

MUNICIPAL PLANNING COMMISSION

AGENDA

MARCH 15, 2023

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

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the March 2, 2023 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3435-2023
Applicant: True Fence Klassen & Associates
Legal: Lot 7, Block 8, Plan RN54
Municipal: 4908 – 51 Street
Proposed Development: Change of Use – Dwelling, Single Detached (existing)
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
FEBRUARY 9, 2023**

Present:

Councillors Cheryl Barros, Gord Lawlor, Wayne Smith, Travis Randell and Kurt Baker, Director of Planning and Development Leann Graham and Planning & Operations Clerks Angela Stormoen and Maddie Standage

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

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

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

MOTION CARRIED

Unanimous

4. **Confirmation of the February 9, 2023 MPC Meeting Minutes**

Moved by Councillor Kurt Baker that the Minutes of the February 9, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None

6. **Development Application:** 3430-2023

Applicant: Susan Hernando

Legal: Lot 13, Block 1, Plan 5128KS

Municipal: 6129 – 50A Avenue

Proposed Development: Bed and Breakfast Facility

Acting Director of Planning and Development, Angela Stormoen, read a report that follows:

General:

The applicant is proposing to utilize one unit of the existing triplex at 6129 – 50A Avenue as a short-term rental (Airbnb/VRBO). This is classified as a Bed and Breakfast Facility within the Town of Stettler Land Use Bylaw 2060-15.

As Bed and Breakfast Facility is a discretionary use in the R2: Residential General District, this application requires a Municipal Planning Commission decision.

As per Land Use Bylaw 2060-15 the applicant is required to provide 2 parking stalls per unit, which totals 6 off-street parking stalls. Currently there is only four parking stalls and the applicant has proposed to extend the parking area to the west property boundary to meet the Land Use Bylaw requirements. However, the lot at 6129-50A Avenue is 16.8 meters wide and as per Section 57 in the Town of Stettler Land Use Bylaw #2060-15 the total width required to accommodate six stalls would be 18 meters. Therefore, the applicant has asked for a variance to extend the parking area past the west property boundary into the Towns boulevard by 1.2 meters to allow for all 6 off-street parking stalls to be in the rear yard accessing the lane.

Development Review:

Land Use District - R2: Residential General

Existing Land Use – Residential (Dwelling, Triplex)

Proposed Use - Bed and Breakfast Facility/ Dwelling, Triplex

Parking

Parking stall depth = 6.0 meters

Parking stall width = 3.0 meters

Required Parking Stalls: 6

Proposed Parking Stalls: 6

Definitions:

“BED AND BREAKFAST FACILITY” means a dwelling unit in which the occupant rents or leases a room or a suite of rooms on a temporary basis to vacationers or tourists, and which may include the provision of meals as part of and in addition to the rental paid for the room or suite of rooms. This does not include a hotel, motel, boarding or lodging house, or restaurant as defined herein.

Legislation and Policy:

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

Recommendation:

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

1. The owner/applicant receives a variance of 1.2 meters beyond the west property boundary into the Town of Stettler boulevard at the southwest portion of the lot to accommodate for 6 off-street parking stalls;
2. The owner/applicant must comply with all provisions of the Town of Stettler Land Use Bylaw #2060-15;

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 (Bed and Breakfast Facility) 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;
6. The owner/applicant shall retain a Town of Stettler Business License prior to operation.

Alternatives:

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

Discussion

Councillor God Lawlor asked if the applicant will be linking with Air B&B and VRBO. Acting Director, Angela Stormoen, was able to confirm that the applicant had shared her intent to do this.

Councillor Kurt Baker asked what other municipalities are doing for short term rentals like Air B&B and VRBO. Director of Planning and Development Leann Graham shared that several municipalities have had to amend their land use bylaw to include these styles of rentals however the definition of Bed and Breakfast Facility in the Town of Stettler Land Use Bylaw 2060-15 does include other short term rentals such are Air B&B and VRBO.

Moved by Councillor Wayne Smith to approve the application as presented.
MOTION CARRIED
Unanimous

7. **Development Application:** 3431-2023
Applicant: Sally Pedregosa
Legal: Lot 17, Block 47, Plan 5517HW
Municipal: 5071 – 44 Street
Proposed Development: Bed and Breakfast Facility

Acting Director of Planning and Development, Angela Stormoen, read a report that follows:

General:

The applicant is proposing to use a portion of her single family dwelling as a short term rental, falling under the definition of Bed and Breakfast Facility. The applicant has advised that two bedrooms on the main level will be available to rent.

As Bed and Breakfast Facility is a discretionary use in the R2: Residential General District, this application requires a Municipal Planning Commission decision.

The applicant will be required to provide an off street parking stall for each bedroom available to rent as required in Section 36 in the Town of Stettler Land use Bylaw #2060-15. This requirement is met with the size of the existing driveway.

