

ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION MEETING
BEING HELD IN ALBERTA BEACH COUNCIL CHAMBERS
AND BEING HELD ELECTRONICALLY VIA ZOOM
APRIL 21, 2026 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER

2. AGENDA ADDITIONS

3. ADOPTION OF AGENDA

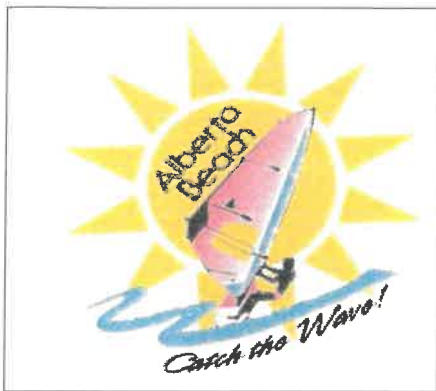
4. NEW BUSINESS

P. 2-5
a. Development Permit Application #25DP26-01
Lot 11B, Block 8, Plan 162 2843 (4908 – 50 Avenue)
Major Variance Request – Relaxation of Section 4.16.2(a) of Land Use Bylaw 251-17
Required Number of Off-Street Parking Stalls

P. 6-12
b. Development Permit Application #26DP01-01
Lot 6, Block 5, Plan 3508KS (4511 – 44th Street)
Major Variance Requests – Relaxations of Section 5.2.7(b) of Land Use Bylaw 251-17
Minimum “R” Residential Front Yard Setback

P. 13-21
c. Development Permit Application #26DP04-01
Lot 7 (6 & part of 7) Block 17, Plan 3321BQ (4643 – 47A Avenue)
Major Variance Requests – Relaxation of Section 4.10.1(f) of Land Use Bylaw 251-17
– Relaxation of Section 4.10.1(a) of Land Use Bylaw 251-17
For the Construction of a New Accessory Structure (Detached Garage)

5. ADJOURNMENT



VILLAGE OF ALBERTA BEACH

MUNICIPAL PLANNING COMMISSION

DECISION MEMO – MAJOR VARIANCE REQUEST RELAXATION OF SEC. 4.16.2(a) of LUB 251-17 REQUIRED # OF OFF-STREET PARKING STALLS

4908 50th Avenue
Lot: 118, Block: 8, Plan: 162 2843

Date: April 21st, 2026

From: Paul Hanlan RPP MCIP CMML
Development Officer

To: All Members - Village of Alberta Beach Municipal Planning Commission

RECOMMENDATION

That the Alberta Beach Municipal Planning Commission pass a motion approving a major variance as authorized per Sec. 2(c) of Land Use Bylaw 252-17 to the proposed "Conditions of Approval (specifically conditions #1 - #5) as proposed by the Village's Development Officer (Attachment 1) for the property located at 4908 50th Avenue (Lot: 118, Block: 8, Plan: 162 2843). Addressing, Sec. 4.16.2(a) of Land Use Bylaw 251-17 which (in this instance) requires the on-site provision of four (4) parking stalls.

To allow the property owner to change the use of the front portion of this existing commercial building to operate a commercial gym.

BACKGROUND

The property owner of 4908 50th Avenue has opened a new commercial gym in the former "Hey Loft" location of this building. This application triggers a "Change of Use" Development Permit from the Village of Alberta Beach. The commercial building has previous approvals involving the Municipal Planning Commission decision effectively allowing the following existing uses within this site:

- Coffee shop
- Laundromat
- Automobile detailing (now equipment rental)
- Residential apartment (2nd floor); and
- Gazebo and picnic table area (lakeside)

However; these past approvals did not confirm – or address – the on-site parking requirements for the former Hey Loft space. With this current "Change of Use" application the lack of on-site parking must now be addressed by the Development Authority.

DISCUSSION

As detailed in proposed Condition #1 of Attachment 1 the Development Officer has identified a need to provide four (4) on-site parking stalls for the proposed commercial gym. The applicants have requested that this requirement be reconsidered as the only on-site parking location is the currently approved "Gazebo and picnic table area on north-west side of the property. This is a popular commercial amenity for the Coffee Shop – which the applicants desire to retain – and the area also is the location of the property's water well (and raises concerns regarding potential conflict/damage with the well). As an option to the provision of required on-site parking stalls the Development Officer has identified the possible "creation" of six (6) off-site parking stalls located immediately north-east of the building and within the Village's 49th Street right-of-way (ROW). On the following page a photo shows the proposed

location of these stalls within two “No Parking” zones for this building’s vehicle access doors. These vehicle doors are no longer utilized and these No Parking areas are no longer required by the owners.



The proposed provision of “on-site” parking in an off-site configuration is beyond the authority of the Development Officer and requires the approval of a major variance to the parking requirements of the Land Use Bylaw. Hence, this request is forwarded to the MPC.

Regarding variances - Sec. 2(c) of the LUB says, "When considering a variance.... the Development Officer may approve a variance of up to 20% of the stated regulation. Any variance request in excess of this percentage shall be referred to the MPC." The Development Officer suggests that the requested major variance request is not regarding a percentage but – rather – a choice not to apply a requirement of the Land Use Bylaw concerning the provision of on-site parking.

Concerning the rationale for considering, any variances Sec. 2(b) of the Land Use Bylaw states, "... 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 (emphasis added)." In this case the Development Officer notes that an acceptable hardship consideration may be the lack of safe and accessible on-site parking on this property. An argument could be made that without the consideration of such a significant variance that it would not be possible to authorize any new use in the former “Hey Loft” location. As proposed – see proposed Condition #5 – the property owners (or any future owner) would be obligated to provide replacement on-site parking stalls if the overhead vehicle doors were to be re-established (and “No Parking” zone(s) reestablished).

In Attachment #1 to this memo a list of proposed Conditions of Approval that could be considered and would also require approval by the MPC.

RECOMMENDATION OPTIONS

1. That the Alberta Beach Municipal Planning Commission pass a motion approving a major variance to the proposed “Conditions of Approval” as proposed by the Village's Development Officer for the property located at 4908 50th Avenue (Lot: 118, Bock: 8, Plan: 162 2843). Addressing, Sec. 4.16.2(a) of Land Use Bylaw 251-17 requiring the on-site provision of four (4) parking stalls.
2. That the Municipal Planning Commission otherwise provide direction to the Development Authority as per the Hearing’s discission.

CONCLUSION

The Development Officer supports the requested Major Variance as proposed and recommended.

