

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF NORGLLENWOLD
SUMMER VILLAGES ADMINIS1TRATION OFFICE
APRIL 27, 2026 @ 9:00 A.M.**

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. DEVELOPMENT ITEMS

1) 199 Grand Avenue

D. ADJOURNMENT

Summer Village of Norglenwold – Municipal Planning Commission

April 27, 2026

Agenda Item

199 Grand Avenue (Lot 10, Block 2, Plan 2203KS)

Development Permit Application

Background:

Fox Contracting on behalf of the homeowners of 199 Grand Avenue, located in the Village of Norglenwold (Lot 10, Block 2, Plan 2203KS), is seeking approval for a new deck, off a non-conforming building. This property is located in the R1 District (Shoreline Residential District).

There is currently an existing deck projecting off the dwelling that is partially covered in the front yard and wraps around to an uncovered portion into the southeast side yard. The homeowner wishes to reconstruct the existing deck as it has been determined to be rotting and in need of replacement.

The proposed front yard wood deck projects 3.31m (10.86ft.) into the yard, and projects 2.13m (6.99ft) into the side yard from the dwelling, extending slightly further than the existing deck, which complies with the setback regulations. The front yard deck area is 32.87m² (353 ft²) with a maximum roof height of 2.44m (8ft.), which complies with height regulations. The proposed uncovered side yard deck area is 11.63m² (125.18ft²). The proposed setbacks are 3.75m (12.3ft.) from the escarpment line in the front yard and 3.31m(11ft) in the side yard, both meeting the requirements of the Land Use Bylaw.

The existing dwelling is considered a non-conforming building as it has a front yard setback of 7.06m (23.16ft) which does not meet the minimum required front yard setback of 7.5m (24.6ft). As the existing dwelling is a non-conforming building, the proposed reconstruction and slight expansion of the deck constitutes an addition. Pursuant to Section 4.3(4) of the Land Use Bylaw, such additions are not permitted unless approved through the variance powers of the Municipal Planning Commission.

This application today has been distributed to the adjacent landowners, and no comments have been received.

Discussion:

This application is before MPC for the following reasons:

- Land Use Bylaw, Section 4.3 Non-Conforming Buildings and Uses

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4. *A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:*
 - a. *To make it a conforming building;*
 - b. *For the routine maintenance of the building, if the Development Authority considers it necessary; or*
 - c. *In accordance with the variance powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.*

In this case, while the deck setbacks itself do not require a variance, the proposed new deck constitutes an addition to a non-conforming building. Therefore, the application requires a variance, and the decision must come from the Municipal Planning Commission.

Application Review:

While Administration reviews all applicable aspects of the Land Use Bylaw, the following key regulations are highlighted for the Municipal Planning Commission's consideration as they pertain directly to this development proposal.

Land Use Bylaw 1.4 Definitions

Deck – Means any open structure having a height greater than 0.6m (2.0ft) above grade, thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act, RSA. 2000, c.

Non-Conforming Building – Means a building:

- a. *That is lawfully constructed or lawfully under construction at the date this Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and*
- b. *That on the date this Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.*

Projection - Means part of a building or its accessory structures which projects beyond the main walls into the yards.

Land Use Bylaw 4.3: Non-Conforming Buildings and Uses

1. *A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.*
2. *A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.*

3. *A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.*
4. *A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:

 - a. *To make it a conforming building;*
 - b. *For the routine maintenance of the building, if the Development Authority considers it necessary; or*
 - c. *In accordance with the variance powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.**
5. *If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.*
6. *The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.*

Land Use Bylaw Section 8.17 Projection into Yards

1. *In the residential districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

 - a. *Side yard:

 - i. *Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum side yard required for the building.**
 - b. *Front yard and rear yard:

 - i. *Any projection not exceeding 2.5 m (8.2 ft.) over or on a minimum front yard or rear yard.*
 - ii. *Unenclosed decks, if they do not project more than 50% of the minimum yard.***
2. *In all other districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

