

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF BIRCHCLIFF
SUMMER VILLAGES ADMINISTRATION OFFICE
DECEMBER 14, 2023 @ 9:00 A.M.**

- A. CALL TO ORDER**
- B. ADOPTION OF AGENDA**
- C. DEVELOPMENT ITEMS**
 - 1) 317 Birchcliff Road
- D. ADJOURNMENT**

Summer Village of Birchcliff – Municipal Planning Commission

December 14, 2023

Agenda Item

317 Birchcliff Road (Lot 2B, Block -, Plan 4736MC)

Development Permit Application

Background:

Griffin Construction has applied for two sheds on behalf of the homeowners of 317 Birchcliff Road (Lot 2B, Block -, Plan 4736MC), in the village of Birchcliff. This property is located in the R1 District (Lakeshore Residential District). There is currently an existing dwelling and detached garage on the property. Both new sheds are proposed to have the same appearance and be used for storage, one shed will be 164.68ft², and 11'6" in height at the highest point, and the other will be 30.13ft². and 7'6" in height. The larger in size shed will be accessible from the East of the property, and the smaller size shed will be accessible from the deck of the property. All accessory buildings combined would be a total 4.18% and within the maximum 6% of the parcel to be covered by accessory buildings. The proposed parcel coverage is 23.6% within the maximum 50%. There will be no existing drainage or landscaping alterations.

Discussion:

This application is before MPC for the following reason:

- LUB (Part Three) 1.4. The total number of accessory buildings proposed on the parcel is 3, the maximum amount on an unsubdivided parcel is 2, therefore a variance is required.

Application Review:

After reviewing the proposed application, and all relevant planning documents, it is administration's opinion that the third accessory building would not unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land. The shed is not large in size and is off the deck to provide wheelchair storage, to be surrounded by vegetation. The variance required is for one additional shed on the lot, and the smaller shed of 30.13ft², would not generally require a development permit based on the size however, the number of accessory buildings is to be considered.

December 5, 2023

Conditions:

If approved, Administration would recommend the following conditions:

- All applicable Superior Safety Codes permits to be completed and submitted to the administration office.
- The payment of a \$3,000.00 completions deposit to ensure all conditions of this development permit have been met, including the completion of building construction within a one-year period, landscaping completed with two years, and any or all road damage repaired. Any damage to public roads due to the construction and delivery of the home shall be repaired immediately at the expense of the permit holder.
- The height of the accessory buildings shall not exceed 5m (16.40ft.) in building height measured from grade.
- Final as build real property report from an Alberta Land Surveyor at completion that includes parcel coverage.
- The exterior of an accessory building must be finished to match or compliment the exterior finish of the main building.
- Existing vegetation and drainage to remain the same as provided in the landscaping and drainage plan.

Authorities:

The MPC may:

- (1) Grant a variance to reduce the requirements of any use of the Land Use Bylaw and that use will be deemed to comply with the Land Use Bylaw.
- (2) Approve an application for Development Permit even though the proposed development does not comply with this bylaw or is a non-conforming building if, in the opinion of the Municipal Planning Commission:
 - (a) The proposed development would not;
 - (i) Unduly interfere with the amenities of the neighbourhood; or
 - (ii) Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; And
 - (b) it conforms with the use prescribed for that land or building in this bylaw.
- (3) In approving an application for development pursuant to subsections (2)(a) and a variance shall be considered only where warranted by the merits of the proposed development and in response to irregular parcel lines, parcel shapes or site characteristics which create difficulties in siting structures within the required setback or in meeting the usual bylaw requirements except there shall be no variance for parcel coverage and building height.

Decision:

In order to retain transparency of the Commission, Administration recommends one of the following:

1. Approve the application with or without conditions (*Section 642 of the MGA*), or
2. Deny the application stating reasons why (*Section 642(4) of the MGA*).



November 22, 2023

To whom it may concern,

On behalf of the owners of 317 Birchcliff Road, we are asking to have 3 sheds on the property. The 3rd shed will be used as a storage for an electric wheelchair for one of the owners.

The shed will be the same design as the 15' x 11' but will be 5' x 6' instead.

Thank you,



Ralph Griffin

ALBERTA LAND SURVEYOR'S REAL PROP

COMPASS

Geomatics Ltd.

