

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission DATE: December 10, 2020

DIVISION: 6 **APPLICATION**: PRDP20203471

SUBJECT: Development Item: Accessory building (existing)

USE: Discretionary use, with Variances

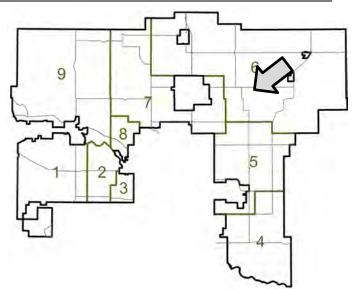
APPLICATION: Construction of an addition to an accessory building (existing), relaxation to maximum building area

GENERAL LOCATION: located at the north west junction of Rge. Rd. 275 and Hwy. 567

LAND USE DESIGNATION: Agriculture, General (A-GEN) under Land Use Bylaw C-8000-2020.

ADMINISTRATION RECOMMENDATION:

Administration recommends Approval in accordance with Option #1.



VARIANCE SUMMARY:

| Permitted | Proposed | Variance |
|---|------------------------------------|----------|
| 318 Accessory Building >190 sq. m (2,045.14 sq. ft.) Permitted Area | 392.38 sq. m (4,223.54 sq. ft.) | 106.51% |

OPTIONS:

Option #1: THAT Development Permit Application PRDP20203471 be approved with the

conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20203471 be refused as per the reasons

noted.

AIR PHOTO & DEVELOPMENT CONTEXT:





DEVELOPMENT PERMIT REPORT

| Application Date: October 29, 2020 | File: 07218001 |
|--|---|
| Application: PRDP20203471 | Applicant/Owner: Drake Whitney |
| Legal Description: Lot 1, Plan 9511926, SE-18-27-27-W04M, 272011 Twp. Rd. 275 | General Location: located at the north west junction of Rge. Rd. 275 and Hwy. 567 |
| Land Use Designation: Agriculture, General District (A-GEN) (Use Residential, rural District (R-RUR) due to parcel size) | Gross Area: ± 2.44 hectares (± 6.03acres) |
| File Manager: Wayne Van Dijk | Division: 6 |

PROPOSAL:

The proposal is for the construction of an addition to an accessory building (existing), relaxation of the maximum building size.

The proposed accessory building will be an addition, approximately 228.91 sq. m. (2,464.00 sq. ft.) in size, that will be connected to the existing accessory building (shop). The building (shop) is approximately 163.47 sq. m (1,759.58 sq. ft.) in size. The total building area will be 392.42 sq. m (4,224.00 sq. ft.). The addition dimensions are 17.07 m x 13.41 m (56.00 ft. x 44.00 ft.) and 7.01 m (23.00 ft.) high. The building and the proposed addition complies with the minimum setback requirements.

The addition, to the exisiting shop, will be used for storage of agricultural equipment, tools, hay, oats and a birthing area for goats (during the winter months). There are six (6) additional accessory buildings currently located on the parcel with a total coverage (including existing shop) of approximately 290.61 sq. m. (3128.10 sq. ft.). The addition will bring the total accessory building coverage to 519.52 sq. m. (5,592.07 sq. ft.).

PERMIT HISTORY:

- PRDP20170251: renewal of a home-based business, Type II;
- PRDP20141172: construction of an accessory building (oversized barn) and relaxation of maximum height;
- 2013-DP-15628: home-based business, type II;
- 1998-DP-7752: relaxation to minimum side yard setback.

LAND USE BYLAW:

309 Exceptions

- (b) On parcels less than 4.0 ha (9.88 ac), the uses within the R-RUR District shall apply R-RUR Residential, Rural District
- 318 Discretionary Uses

Accessory Building >190 m² (2045.14 ft²)

Exisiting building is 163.47 sq. m (1,759.58 sq. ft.)



- Proposed addition is 228.91 sq. m (2,463.97 sq. ft.)
- Total building area will be 392.38 sq. m (4223.54 sq. ft.)
- Variance required: 202.38 sq. m (2,178.40 sq. ft.) 106.51%

307 Maximum height of buildings

(b) All others: None

No height reqtriction to accessory buildings

308 Minimum Setbacks

| Permitted | Proposed | Variance |
|---------------------------------------|----------------------|----------|
| Front Yard (45.00 m) (147.64 ft.) | 82.87 m (271.88 ft.) | 0 |
| Side Yard 1 (60.00 m) (196.85 ft.) | lots | 0 |
| Side Yard 2 (6.00 m) (9.84 ft.) | 8.50 m (28.00 ft.) | 0 |
| Rear Yard (15.00) (49.21 ft.) | lots | 0 |

Assessment Rationale:

- The parcel is not immediately near to any inhabited parcels;
- The applicant has stated that they plan on removing three (3) of the current accessory buildings once the proposed addition to the barn is completed. This will result in approximately 32.79 sq. m (352.95 sq. ft.) less of accessory buildings area, leaving a total accessory building parcel coverage of approximately 362.33 sq. m (3900.09 sq. ft.),.
- It is the opinion of the Development Authority that approving this variance would not unduly
 interfere with the amenities of the neighbourhood or materially interfere with or affect the use,
 enjoyment or value of neighbouring parcels of land.