 - a. *Any projection not exceeding 1.5 m (4.9 ft.) into a front yard or rear yard;*
 - b. *Any projection not exceeding 0.6 m (2.0 ft.) into a side yard;*
 - c. *Any projection that is an exterior fire escape not exceeding 1.2 m (3.9 ft.) in width.**
3. *No portion of a building other than eaves, signs or canopies may project into a public or private right-of-way.*

Land Use Bylaw Section 11 – R1 Shoreline Residential District

- 1(a) *Minimum Front Yard: 7.5m (24.6ft) to the habitable dwelling unit from;*
- a. *The front and rear parcel boundary; or*
 - b. *The top of the escarpment; or*
 - c. *The high water mark;*
- Whichever is closest to the dwelling unit.*

Conditions:

If approved, Administration would recommend the following conditions:

- The payment of all outstanding property taxes or the making of arrangements, satisfactory to Council, for the payment thereof, prior to the commencement of the development.
- The development commences and continues in the manner applied for, including landscaping, and that all development complies with the regulations and specifications of the Land Use By-Law under which this permit was issued.
- The construction shall be completed within 12 months, and any landscaping shall be completed within 2 years of the date of permit issuance.
- Any damage to public roads or the carriageways due to the construction shall be repaired immediately at the expense of the permit holder.
- All road bans to be followed that are implemented by Roadata and the administration office.
- The height of the deck roof shall not exceed 10m (32.81ft.) in building height measured from grade.
- All applicable Superior Safety Codes permits to be completed and submitted to the administration office.
- The payment of a \$2,000.00 completions deposit to ensure all conditions of this development permit have been met, including the completion of construction within a one-year period and to ensure that the landscaping is carried out with reasonable diligence (in accordance with the approved landscaping plan), to the satisfaction of the Development Authority.
- Final As Built Real Property Report may be required from an Alberta Land Surveyor at the completion of construction and shall include parcel coverage.
- Sewer curb stop must remain accessible at all times, during and after construction.
- A non-conforming building may not be enlarged, added to, rebuilt or structurally altered except in accordance with the variance powers possessed by the Development Authority. Variance granted by the Municipal Planning Commission for a new deck attached to the non-conforming dwelling. (Condition if variance is granted)

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:

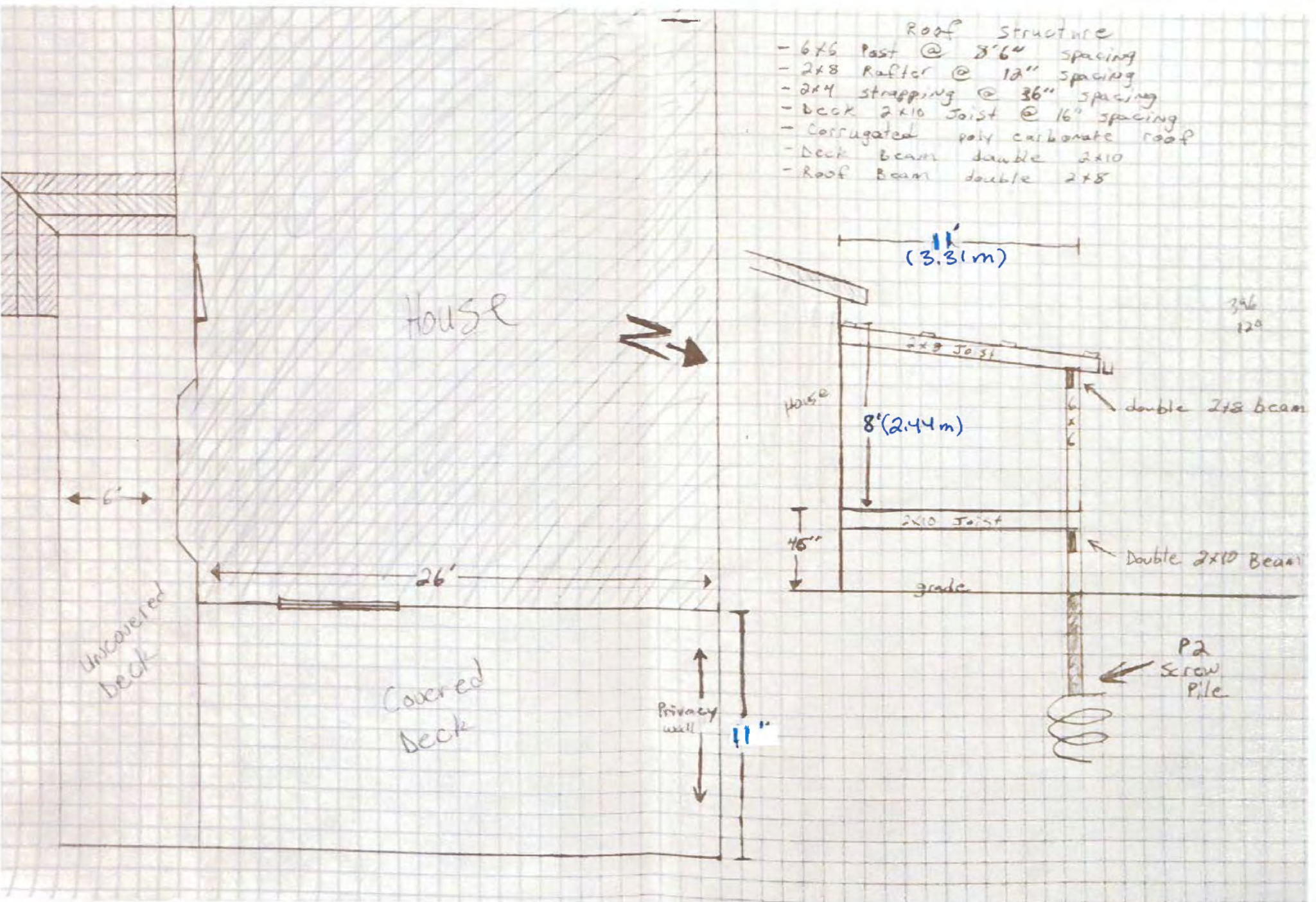
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- (a) The proposed development would not;
 - (i) Unduly interfere with the amenities of the neighbourhood; or
 - (ii) Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; And
 - (b) it conforms with the use 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:

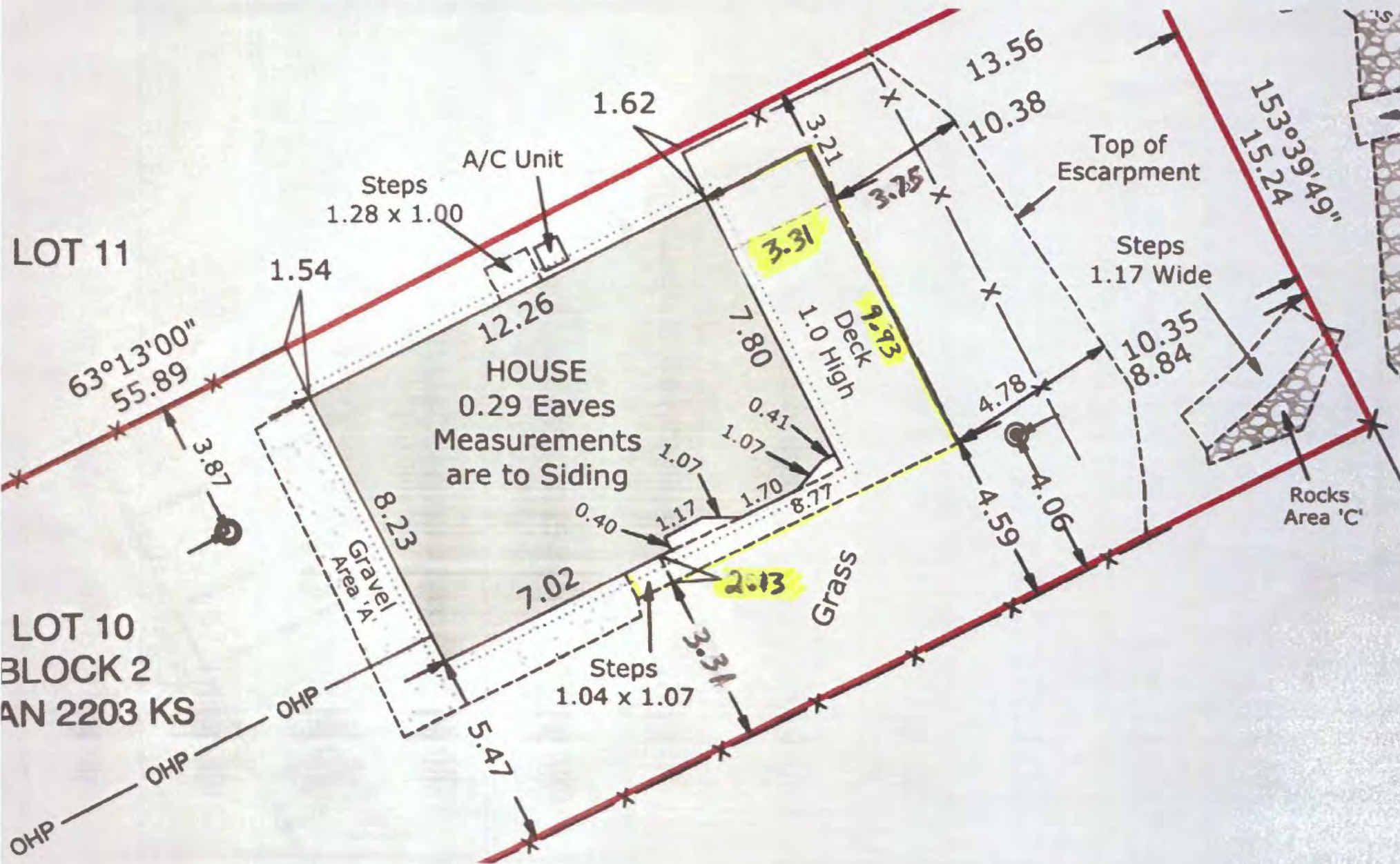
MPC May:

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*).
3. Refer the application with a timeline to administration for more information.



Proposed Deck Dimensions

C-1



5.44

Alberta Land Surveyor's Real Property Report

CLIENT: [REDACTED]

LEGAL DESCRIPTION:

Lot : 10
 Block : 2
 Plan : 2203 KS

Civic Address: 199 GRAND AVENUE
 Municipality: S.V. OF NORGLLENWOLD, ALBERTA

LEGEND & NOTES:

Statutory iron posts found are shown thus ●
 Temporary point established shown thus X
 Power Poles found shown thus ●PP
 O/H power lines are shown thus — OHP —
 Water wells are shown thus ○
 Septic Lids are shown thus ⊙
 Fence lines are shown thus —X—X—
 All fences are within 0.2m of property lines except where shown otherwise.
 Eaves are shown thus
 Eaves are measured to line of fascia, unless otherwise specified.
 Unless otherwise specified, the clearances shown are to siding, measured perpendicularly from the property boundaries.
 All F.d.l.'s are within 0.10 of ground level except where noted otherwise.
 Distances are in metres and decimals thereof.
 Structures deemed permanent shaded thus [shaded box]
 Property boundaries for subject property shown thus [red line]

TITLE INFORMATION:

Title Number: 252 041 310
 Searched on the date of: MARCH 11, 2026
 Property is subject to :
 252 041 311 - MORTGAGE: ROYAL BANK OF CANADA

CERTIFICATION:

I hereby certify that this Real Property 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 date of this Real Property Report, I am of the opinion that:

- the plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, and 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 unless shown otherwise;
- no visible encroachments exist on the Property from any improvements situated on an adjoining property unless shown otherwise;
- no visible encroachments exist on registered easements or rights-of-way or other registered instruments affecting the extent of Property unless shown otherwise.

