



**CITY OF LACOMBE**  
**MUNICIPAL PLANNING COMMISSION**

**MINUTES 091615**

**DATE:** September 16, 2015

**PLACE:** City of Lacombe Council Chambers

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

**PRESENT:** Steve Christie Mayor  
Wayne Rempel Councilor  
Debbie Gallant Member at Large

**REGRETS:** Reuben Konnik Councilor  
Sandra Badry Member at Large

**STAFF:** Lyla Peter, Manager of Planning and Development  
Gail Long, Development Officer  
Deb Bonnett, Development Officer

**1. CALL TO ORDER**

The meeting was called to order by Chairperson 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 Gallant

That the Municipal Planning Commission minutes for September 2, 2015 be confirmed as presented.

**CARRIED:** Unanimously

#### **4. NEW DEVELOPMENT PERMITS**

##### **A. 61/252.65(2015), 5820 Highway 2A, , Lot 4, Block 1, Plan 962 3432: Class 3, Freestanding Sign with Electronic Message Centre. Zoned C2 (Highway Commercial) District.**

The applicant was present to provide details and answer questions regarding this application.

Planning & Development Manager presented information on an application to locate a freestanding sign with an electronic message centre which is considered a discretionary use. The proposed sign area is 3.95 m<sup>2</sup> which complies with the bylaw requirements and is 6.35 meters in height, which requires a 6% variance. The applicant is also requesting approval to locate this sign 2 ft. into the City's road right of way. Administration has advised that they have no objection to the projection over the right of way subject the applicant signing an encroachment agreement.

The applicant also advised that they would like to provide advertising for community organizations and events, however there will not be advertising for profit.

#### **Recommendations:**

Planning and Development Services supports the application of a Class 3 Freestanding Sign with an electronic messaging centre as proposed and recommends approval of the following resolution:

**"RESOLVED** that the Municipal Planning Commission approve a (.35 m) 6% variance to the maximum height and a 24" encroachment over the City of Lacombe's Right of Way, located at 5820 Highway 2A, Lot 4 Block 1 Plan 962 3432, zoned C2.

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:

**MOVED BY:** Member

Rempel

**RESOLVED** that the Municipal Planning Commission approve the temporary location of the four existing tent structures and two existing sea containers at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2.

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 any required building permits.
5. No auxiliary sign shall be attached to, on, or, above or hung below the sign.
6. All electrical power shall be underground and be accompanied by an electrical permit.
7. Any illumination of the sign shall not shine or reflect light directly onto neighboring properties or into the direction of oncoming traffic. The illumination intensity and brightness of the sign shall be to the satisfaction of the Development Officer.
8. Electronic display of the sign content must remain in place unchanged for a minimum of 6.0 seconds before switching to new content.
9. The transition between each electronic display must not involve any visible effects, including but not limited to action, flashing motion, fading in or out, dissolving, blinking, intermittent or flashing light.

10. Third party advertising is not permitted. Advertising for community organizations and events will be permitted. Advertising for profit will not be permitted.
11. The applicant must maintain the sign, including the cleaning, painting, repair or replacement of any defective parts of the sign in a manner that does not alter the basic design or structure of the sign and does not include a change in copy.
12. The sign base, electrical boxes and/or the base of structural support members shall be covered with topsoil, and seeded, or concealed by vegetation contained within a planting bed.
13. The applicant shall enter into an encroachment agreement with the City of Lacombe, prior to building permit issuance, with the costs of preparation to be borne by the applicant.
14. 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.

*The decision of the Municipal Planning Commission shall be subject to an appeal period, ending at 4:30PM on October 8, 2015.*

**APPROVED:** Unanimously

**B. 61/252.73(2015), 28 Northstar Drive, Lot 11, Block 3, Plan 772 0821: Existing Shed. Zoned R1b (Medium Lot Single Detached Dwellings) District.**

The applicant was not in attendance.