STATUTORY PLANS:

This property does not fall within any Area Structure Plan and/or Conceptual Scheme. This
application was assessed in accordance with the Land Use Bylaw, C-8000-2020.

INSPECTOR'S COMMENTS:

No inspection completed at time of report

CIRCULATIONS:

Alberta Transporation

• In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed development, however, meets required Alberta transportation setbacks and will not cause any concern for ongoing highway operation or future highway expansion.



• Pursuant to Section 25(3)(c) of the Highways Development and Protection Regulation, Alberta Transportation issues an exemption from the permit requirements to Drake and Cindy Whitney for the development listed above.

Planning and Development Services - Engineering Review:

General:

• As per the application, the applicant is proposing construction of a 44' x 56' accessory building (storage/shop).

Geotechnical:

- As per GIS review, slopes steeper than 15% are not observed on the subject lands.
- Engineering has no requirements at this time as.

Transportation:

- Access to the parcel is provided via an approach off Range Rd 275 which is a gravel standard road.
- The application will need to be circulated to Alberta Transportation for review and comment since the development is within the 1.6 km setback from Highway 567
- Prior to the issuance of the DP, the applicant is required to contact County Road Operations to determine if any hauling permits are required for the proposed development.

Sanitary/Waste Water:

Engineering has no requirements at this time.

Water Supply And Waterworks:

• Engineering has no requirements at this time.

Storm Water Management:

• The applicant will be required to submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the construction of the proposed development and in perpetuity.

Environmental:

 No environmentally sensitive areas appear to exist on the subject lands. Should the applicant propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals

No other comments received at time of report writing

OPTIONS:

Option #1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:

Description:

- 1. That construction of an addition to an accessory building (existing barn/shop), approximately **228.91 sq. m. (2,463.97 sq. ft.)** in area, 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 (barn/shop) is relaxed from 190.00 sq. m (2,045.14 sq. ft.) to 392.42 sq. m (4,224.00.54 sq. ft.).



Permanent:

- 2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time.
- 3. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil 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.
- 4. 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.
- 5. 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:

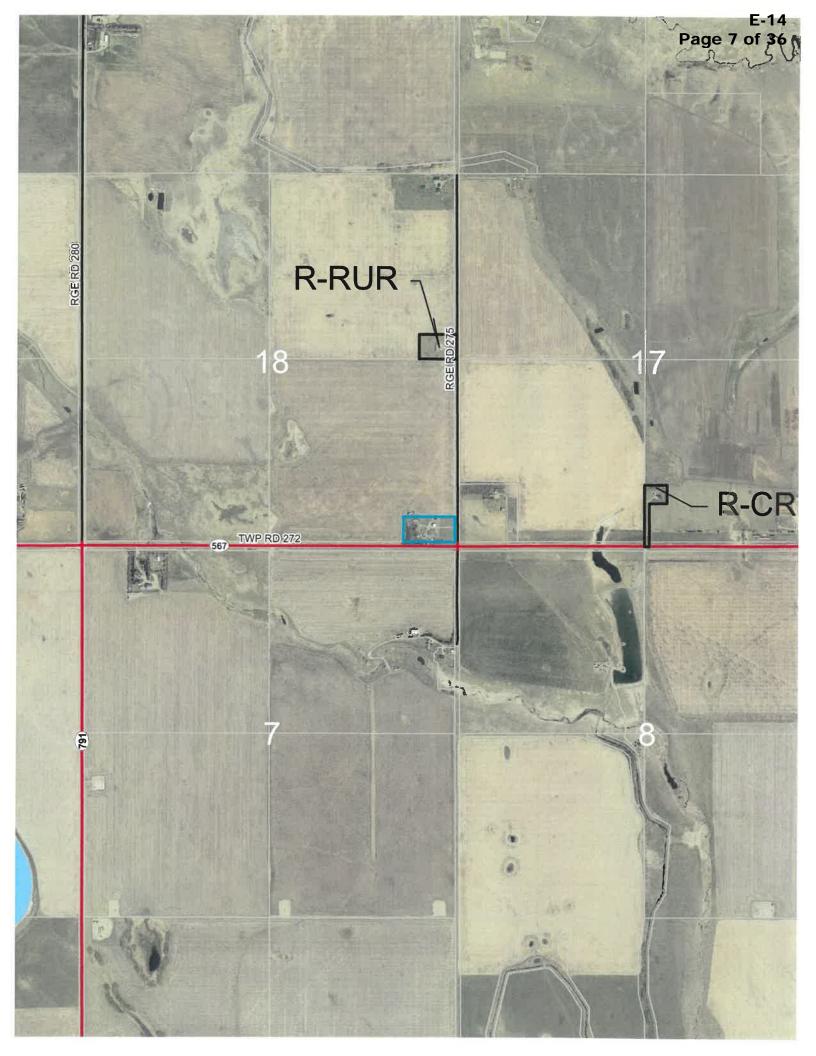
- 6. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 7. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 8. That a Building Permit/Farm Building Exemption, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
- 9. 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.
- 10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

