



WHEATLAND COUNTY

Where There's Room to Grow



DEVELOPMENT PERMIT REPORT

Municipal Planning Commission
February 11, 2020

Development Permit Number: DP 2020-001

PROPOSAL: Dwelling, Accessory

LEGAL DESCRIPTION: Plan 754N, Block B, Lot 1-5

LOCATION: Within the Hamlet of Cheadle

PARCEL SIZE: 1,536.79 m² 16,542.5 ft², (0.38 acres)

ZONING: Hamlet Residential General (HRG)

DETAILS OF PROPOSAL:

The applicant is proposing to construct a 576 ft² Dwelling, Accessory to be located on the upper floor of an existing accessory building (permit issued in 2012).

The proposal meets all the requirements of the Land Use Bylaw, no variances have been requested.

Land Use Bylaw:

8.7.2 b) Inside a hamlet the Dwelling, Accessory shall be smaller than the primary dwelling and shall not exceed 74.32m² (800.0 ft²) in Gross Floor Area. As defined in the definitions section.

The proposed dwelling will share water and septic services with the primary residence. The yard is surrounded by mature trees which assist with screening from neighboring properties.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application is located within the Calgary Metropolitan Regional Board Plan Area, but is not amending a statutory plan, therefore no review is required by the Board.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposed Dwelling, Employee aligns with the MDP as it ensures that:

3.6.1

- 2) Wheatland residents have access to a range of affordable housing types, and a diversity of housing choices, to accommodate all stages of life;

- 3) It helps to ensure Wheatland's residential communities offer a variety of parcel, building and housing types for residential development.
- 9) Helps to increase the viability of the County's hamlets.

AREA STRUCTURE PLANS:

The application falls within the Hamlet of Cheadle Area Structure Plan. Section 3; Residential Development states that Social trends and needs of an older generation, young professionals and multi-generation families will need to be met with a diversified local residential real estate market such as secondary suites, semi-detached dwellings, retirement home apartments, or detached garages with rental units on the top floor.

LAND USE BYLAW (LUB):

9.12 Hamlet Residential General District (HRG)



Purpose and Intent

The purpose and intent of this district is to promote and accommodate low density residential development located in Hamlets.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

| Permitted | Discretionary |
|---|---|
| Accessory Building / Structure | Bed and Breakfast |
| Day Home | Dwelling, Modular |
| Dwelling, Duplex | Dwelling, Moved On |
| Dwelling, Secondary Suite | Dwelling, Accessory |
| Dwelling, Semi-Detached | Home Sales Center |
| Dwelling, Single Detached | Home-Based Business, Type 2 |
| Greenhouse, Private | Signs requiring a Development Permit [^] |
| Show Home | Tower |
| Solar Panel, Structure Mount ¹ | |
| Solar Panel, Ground Mount ¹ | |
| Signs not requiring a Development Permit ¹ | |
| Stripping and Grading ¹ | |
| WECS (micro) ¹ | |
| WECS Category 1 ¹ | |

Definitions:

Dwelling, Accessory – means a detached dwelling unit that is located on the same parcel as a Dwelling, Primary and is considered accessory and subordinate to that primary dwelling. Only one Dwelling, Accessory is permitted per lot.

Dwelling, Primary – (for the purpose of Section 8.7 Dwelling, Accessory) A Dwelling, Primary must be one of the following types: Dwelling, Single Detached, Dwelling, Moved-On, or Dwelling Modular.

Gross Floor Area - means the total area of all floors of a building, excluding the area of basement floors and enclosed decks.

8.7 Dwelling, Accessory

8.7.1 General Regulations:

a) Existing Dwellings:

When an existing dwelling is not one of the allowable housing types identified in the Dwelling, Primary definition (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) OR an existing dwelling is one of the allowable housing types but is smaller than a new dwelling:


- i. The applicant may apply for a permit to construct or place on the property a Dwelling, Primary (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) and
- ii. As stipulated as a condition of approval for the new Dwelling, Primary, construction shall not commence until a Development Permit has been obtained for the existing dwelling to be issued a permit as a Dwelling, Accessory.
- iii. If for any reason the Dwelling, Primary is not constructed, the permit for the Dwelling, Accessory will be cancelled as per Section 6.2.1.

b) A Dwelling Accessory:

- i. Shall meet applicable Safety Codes and will require a Building Permit
- ii. Shall not be located on a property that already has a secondary suite
- iii. Shall have adequate water and sewer either through a shared or individual system
- iv. Shall be located within a building other than the primary dwelling or as a detached standalone unit. For example: A Dwelling, Accessory may be built on top of an accessory building or garage
- v. May require its own municipal address
- vi. Shall require one additional parking space for the residents
- vii. Shall follow the height and setback regulations in the applicable land use district, except where otherwise noted in this Bylaw.

