



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION

MINUTES 010620

DATE: January 20, 2016

PLACE: City of Lacombe Council Chambers

TIME: 5:00p.m.

PRESENT:

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

REGRETS:

Wayne Rempel	Councilor
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STAFF:

Lyla Peter, Manager, Planning and Development
Gail Long, Development Officer
Deb Bonnett, Development Officer

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

Staff requested that a letter received be circulated to the MPC for information.

MOVED BY: Member Badry

THAT the Agenda be adopted as amended.

CARRIED: Unanimously

3. ADOPTION OF MINUTES

MOVED BY: Member Konnik

That the Municipal Planning Commission minutes for January 6, 2016 be confirmed as presented.

CARRIED: Unanimously

4. NEW DEVELOPMENT APPLICATION

- A. 61/253.66 (2015), 5206 51 Avenue Lot 29 - 32 Block E Plan 1900U, Demolition of Detached Dwelling zoned C1 – Central Commercial District**

The applicants were attendance to answer questions and to provide additional information.

Development Officer, Gail Long presented information regarding the application for a discretionary demolition of a detached dwelling. 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 dwellings 50 years of age or older.

Neighbouring property consultation is required as part of the Public Consultation Policy. Pursuant to this policy, a total of twenty-three (23) property owners within 60m of the subject site were notified. One response has been received in support of the application. No comments were attached.

In analyzing this application, it was identified that the dwelling is the principal building on site, is fifty years of age or older, and is therefore considered a historic building. The residence was not included on either the Heritage Inventory or the Places of Interest List.

The Land Use Bylaw indicates that buildings aged 50 years or older are generally not supported for demolition, unless it can be determined by the Heritage Resources Committee that restoration is not feasible.

The assessment indicates that the home was owned by Amanda MacKenzie - the structure is a one story wood frame structure built in 1939 just after the depression and close to the start of WWII. With the exception of flooring in the kitchen, washroom, and hallways, the interior of the home features original wood floors both on the main floor and in the basement. The home also features the original fireplace and mantle in the living room, original door handles throughout the home, wood frame windows, bathroom tile and sink, a variety of wood doors and lamps that could potentially be salvaged.

The home's exterior is characterized by art deco influences, an off-set gable roof, L-shape plan, beige stucco siding, a modern asphalt shingle roof, modern eavestroughs, mostly original windows, and a concrete foundation. The addition and subsequent conversion of a garage to additional living space which connected the main floor to the basement is noticeable on the northeast side of the home, where the stucco has been designed to mimic the original design of the home's art deco influenced facade.

Age and regular wear and tear and susceptibility to occasional water in the basement all contribute to the current state of the home. However, overall there seems to be no structural issues or anything of note that is currently affecting the structural integrity and habitability of the home. The home's historic significance lies in its representation of post WWII residential architecture in Lacombe and connection to the MacKenzie family history.

The Heritage Resource Committee meeting approved a motion to support the proposed demolition with the following conditions:

1. Salvage of original windows, doors, built-ins, fireplace, and fixtures by the owner and/or heritage resources committee.
2. That the new building be sensitive to the art-deco design.

The applicants requested clarification of conditions #4 & #10. After the explanation of the conditions, the applicants were satisfied with the conditions. They also indicated that salvage is workable.

Recommendations:

Planning and Development Services recognizes the Heritage Resource Committee's motion to request that items be salvaged from the existing building and that the new build be sensitive to the art-deco design. However, this cannot be enforced on the landowners, and it will be up to the owners to allow for salvage from the existing dwelling, and to design the new building as they choose, as long as it meets the requirements of the Land Use Bylaw.

As the Heritage Resource Committee did not oppose the demolition, Planning & Development Services supports the application and recommends the following resolution:

MOVED: Member Gallant

“RESOLVED that the Municipal Planning Commission approve the discretionary demolition of a residence subject to the regulations of the Historic District Area Overlay, to occur at 5206 51 Avenue, Los 29-32 Block E, Plan 1900U, 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 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. Applicant is to comply with demolition regulations, as stated in Part 8.8 of the Land Use Bylaw.
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. 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.
10. Applicant is required to sod or seed the lot with grass within one year of demolition if future development has not commenced.
11. A separate development permit and building permit approval will be required for any redevelopment of 5206 51 Avenue.
12. That the applicant arrange for an end of life cycle report to be undertaken prior to demolition.
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 as part of the design of the new building, the landowner is strongly advised to give consideration to incorporating elements of the original buildings art deco design into the new building.*

