



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION

MINUTES 020415

DATE: February 4, 2015

PLACE: City of Lacombe Council Chambers

TIME: 5:00 p.m.

PRESENT:

Sandra Badry	Acting Chairperson
Reuben Konnik	Councilor (Arrived at 5:05pm)
Wayne Rempel	Councilor
Debbie Gallant	Member at Large

REGRETS: Steve Christie Chairperson

STAFF: Lyla Peter, Manager of Planning and Development
Kristen Harder, Development Officer

1. CALL TO ORDER

The meeting was called to order by Acting Chairperson Badry at 5:02 p.m.

2. ADOPTION OF AGENDA

MOVED BY: Member Rempel

THAT the Agenda be adopted as presented.

CARRIED: Unanimously

3. ADOPTION OF MINUTES

MOVED BY: Member Badry

THAT the Municipal Planning Commission minutes for January 21, 2015 be adopted as presented.

CARRIED: Unanimously

4. NEW DEVELOPMENT PERMITS

A. 61/250.08(15), 5021 50 Avenue, Lot 6, Block 3, Plan RN1: Addition, Change of Use and Parking Variance, Zoned C1 (Central Commercial District) District.

Applicants were present at the meeting in support of the application.

The applicants informed the Municipal Planning Commission they wished to move their existing catering and restaurant to Lacombe to operate out of the above noted address. They plan on constructing a new addition off the back of the existing building in order to house the kitchen and ensure the building is up to code while operating the restaurant seating area out of what is currently the existing building.

Manager Lyla Peter provided information regarding an application for an addition to an existing commercial building currently being used for retail sales, and the conversion of the building for use as a restaurant. Due to the increase in square footage, parking variances will be required.

In addition, all new development in the downtown is subject to the Downtown Area Redevelopment Overlay, as found in Part 14 of the Land Use Bylaw.

Neighboring property consultations are required as part of the Public Consultation Policy. Pursuant to this policy, a total of twenty six (26) property owners within 60m of the subject site were notified. One response has been received in support of the application.

The applicant is proposing a change in use of the existing retail space on the property to a restaurant with a 100 seat capacity. A 50' x 18' addition is being proposed to the rear of the building to add more space for the restaurant. Future plans include an outdoor patio, also at the rear of the existing building.

Currently there is room for approximately 7 vehicles to be parked at the rear of the property. In order to accommodate the proposed addition to the existing building, the number of on-site parking spaces will be reduced to four.

A restaurant with a 100 seat capacity would require a total of 25 parking spaces on site. As only four parking spaces are provided on site, the applicant will require an 84% variance to the parking requirements to accommodate the proposed development. However, it should be noted that there is public parking lot owned by the City of Lacombe located directly behind this building to the east at 5026 49 Street that could be used to provide parking for the proposed restaurant business. The applicant is proposing to enable rear access entry to the restaurant, as part of their designs. This suggests that the rear parking lot will offer opportunities which patrons will likely use.

The proposed development to the rear of the building is not generally an area that the architectural guidelines speak to. The applicants have been asked to show the department plans for the proposed addition. It is suggested the applicant seek to ensure that some architectural features found in the downtown, such as red brick, window planters or paned windows be used in the construction of the plans. Plans for the exterior finishing of the extension should be provided and meet the Development Authority's approval prior to issuing a building permit.

The Department supports that the plans for the exterior patio will provide opportunities to enhance the alleyway, which is identified as an action in the Downtown Area Redevelopment Plan.

It is the opinion of Planning and Development Services that parking issues are being addressed to the best of the applicant's ability, and that the development is appropriate for the location.

Member Gallant expressed support that the applicants are looking to beautify the alley ways and that they are tentatively looking at including a patio in the plans in order to maximize the whole area to beautify the space. Creating this type of space may set precedence and encourage other shop owners to follow suit.

The applicants added that several planters decorate the patio to bring the and there will also be micro gardens planted in the alley in order to grow their own. The applicants expressed that they hope to carry as much of their vision from Panoka to Lacombe. Furthermore they will attempt to make the rear access and parking as usable as possible even in the winter.

