



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION

MINUTES 122116

DATE: December 21, 2016

PLACE: City of Lacombe Council Chambers

TIME: 5:00p.m.

PRESENT: Steve Christie Mayor
Debbie Gallant Member at Large
Wayne Rempel Councilor

REGRETS: Reuben Konnik Councilor
Sandra Badry Member at Large

STAFF: Lyla Peter, Manager, Planning & Development Services
Gail Long, Development Officer
Deb Bonnett, Development Officer
Crystal Chappell, 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 Rempel

THAT the Agenda be adopted as presented.

CARRIED: Unanimously

3. ADOPTION OF MINUTES

MOVED BY: Member Gallant

That the Municipal Planning Commission minutes for December 7, 2016 be confirmed as presented.

CARRIED: Unanimously

4. NEW DEVELOPMENT APPLICATION

A. 61/255.24 2016, 59 Riviera Drive, Lot 1 Block 7 Plan 982 0437 - Home Occupation 2 – Video Production, Photography & Website Development - Zoned: R1B - Medium Lot Single Detached Dwelling District

The applicant was in attendance to provide additional information and answer questions if required. The applicant advised that with the weaker economy he is hoping to start a successful website development, video production and photography business. He anticipates he will only have 1 – 2 clients at his home every week. He feels there is a need for more businesses of this nature in Lacombe.

Development Officer, Gail Long presented information regarding the application for a Home Occupation 2 to be located at 59 Riviera Drive. As increased traffic will be generated from the operation of the proposed Home Occupation, the application is considered to be a discretionary use and requires approval from the Municipal Planning Commission.

A total of 30 property owners within 60m of the subject site were notified. At the writing of this report, no responses had been received to the circulation notice.

It was reported that the applicant is requesting approval to establish an office and studio in a portion of the basement in his home for video production, photography and website development. The applicant will be creating promotional content for various clients to drive sales and enhance business. To help make this happen, consultation will take place with clients to determine their needs in order to bring more people to their respective businesses.

The applicant is anticipating that there will be one or two business related customers to the home on a weekly basis. As the number of customers are limited, it is the opinion of Planning and Development Services that there be no restrictions as to the days and hours of the business operation.

Two parking spaces for residents of the home are located in an attached garage. The information provided suggests that there will be limited business related customers to the property. As a portion of the business includes photography, which can sometimes include group photos and which traditionally has not been considered appropriate for a home occupation, it is recommended that the total number of customers accessing the site at any one time be limited to the amount of parking provided on site. The applicant will be using the parking pad in front of the garage for parking – and that will accommodate two vehicles. Therefore all business related customers shall use the parking pad for parking when accessing the site. This forms conditions five of the recommended conditions below.

There was discussion regarding the available parking on site for larger groups attending the home. The applicant advised that this would not be an issue and parking can be provided for on site.

As there will be a minimal number of customers to the home, Planning and Development Services believes there will be limited 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: Video Production, Photography, and Website Development, to be located at 59 Riviera Drive, Lot 1 Block 7 Plan 982 0437, 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 vehicles are to be parked within the confines of the property. Riviera Drive shall not be used for business related parking.
6. 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.
7. This permit is valid for the address stated on the application and is not transferable to a new address.
8. 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.
9. Applicant to ensure that all associated storage is located inside the principal dwelling and/or accessory residential building on site. No outdoor storage is permitted.
10. Hours of customer access to the site shall be from 9 a.m. to 6 p.m. from Monday to Saturday, allowing extended hours two evenings per week to 8:00 p.m.
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 January 12, 2017 at 4:30pm.

CARRIED: Unanimously

B. 61/255.27 2016, 5617 49 Avenue, Lot 6 Block 5 Plan 576 KS - Home Occupation 2 – Vehicle Dent Repair - Zoned: R1B - Medium Lot Single Detached Dwelling District

The applicants were in attendance to provide additional information and answer questions if required. The applicant advised that he has been in the appraising business for ten years and that both applicants have training for dent repair. Only one vehicle will be worked on at a time.

Development Officer, Gail Long presented information regarding the application for a Home Occupation 2 to be located at 5617 49 Avenue. The applicant is proposing a vehicle dent repair to be operated from his detached garage. As customers will be bringing their vehicles to the residence for repair, the application is considered to be a discretionary use and requires approval from the Municipal Planning Commission.

It was reported that a total of 28 property owners within 60m of the subject site were notified. At the writing of this report, two responses have been received. The respondents in support of the application indicated they have spoken with the applicants and feel comfortable approving the application. We do not foresee any concerns with this landowner. The respondent opposed to the application stated that this is a residential area, not a business area.

The applicant is requesting approval to operate a Home Occupation 2 (vehicle dent repair business) from a detached garage located at 5617 49 Avenue. The applicant has advised that the business is a paintless dent repair business where dents are either pushed or pulled out. No noise occurs while repairs are being made to the vehicle.

The applicant has advised that there will be only one customer related vehicle on the property at any given time. Alternatively, the applicant may purchase a vehicle that requires dent repair. The detached garage will be used to park vehicles in while they are being repaired. It is being recommended that there be no vehicle sales from the property.

It is proposed that the majority of hours worked will occur between Monday thru Friday from 8:00 a.m. to 5:00 p.m. although there may be occasionally work in the evenings. The applicant has indicated there will be approximately 5 customers to the home on a weekly basis.

Two parking spaces for residents of the home are located at the front of the residence. Business related parking will be located within the detached garage, with no additional vehicles being stored on site, with a parking pad in front of the garage that can accommodate two vehicles. As it is the intentions of the applicant are to park customer related vehicles in the detached garage, no additional parking will be required to accommodate the Home Occupation 2 business.

Recent approvals from the Municipal Planning Commission have allowed home occupation operations to occur two evenings per week until 8:00 p.m. It is recommended that similar hours be part of the conditions relating to this permit.

There was additional discussion regarding the sales of vehicles from the site. The applicant advised that there would be one vehicle at a time for sale. He advised that sometimes the vehicles are sold prior to being repaired which does not require customers to the home, however, in instances where he has no potential customer, it is his intention to sell the vehicle from the property.

Although he could meet the potential purchaser off site, it would create a problem if he was unable to sell a vehicle from the site. Further discussion determined that advertising would not be permitted from the property.

As it is proposed that there will be only one customer vehicle on site at any given time, and as there will be no noise resulting from the dent repair, 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: Vehicle Dent Repair, to be located at 5617 49 Avenue, Lot 6 Block 5 Plan 576KS, 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. Hours of operation shall be limited to weekdays from 8:00 a.m.to 5:00 p.m. with extended hours on Tuesday and Thursdays to 8:00 p.m.
6. All business related vehicles are to be parked within the detached garage.
7. Applicant to ensure that all associated storage is located inside the principal dwelling and/or accessory residential building on site. No outdoor storage is permitted.
8. No advertising of vehicles for sale is to occur on site.
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. The Alberta Motor Vehicle Industry Council regulates the motor vehicle industry in Alberta. The City requires that the above development is registered with AMVIC prior to business operation and a copy is listed on file.
12. 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.
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 this decision is subject to an appeal period which ends on January 12, 2017 at 4:30pm.

CARRIED: Unanimously

5. BUSINESS

A. Next MPC Meeting: Wednesday, January 11, 2017.

6. ADJOURNMENT

MOVED BY: Member Gallant

THAT this meeting now adjourns at 5:26 p.m.

CARRIED: Unanimously

Chairperson

Date