



**CITY OF LACOMBE**  
**MUNICIPAL PLANNING COMMISSION**  
**MINUTES 110619**

**DATE:** November 6<sup>th</sup>, 2019

**PLACE:** City of Lacombe Council Chambers

**TIME:** 5:00 p.m.

<b>PRESENT:</b>	Grant Creasey Thalia Hibbs Don Gullekson Don Easton Debbi Gallant	Mayor Councillor Councillor Member at Large Member at Large
<b>STAFF:</b>	Crystal Chappell Jennifer Kirchner	Development Officer (Acting Manager) Planner II
<b>REGRETS:</b>	Debbie Bonnett Jennifer Kirk	Planning & Development Manager Development Officer

**1. CALL TO ORDER**

**A.** Mayor Creasey called the meeting to order at 4:58 p.m.

**2. ADOPTION OF AGENDA**

**MOVED BY:** Councillor Gullekson

That the agenda be approved as amended.

**CARRIED:** Unanimously

**3. ADOPTION OF MINUTES**

**MOVED BY:** Councillor Hibbs

That the Municipal Planning Commission minutes for October 16<sup>th</sup>, 2019 be approved as amended.

**CARRIED:** Unanimously

**4. DEVELOPMENT PERMIT APPLICATIONS**

**A. 61/255.24 2019 – Home Occupation 1 & 100% Variance on Number of Cooking Facilities Allowed in a Dwelling Unit  
5020 C & E Trail  
Lot 7, Block A, Plan 764HW**

The Applicants were in attendance to provide additional information and answer questions.

Development Officer, Crystal Chappell, presented an application for the establishment of a Home Occupation 1, which requires the installation of an additional cooking facility within the dwelling unit. Allowing an additional cooking facility in a single family dwelling unit requires a 100% variance on number of cooking facilities allowed in a dwelling unit which required Municipal Planning Commission approval.

After discussion, the following motion was put forward:

**MOVED BY:** Member Easton

**“RESOLVED** that the Municipal Planning Commission approve a 100% variance to the number of cooking facilities allowed in a dwelling unit for the purpose of supporting a Home Occupation 1, (Bakery – Delivery Only) to be located at 5020 C & E Trail; Lot 7, Block A, Plan 764HW, 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 to obtain and maintain a valid Business License from the City of Lacombe.
5. There shall be a maximum of two (2) business related (client) vehicles at the property at any given time.
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. C & E Trail may not be utilized to accommodate the parking needs of the Home Occupation.
8. 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 neighbourhood.
9. This permit is for a Home Occupation 1 with a Commercial Kitchen. Use of the Commercial Kitchen is for business use only and must be renewed annually to remain in use. The applicant will be required to confirm with the City if/when the business closes or is relocated.
10. If closure/relocation of the business occurs, the cooking facility shall be removed. Permits and an inspection will be required to verify electrical or gas equivalent services have been removed.
11. A separate Development Permit and related Building Code Permits will be required should the space be modified into a secondary suite.
12. If a Secondary Suite Permit is applied for and the Applicant for the Home Occupation intends to reside there, the Home Occupation Permit would remain valid for as long as the suite was occupied by the Business Operator.
13. 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.
14. This permit is valid for the address stated on the application and is not transferable to a new address.
15. Applicant to apply for a permit from Alberta Health Services and receive approval from Alberta Health Services prior to the operation of the business. A copy of the permit is to be submitted to the City.
16. The decision of the Municipal Planning Commission being provided to the Applicant, notice being posted on the City's website, 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 **November 27, 2019** at 4:30 p.m.

**CARRIED:** Unanimously

**B. 61/255.26 2019 – Home Occupation 2 (Massage Therapy)  
5114 53 Street  
Lot 20, RN9**

The Applicant was in attendance to provide additional information and answer questions.

Development Officer, Crystal Chappell, presented an application for the establishment of a Home Occupation 2 (massage therapy) business to be operated out of 5114 53 Street.

After discussion, including addition a condition of approval to limit hours of operation, the following motion was put forward:

**MOVED BY:** Councillor Gullekson

**“RESOLVED** that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Personal Services (Massage Therapy) to be located at 5114 53 Street; Lot 20, Plan RN9, 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 to obtain and maintain a valid Business License from the City of Lacombe.
5. There shall be a maximum of two (2) business related (client) vehicles at the property at any given time.
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. 53<sup>rd</sup> Street may not be utilized to accommodate the parking needs of the Home Occupation 2.
8. 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 neighbourhood.
9. 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.
10. This permit is valid for the address stated on the application and is not transferable to a new address.
11. Only one (1) 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 free-standing sign post not to exceed 1.5m in height.
12. Applicant to apply for a permit from Alberta Health Services and receive approval from Alberta Health Services prior to the operation of the business. A copy of the permit is to be submitted to the City.
13. The decision of the Municipal Planning Commission being provided to the Applicant, notice being posted on the City's website, and a notice being posted on the subject lands, and no appeal against the decision being successful.
14. The hours of operation be limited to 9:00 a.m. to 7:00 p.m., Monday to Friday.

