



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION

MINUTES 101916

DATE: October 19, 2016

PLACE: City of Lacombe Council Chambers

TIME: 5:00p.m.

PRESENT:

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

REGRETS: Sandra Badry Member at Large

STAFF: Lyla Peter, Manager, Planning & Development Services
Deb Bonnett, Development Officer

1. CALL TO ORDER

The meeting was called to order by Chairperson Christie at 5:08 p.m.

2. ADOPTION OF AGENDA

THAT the Agenda be adopted as presented.

MOVED BY: Member Konnik

CARRIED: Unanimously

3. ADOPTION OF MINUTES

That the Municipal Planning Commission minutes for October 19, 2016 be confirmed as presented.

MOVED BY: Member Gallant

CARRIED: Unanimously

4. NEW DEVELOPMENT APPLICATION

A. 61/255.19 (2016), 6915 Cobb Street, Lot 8 Block 7 Plan 022 2384, Home Occupation 2 – Skate Sharpening zoned R2 – General Residential District

The applicant was in attendance to provide additional information and answer questions if required. The applicant advised that this is more of a hobby than a business. It is seasonal and there may likely only be two customers per day.

Development Officer, Deb Bonnett presented information regarding the application. An application for a Home Occupation 2 to be located at 6915 Cobb Street has been submitted. This business is considered a Home Occupation 2 as the applicant will be operating out of the attached garage and will be having customers coming to the property. A Home Occupation 2 is a discretionary use and requires approval from the Municipal Planning Commission.

A total of eleven (11) property owners within 60m of the subject site were notified. Five responses in support have been received, 3 with comments.

- I do not see any traffic disruption. Small garage business. I do not see this as a problem for our area.
- _____ is a very good neighbor. We support him.
- I'd suggest an inspection of his garage prior to approval though. The amount of stuff he has crammed in there is a significant fire load next to skate sharpener.

The applicant is requesting approval to operate a skate sharpening business from the property located at 6915 Cobb Street. The skate sharpening business will be located within the attached garage and will be approximately 64 sq. ft. in area. It is proposed that the business operate from Monday thru Sunday from 1:00 p.m. to 8:00 p.m. The applicant has indicated there will be approximately 1 to 2 customers on a daily basis, with up to 16 customers on a weekly basis.

The residence has an attached front garage that provides for two parking spaces, with a parking pad in front of the garage that can accommodate two vehicles. 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 driveway leading to the attached garage. The parking pad is hard surfaced.

Recent approvals from the Municipal Planning Commission limit the hours from 9 a.m. to 6 p.m. from Monday to Saturday, and allowing operations to 8:00 p.m. two evenings per week. It is recommended that similar hours be part of the conditions relating to this permit.

Regarding the concern of flammable material, the Department contacted the Fire Chief for more information. The Fire Chief identified that activity similar to this use often occurs in residential garages and shops. However, because the activity is part of a business, it was recommended that the applicant ensure that the area be kept free of flammable material when skate sharpening and further that a maintained and in-date fire extinguisher be kept in the garage as part of the operation.

The applicant further advised that he does have 2 fire extinguishers in working order in his garage.

Recommendations:

As it is proposed that there will be 1 to 2 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 Rempel

“RESOLVED that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Skate Sharpening business, to be located at 6915 Cobb Street, Lot 8 Block 7 Plan 022 2344, 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. 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 shall be limited from 1:00 p.m. to 7:00 p.m. 7 days per week.
6. All business related parking is to occur within the property boundaries. Cobb Street may not be utilized to accommodate the parking needs of the Home Occupation 2.
7. Applicant shall ensure that flammable materials are kept away from the skate sharpening area.
8. Prior to operating business, applicant to provide Development Authority proof of operable fire extinguisher located in the garage, and further, that a maintained, in-date fire extinguisher be kept in the garage during all business operations.
9. 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.
10. This permit is valid for the address stated on the application and is not transferable to a new address.
11. 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 0.16m² 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.
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.

Please note that this decision is subject to an appeal period which ends on November 10, 2016 at 4:30pm.

