

PLANNING AND DEVELOPMENT SERVICES

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| TO: | Municipal Planning Commission | DIVISION: 8 |
| DATE: | March 10, 2021 | APPLICATION: PRDP20204018 |
| FILE: | 05630044 | |
| SUBJECT: | Accessory Dwelling Unit with Variances | |

APPLICATION: The proposal is for the construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height.

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) west of 12 Mile Coulee Road and 0.61 km (1/2 mile) north of Township Road 254.

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

EXECUTIVE SUMMARY: This application is for the creation of a 119.66 m² (1288.00 ft²) accessory dwelling unit within a proposed accessory building (garage). The second level of the building will include an uncovered deck, 24. 52 sq. m (265.00 sq. ft.) in area. The building has been designed to be cohesive to the existing dwelling, single detached. The subject parcel includes a screened area to the north-west, that provides for buffering from the adjacent property.

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

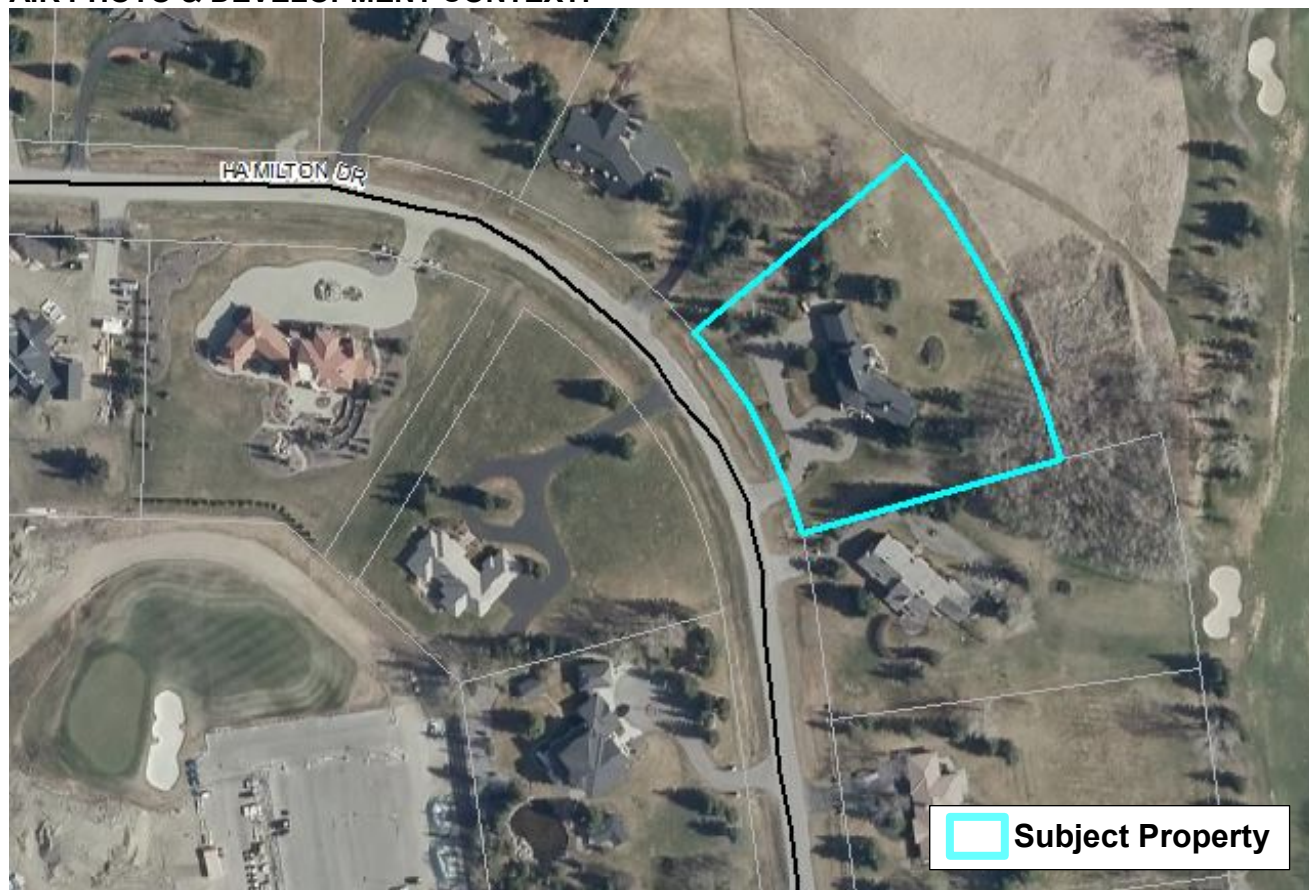
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204018 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204018 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:



