

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 1

DATE: April 28, 2021
APPLICATION: PRDP20211006

FILE: 05828006

SUBJECT: Dwelling, Tiny / Discretionary use, with no Variances

APPLICATION: Application is for the construction/placement of a Dwelling, Tiny on the subject parcel.

GENERAL LOCATION: located approximately 1.40 km (3/4 mile) west of Hwy 22 and on the north side of Towers Trail.

LAND USE DESIGNATION: Agriculture, Small District (A-SML p.8.1) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to place a Dwelling, Tiny, with an approximate total area of 35.12 sq. m (378 sq. ft.), on the subject parcel. The subject parcel is developed with one dwelling, single detached. The application appears compliant with the policies of the Land Use Bylaw, including minimum setbacks.

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

OPTIONS:

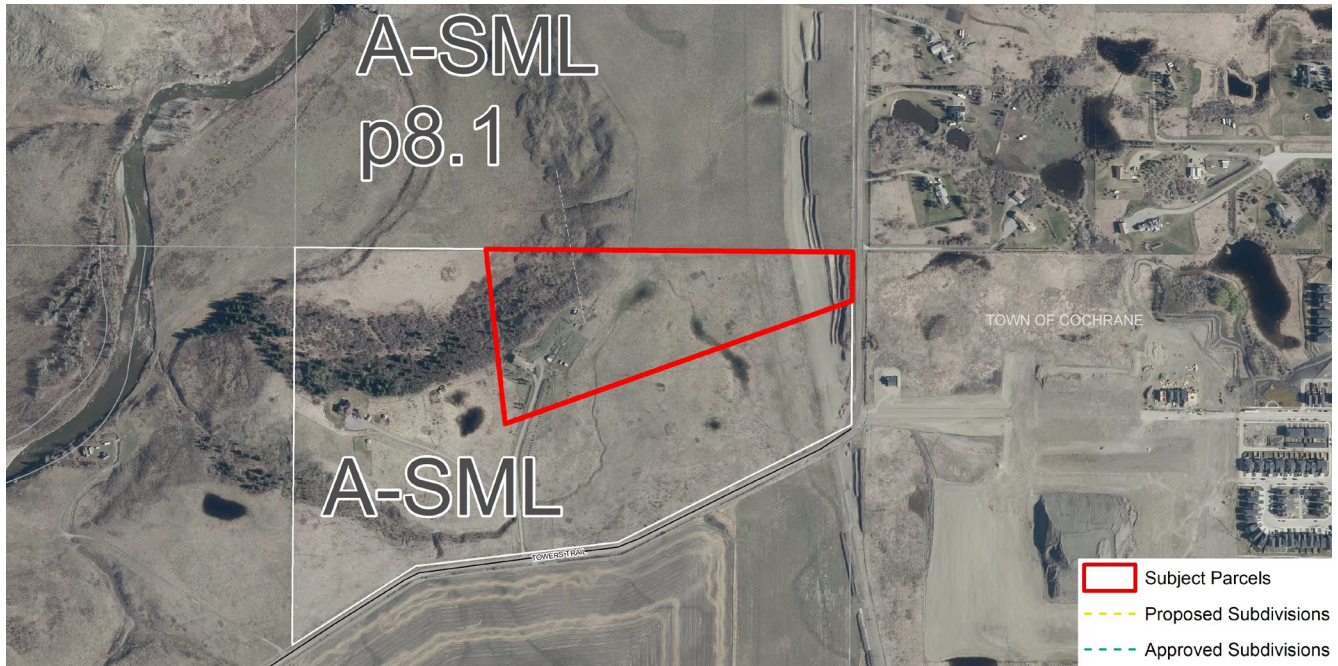
- Option #1: THAT Development Permit Application PRDP20211006 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211006 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Cochrane Intermunicipal Development Plan • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Dwelling, Tiny 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

No additional considerations.

**CONCLUSION:**

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WV/lt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That the Dwelling, Tiny may be placed on the subject land in general accordance with the submitted site plan and application.

