

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: Accessory Building  
**USE:** Discretionary use, with Variances

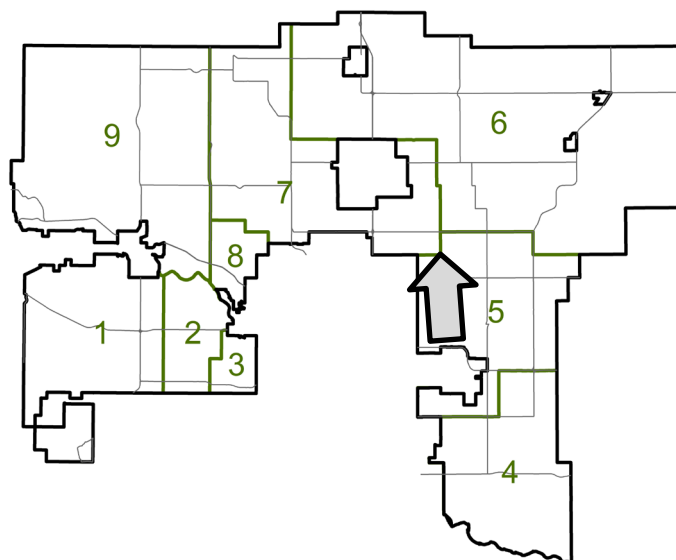
**DATE:** November 12, 2020  
**APPLICATION:** PRDP20202959

**APPLICATION:** construction of an accessory building (oversize shop), relaxation of the maximum accessory building parcel coverage, and relaxation of the minimum rear yard setback requirement

**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) south of Twp. Rd. 260 and on the west side of Rge. Rd. 283

**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.



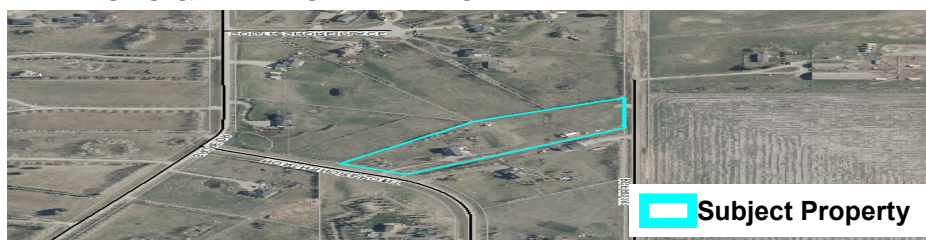
### VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Maximum Building Area	190.00 sq. m (2,045.14 sq. ft.)	312.15 sq. m (3,360.00 sq. ft.)	64.28%
Maximum Accessory Building Parcel Coverage	285.00 sq. m (3,067.71 sq. ft.)	487.05 sq. m (5,242.58 sq. ft.)	70.90%
Rear Yard – from any road	30.00 m (98.43 ft.)	15.24 m (50.00 ft.)	61.40%

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202959 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202959 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Sandra Khouri – Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> September 25, 2020	<b>File:</b> 05333001
<b>Application:</b> PRDP20202959	<b>Applicant/Owner:</b> Colbourne, Don W
<b>Legal Description:</b> Lot 22, Block 1, Plan 0211172, NE-33-25-28-04	<b>General Location:</b> located approximately 0.41 km (1/4 mile) south of Twp. Rd. 260 and on the west side of Rge. Rd. 283
<b>Land Use Designation:</b> Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020	<b>Gross Area:</b> (± 1.62 hectares) ± 4.00 acres
<b>File Manager:</b> Sandra Khouri	<b>Division:</b> 5

### PROPOSAL:

The proposal is for the construction of an accessory building (oversize shop), approximately 312.15 sq. m (3,360.00 sq. ft.) in size, relaxation of the maximum accessory building parcel coverage and relaxation of the minimum rear yard setback requirement. *Note, this application was assessed in accordance with Land Use Bylaw C-8000-2020.*

- The proposed building is 312.15 sq. m (3,360.00 sq. ft.) in size;
  - The building will include an uncovered deck, approximately 22.29 sq. m (240.00 sq. ft.) in area. The deck is 3.66 m (12.00 ft.) wide and encroaches even further into the minimum rear yard setback requirement.
- The building will be used as a workshop and for storage;
- The building will be located at the rear of the property;
- The exterior will be finished in white metal cladding, is one and a half stories (mezzanine on the second floor), and includes 2 man doors and 2 overhead doors.
- There are multiple other accessory buildings onsite (*Sea Container, Quonset, Horse Shelter, Shed, Playhouse, Chicken Coop*)

### LAND USE BYLAW:

*R-RUR Residential, Rural District*

Requirements				
Section	Regulation	Required	Proposed	Variance
318	Uses, Discretionary	Accessory buildings > 190.00 sq. m (2,045.14 sq. ft.)	312.15 sq. m (3,360.00 sq. ft.)	64.28%
321 a)	Maximum Building Height (accessory buildings)	7.00 m (22.97 ft.)	6.93 m (22.74 ft.)	0%
322	Maximum Accessory Building Parcel Coverage	285.00 sq. m (3,067.71 sq. ft.)	487.05 sq. m (5,242.58 sq. ft.)	70.90%

323	Front Yard – from other roads	15.00 m (49.21 ft.)	lots	0%
323	Side Yard – from other uses	3.00 m (9.84 ft.)	6.06 m (19.88 ft.) / lots	0%
323	Rear Yard – from any road (undeveloped road allowance)	30.00 m (98.43 ft.)	15.24 m (50.00 ft.) / 11.58 m (37.99 ft.) to deck	61.40%

#### Approval Rationale:

The property backs onto agricultural lands and the addition of a larger accessory building will likely have minimal impact to adjacent lands. As such, the application is recommended for approval.

#### **STATUTORY PLANS:**

The subject property is not located within any statutory plans. As such, the application was assessed in accordance with the Land Use Bylaw.

#### **INSPECTOR'S COMMENTS:**

Inspection not completed at the time this report was written.

#### **CIRCULATIONS:**

##### Building Services Review

- No comments received.

##### Development Compliance Officer Review

- No comments received.

