

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 3

DATE: January 27, 2021
APPLICATION: PRDP20203023

FILE: 04701047

SUBJECT: Accessory Building & Accessory Dwelling Unit / Discretionary use, with Variances

APPLICATION: Construction of an accessory building (oversize garage) including an accessory dwelling unit (suite within an accessory building) and relaxation of the maximum height requirement

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) south of Hwy. 8 and 0.81 km (1/2 mile) east of Rge. Rd. 31

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

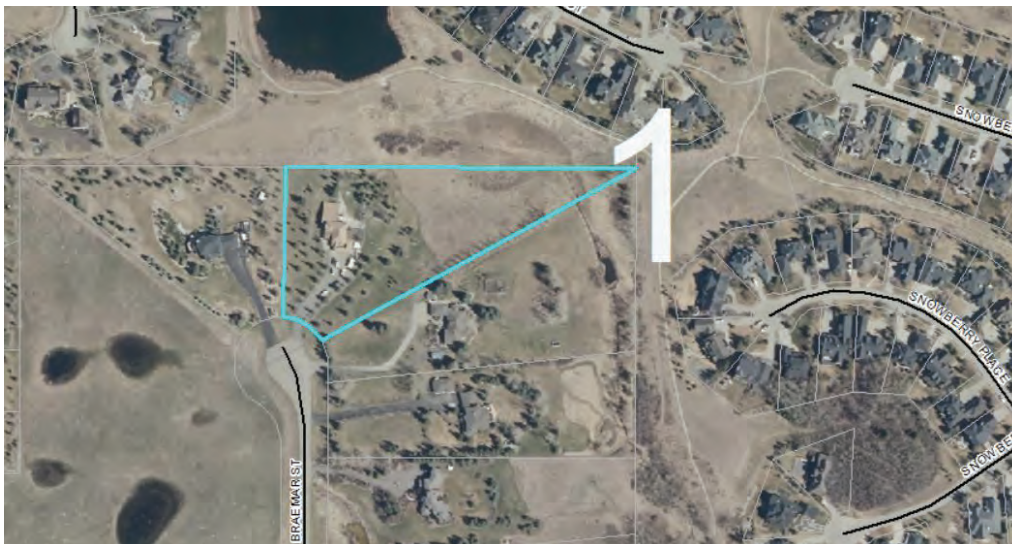
EXECUTIVE SUMMARY: The application is for the construction of a 110.36 sq. m (1,187.91 sq. ft.) detached garage with a 50.17 sq. m (540.00 sq. ft.) Accessory Dwelling Unit (ADU) on the second floor. The building is over height and requires a variance of 12.1%. It meets all other ADU requirements.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203023 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203023 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri, Planning & Development Services



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Permitted Accessory Building Area	80.00 sq. m (861.11 sq. ft.)	110.36 sq. m (1,187.91 sq. ft.)	37.95%
Accessory Building Height	7.00 m (22.97 ft.)	7.85 m (25.75 ft.)	12.14%

APPLICATION EVALUATION:

The application was evaluated based on the technical reports 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> • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: <ul style="list-style-type: none"> • Accessory Building > 80m2 (861.11 ft2) is a discretionary use; • Accessory Dwelling Unit is a discretionary use 	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Additional Review Considerations

Conditions were set based on the following items:

Site Servicing

- The ADU will be connected to the Westridge water distribution line.
- The Applicant/Owner has not indicated whether the ADU will connect to the existing septic field or if a new one will be constructed. This will be addressed at the Building Permit stage.



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CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information



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ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS**Description:**

1. That an accessory building (oversize garage) including an accessory dwelling unit (suite within an accessory building, located above a detached garage), approximately 110.36 sq. m (1,187.91 sq. ft.) in size, may be constructed on the subject land in accordance with the drawings prepared by JMB Drafting and Design dated June 11, 2020 as submitted with the application.
 - i. That the maximum building area of the accessory building (garage) is relaxed from **80.00 sq. m (861.11 sq. ft.) to 110.36 sq. m (1,187.91 sq. ft.)**.
 - ii. That the maximum height of the accessory dwelling unit is relaxed from **7.00 m (22.97 ft.) to 7.85 m (25.75 ft.)**.

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 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 residential unit.