PURPOSE:

We (I) have performed this survey and prepared this Report for the benefit of only: the land owner, subsequent owners and any of their agents. Copying is permitted only for the benefit of those parties. Where applicable, the registered easements, utility rights-of-way and other registered instruments affecting the extent of the property have been shown. Unless otherwise shown, property corner markers have not been placed during the survey for this Report. This Report should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this report reflects the status of this property as of "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

MARCH 30, 2026

[Signature]

CHAD VANDENBRINK, A.L.S.
 (Copyright Reserved)



LOT AREA	=	850.7 sq. m.
HOUSE AREA Including All Decks, Steps & Cantilevers.....	=	130.9 sq. m.
GRAVEL SURFACES (Area 'A')	=	25.1 sq. m.
GRAVEL SURFACES (Area 'B')	=	0.1 sq. m.
ROCK SURFACE (Area 'C')	=	4.0 sq. m.

This document is not valid unless it bears the original Signature or digital Signature of an Alberta Land Surveyor and a Permit Stamp

Date Of Survey : MARCH 19, 2026

Scale = 1 : 300

Drawn By: KV

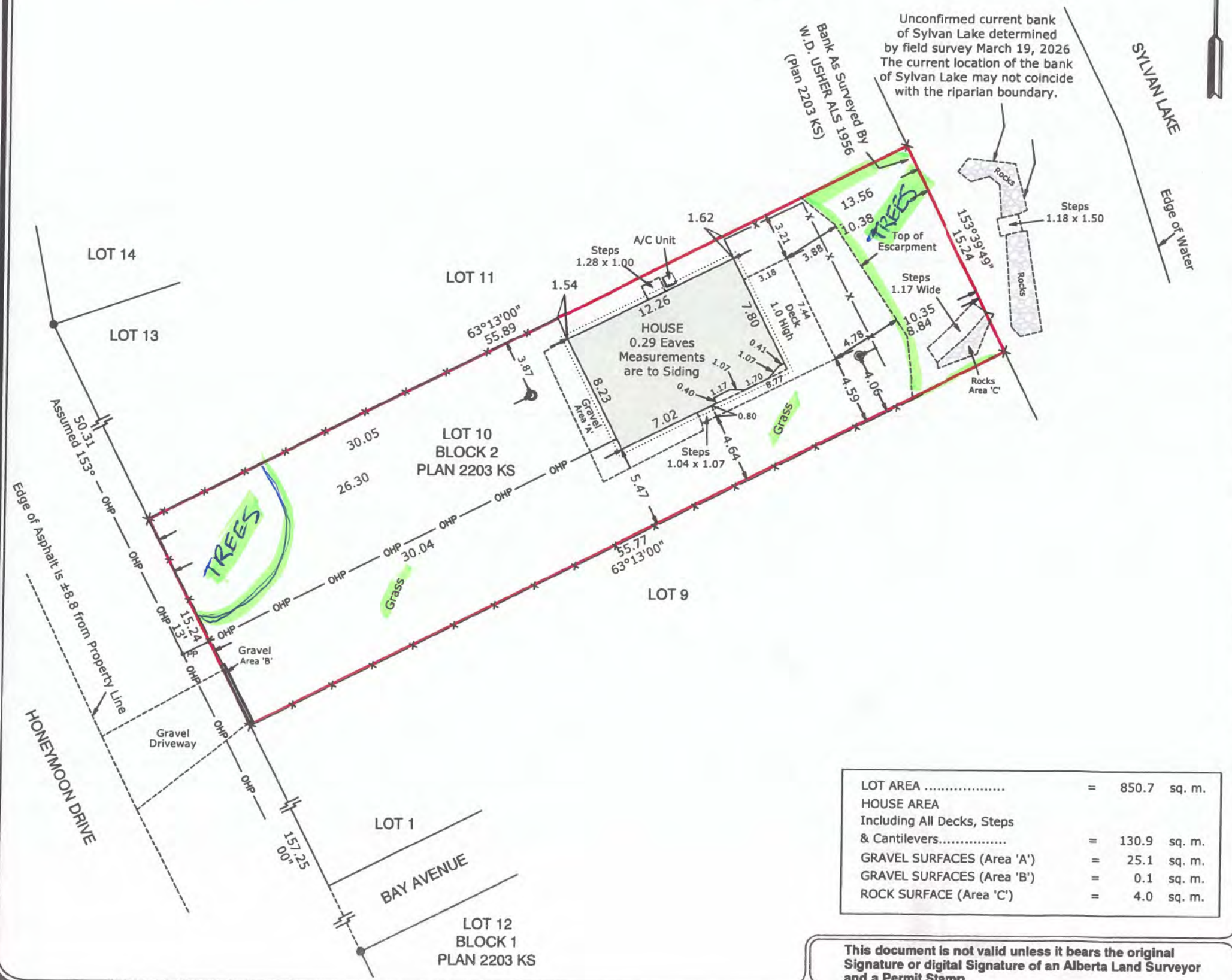
Job No. 40895-RPR

Checked By: ZG/CV



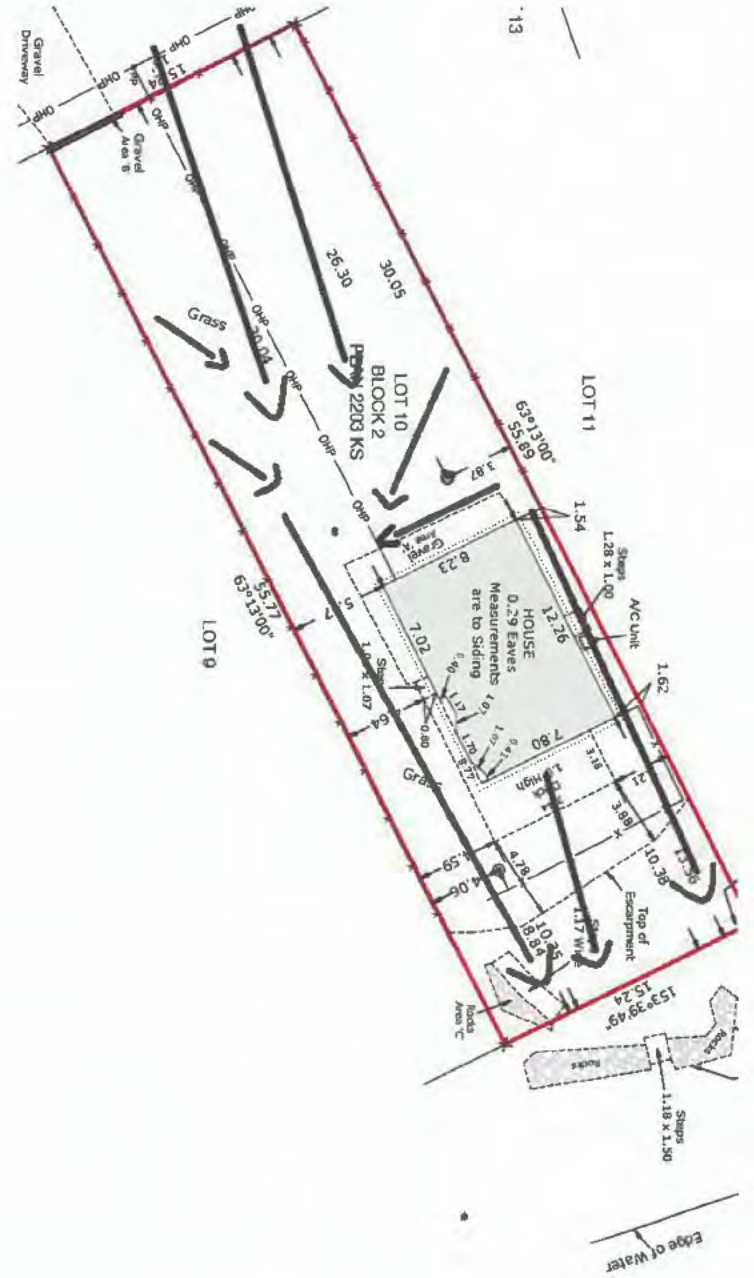
PH: (403) 343-1255

EXISTING Landscaping



Drainage Plan

C-1



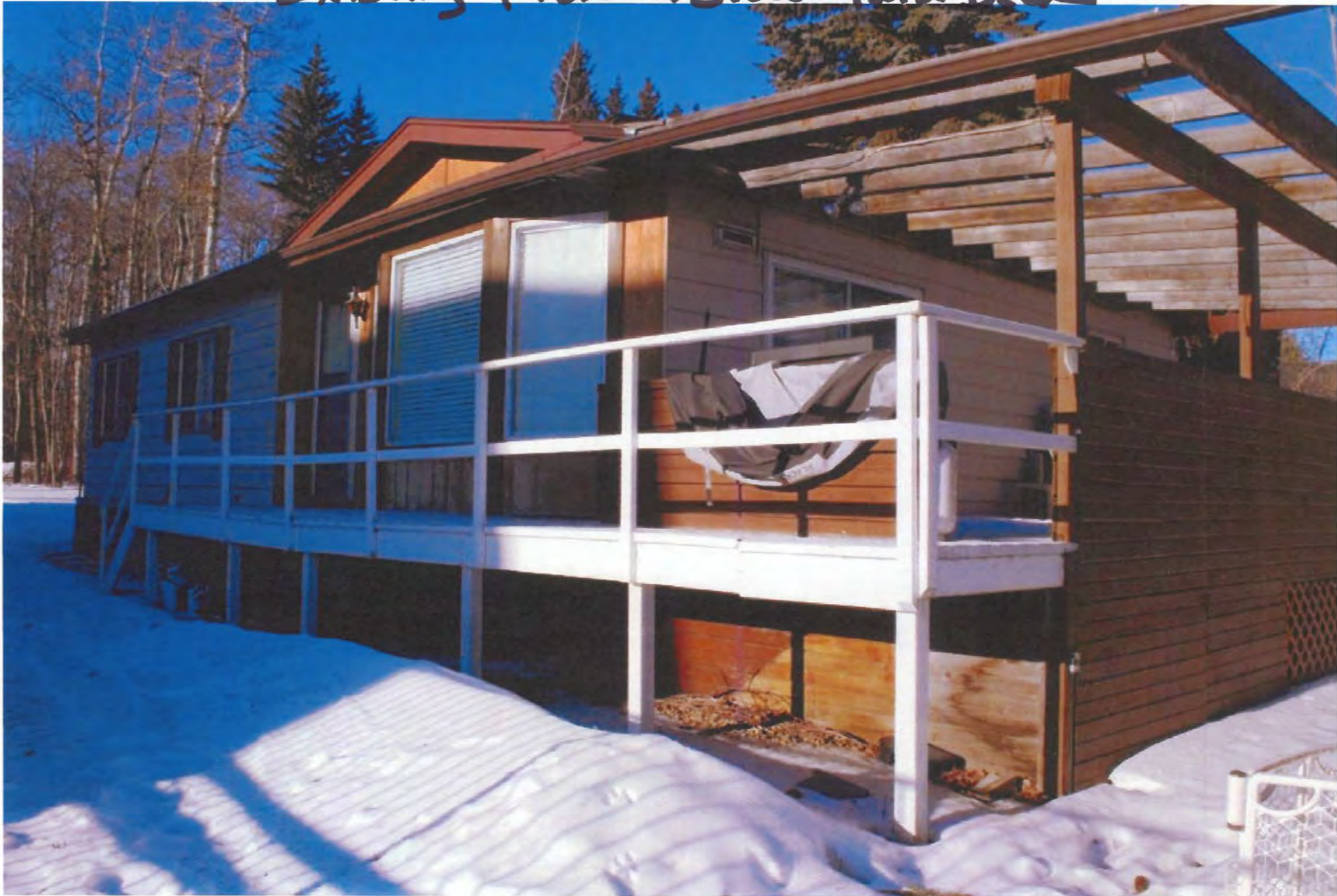
Existing Side Yard Deck

C-1



Existing Front & Side Yard Deck

C-1



Existing Front Yard Deck

C-1



Existing Front Yard Deck

C-1