8.7.2 Size:

- a)** Outside of a hamlet the gross floor area of a Dwelling, Accessory will be no more than 80% of the Gross Floor Area of the primary dwelling. *As defined in the definitions section.*

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- b) Inside a hamlet the Dwelling, Accessory shall be smaller than the primary dwelling and shall not exceed 74.32 m² (800.0 ft²) in Gross Floor Area. *As defined in the definitions section.*
 - c) A Dwelling, Accessory will count as part of the total lot coverage for the land use district, such as Hamlet Residential or Country Residential.

8.7.3 Location:

- a) The Dwelling, Accessory shall be a minimum of 3.05 m (10.0 ft) from the primary residence.

8.7.4 Design:

- a) A Dwelling, Accessory will contain at least two rooms and will include a kitchen, washroom and sleeping area.
- b) Wherever possible, the windows and doors on a Dwelling, Accessory should be located away from yards of adjacent properties to protect privacy.

8.7.5 Additional Considerations:

- a) In considering a Development Permit application for a Dwelling, Accessory, the Development Authority has the discretion to consider such factors as:
- b) The effect of a Dwelling, Accessory on the character of a neighborhood and the cumulative effect of an additional dwelling within a specific location.
- c) The similarity of the Dwelling, Accessory to the principal dwelling or adjacent properties in architectural design, character, and appearance. For example: exterior wall materials, window types, door and window trims, roofing materials, and roof pitch.
- d) The location of the Dwelling, Accessory with preference for its close proximity to the principal dwelling so as to appear as a related building.
- e) The use of a shared approach.
- f) The availability of outdoor yard space that is useful for the residents of the Dwelling, Accessory.
- g) The provision of landscaping or screening to provide privacy between the Dwelling, Accessory and adjacent properties and dwellings.
- h) Other such considerations as the Development Authority may deem to be relevant

8.7.6 Existing Temporary Dwellings or Existing Dwelling, Manufactured to be utilized as a Dwelling, Accessory (as per 8.6.1 a):

- a) At the discretion of the Development Authority, an existing Temporary Dwelling or an existing Dwelling Manufactured (as per 8.6.1 a) may be issued a permit as a Dwelling, Accessory even though it does not meet all of the provisions of this bylaw but will be evaluated in consideration of the following:
 - i. The existing dwelling was onsite prior to the date of the adoption of the current Land Use Bylaw.
 - ii. There have been no complaints from adjacent residents regarding the existing dwelling
 - iii. The existing dwelling has been well maintained and repaired as required
 - iv. The Development Authority may require a Safety Codes Inspection of an existing dwelling if deemed necessary.

CIRCULATION COMMENTS:

| AGENCY CIRCULATION | |
|-----------------------|--|
| Not Performed | |
| INTERNAL CIRCULATION | |
| Internal File Review | Park Enterprises –The applicant can proceed without altering the private sewage design as the occupancy is not currently changing and the only addition being another toilet. Should the property be sold, the family moving in may not be the same number of occupants and the system would need to be re-evaluated at that point if he chooses not to do it at this stage. |
| NEIGHBOUR CIRCULATION | |
| To adjacent neighbors | No Comments Received at the time of this report. |

OPTIONS:

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

Option #1: THAT Council approve DP 2020-001:

Resolution 1: THAT Municipal Planning Commission approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A.

Option #2: THAT Municipal Planning Commission refuse DP 2020-001 with reasons given.

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

RECOMMENDATION:

That Municipal Planning Commission choose Option #1 to approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed application aligns with 3.61 of the MDP.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential.
- With the stated conditions of approval, the Development Authority has determined that the proposal complies with intent of the County's Land Use Bylaw rules and regulations.
- The applicant will be required to obtain the required safety code permits.

