

ALBERTA BEACH  
MUNICIPAL PLANNING COMMISSION MEETING  
BEING HELD ELECTRONICALLY  
VIA ZOOM MEETING  
ON MAY 19, 2020 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER
2. AGENDA ADDITIONS / DELETIONS
3. AGENDA ADOPTION
4. NEW BUSINESS
  - a. Request for Decision – Development Permit Application #20DP06-01  
Plan 201BT, Block 12, Lot 11 (5007 – 56 Street)  
Application for the variance of the front yard setback from 5.06 m. (16.8 ft.) to 3.28 m (10.76 ft.)  
for the proposed attached deck to the Modular Home.
5. ADJOURNMENT

**aboffice@albertabeach.com**

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**From:** Kim Kozak <development@albertabeach.com>  
**Sent:** May 14, 2020 8:06 PM  
**To:** aboffice@albertabeach.com  
**Subject:** 20DP06-01 MPC Report  
**Attachments:** 20DP06-01 - MPC Report Signed.pdf

Cathy,

Please find attached the complete MPC Report that I will present to the board on May 19, 2020.

Thank you for your patience in receiving this report.

Kim Kozak  
Development Officer  
Village of Alberta Beach  
587-988-7668  
development@albertabeach.com

**ALBERTA BEACH  
MUNICIPAL PLANNING COMMISSION (MPC)  
REQUEST FOR DECISION**

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**Date:** May 14, 2020, MPC Meeting  
**From:** Kim Kozak - Development Officer  
**To:** All Members of Alberta Beach Municipal Planning Commission (MPC)

**RECOMMENDATION**

That MPC passes a motion to approve Development Permit No. 20DP06-01 for a variance of the front yard setback, to the deck from the property line of 5.06 m (16.8 ft.) to 3.28 m (10.76 ft.).

**BACKGROUND INFORMATION**

- The subject lands are located at 5007-56 street, Plan 201BT, Block 12, Lot 11.
- The lands are identified within the Land Use District Map as R1 – Residential – Single Family District;
- Within the R1 District the required front yard setback is 7.6 m (24.9 ft.);
- An application has been brought forward to MPC on February 18, 2020, requesting for a front yard variance from 7.6 m (24.9 ft.) to 5.06 m (16.8 ft.), due to the location of the water well;
- The MPC approved the variance on February 18, 2020, on the grounds that access be provided to the water well;
- The applicant is seeking approval from the MPC, for a front yard variance of 3.28 m (10.76 ft.) on the west property line, due to the miscalculation of the water well located at the rear of the property;
- The Modular Home is approved through Development Permit No. 19DP21-01;
- To move the modular home closer to the north property line may not be feasible, due to the adjacent dwelling to the north of the subject lands has windows in their dwelling facing south
- To meet the Safety Codes Act, the modular would be a required to be sixteen (16) feet from the dwelling located on the adjacent lot, north of the subject lands.
- To modular home may not meet the required sixteen feet separation from the adjacent dwelling to the north of the property; therefore, the north side of the modular home would require to be built with a firewall, have no glazed openings, and non-vented soffits, and any other upgraded material requested by the Safety Codes Officer;
- The Inspection Groups Inc. has received the building permit application for the Modular Home on March 20, 2020;
- The construct of the foundation has started on the subject lands;
- Note that with no variance granted, there will be limited access to the well;
- On May 10, 2020, letters were mailed out to landowners within 100 feet of the subject lands. The letters state that Alberta Beach has received an application for a variance, and to provide

any feedback regarding the proposed development to the Development Authority by May 18, 2020; and

- The application was circulated to the Public Works Manager to provide comments by May 18, 2020.

### MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 251-17

The application is consistent with Section 3.6 – General Residential Development of the Municipal Development Plan as the proposed development is an example of a range of housing types within a residential community.

### LAND USE BYLAW NO. 252-17

Section 3.7.2(c) – Decision on Development Permit Applications states, “the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.”

The application is consistent with Section 5.2 – R1 Residential – Single Family District and Regulations, except for the front yard setback.

### DEVELOPMENT AUTHORITY'S OPINION

It is the opinion of the Development Authority; the variance of the front yard setback would not unduly interfere with the amenities of the neighbourhood, materially interfere with or affect the use, enjoyment, or value of neighbouring properties for the following reasons:

- An attached deck adds value to a dwelling;
- The deck is the closest structure to the front yard property line; It will be built entirely on the property; and
- The cost of any upgraded materials would cause hardship to the applicant.
- The proposed development exceeds the 20% variance of a setback requirement; therefore, the Development Authority does not have the authority to determine the decision of this application.

### CONCLUSION

That the Municipal Planning Commission APPROVE Development Permit No. 20DP06-01, in accordance with the Development Authority's recommended conditions:

1. All municipal taxes have been paid or are current with Alberta Beach.
2. That the applicant(s) display for no less than fourteen (14) days after the permit issued, in a conspicuous place on the subject property, the enclosed Public Notice.
3. The development shall be completed in accordance with the drawings submitted as part of the permit application and which forms a part of this approval.
4. The Applicant shall provide a Survey prepared by a qualified Alberta Land Surveyor – after completion of the foundation and prior to construction of the residence – confirming that the foundation complies with the submitted Site Plan as approved by the Development Authority.

5. The applicant shall obtain and comply with the requirements, where applicable, from the appropriate authority, permits relating to building, and all other permits which may be required in connection with the proposed development.
6. Positive grading away from structures (> or = to 1.5%) is required to ensure proper drainage.
7. The applicant shall complete the grading of the property to ensure that all surface runoff does not discharge from the site onto adjacent properties.
8. No person shall keep or permit to be kept in any part of a yard any excavation, storage, or piling of materials required during construction unless all safety measures are undertaken. The owner of the property shall assume full responsibility to ensure the situation does not prevail longer than necessary to complete construction.
9. The site shall be maintained in a clean and tidy condition during construction. Receptacle for control and disposal of rubbish must be provided, and regularly maintained.
10. Arrangements for the provision of sanitary facilities for the project site, satisfactory to the Development Authority, must be provided and maintained throughout construction.
11. The applicant shall prevent excess soil or debris from being spilled on public streets and lanes, and shall not place soil or any other material on adjacent properties without permission in writing from the adjacent property owner(s).
12. That all development shall be completed within twelve (12) months of the effective date of this permit.

OR

The Municipal Planning Commission may consider two (2) Alternative Motions, which are:

1. That the Municipal Planning Commission may table Development Permit No. 20DP06-01 pending additional information; or
2. That the Municipal Planning Commission may refuse Development Permit No. 20DP06-01.


