

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF SUNBREAKER COVE
ADMINISTRATION OFFICE
APRIL 6, 2023 @ 9:00 A.M.**

- A. CALL TO ORDER**
- B. ADOPTION OF AGENDA**
- C. DEVELOPMENT ITEMS**
 - 1) 1301 Breakers Way
- D. ADJOURNMENT**

Summer Village of Sunbreaker Cove – Municipal Planning Commission

April 6, 2023

Agenda Item

1301 Breakers Way (Lot 16, Block 4, Plan 5969MC)

Development Permit Application

Background:

The registered owner of 1301 Breakers Way (Lot 16, Block 4, Plan 5969MC), in the village of Sunbreaker Cove has applied for a detached garage and is requesting a variance for a driveway. The application also requires Municipal Planning Commission approval as the size of the accessory building is listed as a discretionary use. This property is located in the R1 District (Residential District).

The property is a corner lot, and the front yard is considered to be along Pine Road. The proposed detached garage is to be located along the side yard of the property and is within setbacks. The proposed size of the garage is 85m² (914.93ft²), the height is within the maximum, and the lot coverage would be 43.47% and under the maximum 50%. Currently there is lot access/parking off of Breakers Way for the property, and additional access/driveway is proposed in order to access the detached garage. There are currently 2 sheds on the property and an outhouse that are proposed to be removed. There will be 5 trees removed where the garage location is proposed, and landscaping surrounding the garage will be grassed.

Discussion:

This application is before MPC for the following reasons:

- Accessory building where the total floor area is over 74m² (796.54 ft²) is listed as a discretionary use and requires Municipal Planning Commission approval.
- In the residential district, the number of driveways shall be limited to not more than one (1) driveway on a property with less than or equal to 40 m (131.23 ft.) and not more than two (2) driveways for properties with more than 40 m (131.23 ft.) of frontage. The front yard being along Pine Road, there is not enough frontage to allow two driveways.

Recommendation:

After reviewing the application and all relevant planning documents, it is the recommendation of administration to approve the application for the detached garage with the condition that there shall only be one driveway on the property. The proposed

March 20, 2023

detached garage is within the Land Use Bylaw regulations and does not require any variances. It is the opinion of administration that the variance for the driveway is not required, and the current parking could be moved over and extended into the new approach of the detached garage within the maximum width. Adjacent landowners have been notified of the proposed variance request and no response has been received.

Conditions:

If approved, Administration would recommend the following conditions:

- Landscaping to be completed according to the landscaping plan.
- Completions deposit of \$2,000.00
- There shall be no increase in grade, all parcels shall be graded to ensure that storm water is directed to a drainage ditch without crossing adjacent land. All maintenance and upkeep shall be the responsibility of the property owner. A lot grade certificate may be required at completion to ensure that proper drainage on the property exists.
- The height of the accessory building shall not exceed 5m (16.40ft.) in building height measured from grade.
- Copies of all applicable Building, Electrical, and Plumbing & Gas permits shall be provided to the administration office to be kept on file.
- The property shall only have one driveway and the maximum width of the driveway shall be 10m (32.80ft.).
- Final as build real property report from an Alberta Land Surveyor at completion of landscaping that includes parcel coverage.
- Electrical power from the property line to any building shall be constructed underground.
- The maximum number of accessory buildings on the property shall be 2.

Authorities:

The MPC may:

- Grant a variance to reduce the requirements of any use of the LUB and that use will be deemed to comply with LUB.
- Approve application even though the proposed development does not comply or is a nonconforming building if:
 - o It would not unduly interfere with the amenities of the neighborhood, or
 - o Materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land, And
 - o It conforms with the use prescribed for that land or building in the bylaw.
- Consider a Variance only where warranted by the merits or the proposed development and in response to irregular lot 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 or Building Height.

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For a discretionary use in any district:

- The Municipal Planning Commission may approve an application for a Development Permit:
 - With or without conditions;
 - Based on the merits of the proposed development, including it's relationship to any approved statutory plan, non-statutory plan, or approved policy, affecting the site;
 - Where the proposed development conforms in every respect to this Land Use Bylaw; or
- May refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of the Land Use Bylaw; or
- Subject to provisions of section 2.4 (2), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to the Land Use Bylaw.

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*).

[REDACTED]

1301 Breakers Way
Sunbreaker Cove, AB T4S1R6

Mailing Address:

[REDACTED]

Statements Regarding new garage construction.

We have found a need for a garage as we have now made Sunbreaker Cove our permanent residence and have no storage for many of the items moved from our old garage in Calgary.

1. The garage will be used to park vehicles, boat, and store assorted tools for personal use. The garage will be 12 x 8 meters or approximately 85 m/sq.
 2. It will be necessary to remove some trees and shrubs to complete construction of the new garage. No trees or shrubs outside the construction area will be removed.
 3. Storm water runoff will be directed into the existing drainage ditch.
 4. Water supply to the garage will consist of a ¾ inch freshwater line from the existing residence for the use of outside faucets for watering.
 5. No sewage plans should be required as these were all be completed in 2021 with the completion of hook up to the new sewage system.
 6. Please refer to original lot and block location when determining front and rear locations of the lot. The civic address should have been 1229 Pine Road, but for some reason we ended up with a Breakers Way address. This issue was discussed with Koralyn Coughlin when we built the house in 2015 and it was determined the front of the lot faces Pine Road.
 7. We would also like to maintain our existing parking area on Breakers Way. The LUB refers to the parking area as a driveway. Since access to the garage is also considered a driveway, this would mean we would have 2 driveways. According to the LUB our frontage on Pine Road is not long enough to meet the requirements outlined in Section 3-3(1)c driveways. I would like to point out that we do not have a driveway on the Pine Road mostly because of the grade and the positioning of our residence. On the Breakers Way side of our property where the garage will be located, we have more than enough room to accommodate two driveways.
 8. Please refer to my attached plan with the property lines extended. As you can see if the Property Lines on Breakers Way and Pine Road were to be extended to where they intersect, we have 41.956 meters on the Breakers Way side of the property that can easily accommodate two driveways. We would like the MPC to consider these facts and we would respectfully request a variance for the two driveways.
- [REDACTED]

Alberta Land Surveyor's Real Property Report

of Lot 16, Block 4, Plan 5969MC

Within the Summer Village of Sunbreaker Cove, Alberta

NOTES

The municipal address of the property is 1301 Breakers Way
 Title information is based on title no. 942 169 414
 Property is subject to: Caveat 152 112 842-Utility Right of Way
 Date of title search: May 29, 2015
 Date of survey: May 21, 2015, May 22, 2015 and June 2, 2015
 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.

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 Bearing	(R)
Fence Line shown thus	---

CERTIFICATION: I hereby certify that this Report and Plan of Survey was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this 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, 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,
- no visible encroachments exist on registered easements or rights-of-way affecting the extent of the property.

PURPOSE: This Report and Plan of Survey have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a land conveyance, support of a subdivision application, a mortgage application, a submittal to the municipality for a compliance certificate, etc. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown. Unless shown otherwise, property corner markers have not been placed during the survey for this report.

This Plan of Survey should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user.

The information shown on this Real Property 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.



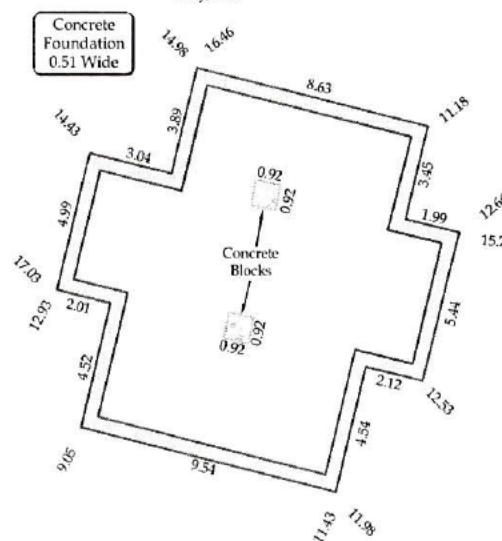
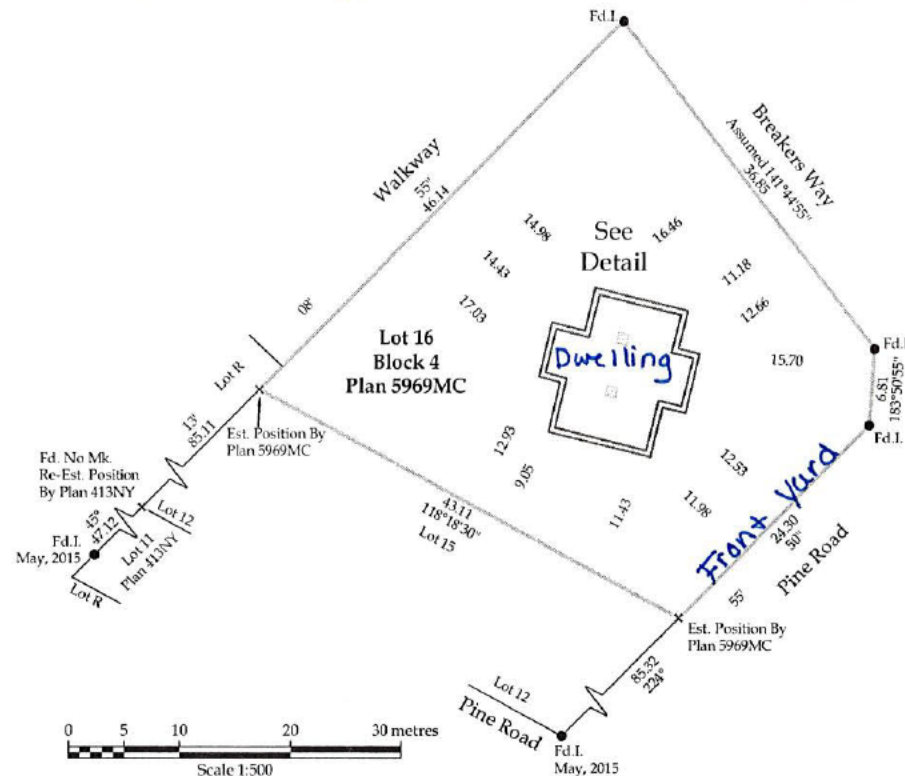
Document Prepared for [REDACTED]

Compass Information
 Drawing Name: 01043-15-RPR-R0
 Surv/Drft/Chk: CC/PML/PC

COMPASS
 Geomatics Ltd.

