

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 7

DATE: February 10, 2021
APPLICATION: PRDP20204198

FILE: 06422034

SUBJECT: Accessory Dwelling Unit / Discretionary Use, with no Variances

APPLICATION: construction of an Additional Dwelling Unit.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) south of Twp. Rd. 264 and 0.41 km (1/4 mile) east of Rge. Rd. 293.

LAND USE DESIGNATION: Rural, Country Residential District (R-CRD).

EXECUTIVE SUMMARY: This application is for an accessory dwelling unit within the basement of the proposed dwelling, single detached. The site remains undeveloped and both the primary dwelling and the additional dwelling unit will be constructed concurrently. The basement suite will have a gross floor area of 85.33 m². This development is compliant with district regulations under the R-CRD district and does not require variances.

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

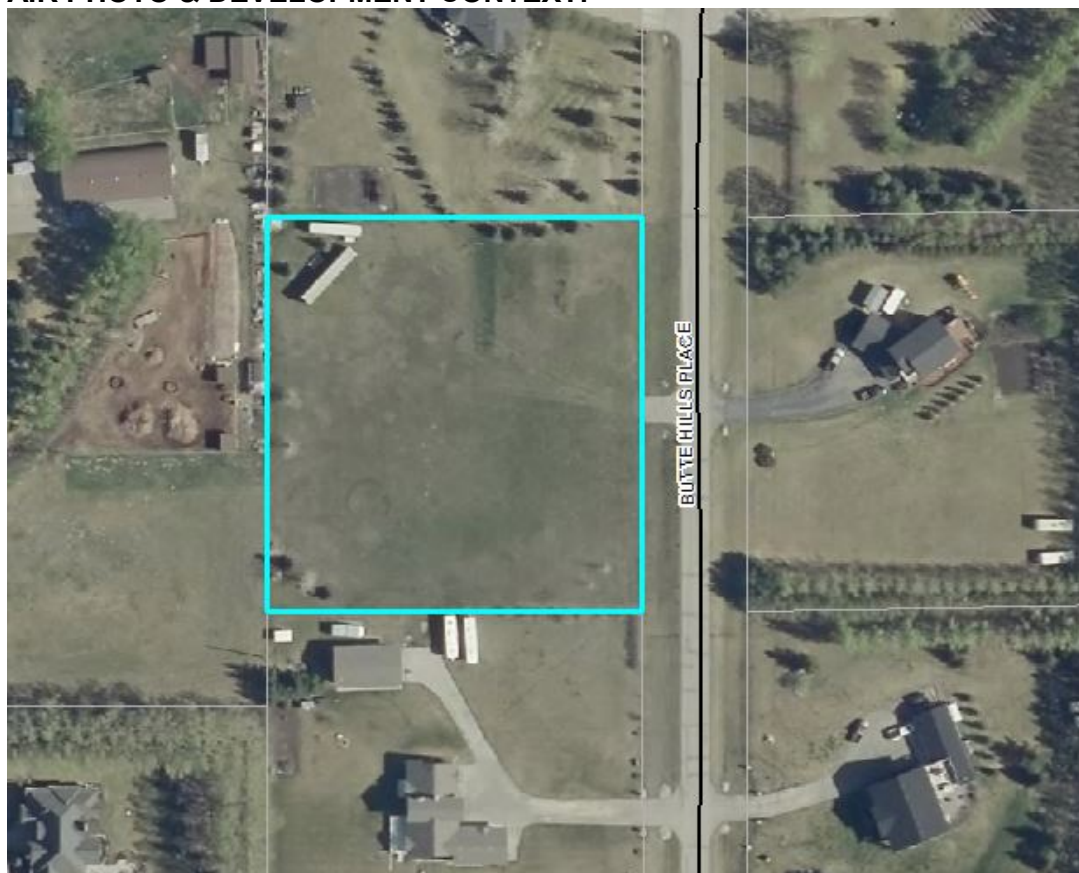
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204198 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204198 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 area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Camilo Conde, Planning and Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Airdire Intermunicipal Development Plan • Balzac East Area Structure Plan • Butte Hills Conceptual Scheme • Land Use Bylaw C-8000-2020 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Site plan • Building Plans
<p>DISCRETIONARY USE:</p> <ul style="list-style-type: none"> • Additional Dwelling Unit 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Municipal Planning Commission (MPC)

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 325 to 330 of Land Use Bylaw C-8000-2020.