Development Review:

Land Use District: R2: Residential General

Existing Land Use: Residential

Proposed Use: Residential, Bed and Breakfast

Required Parking Stalls: 4

Proposed Parking Stalls: 4

Definitions:

“BED AND BREAKFAST FACILITY” means a dwelling unit in which the occupant rents or leases a room or a suite of rooms on a temporary basis to vacationers or tourists, and which may include the provision of meals as part of and in addition to the rental paid for the room or suite of rooms. This does not include a hotel, motel, boarding or lodging house, or restaurant as defined herein.

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. 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;
3. The proposed development (Bed and Breakfast) shall be located in accordance with the approved plan; any changes to the plan must be approved by the Town of Stettler;
4. The owner/applicant must supply any sign details and obtain approval from the Town of Stettler’s Development Authority prior to installation;
5. The owner/applicant shall retain a Town of Stettler Business License prior to operation;
6. The owner/applicant shall ensure one on-site parking stall shall be provided for each bedroom that is to be rented out. This in addition to the two on-site parking stall required for the initial dwelling, totaling 4 parking stalls.

Alternatives:

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

Discussion

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

MOTION CARRIED

Unanimous

8. **Development Application:** 3432-2023

Applicant: Susan Hernando

Legal: Lot 14, Block 1, Plan 5128KS

Municipal: 6129 – 50A Avenue

Proposed Development: Bed and Breakfast Facility

Acting Director of Planning and Development, Angela Stormoen, read a report that follow:

General:

The applicant is proposing to utilize one unit of the existing triplex at 6129 – 50A Avenue as a short-term rental (Airbnb/VRBO). This is classified as a Bed and Breakfast Facility within the Town of Stettler Land Use Bylaw 2060-15.

As Bed and Breakfast Facility is a discretionary use in the R2: Residential General District, this application requires a Municipal Planning Commission decision.

As per Section 57 of the Town of Stettler Land use Bylaw #2060-15 the applicant is required to provide a total of four off-street parking stalls. This requirement is met as per the existing detached garage and rear parking pad.

Development Review:

Land Use District: R2: Residential General

Existing Land Use: Residential

Proposed Use: Residential, Bed and Breakfast

Required Parking Stalls: 4

Proposed Parking Stalls: 4

Definitions:

“BED AND BREAKFAST FACILITY” means a dwelling unit in which the occupant rents or leases a room or a suite of rooms on a temporary basis to vacationers or tourists, and which may include the provision of meals as part of and in addition to the rental paid for the room or suite of rooms. This does not include a hotel, motel, boarding or lodging house, or restaurant as defined herein.

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. 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;
3. The proposed development (Bed and Breakfast) shall be located in accordance with the approved plan; any changes to the plan must be approved by the Town of Stettler;
4. The owner/applicant must supply any sign details and obtain approval from the Town of Stettler's Development Authority prior to installation;
5. The owner/applicant shall retain a Town of Stettler Business License prior to operation;
6. The owner/applicant shall ensure two on-site parking stall shall be provided for each dwelling unit, totaling 4 parking stalls.

Discussion

Moved by Councillor Travis Randell to approve the application as presented.

MOTION CARRIED

Unanimous

9. The meeting adjourned at 8:38 a.m. on a motion by Councillor Kurt Baker.

Issue:

Development Permit Application: 3435-2023
Applicant: True Fence Klassen & Associates
Proposed Location: 4908 – 51 Street
Municipal: Lot 7, Block 8, Plan RN54
Development: Change of Use – Dwelling, Single Detached (existing)

BACKGROUND

General:

The applicant is proposing to change the use of the existing building at 4908 – 51 Street from an office building to a dwelling, single detached (existing). As this building is located within the C1: Commercial Central District the use for Dwelling, Single Detached (existing) is listed as a discretionary use and requires Municipal Planning Commission approval.

The building at the above-mentioned address was originally built in 1930 as a single-family dwelling and still appears as such from the outside (as shown below). Currently the building is used as a realtor office and Town records show the change from residential to commercial use was 35-40 years.

The applicant has supplied photos of the main building and has indicated that the building does still resemble a house on the exterior and interior and would not require any extensive renovations to function as a dwelling. Additionally, there is a detached two car garage in the rear yard.

Furthermore, the proposed change is located within the same block as three existing permitted single-family dwellings.

Development Review:

Land Use District: C1: Commercial Central
Existing Land Use: Office Building
Proposed Use: Dwelling, Single Detached (existing)

DEFINITIONS:

“**DWELLING, SINGLE DETACHED**” means a residential building containing one dwelling unit intended as a permanent residence. Single detached dwellings must be of new construction and feature the following criteria: (i) Shall include single detached dwellings constructed offsite; (ii) All exterior walls of the floor area must be dimensioned at less than or equal to 3:1 length to width ratio; and (iii) All roof pitches must be a minimum of 3:12 ratio (3 feet of rise for 12 feet of run). All dwelling units must adhere to the provisions of the Alberta Building Code.

