



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority

DATE: March 10, 2021 **DIVISION:** 1

FILE: 03913031 **APPLICATION:** PRDP20210276

SUBJECT: Dwelling, Single Detached / Discretionary Use, with no Variances

APPLICATION: construction of a Dwelling, Single Detached, located within a flood hazard area

GENERAL LOCATION: Located within the hamlet of Bragg Creek

LAND USE DESIGNATION: Residential, Urban District (R-URB) under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: This proposal is for the construction of a dwelling, single detached within the Hamlet of Bragg Creek. The property is located in an identified flood hazard area and is within the flood fringe of the Elbow River. The existing dwelling, single detached and foundation will be demolished and the proposed dwelling unit will be constructed in the same location onsite, which will help reduce development impact to the property. The combined floor area of the dwelling, single detached is 170.00 sq. m (1,834.00 sq. ft.).

The subject property is located outside of the hamlet servicing area. Therefore, the property is proposing to use existing site servicing of water well and private treatment sewage system.

The application has been assessed against the regulations of applicable County policy and Administration has no concerns.

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

OPTIONS:

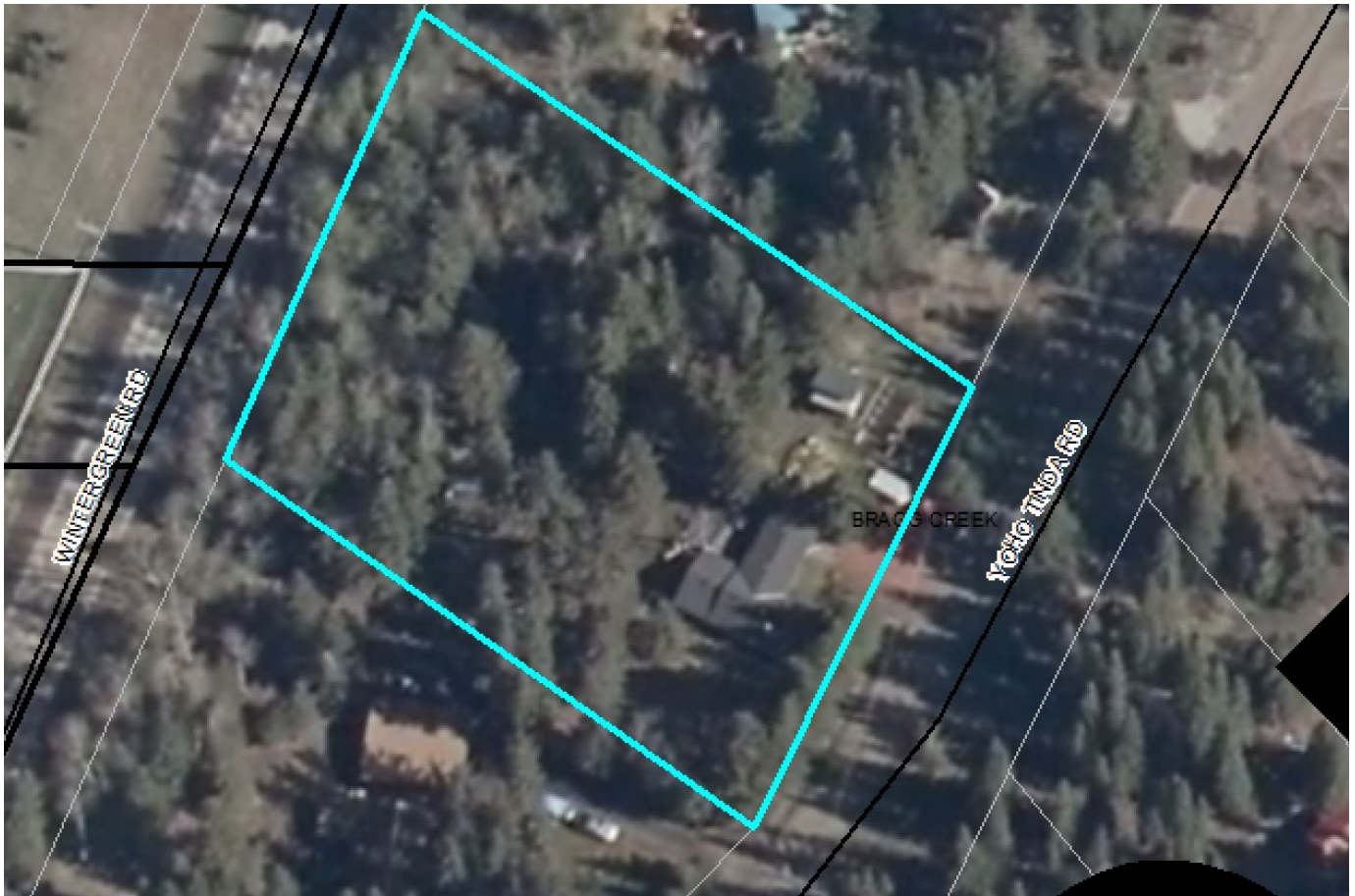
Option #1: THAT Development Permit No. PRDP20210276 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit No. PRDP20210276 be refused noted below