May 14, 2020  
Date Report Written

  
Kim Kozak - Development Officer

### ATTACHMENTS

1. Development permit application
2. Elevation plans
3. Floor plan
4. Site plan
5. Approved development permit 20-DP01-01
6. Building permit application
7. Adjacent dwelling to the north of the subject lands
8. Notice of proposed development
9. Email to public works manager
10. Section 3.6 – General Residential Development of the MDP Bylaw 251- 17
11. Section 3.7 – Decision on Development Permit Applications of the LUB 252-17
12. Section 5.2 – R1 – Residential – Single Family of the LUB 252-17

202406-01

	<p><b><u>Development Permit Application</u></b></p> <p><b>ALBERTA BEACH</b>  <b>4935-50<sup>th</sup> Avenue</b>  <b>PO Box 278</b>  <b>Alberta Beach, Alberta</b>  <b>T0E 0A0</b></p> <p>Phone: (587) 988-7668 (Development Officer)      Fax: (780) 924-3313      Email: <a href="mailto:development@albertabeach.com">development@albertabeach.com</a></p>
<p><b>R-1 or R-2 New Home Construction or Addition</b></p>	<p>Cost for Development Permit \$ _____ (See page 4)          Payment made directly to Alberta Beach. Paid - Y / N</p>

I HEREBY MAKE APPLICATION UNDER THE PROVISIONS OF THE LAND USE BYLAW FOR A DEVELOPMENT PERMIT, IN ACCORDANCE WITH THE PLANS AND SUPPORTING INFORMATION SUBMITTED HERewith AND WHICH FORM PART OF THIS APPLICATION.

Name: Pauline Warsfeld

Mailing Address: \_\_\_\_\_  
Edmonton Alberta T5P 2E3

Telephone @ Work: 780-... Home: \_\_\_\_\_ Fax: \_\_\_\_\_

Registered Owner (if different from above): Same

Mailing Address (if different from above): Same

Interest of Applicant (if not the registered owner): \_\_\_\_\_

This information is being collected under the authority of Sec. 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used by the Development Authority to determine a development permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at (780) 924-3181.

Legal Description:

Municipal Address: 5007-56 Street. Alberta Beach.

Lot: 11 Block: 12 Plan: 201 BT

Description of proposed development: Single Family Dwelling

Estimated cost of development: \$ 400,000

Estimated commencement date: May 8 / 2020

Estimated completion date: Aug 1 / 2020

Lot Width: 50'-0" (15.24 M) Lot Length: 139'-11 1/2" (42.66 M)

Area of Site: 650.14 M<sup>2</sup> Area of existing development: -

Area of proposed development: 235.7 M<sup>2</sup> Total % of Site Coverage: 36.25 %

**Owner(s)/Applicants consent to communicate with Alberta Beach and its applicable contractors through electronic means.**

Section 608 of the Municipal Government Act, R.S.A. 2000, c.M-26 provides that: Any document required by this or any other enactment or bylaw to be sent by a person may be sent by any electronic means so long as it is possible to make a copy of the document from the electronic signals used by the electronic means.

Being the registered owner(s) or Agents for the lands described on Page 1, for the purpose of this Development Permit's decision, I desire to enter into an agreement with Alberta Beach and its applicable contractors to communicate through electronic means:

Name: FALLINE WORSFOLD Signature: [Signature]

Date: May 7 2020 Email Address: [Redacted]

## APPLICATION FOR DEVELOPMENT PERMIT (R-1 or R-2)

<u>Principal Building/Addition:</u> <u>(Y/N)</u>	<u>Proposed</u>	<u>Bylaw Requirements</u>	<u>Conforms</u> <u>(Yes or No)</u>
Front Yard Setback: <u>10'-6" (3.28M)</u>		<u>&gt; or = 7.6 M</u>	<u>yes</u>
Lake Front Yard Setback: <u>N/A</u>		<u>&gt; or = 8.0 M</u>	
Rear Yard Setback: <u>51'-7 1/2" (15.74M)</u>		<u>&gt; or = 7.6 M</u>	<u>yes</u>
Side Yard Setback: <u>8'-0" (2.44M)</u>		<u>&gt; or = 1.5 M</u>	<u>yes</u>
Side Yard Setback: <u>7'-9 7/8" (2.39M)</u>		<u>&gt; or = 1.5 M</u>	<u>yes</u>
Floor Area (lots < than 400 M2): _____		<u>&gt; or = 74.3 M2 (800 Ft2)</u>	
Floor Area (lots > than 400 M2): <u>137.5 M<sup>2</sup> (1480 Ft<sup>2</sup>)</u>		<u>&gt; or = 93.9 M2 (1000 Ft2)</u>	<u>yes</u>
Site Coverage (all structures): <u>21.2 %</u>		<u>&lt; or = 40%</u>	<u>yes</u>
Height of Building: <u>4.9 m</u>		<u>&lt; or = 9.0 M</u>	<u>yes</u>
No. of Off-Street Parking Stalls: <u>2</u>		<u>&gt; or = 2 stalls</u>	<u>yes</u>

**For NEW HOME CONSTRUCTION – requirements of the “New Home Buyer Protection Act”**

- a) Is this an application seeking to construct a new home? YES  NO
- b) If YES, please provide details of the builders' (either contractor or property owner) new home warranty coverage as required by the Province of Alberta  
<https://residentialprotection.alberta.ca> (Progressive Home Warranty)
- c) If the property owner is electing to proceed with construction – without the required new home warranty coverage – please ensure that the required waiver from the Province of Alberta ([www.municipalaffairs.alberta.ca/NHBP](http://www.municipalaffairs.alberta.ca/NHBP)) is forwarded with this Development Permit application.
- d) Failure to provide this information to the satisfaction of the Development Officer will result in an immediate denial of the Development Permit application for any new home.



**AUTHORIZATION AND RIGHT OF ENTRY:**

I/we, LAURINE WORSEFOLD am/are the registered owner, or the agent for the registered owner, authorized to act on behalf of the registered owner, and the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

As provided for by Sec. 653(2) of the Municipal Government Act I/we also consent to an authorized person(s), designated by the Municipality as the Development Authority, to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application and completion of the proposed development.

Signature(s): L. Worsfold

Date: May 7/2020

**Acknowledgement of Development Permit Application (must be dated and signed)**

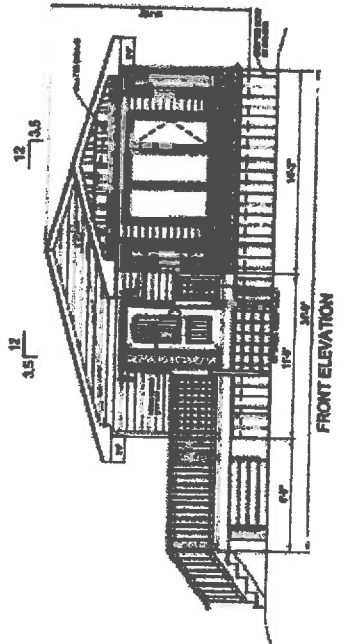
I acknowledge that if this development permit application is approved that it is subject to an appeal permit as per Municipal Government Act, RSA 2000, C-26.1 and that the decision could be overturned or amended. I do accept that if I commence development prior to the appeal expiry date, I do so at my "own risk" accepting all legal responsibilities and with all required building permits issued.

