#### MUNICIPAL PLANNING COMMISSION AGENDA SUMMER VILLAGE OF BIRCHCLIFF SUMMER VILLAGES ADMINISTRATION OFFICE FEBRUARY 15, 2024 @ 9:00 A.M.

- A. CALL TO ORDER
- B. ADOPTION OF AGENDA
- C. DEVELOPMENT ITEMS
  - 1) 529 Birch Close
- D. ADJOURNMENT

#### **Summer Village of Birchcliff – Municipal Planning Commission**

February 15, 2024

Agenda Item

529 Birch Close (Lot 8, Block 1, Plan 0224592)

#### **Development Permit Application**

#### **Background:**

The homeowners of 529 Birch Close (Lot 8, Block 1, Plan 0224592), in the village of Birchcliff are seeking approval for a shed. This property is located in the R2 District (Back-Lot Residential District). There is currently an existing dwelling on the property that was recently developed on a vacant lot, a portion of this property is also a storm water detention pond. The new shed is proposed to be used for storage and will leave space for a detached garage in the future, the shed will be 240ft<sup>2</sup>, and 10ft. in height at the highest point. The accessory building coverage of the lot would be a total 0.32% and within the maximum 6% of the parcel to be covered by accessory buildings. The proposed total parcel coverage is 16.12% 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) 1.1(2) (a): An accessory building is to be situated inside the minimum yard requirements of the main building (Rear Yard 50ft. minimum), the proposed setback to the rear yard is 22ft., therefore a variance of 28ft. is required.

#### **Application Review:**

After reviewing the proposed application, all relevant planning documents, and the adjacent landowner letter it is administration's opinion that the 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. This is the only accessory building on the lot and has a minimal impact on parcel coverage, as well is proposed to be surrounded by vegetation however, the variance should still be considered.

#### **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, and any or all road damage repaired. Any
  damage to public roads due to the construction shall be repaired immediately at
  the expense of the permit holder.
- The height of the accessory building shall not exceed 5m (16.40ft.) in building height measured from grade.
- 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 application.

#### **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).

January 18, 2024

529 Birch Close Birchcliff, Ab T4S 1R6

To:



KARA HUBBARD DEVELOPMENT OFFICER

khubbard@sylvansummervillages.ca 403 887 2822 #2 Erickson Drive, Sylvan Lake, AB T4S 1P5

#### LETTER OF INTENT:

#### Dear Kara Hubbard,

We are writing this letter to request a variance for the placement of the discussed garden shed. Instead of 50ft from rear property line, we propose 22ft from the rear property line. As mentioned our lot is only about half the size of surrounding lots, yet have the same setback requirements. A large portion of our lot is an unusable detention pond. Our house is placed at the center of our lot, therefore if we place the shed 50ft from the back property line it puts the shed in the middle of the back yard! This is where we need the space for our kids to play in the back yard, plant a small garden, etc.

The adjacent lot does not have a residential dwelling on it. There is only a large shop and garden shed. In addition we have planted a row of spruce trees on our properly and a built a fence between the adjacent lot and the proposed shed location. Also, This shed is on skids and moveable, yet it is treated the same a permanent structure. Our goal is cleaning up the yard by having a place to store lawn mowers, rakes, shovels, etc, instead of these items laying around the yard outside. We have gone out of the way to find a shed that matches our house aesthetically.

We intend to build a detached garage in the future as shown on our original building permit for the house. With the requested variance on the shed placement we will have room for the future construction of the garage without having to move the shed.

Thank you for understanding our situation and need for the variance on the setback requirements for our garden shed, as it is the only available and suitable location on the lot.

