



AGENDA
Municipal Planning Commission Meeting
Tuesday May 2, 2023
5:30 pm

1. **Date/Place: May 2, 2023, Seniors Drop-in Centre 4918 50th Avenue, Bentley AB**

2. **Members Attendance:**

Mayor Rathjen
Deputy Mayor Hansen
Councillor Eastman
Councillor Grimsdale
Councillor Valiquette

CAO/Development Officer and Recording Secretary – Marc Fortais

3. **Amendments and Acceptance of Agenda**

4. **Previous Minutes:**

a) **Municipal Planning Commission Minutes April 25, 2023**

5. **New Business**

a) **Application for consideration: Rusted Rack Boutique – 4937 50th Ave –
Development Permit for Projecting Sign**

The applicant is requesting the following:

- **Approval of discretionary use for a projecting sign with the dimensions of 4.4 ft wide X 6ft in length (26.4 ft²) including the mounting brackets.**

6. **Adjournment**



**Minutes of the Municipal Planning Commission Meeting of the Town of Bentley
Tuesday April 25, 2023**

Date & Place Minutes of the Municipal Planning Commission Meeting of the Town of Bentley held Tuesday, April 25, 2023, at 8:30pm, in the Seniors Drop-In Centre 4918 50th Ave, Bentley AB

In Attendance Mayor Rathjen
Deputy Mayor Grimsdale
Councillor Eastman
Councillor Hansen
Councillor Valiquette
CAO/Development Officer and Recording Secretary – Marc Fortais

Call To Order Mayor Rathjen called the meeting to order at 8:30pm

Agenda

Motion MPC 5/2023 Moved by Councillor Hansen, “THAT the Agenda of the April 25, 2023, Municipal Planning Commission Meeting be accepted.”

Carried

Previous Minutes

Motion MPC 6/2023 Moved by Deputy Councillor Hansen, “THAT the minutes of the March 77, 2023, Municipal Planning Commission Meeting of the Town of Bentley be confirmed.”

Carried

New Business:

- a) **Application for consideration: John and Betty DeSchiffart – 4917 52nd Ave – Garage and Cold Storage structure (812 s/f total)**

Motion MPC 7/2022 Moved by Deputy Mayor Grimsdale, “THAT Development Permit Application 03-23 from John & Betty DeSchiffart of 4917 52nd Ave be approved as a discretionary use in the R1 District, for the construction of an oversized garage with dimensions of 28ft wide X 24ft long with an attached storage shed of 14ft long X 10ft wide. The total square footage being 812 ft²; AND

THAT all other setback requirements, height restrictions and any other requirements as outlined by the Land Use Bylaw for the construction of an accessory building will be met by the builder.”

Carried

Adjournment

Motion 8/2023 Moved by Councillor Valiquette, “THAT the Municipal Planning Commission Meeting held on Tuesday April 25, 2023, be adjourned at 8:40pm.

Carried

Mayor Greg Rathjen

CAO Marc Fortais



Agenda Date: May 2, 2023
Agenda Item: Development Permit Application – Rusted Rack Boutique Signage – 4937 50th Avenue

SUMMARY AND BACKGROUND

THAT the Municipal Planning Commission consider the approval of the Development Permit Application 04-23 (Attachment #1) from Rusted Rack Boutique for the placement of a sign at 4937 50th Avenue and authorized by the property owner. The application is being considered for discretionary use in the Central Commercial District.

This permit application is being considered by the Municipal Planning Commission (MPC) as signage is listed as a discretionary use in the bylaw and as such the application must be considered by the MPC.

