



AGENDA
Municipal Planning Commission Meeting
Tuesday March 7, 2022
5:30 pm

1. **Date/Place: March 7, 2022, Seniors Drop-in Centre 4918 50th Avenue, Bentley AB**

2. **Members Attendance:**

Mayor Rathjen
Deputy Grimsdale
Councillor Eastman
Councillor Hansen
Councillor Valiquette

CAO/Development Officer and Recording Secretary – Marc Fortais

3. **Amendments and Acceptance of Agenda**

4. **Previous Minutes:**

a) **Municipal Planning Commission Minutes October 11, 2022**

5. **New Business**

a) **Application for consideration: Karen Hick & Gary Johnson – Oversize Garage Build on 4837 49th avenue.**

The applicant is requesting the following:

- **Relaxation of restriction that the accessory building shall not be situated closer to the street than the main building (in this case the garage structure will be 3.2 metres closer to 49th street than the house)**
- **Approval of discretionary use for a garage structure greater than 70m² (735.5ft²) (structure will be 1,344 ft²)**

6. **Adjournment**



**Minutes of the Municipal Planning Commission Meeting of the Town of Bentley
Tuesday October 11, 2022**

Date & Place Minutes of the Municipal Planning Commission Meeting of the Town of Bentley held Tuesday, October 11, 2022, at 6:00pm, in the Seniors Drop-In Centre 4918 50th Ave, Bentley AB

In Attendance Mayor Rathjen
Deputy Mayor Eastman
Councillor Hansen
Councillor Valiquette
Councillor Grimsdale
CAO/Development Officer and Recording Secretary – Marc Fortais

Call To Order Mayor Rathjen called the meeting to order at 6:00pm

Agenda

Motion MPC 1/2022 Moved by Councillor Hansen, “THAT the Agenda of the October 11, 2022, Municipal Planning Commission Meeting be accepted.”

Carried

Previous Minutes

Motion MPC 2/2022 Moved by Councillor Grimsdale, “THAT the minutes of the June 22, 2021, Municipal Planning Commission Meeting of the Town of Bentley be confirmed.”

Carried

New Business:

a) Application for consideration: Denise Pederson & Lake Trail Estates – regarding the placement of a 2002 Winalta Manufactured Home Model #21837 on Lake Trail Estates Park Lot 51 and construction of a deck.

Motion MPC 3/2022 Moved by Councillor Hansen, “THAT the Municipal Planning Commission approve the Development Permit Application 07-22 from Denise Pederson and Lake Trail Estates for the placement of a 2002 Winalta Manufactured Home Model #21837 with dimensions of 16ft X 76ft including the construction of a deck 45ft X 12ft and a height above 2ft to be placed on lot 51 at Lake Trail Estates; AND

THAT the Development Permit Application 07-22 also be approved with a relaxation of the age restriction maximum requirement of 5 years to allow the 20-year-old manufactured home to be placed on Lot 51; AND

THAT a variance of the rear yard setback from the minimum of 19.6ft be granted to allow one corner of the manufactured home to be 10ft from the lot line; AND

THAT a variance of the front yard setback from the minimum of 19.6ft be granted to allow one corner of the manufactured home to be 15ft from the lot line.

Carried

Adjournment

Motion 3/2022 Moved by Deputy Mayor Eastman, “THAT the Municipal Planning Commission Meeting held on Tuesday October 11, 2022, be adjourned 6:05pm.

Carried

Mayor Greg Rathjen

CAO Marc Fortais



Agenda Date: March 7, 2023
Agenda Item: Karen Hick & Gary Johnson – Oversize Garage Build on 4837 49th Ave

SUMMARY AND BACKGROUND

THAT the Municipal Planning Commission consider the approval of the Development Permit Application 01-23 (Attachment #1) from Bob Aldous, submitted on behalf of the homeowners Karen Hick and Gary Johnson. The application is being considered as a discretionary use in the R2A District.

