

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 9

DATE: February 10, 2021
APPLICATION: PRDP20204012

FILE: 10013030

SUBJECT: Dwelling, Single detached (existing) / Discretionary use, with Variances

APPLICATION: Application is for a dwelling, single detached (existing), relaxation of the minimum rear yard setback requirement and relaxation of the maximum permitted total deck area.

GENERAL LOCATION: located approximately 0.41 km (1/4 mile) west of Rge. Rd. 60 and 0.21 km (1/8 mile) south of Hwy 1A.

LAND USE DESIGNATION: Direct Control District 123 (DC-123) and Land Use Bylaw C-4841-97.

ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

EXECUTIVE SUMMARY: The Applicant has constructed a dwelling, single detached with a deck that is approximately 54.07 sq. m (582.00 sq. ft.) in total size. The deck is built on 3 sides of the dwelling. The deck is located approximately 0.47 m (1.54 ft.) from the rear property boundary. The application is the result of a Real Property Report request and requires variances.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP 20204012 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204012 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage
Maximum Deck Size	37.00 sq. m (398.27 sq. ft.)	54.07 sq. m (582.00 sq. ft.)	46.14 %
Rear Yard Setback	0.60 m (1.97 ft.)	0.47 m (1.54 ft.)	21.67%

**APPLICATION EVALUATION:**

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Direct Control District 123 (DC-123) • Land Use Bylaw C-4841-97 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Total area of deck shall not exceed 37 sq. m (398.27 sq. ft.) • Rear yard setback 0.60 m (1.97 ft.) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

No additional considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

WV/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Application Referrals



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That the dwelling, single detached (existing decks) may remain on the subject parcel, in general accordance with the drawings prepared by ACE Surveys Ltd. and submitted with the application.
 - i. That the total deck area is relaxed from **37.00 sq. m (398.27 sq. ft.) to 54.07 sq. m (582.00 sq. ft.)**.
 - ii. That the minimum rear yard setback requirement is relaxed from **0.60 m (1.97 ft.) to 0.47 m (1.54 ft.)**.

Permanent:

2. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Neal Coulter	OWNER: Mary Coulter
DATE APPLICATION RECEIVED: December 21, 2020	DATE DEEMED COMPLETE: January 11, 2021
GROSS AREA: ± 0.05 hectares (± 0.12 acres)	LEGAL DESCRIPTION: Lot Unit 14, Plan 0914699, N-13-26-06-W05M (249 Cottage Club Crescent)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> No previous development permit history 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Development Proposal

Dwelling, single detached (existing) with variances to the side yard setback and the maximum deck size

Division: 9
Roll: 10013030
File: PRDP20204012
Printed: January 13, 2021
Legal: Lot:UNIT 14
Plan:0914699; within N-13-
26-06-W05M





Site Photos

Development Proposal

Dwelling, single detached (existing) with variances to the side yard setback and the maximum deck size