**Please note that both a member of the public and the Heritage Resource Committee have expressed interest in salvaging the original windows, doors, built-ins, fireplace, and fixtures. If you, as the owner, are not interested in salvaging these items, please contact either the member of the public who has expressed interest in salvage (you have previously been provided with contact information), and/or Jennifer Kirchner from the Heritage Resource Committee at 403-782-1264 (extension 228) to make arrangements for possible salvage.*

Please note that this decision is subject to an appeal period which ends on February 11, 2016 at 4:30pm.

CARRIED: Unanimously

B. 61/253.68 (2015), 24 Edith Avenue , Lot 15 Block 16 Plan 142 0989, Detached Dwelling with Secondary Suite, zoned R1b – Medium Lot Single Detached Residential District.

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

Development Officer, Deb Bonnett presented information regarding an application for construction of a detached dwelling with a secondary suite to be located at 24 Edith Avenue. Secondary suites are considered a discretionary use in the R1b district; therefore the application is being presented to the Municipal Planning Commission for consideration.

Neighboring property consultations are required as part of the Public Consultation Policy. Pursuant to this policy, a total of twenty-two (22) property owners within 60m of the subject site were notified. One response has been received indicating support and commenting "Promotes Affordable Housing", provides a lower income family a place to live.

The proposed primary dwelling has a total floor area of 234m² and meets all LUB requirements. A secondary suite is allowed to occupy no more than 75m² or a maximum of 40% of the total floor area of a detached dwelling (94m²), whichever is less.

The plans submitted with the application indicate that the secondary suite, proposed to be located in the lower level in the home, will be 74.9 m² (806 sq ft) in size.

The applicant has indicated that parking for the suite will be provided at the rear of the property. Two parking spaces are required and have been provided for. Parking spaces are required to be 2.75 m x 6 m. The proposed spaces are 3m x 6m.

Access to the suite will be through the back entrance.

Section 9.8 (11) regulates the concentration of secondary suites to 10% on a block. This particular block consists of 23 home sites, allowing for 3 secondary suites to be located within the block. Currently, no secondary suites have been approved in the block.

Recommendations:

As the application does not require any variances and this site will be the first secondary suite to be located in this particular block, the Planning and Development Department supports the application as submitted and recommends approval subject to the conditions attached.

MOVED: Member Badry

"RESOLVED that the Municipal Planning Commission approve the application for construction of a detached dwelling unit with a secondary suite at 24 Edith Avenue, Lot 15, Block 16, Plan 142 0989, 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. The builder must construct within 100mm of the design landscape elevation and illustrated drainage patterns unless otherwise approved by the Development Officer.
5. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
6. Applicant to complete minimum front yard landscaping requirements: (a) a minimum of one (1) tree; or (b) a landscape bed consisting of a minimum of three (3) shrubs; **and** (c) placement of sod unless other landscaping material approved by Development Authority.

7. 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.
8. 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.
9. Applicant to develop two (2) parking stalls (gravel pad) at rear of lot in accordance with the approved site plan.
10. Applicant to develop a paved path leading from the two (2) parking stalls (gravel) at the rear of the lot to the exterior access door for the secondary suite.
11. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.
12. Applicant to apply for and obtain any required secondary permits (electrical, plumbing, gas).
13. Prior to building permit issuance, the applicant shall submit a development permit deposit in the amount of \$1,000.00.
14. Applicant shall be required to provide a hard surface pathway extending from the rear parking pad to the rear entrance of the home.
15. 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 February 11, 2016 at 4:30pm.

CARRIED: Unanimously

C. 61/253.74 (2015), 4920 Highway 2A, Lots 6-10, Block 8 Plan RN1B, Request for removal of Fencing Requirement, zoned C3 – Transitional Highway Commercial District

The applicant was in attendance to provide information and answer questions regarding the application.

Development Officer, Gail Long presented information regarding the application requesting the removal of a previous condition that was placed on Development Permit 61/251.55 by the Municipal Planning Commission requiring the applicant to fence a portion of the property, or alternatively, landscape the property with a minimum of 6 shrubs, spaced evenly along the property boundary.