ROCKY VIEW COUNTY

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for APPROVAL.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

CC/lt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'C': Application Referrals

**ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS**Option #1

APPROVAL, subject to the following conditions:

Description:

1. That the proposed Accessory Dwelling Unit, located within the basement of the proposed dwelling, single detached, approximately 85.33 m² (919.00 ft²) in area, may be constructed on the subject land in general accordance with the approved Site Plan and submitted plans provided by Inertia on August 26, 2020.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800.00, calculated at \$800.00 for each new residential unit.
3. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

4. That the accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
5. That the accessory dwelling unit shall not be used for commercial purposes at any time, unless approved by a Development Permit or if the business meets the criteria for a Home Based Business Type I (HBB I).
6. That the exterior siding and roofing materials of the Accessory Building shall be similar/cohesive to the existing dwelling, single-detached and/or area.
7. That there shall be a minimum of one (1) parking stall maintained on site at all times dedicated to the Accessory Dwelling Unit.
8. That there shall be adequate site servicing provided for the Accessory Dwelling Unit.
9. That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be seeded after building construction is complete, as part of site restoration.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
11. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill may be placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
12. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.



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13. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

14. That during construction of the building, all construction and building materials shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed at an approved disposal facility.
15. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Single Family Dwelling and Accessory Dwelling Unit checklists.
16. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
17. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
18. That if this Development Permit is not issued by **July 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Jonathan Matthies	OWNER: Jonathan Matthies
DATE APPLICATION RECEIVED: December 17, 2020	DATE DEEMED COMPLETE: December 17, 2020
GROSS AREA: ± 0.81 hectares (± 2.00 acres)	LEGAL DESCRIPTION: NW-22-26-29-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> • There are no Planning related application on file for this parcel <p>Development Permits</p> <ul style="list-style-type: none"> • There are no other Development Permits on file for this parcel <p>Building Permits</p> <ul style="list-style-type: none"> • There are no Building Permits issued for this parcel 	
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.	