Appendix A:

1. This Development Permit is issued solely for the purpose of residential suite to be located within an accessory building (wood shop) - Defined as a Dwelling, Accessory.
2. No variance has been granted.
3. Development shall proceed according to Hamlet Residential General (HRG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.

NOTES:

- All construction shall conform to Alberta Safety Code regulations.
- Development shall meet all provincial and federal legislation.



Suzanne Hayes, Development Officer

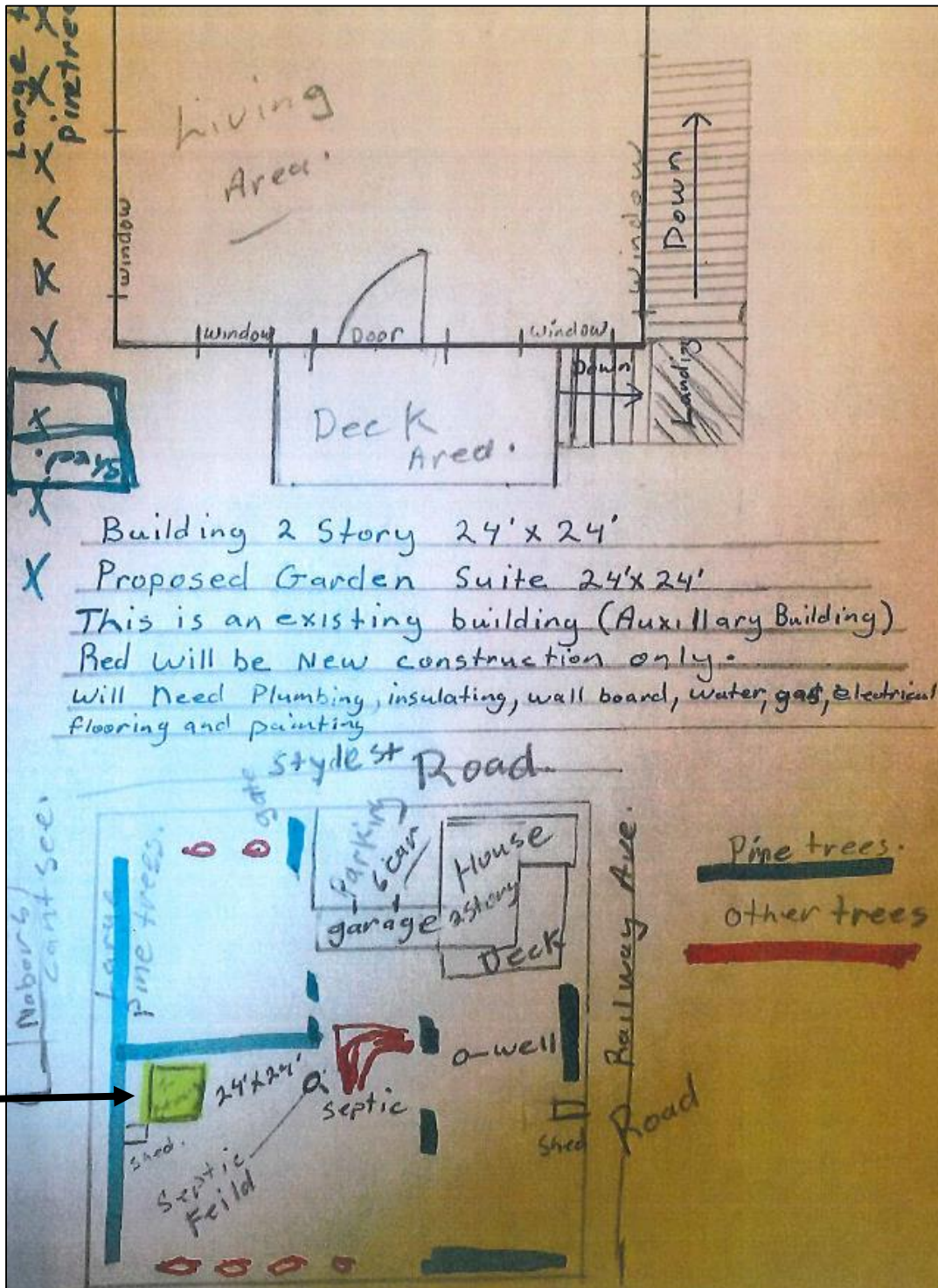
Appendix B: Location Plan



Appendix C: Aerial Photo

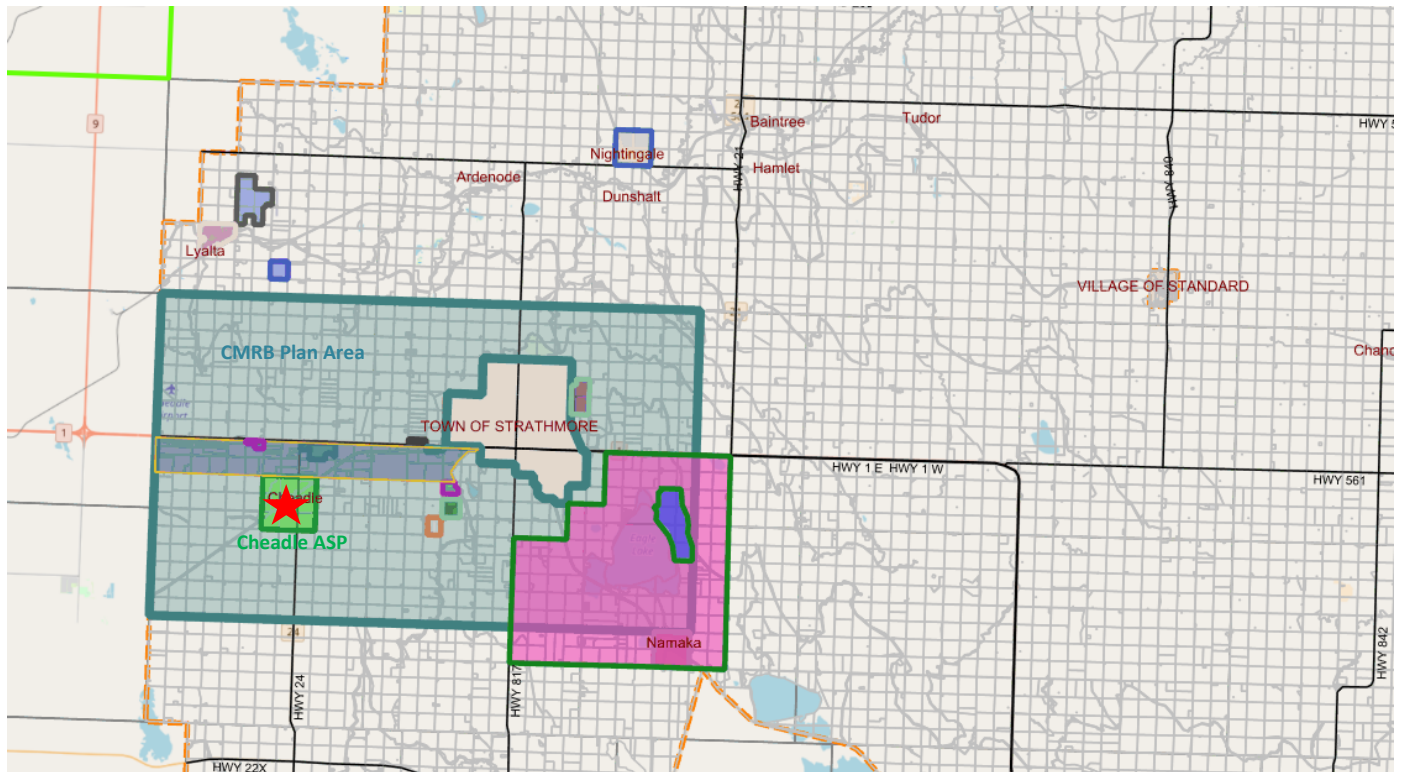


Appendix D: Site Plan



Proposed
Dwelling
Accessory

Appendix E: CMRB and Area Structure Plans (location indicated by red star)



Appendix F: Circulation Area



Appendix G: Photos





Primary Dwelling



Parking Area

21/06/2016