


ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION MEETING
BEING HELD IN ALBERTA BEACH COUNCIL CHAMBERS
AND BEING HELD ELECTRONICALLY VIA ZOOM MEETING
MAY 17, 2022 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER
2. AGENDA ADDITIONS
3. AGENDA ADOPTION
4. NEW BUSINESS
 - a. Request for Decision – Development Permit Application #22DP06-01
Lot 8, Block 5, Plan 3508 KS (4503 – 44 Street)
Application for single family dwelling requesting a major variance for relaxation of flanking yard, specifically a reduction in the required eastern (flanking yard) setback of 5.2 metres (68.4%) from 7.6 metres to 2.4 metres.
5. ADJOURNMENT

	<p>VILLAGE OF ALBERTA BEACH MUNICIPAL PLANNING COMMISSION</p> <p>DECISION MEMO – MAJOR VARIANCE REQUEST <u>RELAXATION OF FLANKING YARD</u></p> <p>4503 44th Street Lot: 8, Block: 5, Plan: 3508 KS</p>
---	--

Date: May 10th, 2022

From: Paul Hanlan RPP MCIP CMML
 Development Officer

To: All Members
 Alberta Beach Municipal Planning Commission

RECOMMENDATION

That the Alberta Beach Municipal Planning Commission passes a motion approving the following major variance as authorized per Sec. 2(c) of Land Use Bylaw 252-17 to the proposed Plot Plan prepared by the applicant and as attached to this Report for the property located at 4503 44th Street (Lot: 8, Block: 5, Plan: 3508 KS):

1. A reduction in the required Eastern (Flanking yard) setback of 5.2 Metres (68.4%) from 7.6 Metres to 2.4 Metres.

BACKGROUND

The property owner of 4503 44th Street has been in discussions with Alberta Beach for a couple of months now trying to confirm an acceptable Plot Plan (site plan) that would reasonably permit a new home on this property. These discussions have confirmed the likely need for consideration and approval of the proposed major variance by the MPC. This is not an uncommon situation faced on corner lots within the Village's corner lots (due to the narrow frontage of these lots). The Village's MPC last considered a similar situation in 2018.

DISCUSSION

Sec. 4.13 (Corner and Double Fronting Lots) of Land Use Bylaw 252-17 states, "In all Land Use Districts, a parcel abutting onto two streets (or more) shall have a front yard setback on each street in accordance with the Front Yard requirements of this Bylaw (emphasis added)." In Land Use District R-1 the minimum required Front Yard setback is 7.6 Metres. As shown in the attached Plot Plan the double fronting setbacks (each being very small) would possibly result in an unbuildable building pocket (without issuance of a variance).

Regarding variance powers Sec. 2(c) of the Land Use Bylaw states, "When considering a variance.... the Development Officer may approve a variance of up to 20% of the stated regulation. The requested variance requests in excess of this percentage shall be referred to the Municipal Planning Commission." The Development Officer notes that the requested variance exceeds 20% and notes that greater details are included on the attached proposed Plot Plan.

Concerning the rationale for considering, or approving, 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 (again - emphasis added)." Again - the Development Plan. Officer has included a discussion of the Practical Difficulties of this property on the attached Plot Plan

An argument could be made that without approval of such a significant variance that it could be rendered economically unbuildable. However; the Development Officer suggests that the requested variance (if approved by the MPC) would not result in a new home that was "not consistent with the character" of other properties within this block of Alberta Beach. Also attached to this Report are the proposed Building Plan details for this property indicating that the building (if granted such a significant major variance) would result in an attractive structure.

CONCLUSION

The Development Officer supports the requested Major Variance as outlined within this memo.