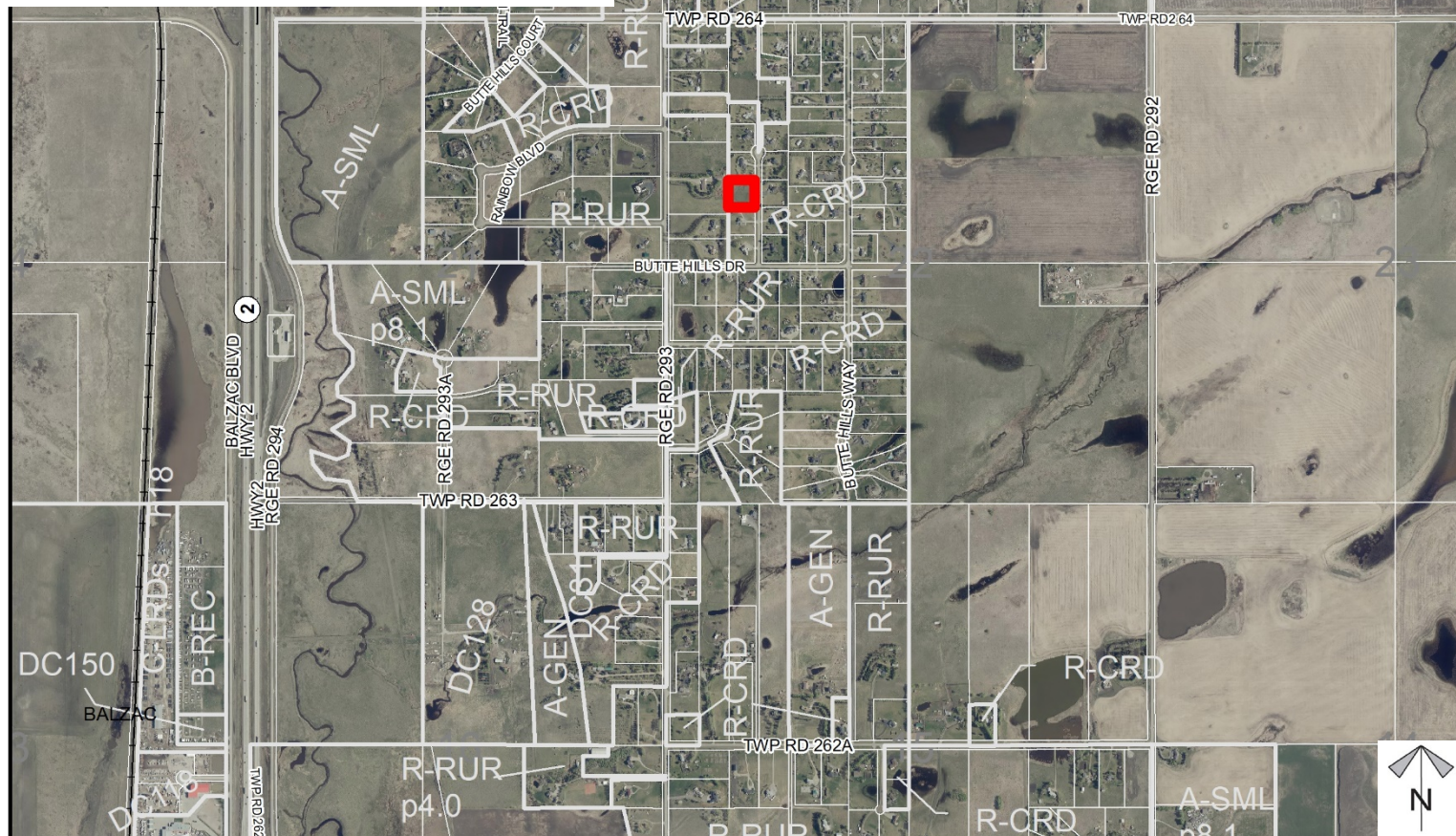
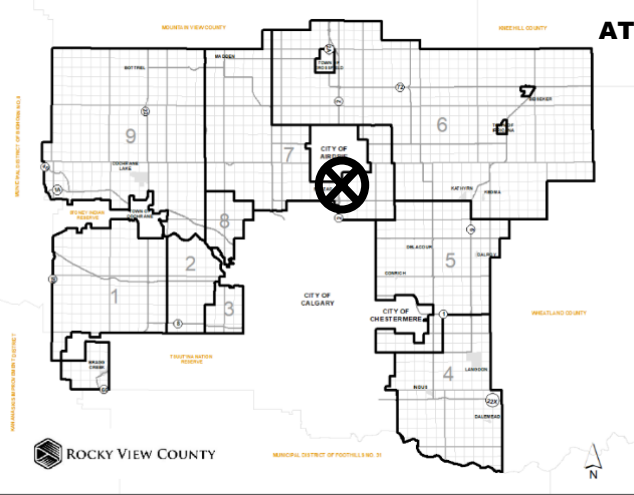
Location & Context

Development Proposal

Accessory dwelling unit,
basement suite

Division: 07
 Roll: 06422034
 File: PRDP20204198
 Printed: Jan 20, 2021
 Legal: Lot:4 Block:1
 Plan:9411411 within NW-22-
 26-29-W04M

