



REPORT TO THE MUNICIPAL PLANNING COMMISSION

March 11, 2021

Application No.	79/20
Proposed Development	Automotive repair business, shop and dwelling above the ground floor
Legal Description	Lots 5-6 Block 25 Plan 7159AI (Hamlet of Mirror)
Zoning	Hamlet Commercial "C-H" District (Core Commercial area)
Applicant / Landowner	Auldrick Conyette

BACKGROUND

Auldrick Conyette has applied for a development permit for an automotive service and repair business to be known as the Mirror Auto Centre on Lots 5-6 Block 25 Plan 7159AI in the Hamlet of Mirror. The property is located on two lots on Main Street in the Hamlet Commercial "C-H" District (core commercial area) which are currently vacant.

The proposed business includes a new 1624 ft² shop with a three (3) bedroom dwelling unit on the second floor. The structure is of wood frame construction and includes three bays for the servicing of vehicles. A 4 ft. x 2 ft. printed sign panel is proposed to be located on the front of the building as well.

The proposal includes fenced storage area in the rear, and paved parking lot with approximately 10 parking spaces in the front, and angle parking is also available on the street. The applicant estimates that the business will generate approximately seven (7) vehicle trips per day.

The business intends to employ one (1) resident on-site employee and up to three (3) non-resident on-site employees. The hours of operation will be from Monday to Friday from 8:00 AM to 5:00 PM. All work is to be performed inside the building so that off site nuisances are minimized.

This application was previously presented to the MPC on November 12, 2020. At this meeting, Commission Members deferred the application until additional details regarding the business could be provided. These items included: 1) details on the paint booth and HVAC system, and how nuisances from the paint booth would be mitigated; 2) details on the floor drains and hazardous materials/substances containment measures; 3) if sandblasting activities are intended to be performed on the site.

Mr. Conyette has responded to each of these items by stating that there will not be a paint booth, floor drains will not be installed, and sandblasting will not take place on the site.

Further to the floor drain issue, staff have contacted a safety codes agency and confirmed that if they were proposed, there would need to be oil interceptor installed as per the Alberta Building Code. In addition to this, the County also has a Utility Services Bylaw for the Hamlet of Mirror (1314/19) which further regulates discharge into the County's wastewater infrastructure. Specifically Sections 7.13 and 7.14 which read as follows:

7.13 No waste or discharge resulting from any trade, industrial or manufacturing process shall be directly discharged to the County Wastewater System without approval of the County Manager. As a condition of such approval, the County Manager may require such pre-treatment of the effluent as is deemed necessary. The pre-treatment facilities required shall be completely installed by the applicant, at his expense, prior to the construction of the wastewater connection, and thereafter shall be continuously maintained and operated by the applicant.

7.14 Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries and such other places as the County Manager may direct. Such traps shall be installed prior to any connection to the County Wastewater System.

POLICY CONSIDERATIONS

The Mirror Auto Centre is considered an "automotive, equipment and vehicle services" business, and a "dwelling unit above the ground floor in core commercial area only". Both of these uses are discretionary in the Hamlet Commercial "C-H" District under the *Land Use Bylaw* which requires the approval

of the Municipal Planning Commission (MPC).

Automotive, equipment and vehicle services is defined as: “a development used for the rental, lease, sale, storage, service, inspection, restoration and/or mechanical repair of automobiles, trucks, trailers, motorcycles, farm machinery and equipment, snowmobiles, boats and recreation vehicles. Uses would also include transmission shops, muffler shops, auto body paint and repair facilities, service stations and fleet services involving vehicles for the delivery of people, goods and services.”

Since the business is located within the Hamlet Commercial “C-H” District it may also qualify for the County’s Development Incentive Grant (DIG).

CIRCULATION RESPONSE

The County’s Operations Department advised that they have no issues with the proposed development. They noted that the curb in this location is quite short so no work is required to gain access to the proposed parking lot; however, the applicant will be responsible for maintenance or repair of the sidewalk if needed.

The County’s Fire Chief expressed concern regarding the building meeting the Alberta Building Code and Alberta Fire Code due to the mixed uses.

The application was not pre-circulated to neighbouring landowners; however, they will be informed of the MPC’s decision and advised of their right to appeal.

