



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

**MINUTES 090716**

**DATE:** September 7, 2016  
**PLACE:** City of Lacombe Council Chambers  
**TIME:** 5:00p.m.

**PRESENT:**

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

**STAFF:**

Lyla Peter, Manager, Planning and Development  
Jennifer Kirchner, Planner  
Gail Long, 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 Konnik

THAT the Agenda be adopted as presented.

**CARRIED:** Unanimously

**3. ADOPTION OF MINUTES**

**MOVED BY:** Member Rempel

That the Municipal Planning Commission minutes for August 17, 2016 be confirmed as presented.

**CARRIED:** Unanimously

**4. SUBDIVISION APPLICATION**

**A. 66.250.07 2016**

Planner J. Kirchner, presented information regarding the application. The intent is to subdivide a 0.215 hectare parcel off the existing road plan located north of Highway 12 and south of 4340 Highway 12, The closed Road Plan only provides access to 4340 Highway 12. The land affected by this subdivision application is legally described as Part of Plan 792 0072. 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 Lot 4ER, Block 1, Plan 0423848 and Lot 3, Block 1, Plan 0423848.

The current and intended use of the subject parcels 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.

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.

The existing Environmental Reserve lot will be expanded to the west and south. This will improve the protection of Wolf Creek and allow better access for maintenance of the area.

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. The existing Right-of-Ways will continue to be maintained on the lots.

The application was circulated to affected agencies/departments when the road closure was undertaken. They were additionally contacted for the subdivision and were able to provide their comments and requirements for the subdivision.

Copies of the response letters from Fortis and Atco Gas have been provided and will form part of the decision letter. The key requirement is to maintain the existing Atco Gas Right-of-Way and have it carried forward onto the newly formed parcels.

There were no comments from adjacent landowners.

Staff recommended approval of the proposed subdivision application, subject to conditions.

**MOVED:** Member Gallant

"Resolved that the Municipal Planning Commission approve the consolidation of the closed portion of Road Plan 792 0072 into an existing commercial lot and an existing Environmental Reserve 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 Gas.
4. That the subdivision plan meet requirements outlined by ATCO Gas and Fortis.

**CARRIED:** Unanimously

Planner Kirchner withdrew from the meeting.

## **5. DEVELOPMENT PERMIT APPLICATIONS**

- A. 61/252.03 2016, 5240 51 Street, Lots 41 & 42 Block 19 Plan 4500R, Demolition of Detached Dwelling, zoned R4 - Medium Density Residential**

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

Development Officer, Gail Long, presented information regarding the application. An application has been received for demolition of a detached dwelling at 5240 51 Street. 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.

A total of thirty one (31) property owners within 60m of the subject site were notified. Two responses had been received, both in support of the application. No comments were received.

Demolition of the residence will be subject to the regulations set out in the Historic District Area Overlay. This Overlay regulates the demolition of all principal buildings aged 50 years of age or older and sets out the guidelines to be followed for demolition consideration.

The applicant advertised the demolition proposal in the Lacombe Globe for two weeks (August 25 & September 1, 2016). No responses were received by the City of Lacombe or the applicant with respect to the advertising.

The Heritage Resource Committee undertook a site visit to assess the state and historical value of the property on August 26, 2016. The assessment indicated that the small one storey house, with a pyramidal roof, wood drop siding, wood frame windows, and an enclosed front porch/veranda, was a common style of construction popular in the early days of Lacombe's settlement c, 1900 - 1905 and again in the 1930s. The fact that this home is smaller and was built in the style of the earlier homes is telling of the overall economic state and construction trends in the community around the 1930s.

It was reported that the home is in rough repair. It still has wood siding and a number of original windows, while other exterior elements such as the asphalt roof and modern eaves have been replaced over time. An addition was added to the rear of the house at some point in time.

There is a full basement under most of the house and an enclosed crawlspace under the entranceway that is accessible from the outside. The foundation for the original house is concrete block while the foundation for the addition was poured concrete. There is a large horizontal crack at the base of the front entranceway and delicate cracking at the corners of the foundation.

The interior of the home consists of original moldings, original hardwood floor in certain rooms, and built in cabinets in the basement.

An online motion was passed by the Heritage Resource Committee to support the proposed demolition. It was noted that items that could potentially be salvaged include 5 original storm windows and one set of glass door knobs.

As the Heritage Resource Committee did not oppose the demolition, Planning and Development Services supported the application and recommended approval, subject to conditions.

MPC members did not have any questions regarding the application.