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



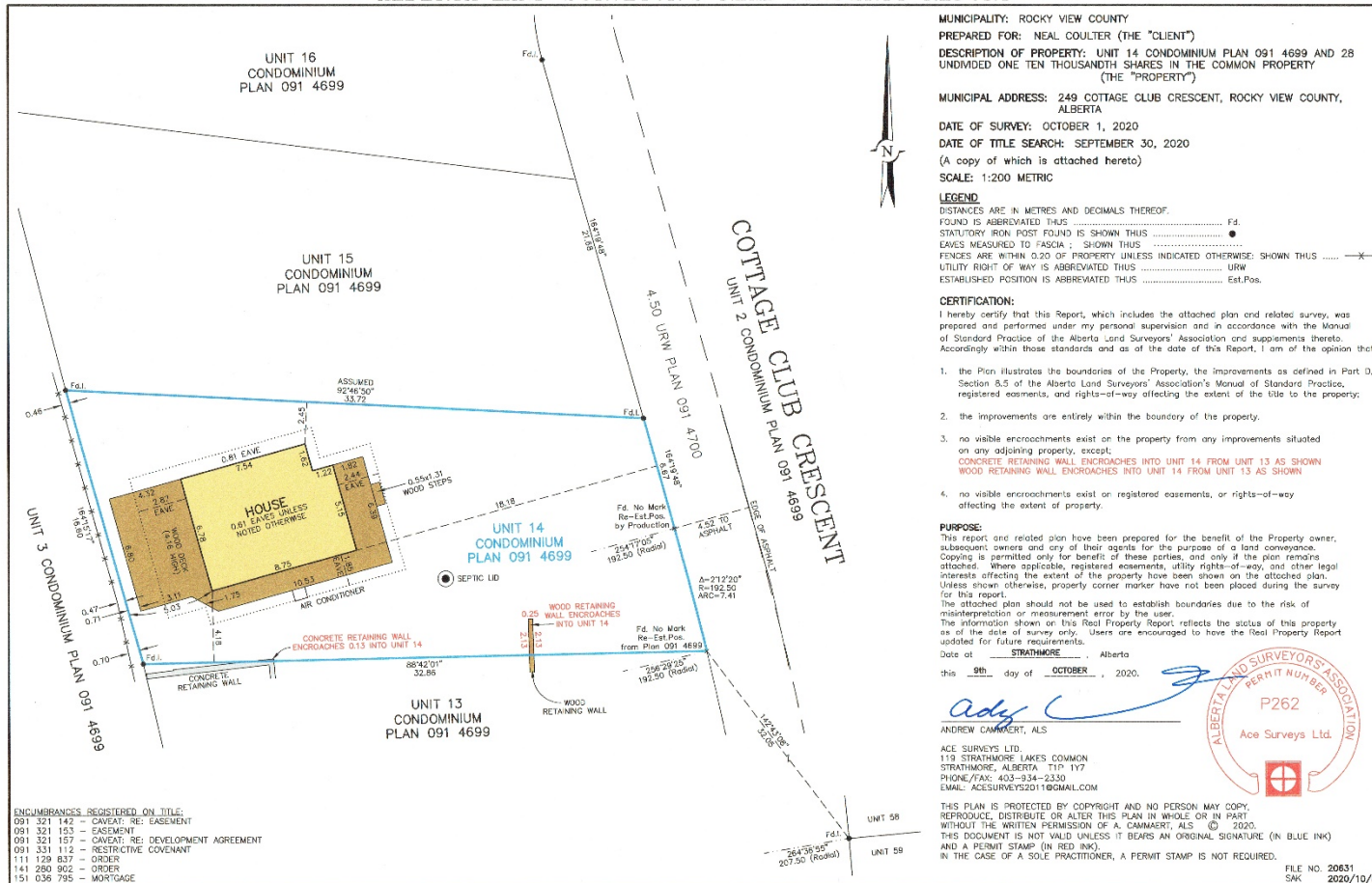
Division: 9
 Roll: 10013030
 File: PRDP20204012
 Printed: January 13, 2021
 Legal: Lot: UNIT 14
 Plan: 0914699; within N-13-
 26-06-W05M

Site Plan

Development Proposal

Dwelling, single detached (existing) with variances to the side yard setback and the maximum deck size

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



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 Roll: 10013030
 File: PRDP20204012
 Printed: January 13, 2021
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 Plan: 0914699; within N-13-26-06-W05M



AGENCY	CIRCULATED	RESPONSE RECEIVED
School Authority		
Rocky View Schools	No	
Calgary Catholic School District	No	
Public Francophone Education	No	
Catholic Francophone Education	No	
Province of Alberta		
Alberta Environment and Parks	No	
Alberta Transportation	No	
Alberta Sustainable Development (Public Lands)	No	
Alberta Culture and Community Spirit (Historical Resources)	No	
Energy Resources Conservation Board	No	
Alberta Health Services	No	
Public Utility		
ATCO Gas	No	
ATCO Pipelines	No	
AltaLink Management	No	
FortisAlberta	No	
Telus Communications	No	
TransAlta Utilities Ltd.	No	
Adjacent Municipality		
The City of Calgary	No	
Tsuut'ina Nation	No	
Other External Agencies		
EnCana Corporation	No	
Rocky View County Boards and Committees		
ASB Farm Members	No	

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
Internal Departments		
Recreation, Parks and Community Support	No	
Development Authority		
GIS Services	No	
Building Services	Yes	Yes
Fire Services & Emergency Management	No	No
Development Compliance	Yes	Yes
Planning and Development Services (Engineering)	No	
Transportation Services	Yes	Yes
Capital Project Management	Yes	No
Utility Services	Yes	No
Agricultural and Environmental Services	Yes	No

Circulation Period: January 11, 2021 to February 1, 2021.

Agencies that were not required for distribution are not listed.