

# APPENDIX A

## BACKGROUND REPORT

August 22, 2023

### **DEVELOPMENT PERMIT # 2023-D-155**

**Applicant:** Donald and Patsy Bezaire  
**Owner:** Donald and Patsy Bezaire  
**Land Location:** Plan 752 1505 Block 3 Lot 15 – SE-21-61-6-W4M  
427 61314 Rge Rd 463  
**Roll#:** 6106213064  
**Zoning:** Country Residential (Resort) District "CR"  
Size: 21,716 sq ft

Permitted

Discretionary

Other

### **DESCRIPTION OF APPLICATION:**

The applicant is applying for an east side yard variance from 4.5m to 2.8m for the construction of a house addition.

### **ADJACENT PROPERTY:**

The property is located lakefront in the North Shore Heights multi-lot residential subdivision on Moose Lake. Adjacent properties are country residential lots and Environmental Reserve.

### **CONSIDERATIONS:**

The applicant applied for a development and building permit for a house addition. A desktop review was performed, and it appeared that a variance from 15 ft to 11 ft would be required. This is under the 25% threshold which can be approved by a Development Officer, so it was. A standard condition for lots of this size is surveyor involvement. The owner contracted the surveyor to stake out the addition location and it showed that a variance to 9.1 ft would be required.

Prior to applying for the development and building permits, the landowner contracted a sewer installer to relocate the septic holding tank to accommodate the addition location.

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The house was constructed on development permit 3283 with side yard setbacks of 1.5 meters. The Land Use Bylaw has since changed, and it no longer complies with the current required setbacks. This means the house is non-conforming and as such, it cannot be renovated or added on to.

As per section 20 of the Land Use Bylaw, variances may be considered when there are practical difficulties unique to the land and when they will not interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring properties. Due to the location of the house and the angles of the property lines, it is not possible for the addition to meet the 15 ft setback requirement. As this request is less than the 5 ft setback standard for similar lots in the neighbourhood, it should not negatively impact neighbours.

Adjacent landowner letters were sent out on July 31, 2023, and we have not received any response at the time of report generation.

### **RECOMMENDATION:**

Recommendation for development application no. 2023-D-155 is **approve** the request for east side yard variance from 4.5m to 2.8m for the construction of a house addition as per Part 3, Section 20, Part 6, Section 32, and Part 7, Section 71.2 of the Land Use Bylaw with the following conditions:

1. An approved building permit is required as per the Alberta Safety Codes Act.
2. Applicable electrical, gas, plumbing, and sewer permits are required as per Alberta Safety Codes Act.
3. Building waste materials shall be contained on site in a waste bin or a covered/enclosed trailer.
4. As per section 71.4 of the Land Use Bylaw No. 1667, the minimum setbacks shall be:
  - Front and Rear yard: 7.6 metres (25.0 feet)
  - West side yard: 1.5 metres (5 feet).
5. Building location to be staked out by an Alberta Land Surveyor, C.E.T. or other approved designation in Alberta and submitted for approval by the M.D. of Bonnyville prior to the commencement of construction.
6. Upon foundation completion, but prior to inspection, an Alberta Land Surveyor Building Certificate shall be provided to the Development Authority.