



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION
MINUTES 031018

DATE: October 3, 2018
PLACE: City of Lacombe Council Chambers
TIME: 5:00 p.m.

PRESENT: Grant Creasy Chairperson
Thalia Hibbs Councilor
Don Gullekson Councilor

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

1. CALL TO ORDER

Chairperson Creasy called the meeting to order at 5:03 p.m.

2. ADOPTION OF AGENDA

That the agenda be approved as presented.

MOVED BY: Member Gullekson

CARRIED: Unanimously

3. ADOPTION OF MINUTES

That the Municipal Planning Commission minutes for September 5, 2018, be approved.

MOVED BY: Member Hibbs

CARRIED: Unanimously

4. NEW DEVELOPMENT PERMIT APPLICATIONS

A. 61/251.77 2018 5 Unit Multi-Housing Development

The applicant, Shawn Claremont and representative Peter Bouwsema were in attendance to provide additional information and answer questions.

Development Officer Gail Long presented an application for the construction of a 5-unit residential building to be located at 5327 48 Avenue. A multi-attached housing development is considered a discretionary use within the Land Use Bylaw in the R4 District.

Thirty (30) adjacent or neighboring property owners within 60m of the subject site were notified, with four responses being received in opposition to the proposed development.

The proposed development is within the maximum density and height requirements allowed for this parcel.

A 2.4m side yard setback is required when the entry door is located at the side of the unit. The building is located 1.53m from the side property boundary, and therefore, a 37% variance is required.

Planning and Development Services has no concern with the design and the design elements of the building as shown on the elevation plan submitted at time of development permit application.

The exact locations of the garbage disposal bins are to be determined in consultation with the City's Utilities Manager.

The proposed plan landscaping complies with the requirements of the Land Use Bylaw. It is the developer's intention to retain the existing mature trees and hedge on the property. A condition of the development will be to ensure that the developer is to make every attempt to protect the tree's root system during excavation of the site, and/or while construction is taking place on the parcel.

The applicant has proposed a 1.5m high fence on both side property boundaries of the parcel to provide screening of the parking area and development area from adjacent parcels. This fence is to be located parallel with the front of the building on both side property boundaries, and extend to the rear property boundary. Planning and Development Services recommends that the height of the fence be increased to 1.8m, which is the normal height of a fence constructed on the side property boundaries. A 1.8m high fence will provide for better screening of the parking area from neighbouring residents.

The bylaw requires 9 parking spaces be provided. 2 parking spaces will be provided in the front yard and 7 spaces will be provided in the rear yard.

All parking areas are to be hard surfaced. Parking barriers and pavement markings will be required. In addition, all parking spaces, with exception of the one parking space for visitors, must be energized.

As the majority of parking for the proposed development will be located at the rear of the property, resulting in densification of vehicular traffic utilizing the laneway, the City will be requiring the applicant to pave that portion of the laneway from 52 Street to the west property boundary, in accordance with City design guidelines.

The requirement for a loading space for multi-residential development is at the discretion of the Development Authority. Planning and Development Services recommends that the requirement for a loading space be waived, as it is questionable whether a dedicated loading space would be beneficial for this site.

The applicant will be providing a bicycle rack allowing for a minimum of 5 bicycles.

The applicant is proposing verandahs for all five units, all of which exceed the minimum required amenity area of 4.45 sq. m per dwelling unit. In addition to the verandahs, the applicant is proposing public amenity space by means of grassed areas at both the front and rear of the building.

In addition to being located within the R4 – Residential Mixed District, the property is located within the Central Residential District Overlay. Although this Overlay area is included in the Downtown Area Redevelopment Plan, no architectural guidelines were provided for development occurring within this overlay area.

The applicant further clarified the presence of landscaping in the rear yard, as well as the proposed parking arrangements on the site. The proposed units will be rentals.

Steve Maetche and Mary-Lou Wilson spoke against the proposed project. Concerns included parking egress and layout, vehicle idling, additional traffic, and snow removal. Mary-Lou also requested that one of the mature trees in the rear yard should be removed.

Ross & Louise Pickett spoke against the proposed project. Concerns included vehicle idling, parking layout, high density, and side-yard setbacks are too narrow.

Gerald Bolze spoke against the proposed project, agreeing with many of the points that had already been said previously.

Similar concerns were voiced by John Bosgra, including the proposed development does not suit the lot and is an over-development of the site.

MOVED BY: Member Hibbs

RESOLVED that the Municipal Planning Commission grant a side yard setback variance from 2.4m to 1.53m (37%) to allow for the construction of a 5-unit multi-housing development to be located at 5327-48 Avenue, Lot 5 Block 24 Plan 5057ET, zoned R4.

