



**CITY OF LACOMBE**  
**MUNICIPAL PLANNING COMMISSION**  
**MINUTES 050918**

**DATE:** September 5, 2018  
**PLACE:** City of Lacombe Council Chambers  
**TIME:** 5:00 p.m.

<b>PRESENT:</b>	Grant Creasy	Chairperson
	Thalia Hibbs	Councilor
	Don Gullekson	Councilor
	Don Easton	Member at Large
	Sandra Badry	Member at Large

**STAFF:** Debbie Bonnett, Manager  
Gail Long, Development Officer  
Kyle Schole, Development Officer

**1. CALL TO ORDER**

Chairperson Creasy called the meeting to order at 5:00 p.m.

**2. ADOPTION OF AGENDA**

That the agenda be approved as presented.

**MOVED BY:** Member Badry

**CARRIED:** Unanimously

**3. ADOPTION OF MINUTES**

That the Municipal Planning Commission minutes for August 15, 2018, be approved as amended.

**MOVED BY:** Member Badry

**CARRIED:** Unanimously

**4. NEW DEVELOPMENT PERMIT APPLICATIONS**

**A. 61/255.23 2018 – Home Occupation 2 – Personal Services – Psychotherapy**

As the applicant was not present at the meeting, the Committee agreed to consider the application following consideration of all other agenda items.

**B. 61/251.51 2018 – Demolition of an Existing Detached Residence and Accessory Buildings**

The applicant was in attendance to provide additional information.

Development Officer Gail Long presented an application for the demolition of a detached dwelling at 5327 48 Avenue. As the dwelling was built more than 50 years ago, the application is subject to the Historic District Area Overlay which provides guidelines for the demolition of principle structures of 50 years of age or older.

Thirty-Two (32) property owners were notified, with two responses being received in support of the application, with suggestions for change.

The proposed demolition of the existing detached dwelling will be subject to the regulations set out in the Historic District Area Overlay. This Overlay regulates the demolition of all principal buildings aged 50 years of age or older and sets out the guidelines to be followed for demolition consideration.

The residence is not included on either the Heritage Inventory or the Places of Interest List.

Notice of the demolition was advertised in the Lacombe Globe on August 16 and August 23, 2018. The City did not receive any interest in relocating or salvaging any materials from the building.

The Lacombe and District Historical Society provided an assessment of the historical value of the building dated August 17, 2018. The assessment indicates that the detached dwelling was constructed circa 1940. The house consists of one storey plus an attic and a basement, and features a vinyl siding exterior, original wood windows, concrete foundation, and an asphalt-shingled roof. Numerous renovations had been done to modernize the home, including an addition to the back porch completed in 1979, and the front porch in 1984. The A frame house has architectural features that are reflective of the era and region, but is not unique in Lacombe, and does not have any significant heritage value.

The Heritage Resource Committee recommends salvage of the original doors with knobs, original windows (interior and exterior) with mullions, and the built-in ironing board cabinet. No information has been received on future development of the site.

As the Heritage Resource Committee did not oppose the demolition, Planning & Development Services supported the application subject to conditions.

**MOVED BY:** Member Hibbs

**RESOLVED** that the Municipal Planning Commission approve the discretionary demolition of the detached dwelling and accessory buildings located at 5327 48 Avenue, Lot 25 Block 24 Plan 5057T, zoned R4 – Residential Mixed District, and in the Central Residential District Overlay.

Approval is in respect of works consisting of and as described on the development permit application form and plans submitted by the applicant, subject to the following conditions:

1. This permit indicates that only the demolition to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw, orders and/or regulations affecting such demolition.
2. This permit is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the relocation and demolition have not been commenced with reasonable diligence, this permit shall be null and void.
3. The Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
4. Applicant is to obtain a City of Lacombe building permit prior to demolition.
5. Prior to building permit issuance, the applicant is to apply for disconnection of the electrical, gas, and water services to the building, as applicable.

6. Applicant shall be required to submit a Development Deposit of \$1,000.00 prior to receipt of the Building Permit, refundable upon meeting the conditions of the development and building permit.
7. Applicant is to ensure the demolition area is fenced until it has been leveled. Applicant shall ensure that the demolition area is leveled within seven days of demolition.
8. Applicant is to ensure the site remains neat and tidy, and free of noxious weeds. Applicant is required to sod or seed the lot with grass within one year of demolition if future development has not commenced.
9. All dry rubble materials are to be disposed of at the Prentiss Waste Station or at an area approved by Alberta Environment and Parks.
10. No damage is to occur to the existing tree located in the City's boulevard.
11. A separate development permit and building permit approval will be required for any redevelopment on 5327 48 Avenue.
12. The decision of the Municipal Planning Commission being provided to the applicant and the landowner, notice being posted on the City of Lacombe's website, notice being posted in a local newspaper, notice being posted on the subject lands, and no appeal against the decision being successful.

