



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION
MINUTES 121819

DATE: December 18, 2019
PLACE: City of Lacombe Council Chambers
TIME: 5:00 p.m.

PRESENT:	Grant Creasey Thalia Hibbs Don Gullekson Don Easton Debbi Gallant	Mayor Councillor Councillor Member at Large Member at Large
STAFF:	Crystal Chappell Vanessa Smith	Development Officer Administrative Assistant
CONTRACT STAFF:	Craig Teal	Planner, Parkland Community Planning Services
REGRETS (from 5:20pm):	Grant Creasey	Mayor

1. CALL TO ORDER

A. Mayor Creasey called the meeting to order at 5:00 p.m.

2. ADOPTION OF AGENDA

That the agenda be approved as amended.

MOVED BY: Member Gullekson

CARRIED: Unanimously

3. ADOPTION OF MINUTES

Adoption of the minutes for November 20th, 2019 was deferred on the agenda to allow for consideration of a development permit first.

4. DEVELOPMENT PERMIT APPLICATIONS

C. **61/252.21 2019 – Dangerous Goods Occupancy, Manufacturing Facility Intensive, Distribution Facility** (Biorefinery with a 16% Parking Variance)

5510 34 Street
Lot 22, Block 2, Plan 132 00103
I2 – Heavy Industrial District

The Development Officer, Crystal Chappell, presented an application for a Biorefinery for the Municipal Planning Commission's consideration. Staff recommended approval.

A representative for the applicant on behalf of the builder, Steve Christie of Scott Builders Inc., was in attendance to provide clarification and answer any questions.

Mr. Christie clarified that there are actually 43 parking spaces that will be provided on site, rather than 37, as numbered on the plan. Mr. Christie indicated he and his clients are aware of the suggested conditions of approval and have no concerns.

The Development Officer recommended a further condition be made on behalf of an earlier interdepartmental referral that would add further turning radius details on the site plan for fire engine manoeuvrability.

Further discussion verified that the requested parking variance would be 16% rather than 27%.

Mayor Creasey excused himself from the meeting at 5:20pm after the following motion was put forward and was carried unanimously.

MOVED BY: Councillor Hibbs

"RESOLVED that the application for a Biorefinery to be located at 5510 34 Street; Lot 22, Block 2, Plan 132 0013, zoned I2 - Heavy Industrial District, be approved with a 16% variance to reduce the required number of parking spaces from fifty-one (51) to thirty-seven (43)".

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:

Standard 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. Applicant is to obtain a City of Lacombe Building Permit prior to commencement of construction.
3. Applicant to apply for and obtain any required Secondary Permits (Electrical, Plumbing, Gas).
4. All roof top mechanical equipment where visible from street level shall be screened from view and done in a manner compatible with the surrounding character of the building, to the reasonable satisfaction of the Development Authority. Other mechanical equipment that may be located at ground level or side-mounted on the building shall also be screened from street view in the same manner and where such screening would not disrupt operations.
5. 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.

6. Applicant shall make separate application for any signs proposed on the property.
7. The decision of the Municipal Planning Commission being mailed to the Applicant and Landowner, notice being posted on the City of Lacombe's website, a notice being posted on the subject lands, and no appeal against the decision being successful.

Landscaping, Parking & Paving:

8. Prior to Building Permit issuance, the Applicant shall submit a Landscaping Plan, showing areas of hard surfacing, for approval by the Development Officer. Location and type of fencing being proposed shall be shown on the Landscaping Plan. The existing trees located along the north boundary of the property are not to be damaged or removed during construction.
9. All landscaping areas are to be protected by concrete curbs or other approved barriers having a minimum height of 140mm or separated from the street or parking area by a paved, curbed sidewalk.
10. All parking spaces shall be identified with cement parking curbs and pavement markings.
11. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.

Securities:

12. 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, and not less than \$2,000.00. 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 at the end of the second growing season.
13. 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 on the site as estimated by an appropriate trade professional, and not less than \$2,000.00. Security will be released once a Site Inspection demonstrates that the hard surfacing has been completed in accordance with the approved Plan. Parking curbs and pavement markings are to be included in the cost estimates.
14. Prior to Building Permit issuance, the Applicant shall submit a Development Permit Deposit in the amount of \$2,000.00.