The applicants indicated that they are flexible with architectural controls and guidelines and make the restaurant as attractive as possible.

The Municipal Planning Commission inquired as to seating capacity, the applicants indicated that room for 100 seats will be available within the restaurant.

The Municipal Planning Commission inquired as to whether additional garbage and recycling receptacles will be required. The applicants indicated that they produce mostly recycling and will most likely compost as well.

Manager Lyla Peter noted the concern and will discuss with public works whether additional receptacles will be necessary.

Member Rempel indicated that the applicants may need to shift or re arrange parking in the back alley if that is the case.

The applicants raised a concern regarding development permit condition #15. They informed the Municipal Planning Commission that it would be very difficult in order to screen the equipment on the roof, and that 4 to 5 foot walls would be required to actually hide it. If the equipment is placed closer to the rear of the building it should not be visible from 50 Street but will be visible from the alley.

Member Rempel agreed with the applicant that it is difficult to screen and make roof top equipment pretty.

Member Konnik supported the removal of the condition from the development permit.

Planning and Development Services recommended approval of the application, subject to the following:

MOVED BY: Member Rempel

“RESOLVED that the Municipal Planning Commission approve an addition to the existing commercial building and grant an 84% variance to the parking requirements to allow for the proposed change in use for the establishment of a restaurant at 5021-50 Street, Lot 6 Block 3 Plan RN1, zoned C1.

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 relieving or excusing the applicant from complying with the Land Use Bylaw 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. Applicant to submit plans for the exterior of the building to the Development Authority's satisfaction, prior to building permit issuance.
4. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
5. 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.
6. Applicant is to obtain a City of Lacombe building permit prior to construction.
7. Applicant is to obtain electrical, plumbing and gas permits for the proposed construction.
8. Prior to building permit issuance, the applicant must provide a grading plan for review and approval by the City's Engineering Department.
9. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
10. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
11. 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.
12. This lot has been serviced with both Sanitary and Storm lines. Testing will be required to determine which line is the sanitary line and which line is the storm line. Applicant must ensure service connections are correct. Any

cross connections will be remedied at the applicant expense. Please contact the City's Public Works Department for assistance.

13. All parking spaces shall be hard surfaced and identified with cement parking curbs and pavement markings.
14. 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. 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.
15. 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.
16. Applicant shall provide the City with confirmation that their business has been approved by Alberta Health Services prior to opening of the restaurant business.
17. Applicant shall provide the City with confirmation that their business has been approved by Alberta Gaming and Liquor Commission prior to opening of the restaurant business.
18. The decision of the Municipal Planning Commission/Development Officer being mailed to adjacent landowners, a sign posted on site, and advertised in the local newspaper, and no appeal against the decision being successful.

APPROVED: Unanimously

B. 61/250.07(15), 3906 53 Avenue, Lot 9 PUL, Block 6, Plan 922 1796: Police Station Building, Zoned I1 (Light Industrial) District.

Chief Administrative Officer Norma MacQuarrie was present to support the application. After an extensive site selection process eight sites were considered against multiple factors before finally selecting the above property. She indicated the location of the site would be beneficial as City is currently growing to the south east. The site posed some difficulty due to the irregular site and configuring building within flood fringe. Despite being in the floodway, the building has no impact on the floodway.

The building will undergo a completing room data sheets to ensure the City meets all the regulatory requirements and the local land use bylaw requirements. The City will be signing off of schematic design this month, ready to go to tender in early spring and construction this summer.

Manager Lyla Peter presented information regarding an application for approval to construct a 1469 m² building, with a 78.5 m² upper level, to house the City of Lacombe Police Department. As this type of use is not listed as either permitted or discretionary in the Light Industrial District, it is being considered as a 'similar use' for this District. As the application is a 'similar use' it requires Municipal Planning Commission consideration.

Nine (9) property owners within 60m of the subject site were notified. Two responses, with no comments attached, have been received in support of the application.

The General Purpose of the Light Industrial District is to provide an area for industrial uses and other uses, herein listed, which are compatible with the general purpose of an industrial park. This district acts as a transition district between commercial uses and heavy industrial uses.