This permit application is being considered by the Municipal Planning Commission (MPC) due to the size of the structure. 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 70m² (735.5ft²). Any accessory building with a proposed floor area above 70m² (735.5ft²) must be considered by the MPC. The application is for the construction of a large garage structure 28' wide X 48' long X 16' high for a total square footage of 1,344 square feet. The applicant has indicated that the exterior finishes will match the existing house and that all setback requirements for the R2A District will be met as follows:

Side Yard Setback	3.28 metres	(LUB requirement is 1.5 metres)
Rear Yard Setback	1 metre	(LUB requirement is 1 metre)
Side Yard Setback (49 th St side)	6.5 metres	(LUB requirement for driveway at least 6 metres)

The garage will be located at the rear of the house and will be placed horizontal on the lot, with the driveway and vehicular access facing 49th street. The proposed height for the accessory building will not exceed 16 ft and the LUB allows for up to 16.4 ft and shall not exceed the height of the main building.

Under the Land Use Bylaw an accessory building shall not be situated closer to the street than the main building, in this case, due to the size of the garage structure it will be situated closer to 49th St than the existing house by approximately 3.2 metres. The applicant is requesting a variance to allow the garage structure to sit closer to the street than the house. The Development Officer recommends approval of this request for variance as the neighboring house to the rear of this property does not front 49th street, but fronts 48th avenue, see map (Attachment #2). As a result of the characteristics of the block and the rear neighboring house orientation, it is not felt that allowing a variance of this requirement will be detrimental to the design, character, and appearance of the neighborhood.

In addition, across the street on 49th street there is an existing garage structure, which faces 49th street, and therefore it is felt that the proposed design and orientation for the garage structure will match existing properties on the street.

It is of the opinion of the Development Officer that the permit for the construction of a garage structure with a total square footage of 1,344 square feet be approved by the Municipal Planning Commission with the requested variances as detailed in this report.

RECOMMENDATION

THAT the Municipal Planning Commission Approve the Development Permit Application 01-23 from Bob Aldous, submitted on behalf of and signed by the homeowners Karen Hick and Gary Johnston for the construction of an oversized garage with dimensions of 28ft wide X 48ft long X 16ft high (1,344 square feet) as a discretionary use in the R2A District; AND

THAT the Development Permit Application 01-23 also be approved with a relaxation of the requirement that it not be situated closer to 49th street than the main building; AND

THAT the proposed accessory building will not be any more than 3.2 metres closer to 49th street than the main building and that it will be at least 6 metres set back from 49th street to accommodate the driveway and vehicular access that has been proposed; AND

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

ATTACHMENTS

- 1) Development Permit Application
- 2) Map of Block

Marc Fortais, CAO

TOWN OF BENTLEY
Box 179
Bentley, AB TOC OJO
Ph: (403) 748-4044
Fax: (403) 748-3213

Permit # 01-23
Fee: \$ \$320.00
Tax Roll # 238.000

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) Bob Audous Home Phone N/A
Please Print
Address: 4837 49TH AVE Cel. Phone 403 877 9088
BENTLEY Fax: _____
Email: BOB@BOTINAHOMES.CA

Legal: (Lot(s)) _____ Block _____ Plan _____

Municipal Address: 4837 49TH AVE, BENTLEY

Description of Development: DETACHED GARAGE

Value of Development \$ 85,000

Land Use District: _____ Current Use of Lands & Buildings: SINGLE FAMILY HOME
Proposed Use of Lands & Buildings: SINGLE FAMILY HOME WITH DETACHED GARAGE.

Site Area Size: 11,196.4 SQ FT Total Floor Area: _____

Ground Floor Area: 1344 SQ FT Upper Floor Area: _____

Building Height (from ground elevation): 16'

(if applicable) Number of Parking Spaces: 2 Loading Spaces: _____

Side-yard Set-backs: Front (m) 6.5 m Rear (m) 4.2m

Side (m) 1 m Side (m) 1.5 m TO DECK.

