



CITY OF LACOMBE
MUNICIPAL PLANNING COMMISSION
MINUTES 092017

DATE: September 20, 2017
PLACE: City of Lacombe Council Chambers
TIME: 5:00 p.m.

PRESENT: Steve Christie Mayor
Wayne Rempel Councilor
Sandra Badry Member at Large
Don Easton Member at Large

REGRETS: Reuben Konnik Councilor

STAFF: Debbi Bonnett, Manager of Planning and Development
Gail Long, Development Officer
Crystal Chappell, Development Officer

1. CALL TO ORDER

The meeting was called to order by Chairperson Christie at 5:03 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 Rempel

That the Municipal Planning Commission minutes for August 16, 2017 be approved as presented.

CARRIED: Unanimously

4. NEW BUSINESS

A. Oath of Office for new Board Member

Mayor Steve Christie administered the Oath of Office for newly appointed Member At Large, Don Easton.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

A. Notice that Application for Winter Inn has been Withdrawn

MOVED BY: Member Rempel

RESOLVED that the Municipal Planning Commission accept as information, confirmation that Development Permit Application 61/250.82 2017, for the location of a Winter Inn at 5225-53 Street, Lots 19-22 Block 20 Plan 5781 AF, Zoned R2 - Residential Single & Semi-Detached District has been withdrawn.

CARRIED: Unanimously

6. NEW DEVELOPMENT PERMIT APPLICATIONS

A. 61/251.80 (2017) 24% Side Yard Setback Variance for an Existing Dwelling, 12 Willow Place; Lot 20, Block 2, Plan 782 3298, Zoned R1, Residential Detached District.

A total of thirty-nine (39) property owners within 60m of the subject site were notified. Two responses were received in support of the application.

Development Officer, Gail Long, presented an application for a 24% Side Yard Setback variance on an existing dwelling. The applicant applied for the variance in order to bring the house into compliance prior to selling it.

The Municipal Planning Commission approved the application with conditions.

MOVED: Member Rempel

RESOLVED that the Municipal Planning Commission approve a 24% Side Yard Setback Variance for an Existing Dwelling Located at 12 Willow Place; Lot 20, Block 2, Plan 782-3298, Zoned R1.

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 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.

CARRIED: Unanimously

B. 61/251.82 (2017), Demolition of Accessory Buildings; 6500 – Highway 12; Lots SE26-40-27-W4M; Zoned FD, Future Designation District.

A total of twelve (12) property owners within 60m of the subject site were notified. One response was received in support of the application.

Development Officer, Gail Long, presented an application to demolish accessory buildings and grain bins on an old agricultural site. The property, zoned Future Designation (FD), is being prepared for commercial and high density residential development. Demolitions require Municipal Planning Commission approval in the FD District.

The Municipal Planning Commission approved the application with conditions.

MOVED: Member Easton

RESOLVED that the Municipal Planning Commission approve the demolition of accessory buildings (3 sheds and 3 grain bins) located at 6500 Highway 12, Pt. SE 26-40-27-W4M, zoned FD - Future Designation District.

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 to obtain a Building Permit for demolition of the accessory buildings.
5. Prior to issuance of a Building Permit, the applicant shall provide confirmation to the City that all electricity, gas, and plumbing (if applicable) has been disconnected.
6. All dry rubble materials are to be disposed at the Prentiss Waste Station or at an area approved by Alberta Environment.
7. Applicant shall ensure that the demolition area is leveled immediately upon 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 weeds.
10. 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.*

CARRIED: Unanimously

C. 61/251.97 (2017), Two (2) Storage Containers (Sea Cans) and One (1) Temporary Soft Sided Structure, 3408 – 52 Avenue; Lots 9 & 10, Block 5, Plan 062 3951, Zoned I2 – Heavy Industrial District

The applicant was not in attendance to discuss the application.

A total of six (6) property owners within 60m of the subject site were notified. Two responses were received in support of the application.

Development Officer, Gail Long presented a two-part application for a temporary building (discretionary use) and the relocation of 2 shipping containers (permitted use) currently located at 3408 52 Avenue. 3408 52 Avenue occupies two separate lots with both parcels being rented to the applicant. The west lot accommodates the principal building onsite while the east lot is utilized for outdoor storage.

After considerable discussion regarding the application the motion was subsequently defeated. Reasons for refusal were related to the temporary structure not meeting setback requirements from the rear property boundary, conditions of approval not being met from the previous approval, lack of maintenance surrounding the structure and non compliance with the requirements of the Safety Codes Act.

MOVED: Member Badry

RESOLVED that the Municipal Planning Commission approve the application to allow the existing temporary building (tent structure) to remain on the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2, subject to conditions, and further, that failure to meet the conditions outlined **on or before October 31, 2017** will necessitate removal of the temporary building (tent structure), **on or before October 31, 2017**.

It is **FURTHER RESOLVED** that the Municipal Planning Commission approve the relocation of the two shipping containers to the rear of the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2, with the deletion of the previous requirement for screening.

Approval for the temporary building (tent structure) and relocation of the shipping containers 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 shall submit a revised site plan showing relocation of the existing temporary building (tent structure) a minimum of 7m from both the side and rear property boundary, and relocation of the two sea containers at the rear of the property, a minimum of 3 m from the side property boundary and 6m from the rear property boundary.

Tent Structure

5. Applicant shall identify, on the site plan, what ground materials will be used around the perimeter of the temporary building (tent structure) to ensure vegetation is a minimum distance of 3m away from the structure, to the satisfaction of the Development Authority.