Prior to Release

2. That Prior to Release of this permit, the applicant 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, calculated at \$800.00 for each new residential unit.

Permanent:

3. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address (**A 254065 Towers Trail**) in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling unit located on the subject site, to facilitate accurate emergency response.
4. That no topsoil shall be removed from the site. All topsoil shall be retained on-site. Any undeveloped graded area shall be seeded after building construction is complete, as part of site restoration.
5. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
6. 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.
7. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.

Advisory:

8. That the Dwelling, Tiny shall not be used for commercial or vacation rental purposes at any time, unless approved by a Development Permit.
9. That the subject lands shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
10. That applicable Building Permit(s) shall be obtained through Building Services for the Dwelling, Tiny.
11. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
12. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.



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13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
14. 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.
15. That if this Development Permit is not issued by **September 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

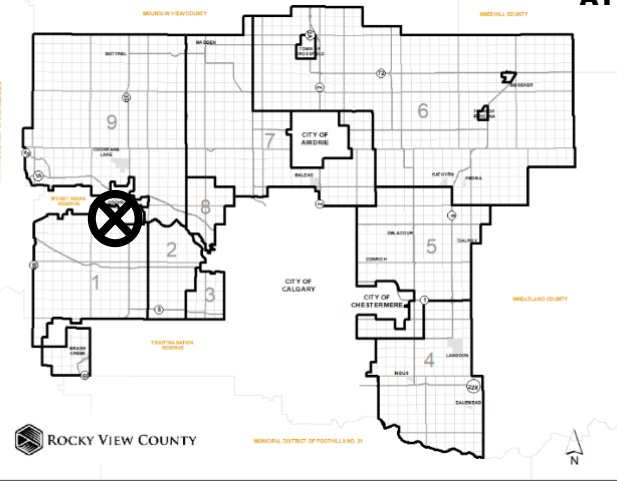
APPLICANT: Marni McConnach	OWNER: Gwynneth Butler
DATE APPLICATION RECEIVED: March 9, 2021	DATE DEEMED COMPLETE: March 17, 2021
GROSS AREA: ± 8.28 hectares (± 20.46 acres)	LEGAL DESCRIPTION: Lot 1, Block 1, Plan 1811055, SE-28-25-04-W05M (254065 Towers Trail)
APPEAL BOARD: Municipal Government Board	
HISTORY: <ul style="list-style-type: none"> PRDP20210965: Bed and Breakfast 	
PUBLIC & AGENCY SUBMISSIONS: 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.	



