



AGENDA
Municipal Planning Commission Meeting
Tuesday August 31, 2023
6:00pm

1. **Date/Place: August 31, 2023, 6:00pm at the Seniors Drop-in Centre 4918 50th Avenue, Bentley AB**

2. **Members Attendance:**

Mayor Rathjen
Deputy Mayor Eastman
Councillor Hansen
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 July 11, 2023**

5. **New Business**

a) **Application for consideration: Richard & Laura Cozicar – 4701 50th Ave - Development Permit 13-23 – Additional Accessory Building (Garage Structure)**

The applicant is requesting the following:

- **Approval of discretionary use in the R1 District for an oversized garage build, with dimensions of 24' X 24' (576 ft²) . This is a request for a 2nd accessory building with the existing structure being 351 ft². Resulting in the total square footage for accessory buildings being 927 ft².**



**Minutes of the Municipal Planning Commission Meeting of the Town of Bentley
Tuesday July 11, 2023**

Date & Place Minutes of the Municipal Planning Commission Meeting of the Town of Bentley held Tuesday July 11, 2023, at 6:15 pm, in the Seniors Drop-In Centre 4918 50th Ave, Bentley AB

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

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

Indigenous Acknowledgement

“We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands.”

Agenda

Motion MPC 16/2023 Moved by Councillor Hansen, “THAT the Agenda of the July 11, 2023, Municipal Planning Commission Meeting be accepted.”

Carried

Previous Minutes

Motion MPC 17/2023 Moved by Councilor Grimsdale “THAT the minutes of the June 13, 2023, Municipal Planning Commission Meeting of the Town of Bentley be confirmed.”

Carried

New Business:

a) Application for consideration: Craig MacNeil – 4821 52nd Ave – Development Permit 10-23 – Oversize Garage Building

Motion MPC 18/2023 Moved by Councillor Grimsdale, “THAT the Municipal Planning Commission approve Development Permit 10-23 from the property owner Craig MacNeil, for the construction of an oversized garage with dimensions of 36ft wide X 48 ft long X 16ft and 6 inches (1,728 square feet) as a discretionary use in the R1 District; AND

THAT the Development Permit Application 10-23 be approved with a small relaxation of the height restriction so that it may be built with a maximum height of 17’ 6” not to exceed the existing building height; 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.

Carried

b) Application for consideration: Dave and Rhonda Charbonneau – Development Permit 11-23 – Oversize Garage Building

Motion MPC 19/2023 Moved by Councillor Eastman, “THAT the Municipal Planning Commission Approve the Development Permit Application 11-23 from Dave and Rhonda Charbonneau, for the construction of an oversized garage with dimensions of 30ft wide X 30ft long X 19ft high (900 square feet) as a discretionary use in the R1 District; AND

THAT the Development Permit Application 11-23 also be approved with a relaxation of the height restriction so that it may be built with

a maximum height of 19ft not to exceed the existing building height;
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.

Carried

Adjournment

Motion MPC 20/2023 Moved by Mayor Rathjen, "THAT the municipal planning commission meeting of July 11, 2023, be adjourned at 6:21pm.

Carried

Mayor Greg Rathjen

CAO Marc Fortais



Agenda Date: August 31, 2023
Agenda Item: Richard & Laura Cozicar – 4701 50th Ave – 2nd Accessory Building

SUMMARY AND BACKGROUND

THAT the Municipal Planning Commission consider the approval of the Development Permit Application 13-23 (Attachment #1) from Richard & Laura Cozicar. The application is being considered as discretionary use in the R1 District; AND

THAT the accessory building is an additional accessory building on the property with a total square footage of 576 ft². This square footage added to the existing accessory building square footage of 351 ft² will equal 927 ft², and therefore is considered an oversized accessory building on the property; AND

THAT the accessory building will not exceed the height of the main building on the property and is anticipated that it will be at a height of 14 ft.

This permit application is being considered by the Municipal Planning Commission (MPC) due to the multiple accessory building structures on the property and the combined size of the structures. 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 second garage structure 24 ft wide X 24 ft long X 14 ft high for a total square footage of 576 square feet. In addition, the existing garage will remain on the property and is 14.40 ft wide X 24.38 ft long for a total square footage of 351 square feet. This results in the total square footage of both accessory buildings being 927 square feet.

The applicant has indicated that the exterior finishes will be finished to match the house and that all setback requirements for the R1 District will be met as follows:

Side Yard Setback	3.65 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 on the southwest side of the property with the laneway to the south of the garage. The proposed height for the accessory building will not exceed 14 ft high.

The development officer is recommending that due sufficient space on the lot and the fact that the applicant is meeting the setback requirements, that the MPC should consider approval of the second accessory building on the property. 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 secondary garage structure with a total square footage of (576 square feet) and a combined square footage with the

existing garage structure (351 square feet) for a total of 927 square feet be approved by the Municipal Planning Commission.

RECOMMENDATION

THAT the Municipal Planning Commission Approve the Development Permit Application 13-23 from Richard & Laura Cozicar, for the construction of a secondary garage structure with dimensions of 24ft wide X 24 ft long X 14 ft high (576 square feet) as a discretionary use in the R1 District; AND

THAT the total square footage of all approved accessory buildings on the property including the existing garage structure (351 square feet) shall not exceed a total of 927 square feet; 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.

ATTACHMENTS

- 1) Development Permit Application 13-23 – 4701 50th Ave (Richard & Lauar Cozicar)

Marc Fortais, CAO



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

Permit # 13-23
 Fee: \$ 4212.00
 Tax Roll # 309 000

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) Richard Kava Cozicar Home Phone 403-875-2322
Please Print
 Address: 4701 - 50 AVE Cell Phone 403-875-2382
 Fax: _____

Email: Richardcozicar@gmail.com

Legal: (Lot(s)) 249 10 Block 5 Plan RN32 (XXX11)
 Municipal Address: 4701 - 50 AVE

Description of Development: double garage
 Value of Development \$ 30,000

Land Use District: _____ Current Use of Lands & Buildings: Residential

Proposed Use of Lands & Buildings: Residential
 Site Area Size: 624 P2 Total Floor Area: 576 P2 J4 X24
 Ground Floor Area: _____ Upper Floor Area: _____

Building Height (from ground elevation): 14'
 (if applicable) Number of Parking Spaces: _____ 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: Aug 24/2023
 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: _____
 Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

COZICAR

LOT 10 / BLOCK 5

4701 SO AVENUE

Revised

