

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 4

DATE: February 10, 2021
APPLICATION: PRDP20203847

FILE: 03214159

SUBJECT: Accessory Building / Permitted use, with Variances

APPLICATION: The proposal is for an accessory building (existing shed), relaxation of the allowance within the side yard and relaxation of the minimum side yard setback requirement

GENERAL LOCATION: Located within the hamlet of Langdon.

LAND USE DESIGNATION: Direct Control District 85 (DC-85).

EXECUTIVE SUMMARY: This application is for an accessory building, approximately 6.00 m² (64.00 ft²) which is located within the side yard of the property and within the side yard setback. The shed is small in height and does not appear to negatively impact adjacent parcels, through the blocking of light or of sightlines.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203847 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203847 be refused for the following reasons:
1. That the accessory building (existing shed, 6.00 m² (64.00 ft²) in area) shall be relocated to the rear yard of the property, to be in compliance with Direct Control District 85 Regulation 2.5.2.
 2. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Camilo Conde, Planning and Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
2.5.2 (DC-85)	Accessory buildings are not permitted within the front or side yard of any dwelling unit	Within side yard of dwelling unit	100.00%
59.5(e)(ii)(2)	0.60 m (1.96 m)	0.20 m (0.65 ft.)	66.66%

APPLICATION EVALUATION:

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-4841-97, the Langdon Area Structure Plan (ASP), and the Boulder Creek Conceptual Scheme.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Land Use Bylaw C-4841-97 • Langdon ASP 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Site plan • Real Property Report
PERMITTED USE: <ul style="list-style-type: none"> • Accessory building 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission (MPC)

Additional Review Considerations

DC-85 and the Land Use Bylaw C-4841-97 were assessed for this application as the Direct Control District stipulates and then refers to the Land Use Bylaw on where accessory buildings can be located.

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for APPROVAL.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

CC/ltt



ROCKY VIEW COUNTY

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'C': Application Referrals



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1

APPROVAL, subject to the following conditions:

Description:

1. That the accessory building (existing shed, 6.00 m² (64.00 ft²) in area) shall be permitted to remain in the side yard setback of the property, in accordance with the Real Property Report prepared by Vista Geomatics Ltd., (File No.: 20095436) dated October 22, 2020.
 - i. That the minimum side yard setback requirement **shall be relaxed from 0.60 m (1.96 ft.) to 0.20 m (0.65 ft.)**.

Permanent:

2. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Ashley Sheedy	OWNER: Carly Kurta
DATE APPLICATION RECEIVED: November 25, 2020	DATE DEEMED COMPLETE: November 25, 2020
GROSS AREA: ± 0.07 hectares (± 0.19 acres)	LEGAL DESCRIPTION: NE-14-23-27-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> There are no Planning related application on file for this parcel <p>Development Permits</p> <ul style="list-style-type: none"> There are no other Development Permits on file for this parcel <p>Building Permits</p> <ul style="list-style-type: none"> 2007-BP-20561 Single detached dwelling (Occupancy granted) PRBD20143031 Hot tub (In compliance) 	

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.

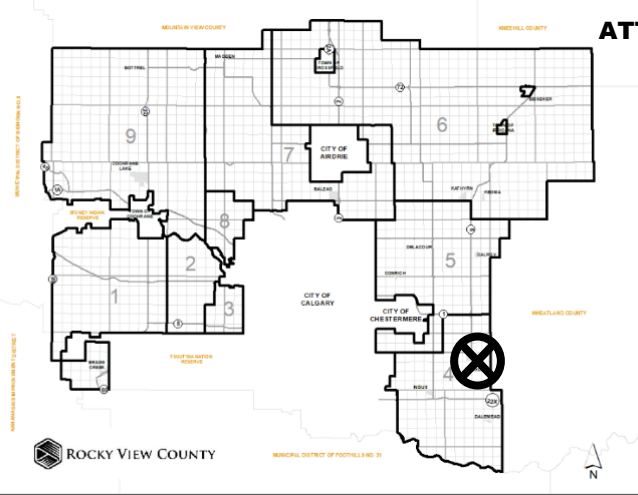


Location & Context

Development Proposal

accessory building
 (existing shed), relaxation
 of the minimum side yard
 setback requirement