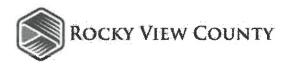
Option #2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

1. 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.







DEVELOPMENT PERMIT

APPLICATION

| | E-14 |
|-----------------|----------------------------|
| FC | ROFFICE USE ON Page 8 of 3 |
| APPLICATION NO. | 20203471 |
| ROLL NO. | 07218001 |
| RENEWAL OF | |
| FEES PAID | \$280.00 |
| DATE OF RECEIPT | Oct 29, 2026 |
| | |

| | | | DATE OF RECEIPT | Oct 29 | 1,2026 |
|--|--------------------|--------------------|--------------------------|------------------------|-------------------|
| APPLICANT/OWNER | | | | | |
| Applicant Name: Drake U | UniThey | | | | |
| Business/Organization Name (if applic | | | | | |
| | | | | | |
| Landowner Name(s) per title (if not the | e Applicant): | NDY Wh | ither | | |
| Business/Organization Name (if applic | | ory with | 77129 | | |
| | | | | | |
| | | | | | |
| LEGAL LAND DESCRIPTION - Subje | ect site | | | | |
| All/part of: SE 1/4 Section: 18 | Township: 2 7 | Range: 27 | West of: 4 | Meridian | Division: |
| All parts of Lot(s)/Unit(s): | Block: O | Plan: 951 / | 926 | Parcel Siz | e (ac/ha): 6.03 |
| Municipal Address: 272011 | Rge Rd 27. | 5 | Land Use Dist | rict: Rua | 24 |
| APPLICATION FOR - List use and so | ope of work | | | 1917 11 11 21 | |
| Building a shop | to store | equipn | nent, TI | caeto | e sprayer |
| cultivator, tooks | | | | | |
| our goats for the | winter m | ionths + | our ex | isting | shop |
| | S 🗆 NO 🗆 N/A | W | DP Checkl | ist Included: | YES NO |
| SITE INFORMATION | | | | | |
| a. Oil or gas wells present on orb. Parcel within 1.5 kilometres of | | | * ' ' | | ☐ YES ☐ NO |
| c. Abandoned oil or gas well or p | | | 2110) | | YES NO |
| (Well Map Viewer: https://extma | | | 1 1 1 7 7 1 | | |
| d. Subject site has direct access | to a developed Mur | nicipal Road (acce | ssible public ro | adway) | ☐ YES ☑ NO |
| AUTHORIZATION | | | | nam. | |
| 1, Drake White | ney | (Full name in Bloc | k Capitals) , her | e by certify (i | nitial below): |
| That I am the registered owne | r ORThat I : | am authorized to a | act on the owner | 's behalf. | |
| That the information given of knowledge, a true statement of | | | s full and comp | olete and is, | to the best of my |
| 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 | Uklly | Landov | vner Signature | Cind | y Whikes |
| Date Oct 29 | ,2020 | | Date | Octo | 9,2020 |



ACCESSORY BUILDING(s)