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

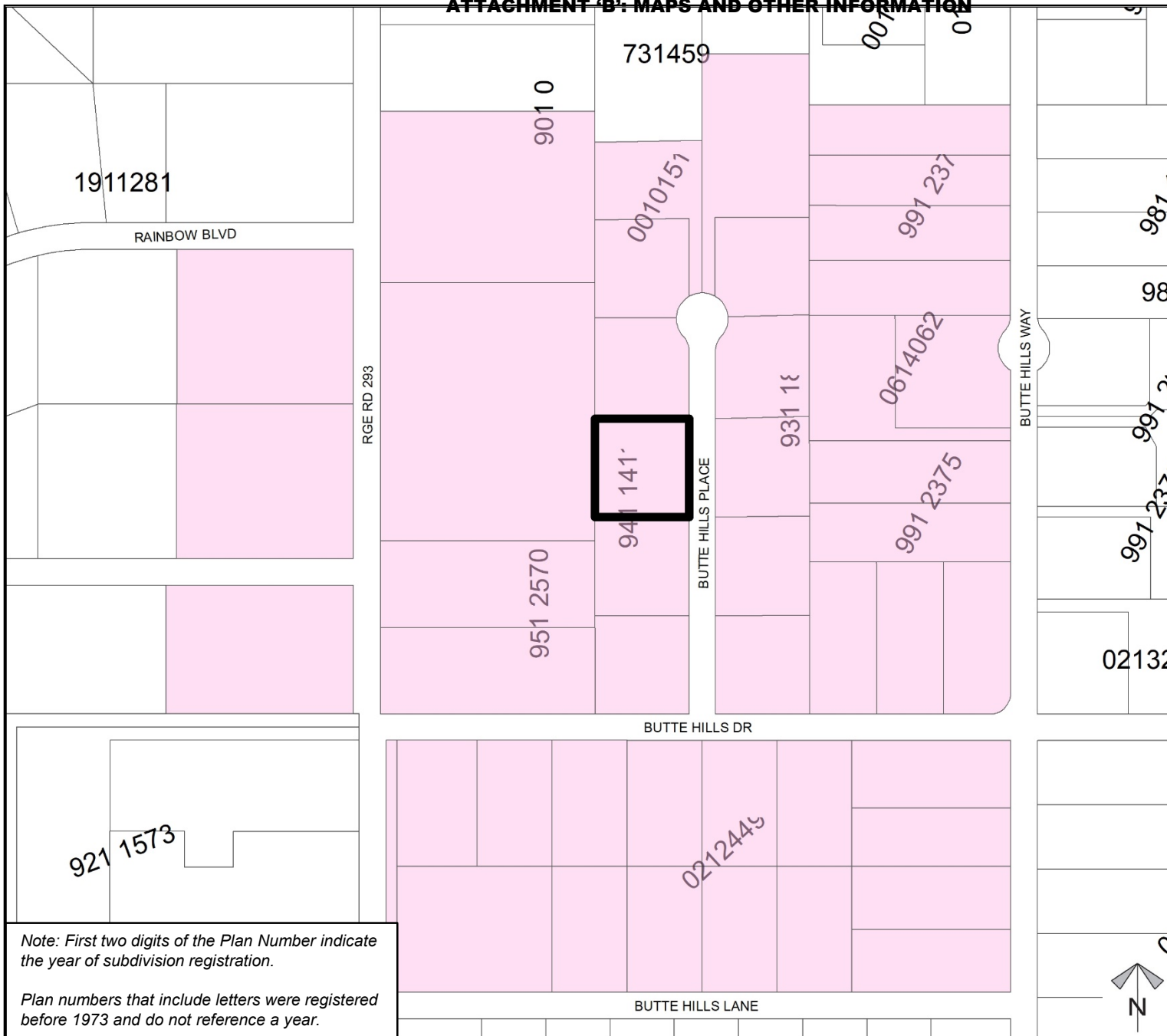




Landowner Circulation Area

Development Proposal

Accessory dwelling unit,
basement suite



Legend

Support



Opposition



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

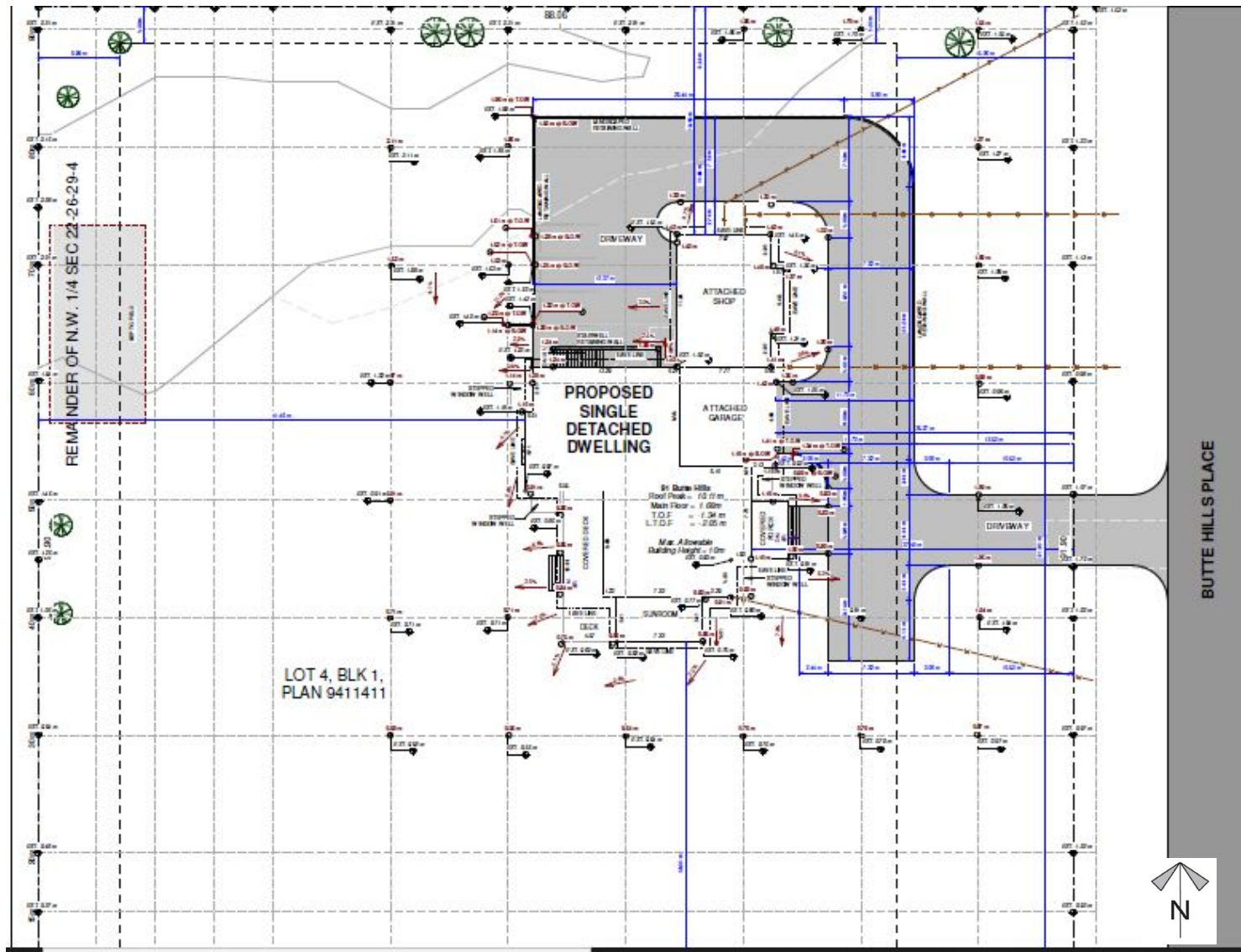
Plan numbers that include letters were registered before 1973 and do not reference a year.

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Site Plan

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Proposed Finished Dwelling

Development Proposal

Accessory dwelling unit,
basement suite

Front Perspective



LAND USE BYLAW ANALYSIS BASED ON C-4841-97

SITE AREA

- 8886.71m² = 0.80 ha

LAND USE DESIGNATION: R-1

- Neighbouring Lot: Designation: R-1

PART 3: GENERAL REGULATIONS

- 3600: 30' Setback from all boundaries

PART 4: LAND USE DISTRICTS

- 3600: 30' Setback from all boundaries

48.2 PERMITTED USES

- Permitted: Dwelling, Single detached

48.7 PARCEL COVERAGE

- Maximum dwelling units per lot is one (1) dwelling, Single Detached, and one (1) Accessory Dwelling Unit.