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the application submitted and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Greater Bragg Creek Area Structure Plan (GBCASP); • Land Use Bylaw C-8000-2020; • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Architectural Drawings
DISCRETIONARY USE: <ul style="list-style-type: none"> • Dwelling, Single Detached 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

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Additional Review Considerations

Within the GBCASP, the plan includes regulations on Flooding and Servicing for residential development within the plan area. Under flooding, the regulations state that development within the flood fringe should only be permitted when minimal negative impact to the Elbow River's drainage system can be demonstrated and if considered, appropriate flood proofing measures should be provided for all buildings.

The servicing regulations advise that all developments are required to connect to the municipally-owned and operated water and wastewater utility systems if available. If servicing is not available, interim potable water supply and wastewater collection and treatment systems shall be provided.

As per the Land Use Bylaw, Section 340 Exceptions (b), all dwellings and accessory buildings are discretionary uses within the hamlet of Bragg Creek. Any development within a flood hazard area is also a discretionary use. Section 201-211 discusses Flood Fringe Areas and Riparian Protection Areas regulations.

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

JT/ltt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps & Other Information

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ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That construction of a dwelling, single detached, within a flood hazard area (flood fringe), may commence on the subject site, in accordance with the approved application and drawings, as prepared by Flechas Architecture, Project Number 2009; dated January 14, 2021, Dwgs. A0.1, A1.1-A1.3, A2.1-A2.4, A3.1-3.2; as amended, and conditions of approval.

Prior to Issuance:

2. That prior to release of this permit, the Applicant/Owner shall submit a geotechnical report conducted and stamped by a professional geotechnical engineer, that confirms that there is a minimum contiguous developable area suitable for the development and recommend any flood mitigation measures to reduce potential damage from a flood event, in accordance with Section 203 of the Land Use Bylaw.
3. That prior to release 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 first floor of the proposed dwelling, single detached shall be located at or above the 1:100 year flood level plus 0.50 m (1.64 ft.) freeboard and that any mechanical or electrical equipment within the dwelling, single detached shall be located at or above the designated flood level. *Note: the current Flood Elevation Level for the property is 1291.01 m.*
5. That until Municipal waste and water servicing within the hamlet service area is available, there shall be interim potable water (i.e. well or cistern) and wastewater servicing (i.e. collection or treatment systems) provided by the Applicant/Owner to the subject site.
6. 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.
7. That minimal tree clearing shall occur within any part of the riparian setback and minimal vegetation shall be disturbed within a minimum of 10.00 m (32.81 ft.) from the top of bank or furthest extent of a wetted area. Any existing trees and terrain shall be retained onsite except as included within the development permit approval or required to meet conditions of this permit.
 - i. Any disturbed areas shall be replanted with vegetation similar to existing pre-development ground cover upon development completion.
8. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction, unless a separate Development Permit has been issued for additional fill.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. 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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11. 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:

12. That the Applicant/Owner shall contact County Road Operations and submit application for approval for any new installation or alteration of any driveway/approach for the subject property, prior to commencing any work on the driveway/approach, if required.
13. That during construction, any required temporary fencing should be erected no more than 3.00 m (9.84 ft.) from the proposed building, to help prevent disturbance of the existing trees and vegetation.
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 the Applicant/Owner shall incorporate best management practices for erosion and sedimentation control onsite. These practices shall be followed for all construction activities performed on the site to minimize impacts to adjacent lots and nearby water courses.
16. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017].
17. That it is recommended that the Applicant/Owner test the water quality of the existing groundwater, to ensure a safe, adequate supply of potable water.
18. 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 checklist and shall include written submission from a professional engineer, addressing design flood proofing measures for the structure.
 - i. That the roofing material shall be constructed of fire resistant materials in compliance with the Alberta Building Code.
19. That flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Bragg Creek Areas Structure Plan.
20. 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.
21. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
22. That if this Development Permit is not issued by **JUNE 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: That the Applicant/Owner shall be responsible for all Alberta Environment & Parks approvals/compensation, if any wetland is impacted by the proposed development.

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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Geoffrey Porter & Shayne Radford	OWNER: Geoffrey Porter
DATE APPLICATION RECEIVED: January 21, 2021	DATE DEEMED COMPLETE: January 25, 2021
GROSS AREA: ± 0.31 hectares (± 0.77 acres)	LEGAL DESCRIPTION: Lot 23, Plan 7710476; NE-13-23-05-W5M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>Development & Building Permits:</i> <ul style="list-style-type: none"> No recent history <i>Assessment History:</i> <ul style="list-style-type: none"> 1955 Cottage 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

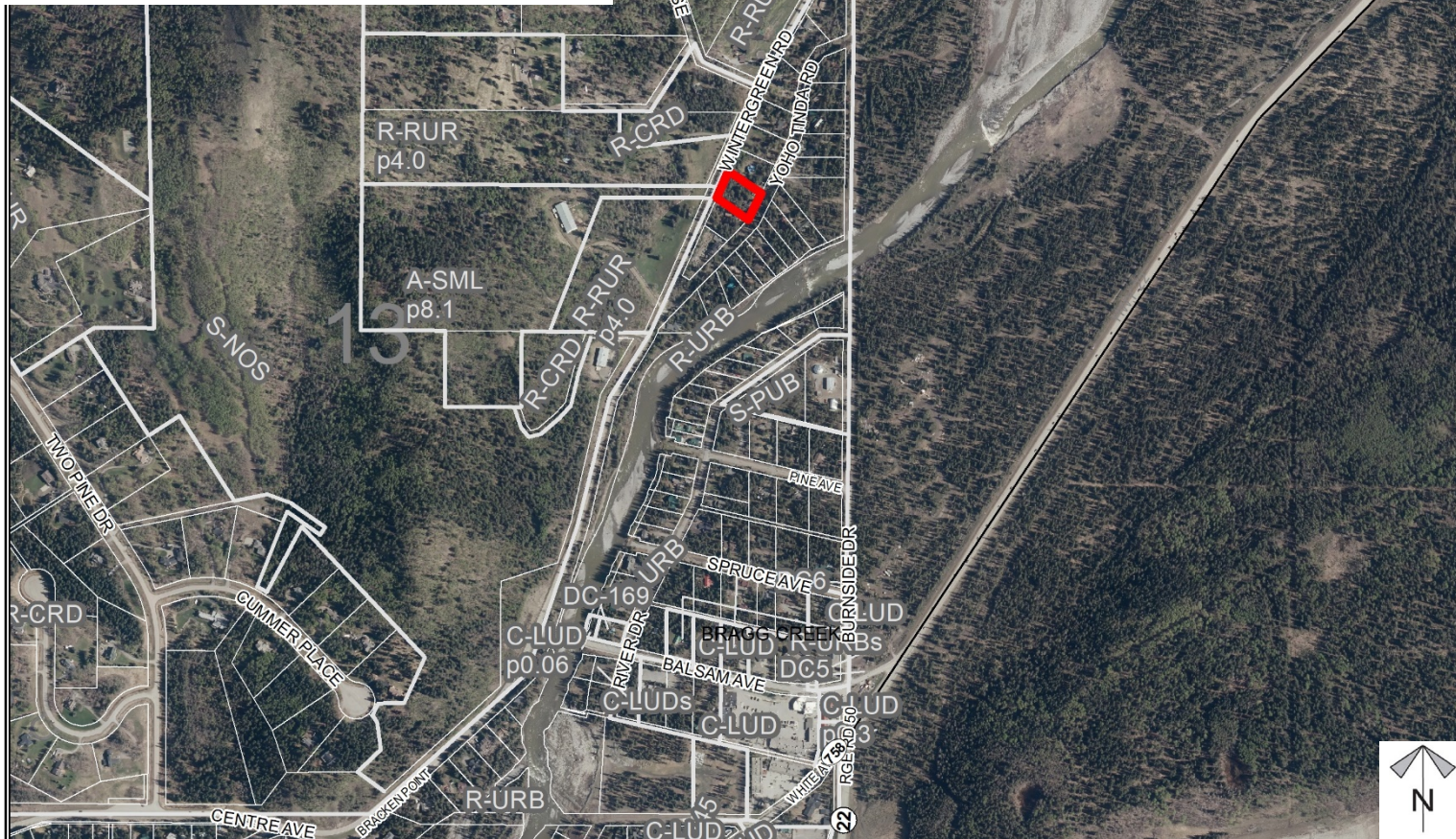
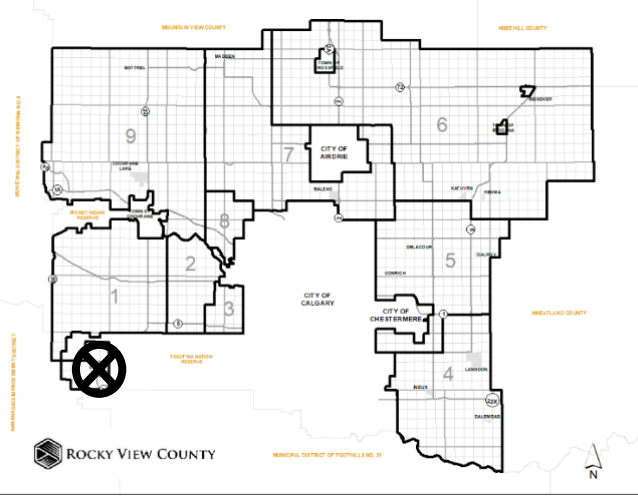


