

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF SUNBREAKER COVE
ADMINISTRATION OFFICE
SEPTEMBER 19, 2022 @ 8:30 A.M.**

- A. CALL TO ORDER**
- B. ADOPTION OF AGENDA**
- C. DEVELOPMENT ITEMS**
 - 1) 717 Sunhaven Way
 - 2) 1314 Balm Road
- D. ADJOURNMENT**

Summer Village of Sunbreaker Cove – Municipal Planning Commission September 19, 2022

Agenda Item

717 Sunhaven Way (Lot 9, Block 5, Plan 1823MC)

Development Permit Application

Background:

The registered owner of 717 Sunhaven Way (Lot 9, Block 5, Plan 1823MC), in the village of Sunbreaker Cove is requesting a variance for an existing shed. This property is located in the R1 District (Residential District). The property currently has an open development permit for an addition on the main dwelling of the property and when development takes place, that is then the time we ensure all other buildings on the property conform to the Land Use Bylaw regulations. A condition of the development permit requires that the shed is to be relocated on the property to meet setback requirements. The shed in the location it is currently, requires two setback variances. The homeowners have completed their development of the addition and in order to close their development file this condition is to be complied with. It is the request of the homeowner to keep the shed in the position it is in to refrain from removing vegetation.

Discussion:

This application is before MPC for the following reasons:

- The side yard setback to the shed of 0.40m does not meet the minimum 1m, therefore requires a variance of 0.60m.
- The shed is over the rear yard by 0.07m and does not meet the minimum 1m setback, therefore requires a variance of 1m.

Recommendation:

The Development Officer has no power to approve this application and the development authority in this situation is the Municipal Planning Commission. It is now up to the board to approve the application for the variances or deny. Adjacent landowners have been notified of the proposed variance request and the neighbour adjacent to the shed is in support of the variance request.

Conditions:

If approved, Administration would recommend the following conditions:

- Zero trees to be removed.
- All conditions on the current development permit #202014 to be complied with.

September 12, 2022

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.

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*).

Kara Kashuba

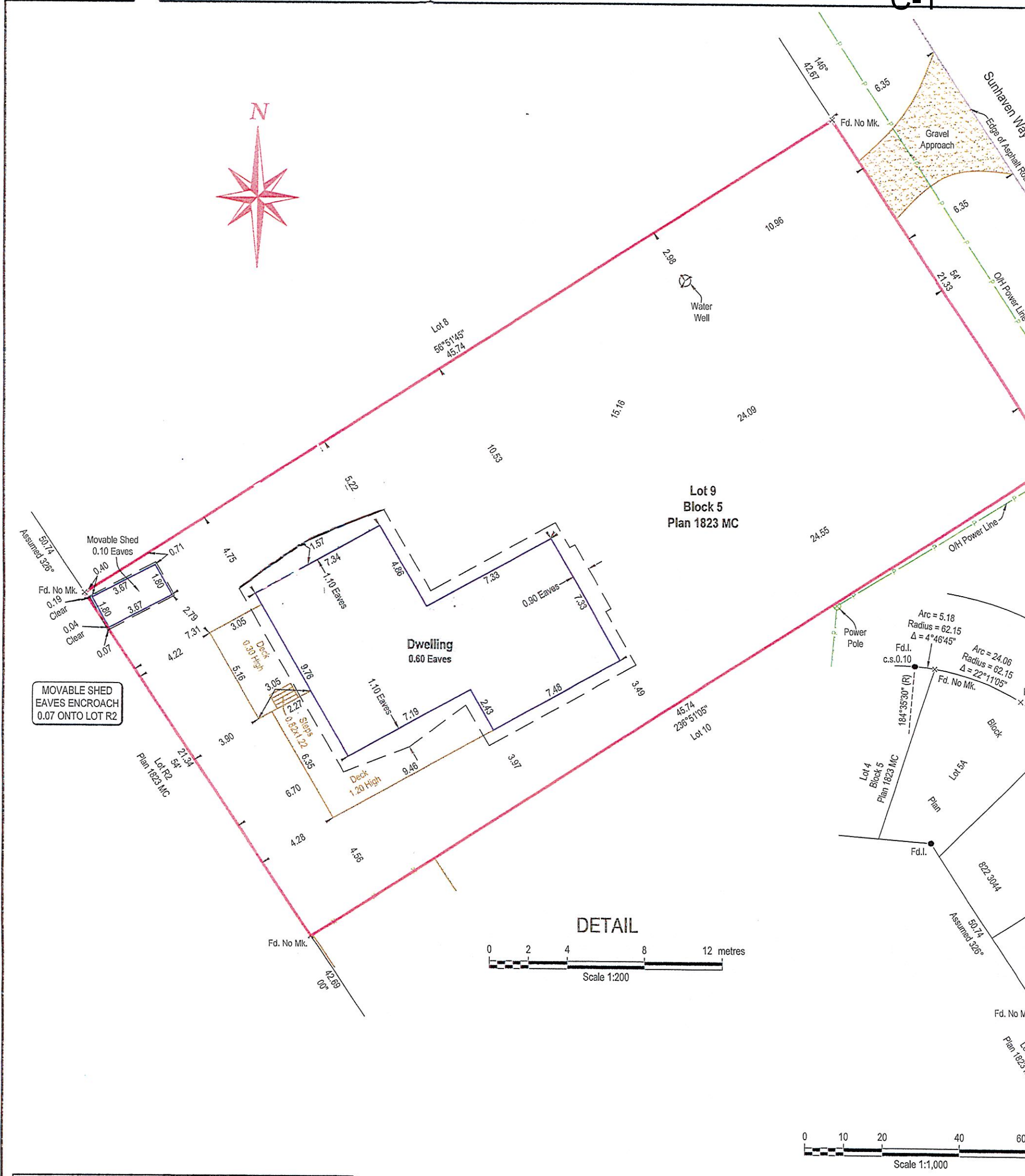
**Follow Up Flag:**
Flag Status:Follow up
Flagged