INFORMATION SHEET

| FOR OF | FICE USE ONLY |
|-----------------|---------------|
| APPLICATION NO. | |
| ROLL NO. | |
| DISTRICT | |

| DETAILS | | USE TYPE | |
|--|---|--------------|---|
| Building total floor area (footprint) | 1223.55S9 FT (m | 2 / ft. 2) | ☐ * Residential |
| Height of building | B | n / ft.) | ☐ Agricultural |
| Total area of all accessory buildings (For Residential/Agricultural parcels) | (m² | /ft.²) | □ Related to Home-Based Business (HBB), Type II (attach HBB Information Sheet) □ Other (specify): |
| BUILDING DESCRIPTION | | | BUILDING TYPE |
| Purpose/use of building (workshop, students of building (workshop, students) STORAGE FORMOW EX TROCK FEED & building material(s): Red meta | uignest, TRac | tor boats | Storage Shed ☐ Barn ☐ Quonset ☐ Farm Building ☐ Detached Garage ☐ Gazebo ☐ ** Shipping Container (Seacan) |
| Exterior colour(s): Red Age of building(s), if permits not issued | Mavailable: | | □ Personal Greenhouse/Nursery □ Horse Shelter/Stable □ Tent (covered) □ Other (specify): |
| VARIANCE(s) REQUESTED (If application Describe variances requested: | cable) Add on to 81 | iop | Ar Storage |
| Describe reasons for variances (location feed for are male goats in the way shop NOTE: Application must include a S (including setbacks), floor plan(s), e | and an be intermented on north ite Plan identifying dime | Aco | to add to are s, area, and location of the building |
| Accessory Buildings, Land Use Bylaw, C-8000- | 2020: lential District shall be similar to, Container it: incipal building; I District; and | and con | nplement, the Principal Building in exterior material, |
| Applicant Signature | hely | | Date_ OLT 29, 20 |



| | | DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL |
|-------|-------------|---|
| Se | lect | All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs) All that are included within application package. Incomplete applications may not be accepted for processing |
| 9 | API | PLICATION FORM(S) AND CHECKLIST: All parts completed and signed. |
| 6 | APF | PLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw. |
| | | RRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and: |
| | 0 | Digital copy of non-financial instruments/caveats registered on title |
| D | App | TTER OF AUTHORIZATION: Signed by the registered landowner(s) authorizing person acting on behalf (if not the olicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an davit (signed by a Commissioner of Oaths). |
| Ð | CO | VER LETTER, shall include: |
| | 0 | Proposed land use(s) and scope of work on the subject property |
| | 0 | Detailed rationale for any variances requested |
| | 0 | For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc. |
| _/ | 0 | Reference to any Supporting Documents, images, studies, plans etc. provided within application package |
| | _ | E PLAN, shall include: |
| | 0 | Legal description and municipal address |
| | 0 | North arrow |
| | 0 | Property dimensions (all sides) |
| | 0 | Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc. |
| | 0 | Dimensions of all buildings/structures |
| | 0 | Location and labels for existing/proposed approach(s)/access to property |
| | 0 | Identify names of adjacent internal/municipal roads and highways |
| | 0 | Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings |
| | 0 | Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc. |
| | 0 | Identify site slopes greater than 15% and distances from structures |
| | _0 | Location and labels for easements and/or rights-of-way on title |
| | FLO | OOR PLANS/ELEVATIONS, shall include: |
| | 0 | Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.) |
| | 0 | Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations |
| | 0 | Indicate type of building/structure on floor plans and elevations |
| D | COL feat | LOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy: Of existing site, building(s), structure(s), signage, site ures, taken from all sides including surrounding context, and when existing floor plans/elevations are not available |
| | prop | PPORTING DOCUMENTS (as applicable): Include technical studies/reports and any additional plans relating to the bosed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for or district specific requirements. |
| | | FOR OFFICE USE ONLY |
| | | ASP/CS/IDP/MSDP: 11/A DIVING W/Variances Land Use District: A - GEN |
| · · · | _ | thin file: Information Sheet Parcel Summary Site Aerial Land Use Map Aerial Site Plan |
| | | |
| OTE: | 5: | Many accessory buildings on Site Existing structure being expanded. |
| | | 0 |

Oct 29, 2020

To whom it may concern:

Drake and Cindy Whitney who resides at 272011 Rge Road 275 of Rockyview AB (SE 18-27-27-W4) would like to apply for a building permit to add an addition on the north side of our existing shop. The storage shop would be 44' x 56' for use of storing equipment, tractor, sprayer, cultivator, tools, hay, oats and a birthing area for our goats thru the winter months.

Thank you,

Drake Whitney
Custy Whitney

Cindy Whitney



LAND TITLE CERTIFICATE

S

LINC SHORT LEGAL 0026 482 208 9511926;;1

TITLE NUMBER 131 225 019

LEGAL DESCRIPTION

DESCRIPTIVE PLAN 9511926

LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 2.44 HECTARES (6.03 ACRES) MORE OR LESS

ATS REFERENCE: 4;27;27;18;SE

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 991 346 780

REGISTERED OWNER(S)

REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

131 225 019 09/09/2013 TRANSFER OF LAND \$540,000 \$540,000

OWNERS

CINDY WHITNEY



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

751 054 405 04/06/1975 UTILITY RIGHT OF WAY

GRANTEE - ROCKYVIEW GAS CO-OP LTD.