1-465A 63rd Street
 Red Deer, Alberta T4N 7A6
 Office (403) 356-0111 Fax (403) 356-0114
 www.compassgeomatics.ca

REV. PAGE
 1 of 1



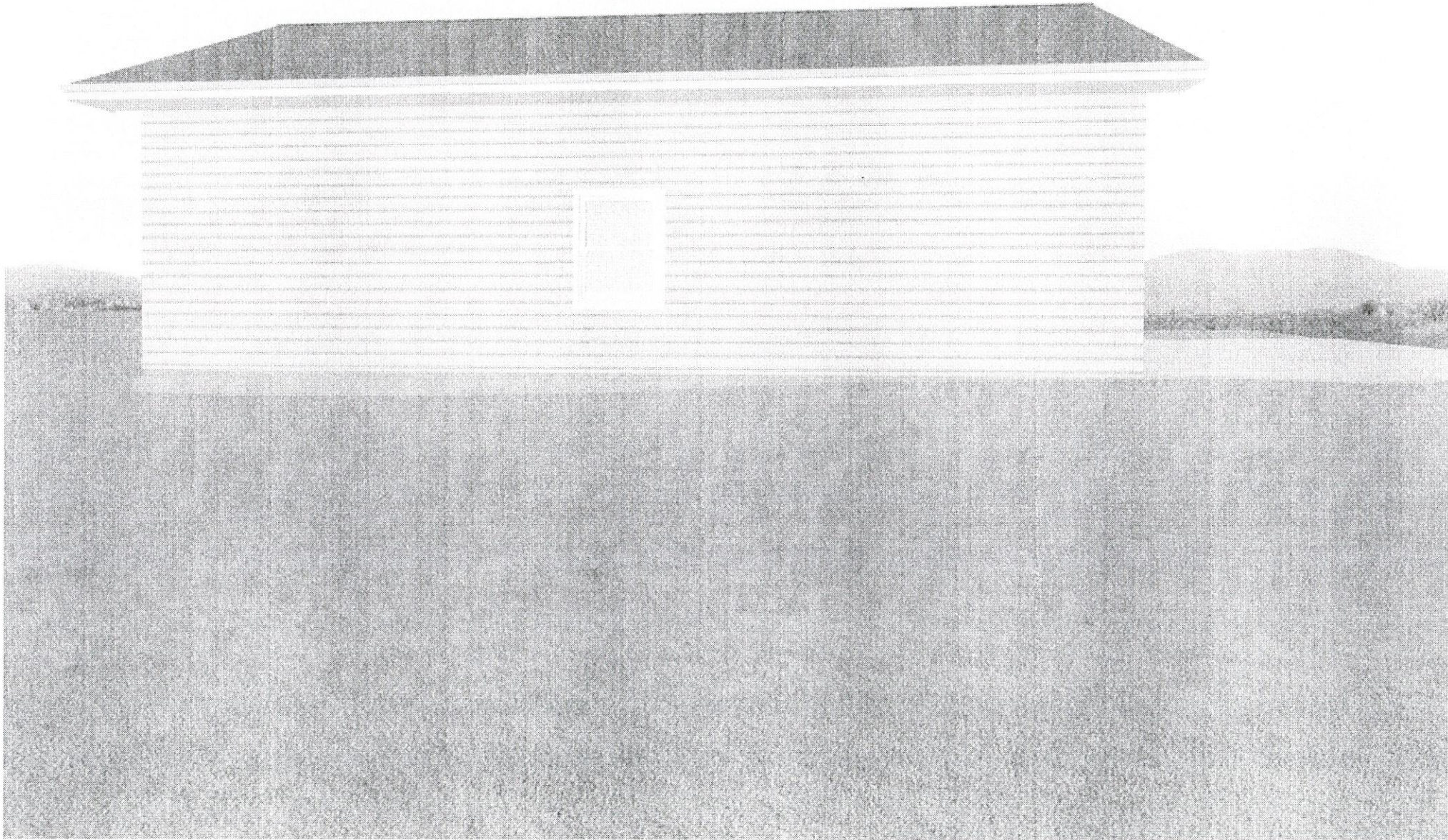
Note: RPR shows only
 improvements for Development
 Permit Application

DISCLAIMER

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 UNDERGROUND PIPES, CONDUITS, OR FACILITIES, WHETHER SHOWN ON OR OMITTED FROM THIS PLAN. AN ADDITIONAL SEARCH FOR SPECIFIC BURIED FACILITIES USING ALL RESOURCES MUST BE PERFORMED JUST PRIOR TO CONSTRUCTION.

ALBERTA FIRST CALL 1-800-242-3447

Garage Left Side



DRAWINGS PROVIDED BY:
Alberta Custom
Renovations

DATE:
2023-01-03

SCALE:

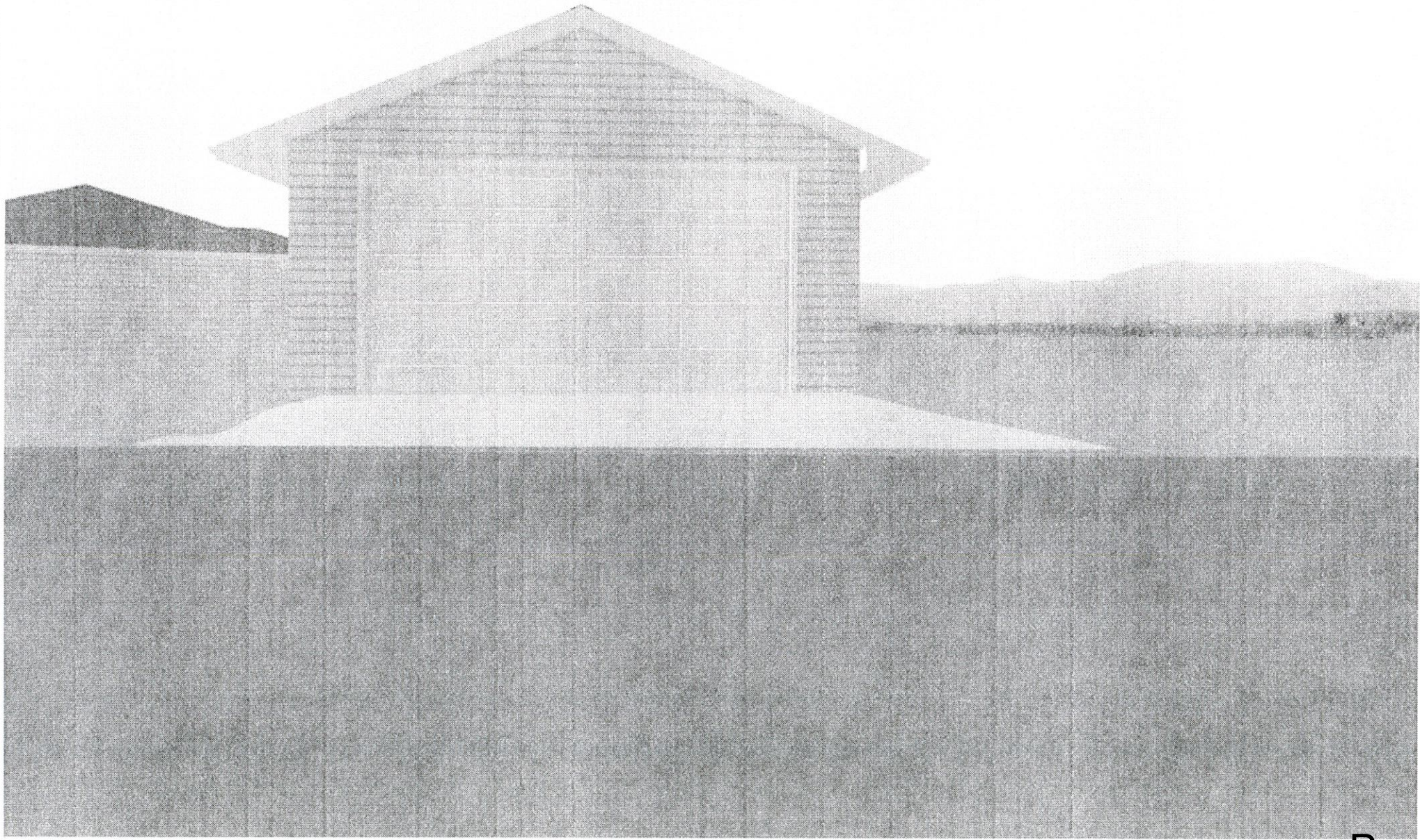
SHEET:
A-1

PROJECT DESCRIPTION:
Detached Garage

SHEET TITLE:
Garage
Landscape View

NO. DESCRIPTION BY DATE

Garage Front



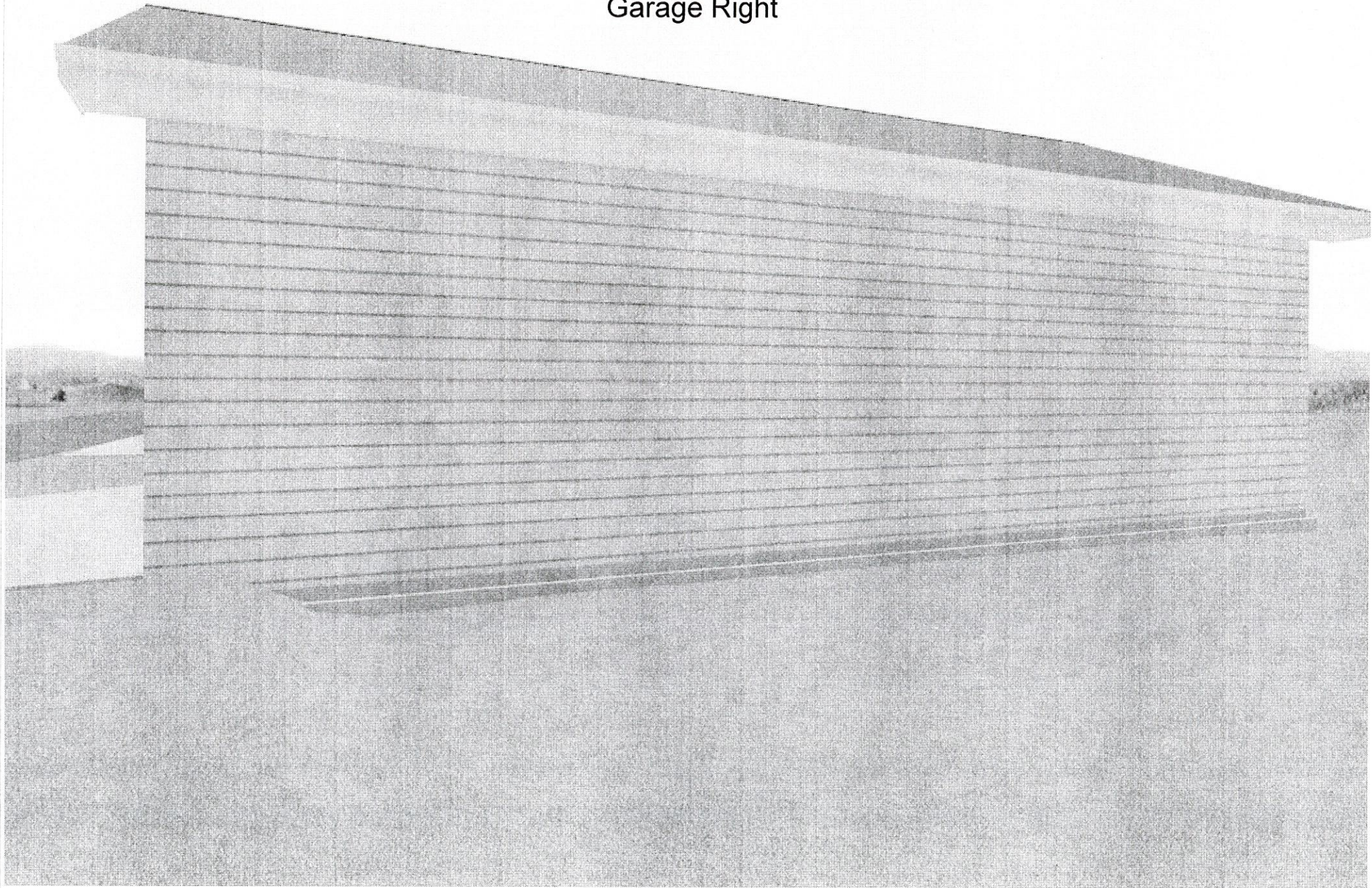
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DATE: 2023-01-03		SCALE:		SHEET: A-2			



Garage Rear

DRAWINGS PROVIDED BY: Alberta Custom Renovations		PROJECT DESCRIPTION: Detached Garage		SHEET TITLE: Garage Landscape View		NO. DESCRIPTION BY DATE	
DATE: 2023-01-03		SCALE:		SHEET: A-3			

Garage Right



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Garage
Landscape View

PROJECT DESCRIPTION:
Detached Garage

DRAWINGS PROVIDED BY:
Alberta Custom
Renovations

DATE:

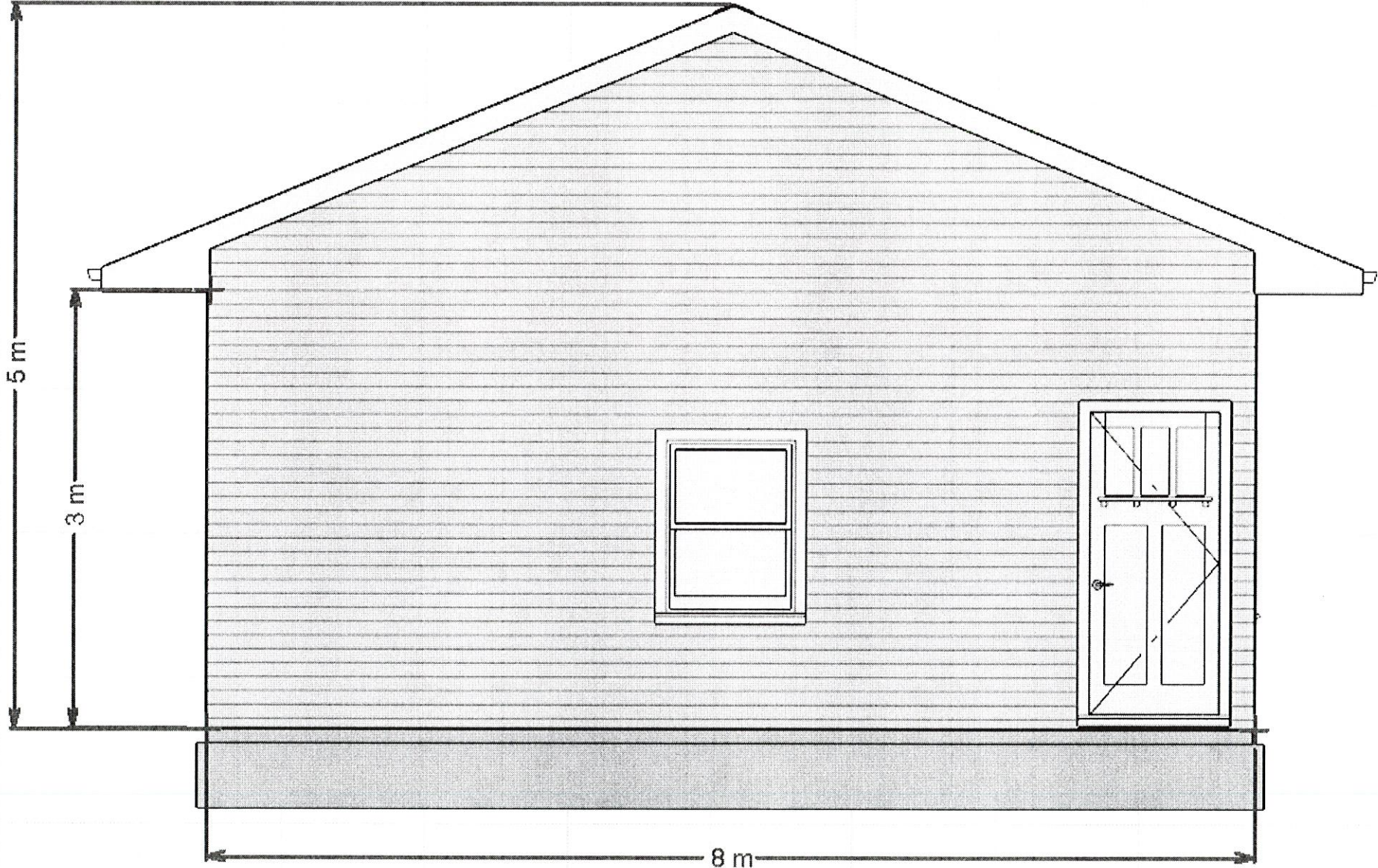
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SCALE:

SHEET:

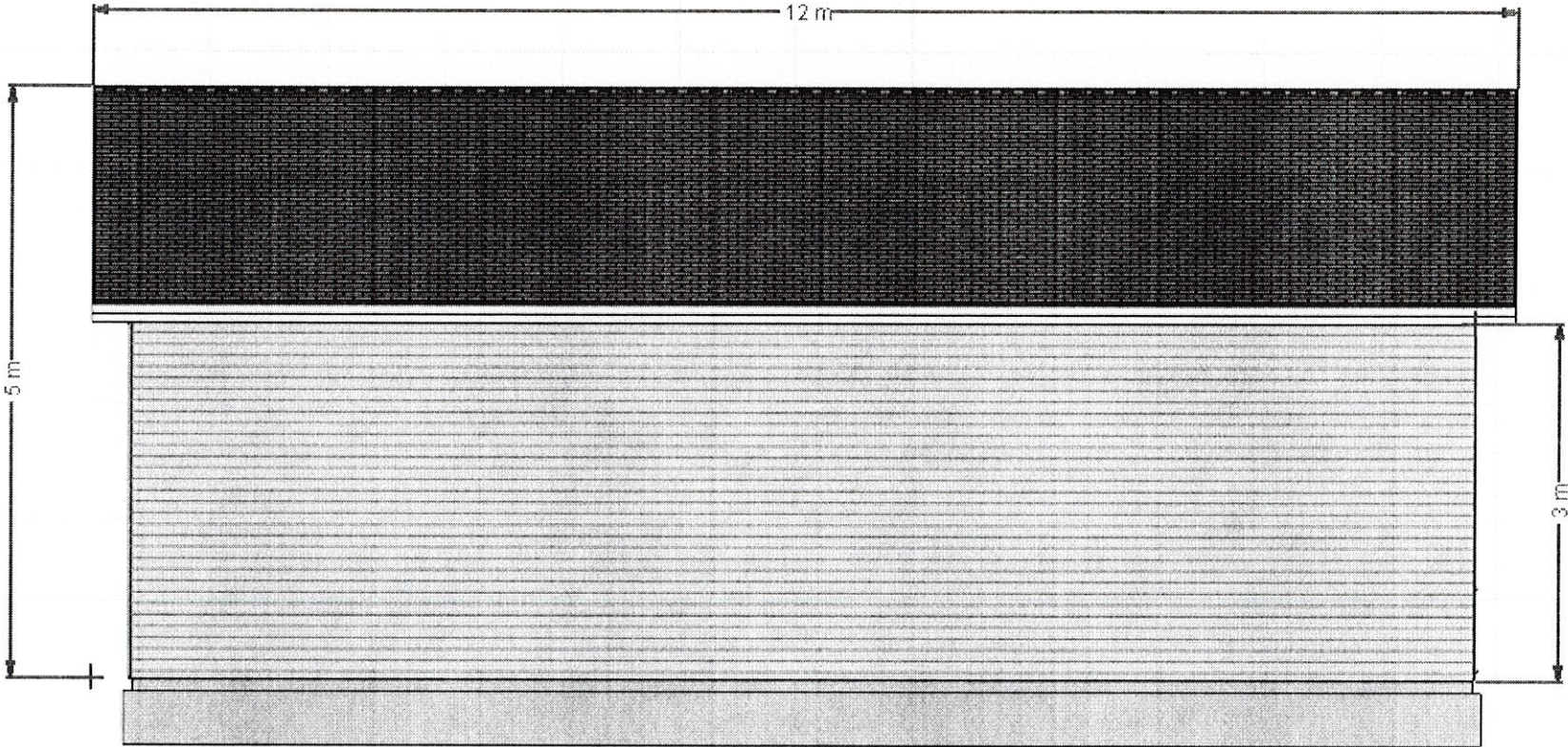
A-4

Garage Rear



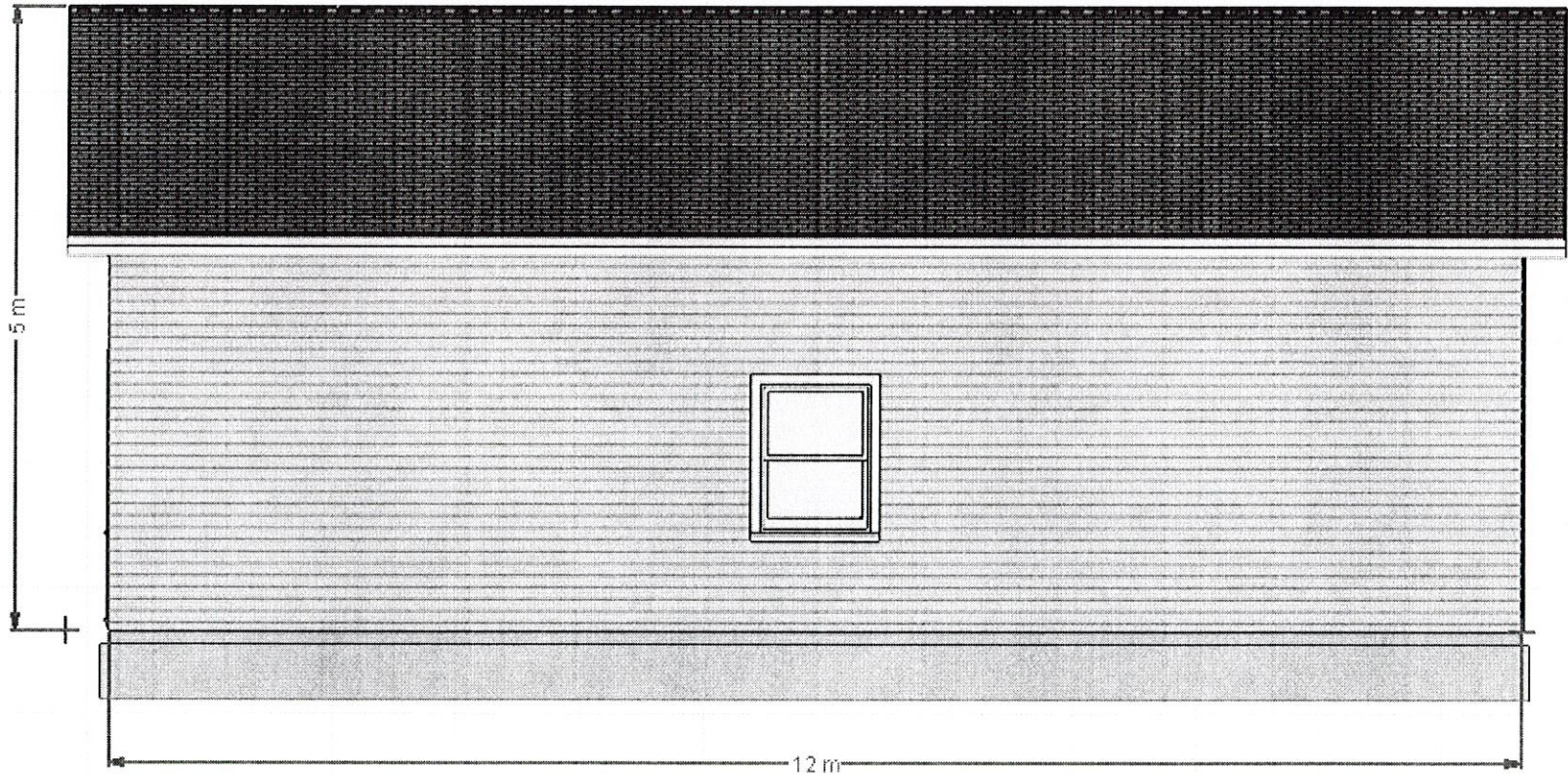
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DATE: 2023-01-02		SCALE:		SHEET: A-3			

Garage Right View



DRAWINGS PROVIDED BY:		PROJECT DESCRIPTION:		SHEET TITLE:		NO.		DESCRIPTION		BY		DATE	
Alberta Custom Renovations		Detached Garage		Garage Dimensions View									
DATE:		2023-01-02		SCALE:				SHEET:		A-4			

Garage Left



DRAWINGS PROVIDED BY:
Alberta Custom
Renovations

DATE:

2023-01-02

SCALE:

SHEET:

A-2

PROJECT DESCRIPTION:

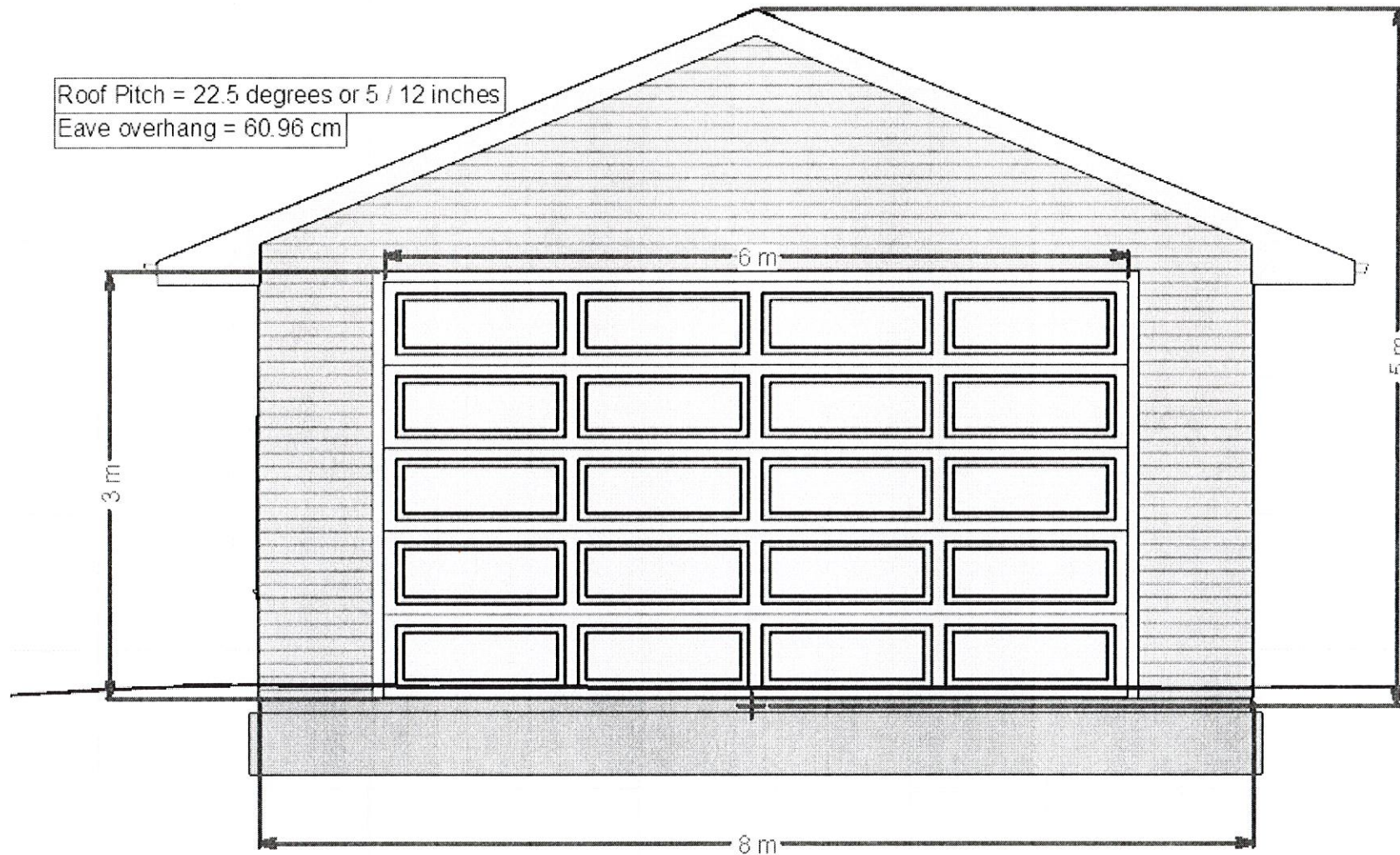
Detached Garage

SHEET TITLE:

Garage
Dimensions View

NO. DESCRIPTION BY DATE

Garage Front



DRAWINGS PROVIDED BY:
Alberta Custom
Renovations

DATE:
2023-01-02

SCALE:

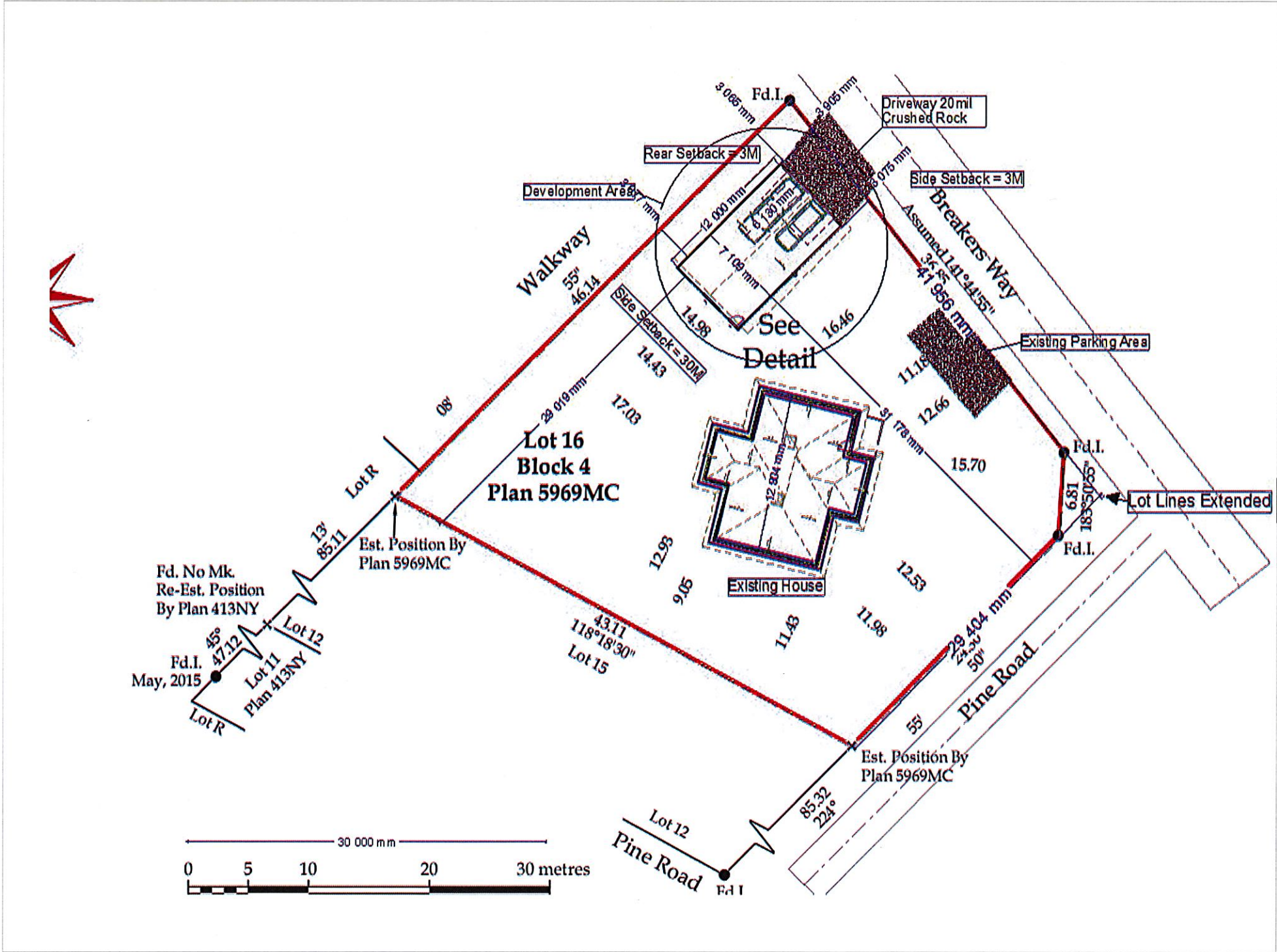
SHEET:

A-1

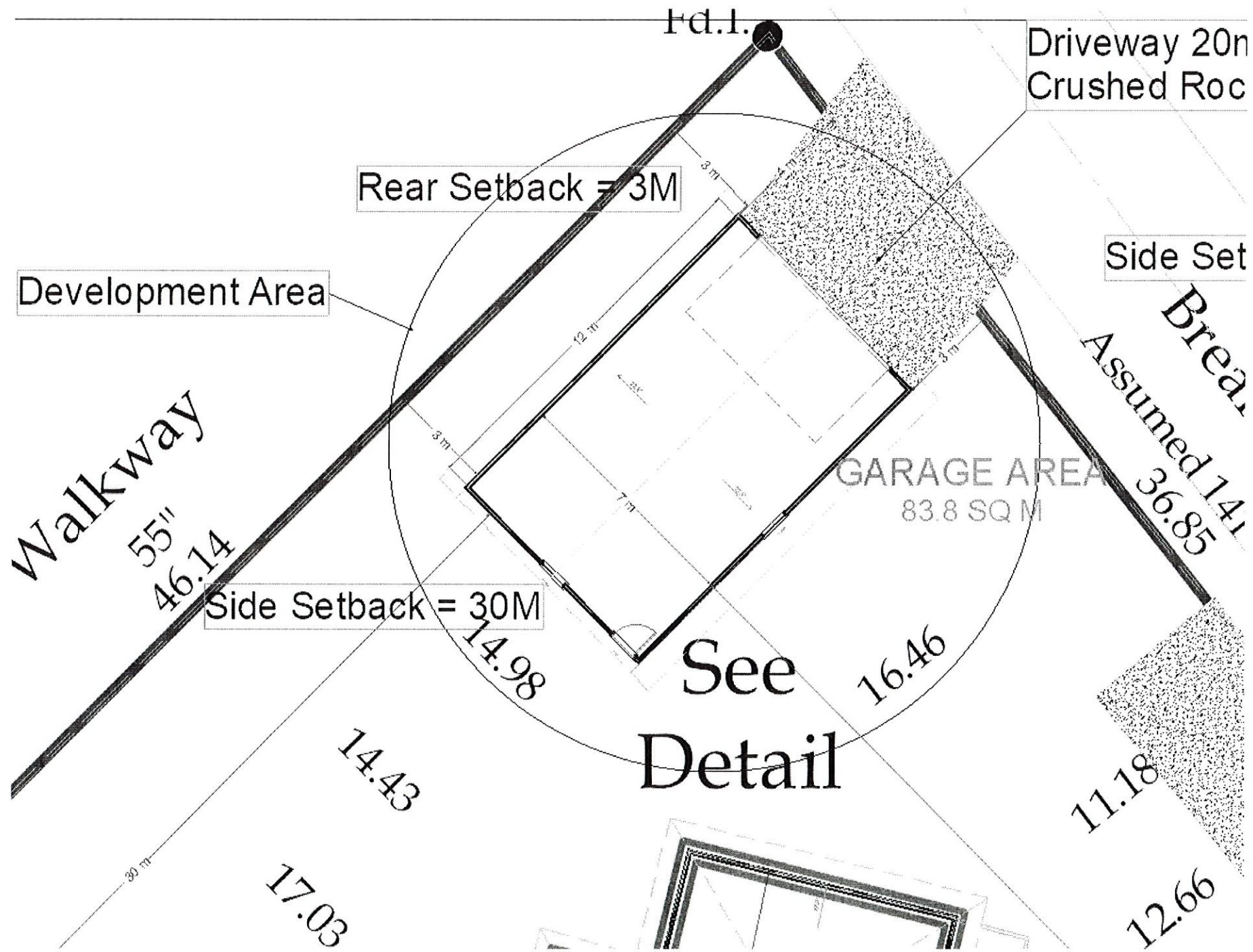
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Garage
Dimensions View

PROJECT DESCRIPTION:
Detached Garage

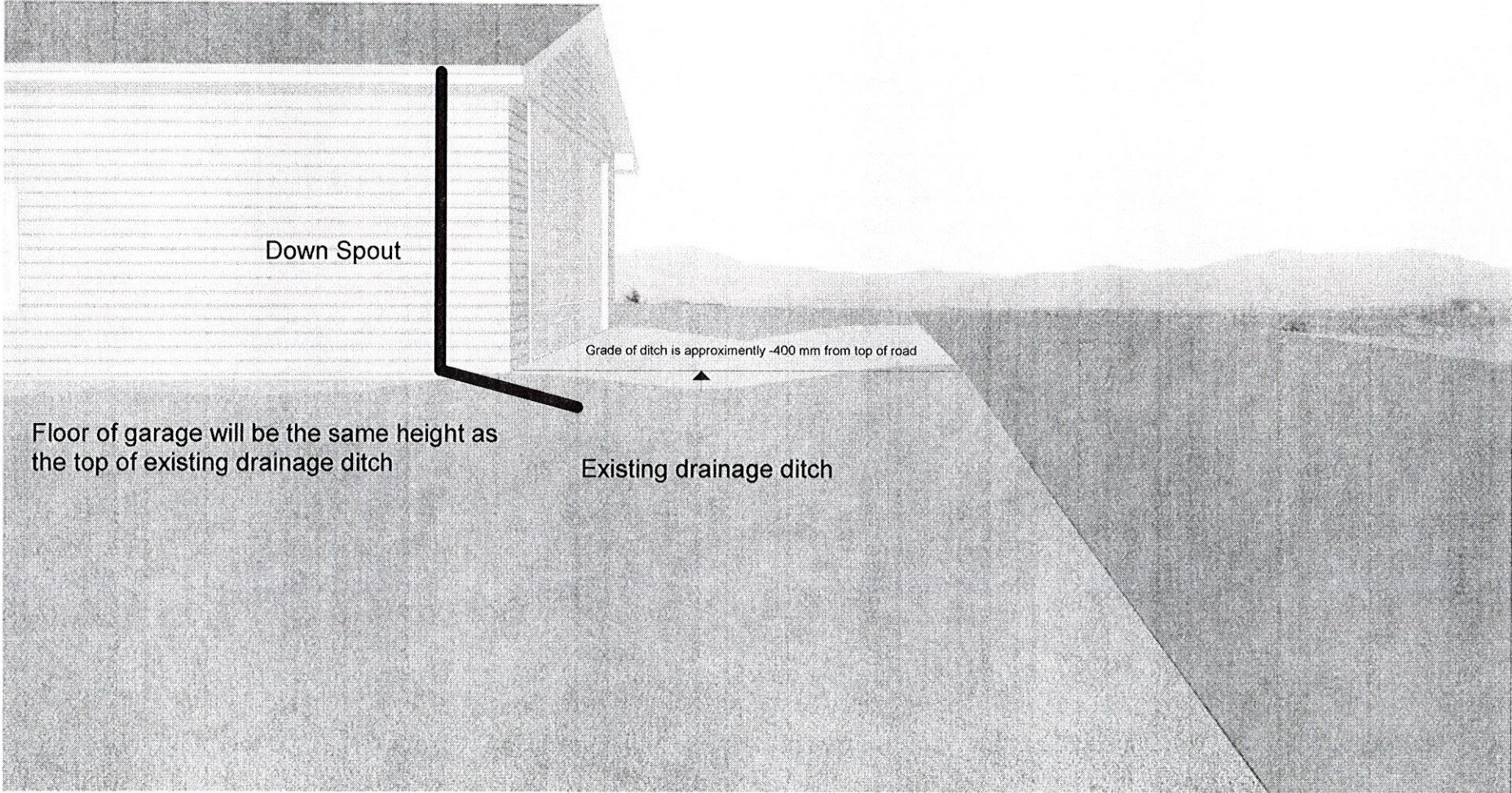
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SHEET TITLE:		Property Line Extensions	
PROJECT DESCRIPTION:		Driveway Request	
DRAWINGS PROVIDED BY:		Alberta Custom Renovations	
DATE:		2023-02-26	
SCALE:			
SHEET:		A-1	