Respectfully,



**UFA** 

# Cladded Gable Shed 11-ft 4-in X 20-ft X 8-ft

MODEL #SHEDCLADDEDGABLE11'4 | SKU #1143863



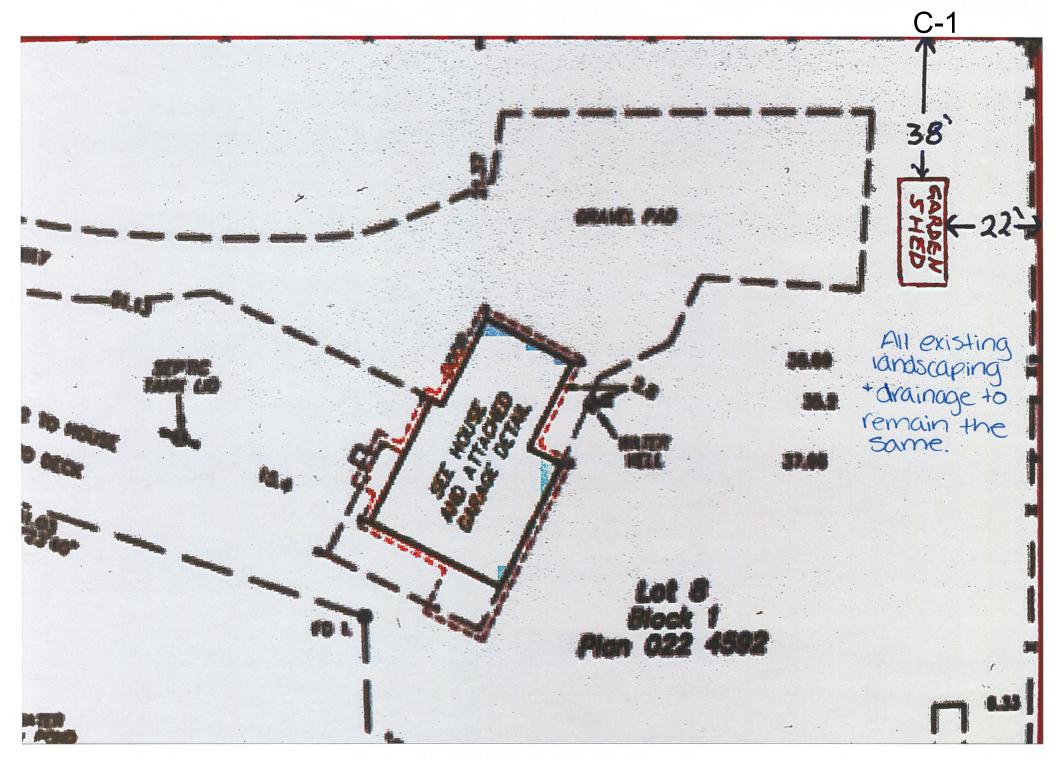
- 5- 4x6 treated skids with a plank floor
- Sheeted and cladded roof with hurricane ties to prevent wind damage in delivery on site
- Standard Charcoal 29 ga. Metal roof and trims with bright white walls
- Standard 6'x6'8" Roll Up Door 36" metal walk in door with lock and a 36x30 slider window
- 6" overhang Standard white soffit and Fascia

