "Similar Use" requiring an MPC decision.

The applicant will be required to ensure all dwellings are built to the current Alberta Building Code standards, including proper fire separation between units, hard wired fire alarms, proper egress from basement windows, etc.

Development Review:

Land Use District – C1A: Commercial Transitional District

Existing Land Use – Vacant

Proposed Land Use – Dwelling – Rowhouse

- Definition – means a building on a lot or lots that consist of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment" or "four-plex". Units are attached at the side walls, each having frontage onto a public or private condominium road. A row house dwelling unit may be located on a separate lot if the lot is registered after construction of the row house dwelling.
 - Dwelling – Duplex
- Definition – means a building containing two dwelling units, either one above the other or side by side, each of which has an independent entrance, either directly from outside the building or through a common vestibule. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

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 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 owner/applicant must provide two off street parking stalls per dwelling unit;
5. The proposed development (Duplex and Rowhouse) 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 shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services;
8. Landscaping must be completed by the end of the first growing season following the date of approval;
9. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
10. Applicant must provide the Town of Stettler with an Alberta Home Warranty registration number prior to issuance of each Building Permit;
11. Applicant must provide the Town of Stettler with an Alberta Energy Efficiency Report prior to issuance of each Building Permit;
12. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
13. 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

Discussion ensued regarding the existing developed rowhouses in the area and that continuing to build shared-wall houses on the remaining lots is the natural progression for this area.

Moved by Councillor Kurt Baker to approve the application as presented.

MOTION CARRIED

Unanimous

7. The meeting adjourned at 8:50 on a motion by Councillor Travis Randell.



Request For Decision

Issue:

Development Permit Application: 3377-2022
Applicant: Micheal Paradis
Proposed Location: Lot 11-12, Block 21, Plan RN54A
Municipal: 4901 – 48 Street
Development: Temporary Structure

BACKGROUND

General:

The applicant is proposing to install a temporary structure on the above referenced property. The temporary structure is a 10' x 20' tarped garage. The proposed location is in the rear yard, with 3.6 meter (12 feet) rear yard setback (see attached site plan).

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. The applicant has been made aware of this condition prior to the application being made and has shared the long term plan of building a full garage in the coming years.

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

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 and rear yard setbacks are 1.2 meters or greater 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.

Author:

Angela Stormoen acting for Leann Graham, Director of Planning and Development

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

APPLICATION # 3377-2022 TAX ROLL # 21130006

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

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

APPLICANT: Michael Paradis ADDRESS: 4901 ~~48 St~~ Box 492

CITY: Stettler PROV: AB POSTAL CODE: T0C 2L6

PHONE: 403-916-4684 FAX: _____ EMAIL: michael@paradis.comtech

REGISTERED OWNER: Michael Paradis ADDRESS: 4901 ~~48 St~~ Box 492

ADDRESS OF PROPERTY TO BE DEVELOPED: 4901 - 48 St

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.) carport (portable)

SIZE OF ACCESSORY BUILDING: 12 10 x 18 00 x under 12' IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: 12' DRIVEWAY LENGTH: 12'

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

ESTIMATED **COST OF THE PROJECT** OR CONTRACT PRICE: _____

ESTIMATED **DATES OF COMMENCEMENT AND COMPLETION**: 06/25/2022

DATE OF APPLICATION: 06/23/2022 **SIGNATURE OF APPLICANT**: 

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: _____



Toldo con armazón de acero

Structure de protection avec cadre en acier

Steel Frame Canopy

10 ft x 20 ft
3 m x 6 m
10 pi x 20 pi

**NO TOOLS REQUIRED
AUCUN OUTIL NÉCESSAIRE
NO REQUIERE HERRAMIENTAS**

INCLUDES:
Heavy-duty powder-coated steel frame
7 support posts
8 heavy-duty tie-downs
8 tie-downs with ratchet covers
8 tie-downs with ratchet covers and discs at both ends
8 tie-downs with ratchet covers and discs at both ends

CONTIENE:
Armazón de acero resistente con recubrimiento pulverizado
7 postes de soporte con protección UV
8 correas laterales enrollables
8 placas base para asegurar la estructura al suelo
12 postes de sujeción al suelo
50 correas elásticas

