

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
MARCH 30, 2023**

**Present:**

Councillors Cheryl Barros, Gord Lawlor, Wayne Smith, Scott Pfeiffer, 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 called the meeting to order at 8:26 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 15, 2023 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the March 15, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

Acting Director of Planning and Development, Angela Stormoen, addressed application 3435-2023 from the previous meeting and advised that she had the opportunity to speak with the applicant who clarified that there is still a commercial renter in the property who recently received their 90 day notice and will be out by July, at which time the property will be put for sale under a residential use. The renter did advise that they will most likely be out of the property in May thus Angela stated the Board may see the property for sale prior to July.

6. **Development Application:** 3440-2023

**Applicant:** Kneeland and Sons Construction Ltd.

**Legal:** Lot 4, Block 6, Plan RN54 and Lots 5A & 6A, Block 6, Plan 2483NY

**Municipal:** 4914, 4912, 4910 – 49 Street

**Proposed Development:** Duplex and Triplex

Director of Planning and Development read a report that follow:

**General:**

The applicant is proposing to construct one duplex and one triplex over three lots currently addressed 4910, 4912, and 4914 - 49 Street and is requesting a variance to the rear yard setback.

The proposed development is located in Land Use District R2A: Residential Mixed District and as such the Dwelling, Duplex and Dwelling, Triplex are listed as permitted uses. However, the required rear yard setback is 7.5 meters and the proposed rear yard setback is 3.70 meters, therefore, the applicant is requesting a 3.80 meter variance for the rear yard setback.

Each unit will have a rear attached two car garage which meets the parking requirements as outlined in Land Use Bylaw 2060-15.

Furthermore, within the R2A: Residential Mixed District the front yard setback is at the discretion of Development Authority. The applicant is proposing a 6.61 meter front yard setback which will be consistent with the existing residential dwellings to the south of the proposed development (please see the attached arial image).

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.

The applicant has expressed that there will be a subdivision following the development to create separate titles for each dwelling unit.

**Development Review:**

Land Use District – R2A: Residential Mixed District

Existing Land Use – Vacant

Proposed Land Use – Dwelling – Triplex

- Definition – means a building containing three dwelling units each with direct access to the outside grade, but not all units may have a separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.
  - 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.

Proposed Front Yard Setback – 6.61 meters

Required Front Yard Setback – At the discretion of the Development Authority

Proposed Rear Yard Setback – 3.7 meters

Required Rear Yard Setback – 7.5 meters

Proposed Side Yard Setbacks – Duplex 2.44 meters\* (south) 1.92 meters (north)

Proposed Side Yard Setbacks – Triplex 2.44 meters (south) 2.44 meters\* (north)  
Proposed Side Yard Setbacks – \*measurement from proposed future property line  
Required Side Yard Setbacks – 1.5 meters

**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 rear yard setback variance of 3.8 meters for each dwelling unit;
2. The owner/applicant shall provide the Town of Stettler with Security in accordance with Land Use Bylaw 2060-15 to ensure all water & sanitary connections are in accordance with the Town of Stettler's Director of Operational Services standards;
3. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15.
4. 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;
5. 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;
6. The owner/applicant must provide two off street parking stalls per dwelling unit;
7. The proposed development (Duplex and Triplex) shall be located in accordance with the approved plan;
8. 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;
9. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services;
10. Landscaping must be completed by the end of the first growing season following the date of approval;
11. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
12. Applicant must provide the Town of Stettler with an Alberta Home Warranty registration number prior to issuance of each Building Permit;
13. Applicant must provide the Town of Stettler with an Alberta Energy Efficiency Report prior to issuance of each Building Permit;
14. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;

15. 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**

Councillor Gord Lawlor asked if the required 7.5 meter rear yard setback was initially a requirement in the land district to aid in rear parking space on the property. Acting Director, Angela Stormoen confirmed that the rear yard setbacks allow for ample space for a parking pad or a detached garage to meet parking requirements. Director Leann Graham added that the 7.5 meter rear yard setback also allows space for a private rear yard for the owners however the proposed development doesn't take into consideration a private rear yard as it is intended to have a large front yard to commune and use as common space.

Councillor Wayne Smith asked for clarification on parking logistics at the Okoppe Parking Lot since several vehicles regularly park on these vacant lots and will be displaced at time of development. It was confirmed that the parking lot is large enough to accommodate the vehicles that regularly park on the vacant lot. Further to the conversation, Councillor Wayne Smith asked if there is a bylaw to allow the Town of Stettler to enforce the removal of the semitruck that regularly parks over night at the Okoppe Parking Lot. Director Leann Graham advised the Commission that the Municipal Bylaw Officer is currently working on this enforcement and attempting to work with the owner of the truck to find an appropriate location for overnight parking as it is not allowed in or beside the residential district.

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

MOTION CARRIED

Unanimous

7. The meeting adjourned at 8:35 a.m. on a motion by Councillor Travis Randell.