

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF SUNBREAKER COVE
ADMINISTRATION OFFICE
JUNE 6, 2022 @ 8:30 A.M.**

- A. CALL TO ORDER**
- B. ADOPTION OF AGENDA**
- C. DEVELOPMENT ITEMS**
 - 1) 753 Elk Street
 - 2) 1105 Poplar Road
- D. ADJOURNMENT**

Summer Village of Sunbreaker Cove – Municipal Planning Commission

June 6, 2022

Agenda Item

Development Permit Application

Background:

The registered owner of 753 Elk Street (Lot 3, Block 6, Plan 1823MC), in the summer village of Sunbreaker Cove submitted an application for the operation of a Tourist Home. This property is located in the R1 District (Residential District). The dwelling on the property proposed to be used for the tourist home operation, consists of 3 bedrooms and the proposed maximum amount of people staying overnight is 8. Parking will take place on the existing driveway of the property which provides ample off-street parking. The registered owner will not be providing dock access to a private dock, and there is proper fire safety in place for the property.

Discussion:

This application is before MPC for the following reason:

- Tourist Home is listed as a discretionary use; therefore, the decision must come from the Municipal Planning Commission.

Recommendation:

After reviewing all relevant planning and other statutory documents, it is the recommendation of administration to approve the application. The tourist home is proposed to comply with the regulations and no variances are required.

Adjacent landowners have been notified and two responses have been received from adjacent landowners which have been included in the supporting documents. The active Airbnb ad states that the property will be rented out within the required length of stay and is not showing the RV as an available accommodation. A sufficient parking plan has been provided and the conditions and regulations of the development permit will have to be complied with.

Conditions:

If approved, Administration would recommend the following conditions:

- The development permit is only valid for 1 year from the date of issuance. A new development approval will be required at the time should the applicant wish to continue with the tourist home use.
- Tourist homes shall be contained within the principle building and therefore garage suites shall not be used.

May 24, 2022

- Notwithstanding part three, section 2(3) of the Land Use Bylaw, no recreation vehicle shall be used as accommodation for tourist home guests.
- The maximum number of people staying overnight in a tourist home shall be 8.
- The owner/operator of the tourist home is responsible for informing the Summer Village Office of any changes in the alternate owner/operator's information.
- The minimum length of stay shall be no less than 7 days in the peak season between May 1 until September 30. Otherwise, it shall be no less than 3 days.
- The tourist home shall always abide by the community standards bylaw regardless of who is occupying the home.
- Tourist homes shall not display any sign advertising the tourist home.
- Parking must be in place on the property or the road allowance in front of the property, of a minimum of one stall per bedroom.

Authorities:

The MPC may:


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*).


753 Elk Street
Sunbreaker Cove AB

April 10, 2022

Kara Kashuba
Jr. Development officer
Village of Sunbreaker Cove

Dear Kara:

Please accept this letter as my letter of intent for the Tourist Home Permit Application
At 753 Elk Street Sunbreaker Cove.

Our family is the primary users of this property and on occasion we plan to rent to tourists.

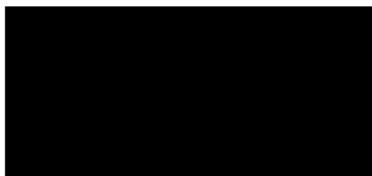
The property has cameras, noise detectors and safety equipment ie. fire extinguishers and
smoke detectors.

Guests are screened with a signed contract with noise, bylaw, safety information
Leave a large security deposit and have an immediate cancellation policy if rules are not
followed. This is common practice with STR platforms.
All guests 18+ must provide a driver's license for identification purposes.

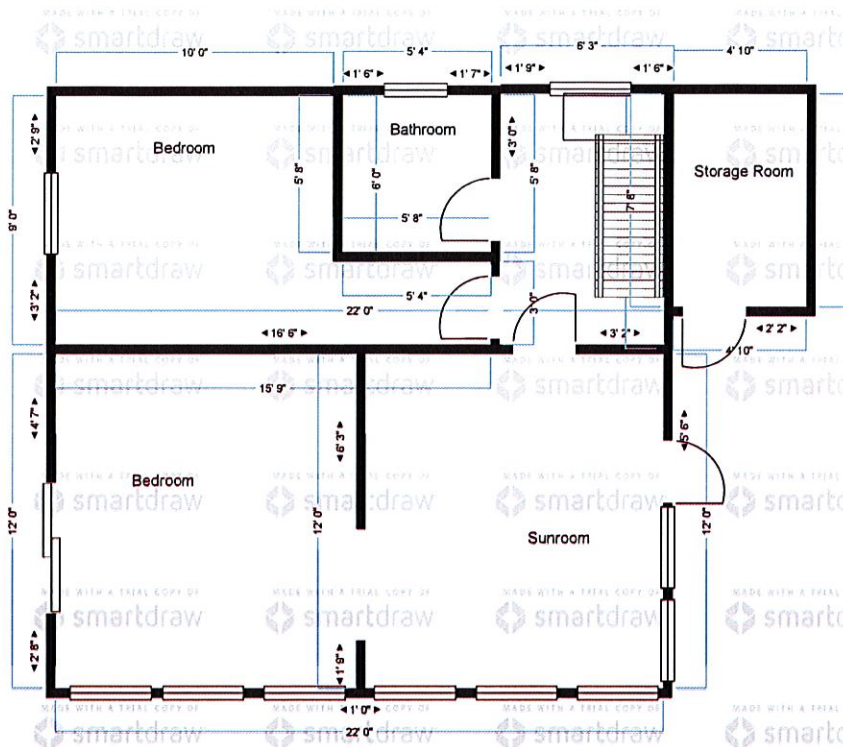
As attached the property has 3 bedrooms so we are requesting the maximum of 8 guests.

There is parking for more than 3+ vehicles.

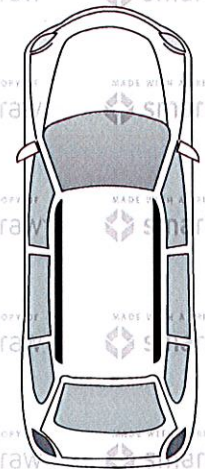
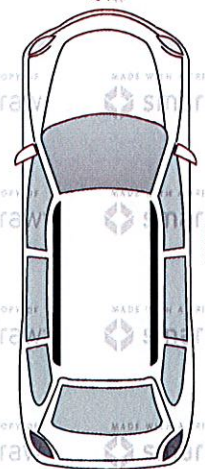
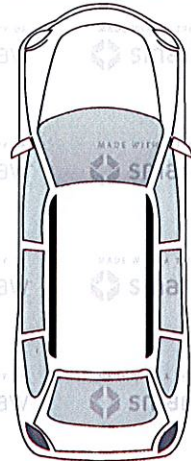
Regards

