## Application Submission Package



# Variance/Relaxation Permit Application for Development Permit

<b>Property Info</b>	rmation	Application Info (for office use only)
Legal Description Lot Block Registered Plan  Applicant	243 Coopers Cove SW Airdrie AB (all/parts of) 3 38 1810218	Permit #  Fees \$ Receipt #  Date  Approved By   MPC/ DO/ SDAB   Refused By   MPC/ DO/ SDAB   Permit Issuance
<b>Business Name</b>		Land Use Bylaw Section Varied:
City	243 Coopers Cove SW Airdrie	Variance/Relaxation
Province Postal Code Phone Mobile Fax	T4B4C3	Please describe the variance/relaxation requested:  Please see attached Schedule "A"
Email (required)		Declarations
Registered La  Name Company Name Mailing Address City Province Postal Code Phone Mobile Fax Email (required)		✓ I do hereby consent to the use of information included in this application for promotional purposes, news, research and/or educational purposes. Name of Applicant: × Rupinder Singh Signature of Applicant:
		Date:  * May 16, 2024

The information on this form is collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act and the Land Use Bylaw and is used solely far Planning, Engineering, Economic Development and Assessment/Taxation purposes. Questions about the collection of this information can be directed to the Team Leader, Planning & Development department at 400 Main Street SE, Airdrie, Alberta, T48 3C3, telephone (403) 948-8848.

See reverse for application requirements

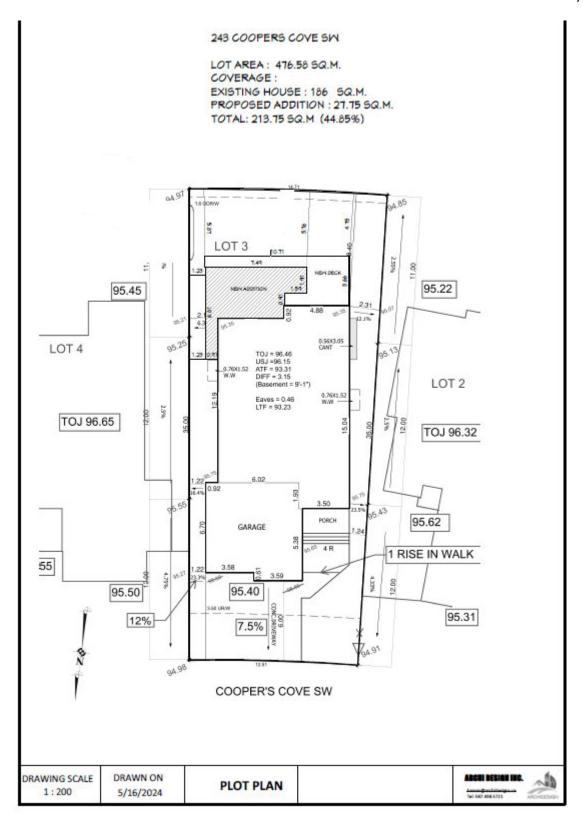
Schedule "A"

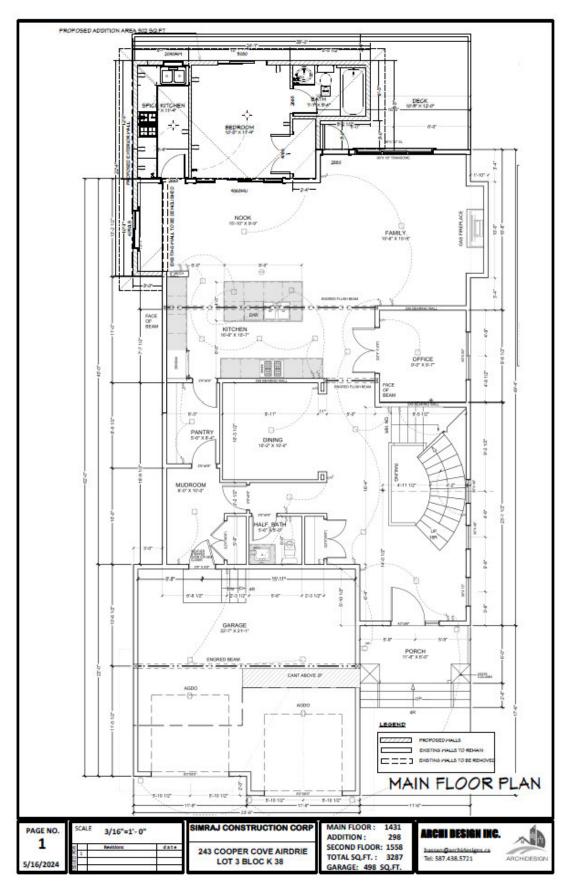
### Relaxation to Extend the house by 2.13m