Permanent:

3. That there shall be a minimum of one (1) parking stall maintained on-site at all times dedicated to the accessory dwelling unit.
4. That the accessory dwelling unit shall be constructed on a permanent foundation and shall include sleeping, sanitary, and cooking facilities.
5. That a distinct County address for each dwelling unit onsite, in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), shall be located on the subject site, to facilitate accurate emergency response.
6. That the accessory dwelling unit shall be subordinate to the dwelling, single detached.
7. That there shall be adequate water servicing provided for the accessory dwelling unit.
8. That there shall be adequate wastewater servicing provided for the accessory dwelling unit and that the Applicant/Owner is responsible for obtaining all permits for the new or expanded private sewage treatment system.
9. That the exterior siding and roofing materials of the accessory dwelling unit shall be similar to the existing dwelling, single-detached and/or area.
10. That there shall be no more than 2.00 m (6.56. ft.) of excavation or 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed unit under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
11. That the accessory building shall not be used for commercial purposes at any time unless otherwise permitted.
12. 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 and includes the following:



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Advisory:

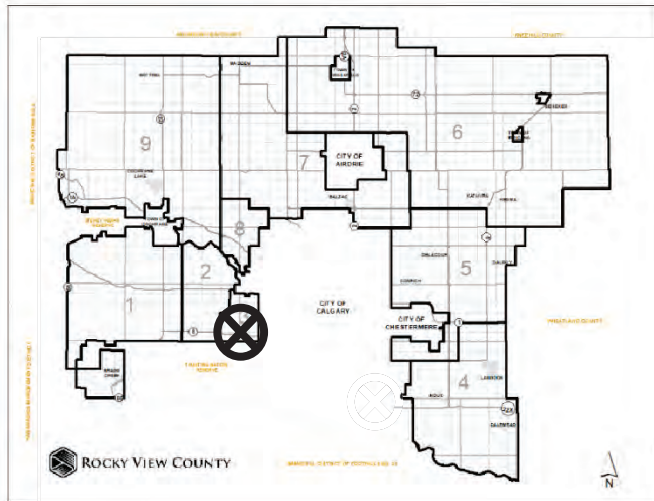
13. That prior a building permit and sub-trade permits shall be obtained through Building Services prior to construction taking place.
14. That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
15. That the site shall be maintained in compliance with County Bylaw C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
16. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 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.
17. That any other Federal, Provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
18. That if this Development Permit is not issued by **July 31, 2020** 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: Zouhaier Hammadi	OWNER: Hani & Leila Marie Labidi
DATE APPLICATION RECEIVED: September 30, 2020	DATE DEEMED COMPLETE: December 17, 2020
GROSS AREA: ± 1.42 hectares (± 3.51 acres)	LEGAL DESCRIPTION: Lot 19, Block 6, Plan 8711124; SW-01-24-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: N/A	
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 an accessory building (oversize garage) including an accessory dwelling unit (suite within an accessory building) and relaxation of the maximum height requirement

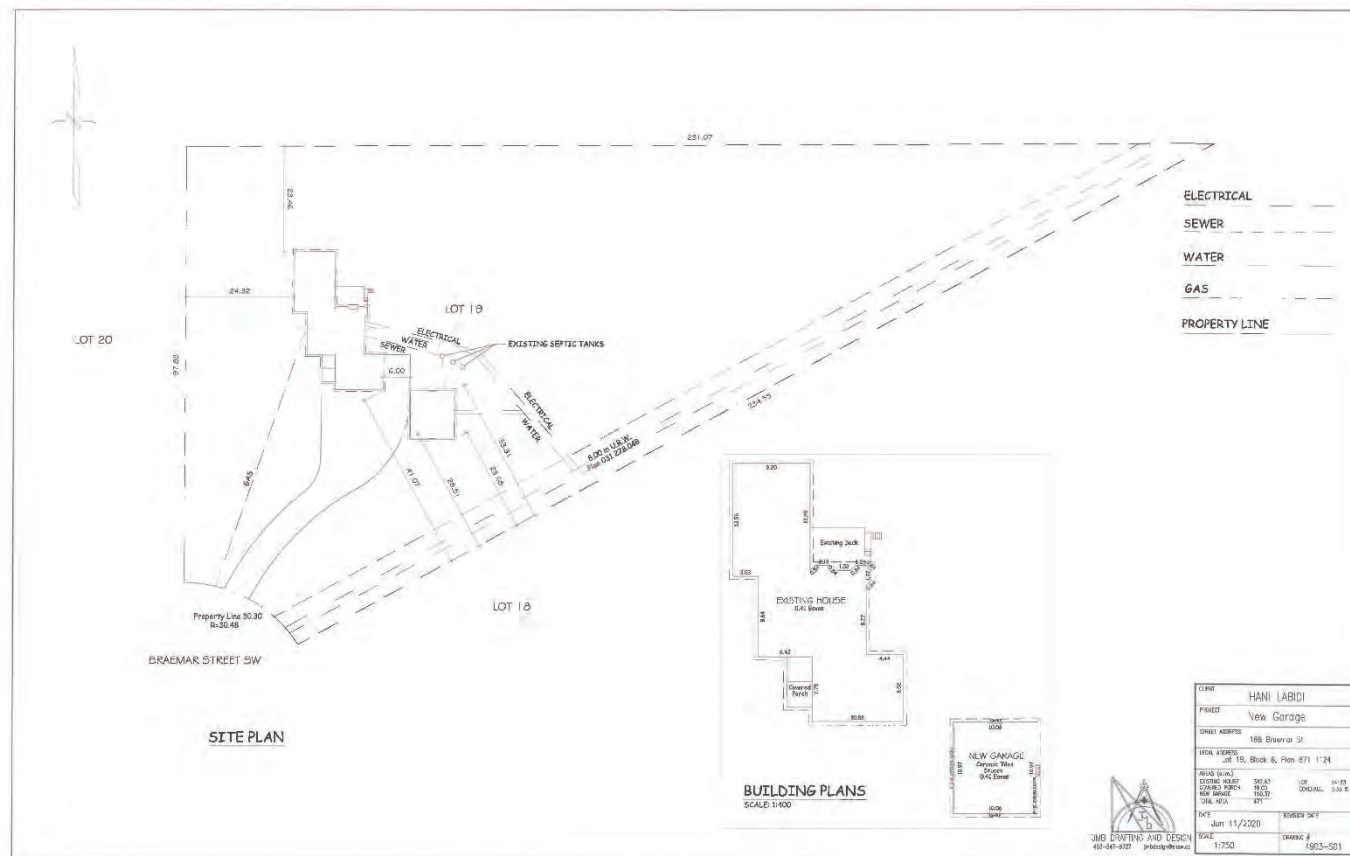
Division: 03
Roll: 04701047
File: PRDP2020323
Printed: Jan 11, 2021
Legal: Lot:19 Block:6
Plan:8711124 within SW-01-24-03-W05M