Date: April 15th, 2026

Paul Hanlan RPP MCIP CMLL
Development Officer

ATTACHMENTS

1. PROPOSED Conditions of Approval (25DP26-01)

ATTACHMENT #1

APPROVAL OF DEVELOPMENT PERMIT 25DP26-01

OPERATION OF A COMMERCIAL GYM (PERSONAL SERVICE) within the existing commercial building is CONDITIONALLY APPROVED by the Municipal Planning Commission of the Village of Alberta Beach subject to the following twelve (12) conditions:

1. The applicant shall provide four (4) new on-site parking stalls to the satisfaction of the Development Authority on the north-west end of the property – or – the creation of six (6) new off-site parking stalls as per condition #2 and following to the satisfaction of the Village of Alberta Beach.
2. If condition #1 (above) is not chosen to satisfy the parking requirements then the applicant shall ensure creation of six (6) new off-site parking stalls on 49th Street (north-east of the property) to the satisfaction of the Development Authority and the Village of Alberta Beach. These new off-site parking stalls shall be achieved through agreed elimination of current “No Parking” area on 49th Street which historically provided access to this building’s two overhead vehicle doors.
3. If condition #2 is chosen by the applicant they shall be responsible to ensure that the existing “No Parking” painting is removed from within the 49th Street ROW and that five new parking bars shall be painted creating six (6) new off-site parking stalls in this same area to the satisfaction of Village of Alberta Beach. After the initial creation of these six (6) new off-site parking stalls the Village shall assume future required repainting of the new line work.
4. If condition #2 is selected by the applicant the Village of Alberta Beach shall permit identification of three (3) of the newly created off-site parking stalls for the use of this property. However; the Village shall not enforce any parking restrictions – nor shall any tickets or towing (by any parties) – be permitted from these public lands by the Village of Alberta Beach in conjunction with this approval condition.
5. If condition #2 is selected by the applicant and the applicant (or a future owner) then request to reestablish one – or both – of the “No Parking” areas the equivalent number of on-site parking stalls must first be provided to the satisfaction of the Village of Alberta Beach before reestablishing use of either “No Parking” areas within Village right-of-way.
6. All municipal taxes have been paid or are current with Alberta Beach.
7. The Commercial Use (Personal Service) is a permitted use in the C1 – Commercial District.
8. The “Minor Building Alterations” shall proceed as per the attached three (3) Building Plans which form a part of this conditional approval.
9. The Commercial Use (Personal Service) shall have no business activities occurring on Village of Alberta Beach property without the written consent of the Village’s CAO.
10. No residential use is approved in conjunction with this approval.
11. All signage shall require approval from the Village through a separate Development Permit application.



12. The applicant shall display the enclosed Public Notice in a conspicuous place on the subject property for no less than twenty-one (21) days after the permit's decision date.

Date Application Deemed Complete	<u>December 12th, 2025</u>
Date of Decision	<u>April 21st, 2026</u>
Effective Date of Development Permit	<u>May 20th, 2026</u>



VILLAGE OF ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION

DECISION MEMO – MAJOR VARIANCE REQUESTS
RELAXATIONS OF SEC. 5.2.7(b) of LUB 251-17
MINIMUM “R” RESIDENTIAL FRONT YARD SETBACK

4511 44TH Street
Lot: 6, Block: 5, Plan: 3508 KS

Date: April 21st, 2026

From: Paul Hanlan RPP MCIP CMML
Development Officer

To: All Members - Village of Alberta Beach Municipal Planning Commission

RECOMMENDATION

That the Alberta Beach Municipal Planning Commission consider the proposed motions to bring the existing non-conforming residential dwelling at 4511 44TH Street (Lot: 6, Block: 5, Plan: 3508 KS) into compliance with Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M to allow a front yard setback of 5.56 M. Then a further variance to allow a reduction of the property’s front yard setback to 3.16 M to permit the construction of a new unenclosed covered deck.

Both Motions are proposed to bring the nonconforming dwelling into compliance with the Land Use Bylaw and then to permit the construction of a new unenclosed covered deck.

BACKGROUND

The property owner of 4511 44th Avenue has submitted a Development Permit to construct a unenclosed covered deck on the front (on the south side) of their property. The proposed deck replaces an older deck which was rotten and has been removed by the property’s new owner. A deck such as the proposed (with a finished elevation less than 20 inches above finished grade would not require Development Permit approval (or Building permits) if it was not covered). Being a deck on the dwelling’s southern elevation it is desirable to cover the deck in order to reduce excessive solar heating inside the home. Further, in order to allow the construction of a “covered” deck onto the existing dwelling the current legally non-conforming status of the property must be corrected by granting a variance allowing the current 5.56 M front yard setback (to 44th Avenue).

DISCUSSION

In order to consider the requested unenclosed covered deck, the Village of Alberta Beach must first address the non-conforming status of the property. Thus – confirming the existing structure as legally conforming and therefore eligible for the proposed unenclosed covered deck. This would be accomplished through adoption of the following proposed motion

Motion #1 – To address the non-conforming status of the dwelling

1. *To correct the non-conforming status of the existing Dwelling that the Alberta Beach Municipal Planning Commission pass a motion approving a variance to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M and allowing a reduced front yard setback of 5.56 M at 4511 44th Street (Lot: 6, Block: 5, Plan: 3508 KS).*

In order for the Municipal Planning Commission to consider granting proposed Motion #1 a review of the "Site Plan" (Attachment #1) is necessary. This Site Plan is also an old Real Property Report (RPR) that identifies other non-conformities which would need to be corrected in order to bring the entire property into compliance. These non-conformities are summarized in the table below and include – status as confirmed by the author – and establish the ability for the MPC to consider the adoption of Motion 1.