*Please note that the applicant is to ensure that all Occupational Health and Safety requirements are met.*

*Please note that this decision is subject to an appeal period which ends on **September 26, 2018** at 4:30pm.*

*Please note that the Heritage Resource Committee recognizes that the applicant may want to salvage some of the items from the building. However, if the original doors with knobs, original windows (interior and exterior) with mullions, and the built-in ironing board cabinet can be donated to the Committee, please contact Jennifer Kirchner at 403-782-1264 (extension 228).*

*Please note that the applicant is responsible to arrange an inspection with a qualified company to inspect for asbestos prior to demolition or relocation, in accordance with Alberta Building Code Standata 06-BCB-006.*

**CARRIED:** Unanimously

### **C. 61/251.63 2018 – Overheight Fence, Location of 3 Shipping Containers**

The applicant was in attendance to provide additional information.

Development Officer Gail Long presented an application for approval of an over-height fence, and the permanent location of three (3) shipping containers/trailers at 5039 49 Street. A variance for an over-height fence requires approval of the Municipal Planning Commission. As well, approval is required for the permanent location of 3 shipping containers/trailers, which are being considered a "grandfathered" use on this property.

Thirty-Nine (39) property owners were notified, with one response being received in support of the application.

A Building Permit for exterior renovations to the existing building located on the parcel has recently been approved. As part of this project, the applicant has applied for approval to remove the existing fence located at the front of the property adjacent 49 Street and construct a new architectural fence at the same location.

The City's Land Use Bylaw does not require a development permit for *"the erection, construction or maintenance of gates, fences, walls and other means of enclosure less than or equal to 1m in height in front yards, and 1.8m in height in any side or rear yard."*

The applicant is proposing a 2.14m high black prefinished aluminum gate and panel fence along 49<sup>th</sup> Street from the southwest corner of the building, to extend to the southwest property boundary. A 3.30m high wooden beam and panel frame will surround the fence panels. The height of the fence, with the wooden beam structure, will be aesthetically pleasing and is intended to provide for screening and security, while the gates contained within the fence will provide a location for customer pick up.

It should be noted that in the commercial district, there are no height restrictions for fencing with the exception of properties that may impact uses in adjacent residential districts; in these cases, a maximum fence height of 1.8m may be required on any side or rear yard that abuts a residential district. There are no restrictions listed in relation to the maximum height of a fence allowed in the front yard of a commercial property, other than the requirement for development permit approval if the fence is over 1m in height. As 49 Street is considered the front of this property, the applicant is required to apply for approval of the proposed fence as it exceeds 1m in height.

The applicant currently has one shipping container/trailer located on a permanent basis in the storage compound south of the building. The applicant is also using the adjacent lots (4809 & 4813 51 Avenue) for storage, with supplies being located outside, or inside the numerous trailers on the parcels. It is the applicant's intentions to remove all trailers from 4809 & 4813 51 Avenue in order to prepare these lots for re-development. In order to do this, it is proposed that 2 of these shipping containers/trailers be moved onto 5239 49 Street to provide for additional storage on the parcel. If approved, 3 shipping containers/trailers would be stored in the fenced compound south of the building, with screening being provided from 49 Street by the over-height fence.

Shipping containers are not listed as either a permitted or discretionary use in the C1 – Downtown Commercial District. However, it is the Department's position that the landowner has had trailers stored on the property for a number of years, and that it would be a great improvement to all lots if these trailers were located within the fenced compound as proposed. Planning and Development is suggesting that the Municipal Planning Commission approve a maximum of 3 shipping containers/trailers as a "grandfathered" use, to be located south of the retail building on 5039 49<sup>th</sup> Street in the fenced compound, at the locations proposed.

The improvements to the exterior of the existing building, the proposed over-height fence adjacent 49<sup>th</sup> Street, the location of 3 shipping containers within the fenced compound, and the removal of all trailers to allow for redevelopment of 4809 and 4813 51 Avenue will be a great improvement to the area. Planning and Development supports the proposal as submitted, subject to conditions.

