



Direct Control Amendment Item: Residential

Electoral Division: 3

File: PL20240092 / 10013186

Date:	October 8, 2024
Presenter:	Carter Shelton, Planner 1
Department:	Planning

REPORT SUMMARY

The purpose of this report is to assess a proposed site-specific amendment to Direct Control Bylaw C-6586-2007 (DC-123) to allow the existing Dwelling, Single Detached, and Accessory Building ("lean-to shed") to have minimum side yard setbacks of 2.26 metres (7.41 feet), and 1.40 metres (4.59 feet), respectively, instead of the current minimum requirement of 2.40 metres (7.87 feet). The application is resulting from the submission of a Real Property Report for compliance review.

The application was evaluated pursuant to the policies of the Municipal Development Plan (County Plan) and CottageClub Ghost Lake Conceptual Scheme (CS), as well as the regulations of the applicable Direct Control Bylaw (DC-123). The application aligns with the intent of the Cottageclub Ghost Lake Conceptual Scheme, and the proposed reduction in setbacks for the subject lands do not create any adverse impacts on surrounding parcels, access, fire safety, or registered rights of way.

ADMINISTRATION'S RECOMMENDATION

- THAT Bylaw C-8570-2024 be given first reading.
- THAT Bylaw C-8570-2024 be given second reading.
- THAT Bylaw C-8570-2024 be considered for third reading.
- THAT Bylaw C-8570-2024 be given third and final reading.

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BACKGROUND

Location (Attachment A)

Located approximately 0.41 kilometres (0.25 miles) south of Highway 1A and 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 Condominium Plan 111 1762, which was registered with Alberta Land Titles in May of 2011.

Between 2013 and 2024, three previous amendments to DC-123 have been approved affecting properties within the Cottageclub Ghost Lake Area.

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; no comments were provided.

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

Landowner Circulation (Attachment D)

The application was circulated to 396 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support, and one (1) letter of concern was received.

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ANALYSIS

Policy Review (Attachment E)

The application was reviewed in accordance with the goals and policies of the Municipal District of Bighorn / Rocky View County Intermunicipal Development Plan (IDP), the County Plan (MDP), the Cottageclub Ghost Lake Conceptual Scheme (CS), and the DC-123 regulations. The application was found to be consistent with the intent of the overarching policy documents given the minimal deviation from the regulations of DC-123. No adverse impacts to County infrastructure, the environment, or adjacent properties are anticipated.

The IDP does not provide specific guidance related to development setback regulations; rather, it directs applications in the plan area to be evaluated in accordance with the applicable municipalities' statutory guiding documents. The County Plan also does not speak to building setback specifically; however, the application aligns with the goals of Section 10.0 (Country Residential Development) as there are no anticipated impacts to community infrastructure or overall development footprint and rural character. Further, there are no specific policies within the Cottageclub Ghost Lake CS that speak to setback regulations, and relevant considerations regarding lot design, architectural guidelines, and provision of servicing have been previously addressed through the conditions of subdivision creating the subject lot.

DC-123 stipulates a minimum setback building requirement from the side yard property line of 2.40 metres (7.87 feet), and there have been three similar amendments previously approved to DC-123. The following table summarizes how the submitted application aligns with amendments previously approved by Council:

Year	Application Number	Bylaw No.	Structure Requiring Amendment	Variance Required/Granted
2013	2013-RV-025	C-7303-2013	Dwelling, Single Detached & Accessory Building (detached garage)	8.33%
2023	PL20230038	C-8444-2023	Dwelling, Single Detached	1.67%
2024	PL20230024	C-8506-2024	Dwelling, Single Detached	12.92%
2024	PL20230131	C-8577-2024	Detached Garage	78.80%
2024	PL20240092 (Current proposal)	C-8570-2024	Dwelling, Single Detached Lean-to Shed	5.83% (Dwelling); 41.67% (Shed)

While the application does not provide rationale for the departure from the approved placements on site, the variance to the minimum setback requirements for the respective structures is not considered to create any concerns with respect to utility rights-of-way, encroachment, fire safety or access.

COMMUNICATIONS / ENGAGEMENT

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

IMPLICATIONS

Financial

No financial implications identified at this time.

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STRATEGIC ALIGNMENT

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

ALTERNATE DIRECTION

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

ATTACHMENTS

- 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(s) C-8507-2024
- Attachment G: Proposed DC-123 Amendment Redline

APPROVALS

Manager:	Dominic Kazmierczak	
Executive Director/Director:	Matt Boscarol	
Chief Administrative Officer:	Byron Riemann	

