

# MUNICIPAL PLANNING COMMISSION

## AGENDA

NOVEMBER 14, 2024

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

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1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Confirmation of the October 18, 2024 MPC Meeting Minutes
5. Business Arising from the Minutes
6. **Development Application:** 3555-2024  
**Applicant:** James Patko Contracting  
**Legal:** Lot 6, Block 8, Plan 1177HW  
**Municipal:** 5724 – 50A Avenue  
**Proposed Development:** Single Family Dwelling with Attached Garage and Basement Suite
7. Adjournment

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
OCTOBER 18, 2024**

**Present:**

Councillors Cheryl Barros, Gord Lawlor, Wayne Smith, and Kurt Baker,  
Development Officer Angela Stormoen and Planning & Operations Clerk Maddie  
Standage

1. **Call to Order:** Chairman Cheryl Barros called the meeting to order at 8:30 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 October 3, 2024 MPC Meeting Minutes**

Moved by Councillor Wayne Smith that the Minutes of the October 3, 2024 MPC  
meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3548-2024

**Applicant:** SNL Surveys Ltd.

**Legal:** Lot 3, Block 52, Plan 2442AE

**Municipal:** 4912 – 42 Street

**Proposed Development:** Accessory Use: Shed on Skids

Director of Planning and Development read a report that follow:

**General:**

The applicant is proposing to move a 14' x 24' shed on skids onto the lot at 4912 –  
42 Street. The property is zoned Urban Reserve and as such an Accessory Use is  
Discretionary and requires Municipal Planning Commission decision.

Currently the lot is occupied by a mobile home and shop which operates a surveying business and includes small equipment storage. The shed is proposed to be used for additional storage and as such is conducive to the area and the Municipal Development Plan for future Industrial Land Use.

**Development Review:**

Land Use District – UR: Urban Reserve

Existing Land Use – Residential with Shop serving industrial business

Proposed Development – Accessory Use: Shed on Skids

- Definition – means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

Proposed Front Yard – 3 meter (in line with mobile home on lot)

Required Front Yard – MPC Discretion

Proposed Side Yard – 0.6 meter

Required Side Yard – 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:**

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

1. The owner/applicant must comply with all the 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 Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
4. The proposed development (Accessory Use: Shed on Skids) shall be located in accordance with the approved plan;
5. 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;
6. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
7. 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 Wayne Smith questioned if it was a new shed or if a condition regarding appearance is needed. Development Office Angela Stormoen confirmed that it is a new, prebuilt shed.

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

MOTION CARRIED

Unanimous

**7. Development Application: 3549-2024**

**Applicant:** Richard & Constance Huls

**Legal:** Lot 17, Block 9, Plan 7721414

**Municipal:** 4102 – 62 Street

**Proposed Development:** 2 Meter Fence on South Property Line

Director of Planning and Development read a report that follow:

**General:**

The applicant is proposing to construct a new 2.0 meter fence along the full length of the south property boundary at 4102 – 62 Street. The proposed fence meets the requirements within the Land Use Bylaw 2060-15 up to the portion which will extend past the forward portion of the principal dwelling. Therefore, the applicant is asking for a variance of 0.8 meters for the portion that extends past the forward portion of the dwelling to the front property boundary.

Section 46.2 within the Town of Stettler Land Use Bylaw 2060-15 states:

*The maximum height of a fence as measured from grade shall be:*

*-2.0 m for that portion of the fence which does not extend beyond the most forward portion of the principal building on the lot;*

*-1.2 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot.*

The applicant is requesting the variance to create privacy between the adjacent apartment building and create a barrier for residents cutting across their lawn. In conversation with the apartment manager a snow fence was installed to rectify the problem, however, the fence was cut and the problem continued.

The lot is an interior lot and with the boulevard and existing large trees at the location of the proposed fence, site lines are not a concern.

**Development Review:**

Land Use District – R1: Residential Low Density

Neighboring Land Use District – R2: Residential General

Existing Land Use – Residential

Proposed Use – 2 meter fence

**SECTION 46: FENCING AND SCREENING:**

46.2 The maximum height of a fence as measured from grade shall be:

46.2.1 2.0 m for that portion of the fence which does not extend beyond the most forward portion of the principal building on the lot;

46.2.2 1.2 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot; and

46.2.3 In the case of corner lots pursuant to Section 41.

46.3 Fence construction in all districts must be confined to the property line and shall not encroach onto any adjoining property including road and lane rights-of-way, utility easements or rights-of-way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments, are expressly approved by the Development Officer.

46.4 Commercial buildings adjacent to residential areas must be screened by a fence of not less than 2.0 m in height on those sides of the commercial lot adjacent to residential area or would be adjacent if not for a railway, road, utility right of way, or reserve land.