11-4608 62nd Str
Red Deer, Alberta
Office (403) 356-0
www.compassge

To: [REDACTED]
Re: Lot 2B, Plan 4736 MC
317 Birchcliff Road
Summer Village of Birchcliff, Alberta
Date of Survey: July 21st, 2023, August 2nd, 2023 & August 17th, 2023
Date of Title Search: July 18th, 2023
Title information is based on title no. 152 393 453
Property is subject to: 3085LL - Utility Right of Way - Plan 6233 KS
Caveat 7937LJ - RE: Easement - FortisAlberta Inc.
63350F - Restrictive Covenant
63370F - Encumbrance - Birch Bay Sales Ltd.
63380F - Utility Right of Way - Plan 6233 KS

LEGEND
Statutory
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Referenc
Counters
Fence C
Found
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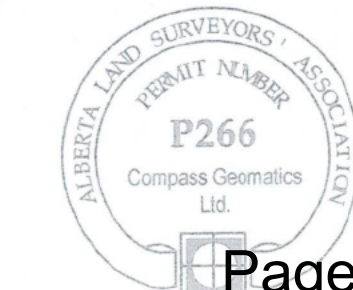
NOTES
Distances are in metres and decimals thereof and are all check measured at the time of survey.
Dimensions shown relate to perpendicular distances from property boundaries to exterior walls unless shown otherwise.
Eave dimensions are to the line of the fascia.
All fences shown are within 0.20 metres of property line unless noted otherwise.

Alberta Land Surveyor's Certification:
I hereby certify that this Report, which includes the attached plan and related survey, was prepared under personal supervision and in accordance with the Alberta Land Surveyors' Association's Manual & supplements thereto. Accordingly, within those standards and as of the date of this Report, I am

- the plan illustrates the boundaries of the property, the improvements as defined in Part C, Section 1 of the Surveyors' Association's Manual of Standard Practice, registered easements and rights-of-way affecting the property;
- the improvements are entirely within the boundaries of the property;
- no visible encroachments exist on the property from any improvements situated on an adjoining asphalt road
- no visible encroachments exist on registered easements or rights-of-way affecting the extent of the garage & garage eaves

Purpose of Report:
This Report and attached plan have been prepared for the benefit of the Property owner, subsequent agents for the purpose(s) of a land conveyance. Copying is permitted only for the benefit of the person to whom it is issued. Where applicable, registered easements and utility rights-of-way affecting the property are shown on the attached plan. Unless shown otherwise, property corner markers have not been placed. The attached plan should not be used to establish boundaries (e.g., for fencing) because of measurement error by the user.

The information shown on this Report reflects the status of this Property as of the date of survey. The Real Property Report is updated for future requirements because subsequent developments are not reflected on the Report.



Dated at Red Deer, Alberta

August 30th, 2023.

