

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: January 13, 2021

DIVISION: 5

FILE: 03231064

APPLICATION: PRDP20203593

SUBJECT: Accessory Dwelling Unit / Discretionary use, with no Variances

APPLICATION: The proposal is for construction of an Accessory Dwelling Unit, Basement Suite.

GENERAL LOCATION: Located at the southeast junction of Rge. Rd. 275A and Twp. Rd. 240.

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

EXECUTIVE SUMMARY: The application is for an Accessory Dwelling Unit, located within the dwelling, single detached (basement suite), 142.60 m² (1,535.00 ft²) in gross floor area. This application is a result of a fire that occurred to the primarily dwelling in 2019. As such, a new principal dwelling has been proposed onsite, with the additional dwelling unit in the basement.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20203593 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20203593 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.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Camilo Conde, Planning and Development Services

**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
None Required	N/A	N/A	N/A

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Land Use Bylaw C-8000-2020. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Building Plan • Elevation drawings
DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Dwelling Unit 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission (MPC)

Additional Review Considerations

Accessory Dwelling Unit regulations, Section 122 through to 124 of Land Use Bylaw C-8000-2020 was assessed for this application.

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

CC/ltt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS****Option #1**

APPROVAL, subject to the following conditions:

Description:

1. That the proposed Accessory Dwelling Unit, located within the basement of the dwelling, single detached, approximately 142.60 m² (1,535.00 ft²) in area, may be constructed on the subject land in general accordance with the approved Site Plan and submitted plans provided by Zota Drafting Inc. on February 25, 2020.

Prior to Issuance:

2. That prior to issuance 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.

Permanent:

3. That the accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
4. That the accessory dwelling unit shall not be used for commercial purposes at any time, unless approved by a Development Permit or if the business meets the criteria for a Home Based Business Type I (HBB I).
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 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.
8. 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:

9. 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.
10. 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.
11. 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.
12. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
13. 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.



ROCKY VIEW COUNTY

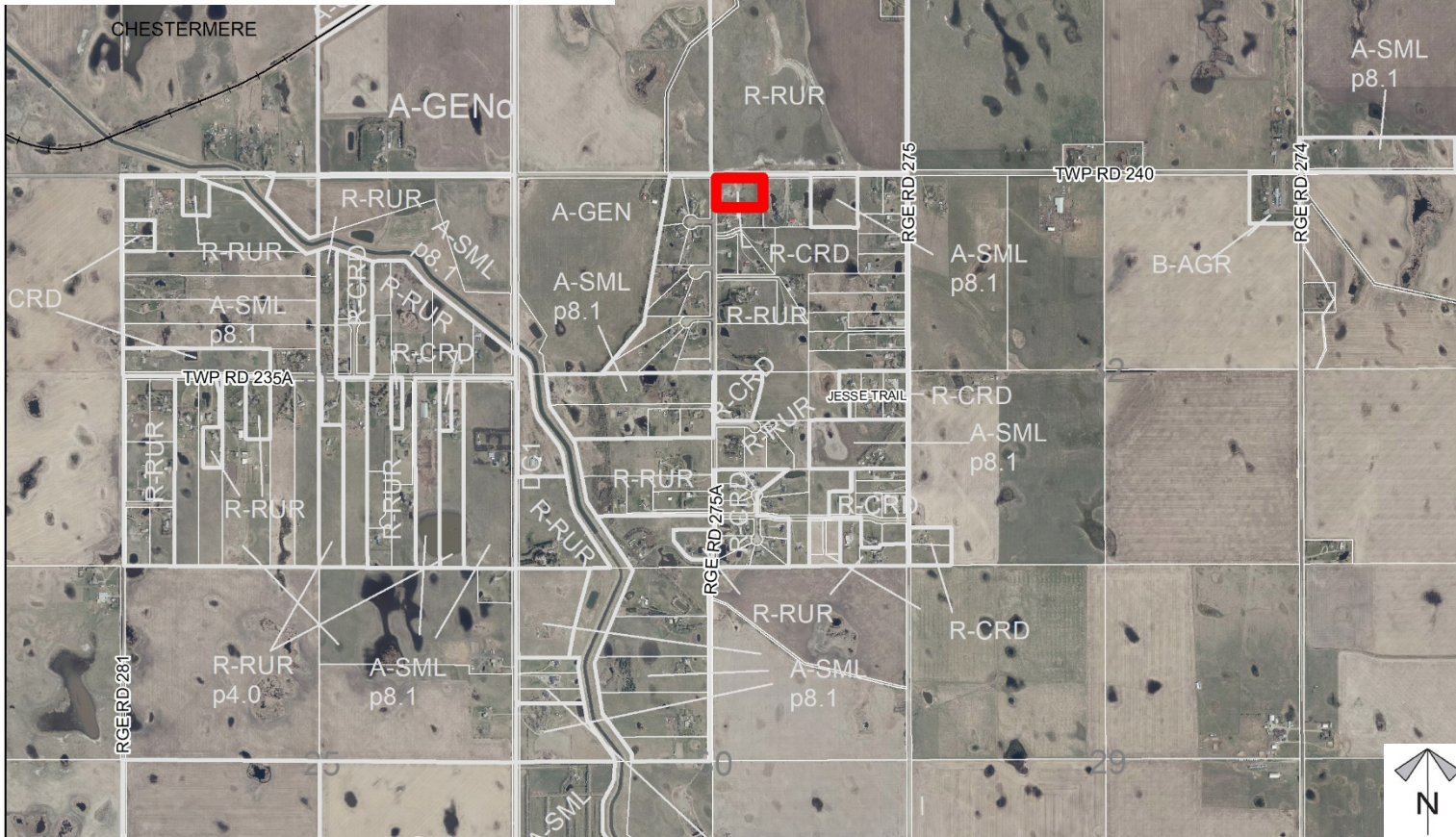
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