After a comprehensive examination of the plan, it has been concluded that a reduction in the minimum setback from 8.00 m to 5.87 m is necessary in specific areas of the lot. As a result, a meticulously prepared relaxation application has been submitted for the city's review, seeking approval for a setback reduction to 2.13 m at the rear end of the property.

### Relaxation of deck by 0.25m

The deck is to be extended by 0.25 meters. From the rear end, the plot exhibits a non-rectangular shape, featuring a curved layout. One side of the curve falls within the prescribed minimum setback of 5.00 meters, while the opposite end of the deck measures 5.02 meters and 4.75 meters on the other. The application for the 0.25-meter extension has been diligently prepared for review by the city authorities.





ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

REGISTRATION # 241 044 194

NUMBER DATE (D/M/Y) PARTICULARS

181 022 351 27/01/2018 UTILITY RIGHT OF WAY

GRANTEE - THE CITY OF AIRDRIE.

AS TO PORTION OR PLAN: 1810219

181 022 352 27/01/2018 UTILITY RIGHT OF WAY

GRANTEE - FORTISALBERTA INC.

AS TO PORTION OR PLAN: 1810219

181 022 353 27/01/2018 CAVEAT

RE : EASEMENT AND RESTRICTIVE COVENANT

181 022 355 27/01/2018 RESTRICTIVE COVENANT

181 022 356 27/01/2018 ENCUMBRANCE

ENCUMBRANCEE - COOPER'S CROSSING RESIDENTS'

ASSOCIATION.

SUITE 810, 839 5 AVENUE S.W.

CALGARY

ALBERTA T2P3C8

241 044 195 09/02/2024 MORTGAGE

MORTGAGEE - COMPUTERSHARE TRUST COMPANY OF CANADA.

2350 MATHESON BLVD. EAST

MISSISSAUGA

ONTARIO L4W5G9

ORIGINAL PRINCIPAL AMOUNT:

TOTAL INSTRUMENTS: 007

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 16 DAY OF MAY, 2024 AT 10:02 A.M.

ORDER NUMBER: 50529452

CUSTOMER FILE NUMBER:

\*END OF CERTIFICATE\*

### Notice of Decision & Conditions of Approval



Planning & Development 400 Main Street SE, Airdrie, AB T4B 3C3 Phone: 403.948.8848 Email: planning@airdrie.ca www.airdrie.ca/planning

Date Printed: June 11, 2024

SINGH, RUPINDER 243 COOPERS COVE SW AIRDRIE, AB T4B 0Z8

Application Number: PL2401034

Proposed Use: Dwelling, Single Detached - Variance to Rear Yard Setback

Property Address

Legal Description

243 COOPERS COVE SW, AIRDRIE, AB

Lot: 3, Block: 38, Plan: 1810218

#### NOTICE OF DECISION

Dear Applicant,

Your development permit application was CONDITIONALLY APPROVED by the Development Authority, subject to compliance of the conditions and notifications below.

The attached permanent conditions of approval form part of the approval decision. Advisory comments, if applicable, are also attached to help obtain additional permits and information for your development.

Mandatory appeal period June 11, 2024 to July 02, 2024

This is not a Development Permit or approval to start development. A permit may not be issued if an appeal is successful, or the conditions of the approval are not met.

Pursuant to provincial statutes, there is a mandatory 21-day appeal period where the decision must be advertised at <a href="www.airdrie.ca/developments">www.airdrie.ca/developments</a>. The appeal period starts on June 11, 2024 and ends on July 02, 2024. If no appeals are filed and all prior to issuance conditions are complied with, your Development Permit will be issued within two to four business days of the end of the appeal end date.

If you have any questions regarding this matter please contact the file manager Jassa Sidhu at Jassa.Sidhu@airdrie.ca. For more information about filing an appeal, visit <a href="www.airdrie.ca/sdab">www.airdrie.ca/sdab</a> or contact the SDAB Clerk at 403.948.8816 or appeals@airdrie.ca.

