

## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 4
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210160
<b>FILE:</b>	03222188	
<b>SUBJECT:</b>	Accessory Buildings / Listed DC use, with Variances	

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**APPLICATION:** Accessory buildings (existing sheds), relaxation of the minimum side yard setback requirements.

**GENERAL LOCATION:** Located in the hamlet of Langdon.

**LAND USE DESIGNATION:** Direct Control District 75 (DC-75) and under Land Use Bylaw (C-4841-97)

**EXECUTIVE SUMMARY:** The application is for accessory buildings (existing sheds), relaxation of the minimum side yard setback requirements. The accessory building (wood shed), approximately 14.88 sq. m in size, is located 0.96 m from the north property line and the accessory building (plastic shed), approximately 7.71 sq. m in size, is located 1.05 m from the south property line. A Real Property Report was submitted for a stamp of compliance and it was noted that the accessory buildings are encroaching on the side yard setbacks. There are two variances requested and the application appears compliant with Direct Control District 75 (DC-75) regulations.

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

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210160 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210160 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**

Bronwyn Culham, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**VARIANCE SUMMARY**

Variance	Requirement	Proposed	Percentage (%)
Side Yard Setback Requirement (Wood Shed)	1.52 m (4.98 ft.)	0.96 m (3.14 ft.).	36.84%
Side Yard Setback Requirement (Plastic Shed)	1.52 m (4.98 ft.)	1.05 m (3.44 ft.)	30.92%

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act;</i></li> <li>Langdon Area Structure Plan</li> <li>Langdon Crossing West Conceptual Scheme</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Site Plan / prepared by Arc Surveys Ltd., (File No.: 203321) / dated December 1, 2020.</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Accessory Building is a listed use in DC-75</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Municipal Planning Commission</li> </ul>

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



ROCKY VIEW COUNTY

**CONCLUSION:**

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

Respectfully submitted,

"Theresa Cochran"

Concurrence,

"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 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That the accessory buildings (existing sheds) shall be permitted to remain in the side yard setbacks of the property, in accordance with the Real Property Report prepared by Arc Surveys Ltd., (File No.: 203321) dated December 1, 2020.
  - i. That the minimum side yard setback requirement is relaxed from **1.52 m (4.98 ft.)** to **0.96 m (3.14 ft.)**.
  - ii. That the minimum rear yard setback requirement is relaxed from **1.52 m (4.98 ft.)** to **1.05 m (3.44 ft.)**