Site Plan

Development Proposal

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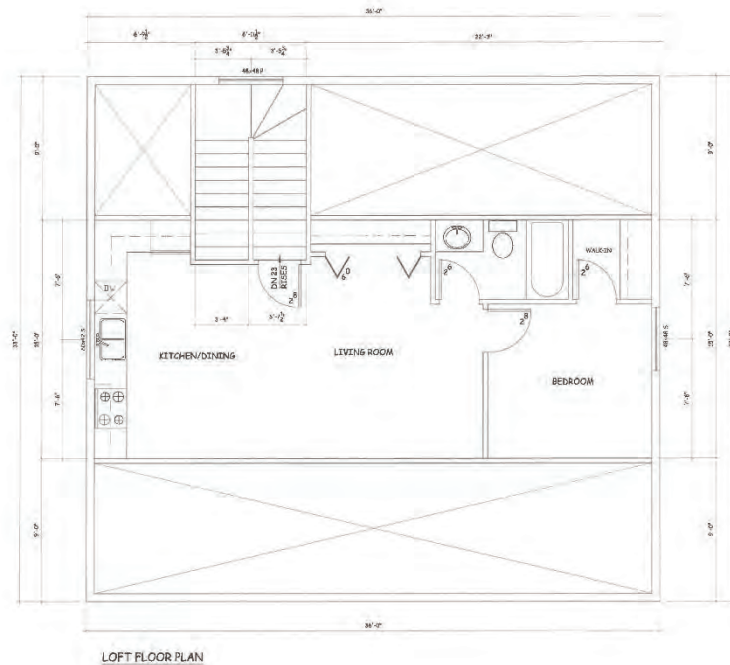
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Floor Plan

Development Proposal

construction of an accessory building (oversize garage) including an accessory dwelling unit (suite within an accessory building) and relaxation of the maximum height requirement



