

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
MARCH 15, 2023**

Present:

Councillors Gord Lawlor, Wayne Smith, Scott Pfeiffer, and Kurt Baker, and Planning & Operations Clerks Angela Stormoen and Maddie Standage

1. **Call to Order:** Chairman Wayne Smith called the meeting to order at 8:33 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 March 2, 2023 MPC Meeting Minutes**

Moved by Councillor Gord Lawlor that the Minutes of the March 2, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3435-2023

Applicant: Tru Fence Klassen & Associates

Legal: Lot 7, Block 8, Plan RN54

Municipal: 4908 – 51 Street

Proposed Development: Change of Use – Dwelling, Single Detached (existing)

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

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:

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 Albert 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.

Discussion

Discussion ensued regarding the history of 4900 block on 51 Street and the change from residential to commercial in the past. Acting Director Angela Stormoen explained to the Board that the only residential allowed in the C1 District are those that are already existing, and nobody would be able to build a new house on this street with the current zoning.

Councillor Wayne Smith asked for clarification that the applicant is proposing a change in use but that the property will remain a C1 zoning. Acting Director Angela Stormoen confirmed that the change if use is a discretionary use in the C1 District and would be permitted dependent on MPC approval and no rezoning is required. Further, she explained that the change of use to residential would result in the property being taxed a residential rate as per the use.

Councilor Gord Lawlor asked for clarification regarding operating the business after a change to a residential use. Acting Director, Angela Stormoen advised that the commercial business would not be able to function out of the building once it is a residential use. Discussion ensued further.

Moved by Councillor Gord Lawlor to approve the application as presented (chang in use from office to dwelling, single detached (existing)) with the condition that the commercial business may operate until July 31, 2023.

MOTION CARRIED

Unanimous

7. The meeting adjourned at 8:43 a.m. on a motion by Councillor Scott Pfeiffer.