Permitted uses under this zoning include building demolition; car wash; commercial greenhouses; industrial support services; manufacturing, processing, distribution, repair, servicing and rental facility; open storage yard; parking facilities for uses in this District; and warehousing.

Discretionary uses under the Light Industrial District include accessory buildings; accessory uses; communication towers; crematorium; dwelling unit for the occupancy of the owner, operator or caretaker; fitness facility; kennel; office; parks & playgrounds; public utility uses; restaurant; service station; temporary buildings; vehicle, equipment and machinery sales; and veterinary clinic.

In addition to the uses outlined, there is a clause in each District allowing the Development Authority to consider, in their opinion, any uses that are similar to either the permitted or discretionary uses in this District.

The Department considers that a police station building is similar to a public utility – as it provides a service for use by the public. Furthermore the site has been determined by City staff and the Police Chief to meet the needs for a police station.

The development meets all required setbacks, parking and landscape requirements. It also is of a high quality aesthetic and will enhance the area.

The development is located on lands that are identified by the province as being ‘flood fringe’ lands. The City of Lacombe’s Land Use Bylaw does not classify these lands as flood fringe. However the Department is of the opinion that it is in the best interest to ensure that the development meets the Land Use Bylaw requirements for building on lands identified as flood fringe. The proposed development should be built to the 846.39 geodetic elevations.

Member Gallant inquired as to what factor ultimately resulted in the choosing of this location?

CAO MacQuarrie indicated that the property was City owned and therefore it was not necessary to purchase the land. If the City was required to purchasing in excess of 2 of 3 acres of land would have increased the budget a great deal.

Michener Park was rethought as the original location as the City wished to see commercial development there instead.

Member Gallant noted that the location is on the eastern side of the train tracks, and wondered whether that was considered a concern when choosing this location.

CAO MacQuarrie responded that due to the nature of policing, there will be police presence at all times on both sides of the tracks, available if there were emergency calls. Therefore a train crossing would not impact response times.

Planning and Development Services was of the opinion that the Police Station would be a compatible use in the district and recommended approval of the application, subject to conditions.

MOVED BY: Member Gallant

“RESOLVED that the Municipal Planning Commission approve the construction of a Police Station Building to be located at 3906-53 Avenue, Lot 9PUL, Block 6 Plan 992 1796, zoned I1.”

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 relieving or excusing the applicant from complying with the Land Use Bylaw 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 exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
4. 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.
5. Applicant is to obtain a City of Lacombe building permit prior to construction.
6. Applicant is to obtain electrical, plumbing and gas permits for the proposed construction.
7. Prior to building permit issuance, the applicant must provide a grading plan for review and approval by the City’s Engineering Department, identifying there will be no building openings below the geodetic elevation of 846.39.
8. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
9. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.

10. This lot has been serviced with both Sanitary and Storm lines. Testing will be required to determine which line is the sanitary line and which line is the storm line. Applicant must ensure service connections are correct. Any cross connections will be remedied at the applicant expense. Please contact the City's Public Works Department for assistance.
11. 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.
12. Prior to building permit issuance, a landscaping plan must be submitted for review and approval by the Development Authority.
13. 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. 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.
14. Applicant shall provide for one on-site garbage container, and appropriate screening, to the satisfaction of the Development Authority.
15. All parking spaces shall be identified with cement parking curbs and pavement markings.
16. 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. 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.
17. Mechanical equipment (including roof top mechanical equipment) shall be screened from view from all sides, and shall be compatible with the surrounding character of the site, to the satisfaction of the Development Authority.
18. 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.
19. The decision of the Municipal Planning Commission/Development Officer being mailed to adjacent landowners, a sign posted on site, and advertised in the local newspaper, and no appeal against the decision being successful.

APPROVED: Unanimously

5. BUSINESS

- A. Next MPC Meeting: Wednesday, February 18, 2015**

Reuben Leaves meeting at 5:34pm

6. ADJOURNMENT

MOVED BY: Member Gallant

THAT this meeting now adjourns at 5:37 p.m.

CARRIED: Unanimously