

Subject: Development Permit Application 2019-DP-00031 - Ross Hennigar Park**APPROVALS:****Annette Antoniak**_____
Director_____
Chief Administrative Officer**Recommended Motion:**

THAT Development Permit 2019-DP-00031 for four Accessory Buildings on Lot 16R, Block 5, Plan 762 2477 be approved.

Summary:

On May 9, 2019, the Planning and Development Department accepted a development permit application (2019-DP-00031) for three Accessory Buildings at Ross Hennigar Park, legally described as Lot 16R, Block 5, Plan 762 2477 (Attachment 1). The Accessory Buildings are intended to support the existing baseball diamond, and include an elevated press box and two sea-cans for maintenance equipment, player equipment, concession, and storage.

The subject property falls within the DC - Direct Control District under Land Use Bylaw 99/059, a designation which requires development permit applications to be considered by Council. The Municipal Government Act (MGA) allows Council to designate an area as a Direct Control District (DC) where it wishes to exercise particular control over the use and development of land or buildings.

Background:

The subject property is located in the south-east of Thickwood, and is owned by the Regional Municipality of Wood Buffalo. The Fort McMurray Little League Baseball Association has an operating agreement with the Municipality to operate and maintain ball diamond facilities at the subject property. The agreement has been in effect since January 23, 2008, and conditioned that any major renovation or physical changes to the facility must be submitted to the Municipality for approval prior to work being undertaken.

Rationale for Recommendation:

Administration supports the intent of the Development Permit, as there are no adverse

impacts associated with it.

Since the Direct Control District does not have any site provisions or permitted or discretionary uses against which to measure this application, the site provisions and uses from a similar district can be used to guide the review and approval. As the subject property has a similar intent to the Parks and Recreation (PR) District, it is reasonable to assess the application against those same site provisions.

The proposed development complies with the regulations of the Parks and Recreation (PR) District and the General Regulations for Accessory Buildings found in Section 50 of the Land Use Bylaw. According to Section 50.6 (a) of the Land Use Bylaw, the maximum height restriction for accessory buildings is 4.6 m in all urban districts. The proposed accessory building (press-box) height is 5.03 m from grade to tip. While this exceeds the maximum allowable height, The Direct Control District (118.5 of the Land Use Bylaw), grants Council the authority to specify regulations including height. This development does not have any impact on the surrounding uses and meets the need of the Fort McMurray Little League Baseball Association.

Additionally, during the review of this submission Administration became aware that the last development permit approval for an Accessory Building - washroom facilities in 2014 did not follow the appropriate process outlined for the Direct Control land use district. Specifically, the application was not brought to Council for a decision. Therefore, Administration is including the accessory building - washroom facilities as part of this application for Councils consideration.

In the absence of an Area Structure Plan, the Municipal Development Plan may be referenced for policy direction and guidance. Under the Municipal Development Plan, the proposed development is within an “Established Neighborhood” as shown in the Generalized Land Development Concept. The proposed development is consistent with this direction given that it does not significantly impact or change the general structure of the neighborhood.

The application is in compliance with the Municipal Development Plan and is consistent with appropriate regulations in the Land Use Bylaw. Therefore, Administration recommends that the proposed Accessory Buildings be approved.

Strategic Priorities:

Responsible Government

Attachments:

- 1. Subject Area Map**
- 2. Development Permit Application with Site Plan and Building Plan**
- 3. Recommended Conditions and Advisory Notes**