CARACTERÍSTICAS:
4 ventanas con tela de malla enrollables
Puertas enrollables con cierre en ambos extremos
Puerta lateral adicional con cierre y con marquesina de altura ajustable

INCLUDES:
Armazón de acero resistente con recubrimiento pulverizado
7 postes de soporte con protección UV
8 correas laterales enrollables
8 placas base para asegurar la estructura al suelo
12 postes de sujeción al suelo
50 correas elásticas

CARACTERÍSTICAS:
4 ventanas con tela de malla enrollables
Puertas enrollables con cierre en ambos extremos
Puerta lateral adicional con cierre y con marquesina de altura ajustable

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50 correas elásticas



**NO TOOLS REQUIRED
AUCUN OUTIL NÉCESSAIRE
NO REQUIERE HERRAMIENTAS**



Request For Decision

Issue:

Development Permit Application: 3391-2022
Applicant: Lee Birkett
Proposed Location: Lot 10, Block 6, Plan RN54
Municipal: 4902 – 49 Street
Development: Basement Suite – Dwelling, Single Detached Only

BACKGROUND

General:

The applicant is proposing a basement suite at 4902 – 49 Street. The applicant recently purchased the property with the dwelling containing a pre-existing illegal basement suite. Therefore, they would like to make the appropriate changes to create a legal/compliant basement suite. The applicant is prepared to make changes to ensure compliance with the Alberta Building Code including proper fire separation between units, hard wired fire alarms, separate heating systems, proper egress from basement windows, etc.

The basement suite includes two bedrooms and will require 4 off street parking stalls to accommodate 2 stalls/dwelling unit as per the Town of Stettler’s Land Use Bylaw 2060-15.

The proposed development is located in Land Use District R2A: Residential Mixed and as such the basement suite is considered a discretionary use.

Development Review:

Land Use District – R2A – Residential Mixed
Existing Land Use – Dwelling, Single Detached
Proposed Land Use – Basement Suite – Dwelling, Single Detached Only

- Definition – means a basement developed as a dwelling unit within a Single Family Dwelling and approved by the Development Authority all dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

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 applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
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 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 (Basement Suite) shall be located in accordance with the approved plan;
5. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
6. The applicant must provide four off street parking stalls to accommodate each dwelling unit;
7. The 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 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.

Author:

Angela Stormoen acting for Leann Graham, Director of Planning and Development

DEVELOPMENT PERMIT APPLICATION FORM
TOWN OF STETTLER LAND USE BYLAW NO. 2080-15

APPLICATION # _____ TAX ROLL # _____

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

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

X APPLICANT: LEE BIRKETT ADDRESS: 4902 49 STREET
CITY: STETTLER PROV: AB POSTAL CODE: T6C 2L2
PHONE: 780 902 5595 FAX: _____ EMAIL: LBRKTT@GMAIL.COM

REGISTERED OWNER: _____ ADDRESS: _____

ADDRESS OF PROPERTY TO BE DEVELOPED: 4902 49 STREET, STETTLER

LOT: _____ BLOCK: _____ REGISTERED PLAN: _____

EXISTING USE: SINGLE FAMILY LAND USE DISTRICT: _____

X MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: RESIDENTIAL
SECONDARY (BASEMENT) SUITE ADDITION REGISTRATION

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: EXISTING BUILDINGS (HOUSE + GARAGE)

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: 4

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

RTM OR MOBILE HOME MAKE OF UNIT _____ YEAR BUILT 1949

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: _____%

X ESTIMATED COST OF THE PROJECT OR CONTRACT PRICE: EXISTING BASEMENT SUITE (~800 SF)

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: _____

DATE OF APPLICATION: JUL 18, 2022 SIGNATURE OF APPLICANT: [Signature]

- 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.