48.8 SETBACKS

- Yard, Front:
 - (i) 45m (147.64 ft) from any road, County;
 - (ii) 60m (196.85 ft) from any road, highway;
 - (iii) 15m (49.21 ft) from any road, internal subdivision or road, service;

• Yard, Side:

- (i) 45m (147.64 ft) from any road, County;
- (ii) 60m (196.85 ft) from any road, highway;
- (iii) 15m (49.21 ft) from any road, internal subdivision or road, service;
- (iv) 3m (9.84 ft) all other.

• Yard, Rear:

- (i) 30m (98.43 ft) from any road;
- (ii) 7m (22.96 ft) all other.

48.8 MINIMUM HABITABLE FLOOR AREA (Excluding Basement)

- 70.00 SQ M (750.00 SQ FT) Single story dwelling

48.7 BUILDING HEIGHT

- Principal Building: 7.5m (24.60 ft)

- Accessory Building: 7m (22.96 ft)

Drawing List

- 80.0: Cover Sheet
- 80.1: Notes, Assurances & Submittals
- 80.2: Site Plan
- 80.3: Foundation Plan
- 80.4: Basement Plan
- 80.5: First Floor Plan
- 80.6: Second Floor
- 80.7: Front & Rear Elevations
- 80.8: Left & Right Elevations
- 80.9: Sections
- 80.10: Sections
- 80.11: Sections
- 80.12: Details - C/P
- 80.13: Details - C/P
- 80.14: Basement Electrical
- 80.15: First Floor Electrical