Good Afternoon Kara,

As discussed during our phone call on June 10th, we would like to have an easement on our shed position on the lot. If we move our shed to be in compliance, it will mean the loss of a large tree that adds privacy and foliage. Our shed is on our property, just not the full one meter that the Summer Village has requested. Attached are some photos demonstrating that the big tree would need to be removed and how that will change the look and feel of both our property and our neighbors property in regard to the added privacy and greenery.

Thank you for your consideration,


1



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AUG 04 2022





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717 Sunhaven Way



Summer Village of Sunbreaker Cove – Municipal Planning Commission September 19, 2022

Agenda Item

1314 Balm Road (Lot 4, Block 8, Plan 5969MC)

Development Permit Application

Background:

The registered owner of 1314 Balm Road (Lot 4, Block 8, Plan 5969MC), in the 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 5 bedrooms and the proposed maximum amount of people staying overnight is 12. Parking will take place on the existing driveway of the property which provides ample off-street parking. Guests will not have 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 this is the first tourist home operation application for this property.

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.
- 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 12.

September 12, 2022

- 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*).

Kara Kashuba
Development Officer
Summer Villages of Sylvan Lake
#2 Erickson Drive
Sylvan Lake, AB
T4S 1P5

Dear Kara Kashuba,

We would like to use our house at 1314 Balm Road in Sunbreaker Cove as a tourist home for the next year. While we do personally use the house on a regular basis, we wanted to have a few tourist home bookings a year to help us cover the cost of owning the home.

We visited Sunbreaker Cove a few years ago in AirBnB and enjoyed it so much that we made it our dream to eventually get a home here. We are a young family located in Edmonton and we love coming out to Sunbreaker Cove to rest, relax and rejuvenate. We wanted a place to share with our friends and family. When we are not using the home, we thought the place could be enjoyed by other people so they can experience the amazing lakeside living that Alberta has to offer.

The safety of our family and our guests is a top priority in our home. We have two fire extinguishers in the house, one upstairs and one downstairs with multiple fire alarms set up along with two carbon monoxide detectors. We have a fire blanket located underneath the kitchen sink. We do have an enclosed outdoor firepit that is away from the house. We also have a trampoline with a net around it. Although we do have a boat and a dock, it is not available to people who rent our home and will not be disclosed in any rental details.