Neighboring property consultations are required as part of the Public Consultation Policy. Pursuant to this policy, a total of eighteen (18) property owners within 60m of the subject site were notified. No responses have been received to the circulation notice.

At the August 20, 2014 meeting of the Municipal Planning Committee, approval was granted for the addition of vehicle sales as an increased use to the existing light equipment rental business that was located in a portion of the building located at 4920 Highway 2A. The other portion of the building is being used by the owner of the building for a Pro-Water Conditioning business.

One of the conditions of Development approval required fencing of a portion of the site. The condition read as follows:

"Prior to October 30, 2014, fencing shall be installed at the rear of the property adjacent the laneway and from the rear of the building to the rear property line along the side property boundary adjacent 49A Avenue. The fence shall be between .6m to .9m in height to provide for screening of vehicles and/or equipment and shall be either chain link with privacy slats or constructed of wood and painted. The maximum width of access from the rear laneway to the property line shall be 10m. Alternatively, landscaping may be provided along the property boundary adjacent 49A Avenue, with fencing at the rear of the property. A minimum of six shrubs, spaced evenly along the property boundary, shall be provided if landscaping is installed."

Conditions of approval were sent to both the applicant and the landowner. No appeals to the conditions placed on the development permit approval were received.

As no fencing had been completed, the applicant was requested to ensure this condition was met. The applicant indicated that the owner does not want a rear fence in place as he feels this would restrict access to his business. The owner of the property has now submitted a development permit application requesting that the requirement for fencing at the rear of the property be removed. He indicates that he runs a water treatment business in the adjacent unit and always has 2-3 vans parked at the rear of the building. He states that the location of a fence at the rear of the property -would be too restrictive for the freight trucks that come to the site and that the proposed fence at the rear of the property would not allow him to continue running his business.

Photos, as well as an aerial of the property with the size of the parcel highlighted, have been attached. The entire width of the parcel is approximately 39m. By restricting the rear yard to a 10m wide access, with fencing on the remaining rear property boundary, no freight trucks would be able to access the property, as there would be no room for them to turn around and exit the site. Any freight trucks would need to park in the laneway while making deliveries or pick ups, which may be more disruptive to the neighbouring landowner adjacent the property.

The applicant advised that the request is necessary in order to maneuver large trucks onto the site for deliveries. The condition was a result of another business wanting to occupy space in the building. The business will be moving out in the near future and the land owner will be expanding his existing business into the space.

Staff advised that this condition is a requirement in the C3 – Transitional Highway Commercial District in older developed areas, where the business has been established for many years. The MPC discussed this condition and determined that they did not support any fencing or landscaping adjacent to 49A.

Recommendations:

At the time of receiving the application for the addition of automotive sales to the existing light equipment rental business operating on a portion of the property, no information had been provided as to the needs of the adjacent business sharing the commercial building. As Planning and Development Services is of the opinion that the fence at the rear of the property may restrict access, it is recommended that the condition be amended to remove the requirement for fencing at the rear of the property adjacent the laneway. The need for a fence or a landscaped screening at the side property boundary from the back of the building to the rear property boundary should remain.

MOVED: Member Konnick

“RESOLVED that the Municipal Planning Commission approve an amendment to Condition #6 as outlined on Development Permit approval 61/251.55 2014 to eliminate the need for fencing at the rear of the property at 4920 Highway 2A, Lots 6-10 Block 8 Plan RN1, zoned C3. All conditions outlined in Development Permit approval 61/251.55 2014 remain the same, with the exception of Condition #6, which is hereby been deleted.

Please note that this decision is subject to an appeal period which ends on February 11, 2016 at 4:30pm.

CARRIED: Unanimously

D. 61/253.57 (2015), 5429 53 Street Lot B Block 39 Plan 892 0614 Additions & Renovations to the Lacombe Leisure Centre, zoned P – Public & Institutional Use District

The applicant was not in attendance.

Development Officer, Deb Bonnett presented information regarding an application for additions & renovations to the existing Barnett Arena (#1) location at 5429 53 Street. The additions include a change room, washroom, mechanical room & staircases. Two of the proposed additions will encroach onto adjacent Lot 1, which is not owned by the City.