There was discussion as to the differences between a shipping container and a trailer, with the decision being taken to narrow the resolution and conditions to refer specifically to the placement of three shipping containers as opposed to containers/trailers. It was determined that the existing trailers could continue to be used providing they were taken off of their chassis and set directly on the ground.

**MOVED BY:** Member Easton

**RESOLVED** that the Municipal Planning Commission approve the proposed 2.14m high black prefinished aluminum gate and panel fence with a 3.30m high wooden beam and panel frame along the front property boundary of 5039 49<sup>th</sup> Street, Lots 4-8, Block 4 Plan RN1, zoned C1 – Downtown Commercial District, as proposed. Furthermore, approval is granted for the permanent location of 3 shipping containers to be located within the fenced compound south of the existing building, as a "grandfathered" use, subject to the following conditions:

Approval is in respect of works consisting of and as described on the development permit application form and plans submitted by the applicant, subject to the following conditions:

1. This permit indicates that only the demolition to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw, orders and/or regulations affecting such demolition.
2. This permit is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced with reasonable diligence, this permit shall be null and void.
3. The Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.

4. The maximum height of the fence is to be 2.14m high with a maximum 3.30m high wooden beam and panel frame surrounding the fence panels.
5. A maximum of 3 shipping containers are to be located on site, with approval being contingent upon the removal of all shipping containers and storage items on Lots 4809 and 4813 51 Avenue.
6. Shipping containers are not to exceed 13.8m (L) x 2.5m (W) x 2.9m (H).
7. Shipping containers are to be finished in the same color as the primary color of the principal building on the parcel.
8. Shipping containers are to be standalone so they are not connected to one another or any other
9. structure.
10. Shipping containers shall be placed on the ground and shall not be stacked upon one another or any other structure.
11. The chain link fence located at the side and rear property boundaries is to remain.
12. The decision of the Municipal Planning Commission being provided to the applicant and the landowner, notice being posted on the City of Lacombe's website, notice being posted in a local newspaper, notice being posted on the subject lands, and no appeal against the decision being successful.

*Please note that this decision is subject to an appeal period which ends on **September 26, 2018** at 4:30pm.*

**CARRIED:** Unanimously

#### **D. 61/251.54 2018 – Addition to Detached Garage for a Garden Suite**

The applicant was in attendance to provide additional information.

Development Officer Gail Long presented an application for the construction of a garden suite. A garden suite is listed as a discretionary use in the R1 district, requiring Municipal Planning Commission approval.

Twenty-one (21) property owners were notified, with no responses being received.

The detached garage on the parcel is 66.89 m<sup>2</sup> in size. It is proposed that a 42.55m<sup>2</sup> addition at the north end of the existing detached garage be constructed to accommodate the proposed garden suite, for a total area of 109.44m<sup>2</sup>.

The total floor area of the home is 195.84m<sup>2</sup>, allowing for a 98.34m<sup>2</sup> garden suite. The proposed garden suite (42.55m<sup>2</sup>) is not exceeding either the square footage allowed, or the 40% maximum size allowed when considering the total floor area of the detached dwelling.

The footprint of the existing home on the parcel is 140.98m<sup>2</sup>. Although the total footprint of the accessory building will not be exceeding the building footprint of the principal dwelling on the parcel, if the addition is approved, the accessory building will be exceeding the maximum size of 75m<sup>2</sup>, requiring a 46% variance to the size of an accessory residential building containing a garden suite.

Two parking spaces will be required for residents of the home, and one additional parking space will be required for residents of the garden suite. The existing garages provide for three (3) vehicle parking spaces. The applicant has indicated that the parking space for the suite will be on the pavement.

The proposed height of the garden suite is within the bylaw requirements.

Land Use Bylaw 400 allows for a 12% concentration of secondary suites on a block. This particular block contains 17 residential lots, with nine (9) lots zoned R4, and eight (8) lots zoned R1. It should be noted that three of the nine (9) lots zoned R4 contain secondary suites, while the remaining 5 lots contain multi-housing developments. Within the R4 and R5 districts, suites are not regulated by a block limitation.

Of the eight (8) lots zoned R1, 3 of the parcels contain secondary suites. Using the 12% block calculation, only 1 of the R1 lots can be considered to contain either a secondary suite or garden suite. If approved, this will be the fourth R1 lot to contain either a secondary suite or garden suite, requiring a 300% variance.