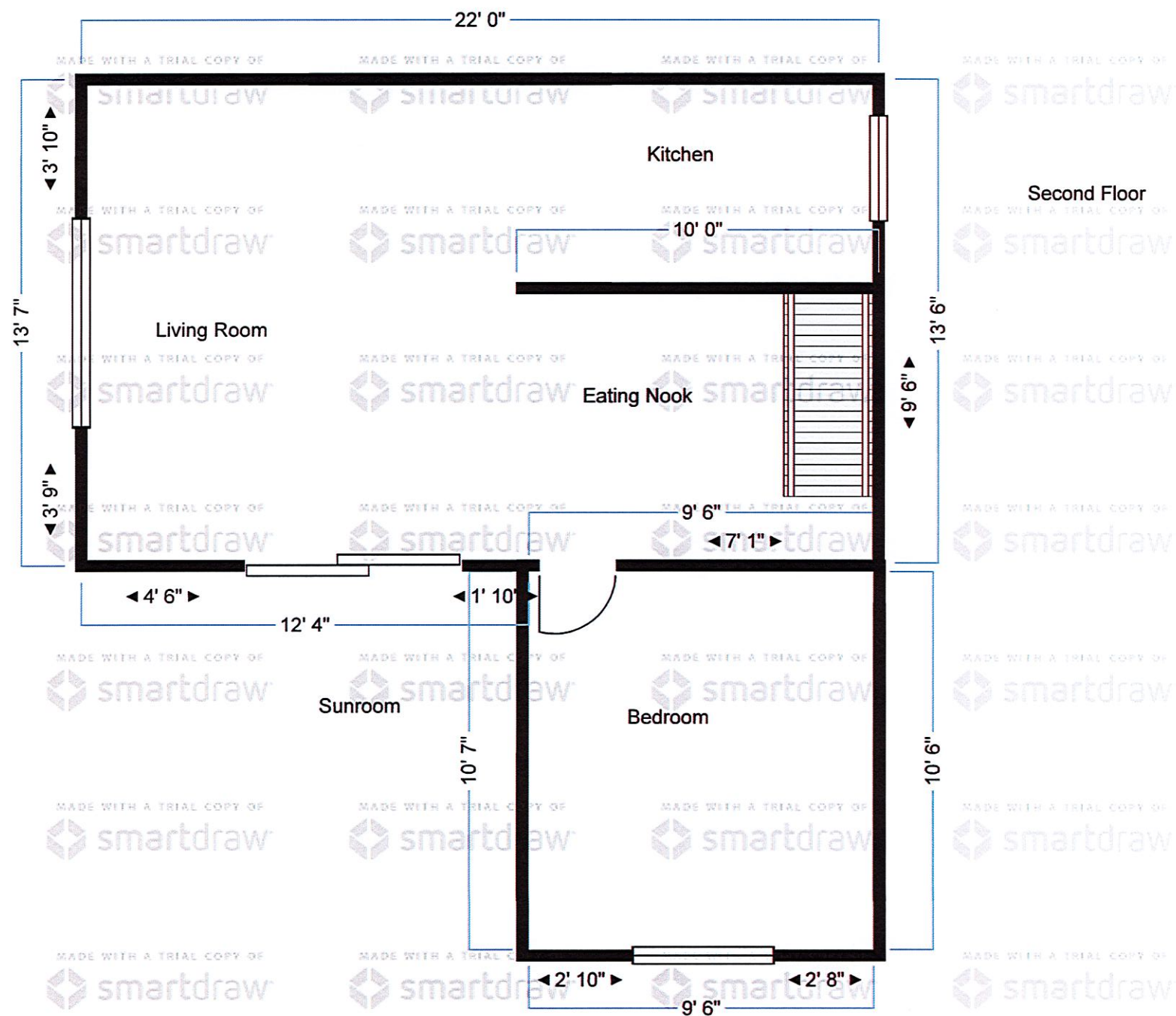


Ground Floor

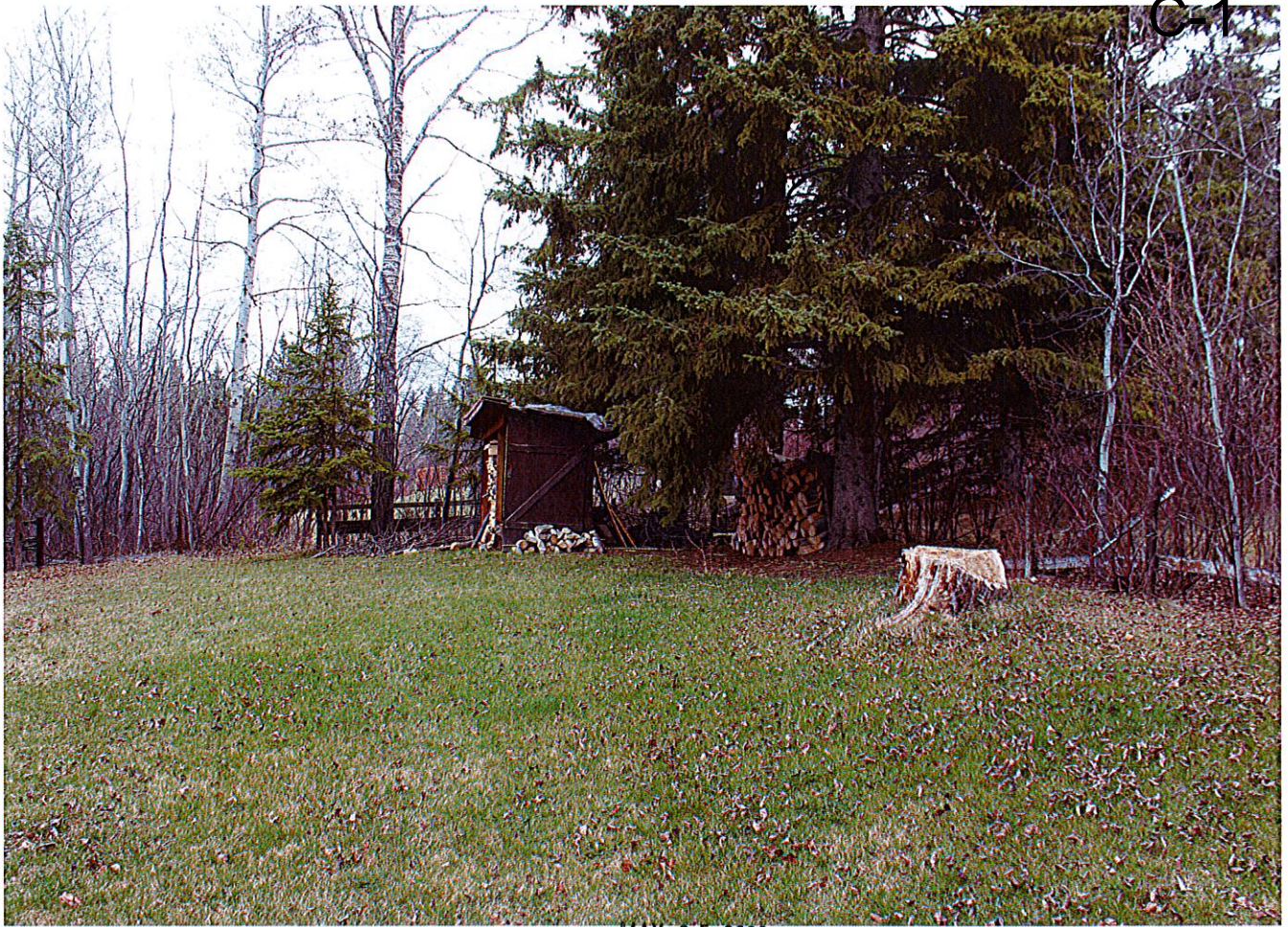


Driveway 65' x 16'





C-1



MAY 05 2022





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C-1



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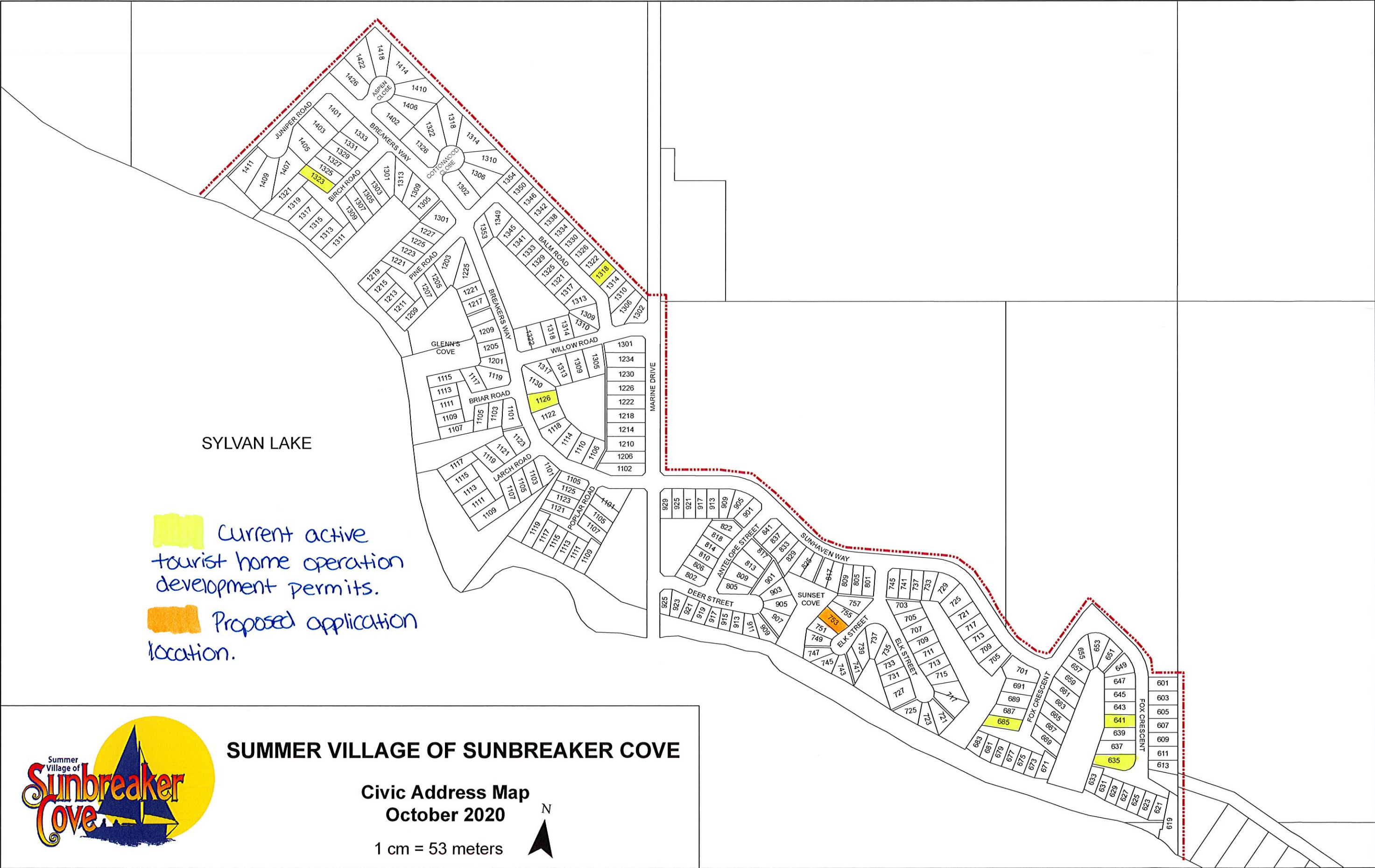
MAY 05 2022





MAY 05 2022





To:

The Municipal Planning Commission

From:

Lene and James Jorgensen
755 Elk St
Sunbreaker Cove

Date: May 30, 2022

Regarding application for tourist home at 753 Elk Street.

We are not in favor of our community turning into a tourist home rental community, but reluctantly accept that it is happening. That being said, we do not accept our community turning into a trailer park, which is happening on three lots on Elk St West. These three lots have recreational vehicles that are used all summer which is in contravention of the summer villages land use bylaw.