CARRIED: Unanimously

A. 61/255.20 (2016), 23 Edina Close, Lot 83 Block 10 Plan 122 2116, Home Occupation 2 – Hair Salon zoned R1B – Medium Lot Single Detached Dwelling

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

Development Officer, Deb Bonnett presented information regarding the application for a Home Occupation 2 to be located at 23 Edina Close. 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 eleven (11) property owners within 60m of the subject site were notified. At the writing of this report, one response had been received from the circulation notice in support of the application. No comments were included.

The applicant is requesting approval to operate a hair salon from the residence located at 23 Edina Close. It is proposed that the business operate up to 3 days per week from 9:00 a.m. to 3:00 p.m. The applicant has indicated there will be approximately 10 customers on a weekly basis.

The residence has an attached front garage that provides for two parking spaces, with a parking pad in front of the garage that can accommodate two vehicles. There will be 15 minutes between appointments. 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 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 Saturday, and allowing operations to 8:00 p.m. two evenings per week. The applicant is well within what has been approved in the past. The Department is not proposing to limit operations to only three days, but is recommending that operations be limited both in respect of hours and days of the week (Monday through Saturday).

Recommendations:

As it is proposed that the salon will have limited customers, 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 Gallant

“RESOLVED that the Municipal Planning Commission approve the discretionary use for a Home Occupation 2: Hair Salon, to be located at 23 Edina Close, Lot83 Block 10 Plan 122 2116, 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. This permit is valid for the address stated on the application and is not transferable to a new address.
4. Applicant to obtain and maintain a valid business license from the City of Lacombe.
5. 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.
6. Applicant to apply for and obtain a plumbing permit for plumbing of the salon sink that is to be installed in the room to be occupied by the business.

7. Hours of operation shall be limited from 9:00 a.m. to 3:00 p.m. between Monday and Saturday of each week.
8. All business related parking is to occur within the property boundaries. Edina Close may not be utilized to accommodate the parking needs of the Home Occupation 2.
9. 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.
10. 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 0.16m² 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.
11. 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.
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.

Please note that this decision is subject to an appeal period which ends on November 10, 2016 at 4:30pm.

CARRIED: Unanimously

B. 61/252.48 2016, 5251 53 Street, Lot 33 & 34 Block 20 Plan 5781 AF , Detached Garage with Secondary Suite, R2 – General Residential

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

Development Officer, Deb Bonnett presented information regarding the application for construction of a detached garage with a secondary suite to be located at 5251 53 Street, Lots 33 & 34, Block 20, Plan 5781 AF. Secondary suites are considered a discretionary use in the R2 district; therefore the application is being presented to the Municipal Planning Commission for consideration.

A total of seventeen (17) property owners within 60m of the subject site were notified. Three responses have been received, one in support, one in support with conditions/comments and one opposing the application with comments:

- **Support** – no comments
- **Support with conditions**—Due to the extreme height of the structure, I would support this if 20 ft. evergreen trees were planted on property line to ensure privacy into my yard and surroundings.
- **Opposed** – A development this large in the area it I proposed for concerns me for two reasons.
 - First, at 26 – 28 feet high, this building will soar above everything else in the surrounding neighborhood, with the exception of the homeowners own house. At 936 sq. ft., the ‘secondary residence’ will be larger than most of the surrounding homes. The houses directly north and south of this property aren’t even that large. This isn’t a ‘secondary suite’ being proposed, it’s a secondary residence’ on the property. I don’t support a building of this magnitude in this neighborhood.
 - Second, the issue of parking. There are already several vehicles and a holiday trailer associated with this property. Adding a ‘secondary suite’ this size has the potential to bring two or more vehicles onto the property. Currently the homeowners park 2 of their

vehicles on the street in front of their property. The neighbors immediately south have 7 or more vehicles and many of them park on the street in front of their property or in front of other properties. There is no guarantee that the homeowners will use the garage to park their vehicles or holiday trailer so where will the extra vehicles go... on the street or in the alley. I realize you can't stipulate the garage be used for parking vehicles or the holiday trailer, so, again, I don't support this building as it will potentially add to the congestion of an already congested parking area.