Land Use Bylaw 400 states that the number of suites allowed within any block in the R1 District **shall** be limited to twelve percent (12%) of the existing parcels located on that block. ..." The Land Use Bylaw 400 also states that *"If the number of existing suites exceeds the prescribed concentration on a block the Development Authority will consider the functionality and merits of each individual application on a case by case basis."*

"Rules of Interpretation" of the City's Land Use Bylaw, (Part 2.1.1 a) state as follows:

- "a) the word "shall" denotes compliance or adherence is mandatory:
  - i. *Where "shall" allows for the Development Authority to be otherwise satisfied, the Development Authority may choose to waive or vary a "shall" but the application shall be considered and treated as a discretionary use or as an application with a variance.*

With the inclusion of this Section, the Municipal Planning Commission has the discretion as to whether or not the 12% variance could be waived. However, this waiver would be subject to Section 4.8.8 of the Land Use Bylaw, which states that *"Variances granted by the Municipal Planning Commission Development Authority shall not exceed a variance of more than 100% from the requirements of this Bylaw. Where a variance request exceeds 100%, the application shall be modified to ensure that the variance does not exceed 100% or be refused, citing reasons for refusal."*

This particular property is located in close proximity to Burman University where there is a need for rental accommodation. As this particular block has a number of multi-residential developments contained within, as three out of eight of the existing properties zoned R1 – Residential Detached District already contain secondary suites, and as there has been no opposition from adjacent landowners regarding the proposed garden suite, Planning and Development would normally recommend support of the application.

However, as the approval of this suite would require a 300% variance to the maximum number of suites allowed in this block, the Municipal Planning Commission has no authority to approve the application. It should be noted that the applicant has the option to appeal a refusal of the Municipal Planning Commission.

There was discussion as to how many suites would normally be permitted. In this block, one suite would have been permitted, with the additional two most likely having been previously approved under Lacombe County.

Further discussion was held as to whether the Municipal Planning Commission was within its jurisdiction of authority to consider the application.

As the Municipal Planning Commission considered approval of the application as submitted, Planning and Development Services recommended the following conditions:

**MOVED BY:** Member Gullekson

**RESOLVED** that the Municipal Planning Commission approve the proposed addition to the accessory residential building at 4906 College Avenue, Lot 5 Block 4 Plan 3378MC, zoned R1 – Residential Detached District, with a 49% variance to the size of the accessory residential building and a 300% variance to the number of secondary/garden suites allowed in this block from 12% (equivalent to 1 secondary suite) to 50% (equivalent to 4 secondary suites), requiring a 300% variance to the number of secondary/garden suites allowed in this block.

Approval is in respect of works consisting of and as described on the development permit application form and plans submitted by the applicant, subject to the following conditions:

1. This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw and in or any other bylaw, orders and/or regulations affecting such development.
2. This permit is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced with reasonable diligence, this permit shall be null and void.
3. The Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
4. Applicant to apply for and receive a building permit and any necessary electrical, plumbing and gas permits for the suite and is to confirm that the suite is fully compliant with the Alberta Building Codes within one year of Building Permit issuance, and also prior to occupancy of the suite.
5. Applicant to ensure that the garden suite matches or is complimentary to the detached garage/primary dwelling unit in color and materials.
6. The exterior of the buildings, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
7. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
8. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
9. Applicant may not connect floor drain in garage floor slab to City services.
10. Applicant to display the assigned civic address near the front door of the suite so that it can be clearly defined.
11. One on-site parking space shall be provided for residents of the secondary suite, with the size of the parking space being a minimum of 2.75m x 5.5m.
12. If the applicant proposes to have the parking space located at the back of the property directly behind the garden suite, the parking area shall be hard surfaced.
13. Applicant shall provide a hard surfaced pathway from the parking area designated for occupants of the secondary suite to the entrance to the secondary suite.
14. Applicant will be required to connect the secondary suite to existing services on the lot.
15. Applicant shall be required to submit a Development Deposit of \$1,000 prior to receipt of the Building Permit.
16. The decision of the Municipal Planning Commission being provided to the applicant and the landowner, notice being posted on the City of Lacombe's website, notice being posted in a local newspaper, notice being posted on the subject lands, and no appeal against the decision being successful.