Yours truly.

Gail R. Gibeau RPP, MCIP Development Officer Planning & Development City of Airdrie

Phone: 403-948-8832 Email: planning@airdrie.ca

### CONDITIONS OF APPROVAL & ADVISORY COMMENTS

Application Number: PL2401034

Approved Use: Dwelling, Single Detached - Variance to Rear Yard Setback

Property Address Legal Description

243 COOPERS COVE SW, AIRDRIE, AB Lot: 3, Block: 38, Plan: 1810218

### Conditions of Approval

- Any changes to the design, format, location, orientation, capacity or use of any part of the development must receive the approval of the Development Authority before they may be commenced.
- A Major variance of 26.6% is granted to Section 8.5(1) of Land Use Bylaw No. B-01/2016, as may be amended from time to time, to allow for reduction of the rear yard setback from the minimum 8.0m to 5.87m as shown on the approved drawings.
- A Minor variance of 5.0% is granted to Section 7.25 of Land Use Bylaw No. B-01/2016, as may be amended from time to time, to allow for the deck encroachment of 0.25m into a Rear setback, from 5.0m to 4.75m as shown on the approved drawings.
- The area around the construction site shall be kept clear of equipment and debris, and construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.

### **Advisory Comments**

- All contractors working on this development may require a valid Airdrie Business License prior to the commencement of any work and must maintain the license for the full duration of the construction period.
- b) All permits as required by the Alberta Building Code must be obtained and the applicant/owner must remain compliant with the provisions of this code at all times. All building permit applications must be affixed with the seal of a professional architect.
- It is the responsibility of the applicant/owner to comply with all requirements of Land Use Bylaw B-01/2016, as amended from time to time, other municipal regulations, and all provincial and federal legislation.
- d) The developer/applicant is responsible to contact franchise utility providers (power, gas, telecommunications) and arrange for any connections and line assignments that may be necessary to serve this development. Where additional services are required, the utility provider may have standards regarding easements, site preparation, line assignments and separation from other utility lines. Where required, installation or relocation of utility service lines are at the developer's expense.
- e) It is the responsibility of the applicant/owner to meet all conditions of approval.
- All contractors working on this development may require a valid Airdrie Business License prior to the commencement of any work and must maintain the license for the full duration of the construction period.

### Notice of Approval / Appeal Period



Planning & Development 400 Main Street SE, Airdrie, AB T4B 3C3 Phone: 403.948.8848 Email: planning@airdrie.ca www.airdrie.ca/planning

Date printed: June 11,2024

#### ADJACENT LANDOWNER NOTIFICATION

SUBJECT: NOTICE OF DEVELOPMENT PERMIT APPROVAL

Application Number: PL2401034

Approved Use: Dwelling, Single Detached - Variance to Rear Yard Setback

Property Address Legal Description

243 COOPERS COVE SW, AIRDRIE, AB Lot: 3, Block: 38, Plan: 1810218

Dear Resident.

An application for a Development Permit for the above noted property was reviewed by the Development Officer and granted conditional approval on June 11, 2024. This approval allows for the development of a Dwelling, Single Detached - Variance to Rear Yard Setback on the property. No development permit has been issued yet.

Anyone who thinks they may be impacted by this development or the decisions on it may appeal to the Subdivision and Development Appeal Board (SDAB).

### Talk to a planner

Not sure how the appeal process works, have questions about the development or would like to schedule a viewing of the development permit? Contact the planner below and they can walk you through it.

#### Submit an appeal

Submit the completed Notice of Appeal and appeal fee by the appeal deadline (within 21 days of the date that the City publishes the decision at <a href="www.airdrie.ca/developments">www.airdrie.ca/developments</a>) containing reasons why you are opposed to the development. Submission instructions are on the Notice of Appeal form. For more information about filing an appeal visit <a href="www.airdrie.ca/sdab">www.airdrie.ca/sdab</a> or contact the SDAB Clerk at 403-948-8816 or appeals@airdrie.ca.

The mandatory 21-day appeal period starts on June 11, 2024 and ends on July 02, 2024.

If you have any questions regarding this matter or want to see the development permits or plans, please contact me at the phone number or email below.

