

# MUNICIPAL PLANNING COMMISSION

## AGENDA

May 18, 2023

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

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1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the April 26, 2023 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3446-2023  
**Applicant:** Aaron & Tara Nixon  
**Legal:** Lot Pt. 6 & 7, Block 32, Plan 1850Z  
**Municipal:** 4908 – 53 Street  
**Proposed Development:** Detached Garage
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
APRIL 26, 2023**

**Present:**

Councillors Cheryl Barros, Wayne Smith, Travis Randell and Kurt Baker, Planning & Operations Clerks Angela Stormoen and Maddie Standage

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:30a.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 March 30, 2023 MPC Meeting Minutes**

Moved by Councillor Travis Randell that the Minutes of the March 30, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3443-2023

**Applicant:** Alicia Kneeland-Teasdale

**Legal:** Lot 10, Block 13, Plan RN54A

**Municipal:** 4822 – 50 Street

**Proposed Development:** Painted Wall Sign - Mural

Director of Planning and Development read a report that follow:

**General:**

The applicant is proposing to update the current wall mural on the south facing wall (6' x 15') of 4822 – 50 Street. The current mural (as shown below) is outdated and worn, therefore, the applicant has decided to engage the community to update the wall with the work of a local artist.

Town of Stettler Land Use Bylaw 2060-15 states that a mural may be the entire length of an exterior wall providing the design has been approved by Development Office/Municipal Planning Commission.

The applicant has received options (listed below) and is requesting the opinion of Town of Stettler council to make the final decision. Furthermore, she has asked to wave the Development Permit Application Fee and Municipal Planning Commission Fee as it is not an advertisement but a beautification of Main Street.

**Development Review:**

Land Use District: C1: Commercial Central District

Existing Land Use: Personal Service Shop

Proposed Use: Painted Wall Sign – Mural

Section 69: Painted Wall Signs

69.3 Notwithstanding Section 69.1, a mural may be the entire length of an exterior wall providing the design has been approved by the Development Officer/Municipal Planning Commission.

**Definition:**

“SIGN” means an object, structure or device used for the purpose of identification or advertising or to call attention to any person, matter, thing or event or to give direction.

**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 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 the Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. The proposed development (Painted Wall Sign - Mural) shall be located in accordance with the approved plan; any changes to the 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.
- Approve the application and forward the mural selection to the Town of Stettler Beautification Committee
- Defeat the application stating reasons.

### **Discussion**

Councillor Wayne Smith questioned what the fees for the proposed development would total. Acting Director of Planning and Development, Angela Stormoen advised the fee would be \$125.00 for the Development Permit and \$50.00 for Municipal Planning Commission.

Councillor Kurt Baker asked if a decision to approve the application would set precedence for other businesses and if a permit would be required for exterior upgrades such as painting/façade upgrades. Acting Director, Angela Stormoen advised that any façade upgrades would not require a permit, however, a mural requires Municipal Planning Commission Approval. This application is a bit unique as the mural is to beautify the space and not to advertise a business/product.

Discussion ensued regarding the mural options submitted by the applicant.

Moved by Councillor Travis Randell to waive the \$175.00 development permit/MPC fee and approve the design submitted by applicant number two, Shaelynn Albers with no text.

MOTION CARRIED  
Unanimous

7. The meeting adjourned at 8:40 a.m. on a motion by Councillor Wayne Smith.



## Request For Decision

### **Issue:**

Development Permit Application: 3446-2023  
Applicant: Aaron & Tara Nixon  
Proposed Location: Lot Pt. 6 & 7, Block 32, Plan 1850Z  
Municipal: 4908 – 53 Street  
Development: Detached Garage

### **BACKGROUND**

#### **General:**

The applicant is proposing to construct a new detached garage at 4908 – 53 Street and requesting a rear yard /driveway setback variance of 2 meters. The Land Use Bylaw 2060-15 requires a 3-meter rear yard/driveway setback when a detached garage is accessing a lane that is less than 8 meters wide. The proposed detached garage accesses a lane of 6 meters wide and the applicant is proposing a 1-meter driveway setback to accommodate the required distance between the principal dwelling and the proposed detached garage of 2 meters.