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 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 (Change of Use – Dwelling, Single Detached (existing)) shall be located in accordance with the approved plan; any changes to the plan must be approved by the Town of Stettler.

Alternatives:

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

Author:

Angela Stormoen for Leann Graham, Director of Planning and Development

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

APPLICATION # 3434-2023 TAX ROLL # 807000008

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

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

APPLICANT: TRU-FRANK KLASSEN & ASSOC. MAILING ADDRESS: Box 803

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

PHONE: 402-741-4483 FAX: _____ EMAIL: VERUK@KLASSEN@6mail.com

REGISTERED OWNER: Same ADDRESS: #95

ADDRESS OF PROPERTY TO BE DEVELOPED: 4908-51 Street

LOT: 7 BLOCK: 8 REGISTERED PLAN: R154

EXISTING USE: REAL ESTATE OFFICE LAND USE DISTRICT: _____

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: currently used as

A REAL ESTATE OFFICE
Proposed Dwelling change to residential

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: 5

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: March 8/23 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.

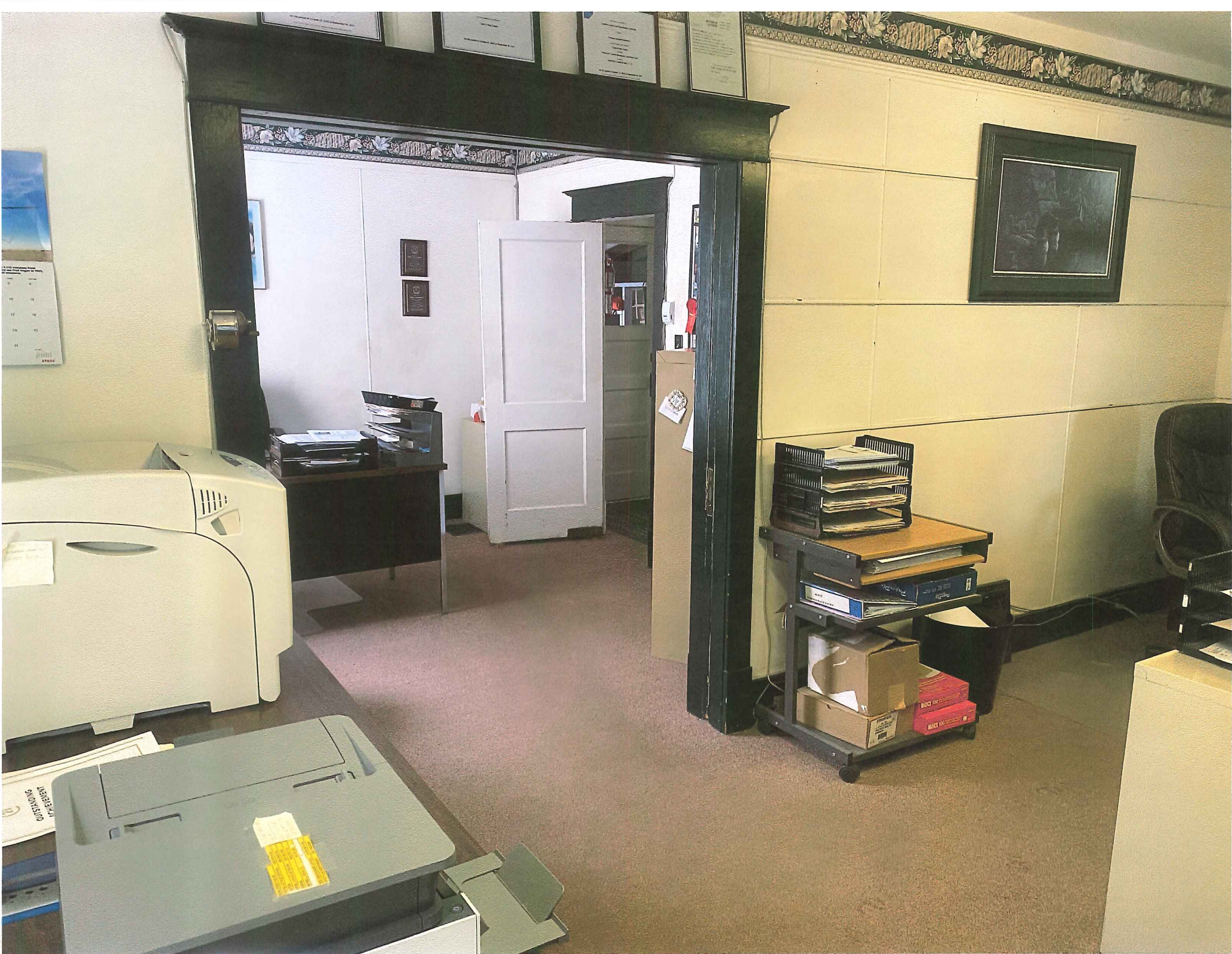
TOWN OF STETTLER OFFICE USE ONLY:	
Building Permit Required: _____	MPC Required: _____ MPC Date: _____ MPC Approval: _____
Business License Required: _____	Alberta Transportation Review (adjacent to Hwy 12 or 56): _____
County Referral Required: _____	Alberta Environment Review (adjacent to Red Willow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