Planning & Development Manager Lyla Peter presented information regarding the application to allow an existing shed to remain in its current location. As the shed is 11.04m<sup>2</sup> and is approximately 2.7 meters in height, a building permit is required. The shed is located .46 meters from the residence and .01 meters from the side boundary which will require variances of (.89m) 99% and (.74m) 62% respectively.

Discussion with members focused on whether the shed could be improved in visual appearance, and whether there should be a time limit on improving the shed. As a result of the discussion, condition 6 was amended to provide a date by which the shed exterior should be improved.

**Recommendations:**

Adjacent landowners had no objections to the location of the shed, therefore Planning & Development Services recommended approval subject to the conditions listed.

**MOVED BY:** Member Gallant

**"RESOLVED** that the Municipal Planning Commission approve the location of an existing accessory building (shed), with a (.89m) 99% variance to the side yard setback and a (.74M) 62% variance to the distance between the shed and the principal dwelling, located at 28 Northstar Drive, Lot 11 Block 3 Plan 772 0821, zoned R1b."

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 obtain a building permit for the sheds.
5. Applicant to apply for electrical permits for the sheds, if applicable.

6. Applicant to ensure that the accessory building matches or is complimentary to the primary dwelling unit in colour and materials no later than May 31, 2016.
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.

*The decision of the Municipal Planning Commission shall be subject to an appeal period, ending at 4:30PM on October 8, 2015.*

**APPROVED:** Unanimously

**C. 61/252.50(2015), 24 Woodland Drive, Lot 9, Block 5, Plan 782 3298: Addition to create covered entrance with front yard variance) Zoned R2 (General Residential) District.**

The applicant was not in attendance at the meeting.

Planning & Development Manager Lyla Peter presented information regarding an application to construct a 9.5' x 8.8' covered entrance in the front yard which will require a front yard variance of 17%.

**Recommendations:**

Planning and Development Services advised that there are no objections from adjacent landowners therefore are recommending approval to the front yard variance of (.98m) 17% for the proposed covered entrance, subject to conditions as follows:

**MOVED BY:** Member Rempel

**"RESOLVED** that the Municipal Planning Commission approve the addition of a front entry, measuring 9.5' x 8.83', with a (.98m) 17% variance to the front yard setback located at 24 Woodland Drive, Lot 9 Block 5 Plan 782 3298, 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. Applicant to apply for and obtain a building permit.
5. Applicant to apply for and obtain an electrical permit, if applicable.
6. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building.
7. Prior to building permit issuance, a grading plan for the property must be submitted by the applicant and approved by the City's Engineering Services
8. Applicant must construct within 100mm of the design landscape elevation and illustrated drainage patterns approved at time of the development of the single family dwelling unless otherwise approved by the Development Officer.
9. All topsoil shall be retained on the parcel, except where it must be removed for building purposes.
10. Applicant is to ensure the site remains neat and tidy, and free of noxious weeds.
11. Prior to development permit issuance, the applicant shall submit a development permit deposit in the amount of \$1,000.00.

12. 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.

*The decision of the Municipal Planning Commission shall be subject to an appeal period, ending at 4:30PM on October 8, 2015.*

**APPROVED:** Unanimously

**D. 61/252.78(2015), 5466 52 Avenue, Lot 5, Block 28, Plan RN1E: Oversize Detached Garage. Zoned R1a (Large Lot Single Detached Dwelling) District.**

The applicant was not in attendance at the meeting.

Planning & Development Manager Lyla Peter presented information regarding an application for a proposed detached garage and garden shed to be located at 5466 52 Avenue. The proposed garage exceeds the maximum size for an accessory building and the size of an accessory building in relation to the main building coverage area.

The proposed garage complies with all setback requirements and maximum height requirements. The maximum garage size is 70m<sup>2</sup> garage and the applicant is proposing 72.76m<sup>2</sup>. A variance 4% is required. The house is 87.27m<sup>2</sup> which means the maximum garage size to house is exceeded requiring a 40% variance. The Moveable Shed is located too close to the property line – and MPC may choose to give it a variance to have it remain as is, or it should be located so that it is 0.9m from the property line.