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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: _____

4902 49 STREET

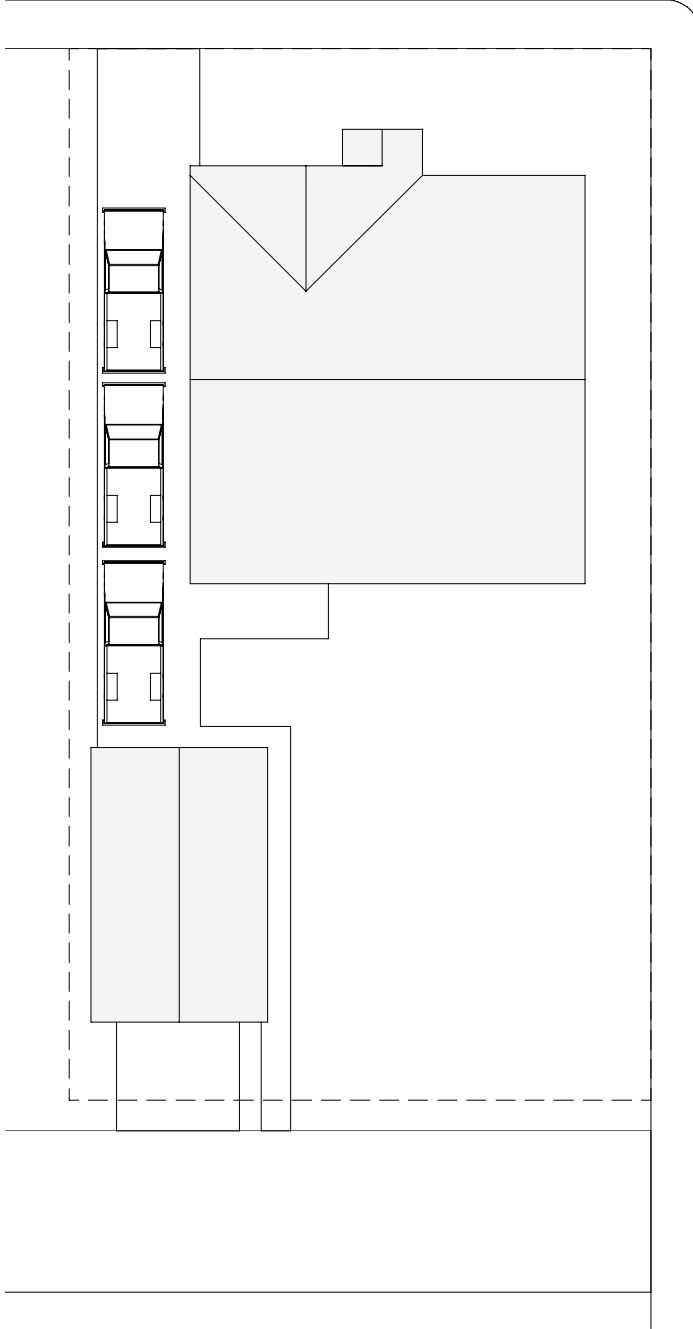
PLANS

SITE PLAN

Date JULY 2022 Scale 1 : 200

2022-07-25 1:07:51 PM

49th STREET



49th AVENUE

SITE PLAN

1

1 : 200

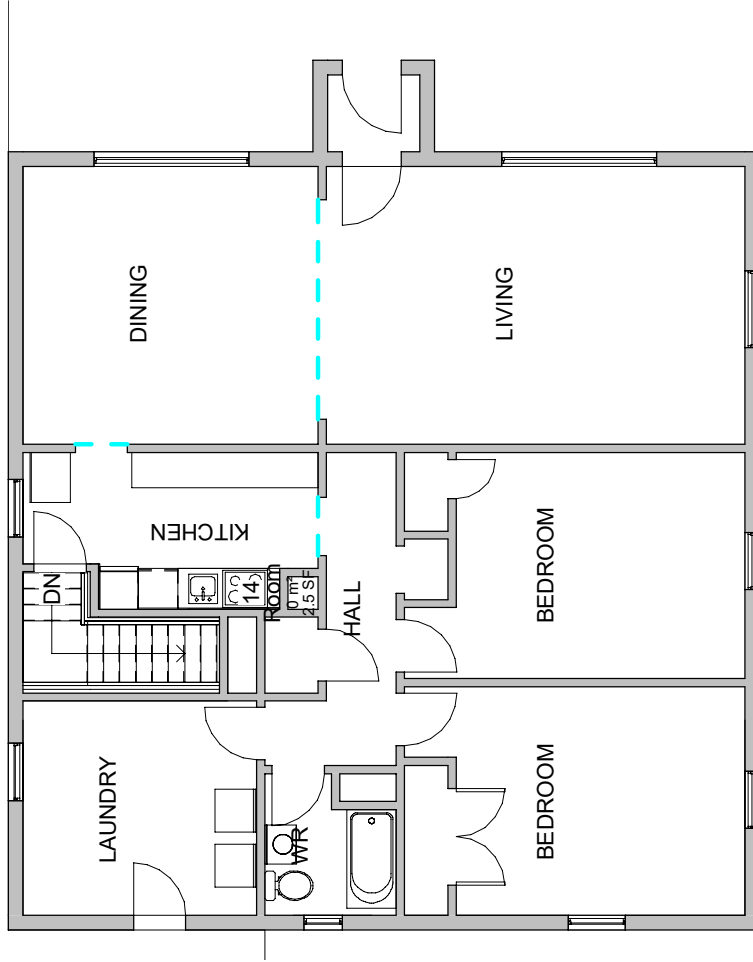
4902 49 STREET

PLANS

MAIN FLOOR

Date JULY 2022 Scale 1 : 100

2022-07-25 1:07:51 PM



1 MAIN FLOOR

1 : 100

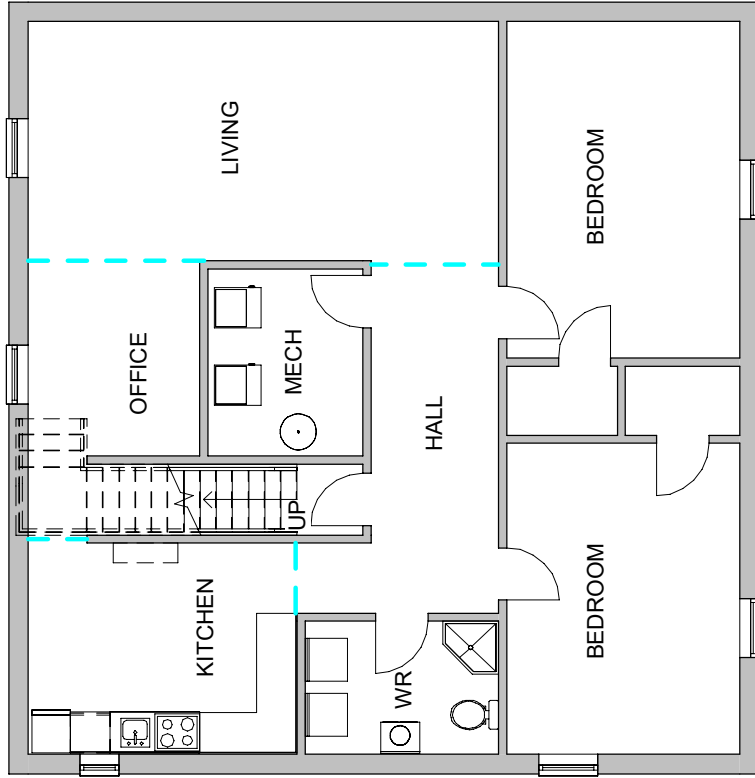
4902 49 STREET

PLANS

BASEMENT

Date JULY 2022 Scale 1 : 100

2022-07-25 1:07:51 PM



1 BASEMENT
1 : 100

Issue:

Development Permit Application: 3393-2022
Applicant: Nutrien Ag Solutions (Canada)
Legal: Lot 12 & 13, Block 56, Plan 9524556
Municipal: 4302 & 4310 – 53 Avenue
Proposed Development: Security Fence (Chain-link)

BACKGROUND

General:

The applicant is proposing a chain-link fence along the full property boundary of the Nutrien Ag Solutions Yard. Due to security concerns and the hazardous material stored at this location they are proposing barbwire across the top of the fence and a locking gate.