6. Applicant shall submit submitting engineered stamped drawings for the temporary building (tent structure) confirming that it meets CAN/ULC-S109, "Flame Tests of Flame-Resistant Fabrics and Films", and anchoring requirements.
7. Applicant shall apply for and receive a Building Permit for the temporary building (tent structure).
8. Applicant shall apply for and receive an electrical permit for the temporary building (tent structure) if applicable.
9. The location of the temporary building (tent structure) on the property is approved for a maximum period of 12 months from the date of issuance of this permit, at which time the temporary building (tent structure) is to be removed from the parcel, or dismantled and stored in a building located on the parcel.
10. Applicant shall ensure that the site remains neat and tidy and that the 3m setback around the perimeter of the temporary building (tent structure) is kept free of flammable material or vegetation that will spread fire.
11. Prior to Building Permit issuance, applicant shall be required to submit a deposit of \$2,000.00 to ensure the removal of the temporary building (tent structure) when this development permit expires.
12. Applicant shall be required to meet the above Conditions #4, 5, 6, 7, 8, and 11, and have the building relocated on the property in accordance with approved plans, **on or before October 31, 2017**. Failure to comply with these conditions on or before October 31, 2017 will result in the applicant being required to remove the temporary building (tent structure) from the property **on or before October 31, 2017**.

Shipping Containers (Two)

13. Each shipping container shall not exceed the following dimensions: 13.8m (L) x 2.5m (W) x 2.9m(H), and shall not be connected to, or stacked upon one another or any other structure.
14. When shipping containers are on site, they shall be stored behind the principal building at the rear of the property at all times.
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.

MOTION DEFEATED

After the motion was defeated, the Municipal Planning Commission moved to rescind the motion for the purpose of addressing the two-part resolution as two separate motions.

MOVED: Member Badry

RESOLVED that the Municipal Planning Commission rescind the motion (Motion #6) to allow the existing temporary building (tent structure) to remain on the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2, subject to conditions, and further, that failure to meet the conditions outlined **on or before October 31, 2017** will necessitate removal of the temporary building (tent structure), **on or before October 31, 2017**.

It is **FURTHER RESOLVED** that the Municipal Planning Commission rescind the motion (Motion #6) to approve the relocation of the two shipping containers to the rear of the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2, with the deletion of the previous requirement for screening.

CARRIED: Unanimously

MOVED: Member Badry

RESOLVED that the Municipal Planning Commission approve the application to allow the existing temporary building (tent structure) to remain on the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I2, subject to conditions, and further, that failure to meet the conditions outlined **on or before October 31, 2017** will necessitate removal of the temporary building (tent structure), **on or before October 31, 2017**.

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 shall submit a revised site plan showing relocation of the existing temporary building (tent structure) a minimum of 7m from both the side and rear property boundary, and relocation of the two sea containers at the rear of the property, a minimum of 3 m from the side property boundary and 6m from the rear property boundary.
5. Applicant shall identify, on the site plan, what ground materials will be used around the perimeter of the temporary building (tent structure) to ensure vegetation is a minimum distance of 3m away from the structure, to the satisfaction of the Development Authority.
6. Applicant shall submit submitting engineered stamped drawings for the temporary building (tent structure) confirming that it meets CAN/ULC-S109, "Flame Tests of Flame-Resistant Fabrics and Films", and anchoring requirements.
7. Applicant shall apply for and receive a Building Permit for the temporary building (tent structure).
8. Applicant shall apply for and receive an electrical permit for the temporary building (tent structure) if applicable.
9. The location of the temporary building (tent structure) on the property is approved for a maximum period of 12 months from the date of issuance of this permit, at which time the temporary building (tent structure) is to be removed from the parcel, or dismantled and stored in a building located on the parcel.
10. Applicant shall ensure that the site remains neat and tidy and that the 3m setback around the perimeter of the temporary building (tent structure) is kept free of flammable material or vegetation that will spread fire.
11. Prior to Building Permit issuance, applicant shall be required to submit a deposit of \$2,000.00 to ensure the removal of the temporary building (tent structure) when this development permit expires.
12. Applicant shall be required to meet the above Conditions #4, 5, 6, 7, 8, and 11, and have the building relocated on the property in accordance with approved plans, **on or before October 31, 2017**. Failure to comply with these conditions on or before October 31, 2017 will result in the applicant being required to remove the temporary building (tent structure) from the property **on or before October 31, 2017**.

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.

MOTION DEFEATED

Reasons for refusal were related to the failure to meet conditions of the previous approval for the temporary building(s) on the property, the location of the existing structure not meeting setback requirements from the rear property boundary, and lack of maintenance surrounding the existing structure.

MOVED: Member Badry

RESOLVED that the Municipal Planning Commission approve the application to relocate the previously approved two shipping containers to the rear of the property at 3408 52 Avenue, Lots 9 & 10 Block 5 Plan 062 3951, zoned I1.

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 shall submit a revised site plan showing relocation of the existing temporary building (tent structure) a minimum of 7m from both the side and rear property boundary, and relocation of the two sea containers at the rear of the property, a minimum of 3 m from the side property boundary and 6m from the rear property boundary.
5. Each shipping container shall not exceed the following dimensions: 13.8m (L) x 2.5m (W) x 2.9m(H), and shall not be connected to, or stacked upon one another or any other structure.
6. When shipping containers are on site, they shall be stored behind the principal building at the rear of the property at all times.
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.

CARRIED: Unanimously

7. NEXT MPC MEETING

- A. October 11, 2017

8. ADJOURNMENT

MOVED BY: Member Rempel

THAT this meeting now adjourns at 5:43 p.m.

CARRIED: Unanimously

Chairperson

Date