Location & Context

Development Proposal

*construction of a Dwelling,
Single Detached, located
within a flood hazard area*

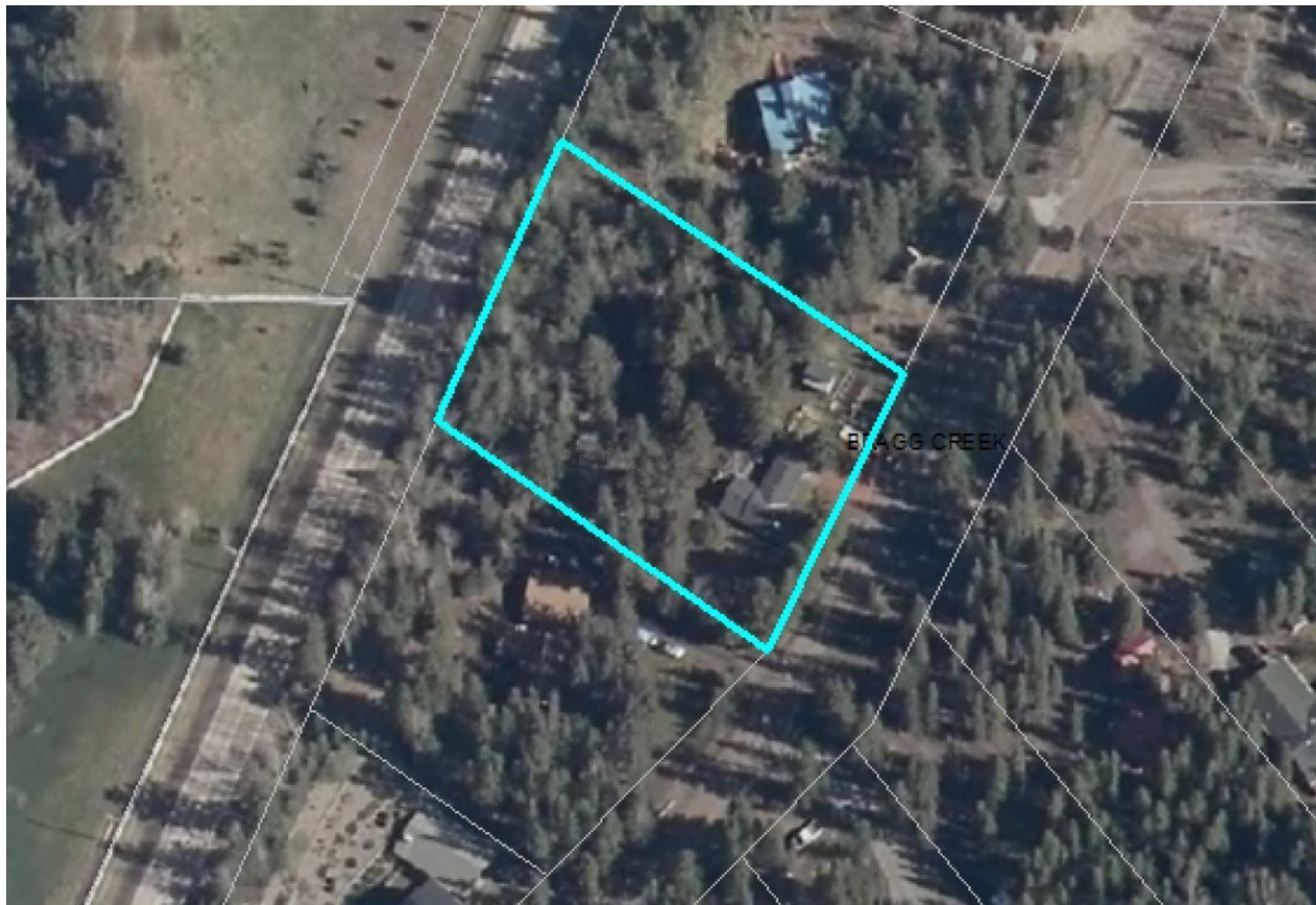
Division: 1
 Roll: 03913031
 File: PRDP20210276
 Printed: Feb 16, 2021