#### **OPTIONS:**

Option #1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

#### **Description:**

1. That construction of the proposed accessory building (oversize shop), approximately 312.15 sq. m (3,360.00 sq. ft.) in area, may take place on the subject property, in accordance with the submitted site plan and application and includes:
  - i. That the maximum accessory building parcel coverage is relaxed from **285.00 sq. m (3,067.71 sq. ft.)** to **487.05 sq. m (5,242.58 sq. ft.)**.
  - ii. That the minimum rear yard setback requirement, including the rear deck, is relaxed from **30.00 m (98.43 ft.)** to **11.58 m (37.99 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 commercial or residential occupancy purposes at any time, unless otherwise permitted.

**Advisory:**

4. That during construction of the accessory 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.
5. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
6. That a Building Permit shall be obtained through Building Services prior to any construction taking place, using the Accessory Building checklist.
7. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
8. 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.

Option #2: (this would not allow the development to proceed)

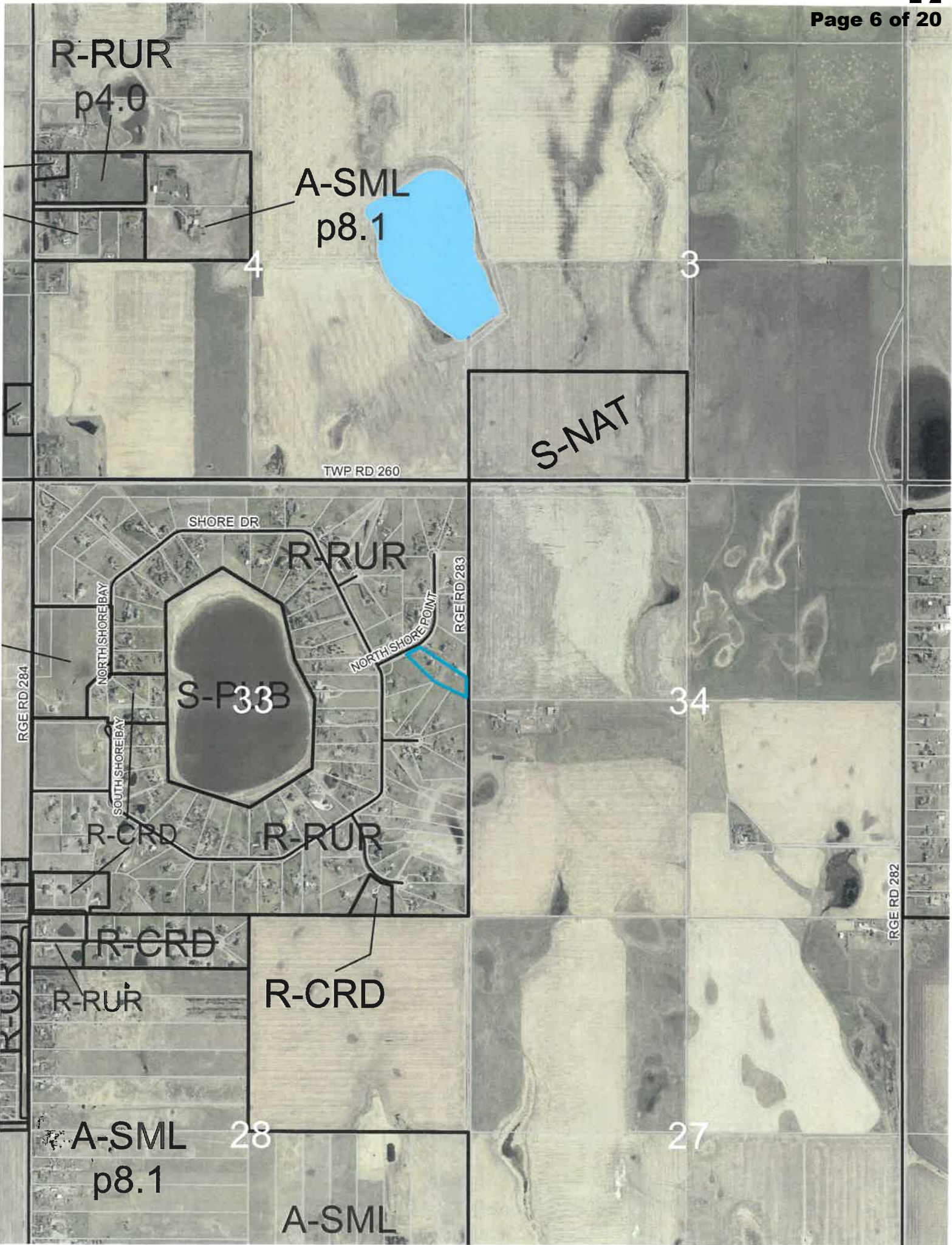
REFUSAL, for the following reasons:

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.
- 2.











ROCKY VIEW COUNTY

# DEVELOPMENT PERMIT APPLICATION

E-2

FOR OFFICE USE **Page 7 of 20**

APPLICATION NO.	20 202 959
ROLL NO.	05333 001
RENEWAL OF	
FEES PAID	265.00
DATE OF RECEIPT	Sept 25/20

## APPLICANT/OWNER

Applicant Name: Don Colbourne Email: [REDACTED]

Business/Organization Name (if applicable): [REDACTED]

Mailing Address: [REDACTED] Postal Code: [REDACTED]

Telephone (Primary): [REDACTED] Alternative: [REDACTED]

Landowner Name(s) per title (if not the Applicant)

Business/Organization Name (if applicable):

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone (Primary): \_\_\_\_\_ Email: \_\_\_\_\_

## LEGAL LAND DESCRIPTION - Subject site

All/part of:	1/4	Section:	Township:	Range:	West of:	Meridian	Division:
All parts of Lot(s)/Unit(s):	22	Block:	1	Plan:	021172	Parcel Size (ac/ha):	4

