

MUNICIPAL PLANNING COMMISSION

AGENDA

OCTOBER 2, 2023

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

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the August 18, 2023 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3452-2023
Applicant: Grant and Anita Schwarzenberger
Legal: Lot 11, Block 1, Plan 943MC
Municipal: 4011 – 57 Street
Proposed Development: Detached Garage
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
AUGUST 18, 2023**

Present:

Councilors Cheryl Barros, Scott Pfeiffer, Travis Randell and Kurt Baker, Acting Director of Planning and Development Angela Stormoen and Planning & Operations Clerk Maya Brennan.

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 Councilor Kurt Baker to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the July 11, 2023 MPC Meeting Minutes**

Moved by Councilor Scott Pfeiffer that the Minutes of the July 11, 2023 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3461-2023

Applicant: S&J Schultz

Legal: Lot 19, Block 22, Plan 0729463

Municipal: 6929 – Meadowview Close

Proposed Development: Driveway

Director of Planning and Development read a report that follow:

General:

The applicant is proposing to extend the existing driveway 4.88 meters north to create a drive-thru lane on their property at 6929 – Meadowview Close. This would create a total driveway width of 10.98 meters. As per the Town of Stettler

Land Use Bylaw 2060-15 the maximum allowable driveway width is 10 meters and therefore the applicant is requesting a 0.98 meter variance.

Furthermore, as the proposed development is on a corner lot there is an additional requirement within the sightline section of the Town of Stettler Land Use Bylaw 2060-15 for driveways to be setback from parcel boundaries which form the intersection not less than 6.0 meters. Therefore, the applicant is also requesting a variance of 2.5 meters for the driveway to be located within the sightline restrictions. With the large boulevard and the property line angle of the proposed site (see attached site plan), administration has no concerns with the sightlines pertaining to the proposed development.

The proposed development is a result of landscaping requirements set out in Town of Stettler Development Permit 2961-2016 for the single-family dwelling. Due to the date of construction and landscape requirements not being met to date, administration is recommending a condition for all landscaping at 6929-Meadowview Close as per Development Permit 3461-2016 to be complete no later than September 30, 2023.

Development Review:

Requirements pertaining to the proposed development are regulated within the Land Use Bylaw 2060-15 as follows:

Section 41: Corner / Double Fronting Lot Restrictions

41.1 No person on a corner lot in any District shall erect, place or maintain, within a triangle formed by the boundaries of the site common with the streets abutting them and a straight line connecting points on each of the said boundaries a distance of six metres from the point where they intersect, a wall, fence, shrub, trees, hedge or any object over one metre in height above the lowest street grade adjacent to the intersection.

Section 60: Vehicles

60.5 Driveways

60.5.1 At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than:

(a) 6 metres where the driveway serves not more than 4 dwelling units

60.5.2 The maximum width of a driveway shall be 10 metres.

Key Issues:

Driveway Width – The applicant is proposing a 10.98 metre wide driveway which requires a 0.98 metre variance.

Sightline Restrictions – The applicant is proposing to develop the driveway 2.5 metres into the 6.0 metre sightline restriction from street intersections.

Landscaping requirements – Time restriction to complete landscaping as per Development Permit from 2016

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 applicant receives a front driveway width variance of 0.98 metres;
2. That the applicant receives a front driveway variance of 2.5 metres into 6.0 metre sightline restrictions;
3. The owner/applicant must complete all landscaping requirements as per Town of Stettler Development Permit 2961-2016 no later than September 30, 2023;
4. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
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. 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;
7. The proposed development (Driveway) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
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 arrange for and obtain approval for compliance with the current Alberta Building Code;

7. **Discussion:**

Councilor Scott Pfeiffer questioned sightline and safety concerns pertaining to the driveway placement. Acting Director of Planning and Development Angela Stormoen stated that the large boulevard surrounding the property minimizes the sightline concerns with the proposed development.

Councilor Cheryl Barros questioned the process and deadline given for landscaping requirements if no action is taken. Acting Director of Planning and Development Angela Stormoen advised that due to the timeline of the initial landscaping requirements, if the applicant does not meet the requirements of the current development permit, bylaw enforcement would take place after September 30, 2023.

Discussion ensued regarding landscape requirements and timeline. Due to the time of year, it was agreed October 31, 2023 would be a more favorable date for landscaping requirements to be complete.

Moved by Councilor Kurt Baker to approve the application as presented with the amendment to landscaping requirements to be completed no later than October 31, 2023.

MOTION CARRIED

Unanimous

The meeting adjourned at 8:36 a.m. on a motion by Councilor Travis Randell.



Request For Decision

Issue:

Development Permit Application: Amendment to 3452-2023
Applicant: Grant & Anita Schwarzenberger
Proposed Location: Lot 11, Block 1, Plan 943MC
Municipal: 4011 – 57 Street
Development: Demolition of Existing Detached Garage & New 28' x 38' Detached Garage

BACKGROUND

General:

The applicant was issued development permit 3452-2023 on June 22, 2023 for demolition of existing detached garage and construction of new 28' x 38' detached garage at 4011 – 57 Street. September 15, 2023 the applicant requested a height variance to the previously approved, proposed detached garage, which would result in the garage height exceeding the height of the principal dwelling by 0.48 meters.