May 7 2020  
Date

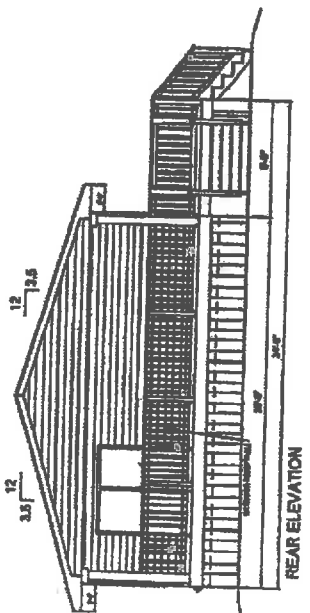
Laurine Worsfold  
Applicant's Signature

**Following for use of Alberta Beach staff**

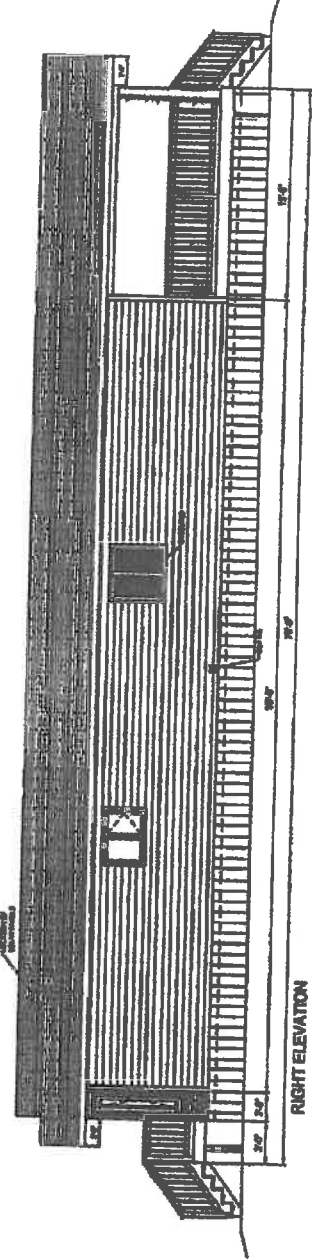
	YES	NO
Decision Rendered (date )		
Appeal Received (date - if applicable )		
SDAB Hearing held and closed (date )		
Development Permit Approved		
Copy to Assessor (not required if DP not approved)		
Copy to Property File		



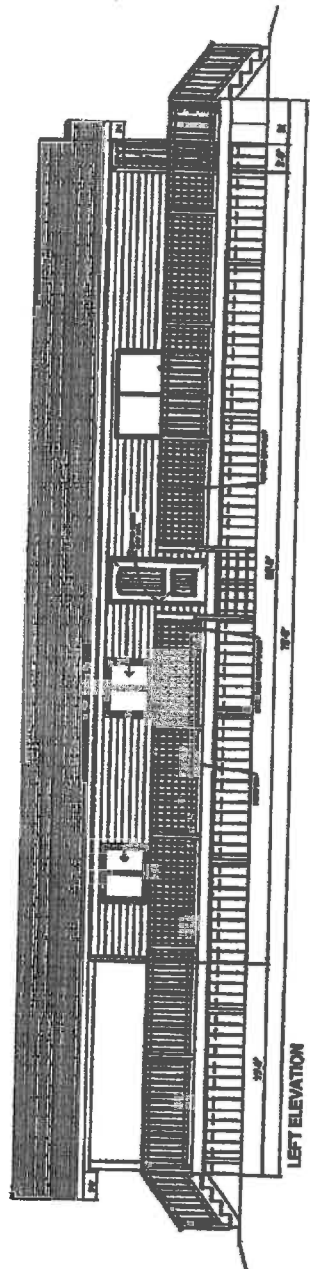
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION

9004 - 8142  
P.O. BOX 4929  
BIRMINGHAM, AL 374 144  
PHONE: (205) 305-8200  
FAX: (205) 305-8000



REVISIONS

NUMBER	DATE	BY	DESCRIPTION
01	04.23.20		INITIAL RELEASE
02			
03			
04			

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DRAWING NUMBER: NPL-026-085-1080.DWG  
PROJECT NAME: PAULINE WORKS FOLD NORTHPLEX, LTD. 267X58 1430. SO. FT

