



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

**MINUTES 110415**

**DATE:** November 4, 2015

**PLACE:** City of Lacombe Council Chambers

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

**PRESENT:**

Steve Christie	Mayor
Reuben Konnik	Councilor
Sandra Badry	Member at Large
Debbie Gallant	Member at Large

**REGRETS:** Wayne Rempel Councilor

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

**1. CALL TO ORDER**

The meeting was called to order by Chairperson Christie at 5:03 p.m.

**2. ADOPTION OF AGENDA**

**MOVED BY:** Member Gallant

THAT the Agenda be adopted as amended – included a letter for distribution.

**CARRIED:** Unanimously

**3. ADOPTION OF MINUTES**

**MOVED BY:** Member Badry

That the Municipal Planning Commission minutes for October 21, 2015 be confirmed as presented.

**CARRIED:** Unanimously

#### **4. NEW DEVELOPMENT PERMIT APPLICATION**

##### **A. 61/253.16 (2015), 7008 Deer Street, Lot 21, Block 4, Plan 032 6218: Variance to the Rear Yard Setback for an Existing Residence**

The landowner's daughter was the applicant for this application and spoke on of her parents.

The application is being brought forward to accommodate the proposed subdivision of the existing lot. Each lot will comply with the lot size requirements. A rear yard variance is required due to the presence of an existing enclosed deck, for which no permits exist.

The subdivision application (and ultimate completion), will result in a detached garage remaining on the most southerly lot, with the intention that a principal unit will be constructed in the future. The Land Use Bylaw requires that a detached garage is accessory to a residence, however, as there will be no residence at this time, the City has obtained a \$5000.00 deposit which will be refunded when this new residence has been constructed. The \$5000 deposit is not subject to consideration by Municipal Planning Commission as part of this application.

No discussion on the application occurred.

#### **Recommendations:**

The proposed northerly lot will easily accommodate existing development and the most southerly lot future development. As the proposed rear yard variance to the setback requirements are minimal, Planning and Development Services is recommending approval of the required setback variance, subject to conditions:

**MOVED:** Member Konnik

**"RESOLVED** that the Municipal Planning Commission approve the application for a rear yard setback variance of 18% to the enclosed deck at 7008 Deer Street, Lot 21 Block 4 Plan 032 6218, 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 display the assigned civic address at or near the front of the property so that it can be clearly read from the roadway.
5. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.
6. Applicant to apply for and obtain any required secondary permits (electrical, plumbing, gas)
7. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of the building permit.
8. 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 26, 2015 at 4:30pm.*

NEW SUBDIVISION APPLICATION

**B. 61/250.03 (2015), Consolidation of one 0.153 ha of land for consolidation with an existing Highway Commercial Lot, zoned C2**

Planner Kirchner presented an application for subdivision.

A subdivision application was submitted with the intention of subdividing a 0.153 hectare parcel off the existing road plan located north of Highway 12 and south of 4450 Highway 12. The property is currently a service road that provides access to 2 lots. The land affected by this subdivision application is legally described as follows:

- i. Part of Plan 792 0072

It should be identified that Council closed this portion of road in preparation for the subdivision of this parcel. If this lot is created it will be consolidated with the remainder of SW 29-40-26 W4 (4450 Highway 12)

The current and intended use of the subject parcel conforms to the Land Use Bylaw and the Municipal Development Plan (MDP). The MDP addresses the location of the subject property as being designated for commercial uses.

The MDP shows the existing location of this Road Plan and it should be noted that there are no plans to develop the service road and further along Highway 12.

The two lots that currently receive access via the service road will not be impacted. Both lots will maintain their current access points from Highway 12 – with 4450 Highway 12 having access from 45 Street and 4340 Highway 12 maintaining access from the remainder of the Service Road.

City and private infrastructure currently run through the Road Plan. Utility Right-of-Ways will be required to protect the infrastructure, including the Gas line and the telus line.

Pursuant to sections 667 and 668 of the *Municipal Government Act*, the proponent is required to dedicate either 10% of the total land proposed for subdivision as a Municipal Reserve (MR), provide 10% cash-in-lieu of the MR based on the fair market value of the property or provide a combination of the latter forms of compensation.

The City of Lacombe will not be requiring the dedication of Municipal Reserves for this parcel.

Agencies/Departments were contacted about this proposal when the road closure was proposed in the spring 2015. At the time, Atco Pipelines provided a list of conditions regarding the closure of the road. These conditions were changed with the subdivision circulation a few months later. The conditions proposed at the time of subdivision will greatly impact the viability and benefit of completing this subdivision. A letter has now been received including a list of items they wish to see completed including the dedication of a utility lot and development setbacks. Administration has confirmed that Atco Pipelines will require a pipeline right-of-way rather than a separate public utility lot.

**MOVED BY:** Member Gallant

**“RESOLVED** that the Municipal Planning Commission approve the subdivision of one 0.153 hectare (.378 acre) parcel, being part of a closed Service Road, Plan 792 0072, to be consolidated with an existing Highway Commercial (C2) lot, subject to the following conditions:

1. Subdivision to be registered by Plan of Survey.
2. The payment of any outstanding property taxes or the completion of arrangements satisfactory to the City of Lacombe for the payment thereof.
3. The preparation and registration on title of utility rights-of-ways to protect existing infrastructure, including ATCO Pipeline.
4. Please see the attached response from ATCO Pipelines for their requirements, excluding requirement 2.

**APPROVED:** Unanimously

## **5. BUSINESS**

### **A. Next MPC Meeting: Wednesday, November 18, 2015**

### **B. Letter submitted to members of Municipal Planning Commission**

Manager Peter circulated a letter that was submitted to the Municipal Planning Commission from a member of the public. The letter indicated disappointed with inconsistencies of decisions by the commission in regards to multi-family homes/fourplexes. The letter also discussed concern with the number of multi-family infill projects. Manager Peter indicated that the letter was in regards to the recent application for fourplexes, which had conflicting decisions. One application was appealed to the Subdivision and Development Appeal Board (SDAB) and the decision of MPC was upheld.

Member Gallant indicated that the letter reflected her own concerns. MPC has been soft on variances in the past., with no obvious consideration for size of build in relation to the size of the lot. A lot of consideration must be given to those who live in the neighbourhood.

Chairperson Christie discussed how Council promotes multi-family development. The decisions of MPC can be confusing to builders and residents as decisions differ by neighbourhood.

Member Badry indicated that is confusing to her as well. Variance approvals have led to very large houses with small lots.

Councillor Konnik did indicate that if the bylaws were adhered to strictly, there would be no need for MPC.

Member Gallant spoke about the need to ensure that the variances are reasonable. However MPC should be flexible. The City doesn't want to cram people into spaces, but density is not the only consideration. This is why each application is take on an individual basis.

Councillor Konnik spoke about potentially limiting the number of infill projects on a street.

Manager Peter indicated that the zoning was in place and that the intent was to deliver higher density, in line with the bylaw requirements. She also spoke regarding proposed changes to the Land Use Bylaw that would remove individual definitions (e.g. triplex) in favour of a more generic definition (multi-attached).

Member Gallant spoke about the need to preserve the character elements of the neighbourhoods, as that is the reason many people choose to live there.

Manager Peter spoke about how sometimes it is good to reflect on past decisions and see how they were built. Discussion about a 'tour' of different projects with 'variances' might help in future applications.

**6. ADJOURNMENT**

THAT this meeting now adjourns at 5:33 p.m.

**MOVED BY:** Member Konnik

**APPROVED:** Unanimously

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Chairperson Christie

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Date