TABLE ONE – CORRECTION OF PROPERTY'S NON-CONFORMITIES

	<p>1. Front Yard Setback - Required 7.6 M - As constructed 5.56 M</p> <p>Proposed Motion #1 would correct this non-conformity.</p>
	<p>2. Rear of Property "Garage Addition"</p> <p>This "Garage Addition" (measuring approximately 4.57M X 7.41M) encroaches into the adjacent property (straddling the adjacent property line). This situation renders the entire property non-conforming and should be removed.</p> <p>During a recent site inspection, the author confirmed that this "garage addition" has been removed and is no longer an issue.</p> <p>This NO LONGER renders the property non-conforming</p>
	<p>3. Rear of Property "Shed (Permanent)"</p> <p>This "Shed" (measuring approximately 3.12M X 3.12M) encroaches into the adjacent property (straddling the adjacent property line). This situation renders the entire property non-conforming and should be removed.</p> <p>During a recent site inspection, the author confirmed that this "Shed" has been removed and is no longer an issue.</p> <p>This NO LONGER renders the property non-conforming</p>
	<p>4. Property's side yard "Decks (X2)"</p> <p>These "Decks" (either encroach into the adjacent property (straddling the adjacent property line) or are constructed too close to property line. This situation renders the entire property non-conforming and they should both be removed.</p> <p>During a recent site inspection, the author confirmed that these "Decks" have been removed and they no longer are issues.</p> <p>They NO LONGER render the property as non-conforming</p>

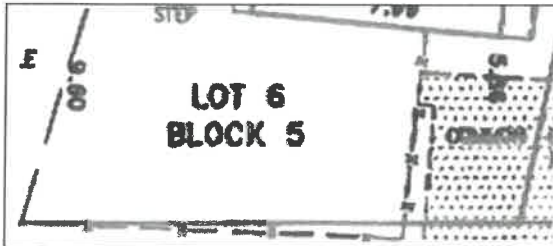
Administration recommends, if deemed appropriate by the Municipal Planning Commission, that Motion 1 be passed and this property would then be deemed legally conforming and eligible for consideration of the second motion to be presented this meeting. However, if Motion 1 is not successful then Motion 2 cannot proceed and the Development Authority would then have separate discussions with the applicant confirming other options available to them regarding the construction of an "uncovered" unenclosed deck (which would not require the MPC's consideration).

Administration confirms that adoption of proposed Motion 1 DOES NOT obligate the Commission to support and pass proposed Motion #2.

Motion #2– To further reduce the property’s minimum front yard setback

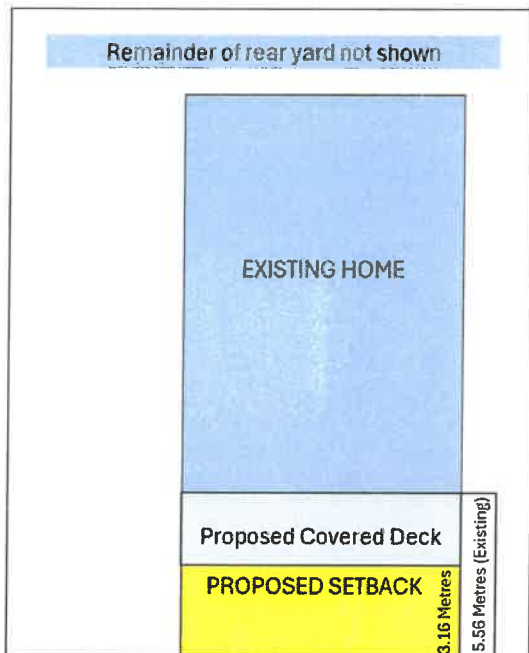
2. That the Alberta Beach Municipal Planning Commission pass a motion approving a variance to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M and allowing a reduced front yard setback of 3.16 M at 4511 44th Street (Lot: 6, Block: 5, Plan: 3508 KS) to permit the construction of a new unenclosed covered deck.

Having “corrected” the non-conforming status of the subject property through the adoption of Motion #1 it would now be appropriate for the Municipal Planning Commission to consider the merits and possible adoption of Motion #2 as discussed below.



Motion #1 allowed this property’s current front yard setback of just 5.56 M (for the historically as built principal dwelling).

The applicant now requests consideration of a further reduction of the minimum front yard setback to 3.16 M (measured to property line) as shown in the Site Plan – below – as prepared by the Development Officer.



This property previous had an “open” deck (being uncovered and unenclosed) which was rotten and a safety concern. The pre-existing deck was demolished and removed by the property’s new owner. See Attachment #2 PHOTO.

A new replacement “open” deck (being uncovered and unenclosed) could be constructed by the new property owner. This could be done without Development Permit or Building Permit approvals (provided the deck was no higher than 20 inches above finish grade). This is allowed as an open deck is permitted to project (or encroach) into the minimum front yard setback.

The property’s new owner desires to constructed a replacement deck measuring 2.4 M (8 feet) by 7.9 M (26 feet) – which is covered (with no plans to enclose). This replacement deck would further encroach into the minimum front yard setback to a distance of 3.16 M.

However, a covered replacement deck is deemed an extension of the principal dwelling and therefore MAY NOT project into the minimum front yard setback.

The author acknowledges that the entirety of the relaxation of the minimum front yard is significant. A reduction (from new construction) from 7.6 M to 3.16 M – is a variance of 4.44 M or 58%. In the case of the now legally conforming dwelling it’s a reduction from an approved 5.56 M to 3.16 M – being 2.40 M or 43%.

The Development Officer does not see an issue with this significant variance request as the property is an internal parcel representing no sight line concerns. Also – and as shown in the photo (to the left) – the Village’s ROW is significantly wide/deep (approximately 20 feet) and ensures that even with the Motion #2 variance (if granted) the covered deck will not appear “out of place”.



Concerning the rationale for considering, any variances Sec. 2(b) of the Land Use Bylaw states, ".... 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."

In Attachment #3 to this memo a list of proposed Conditions of Approval are included for the consideration of the MPC.

RECOMMENDATION OPTIONS

1. To correct the non-conforming status of the existing Dwelling that the Alberta Beach Municipal Planning Commission pass a motion approving a variance to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M and allowing a reduced front yard setback of 5.56 M at 4511 44th Street (Lot: 6, Bock: 5, Plan: 3508 KS).
2. That the Alberta Beach Municipal Planning Commission approve a variance to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M and allow a reduced front yard setback of 3.16 M at 4511 44th Street (Lot: 6, Bock: 5, Plan: 3508 KS) to permit construction of a new unenclosed covered deck.

OR

3. That the Alberta Beach Municipal Planning Commission deny the request for a variance to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M to just 3.16 M at 4511 44th Street (Lot: 6, Bock: 5, Plan: 3508 KS).

OR

4. That the Municipal Planning Commission otherwise provide direction to the Development Authority as per the Hearing's discussion.

CONCLUSION

The Development Officer supports the variance requests as proposed and recommended.

