

ALBERTA BEACH
MUNICIPAL PLANNING COMMISSION MEETING
BEING HELD IN ALBERTA BEACH COUNCIL CHAMBERS
AND BEING HELD ELECTRONICALLY VIA ZOOM
AUGUST 18, 2026 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER
2. AGENDA ADDITIONS
3. ADOPTION OF AGENDA
4. NEW BUSINESS
- 7.2-7 a. Decision Memo – Major Variance Request – Relaxation of Flanking Yard
Development Permit Application #26DP12-01
4708 – 44th Street (Lot 22, Block 3, Plan 6604AO)
Major variance request for a reduction in the required eastern (flanking yard) setback of 5.4 metres (71.05%)
from 7.6 metres to 2.2 metres.
5. ADJOURNMENT

	VILLAGE OF ALBERTA BEACH MUNICIPAL PLANNING COMMISSION DECISION MEMO – MAJOR VARIANCE REQUEST <u>RELAXATION OF FLANKING YARD</u> 4708 44th Street Lot: 22, Block: 3, Plan: 6604 AO
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Date: August 18th, 2026

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 4708 44th Street (Lot: 22, Block: 3, Plan: 6604 AO):

A reduction in the required Eastern (Flanking yard) setback of 5.4 Metres (71.05%) from 7.6 Metres to 2.2 Metres.

BACKGROUND

The property owner of 4708 44th Street has been in discussions with Alberta Beach 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 properties). The Village's MPC has previously considered similar situations in 2018 and 2022.

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.

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 not result in a public safety concern (regarding sight lines at either intersection to the north or the south) and that the requested major variance would still result in an attractive new development.

CONCLUSION

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

Date: August 12th, 2026



Paul Hanlan RPP MCIP CMML
Development Officer

ATTACHMENTS

1. Plot Plan
2. Proposed Floor Plan
3. Proposed Building Elevations

3

PLAN SHOWING PROPOSED HOUSE LOCATION

LOT 22 - BLOCK 3 - PLAN 6604 A.O.