Municipal Address: 6 North shore point, rocky view Land Use District: \_\_\_\_\_

## APPLICATION FOR - List use and scope of work

Personal Acc Bldg relaxation of maximum size

Variance Rationale included: ☐ YES ☐ NO ☐ N/A

DP Checklist Included: ☐ YES ☐ NO

## SITE INFORMATION

- |   |  |
|---|--|
| a. Oil or gas wells present on or within 100 metres of the subject property(s)  | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant)  | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| c. Abandoned oil or gas well or pipeline present on the property<br>(Well Map Viewer: <a href="https://extmapviewer.aer.ca/AERAbandonedWells/Index.html">https://extmapviewer.aer.ca/AERAbandonedWells/Index.html</a> ) | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| d. Subject site has direct access to a developed Municipal Road (accessible public roadway)   | <input type="checkbox"/> YES <input type="checkbox"/> NO |

## AUTHORIZATION

I, DON COLBOURNE (Full name in Block Capitals), hereby certify (initial below):

- ☒ That I am the registered owner OR \_\_\_\_\_ That I am authorized to act on the owner's behalf.
- ☒ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.
- ☒ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.
- ☒ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the *Municipal Government Act*.

Applicant Signature \_\_\_\_\_  
Date \_\_\_\_\_

Landowner Signature [Signature]  
Date \_\_\_\_\_





ROCKY VIEW COUNTY

# ACCESSORY BUILDING(s)

## INFORMATION SHEET

## FOR OFFICE USE ONLY

APPLICATION NO.

ROLL NO.

DISTRICT

## DETAILS

Building total floor area (footprint)

3360

(m<sup>2</sup> / ft.<sup>2</sup>)

Height of building

16 ft

(m / ft.)

Total area of all accessory buildings  
(For Residential/Agricultural parcels)(m<sup>2</sup> / ft.<sup>2</sup>)

## USE TYPE

- ☒ \* Residential
- ☐ Agricultural
- ☐ Related to *Home-Based Business (HBB), Type II* (attach *HBB Information Sheet*)
- ☐ Other (specify):

## BUILDING DESCRIPTION

Purpose/use of building (workshop, studio, storage etc.):

workshop storage

Building material(s):

metal, wood

Exterior colour(s):

white

Age of building(s), if permits not issued/available:

NA

## BUILDING TYPE

- ☒ Storage Shed
- ☐ Barn
- ☐ Quonset
- ☐ Farm Building
- ☐ Detached Garage
- ☐ Gazebo
- ☐ \*\* Shipping Container (Seacan)
- ☐ Personal Greenhouse/Nursery
- ☐ Horse Shelter/Stable
- ☐ Tent (covered)
- ☐ Other (specify):

## VARIANCE(s) REQUESTED (If applicable)

Describe variances requested:

Describe reasons for variances (location, storage needs, etc.):

**NOTE: Application must include a Site Plan identifying dimensions, area, and location of the building (including setbacks), floor plan(s), elevations, and requirements of the Development Permit Checklist.**

Accessory Buildings, Land Use Bylaw, C-8000-2020:

\* An Accessory Building on a parcel in a Residential District shall be similar to, and complement, the Principal Building in exterior material, colour and appearance.

\*\* Where the Accessory Building is a Shipping Container it:

- Shall not be attached, in any way, to a principal building;
- Shall not be stacked in any Non-Industrial District; and
- Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0029 279 916           0211172;1;22           151 026 177

LEGAL DESCRIPTION  
PLAN 0211172  
BLOCK 1  
LOT 22  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 1.62 HECTARES (4 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;28;25;33;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 051 473 797

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
151 026 177	27/01/2015	TRANSFER OF LAND	\$790,000	CASH & MORTGAGE

OWNERS

DONALD W COLBOURNE

[REDACTED]  
[REDACTED]  
[REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
6799LI	28/08/1972	RESTRICTIVE COVENANT
4386LO	27/09/1972	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT

( CONTINUED )

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**ENCUMBRANCES, LIENS & INTERESTS**  
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# 151 026 177

**REGISTRATION**  
**NUMBER          DATE (D/M/Y)          PARTICULARS**  
-----

OF WAY 021119180)  
(DATA UPDATED BY: CHANGE OF NAME 041479925)

731 027 475	26/06/1973	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
741 007 134	23/01/1974	RESTRICTIVE COVENANT
021 120 224	11/04/2002	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911 - 32ND AVENUE N.E., BOX 3009, STATION 'B', CALGARY ALBERTA T2M4L6
021 120 225	11/04/2002	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 GRANTEE - ATCO GAS AND PIPELINES LTD. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - SHAW CABLESYSTEMS COMPANY. GRANTEE - 866565 ALBERTA LTD. AS TO PORTION OR PLAN:0211173 (DATA UPDATED BY: CHANGE OF NAME 041476903)
021 120 227	11/04/2002	EASEMENT OVER AND FOR BENEFITTING SEE INSTRUMENT (R/W PLAN 0211174)
081 132 498	10/04/2008	RESTRICTIVE COVENANT
081 132 499	10/04/2008	UTILITY RIGHT OF WAY GRANTEE - EAST PRAIRIE ROYALE RESIDENTS' ASSOCIATION. AS TO PORTION OR PLAN:0012041 0211173
081 132 500	10/04/2008	UTILITY RIGHT OF WAY GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. AS TO PORTION OR PLAN:0012041 0211173
151 026 178	27/01/2015	MORTGAGE MORTGAGEE - COMPUTERSHARE TRUST COMPANY OF CANADA.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

# 151 026 177

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

C/O FIRST NATIONAL FINANCIAL LP  
100 UNIVERSITY AVE, SUITE 700 NORTH TOWER  
TORONTO  
ONTARIO M5J1V6  
ORIGINAL PRINCIPAL AMOUNT: \$693,995

TOTAL INSTRUMENTS: 011

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 24 DAY OF  
SEPTEMBER, 2020 AT 04:02 P.M.