The application is for the placement of a Fascia and Projecting sign (Attachment #2) with dimensions of 4.4 ft wide and approximately 6 ft in length (26.4ft²) including the mounting brackets, the size of the sign itself is 4 ft wide X 4ft in length for a total of (16 ft²). The Land Use Bylaw specifies (Attachment #3) that the maximum size of the sign should be no more than 10.8 sq feet, however the definition does not clearly outline whether this includes just the sign itself or the mounting hardware as well. From the perspective of the Development Officer, it would make sense to include all mounting hardware as well as the sign to ensure that it is considered as part of the development application. As for the height of the sign, it will be 8.9 ft above the sidewalk to the bottom of the sign and the Land Use Bylaw requires that it be at least 8.2 ft above grade. The bylaw also states that a projecting sign shall not project more than 3.3 ft over a street or public property.

The Development Officer is recommending that MPC consider approving the sign with a variance to allow for the projection of 4.4 feet and for the size of the sign at 26.4 ft². It is the opinion of the Development Officer that the sign will add to the characteristics of the neighborhood and to the street. It is also felt that the sign will not obstruct site lines as it is set far enough back from the Roadway to allow for an unobstructed view of the roadway.

RECOMMENDATION

THAT the Municipal Planning Commission Approve the Development Permit Application 04-23 from Rusted Rack Boutique – for the placement of a projecting sign to be placed on the property located at 4917 52nd Ave with a variance to allow for the dimensions of 4.4ft wide and 6ft long, and projecting 4.4 feet over the sidewalk; AND

THAT all other setback requirements, height restrictions, code requirements and any other requirements as outlined by the Land Use Bylaw and Safety Codes for construction and placement of such a sign will be met.

ATTACHMENTS

- 1) Development Permit Application 04-23
- 2) Image of Sign and Dimensions
- 3) LUB Sign Standards

Marc Fortais, CAO



TOWN OF BENTLEY
Box 179
Bentley, AB T0C 0J0
Ph: (403) 748-4044
Fax: (403) 748-3213

Permit # 24-23
Fee: \$ 875.00
Tax Roll # 102.000

DEVELOPMENT PERMIT APPLICATION

I/We hereby make application of a development permit pursuant to the Town of Bentley's Land Use By-law. The plans, supporting documents and application fee attached herewith form a part of this application.

Applicant(s) Rusted Back Boutique Home Phone -
Please Print
Address: PO Box 1035 Cell Phone 403 597-2051
Bentley AB Fax: -
T6C0J0 Email: jijoro.eshaw.ca

Legal: (Lot(s)) - Block - Plan -

Municipal Address: 4937 50 Avenue

Description of Development: Street Signage on Building

Value of Development \$ \$0.00

Land Use District: - Current Use of Lands & Buildings: Retail/office space

Proposed Use of Lands & Buildings: Retail/Office Space

Site Area Size: - Total Floor Area: -

Ground Floor Area: - Upper Floor Area: -

Building Height (from ground elevation): -

(if applicable) Number of Parking Spaces: - Loading Spaces: -

Side-yard Set-backs: Front (m) - Rear (m) -

Side (m) - Side (m) -

Other Information: Please provide any other pertinent information below or on separate sheet

I/We hereby certify that I am/we are the registered owner(s) or authorized to act on behalf of the registered owner(s) and that the information on this form and on the attached plans and supporting materials is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

Date Signed: APRIL 26th

Signature of Owner or Authorized Agent

Attached Encl

Signature of Owner or Authorized Agent

RIGHT OF ENTRY

I/We, being the registered owner(s) or person(s) in possession of the land and building(s) thereon, hereby consent to an authorized person designated by the Town of Bentley entering upon the said property for the purpose of inspection.

Date Signed: APRIL 26th

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

Marc Fortais TOB

From: Rod Duhamel <rod@spectrumglobalcorp.com>
Sent: April 25, 2023 6:51 PM
To: Marc Fortais TOB
Cc: Joanne Varga
Subject: FW: Sign off on sign

Please see below
Cheers

Regards,



Rod Duhamel
President | CEO

p: 780.221.8981
e: rod@spectrumglobalcorp.com
w1: spectrumglobalcorp.com
w2: usedmodulars.ca



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From: Kriss W <kriss@telus.net>
Date: Tuesday, April 25, 2023 at 6:49 PM
To: Rod Duhamel <rod@spectrumglobalcorp.com>
Subject: Re: Sign off on sign