We are submitting the following concerns in the response to the proposed land use change to a tourist home, adjacent to our property:

1. Questionable intent for use:

Applicant states that “family is the primary usersand on occasion we plan to rent to tourists”, yet when viewing the Airbnb add, the calendar shows that the intent is to rent it out as much as possible:

https://www.airbnb.ca/rooms/612973204962102195?adults=1&children=0&infants=0&check_in=2022-11-11&check_out=2022-11-18&federated_search_id=84ca229f-29d0-4637-a357-1e04528ae07d&source_impression_id=p3_1653225848_W8vJCF3aJoKRW7xi

2. Inadequate parking:

Application notes “there is parking for more than 3+ vehicles” and an illustration of the main floor and driveway shows how this is intended, yet there is currently a recreational vehicle and boat trailer parked in that driveway and as a result we see vehicles parked on the lawn or on the street.

3. Recreational vehicle use exceeding land use bylaw section 2(3)(d) (i):

According to the land use bylaw a recreational vehicle can only be used for a maximum period of 30 days per year when no development permits have been issued. This raises the question of where will the land owners stay when the tourist home is rented out. If the applicants plan is to stay in the trailer then they would be limited to renting the tourist home for 30 days or less a year.

After the September long weekend last year a trailer was in the driveway and was occupied through most of the winter. This trailer pulled out early this year and was quickly replaced by another. The current trailer has power run to it, the pull-outs are extended and is in use. We are worried that the owners / tourist home operators intend to either rent out the cabin and live in the camper /trailer and/or rent out the camper/trailer as overflow sleeping quarters.

4. Lack of wastewater / sewer hook-up:

With the number of people proposed to rent this cabin, along with the occupation of the camper / trailer, there will be constant output of wastewater from showers, toilets, kitchen sink, washing machine, etc. This cabin does not have a holding tank and is not hooked up to the community wastewater system and we are concerned about the negative impact on the health of the lake and groundwater down gradient of the septic field. We feel the summer village should require all tourist homes to be connected to the wastewater collection system prior to issuing the permit.

We request the Municipal Planning Commission mandate the following:

- I. Have owners / tourist home operators permanently close up or remove the recreational vehicles
- II. Limit parking to 3 vehicles
- III. Hook up to the community wastewater system

Kara Kashuba

From: RALPH WHITE [REDACTED]
Sent: Tuesday, May 31, 2022 10:10 AM
To: Kara Kashuba
Subject: Regarding the application for a vacation rental at 753 Elk Street

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kara,

We are on vacation and have received information that a development permit for 753 Elk Street to be used as a tourist home is being considered at the June 6, 2022 meeting. We will be unable to attend the 8:30 am meeting but plan to join it via Zoom. Although we have no problem in general with tourist homes, we also know that there is potential for problems if they are not overseen and managed consistently and well.

We have a few concerns with the proposed 753 Elk Street application and wanted to register them before the meeting.

1. We know there is an existing noise by-law but would like to know who is responsible for enforcing it in a timely manner? Who and when will the owners be available if there are by-law infractions?
2. We have a concern over the number of bathrooms available for the potentially eight guests. A single bathroom seems inadequate for such a number. Related to this concern is the fact that the property is not currently on the waste water system.
3. The permit states that there is parking for 3+ vehicles. We believe there should be a maximum number of vehicles allowed and the number should not include recreational vehicles or trailers. Parking should not be allowed on the lawn areas, particularly on the front lawn or to flood over onto the roadway.
4. We feel that litter and excessive garbage may become an issue. We'd like adequate garbage receptacles for the maximum eight people for the minimum seven days.
5. The property has already been listed on AirBnB but the development permit has not yet been approved. We are concerned that the rental of the property may be only a money-making scheme and that the community may suffer from less than family-oriented groups.

We look forward to discussing these items with the committee on June 6.

Ralph and Charlotte White
751 Elk Street

1.

Summer Village of Sunbreaker Cove – Municipal Planning Commission
June 6, 2022

Agenda Item

1105 Poplar Road (Lot 3, Block 1, Plan 5213MC)

Development Permit Application

Background:

An application was submitted on behalf the registered owners for a garage with guest house located on the property of 1105 Poplar Road (Lot 3, Block 1, Plan 5213MC) in the Summer Village of Sunbreaker Cove. This property is located in the R1 District (Residential). The lot currently is vacant as a previous development permit was issued for demolition of the previous house. Along with this application for the garage with guest house is plans for a new dwelling which is permitted and is not part of the decision before MPC today.

The proposed garage with guest house meets the setback and height requirements. The proposed lot coverage would be 35.1% and under the maximum 50%. There will be 19-20 trees removed to accommodate the build of the dwelling and garage with guest house with a minimum 20 trees to be replanted. The Land Use Bylaw states that accessory building's combined footprints shall be no larger than 8% of the parcels total area, with the proposed development the footprint would be at 7%. The guest house above the garage does not have defined bedrooms but is intended for overflow accommodation and will have room for two queen beds, there will no kitchen or other cooking facilities and it will not be rented out.

Discussion:

This application is before MPC for the following reason:

- Guest House is listed a discretionary use, therefore the decision must come from the Municipal Planning Commission.

Recommendation:

A "discretionary use" means a use which may be compatible with other uses in the district, for which a Development Permit may be issued upon an application having been made. After reviewing the application and all relevant planning documents, it is the recommendation of administration to approve the application as a discretionary use. No variances are being asked for and the proposed garage with guest house meets all Land Use Bylaw regulations. Adjacent landowners have been notified of the proposed development and no response has been received.

May 27, 2022

Conditions:

If approved, Administration would recommend the following conditions:

- An accessory building erected or placed on a parcel shall not be used as a dwelling unit.
- Electrical power from the property line to any buildings situated on this parcel to be constructed underground.
- The exterior of an accessory building must be finished to match or compliment the exterior finish of the main building.
- In situations where a detached dwelling is being rented out and there is a guest house on the parcel, the guest house shall not be rented out to a separate party than those renting the detached dwelling.
- Height of the accessory building shall not exceed 7.62m (25ft.).
- Guest house means an accessory building containing sleeping facilities for temporary usage only and may have a bathroom but shall not have a kitchen or other cooking facilities.
- Completions Deposit of \$5,000.00.
- One existing shed to be removed from the property and the other to be moved into compliance.
- Landscaping to be completed according to the landscaping plan.
- All parcels shall be graded to ensure that storm water is directed to a drainage ditch without crossing adjacent land, except as permitted by the Development Authority. 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.

Authorities:

For a discretionary use in any district:

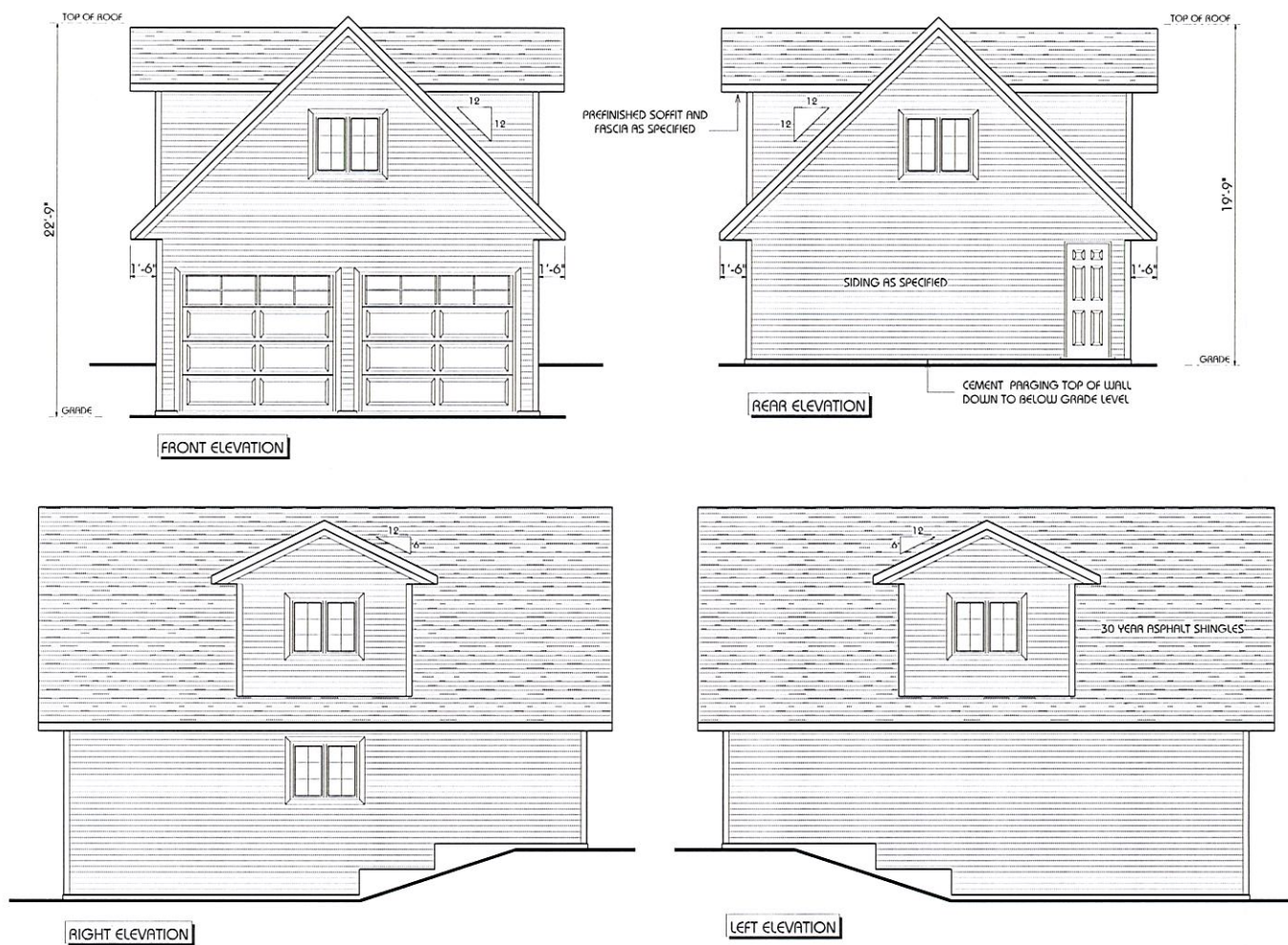
- The Municipal Planning Commission may approve an application for a Development Permit:
 - With or without conditions;
 - Based on the merits of the proposed development, including it's relationship to any approved statutory plan, non-statutory plan, or approved policy, affecting the site;
 - Where 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.