Jordan K. Westera, A.L.S.
COMPASS GEOMATICS LTD. 2023

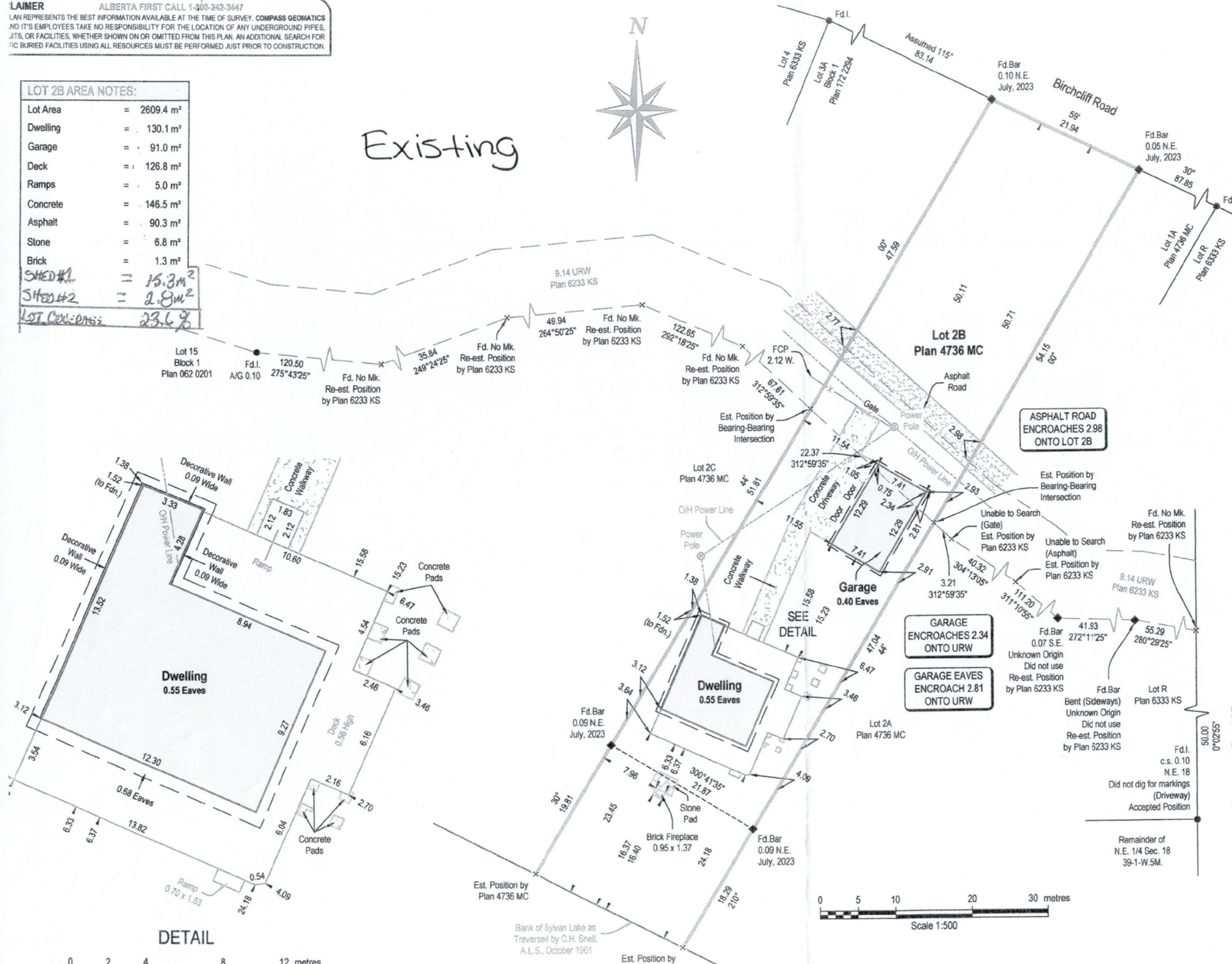
This document is not valid unless it bears an original signature of the Surveyor and a P266 permit stamp

DISCLAIMER
ALBERTA FIRST CALL 1-800-242-3447
COMPASS GEOMATICS LTD. AND ITS EMPLOYEES TAKE NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND PIPES, CABLES, OR FACILITIES, WHETHER SHOWN ON OR OMITTED FROM THIS PLAN. AN ADDITIONAL SEARCH FOR SUCH BURIED FACILITIES USING ALL RESOURCES MUST BE PERFORMED JUST PRIOR TO CONSTRUCTION.

