
PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 5
DATE:	February 10, 2021	APPLICATION: PRDP20204219
FILE:	04333054	
SUBJECT:	Accessory Building / Discretionary use, with Variances	

APPLICATION: Application is for the construction of an accessory building (oversize pole barn), relaxation of the maximum accessory building area, relaxation of the minimum side yard setback requirement, and relaxation of the maximum accessory building parcel coverage.

GENERAL LOCATION: located approximately 0.81 km (1/2 mile) west of Rge. Rd. 283 and on the south side of Twp. Rd. 250.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct a new accessory building (pole barn) approximately 297.29 sq. m (3,200.00 sq. ft.) in area, for use as storage of equipment and vehicles. The parcel currently contains approximately 185.81 sq. m (2,000.00 sq. ft.) of accessory buildings, utilized for storage. The Applicant states they require additional storage and to assist with general organization and appearance of acreage. The proposed accessory building will replace an existing tent structure. The proposed accessory building will be located approximately 12.19 m (40.00 ft.) from the side property boundary. The application requires variances to the side yard setback, maximum accessory building area and maximum accessory building parcel coverage.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204219 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204219 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.

Administration Resources

Wayne Van Dijk, Planning and Development

Variance	Requirement	Proposed	Percentage
Maximum Accessory Building Size	190.00 sq. m (2,045.14 sq. ft.)	297.29 sq. m (3,200.00 sq. ft.)	56.47 %
Maximum Accessory Building Coverage	285.00 sq. m (3,067.71 sq. ft.)	483.10 sq. m (5,200.00 sq. ft.)	69.51%
Side Yard Setback	15.00 m (49.21 ft.)	12.19 m (40.00 ft.)	18.73%

**APPLICATION EVALUATION:**

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Building >190 sq. m (2,045.14 sq. ft.) • Maximum Building Coverage 285 sq. m (3,067.71 sq. ft.) • Side Yard Setback 15.00 m (49.21 ft.) from other uses for parcels over 4.00 ha (9.88 ac) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

No additional considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

WV/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions
ATTACHMENT ‘B’: Maps and Other Information
ATTACHMENT ‘C’: Agency Referrals

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Option #1:

Approval subject to the following conditions:

Description:

1. That construction of the accessory building (oversize pole barn) may commence on the subject land in general accordance with the drawings submitted with application.
 - i. That the maximum building area for the accessory building (pole barn) is relaxed from **190.00 sq. m (2,045.14 sq. ft.) to 297.29 sq. m (3,200.00 sq. ft.)**.
 - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 sq. m (3,067.71 sq. ft.) to 485.10 sq. m (5,200.00 sq. ft.)**.
 - iii. That the minimum side yard setback requirement is relaxed from **15.00 m (49.21 ft.) to 12.19 m (40.00 ft.)**.

Permanent:

2. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
3. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by a Development Permit.
4. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 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 in order to establish approved final grades unless a Development Permit has been issued for additional fill.
5. That 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, in accordance with the Road Use Agreement Bylaw C-8065-2020.
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

8. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
9. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
10. That a Building Permit/Farm Building Exemption, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months



ROCKY VIEW COUNTY

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 government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Eric & Jennifer Neumann	OWNER: Eric & Jennifer Neumann
DATE APPLICATION RECEIVED: December 24, 2020	DATE DEEMED COMPLETE: January 11, 2020
GROSS AREA: ± 1.73 hectares (± 4.28 acres)	LEGAL DESCRIPTION: Lot 5, Block 2, Plan 9210380, N-33-24-28-W04M (283131 Twp. Rd. 250)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> No previous development permit history 	
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.	