Date: April 15th, 2026

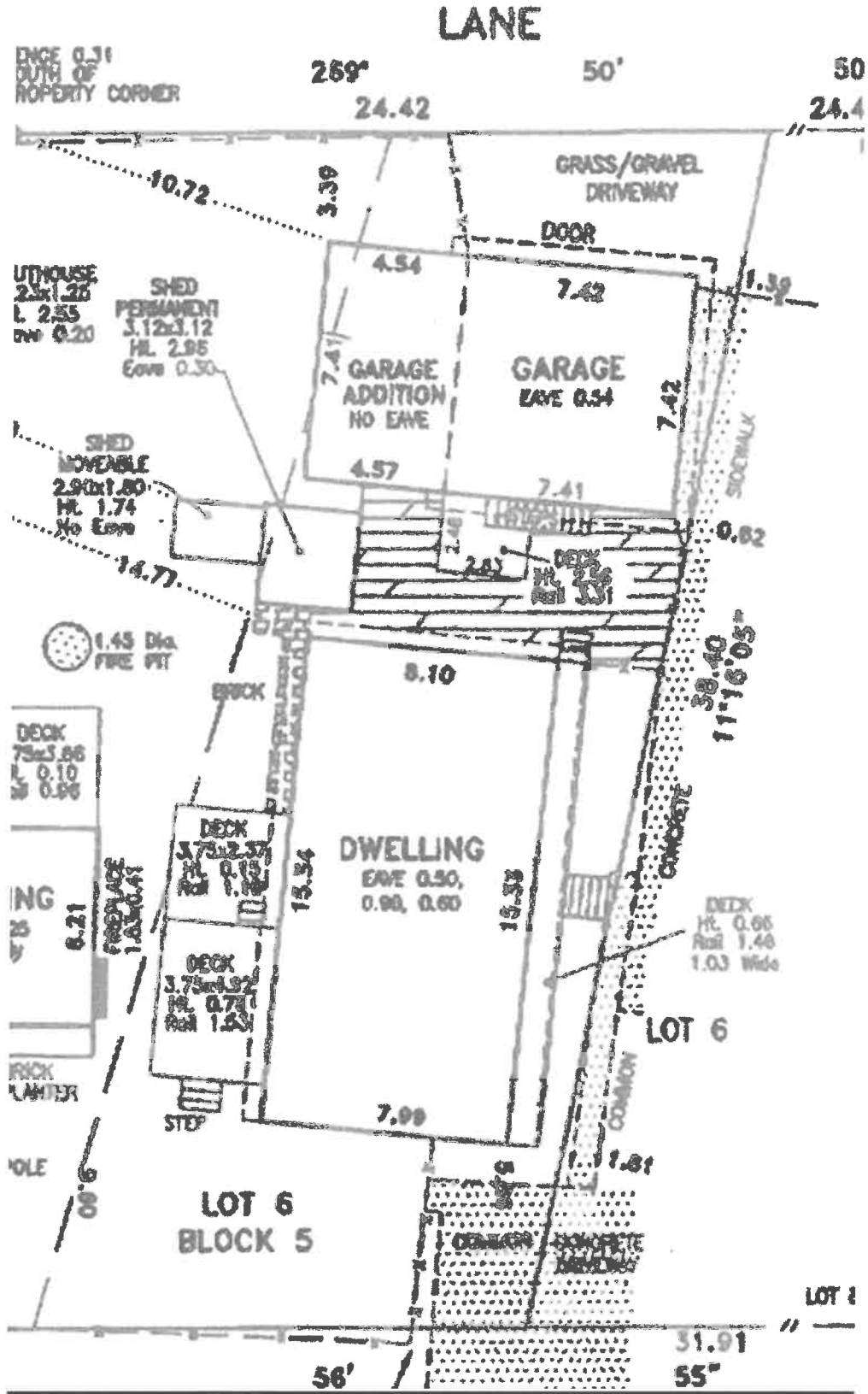


Paul Hanlan RPP MCIP CMML
Development Officer

ATTACHMENTS

1. Site Plan (Real Property Report)
2. PHOTO
3. PROPOSED Conditions of Approval

ATTACHMENT #1 – Site Plan (Real Property Report)



ATTACHMENT #2 – PHOTO



APPROVAL OF DEVELOPMENT PERMIT

Your application for the **CONSTRUCTION OF A 29.73 M2 (320 FT2) ACCESSORY STRUCTURE (CARPORT)** was **CONDITIONALLY APPROVED** by the Municipal Planning Commission subject to the following Eleven (11) conditions:

1. This Development Permit is issued subject to the following minimum yard setbacks:
 - i. **South (FRONT) > or = to 3.16 Metres**
 - a. **Variance granted to Sec. 5.2.7(b) of Land Use Bylaw 251-17 which requires a minimum front yard setback of 7.6 M**
 - ii. North (REAR) > or = to 6.0 Metres
 - iii. South (SIDE) > or = to 1.5 Metres
 - iv. North (SIDE) > or = to 1.5 Metres
2. All municipal taxes have been paid or are current with Alberta Beach.
3. The applicant shall be financially responsible during the development of any damage caused by the applicant or contractors to any public or private property.
4. The applicant shall display the enclosed Public Notice in a conspicuous place on the subject property for no less than twenty-one (21) days after the permit's decision date.
5. Positive grading away from the deck addition is required to ensure proper drainage.
6. The applicant shall complete the property's grading to ensure that all surface runoffs do not discharge from the site onto adjacent lands.
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 property owners shall assume full responsibility to ensure the situation does not prevail longer than necessary to complete construction.
8. The applicant shall control the dust or other nuisance that would negatively affect the adjacent properties or the adjacent property owner(s) to the Development Officer's satisfaction.
9. The site shall be maintained in a clean and tidy condition during the construction of the accessory building. Receptacle for control and disposal of rubbish must be provided and regularly maintained.
10. The arrangements for the provision of sanitary facilities for the project site must be provided and maintained throughout construction, to the satisfaction of the Development Authority,
11. The applicant shall prevent excess soil or debris related to the construction from spilling onto the public roadways and shall not place soil or any other material on adjacent properties without permission in writing from the adjacent property owner(s).

Date Application Deemed Complete	<u>December 12th, 2025</u>
Date of Decision	<u>April 21st, 2026</u>
Effective Date of Development Permit	<u>May 20th, 2026</u>



VILLAGE OF ALBERTA BEACH

MUNICIPAL PLANNING COMMISSION

DECISION MEMO – MAJOR VARIANCE REQUESTS
- RELAXATION OF SEC. 4.10.1(f) of LUB 251-17
- RELAXATION OF SEC. 4.10.1(a) of LUB 251-17
FOR THE CONSTRUCTION OF A NEW ACCESSORY
STRUCTURE (DETACHED GARAGE)

4643 47A Avenue
Lot: 7, Block: 17, Plan: 3321 BQ

Date: April 21st, 2026

From: Paul Hanlan RPP MCIP CMML
Development Officer

To: All Members - Village of Alberta Beach Municipal Planning Commission

RECOMMENDATION

That the Alberta Beach Municipal Planning Commission consider the following proposed motions to allow the constructure of a new detached Accessory Structure (Garage) – with vehicle access doors facing the roadway/lane – at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ):

1. A major variance to Sec. 4.10.1(a) of Land Use Bylaw 251-17 which restricts the maximum combined floor area of all accessory buildings on a property to 111.5 M2 (1200 FT2) to allow the proposed combined floor area of 191.20 M2 (2058 FT2) – a variance request of 79.71 M2 (858 FT2) or 41.7%.
2. A major variance to Sec. 4.10.1(f) of Land Use Bylaw 251-17 which requires a 6.0 M minimum setback to a roadway/lane (when vehicle access doors face the roadway) to just 1.5 M.