May 27, 2022

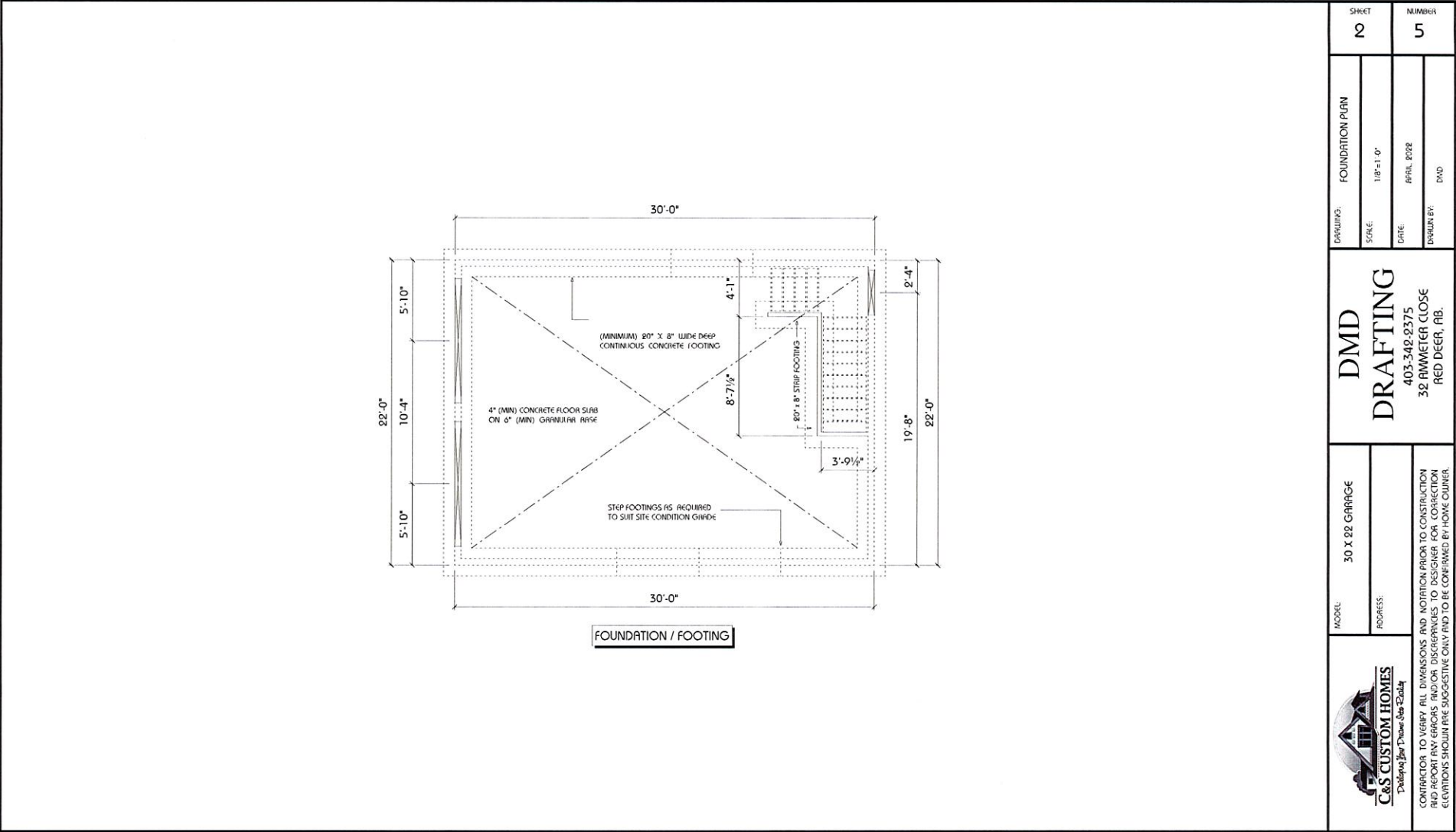
Decision:

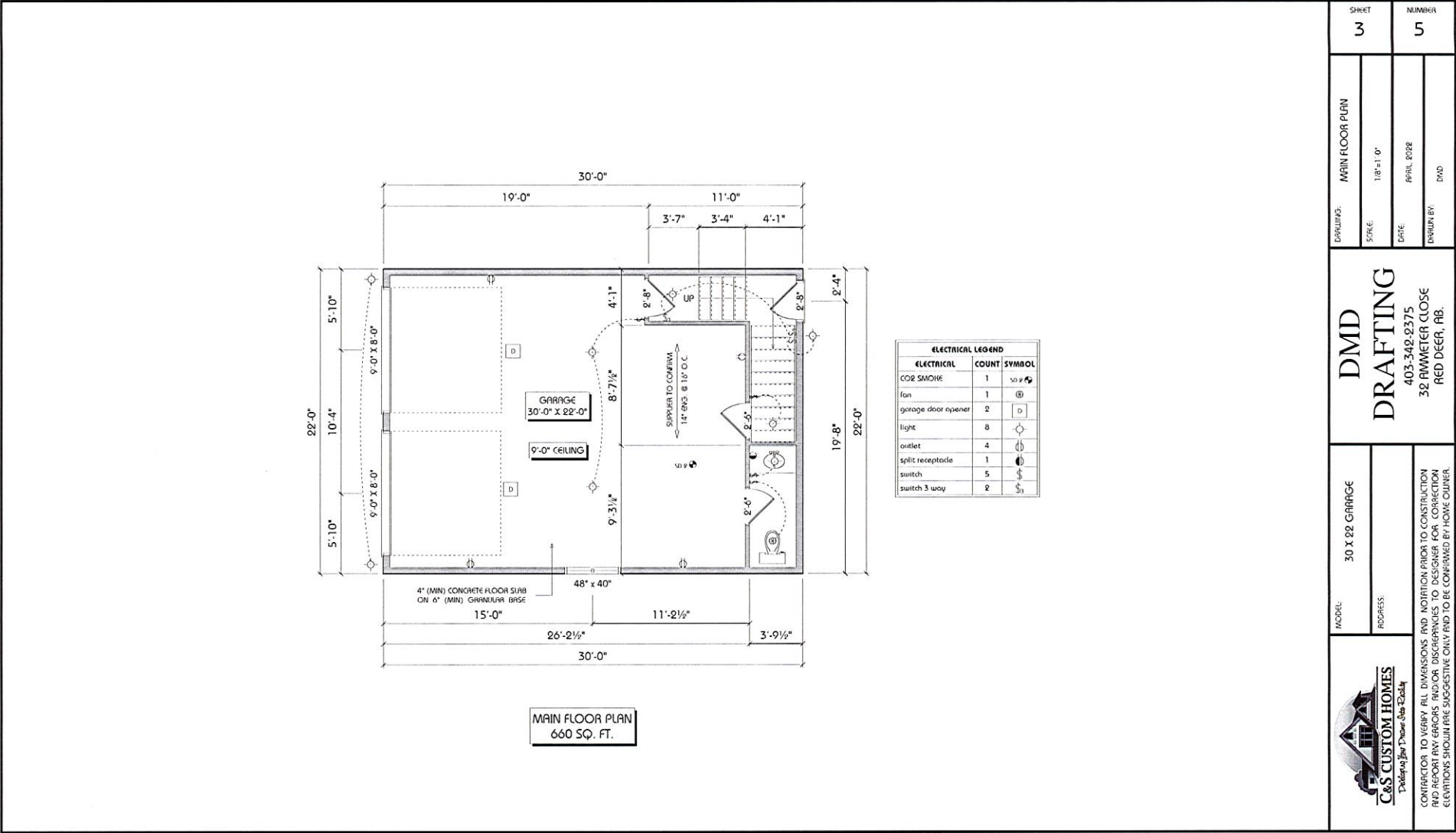
In order to retain transparency of the Commission, Administration recommends one of the following:

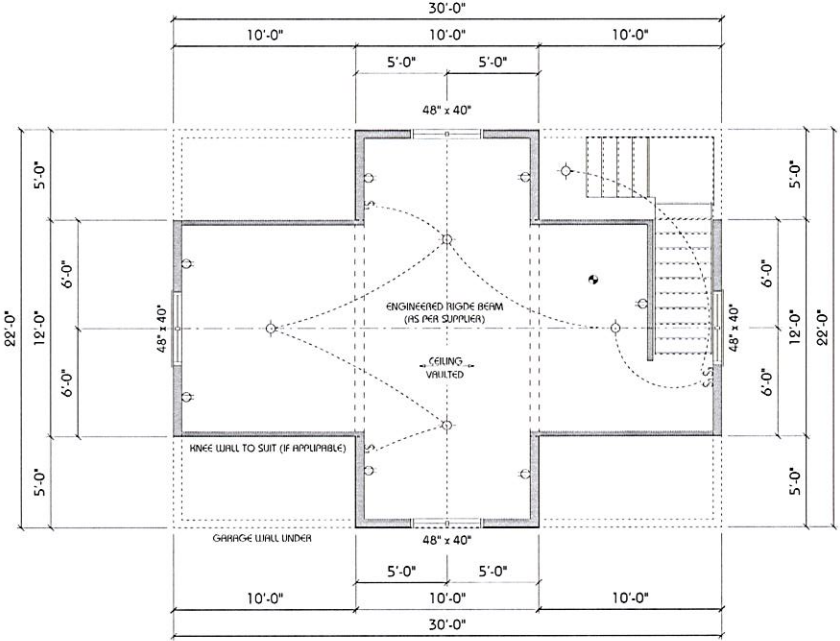
1. Approve the application with or without conditions (Section 642 of the MGA), or
2. Deny the application stating reasons why (Section 642(4) of the MGA).