Yes i give consent as landlord for this sign to be installed.
Chris Wiese
Double C. Ventures

On Apr 25, 2023, at 6:11 PM, Rod Duhamel <rod@spectrumglobalcorp.com> wrote:

Hi Kris,

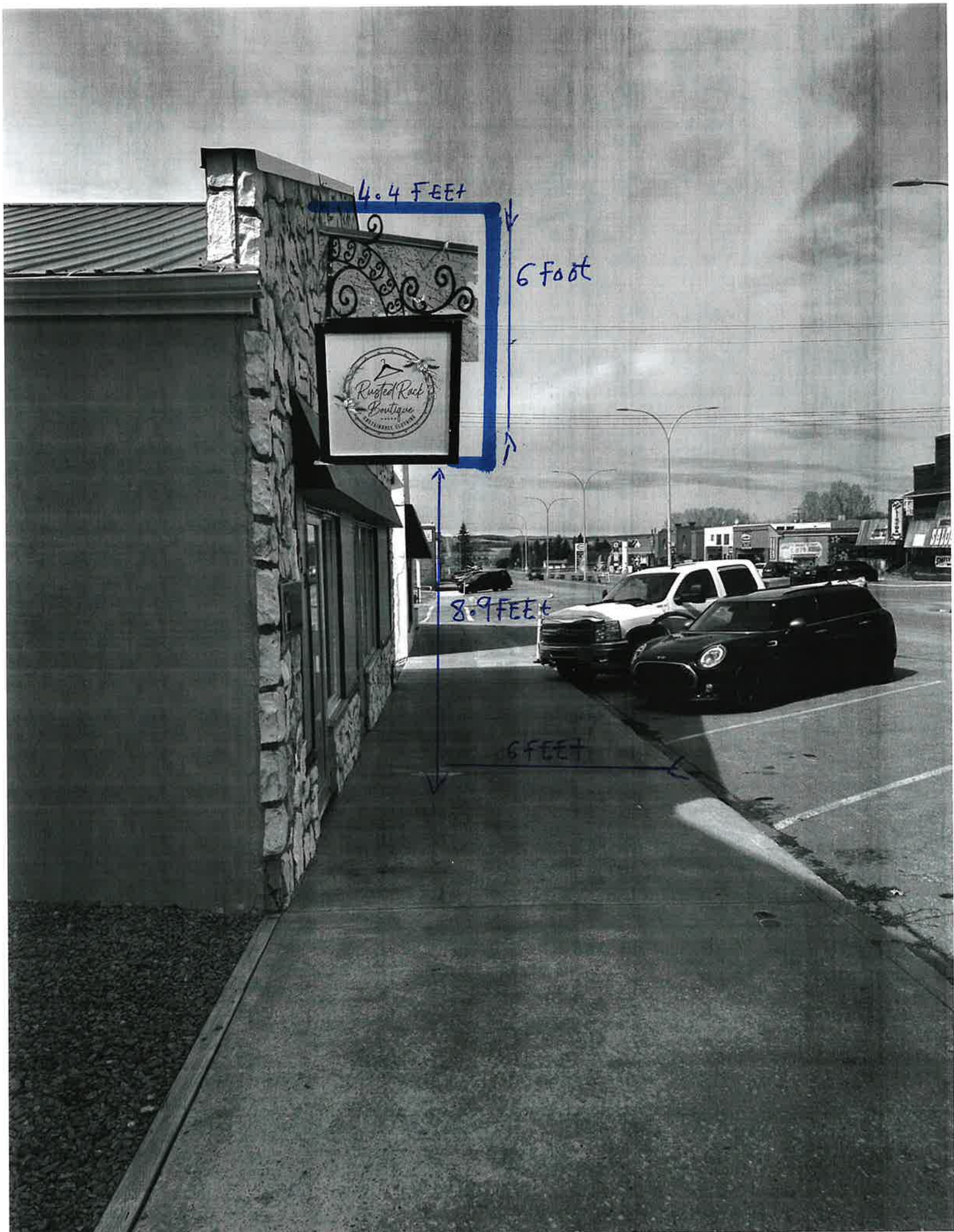
Would you mind sending me an email indicating that you are fine with the erection of a sign on the land beside the building? Appears we need consent from the landlord, will send you a picture on the phone as an outline. Thank you