Encroachment onto Rights of Way

15. The Applicant shall obtain Encroachment Agreements or similar written authorization for any development over the right-of-ways that have an Agreement registered on title from the Grantee(s) of each right-of-way Agreement. A copy of each Encroachment Agreement or written

authorization must be given to the Development Officer prior to any construction occurring on the site.

16. The Applicant shall cut the abandoned municipal pipeline contained in Right-of-Way Plan 5110TR and cap both ends of the abandoned pipeline to the satisfaction of the Development Officer.

Approvals required from Other Authorities

17. The Applicant shall provide the Development Officer with written confirmation of all current approvals from:
 - i. The Alberta Utilities Commission for the operation of a power plant under the Hydro and Electric Energy Act; and
 - ii. Alberta Environment and Parks for the construction, operation and reclamation of a waste management facility and power plant under the Environmental Protection and Enhancement Act.
 - iii. These written confirmations must be satisfactory to the Development Officer and must be provided prior to a Building Permit being issued.
18. This permit is valid up to May 1, 2023. If at the expiry of this period, the development has not commenced, this permit shall be null and void.

Grading and Site Servicing

19. The Applicant shall submit a Grading Plan and Storm Water Drainage Plan for the review and approval of the Development Officer prior to a Building Permit being issued and any construction occurring on site. The Plans must be prepared and stamped by a professional Engineer. These Plans must address:
 - i. Overall site grading to direct all potentially contaminated surface water run-off to the proposed storm water run-off collection pond;
 - ii. Storm water run-off that is not at risk of contamination may be directed to the ditch along 34th Street;
 - iii. Run-off calculations, pond design and capacity of the storm water run-off collection pond in a manner that meets the requirements of the City of Lacombe Design Guidelines and related requirements from the approval for the development granted by Alberta Environment and Parks;
 - iv. The location and design of the outfall for the storm water run-off collection pond, which may include a control device that is satisfactory to the City to control or prevent release from the pond; and
 - v. If the storm water pond may potentially contain contaminants, a manhole shall be provided upstream of the outlet to allow for water quality testing.
 - vi. Once an approved Grading Plan and Storm Water Drainage Plan have been approved by the Development Officer, the Applicant shall implement the approved Plans.
20. The Applicant shall provide a Bearing Certificate signed and stamped by a Geotechnical Engineer where any building foundation is over any area where 1m or more of fill has been placed prior

to the issuing of a Building Permit. The Bearing Certificate must address the requirements for footing design.

21. The Applicant shall submit Site Servicing Plans for municipal water and wastewater services for the review and approval of the Development Officer prior to a Building Permit being issued and any construction occurring on site. The Plans must be prepared and stamped by a professional Engineer. These Plans must address:
 - i. Calculation of water supply needs for all on-site purposes, including firefighting requirements;
 - ii. Separation of water systems intended for industrial processing and non-industrial processing (i.e. staff washrooms) purposes;
 - iii. Calculation of wastewater generation;
 - iv. Design and location of a facility to enable periodic checking of wastewater effluent by City staff;
 - v. Design and location of any on-site facilities intended for the storage and/or treatment of industrial wastewater and/or wastewater from wash bays; and
 - vi. Design of water and wastewater service connections that meet the requirements of the City of Lacombe Design Guidelines.

22. The Applicant shall submit written confirmation to the Development Officer that the Water and Wastewater Servicing Plans have been approved by Alberta Environment and Parks. Once the approved Water and Wastewater Servicing Plans have been approved by the Development Officer, the Applicant shall implement the approved Plans.

23. If the results of the approved Water and Wastewater Servicing Plans or the approved Storm Water Drainage Plan requires the construction of any infrastructure that is to be owned and maintained by the City of Lacombe, the Applicant shall enter into a Development Agreement with the City of Lacombe. The form and content of the Development Agreement shall be to the satisfaction of the City and the Agreement must be signed by the City prior to any construction occurring on site.