Neighbouring property consultation is required as part of the Public Consultation Policy. Pursuant to this policy, a total of thirty nine (39) property owners within 60m of the subject site were notified. One response has been received in support of the application. No comments were included.

The applicant is proposing 4 additions and interior renovations to the existing building. There will be a new locker/change room, new washrooms and a new mechanical room and stairs constructed on the east side of the building. New stair cases will be constructed on the west side adjacent to the curling rink and at the main entrance to Barnett Arena #1. A number of variances will be required.

The bylaw requires that 6m (north boundary) be provided at the rear property boundary. The existing building is currently encroaching onto the adjacent parcel (Lot A, Plan 6000 HW) immediately north by 7.97 meters. An encroachment agreement with the adjacent property owner is already in place.

For the new additions, the east boundary of the parcel requires a side yard setback of 6 meters. Both additions to be completed on the east side of the building encroach onto adjacent Block 39 Plan 83HW with the washroom/mechanical room addition encroaching 1.4 meters and the new locker/change room addition encroaching 4.9 meters. A 100% variance is requested to the side yard setback requirement for these additions. Encroachment agreements are to be registered on title for the building encroachments. The applicant is working with the affected landowners to ensure that these are developed but due to board timelines, there is a potential that they will not be registered on title prior to building permit issuance.

Landscaping is provided on the west and south boundaries. A number of mature trees are planted on the west boundary north of the west entrance to the site. A landscaping island is provided on the south west corner with mature trees, shrubs, and decorative rock and identification sign. There are also a number of trees and shrubs throughout the splash pool area. Additional landscaping is recommended on each side of the newer south entrance to the site as there are landscape islands on either side. Each island is approximately 56 m². A minimum of one tree and 2 shrubs would meet the requirements for each of these islands.

The parking requirements are at the discretion of the Development Authority. There are 304 parking spaces existing. With the new site development, two spaces will be lost and there will be 302.

Garbage locations are existing on the westerly side of the building. Loading zones and signs (3) are located at the main entrance to the building.

Recommendations:

Planning and Development Services has no objection to the proposed development and is recommending the following:

MOVED: Member Badry

“RESOLVED that the Municipal Planning Commission approve the proposed additions and interior renovations to the existing Lacombe Leisure Centre at 5429 53 Street, Lot B, Block 39, Plan 892-0614, zoned P – Public & Institutional Use District, with a 100% variance to the east side yard setback requirement and an encroachment of the building onto Block 39 Plan 83HW.”

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 Development Officer may, in accordance with Section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
4. Prior to Building Permit issuance, the landowner is to enter into an agreement with the adjacent landowner for the building encroachments onto Block 39 Plan 83HW, which shall be registered on title.
5. Applicant is to obtain a City of Lacombe building permit prior to commencing with the renovation.
6. Applicant is to obtain electrical, plumbing and gas permits for the proposed renovation.
7. All dry rubble materials removed during renovation are to be disposed at the Prentiss Waste Station or at an area approved by Alberta Environment.
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.
10. The exterior of the building, including paints, shall be completed within twelve (12) months from the date of issue of this building permit.
11. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
12. Additional landscaping, including trees and shrubs to be placed in the islands adjacent to the new south entrance on 54 Avenue. (a minimum of one trees & 2 shrubs for each island).
13. All landscaping areas are to be protected by concrete curbs or other approved barriers having a minimum height of 140mm.
14. Prior to building permit issuance, the applicant shall submit a landscaping plan to the satisfaction of the Development Authority.
15. Prior to building permit issuance, the applicant shall submit a Fire Safety Plan to the satisfaction of the City's Fire Chief.
16. Any mechanical equipment associated with the additions (including roof top mechanical equipment) shall be screened from view from the public roadways, to the satisfaction of the Development Authority.
17. 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.
18. Encroachment agreements shall be developed and registered on the affected parcels.
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.

Please note that this decision is subject to an appeal period which ends on February 11, 2016 at 4:30pm.

CARRIED: Unanimously

5. BUSINESS

The letter from a Lacombe resident to the Municipal Planning Commission which outlined concerns regarding development in their neighborhood was circulated to the Municipal Planning Commission and was received for information.

A. Next MPC Meeting: Wednesday, February 3, 2016

6. ADJOURNMENT

THAT this meeting now adjourns at 5:42 p.m.

MOVED BY: Member Gallant

CARRIED: Unanimously