



REPORT TO THE MUNICIPAL PLANNING COMMISSION

October 14, 2021

Agenda Item	
Application No.	163/21
Proposed Development	community facility and signage <i>*known as 52 North Venue Ltd.</i> <i>*expansion of previous approval</i>
Legal Description	Lot 2 Block 1 Plan 122 4150, Pt. SW 3-40-01-W5M
Titled Area	2.93 hectares (7.26 acres)
Zoning	Agricultural 'A' District
Landowners	52 North Venue Ltd.
Applicants	Devon and Katrina Bellavance

BACKGROUND

The applicants, Devon and Katrina Bellavance, are seeking development approval to expand the previously approved venue.

The current development includes an existing 5000 ft² shop as a wedding ceremony and reception venue. The building has capacity for 300 people.

The proposed expansion includes an accessory building, to be utilized for overnight accommodation by venue renters. The structure is proposed to be built from sea containers, cohesively painted a complementary color of the existing structures, located within a treed area on site. The goal is to create a unique, aesthetically pleasing small building with 3-4 bedrooms to offer overnight accommodates to the wedding couple and their closest family/friends, as well as relocated the grooms den from the main building to the common area of the accessory building. The accessory building is not to be rented to anyone other than the primary venue renter.

The property is located north off Township 40-0 adjacent to the east side Highway 20, and it is bounded by the Rainy Creek to the north. The site is heavily treed to the north, east and south sides, and has complimentary vegetative plantings along the west boundary.

The current development utilizes the shop portion of the existing 5000 ft² building and the main floor of the living space area as a caterer preparation area. No cooking will take place on the premises. The upper floor of the building will continue to be used as a residence.

The applicant has installed sound baffles in the shop to absorb the sound, and has a strict contract for clients that outlines noise rules.

The proposed hours of operation are Sunday to Thursday, 8 am – 1 am, Friday to Sunday, 8 am – 3 am. The majority of weddings occurring on weekends, although some weekday bookings occur.

The on-site employees in the business will include two (2) residents and possibly one (1) non-resident in the future.

Expected traffic to the site would be a maximum of 60 vehicles on days which ceremonies are held, as the venue is limited to maximum 60 vehicles as per their Alberta Transportation Roadside Development Permit. The amount of traffic is limited by the number of parking stalls. Attendees unable to secure a parking space will be required to take a shuttle service from Sylvan Lake which will be provided by the applicant.

A sign is currently placed at the entrance to the venue.

POLICY CONSIDERATIONS

The venue is considered a ‘community facility’, which is a discretionary use under the Agricultural ‘A’ District of the *Land Use Bylaw*, and requires approval from the Municipal Planning Commission.

A community facility is defined as “a public or public/private development for a community use, providing artistic, social, cultural, religious or tourism facilities”.

CIRCULATION RESPONSE

The applicants have advised property owners within 1-mile of the community facility of the application. There was one response, in support of the application.

Alberta Transportation advised that they have no objections to the accessory building nor the renewal of the wedding venue business as previously approved. Alberta Transportation Permit No. RSDP038062 is issued to 52 North Venue under the *Highways Development and Protection Regulation* authorizing the proposed development. Further Alberta Transportation comments included:

- “The intent of the accessory building is to provide the wedding party overnight accommodations. This should represent a decrease in traffic.”
- “With respect to the renewal of the wedding venue business, it appears that there is no significant changes to the wedding venue business.”
- “Our previous intersection analysis of Hwy 20 and Twp Rd 400 still applies, the wedding venue will likely trigger intersection improvements, such as a southbound left turn lane, within the 20-year horizon even with no further expansions of the wedding venue.”
- “Our previous review also found that this intersection is quite sensitive, and even minor or incremental increases in traffic, could potentially trigger intersection improvements in the future.”
- “If the Development Authority considers approval of the accessory building and wedding venue renewal, we would be grateful if a term limit could be placed on the wedding venue renewal, and if applications continue to be referred to Alberta Transportation for review.”
- “We would require that future development-driven intersection upgrades be delivered in accordance with Alberta Transportation’s Who Pays Policy and Policy 7 of the Provincial Land Use Policies and Section 648(2)(c.2) of the Municipal Government Act.”

Lacombe County Operations department had no issues with the proposed development renewal at this location. Access is adequate, and the proposed traffic generated by the business should not affect the surrounding infrastructure. Previous conditions of approval regarding dust control should apply to the new application.

Lacombe County Fire Services had no concerns but outlined that compliance with building code and fire code will be required for all structures, including the proposed accessory building. The current Emergency Response Plan will need to be revised to include the proposed accessory building.

ANALYSIS

A community facility is considered a discretionary use in the Agricultural ‘A’ District of the County’s *Land Use Bylaw*. The venue is an existing operation, and staff feel the proposed expansion to include overnight accommodation for venue renters is not expected to create conflict with the surrounding landowners.