Manager Peter also indicated that the City would review the location of the community garbage container when the applicant is ready to build, as it appears to sit at the proposed entry way to the garage.

Manager Peter also spoke to the house on the property. It was previously approved for demolition in spring of 2015. There is some concern that the house could be demolished and the garage be built, leaving no principal structure on the property. The applicant has indicated that the purpose of the garage will be to store items while the house is demolished and rebuilt. The applicant has also provided some indication of what they propose to build on site, although no application for a new principal structure has been submitted.

Members discussed the concerns that they had should no principal dwelling be built. However they also indicated that it appears that the applicant will ensure a principal dwelling is built.

**Recommendations:**

The lot size in this instance is considerably larger and the garage location is in compliance, Planning and Development Services recommends approval, subject to conditions as follows:

**MOVED BY:** Member Gallant

**“RESOLVED** that the Municipal Planning Commission approve the construction of a detached garage with a 40% house to garage size variance and a 4% variance to the maximum size allowed for a garage, and further that the Municipal Planning Commission grant a 8% side yard setback variance to the moveable shed, located at 5466 52 Avenue, Lot 5, Block 28, Plan RN1E, zoned R1a”.

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. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.

4. Applicant to ensure that the accessory buildings match or be complimentary to the primary dwelling unit in color and materials.
5. If this development permit is issued for construction of a building, the exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
6. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building.
7. Prior to building permit issuance, a grading plan for the property must be submitted by the applicant and approved by the City's Engineering Services.
8. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
9. Applicant may not connect floor drain in garage floor slab to City services.
10. Applicant to apply for and obtain electrical, plumbing and gas permits should they be required.
11. Applicant to provide a concrete, paved, or similar hard surface apron either 0.9 or 1.5 m in length whenever a vehicle may enter from a lane.
12. Prior to building permit issuance, the applicant must provide confirmation from Fortis that the proposed location of the development meets their requirements.
13. 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.
14. 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 October 8, 2015 at 4:30pm.*

**APPROVED:** Unanimously

**E. 61/252.60 (2015), 5437 54 Avenue, Lot 4, Block 1, Plan RN1E: Demolition of Detached Dwelling & Associated outbuildings with the option to relocate the detached garage. Zoned 4 (Medium Density Residential) District.**

The applicants were in attendance to provide details and answer questions regarding the application.

Planning & Development Manager Lyla Peter presented information regarding an application for a discretionary demolition of a detached dwelling and two outbuildings, with the potential for the detached garage to be relocated off site or demolished. As the house was built more than 50 years ago, the application is subject to Section 14.4 of the Historic District Area Overlay which provides guidelines for demolitions of units 50 years of age. The relocation of the garage out of town also requires Municipal Planning Commissions approval.

The application was reviewed for historical significance and it was determined that the Heritage Resource Committee would support the proposed demolition.

Adjacent landowner concerns included possible future redevelopment uses and safe removal of hazardous materials.

The applicant indicated that they had initially considered moving the detached garage, but are likely leaning towards a demolition. Committee members reviewed the conditions initially presented to determine whether they were worded in such a way as to ensure that the applicant could choose to move the garage or demolish it, depending on which route they chose.

The applicant also indicated that they have not yet finalized plans for the site.

**Recommendations:**

As the Heritage Resource Committee did not oppose the demolition, Planning & Development Services supports the application and recommends approval subject to the conditions outlined.