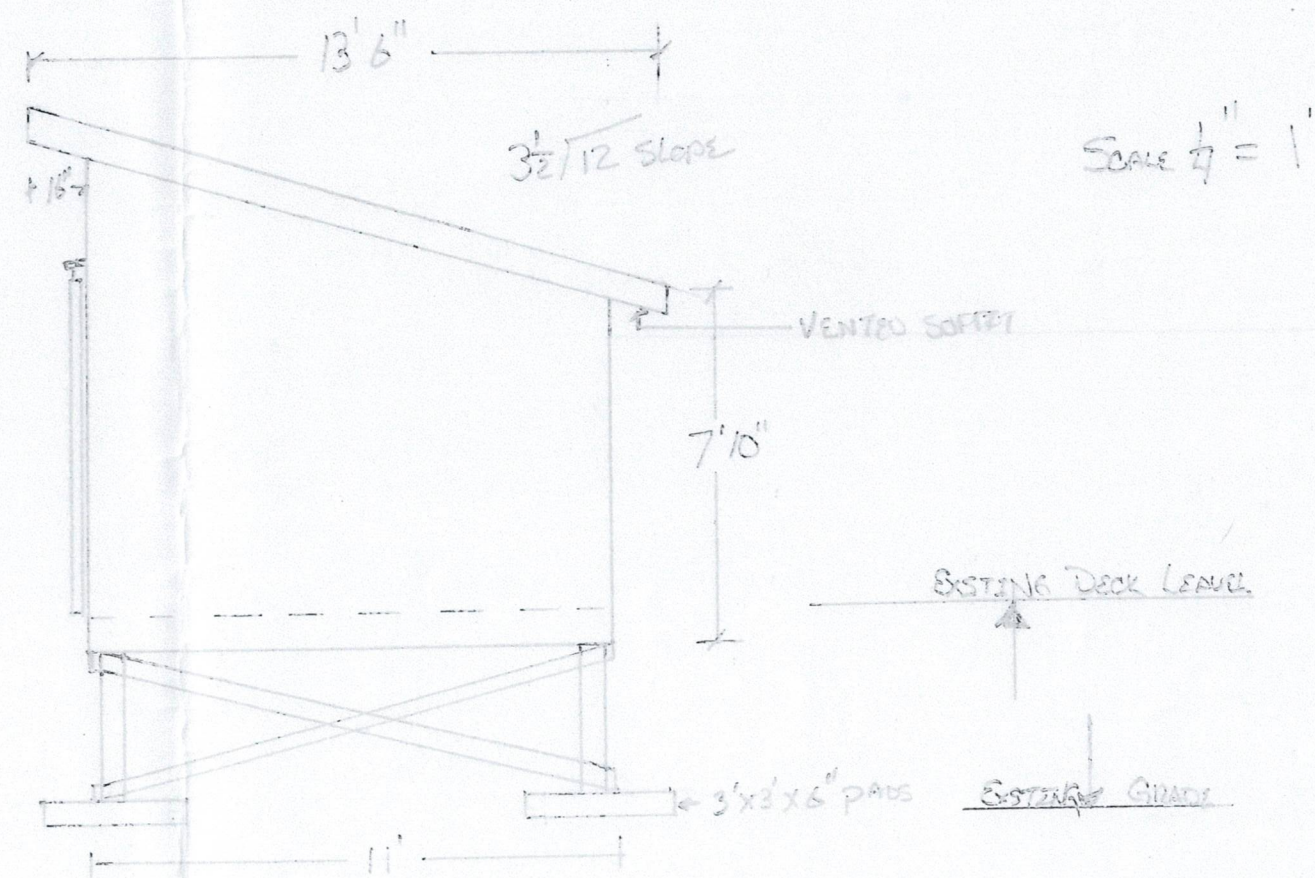
