

**MUNICIPAL PLANNING COMMISSION MEETING
WEDNESDAY, AUGUST 18, 2010 – 12:30 PM
TOWN OF REDCLIFF COUNCIL CHAMBERS**

MINUTES

PRESENT: Members: C. Dacre, B. Duncan,
D. MacDougall
Public Services Director: D. Schaffer
Planning Consultant: K. Snyder
Development Officer &
Recording Secretary: D. Mastel
Development Officer: B. Crozier

ABSENT: Member: J. Beach

1. CALL TO ORDER

B. Duncan called the meeting to order at 12:30 p.m.

2. ADOPTION OF AGENDA

D. MacDougall moved that the agenda be adopted as presented. - Carried.

3. PREVIOUS MINUTES

C. Dacre moved acceptance of the minutes of the July 21, 2010 meeting as amended.
- Carried

D. Schaffer moved the acceptance of the July 23, 2010 as presented. - Carried

4. LIST OF DEVELOPMENT PERMITS ADVERTISED

The Commission reviewed the development permits advertised in the Cypress Courier/Commentator on June 27, 2010, and were advised by the Development Officer that no appeals had been received.

5. DEVELOPMENT APPLICATIONS APPROVED BY DEVELOPMENT OFFICER

- A)** Development Permit Application 10-DP-111
David Sabados & Sydney Craigen Sabados
Lots 30-31, Block 134, Plan 1117V (319 - 1st Street NE)
Approved: Detached Garage
- B)** Development Permit Application 10-DP-112
Amron Construction
Lot 49, Block 121, Plan 071 4603 (220 – 4th Street NW)
Approved: Single Family Home with a front and rear deck
- C)** Development Permit Application 10-DP-113
Maureen Morgan
Lot 46, Block 132, Plan 061 3922 (342 – 2nd Street NW)
Approved: Shed
- D)** Development Permit Application 10-DP-115
Clayton Palmer
Lot 8, Block 80, Plan 931 0188 (15 Mitchell Street NE)
Approved: Tenant Improvements

- E) Development Permit Application 10-DP-116
John – Ryan Evans
Lot 5, Block 100, Plan 001 3221 (118 – 4th Street NW)
Approved: Detached Garage
- F) Development Permit Application 10-DP-120
Sure – Lock Homes
Lots 1-2, Block 1, Plan 1117V (937 Main Street S)
Approved: Demolition of a Single Family Home & Construction of a Single Family Home with an Attached Garage
- G) Development Permit Application 10-DP-122
GVN Structures Inc.
Lots 11-14, Block 80, Plan 931 0188 (#9 511 South Railway Drive NE)
Approved: Tenant Improvements

6. DEVELOPMENT PERMITS FOR MPC CONSIDERATION

- A) **Development Permit Application 10-DP-104**
Ed Beach
Lot 58, Block 132, Plan 081 3720 (307 1st Street NW)
Duplex

Ed Beach had applied to construct a duplex on the existing foundation on the above noted property.

B. Crozier noted that about two years ago Tammy Beach, the landowner, had brought the proposal forward to construct a two storey duplex on this property. Her intention was to live in one of the units; however that project was only completed to the foundation stage. He stated that Ed Beach had contacted him about completing the project with a revised set of plans showing a bungalow style duplex instead of the two storey originally applied for, for that reason it was brought back to the Municipal Planning Commission for review.

Ed Beach joined the meeting at 12:35 p.m.

E. Beach made comment that he was re-applying to finish the duplex as a bungalow and not a two storey as originally applied for. He stated his reason was because there are 100 year old homes on either side of the lot and a two storey wouldn't really conform to the looks of the neighborhood. He also stated that his reason for changing the size of the duplex was due to not being economically feasible. E. Beach then inquired if it was alright for the air conditioners to be located in the side yard.