<div><div>C&S CUSTOM HOMES <i>Building Your Dream One Block At A Time</i></div></div>		MODEL:		30 X 22 GARAGE			
		ADDRESS:					
		<div>CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTATION PRIOR TO CONSTRUCTION AND REPORT ANY ERRORS AND/OR DISCREPANCIES TO DESIGNER FOR CORRECTION ELEVATIONS SHOWN ARE SUGGESTIVE ONLY AND TO BE CONFIRMED BY HOME OWNER.</div>					
<div>DMD DRAFTING 403-342-2375 32 AMMETER CLOSE RED DEER, AB.</div>		DRAWINGS:		ELEVATIONS			
		SCALE:		1/8"=1' 0"			
		DATE:		APRIL 2022			
		DRAWN BY:		DMD			
SHEET		1		NUMBER		5	






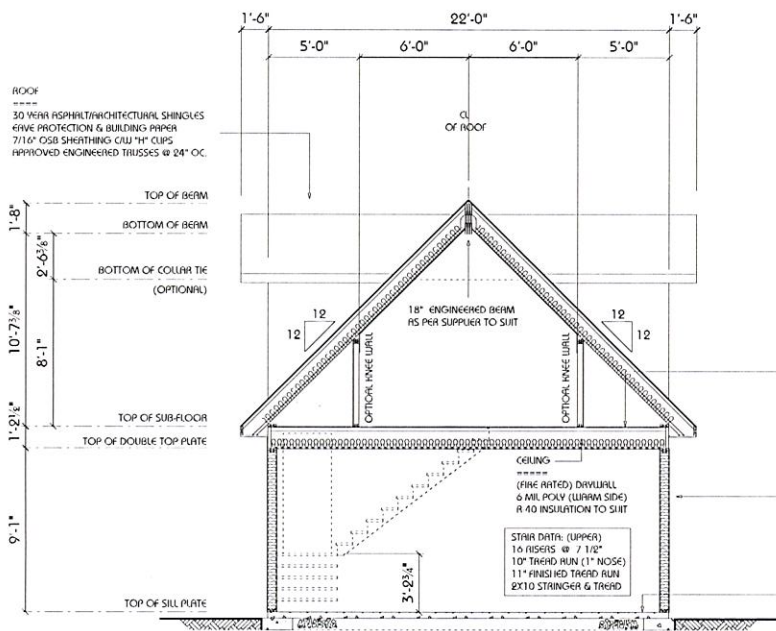


UPPER FLOOR PLAN
1594 SQ. FT.

ELECTRICAL LEGEND		
ELECTRICAL	COUNT	SYMBOL
light	5	⊙
outlet	7	⊕
smoke detector	1	⊙
switch 3 way	4	⊕

 C&S CUSTOM HOMES <small>Delivering Your Dream Since 1984</small>	MODEL: 30 X 22 GARAGE	DMD DRAFTING 403-342-2375 32 HWY 66 E. CLOSE RED DEER, AB.	DATE: APRIL 2028	NUMBER 5
	ADDRESS: 30 X 22 GARAGE		SHEET 4	UPPER FLOOR PLAN

CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTATION PRIOR TO CONSTRUCTION AND REPORT ANY ERRORS AND/OR DISCREPANCIES TO DESIGNER FOR CORRECTION. ELEVATIONS SHOULD BE SUGGESTIVE ONLY AND TO BE CONFIRMED BY HOME OWNER.



CROSS SECTION A-A

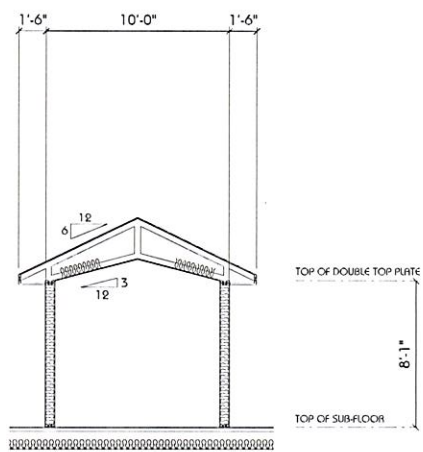
- INTERIOR WALLS

1/2" DRYWALL
2X4 MIN DRIED STUDS @ 16" O.C.
- FLOOR SYSTEM

3/4" OSB SHEATHING (SCANDL & GIRD)
14" ENGINEERED FLOOR JOISTS @ 16" O.C. (SUPPLIER TO CONFIRM SPECIFICATIONS)
- EXTERIOR WALL

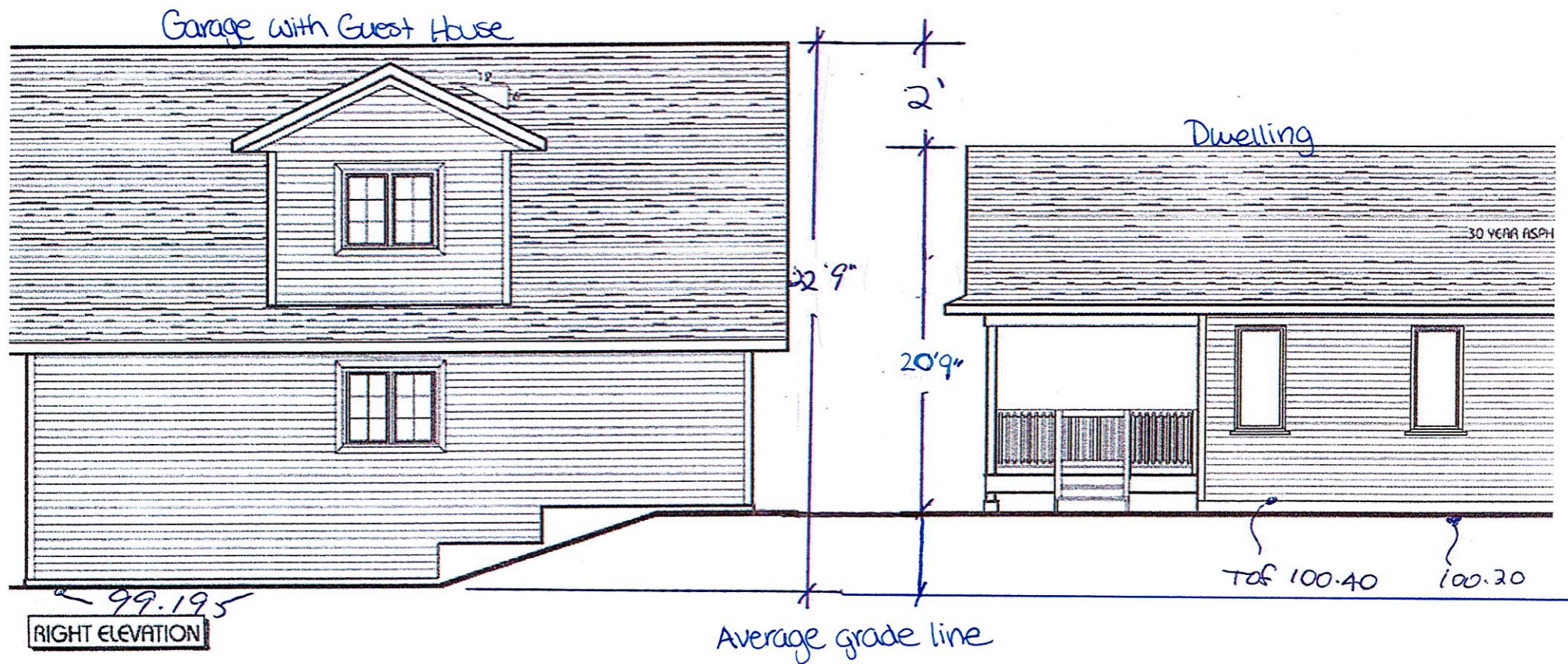
VINYL SIDING ON AS SPECIFIED HOUSEWRAP (AIR BARRIER)
3/8" OSB SHEATHING
2X6 MIN DRIED STUDS @ 16" O.C.
6 MIL POLY VAPOR BARRIER
R-20 INSULATION AND DRYWALL
- GARAGE FLOOR