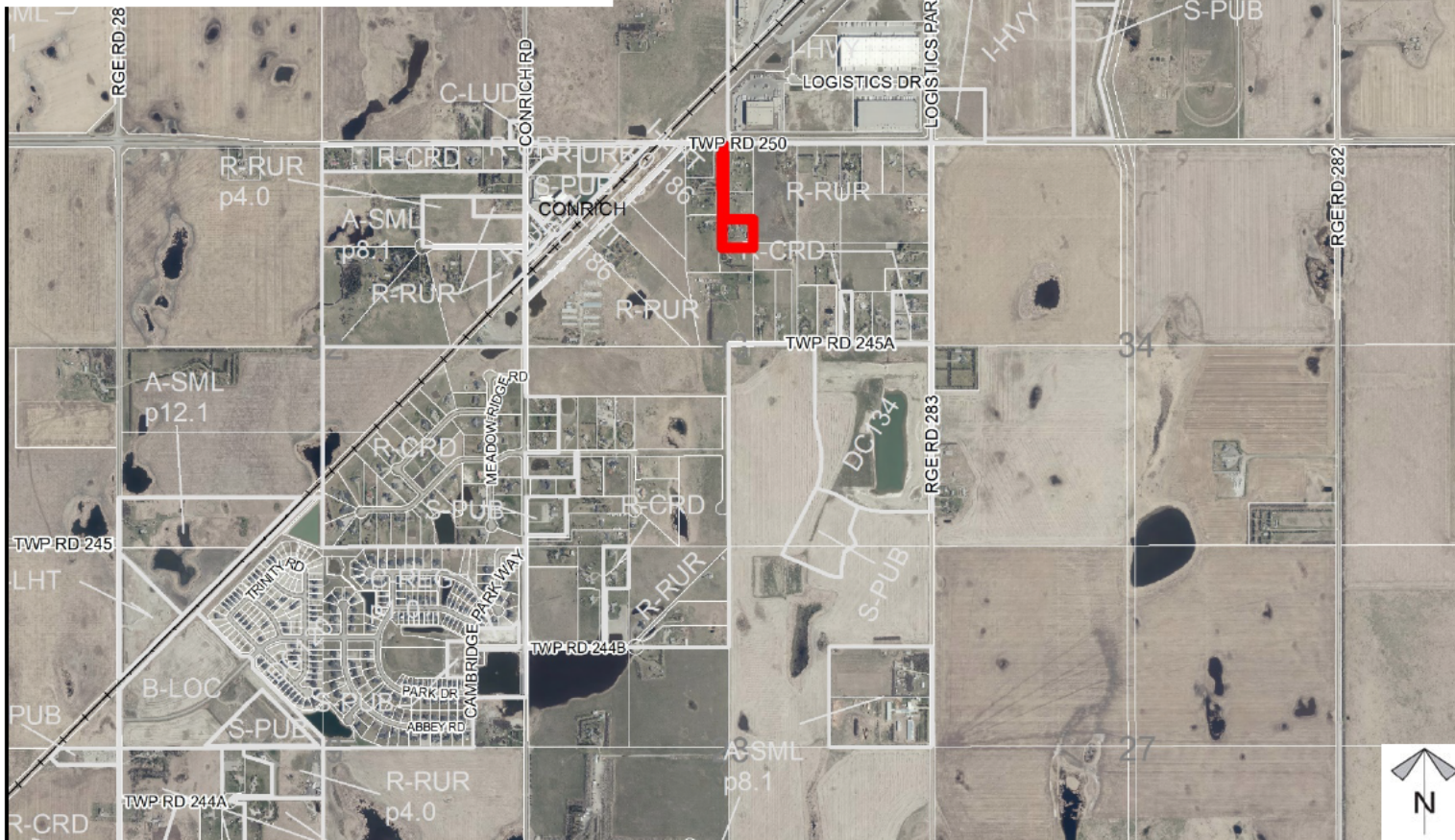
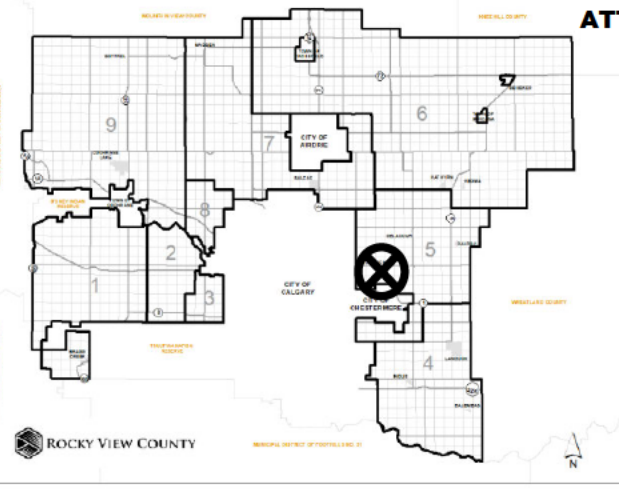


Location & Context

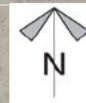
Development Proposal

Construction of an
Accessory Building with
relaxation to the maximum
building area and
maximum building
coverage

