



**AGENDA**  
**Municipal Planning Commission Meeting**  
**Tuesday June 13, 2023**  
**6:00 pm**

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**1. Date/Place: June 13, 2023, Seniors Drop-in Centre 4918 50<sup>th</sup> Avenue, Bentley AB**

**2. Members Attendance:**

**Mayor Rathjen  
Deputy Mayor Hansen  
Councillor Eastman  
Councillor Grimsdale  
Councillor Valiquette**

**CAO/Development Officer and Recording Secretary – Marc Fortais**

**3. Amendments and Acceptance of Agenda**

**4. Previous Minutes:**

**a) Municipal Planning Commission Minutes May 2, 2023**

**5. New Business**

**a) Application for consideration: Mark Vander Laan - Oversize Garage Structure 4917 46<sup>th</sup> Street**

**The applicant is requesting the following:**

- Approval of discretionary use for a garage structure greater than 70m<sup>2</sup> (735.5ft<sup>2</sup>) (structure will be 1,200ft<sup>2</sup>)**

**6. Adjournment**



**Minutes of the Municipal Planning Commission Meeting of the Town of Bentley  
Tuesday May 2, 2023**

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- Date & Place** Minutes of the Municipal Planning Commission Meeting of the Town of Bentley held Tuesday May 2, 2023, at 5:30pm, in the Seniors Drop-In Centre 4918 50<sup>th</sup> Ave, Bentley AB
- In Attendance** Mayor Rathjen (Chair)  
Deputy Mayor Hansen  
Councillor Eastman  
Councillor Grimsdale  
CAO/Development Officer and Recording Secretary – Marc Fortais
- Absent** Councillor Valiquette
- Call To Order** Mayor Rathjen called the meeting to order at 5:30pm
- Agenda**  
**Motion MPC 9/2023** Moved by Deputy Mayor Hansen, “THAT the Agenda of the May 2, 2023, Municipal Planning Commission Meeting be accepted.”  
**Carried**
- Previous Minutes**  
**Motion MPC 10/2023** Moved by Councillor Grimsdale, “THAT the minutes of the April 25, 2023, Municipal Planning Commission Meeting of the Town of Bentley be confirmed.”  
**Carried**

**New Business:**

**a) Application for consideration: Rusted Rack Boutique –  
4937 50<sup>th</sup> Ave – Development Permit for Projecting Sign**

**Motion MPC 11/2023** Moved by Deputy Mayor Hansen,  
“THAT Development Permit Application 04-23 from Rusted Rack  
Boutique, and approved by the property owner Chris Wiese, for the  
placement of a projecting sign to be placed on the property located  
at 4917 52<sup>nd</sup> Ave; AND

THAT a variance be granted to allow the dimensions of the sign to  
be no greater than 4.4ft wide and 6ft long; AND

THAT all other setback requirements, height restrictions, code  
requirements and any other requirements as outlined in the Land  
Use Bylaw and Safety Codes for construction and placement of  
such a sign will be met.”

**Carried**

**Adjournment**

The meeting was adjourned by the chair Mayor Rathjen at 5:35pm

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Mayor Greg Rathjen

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CAO Marc Fortais



**Agenda Date:** June 13, 2023  
**Agenda Item:** Mark Vander Laan – 4917 46<sup>th</sup> Street Oversize Garage Build

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## **SUMMARY AND BACKGROUND**

THAT the Municipal Planning Commission consider the approval of the Development Permit Application 09-23 (Attachment #1) from Mark Vander Laan. The application is being considered as discretionary use in the R1 District; AND

THAT a relaxation be granted to allow the accessory building to be a maximum of 20 ft which is over the 16.4ft recommended height in the land use bylaw; AND

THAT the accessory building will not exceed the height of the main building on the property.

This permit application is being considered by the Municipal Planning Commission (MPC) due to the size of the structure and the relaxation of the height restriction. Under the Land Use Bylaw (LUB) a permit application for an accessory residential building can be considered for approval by the Development Officer if the total floor area is less than 70m<sup>2</sup> (735.5ft<sup>2</sup>). Any accessory building with a proposed floor area above 70m<sup>2</sup> (735.5ft<sup>2</sup>) must be considered by the MPC. The application is for the construction of a large garage structure 30' wide X 40' long X 20' high for a total square footage of 1,200 square feet. The applicant has indicated that the exterior finishes will be a combination of vinyl siding and cultured stone, and that all setback requirements for the R1 District will be met as follows:

Side Yard Setback	1.22 metres	(LUB requirement is 1 metres)
Rear Yard Setback	1.52 metres	(LUB requirement is 1.5 metre due to laneway)

The garage will be located in the southeast corner of the property with the laneway to the south of the garage. The proposed height for the accessory building will exceed 16.4 ft and is proposed to be 20ft high. The applicant is requesting a relaxation of the height restriction to allow the 20ft proposed height. The applicant has also assured the development officer that it will not exceed the existing building height, which is approximately 25ft and will be no more than the proposed 20ft. .

The applicant has also provided letters from immediate neighbors, indicating they do not have any issue with the proposed garage build. The development officer is recommending that due to the significant space on the lot and the support from the neighbors, that the MPC should consider granting relaxation for the height restriction and approve the permit for the oversize garage build. There is ample room on the lot, and it is not felt that allowing such a build on this property will be detrimental to the design, character, and appearance of the neighborhood.

It is the opinion of the Development Officer that the permit for the construction of a garage structure with a total square footage of 1,200 square feet be approved by the Municipal Planning Commission with the requested relaxation.