Within Section 45: Fencing & Screening of Land Use Bylaw 2060-15 any fence with security features such as barbed wire within the industrial and highway commercial land use districts require approval.

Development Review:

Land Use District – I: Industrial District
Existing Land Use – Fertilizer/Chemical Sales
Proposed Development: Security Fence

Section 45:

- 45.1 Fences shall complement the character and quality of the principal building.*
- 45.2 The maximum height of a fence as measured from grade shall be:
 - 45.2.1 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;*
 - 45.2.2 1.2 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot; and*
 - 45.2.3 In the case of corner lots pursuant to Section 40.**
- 45.3 Fence construction in all districts must be confined to the property line and shall not encroach onto any adjoining property including road and lane rights-of-way, utility easements or rights-of-way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments, are expressly approved by the Development Officer.*
- 45.6 Notwithstanding 45.2, a higher fence or a fence with barbed or other security features may be approved for public safety, security, privacy or buffering purposes within the industrial and highway commercial land use districts.*

Legislation and Policy:

Staff has assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw 2060-15 and Commercial and Industrial Site and Building Design Guidelines.

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 (Security Fence (Chain-link)) 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 must supply any sign details and obtain approval from the Town of Stettler's Development Authority prior to installation.

Alternatives:

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

Author:

Angela Stormoen, acting for Leann Graham, Director of Planning and Development

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

APPLICATION # 3393-2002 TAX ROLL # 356126000 &

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

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

APPLICANT: Nutrien Ag Solutions (Canada) ADDRESS: 4310-53 Ave.

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

PHONE: 403-742-8540 FAX: _____ EMAIL: grant.cameron@nutrien.com

REGISTERED OWNER: Nutrien Ag ADDRESS: Box 1984 Stettler

ADDRESS OF PROPERTY TO BE DEVELOPED: 4310 - 53 Avenue & 4302 - 53 Avenue

LOT: 12 & 13 BLOCK: 5B REGISTERED PLAN: 9524556

EXISTING USE: Industrial LAND USE DISTRICT: Industrial

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: Security Fence (Chainlink)

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: \$40,000.00

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: Sept 2022 thru October 2022

DATE OF APPLICATION: July 29 2022 SIGNATURE OF APPLICANT: Grant Cameron

- 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 54): <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"/> Irrigation: <input type="checkbox"/>	Application Approved By: _____

Town of Stettler
5031 50 St
Stettler, AB T0C 2L1

July 29, 2022

To Whom It May Concern,

We would like to get a security fence around the premises of our retail. With the growing number of theft and vandalism, we feel that our security system is not suffice. Our retail carries a lot of hazardous materials and high-risk equipment/machinery. With the new upgrades to our retail, our head office feels this would help limit and detoured unwanted visitors and trespassers.

The fence we are looking into is a chain link fence with barbwire on the top and a locking gate.

Thanks for the consideration,


Grant Cameron, Retail Manager

Nutrien
Ag Solutions

Box 1984
4310-53 Ave
Stettler, AB T0C 2L0
(1)403-742-8540

4302 & 4310 – 53 Avenue

Proposed Fence Location

Legend:

■ Municipal Reserve ■ Proposed Fence



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

APPLICATION # _____ **TAX ROLL #** _____

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

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

APPLICANT: _____ ADDRESS: _____

CITY: _____ PROV: _____ POSTAL CODE: _____

PHONE: _____ FAX: _____ EMAIL: _____

REGISTERED OWNER: _____ ADDRESS: _____

ADDRESS OF PROPERTY TO BE DEVELOPED: _____

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.) _____

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: _____ **SIGNATURE OF APPLICANT:** _____

- 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:**
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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: _____