These Motions are requested to allow construction of a new garage, and for this garage to be placed closer to the property's rear lane in order to protect existing trees on the property.

BACKGROUND

The owner of 4643 47A Avenue has submitted a Development Permit to construct a new Accessory Structure (detached garage) on the south side of their property with access proposed off 47th Avenue. The proposed detached garage (see Attachment #1 for Site Plan) measuring 30' X 35' being 97.55 M2 (1050 FT2) in area. A new property approach was recently constructed by the applicant to the proposed garage location and Administration will address, and require correction, of this unauthorized work within Village Road right-of-way (ROW) through these proposed MPC motions.

On September 22, 2025 the Village issued Development Permit 25DP16-01 for this property to allow constructure of the existing Accessory Structure (RV Cover) measuring 93.65 M2 (1008 FT2) in area. Around this time another "temporary" property approach was constructed by the applicant to the new "RV Cover" and Administration will also address, and require correction, of this unauthorized permanent work within Village Road right-of-way (ROW) through these proposed MPC motions.

DISCUSSION

Consideration of this request to construct a new garage requires passage of the following proposed Motion #1 to allow a 41.7% variance to total Accessory Development. This Motion would conditionally permit construction of the proposed detached garage and a combined maximum total floor area of 191.20 M2 (2058 FT2) in Accessory Structure development on the property.

Motion #1 – A major variance to the total permitted amount of Accessory Development

1. A variance to Sec. 4.10.1(a) of Land Use Bylaw 251-17 which restricts the maximum combined floor area of all accessory buildings on a property to 111.5 M2 (1200 FT2) to allow the proposed combined floor area of 191.20 M2 (2058 FT2) – a variance request of 79.71 M2 (858 FT2) or 41.7% at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).

Concerning the consideration of any variances Sec. 2(b) of the Land Use Bylaw states, "... 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." Administration supports the requested variance in Motion #1 – as proposed – as the site is a consolidated one and a half (1.5) lot property and therefore has greater square footage in total available area to develop. Hence, total site coverage, remains comparatively low to adjacent properties and the unique size/area of the subject property allows the consideration of "... situation of land or building which are not generally common to other land in the same district" as justification for the requested major variance.

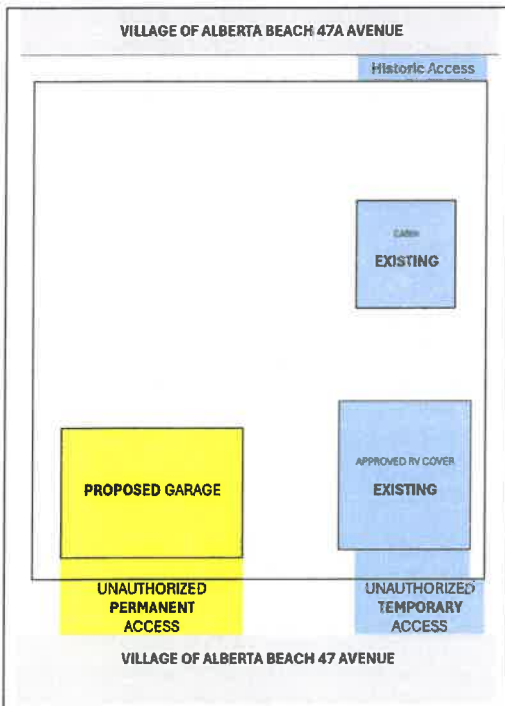
Administration shall address the unauthorized temporary approach to 47th Avenue separately.

Motion #2 – A major variance to reduce the required minimum setback for an Accessory Structure



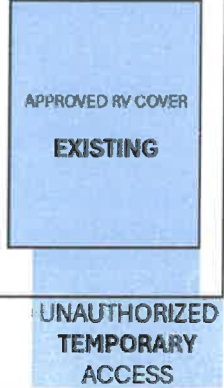



2. A variance to Sec. 4.10.1(f) of Land Use Bylaw 251-17 which requires a 6.0 M minimum setback to a roadway/lane (when vehicle access doors face the roadway) to just 1.5 M – a variance request of 4.5 M (14.7 FT) or 75% at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).

Again, concerning the consideration of any variances, Sec. 2(b) of the Land Use Bylaw states, "... 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." Administration supports the requested variance in Motion #2 – as proposed – as the proposal seeks to protect/retain existing on-site mature tree cover into the development of the new Accessory Structure. Hence, the protection/retention of mature trees allows consideration of "... situation of land or building which are not generally common to other land in the same district" as justification for the requested major variance. Further, Administration notes that the off-site conditions (amount of Village ROW between property line and edge of 47th Avenue roadway) is larger and presents a larger setback.

Administration shall discuss/address the unauthorized approach to 47th Avenue separately in this report.

 <p>The diagram shows a rectangular property bounded by 'VILLAGE OF ALBERTA BEACH 47A AVENUE' at the top and 'VILLAGE OF ALBERTA BEACH 47 AVENUE' at the bottom. A 'Historic Access' point is marked at the top right. Inside the property, there is a blue box labeled 'CABIN EXISTING' and another blue box labeled 'APPROVED RV COVER EXISTING'. A yellow box labeled 'PROPOSED GARAGE' is located in the lower-left area. At the bottom of the property, there are two yellow boxes: 'UNAUTHORIZED PERMANENT ACCESS' on the left and 'UNAUTHORIZED TEMPORARY ACCESS' on the right.</p>	<p>This Site Plan (prepared by the Development Officer) and also included in a larger format in Attachment #1 – confirms and shows the following site matters for the further consideration of the MPC:</p> <ul style="list-style-type: none">- The approximate size (area) of the "one and a half" (1.5) lot property.- The "Cabin" (Existing)- The "Approved RV Cover" (25DP16-01)- The "Proposed Garage" <p>Motion # 1 (Variance to the total amount of area of permitted Accessory Structure) - 41.7% request Motion # 2 (Variance to the minimum setback distance to 47 Avenue of 6.0 M) - 4.5 M (75%) request</p> <ul style="list-style-type: none">- "Historic Access" 47A Avenue To be removed Discussed on the following page of this report- "Unauthorized Temporary Access" 47 Avenue To be removed OR – rebuilt to the satisfaction of the Village Discussed on the following page(s) of this report- "Unauthorized Permanent Access" 47 Avenue To be rebuilt to the satisfaction of the Village Discussed on the following page(s) of this report
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Unauthorized Access(es) to Village of Alberta Beach Roadways and or Right-of-Ways

