

APPENDIX A

BACKGROUND REPORT

August 22, 2023

DEVELOPMENT PERMIT # 2023-D-166

Applicant: Jeff Odowichuk

Owner: Jeff Odowichuk

Land Location: Plan 5847 MC Lot 11 – SE-9-61-6-W4M
22 46302 Twp Rd 611

Roll#: 6106093015

Zoning: Country Residential (Resort) District "CR"
Size: 8,373 sq ft

Permitted

Discretionary

Other

DESCRIPTION OF APPLICATION:

The applicant is applying for a front yard variance from 25 ft to 13.5 ft and rear yard variance from 98.4 ft to 43 ft for the construction of a single-family dwelling with garage.

ADJACENT PROPERTY:

The property is located lakefront in the Vezeau Beach multi-lot residential subdivision on Moose Lake. Adjacent properties are country residential lots.

CONSIDERATIONS:

The applicant is applying for a front yard variance from 25 ft to 13.5 ft and rear yard variance from 98.4 ft to 43 ft for the construction of a single-family dwelling with garage.

The lots of this subdivision are substandard and do not have Environmental Reserve between the rear property line and the high watermark. This makes the lot subject to the setback from Section 41, which is 98.4 ft from the high watermark. Previous applications were approved without consideration for section 41 and were granted a 25 ft or less setback from the high watermark as per Section 71.2 Country Residential (Resort) District setbacks.

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Many have garages placed closer to the front property line than the 25 ft allowable. This variance would bring the building in line with the existing garages to the east.

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. This request would allow the house and garage to sit at similar setbacks in the neighbourhood.

Adjacent landowner letters were sent out on August 1, 2023, and we have not received any response at the time of report generation.

RECOMMENDATION:

Recommendation for development application no. 2023-D-166 is **approve** the request for front yard variance from 25 ft to 13.5 ft and rear yard variance from 98.4 ft to 43 ft for the construction of a single-family dwelling with garage 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:
 - 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.