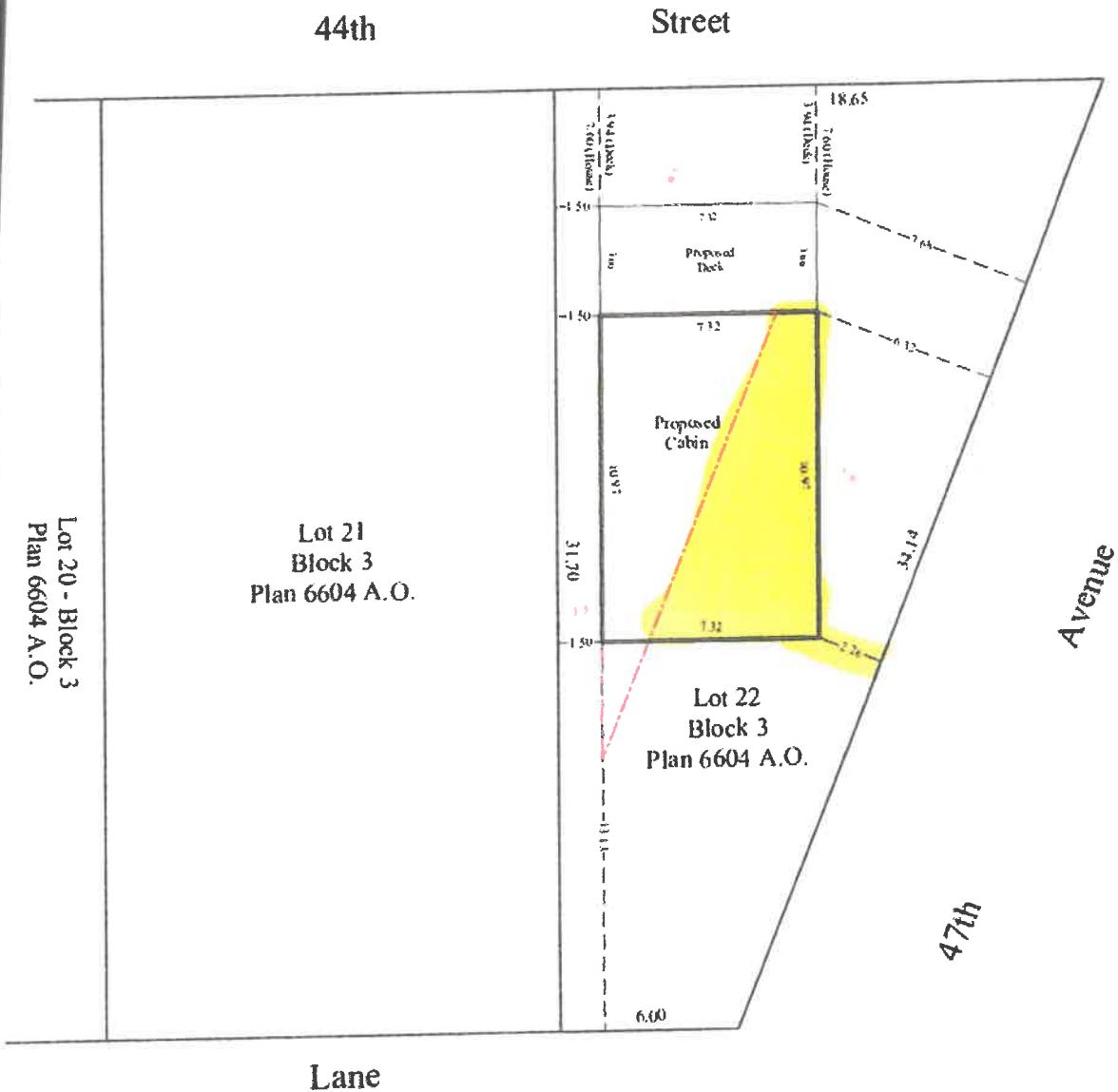
4708 - 44th STREET

ALBERTA BEACH

SCALE:1:200

2026

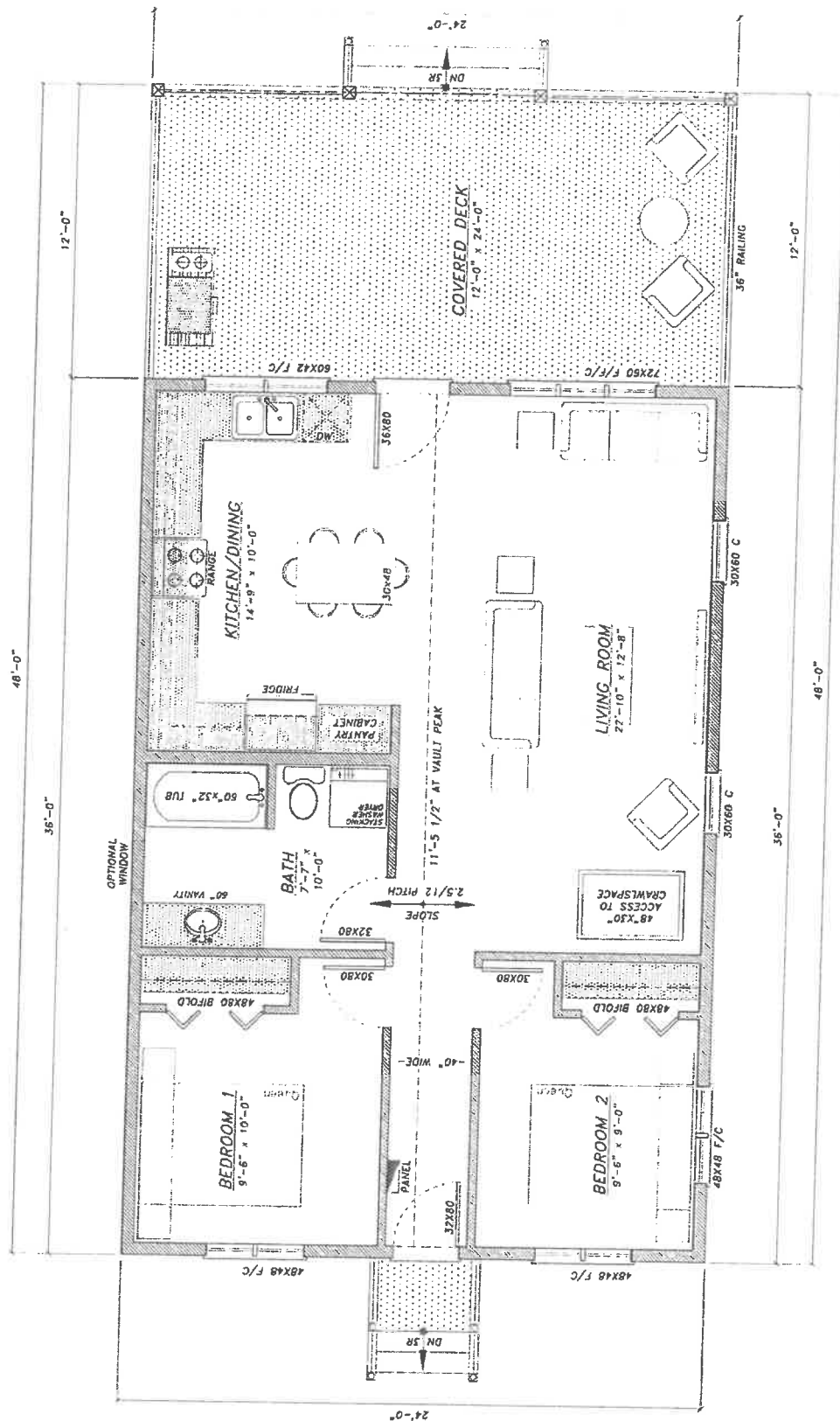
D. WILSON, A.L.S.



