



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority

DIVISION: 3

DATE: April 14, 2021

APPLICATION: PRDP20210477

FILE: 04630047

SUBJECT: Accessory Building / Discretionary use with Variances

APPLICATION: Construction of an accessory building (oversize garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

GENERAL LOCATION: located approximately 0.20 km (1/8 mile) north and 0.41 km (1/4 mile) east of Hwy. 563

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct an oversize accessory building (detached garage) for storage of personal vehicles and workshop purposes. The accessory building would be 166.53 sq. m (1,792.59 sq. ft.) in gross footprint, with four (4) bays, and would be located 13.04 m (42.78 ft.) away from the south property line, and 3.00 m (9.84 ft.) from the east property line. There are four variances requested and the application appears compliant with Residential, Country Residential District (R-CRD) regulations.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210477 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210477 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

Bronwyn Culham, Planning & Development Services

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

Variance	Requirement	Proposed	Percentage (%)
Maximum Accessory Building Area	90.00 sq. m (968.75sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	85.03%
Maximum Parcel Coverage	120.00 sq. m (1,291.67 sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	38.78%
Maximum Building Height	7.00 m (22.97 ft.)	7.64 m (25.08 ft.)	9.14%
Minimum Front Yard Setback Requirement	15.00 (49.21 ft.)	13.04 m (42.78 ft.)	13.06%

APPLICATION EVALUATION:

The application was evaluated based on the information and site plan 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> • Municipal Development Plan; • Central Springbank Area Structure Plan • Calgary Intermunicipal Development Plan • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Site Plan prepared by AA Structural Engineering / dated Jan 26, 2021 • Elevations / prepared by AA Structural Engineering / dated Feb 21, 2021 • Floor Plan & Wall Details / prepared by AA Structural Engineering / dated Feb 21, 2021
DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Building > 90.00 sq. m is a discretionary use in the Residential, Country Residential District (R-CRD) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

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



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Al Hoggan"

Acting Executive Director
Community Development Services

Chief Administrative Officer

BC/llt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

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

1. That an accessory building (detached garage) may be constructed on the subject land in general accordance with the submitted application and site plan dated January 26, 2021 and design drawings titled *Elevations, Floor Plan & Wall Details* dated February 21, 2021 as prepared by AA Structural Engineering.
 - i. That the maximum building area is relaxed from **90.00 sq. m (968.75 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - ii. That the maximum parcel coverage is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - iii. That the maximum building height is relaxed from **7.00 m (22.97 ft.)** to **7.64 m (25.08 ft.)**
 - iv. That the minimum front yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **13.04 m (42.78 ft.)**

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.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, that adheres to the requirements of the Springbank Master Drainage Plan (MDP) and the County Servicing Standards as per section 5.4 of the Springbank MDP.

Permanent:

4. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
5. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. 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 Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

9. 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.



ROCKY VIEW COUNTY

10. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
12. 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 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.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. If this Development Permit is not issued by **October 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Kemp, Michael	OWNER: Makkinga, Courtney L
DATE APPLICATION RECEIVED: February 8, 2021	DATE DEEMED COMPLETE: March 12, 2021
GROSS AREA: ± 0.80 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 24 Block 1 Plan 7510024, NW-30-24-02-05; (253 ARTISTS VIEW WAY)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • There are no related Building Permits (According to assessment records, dwelling and attached garage were constructed in 1976, therefore no digital record on file) • There are no related Development Permits • There are no related Planning Applications 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



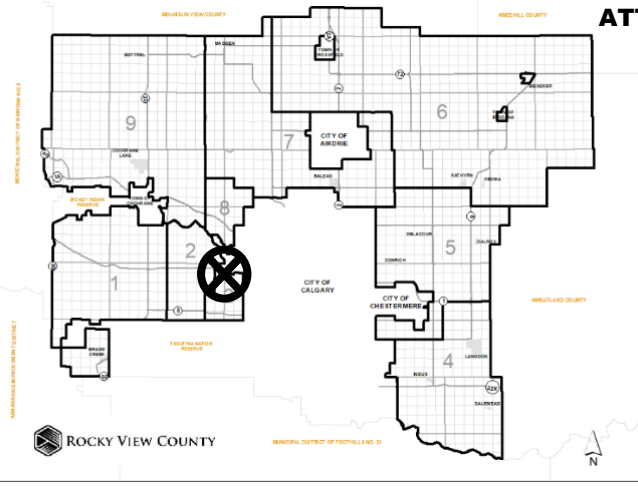
Location & Context

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

Division: 03
 Roll: 04630047
 File: PRDP20210477
 Printed: March 17, 2021
 Legal: Lot:24 Block:1
 Plan:7510024 within NW-30-24-02-W05M