**Advisory:**

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



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

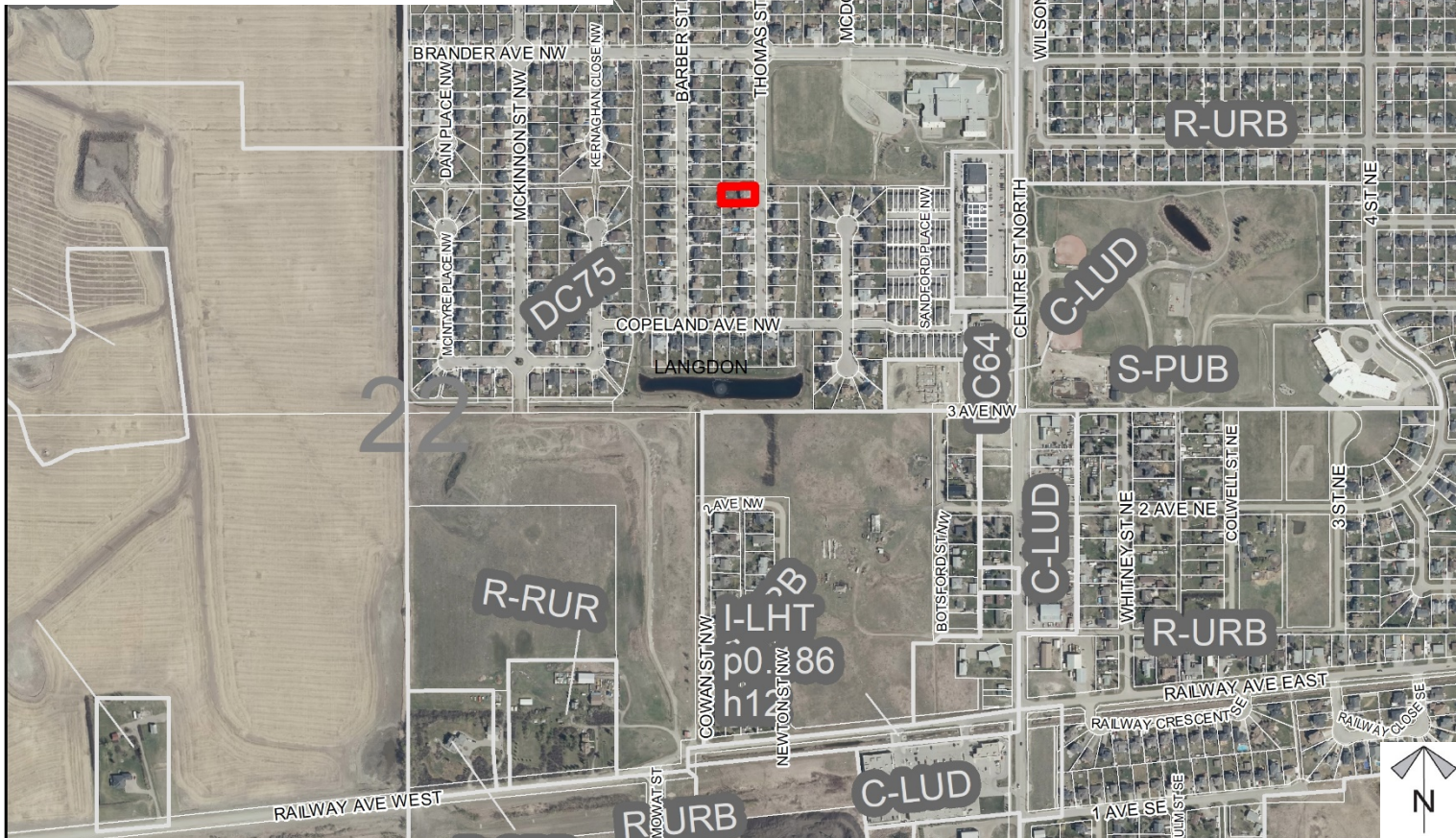
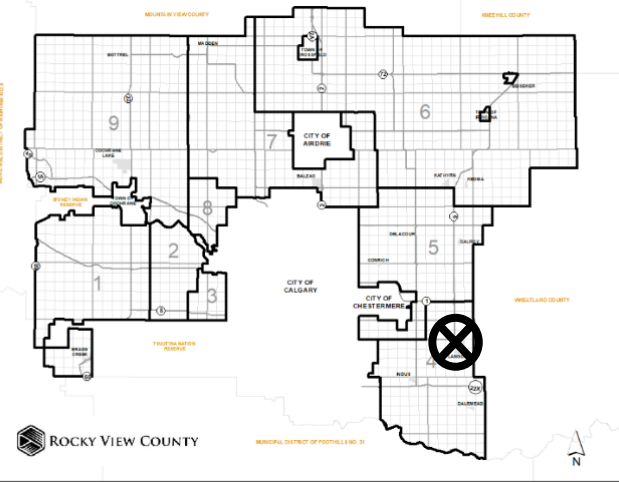
<b>APPLICANT:</b> Summit Legal Group (Jeanie Penner)	<b>OWNER:</b> Ellen Sansregrett
<b>DATE APPLICATION RECEIVED:</b> January 12, 2021	<b>DATE DEEMED COMPLETE:</b> January 12, 2021
<b>GROSS AREA:</b> ± 0.10 hectares (± 0.25 acres)	<b>LEGAL DESCRIPTION:</b> NE-22-23-27-W04M (45 THOMAS ST NW)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <i>Jun 23, 2003:</i> Building Permit (2003-BP-16529) Single Family Dwelling – Occupancy Granted	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



## Location & Context

### Development Proposal

Accessory buildings  
 (existing sheds), relaxation  
 of the minimum side yard  
 setback requirements.



