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**PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 4

**DATE:** February 10, 2021  
**APPLICATION:** PRDP20203894

**FILE:** 02320025

**SUBJECT:** Accessory Building / Discretionary use, with Variances

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**APPLICATION:** The proposal is for construction of an accessory building (oversize shop), relaxation of the maximum building area, relaxation of the maximum building height, and relaxation of the maximum accessory building parcel coverage.

**GENERAL LOCATION:** Located approximately 2.46 km (1 1/2 miles) south of Highway 22X and 1.21 km (3/4 mile) east of Rge. Rd. 285.

**LAND USE DESIGNATION:** Residential Rural District (R-RUR).

**EXECUTIVE SUMMARY:** This application is for an oversize accessory building, 223.00 m<sup>2</sup> (2,400.00 ft<sup>2</sup>) in area, for the purposes of personal storage and metal and wood working for personal and business related. The business is related to a Home-Based Business Type I, which does not require a development permit under the Land Use Bylaw. There is one existing accessory building, Quonset, 92.90 sq. m (1,000 sq. ft.) in area.

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

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20203894 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20203894 be refused for the following reasons:

1. 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.

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**Administration Resources**

Camilo Conde, Planning and Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
318 Permitted Building Area	Accessory Building >190.0 m <sup>2</sup> (2,045.14 ft. <sup>2</sup> )	223.00 m <sup>2</sup> (2,400.00 ft. <sup>2</sup> )	17.35%
321a) Maximum Building Height	7.00 m (22.97 ft.)	7.92 m (26.00 ft.)	13.19%
322 Total Accessory Building Parcel Coverage	285.00 m <sup>2</sup> (3,067.71 ft. <sup>2</sup> )	316.00 m <sup>2</sup> (3,400.00 ft. <sup>2</sup> )	10.83%

**APPLICATION EVALUATION:**

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act</i></li> <li>Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Site plan</li> <li>Building plan</li> </ul>
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<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Accessory building</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission (MPC)</li> </ul>
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Additional Review Considerations

The application was reviewed under the regulations pertaining to the R-RUR district, from sections 318 to 322.

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

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**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 construction of the accessory building (oversize shop) may commence on the subject parcel in accordance with the site plan provided with the application.
  - i. That the maximum building area shall be relaxed from  $\leq 190.00 \text{ m}^2$  (2, 045.14 ft<sup>2</sup>) to  $223.00 \text{ m}^2$  (2,400.00 ft<sup>2</sup>) in area.
  - ii. That the maximum building height shall be relaxed from 7.00 m (22.97 ft.) to 7.92 m (26.00 ft.).
  - iii. That the maximum accessory building parcel coverage shall be relaxed from  $285.00 \text{ m}^2$  (3,067.71 ft.<sup>2</sup>) to  $316.00 \text{ m}^2$  (3,400.00 ft.<sup>2</sup>).

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations

**Permanent:**

3. That the accessory building shall not be used for residential occupancy or discretionary commercial purposes at any time unless otherwise approved by a Development Permit.
4. That the exterior siding and roofing materials of the Accessory Building shall be similar/cohesive to the existing dwelling, single-detached and/or area.
5. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction that is used to establish approved final grades, unless a Development Permit has been issued for additional fill.
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.

**Advisory:**

8. That during construction of the building, all construction and building materials shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed at an approved disposal facility.
9. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*].
10. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Accessory Building checklist.





## ROCKY VIEW COUNTY

11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
12. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
13. That if this Development Permit is not issued by **JUNE 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



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## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Scotty Volk	<b>OWNER:</b> Scotty Volk
<b>DATE APPLICATION RECEIVED:</b> November 30, 2020	<b>DATE DEEMED COMPLETE:</b> November 30, 2020
<b>GROSS AREA:</b> ± 2.23 hectares (± 5.52 acres)	<b>LEGAL DESCRIPTION:</b> SE-20-22-28-W04M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>• There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>• There are no other Development Permits on file for this parcel</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>• There are no Building Permits issued for this parcel</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>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.</p>	

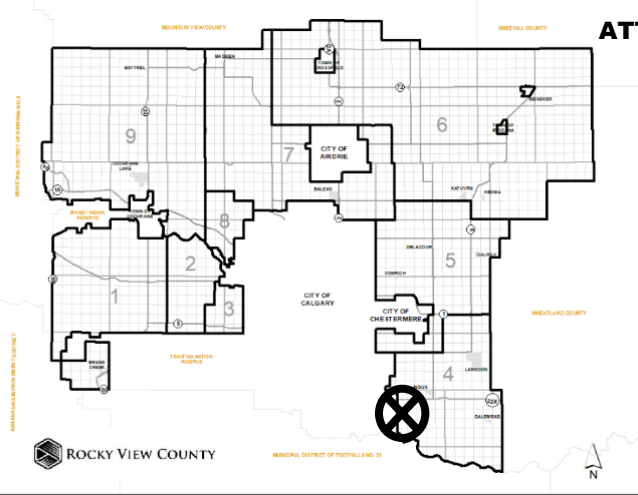


## Location & Context

### Development Proposal

construction of an accessory building (oversize shop), relaxation of the maximum building area, relaxation of the maximum building height, and relaxation of the maximum accessory building parcel coverage

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Division: 4  
 Roll: 02320025  
 File: PRDP20203894  
 Printed: December 22, 2020  
 Legal: Lot:3 Block:9  
 Plan:0411289; within SE-20-22-28-W04M



## Site Plan

Development Proposal

construction of an accessory building (oversize shop), relaxation of the maximum building area, relaxation of the maximum building height, and relaxation of the maximum accessory building parcel coverage