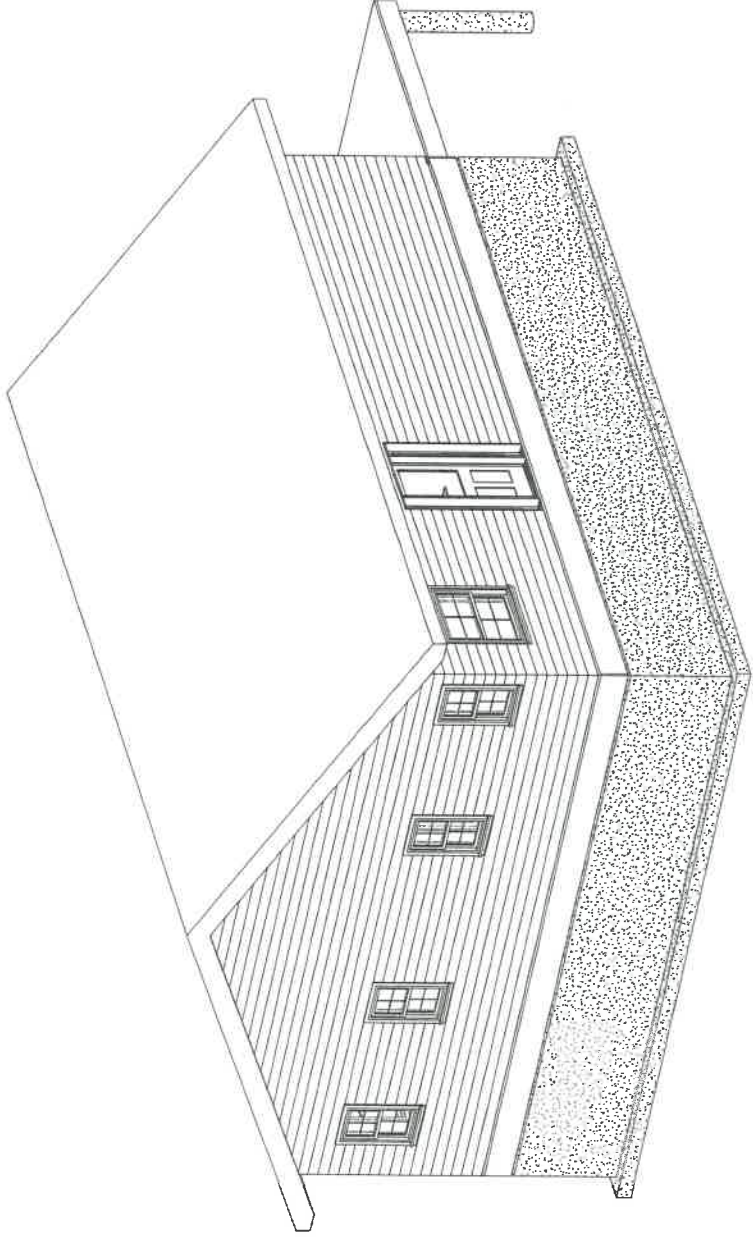
Date: May 10th, 2022



Paul Hanlan - Development Officer

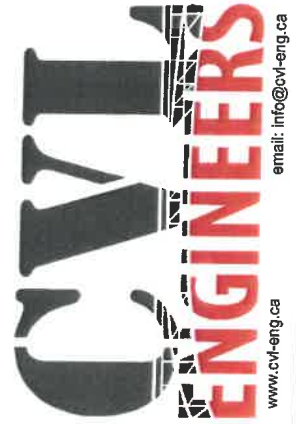
ATTACHMENTS

1. Plot Plan prepared by the applicant
2. Proposed Building Plan details



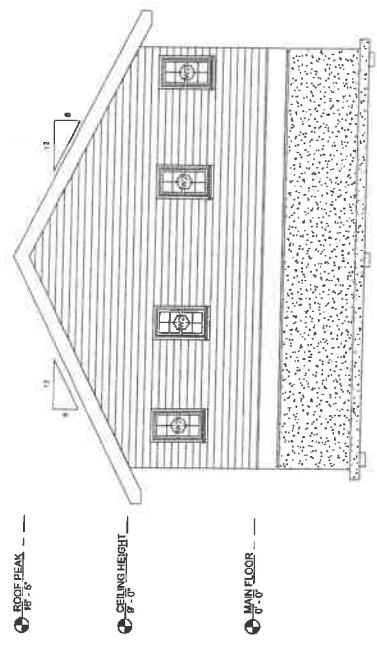
NETTER CABIN
 JAY-DEE & SHERRI NETTER

2200102 2022-04-29

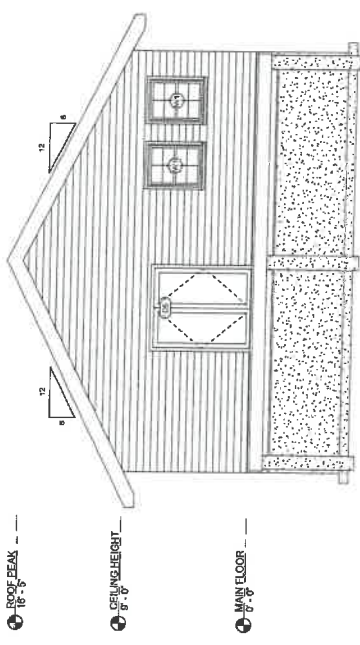


DRAWING	COVER SHEET	DRAWING NAME	CURRENT REV	CURRENT REV
NO	DESCRIPTION		NO	DATE
A0	GENERAL NOTES AND DETAILS	B	B	2022-04-29
A1	BUILDING ELEVATIONS	B	B	2022-04-29
A2	BUILDING FLOOR PLANS	B	B	2022-04-29
A3				
A4				

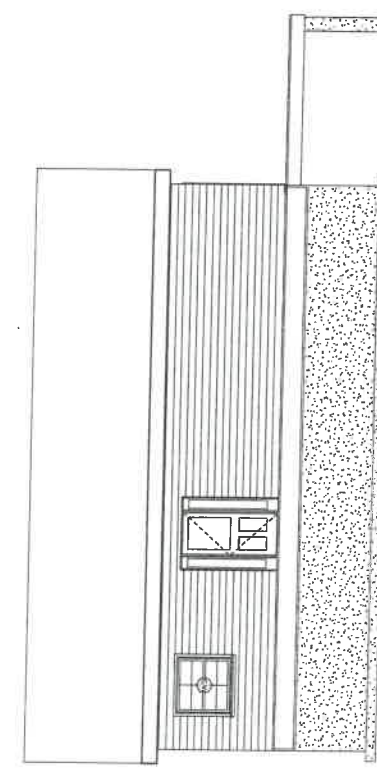
FLOOR AREAS		Window Schedule			
LOCATION	AREA	Finish	Counting	Type	Notes
MAIN FLOOR	1000 SF	48"	48"	W1	1 pan
TOTAL	1000 SF	24"	42"	W2	Window-Double-Hung
		48"	48"	W3	Window-Double-Hung



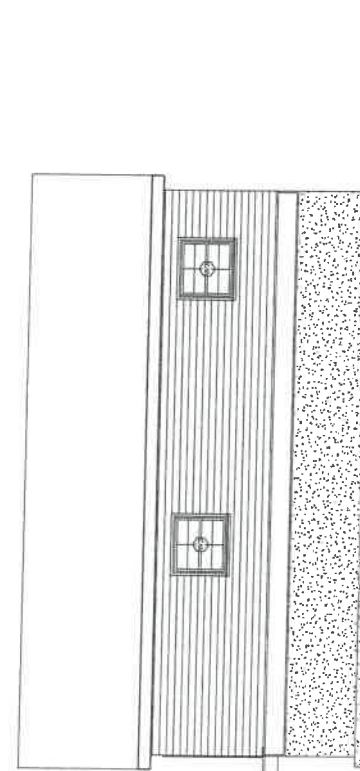
① FRONT ELEVATION
1/4" = 1'-0"



② RIGHT ELEVATION
1/4" = 1'-0"



③ LEFT ELEVATION
1/4" = 1'-0"



④ REAR ELEVATION
1/4" = 1'-0"

CVE ENGINEERS
www.cve-eng.ca email: info@cve-eng.ca

The Province of Ontario requires that all Professional Engineers and Technicians be registered with the Professional Engineers Ontario (PEO) and the Professional Technicians Ontario (PTO) respectively. CVE ENGINEERS is a registered Professional Engineering Firm.

ENGINEER STAMP FOR STRUCTURAL DESIGN ONLY.

PERMIT TO PRACTICE
ON THE PROVISIONS OF THE
PROFESSIONAL ENGINEERS ACT
AND THE PROFESSIONAL
TECHNICIANS ACT
AS ENFORCED BY THE
REGULATIONS OF THE
PROFESSIONAL ENGINEERS
AND PROFESSIONAL
TECHNICIANS ACT
1990 (R.S.O. 1990)
AS ENFORCED BY THE
REGULATIONS OF THE
PROFESSIONAL ENGINEERS
AND PROFESSIONAL
TECHNICIANS ACT
1990 (R.S.O. 1990)

PROJECT NO. 2202-01-20
SHEET NO. 3 OF 4

CLIENT: JAN-DEE & SHERRI NETTER
PROJECT: NETTER CABIN
BUILDING ELEVATIONS

DATE: 2022-04-20
DRAWN BY: J. DEE
CHECKED BY: S. NETTER
DATE: 2022-04-20
PROJECT NO.: 2202-01-20
SHEET NO.: 3 OF 4
AS NOTED

15

ENGINEER STAMP FOR STRUCTURAL DESIGN ONLY.



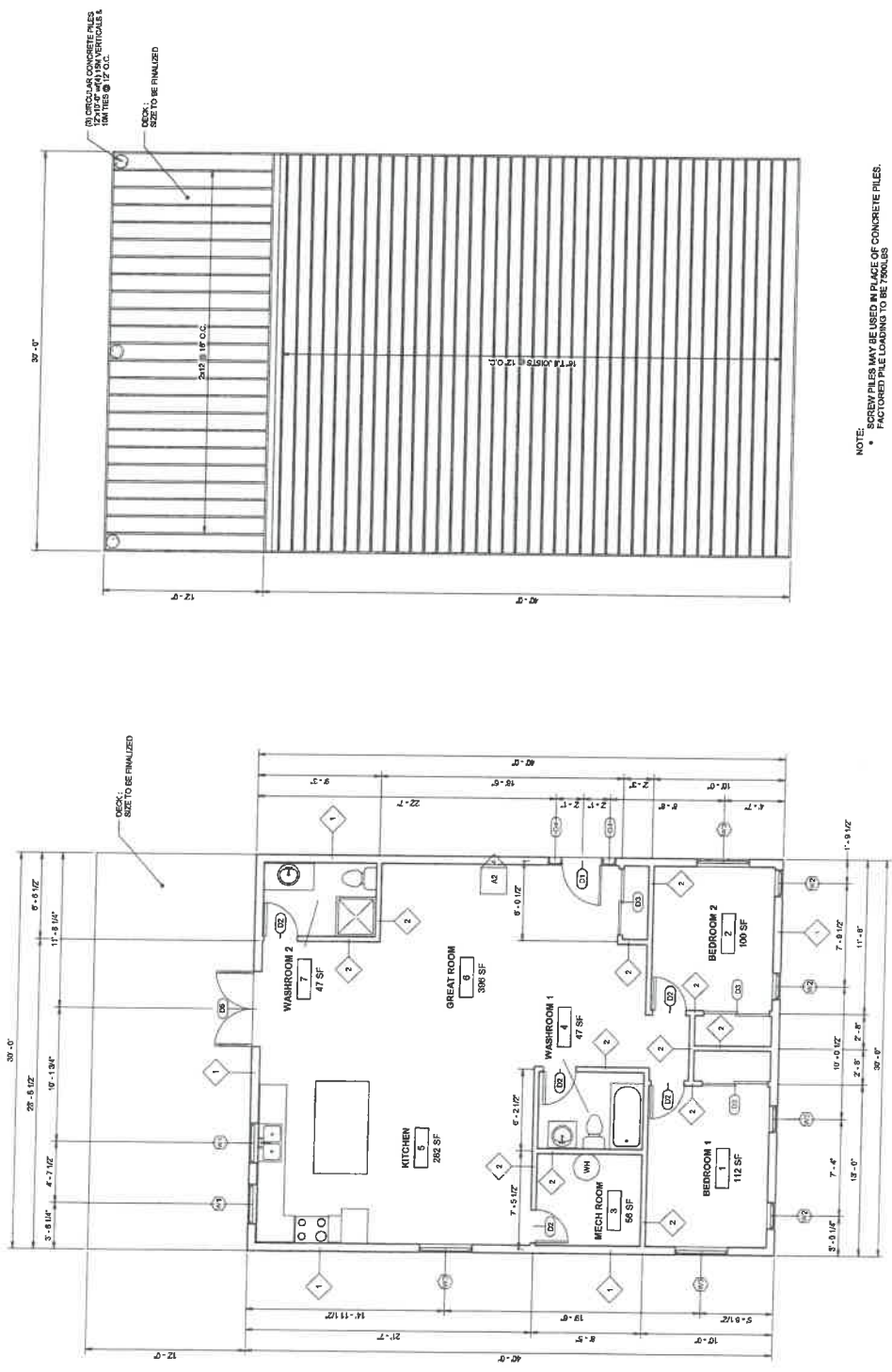
PERMIT TO RE-ALCTIVE ON 1/11/2024
 Jay-Dee & Sherri Netter
 2022-04-29 PERMIT FOR USE
 2022-04-29 ISSUED FOR USE
 Jay-Dee & Sherri Netter
 2200102-A3 AS NOTED
 APR 29 2022
 APR 29 2022
 APR 29 2022