**MOVED:** Member Badry

**“RESOLVED** that the Municipal Planning Commission approve the discretionary demolition of a detached dwelling subject to the regulations of the Historic District Area Overlay, to occur at 5240 51 Street, Lots 41 & 42 Block 19 Plan 4500R, 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 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. 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 to ensure the site remains neat and tidy, and free from tall grass and weeds.
9. Applicant is required to sod or seed the lot with grass within one year of demolition if future development has not commenced.
10. A separate development permit and building permit approval will be required for any redevelopment of 5240 51 Street.
11. Applicant is to arrange for an end of life cycle report to be undertaken prior to demolition.
12. Applicant to contact the Heritage Resource Committee to arrange for the possible salvage of two storm windows and the knobs on the kitchen built-in cabinet.
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 the Heritage Resource Committee recognizes that the applicant may want to salvage some of the items from the building. However, if the five storm windows and the glass door knob can be donated to the Committee, please contact Jennifer Kirchner at 403-782-1264 (extension 228).*

*Please note that this decision is subject to an appeal period which ends on September 29, 2016 at 4:30pm.*

**CARRIED:** Unanimously

**B. 61/251.99 2016, 25 Sheep Close, Lot 7 Block 8 Plan 152 4513, Detached Dwelling with Secondary Suite, zoned R1c - Residential Smaller Lot Single Detached Dwelling**

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

Development Officer, Gail Long, presented information regarding the application. An application has been received for the construction of a detached dwelling with a secondary suite at 25 Sheep Close.

A total of thirteen (13) property owners within 60m of the subject site were notified. One response had been received in support of the application, indicating they have no concern as the property is in a low density subdivision.

The proposed detached dwelling on the property is a permitted use as it is meeting the intent of the City's Land Use Bylaw. The proposed detached dwelling to be located on the property has a floor space totaling 247.12m<sup>2</sup>. A secondary suite is allowed to occupy no more than 75m<sup>2</sup> or a maximum of 40% of the total floor area of a detached dwelling (98.84m<sup>2</sup>), whichever is less.

Plans submitted with the application indicate that a proposed 81.6 m<sup>2</sup> secondary suite will be located in the lower level of the home. The size of the proposed secondary suite exceeds the maximum size of 75m<sup>2</sup>, requiring a 9% variance. The proposed secondary suite does not exceed 40% of the floor area of the home.

A lane runs to the rear of the property. A total of four parking spaces will be required for residents of the home and occupants of the secondary suite. The applicant is proposing two parking spaces in the double attached garage,

and two parking spaces at the rear of the property. A hard surfaced path, connecting the two rear parking spaces to the stairs at the side of the home which access the suite shall be developed.

Section 9.8 (11) regulates the concentration of secondary suites to 10% on a block. This particular block currently has two approved secondary suites. If approved, this will be the final secondary suites to be permitted in this block.

The proposed development meets regulations set out in the Land Use Bylaw in relation to the floor area of the home, but does require a variance to the maximum size allowed for a secondary suite. No concern from neighbouring properties has been received. As the block percentage has not been exceeded, and as a 9% variance required to the maximum size for a secondary suite is minimal, the Department feels that the increase in size will not have an impact on adjacent properties and supports the application as submitted and recommends approval subject to conditions.

Discussion from MPC members focused on ensuring that the total block concentration had not been exceeded, as there had a been a number of recent approvals within the area.

**MOVED BY:** Member Konnick

**“RESOLVED** that the Municipal Planning Commission approve the construction of a detached dwelling with a 9% variance to the size of the proposed secondary suite, to be located at 25 Sheep Close, Lot 7 Block 8 Plan 152 4513, zoned R1c.”

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 exterior of the buildings, including paints, shall be completed within twelve (12) months from the date of issue of this development permit.
5. Applicant to apply for and obtain building permits and any necessary electrical, plumbing and gas permits for the proposed development.
6. The Builder must construct within 100mm of the approved grading plan while still meeting the minimum elevation plan.
7. This lot has been serviced with a sanitary line, which has a RED cap. Applicant is to ensure service connection is correct.
8. Applicant to install a sump pump with drainage being pumped to surface only.
9. Applicant may not connect floor drain in garage floor slab to City services.
10. Curb stop must remain visible and at proper elevation PRIOR to pouring concrete or completing landscape work.
11. 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 is approved by the Development Authority.
12. Prior to receipt of the Building Permit issuance, the applicant shall be required to submit a Development Deposit in the amount of \$1,000.00.
13. 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.
14. Applicant shall provide a minimum of 2 on-site hard surfaced parking spaces for residents of the home, plus an additional 2 on-site parking spaces for residents of the secondary suite.