**DEFINITIONS:**

“FENCE” means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or to provide sound abatement.

**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 0.8 meter variance on the front yard fence height along the south property line;
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;

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.

**Alternatives:**

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

**Discussion**

Discussion ensued regarding the fence placement and purpose of the fence. The Committee asked that administration ensure that the snow fence will be removed upon construction of the new fence.

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

MOTION CARRIED

Unanimous

8. The meeting adjourned at 8:35 a.m. on a motion by Councillor Kurt Baker.



## Request For Decision

### **Issue:**

Development Permit Application: 3555-2024  
Applicant: James Patko Contracting  
Proposed Location: Lot 6, Block 8, Plan 1177HW  
Municipal: 5724 – 50A Avenue  
Development: SFD with Attached Garage and Basement Suite

### **BACKGROUND**

#### **General:**

The applicant is proposing to reconstruct a single-family dwelling with attached garage and a two bedroom basement suite at 5724 – 50A Avenue. The dwelling was originally constructed in 2013 and was partially demolished/gutted in fall of 2024 due to a house fire. The applicant proposes to reconstruct the dwelling as originally built, with the addition of a basement suite.

The proposed development is located in the R2: General Residential Land Use District and as such the basement suite is considered a discretionary use.

The proposed basement suite will have a separate entrance located on the east side of the building and meets the parking requirements of 4 total stalls as per the Town of Stettler Land Use Bylaw. Further, the applicant is proposing a separate fenced yard for the basement suite located on the southeast corner of the property including landscaping.

The applicant will be required to ensure the basement suite is built to the current Alberta Building Code standards, including proper fire separation between units, hard wired fire alarms, separate heating systems, proper egress from basement windows, etc. Additionally the applicant has fulfilled the requirement of 4 off street parking stalls to accommodate 2 stalls per dwelling unit as required by the Town of Stettler's Land Use Bylaw by means of the attached garage and existing driveway apron.

#### **Development Review:**

Land Use District – R2 – Residential General  
Existing Land Use – Dwelling, Single Detached  
Proposed Land Use – Basement Suite – Dwelling, Single Detached Only

- Definition – means a basement developed as a dwelling unit within a Single Family Dwelling and approved by the Development Authority all dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

#### **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 the 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 or otherwise;
3. 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;
4. The proposed development (Single Family Dwelling with Attached Garage) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Town of Stettler;
5. Landscaping must be completed by the end of the first growing season following the date of approval;
6. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the

Town of Stettler's Director of Operational Services;

7. 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;
8. The applicant must supply four off street parking stalls to accommodate for the principal dwelling and basement suite;
9. The owner/applicant must submit any revisions of the blueprints to the Town of Stettler Development Authority for approval;
10. The owner/applicant shall arrange for and obtain approval for compliance with the current Alberta Building Code;
11. Applicant must provide the Town of Stettler with an Alberta Home Warranty registration number prior to issuance of a Building Permit;
12. Applicant must provide the Town of Stettler with an Alberta Energy Efficiency Report prior to issuance of a Building Permit;
13. The owner/applicant must obtain a building permit for this development. (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, Development Officer



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

APPLICATION # 3555-2024

TAX ROLL # 108060008

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

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

APPLICANT: James Patko Contracting Inc MAILING ADDRESS: Box 36

CITY: Erskine PROV: AB POSTAL CODE: T0C-1G0

PHONE: 403-742-7765 FAX: \_\_\_\_\_ EMAIL: jp-contracting@hotmail.com

REGISTERED OWNER: Yvonne Wiant ADDRESS: \_\_\_\_\_

ADDRESS OF PROPERTY TO BE DEVELOPED: 5724 - 50 A Ave.

LOT: 6 BLOCK: 8 REGISTERED PLAN: 1177 HW

EXISTING USE: vacant residential LAND USE DISTRICT: R2

MAIN USE OF LAND AND OR BUILDINGS EITHER EXISTING OR PROPOSED: Residential Home with Basement Suite

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.) \_\_\_\_\_

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: Nov 6/2024 SIGNATURE OF APPLICANT: 

APPLICATIONS SHALL BE ACCOMPANIED BY THE FOLLOWING:

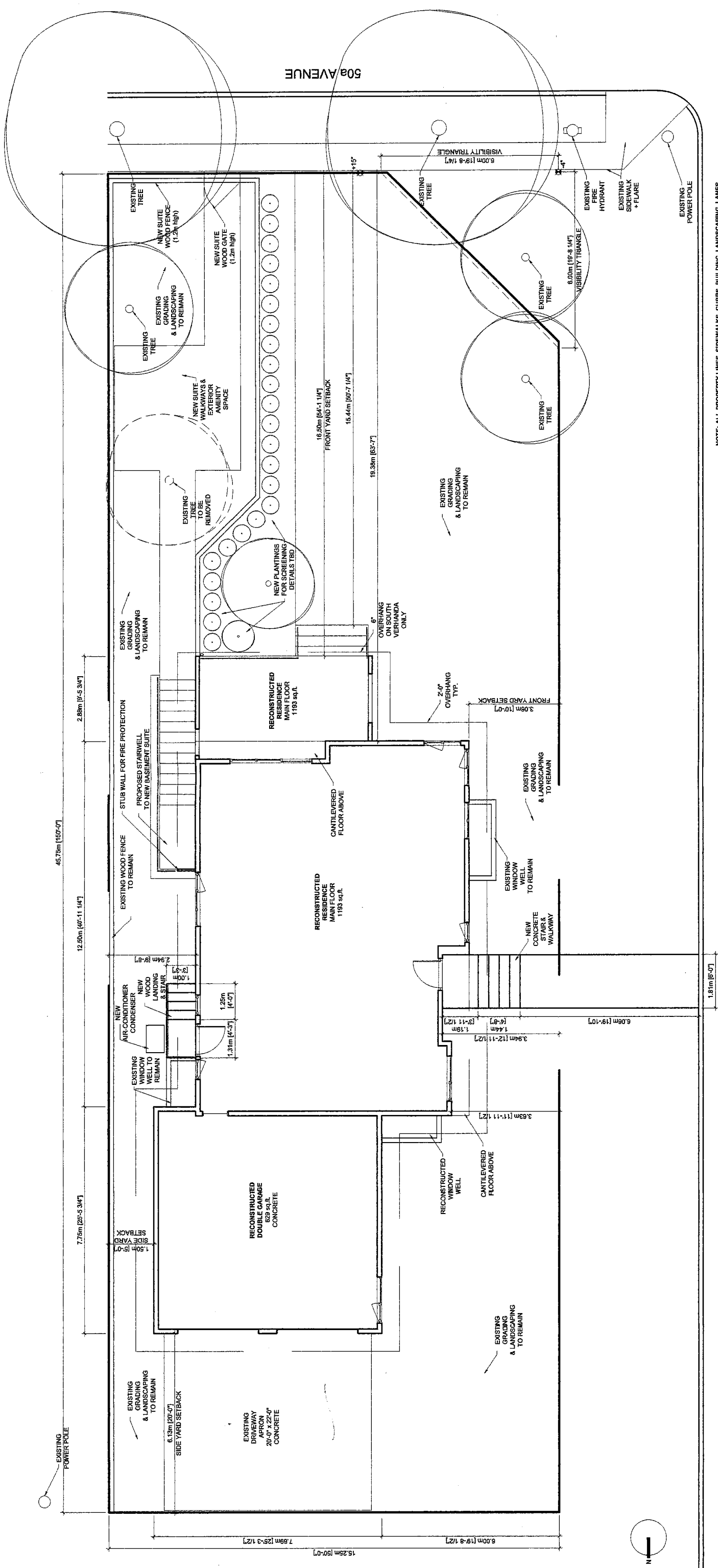
- (1) A **NON-RETURNABLE PROCESSING FEE** (SEE POLICY IV-1 – BUILDING AND DEVELOPMENT PERMIT FEE SCHEDULE)
- (2) A **SCALED SITE PLAN** IN DUPLICATE SHOWING THE TREATMENT OF LANDSCAPED AREAS, IF REQUIRED, THE LEGAL DESCRIPTION, THE FRONT, REAR AND SIDE YARDS, IF ANY, ANY PROVISION OF OFF-STREET LOADING 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: _____



NOTE: ALL PROPERTY LINES, SIDEWALKS, CURBS, BUILDING, LANDSCAPING LINES, STREETS, UTILITIES, LIGHT STANDARDS, EMBLEMENTS TO BE CONFIRMED ON SITE