SHEET TITLE:				Garage Plan			
PROJECT DESCRIPTION:				Detached Garage			
DRAWINGS PROVIDED BY:				Alberta Custom Renovations			
DATE:				2023-01-03			
SCALE:							
SHEET:				A-2			
NO.				DESCRIPTION			
BY				DATE			



SHEET TITLE:
Drainage View

PROJECT DESCRIPTION:
New Garage

DRAWINGS PROVIDED BY:
Alberta Custom
Renovations

DATE:

2023-02-02

SCALE:

SHEET:

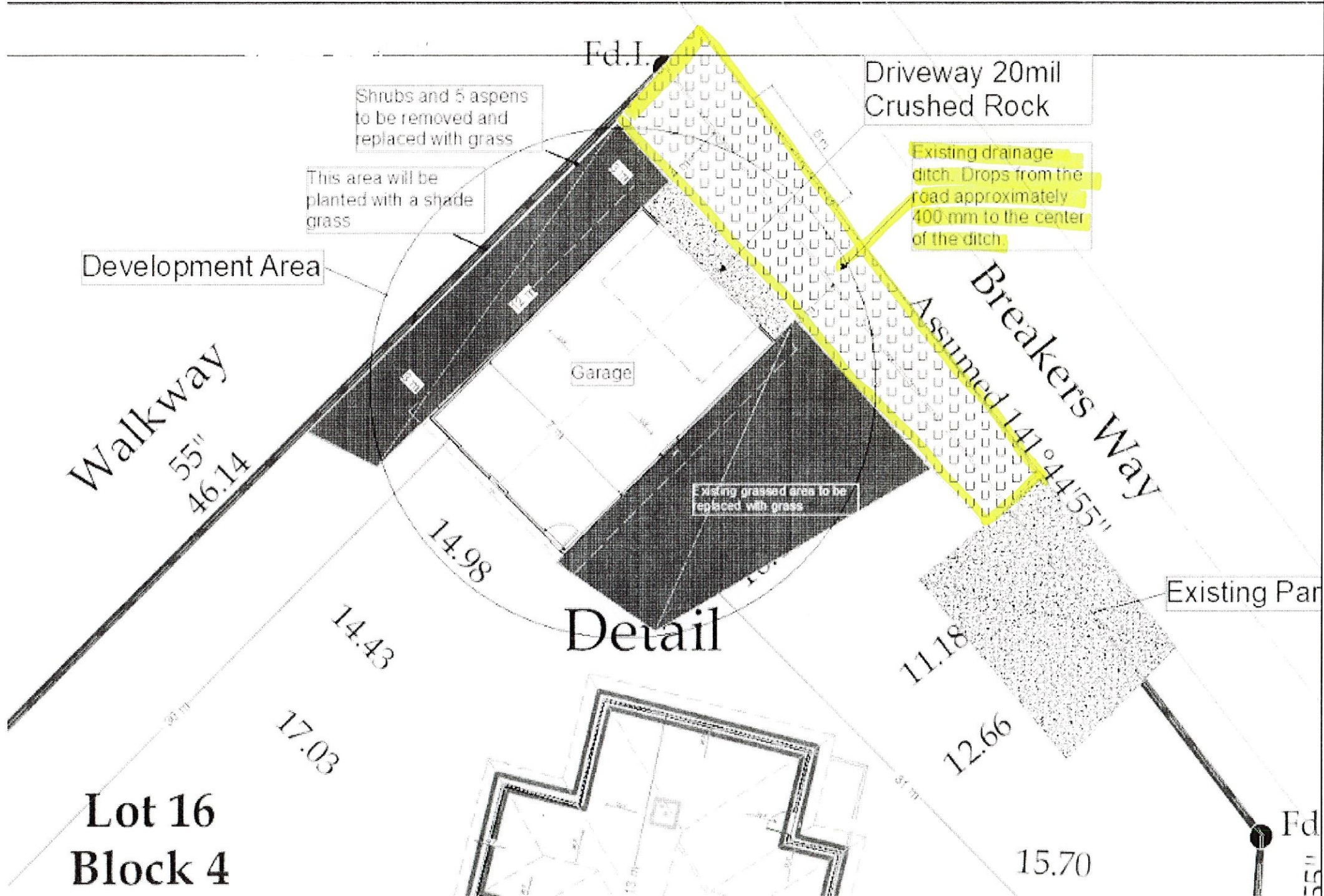
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NO.