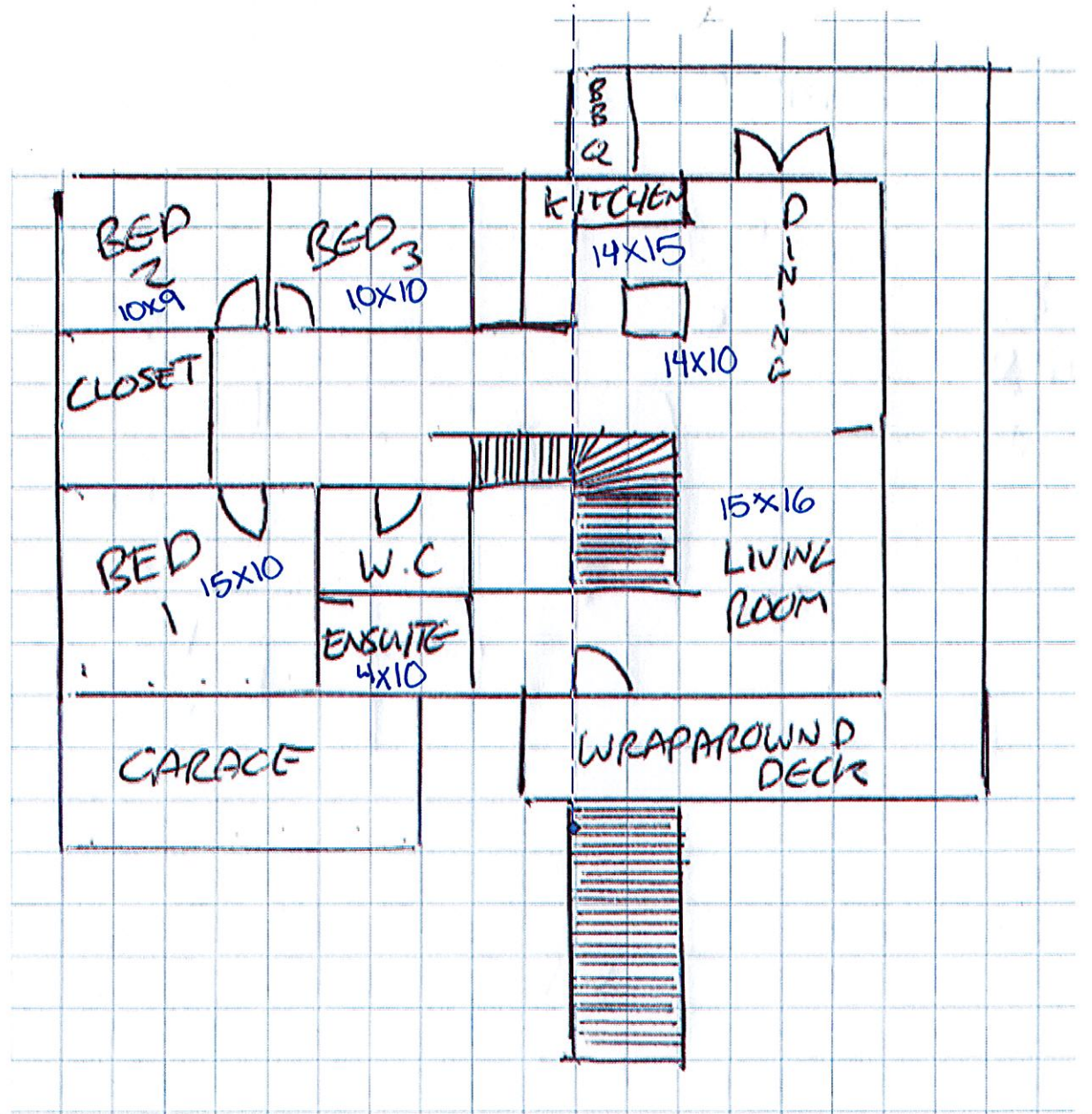
We understand the need for the municipality to have bylaws to appropriately handle the use of tourist homes and we respect the rules for operating a tourist home.