NO.	DATE	DESCRIPTION
A	2022-04-29	PERMIT FOR USE
B	2022-04-29	ISSUED FOR USE

OWNER: JAY-DEE & SHERRI NETTER
 TITLE: NETTER CABIN
 BUILDING FLOOR PLANS

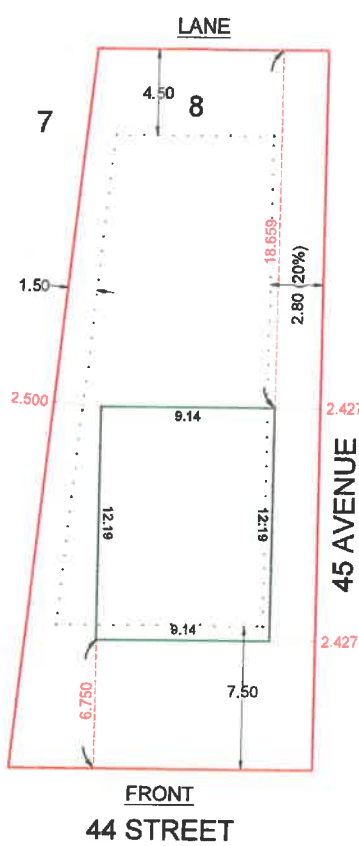
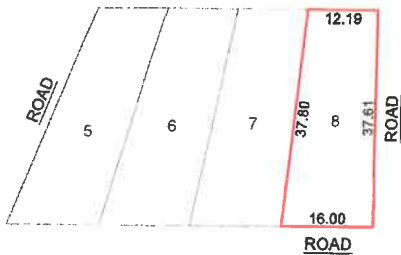
DATE	2022-04-29
NO.	2200102-A3
NO.	AS NOTED
NO.	AS NOTED

Window Schedule			Door Schedule			Well Schedule		
Type Mark	Width	Height	Type	Door Type	Door Size	Type Mark	Comments	Well Schedule
W1	36"	48"	Window-Double-Hung	D1	36" x 50"	1	EXTERIOR SIDING	1
W2	36"	48"	Window-Double-Hung	D2	36" x 50"	2	AIR INFILTRATION BARRIER	2
W3	48"	60"	Window-Double-Hung	D3	60" x 50"	3	2x4 WOOD SHEATHING	3
			Window-Double-Hung	D4	12" x 50"	4	VAPOR BARRIER	4
			Window-Double-Hung	D5	60" x 50"	5	GYPSUM WALL BOARD	5
						6	GYPSUM WALL BOARD	6



6

PLOT PLAN



NOTE:
HOUSE LOCATION AND ELEVATION
TO BE SET AT TIME OF STAKEOUT.