191 099 513 28/05/2019 MORTGAGE

MORTGAGEE - THE BANK OF NOVA SCOTIA.

4 KING ST WEST, 2 FLOOR

TORONTO

ONTARIO M5H1B6

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

131 225 019

ORIGINAL PRINCIPAL AMOUNT: \$1,031,250

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 29 DAY OF OCTOBER, 2020 AT 03:32 P.M.

ORDER NUMBER: 40412106

CUSTOMER FILE NUMBER: PRDP20203471



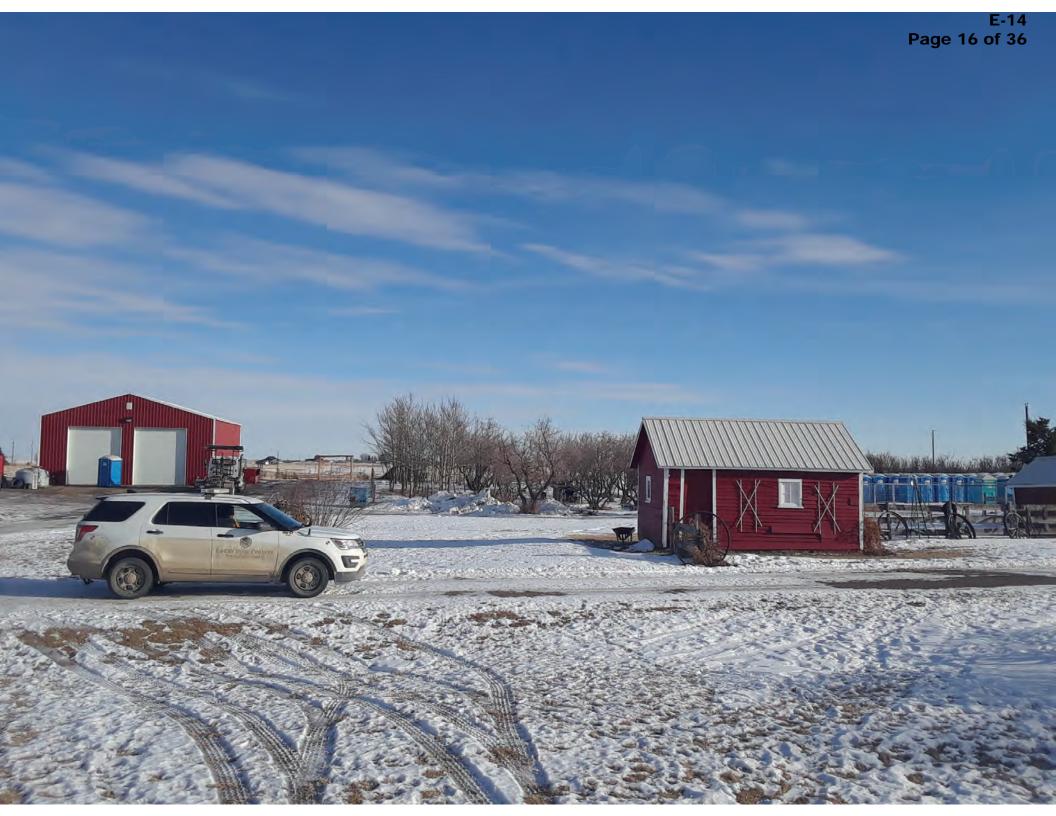
END OF CERTIFICATE

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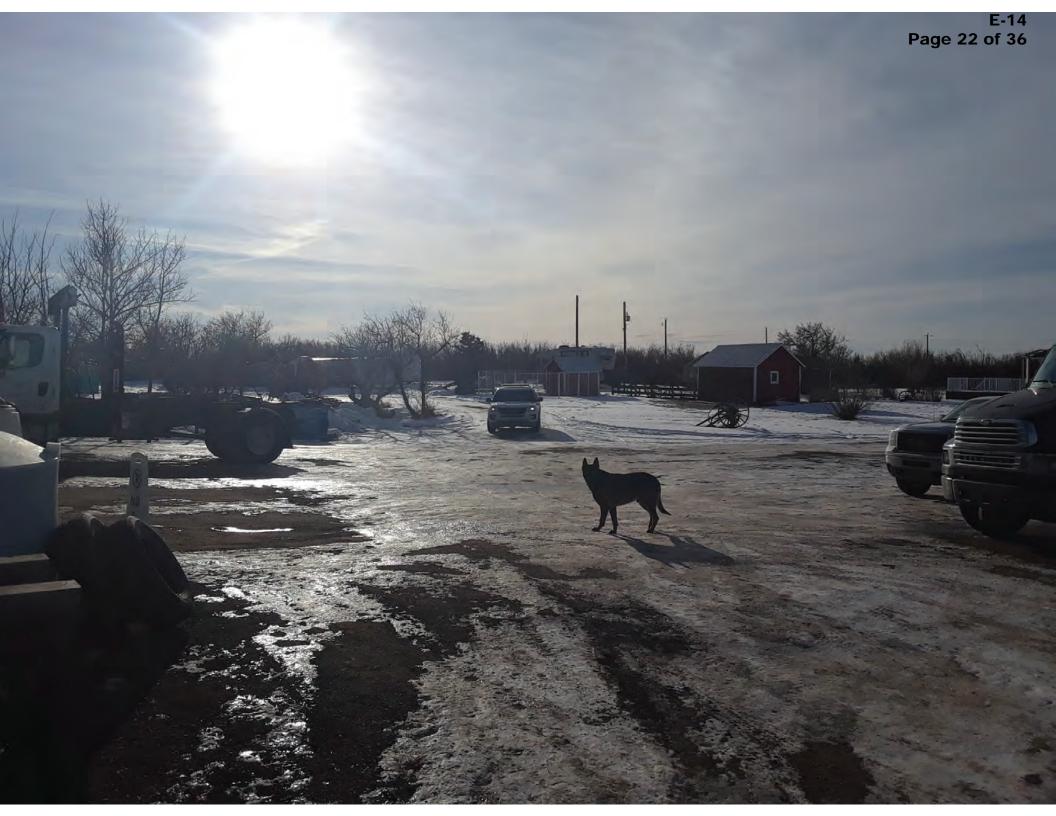














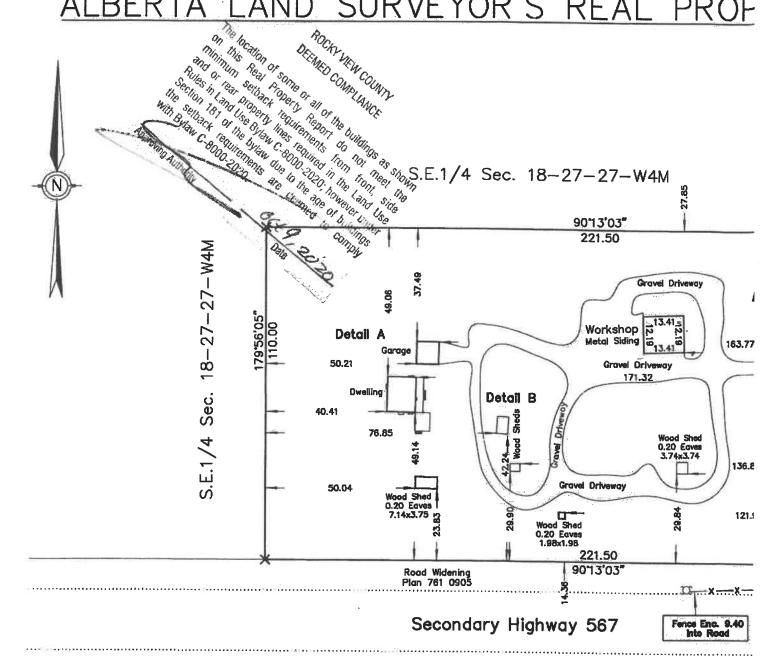








ALBERTA LAND SURVEYOR'S REAL PROP



Road Widening Plan 761 0905 90*13'03"

807.20

N.W.1/4 Sec. 7 -27-27-W4M

N.E.1/4 Sec. 7-27-27-W4M

ABBREVIATIONS A--Arc Length

Acc.—Accessory
A/C—Air Conditioner
Bldg—Building
BOC—Back of Curb
BOW—Back of Walk
Calc.—Calculated
Cant.—Cantilever
Conc.—Concrete
C.S.—Countersunk
DH—Drill Hole
Enc.—Encroaches

EOA---Edge of Asphalt

I.—Iron Post
I.B.—Iron Bar
M.A.—Maintenance Access
Mk.—Mark
O.D.—Overland Drainage
P/L—Property Line
Reg.—Registration
Ret.—Retaining
R/W—Right of Way
W/O—Walkout Basement
W.W.—Window Well

EOR---Edge of Road

Fd.--Found

Fd. I. R.3

NOTE:

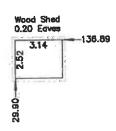
UNLESS NOTED OTHERWISE LINES OUTSIDE OF PROPERTY ARE NOT TO SCALE.