D. Mastel confirmed that there would be no conflicts with where the A/C units are indicated on the site plan.

B. Crozier added that under the Land Use Bylaw an A/C unit can't be located within the 1.5 m minimum side yard but there would be room on either side of the duplex for the units.

E. Beach left the meeting at 12:40 p.m.

C. Dacre move that development permit application **10-DP-104** for Ed Beach on Lot 58, Block 132, Plan 081 3720 (307 – 1st Street NW) be **APPROVED** subject to the following conditions:

1. A minimum 4.5 m setback is required from the duplex to the east property boundary, being the front yard. The site plan submitted indicates a setback of 5.83 m; the setback is herein approved.
2. A minimum 1.5 m setback is required from the residence to the north and south property boundaries, being the side yards. The site plan submitted indicates setback distances of 1.50 m & 2.46 m; the setbacks are herein approved.
3. A minimum 6.0 m setback is required from the residence to the west property boundary, being the rear yard. The site plan submitted indicates a setback of 8.19 m; the setback is herein approved.
4. The maximum site coverage permitted is 45%. The site plan submitted indicates coverage of 32.76%, the coverage is herein approved.
5. The owner shall provide a minimum of 2 parking spaces per unit at the front and rear of the property, totaling 4 as submitted on the site plan.
6. The remainder of the property shall be landscaped to the satisfaction of the Development Officer.

- Carried.

B) Development Permit Application 10-DP-114
Jesse Green
Lots 21-23, Block 10, Plan 1117V (502 2nd Street SE)
Home Occupation – Linen Rental Business

Jesse Green had applied to operate 'Stealing Cinderella Linens' as a home occupation. The business is linen rental business. All work associated with the business would be done off site. The residence would be used for the office space required for the company along with the storage of the linens.

C. Dacre moved that development permit application **10-DP-114** for Jesse Green on Lots 21-23, Block 10, Plan 1117V (502 2nd Street SE) be **APPROVED** subject to the following conditions:

1. All Development Standards, as listed under Section 58(9(d)) of Residential Districts in the Town of Redcliff's Land Use Bylaw shall be adhered to by the applicant.
2. Storage of materials, goods or equipment associated with the home occupation, which are not a fire or health hazard, shall be stored within the residence or garage.
3. The use or handling of materials or equipment related to the home occupation shall not occur at hours of the day which are likely to disturb neighboring residents.

4. No advertising sign regarding a home occupation shall be allowed on the site.
- Carried.

**C) Development Permit Application 10-DP-118
Tumbleweed Sales Ltd.
Lot 13, Block 6, Plan 981 1617 (1550 South Highway Drive SE)
Trailer and Shipping Container Sales and Rental Business**

K. Snyder commented that the Municipal Planning Commission has to consider a few variables when making their recommendation for this application. First is the requirement of the Land Use Bylaw under Section 54(1)(f) 'The shipping containers must be located in such a manner as they are not visible from the Trans Canada Highway.', due to the location of the lot, screening will be quite difficult to accomplish since the highway is higher than the parcel. K. Snyder then added that under Section 54(1) 'The Development Officer or the Commission, as the case may be, may issue a development permit to allow for the placement of shipping containers for the use of temporary or permanent storage if:', under that clause, it was intended to control unsightly storage and permanent containers whereas this application is for sales and rental of new or slightly used shipping containers.

D. Schaffer inquired if the rental part of the business was for rental off-site and not in fact a mini-storage situation on the parcel. He also commented that having the shipping containers located at the back of the property would look better than if they were up near the front and closer to the highway.

B. Crozier commented about previous approvals for use of shipping containers, using the example of the mini-storage just north of Town Hall. He stated that screening was done with chain link fence and slats so the shipping containers can not be see. He then added about Kirk's Tire's having shipping containers on their property; it was a condition of their approval that fencing and screening were to be provided around the containers. He recommended that any approval given should be consistent with the Land Use Bylaw having the containers contained within a fenced compound and screened. He also recommended that there could be signage stating that containers are for sale or rent off-site so that there is no confusion of mini-storage use. B. Crozier stated that typically with all non-residential development a site drainage plan is required. He had spoke with Khalil Minhas, the Town's Manager of Engineering, who stated he would look at applications with movable development, like garbage containers, trailers or shipping containers, on a case by case basis to determine if site drainage is required.