NOTES: DISTANCES ARE IN METRES AND DECIMALS THE RIGHT BUILDING POCKET FOR PRINCIPAL BUILDINGS SHOWN THIS THE DISTANCES TO BUILDING POCKET SHOWN THIS THE DISTANCES FROM BUILDING & DECK TO PROPERTY LINE SHOWN THIS

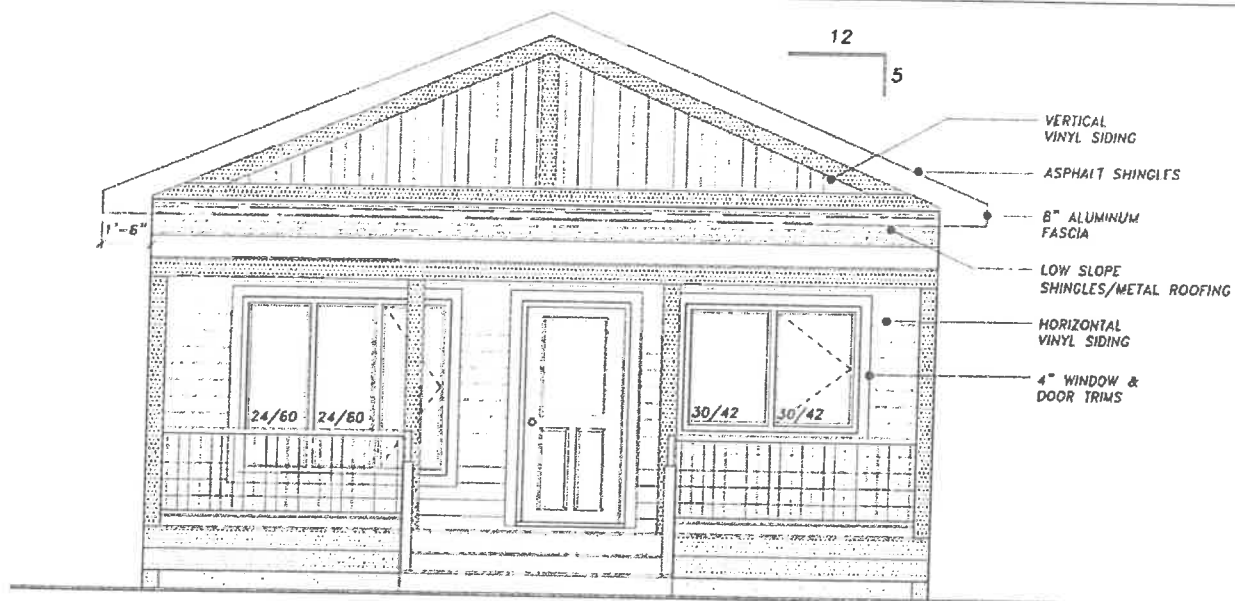
DON WILSON SURVEYS LTD.
BOX 4120, BARRHEAD, ALBERTA
T7N 1A1 PHONE: (780) 674-2287
FILE: 26248 DATE: JULY 14, 2026

Attachment #2 – Floor Plan (Proposed)