REAL PROPERTY REPORT

Page 2 of 2







Detail B Scale: 1:250

C Copyright Arc Surveys Ltd. 2020

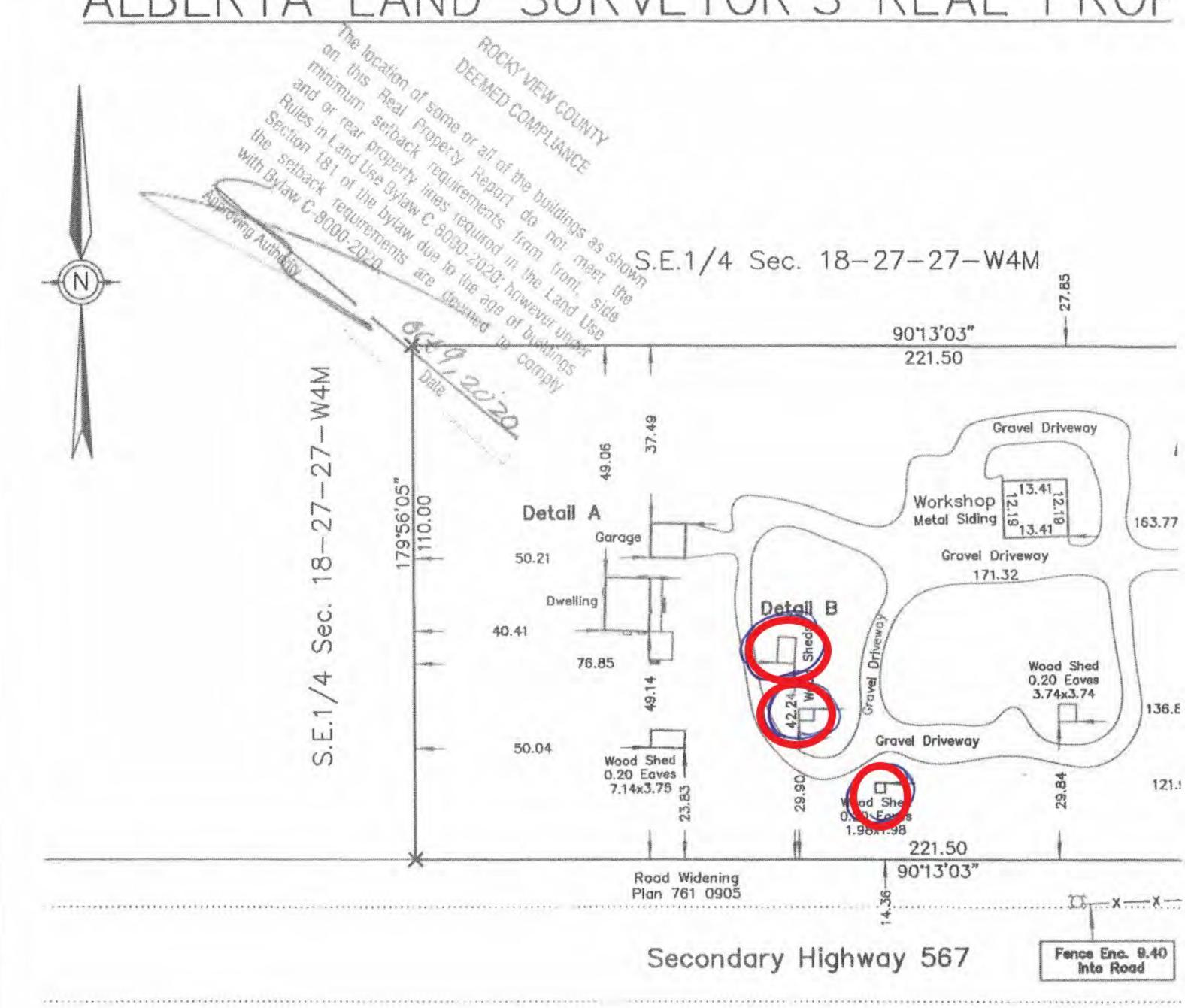
Arc Surveys Ltd.