<p>Historic Access</p> 		<p>As shown in Attachment 1 (Site Plan) this property currently contains three (3) driveways (accesses) to the Village's roadways. The Village typically restricts accesses to just one per property. This is to control and safely manage vehicle movements and manage the Village's Storm Water Management system (ditches) through the municipality.</p> <p>As Road Authority (and as these approaches are constructed within Village ROW) the Village holds the authority to control and/or require the removal by the property owner of any unnecessary accesses.</p> <p>The applicant has constructed new accesses to 47th Avenue</p> <p>In conjunction with this application the existing driveway access must be removed to the satisfaction of the Village of Alberta Beach.</p>
		<p>At the request of the applicant this driveway (access) was temporarily allowed by the Village in 2025 for access to the RV Cover from 47th Avenue. The applicant indicated to Village Staff that it would not be permanently required for access to 47th Avenue.</p> <p>Administration realizes that the permanent retention of this driveway may be desired by the applicant. If so, the Village requires that the existing driveway access be properly reconstructed to the satisfaction of the Village and its Public Works department</p> <p>In conjunction with this application the existing unauthorized driveway must be rebuilt and reduced in width – or removed – to the satisfaction of the Village of Alberta Beach.</p>
		<p>The applicant – without authorization from the Village has already constructed an access within Village ROW. The existing access has been constructed too wide (wider than the Village can or will permit), without installation of an engineered culvert (what is present will be crushed and fail quickly), and invert depths of culvert and cover are incorrect and the Village's ditch will not flow in this area (see photo). The applicant must not do further work in the Village's ROW (i.e. fill the Village's ditch) until confirmed and directed by the Manager of Public Works.</p> <p>In conjunction with this application the existing unauthorized driveway must be rebuilt and reduced in width – or removed – to the satisfaction of the Village of Alberta Beach.</p>

Administration recommends, if deemed appropriate by the Municipal Planning Commission, that Motions #1 and #2 be approved which would permit the construction of the proposed Accessory Structure (detached garage). Regarding the matter of redundant or unauthorized driveway accesses to Village of Alberta Beach roadways – and the removal or reconstruction of these accesses – Attachment #4 to this report provides a list of proposed Conditions of Approval (some of which addresses these matters) which are included for the consideration of the MPC. If approved by the MPC Village Administration believes that the matters/concerns regarding these 3 driveways will be satisfied once completed by the applicant. If incorporated into Conditions of Approval these can be administratively enforced by Village staff.

RECOMMENDATION OPTIONS

1. That a variance be granted to Sec. 4.10.1(a) of Land Use Bylaw 251-17 which restricts the maximum combined floor area of all accessory buildings on a property to 111.5 M² (1200 FT²) to allow the proposed combined floor area of 191.20 M² (2058 FT²). A variance request of 79.71 M² (858 FT²) or 41.7% at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).
2. That a variance be granted to Sec. 4.10.1(f) of Land Use Bylaw 251-17 which requires a 6.0 M minimum setback to a roadway/lane (when vehicle access doors face the roadway) to just 1.5 M. A variance request of 4.5 M (14.7 FT) or 75% at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).
3. Adoption of all proposed "Conditions of Approval" prepared Administration and as shown in Attachment #4.

OR

4. That the Alberta Beach Municipal Planning Commission deny the requested variances to Sec. 4.10.1(a) and Sec. 4.10.1(f) of Land Use Bylaw 251-17 regarding the siting and construction of a new Accessory Structure (detached garage) at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).

OR

5. That the Municipal Planning Commission otherwise provide direction to the Development Authority as per the Hearing's discussion.

CONCLUSION

The Development Officer supports the variance requests as proposed and recommended.

Date: April 16th, 2026



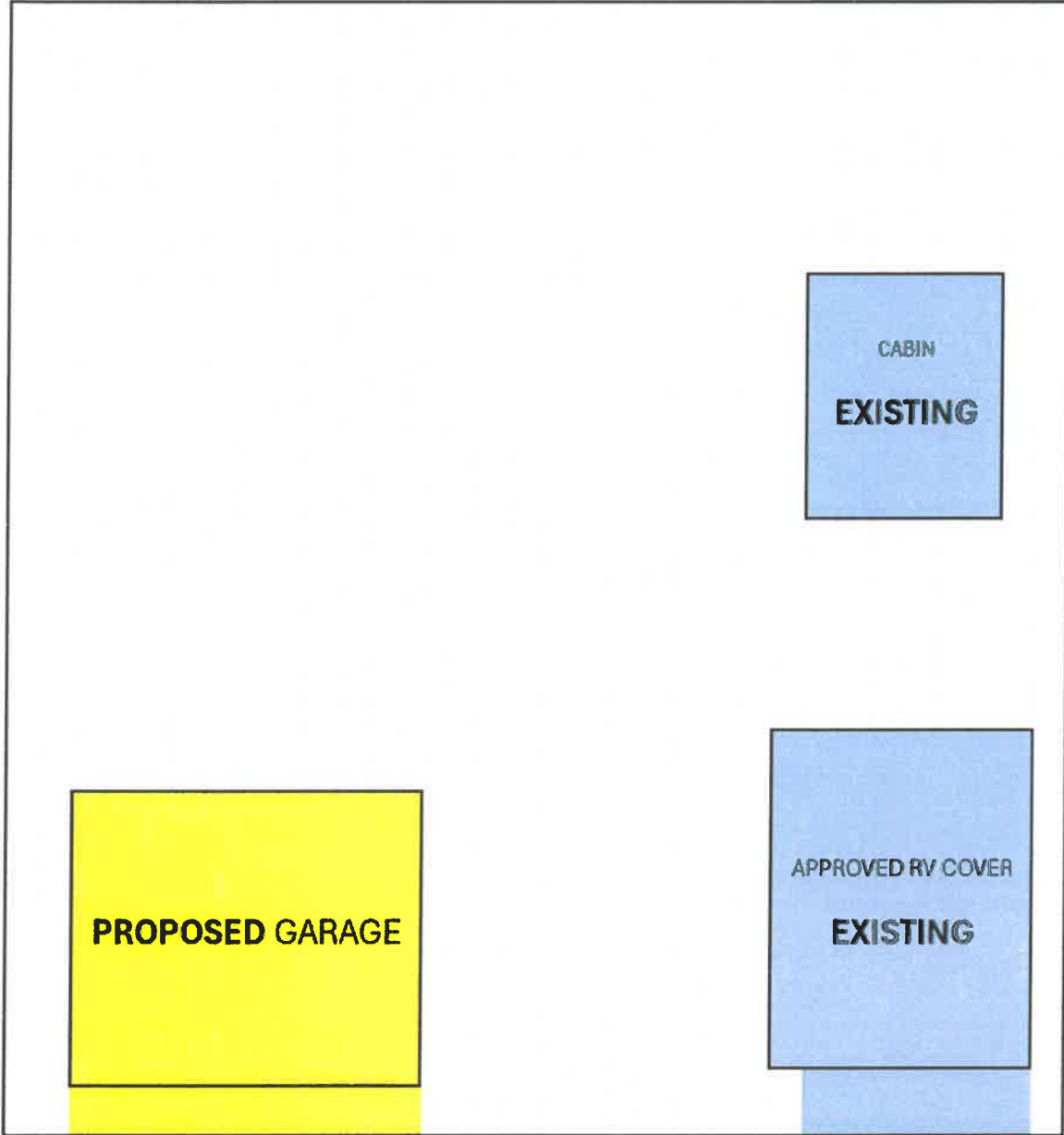
Paul Hanlan RPP MCIP CMML
Development Officer