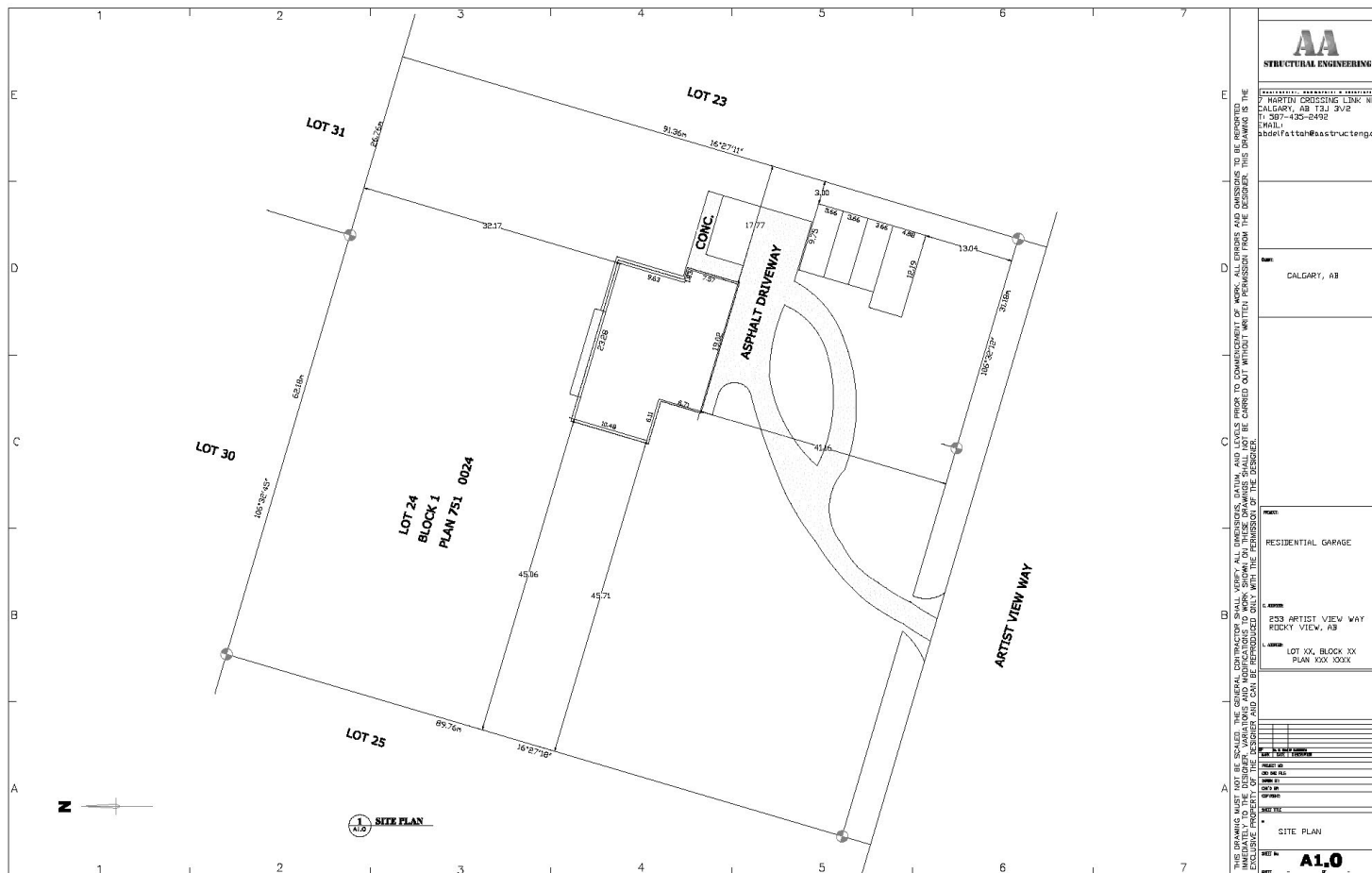
ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Site Plan

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.



Division: 03
 Roll: 04630047
 File: PRDP20210477
 Printed: March 17, 2021
 Legal: Lot:24 Block:1
 Plan:7510024 within NW-30-
 24-02-W05M

Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021