VARIANCE SUMMARY:

| Variance | Requirement | Proposed | Percentage (%) |
|---------------------------------|---|--|----------------|
| 324 Permitted Building Area | 80.00 m ² (861.11ft ²) | 119.66 m ² (1288.06 ft ²) | 49.58% |
| 329 (a) Maximum building height | 7.00 m (22.96 ft.) | 8.23 m (27.00 ft.) | 17.53% |

APPLICATION EVALUATION:

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

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| <p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • City of Calgary Intermunicipal Development Plan • Bearspaw Area Structure Plan • Land Use Bylaw C-8000-2020 | <p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Site plan • Technical Drawings • Elevation Plans |
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| DISCRETIONARY USE: <ul style="list-style-type: none">• Accessory Building• Accessory Dwelling Unit | DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none">• Municipal Planning Commission (MPC) |
|--|--|

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 324 to 330 of Land Use Bylaw C-8000-2020.

CONCLUSION:

Subject to the assessment of the application, the application is recommended for APPROVAL.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

CC/llt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

Description

1. That the proposed accessory building (garage) and accessory dwelling unit, located above the garage [approximately 119.06 m² (1,280.01 ft²) in area], may be constructed on the subject land in general accordance with the approved site plan and submitted plans provided by the applicant.
 - i. That the maximum building area of the accessory building (oversize garage) shall be relaxed from **80.00 sq. m (861.11 sq. ft.) to 119.66 sq. m (1,288.00 sq. ft.)**.
 - ii. That the maximum accessory building height shall be relaxed from **7.00 m (22.96 ft.) to 8.22 m (26.99 ft.)**.

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 release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the addition of the proposed building conforms with the overall stormwater management strategy for the subject land without any adverse impacts to neighboring properties or further improvements are required.
 - i. Should improvements be necessary, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed building in accordance with Bearspaw Master Drainage Plan and County Servicing Standards.

Permanent:

4. That the accessory building and accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
5. That there shall be a minimum of one (1) parking stall maintained on site at all times dedicated to the Accessory Dwelling Unit.
6. That there shall be adequate site servicing provided for the Accessory Dwelling Unit.
7. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.
8. 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.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. 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 Release or



Occupancy condition, shall be implemented and adhered to in perpetuity including the noted Stormwater memo and grading drawings.

Advisory:

11. 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.
12. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Accessory Dwelling Unit checklist.
13. 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.
14. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
15. 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.