We appreciate your consideration of our application. Please let us know if there is any additional information you require.

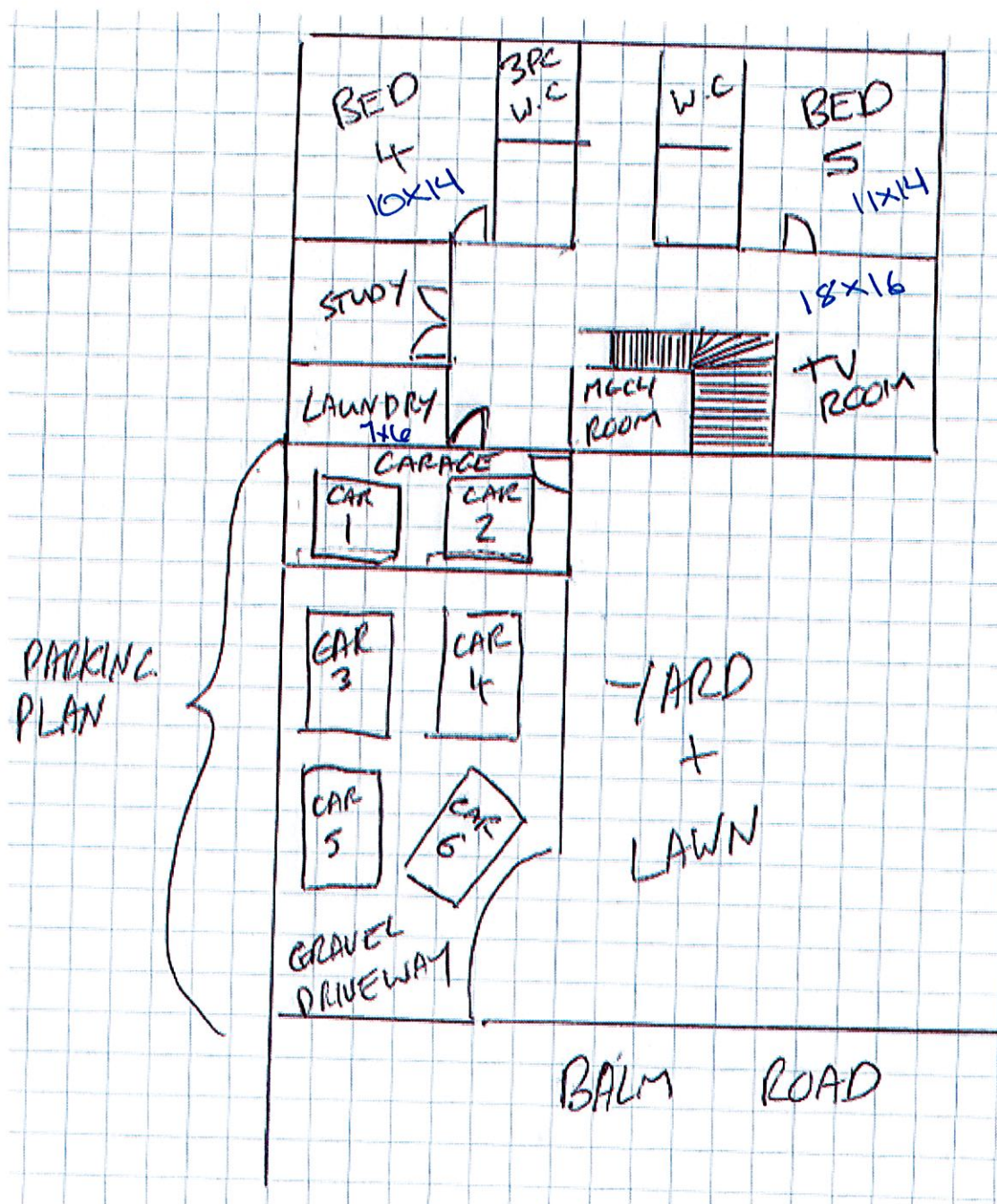
Sincerely,

A solid black rectangular box used to redact the signature of the sender.