The Town of Stettler Land Use Bylaw 2060-15 states:

Section 34: Accessory Buildings & Structures

34.2.2 An accessory building shall not exceed 6.5 m, or the height of the principal dwelling, whichever is less.

Furthermore, the elevation of the lot varies by 0.08 meters from the easterly side of the dwelling to the westerly side of the proposed garage. Therefore, the applicant is requesting a height variance of 0.40 meters to the proposed detached garage.

The proposed height of the detached garage is conducive to the lot and the neighborhood as it is similar in height to existing detached garages in the neighborhood and therefore does not impact adjacent properties.

Development Review:

Land Use District – R1: Residential Low Density District

Existing Land Use – Residential with a Single-Family Dwelling and Detached 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 – 5.18 meters

Required Rear Yard / Driveway Length Setback – 3 meters

Proposed Side Yard Setbacks – 1.0 meter

Required Side Yard Setbacks – 0.6 meters

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 0.40-meter height variance to detached garage;
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, Planning and Development Services

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

APPLICATION # 3452-2023

TAX ROLL # 811170004

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

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

APPLICANT: Grant + Anita Schwarzenberger MAILING ADDRESS: 4011 57 ST

CITY: STETTLER PROV: AB POSTAL CODE: T0C2K1

PHONE: 403 740-4659 FAX: _____ EMAIL: capswin@telusplanet.net

REGISTERED OWNER: Grant + Anita Schwarzenberger ADDRESS: 4011 57 ST

ADDRESS OF PROPERTY TO BE DEVELOPED: 4011 57 ST

LOT: 11 BLOCK: 1 REGISTERED PLAN: 943MC

EXISTING USE: Residential LAND USE DISTRICT: _____

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: _____

Residential Personal

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.) _____

Personal Garage - demo of existing garage

SIZE OF ACCESSORY BUILDING: 28 x 38 x 10 (wall) IN HEIGHT

DISTANCE FROM REAR PARCEL BOUNDARY: 17 FT DRIVEWAY LENGTH: 17 FT

DISTANCE FROM SIDE PARCEL BOUNDARY: _____ PARCEL COVERAGE: _____ %

ESTIMATED **COST OF THE PROJECT** OR CONTRACT PRICE: \$ 100,000 approx

ESTIMATED **DATES OF COMMENCEMENT AND COMPLETION**: JULY 15 - OCTOBER 31, 2023

DATE OF APPLICATION: May 19, 2023 **SIGNATURE OF APPLICANT**: Anita Schwarzenberger

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.

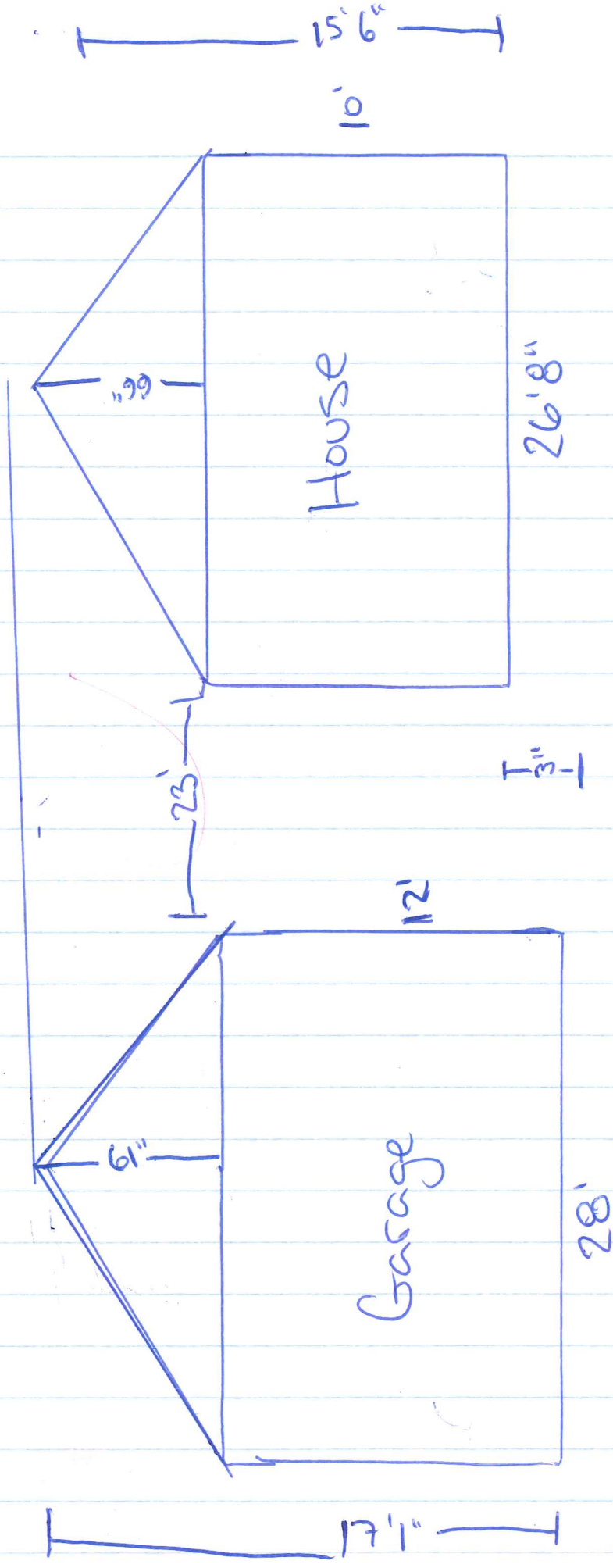
NOTE:

- 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.

4011 – 57 Street

New Proposed 28' by 38' Detached Garage



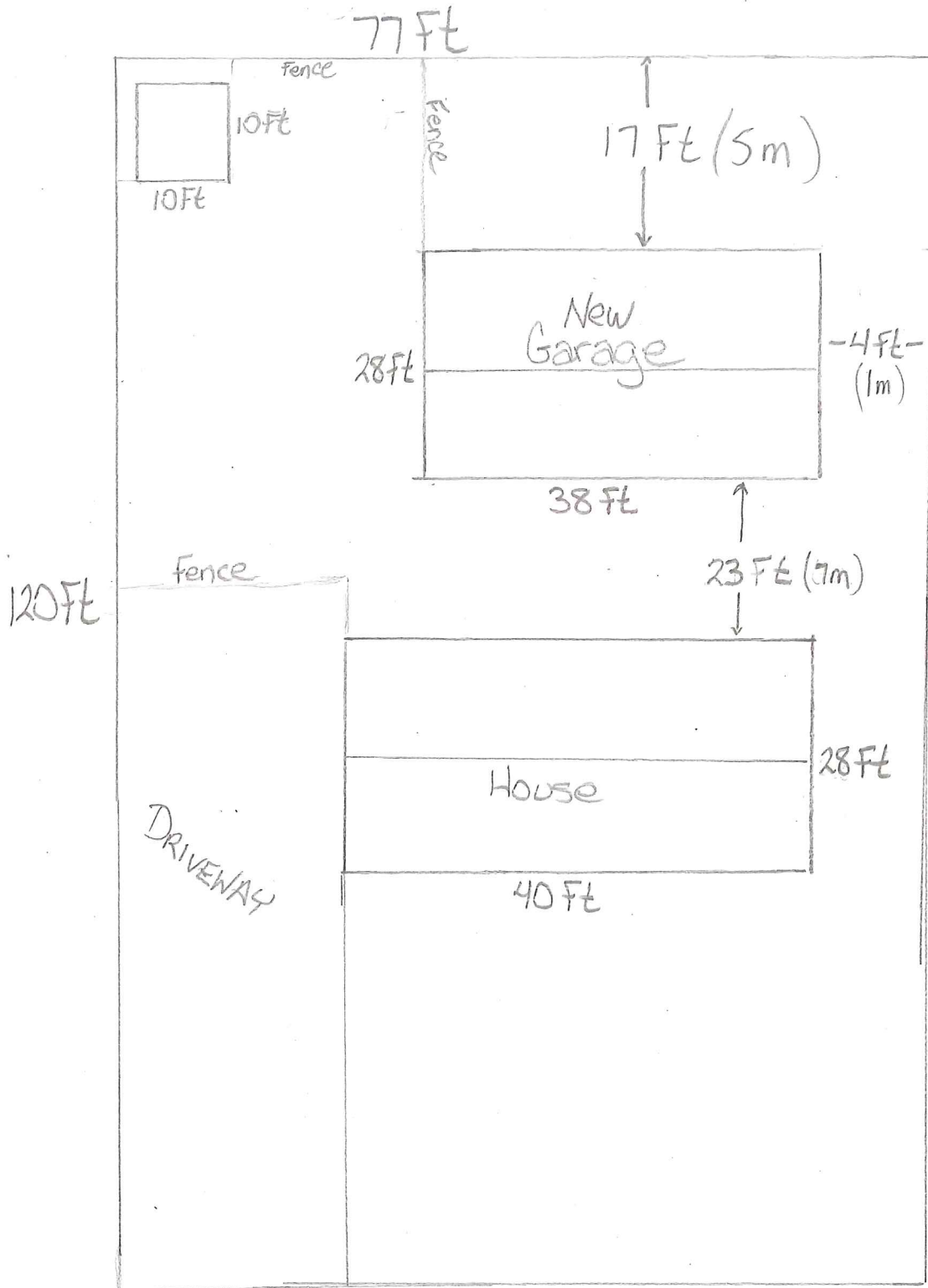


House Height 15'6"
 Garage Height 17'1"

 1'7" Total Height Difference
 - 3" Elevation Difference

 1'4" Peak Difference

Back Alleys



4011 57 STREET

Old Garage
same site as new
30 FT long x 24 FT wide