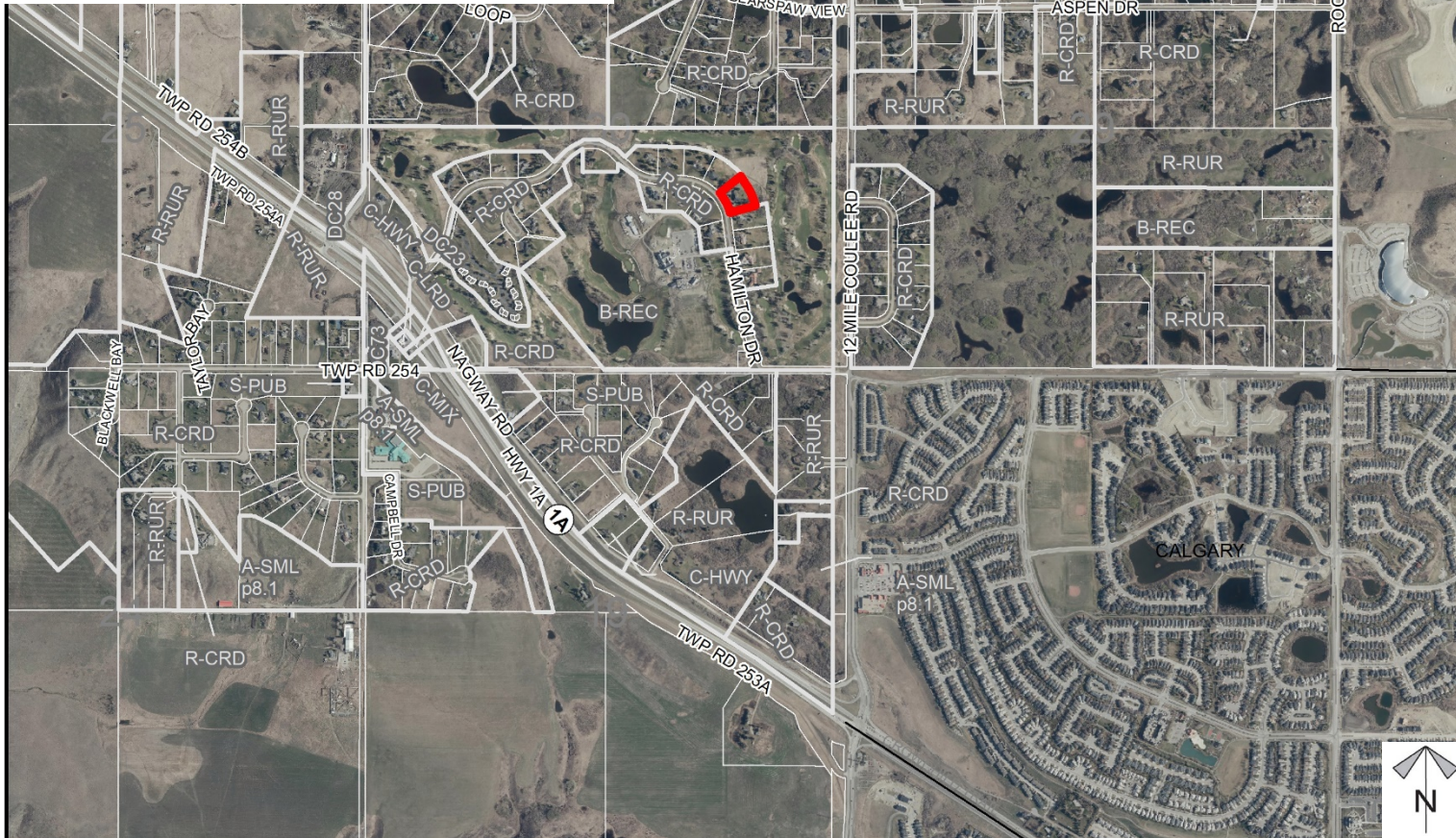
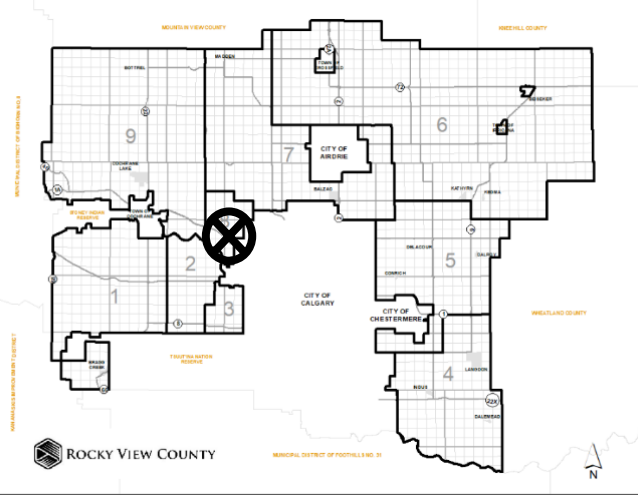
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

| | |
|--|---|
| APPLICANT: Jeremy Gukert | OWNER: John and Jodi Gergely |
| DATE APPLICATION RECEIVED: December 8, 2020 | DATE DEEMED COMPLETE: December 14, 2020 |
| GROSS AREA: ± 0.82 hectares (± 2.06 acres) | LEGAL DESCRIPTION: SE-30-25-02-W05M |
| 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 previous Development Permit Applications for this parcel <p>Building Permits</p> <ul style="list-style-type: none"> • 1982-BP-9194 Single Family Dwelling (Closed) • 2008-BP-21690 PSR-Not in compliance (No entry) | |
| <p>PUBLIC & AGENCY SUBMISSIONS:</p> <p>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.</p> | |

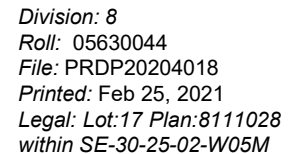
Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height