Gross Building Area

Room	Area (m ²)	Area (sq ft)
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Basement	100.00	1076.41
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First Floor	100.00	1076.41
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Second Floor	100.00	1076.41
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Roof Deck	100.00	1076.41
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Garage	100.00	1076.41
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Deck	100.00	1076.41
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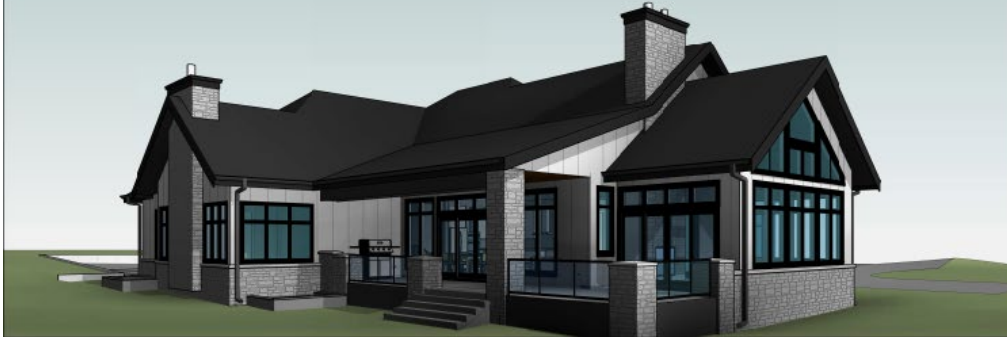
Porch	100.00	1076.41
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Staircase	100.00	1076.41
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Other	100.00	1076.41
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Total	100.00	1076.41
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Rear Perspective