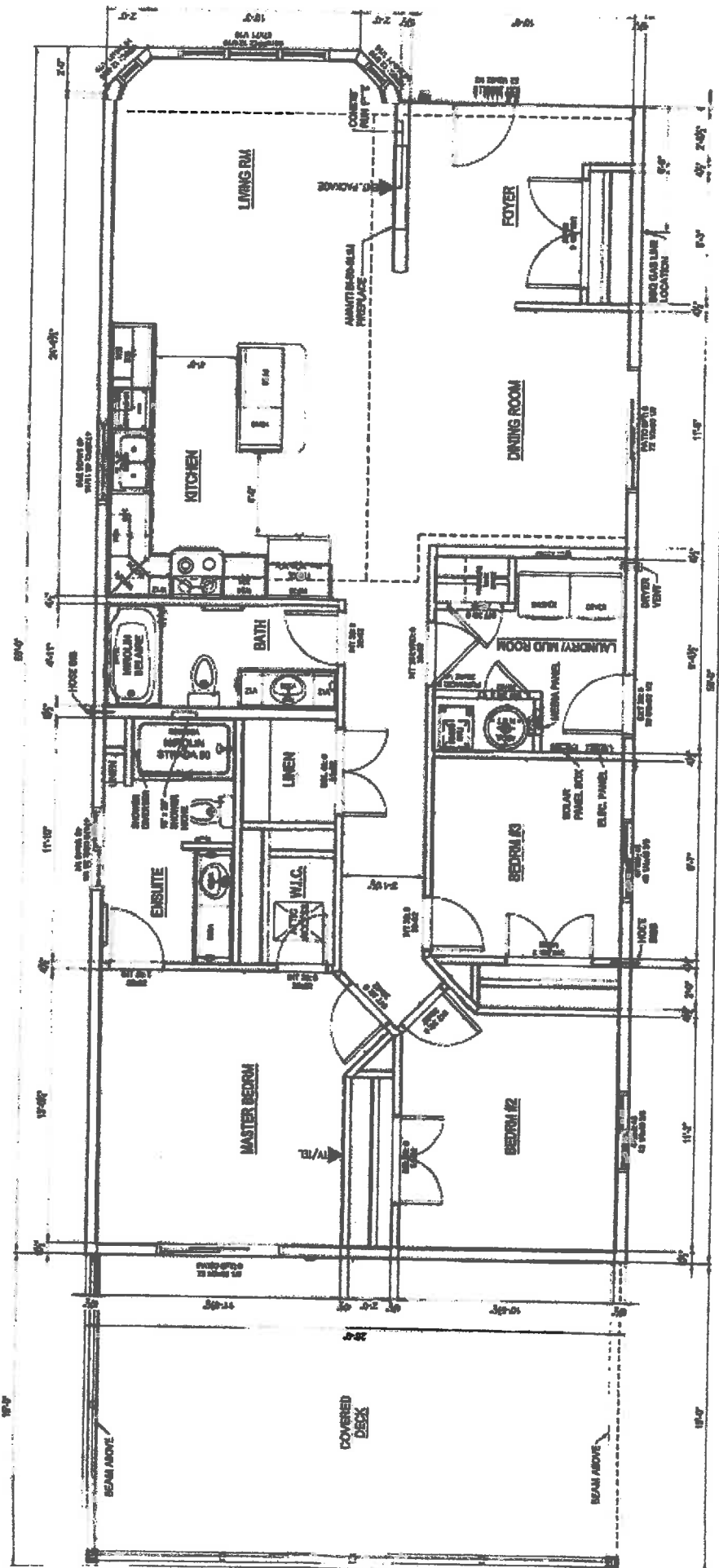
TITLE: ELEVATION WITH DCK

DATE: MON. 23. 20

DRAWN BY: D.B

CHECKED BY: PK

PN 945



NO. 001	DATE	BY	DESCRIPTION
01	04.21.20		WORK RELEASE
02			
03			
04			

**SIGNAL NUMBER**  
**NPL-026-085-1080.DWG**

**SUBJECT INFO:**  
 PAULINE WORSFOLD  
 NORTHPLEX LTD.  
 28'x38'  
 1480. SQ. FT

**TITLE**  
 FLOOR PLAN

**DATE**  
 May, 4, 20

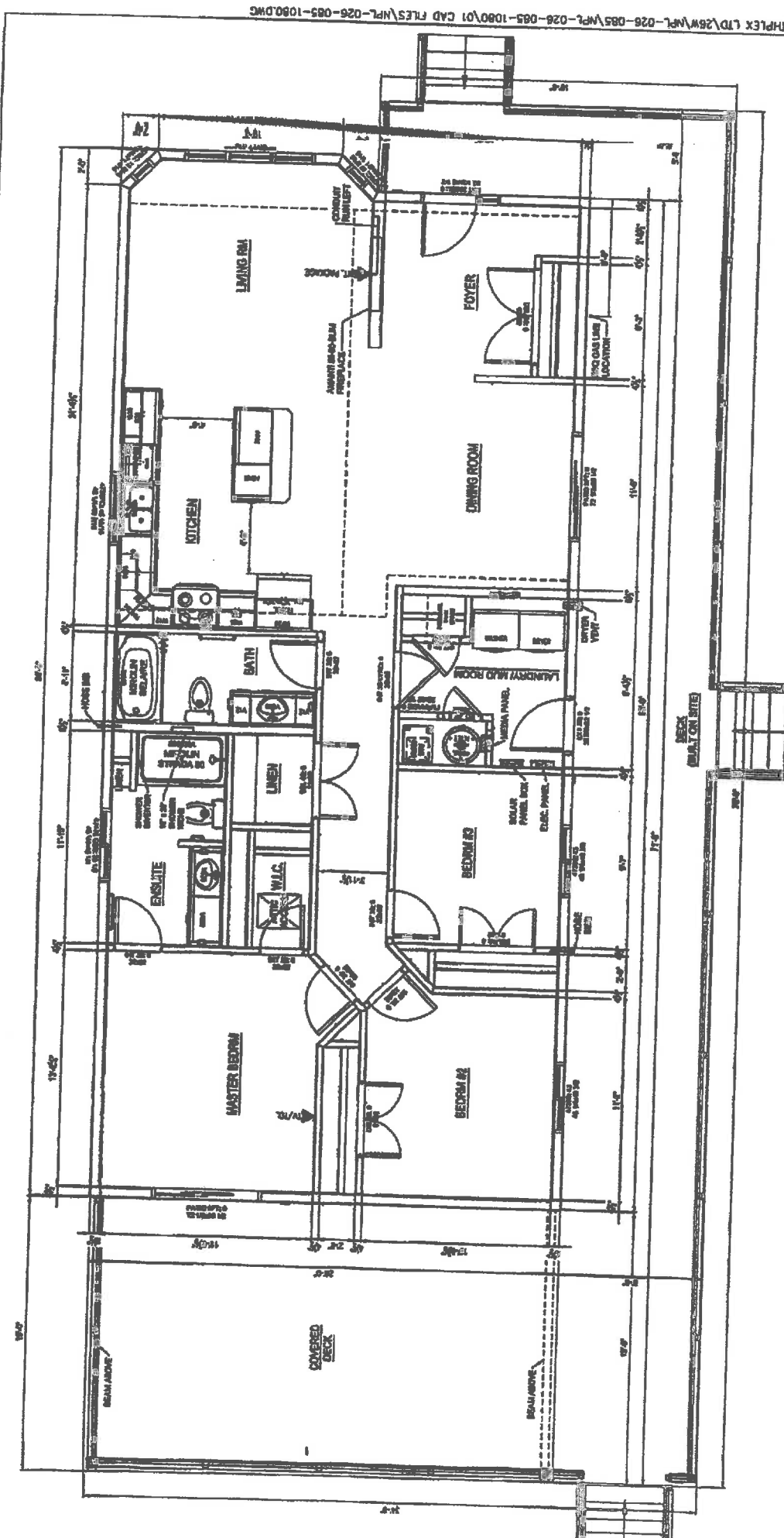
**DRAWN BY:**  
 NTS

**CHECKED BY:**  
 DJB

**REFERENCE NUMBER:**  
 PN 946

**SCALE**  
 1/8" = 1'-0"

8894 - 0032  
 P.O. BOX 628  
 GARDNER, ON T7R 1A1  
 PHONE: (709) 392-0000  
 FAX: (709) 392-0000



**DSOLID**  
northplex™

DSOLID - 882  
P.O. BOX 688  
WILLOWDALE, ONT. M2H 1A4  
CANADA (T488) 496-4688  
FAX: (416) 496-1626

PROJECT NO: NPL-026-085-1080.DWG

PROJECT NAME: PAULINE WORSFOLD NORTHPLEX LTD. 26'X56' 14'00" SQ. FT

DATE: May 4, 20

DRAWN BY: DUB

CHECKED BY: PK

REVISIONS: REVISION

PN 946

FLOOR PLAN WITH CHECK

DATE: May 4, 20

DRAWN BY: DUB

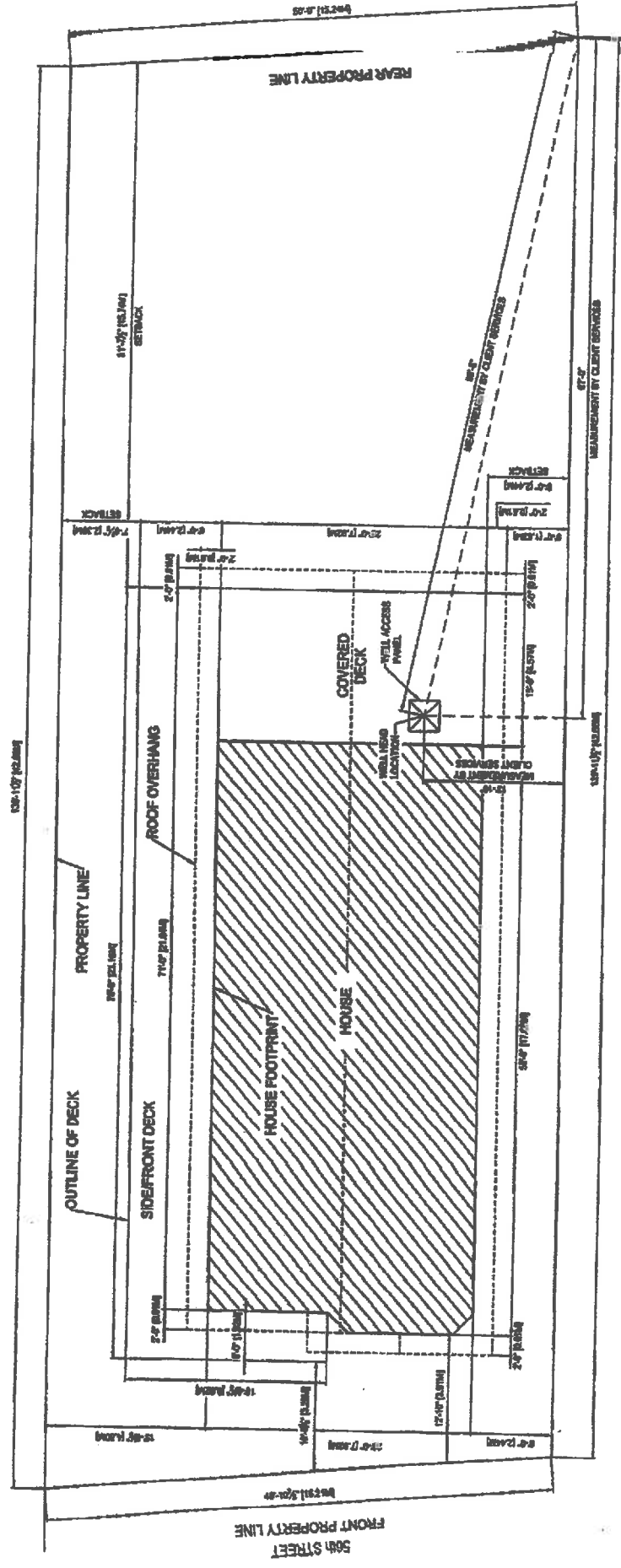
CHECKED BY: PK

REVISIONS: REVISION

REVISIONS

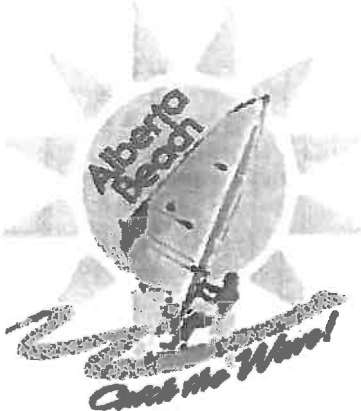
NO.	DATE	BY	DESCRIPTION
01	Apr. 22, 20		INITIAL RELEASE
02			
03			
04			

REVISIONS: REVISION



LOT # 11  
 BLOCK 12  
 HOUSE - 1480 SQ. FT.  
 COVERED DECK - 380 SQ. FT.  
 SIDEFRONT DECK - 667 SQ. FT.

<b>MODSOLID</b> <b>northplex</b>		5001 - 8432 P.O. BOX 4399 BIRMINGHAM, AL 371 114 PHONE: (766) 360-0265 FAX: (766) 360-0505		SERIAL NUMBER: NPL-026-085-1080.DWG PROJECT NAME: PAULINE WORSTOLD NORTHPLEX LTD. 28'X38' 1480. SQ. FT.	TITLE: SITE PLAN DATE: May. 4, 20 DRAWN BY: DUB CHECKED BY: NTS REFERENCE NUMBER: PK PN 946
NUMBER: 01 DATE: Apr. 21, 20 BY: SERIAL RELEASE	DESCRIPTION:				
THIS PLAN IS THE PROPERTY OF MODSOLID AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF MODSOLID. ALL RIGHTS ARE RESERVED. MODSOLID ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. MODSOLID ASSUMES NO LIABILITY FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, THAT MAY BE INCURRED BY ANY USER OF THIS PLAN.					

	<p><b><u>Development Permit 20DP01-01</u></b></p> <p><b>ALBERTA BEACH</b>  4935-50<sup>th</sup> Avenue  PO Box 278  Alberta Beach, Alberta  T0E 0A0</p> <p>Phone: 587-988-7668 (Development Officer)  Fax: 780-924-3313  Email: <a href="mailto:development@albertabeach.com">development@albertabeach.com</a></p>
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February 19, 2020

Pauline Worsfold

Edmonton, Alberta T5P 2E3

Re: Development Permit No. 20DP01-01  
Plan: 201BT Block: 12 Lot: 11 (5007-56 Street)  
R1 – Residential – Single Family District