DESCRIPTION

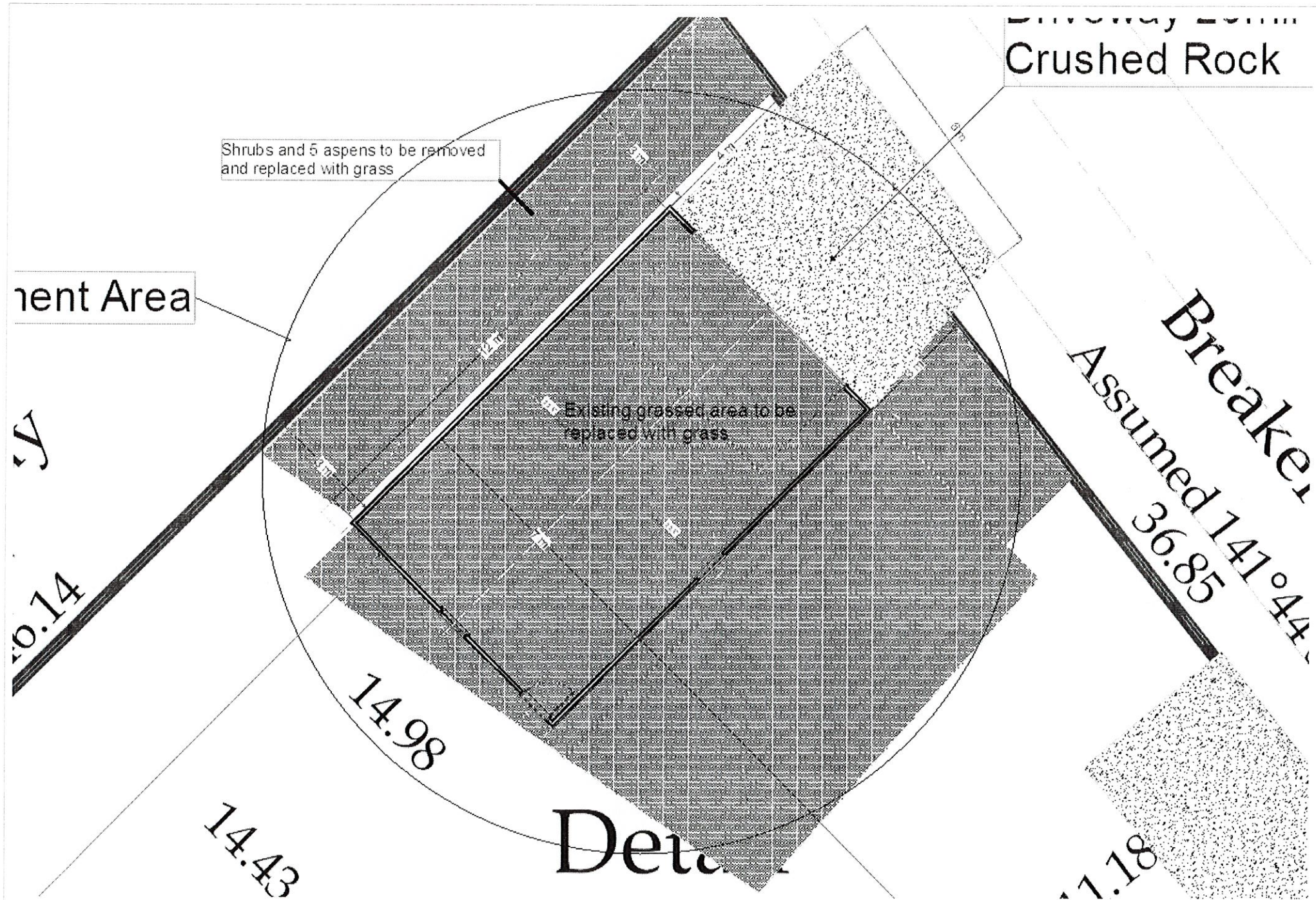
BY

DATE



Lot 16
Block 4

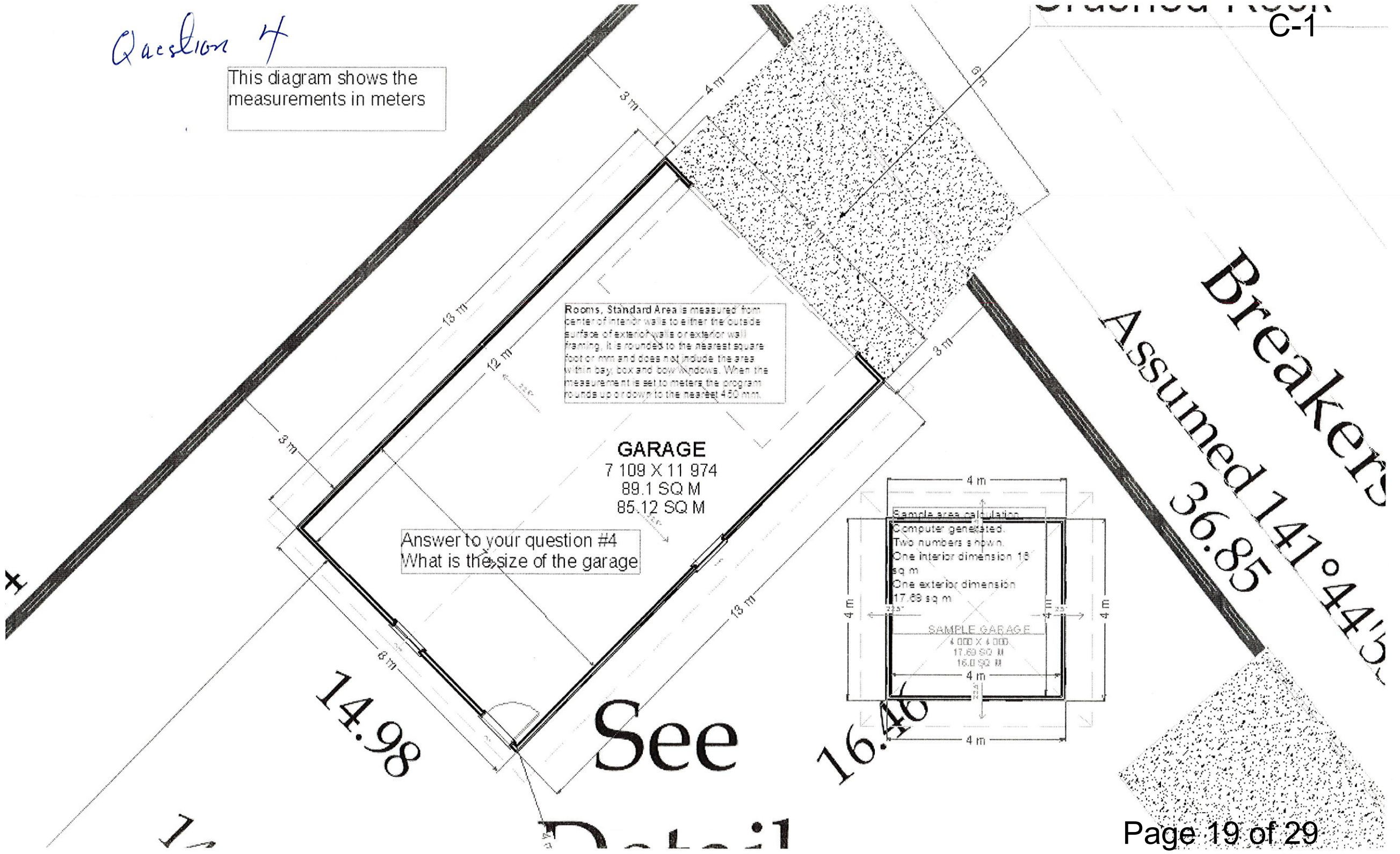
DATE			
BY			
DESCRIPTION			
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PROJECT DESCRIPTION:			
DRAWING PROVIDED BY:			
DATE:			
SCALE:			
SHEET:			
A-5			



DRAWINGS PROVIDED BY:		PROJECT DESCRIPTION:		SHEET TITLE:		NO.		DESCRIPTION		BY		DATE	
Alberta Custom Renovations		Detached Garage		Garage Landscape View									
DATE:		2023-01-03		SCALE:				SHEET:		A-5			

Question 4

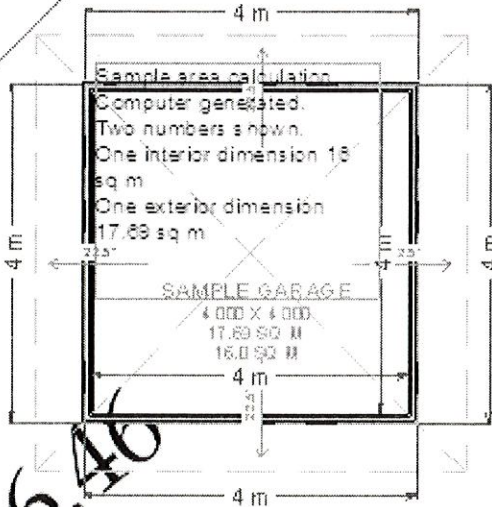
This diagram shows the measurements in meters



Rooms, Standard Area is measured from center of interior walls to either the outside surface of exterior walls or exterior wall framing. It is rounded to the nearest square foot or mm and does not include the area within bay, box and bow windows. When the measurement is set to meters, the program rounds up or down to the nearest 450 mm.

GARAGE
7 109 X 11 974
89.1 SQ M
85.12 SQ M

Answer to your question #4
What is the size of the garage



Assumed Breakers
36.85

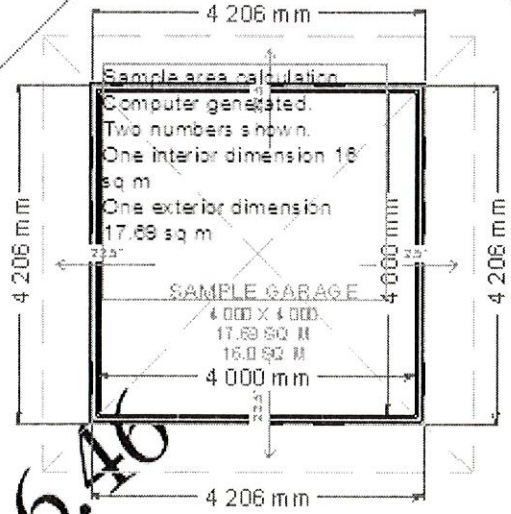
This diagram shows the measurements in millimetres.

Question 4

Rooms, Standard Area is measured from center of interior walls to either the outside surface of exterior walls or exterior wall framing. It is rounded to the nearest square foot or mm and does not include the area within bay, box and bow windows. When the measurement is set to meters, the program rounds up or down to the nearest 450 mm.

GARAGE
7 109 X 11 974
89.1 SQ M
85.12 SQ M

Answer to your question #4
What is the size of the garage



Assumed 141° 44' 35"



