

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
DECEMBER 13, 2022**

Present:

Councillors Cheryl Barros, Wayne Smith, Scott Pfeiffer, Gord Lawlor, Travis Randell and Kurt Baker, Director of Planning and Development Leann Graham and Planning & Operations Clerk Angela Stormeon

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:33 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Gord Lawlor to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the October 13, 2022 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the October 13, 2022 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3419-2022

Applicant: Chesla Enterprise Ltd.

Legal: Lot Pt of H, Block 10, Plan 5583MC

Municipal: 5807 – 50 Avenue

Proposed Development: New Office Building

Leann Graham Director of Planning and Development read a report that follow:

General:

The applicant is proposing development of an approximate 2300 square foot office building at 5807 – 50 Avenue. The development is proposed in Land Use District C2: Highway Commercial District and needs to meet the regulations set out in the Commercial and Industrial Design Guidelines.

Further the applicant is requesting a side yard setback variance of 2.3 meters (77%) on the east side of the property. The primary reason for the variance is to optimize the number of parking stalls to the west side of the building where the front doors will be located and allow proper access to and from the parcel off of Highway 12.

The applicant is aware the proposed setback will include specific fire rating requirements as set out in the Alberta Building Code.

Development Review:

Land Use District – C2: Commercial Highway
Existing Land Use – Commercial Business

Legislation and Policy:

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

Recommendation:

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

1. That the owner/applicant receives a side yard variance on the East Side of 2.3 meters (77%) to accommodate the proposed office building;
2. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
3. The owner/applicant shall meet the regulations set out in the Commercial and Industrial Design Guidelines;
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 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. The proposed development (New Office Building) shall be located in accordance with the approved plan, and all improvements as indicated on the submitted plans shall be constructed as shown unless otherwise stated in these conditions or approved hereafter by the Town of Stettler's Development Authority;
7. The owner/applicant must submit any revisions of the blueprints or access changes to the Town of Stettler Development Authority for approval;
8. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services;
9. 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;

10. Landscaping must be completed by the end of the first growing season following the date of approval;
11. The owner/applicant will be required to install curbing around all parking and landscaped areas.
12. The owner/applicant shall obtain an agreement with the owner of the balance of lot H for a single access off highway 12 and shall be a maximum of 15 meters wide;
13. The owner/applicant shall delineate the shared access by installing curb and gutter and landscaping along the remainder of the boundary along Hwy 12;
14. The owner/applicant will ensure that the driving surfaces on the proposed development site consist of a pavement top.
15. The owner/applicant shall ensure any access changes are approved by the Town of Stettler's Director of Operational Services and will be at the cost of the landowner;
16. All outdoor storage areas and garbage areas will be screened from neighboring residential properties, 50 Street and Highway 12.
17. Any signage will require approval from the Town of Stettler's Planning and Development Officer prior to installation.
18. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
19. The owner/applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the Provincial Fire Code.
20. The owner/applicant must obtain a building permit for each 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 Gord Lawlor questioned if the adjacent landowner is in agreeance with the shared access off Hwy 12. Director of Planning and Development Leann Graham mentioned the access agreement is the responsibility of the applicant and would benefit both landowners as the adjacent landowner would also be sharing the access off 50 Avenue with the applicant.

Councillor Wayne Smith questioned if there are any unintended consequences for Municipal Planning Commission to allow this setback and if the church has any concerns. Director of Planning and Development Leann Graham stated due to the long narrow shape of the lot, any development would require a variance. Furthermore, the church will have an opportunity to submit any

concerns during the 21-day appeal period if Municipal Planning Commission decides to approve the application.

Councillor Scott Pfeiffer questioned if the access off Hwy 12 would be wide enough to accommodate the traffic for two businesses. Director of Planning and Development Leann Graham mentioned the Land Use Bylaw allowable driveway width is 10 meters and we are allowing 15 meters for this development which is a common width for commercial development, and this one in particular will be a right in and right out only due to the meridian on the Hwy. Furthermore, the possibility for a second approach would be denied by Alberta Transportation as past conversations with Alberta Transportation have mentioned.

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

7. The meeting adjourned at 8:41 am on a motion by Councillor Wayne Smith