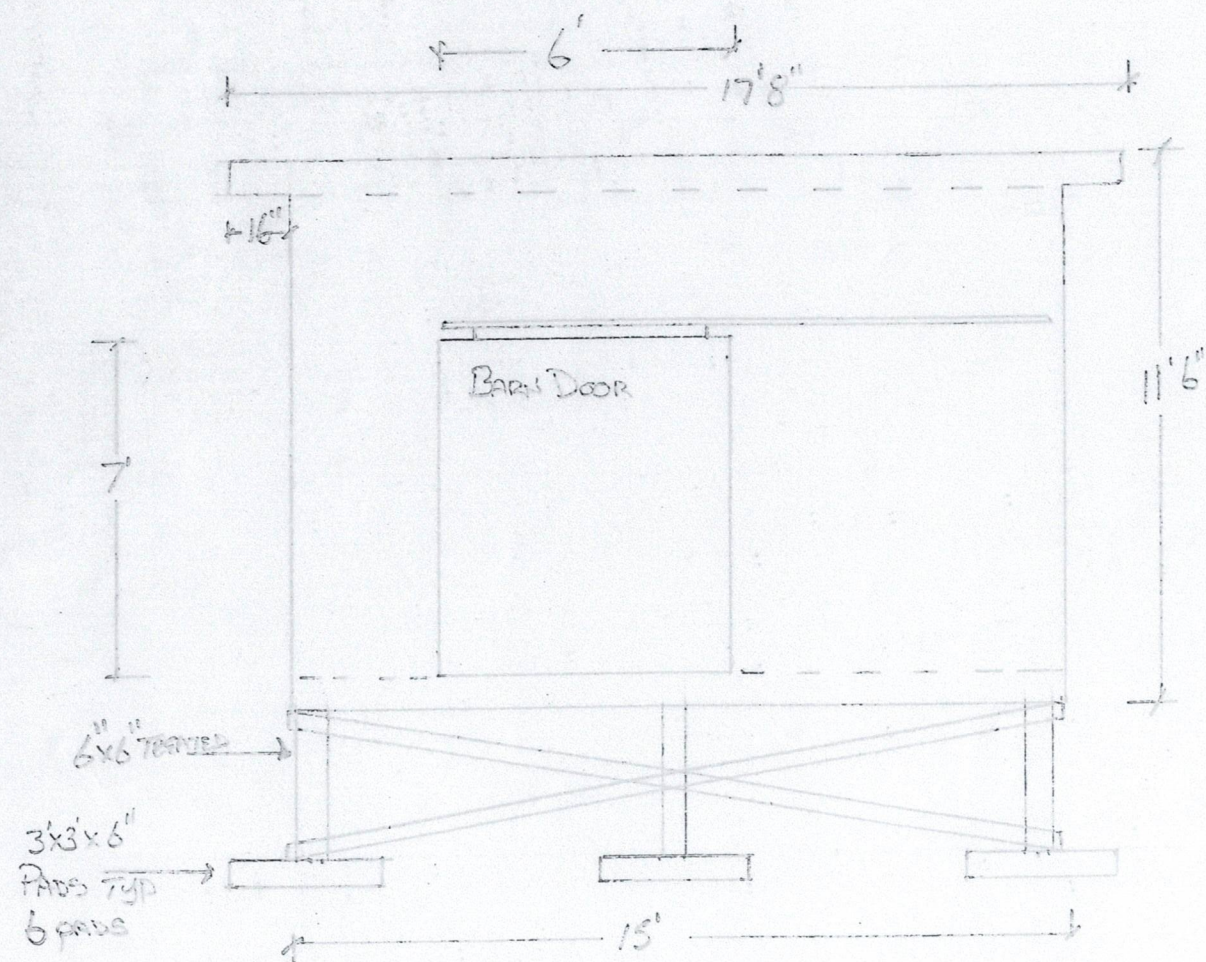
LOT 2B AREA NOTES:

Lot Area	=	2609.4 m ²
Dwelling	=	130.1 m ²
Garage	=	91.0 m ²
Deck	=	126.8 m ²
Ramps	=	5.0 m ²
Concrete	=	146.5 m ²
Asphalt	=	90.3 m ²
Stone	=	6.8 m ²
Brick	=	1.3 m ²
SHED #1	=	15.3 m ²
SHED #2	=	2.8 m ²
LOT CLOSURE	=	23.6%

Existing

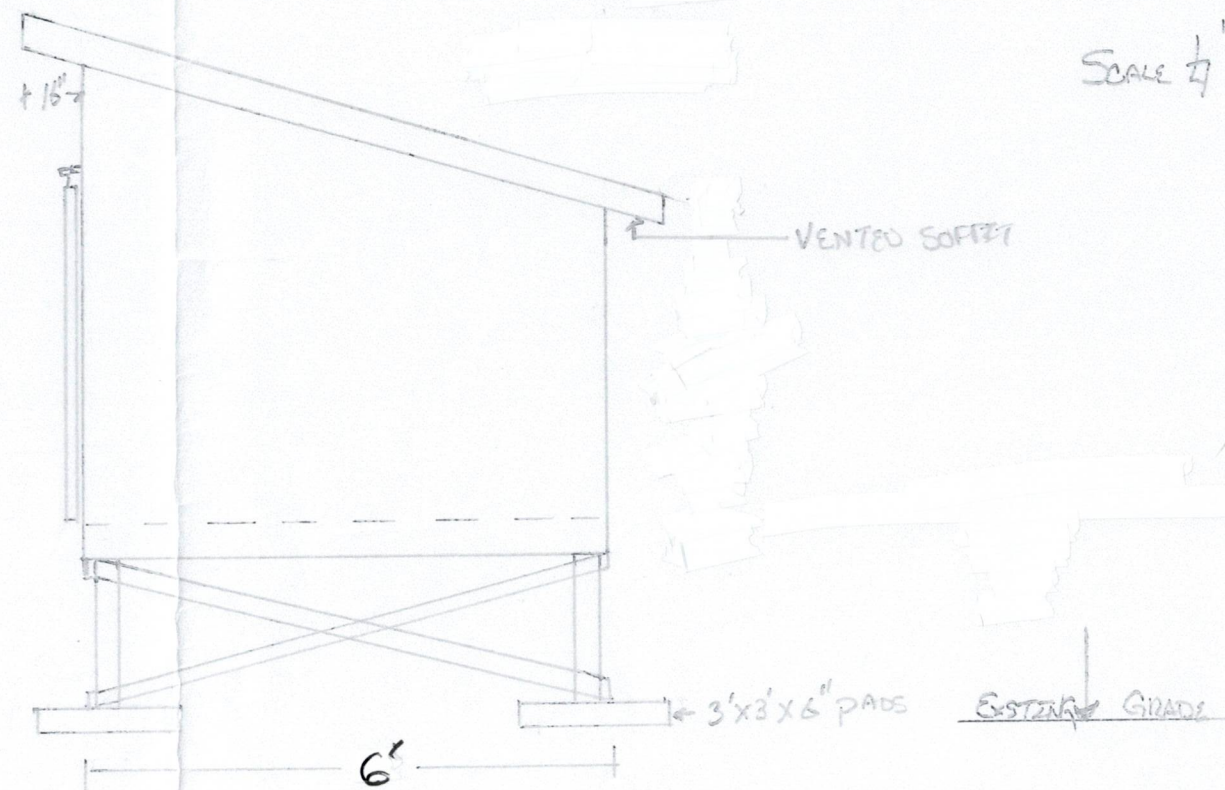
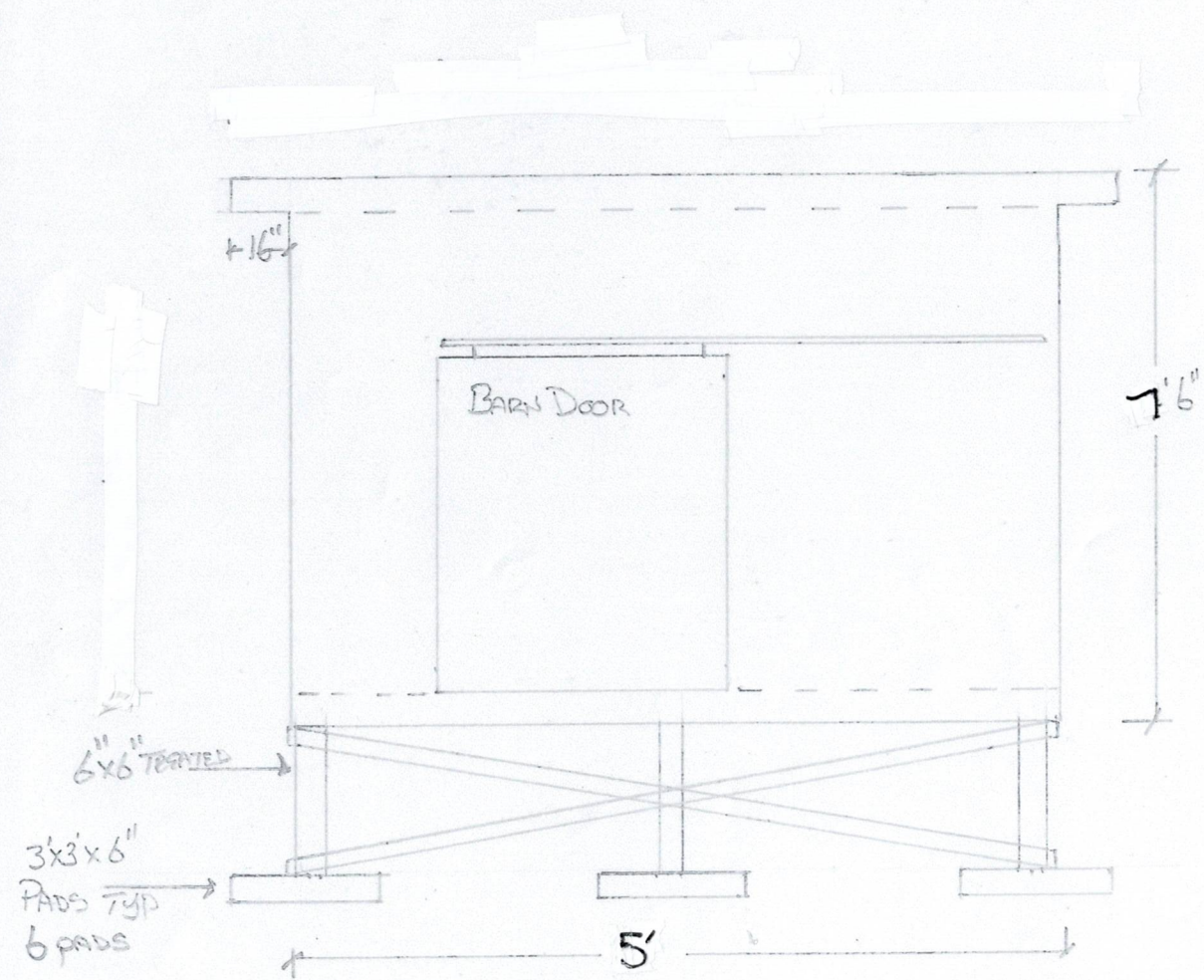