ORDER NUMBER: 40188981

CUSTOMER FILE NUMBER: walkin-2



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
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APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



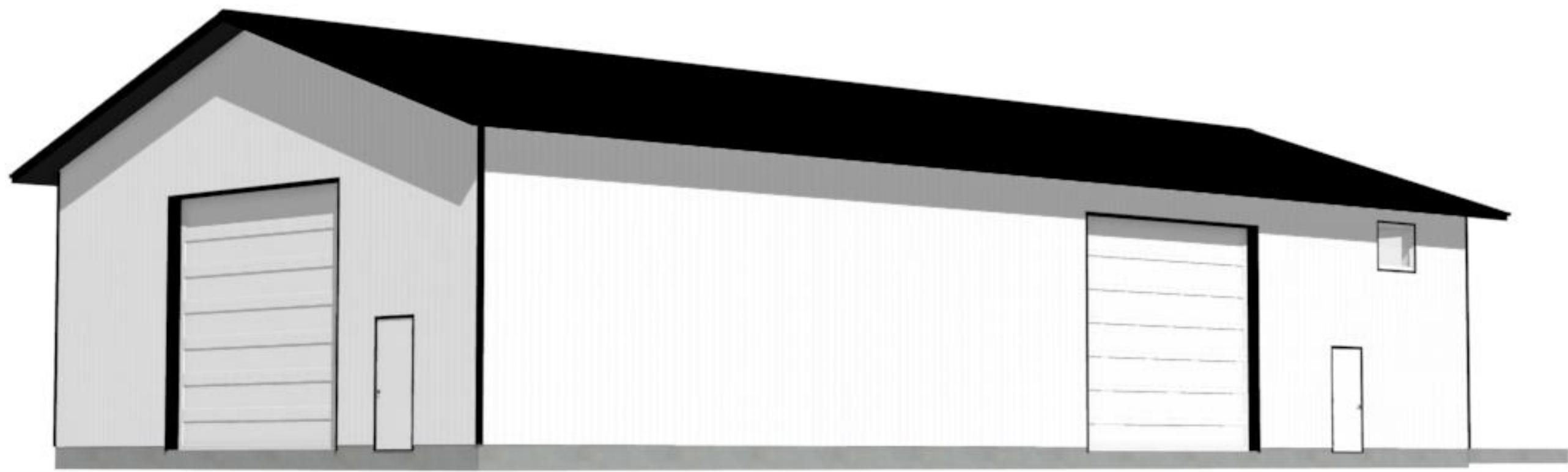


3,360 SQ FT SHOP

PREPARED FOR:  
Don Colbourne

PROJECT SUMMARY:

- Dimensions: 40' x 84' x 16' building
- Ceiling Height: 8' below mezzanine, 7' above mezzanine, 16' in main building
- Total Developed Area: 4,320
- Colours Shown
  - Walls: Bright White
  - Roof and Trim: Black



NOT FOR CONSTRUCTION USE

NEW BUILDING CONCEPT

CUSTOMER

CUSTOMER NAME: Don Colbourne

CONCEPT #: Q41819

REMU  
DA  
BUILDING

Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
remudabuilding.com

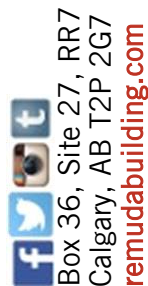
PAGE 1

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PAGE: 2



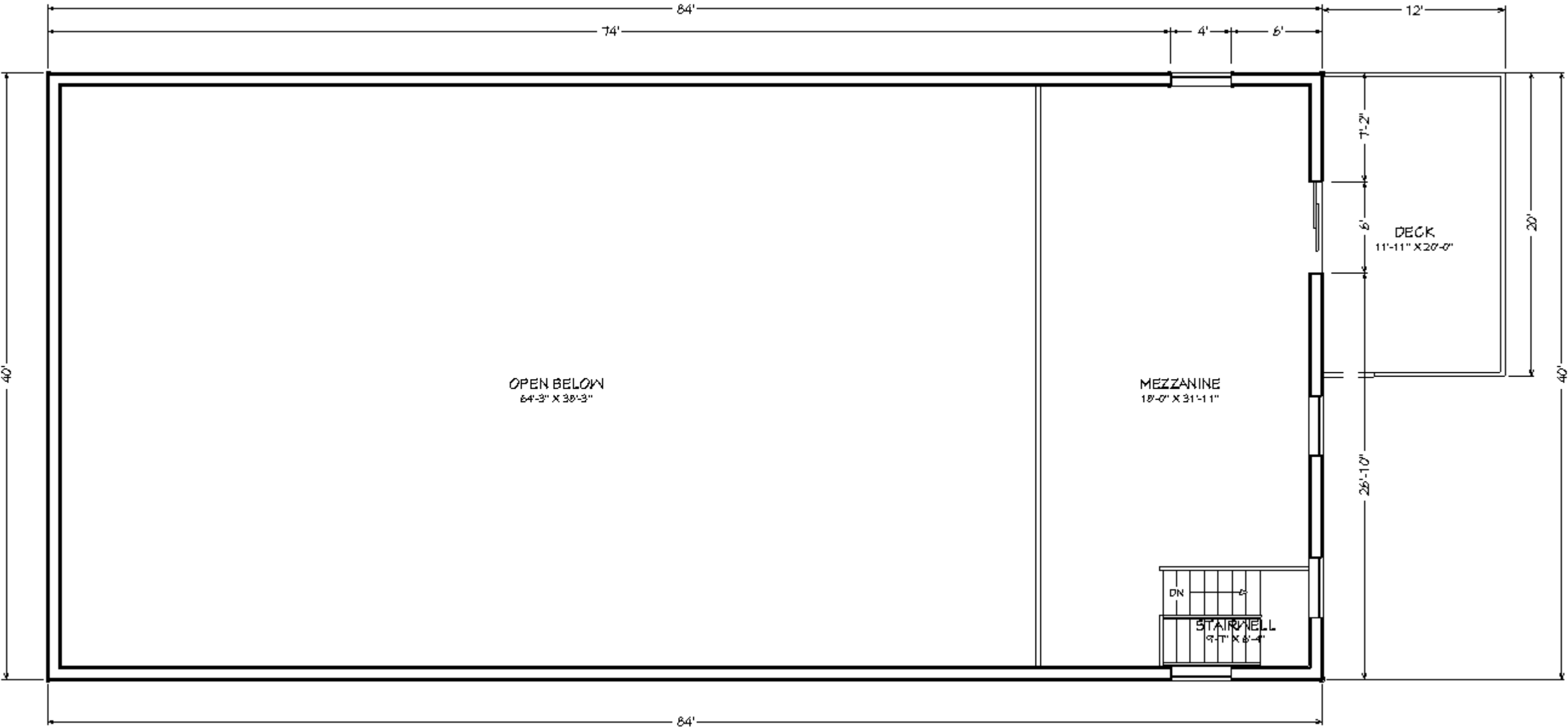
CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819