B. Duncan inquired whether anyone had any issues with this type of development being located beside the Trans Canada Highway. There were no concerns with the use. C. Dacre did add that some type of screening should be provided between the trailers being stored at the front of the lot and the shipping containers at the back. D. Schaffer suggested that he'd rather see shipping containers which are in good condition versus screening containers that are in poor condition.

B. Crozier commented that for non-residential development, paving should be required at the front of the lot to protect The Town's roadways.

B. Duncan then added that he wasn't convinced that Section 54(1) Shipping Containers would apply to this application because that section states for 'the use of temporary or permanent storage'; whereas this application is for sales and rental of the containers.

D. Schaffer commented that since part of the business is for sales and rental of the shipping containers that it might not be feasible from the perspective of the applicant to have them completely screened. D. MacDougall then suggested that if the containers were located at the back of the lot, as far away from the Trans Canada Highway as they could be then maybe screening could be eliminated.

C. Dacre raised concern about what condition the containers would be in even if they were a neutral color. If they were showing signs of wear and having rust and how that would look from the highway. B. Crozier suggested that having one shipping container, in good repair, located near the front of the lot advertising the sale and rental of the containers then the other containers could be located at the back of the lot. He then re-iterated that the containers aren't supposed to be visible from the highway.

D. Schaffer inquired what the reason for this application was. D. Mastel stated that the applicants had been issued a Stop Order; their options were to either remove everything from the site or to apply for a Development Permit and comply with the Land Use Bylaw.

D. Schaffer had concerns with having the requirement for fencing. He stated that the fence would only be permitted on the landowner's property, which would eliminate the boulevard area being used for parking the trailers. Since the other business east and west of Tumbleweeds use the boulevard as part of their property, it could cause issues.

There was discussion regarding what to ask for screening. D. Schaffer stated that he was not sure screening would even be effective due to the lot being lower than the highway.

B. Crozier commented that if the Municipal Planning Commission is going to try to maintain some consistency and stay within the Land Use Bylaw, then screening should be required. B. Duncan stated that this application is not the same situation as others in the area because the others were for permanently placed containers with storage within them. D. Mastel commented that even though the use is for sale and rental of the containers, there is potential that one or more of the containers could be sitting on the site indefinitely. B. Duncan stated that maximum of ten containers, which was applied for, could be continuously turning over. D. Mastel agreed with the statement but added that the containers will still be able to be viewed from the highway and there is also the chance that the containers may not be rented or sold and they could be sitting on that site for months so screening should be in place. C. Dacre then stated that he agreed with D. Schaffer's earlier comment about the containers being seen no matter what because of the fact that the lot is lower than the highway. D. Mastel raised the argument on whether the shipping containers should even be allowed if they are not going to be screened. B. Duncan inquired if there was any difference between shipping containers being seen from the highway versus oil and gas equipment which is in plain view and unscreened. B. Crozier stated that Mayor and Council specifically addressed shipping containers and attached the requirements under the Land Use Bylaw because

they wanted them regulated. D. Schaffer then added that the Bylaw states 'shipping containers for the use of temporary or permanent storage', so the argument could be made that this application does not fit that requirement. K. Snyder agreed with D. Schaffer that the argument could be made that the requirements may not apply due to the difference in what the application is for then what the Bylaw regulates. He also added that any type of screening is most likely not going to be effective because of how the lot is lower than the highway. He then stated that pushing the containers to the back may make them even more visible from the highway. The issue of the esthetics of this type of business being located on the 'gateway' corridor was also brought up by K. Snyder. He suggested that if there are concerns with the first impression of the Town as you are driving through on the Trans Canada Highway, this type of business would not be a good fit.