There are a number of variances to be considered with this application.

The bylaw states that a secondary suite shall occupy no more than 75 m² or a maximum of 40% of the total floor area (both main & basement of a detached dwelling), whichever is less. In this case the existing residence is 1132 sq. ft. (main floor) and basement (1132 sq. ft.) for a total of 2264 sq. ft.. 40% of this floor area would be 905 sq. ft (54m²). In this instance, the maximum size of suite allowed would be 75 m² or 807 sq. ft.

The proposed suite is 936 sq. ft. or 87 m², which will require a 16% variance. It should also be noted that the suite will have a deck measuring 6 ft. x 15 ft.

The bylaw requires that 2 parking spaces are required for a dwelling unit. An additional 2 parking spaces are required for suites that are between 60 m² and 70 m². While the proposed suite is a 1 bedroom unit, it is 87 m² in area and therefore requires two parking spaces. A minimum of 4 parking spaces are required for the house and suite. The proposed garage is a triple car garage and 1 additional parking space beside the garage will be provided.

An accessory building shall not be more than 4.6 m in height, and shall not exceed the height of the main building. In the case of an approved dwelling unit above an accessory building (ie. secondary suite) the building height shall not be more than 9 m, and shall not exceed the height of the main building. In this case, the tallest point of the existing residence is 7.936 m (26 ft.) in height. The proposed accessory building is 7.926m.

In the R2 district, accessory buildings may cover 15% of the site area. The lot is 740 m² in area, therefore 15% would be 111 m². These structures are accessory to the main use/building on the parcel, the mass shall not exceed the main building mass. Notwithstanding the provisions of the residential districts, the maximum size of an accessory residential building may be up to 60% of the main building coverage area, but shall not exceed 70 m².

In this instance, the proposed accessory building is 87 m² (936 sq. ft.) in area, therefore a variance of 24% is required.

Section 9.8 (11) regulates the concentration of secondary suites to 10% on a block. This particular block consists of 28 home sites, allowing for 3 secondary suites to be located within the block. Currently, no secondary suites have been approved in the block.

An adjacent landowner spoke against the application. There aren't a lot of 2 storey houses in the area and believes the development is too big overall.

Member Gallant expressed concern regarding the size of the overall structure, indicating that the footprint of the building required a variance that was of a larger size. Member Rempel indicated that both the proposed size of the suite and detached garage were not a concern to him, as the overall lot coverage was not exceeded.

Recommendations:

Previous applications of this size were approved subject to reducing the size of the suite to 75m². The size of the garage itself will shelter 3 vehicles and the gravel pad will provide one. This means that no parking variances are required. The Development Department would have no objection to this application if the suite is reduced in size to 75 m² (807 sq. ft.).

MOVED: Member

Konnik

“RESOLVED that the Municipal Planning Commission approve an application for construction of a detached garage 87m² in area (24% variance) with a secondary suite with a maximum floor area of 75 m² (807 sq.ft.) at 5251 53 Street, Lots 33 & 34 Block 20 Plan 5781 KS, 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. Prior to building permit issuance, Applicant is to submit revised drawings to the satisfaction of the Development Authority.
5. 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.
6. The maximum size of the suite shall not exceed 75 m².
7. Applicant to develop one (1) parking stall (gravel) adjacent to the accessory building in accordance with the approved site plan.
8. Applicant is to ensure that occupants for the suite have access to the garage for parking of a minimum of one vehicle.
9. Consolidation of Lots 33 & 34 to be consolidated into one (1) parcel by descriptive plan or plan of survey.
10. Applicant may not connect floor drain in garage floor slab to City services.
11. Applicant is to obtain a City of Lacombe building permit prior to commencement of construction.
12. Applicant to apply for and obtain the 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 to ensure that the accessory building matches or is complimentary to the primary dwelling unit in color and materials.
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 November 10, 2016 at 4:30pm.

