



PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: April 27, 2021 **DIVISION:** 1

TIME: Afternoon Appointment

FILE: 03912039 **APPLICATION:** PL20190206

SUBJECT: Redesignation Item – Residential, Rural District (R-RUR p4.0) to Residential, Rural District (R-RUR)

APPLICATION: To redesignate the subject land from Residential, Rural District (R-RUR p4.0) to Residential, Rural District (R-RUR) to allow for future subdivision

GENERAL LOCATION: Located in the hamlet of Bragg Creek, just west of Highway 22 and on the south side of Burney Road.

LAND USE DESIGNATION: Residential, Rural District (R-RUR p4.0)

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8028-2020 on March 10, 2020. The application returned to Council on October 27, 2020, resulting in tabling the application *sine-die* with the resolution below.

MOVED by Councillor Kamachi that consideration of application PL20190206 be tabled sine-die to allow revision of the application to propose redesignation of the entire property to Residential, Rural District (R-RUR).

The Bylaw has been amended to reflect this change. However, a new public hearing is required in order to accept the updated bylaw. The application is consistent with the relevant policies of the Bragg Creek Area Structure Plan and the Land Use Bylaw.

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

OPTIONS

- Option #1: Motion #1 THAT Bylaw C-8028-2020 be amended in accordance with Attachment C.
- Motion #2 THAT Bylaw C-8028-2020 be given second reading, as amended.
- Motion #3 THAT Bylaw C-8028-2020 be given third and final reading, as amended.
- Option #2: THAT application PL20190206 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Christina Lombardo, Planning & Development Services



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Municipal Development Plan; • Bragg Creek ASP; • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • N/A
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POLICY ANALYSIS:

BACKGROUND:

The Applicant indicated that the purpose of the application is to make the existing veterinary clinic a stand-alone parcel and to allow two residential parcels (one for the existing dwelling and the other with the accessory buildings).

The existing parcels are currently serviced by their own septic fields and water wells. As per the Applicant, there are no plans to add additional structures nor to remove any of the present structures. No additional roads are required nor is there any changes to the traffic flow.

POLICY ANALYSIS:

Greater Bragg Creek Area Structure Plan

The subject land is located in the Greater Bragg Creek Area Structure Plan’s hamlet expansion area. The ASP envisions that this area would accommodate an appropriate range of residential uses, with the potential for institutional uses that support the local community (Policy 7.2.5 c).

At the time of this report, the County is preparing the Bragg Creek Hamlet Expansion Strategy, which proposes residential development as the predominant use in the area. Existing businesses (i.e. the veterinary clinic) can continue to operate in the area; nonetheless, expansion of existing businesses and future business developments are to be directed to the hamlet core along Balsam Avenue and White Avenue (Highway 758).

The intent of the application is consistent with the existing ASP given the proposal is to accommodate future residential subdivision and the existing veterinary care business. This updated proposal allows the parcel to:

- allow the existing business to remain onsite as a discretionary use;
- allow for the future subdivision of the property into three 3.95 acre lots; and
- ensures that no other commercial uses are being introduced into the residential area.

Land Use Bylaw

The Applicant proposed Residential, Rural District (R-RUR) for ± 11.8 acre of the subject land, which is intended to accommodate a 4.0 acre lot with the existing dwelling to the west, a 4.0 acre lot with the existing veterinary clinic and the remaining existing accessory buildings to the east.

The existing dwelling meets all minimum setback requirements. The existing accessory buildings would become non-conforming buildings due to minimum side yard setback requirement from Highway 22 (minimum 60 m) and minimum rear yard setback requirement from the adjacent property to the south (minimum 7 m).



The existing veterinary clinic will continue its operation on the site under the existing permits (1999-DP-8337 and PRDP20180376).

Any new proposed uses on the property will be subject to a new development permit application.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

CL/lt

ATTACHMENTS

- ATTACHMENT 'A': Application Information
- ATTACHMENT 'B': Application Referrals
- ATTACHMENT 'C': Bylaw C-8028-2020 and Schedule A
- ATTACHMENT 'D': Map Set