B. Crozier brought up a previous refusal which the Commission made for a used vehicle sales business. The refusal was made due to landscaping requirements not being met. He suggested the application could be solely for the sales and rental of trailers and exclude the shipping containers. C. Dacre stated that the Commission is stuck because they do not have any Bylaw regulations specifically regarding sales and rental of shipping containers. K. Snyder added that the intent of shipping containers under the M-1 district is for storage and not for sales or rental, so the Commission could only allow the approval for the sales and rental of the trailers. He then stated that because this is an M-1 district, landscaping is not typically required to the same degree that was required on the used vehicle sales application.

K. Snyder suggested that the Commission may want to consider granting a temporary 1 (one) year approval for this application which would give Council time to develop something within the Land Use Bylaw to address this type of application. B. Duncan agreed with K. Snyder about needing something within the Land Use Bylaw to address this type of development, he also went on to suggest that Council may want to address the regulation of oilfield equipment which is stored on the industrial lots. K. Snyder then added that if a temporary permit was to be granted that the paving requirements be waived.

D. Schaffer commented that if the containers were all painted a neutral color and organized neatly along the back; that it most likely would not have a negative impact due to it being mixed in with trailer sales on neighboring lots.

C. Dacre move that development permit application **10-DP-118** for Tumbleweed Sales on Lot 13, Block 6, Plan 981 1617 (1550 South Highway Drive SE) be **APPROVED** subject to the following conditions:

1. All shipping containers must be located at the rear of the property; being the south side.
2. The exterior of the shipping containers shall be painted a neutral color.
3. The height of the shipping containers is to be limited to one unit in height or a maximum of 3.0 m; they can not be stacked.
4. There shall be no on-site storage within the shipping containers.
5. Any signage on-site requires a separate Development Permit Application.

6. This approval is granted for a limited term of 1 (one) year from the date of issue. Prior to the expiration of the permit, a new Development Permit Application must be received.
- Carried.

**D) Development Permit Application 10-DP-121
Dean and Roxann Short
Lot 40, Block 7, Plan 021 2632 (359 Kipling Point SW)
Hot Tub**

Dean and Roxann Short had applied to place a hot tub on their lot. The hot tub would be in the rear yard with a locking cover. Utility locates were provided with no conflicts.

D. Schaffer moved that development permit application **10-DP-121** for Dean & Roxann Short on Lot 40, Block 7, Plan 021 2632 (359 Kipling Point SW) be **APPROVED** subject to the following conditions:

1. The location of the hot tub is approved as submitted with the application.
 2. The hot tub is required to have a cover that is provided with lockable devices to prevent access to the water by unauthorized persons. If the hot tub exceeds 2.4 metres (8 feet) across the widest portion of the water's surface and the hot tub is not equipped with a lockable cover than a fence 1.8 metres (6 feet) in height shall enclose the hot tub. The fence can be constructed from chain link, metal, wood, stone or other material having an equivalent degree of strength accompanied with a gate of the same height which shall have a self-closing, lockable device.
- Carried.

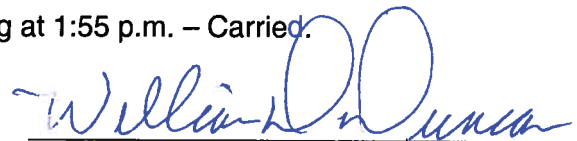
7. FOR COMMENT

**A) Application for Land Use Amendment
The Champion's Centre
Lots 29-30, Block 19, Plan 1117V (418 – 5th Street SE)
Rezoning of parcel from R-1 Single Family Residential District to PS Public and Semi – Public Service District**


The Municipal Planning Commission had no comment.

8. ADJOURNMENT

D. MacDougall moved adjournment of the meeting at 1:55 p.m. – Carried.



Chairman



Secretary