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: FEB 19/2023 [Signature]

Signature of Owner or Authorized Agent

[Signature]

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: FEB 19/2023 [Signature]

Signature of Owner or Authorized Agent

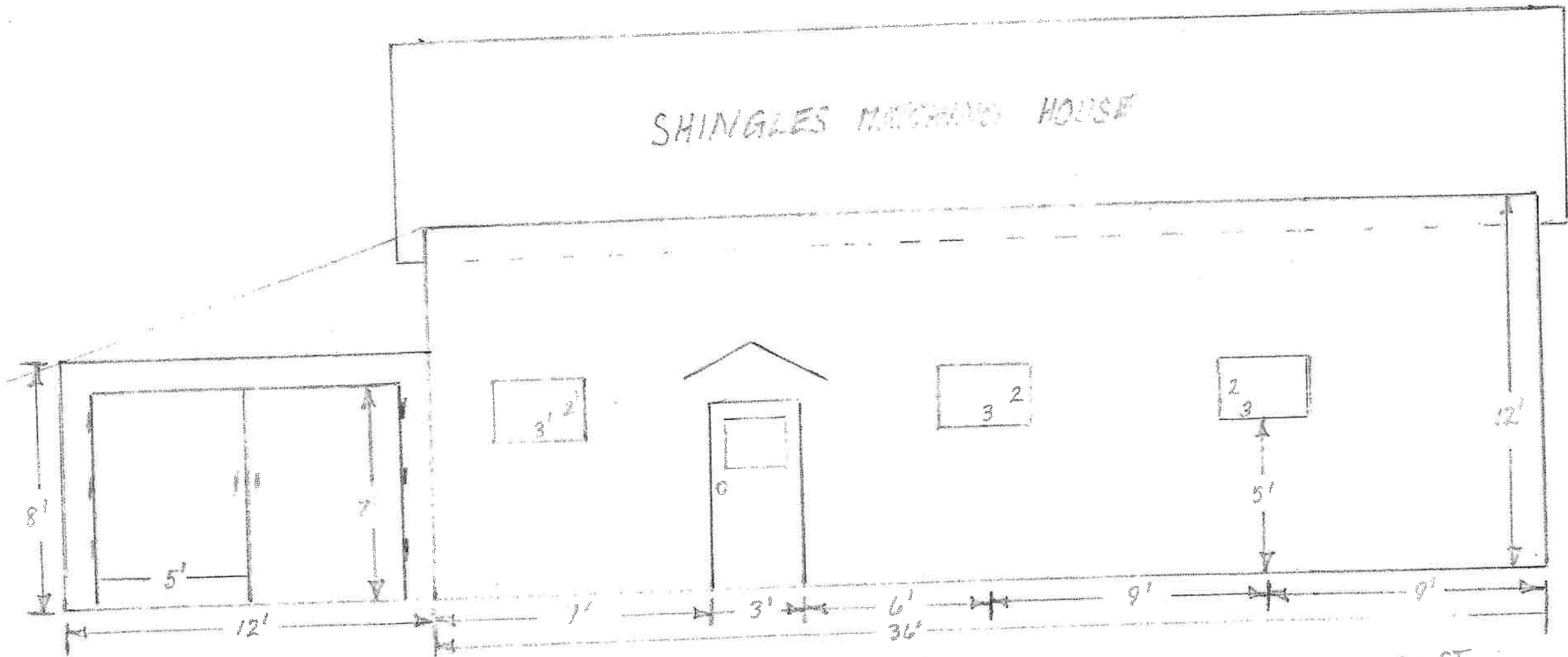
[Signature]

Signature of Owner or Authorized Agent

Compliance with the requirements of the Town of Bentley's Land Use By-law, does not afford relief from compliance with any Federal, Provincial or Municipal Legislation or conditions of any easement, covenant, building scheme or agreement affecting the building(s) or land.

