



# WHEATLAND COUNTY

Where There's Room to Grow



## Request for Decision

January 20, 2020

Resolution No. \_\_\_\_\_

Date Prepared January 3, 2020

### Subject

Decision-making topic title

**DP 2019-173** The purpose of this application is for second residence to be constructed on the parcel as a Dwelling, Accessory with a variance to the maximum size ratio.

**Location:** NE 22-25-25-W4M

### Recommendation

Clear resolution answering – what/who/how/when

**RECOMMENDATION: That Municipal Planning Commission choose Option #1 to approve DP 2019-173 for a Dwelling, Accessory with a Variance with conditions noted in Appendix A of the Development Permit Report.**

### GM Comments

Any additional comments regarding the reason for the recommendation

### RECOMMENDATION

Report/Document:

Attached

☒

Available

☐

None

☐

### Key Issue(s) / Concepts Defined

Define the topic, reference background material and state question to be answered

On September 30, 2019 the applicant was issued a permit to construct a new 1950 ft<sup>2</sup> Dwelling, Single Detached as the primary residence on the parcel with one of the conditions stating that prior to construction occurring they needed obtain a permit for the existing residence to be permitted as a Dwelling, Accessory. MPC approved the permit for the Dwelling, Accessory on November 19, 2019.

While processing the building permit for the new primary residence, staff became aware that the type of building which was being proposed was not a Dwelling, Single Detached as had been previously discussed. The land use bylaw only allows for specific types of houses to be the primary residence therefore the new structure would have to become the Dwelling, Accessory but because it is larger than the existing residence, a variance is required.

**Relevant Policy / Practices / Legislation**

Cite existing policies, practices and/or legislation

**MUNICIPAL DEVELOPMENT PLAN (MDP):**

Section 3.6.1 Residential Development Objectives

**LAND USE BYLAW (LUB) 2016-01:**

9.1 Agricultural General District – Discretionary Use

8.7 Dwelling, Accessory

3.4.2 Variance

**Strategic Relevance**

Reference to goals or priorities of current work program

N/A

**Response Options and Desired Outcome(s)**

Main result, along with highlighted requisites and benefits

**OPTIONS:**

Staff proposes the following 3 possible options for Municipal Planning Commission to consider:

Option #1: THAT Municipal Planning Commission approve DP 2019-173:

Resolution 1: THAT Municipal Planning Commission approve DP 2019-173 for a Dwelling, Accessory with a Variance subject to conditions noted in Appendix A.

Option #2: That Municipal Planning Commission refuse DP 2019-173 with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation.

**RECOMMENDATION:**

That Municipal Planning Commission choose Option #1 to approve DP 2019-173 for a Dwelling, Accessory with a Variance with conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed Dwelling, Accessory aligns with 3.61 of the MDP.
- The proposed application is a discretionary use listed within the Agricultural General (AG) District.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential and agricultural in nature.
- The intent of the size ratio is to ensure one dwelling is smaller than the other, this intent will still be met.
- The variance request does not interfere with any neighboring properties.
- By granting the proposed variance, with the stated conditions of approval which include the submission of a structural design, and the \$5000 deposit, the Development Authority has determined that the proposed Dwelling, Accessory complies with intent of the County's Land Use Bylaw rules and regulations.

## IMPLICATIONS OF RECOMMENDATION

### General

Consequences to community, overall organization and/or other agencies

N/A

### Organizational

Policy change or staff workload requirements

N/A

### Financial

Current and/or future budget impact

N/A

### Environmental, Staff and Public Safety

Consequences for the environment, consideration of effects on the safety of staff and the public

N/A

### Follow-up Action / Communications

Timelines, decision-making milestones and key products

Advise applicant of the decision.

Submitted  
by:



Suzanne Hayes  
Development Officer

Reviewed  
by:



Sherry Baers  
Manager of Planning & Safety  
Codes Services



Matthew Boscarol, MES, MCIP, RPP  
General Manager of Community &  
Development Services