**"RESOLVED** that the Municipal Planning Commission approve the discretionary demolition of a residence aged 50+ years and associated outbuildings, with the option to relocate the detached garage, subject to the regulations of the Historic District Area Overlay, located at 5437 54 Street, Lot 4, Block 1, Plan RN1F, Zoned R4 – medium Density Residential 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 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 demolition 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 a City of Lacombe building permit prior to demolition of the structures on the property.
5. Should the applicant seek to relocate the detached garage, the applicant shall obtain a City of Lacombe building permit prior to relocation.
6. All Dry Rubble Materials are to be disposed at the Prentiss Waste Station or at an area approved by Alberta Environment.
7. Applicant is to ensure the demolition area is fenced until it has been leveled or until construction commences on site. Applicant shall ensure that the demolition area is leveled within seven days of demolition.
8. Applicant is to ensure that all Occupational Health and Safety requirements are met.
9. 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.
10. The applicant arrange for an end of life cycle report for the detached dwelling be undertaken prior to demolition.
11. The applicant is to contact the Heritage Resource Committee to potentially salvage some items prior to the demolition.
12. The existing coniferous tree and the row of landscaping along the west boundary trees are not to be damaged or removed during demolition.
13. Should the applicant relocate the detached garage, the applicant is to appoint a TRAVIS Agent to obtain a Single Trip Overweight/Overdimension Permit and Routing Map from TRAVIS (Transportation Routing and Vehicle Information System) by contacting Central Permit Office at 1-800-662-7138. This shall be required prior to building permit issuance for the relocation of the detached garage.
14. Should the applicant seek to relocated the detached garage, the applicant is to provide a copy of the Overweight/Overdimension Permit issued by TRAVIS to Planning and Development Services prior to building permit issuance.
15. A separate development permit and building permit approval will be required for any redevelopment of 5437 54 Street.
16. 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 the applicant is responsible to arrange an inspection with a qualified company to inspect for asbestos prior to demolition, in accordance with the attached Standata.*

*\*Please note that this decision is subject to an appeal period which ends on October 8, 2015 at 4:30pm.*

**F. 61/252.67 (2015), 5247 51 Street, Lot 23 & 24, Block 18, Plan 4500R: Demolition of Detached Dwelling & outbuildings. Zoned R4 (Medium Density Residential) District.**

The applicants were in attendance to provide details and answer questions regarding the application.

Planning & Development Manager Lyla Peter presented information regarding an application for a discretionary demolition of a detached dwelling and two outbuildings. As the house was built more than 50 years ago, the application is subject to Section 14.4 of the Historic District Area Overlay which provides guidelines for demolitions of units 50 years of age.

The application was reviewed for historical significance and it was determined that the Heritage Resource Committee would support the proposed demolition.

No comments were received from adjacent landowners.

**Recommendations:**

As the Heritage Resource Committee did not oppose the demolition, Planning & Development Services supports the application and recommends approval subject to the conditions outlined.

**MOVED BY:** Member Gallant

**"RESOLVED** that the Municipal Planning Commission approve the discretionary demolition of a residence aged 50+ years and the associated outbuildings located at 5247 51 Street Lot 23 and 24, Block 18 Plan 4500R, Zoned R4 – medium Density Residential 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 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 demolition 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 a City of Lacombe building permit prior to demolition.
5. All Dry Rubble Materials are to be disposed at the Prentiss Waste Station or at an area approved by Alberta Environment.
6. Applicant is to ensure the demolition area is fenced until it has been leveled or until construction commences on site. Applicant shall ensure that the demolition area is leveled within seven days of demolition.
7. Applicant is to ensure that all Occupational Health and Safety requirements are met.
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. Applicant to ensure that the trees located on the City boulevard are not damaged or destroyed during the demolition process.
10. That the applicant arrange for an end of life cycle report be undertaken prior to demolition.
11. The applicant is to contact the Heritage Resource Committee to potentially salvage some items prior to the demolition.



12. A separate development permit and building permit approval will be required for any redevelopment of 5247 51 Street.
13. 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 the applicant is responsible to arrange an inspection with a qualified company to inspect for asbestos prior to demolition, in accordance with the attached Standata.*

*\*Please note that this decision is subject to an appeal period which ends on October 8, 2015 at 4:30pm.*

**APPROVED:** Unanimously

**G. 61/252.67 (2015), 5247 51 Street, Lot 23 & 24, Block 18, Plan 4500R: Proposed 4-Plex. Zoned R4 (Medium Density Residential) District.**

The applicants were in attendance to provide details and answer questions regarding the application.

Planning & Development Manager Lyla Peter presented information regarding an application for the construction of a 4-plex which is a discretionary use in the R4 district.