**APPROVAL OF DEVELOPMENT PERMIT**

You are hereby notified that your application for a development permit has been **CONDITIONALLY APPROVED** by the Municipal Planning Commission, for a **VARIANCE** of the **FRONT YARD Setback** from 7.6 m (24.9 ft) to 5.06 m (16.6 ft), is subject to the following conditions:

1. All municipal taxes have been paid or are current with Alberta Beach.
2. That the applicant(s) display for no less than fourteen (14) days after the permit issued, in a conspicuous place on the subject property, the enclosed notice.
3. The deck shall be completed in accordance with the drawings, submitted as part of the permit application, and which forms a part of this approval.
4. The applicant shall obtain and comply with the requirements, where applicable, from the appropriate authority, permits relating to building, and all other permits which may be required in connection with the proposed development.
5. Positive grading away from structures (> or = to 1.5%) is required to ensure proper drainage.
6. The applicant shall complete the grading of the property to ensure that all surface runoff does not discharge from the site onto adjacent properties.
7. No person shall keep or permit to be kept in any part of a yard any excavation, storage, or piling of materials required during construction unless all safety measures are undertaken. The owner of the

property shall assume full responsibility to ensure the situation does not prevail longer than necessary to complete construction.

8. The site shall be maintained in a clean and tidy condition during construction. Receptacle for control and disposal of rubbish must be provided, and regularly maintained.
9. Arrangements for the provision of sanitary facilities for the project site, satisfactory to the Development Authority, must be provided and maintained throughout construction.
10. The applicant shall prevent excess soil or debris from being spilled on public streets and lanes, and shall not place soil or any other material on adjacent properties without permission in writing from the adjacent property owner(s).
11. That all development shall be completed within twelve (12) months of the effective date of this permit.

**NOTE:**

Additional approvals may be required from Provincial and/or Federal Departments or Agencies. It is the responsibility of the Applicant(s) to make themselves aware of any further requirements and secure approvals where required prior to commencing any development.

Please contact the Development Officer at 587-968-7668, if you have any questions regarding this approval.