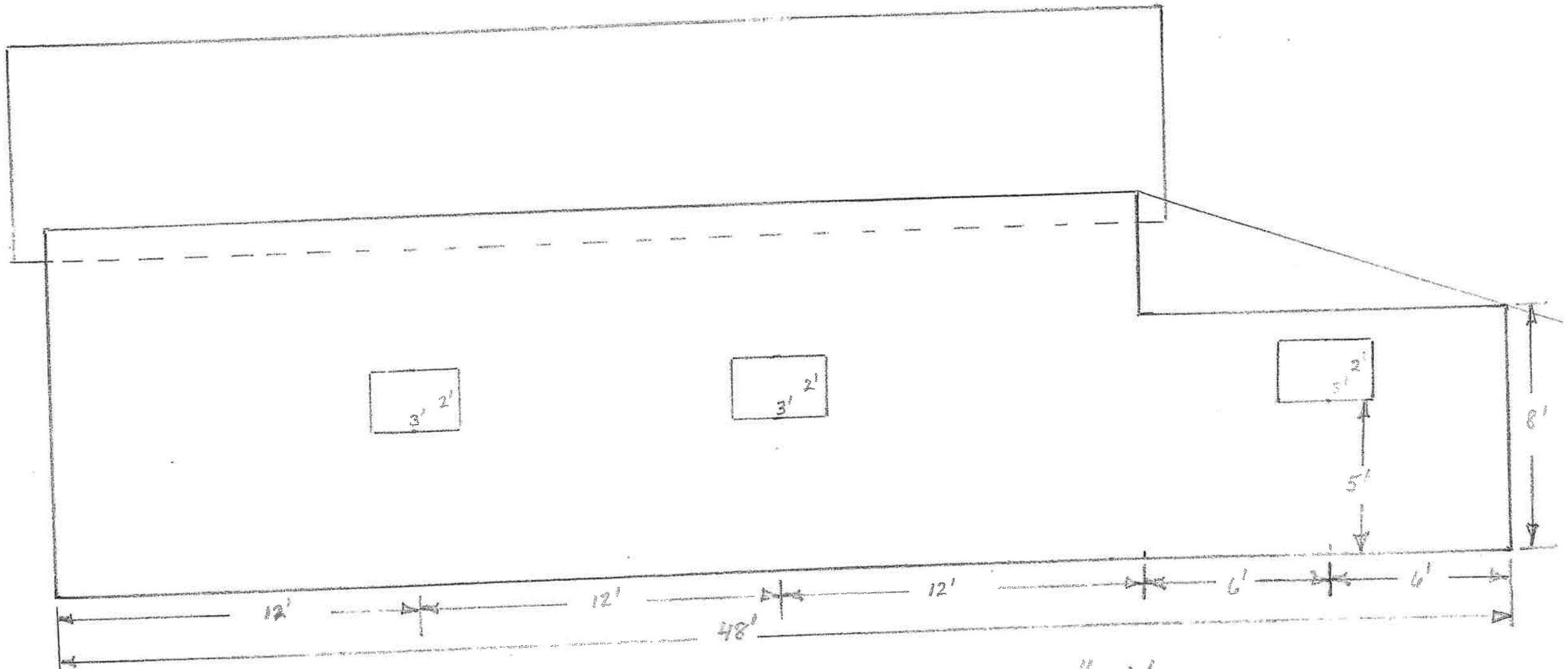
NOTE: This personal information is being collected under the authority of the Municipal Government Act and will be used in the processing of this application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act