58TH STREET

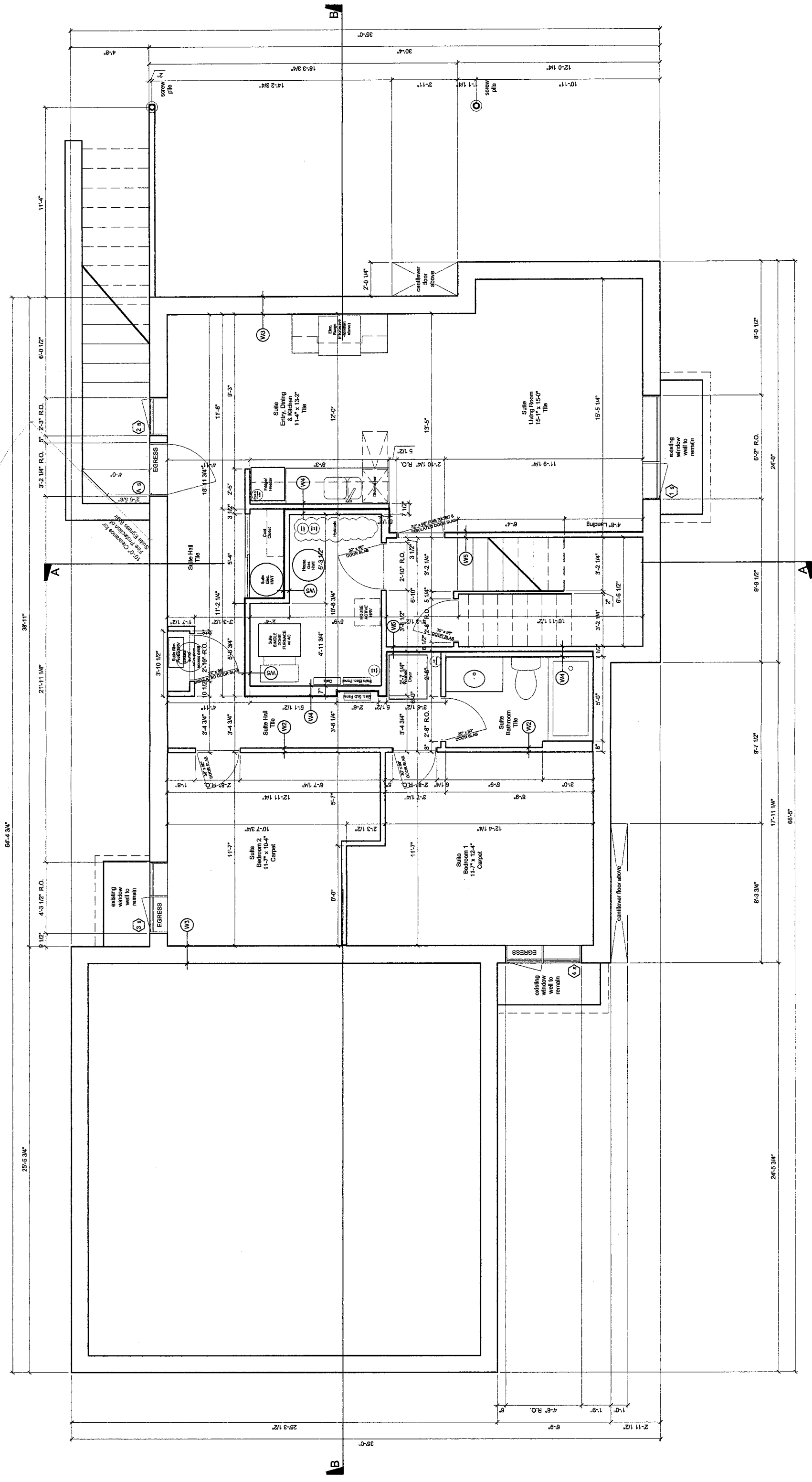
50A AVENUE

**DRAWING NAME:** SITE PLAN  
**DRAWING SCALE:** 3/32" = 1'-0"  
**DRAWING DATE:** OCTOBER 27, 2024  
**ISSUED FOR:** BUILDING PERMIT

**PROJECT:** Yvonne Wiar Residence  
**ADDRESS:** 5724 50A Avenue,  
 Stettler, Alberta  
**LEGAL:** Lot6;Block8;Plan1177HW

Do not scale from drawing. The author takes no responsibility for any dimensions obtained by measuring or scaling from this drawing and no reliance may be placed on such dimensions. If no dimension is given it is the responsibility of the recipient to ascertain the dimension specifically from the author or by site measurement.  
 The sizing of all structural and service elements must always be checked against the relevant engineering drawings. No reliance should be placed upon sizing information shown on this drawing.

**WMM**  
 WAYNE MALAKA, M.Arch  
 malaka.w@me.com 403.481.1251



**WAYNE MALAKA, M.Arch**  
malaka.w@me.com 403.481.1251

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The sizing of all structural and service elements must always be checked against the relevant engineering drawings. No reliance should be placed upon sizing information shown on this drawing.

**PROJECT:** Yvonne Wiar Residence  
**ADDRESS:** 5724 50A Avenue,  
Stettler, Alberta  
**LEGAL:** Lot6;Block8;Plan1177HW

**DRAWING NAME:** BASEMENT PLAN  
**DRAWING SCALE:** 3/16" = 1'-0"  
**DRAWING DATE:** OCTOBER 26, 2026  
**ISSUED FOR:** PERMITS