 Legal: Lot:23 Plan:7710476
 within NE-13-23-05-W05M



Location

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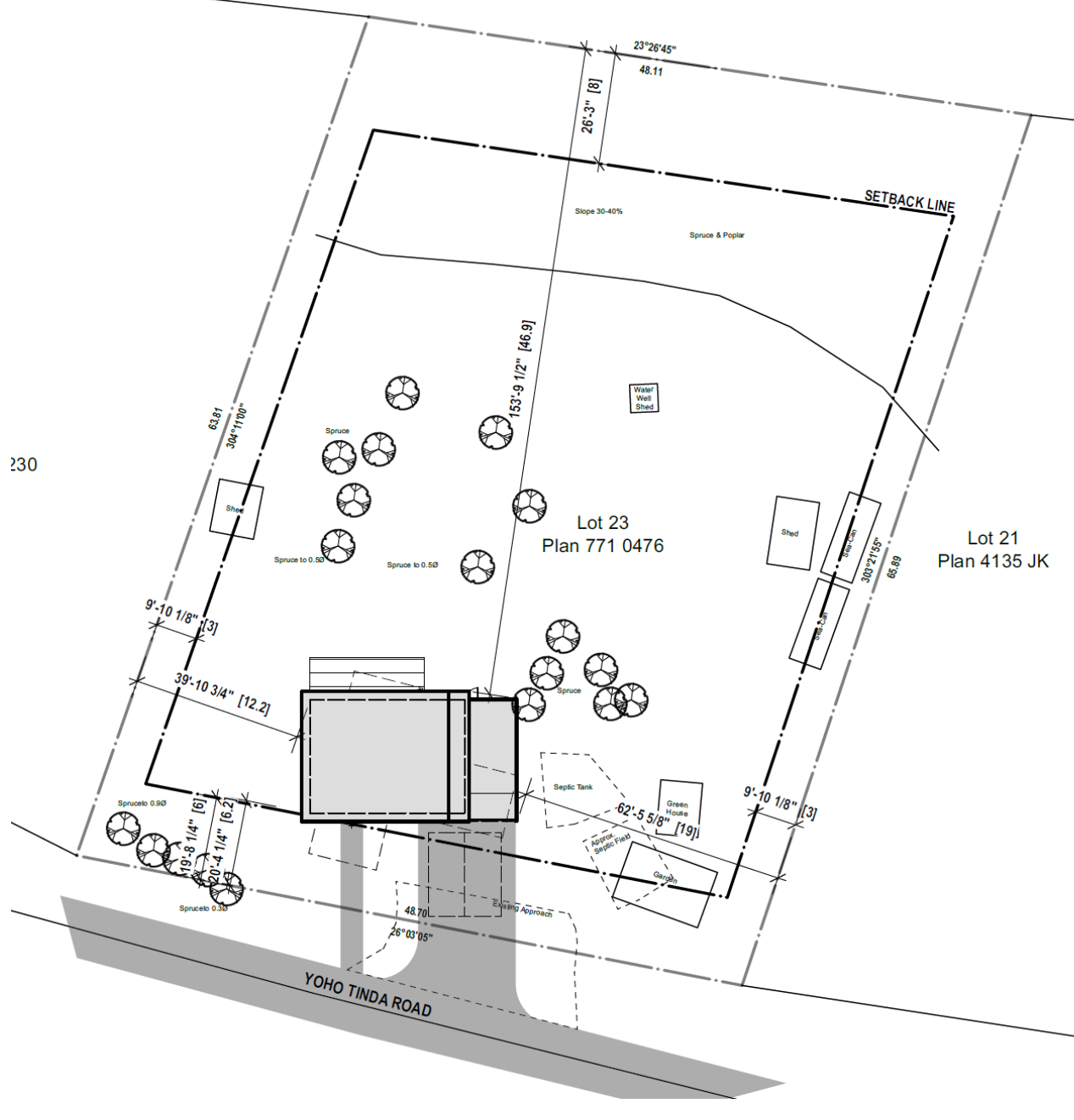
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Site Plan