ATTACHMENT 'B' MAPS AND OTHER INFORMATION



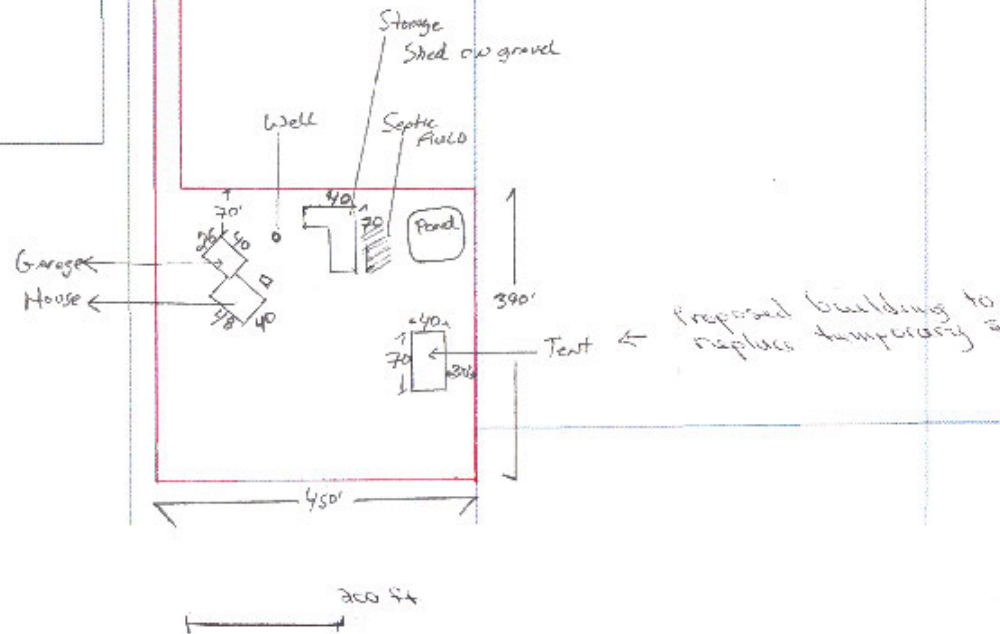
Division: 05
 Roll: 04333054
 File: PRDP20204219
 Printed: Jan 13, 2021
 Legal: Lot:5 Block:2
 Plan:9210380 within N-33-
 24-28-W04M



Site Plan

Development Proposal

Construction of an Accessory Building with relaxation to the maximum building area and maximum building coverage



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 05
 Roll: 04333054
 File: PRDP20204219
 Printed: Jan 13, 2021
 Legal: Lot:5 Block:2
 Plan:9210380 within N-33-24-28-W04M



ATTENTION: Planning & Development

RE: 283131 Township Road 250, Rocky View County, AB

Please find attached a completed Development Permit, Land Title Certificate, Plot Plan and detailed information of the proposed building structure.

We are proposing to build a 40' x 80' Storage Building. The building will be a pole & beam structure with exterior metal cladding. It would include 4 windows, 2 man doors and 1 overhead door. We are also considering the possibility of putting in concrete footings and floor.

We are requesting several variances. Firstly, a variance on the location of the proposed building, which would be 40' west of the east property line; and secondly, a variance on the foot print size of the proposed building. We currently have approximately 2000 sq. ft. of storage buildings (built over 20 years ago) which are currently used to store acreage maintenance equipment and personal vehicles.

The purpose of the proposed building is to store personal trailers and equipment that are currently parked outside. The idea is to not only create an indoor space for these items, but also to organize and clean up the appearance of our acreage.

Should you require anything further, please do not hesitate to contact us.

Sincerely,

Eric & Jennifer Neumann

Cover Letter

Development Proposal

Construction of an
Accessory Building with
relaxation to the maximum
building area and
maximum building
coverage

Division: 05
Roll: 04333054
File: PRDP20204219
Printed: Jan 13, 2021
Legal: Lot:5 Block:2
Plan:9210380 within N-33-
24-28-W04M

Site Photos

Development Proposal

Construction of an Accessory Building with relaxation to the maximum building area and maximum building coverage



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 05
 Roll: 04333054
 File: PRDP20204219
 Printed: Jan 13, 2021
 Legal: Lot:5 Block:2
 Plan:9210380 within N-33-
 24-28-W04M



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

ATTACHMENT 'C': APPLICATION REFERRALS

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

Circulation Period: January 11, 2021 to February 1, 2021.

Agencies that were not required for distribution are not listed.