Shed #1



METAL ROOFING
 2x8 RAFTERS 16" o/c
 JAMES HARDY SIDING
 2x4 WALLS / 3/8 SHEET
 3/4" T&G FLOOR
 2x8 FLOOR JOISTS 16" o/c
 2x6 CROSS BOWLING
 6x6 LEGS

Shed #2



SCALE $\frac{1}{4}'' = 1'$

DISCLAIMER
ALBERTA FIRST CALL 1-800-940-3947
THIS PLAN REPRESENTS THE BEST INFORMATION AVAILABLE AT THE TIME OF SURVEY. COMPASS GEOMATICS LTD. AND ITS EMPLOYEES TAKE NO RESPONSIBILITY FOR THE LOCATION OF ANY UNRECORDED POSTS, CORNERS, OR ENCLOSURES, WHEN THEY SHOWN ON OR OMITTED FROM THIS PLAN. AN ADDITIONAL SEARCH FOR SPECIFIC MARKED ENCLOSURES, UNRECORDED POSTS, OR RECORDED ENCLOSURES MUST BE PERFORMED PRIOR TO CONSTRUCTION.

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



11-4638 (2nd Street)
Red Deer, Alberta T4N 5T3
Office (403) 366-0111 Fax (403) 366-0114
www.compassgeomatics.ca

To: [Redacted]
Re: Lot 2B, Plan 4736 MC
317 Birchcliff Road
Summer Village of Birchcliff, Alberta
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6335OF - Restrictive Covenant
6337OF - Encumbrance - Birch Bay Sales Ltd.
6338OF - Utility Right of Way - Plan 6233 KS

LEGEND

Statutory Iron Post Found	●
Iron Bar Found	◆
Calculated Point	×
Reference Point	●
Countersunk	c.s.
Fence Corner Post	FCP
Found	Fd.
Mark	Mk.
Marker Post	Mp.
Statutory Iron Post	I
Foundation	Fdn.
Radial	(R)
Fence Line shown thus:	—
Power Line shown thus:	—
Power Pole	⊙
Anchor	—

NOTES
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Dimensions shown relate to perpendicular distances from property boundaries to exterior walls unless shown otherwise.
Eave dimensions are to the line of the fascia.
All fences shown are within 0.20 metres of property line unless noted otherwise.

Alberta Land Surveyor's Certification
I hereby certify that this Report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association's Manual of Standard Practice and supplements thereto. Accordingly, within those standards and as of the date of the Report, I am of the opinion that:

- the plan illustrates the boundaries of the property, the improvements as defined in Part C, Section 6.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and rights-of-way affecting the extent of the title to the property;
- the improvements are entirely within the boundaries of the property;
- no visible encroachments exist on the property from any improvements situated on an adjoining property, except asphalt road;
- no visible encroachments exist on registered easements or rights-of-way affecting the extent of the property, except garage & garage eaves.

Purpose of Report:
This Report and attached plan have been prepared for the benefit of the Property owner, subsequent owners, and any of their agents for the purpose(s) of a land conveyance. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights-of-way affecting the extent of the Property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this Report. The attached plan should not be used to establish boundaries (e.g., for fencing) because of the risk of misinterpretation or measurement error by the user.

