



Direct Control Amendment Item: Residential

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Electoral Division: 3

File: PL20240071 / 10013172

Date:	November 26, 2024
Presenter:	Christine Berger, Planner 2
Department:	Planning

**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 allow the existing detached garage to have a minimum side yard setback of 2.16 metres (7.09 feet) instead of the current required 2.4 metres (7.87 feet) on the subject lands (Attachment A).

This application was evaluated pursuant to the policies of the Municipal District of Bighorn / Rocky View County Intermunicipal Development Plan (IDP), the Municipal Development Plan (County Plan), the CottageClub Ghost Lake Conceptual Scheme (CS), and the regulations of the Direct Control Bylaw C-6586-2007 (DC-123). The CottageClub Ghost Lake CS has a policy (12.0.1) stating that setbacks are to be established within the Direct Control District. The County Plan and the Municipal District of Bighorn / Rocky View County IDP are silent on property line setbacks.

The application is consistent with the intent of the IDP, County Plan, CS, and DC-123 and is not anticipated to create any adverse effects on County infrastructure or the environment.

**ADMINISTRATION’S RECOMMENDATION**

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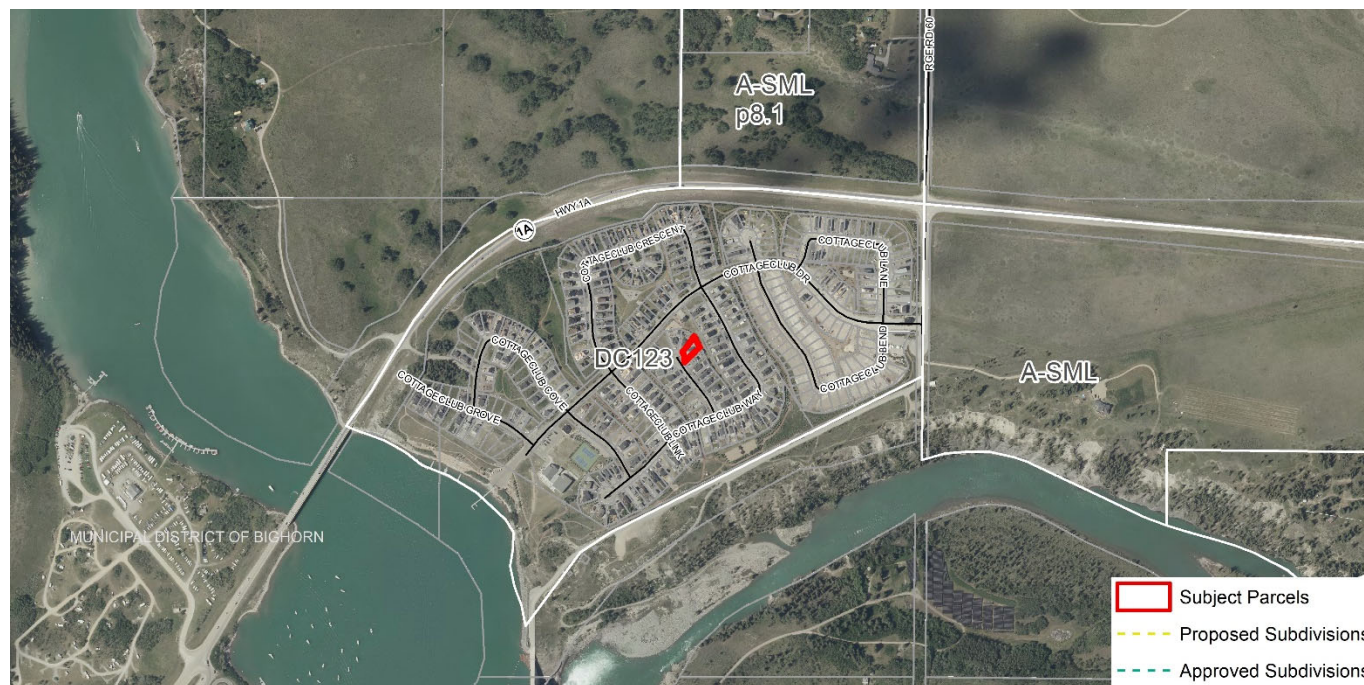
- THAT Bylaw C-8585-2024 be given first reading.
- THAT Bylaw C-8585-2024 be given second reading.
- THAT Bylaw C-8585-2024 be considered for third reading.
- THAT Bylaw C-8585-2024 be given third and final reading.

## Direct Control Amendment Item: Residential

### 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)

On January 15, 2008, Council approved Direct Control Bylaw C-6586-2007 (DC-123) to provide a comprehensively planned 'recreation-based' residential development with limited service and seasonal occupancy. Since then, multiple amendments to the Bylaw have been approved to allow existing structures to remain.

On January 13, 2020, a building permit was issued for the single family dwelling.

On December 11, 2019, a building permit was issued for the detached garage.

#### 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 comment.

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 395 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); two letters in opposition were received.

## Direct Control Amendment Item: Residential

### ANALYSIS

#### 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 pursuant to 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).

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	C-8570-2024	Dwelling, Single Detached Lean-to Shed	5.83% (Dwelling); 41.67% (Shed)
2024	PL20240071 (Current proposal)	C-8585-2024	Detached Garage	10.00%
2024	PL20240128 (Item D-2 on November 26, 2024 Council Agenda)	C-8584-2024	Dwelling, Single Detached Detached Garage	2.16% (Dwelling); 34.56% (Detached Garage)

### COMMUNICATIONS / ENGAGEMENT

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

### IMPLICATIONS

#### Financial

No financial implications identified at this time.

Direct Control Amendment Item: Residential

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**Enforcement**

If the proposed application is not supported, the existing garage would not be in compliance and the garage would need to be moved, or altered, to meet the necessary property line setbacks or be removed from the property.

**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-8585-2024
- Attachment G: DC-123 Redline with Proposed Amendments

**APPROVALS**

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Manager:	Dominic Kazmierczak
Acting Executive Director:	Dominic Kazmierczak
Chief Administrative Officer:	Reegan McCullough