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 is to obtain City of Lacombe building permit prior to commencement of construction.
5. Applicant to apply for and obtain any required secondary permits (electrical, plumbing, gas).
6. Prior to building permit issuance, the applicant must provide a lot grading plan for review and approval by the City's Engineering Services.
7. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
8. If the property requires more than 1.0 m of fill, the lot will require a bearing certificate. Applicant must submit foundation soil bearing certification from a Geotechnical Engineer (stamped and signed) prior to a foundation inspection. Such certificate shall reference footing design approved with the associated building permit.
9. Applicant to apply for and install one water meter per unit.
10. If it is deemed that upgrades are required to the existing water and/or sewer services to accommodate the proposed development, the applicant will be required to apply for and complete any upgrades at their expense, to the satisfaction of the City of Lacombe.
11. This lot has been serviced with Sanitary lines. TO CONFIRM, call PUBLIC WORKS. Applicant must ensure service connection is correct. Any cross connections will be remedied at the applicant expense.

12. All landscaping areas are to be protected by concrete curbs or other barriers, as approved by the Development Authority, having a minimum height of 140mm or separated from the street or parking area by a paved, curbed sidewalk.
13. Applicant shall provide a solid 1.8m high fence on both the east and west property boundaries from the front of the building to the rear property boundary. Fencing details must be provided prior to Building Permit issuance, for review and approval by the Development Authority.
14. Applicant shall not damage either the existing Elm Tree located within the City's boulevard, and every attempt shall be made to protect the tree's root system during excavation of the site, and/or while construction is taking place on the parcel. Any damage occurring to the tree may result in the applicant being required to replace the existing tree, with the size and type of tree being subject to approval of the Development Authority.
15. Prior to building permit issuance, landscaping deposits will be required in the form of cash or letter of credit in an amount equal to 100% of the estimated cost of the required landscaping as estimated by an appropriate trade professional, but not less than \$2,000. Security will be released once a site inspection demonstrates that the landscaping has been completed in accordance with the approved plan, has been well maintained, and is in healthy condition. Landscaping estimates are to include estimated costs for the required fencing.
16. Applicant shall work with the City's Utilities Manager to determine a suitable location for the garbage bins on the south side of the lane. The location where the garbage bins have been proposed is to be landscaped to the satisfaction of the Development Authority.
17. Applicant shall be required to provide a total of 9 hard surfaced parking spaces, with 2 spaces to be located in the front yard, and 7 spaces located in the rear yard, as shown on the attached approved parking plan.
18. All parking spaces shall be identified with concrete parking barriers and pavement markings consisting of white or yellow lines that are approximately 7.6cm wide.
19. Applicant shall provide for the placement of a bicycle rack providing bicycle parking for a minimum of 5 bicycles, in accordance with the approved plan. The parking area for the bicycle rack is to be raised above the parking lot grade and is to be hard surfaced.
20. Applicant to hard surface the parking areas and that portion of the laneway from 52 Street to the west boundary of 5327 48 Avenue in accordance with City of Lacombe design guidelines, within one (1) year from construction completion.
21. With exception of the visitor parking space, all exterior parking spaces shall be electrified and identified with cement parking curbs and pavement markings.
22. Prior to building permit issuance, hard surfacing deposits will be required in the form of cash or letter of credit in an amount equal to 50% of the estimated cost of the hard surfacing, as estimated by an appropriate trade professional, and not less than \$2,000. Security will be released once a site inspection demonstrates that the hard surfacing has been completed in accordance with the approved plan. Costs for hard surfacing all parking areas, the laneway, the new access, and parking curbs and pavement markings are to be included in the cost estimates.
23. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
24. Prior to building permit issuance, the applicant is to submit an exterior lighting plan for review and approval by the City's Engineering Department.

25. Prior to Building Permit issuance, the applicant shall prepare a Fire Safety Plan, subject to approval by the City's Fire Chief. The Plan is to be followed while construction is taking place on site.

26. Prior to building permit issuance, the applicant shall submit a development permit deposit in the amount of \$2,000.00.

27. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.

28. Any concrete curb or sidewalk that is damaged by the applicant during the course of construction shall be replaced by the applicant to the City's satisfaction.

29. 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.

30. Applicant must ensure that all conditions of the demolition permit approval have been met to the satisfaction of the Development Authority prior to commencement of construction of the proposed multi-unit housing development.

31. The decision of the Municipal Planning Commission being provided to the applicant and landowner, notice being posted on the City of Lacombe's website and in a local newspaper, and a 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 **October 24, 2018 at 4:30pm.***

MOTION DEFEATED: 2 – 1

The proposed construction of a 5-unit multi-housing development is therefore deemed to be refused. Reasons for refusal are as follows:

- the proposed development was considered an over-development of the site;
- the required variance to the side yard setback requirement from 2.4m to 1.53m was considered to be excessive; and
- the proposed development would unduly interfere with, and affect the use and enjoyment of neighboring parcels of land.

6. NEXT MPC MEETING

A. October 17, 2018

7. ADJOURNMENT

MOVED BY: Member Gullekson

THAT this meeting now adjourns at 6:12pm

CARRIED: Unanimously

Chairperson

Date