Regards,




Rusted Rack
Boutique

SUSTAINABLE CLOTHING



4.4 FEET

6 Foot

8.9 FEET

6 FEET





Subject: (none)

Date: Wednesday, April 26, 2023 at 1:11:02 PM Mountain Daylight Saving Time

From: Rod Duhamel

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png

Total Sign Height with Frame and Iron work, 4.4 foot wide by 6 feet tall

Iron work will be secured to building using lag bolts as well as steel wire and anchors to building

- Sign exceeds clearance on height. (8.9 feet)
- Sign is set back 6 feet from roadway,
- There is no obstruction

All requirements of 5(2) fascia and projecting signs have been met or do not apply

All requirements of 5, 5(1) are met

The sign is in keeping with the character of the surrounding streetscape (it is the combination of two previously existing signs)

Section 5.3 and 5.4 do not apply sections 5,5 through 6.3 do not apply



Rod Duhamel

Owner | Director Business Development

Used Modulars Canada Ltd

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✉ rod@usedmodulars.ca

🌐 usedmodulars.ca | usedmodulars.net

- (c) The minimum distance between Driveways shall be:
 - (i) nil where the Driveways serve single Dwelling Units,
 - (ii) 6 m (19.69 ft.) where the Driveways serve any other Use,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a Driveway to a Use which generates high traffic volumes shall be 70°.

4. Non-conforming Buildings and Uses

- (a) A Non-conforming Use of land or a Building may be continued but if that Use is discontinued for a period of 6 consecutive months or more, any future Use of the land or Building must conform with the Land Use Bylaw then in effect.
- (b) A Non-conforming Use of part of a Building may be extended throughout the Building but the Building, whether or not it is a non-conforming Building, may not be enlarged or added to and no Structural Alterations may be made to it or in it.
- (c) A Non-conforming Use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional Buildings may be constructed on the lot while the Non-conforming Use continues.
- (d) A non-conforming Building may continue to be Used but the Building may not be enlarged, added to, rebuilt or structurally altered except
 - (i) to make it a conforming Building,
 - (ii) for routine maintenance of the Building, if the Development Authority considers it necessary, or
 - (iii) in accordance with the provisions of section 3.3(6) of Part Two
- (e) If a non-conforming Building is damaged or destroyed more than 75% of the market value of the Building above its foundation, the Building may not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (f) The land Use or the Use of a Building is not affected by a change of Ownership or tenancy of the land or Building.

5 Signs

5(1) General Provisions

- (a) A Sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby Buildings or be liable to create a cluttered appearance to the streetscape.

- (b) No Sign shall project higher than the roof-line of the Building to which it is attached.
- (c) A Sign shall not project closer than 0.75 m (2.5 ft.) to the existing or future curb line.
- (d) Where a Sign projects over public property, a minimum clearance of 2.5 m (8.2 ft.) above Grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a Sign is located in or projects into or over a Driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.1 ft.) above Grade level shall be maintained.
- (f) A Sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A Sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.

5(2) Fascia and Projecting Signs

- (a) No Fascia or Projecting Sign shall be lower than 2.5 m (8.2 ft.) above Grade, except in the case of Signs intended solely for the information of pedestrians in which case the height shall be determined by the Municipal Planning Commission having regard, amongst other things, to clarity and safety.
- (b) No Fascia or Projecting Sign on a single storey Building shall be higher than the Eave-line of the Building.
- (c) No Fascia Sign shall project more than 0.4 m (1.3 ft.) over a Street or public property.
- (d) No Fascia or Projecting Sign on a Building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.
- (e) The maximum size for Projecting Signs shall be 1.0 m² (10.8 sq. ft.)
- (f) On corner sites, Projecting Signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.
- (g) Projecting Signs shall not project more than 1.0 m (3.3 ft.) over a Street or public property.
- (h) Only one Projecting Sign may be erected on each Street frontage of a Building.