**NEW  
BUILDING  
CONCEPT**

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FLOORPLAN – LEVEL 2



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NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819



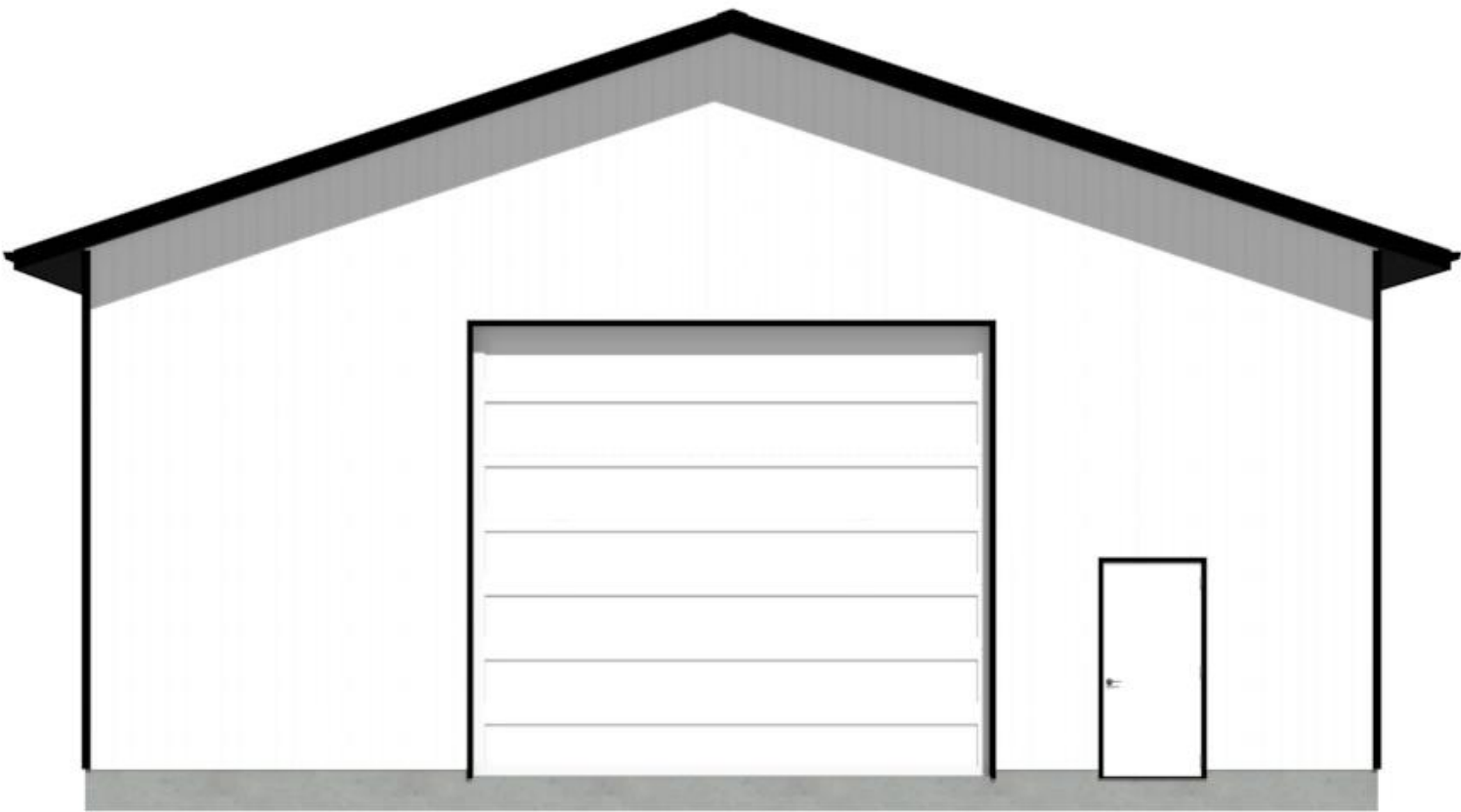
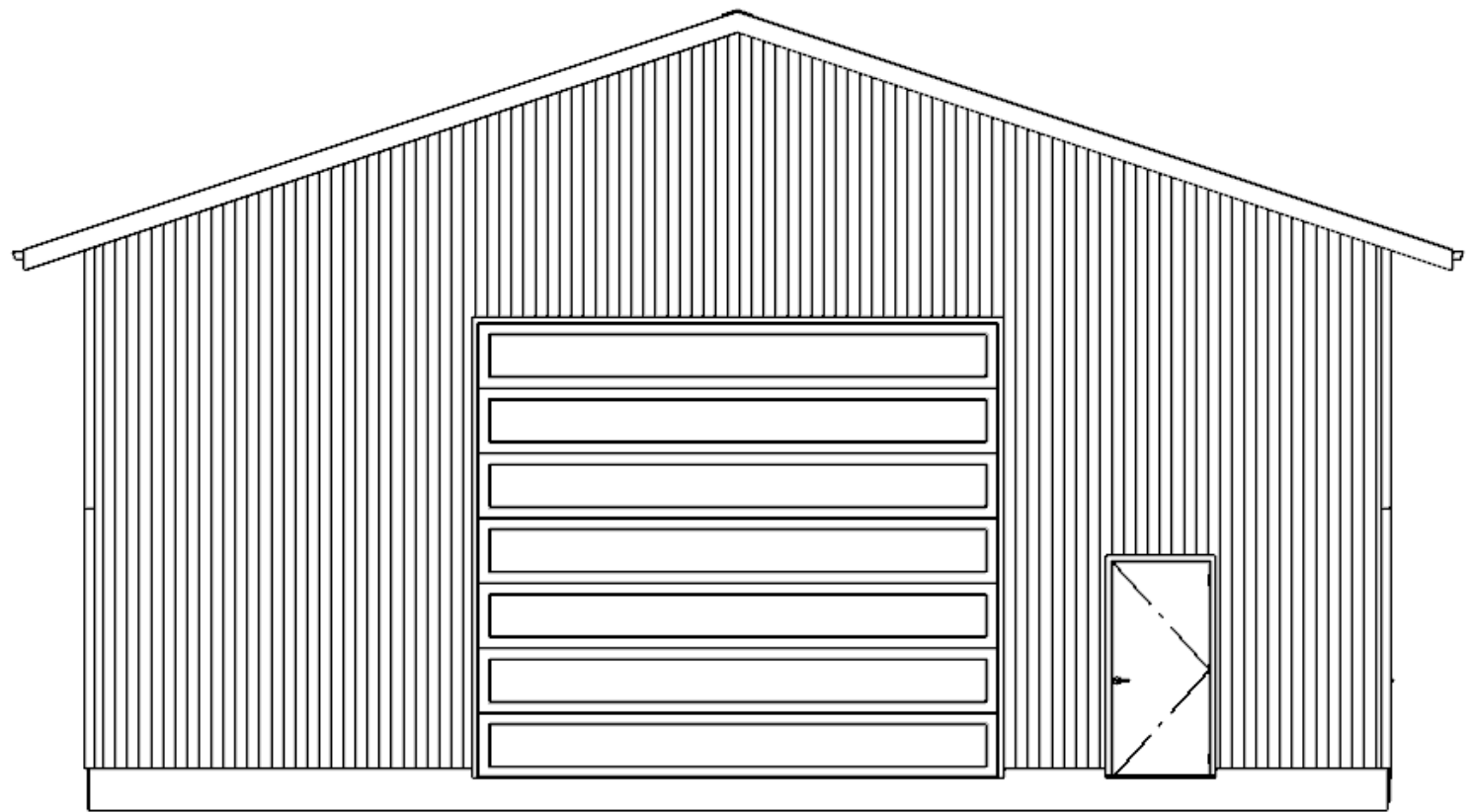
REMUDDA  
BUILDING