## **RECOMMENDATION**

THAT the Municipal Planning Commission Approve the Development Permit Application 09-23 from Mark Vander Laan, for the construction of an oversized garage with dimensions of 30ft wide X 40 ft long X 20ft high (1,200 square feet) as a discretionary use in the R1 District; AND

THAT the Development Permit Application 09-23 also be approved with a relaxation of the height restriction so that it may be built with a maximum height of 20ft; AND

THAT the accessory building will not exceed the height of the main building on the property; AND

THAT all other setback requirements, and any other requirements as outlined by the Land Use Bylaw and/or through building code for construction of an accessory building will be met by the builder as proposed in the application.

## **ATTACHMENTS**

- 1) Development Permit Application

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Marc Fortais, CAO



TOWN OF BENTLEY  
Box 179  
Bentley, AB T0C 0J0  
Ph: (403) 748-4044  
Fax: (403) 748-3213

Permit # \_\_\_\_\_  
Fee: \$ \_\_\_\_\_  
Tax roll # ~~578.000~~ 578.000

**DEVELOPMENT PERMIT APPLICATION**

I/We hereby make application of a development permit pursuant to the Town of Bentley's Land Use By-law. The plans, supporting documents and application fee attached herewith form a part of this application.

Applicant(s) Mark Vander Loon Home Phone \_\_\_\_\_  
Please Print  
Address: 4917-46 Street, Cell Phone 587-877-1904  
Bentley, AB, T0C-0J0 Fax: \_\_\_\_\_  
Email: MR.MARKAVL@GMAIL.COM

Legal: (Lot(s)) 4-6 Block 21 Plan 6647 M.C.

Municipal Address: 4917-46<sup>th</sup> St, Bentley, AB, T0C-0J0

Description of Development: 30' x 40' garage in the SE corner of lot.

Value of Development \$ 60-70K

Land Use District: \_\_\_\_\_ Current Use of Lands & Buildings: Single family dwelling, no garage currently.

Proposed Use of Lands & Buildings: Park vehicles inside, storage.

Site Area Size: 30' x 40' Total Floor Area: 1,200 sq.

Ground Floor Area: 1,200 sq. Upper Floor Area: \_\_\_\_\_

Building Height (from ground elevation): 20'

(if applicable) Number of Parking Spaces: 4 Loading Spaces: \_\_\_\_\_

Side-yard Set-backs: Front (m) \_\_\_\_\_ Rear (m) \_\_\_\_\_  
Side (m) \_\_\_\_\_ Side (m) \_\_\_\_\_

Other information: Please provide any other pertinent information below or on separate sheet  
\_\_\_\_\_  
\_\_\_\_\_

I/We hereby certify that I am/we are the registered owner(s) or authorized to act on behalf of the registered owner(s) and that the information on this form and on the attached plans and supporting materials is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

Date Signed: 20230602 Mark Vander Loon  
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**RIGHT OF ENTRY**

I/We, being the registered owner(s) or person(s) in possession of the land and building(s) thereon, hereby consent to an authorized person designated by the Town of Bentley entering upon the said property for the purpose of inspection.

Date Signed: 20230602 Mark Vander Loon  
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

Mayor and Council,

I'm requesting permission to build an oversized garage on our property. It will be in the SE corner of the lot with dimensions of 30' (east/west) by 40' (north/south) and 12' tall ceiling. The roof will have a 6/12 pitch making the overall height approximately 19'. The garage door will face the alleyway and there will be 2 windows facing north and two facing east. I have spoken with both adjacent neighbors and the neighbor across main street of these plans and they don't have any issues with them. The garage doesn't affect anyone's privacy or view. Thank you for your time.

Mark Vander Laan

20 ft on Application

Mayor and Council,

My name is Ted Chisholm and I'm Mark Vander Laan's neighbor to the east. We have been neighbors for close to a decade now. He approached me with the plans of the garage they would like to build in the SE corner, bordering my property. He mentioned the dimensions will be 30'x40' with a 12' ceiling, and that the spruce tree will be coming down too. This won't interfere with any privacy, and I don't have any issues with this being built. Thank you.

Sincerely,

*Ted Chisholm*

*May 30 / 2023*



# ALBERTA LAND SURVEYORS REAL PROPERTY REPORT



Suite 306, 5033  
P 403.782.535  
administration@real

To: Kathy Livingston (Inc)  
Re: Lot 3, Block 21, Plan  
591/1-510 Street 23

Date of Survey: June 30  
Date of Title Search: July  
Certificate of Title #: 032

### CERTIFICATION:

I hereby certify that this report was prepared under my personal supervision and that I am a member of the Association of Professional Land Surveyors' Association of Alberta. Accordingly, within the meaning of the Land Survey Act, this plan is a plan of the plan as defined in Part 0.1, Section 1 of the Land Surveyors' Association's Manual of Standards and Regulations and the improvements are entered in the land register.

- no visible encroachments situated on an adjoining property;
- no visible encroachments situated on an adjoining property;
- no visible encroachments situated on an adjoining property;
- no visible encroachments situated on an adjoining property;

### NOTES:

- Distances to building corners unless shown otherwise.
- Unless otherwise specified, all distances are in metres and to the nearest centimetre.
- Distances are in metres and to the nearest centimetre.
- Unless shown otherwise, fences or fences are not shown.

### PURPOSE:

This report and related plan, if any, is prepared for the owner, subsequent owners or conveyance, support of a sub-sale, or for the Municipality of Calgary, Alberta, for the purpose of the Property Report updated for July, 2012.

- LEGEND:**
- Statutory iron posts found are shown thus
  - Iron Bars found shown thus
  - Eaves are shown thus
  - Utility Right of Ways shown thus
  - Building Foundation shown thus
  - Property Line shown thus

### TREE REMOVAL



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Scale: 1:250  
File No: 14-0180

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