



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

**MINUTES 050416**

**DATE:** May 4, 2016

**PLACE:** City of Lacombe Council Chambers

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

**PRESENT:**

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

**REGRETS:** Wayne Rempel Councilor

**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 5:02 p.m.

**2. ADOPTION OF AGENDA**

**MOVED BY:** Member Badry

THAT the Agenda be adopted as presented.

**CARRIED:** Unanimously

**3. ADOPTION OF MINUTES**

**MOVED BY:** Member Gallant

That the Municipal Planning Commission minutes for March 16, 2016 be confirmed as presented.

**CARRIED:** Unanimously

**4. NEW DEVELOPMENT APPLICATION**

- A. 61/250.83 (2016), 21 Bruns Road, Lot 10, Block 2, Plan 812 1659, Variances to an Existing Detached Dwelling and the Construction of a Portico, zoned R1c – Smaller Lot Single Detached Dwelling**

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

Development Officer, Gail Long presented information regarding the application. Prior to approval of the portico, variances will be required to both the front and side yard setback requirements to the existing detached dwelling to make it a conforming building. As the location of the residence requires a variance, the application is being referred to the Municipal Planning Commission for consideration.

A total of thirty three (33) property owners within 60m of the subject site were notified. One response has been received in support of the application. No comments were included.

City records indicate that the detached dwelling has been located on the property since 1981, while the detached garage has been located on the property since 1984. Building Permits were obtained for both buildings.

When reviewing the proposed site plan, it was noted that both the detached dwelling and detached garage do not conform to the setback requirements outlined in the Land Use Bylaw. The location of the detached garage is in accordance with a previous development authority approval. However, the detached dwelling is currently considered to be a non-conforming building and may continue to exist, but may not be enlarged, added to, rebuilt, or structurally altered except to make it conform, or for general maintenance. In order to make the detached dwelling a conforming building, which would then allow for the construction of the proposed addition, variances will be required to both the front and side yard setback requirements.

The bylaw requires a front yard setback of 6m and a side yard setback of 1.5m. The detached dwelling meets the front yard setback requirements with the exception of the southeast corner, which has a reduced setback due to the site line triangle at the intersection of Bruns Road and Bruns Crescent which is included as part of the registered road plan. At this corner, the detached dwelling has been located 4.72 meters from the front yard boundary at the southeast corner, requiring a 22% variance.

The detached dwelling is located 1.19m from the north side property boundary, requiring a 21% variance.

If approval is granted for a variance to the front and side yard setbacks as outlined above, the detached dwelling will become a conforming building. The application for the addition of a portico at the front of the detached dwelling adjacent Bruns Road can then be considered.

The 2.64m x 1.97m portico is proposed to be located 5.02m from the front property boundary. As unenclosed landings and/or steps are allowed to project 1m into the front yard setback requirement, Planning and Development is of the opinion that the proposed portico meets the intent of the Land Use Bylaw.

#### **Recommendations:**

The detached dwelling has been located on the property for 35+ years. To date no complaints have been received regarding this development. In addition, it does not appear that the portico will cause sight problems at the corner of Bruns Road and Bruns Crescent. Planning and Development Services is therefore recommending approval as submitted subject to the conditions listed.

**MOVED:** Member Konnik

**“RESOLVED** that the Municipal Planning Commission approve a 22% front yard variance at the southeast corner of the parcel and a 21% side yard variance on the north side of the parcel to allow the detached dwelling to remain at its existing location at 21 Bruns Road, Lot 10 Block 2 Plan 812 1659, zoned R1c. Further, approval is granted to allow for the construction of a portico at the front of the detached dwelling.

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 is to obtain a City of Lacombe building permit prior to construction of the portico.
5. The portico is to be located no closer than 5.02m from the front property boundary.
6. Applicant to apply for and obtain any required secondary permits (electrical, plumbing, gas).
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.