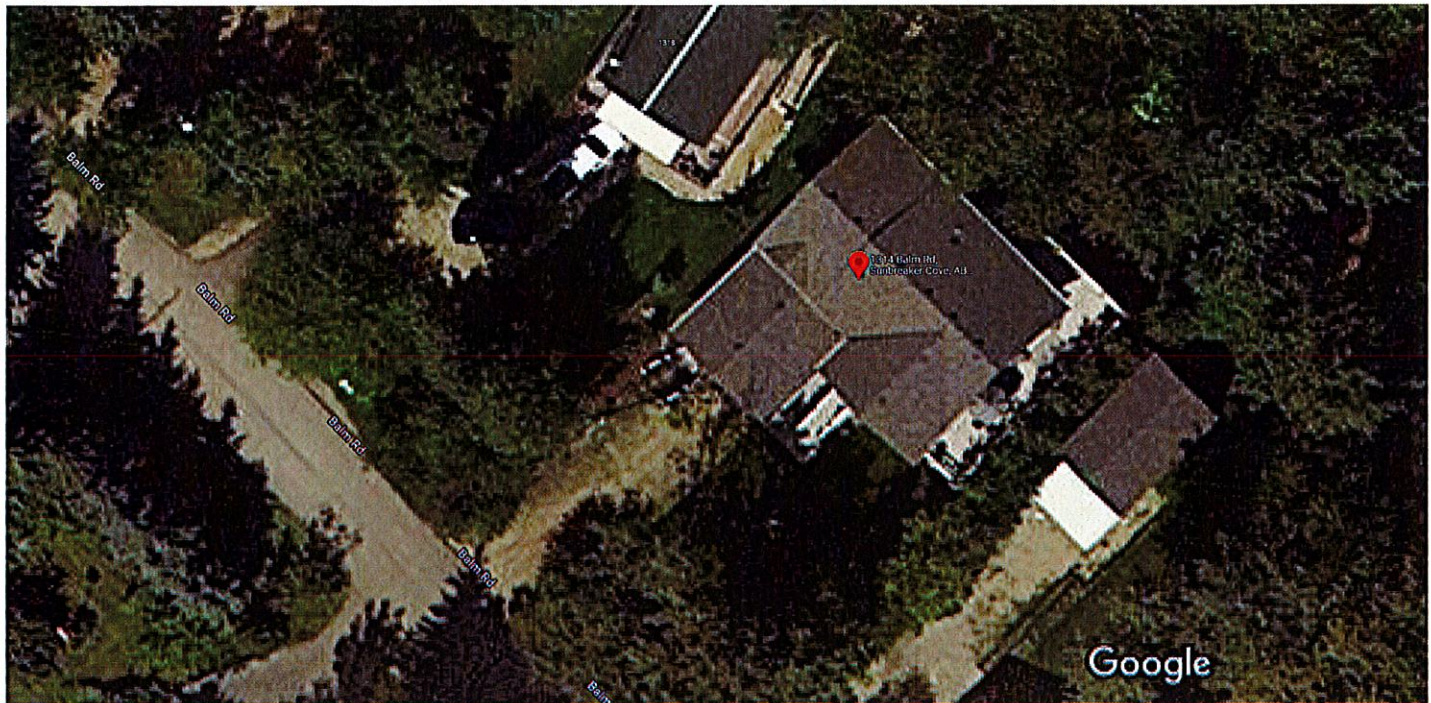
1314 Balm Road Floor Plan – Second Floor



1314 Balm Road Floor Plan – First Floor, Garage and Driveway



Google Maps 1314 Balm Rd



Map data ©2022, Map data ©2022 Google 5 m

**1314 Balm Rd**

Building



Directions



Save



Nearby

Send to
phone

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1314 Balm Rd, Sunbreaker Cove, AB T4S 1R6