SHINGLES MICHIGAN HOUSE



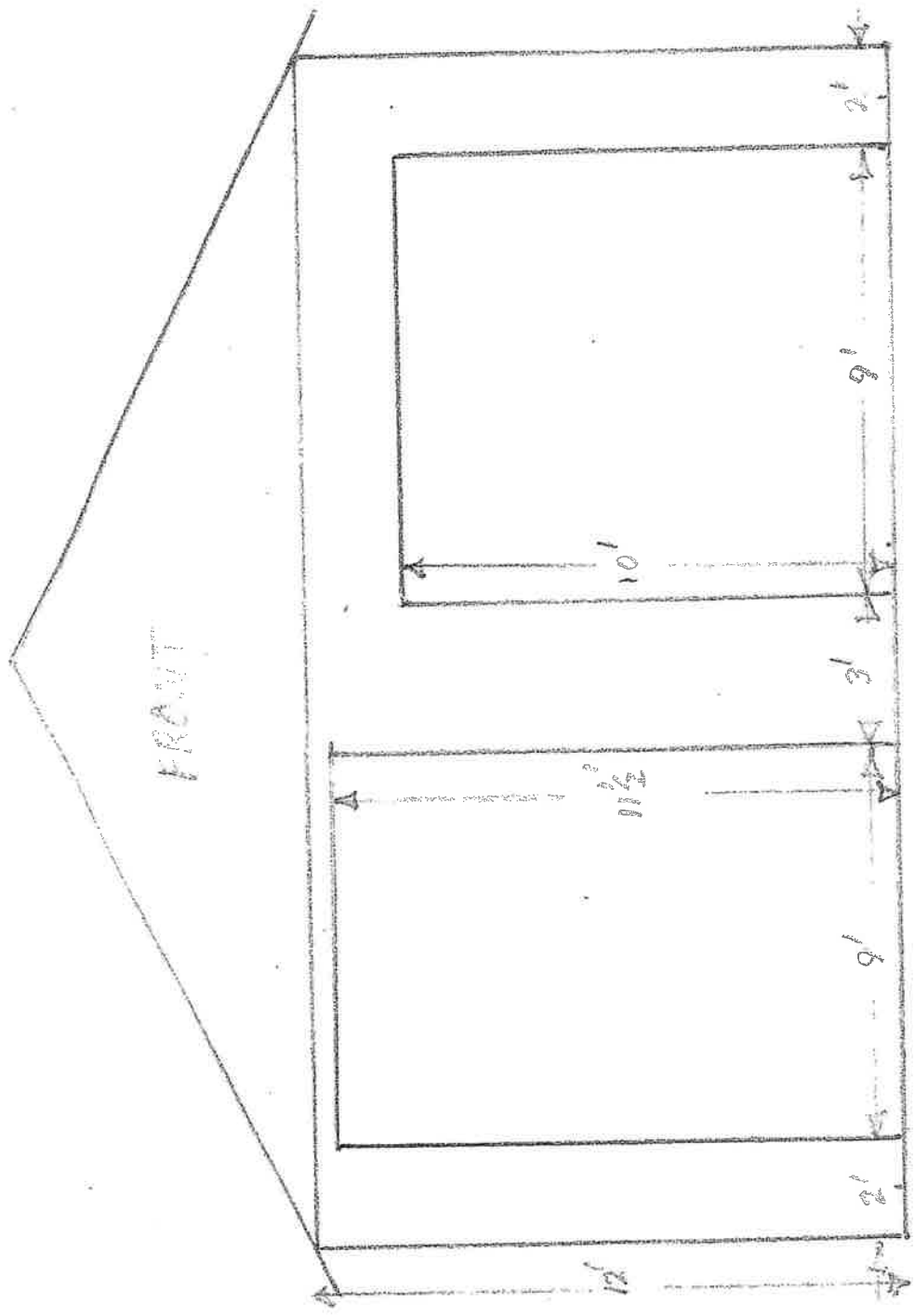
SCALE 1/4" = 1'

49 ST →



← 49TH AVE

SCALE 1" = 4'