SPECIFICATIONS >

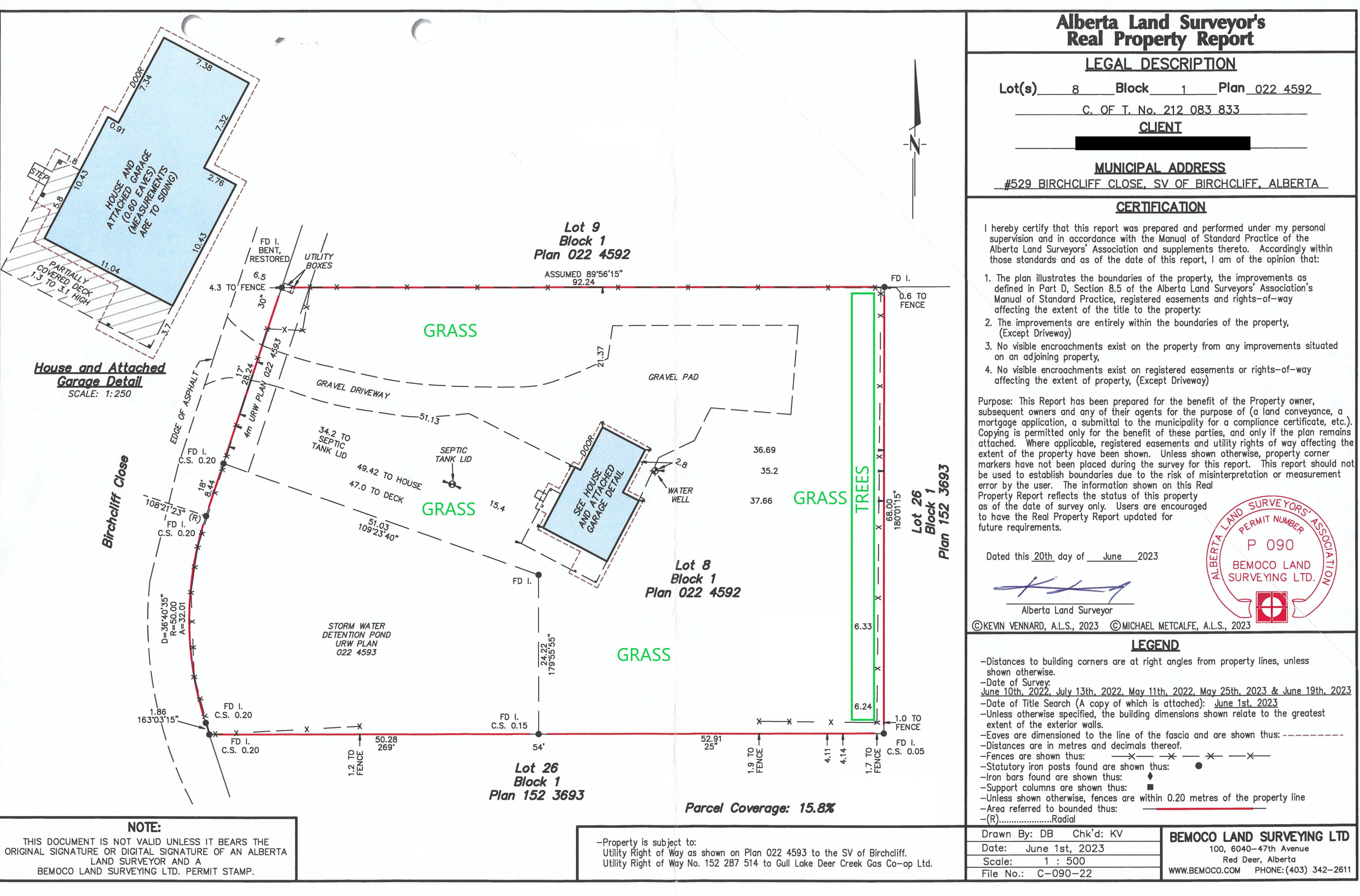
## **Specifications**

Length	240.00 in
Width	144.00 in
Height	120.00 in
Net Weight	1,850.00 lb
Gross Weight	1,850.00 lb
Volume	4,147,200.00 cu in

### **REVIEWS**



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January 18,

Todd and Sherry Lockyer 2024 525 Birch Close Birchcliff, Ab T4S 1R6

To: Sylvan Lake Summer Villages Development

To whom it may concern,

We are writing this letter in support of the requested setback variance allowance for the placement of our neighbor's (garden shed located at 529 Birch Close. We own the adjacent lot 525 Birch Close. We have a large shop adjacent to the proposed shed location and our own garden shed. Our home is located on a separate south portion of the lot and is a long way from the proposed shed location. In addition there is a row of spruce trees for a privacy barrier. The shed looks nice, matches their house and its location is of no concern now or in the future. Please proceed with the requested variance so they can continue to clean up the items in their yard and finish landscaping.

Sincerely,

Todd and Sherry Lockyer