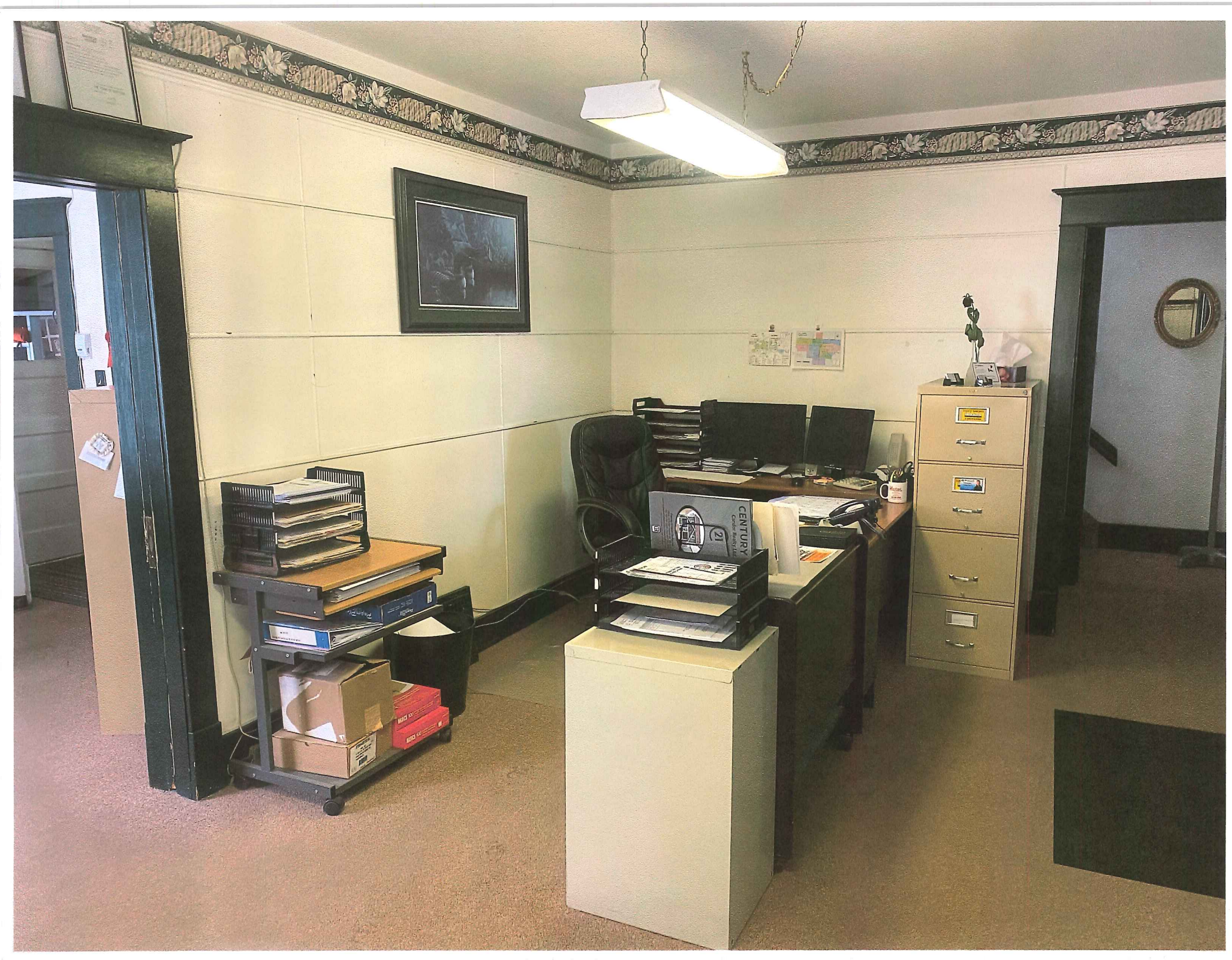


Century 21
Candor Realty Ltd.
742-4424


4908

CLOSED





Development Permit #3434-2023

Location on 51 Street 

Other Dwellings located on 51 Street 