4" (MIN) CONCRETE FLOOR SLAB
ON 6" (MIN.) GRANULAR FILL



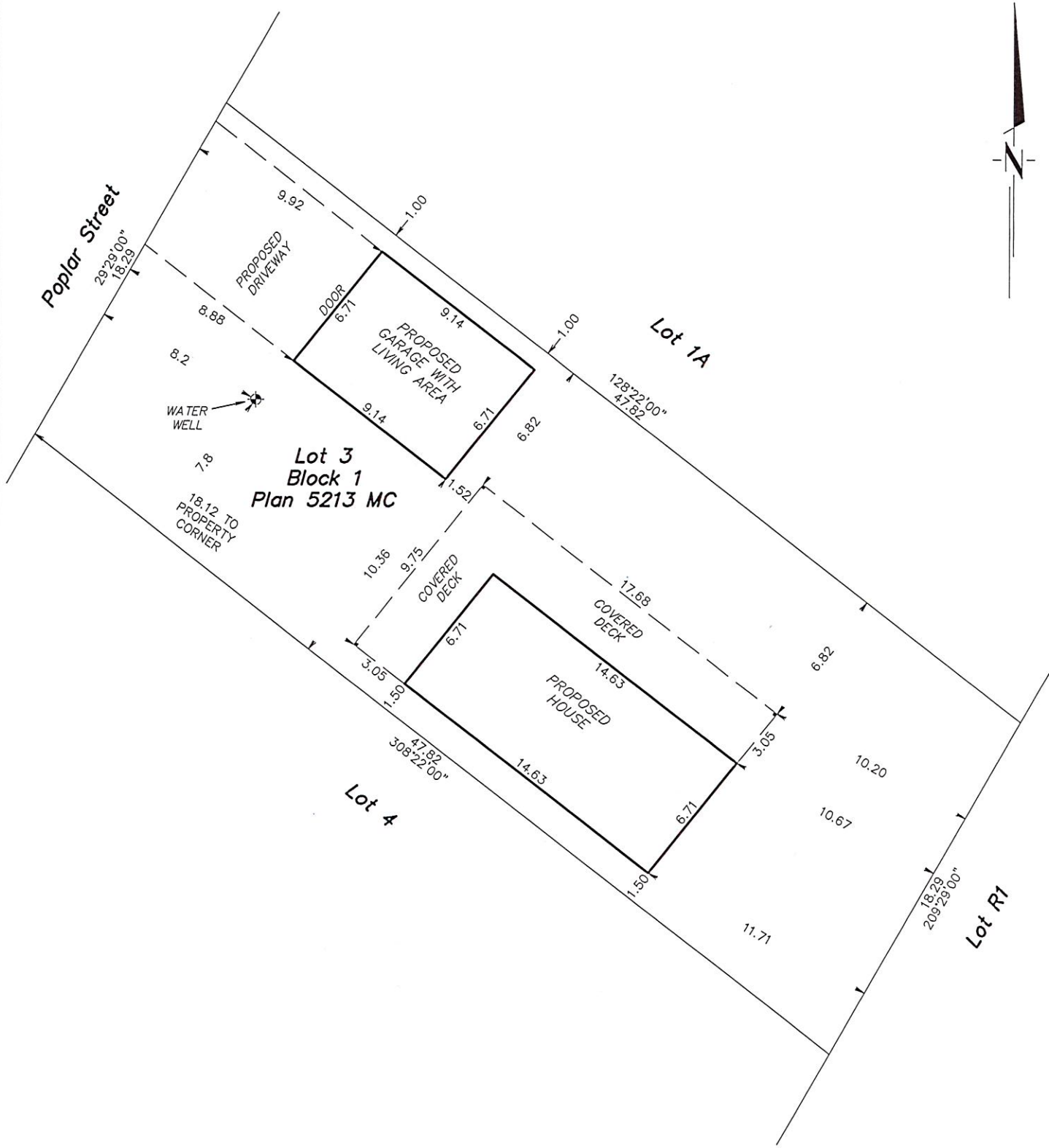
CROSS SECTION DORMER

SHEET		NUMBER	
5		5	
DRAWINGS:	SECTION DETAILS		
	SCALE: 1/8"=1'-0"		
	DATE: APRIL 2022		
	DRAWN BY: DMD		
DMD DRAFTING 403-342-9375 32' RAMMETER CLOSE RED DEER, AB.			
MODEL: 30' X 22' GARAGE		CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTATION PRIOR TO CONSTRUCTION AND REPORT ANY ERRORS AND/OR DISCREPANCIES TO DESIGNER FOR CORRECTION. ELEVATIONS SHOWN ARE SUGGESTIVE ONLY AND TO BE CONFIRMED BY HOME OWNER.	
ADDRESS:			
 C&S CUSTOM HOMES Delivering Your Dream Home			



PLOT PLAN

SUPPORT COLUMNS ARE SHOWN THUS..... ■



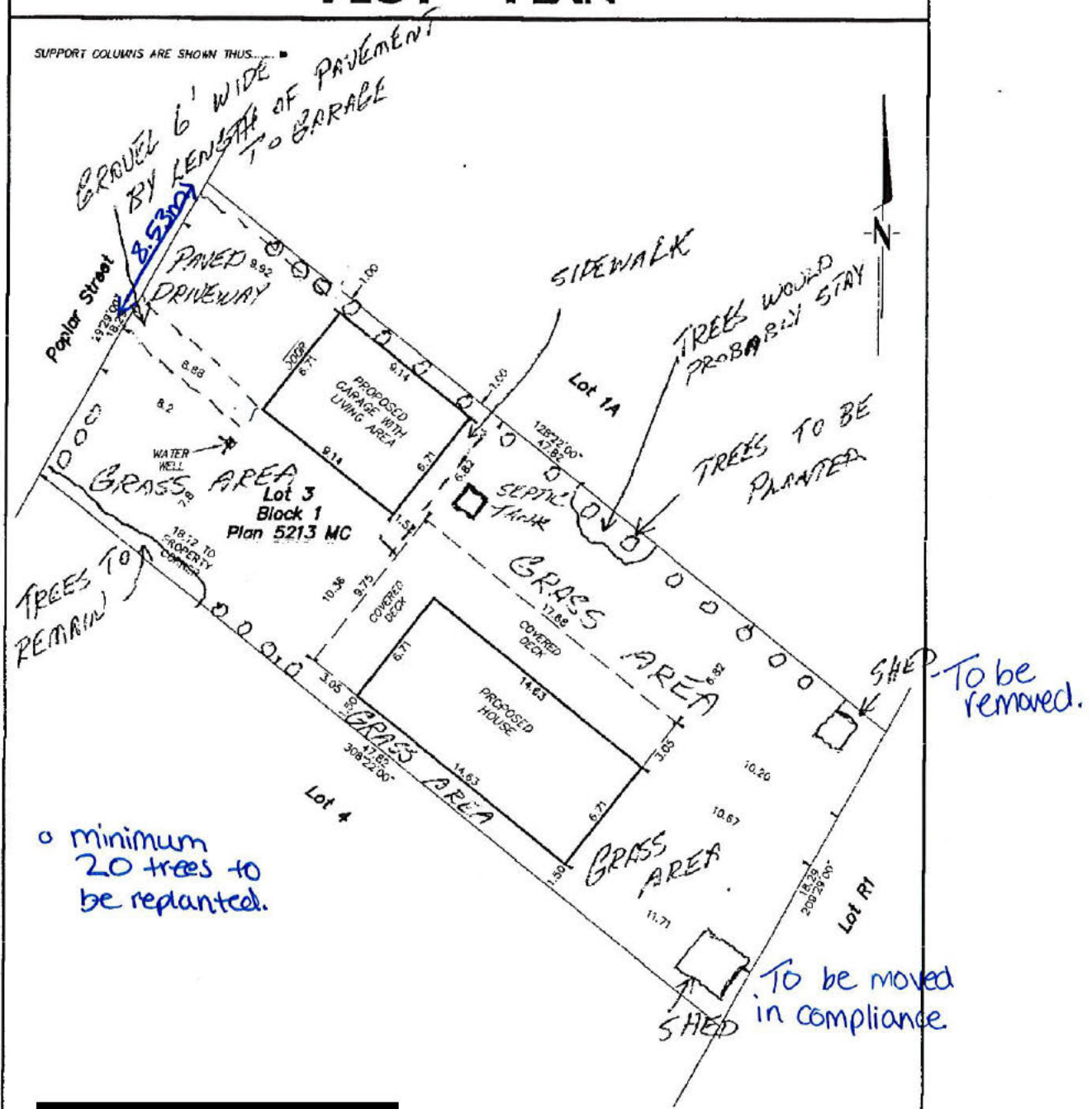
Parcel Coverage: 35.10%
(includes garage, house, covered decks and driveway) and Sidewalk.
Total Lot Area: 863.988 sq.m.
Landscape Area: 630.2 sq.m.

Revised: May 6th, 2022
(add proposed driveway)

LEGAL DESCRIPTION		Drawn By: DB Chk'd: KV	
Lot(s)	3	Block	1
Plan	5213 MC	Date:	April 12th, 2022
CLIENT		Scale:	1 : 250
C&S CUSTOM HOMES		File No.:	C-075-22
MUNICIPAL ADDRESS		BEMOCO LAND SURVEYING LTD	
#1105 POPLAR ROAD, S.V. OF SUNBREAKER COVE, ALBERTA		100, 6040-47th Avenue	
		Red Deer, Alberta	
		www.bemoco.com	
		PHONE: 403-342-2611	

PLOT PLAN

SUPPORT COLUMNS ARE SHOWN THUS: [Symbol]



o minimum 20 trees to be replanted.