ATTACHMENT 'B': MAPS AND OTHER INFORMATION



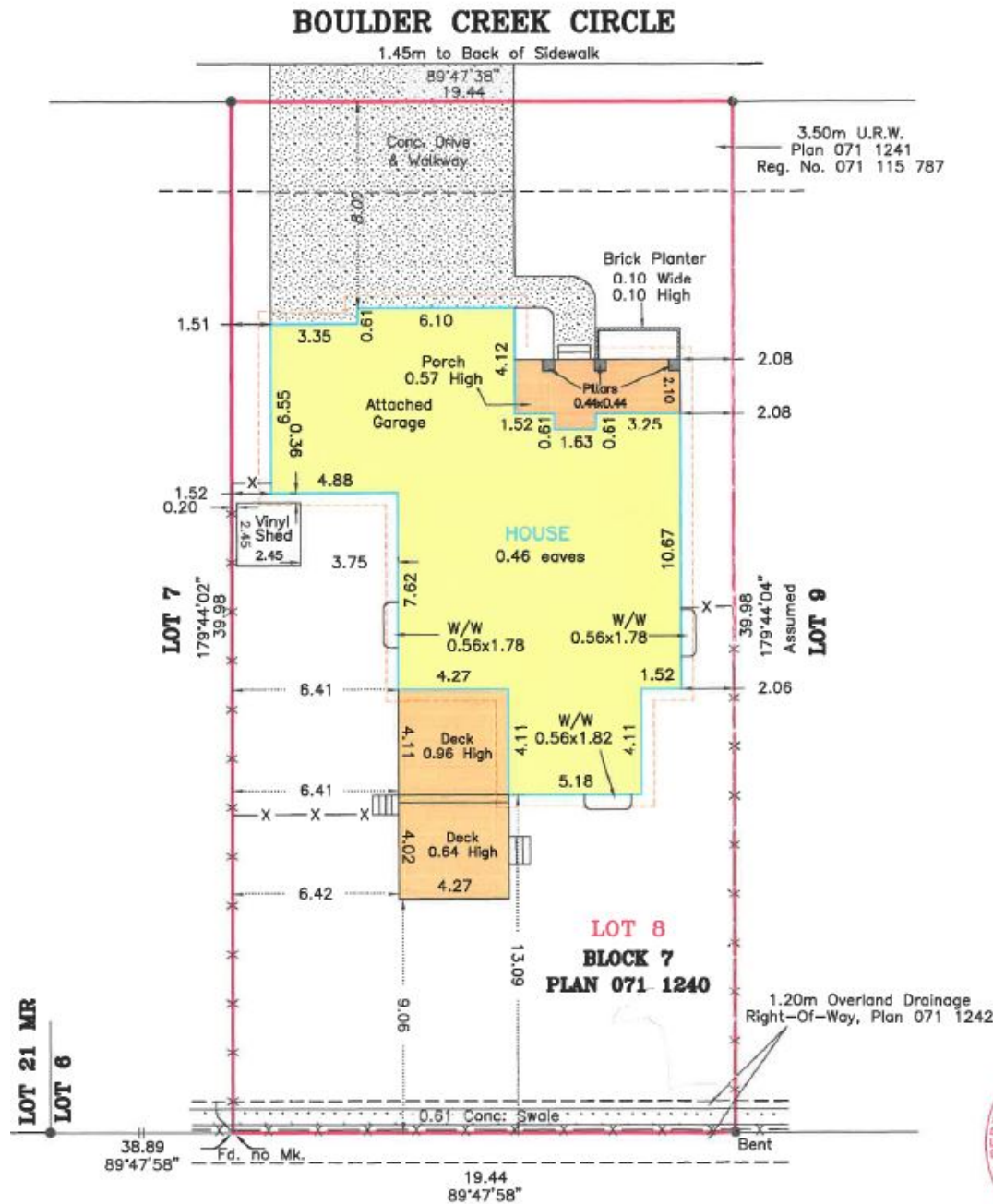
Division: 4
 Roll: 03214159
 File: PRDP20203847
 Printed: December 22, 2020
 Legal: Lot:8 Block:7
 Plan:0711240; within NE-14-
 23-27-W04M