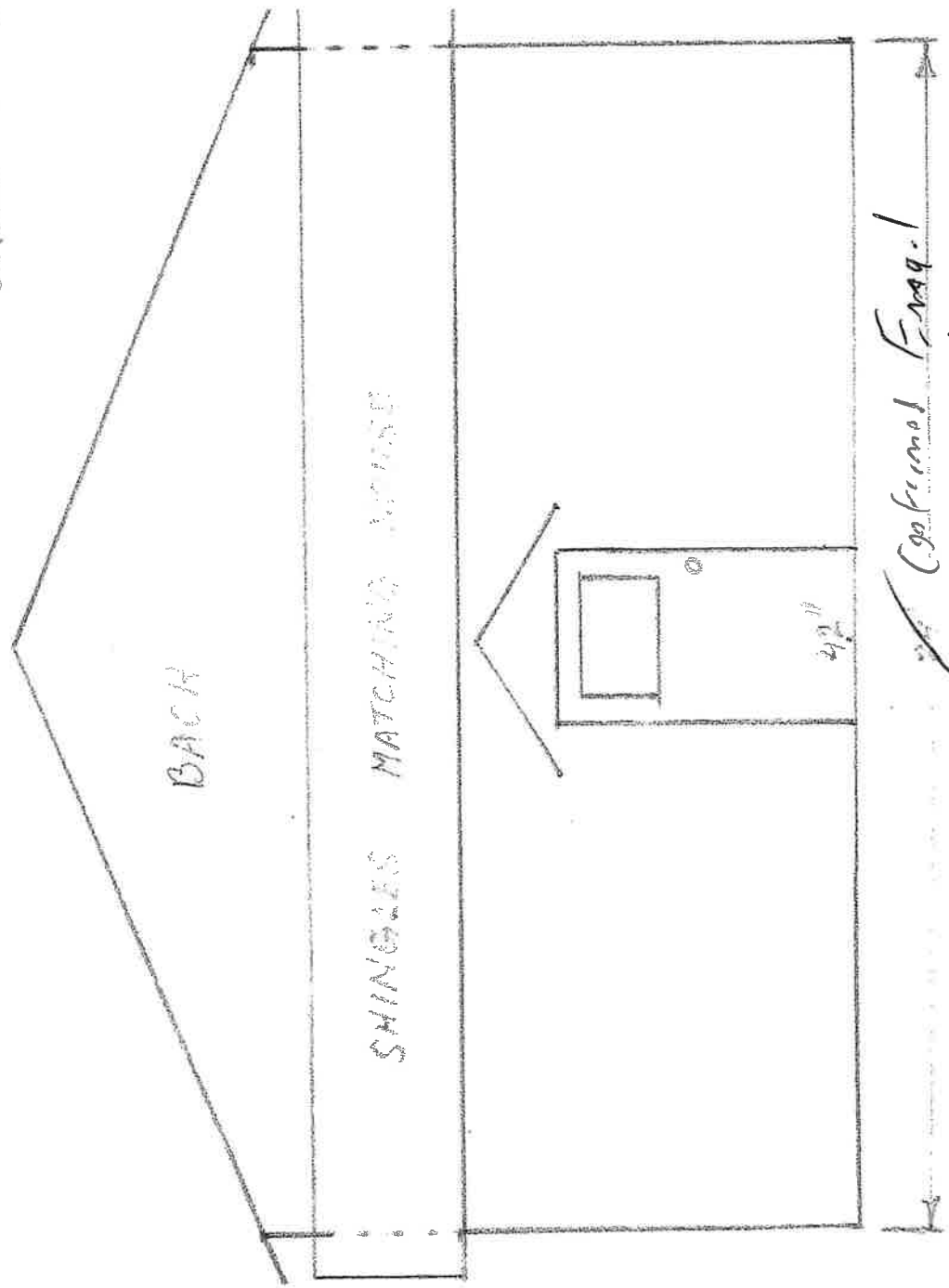


← HOUSE

ALLEY



SCALE 1" = 4'



ALLEY ←

Copy from Engr. 1
28'

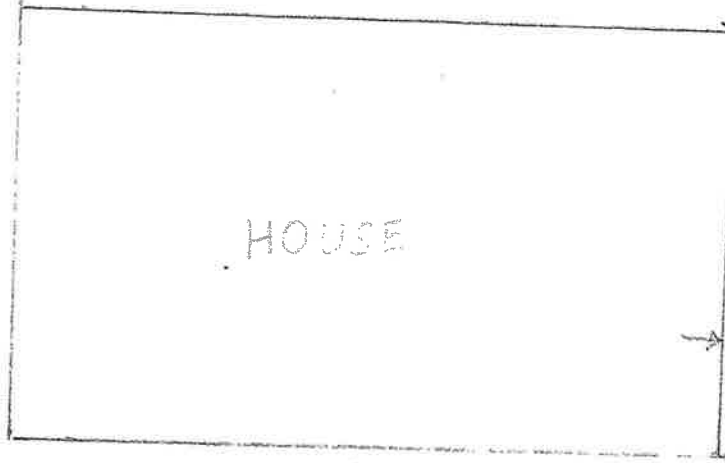
49TH AVE

4837

24.98 m

42.67 m

49TH ST



16 Ft Elevation

1.5 metres (conformal)

