



Direct Control Amendment Item: Residential

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Electoral Division: 3

File: PL20230024 / 10013260

Date:	April 23, 2024		
Presenter:	Christine Berger, Planner 2		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

**REPORT SUMMARY**

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The purpose of this report is to assess the proposed site-specific amendment to Direct Control Bylaw C-6586-2007 (DC-123) to accommodate the existing detached dwelling as well as the detached garage to have a minimum side yard setback of 2.09 metres (6.86 feet). Due to a construction error, the buildings were developed closer to the property line than the minimum side yard setback requirement of 2.40 metres (7.87 feet).

The proposed amendment was evaluated in accordance with the CottageClub Ghost Lake Conceptual Scheme (CS) and the regulations DC-123. The application was found to meet the intent of the CottageClub Ghost Lake CS and DC-123; the proposed reduction in setbacks for the subject lands does not create any adverse impacts on surrounding parcels. Additionally, the Applicant has demonstrated compliance with the 2019 National Building Code – Alberta Edition.

**ADMINISTRATION’S RECOMMENDATION**

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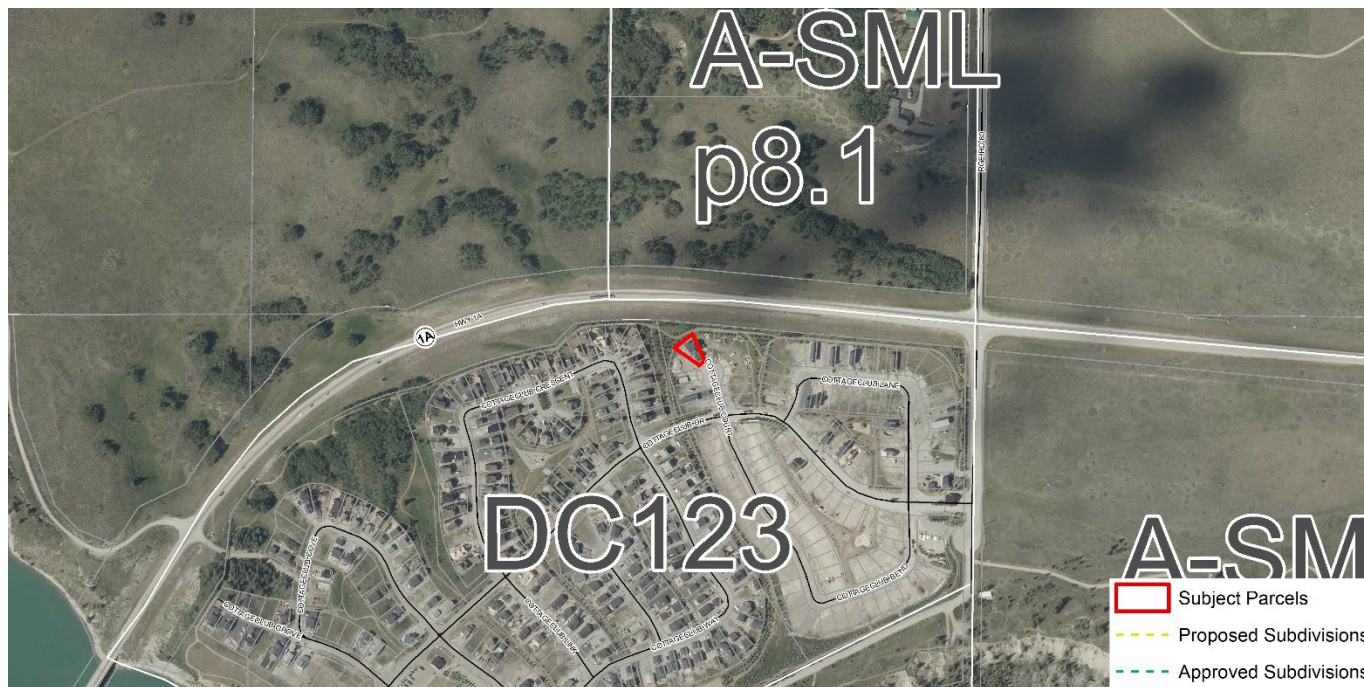
- THAT Bylaw C-8506-2024 be given first reading.
- THAT Bylaw C-8506-2024 be given second reading.
- THAT Bylaw C-8506-2024 be considered for third reading.
- THAT Bylaw C-8506-2024 be given third and final reading.

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### BACKGROUND

#### Location (Attachment A)

Located approximately 0.20 kilometres (0.13 miles) south of Highway 1A, 0.41 kilometres (0.25 miles) west of Range Road 60, within the CottageClub Ghost Lake Conceptual Scheme.



#### Site History (Attachment B)

The subject parcel was created as part of Subdivision Plan 201 0713, which was registered with Alberta Land Titles in April of 2020.

Two previous amendments to DC-123 were approved on nearby properties in 2013 and 2023 to decrease minimum yard setbacks for buildings."

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

The application was circulated to the Municipal District of Bighorn in accordance with the Intermunicipal Development Plan (IDP) between the Municipal District of Bighorn and Rocky View County. The Municipal District of Bighorn did not provide comments.

Alberta Transportation and Economic Corridors was circulated due to the subject property's proximity to Highway 1A and have provided no concerns with the proposed application.

#### Landowner Circulation (Attachment D)

The application was circulated to 383 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); one letter in support and one letter in opposition were received.

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### ANALYSIS

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#### Policy Review (Attachment E)

The County Plan does not contain policies specific to building setbacks and the application aligns with the intent of Section 10.0 (Country Residential). The application was reviewed against the Municipal District of Bighorn / Rocky View County IDP, the CottageClub Ghost Lake CS, and DC-123 regulations; the application was found to be consistent with the intent and policies these documents. No adverse impacts to County infrastructure, the environment, or adjacent properties are anticipated.

There are no specific policies within the CottageClub Ghost Lake CS that speak to setbacks, rather, Policy 12.0.1 states that setbacks will be established by the Direct Control Bylaw. Furthermore, the application does not compromise the intent of the Conceptual Scheme, which includes objectives such as accommodating growth and change, creating safe and livable environments, and preservation and conservation of significant/sensitive environments.

Lastly, similar site-specific amendments within DC-123 have been approved by Council in the past to accommodate minor construction errors. DC-123 specifies a minimum side yard setback of 2.40 metres (7.87 feet); the subject development has a 2.09 metre (6.86 feet) setback, which is a variance of 0.31 metres (1.02 feet), or approximately 13%. The Applicant has demonstrated compliance with the 2019 National Building Code – Alberta Edition and has received Building Permits for both the dwelling and detached garage.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

### ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

### ATTACHMENTS

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Attachment A: Map Set

Attachment B: Application Information

Attachment C: Application Referral Responses

Attachment D: Public Submissions

Attachment E: Policy Review

Attachment F: Draft Bylaw C-8506-2024

Attachment G: Proposed DC-123 Amendment Bylaw C-6586-2007 Redline