Regards,

Jassa Sidhu

Planning & Development

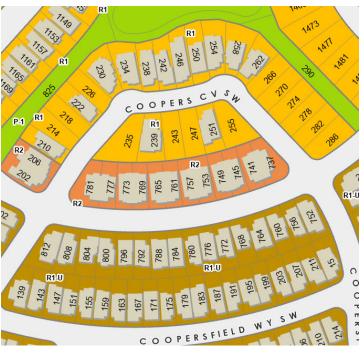
City of Airdrie

Phone: 403.948.8832

Email: Jassa.Sidhu@airdrie.ca

# Adjacent Landowner Mailout Map





### City Newspaper Advertisement – City Connection







### City Website Posting



The following development permits have been approved or conditionally approved under the provisions of the City of Airdrie LAND USE BYLAW. Once the development approval is listed below, citizens have 21 days to appeal the development permit decision if they wish.

Discretionary

# **Application Timeline**

May 9, 2024	Applicant submits drawing for a Building Permit.
May 15, 2024	Applicant instructed that a review would be required from planning prior to proceeding.
May 15, 2024	Plot plan review determined that 2 Variances would be required. ie, Development Permit would be required.
May 16, 2024	Variance Permit application submitted by applicant.
June 7, 2024	file manager deemed Variance Permit application complete. Notification sent to applicant via email.
June 7, 2024	file manager sent application out for internal department and external agency circulation.
June 11, 2024	file manager compiled all circulation, LUB, and planning policy review comments and sent the applicant a summary document via email. No major comments, issues, or concerns were raised other than need for Building Permit and 2 variances (major for home addition and minor for the deck) would be required to proceed with application.
June 11, 2024	confirmed applicant had paid the additional \$400.00 fee at time of submission on May $16$
June 11, 2024	file manager prepared the Notice of Decision for approval and accompanying conditions. Development Officer officially signed the Notice of Decision.
June 11, 2024	file manager prepared and submitted permit approval for advertising in the City newspaper, City website, and MyAirdrie. Legislated 21-day appeal period commenced.
June 11, 2024	file manager prepared adjacent landowner notification letters.
June 11, 2024	file manager sent Notice of Decision to applicant via email.
June 13, 2024	adjacent landowner notification letters put in mail to be delivered.

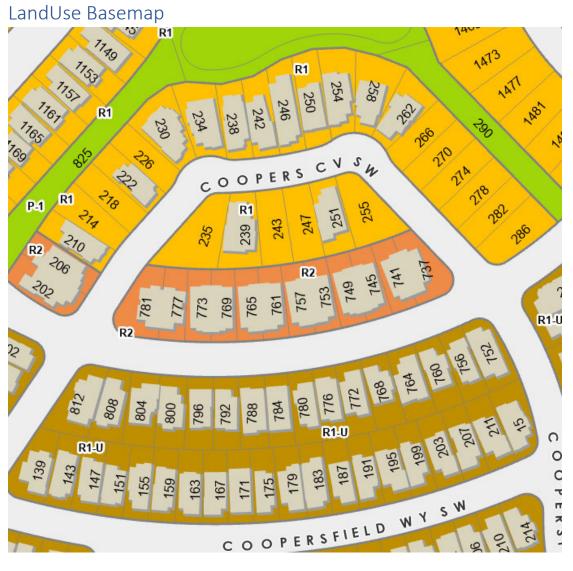
July 22, 2024

July 9, 2024	file manager sent applicant a notification via email that appeals had been received and explained the general SDAB appeal process.
July 9, 2024	SDAB hearing scheduled, advertised in the City newspaper, posted on City website, and hard copy notification letters prepared and sent out for mailing.
July 9, 2024	file manager sent applicant a follow-up email notifying that the SDAB hearing was scheduled for Tuesday July 30 at 6:00pm, and who he could contact for more hearing details.
July 30, 2024	PL2401034 SDAB Appeal Hearing