<b>Date Application deemed complete</b>	<b>January 25, 2019</b>
<b>Date of Decision</b>	<b>February 18, 2020</b>
<b>Effective date of Development Permit</b>	<b>March 10, 2020</b>

  
\_\_\_\_\_  
(for) MUNICIPAL PLANNING COMMISSION

cc Kathy Skwarchuk (CAO) Alberta Beach

**NOTE:**

An appeal of any of the conditions of this approval may be made to the Subdivision and Development Appeal Board (SDAB) by serving written notice of appeal to the Secretary of the SDAB. Any appeal must be forwarded in writing (accompanied by the \$150 Appeal Fee) to the Secretary by mail so as to be received by the Secretary no later than fourteen (14) days after the Date of Decision (above). Further, any appeal may be faxed (see below) or may be delivered personally to the address below. The appeal should include a statement of the grounds for the appeal, and may be directed to:

Secretary of the Subdivision and Development Appeal Board – Alberta Beach PO Box 278 Alberta Beach, Alberta T0E 0A0	Fax to 780-924-3313
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**NOTES:**

1. *The issuance of this Development Permit is subject to the condition that it does not become effective until twenty-two (22) days after the Decision Date.*
2. *Any development or activity commenced prior to expiry of the appeal period is done so entirely at the risk of the Applicant.*
3. *A development permit issued is valid for twelve (12) months from the Effective Date. If upon expiry the development or activity has not been substantially commenced or has not been completed, this permit shall be deemed expired (null and void) unless the applicant has secured an extension from the approval authority.*
4. *The Applicant is reminded that compliance with this approval requires adherence with all approval conditions attached hereto.*
5. *This Permit approval is the authorization for development under the Land Use Bylaw but is not an approval under any other applicable regulations – including:*
  - a. *Water and sewage services are under the jurisdiction of agencies authorized by Alberta Municipal Affairs to issue permits and provide compliance monitoring in non-accredited municipalities – see below.*
  - b. *Any development activities proximate to natural gas lines, pipelines, power lines, or telephone lines may require work permits from the Gas Protection Branch (Alberta Labour), Alberta Energy Resources Conservation Board, and Alberta Utilities and Telecommunications.*
6. *This is **NOT A BUILDING PERMIT**, and where required by any regulation, all necessary Safety Code Permits must be secured separately.*

**Compliance Monitoring**

Agencies authorized by Alberta Municipal Affairs to issue Permits and provide Compliance Monitoring in Non-accredited municipalities include:

Agency Name	Phone	Fax	Building Permits	Electrical Permits	Gas Permits	Plumbing Permits
Superior Safety Codes Inc.	780-489-4777 1-866-999-4777	780-489-4711 1-866-900-4711	YES	YES	YES	YES
The Inspections Group Inc.	780-454-5048 1-866-554-5048	780-454-5222 1-866-454-5222	YES	YES	YES	YES

**PLEASE POST THE FINAL PAGE OF THIS PERMIT IN A VISIBLE LOCATION ON THE SUBJECT LANDS UNTIL THE EFFECTIVE DATE OF THE DEVELOPMENT PERMIT.**





A Division of the Safety Codes Council



### BUILDING PERMIT APPLICATION FORM

Application Date (mm/dd/yyyy): 03/18/2020 Other Permits Required:  Electrical  Plumbing  Gas  Private Sewage  Not Applicable  
 Development Permit No. (only if applicable): 20DP01-01 (under separate application)  
 New Home Warranty No. (if applicable): \_\_\_\_\_ Builder License ID No. (if applicable): \_\_\_\_\_  
 Estimated Start Date (mm/dd/yyyy): 03/20/2020 Estimated Project Completion Date (mm/dd/yyyy): 07/31/2020  
 Permit Applicant:  Owner  Contractor Value of Work (labour and materials): \$ 250000

Owner Name (please print): Pauline Worsfold  
 Mailing Address: \_\_\_\_\_ City/Town/Village: Edmonton Province: AB Postal Code: T6P 2E3  
 Email: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contracting Company Name (please print): Homes By Northplax Contact Name (please print): Glen Edison  
 Mailing Address: PO Box 4580 58504 RR 32 City/Town/Village: Barrhead Province: AB Postal Code: T7N 1A4  
 Email: gedison@northplax.ca Phone: 780-284-9588 Fax: \_\_\_\_\_

Project Location (Municipality): Alberta Beach Subdivision/Hamlet Name: \_\_\_\_\_ Tax Roll No.: \_\_\_\_\_  
 Street/Rural Address: 50074 56 street Unit: \_\_\_\_\_ Postal Code: T0E0A0  
 Lot: 11 Block: 12 Plan: 201BT LSD: \_\_\_\_\_ Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of: \_\_\_\_\_  
 Directions: \_\_\_\_\_

Description of Work (please provide a complete and detailed description of the work to be completed including all applicable drawings/measurements):  
New Modular Home to be placed on engineered screw piles, new placement of two sheds needed to install home.

Work has not started  Work is in progress  Work is complete

TYPE OF OCCUPANCY	TYPE OF WORK	BUILDING AREA
<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Relocatable Industrial <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Renovation <input type="checkbox"/> Relocation/Ready to Move <input type="checkbox"/> Change of Occupancy/Use <input type="checkbox"/> Temporary Structure Removal Date: _____ <input type="checkbox"/> Secondary Suite <input type="checkbox"/> Basement Development <input type="checkbox"/> Demolition	<input type="checkbox"/> Attached Garage <input type="checkbox"/> Detached Garage <input type="checkbox"/> Shed <input type="checkbox"/> Shop <input checked="" type="checkbox"/> Manufactured/Mobile Home CSA No.: <u>014896</u> Year: <u>2020</u> AMA No.: _____ <input type="checkbox"/> Solid Fuel/Pellet Stove/Fireplace <input type="checkbox"/> Swimming Pool/Hot Tub <input type="checkbox"/> Deck <input type="checkbox"/> Other: _____
		<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters Ground Floor Area: <u>1500</u> 2nd Floor Area: <u>N/A</u> Basement Floor Area: <u>N/A</u> Developed: <input type="checkbox"/> Yes <input type="checkbox"/> No Garage: _____ Deck: _____ Other: _____ Total Developed Area: _____ Undeveloped Area: _____ No. of Storeys: _____