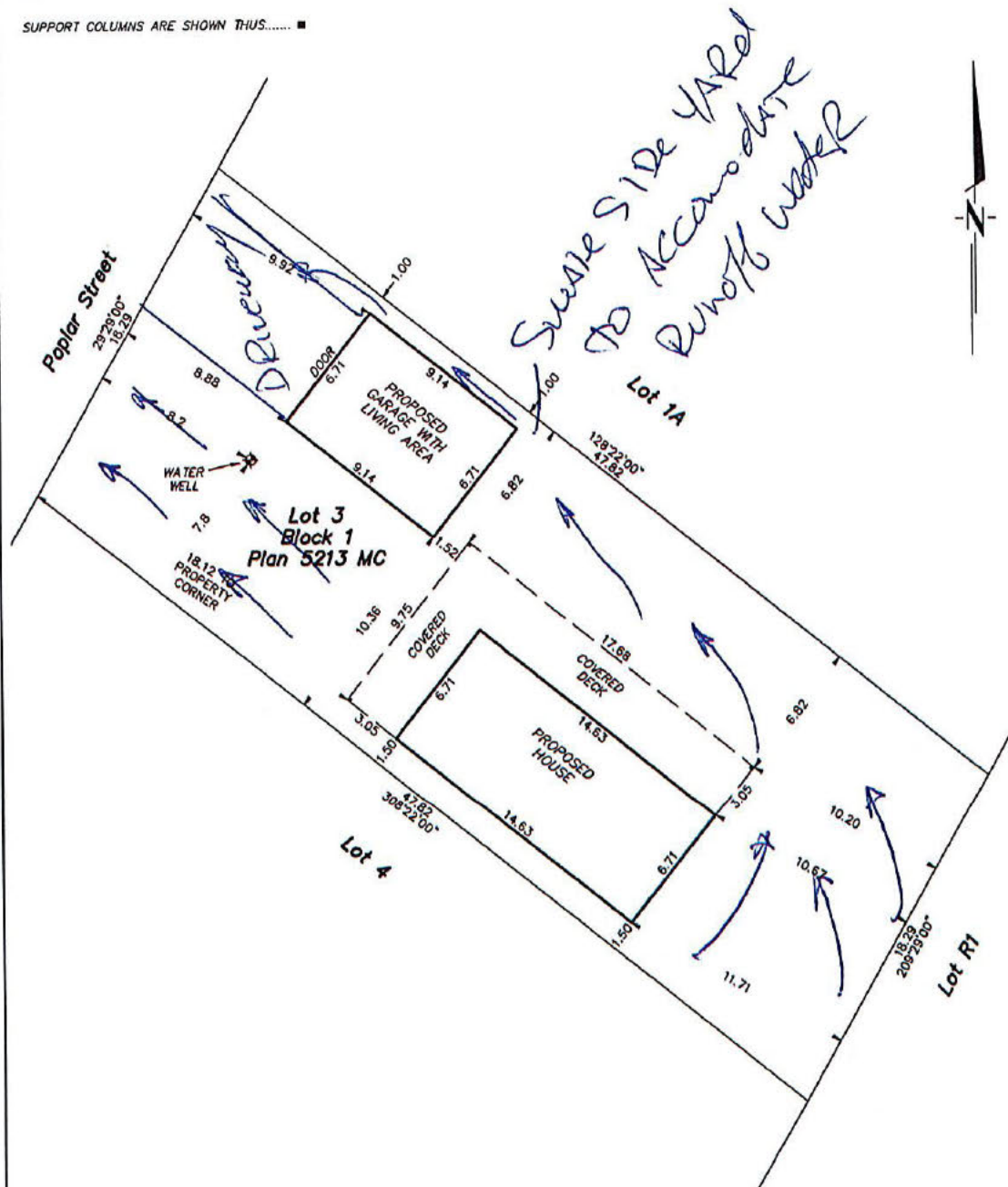


Revised: April 12th, 2022
(shift house and garage)

<p><u>LEGAL DESCRIPTION</u></p> <p>Lot(s) <u>3</u> Block <u>1</u> Plan <u>5213 MC</u></p>		<p>Drawn By: DB Chk'd: KV</p>
<p><u>CLIENT</u></p> <p><u>C&S CUSTOM HOMES</u></p>		<p>Date: April 12th, 2022</p>
<p><u>MUNICIPAL ADDRESS</u></p> <p><u>#1105 POPLAR ROAD, S.V. OF SUNBREAKER COVE, ALBERTA</u></p>		<p>Scale: 1 : 250</p>
		<p>File No.: C-075-22</p>
		<p>BEMOCO LAND SURVEYING LTD</p> <p>100, 6040-47th Avenue Red Deer, Alberta</p> <p>www.bemoco.com PHONE: 403-342-2611</p>

STORM WATER DISPOSAL

SUPPORT COLUMNS ARE SHOWN THUS..... ■



Revised: April 12th, 2022
(shift house and garage)

LEGAL DESCRIPTION

Lot(s) 3 Block 1 Plan 5213 MC

CLIENT

C&S CUSTOM HOMES

MUNICIPAL ADDRESS

#1105 POPLAR ROAD, S.V. OF SUNBREAKER COVE, ALBERTA

Drawn By: DB Chk'd: KV

Date: April 12th, 2022

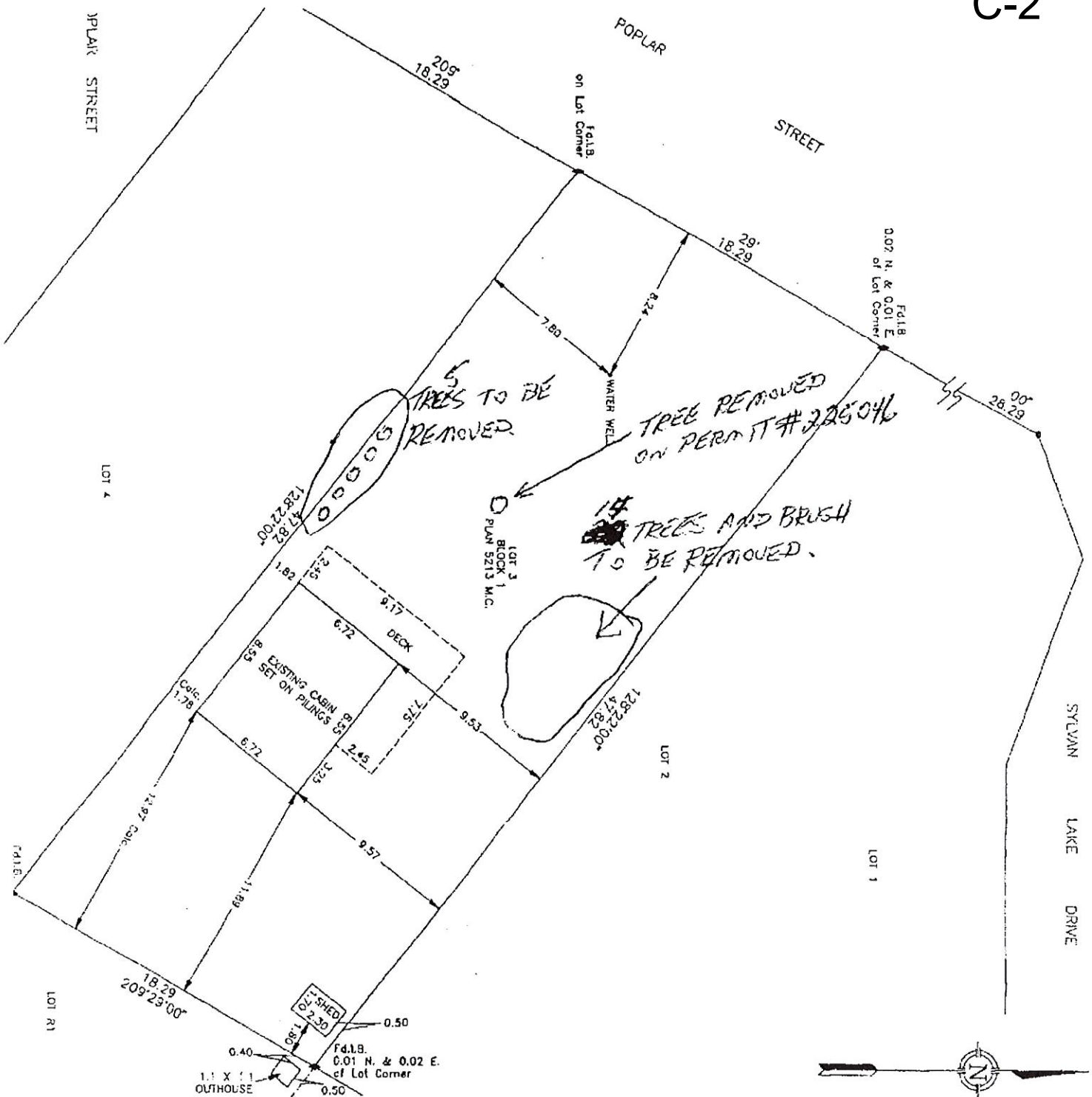
Scale: 1 : 250

File No.: C-075-22

BEMOCO LAND SURVEYING LTD

100, 6040-47th Avenue
Red Deer, Alberta

www.bemoco.com
PHONE: 403-342-2611



LEGAL DESCRIPTION

LOT 3
BLOCK 1
PLAN 5213 M.C.
CIVIC ADDRESS : 3 POPLAR STREET
THE BREAKERS SUBDIVISION
FOR : DAVE YEDON

NOTES

UNLESS OTHERWISE SPECIFIED THE DIMENSIONS SHOWN
PROPERTY BOUNDARIES TO FOUNDATION WALLS.
LOT DISTANCES & BEARINGS ARE TAKEN FROM REC'D

TITLE NUMBER 882 224 246
TITLE SEARCHED ON THE DATE OF MAY 25, 1989
PROPERTY IS SUBJECT TO :