ATTACHMENT 5

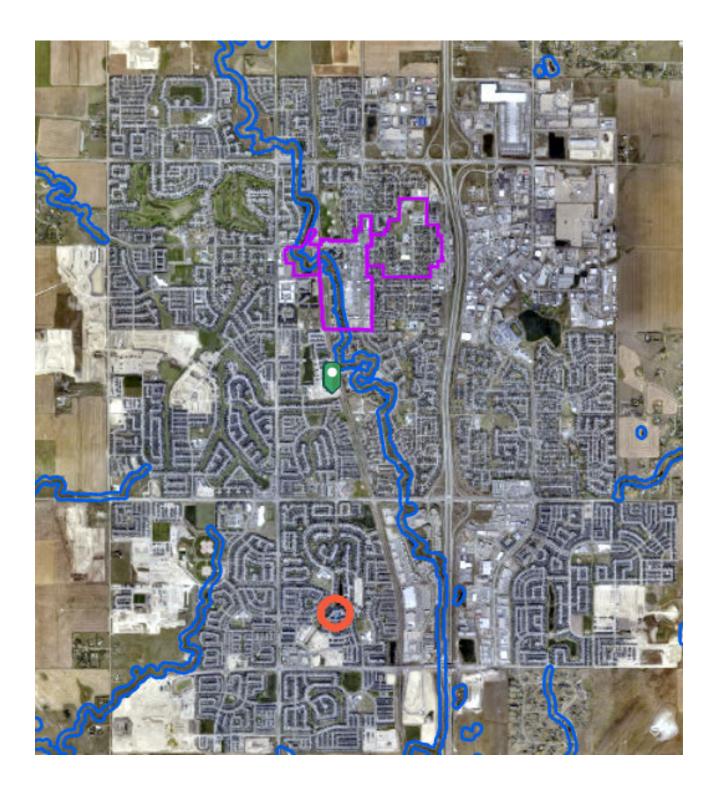
SDAB - PL2401034

### Additional Context Maps



### Community Context





### Applicable Land Use Bylaw Sections

### 8.5.1 R1, Single Detached Residential District

### Purpose and Intent

The purpose of this district is to provide for residential development in the form of single detached dwellings.

Permitted Land Uses	Discretionary Land Uses
Dwelling, Single Detached	Dwelling, Secondary Suite
Accessory Building	Dwelling, Garage Suite
Home Business, Limited Bed and Breakfast	
Child Care, Limited	Home Business, General
	Public Assembly, Limited
	Child Care, General
	Bylaw B-31/2023
	Supportive Housing, Limited
	Urban Agriculture
	Bylaw B-08/2021

Note 1: All land uses are subject to general and use-specific regulations and standards provided in Parts 6 and 7 of this Bylaw.

### **Development Dimensions**

Minimum Dimension	s	
Lot/Unit Type	Area	Width
District Standard	360m²	11.0m
Corner Lot	380m²	12.8m

Minimum Required Setbacks	
Front Yard	4.6m
Front Yard w/Rear Lane	3.5m
Side Yard	1.2m
Side Yard, Corner	3.0m
Rear Yard	8.0m

Massing and Coverage	
Maximum Building Height	11.0m
Maximum Site Coverage	55% of Lot Area
Minimum Landscaping	30% of Lot Area

### Definition:

**Variance** means: A variation or relaxation of a development regulation or other development requirement under this Bylaw.

### 2.4.4 Variances

Unless as specific provision of this Bylaw provides otherwise, a Development Authority may allow a variance as a condition of a Development Permit if:

- (1) The proposed development is a Permitted Use, Discretionary Use or Similar Use in the district in which it is to be located;
- (2) The proposed development, with variance, would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land:
- (3) The variance is a function of an aspect or feature that is specific to the site, building or sign to which it applies, not shared by other sites, buildings or signs in the City;
- (4) The variance is a result of an error in the situating of a building or structure, and the rectifying of the error would create unnecessary hardship to the property owner;
- (5) The variance is expressed to be a condition of Development Permit approval, and is specifically mentioned in public notices of the Development Permit approval; or
- (6) The variance would not cause undue hardship to bring the subject building(s) or structure(s) into compliance with the requirements of the Safety Codes Act, the Alberta Building Code, and the Alberta Fire Code.