ANALYSIS

The business is located in the Hamlet Commercial “C-H” District of the Hamlet of Mirror. An “automotive, equipment and vehicle services” business, and a “dwelling unit above the ground floor in core commercial area only” are both considered discretionary uses in this district.

The surrounding uses of lands adjacent to the development include the Jolly Seniors Centre, a small vacant commercial building (previously a restaurant) to the west, and to the east, a residence (non-conforming use in the district). Across the street is a hair salon, a Telus building, and the Mirror Community Hall. With the exception of the residence, the surrounding land uses are compatible. The business will be oriented to the west, which may help to mitigate any potential nuisances associated with the business.

The mixed use of the proposed building (residential and commercial) may trigger

some higher building code standards which the applicant will need to address with an accredited safety codes agency.

The Operations Department had no issues with the development; subject to the applicant being responsible for any maintenance or repair that may be required from vehicles crossing the sidewalk.

The County's Fire Chief expressed concern regarding the building meeting the Albert Building Code and Alberta Fire Code due to the mixed uses

The applicant has also clarified that painting and sandblasting will not be taking place on site, these being the two items which have the greatest potential for off-site impacts to surrounding landowners. Mr. Conyette has cleared all dilapidated vehicles from the lands as requested.

Staff have amended the conditions of approval to address concerns that had been brought up in the previous MPC meeting (shown in red).

STAFF RECOMMENDATION

APPROVE the application, subject to the following conditions:

1. the proposed building shall be built in accordance with the elevation drawings and site plan submitted with the development permit application
2. prior to the issuance of a development permit, the applicant must enter into a development agreement and provide security equal to the value of the estimated cost of the proposed landscaping, returnable upon the completion of the improvements to the satisfaction of the County
3. prior to the issuance of a development permit, the applicant shall retain an accredited safety codes officer to conduct a plan review to ensure compliance with the *National Building Code (2019 Alberta Edition)* and *National Fire Code (2019 Alberta Edition)* for the intended use. The written correspondence (including any applicable permits pursuant to the *National Building Code (2019 Alberta Edition)*) from an accredited safety codes agency/officer shall be provided to the County, confirming that the proposed building is compliant with the *National Building Code (2019 Alberta Edition)* and *National Fire Code (2019 Alberta Edition)* for the intended use
4. this approval shall be subject to an annual review by the Development Officer. Failure to comply to the conditions of the development permit may result in the permit being suspended or revoked
5. no more than three (3) non-resident employees may work on-site in the business unless prior authorization is received from the County

6. should the County determine that the business is impacting the condition of the sidewalk the applicant will be responsible for its maintenance or repair
7. business activities at the site shall adhere to the description of the business provided with the development application and the site plan. A further development application is required for any changes to the business, including any new buildings or additions to existing structures or number of employees
8. the owner/operator shall ensure that the business does not cause any nuisance to surrounding property owners due to noise, dust or excessive traffic, or anything else of a dangerous or objectionable nature, as determined by the County at its sole discretion
9. approval is required from the Alberta Motor Vehicle Industry Council (AMVIC). Confirmation must be provided to the County. For more information, please contact AMVIC at 1-877-979-8100
10. site to be kept at all times in a neat and tidy condition
11. any hazardous materials and/or substances to be handled and disposed of in a safe and proper manner, **no hazardous materials or substances to be disposed of in the Hamlet's wastewater system**
12. any outdoor storage of materials or equipment associated with business to be located to the south of building and suitably screened from view to satisfaction of County
13. outdoor storage of wrecked or dilapidated vehicles is not permitted
14. outdoor storage is limited to a maximum of six (6) vehicles **awaiting service or awaiting pickup**
15. no changes to the sign or location of the same, than what has been outlined in the development application unless prior approval has been obtained from Lacombe County
16. sign to be kept in a proper state of repair, if not kept in acceptable condition, sign must be removed or repaired by applicant within seven (7) days of receiving notice of deficiency. Otherwise sign will be removed by county at applicant's expense

It is the responsibility of the applicants to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations. For more information on what permits may be required, contact one of the safety service agencies listed on the attached sheet.

MPC DECISION

PREPARED BY: Peter Duke, Planner / Development Officer
REVIEWED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager