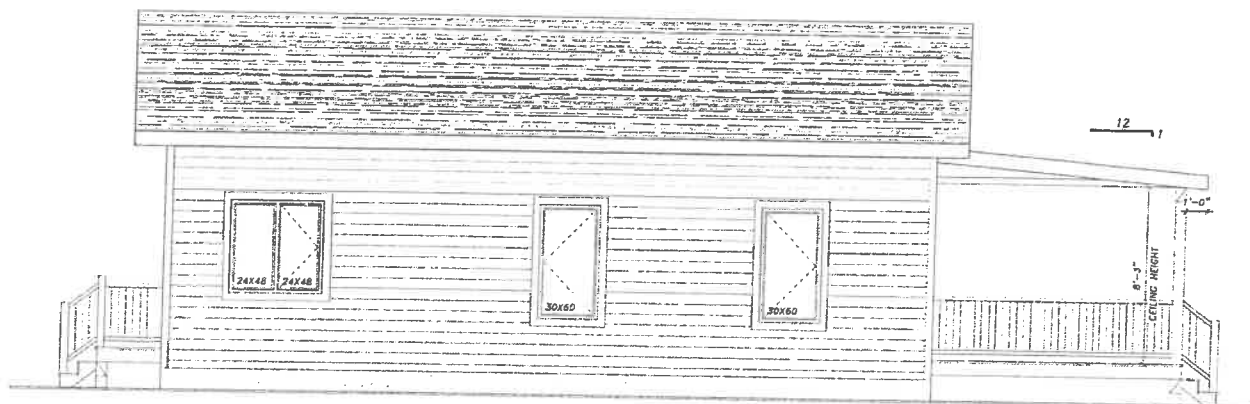
MAIN FLOOR PLAN
 CEILING HEIGHT: 9'-1"
 WINDOW HEIGHT: 6'-8"
 MAIN FLOOR AREA: 864 SQ.FT.

North Elevation – Front (towards 44th Street and lake)



FRONT ELEVATION A

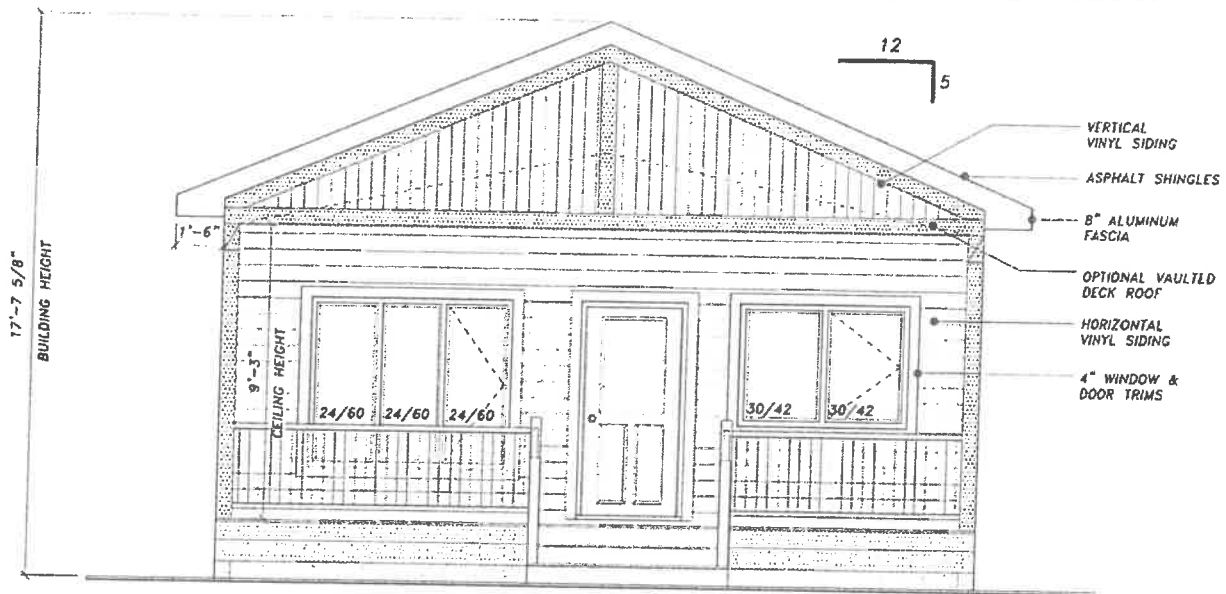
East Elevation – Side yard (towards flanking yard and 47th Avenue)



LEFT ELEVATION A

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South Elevation – Rear (towards lane)



FRONT ELEVATION B

West Elevation – Side yard (towards neighbour's property)
No windows are now proposed on this building elevation