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[remudabuilding.com](http://remudabuilding.com)



FRONT ELEVATION



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NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819

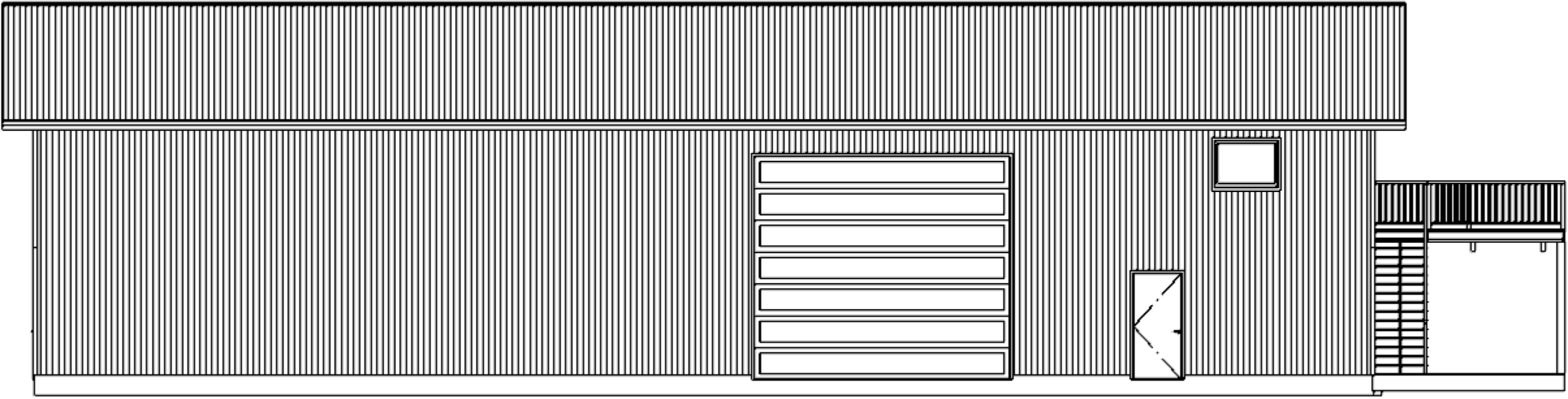
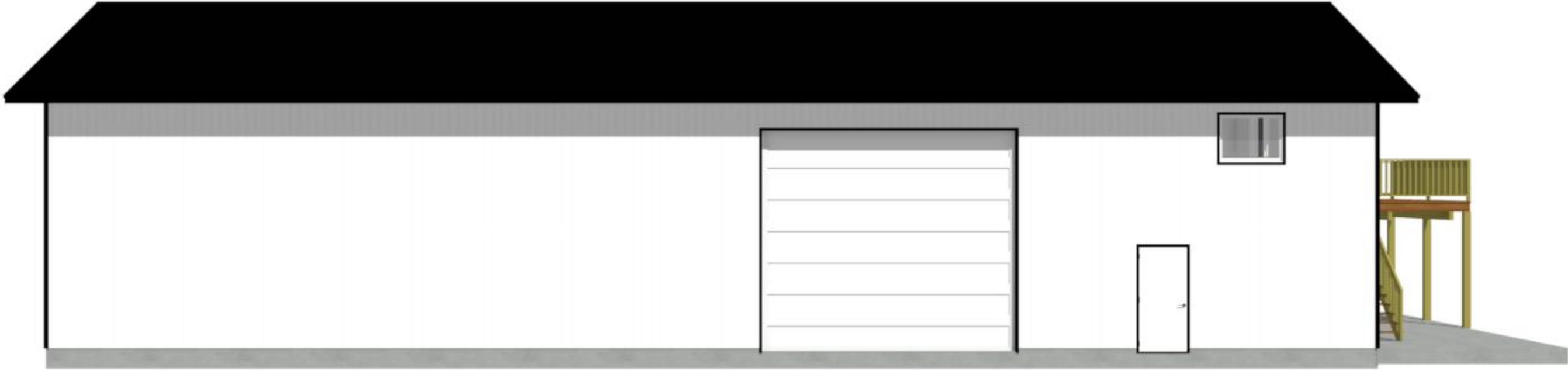