5(3) Freestanding Signs and Billboards

- (a) No Freestanding Sign or Billboard shall extend beyond 6.0 m (19.7 ft.) above Grade or be larger than 4.5 m² (48.4 sq. ft.) except in a Central Commercial District where
 - (i) the maximum in all cases other than a District Shopping Centre, shall be 7.0 m (23.0 ft.) in height and 9.5 m² (102.3 sq. ft.) in area, and
 - (ii) at a District Shopping Centre, the maximum shall be 8.5 m (27.9 ft.) in height and 14.0 m² (150.7 sq. ft.)
- (b) Only one Freestanding Sign or Billboard may be erected on each of a Parcel's boundaries with a Street.
- (c) No Freestanding Sign or Billboard shall be erected in such proximity to a Public Use District that it would detract from the natural aesthetics of that District.
- (d) Freestanding Signs and Billboards shall be separated by a minimum distance of 30.0 m (98.4 ft.) from each other.
- (e) Freestanding Signs and Billboards shall only be erected on sites to which their display relates except in the case of
 - (i) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
 - (ii) Signs used solely by community organizations.

5(4) Portable Signs

- (a) Portable Signs subject to subsection 5(4)(e), may only be used to advertise businesses which commence operation on the Parcel upon which the sign is erected within 60 days before or after the date of application for a Development Permit.
- (b) The use of a Portable Sign shall be limited to a maximum of 60 days following which time the sign shall be removed from the Parcel.
- (c) Only one Portable Sign shall be permitted on a Parcel at any one time and a minimum of 30 days shall elapse between the removal of one Portable Sign and the erection of another on the same Parcel.
- (d) No Portable Sign shall be higher than 2.0 m (6.6 ft.) above Grade or larger than 3.0 m² (32.3 sq. ft.)
- (e) Notwithstanding subsections 5(4)(a), (b) and (c), a Portable Sign may be used to advertise community events of a public or quasi-public nature, if it is placed on public property and any advertisement of any business is limited to the name of the permanent sponsor, permanently affixed to the Sign.

5(5) Awning Signs

Awning Signs shall only be permitted if the awning is a minimum of 2.5 m (8.2 ft.) above Grade level.

5(6) Other Signs

The Municipal Planning Commission may approve other Signs subject to the General Provisions of subsection 5(1).

5(7) Sign Removal

Where a Sign no longer fulfils its function under the terms of the approved Development Permit, the Municipal Planning Commission may recommend that the Council resolve to order the removal of such a Sign, and the lawful Owner of the Sign or where applicable, the registered property Owner, shall, upon such a resolution,

- (a) remove such a Sign and all related structural components within 30 days from the date of receipt of such a removal notice,
- (b) restore the immediate area around the Sign to the satisfaction of the Municipal Planning Commission,
- (c) bear all the costs related to such removal and restoration.

6. Miscellaneous

6(1) Primary Access

The primary physical and legal access to all Parcels shall be via a Street. A Lane may provide secondary access only.

6(2) Home Occupations

Home occupations shall comply with the following:

- (a) a home occupation shall not include any Use or operation which detracts from the amenities of a residential neighbourhood by way of creating dangerous or objectionable conditions;
- (b) a home occupation shall be incidental and subordinate to the residential Use of the dwelling and any Accessory Residential Building;
- (c) there shall be no exterior display or advertisement other than a professionally prepared business identification plaque or Sign having maximum dimensions of 60 cm X 45 cm (24 in. X 18 in.) being located within a window or, at the discretion of the Development Authority, located on the Building or other suitable location on the site.