ATTACHMENTS

1. Site Plan
2. Site Photos
3. Elevations
4. PROPOSED Conditions of Approval

VILLAGE OF ALBERTA BEACH 47A AVENUE

Historic Access



PROPOSED GARAGE

CABIN
EXISTING

APPROVED RV COVER
EXISTING

**UNAUTHORIZED
PERMANENT
ACCESS**

**UNAUTHORIZED
TEMPORARY
ACCESS**

VILLAGE OF ALBERTA BEACH 47 AVENUE

ATTACHMENT #2 – Site Photos

Unauthorized Approach (New Garage)



Temporary Access Location (RV Cover)

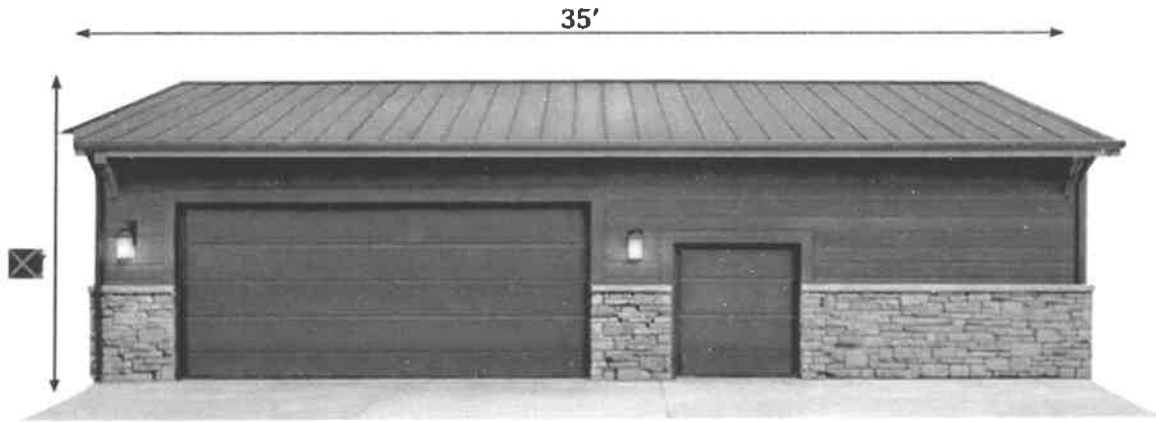


Access/Location of proposed Accessory Structure (Detached Garage)