REMU  
DA  
BUILDING



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RIGHT ELEVATION



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NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819

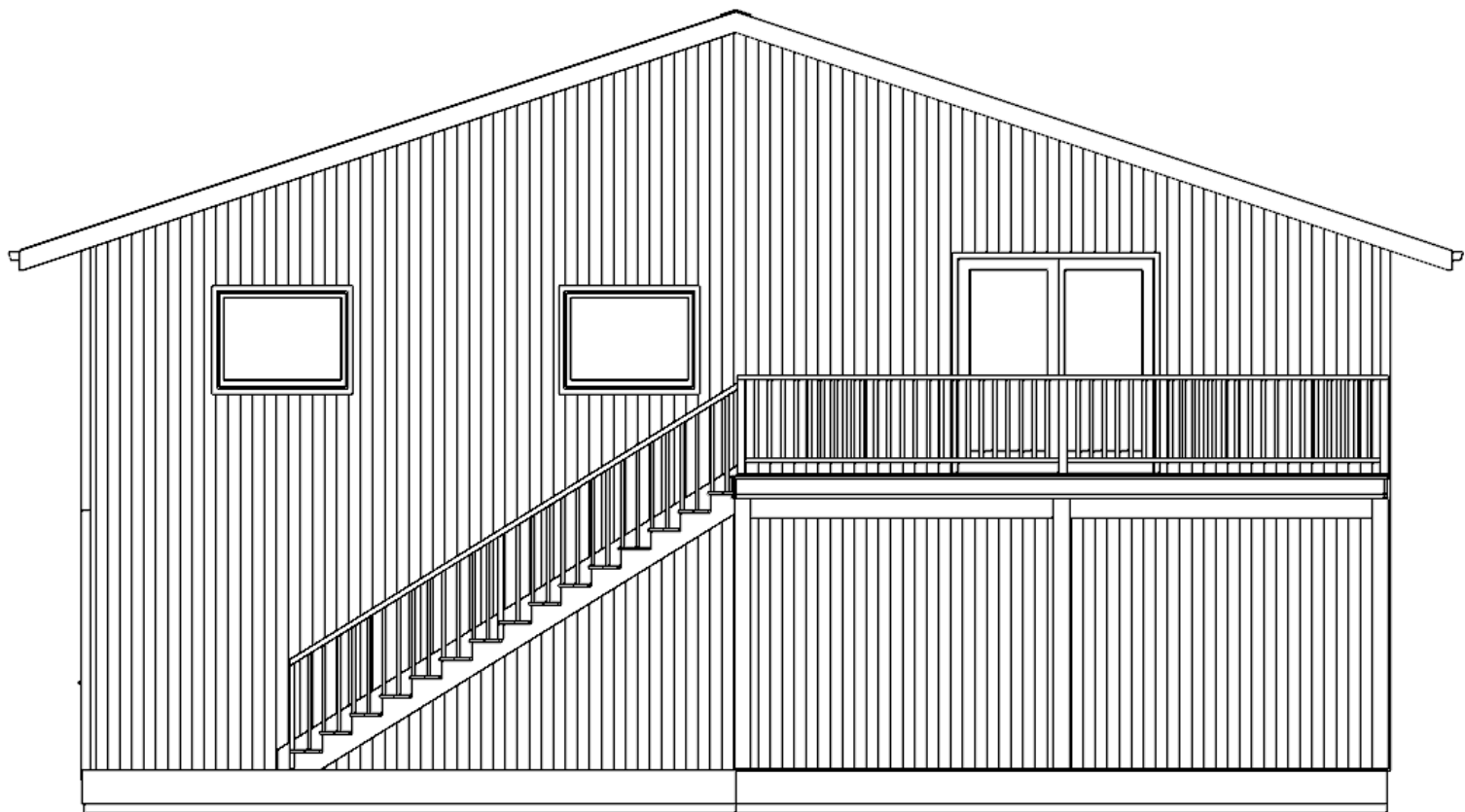


REMUDDA  
BUILDING



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REAR ELEVATION



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NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819