It is a standard requirement that proof of compliance with the building code and fire code is required.

Any affected parties may appeal a decision made by the MPC.

STAFF RECOMMENDATION

APPROVE the application, subject to the following conditions:

1. term of the development permit approval for the operation of a community facility shall be five (5) years
2. prior to the issuance of a development permit, the applicant shall be required to provide proof of the insurance policy obtained for the events held on the property. The insurance policy must be to the satisfaction of the County
3. prior to the issuance of a development permit, the applicant shall submit an emergency response plan to the satisfaction of the County
4. this approval shall be subject to an annual review by the Development Officer. Failure to comply with the conditions of the development permit may result in the permit being suspended or revoked

Accessory Building Conditions

5. the proposed accessory building shall be located and constructed in accordance with the site plan and information submitted with the development permit application
6. the proposed accessory building is to be built a minimum of 30 metres (98.43 feet) from the top of the bank of Rainy Creek along the north and east boundaries and a minimum of 30 metres (98.43 feet) from the top of bank of the unnamed creek along the west property boundary
7. a survey to be prepared by an Alberta Land Surveyor after the footings/pilings have been completed and **before any further construction occurs** certifying that the accessory building will be located in accordance with the setback requirements as outlined in Condition 6 and in accordance with the Agricultural 'A' District of the County's *Land Use Bylaw*. This survey is to be submitted to the County to ensure compliance
8. prior to occupancy of the accessory building, the applicant shall retain an accredited safety codes officer to inspect any occupied building for compliance with the *National Building Code (Alberta Edition)* and *National Fire Code (Alberta Edition)* for the intended use. The written correspondence (including any applicable permits pursuant to the *National Building Code (Alberta Edition)*) from an accredited safety codes agency/officer shall be provided to the County, confirming that the buildings are compliant with the *National Building Code (Alberta Edition)* and *National Fire Code (Alberta Edition)* for the intended use
9. the accessory building is to contain sleeping accommodation and washroom facilities only, no kitchen facilities. The accessory building is not intended to be a self-contained unit

10. the accessory building is only to be rented as a package with the primary venue and is not to be rented as a separate unit

General Development Conditions

11. business activities at the site shall adhere to the description of the business provided with the development permit application. A further development permit application is required for any changes to the business
12. the applicant/operator shall ensure that the business does not cause any nuisance to surrounding property owners due to noise, excessive traffic or anything else of a dangerous or objectionable nature, as determined by the County in its sole discretion
13. the applicant/operator shall ensure all occupied building(s) are compliant with the *National Building Code (Alberta Edition)* and *National Fire Code (Alberta Edition)* for the intended use
14. applicants to provide dust control from Highway 20 500 metres east to the curves on Township Road 40-0 to the frequency and satisfaction of the County
15. all parking for the business shall be generally restricted to those areas identified on the site plan and information submitted with the development permit application, unless otherwise approved by the County
16. parking shall comply with Part 6.19 of the County's *Land Use Bylaw* and the Provincial Parking Regulations
17. no parking is permitted on the County right-of-way
18. events held on the property shall abide by the County's *Community Standards Bylaw 1153/12*
19. maximum two (2) resident employees and one (1) non-resident employee may work on-site, unless prior approval is received from the County
20. a habitable dwelling to be maintained for as long as the business operates at the site
21. one business sign is permitted on-site for the business in accordance with the submitted sign information
22. sign shall be maintained in a proper state of repair. If not kept in an acceptable condition, sign must be removed or repaired by the applicant/operator within seven (7) days of receiving a notice of deficiency. The County may remove the sign at the sole expense of the applicant if the sign is not repaired/removed within a reasonable period of time following a notice of deficiency

It is the responsibility of the applicants to ensure that a Fire Safety Plan is in place during construction, as required by the National Fire Code (Alberta Edition).

Please note that Alberta Transportation has advised that intersectional improvements for

Highway 20 and Township Road 40-0 may be required for future approval. Future development-driven intersection upgrades would be required to be delivered in accordance with Alberta Transportation's Who Pays Policy and Policy 7 of the Provincial Land Use Policies and Section 648(2)(c.2) of the Municipal Government Act.

It is important to note that since the property is located within ½ mile of Highway 20, approval is also required from Alberta Transportation. For more information, please contact the Department at (403) 340-5166.

It is the responsibility of the applicant 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.

Please note that Lacombe County has passed Bylaw 1153/12 - Community Standards Bylaw for the prohibition of certain public disturbances.

MPC DECISION

PREPARED BY: Cajun Paradis, Senior Planner



REVIEWED BY: Dale Freitag, Director of Planning Services



REVIEWED BY: Tim Timmons, County Manager