The property is also located within the Medium Density Transition District Overlay which has been established to regulate the development of major additions and infill development in a manner that ensures compatibility with adjacent properties. The properties contained within this overlay district act as a transition area between the higher density Mixed Use Transition District and lower density residential surrounding areas.

While the application complies with the Land Use Bylaw on a number of areas including front and rear yard setbacks, architectural design and character, a number of variances are required. The variances include:

- Minimum side yard required is 2.75 meters. A 45% variance is required.
- Minimum Lot size required is 800 sq. meters. A 31% variance is required.
- Maximum parcel coverage is 195.1 sq. meters. A 22.2% variance is required. Includes verandahs & decks. The building itself requires a 7% variance.
- Minimum amenity area is 90 sq. meters per unit which includes a screened yard. A 100% variance is required for the yards and a 42% variance for the total amenity area.
- Minimum parking spaces is 8 spaces. A variance of 1 space is required.

One letter of support was received and one letter does not support the application for a number of reasons, including

- 1) Maximum Parcel Area
- 2) Maximum Lot Coverage
- 3) Proximity of the building to their detached garage and concerns with fire rating
- 4) Number of parking spaces
- 5) Amenity Area
- 6) Site Development Area
- 7) Front Yard Setbacks for Verandah & steps
- 7) Location of Entry Doors
- 8) Property value/resale ability of the neighbour
- 9) Small size of units not catering to families
- 10) Target tenant that would be attracted to these units – as is not family orientated and may encourage high turnover
- 11) Increased Traffic
- 12) Landlords lack of care for the property over the years
- 13) Loss of trees and fruit bushes in the neighbours yard due to construction activity

Manager Peter informed MPC that a second letter of support was received after the preparation of the agenda and a 2<sup>nd</sup> response, against the application was received by phone call. The applicant stated he is concerned about parking, lower property values, RV access to adjacent lot if parking is in the back, duplex is preferred.

Both the applicant and the Planning & Development Services Department advised that the area is zoned for higher densities and a number of similar applications have been approved.

Discussion about the proposal and the impact to the neighbourhood occurred. The Applicant indicated that they were going to deliver 7 parking spaces, with two in the front and five in the back. The provision of parking and its arrangement means that there is actually more parking in total in the front than currently exists. This occurs because the lot is only wide enough for two cars to park in front. With the layout of the driveways in front, two cars can park on site and one in between the two driveways. This arrangement also ensures the City's tree is preserved on its boulevard.

The applicants also spoke about a concern with the recommendation to have a fence between the backyard and the parking area. The applicants stated that this did not provide screening and could be a parking hazard in the future. They supported putting fence along the property boundary for screening purposes. Members asked to revise condition 8 to remove wording about fencing between the parking lot and the rear amenity lot.

The applicants also spoke to the concern regarding how amenity area is calculated. Specifically they indicated that amenity area is described for multiple-housing developments. While this is development is multiple housing, it isn't in the definition for multiple-housing and therefore this should not be a consideration for the application. The applicant indicated that instead this is required when more than one building exists on a lot, similar to condominium style developments.

Manager Peter confirmed that there is confusion in the bylaw as to the application of this standard. Further she indicated that the level of provision is extremely high, regardless of how it is applied – with each 3 bedroom unit requiring 90m<sup>2</sup> of amenity space. This requirement is likely higher than what many traditional single family housing units are able to provide.

The neighbour spoke about concerns regarding the high intensity residential fire regulations, and how their garage was not located in compliance with the City's Land Use Bylaw. Specifically there was a concern stated that the proposed proximity of the fourplex could endanger their property. Manager Peter indicated that with the fourplex being proposed at 1.52m from the property line, the applicant would be required to meet the building code through sprinklers. The applicant confirmed this.

The neighbour spoke about concern that 12 -16 people could be living on the lot, which isn't consistent to the neighbourhood. While a four plex went up across the street, it was a larger lot, and required less variances. As such they indicated that this lot should only be developed to a semi-detached level.

Another neighbour spoke of a need for play spaces for families – and that the provision for amenity area shouldn't be varied as much as this has been proposed.

Members discussed the application and expressed concern with the variances being proposed. They indicated that the level of development was too large for the lot, as lot coverage variances and parking variances were being requested. They wanted to see an application which better fit the lot. They spoke of how a semi-detached or tri-plex may meet the needs of the lot better. They also spoke of a need to ensure parking was in place and that amenity space was provided.

The applicants indicated that while amenity space is important, they are providing verandah's. Further there is a basement in which kids could play. The applicants also spoke to the housing need study and how it indicates that there is a need for smaller units in the community – and that need goes beyond families. The applicants expressed frustration that projects like this are not given consistent treatment. They indicated that similar projects with similar variances have been recently approved, and that a consistent message is not being delivered by Council to the development community.

Members acknowledged the concerns but indicated that the variances were too great and the impact too great to the community.

The recommendation for approval put forward by the Department, as displayed in these minutes, was defeated:

**"RESOLVED** that the Municipal Planning Commission approve the construction of a four-plex to be located within the Medium Density Transition District Overlay at 5247 51 Street Lot 23 and 24, Block 18 Plan 4500R, Zoned R4 – medium Density Residential District, with a 45% variance to the side yard setbacks, a 27% variance to the front yard setback to accommodate the verandah's, a 31% variance to minimum lot size, a 17% variance to parcel coverage, a 100% variance to the provision of screened yards, a 42% variance to the total amenity area and a 12% variance to the number of parking stalls required."

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 provisions of this bylaw are complied with.
4. The approval for the demolition of the residence, as applied for in Development Permit 61/252.67 (2015) has occurred.
5. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.
6. Applicant to submit a landscaping plan, complete minimum front yard landscaping for each of the two residential units fronting onto 51 Street as follows: (a) a minimum of one (1) tree per unit (total of 2 trees); or (b) a landscape bed consisting of a minimum of three (3) shrubs per unit (total of 6 shrubs); and (c) placement of sod for all four units, unless other landscaping material is approved by Development Authority.
7. Prior to building permit issuance, a grading plan for the property must be submitted by the applicant and approved by the City's Engineering Services.
8. Prior to building permit issuance, applicant to submit a plot plan for approval by the Development Authority identifying screening of parking area from side property boundaries.
9. Prior to building permit issuance, all conditions of Development Permit Application 61/251.67 (2015) approving the demolition of the existing residence and detached garage on the property shall be met to the satisfaction of the Development Authority.
10. Prior to building permit issuance, the applicant shall submit a development permit deposit in the amount of \$1,000.00.
11. Prior to Building Permit issuance, the applicant is to provide a Fire Plan, to the satisfaction of the City's Fire Chief.
12. The existing trees, located at the front of the property and on the City's boulevard, are not to be damaged or removed during demolition.
13. Where an existing driveway is to be relocated or removed, the applicant will ensure that any unnecessary dropped curb and driveway aprons are replaced or repaired to the City's satisfaction. 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. Where necessary, the City of Lacombe shall be responsible to replace any surface infrastructure which the City removes to complete water and sewer servicing.
14. Applicant is to obtain electrical, plumbing and gas permits for the proposed construction.
15. All parking spaces on site shall be electrified.
16. 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.

17. This lot requires 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.
18. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
19. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
20. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
21. Applicant to hard surface front driveway to the street no later than one (1) year from construction completion. Maximum driveway width to be as approved on the plot plan, unless otherwise approved by the Development Authority.
22. 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. Applicant shall ensure that signage is displayed on the front yard identifying the location of all units within the fourplex.
23. This development requires a party wall agreement. Applicant to have agreement registered on land title and submit a copy to the City within one (1) year of construction completion.
24. 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 the decision of MPC is subject to an appeal period, ending on October 8, 2015 at 4:30 PM.*

#### **MOTION DEFEATED**

**The meeting continued to the next application after the above motion was defeated. After the last applications were heard, members were asked to put together their reasons for refusing the application. Reasons outlined by members for defeating the motion were due to the number of variances being requested (size of building, parking, setback requirements, lack of amenity area) and the impact this development would have on the neighbours, as expressed by the neighbours.**

#### **H. 61/252.57 (2015), 4718 49 Avenue, Lot 27, Block 8, Plan RN1B: Demolition of Detached Dwelling & one outbuilding. Zoned R5 (High Density Residential) District.**

The applicants were in attendance to provide details and answer questions regarding the application.

Planning & Development Manager Lyla Peter presented information regarding an application for a discretionary demolition of a detached dwelling and two outbuildings. As the house was built more than 50 years ago, the application is subject to Section 14.4 of the Historic District Area Overlay which provides guidelines for demolitions of units 50 years of age.

The application was reviewed for historical significance and it was determined that the Heritage Resource Committee would support the proposed demolition.

No comments were received from adjacent landowners.

**Recommendations:**

As the Heritage Resource Committee did not oppose the demolition, Planning & Development Services supports the application and recommends approval subject to the conditions outlined.

**MOVED BY:** Member Gallant

**"RESOLVED** that the Municipal Planning Commission approve the discretionary demolition of a residence aged 50+ years and the associated outbuildings located at 4718-49 Avenue, Lot 27, Block 8 Plan RN1B, Zoned R5 – High Density Residential 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 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 demolition 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 a City of Lacombe building permit prior to demolition.
5. All Dry Rubble Materials are to be disposed at the Prentiss Waste Station or at an area approved by Alberta Environment.
6. Applicant is to ensure the demolition area is fenced until it has been leveled or until construction commences on site. Applicant shall ensure that the demolition area is leveled within seven days of demolition.
7. Applicant is to ensure that all Occupational Health and Safety requirements are met.
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. Applicant to ensure that the tree located in the front yard and those trees located along the west property boundary are not damaged or destroyed during the demolition process.
10. That the applicant arrange for an end of life cycle report be undertaken prior to demolition.
11. The applicant is to contact the Heritage Resource Committee to potentially salvage some items prior to the demolition.
12. A separate development permit and building permit approval will be required for any redevelopment of 4718-49 Avenue.
13. 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 the applicant is responsible to arrange an inspection with a qualified company to inspect for asbestos prior to demolition, in accordance with the attached Standata.*

*\*Please note that this decision is subject to an appeal period which ends on October 8, 2015 at 4:30pm.*

**APPROVED:** Unanimously

- I. **61/252.57 (2015), 4718 49 Avenue, Lot 27, Block 8, Plan RN1B: Proposed 4 Plex. Zoned R5 (High Density Residential) District.**

The applicants were in attendance to provide details and answer questions regarding the application.

Planning & Development Manager Lyla Peter presented information regarding an application for the construction of a 4-plex which is a permitted use in the R5 district, however a number of variances are being requested, requiring Municipal Planning Commission approval. Manager Peter noted that the variances being requested are identical in

nature to those that were requested on the previous application, barring the fact this is an R5 District. The R5 District is a high density district versus the medium density district.

In addition to the proposed building being located within the R5 district, it will also be located within the Mixed Use Transition District Overlay which has been established to regulate the development of major additions and infill development in a manner that ensures compatibility with adjacent properties. The properties contained within this overlay district act as a transition area between the higher density downtown and lower density residential surrounding areas.

While the application complies with the Land Use Bylaw on a number of areas including front and rear yard setbacks, parcel coverage, height, architectural design and character, a number of variances are required. The variances include:

- Minimum side yard required is 2.75 meters. Proposed – 1.52 meters. A 45% variance is required.
- Maximum projection into yards is 1 meter. A variance of 26.8% is required
- Minimum Lot size required is 800 sq. meters. Parcel size is 557.48 sq. meters. A 31% variance is required.
- Landscaping requires 6 trees & 6 shrubs. Proposed 3 trees & 20 shrubs.
- Minimum amenity area is 90 sq. meters per unit which includes a screened yard. A 100% variance is required for the yards and a 42% variance for the total amenity area. A small landscaped amenity area is planned for each residence, including a veranda.
- Minimum parking spaces is 8 spaces. A variance of 1 space is required.

Members discussed that they shared the same concern for this application as for the previous application. The variances being requested are too many and too high. They indicated that the proposal does not fit the lot and should be amended to do so.

Members stated that the lack of amenity area remains a concern.

However the members stated that the lack of neighbourhood input means that they feel the application is ok to consider for approval.

Revisions to the conditions were made to remove the need for screening between the amenity area and the parking lot in condition 8, removing a repeated condition, and removing condition 13 regarding trees on City Boulevard, which does not apply to this application.

### **RECOMMENDATIONS:**

Planning and Development Services recommends that the application should be approved as submitted, subject to the following conditions:

**MOVED:** Member: Gallant

**"RESOLVED** that the Municipal Planning Commission approve the construction of a four-plex to be located within the Mixed Use Density Transition District Overlay at 4718 49 Avenue, Lot 27 Block 8 Plan Rn1B, zoned R5 – High Density Residential District, with a 45% variance to the side yard setbacks, a 27% variance to the front yard setback to accommodate the verandah's, a 31% variance to minimum lot size, a 100% variance to the provision of screened yards, a 42% variance to the total amenity area and a 12% variance to the number of parking stalls required."

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 provisions of this bylaw are complied with.

4. The approval for the demolition of the residence, as applied for in Development Permit 61/252.57 (2015) has occurred.
5. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.
6. Applicant to submit a landscaping plan, complete minimum front yard landscaping for each of the two residential units fronting onto 51 Street as follows: (a) a minimum of one (1) tree per unit (total of 2 trees); or (b) a landscape bed consisting of a minimum of three (3) shrubs per unit (total of 6 shrubs); and (c) placement of sod for all four units, unless other landscaping material is approved by Development Authority.
7. Prior to building permit issuance, a grading plan for the property must be submitted by the applicant and approved by the City's Engineering Services.
8. Prior to building permit issuance, applicant to submit a plot plan for approval by the Development Authority identifying screening of parking area from side property boundaries.
9. Prior to building permit issuance, all conditions of Development Permit Application 61/251.67 (2015) approving the demolition of the existing residence and detached garage on the property shall be met to the satisfaction of the Development Authority.
10. Prior to building permit issuance, the applicant shall submit a development permit deposit in the amount of \$1,000.00.
11. Prior to Building Permit issuance, the applicant is to provide a Fire Plan, to the satisfaction of the City's Fire Chief.
12. Where an existing driveway is to be relocated or removed, the applicant will ensure that any unnecessary dropped curb and driveway aprons are replaced or repaired to the City's satisfaction. 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. Where necessary, the City of Lacombe shall be responsible to replace any surface infrastructure which the City removes to complete water and sewer servicing.
13. Applicant is to obtain electrical, plumbing and gas permits for the proposed construction.
14. All parking spaces on site shall be electrified.
15. Applicant to apply for and install one water meter per unit.
16. 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.
17. This lot requires 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.
18. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
19. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
20. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
21. Applicant to hard surface front driveway no later than one (1) year from construction completion. Maximum driveway width to be as approved on the plot plan, unless otherwise approved by the Development Authority.
22. 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. Applicant shall ensure that signage is displayed on the front yard identifying the location of all units within the fourplex.
23. This development requires a party wall agreement. Applicant to have agreement registered on land title and submit a copy to the City within one (1) year of construction completion.
24. 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 the decision of MPC is subject to an appeal period, ending on October 8, 2015 at 4:30 PM.*

As noted in the minutes above, the members then spoke about the reasons for refusal for Item G.

**5. BUSINESS**

**A. Next MPC Meeting: Wednesday, October 7, 2015**

**6. ADJOURNMENT**

THAT this meeting now adjourns at 7:21 p.m.

**MOVED BY:** Member Rempel

**APPROVED:** Unanimously

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Chairperson Christie