*Please note that this decision is subject to an appeal period which ends on May 26, 2016 at 4:30pm.*

**CARRIED:** Unanimously

**B. 61/255.03 (2016), 28 Erica Drive, Lot 40 Block 13 Plan 142 0989, Home Occupation 2 – Personal Service Hair Salon, R1b – Medium Lot Single Detached Dwelling**

The applicants was not in attendance.

Development Officer, Gail Long presented information regarding the application for a Home Occupation 2 to be located at 28 Erica Drive. This business is considered a Home Occupation 2 as the applicant will be operating out of the primary dwelling and will be allowing customers into the home. A Home Occupation 2 is a discretionary use and requires approval from the Municipal Planning Commission.

A total of of twenty five (25) property owners within 60m of the subject site were notified. Two letters of support have been received, one with the following comments:

- I support home businesses
- Only problem could be parking
- One or 2 chair salon would probably not be a problem

One response was received objecting to the application, with the following comments:

- Parking and congestion a concern
- Increase in amount of traffic
- We believe businesses should be in the business core of the City, not residential
- Decreases the property value of surrounding residences

The applicant is requesting approval to operate a hair salon from the residence located at 28 Erica Drive. The business will operate part time on Tuesdays and Thursdays from 10:00 a.m. to 9:00 p.m., and on Wednesdays from 10:00 a.m. to 5:00 p.m. The applicant has indicated there will be approximately 2 to 5 customers on each of these days, with 30 minute intervals provided between appointments to make sure only one business related vehicle is parked on site at any one time.

The residence has an attached front garage that provides for two parking spaces. It is the opinion of Planning and Development Services that only one parking space will be required for the home business. This parking space can be provided for on the concrete driveway leading to the attached garage.

The Municipal Planning Commission recently approved a similar application limiting the hours from 9 a.m. to 6 p.m. from Monday to Friday, and allowing operations to 8:00 p.m. two evenings per week. The applicant has advised that if the hours are reduced to 8:00 p.m. on Tuesday and Thursday, she would prefer to add the two reduced hours to Wednesdays schedule. To be consistent with previous approvals, this would mean that the applicant would need to start one hour earlier on Wednesdays hours, with hours being from 9:00 a.m. to 6:00 p.m.

**Recommendations:**

While it is proposed that there will be 2 to 5 customers per day, Planning and Development Services believes there will be little impact on the neighbourhood and is recommending approval subject to the conditions outlined below.

**MOVED:** Member Konnik

**“RESOLVED** that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Hair Salon, to be located at 28 Erica Drive, Lot 40 Block 13 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. 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.
3. Applicant to obtain and maintain a valid business license from the City of Lacombe.
4. Only the applicant, and additional family members approved by the Development Authority shall be engaged on the premises for the purpose of carrying on the home occupation.
5. All business related parking is to occur within the property boundaries. Erica Drive may not be utilized to accommodate the parking needs of the Home Occupation 2.
6. Hours of operation shall be limited from 10:00 a.m. to 8:00 p.m. on Tuesdays and Thursdays, and from 9:00 a.m. to 6:00 p.m. on Wednesdays.
7. Any permit issued for home occupations may be revoked at any time if, in the opinion of the development authority, the home occupation is, or has become detrimental to the amenities of the neighbourhood.
8. This permit is valid for the address stated on the application and is not transferable to a new address.
9. Only one sign shall be allowed on the property for the Home Occupation use. The sign may have the logo of the business if desired, shall display only the name of the business and the telephone number, shall not exceed 0.16m<sup>2</sup> in size, is to be unlit, and is to be affixed to the front face of the dwelling or a free-standing sign post not to exceed 1.5m in height.
10. Applicant shall provide the City with confirmation that their business has been approved by Alberta Health Services prior to commencement of the Home Occupation 2.
11. 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 May 26, 2016 at 4:30pm.*

**CARRIED:** Unanimously

## **5. BUSINESS**

**A. Next MPC Meeting: Wednesday, May 18, 2016**

## **6. ADJOURNMENT**

**MOVED BY:** Member Badry

THAT this meeting now adjourns at 5:09 p.m.

**CARRIED:** Unanimously

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Chairperson Christie

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Date