MAJOR OCCUPANCY CLASSIFICATION

<p><u>GROUP A, DIVISION 1</u></p> <ul style="list-style-type: none"> ▪ Motion Picture Theatres ▪ Opera Houses ▪ Television Studio admitting audiences ▪ Theatres, including experimental theatres <p><u>GROUP A, DIVISION 2</u></p> <ul style="list-style-type: none"> ▪ Art Galleries ▪ Auditoria ▪ Bowling Alleys ▪ Churches and similar places of worship ▪ Clubs, nonresidential ▪ Community Halls ▪ Courtrooms ▪ Dance Halls ▪ Exhibition Halls ▪ Gymnasias ▪ Lecture Halls ▪ Libraries ▪ Licensed Beverage Establishments ▪ Museums ▪ Passenger Stations and Depots ▪ Recreational Piers ▪ Restaurants ▪ Schools and Colleges, nonresidential ▪ Undertaking Premises <p><u>GROUP A, DIVISION 3</u></p> <ul style="list-style-type: none"> ▪ Arenas ▪ Indoor Swimming Pools, with or without spectator seating ▪ Rinks <p><u>GROUP A, DIVISION 4</u></p> <ul style="list-style-type: none"> ▪ Amusement Park Structures ▪ Bleachers ▪ Grandstands ▪ Reviewing Stands ▪ Stadia <p><u>GROUP B, DIVISION 1</u></p> <ul style="list-style-type: none"> ▪ Jails ▪ Penitentiaries ▪ Police Stations with detention quarters ▪ Prisons ▪ Psychiatric Hospitals without detention quarters ▪ Reformatories without detention quarters <p><u>GROUP B, DIVISION 2</u></p> <ul style="list-style-type: none"> ▪ Children's Custodial Homes ▪ Convalescent Homes ▪ Hospitals ▪ Infirmaries ▪ Nursing Homes ▪ Orphanages ▪ Sanitoria without detention quarters <p><u>GROUP C</u></p> <ul style="list-style-type: none"> ▪ Apartments ▪ Boarding Houses ▪ Clubs, residential ▪ Colleges, residential ▪ Convents ▪ Dormitories ▪ Hotels ▪ Houses ▪ Lodging Houses ▪ Monasteries ▪ Motels ▪ Schools, residential <p><u>GROUP D</u></p> <ul style="list-style-type: none"> ▪ Banks ▪ Barber and Hairdressing Shops ▪ Beauty parlours ▪ Dental office ▪ Dry Cleaning establishments, self-service, not using flammable or explosive solvents or cleaners 	<p><u>GROUP D CON'T</u></p> <ul style="list-style-type: none"> ▪ Laundries, self-service ▪ Medical offices ▪ Offices ▪ Police stations without detention quarters ▪ Radio stations ▪ Small tool and appliance rental and service establishments <p><u>GROUP E</u></p> <ul style="list-style-type: none"> ▪ Department stores ▪ Exhibition halls ▪ Markets ▪ Shops ▪ Stores ▪ Supermarkets <p><u>GROUP F, DIVISION 1</u></p> <ul style="list-style-type: none"> ▪ Bulk plants for flammable liquids ▪ Bulk storage warehouses for hazardous substances ▪ Cereal mills ▪ Chemical manufacturing or processing plants ▪ Distilleries ▪ Dry cleaning plants ▪ Feed mills ▪ Flour mills ▪ Grain elevators ▪ Lacquer factories ▪ Mattress factories ▪ Pant, varnish and pyroxylin product factories ▪ Rubber processing plants ▪ Spray painting operations ▪ Waste paper processing plants <p><u>GROUP F, DIVISION 2</u></p> <ul style="list-style-type: none"> ▪ Aircraft hangars ▪ Box factories ▪ Candy plants ▪ Cold storage plants ▪ Dry cleaning establishment not using flammable or explosive solvents or cleaners ▪ Electrical substations ▪ Factories ▪ Freight depots ▪ Helicopter landing area on roofs ▪ Laboratories ▪ Laundries, except self service ▪ Mattress factories ▪ Planning mills ▪ Pre-packaged agricultural chemical warehouse ▪ Printing plants ▪ Repair garages ▪ Saleroom ▪ Service stations ▪ Storage rooms ▪ Television studios not admitting a viewing audience ▪ Warehouses ▪ Wholesale rooms ▪ Woodworking factories ▪ Workshops <p><u>GROUP F, DIVISION 3</u></p> <ul style="list-style-type: none"> ▪ Creameries ▪ Factories ▪ Laboratories ▪ Power plants ▪ Salesroom ▪ Sample display rooms ▪ Storage garages, including open air parking garages ▪ Storage rooms ▪ Warehouses ▪ Workshops 	<p>STETTLER REGIONAL FIRE DEPARTMENT REVIEW FORM:</p> <p>BUILDING OCCUPANCY CLASSIFICATION:</p> <hr/> <p>TYPE OF CONSTRUCTION:</p> <hr/> <p>SIZE OF BUILDING:</p> <hr/> <p># OF STOREY'S:</p> <hr/> <p>ENVIRONMENTAL IMPACTS (What is stored in the building):</p> <hr/> <p>EXPOSURES (Adjacent buildings and/or sites):</p> <hr/> <p>DISTANCES TO EXPOSURES:</p> <hr/>
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Request For Decision