### 7.25 Projections and Encroachments

Table 15. Permitted Encroachments

Amenity Features Includes decks, porches, verandahs, balconies, and similar	Porches, Verandahs and Balconies     May encroach up to 1.5m into a Front, Rear, or Corner Side setback
elements that are attached to the building and provide amenity	<ul> <li>May not encroach into any other Side setback Decks</li> </ul>
space for the property.	<ul> <li>May not encroach into a Front or any Side setback</li> <li>May encroach up to 3.0m into a Rear setback</li> </ul>

### 2.4.5 Development Permit Conditions

- (2) The Development Authority may, as a condition of issuing a Development Permit for a Permitted Use or Discretionary Use, or as a condition of granting a variance to the Development Standards set out in the Land Use Bylaw with respect to either a Permitted Use or a Discretionary Use, impose any condition that addresses any relevant planning and development matter including:
  - (a) Ensuring that the development is constructed and maintained in accordance with the approved plans,
  - (b) Ensuring that the Development Standards set out in the Land Use Bylaw are met,
  - (c) Ensuring that recommendations from technical studies and reports are complied with,
  - (d) Ensuring that applicable provisions of Statutory Plans are complied with, and
  - (e) Ensuring that the City's Servicing Standards are met.
  - (f) Ensuring Compatibility,
  - (g) Ensuring that the purpose and intent of the Land Use District is met,
  - (h) Noise,
  - (i) Dust control,
  - (j) Landscaping,
  - (k) Special parking provisions;
  - (I) Location, appearance and character of a building;
  - (m) Grading of a site to protect other properties; and
  - (n) Buffering,
  - (o) Lighting,
  - (p) Environmental issues.
  - (q) Hours of operation, and
  - (r) Off-site road use including entering into a road use agreement
- (3) In addition to any notices described in Section 2.4.6(1) and (2), the Development Authority may direct that a Notice of Decision be mailed to all registered owners of land within an area in proximity to the lot of the proposed development that, in the Development Authority's opinion, may be affected by the proposed development.
- (4) When an application for a Development Permit is refused, the Notice of Decision, with reasons for refusal, shall be sent to the applicant.
- (5) For purposes of this Bylaw, Notice of Decision of the Development Authority on an application for a Development Permit is deemed to have been received:
  - (a) On the date that the decision is given to the applicant, and as described under the Public Notification Bylaw 02/2019;
  - (b) Deleted.

Bylaw B-78/2021

- (6) When notice is required pursuant to Section 2.4.6(2), a Development Permit shall not be issued:
  - (a) before the 21 day appeal period referred to in the Municipal Government Act has expired or;
  - (b) in the case of an appeal to the Subdivision and Development Appeal Board (SDAB), until such time as the appeal has been fully dealt with by the SDAB, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the SDAB, or the appeal has been withdrawn or abandoned.
- (7) If an appeal is made to the Subdivision and Development Appeal Board against the Development Permit, the Development Permit will not come into effect until the Board approves or upholds the issuance of the Development Permit with or without conditions.

### 7.4 Decks and Amenity Areas

Decks for Residential Land Uses

- (1) No deck shall be located on or over a utility right-of-way, drainage right-of-way, or easement.
- (2) Decks shall be developed in accordance with the setbacks outlined in the land use district where it is located, and the exceptions provided in Section 7.25 (Projections and Encroachments).
- (3) If a deck is enclosed or fully covered, it is considered a part of the principal building and subject to all development regulations that apply to the principal building in that land use district.
- (4) Decks that are constructed in association with any semi-detached dwelling or a townhouse may extend up to the common lot line between the adjacent units if the deck is provided with a privacy wall, or shall otherwise require a setback from the common lot line of 1.2 metres.
  - (a) A privacy wall provided under this section must extend the full depth of the deck and may be up to a maximum of 1.83m high – as measured from the surface of the deck to the top of the wall.

Bylaw B-13/2021

- (5) Where an amenity area is provided on the roof of an Accessory Building, it shall meet the following standards and requirements:
  - (a) The Accessory Building and amenity area shall be subject to a Development Permit application;
  - (b) The amenity area shall be located and designed to minimize and screen sightlines into yards and dwellings of abutting properties, to the satisfaction of the Development Authority;
  - (c) The Accessory Building with amenity area shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building;
  - (d) The Accessory Building with amenity area must be within the prescribed height limits of this section or the applicable land use district;
  - (e) No additional or ancillary structures are permitted within the amenity area which would add to the overall height of the development;
  - (f) The floor amenity area shall not be located above the second storey of the Accessory Building or more than 4.0m above grade.