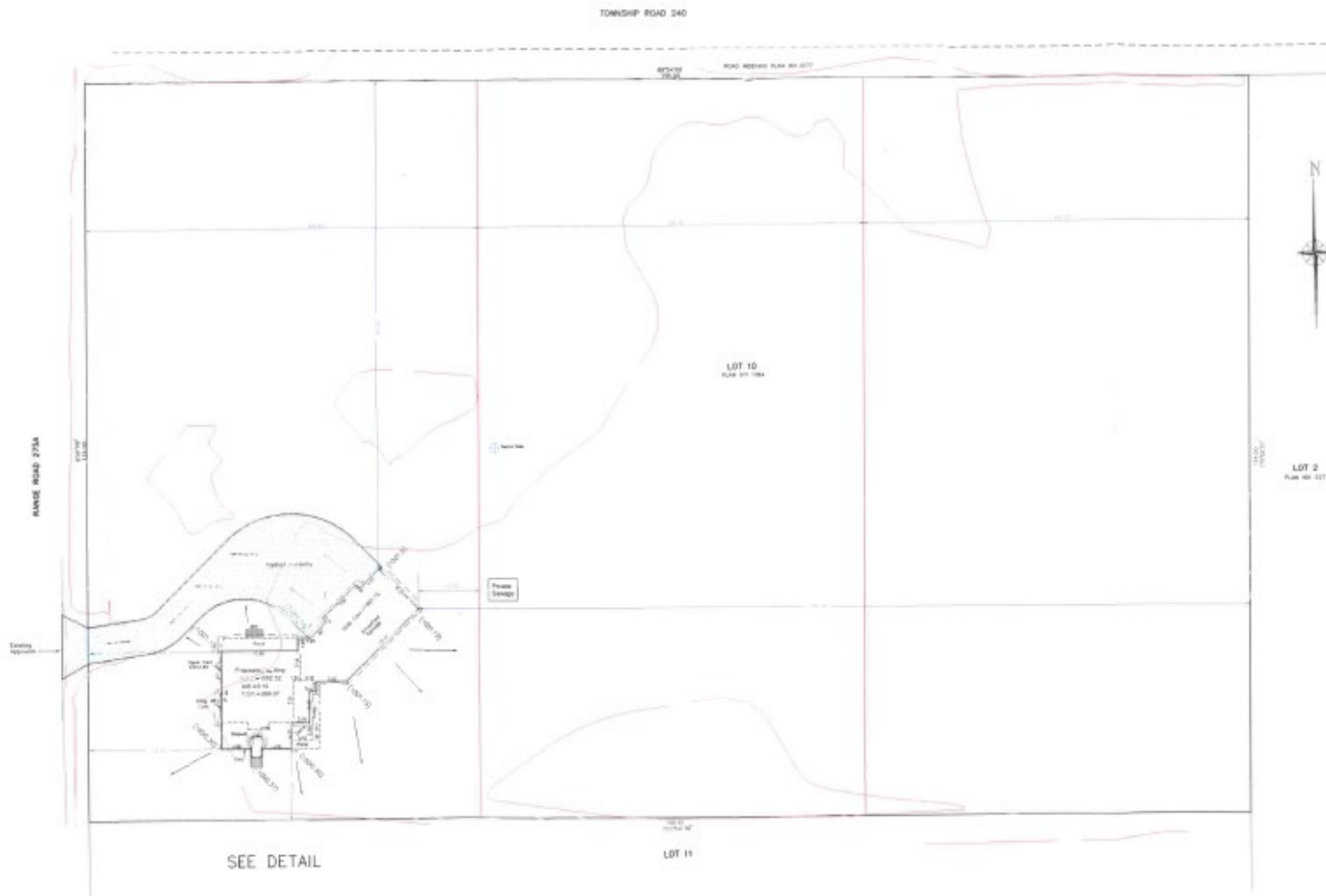
APPLICANT: Sunny Brar	OWNER: Satwant Shergill & Karmjit Shergill
DATE APPLICATION RECEIVED: November 5, 2020	DATE DEEMED COMPLETE: November 5, 2020
GROSS AREA: ± 2.44 hectares (± 6.03 acres)	LEGAL DESCRIPTION: NE-31-23-27-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>Planning Applications</p> <ul style="list-style-type: none"> • 2006058 Subdivision application to create a 3 acre parcel with a 3 acre remainder (closed- expired) • 2006057 Application to redesignate from R-2 to R-1 district in order to create a 3 acre parcel with a 3 acre remainder (closed- approved) • PL20200042 Subdivision application to create two 2.00 acre parcels with a 2.02 acre remainder. (In circulation) <p>Development Permits</p> <ul style="list-style-type: none"> • PRDP20144301 Home Based Business Type II, pallet recycling (Refused) • PRDP20182622 Single-lot regrading and placement of clean fill (Closed- expired) <p>Building Permits</p> <ul style="list-style-type: none"> • 1997-BP-11143 Single Detached House (Closed- complete) • 2007-BP-20005 Addition to existing building (Closed- complete) • 2009-BP-22443 Addition to existing building (Closed- complete) • PRBD20191429 Demolition for Single Family Dwelling (In compliance) • PRBD20201267 New Single Family Dwelling (Waiting for inspection request) 	
PUBLIC & AGENCY SUBMISSIONS: <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 Dwelling Unit,
within the existing
dwelling, single detached
(basement)

Division: 5
Roll: 03231064
File: PRDP20203593
Printed: December 10, 2020
Legal: A Portion of NE-31-
23-27-W04M





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