ELEVATION DETAILS		NOTES	DETAILS
HOUSE TYPE:		- BUILDER/OWNER RESPONSIBLE TO ENSURE BACK FILL LEVELS MEET ALL CODES. - BUILDER / OWNER IS LIABLE FOR ANY COSTS INCURRED DUE TO AN ERROR IN THE ABOVE PLAN IF CONSTRUCTION STARTS PRIOR TO THIS PLAN BEING APPROVED BY THE LOCAL APPROVING AUTHORITY - ALL DISTANCES SHOWN ARE IN METER AND DECIMALS THEREOF. - INFORMATION TO BE USED AS A GUIDELINE ONLY, AND IS SUBJECT TO CHANGE. - ALL DIMENSIONS AND SERVICES SHOWN MUST BE CONFIRMED BY CONTRACTOR PRIOR TO EXCAVATION. - ALL DIMENSIONS SHOWN TO FOUNDATION WALL, FINAL EXTERIOR CLADDING MAY ALTER DIMENSIONS - THE ELEVATION OF THIS HOUSE HAS BEEN DESIGNED SO THAT IT WILL BE IN CONFORMANCE WITH THE LOT GRADING PLAN.	- LOT AREA: 530.20 m ² (5707.0 ft ²) - HOUSE AREA: 111.48 m ² (1200.0 ft ²) - HOUSE COVERAGE: 21.03 %
FINISHED FLOOR:			
BOTTOM OF FOOTING:			
BASEMENT HEIGHT:			
FINISHED GRADE AT-FRONT STEP:			
FINISHED GRADE AT-BACK OF HOUSE:			
GRADE BELOW-BACK/SIDE DOOR SILL:			
GRADE BELOW-BASEMENT WINDOWS:			
TOP OF CONCRETE BASEMENT WALL:			
GARAGE FLOOR:			
SANITARY SEWER SERVICE INVERT:			
FOOTING SIZE:			

LEGEND			
PROPOSED CLEAN OUT	PROPOSED HYDRANT	PROPOSED BACK OF CURB	B.O.C.
PROPOSED STREET LIGHT	PROPOSED SERVICE PEDESTAL	PROPOSED BACK OF WALK	B.O.W.
PROPOSED C.C. LOCATION	PROPOSED POWER SERVICE	PROPOSED LIP OF LANE	L.O.L.
PROPOSED TRANSFORMER	PROPOSED FENCE LINE	PROPOSED UTILITY VAULT	U.V.
		DESIGN GRADE ELEVATION	00.00
		AS-BUILT ELEVATION	00.00
		PROPOSED ELEVATION	00.00
		CENTERLINE ELEVATION	CL.00

LEGAL INFORMATION		
LOT	BLOCK	PLAN NUM.
8	5	3508KS
CIVIC ADDRESS:		
LOCATION	SUBDIVISION	
LAC. STE. ANNE	SUMMER VILLAGE OF SILVER BEACH	

Pals Geomatics Corp.
 EMAIL: PLOTPLAN@PALSGEOMATICS.COM
 PHONE: 780-455-3177
 FAX: 780-481-1301
 10704 - 176TH STREET NW
 EDMONTON, ALBERTA T6S 1G7

Canada Home Builders Association Member

DWG DETAILS			
Rev. No.	Date	Drafted By	Description
PP 01	9/7/21	JKULYK	LOCATION
02	9/7/21	JKULYK	LOCATION
BUILDER/OWNER:		SHERRI DIRKSEN	
MODEL:			
JOB NUM.:			
LOT ZONING:	UR	SCALE:	1:300

7