Development Proposal

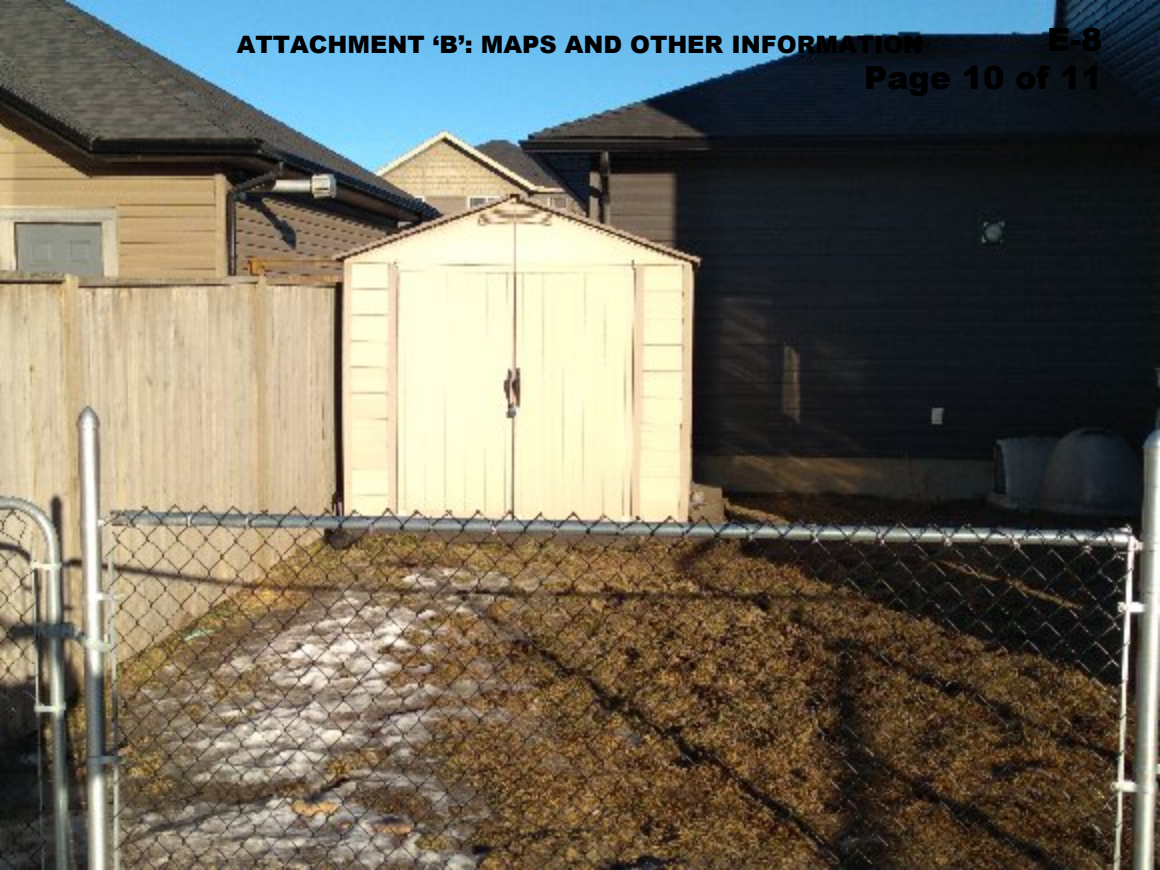
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AGENCY	CIRCULATED	RESPONSE RECEIVED
<i>School Authority</i>		
Rocky View Schools	No	No
Calgary Catholic School District	No	No
Public Francophone Education	No	No
Catholic Francophone Education	No	No
<i>Province of Alberta</i>		
Alberta Environment and Parks	No	No
Alberta Transportation	No	No
Alberta Sustainable Development (Public Lands)	No	No
Alberta Culture and Community Spirit (Historical Resources)	No	No
Energy Resources Conservation Board	No	No
Alberta Health Services	No	No
<i>Public Utility</i>		
ATCO Gas	No	No
ATCO Pipelines	No	No
AltaLink Management	No	No
FortisAlberta	No	No
Telus Communications	No	No
TransAlta Utilities Ltd.	No	No
<i>Adjacent Municipality</i>		
The City of Calgary	No	No
Tsuut'ina Nation	No	No
<i>Other External Agencies</i>		
EnCana Corporation	No	No
<i>Rocky View County Boards and Committees</i>		
ASB Farm Members	No	No

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
<i>Internal Departments</i>		
Recreation, Parks and Community Support	No	No
Development Authority	No	No
GIS Services	No	No
Building Services	Yes	Yes
Fire Services & Emergency Management	No	No
Development Compliance	Yes	Yes
Planning and Development Services (Engineering)	Yes	Yes
Transportation Services	No	No
Capital Project Management	Yes	Yes
Utility Services	Yes	Yes
Agricultural and Environmental Services	No	No

Circulation Period: November 30, 2020 to December 21, 2020.

Agencies that were not required for distribution are not listed.