WINDOW AND DOOR HEADERS

HEADERS 60" OR LESS TO BE
Only 2x10 SPP#2 OR BETTER
UNLESS OTHERWISE SPECIFIED
BY ROOF/FLOOR SUPPLIER

HEADERS GREATER THAN 60" TO BE
Only 2x10 SPP#2 OR BETTER
UNLESS OTHERWISE SPECIFIED
BY ROOF/FLOOR SUPPLIER



JWB ARCHITECT AND DESIGN
402-261-8227 jwb@jwbarchitect.com

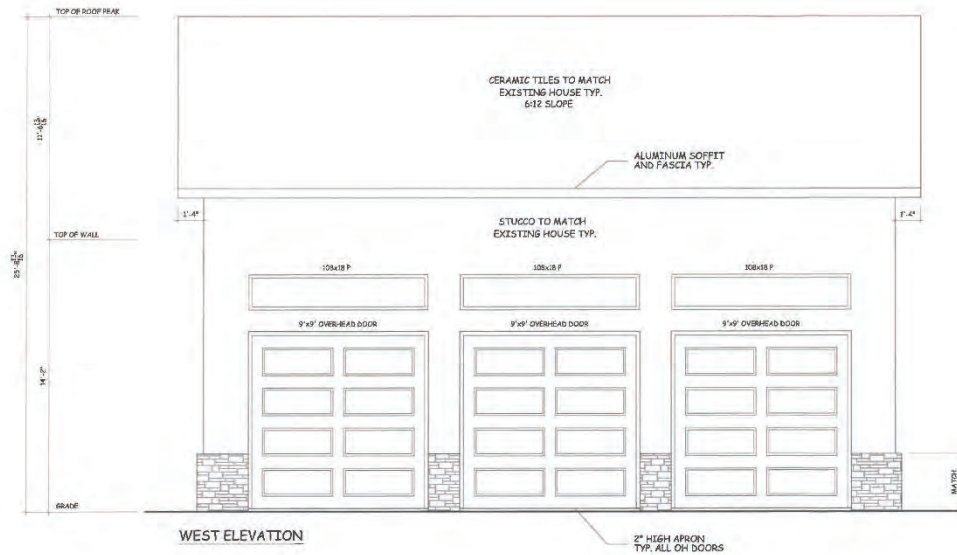
CLIENT	HANI LABIDI
PROJECT	New Garage
SHELL ADDRESS	168 Boulevard St.
LEGAL ADDRESS	Int 10, Block 6, Plan 871-1124
AREA (SQ. FT.)	1180
FOR GARAGE	240
TOTAL	1720
DATE	July 8/2020
SCALE	3/16"=1'-0"
REVISION	4003-606



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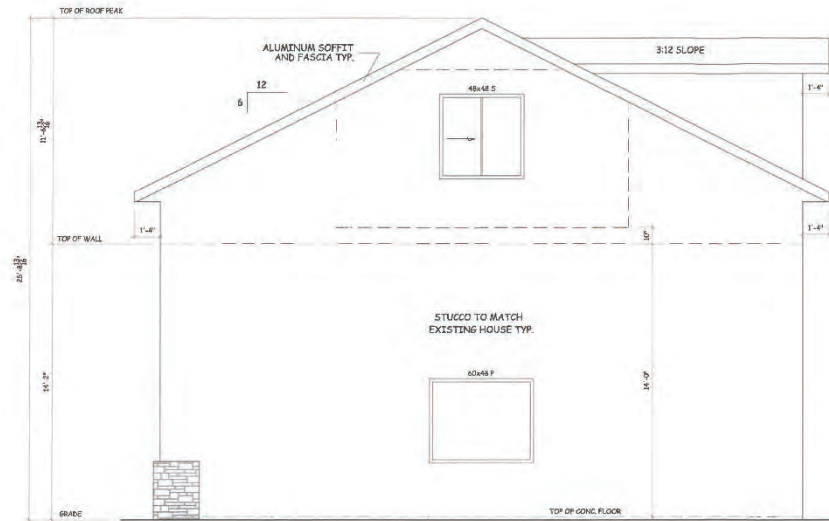
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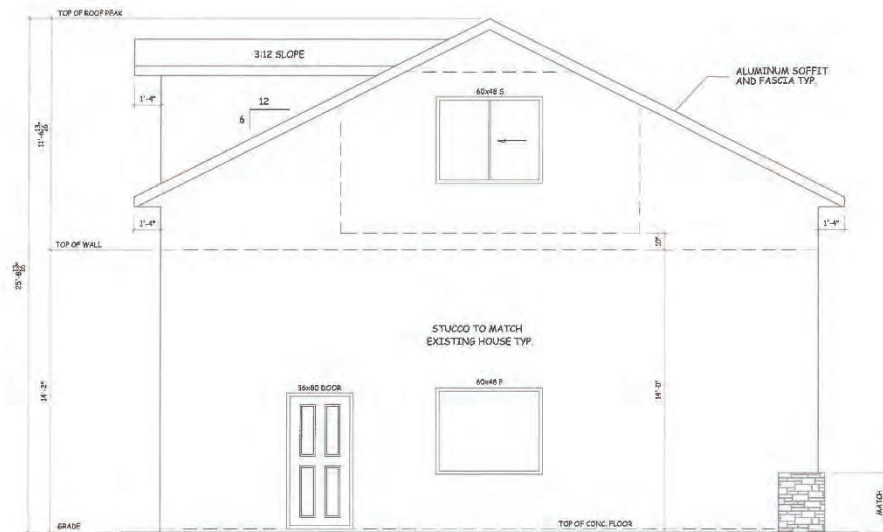
North/South Elevation

Development Proposal

construction of an
accessory building
(oversize garage)
including an accessory
dwelling unit (suite within
an accessory building) and
relaxation of the maximum
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SOUTH ELEVATION



NORTH ELEVATION



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