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

#### **Development Review:**

Land Use District – R2: Residential General

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

Proposed Land Use – Detached Garage

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

Lane Width – 6 meters

Proposed Rear Yard / Driveway Length Setback – 1 meter

Required Rear Yard / Driveway Length Setback – 3 meters

Proposed Side Yard Setbacks – 0.6 meter

Required Side Yard Setbacks – 0.6 meter

#### **Legislation and Policy:**

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

### **RECOMMENDATION**

#### **Recommendation:**

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

1. The owner/applicant receives a 2 meter rear yard, driveway length variance;
2. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15.
3. The owner/applicant is responsible for the cost and repair of any damage to public property or works located thereon that may occur as a result of undertaking work regulated by the Alberta Building Code;
4. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
5. The proposed development (Detached Garage) shall be located in accordance with the approved plan;
6. It is the owner/applicant's responsibility to ensure that lot grading and drainage are compliant with Section 51 of the Town of Stettler Land Use Bylaw #2060-15;
7. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
8. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
9. The owner/applicant must obtain a building permit for each dwelling unit of this development following the mandatory 21 day appeal period. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit

being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

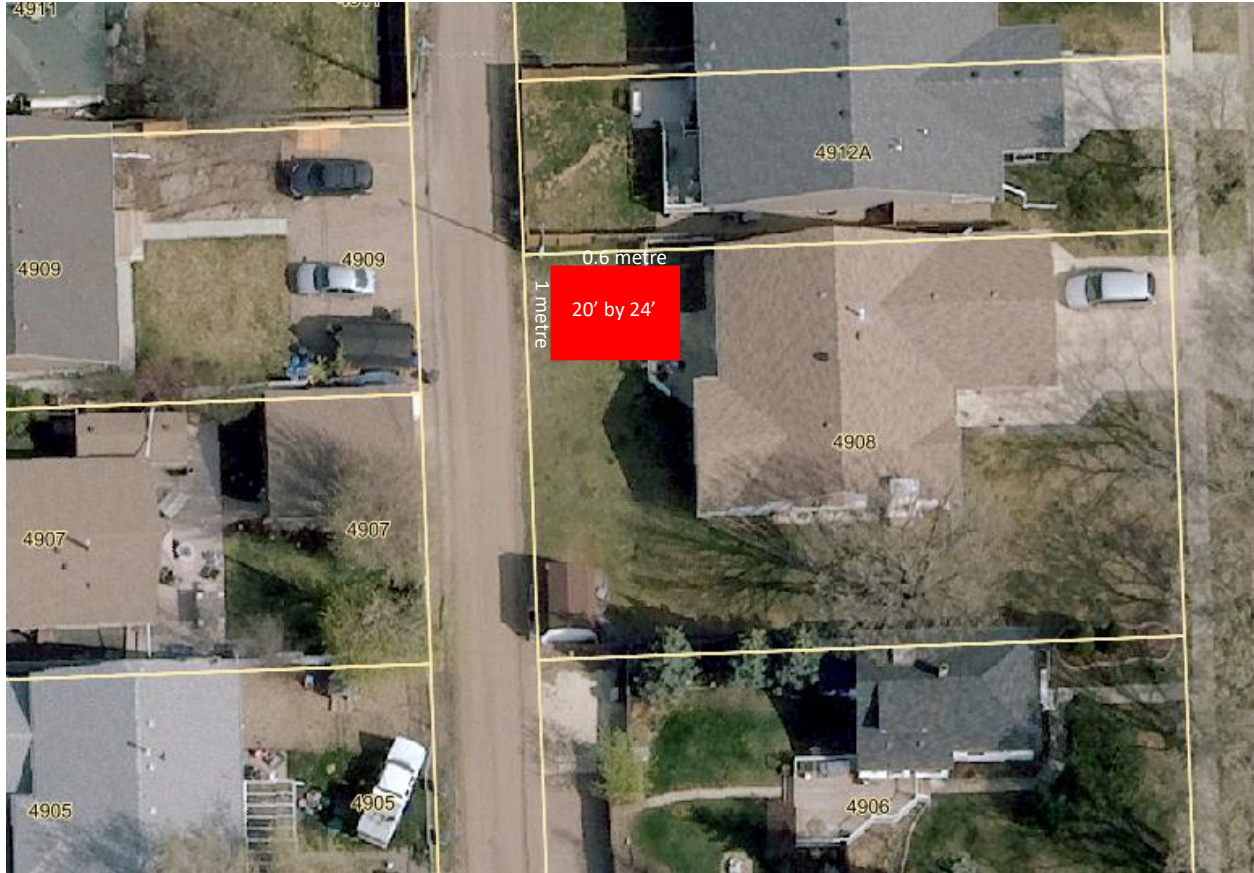
**Alternatives:**

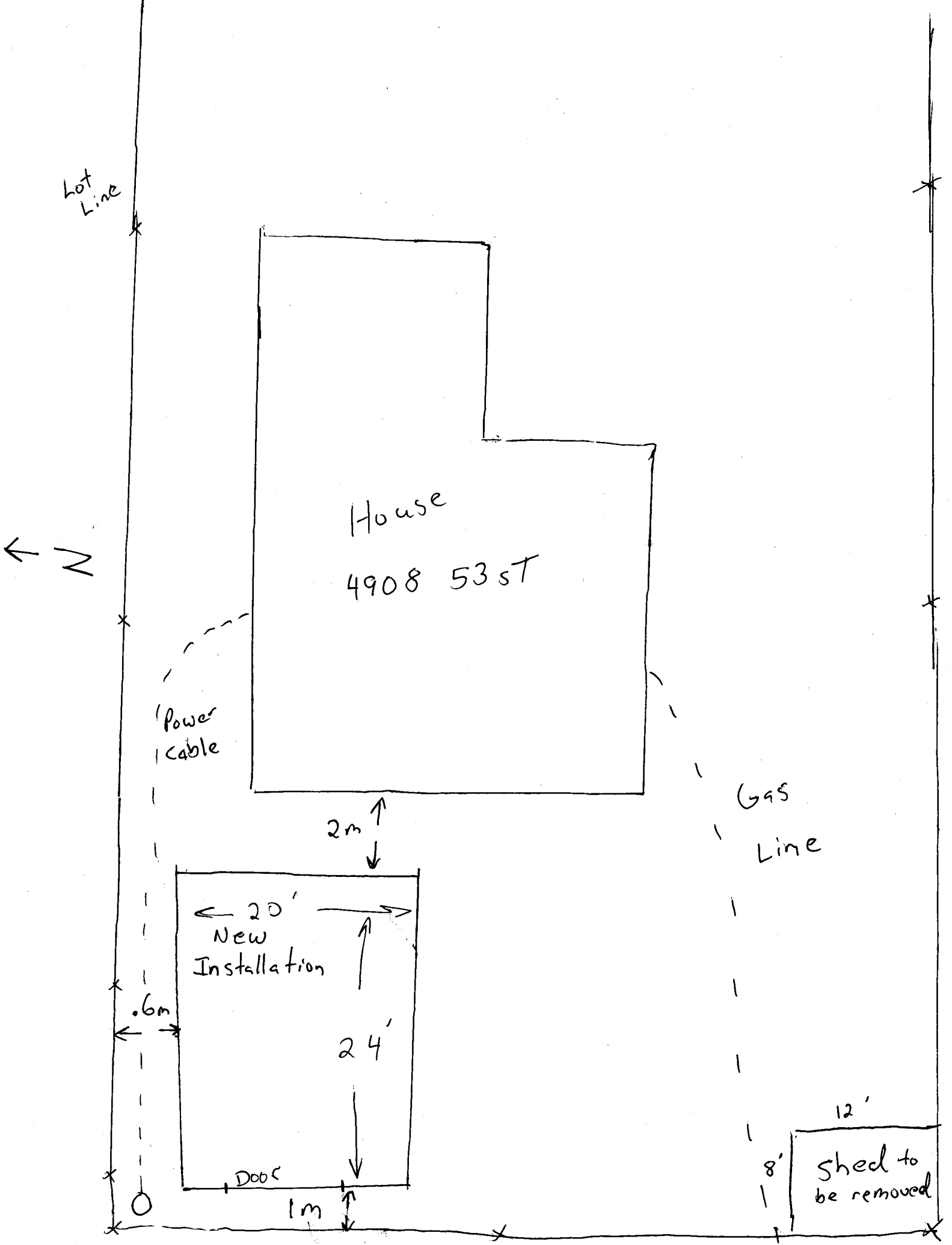
- Approve the application with additional conditions
- Defeat the application stating reasons.

**Author:**

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

**Air Photo Site Plan**  
**4908 – 53 Street**







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

APPLICATION # 3446-2023 TAX ROLL # 320790006

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

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

APPLICANT: Aaron & Tara Nixon ADDRESS: 4908 53 ST

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

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

REGISTERED OWNER: Aaron & Tara Nixon ADDRESS: Box 1373

ADDRESS OF PROPERTY TO BE DEVELOPED: 4908 53 ST

LOT: P46+7 BLOCK: 32 REGISTERED PLAN: 1850Z

EXISTING USE: residential LAND USE DISTRICT: R2

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.) shed/garage

SIZE OF ACCESSORY BUILDING: 20 x 24 x 15 IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: 1 m DRIVEWAY LENGTH: \_\_\_\_\_

DISTANCE FROM SIDE PARCEL BOUNDARY: 600 mm PARCEL COVERAGE: \_\_\_\_\_ %

ESTIMATED COST OF THE PROJECT OR CONTRACT PRICE: 20,000.00

ESTIMATED DATES OF COMMENCEMENT AND COMPLETION: May 25th to Dec 31 2023

DATE OF APPLICATION: May 5, 2023 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.

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: _____