Location & Context

Development Proposal

Placement/Construction of
a Dwelling, Tiny

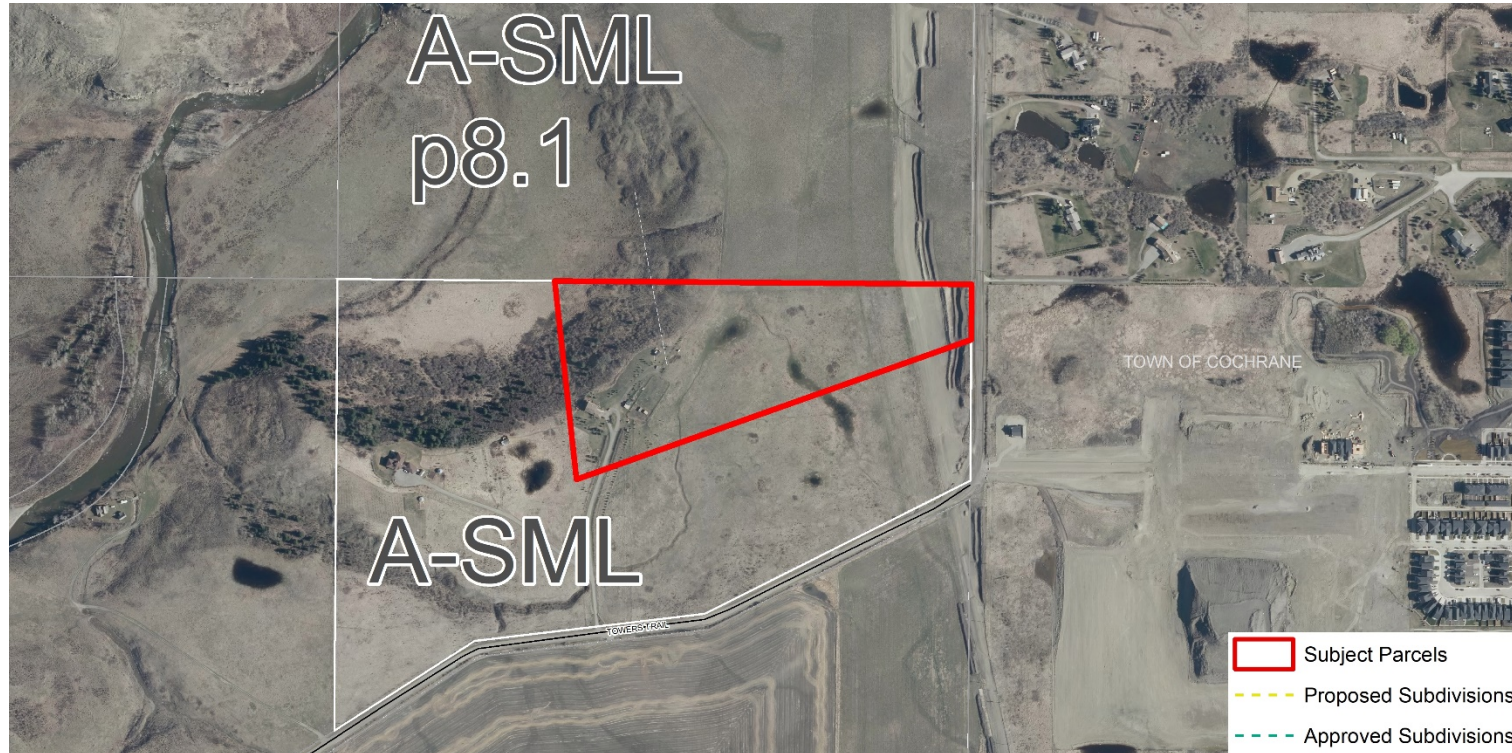


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Aerial Imagery

Development Proposal

Placement/Construction of
a Dwelling, Tiny



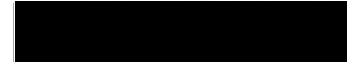
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Cover Letter

Development Proposal

Placement/Construction of
a Dwelling, Tiny

Marni McConnach
 Mailing Address: Box 1536, Cochrane Ab, T4C1B5
 Physical Address: 254065 Towers Trail, Rocky View County



Building Services
 262075 Rocky View Point, Rocky View County, AB T4A 0X2

RE: Development Permit Application for Accessory Dwelling Unit for Tiny Home

Prior to the new Land Use Bylaw enacted in September, 2021, I had undergone five attempts to receive proper permitting information and instruction for my Tiny Home. However, due to the nature of the structure, there was not a proper permit for said structure. The new Land Use Bylaw now includes an ADU- tiny home option so I would like to formally acquire a development permit for the home where I have lived for the past 4 years.

The Tiny Home is built by a local professional custom builder and is a wood framed structure built upon a 10 foot trailer bed with wheels. It has been parked on my mother's property (Gwynneth Butler) with her permission and with no negative feedback from the surrounding neighbours. Myself, my husband, our dog and our soon to be baby live in the Tiny Home. We chose to invest in this home for the lifestyle it offers. Not only are we minimalists when it comes to space and physical belongings, but we also believe in making minimal impact on the land and surrounding environment. I grew up on this land since 1999 and I love it dearly.

We access the Tiny Home from Towers Trail via a shared driveway right of way access with our neighbours (located at 254069 Towers Trail) to my mother's property (see image 1-3). Our home is 100m set back from the Primary Dwelling (Mothers home) on the property and just over 100m from the neighbouring property line. Our building is appropriately set back from roads, highways and parcels according to the minimum setback document in the land use bylaw (see image 1 & 2).