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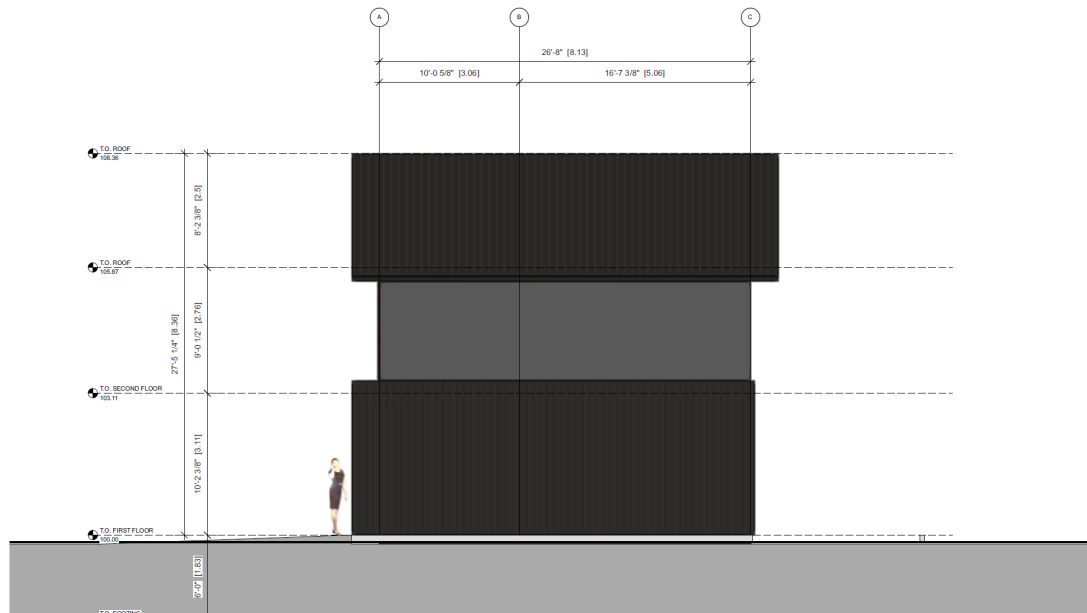
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Elevations

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Site Inspection
January, 2021

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