Issue:

Development Permit Application: 3395-2022
Applicant: Stettler Regional Fire Department
Proposed Location: Lot 20, Block 29, Plan 1423410
Municipal: 4805 – 47 Avenue
Development: Accessory Use - Metal Freight Container

BACKGROUND

General:

The applicant is proposing the placement of a 40' by 8' sea can for the purpose of storage for training equipment. The proposed location of the sea can is the northwest corner of the fenced portion of the lot. (See attached site plan) The sea can will be new condition, dark grey in colour and meet all Alberta Building Code standards including egress requirements.

Under the current zoning R2: Residential General District, Accessory Use is listed as a Discretionary Use, furthermore, Section 56.2 of Land Use Bylaw 2060-15 states '*Metal freight/cargo storage container shall only be permitted in Industrial Land Use Districts.*' Due to the current use of the fire hall at this location administration is proposing Municipal Planning Commission consideration as per the following sections within the Land Use Bylaw 2060-15:

Section 21: Variance Authority

21.1 The Municipal Planning Commission may allow a variance of any standard prescribed in this bylaw provided the variance complies with the requirements of the Alberta Building Code, and the variance does not:

21.1.1 unduly affect the neighbourhood which includes variances for non-conforming buildings.

21.1.2 materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

21.1.3 the proposed development conforms to the use prescribed for the land in this bylaw.

21.2 In considering a variance the Municipal Planning Commission shall:

21.2.1 Not grant a variance which would infringe the Airport zoning regulations; and

21.2.2 Not grant a variance which would infringe the floodway/flood fringe regulations; and

21.2.3 Have regard to the purpose and intent of the district and the nature and value of developments on adjacent properties.

Section 19: Decision

19.1 *The Development Officer and/or Municipal Planning Commission may issue a development permit with any condition deemed necessary to ensure that the development complies with the Municipal Government Act, this bylaw and any or all statutory plans.*

19.2 *In making a decision on a Development Permit application for a Discretionary Use, the Municipal Planning Commission:*

19.2.1 *May approve the application if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or,*

19.2.2 *May refuse the application even though it meets the requirements of this Bylaw; or,*

19.2.3 *Shall refuse the application if the proposed development does not conform to this Bylaw.*

19.3 *In reviewing a development permit application for a Discretionary Use, the Municipal Planning Commission shall have regard to:*

19.3.1 *The circumstances and merits of the application, including but not limited to:*

(a) *The impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;*

(b) *The design, character and appearance of the proposed development and in particular whether it is compatible with the surrounding properties; and,*

(c) *The servicing requirements for the proposed development.*

(d) *The purpose and intent of any statutory plan adopted by the Town; and,*

(e) *The purpose and intent of any non-statutory plan or pertinent policy adopted by the Town.*

Development Review:

See Attached Land Use Bylaw Review of the following sections:

Section 9: Definitions

Section 19: Decision specifically 19.3 Discretionary Uses

Section 21: Variance Authority

Section 56: Temporary Structures specifically 56.2

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 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 shall ensure the Metal Freight Container is finished to a new standard, approved by the Town of Stettler Development Authority.
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 (Accessory Use – Metal Freight Container) shall be located in accordance with the approved plan; any changes to this plan must be approved by the Town of Stettler;
6. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
7. The owner/applicant must obtain a building permit for this development following the mandatory 21 day appeal period.