28 Ft

PROPOSED

GARAGE

48 Ft

1394 Sq. Ft

total

3.28 (conformal (4.2 metres))

5 Ft

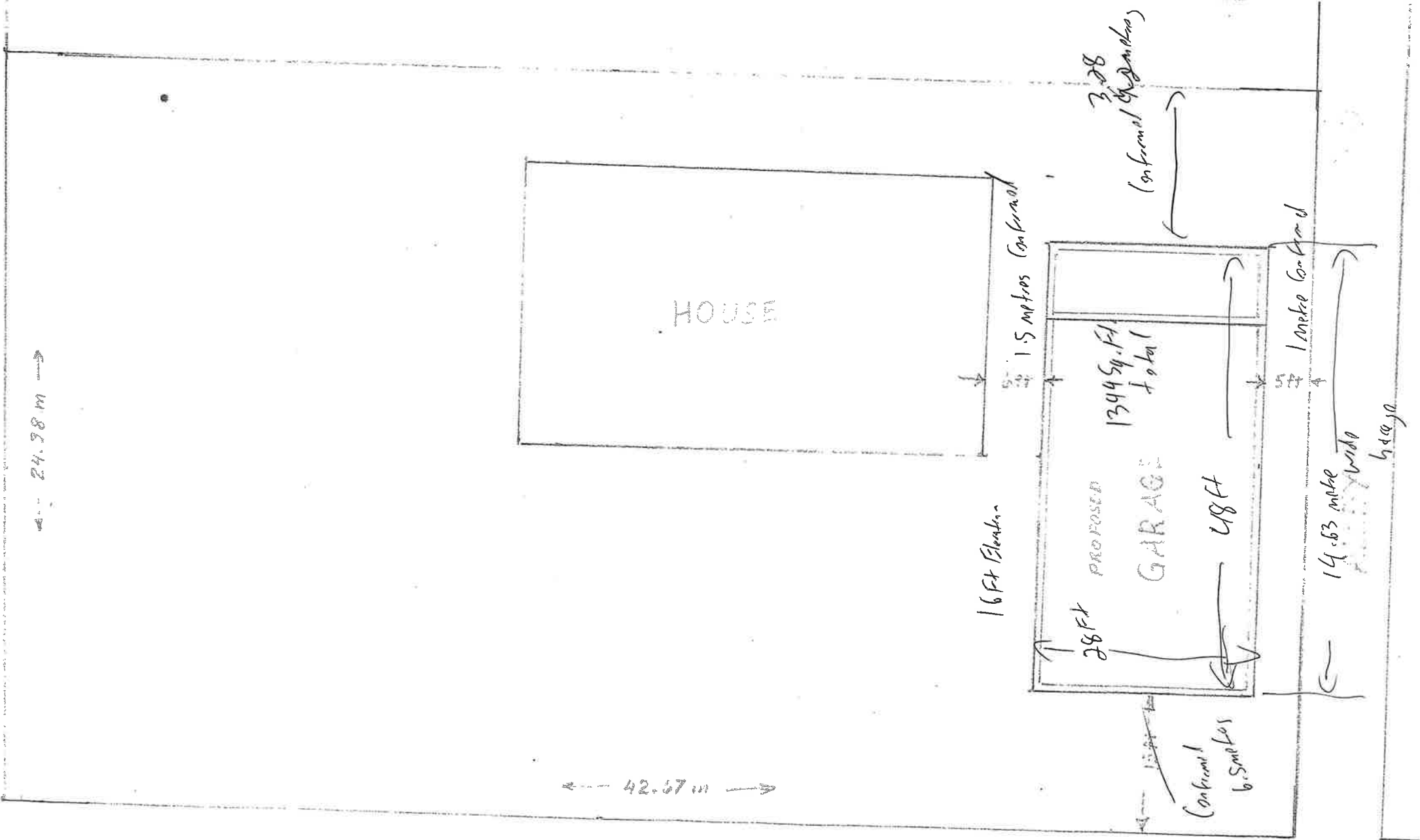
1 metre (conformal)

14.63 metre

width

4.40 m

(conformal) 6.5 metres





Town of Bentley

Default Base Map is Terrain