There is a parking lot out front of the home as well as a dog run, fire pit and chicken enclosure. We pull our electricity from the primary house on the property (my mother's house) which is located 100 metres away from our Tiny Home (see image 6) It is a dedicated electric switch on the panel installed by a certified electrician. We also pull softened water through a heated hose from the primary dwelling.

The tiny home has a compostable toilet. This toilet separates liquid from solid waste. Solid waste goes into a bagged bucket (which has a dehydrating fan) which then gets appropriately disposed to the landfill on a regular basis. Grey water from the toilet, kitchen, bathroom and shower drains is eliminated from the home via a grey water PVC pipe that goes beyond the

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Cover Letter**Development Proposal**

Placement/Construction of
a Dwelling, Tiny

home and sloped downhill. This exit location is not adjacent to any other neighbouring property lines and does not impact them in any way (please see image 6).

We do not put anything toxic down our drains. We use products that are natural, plant derived, biodegradable and without harmful toxins, chemicals and fragrances for our soaps, cleaning agents and personal hygiene products. The only other materials from the grey water would include small bits of food that gets through our sink trap from our kitchen sink, which is very minimal. We can report that the area where our grey water empties is lush and thriving.

If there is any further information that you require, please do not hesitate to contact me.

Regards,

Marni McConnach

March 15, 2021



Site Plan

Development Proposal

Placement/Construction of a Dwelling, Tiny

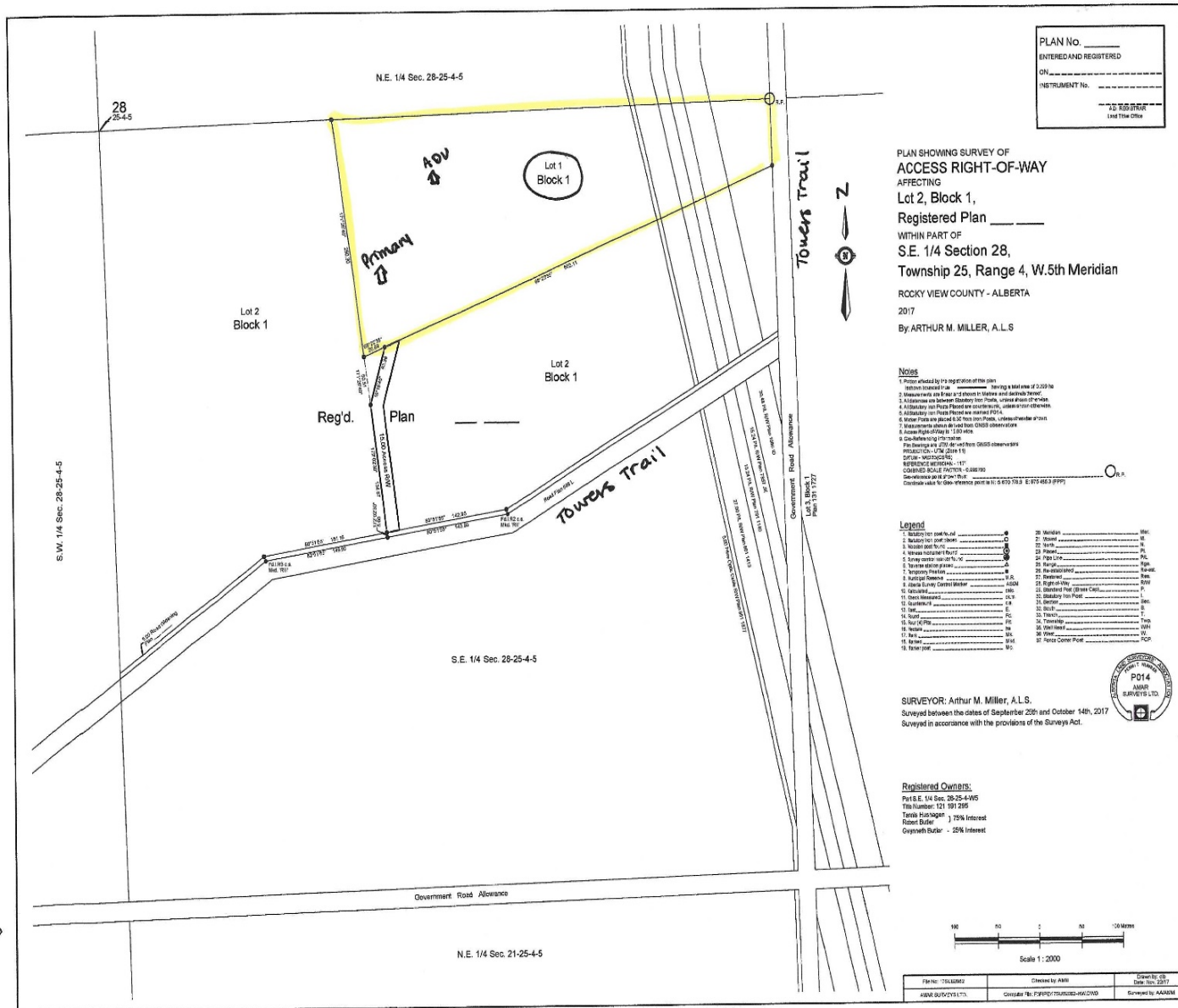


image 2

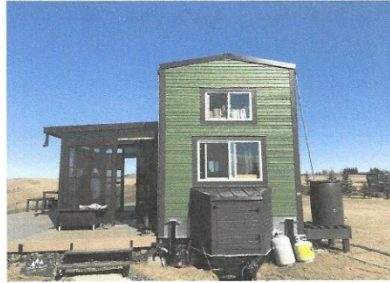
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Building Drawing

Development Proposal

Placement/Construction of
a Dwelling, Tiny

Image 6
Exterior



Tiny Home with
sunroom and deck.
Rain barrel and front
hutch for propane
tanks.



Fire pit, trees, chicken coop



All sides of structure.



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Development Proposal

Placement/Construction of
a Dwelling, Tiny



Dog run, trees and Tiny Home

Electric line within PVC
and heated hose



Grey water pipe and exit.



Tiny Home, Parking lot,
driveway and trees
surrounding home.

Tiny Home 100 metres
from main home unit
on property.
Shared driveway.



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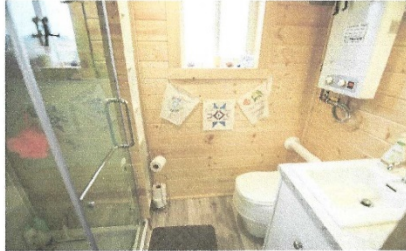
Building Drawing

Development Proposal

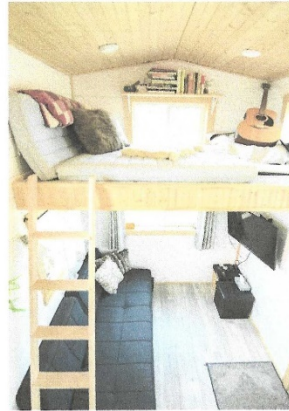
Placement/Construction of
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Image 5
Interior:

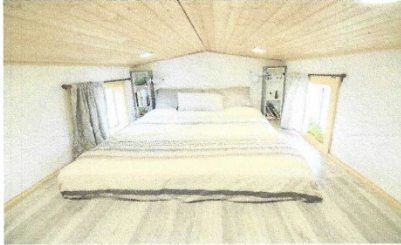
Bathroom



Living room, secondary loft.



Bedroom Loft



Living room, kitchen counter,
secondary loft and entrance



Stairs to bedroom loft,
ladder to secondary loft,
kitchen and bathroom



Tiny Home: L: 24.25" W: 8.5" H: 13ft = 290 sq. ft
 Sun Room: L: 11" W: 8" H: 8.5" = 88 sq. ft.
 Deck: L: 24.25" W: 16" H: 2"

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Site Photos

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