### 3.6 Planting Requirements

- (1) Landscaping materials must be selected based on the context of the site and in the case of soft landscaping, for their hardiness, disease-resistance, drought-resistance and maintenance characteristics. When new landscaping is required, existing mature trees and established soft landscaping are encouraged to be retained and augmented where possible.
- (2) Naturalized landscapes, where provided, shall be designed to reflect the plant materials, soil types and topography typical to the relevant sub-region. Generally, naturalized landscapes would apply to areas adjacent to Nose Creek, environmental reserves, major utility right-of-ways and public utility lots, and parking lot islands. Naturalized landscapes may be accommodated in any land use district subject to an approved landscape plan.
- (3) All plants used to complete landscaping required by this Bylaw must be listed in the Alberta Horticultural Guide and shall be tolerant to specific site conditions, such as sun, shade, excessive wind, road salt, etc.
- (4) Tree planting shall be in groupings or mulched beds to encourage improved growth, survivability and aesthetics.
- (5) Shrubs shall be planted in groups of three or more.
- (6) For the purposes of calculating the Number of Plantings Required, the requirements shall be based on the amount of landscaped area required for the site. Where the calculation of Number of Plantings Required results in a fractional number, the requirement shall be rounded up to the nearest whole number.
- (7) Where the calculation of Number of Plantings Required results in less than one tree or less than three shrubs, a minimum of one tree or three shrubs, respectively, shall be provided.
- (8) The quality and extent of landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development. Adequate means of irrigating and maintaining the landscaping shall be provided.
- (9) Any trees or shrubs which are found at the time of an inspection that are identified as diseased or in decline must be replaced during the next planting season, unless otherwise accepted by the Development Authority.

### 7. General Development Regulations

### 7.1 Adverse Effects and Nuisance

- (1) Sites and buildings in all districts shall be maintained in a clean manner, free from all rubbish and debris.
- (2) No use, activity, or storage of goods may be undertaken except where specifically provided under a land use district, which, in the opinion of the Development Authority, constitutes a hazard or annoyance to persons on public property or any other site, by reasons of generation of:
  - (a) Noise or vibration;
  - (b) Smoke, dust, or other particulate matter;
  - (c) Odour;
  - (d) Toxic or noxious matter;
  - (e) Fire and explosive hazards;
  - (f) Radiation hazards;
  - (g) Excessive heat, humidity or glare; or
  - (h) Refuse matter, waste, or waterborne waste.
- (3) Industrial developments shall not create, or have any adverse effect or nuisance apparent outside any building.
- (4) Buildings that have been brought to the site pre-built shall be visually compatible with the site, in the opinion of the Development Authority, and may require a Development Permit.
- (5) In determining the significance of adverse effects or nuisance of a proposed development on adjacent or nearby sites, the Development Authority shall consider the following aspects:
  - (a) The magnitude of the adverse effect or nuisance;
  - (b) The extent, frequency and duration of exposure to the adverse effect or nuisance; and
  - (c) The use, sensitivity of adjacent or nearby sites relative to the adverse effect or nuisance.

# Land Use Bylaw Review & Circulation Comments

#### Variance



**Bylaw Check Sheet** 

ZONING: R1, Single Detached Residential District

CIVIC ADDRESS: 243 Coopers Cove

LOT: 3
BLOCK: 38
PLAN: 1810218
APPLICANT: Single

Minor or Major VARIANCE Calculation

5.0% minor variance - deck extension 26.6% major variance - home addition

REQUIRED DOCUMENTATION

REQUIRED DOCUMENTATION

CERTIFICATE OF TITLE

PROPERTY FILE REVIEW

PLANNING VIEWER

PL 2401034

PERMITTED

✓ DISCRETIONARY

✓ DISCRETIONARY, MPC

LUB Requirement	5m	
Actual Dimension	4.75m	
Variance	5.00%	

BUILDING INFORMATION		
	Required	ed Proposed
Front	0.00%	26.60%
Internal Side	0m	0m
External Side	N/A	N/A
Rear	8m	5.87
Permitted Encroachment	3m	0.25m

Rear (house addition)	8	5.87
Variance		26.60%
Deck	5.00	4.75
Variance		5.00%

### Building Permit Required: Permit Under Application Number PRADD202401616

- Need to obtain an HVAC permit (which I have added to your permit) as new rooms are being created and they will need to be properly inspected to ensure proper airflow. With that permit you will either need to have a hired contractor or you list yourself as a contractor. Either way I will need in writing who will be completing the work.
- 2. Will need an updated drawing submitted with electrical outlets, switches and lights included. Will also need the bathroom fan to be identified.