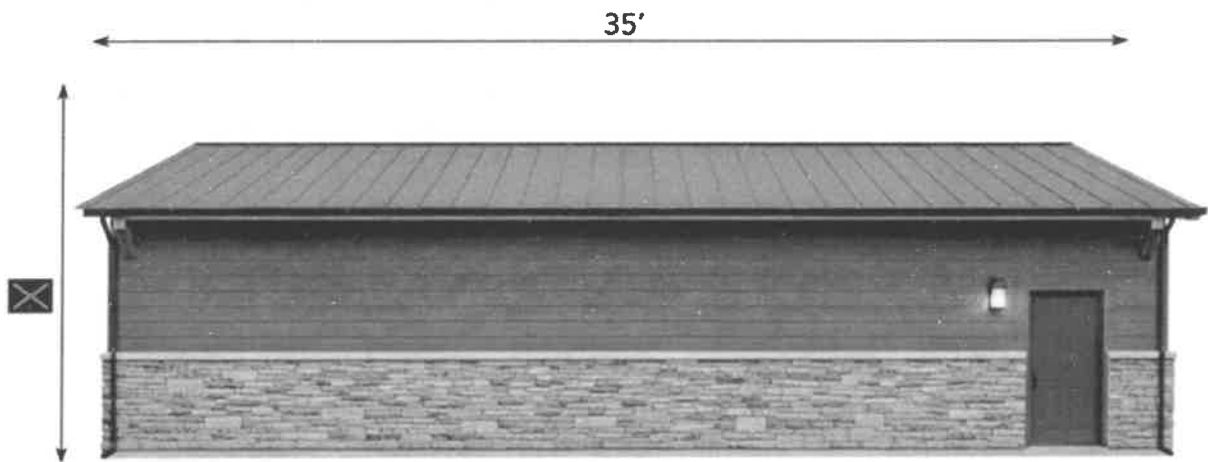


ATTACHMENT #3 – Elevations

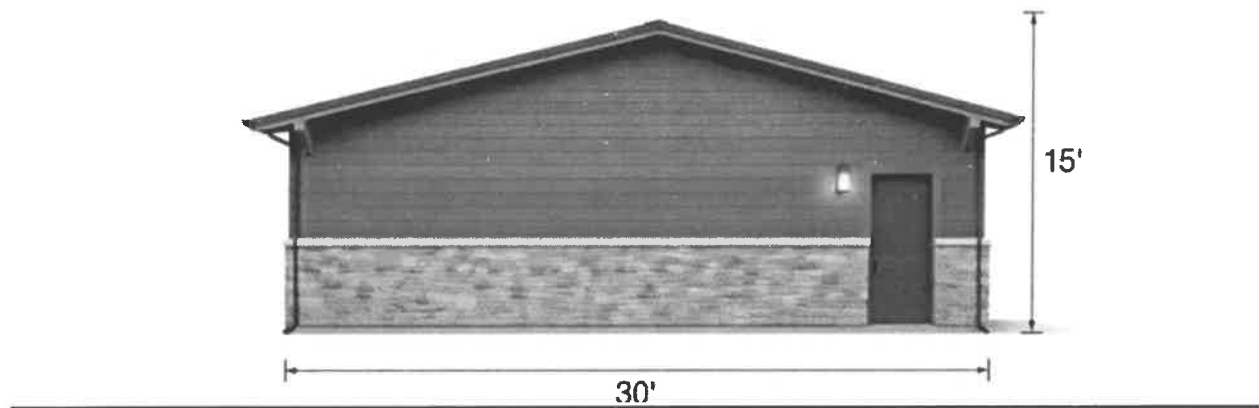
Front Elevation (South)



Rear Elevation (North)



Side Elevation (East)



ATTACHMENT #4 – PROPOSED Conditions of Approval

APPROVAL OF DEVELOPMENT PERMIT

Your application for the **CONSTRUCTION OF A 97.55 M2 (1050 FT2) ACCESSORY STRUCTURE (DETACHED GARAGE) AND TWO (2) APPROACHES LOCATED WITHIN VILLAGE ROAD RIGHT-OF-WAY** was **CONDITIONALLY APPROVED** by the Municipal Planning Commission subject to the following Sixteen (16) conditions:

1. A variance is granted to Sec. 4.10.1(a) of Land Use Bylaw 251-17 which restricts the maximum combined floor area of all accessory buildings on a property to 111.5 M2 (1200 FT2) to allow the proposed combined floor area of 191.20 M2 (2058 FT2). A variance request of 79.71 M2 (858 FT2) or 41.7% at 4643 47A Avenue (Lot: 7, Block: 17, Plan: 3321 BQ).
2. This Development Permit is issued subject to the following minimum yard setbacks:
 - i. South (REAR) > or = 1.5 Metres (Vehicle Access Doors facing roadway)
 1. Variance granted to Sec. 4.10.1(f) of Land Use Bylaw 251-17 which requires a minimum setback (in such an instance) of 6.0 M
 - ii. North (FRONT) > or = to 7.6 Metres
 - iii. East (SIDE) > or = to 1.2 Metres
 - iii. West (SIDE) > or = to 1.2 Metres
3. Correction of unauthorized access(es) to Village Roadways and or Right-of-Ways
 - a. Removal of historic driveway access to 47th Avenue (North side)
 - i. Existing driveway and access must be removed entirely from Village ROW to the satisfaction of the Village of Alberta Beach.
 - ii. Once removed Village ROW must be regraded and seeded to the satisfaction of the Village of Alberta Beach.
 - b. Removal or reconstruction of temporary driveway access to existing RV Cover
 - i. Existing driveway and access must be removed entirely from Village ROW to the satisfaction of the Village of Alberta Beach.
 - ii. If existing temporary driveway access is not removed then Applicant shall ensure that it is reconstructed to the satisfaction of the Village of Alberta Beach as follows:
 1. Install an engineered 200 mm culvert or provide suitable engineering for current culvert,
 2. Have invert elevation for culvert (west end) confirmed by physical inspection by Manager of Public Works prior to cover,
 3. Reduce access surface width to no greater than 3.6 M as measured from the eastern property line,
 4. Ensure that culvert extends 0.6 M west beyond finished surface of access, and
 5. Provide rip rap on western face of slope protecting culvert end.
 - c. Removal or reconstruction of unauthorized driveway access to new detached garage
 - i. Existing driveway and access must be removed entirely from Village ROW to the satisfaction of the Village of Alberta Beach.
 - ii. If this unauthorized driveway access is not removed then Applicant shall ensure that it is reconstructed to the satisfaction of the Village of Alberta Beach as follows:
 1. Install an engineered 200 mm culvert or provide suitable engineering for current plastic culvert,
 2. Have invert elevation for culvert (both ends) confirmed by physical inspection by Manager of Public Works prior to recovering,
 3. Reduce access surface width to no greater than 6.1 M,
 4. Ensure that culvert extends 0.6 M beyond finished surface of both ends of rebuilt access, and
 5. Provide rip rap on western and eastern faces of slope to protect culvert ends.

4. The Village of Alberta Beach shall reserve the right to remove any unauthorized driveway accesses (as per condition #3 to this conditional approval) – if not completed satisfactorily by the applicant – within 45 days of the “Effective Date” noted for this Development Permit (see below).
5. If required the Village of Alberta Beach shall assign, and collect, all costs for enforcement of Condition #4 (see above) against the Village of Alberta Beach property taxes.
6. All development shall proceed consistent with the Building Elevations submitted by the applicant.
7. All municipal taxes have been paid or are current with Alberta Beach.
8. The applicant shall be financially responsible during the development of any damage caused by the applicant or contractors to any public or private property.
9. The applicant shall display the enclosed Public Notice in a conspicuous place on the subject property for no less than twenty-one (21) days after the permit’s decision date.
10. Positive grading away from the new construction is required to ensure proper drainage.
11. The applicant shall complete the property’s grading to ensure that all surface runoffs do not discharge from the site onto adjacent lands.
12. 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 property owners shall assume full responsibility to ensure the situation does not prevail longer than necessary to complete construction.
13. The applicant shall control the dust or other nuisance that would negatively affect the adjacent properties or the adjacent property owner(s) to the Development Officer’s satisfaction.
14. The site shall be maintained in a clean and tidy condition during the construction of the accessory building. Receptacle for control and disposal of rubbish must be provided and regularly maintained.
15. The arrangements for the provision of sanitary facilities for the project site must be provided and maintained throughout construction, to the satisfaction of the Development Authority,
16. The applicant shall prevent excess soil or debris related to the construction from spilling onto the public roadways and shall not place soil or any other material on adjacent properties without permission in writing from the adjacent property owner(s).

Date Application Deemed Complete	<u>March 17th, 2025</u>
Date of Decision	<u>April 21st, 2026</u>
Effective Date of Development Permit	<u>May 20th, 2026</u>