



City of Moose Jaw

COMMUNICATION # CC-2019-0090

TITLE: 1253 Wolfe Avenue – Development Permit in Slump Hazard Overlay Zone

TO: City Council

FROM: Planning and Development Services

DATE: June 25, 2019

PUBLIC: This is a Public Document.

RECOMMENDATION

THAT the Development Permit to construct two new decks at 1253 Wolfe Avenue be permitted, subject to meeting all requirements of the City Building and Zoning Bylaw and adhering to the recommendations contained within the Geotechnical Report from Ground Engineering Consultants Ltd. dated June 17, 2019.

TOPIC AND PURPOSE

The purpose of this report is to request City Council approval to construct two new residential decks at 1253 Wolfe Avenue. The property is within the s2 – low to moderate slump hazard overlay district, as described by the Zoning Bylaw. According to the Zoning Bylaw, developments within the slope instability districts may only be permitted at City Council's discretion, subject to a favourable geotechnical report.

BACKGROUND

The property contains a one-unit dwelling constructed in 1973. The proponent has applied for a permit to demolish and reconstruct two attached decks on the side and rear yards of the property. The property's approximate size is 55 x 125 feet and is zoned R1s2 – Low Density Residential Low to Moderate Hazard Slump Hazard District.

DISCUSSION

The City commissioned a Slope Instability Study for the entire City in 2001. The findings of that study were used to create two separate slump hazard overlay zones within the City Zoning Bylaw. Section 10.3.5 of the City Zoning Bylaw states that:

"...new accessory buildings and decks which may be attached to an existing Principal Use may be allowed at Council's discretion, subject to the receipt of a favourable Geotechnical Report referred to in Section 10.3.3ii."

Administration has received a Geotechnical report from the property owner, prepared by a qualified Professional Engineer, and is satisfied that the Zoning Bylaw requirement has been met. Therefore, approval of the application is recommended.

OPTIONS TO RECOMMENDATION

- Deny the application for Development Permit.
- Further review of the application for Development Permit.

PUBLIC AND/OR STAKEHOLDER INVOLVEMENT

Discussion has occurred between the property owner, City Planning and Development, and the owner's contractor.

STRATEGIC PLAN

This recommendation supports the strategic priority of community safety.

OFFICIAL COMMUNITY PLAN

The recommendation supports the policies in section 17.2.2, Constraints to Development – Slump Hazard Areas.

BYLAW OR POLICY IMPLICATIONS

The recommendation supports the relevant clauses of the Zoning Bylaw.

PUBLIC NOTICE

Public Notice pursuant to the Public Notice Policy as incorporated into the City Administration Bylaw No. 5175 of 2016 is not required.

PRESENTATION

VERBAL: X AUDIO/VISUAL: NONE:

Michelle Sanson will be in available to speak to this matter.

ATTACHMENTS

- i. Development and Building Permit Application
- ii. Geotechnical Report from Ground Engineering Consultants Limited
- iii. Overhead view of the property including Zoning District lines
- iv. Zoning Bylaw and Official Community Plan Excerpts

Report Approval

Written by: Eric Bjorge, Assistant City Planner

Approved by: Michelle Sanson, Director of Planning and Development Services

Reviewed by: Myron Gulka-Tiechko, Clerk/Solicitor

Approved by: Jim Puffalt, City Manager

Approved by: Fraser Tolmie, Mayor

To be completed by the Clerk's Department only.

Presented to Regular Council or Executive Committee on _____.

No. _____ Resolution No. _____