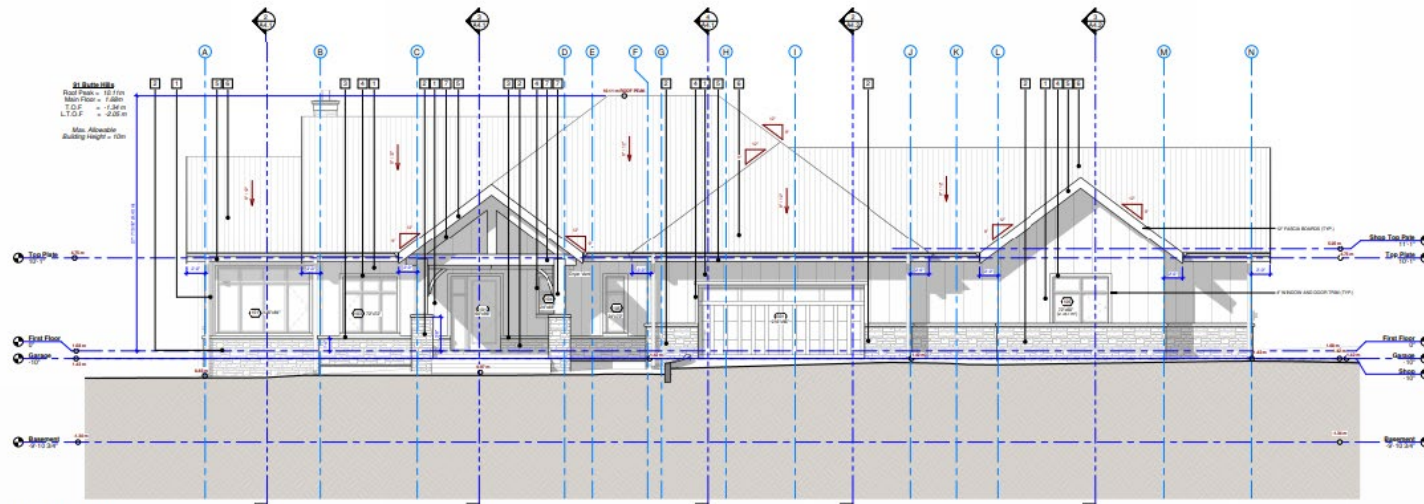


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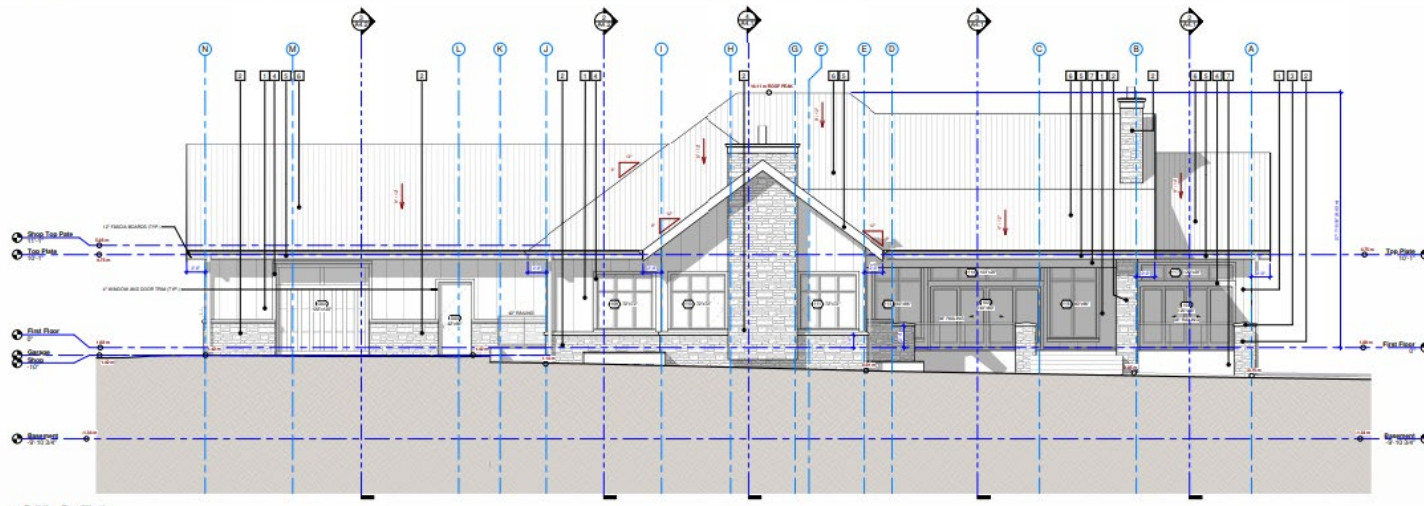
Side View

Development Proposal

Accessory dwelling unit,
basement suite



① Building Front (East)
3/16" = 1'-0"



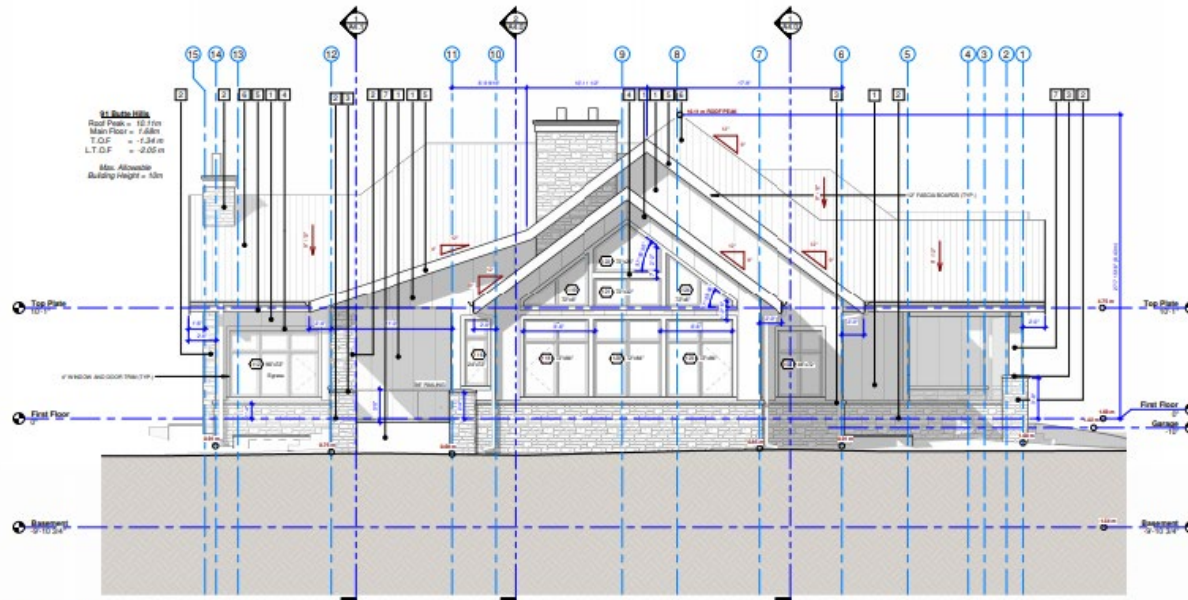
② Building Rear (West)
3/16" = 1'-0"