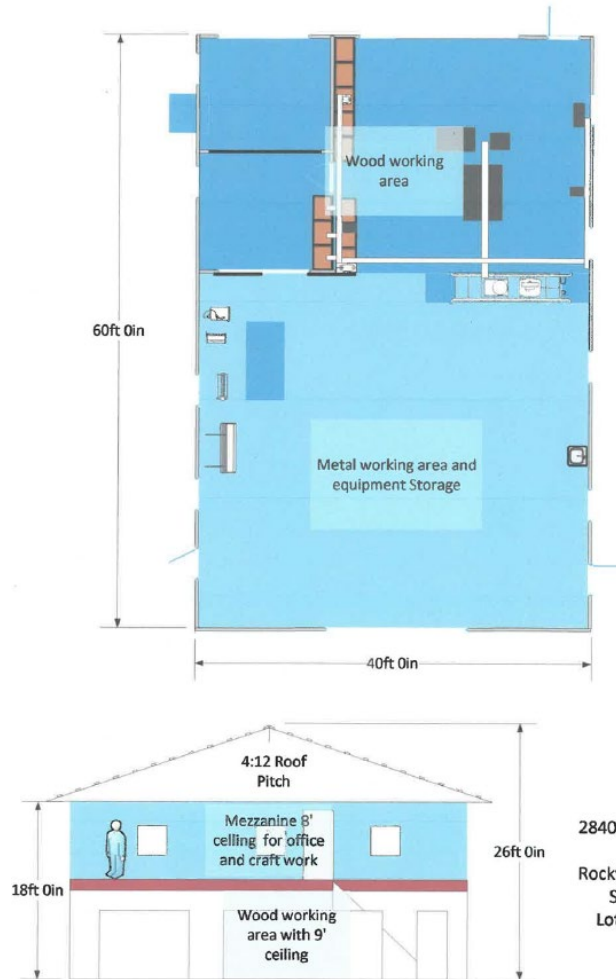
Division: 4  
Roll: 02320025  
File: PRDP20203894  
Printed: December 22, 2020  
Legal: Lot: 3 Block: 9  
Plan: 0411289; within SE-20-22-28-W04M



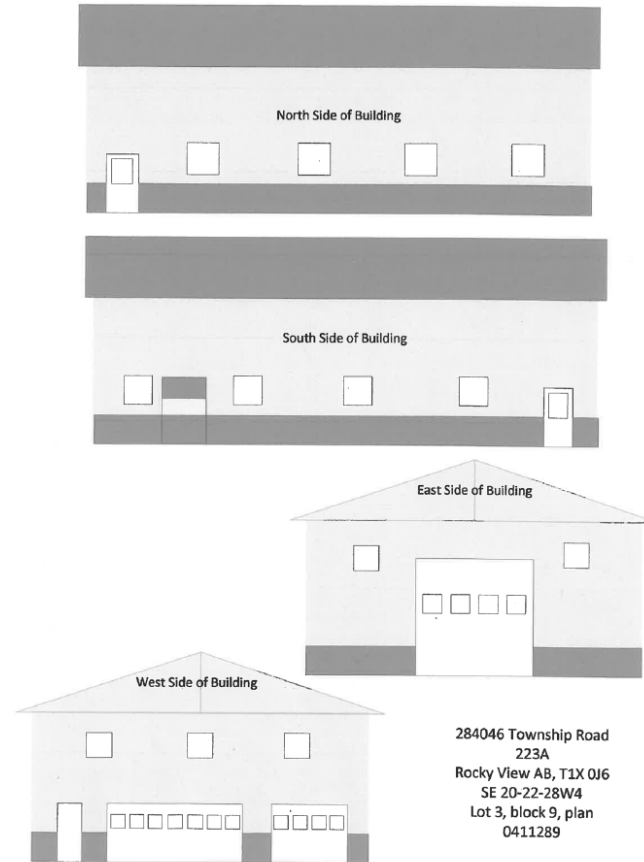
## Building Plans

### Development Proposal

construction of an accessory building (oversize shop), relaxation of the maximum building area, relaxation of the maximum building height, and relaxation of the maximum accessory building parcel coverage



284046 Township Road  
 223A  
 Rocky View AB, T1X 0J6  
 SE 20-22-28W4  
 Lot 3, block 9, plan  
 0411289



284046 Township Road  
 223A  
 Rocky View AB, T1X 0J6  
 SE 20-22-28W4  
 Lot 3, block 9, plan  
 0411289

Division: 4  
 Roll: 02320025  
 File: PRDP20203894  
 Printed: December 22, 2020  
 Legal: Lot: 3 Block: 9  
 Plan: 0411289; within SE-20-  
 22-28-W04M





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ROCKY VIEW COUNTY

AGENCY	CIRCULATED	RESPONSE RECEIVED
<b>School Authority</b>		
Rocky View Schools	No	No
Calgary Catholic School District	No	No
Public Francophone Education	No	No
Catholic Francophone Education	No	No
<b>Province of Alberta</b>		
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
<b>Public Utility</b>		
ATCO Gas	No	No
ATCO Pipelines	No	No
AltaLink Management	No	No
FortisAlberta	No	No
Telus Communications	No	No
TransAlta Utilities Ltd.	No	No

## ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
<b>Adjacent Municipality</b>		
The City of Calgary	Yes	No
Tsuut'ina Nation	No	No
<b>Other External Agencies</b>		
EnCana Corporation	No	No
<b>Rocky View County Boards and Committees</b>		
ASB Farm Members	No	No
<b>Internal Departments</b>		
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	Yes	Yes
Capital Project Management	Yes	Yes
Utility Services	Yes	No
Agricultural and Environmental Services	No	No

Circulation Period: December 3, 2020 to December 31, 2020.

Agencies that were not required for distribution are not listed.