FEB 09 2023





FEB 09 2023



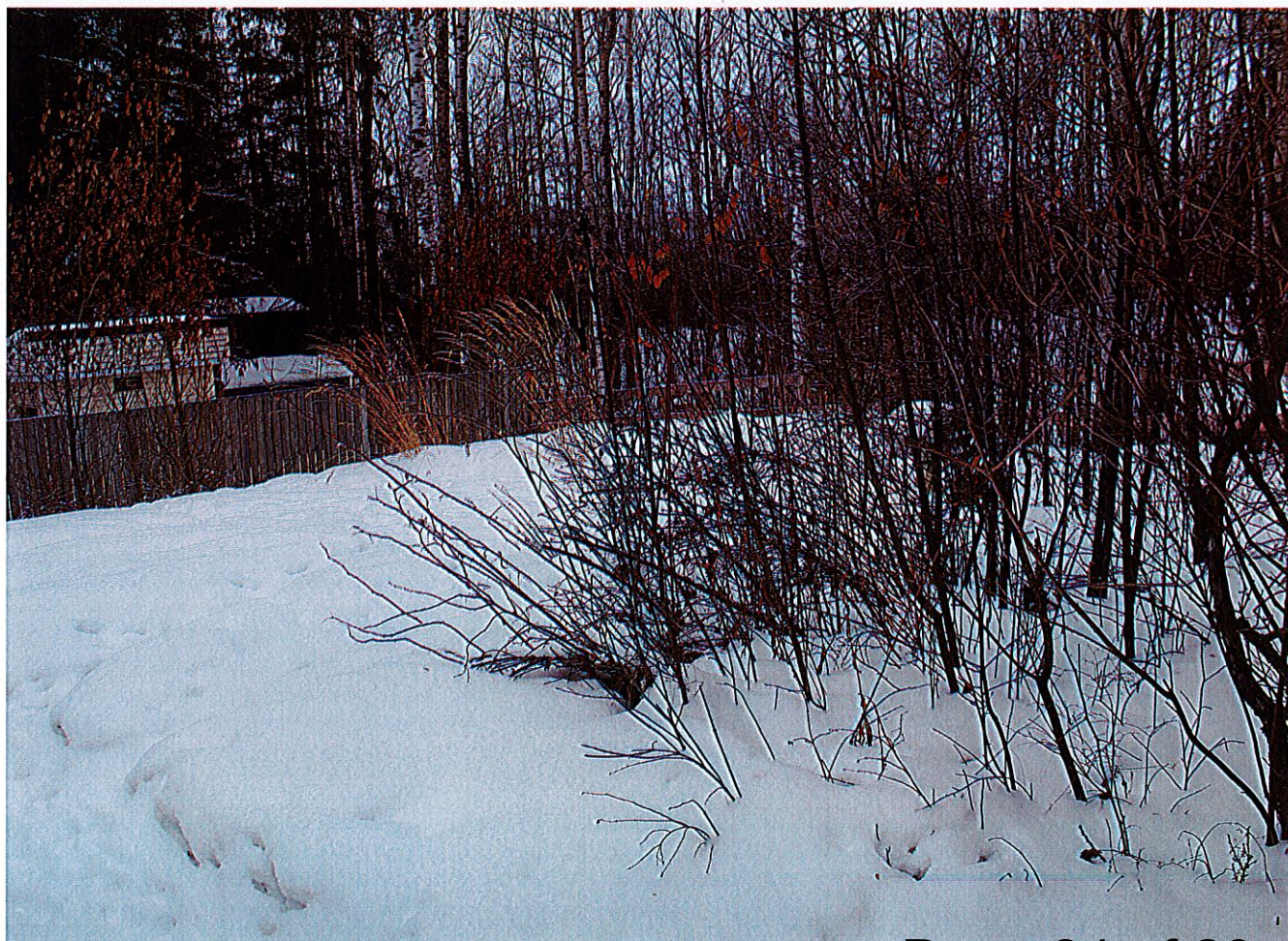


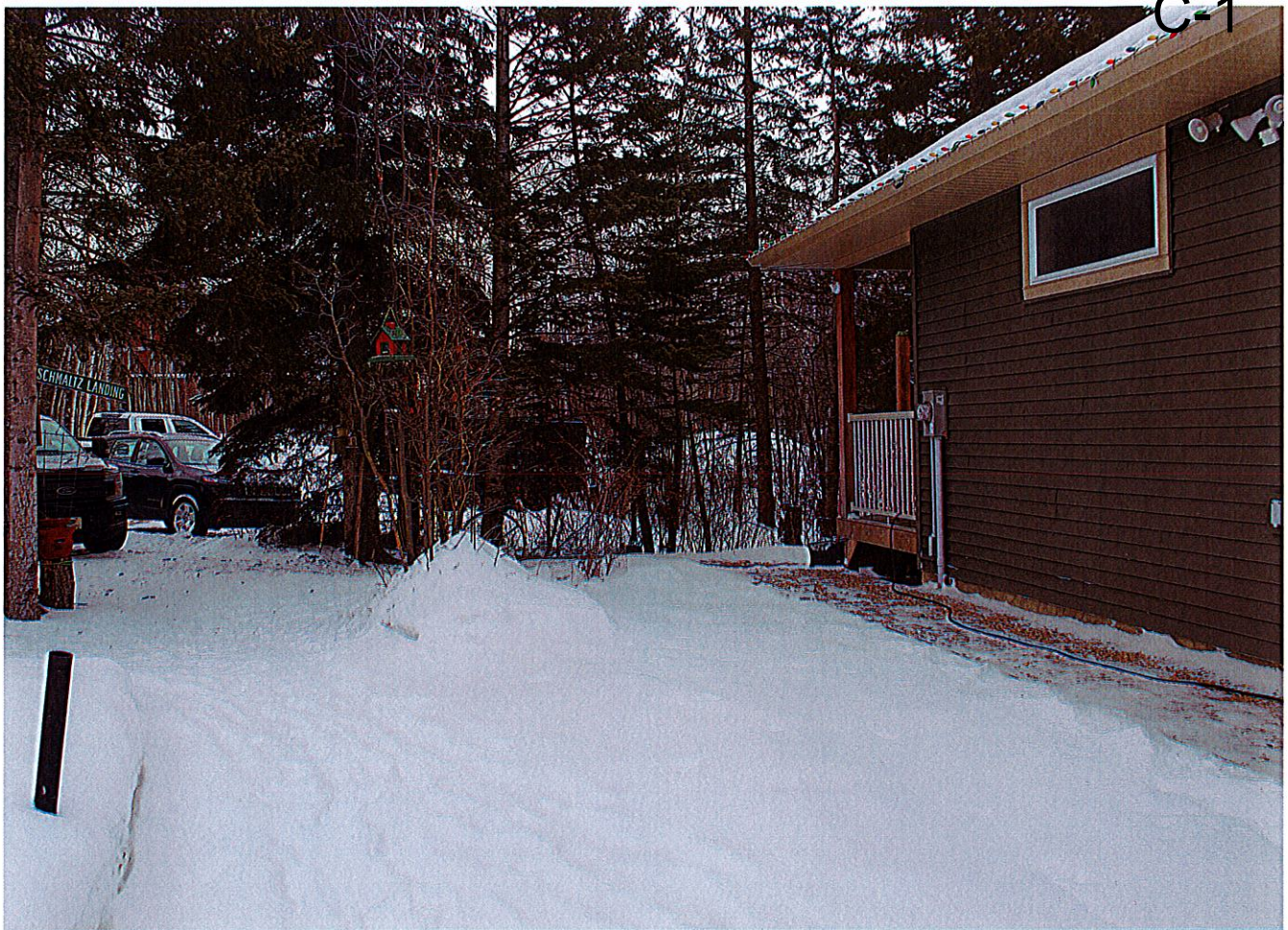
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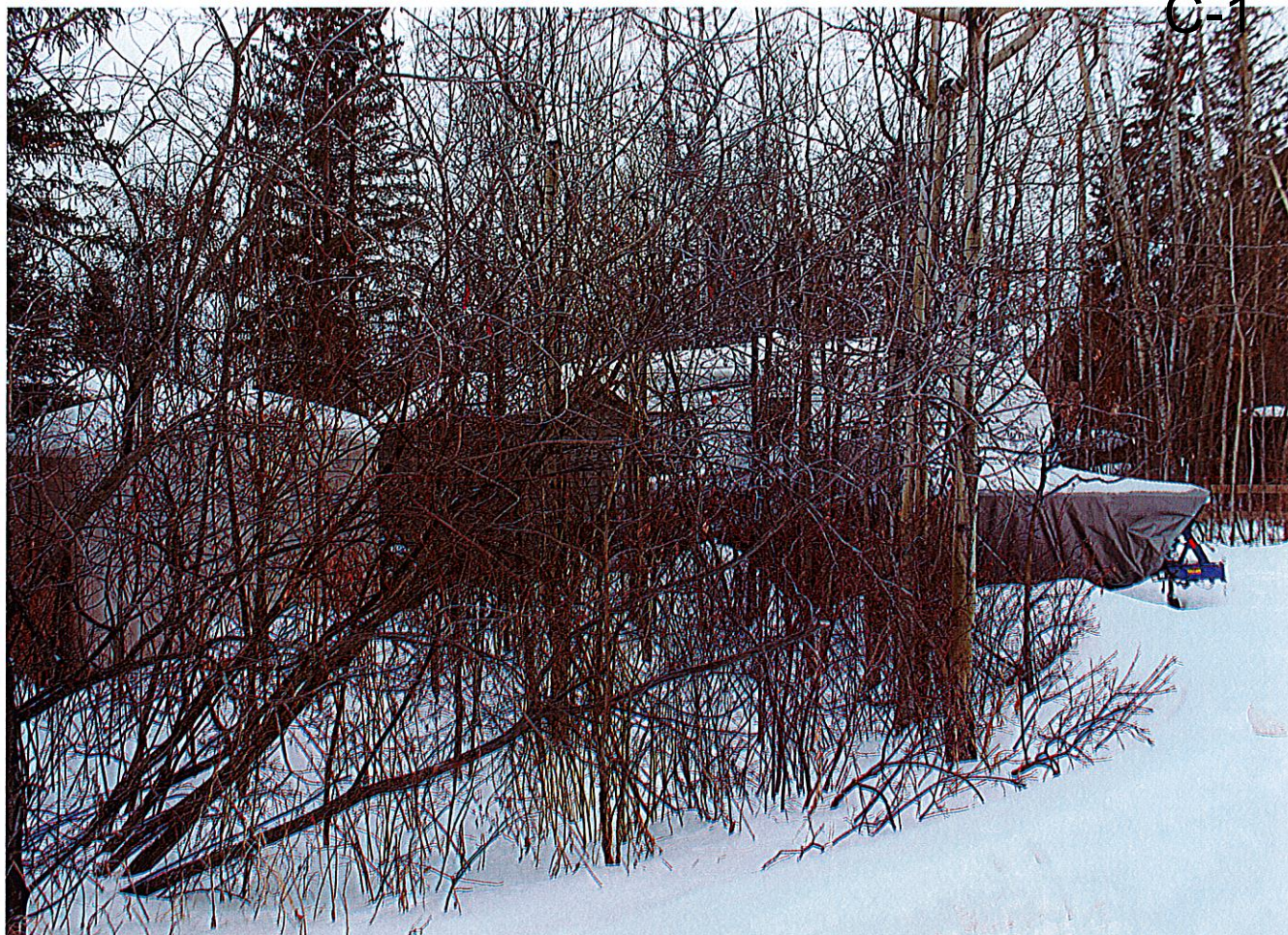
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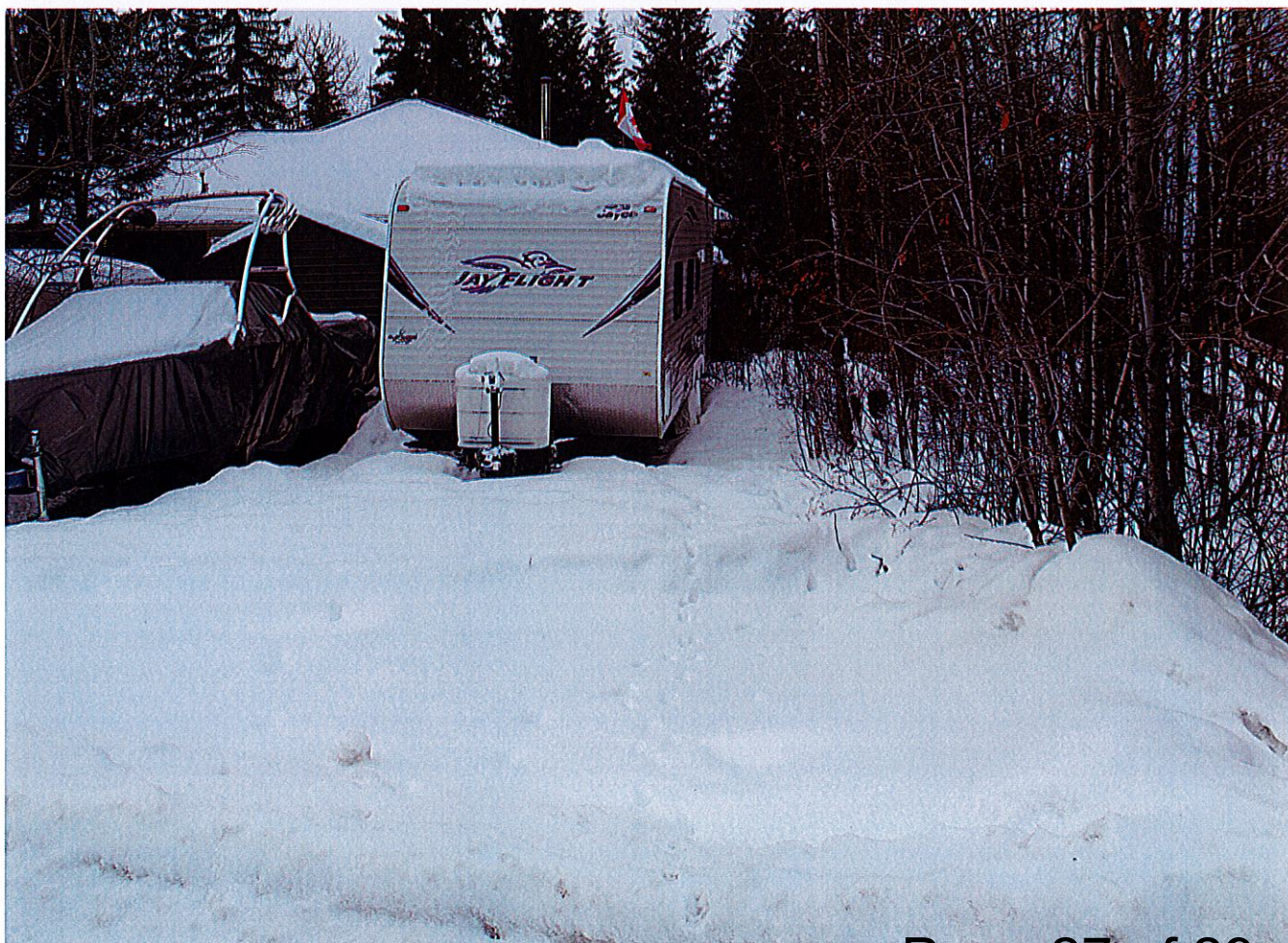


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