

Municipal Planning Commission

November 5, 2014

The Village of Stirling MPC meeting was held at the Stirling Community Centre on November 5, 2014. In attendance were Mayor Nilsson, Councillors Bikman, Edwards and Maynes, Development Officer Mike Selk and ORRSC Planner Bonnie Brunner. Councillor Lewington recused himself from the meeting.

CALLED TO ORDER Councillor Edwards called the meeting to order at 6:03 p.m.

2014-59 AGENDA Mayor Nilsson moved to adopt the agenda as amended adding item 4(a)4(c) Veneta Cooper letter.
Carried

2014-60 MINUTES Councillor Bikman moved to adopt the minutes of the October 1, 2014 MPC Meeting.
Carried

DA2014-20 Development Officer Mike Selk presented information about Development Permit application DA2014-20 for site coverage waivers for 3 accessory structures. Written report is attached.

ORRSC Planner Bonnie Brunner presented information on the rationale for condition #2 of the proposed conditions if approved. She also discussed requirements to be able to grant accessory use and what an accessory use is.

Applicant Richard Reimer indicated in his opinion there are not permits required for the 2 structures already built as they fall under the Land Use Bylaw section development not requiring a permit. Reimer further indicated they are only using a very small percent of their lot coverage for accessory buildings and that including their home it is only around 5.3%. He stated the Barbeque shelter is for personal use and matches the style of the other accessory buildings on their property.

Brunner clarified Land Use Bylaw No 415-08 Schedule 3 Development not requiring a permit section 9 and why a permit is required with this development.

Public:

a) Chris Johnson spoke about the location of the accessory

buildings. He stated that the applicant was informed that a Development Permit was required for this development. Johnson also referred to his written submission and the 3 points he made.

Written Submissions:

- a) Dave Steed
- b) Wendy McKenzie and Danny Munger
- c) Dee-Dee Hillary
- d) Larry and Susan Bates
- e) Laraine Dean
- f) David and Nancy Miller
- g) Veneta Cooper

Rebuttal: Applicant Richard Reimer submitted one additional letter from Amanda and Robert Palin. He indicated he thought Village Council was going to increase the 900 ft² limit and that percentage lot coverage should be different for properties with large lots like his.

Mayor Nilsson indicated the applicant has now required the MPC to make a difficult decision since the Development Permit process was not followed and the accessory buildings are already built.

Councillor Edwards moved to close submissions for Application DA2014-20.

Carried

2014-61

LOT 7-8, BLOCK 29,
PLAN 752J –
BUSINES
ACTIVITIES

Delegation Chris Johnson spoke about the frustrations of another Halloween season and the activities at the Reimer property across from his home. He spoke about the unpermitted business activities happening on the property. He indicated that it is all about the Haunted House and that business activity is well outside the mini railway permit. He also spoke about boulevard parking, including boulevard parking in front of his property.

MPC tabled item 4b(ii) Legal Opinion till the next MPC meeting.

NOTIFICATION
PROCESS

Planner Bonnie Brunner spoke regarding Bylaw requirement for notification.

MPC discussed item and felt the current notification process would be upheld and possibly reviewed at a later time.

MPC recessed the meeting at 7:04 p.m.

MPC reconvened the meeting at 8:55 p.m.

DA2014-20

MPC discussed application DA 2014-20.

2014-62

Councillor Maynes moved to approve DA2014-20(C) Garage Addition with the following conditions and informative:

CONDITIONS

1. That a waiver is granted to the maximum site coverage, allowing the construction of a garage addition not to exceed 560 (560 ft²).
2. That the accessory building addition is to be accessory to the residential use of the lots and not be used in conjunction with business activities on the property.
3. The accessory building addition must comply with all applicable requirements of the Land Use Bylaw 415-08 including setbacks.
4. The applicant shall obtain all applicable building permits and safety codes permits and approvals prior to commencement of construction.
5. The exterior finish of the accessory building addition must match color and finish style of the existing Garage and House.
6. The accessory building addition is to be located on the property by a land surveyor or qualified engineer.
7. The applicant is responsible for completing the final building grade so drainage flows away from the building but so as not to adversely affect the neighbouring lots. Lot drainage must be retained on property or be directed towards 5th Avenue.
8. The construction of the accessory building addition shall be completed within 12 months from the date of issue of this development permit.
9. The yard shall be landscaped to the satisfaction of the designated Officer in accordance with the Land Use Bylaw and shall be completed within 12 months of issue of the development permit.
10. All refuse on the construction site shall be properly screened or placed in an approved enclosure until removed for disposal. Construction waste is not allowed to be taken to the Village Transfer Station.

INFORMATIVE

1. The applicant must contact Alberta One Call (1800-242-3447) to locate any utility lines prior to commencement.
2. According to the Land Use Bylaw, shipping containers are a "prohibited use;" therefore, they are **not** allowed to be used as site storage while construction takes place.

Carried

2014-63

Councillor Maynes moved to deny DA2014-20(A) Barbeque Shelter and DA2014-14(B) Shed for the following reasons:

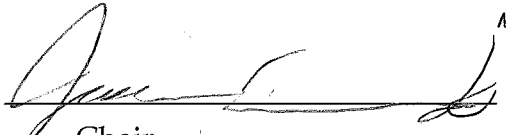
1. The intended purpose/use of the Accessory Building (A) Barbeque Shelter and the Accessory Building (B) Shed cannot be definitely determined to be accessory to the residential use of the property.
2. The development application procedure prescribed in Land Use Bylaw No. 415-08 was not followed. The accessory buildings were constructed prior to the submittal of a development permit application and issuance of a development permit.

Carried

2014-64 ADJOURN

Councillor Maynes moved to adjourn at 10:23 p.m.

Carried



Chair



Development Officer