The information shown on this Report reflects the status of this Property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements because subsequent development changes on the property will not be reflected on the Report.



Dated at Red Deer, Alberta
August 30th, 2023
[Signature]
Joseph Westera, A.L.S.
COMPASS GEOMATICS LTD 2023

This document is not valid unless it bears an original signature or digital signature of an Alberta Land Surveyor and a P266 permit stamp.



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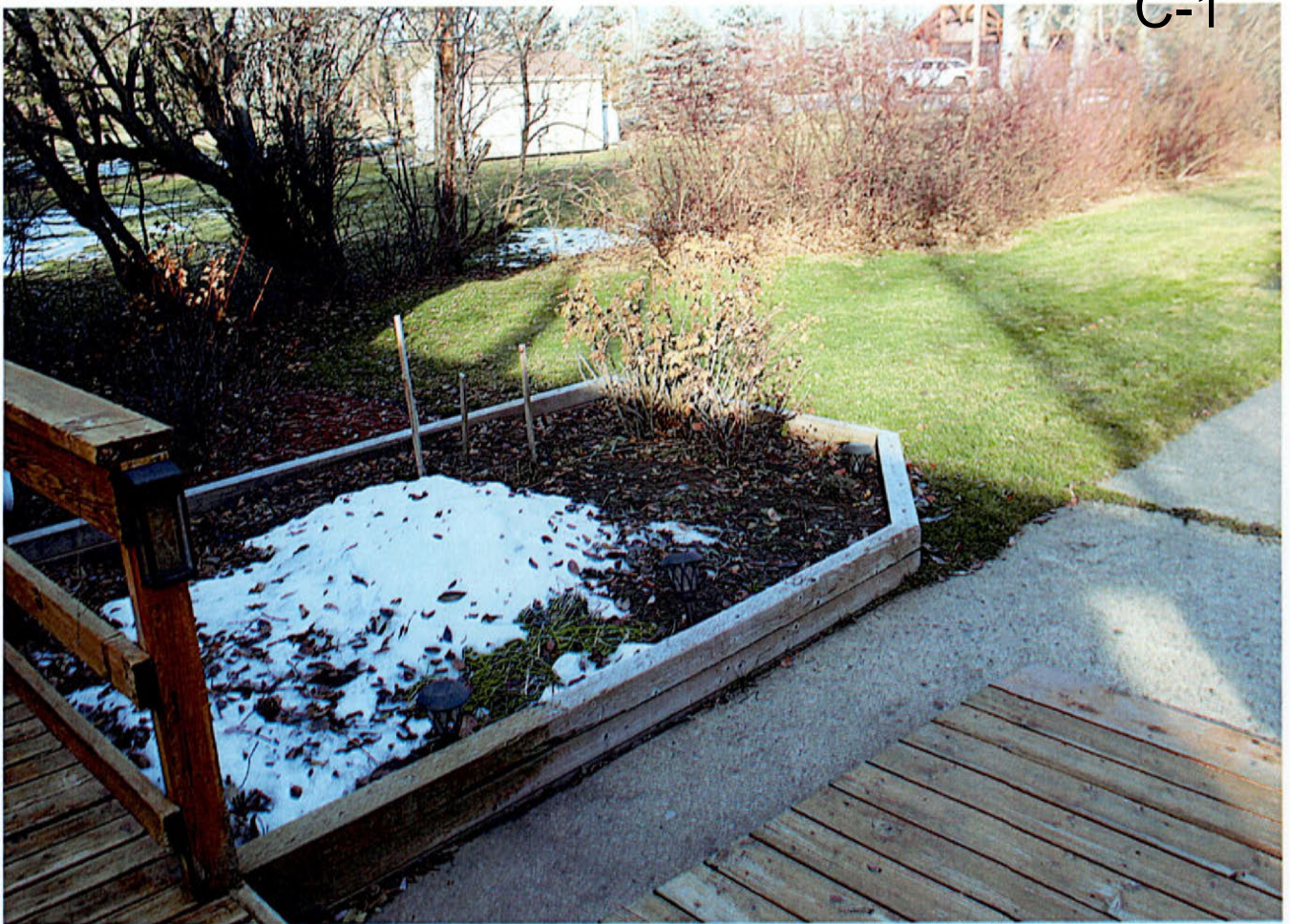
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