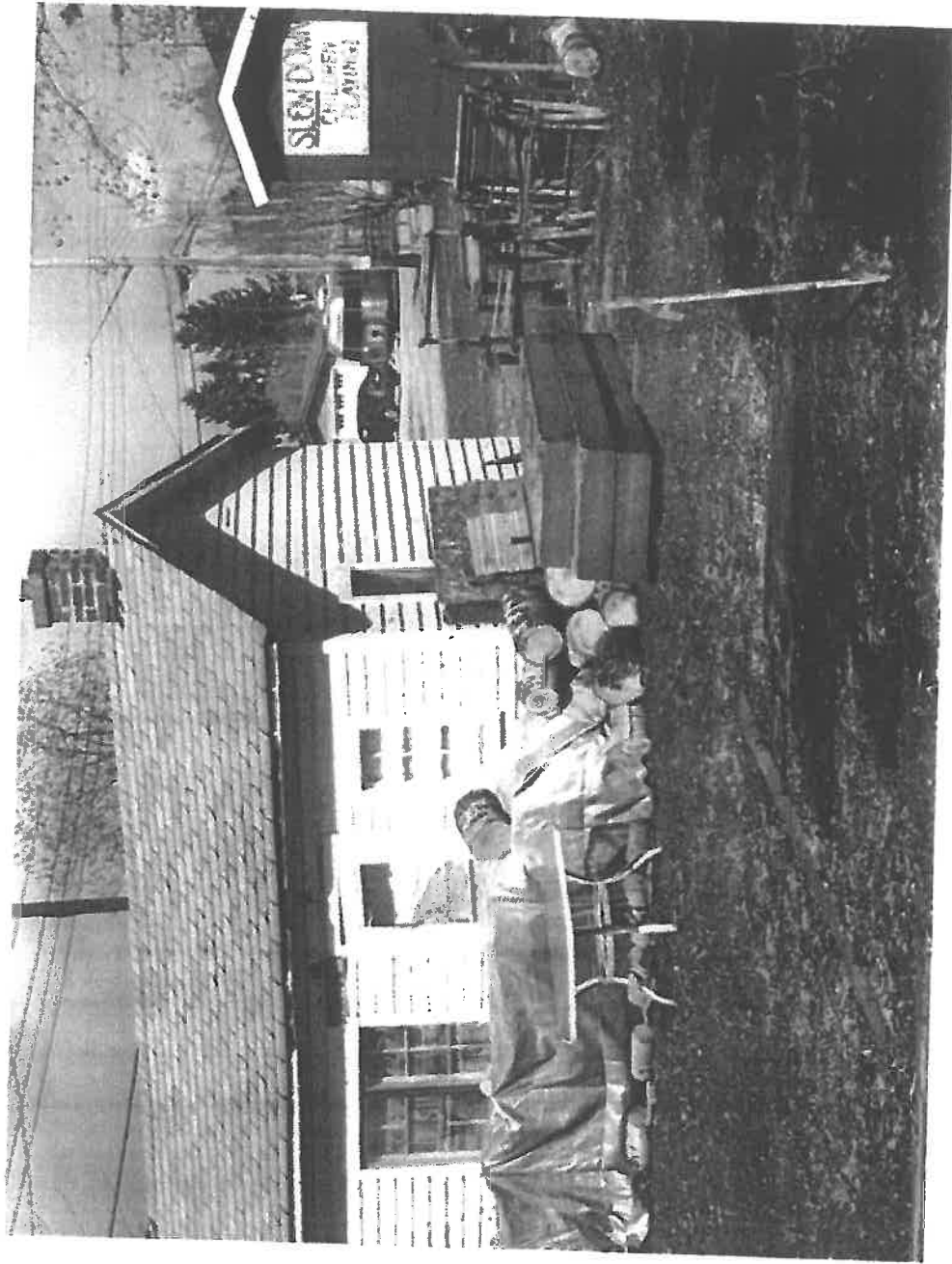
FOIP Notification: Personal information collected on this form is collected under the authority of section 30(a) of the Alberta Freedom of Information and Protection of Privacy Act. It is used for processing permit applications, issuing permits, safety code compliance, enforcement, verification and program evaluation. The name of the permit holder and nature of the permit may be included on reports provided to a municipality or made available to the public as required or directed by legislation. Questions about this collection may be directed to ASCA Coordinators at 1-800-413-0888 or at Suite 808, 12085 Jasper Avenue, Edmonton, AB T5L 2M4.

Permit Applicant's Name (please print): \_\_\_\_\_ Permit Applicant's Signature: \_\_\_\_\_  
 Homeowner's Signature (homeowner permit only) Homeowner Declaration: By signing this application I hereby certify that I own the land and occupy the dwelling \_\_\_\_\_

#### OFFICE USE ONLY

Permit Fee: \$ \_\_\_\_\_ Travel Fee: \$ \_\_\_\_\_ SCO/Permit Issuers Name (please print): \_\_\_\_\_  
 SCC Levy: \$ \_\_\_\_\_ (04.50 or 4% of the permit fee maximum \$5000) SCO/Permit Issuers Signature: \_\_\_\_\_  
 Total Cost: \$ \_\_\_\_\_ Designation No.: \_\_\_\_\_  
 Cash  Cheque  Debit Receipt No.: \_\_\_\_\_ Permit Issue Date: \_\_\_\_\_  
 Credit Card (attach signed credit card authorization form)  Invoiced (mm/dd/yyyy)

5011-56 Street.





## Notice of Proposed Development

**ALBERTA BEACH**  
4935-50<sup>th</sup> Avenue  
PO Box 278  
Alberta Beach, Alberta T0E 0A0

Phone: 587-988-7668 (Development Officer)  
Fax: 780-924-3313  
Email: [development@albertabeach.com](mailto:development@albertabeach.com)

May 10, 2020

XXXXXX

XXXXXX

XXXXXX

Re: Development Permit No: 20DP07-01  
Municipal Address: 5007-56<sup>th</sup> Street  
Plan: 201BT, Block: 12, Lot: 11

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As a property landowner, that is in close proximity to the above-noted property, you are being notified that Alberta Beach has received a development permit application requesting approval for a **Front yard variance of 3.28m.**

It is Council's desire to give the property landowners within 100 feet of the subject lands, who may or may not be affected by the proposed development, the opportunity to provide any feedback regarding the proposed development.

Pursuant to Section 5.2 – R1 – Residential – Single-Family District of Land Use Bylaw 252-17, a single detached dwelling is a permitted use within this district. However, a variance to a regulation is considered discretionary; therefore, the application is regarded as a discretionary use.

The Development Authority will bring forward the application with recommendations to the **Municipal Planning Commission** for consideration and the decision of the development permit application.

Please contact the undersigned at 587-988-7668 to provide your feedback regarding the proposed development no later than May 18, 2020.

Sincerely,

---

Kim Kozak  
Development Authority

**Subject:** DP Referral  
**From:** "Kim Kozak" <development@albertabeach.com>  
**Date:** Sun, May 10, 2020 4:58 pm  
**To:** "Bruce Parno" <dannellyelectric@live.ca>  
**Priority:** Normal

Hi Bruce,

Attached is a Development Permit application for a proposed front yard variance of 3.28 m of a dwelling located at 5007-56 street. Please provide me with your comments no later than May 18:

Respectfully,

Kim Kozak  
Development Officer  
Village of Alberta Beach  
587-988-7668  
[development@albertabeach.com](mailto:development@albertabeach.com)

### **Attachments**

20DP06-01 - Application.pdf application/pdf 6.8 MiB

Development Authority that a decision on the application can be properly made without such information.

2. A non-refundable processing fee, the amount of which being determined by Council from time to time, shall accompany each application for a development permit. Where the development was initiated prior to the Development Permit being issued, the fee for the said permit is double the normal rate.
3. The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of the development agreement against the Certificate of Title for the land that is the subject of the development, with the said caveat being discharged when the agreement has been complied with.
4. In the case where an application for a development has been refused by the Development Authority or ultimately after appeal pursuant to Part 3 of this Bylaw, the submission of another application for development by the same applicant or any other applicant,
  - a) on the same parcel, and
  - b) for the same or similar use;may not be made for at least six (6) months after the date of refusal.

### 3.6 DEVELOPMENT PERMITS AND NOTICES

1. The Development Authority shall require, as a condition of a permit granted for a Discretionary Use, that the applicant display for no less than fourteen (14) days after the permit is issued, in a conspicuous place on the parcel or on streets abutting the parcel, a notice setting out the proposed use in a form prescribed by the Development Authority. No posting of such a notice is required for approvals of Permitted Uses.
2. A permit issued pursuant to this part shall come into effect:
  - a) after the twenty-first (21) day of the date of the issue of the Notice of Decision by the Development Officer on the application for development permit (14-day appeal period and 7 days for mailing in province); or

b) if an appeal is made, on the date that the appeal is finally determined and the permit may be modified or nullified thereby.