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Roll: 05630044
File: PRDP20204018
Printed: Feb 25, 2021
Legal: Lot:17 Plan:8111028
within SE-30-25-02-W05M



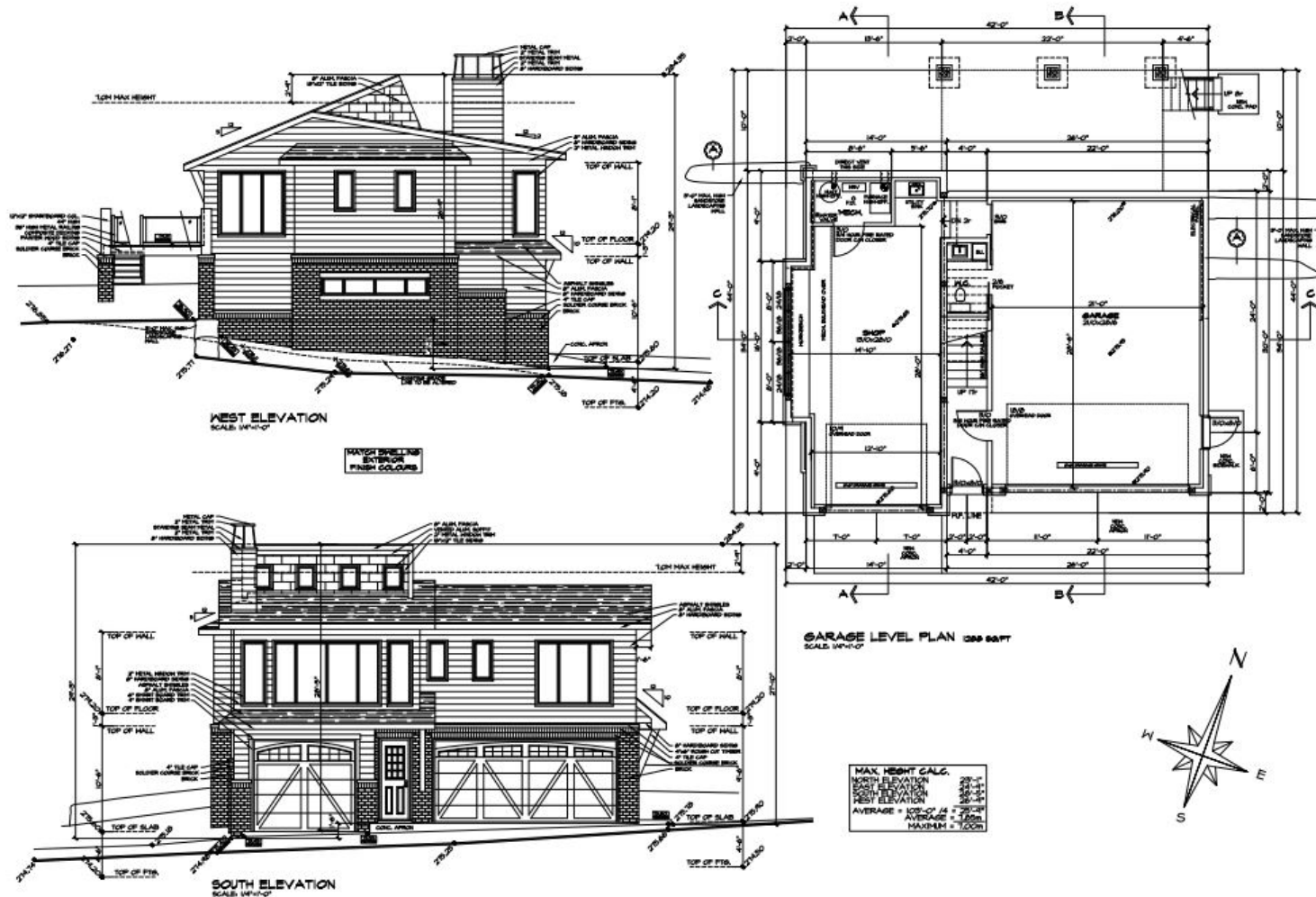
Development Proposal



Elevation Drawing

Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height



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Current Site

Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height



JGDesign & Drafting Inc.

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84 HAMILTON DRIVE

Nov. 24 2020



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