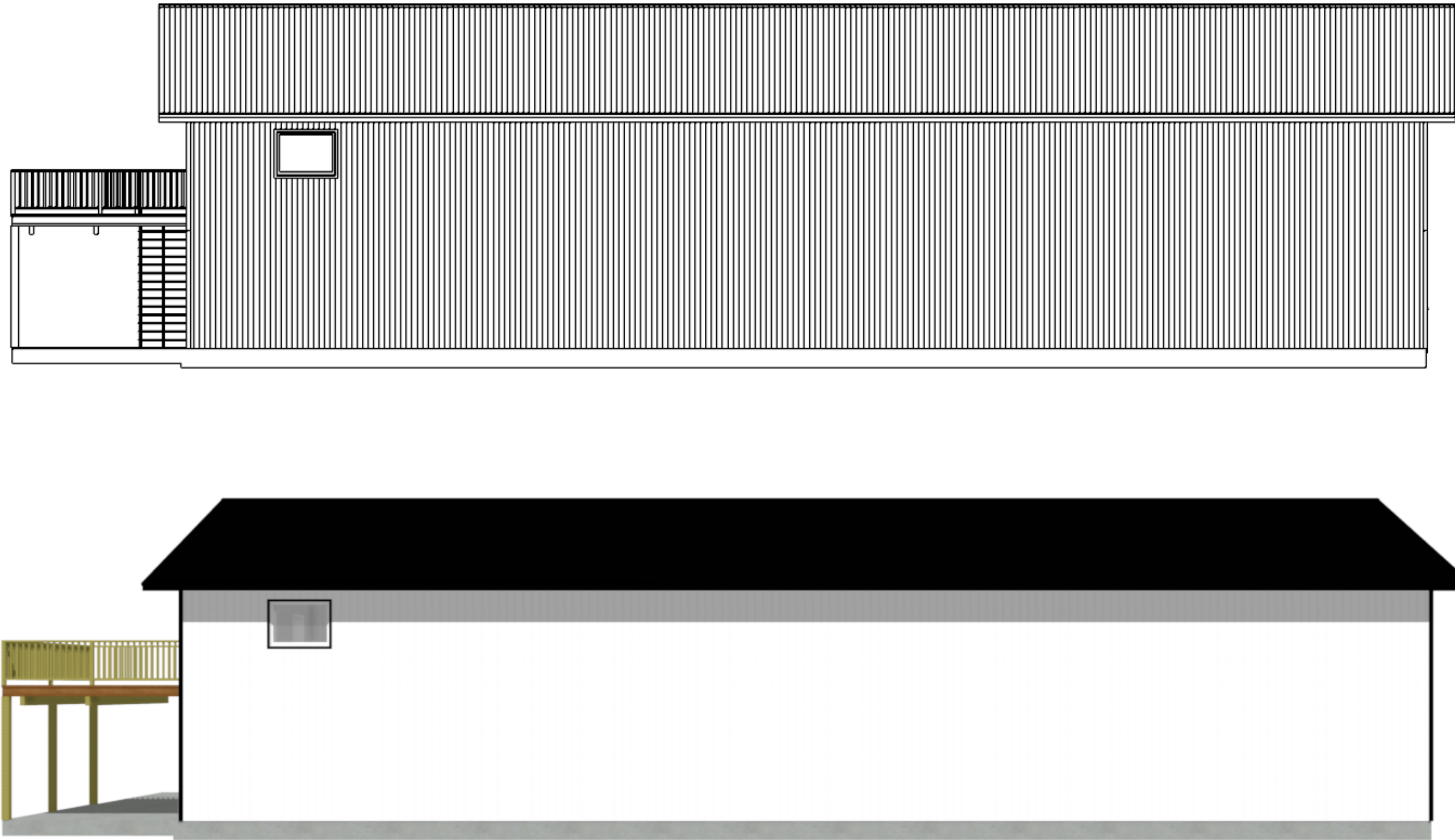
REMUDDA  
BUILDING



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Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)



LEFT ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Don Colbourne  
CONCEPT #: Q41819

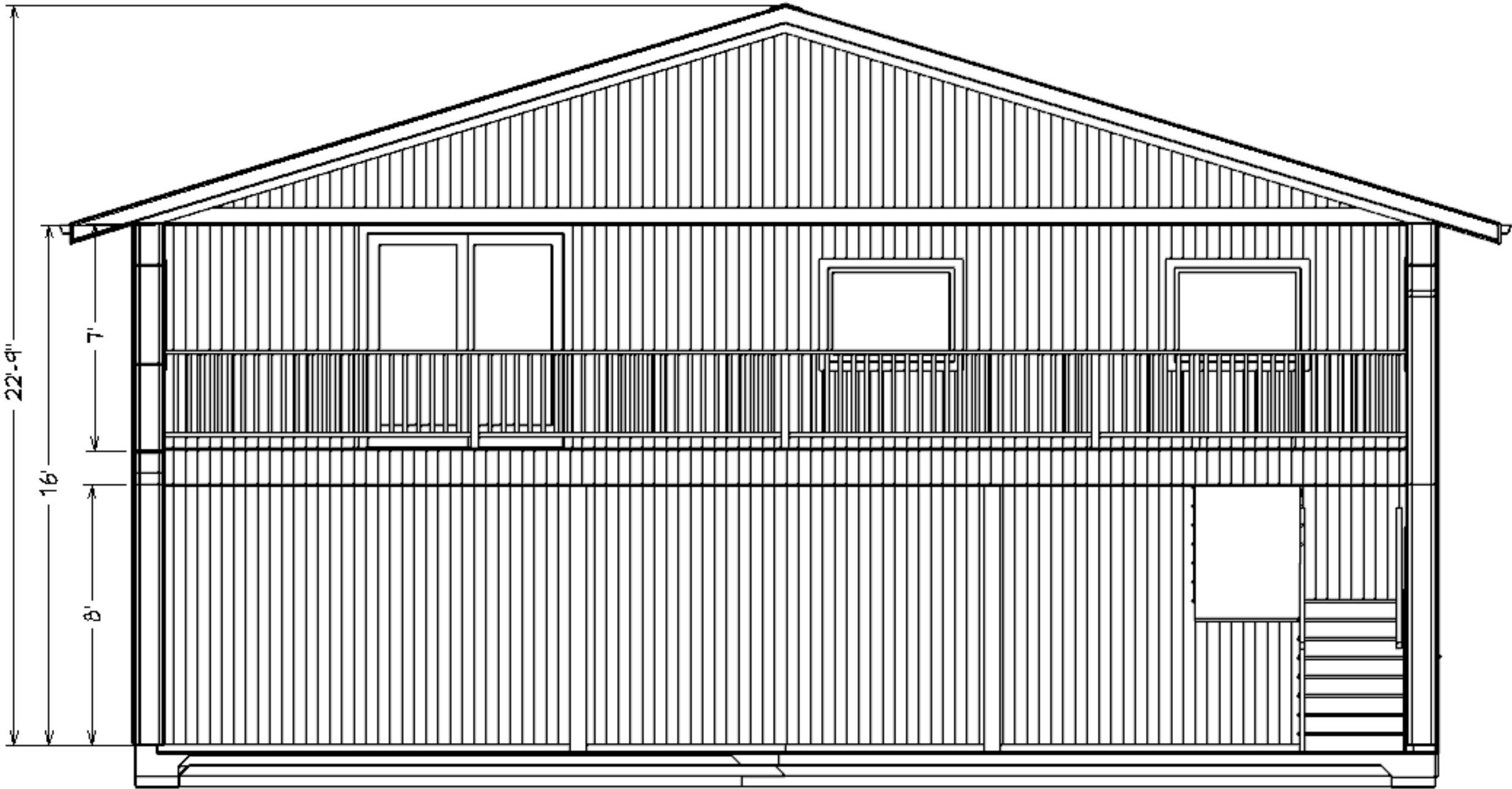


REMUDDA  
BUILDING



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CROSS SECTION ELEVATION



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