Alternatives:

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

Author:

Angela Stormoen, acting for Leann Graham, Director of Planning and Development

Development Review for Development Permit Application 3395-2022

Section 9: Definitions

“**ACCESSORY USE**” means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

“**TEMPORARY STRUCTURE**” means a structure without any foundation or footings and which is removed when the designated time, activity or use for which the temporary structure was erected has ceased.

Section 19: Decision

- 19.1 The Development Officer and/or Municipal Planning Commission may issue a development permit with any condition deemed necessary to ensure that the development complies with the Municipal Government Act, this bylaw and any or all statutory plans.
- 19.2 In making a decision on a Development Permit application for a Permitted Use, the Development Officer:
 - 19.2.1 Shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw; and
 - 19.2.2 May require security from the applicant to secure performance of any of the conditions of a development permit; and
 - 19.2.3 May require as a condition of issuing the development permit, that the applicant enter into an agreement with Council to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-site levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Town may register a caveat against the said lands in favour of the Town; or
 - 19.2.4 Refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses, but which in the opinion of the Development Officer, should be directed to the Municipal Planning Commission; or
 - 19.2.5 Shall refuse the application if the proposed development does not conform to this Bylaw.
- 19.3 In making a decision on a Development Permit application for a Discretionary Use, the Municipal Planning Commission:

- 19.3.1 May approve the application if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or,
 - 19.3.2 May refuse the application even though it meets the requirements of this Bylaw; or,
 - 19.3.3 Shall refuse the application if the proposed development does not conform to this Bylaw.
- 19.4 In reviewing a development permit application for a Discretionary Use, the Municipal Planning Commission shall have regard to:
- 19.4.1 The circumstances and merits of the application, including but not limited to:
 - (a) The impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - (b) The design, character and appearance of the proposed development and in particular whether it is compatible with the surrounding properties; and,
 - (c) The servicing requirements for the proposed development.
 - (d) The purpose and intent of any statutory plan adopted by the Town; and,
 - (e) The purpose and intent of any non-statutory plan or pertinent policy adopted by the Town.
- 19.5 Notwithstanding any provisions or requirements of this Bylaw, the Municipal Planning Commission may establish a more stringent standard for a Discretionary Use when the Municipal Planning Commission deems it necessary to do so.
- 19.6 The Municipal Planning Commission shall refuse a development permit for a use or development that is not listed as a Permitted or Discretionary Use.
- 19.7 Only one development permit application shall be allowed for any one use on a site at any one time.
- 19.8 An application for a development permit shall be deemed to be refused when a decision is not made by the Development authority within forty (40) days after receipt of the application by the Development Officer, unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Officer and/or Municipal Planning Commission.

Section 21: Variance Authority

- 21.1 The Municipal Planning Commission may allow a variance of any standard prescribed in this bylaw provided the variance complies with the requirements of the Alberta Building Code, and the variance does not:
- 21.1.1 unduly affect the neighbourhood which includes variances for non-conforming buildings.
 - 21.1.2 materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - 21.1.3 the proposed development conforms to the use prescribed for the land in this bylaw.
- 21.2 In considering a variance the Municipal Planning Commission shall:
- 21.2.1 Not grant a variance which would infringe the Airport zoning regulations; and
 - 21.2.2 Not grant a variance which would infringe the floodway/flood fringe regulations; and
 - 21.2.3 Have regard to the purpose and intent of the district and the nature and value of developments on adjacent properties.
- 21.3 Pursuant to section 21.1 and 21.2 the Development Officer may allow a variance of any minimum and maximum development standard in this Bylaw less than 10% of the stated standard.
- 21.4 If a variance is granted, the Development Authority shall specify its nature in the development permit approval.

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.

- 56.2 Metal freight/cargo storage containers shall only be permitted in Industrial Land Use Districts.
- 56.3 If an owner fails to comply with the terms and conditions of a temporary building development permit, the Development Officer/Municipal Planning Commission may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands upon which the temporary building is situated and shall be payable by the owner to the Town on demand.
- 56.4 A temporary structure shall not be used as a dwelling.

4805 – 47 Avenue

Proposed Sea Can Location