Please note that this decision is subject to an appeal period which ends on **November 27, 2019** at 4:30 p.m.

**CARRIED:** Unanimously

**C. 61/252.28 2019 – Detached Dwelling with a Secondary Suite  
5511 50 Avenue  
Lot 4, Block 1, Plan 2200HW**

The Applicants were in attendance to provide additional information and answer questions.

Development Officer, Crystal Chappell, presented an application for the development of a detached dwelling with a secondary suite requiring side yard and eave variances to be located on an R1 property.

After discussion, the following motion was put forward:

**MOVED BY:** Councillor Hibbs

**“RESOLVED** that the Municipal Planning Commission approve a Detached Dwelling with a 0.01m (0.4%) Side Yard Setback Variance, and up to a 0.17m (28%) Eave Projection Variance to include a Secondary Suite to be located at 5511 50 Avenue; Lots 3 & East 25’ of Lot 4, Block 1, Plan 2200HW, zoned R1”.

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. Prior to Building Permit issuance, the Applicant shall submit a Development Permit Deposit in the amount of \$1,000.00.
5. Applicant to identify the water servicing required for the development prior to Building Permit issuance.
6. 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.
7. Applicant is to obtain a City of Lacombe Building Permit prior to commencement of construction.
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. The Builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
10. Applicant may not connect floor drain in garage floor slab to City services. Slope floor for drainage.
11. Applicant to apply for and obtain any required Secondary Permits (Electrical, Plumbing and/or Gas).
12. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
13. The existing trees located in the City boulevard are not to be damaged or removed during construction. If the two (2) trees are damaged or removed during demolition, the Applicant shall replace them with two (2) trees of appropriate species and size for the location.
14. Applicant to plant one (1) tree per dwelling unit. In addition, Applicant must complete minimum front yard landscaping requirements: (a) a minimum of one (1) tree; or (b) a landscape bed consisting of a minimum of three (3) shrubs; **and** (c) placement of sod or seed unless other landscaping material approved by Development Authority.
15. Applicant shall provide two (2) parking spaces for the principal dwelling unit and hard surface the front

driveway no later than one (1) year from construction completion. The maximum driveway width is as approved on the Plot Plan, unless otherwise approved by the Development Authority.

16. Applicant to develop two (2) parking stalls for the secondary suite on a gravel pad at the rear of the lot with minimum dimensions of 5.5m x 5.5m, within the property, no later than one (1) year from construction completion.
17. Applicant to display the assigned civic address on the main building, facing the road or street, so that it can be clearly read from the roadway. Further information can be obtained from the Development Department.
18. The decision of the Municipal Planning Commission being mailed to the Applicant and Landowner, notice being posted on the City of Lacombe's website, 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 **November 27, 2019** at 4:30 p.m.*

**CARRIED:** Unanimously

**D. 61/252.27 2019 – Fence Height Variance**  
**5213 53 Street**  
**Lots 15-16, Block 20, Plan 5781AF**

The Applicant was in attendance to provide additional information and answer questions.

Development Officer, Crystal Chappell, presented an application for the development of a front yard fence with a height variance.

After discussion, and the amendment of condition 5 to reflect the front yard setback, the following motion was put forward:

**MOVED BY:** Councillor Hibbs

**“RESOLVED** that the Municipal Planning Commission approve construction of a side/front yard fence with up to a 0.83m (83%) height variance provided it is set back from the front property boundary by 2.75m unless constructed from chain link materials to be located at 5213 53 Street; Lots 15-16, Block 20, Plan 5781 AF, zoned R2.”

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. The fence must be located fully within the property boundary; no encroachment onto the City right-of-way is permitted.
5. The height of the fence shall be no more than 1.83 m and shall include a 2.75 m setback from the front property line.
6. The Applicant shall call "Alberta One Call" to locate any underground servicing before ground disturbance for the fence occurs.
7. The decision of the Municipal Planning Commission being mailed to adjacent landowners, a sign posted on site, and advertised in the local newspaper, and no appeal against the decision being successful.

Please note that this decision is subject to an appeal period which ends on **November 27, 2019** at 4:30 p.m.

**CARRIED:** Unanimously

**5. ADDED MOTION**

**MOVED BY:** Councillor Hibbs

**A. Issues with Multiple Previous Motions**

Additional discussion occurred regarding the September 18, 2019 minutes which were adopted as amended at the October 16, 2019 meeting where all member were in attendance.

When the October 16, 2019 minutes were adopted as amended at this November 6, 2019 meeting it was pointed out that there were discrepancies within resolutions that were moved and carried going as far back as September 18, 2019 regarding the amended motion and its wording.

Member Easton pointed out that the motion in question should have been rescinded, and a new motion made.

Administration agreed to address the errors within online versions of past MPC minutes.

**CARRIED:** Unanimously

**6. NEXT MPC MEETING**

**A.** November 20<sup>th</sup>, 2019

**7. ADJOURNMENT**

**MOVED BY:** Councillor Hibbs

THAT this meeting now adjourns at 5:51 p.m.

**CARRIED:** Unanimously

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Chairperson

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Date