STATUTORY IRON POSTS FOUND SHOWN THUS •
IRON BARS FOUND SHOWN THUS ↓

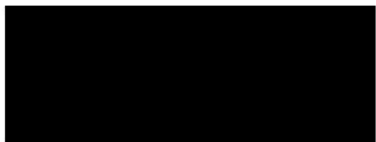
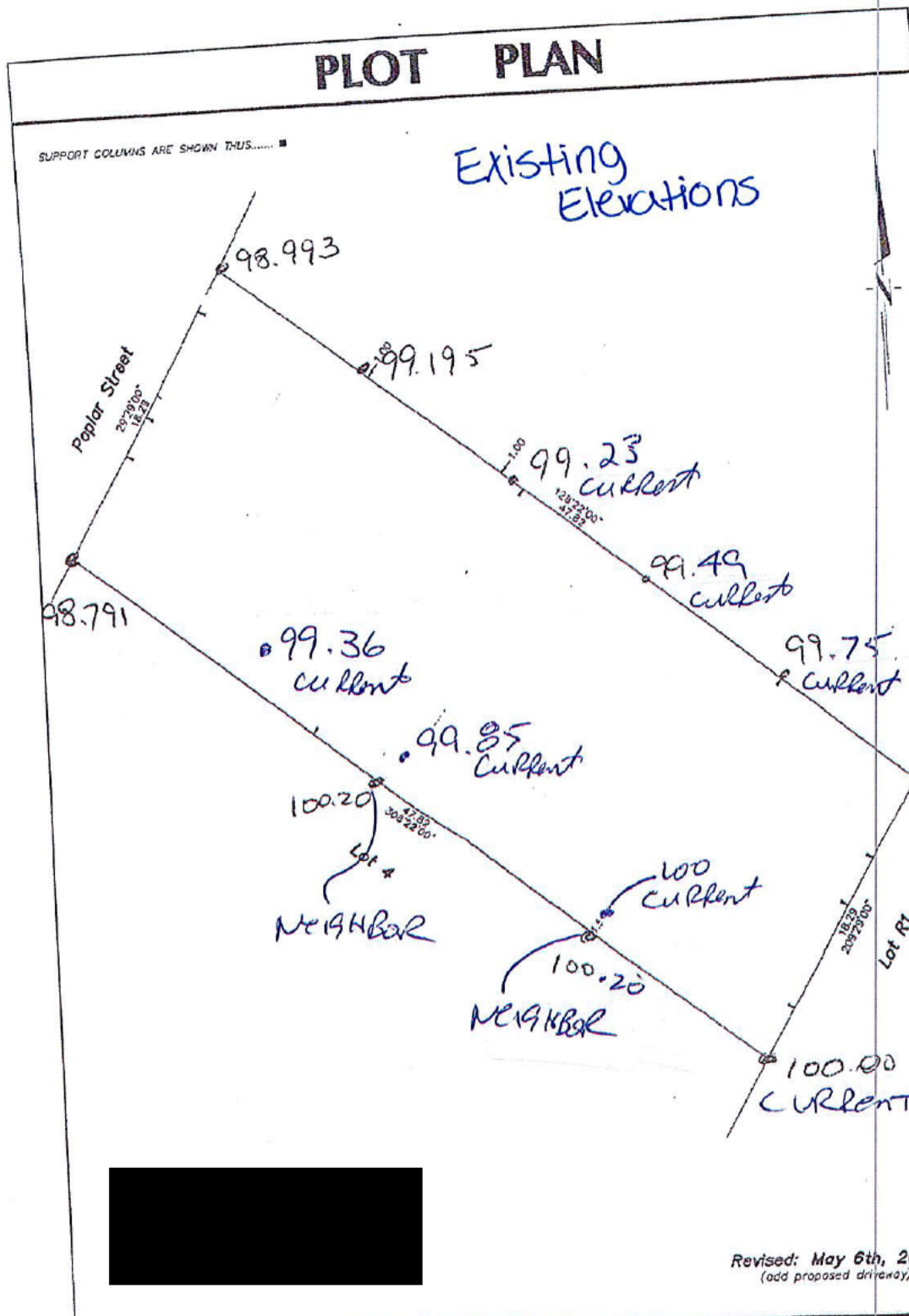
SURVEYOR'S AFFIDAVIT

I, GILLIS OSUND, ALBERTA LAND SURVEYOR

- THE SURVEY REPRESENTED BY THIS PLAN IS TRUE MADE UNDER MY PERSONAL SUPERVISION.
- THE SURVEY WAS COMPLETED ON MAY 24, 1989
- THE IMPROVEMENTS AS SHOWN ON THIS PLAN ARE BOUNDARIES OF THE SUBJECT PROPERTY (EXCEPT AS NOTED HEREIN).
- NO VISIBLE ENCROACHMENTS EXIST ONTO THE SUBJECT PROPERTY (EXCEPT AS NOTED HEREIN).

CERTIFIED CORRECT THIS 14 DAY OF June

ALBERTA LAND SURVEYOR



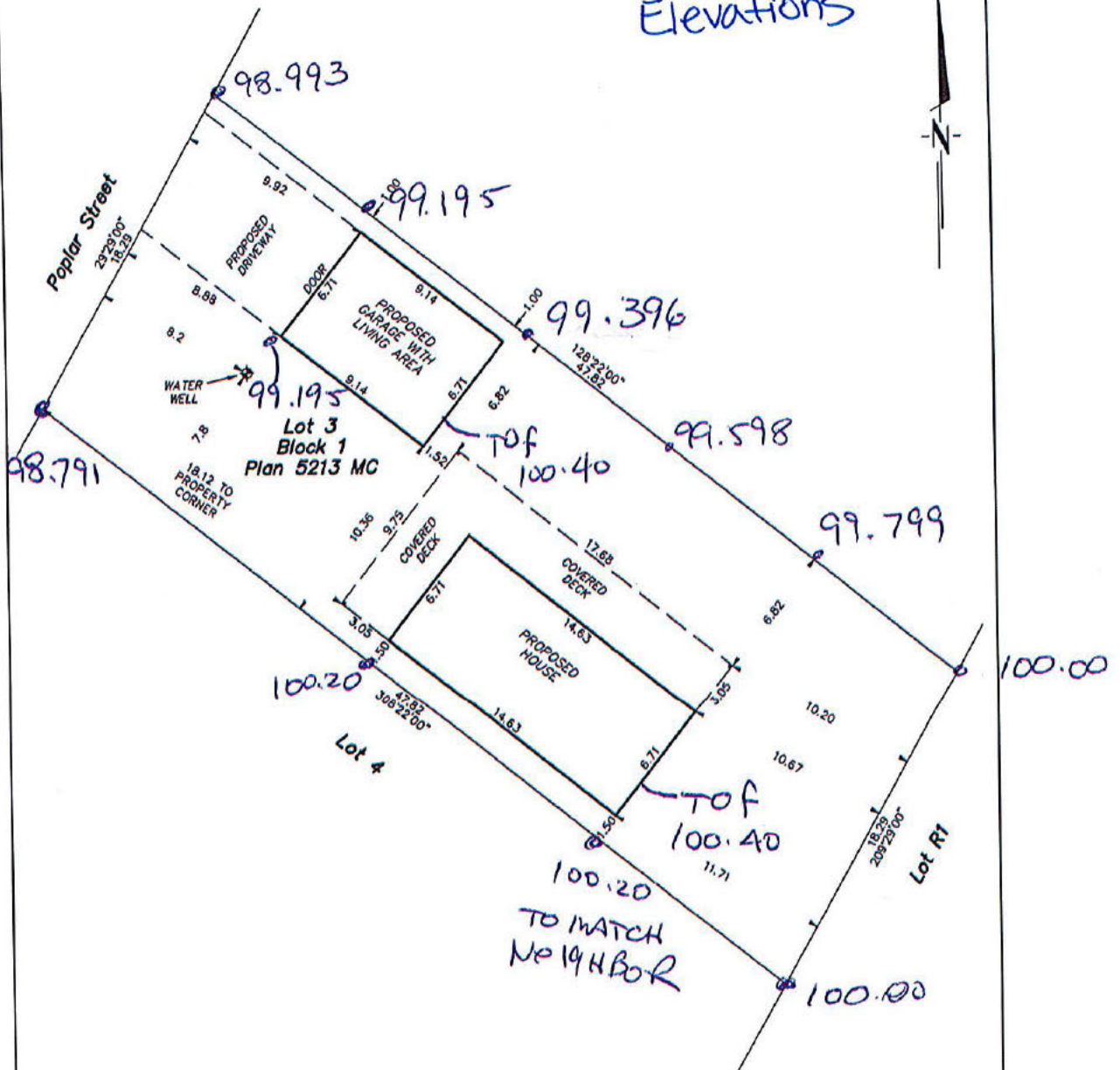
<u>LEGAL DESCRIPTION</u>		Drawn By: DB Chk'd: KV	
Lot(s) <u>3</u>	Block <u>1</u>	Date: April 12th, 2022	
Plan <u>5213 MC</u>		Scale: 1 : 250	
<u>CLIENT</u>		File No.: C-075-22	
C&S CUSTOM HOMES		BEMOCO LAND SURVEYING LTD 100, 6040-47th Avenue Red Deer, Alberta www.bemoco.com PHONE: 403-342-2511	
<u>MUNICIPAL ADDRESS</u>			
#1105 POPLAR ROAD, S.V. OF SUNBREAKER COVE, ALBERTA			

PLOT PLAN

C-2

SUPPORT COLUMNS ARE SHOWN THUS..... ■

Proposed Elevations



Revised: May 6th, 2022
(add proposed driveway)

LEGAL DESCRIPTION

Lot(s) 3 Block 1 Plan 5213 MC

CLIENT

C&S CUSTOM HOMES

MUNICIPAL ADDRESS

#1105 POPLAR ROAD, S.V. OF SUNBREAKER COVE, ALBERTA

Drawn By: DB Chk'd: KV

Date: April 12th, 2022

Scale: 1 : 250

File No.: C-075-22

BEMOCO LAND SURVEYING LTD

100, 6040-47th Avenue
Red Deer, Alberta

www.bemoco.com
PHONE: 403-342-2611



MAY 05 2022





MAY 05 2022







MAY 05 2022





MAY 05 2022





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MAY 05 2022



C-2



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