C. 61/252.56 (2016), 3859 Hwy 12, Lot 2 Block 1 Plan 152 1430, Location of 2 Freestanding Identification Signs - C2 – Highway Commercial District

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

Development Officer, Deb Bonnett presented information regarding the application for two (2) Class 2 Freestanding Signs to be located at 3859 Highway 12. The proposed signs will serve as an identification sign for Pentagon Farm Centre.

The proposed signs will be freestanding signs. There is currently 1 free standing sign on the west side of the property. The applicant wishes to keep this sign and add an additional two signs. One sign will be 10' 3 ½ " x 24 ft. for an area of 246 sq. ft. (22.9 m²). The second free standing sign will be 6' 6" x 22' 11" for an area of 149.5 sq. ft. (13.9 m²). These signs will be located on the east side of the property.

A total of two (2) properties were notified of the proposed development. At the writing of this report, no responses have been received.

There are a number of variances to consider with this application.

Only **one** freestanding identification sign per parcel may be erected, and shall be separated by a minimum distance of 30 m from any sign on an adjacent parcel.

As noted, only one freestanding sign per parcel may be erected, the original sign is located on the west side of the property. With the 2 new signs, there will now be **3** free standing signs on the property. A total variance of 200% is required to the number of signs per parcel.

In the C2 Districts the maximum area for signs shall be 7 m² and shall not exceed the maximum height above grade of 6 m.

The proposed signs will be freestanding signs. The larger sign will be 10' 3 ½ " x 24 ft. for an area of 22.9 m² (246 sq. ft.). The second free standing sign will be 6' 6" x 22' 11" for an area of 13.9 m² (149.5 sq. ft.). Variances of 227% and 98.6% are required as it relates to sign area.

The maximum height of free standing signs in the C2 district is 6 m (19.7 ft.). The proposed signs are 7.3 m (24 ft.) and 7 m (23 ft.) in height. Variances of 21.6% and 16.7% respectively are required.

The bylaw requires that the bottom edge of any freestanding sign in any commercial and industrial district shall be 2.5 m (8.2 ft.) above grade. The larger sign will have 0m clearance between grade and the bottom of the sign. The second sign will have .5 m. (1.7 ft) between grade and the bottom of the sign. Variances of 100% and 80% respectively are required.

The Land Use Bylaw requires the sign base of any freestanding, permanent sign to be covered with topsoil and seeded or concealed by vegetation contained within a planting bed. The area around the sign structure is to be kept clean and free of overgrown vegetation, and free of refuse material as a condition of any sign permit. As the proposed signs are to be located on an asphalt surface, landscaping at the bottom of the signs will not be necessary.

While there are a number of brands on the larger sign, these are all products/equipment the business sells, therefore we do not consider this third party advertising.

Discussion on two conditions occurred. It was originally required that the area around the sign base be landscaped, and due to the proposed location, the condition about landscaping was changed. A further condition, discussing the need for permits when changing sign copy, was removed.

Recommendation:

There are a number of variances to consider with this application, however, the property itself is very large. The advertising on the sign is for products sold on site. In this instance, the required variances are not considered excessive and the branding is considered in keeping with the business.

MOVED: Member Konnik

“RESOLVED that the Municipal Planning Commission approve the location of two Class 2 Freestanding Signs, requiring size variances of 227% and 98.6%, height variances of 21.6% and 16.7%, clearance variances of 100% and 80% and a variance of 200% with respect to the number of signs on the site at 3859 Highway 12, Lot 1 Block 1 Plan 002 4111, 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:

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.

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. Electrical power to the sign is to be underground.
5. Signage shall not be erected within any Utility Right of Ways present on the lot.
6. Applicant to obtain any required building and electrical permits for the sign.
7. 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. The sign base bed shall be covered with decorative hard landscaping to the satisfaction of the Development Authority.
9. The area around the sign structure shall be kept clean and free of overgrown vegetation and refuse materials.
10. The applicant is responsible for 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.
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 November 10, 2016 at 4:30pm.

CARRIED: Unanimously

5. BUSINESS

A. Next MPC Meeting: Wednesday, November 2, 2016

6. ADJOURNMENT

MOVED BY: Member Rempel

THAT this meeting now adjourns at 5:54 p.m.

Chairperson

Date