15. Applicant shall provide a hard surfaced pathway from the rear parking area to the stairs which serve as access to the proposed secondary suite.
16. Applicant to hard surface front driveway no later than one (1) year from construction completion, with the driveway width to be as approved on the plot plan, unless otherwise approved by the Development Authority.
17. 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 September 29, 2016 at 4:30pm.*

**CARRIED:** Unanimously

**C. 61/255.16 2016, 33 Pickwick Lane, Lot 44 Block 6 Plan 932 1823, Home Occupation 2 - Dog Grooming, zoned R1a - Residential Large Lot Single Detached Dwelling**

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

Development Officer, Gail Long, presented information regarding the application. An application has been received for a Home Occupation 2 to be located at 33 Pickwick Lane. This business is considered a Home Occupation 2 as the applicant will be having customers visit the property for pet grooming services.

A total of twenty one (21) property owners within 60m of the subject site were notified. Nine responses had been received to the circulation notice, all in opposition of the application. The Development Officer read the comments submitted (and included in the MPC report), including an additional comment that had been submitted after the report had been prepared. Generally the comments were of concern about noise, traffic, loose pets and tidiness of the operations.

It was reported that the applicant is requesting approval to operate a mobile dog grooming business from an 8.92m<sup>2</sup> mobile utility trailer to be located at 33 Pickwick Lane. It is proposed that the business operate from 10:00 a.m. to 6:00 p.m. four days of the week (Monday, Tuesday, Thursday and Friday). The applicant has indicated there will be approximately 3 to 8 customers on a daily basis, with only 1 customer being booked at any given time. Clients will be scheduled at intervals with extra time between appointments to make sure only one business related vehicle is parked on site at any one time.

Shampoo and materials needed for the business will be stored in the home in an 18.6m<sup>2</sup> storage room.

The residence has an attached front garage that provides for two parking spaces required for residents of the home. It is proposed that the mobile dog grooming trailer be parked at the rear of the property which is accessed from the laneway. At the current time, a portion of the parking area provided at the rear of the property appears to be on the City laneway, rather than on the lot. The applicant will be required to provide a minimum of two parking spaces within the confines of the lot; one for the utility trailer and one for customers. Both of these parking spaces will be required to have a gravel surface.

Although this business does not fall under the definition of "personal services", and although the proposed business is not occurring within the residence, but rather from a utility trailer that has been specially designed for pet grooming, Planning and Development Services considered this application to be similar to what has been approved in the past for personal service businesses, ie. hair salons, massage therapy, music lessons, etc. As it is proposed that there will be only one customer at any given time, and as the home occupation will only be operating four days of the week, during the work day, the Department was of the opinion that there will be minimal impact on the neighbourhood and recommended approval subject to the conditions.

Questions were raised about the possibility of overlap of clients utilizing the grooming facility and the possibility of animals staying the entire day until being picked up. The applicant assured members that appointments will be scheduled so there is no overlap of customers, and that it will be made clear to customers that they will be expected to pick up their animals immediately after the service is completed.

The Development Officer and Manager of Planning also provided clarification that when considering this application, they considered that the traffic impact would be no different than other personal service businesses approved in other areas. The use of a trailer was unique, but previous applications had been approved in accessory buildings. Other Bylaw considerations included noise and animal bylaws, and the applicant was required to abide by those regardless of this approval.

**MOVED BY:** Member Rempel

**“RESOLVED** that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Dog Grooming, to be located at 33 Pickwick Lane, Lot 44 Block 6 Plan 932 1823, 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. 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. Hours of operation in which customers may visit the premises shall be limited on a weekly basis from 10:00 a.m. to 6:00 p.m. on Monday, Tuesday, Thursday and Friday.
6. All business related parking is to occur within the property boundaries. Pickwick Lane, or the rear laneway, may not be utilized to accommodate the parking needs of the Home Occupation 2.
7. The utility trailer when used for dog grooming, shall always be parked in the rear yard.
8. Applicant is to ensure that customers utilize the parking space adjacent the mobile utility trailer at the rear of the property.
9. Applicant is to ensure that all pets are contained within the mobile utility trailer when on site. No pets shall be left outside of the trailer.
10. Applicant will be required to provide two gravel parking spaces at the rear of the property; one for the utility trailer, and one for business-related customers, no later than October 31, 2016. Both parking spaces must be located within the confines of the property, without encroachment onto the laneway. Each parking space shall be a minimum of 2.75m wide by 6m long.
11. Prior to development permit issuance, the applicant shall submit a deposit in the amount of \$1,000. This amount will be reimbursed once the parking spaces have been provided to the satisfaction of the Development Authority.
12. 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.
13. This permit is valid for the address stated on the application and is not transferable to a new address.
14. 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.
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 September 29, 2016 at 4:30pm.*

**CARRIED:** Unanimously

## **6. BUSINESS**

**A. Next MPC Meeting: Wednesday, September 21, 2016**

**7. ADJOURNMENT**

**MOVED BY:** Member Gallant

THAT this meeting now adjourns at 5:39 p.m.

**CARRIED:** Unanimously

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Chairperson

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Date