Photos



C-2



AUG 04 2022





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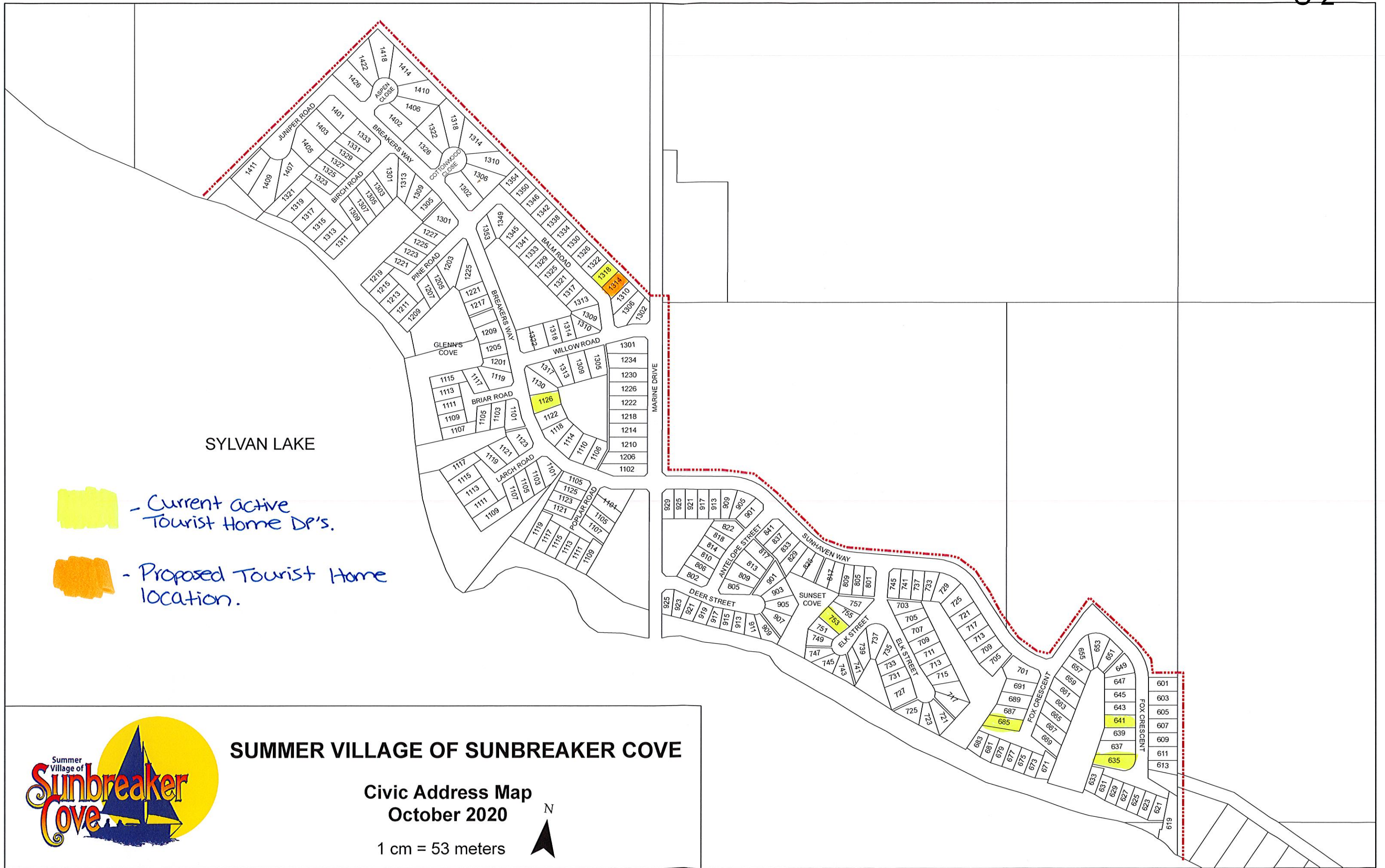
AUG 04 2022





AUG 04 2022





- Current active
Tourist Home Dr's.



- Proposed Tourist Home
location.



SUMMER VILLAGE OF SUNBREAKER COVE

Civic Address Map
October 2020

1 cm = 53 meters