Any development proceeded with by the applicant prior to the expiry of the above is done solely at the risk of the applicant.

3. Where an appeal is made pursuant to Part 3 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
4. When a permit has been issued for the development of a permitted use, and no provision of this Bylaw have been relaxed or varied, no mail notification shall be given of the decision except to the applicant.
5. When a permit other than a permit described in Section 3.6(4) hereof has been issued, the Development Authority shall immediately:
  - a) mail a copy of the notice of decision to all assessed owners of properties within a 30.5 m (100 ft.) radius of the subject property; and/or
  - b) require the applicant to post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - c) publish in a newspaper circulating in the municipality a notice of the decision.
6. If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, of the date of decision of the Subdivision and Development Appeal Board, nor carried out with reasonable diligence as determined by the Development Officer, the permit ceases to be effective, unless an extension to this period, being no longer than an additional twelve (12) months, has previously been granted by the Development Officer.
7. The decision of the Development Officer on an application for a development permit shall be given to the applicant in writing.
8. If the Development Officer refuses an application for a development permit, the notice of decision shall contain the reasons for the refusal.

9. Notwithstanding other provisions of Section 3.6 of this Bylaw, in accordance with Section 685(3) of the Act, a development permit for a permitted use without variance does not require notification other than to the landowner and applicant.

### 3.7 DECISION ON DEVELOPMENT PERMIT APPLICATIONS

1. Permitted and Discretionary Use Applications (Non-Direct Control Districts).
  - a) The Development Authority shall be the approving authority for all proposed development, which is listed as either a permitted or discretionary use under a land use district under this Bylaw.
  - b) Upon receipt a completed application for a development permit for a permitted use, the Development Officer shall approve the application with or without conditions, where the proposed use conforms to this Bylaw. Generally, the Development Officer is authorized to approve all permitted use development permit applications.
  - c) Subject to Section 3.7.1(d), the Development Officer is authorized to decide all discretionary use development permit applications which are related to an approved use on the subject property.
  - d) All development permit applications which are discretionary and not related to an approved use on the subject property and/or which require a variance to any quantitative regulation (i.e., side yard setback) contained in this Bylaw shall be referred to the Municipal Planning Commission for decision.
  - e) The Municipal Planning Commission is authorized to decide all development permit applications that are referred to it by the Development Officer.
  - f) When approving a discretionary use application, the Development Authority may attach conditions to the approval to ensure that the proposal conforms to this Bylaw.

2. Variance Provisions:

- a) The Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion,
- (i) the proposed development would not,
    - A. unduly interfere with the amenities of the neighbourhood, or
    - B. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
  - (ii) the proposed development conforms to the uses prescribed for that land or building in this Bylaw,
- b) Notwithstanding the above, a variance shall be considered only in cases of unnecessary hardship or practical difficulties to the use, character, or situation of land or building which are not generally common to other land in the same district.
- c) When considering a variance to quantitative criteria such as floor area or a site setback, the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.

3. Development Permit Refusals:

When refusing an application for a development permit, the Development Authority shall clearly describe the reasons for the said refusal on the notice of decision.

4. Temporary Permits:

Where a development permit is not required on a permanent basis, the Development Authority may approve the development permit for a specified period of time. The



expiry date of all temporary development permits shall be clearly indicated on the notice of decision.

### **3.8 DEEMED REFUSALS ON DEVELOPMENT PERMIT APPLICATIONS**

In accordance with Section 684 of the Municipal Government Act, an application for a development permit shall at the option of the applicant, be deemed to be refused when the decision of the Development Authority, is not made within forty (40) days of the completed application being received by the Development Authority unless the applicant and the Development Authority have mutually entered into an agreement to extend the forty (40) day period.

### **3.9 SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS**

1. If, after a development permit has been issued, the Development Authority becomes aware that:
  - a) the application for the development contains a misrepresentation;
  - b) facts concerning the application or the development were not disclosed at the time the application was considered;
  - c) the development permit was issued in error; or
  - d) the conditions of Development Permit Approval are not being complied with in to the satisfaction of the Development Authority,the Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it.
2. A person whose development permit is suspended or cancelled under this section may appeal to the Subdivision and Development Appeal Board.

## 5.2 R1 – RESIDENTIAL – SINGLE FAMILY

### 1. General Purpose of District

This land use district is generally intended to establish areas of single detached housing comprised of standard parcels and dwellings with the opportunity for a secondary suite.

### 2. Permitted Uses

- Buildings and uses accessory to permitted uses
- Garage Suite
- Garden Suite
- Home Office
- Modular home
- Recreational Vehicles and Temporary Living Accommodations
- Secondary Suites
- Single Detached Dwelling

### Discretionary Uses

- Bed & Breakfast
- Buildings and uses accessory to discretionary uses
- Day Home
- Home Occupations
- Parks and playgrounds
- Public or quasi-public uses
  
- Public utilities required to serve the immediate area
  
- Show homes
  
- Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

### 3. Parcel Coverage

Coverage of all buildings shall not exceed 40% of the total parcel area.

### 4. Minimum Floor Area (not including attached garage)

- a) Where a lot has an area of less than or equal to 400.0 m<sup>2</sup> (4305.6 ft<sup>2</sup>), the minimum floor area shall be 74.3 m<sup>2</sup> (800.0 ft<sup>2</sup>);
- b) Where a lot has an area greater than 400.0 m<sup>2</sup> (4305.6 ft<sup>2</sup>), the minimum floor area shall be 93.0 m<sup>2</sup> (1000.0 ft<sup>2</sup>).

5. Maximum Height

The height of all structures shall not exceed 9.0 m (29.5 ft.) and is subject to the provision of this Bylaw.

6. Minimum Parcel Width and Area

All new parcels to be created shall have a minimum parcel width of 15.0 m (50.0 ft.) and a minimum parcel area not less than 557.4 m<sup>2</sup> (6000.0 ft<sup>2</sup>).

7. Minimum Front Yard Setback

- a) Lakefront lots: at the discretion of the Development Officer, but not less than 8.0 m (26.2 ft.).
- b) All other cases: 7.6 m (24.9 ft.).
- c) For accessory buildings see Section 4.10.

8. Minimum Side Yard Setback

- a) Minimum of 1.5 m (4.9 ft.).
- b) For accessory buildings see Section 4.10.

9. Minimum Rear Yard Setback

- a) Minimum of 7.6 m (24.9 ft.), except in the case of garages as in Section 4.10.
- b) For accessory buildings see Section 4.10.

## 10. Length to Width Ratio

No dwelling in this district shall have a length to width (or width to length) ratio of greater than 2.0 : 1.0. This rule shall not apply to those portions of a dwelling which are deemed by the Development Authority to be either deck or attached garage.

## 11. Other Provisions

- a) Administrative procedures and regulations: refer to Parts 1-3 of this Bylaw.
- b) General Parcel Provisions: refer to Part 4 of this Bylaw.
- c) Special Land Use Provisions: refer to Part 4 of this Bylaw.
- d) Parking and Loading Regulations: refer to Part 4 of this Bylaw.
- e) Sign Regulations: refer to Part 4 of this Bylaw.