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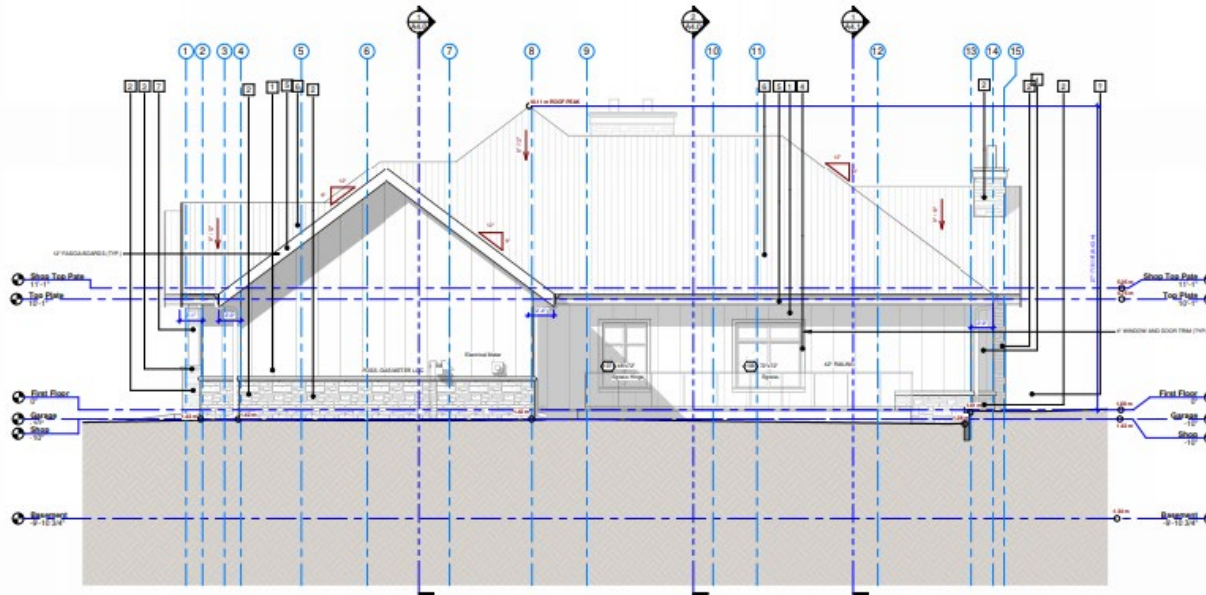
Front View

Development Proposal

Accessory dwelling unit,
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① Building Left (South)
3/16" = 1'-0"



② Building Right (North)
3/16" = 1'-0"

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AGENCY	CIRCULATED	RESPONSE RECEIVED
School Authority		
Rocky View Schools	No	No
Calgary Catholic School District	No	No
Public Francophone Education	No	No
Catholic Francophone Education	No	No
Province of Alberta		
Alberta Environment and Parks	No	No
Alberta Transportation	No	No
Alberta Sustainable Development (Public Lands)	No	No
Alberta Culture and Community Spirit (Historical Resources)	No	No
Energy Resources Conservation Board	No	No
Alberta Health Services	No	No
Public Utility		
ATCO Gas	No	No
ATCO Pipelines	No	No
AltaLink Management	No	No
FortisAlberta	No	No
Telus Communications	No	No
TransAlta Utilities Ltd.	No	No
Adjacent Municipality		
The City of Calgary	No	No

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
Tsuut'ina Nation	No	No
Other External Agencies		
EnCana Corporation	No	No
Rocky View County Boards and Committees		
ASB Farm Members	No	No
Internal Departments		
Recreation, Parks and Community Support	No	No
Development Authority	No	No
GIS Services	No	No
Building Services	Yes	Yes
Fire Services & Emergency Management	No	No
Development Compliance	Yes	Yes
Planning and Development Services (Engineering)	Yes	Yes
Transportation Services	Yes	Yes
Capital Project Management	Yes	Yes
Utility Services	Yes	No
Agricultural and Environmental Services	No	No

Circulation Period: January 5, 2021 to January 19, 2021.

Agencies that were not required for distribution are not listed.