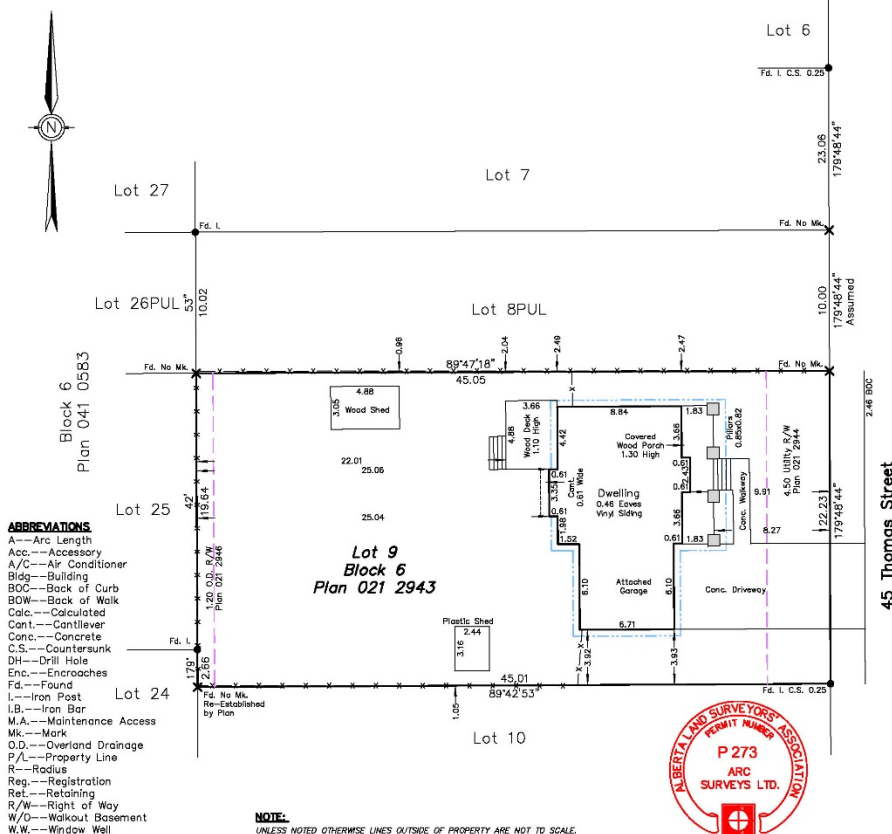
Division: 4  
 Roll: 03222188  
 File: PRDP20210160  
 Printed: Feb 3, 2021  
 Legal: Lot:9 Block:6  
 Plan:0212943 within NE-22-  
 23-27-W04M

# Site Plan

## Development Proposal

Accessory buildings  
(existing sheds), relaxation  
of the minimum side yard  
setback requirements.

## ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



### LEGAL DESCRIPTION:

Lot 9  
Block 6  
Plan 021 2943

### MUNICIPAL ADDRESS:

45 Thomas Street, Langdon  
Rocky View County, Alberta

**DATE OF SURVEY:** November 24th, 2020.

### LEGEND

Distances are in metres and decimals thereof.

Found Iron Posts are shown thus:   
Drill Holes are shown thus:   
Found Iron Bars are shown thus:   
Found Concrete Nails are shown thus:   
Calculation points are shown thus:   
Pillars and posts are shown thus:   
Property lines are shown thus:   
Utility Right of Way are shown thus:   
Eaves are shown thus:   
Fences are shown thus:

All fences are within 0.2 metres of the property lines unless otherwise shown.  
All eaves are measured to fascia unless otherwise shown.

### PURPOSE:

The Report and attached plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a land conveyance, support of a subdivision application, a mortgage application, or a submission to the municipality for the compliance certificate, etc. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed. The attached plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

### NOTE:

Title information is based on the C. of T. 131 073 730 which was searched on the 1st day of December, 2020, and is subject to:  
Caveat No.: 731 000 982, 021 314 076  
Utility Right of Way No.: 021 314 074

### CERTIFICATION:

I hereby certify that this report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association Manual of Standard Practice and supplements thereto. Accordingly within those standards and as of the date of this Report, I am of the opinion that:

- the Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements, and rights-of-way affecting the extent of the title to the property;
- the improvements are entirely within the boundaries of the Property
- no visible encroachments exist on the Property from any improvements situated on an adjoining property
- no visible encroachments exist on registered easements or rights-of-way affecting the extent of the Property
- unless otherwise specified, the dimensions shown relate to the distances from property boundaries to the foundation walls of buildings at the date of survey.

Dated at Calgary, Alberta on this  
1st day of December, 2020.

Jarrod Garein, A.L.S.  
This document is not valid unless it bears an original or digital signature in blue ink and an Arc Survey Ltd. permit stamp in red ink.

**Arc Surveys Ltd.**  
#202, 337 41 Avenue N.E.  
Calgary, Alberta T2E 2N4  
Ph.: 403-277-1272 www.arcsurveys.ca  
Fax: 403-277-1275 info@arcsurveys.ca

Surveyed: KK Drawn: QM/QM Scale: 1:250 File No.: 203321

Division: 4  
Roll: 03222188  
File: PRDP20210160  
Printed: Feb 3, 2021  
Legal: Lot:9 Block:6  
Plan:0212943 within NE-22-  
23-27-W04M



**Inspection Photos**  
February 4, 2021





**Inspection Photos**  
February 3, 2021





**Inspection Photos**  
February 3, 2021





**Inspection Photos**  
February 3, 2021