Emergency Response

24. The Applicant shall submit a Fire and Emergency Response Plan for the review and approval of the Development Officer prior to a Building Permit being issued and any construction occurring on site. The plan must address:
 - i. Confirmation of adequate water supply for firefighting purposes and/or measures to ensure adequate supply is available;
 - ii. Identification of hazardous materials and dangerous goods stored on-site;
 - iii. Confirmation of turning radius clearances for all areas intended for use by emergency vehicles.
 - iv. A Risk Assessment to inform the procedures to be used in the Emergency Response Plan;
 - v. Emergency Response Plan for the construction phase of the development; and
 - vi. Emergency Response Plan for the on-going, routine operation of the facility following construction.
 - vii. Once each Emergency Response Plan is approved by the Development Officer, the Applicant shall implement the approved Plans.

*Please note that this decision is subject to an appeal period which ends on **January 8th, 2020** at 4:30pm.*

CARRIED: Unanimously

3. ADOPTION OF MINUTES

5:20pm Member Hibbs replaced Mayor Creasey as Chairperson for the meeting.

MOVED BY: Member Easton

THAT the Municipal Planning Commission minutes for November 20th, 2019 be approved as presented.

CARRIED: Unanimously

4. DEVELOPMENT PERMIT APPLICATIONS

A. 61/252.42 2019 – Demolition of a Detached Dwelling

5332 50 Avenue

Lot 31, Plan RN9

R1 – Residential Detached District & Old Town Main Street District: Residential Overlay

The Development Officer, Crystal presented an application for the demolition of a detached dwelling. It was brought to the City's attention after the report had been written that the building had been determined uninhabitable. Staff recommended approval.

The applicant was present to answer any further questions about the application.

Member Gallant recommended the applicant attempt to donate brick from the original chimney to a nearby church which is currently undergoing restoration. The applicant indicated that any interested parties are welcome to salvage what they like, but also suggested the bricks are brittle and may not be useable.

MOVED BY: Member Gullekson

RESOLVED that the Municipal Planning Commission approve the demolition of a detached dwelling located at 5332 50 Avenue; Lot 31, Plan RN9, Zoned R1 – Residential Detached District, and part of the Old Town Main Street District: Residential Overlay, 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 demolitions 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 demolitions 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 detached dwelling.
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 Permits.
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 (7) 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 (1) 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. In the event the building is to be demolished, the Applicant is to contact the Lacombe Historical Society to allow them to document the end of the residence's life cycle for historical purposes.
11. A separate Development Permit and Building Permit approval is required for any redevelopment at 5332 50 Avenue.
12. The decision of the Municipal Planning Commission being provided to 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.

This decision is subject to an appeal period which ends January 8, 2020 at 4:30 p.m.

CARRIED: Unanimously

- B. 61/252.51 2019 – 37% Side Yard Setback Variance for an Existing Rear Detached Garage, and Shed Permit**
5202 47 Street
Lot 24, Block 15, Plan 1996 NY
R1 – Residential Detached District

The Development Officer, Crystal Chappell presented an application to allow for a 37% side yard setback variance on an existing detached garage. At the same time the applicant is requesting for a permit for an existing shed located on the property. Staff recommended approval.

The applicant was present to answer any questions about the application. It was made clear that the reason this application is being applied for is so that when the property owners sell the property, a

compliance certificate will reveal that all buildings conform with the Land Use Bylaw – with or without variances.

MOVED BY: Councillor Easton

“RESOLVED that the Municipal Planning Commission approve a 37% (0.334m) side yard setback variance for an existing rear detached garage located at 5202 47 Street; Lot 24, Block 15, Plan 1996NY, zoned R1”.

Approval is in respect of works consisting of and as described on the Development Permit application form and plans submitted by the Applicants, 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 Applicants 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 building permits for the garage and the shed.
5. The decision of the Municipal Planning Commission being provided to the Applicants and Landowners, 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 **January 8th, 2020** at 4:30pm.*

CARRIED: Unanimously

5. OLD BUSINESS

MOVED BY: Councillor Hibbs

Discussion was to be with regard to past meeting minutes. Administration recommended deferring the discussion to the next meeting all members would be in attendance.

CARRIED: Unanimously

6. NEXT MPC MEETING

The next MPC meeting is scheduled for January 8, 2020.

7. ADJOURNMENT

MOVED BY: Councillor Easton

THAT this meeting now adjourns at 5:35 p.m.

CARRIED: Unanimously

Chairperson

Date

Chairperson

Date