*\*Please note that this decision is subject to an appeal period which ends on September 26, 2018 at 4:30pm.*

**Note:** *This is to inform the applicant that the City of Lacombe cannot guarantee a ten-minute fire department response time. As such, the building plan review may identify construction measures necessary to ensure fire spread is limited as required by the Alberta Building Code.*

**DEFEATED: 2 – 3**

The proposed addition to the detached garage for a secondary suite is therefore deemed to be refused. Reasons for refusal are as follows:

- In accordance with Part 2.1.1 a), "Rules of Interpretation", the "shall" clause which has been included under Clause 9.11.16 stating that "the number of suites allowed within any block (for R1 (Residential Detached), ...Districts) shall be limited to twelve percent (12%) of the existing parcels located on that block" denotes compliance or adherence is mandatory.
- Although Clause 9.11.19 "allows for the Development Authority to be otherwise satisfied, the Development Authority may choose to waive or vary a "shall" but the application shall be considered and treated as a discretionary use or as an application with a variance."
- In this case, there are already 3 secondary suites out of the 8 R1 lots containing a suite. The 300% variance required to approve this application far exceeds the 100% variance in which the MPC has authority to approve.

Appeals must be received by the SDAB Secretary on or before **September 26, 2018** at 4:30 pm, and must be accompanied by an appeal fee of \$250.00. A portion of this amount (\$200.00) may be refunded should the appellant be successful in their appeal. Please note that the notice sent by mail is deemed to have been received seven (7) days from the date of its issue.

#### **E. 61/251.46 2018 Master Plan for Charis Village**

The applicant was in attendance to provide additional information.

Development Officer Gail Long presented an application for the Master Plan for Charis Village, being a large multiple housing development being proposed at 7200 72 Avenue. The development will consist of the construction of semi detached units, independent living apartment buildings, an assisted living building, and a long term care facility. A multiple housing development is considered a permitted use in the R6 District, while a Care Resident is considered a discretionary use in the R6 District. As the proposed Master Plan consists of both multiple housing development and a care facility, the entire plan is being presented to the Municipal Planning Commission for consideration.

Thirteen (13) property owners were notified, with one response being received supporting the application with suggestions for change.

The proposed development will proceed in five stages, with the first phase consisting of the construction of 10 semi-detached buildings (20 units), and a 46-unit independent living building. The second phase will consist of construction of the remaining 4 semi-detached buildings (8 units) and the second independent living building consisting of 50 units. The third phase of development will consist of the construction of an amenity building, and the third independent living building, consisting of 50 units. The fourth stage of development will consist of an assisted living building for 100 residents, and the fifth stage will consist of a long term care building for 120 residents.

The plan shows the location of all proposed buildings on the parcel, with the location of roadways being identified. A temporary access for emergency purposes will be located off of the C & E Trail as part of the first phase of development, and will remain in place until such time as the roadway called Herr Promenade has been constructed on the north boundary of the village. The timeline for construction of Herr Promenade is still under discussion.

The applicant has advised they will be evaluating the needs in the community prior to each phase of development to determine if the buildings proposed for the site are suitable, or if there is a need to change the use to better meet the needs of an aging society.

An evaluation of the Master Plan has included a review of the first phase of the development to ensure all requirements of the City's Land Use Bylaw will be met. The applicant will be required to submit a development permit application prior to construction of each building on the property, at which time requirements of the Land Use Bylaw will be reviewed to ensure compliance.

Some discussion was held as to what 'consideration of community needs' would look like. The applicant indicated that this would be a phase-by-phase deliberation, and that any changes to the Master Plan would need to be considered by the Municipal Planning Commission.

Some discussion was also held in regard to the proposed temporary access, with the determination being made to require hard surfacing for the first 6 meters off of C & E Trail in order to limit dust and potential damage to the roadway.

Planning and Development Services is supportive of the proposed Charis Village development and recommended approval of the proposed Master Plan, subject to conditions.

**MOVED BY:** Member Gullekson

**RESOLVED** that the Municipal Planning Commission approve the Charis Village Master Plan, which consists of the construction of 14 semi-detached buildings (28 units), 3 independent-living buildings, 1 assisted-living building, and 1 long-term care building to be constructed in 5 phases at 7200 72 Avenue, Lot 4 Block 12 Plan 182 1536, zoned R6 – Residential Apartment District.

Approval is in respect of works consisting of and as described on the development permit application form and plans submitted by the applicant, subject to the following conditions:

1. This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw, orders and/or regulations affecting such demolition.
2. This permit is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced with reasonable diligence, this permit shall be null and void.
3. The Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
4. Applicant will be required to enter into a Development Agreement with the City of Lacombe at each phase of Development. Among other things, this Agreement will address the need for hard surfacing and landscaping estimates, the construction of Herr Promenade, and may require the payment of offsite levies.
5. Applicant to ensure that all requirements of the City's Land Use Bylaw are met prior to each phase of development (ie. landscaping, vehicle parking, bicycle parking, location of loading spaces and garbage disposal areas).
6. Applicant will be required to apply for and obtain development permit approval prior to construction of each building on the property.
7. Any variances to requirements of the Land Use Bylaw and/or any proposed amendments to the Master Plan which may change a permitted use to a discretionary use may result in the need to have the changes reviewed and approved by the Municipal Planning Commission, at the discretion of the Development Authority.
8. The first 6m of the temporary emergency road adjacent the C & E Trail shall be hard surfaced.
9. The decision of the Municipal Planning Commission being provided to the applicant and the landowner, notice being posted on the City of Lacombe's website, notice being posted in a local newspaper, notice being posted on the subject lands, and no appeal against the decision being successful.

*Please note that this decision is subject to an appeal period which ends on **September 26, 2018** at 4:30pm.*

**CARRIED:** Unanimously

**A. 61/255.23 2018 – Home Occupation 2 – Personal Services – Psychotherapy**

Development Officer Gail Long presented an application for a Home Occupation 2 (Psychotherapy) to be located at 4730A College Avenue. A Home Occupation 2 is a discretionary use and requires approval from the Municipal Planning Commission.

Twenty-four (24) property owners were notified, with two responses being received in support of the application.

The applicant is proposing to offer counselling and health coaching services to individuals, couples, and families. Services will be offered 4 hours per day, with appointments normally scheduled from 10:00 to 5:00 p.m. There may be an occasional appointment in the evening.

There is an approved duplex development on this lot. The applicants live at the front of the building closest to College Avenue, while another housing unit is located at the rear of the building. Parking of vehicles for residents of the units is located within the two detached garages on the property, with access to the garage located on the west boundary of the

property being located midway through the property from Deer Street. In addition to these four parking spaces, there is a paved driveway with access from College Avenue which can be used for client parking.

There was discussion as to whether the drawings provided by the applicant represented a surplus of vehicle parking, and administration confirmed that this is indeed the case.

Planning and Development recommended approval subject to conditions.

**MOVED BY:** Member Gullekson

**RESOLVED** that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Personal Services (Psychotherapy Services) to be located at 4730A College Avenue, Lot 8 Block 1 Plan 6089ET, zoned R4 – Residential Mixed District.

Approval is in respect of works consisting of and as described on the development permit application form and plans submitted by the applicant, subject to the following conditions:

This permit indicates that only the development to which it relates is authorized, with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw and in or any other bylaw, orders and/or regulations affecting such development.

1. This permit is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced with reasonable diligence, this permit shall be null and void.
2. The Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
3. Applicant to obtain and maintain a valid business license from the City of Lacombe.
4. There shall be a maximum of 2 business related (client) vehicles at the property at any given time.
5. Hours of Business shall be limited to 9:00 a.m. to 9:00 p.m. from Monday through Friday.
6. Only residents of the principal dwelling shall be engaged on the premises for the purpose of carrying on the home occupation.
7. All business related parking is to occur within the property boundaries. College Avenue and/or Deer Street may not be utilized to accommodate the parking needs of the Home Occupation 2.
8. Applicant to display the assigned civic address at or near the front of the property so that it can be clearly read from the roadway.
9. This permit is valid for the address stated on the application and is not transferable to a new address.
10. Any permit issued for home occupations may be revoked at any time if, in the opinion of the development authority, the home occupation is, or has become detrimental to the amenities of the neighborhood.
  
11. Only one sign shall be allowed on the property for the Home Occupation use. The sign may have the logo of the business if desired, shall display only the name of the business and the telephone number, shall not exceed 0.16m<sup>2</sup> in size, is to be unlit, and is to be affixed to the front face of the dwelling or a freestanding sign post not to exceed 1.5m in height.
12. The decision of the Municipal Planning Commission being provided to the applicant and the landowner, notice being posted on the City of Lacombe's website, notice being posted in a local newspaper, notice being posted on the subject lands, and no appeal against the decision being successful.

*Please note that this decision is subject to an appeal period which ends on **September 26, 2018** at 4:30 p.m.*

**CARRIED:** Unanimously

**6. NEXT MPC MEETING**

- A. October 3, 2018
- B. As there is a budget meeting scheduled for the typical Wednesday MPC on November 7<sup>th</sup>, the MPC will instead meet on Tuesday November 6<sup>th</sup>, pending receipt of applications.

**7. ADJOURNMENT**

**MOVED BY:** Member Hibbs

THAT this meeting now adjourns at 6:12pm

**CARRIED:** Unanimously

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Chairperson

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Date