#202, 337 41 Avenue N.E. Calgary, Alberta T2E 2N4

Ph.: 403-277-1272 Fax: 403-277-1275

www.arcsurveys.ca info@arcsurveys.ca

ALBERTA LAND SURVEYOR'S REAL PROF



Fd. I. R.3 Mp.

N.W.1/4 Sec. 7 -27-27-W4M Road Widening Plan 761 0905 90"13'03" 807.20

N.E.1/4 Sec. 7-27-27-W4M

ABBREVIATIONS

A--Arc Length

Acc. -- Accessory

A/C--Air Conditioner

Bldg--Building

BOC--Back of Curb

BOW--Back of Walk

Calc. -- Calculated

Cant. -- Cantilever

Conc. -- Concrete

C.S.--Countersunk

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Enc. -- Encroaches

EOA--Edge of Asphalt

EOR--Edge of Road

Fd.--Found

I.--Iron Post

I.B.—Iron Bar M.A.—Maintenance Access

Mk. -- Mark

O.D. -- Overland Drainage

P/L--Property Line

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Ret. -- Retaining

R/W--Right of Way

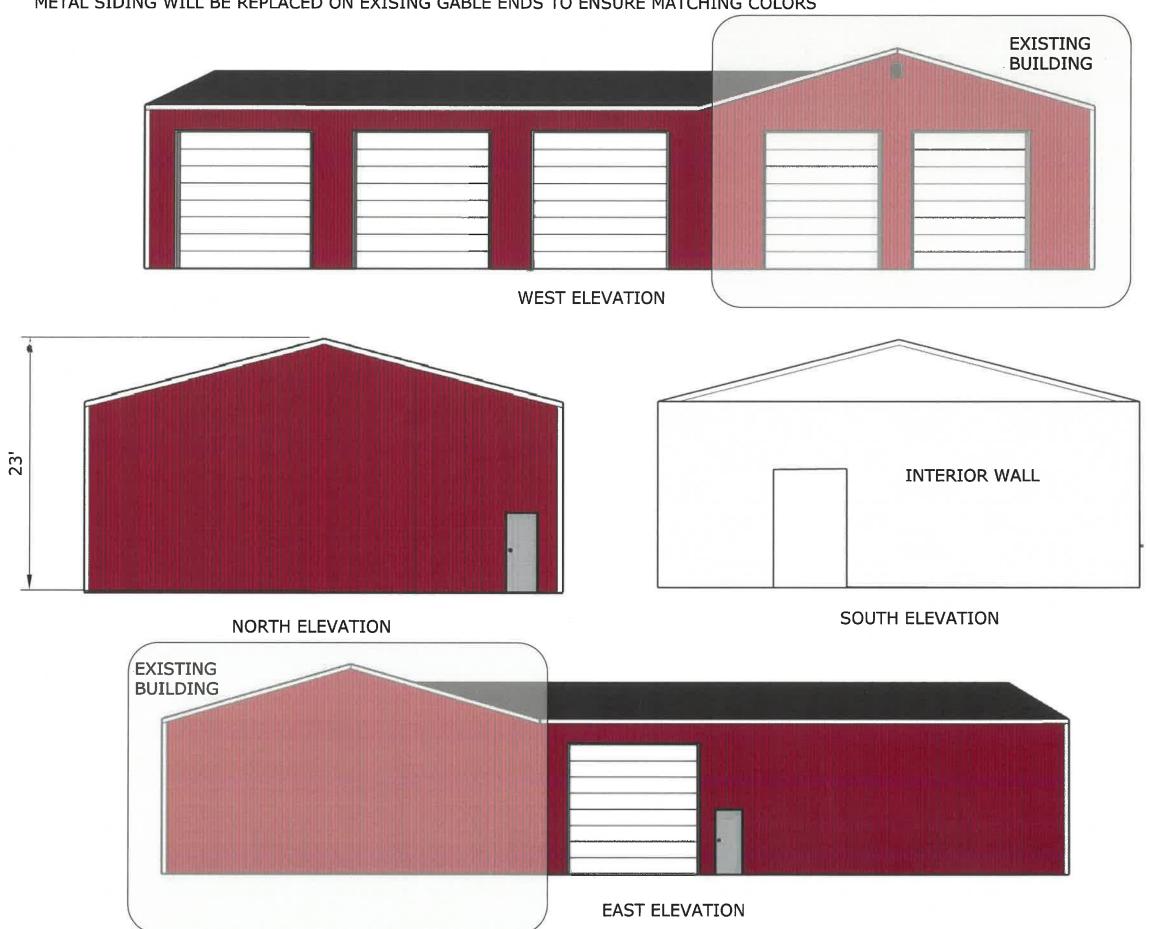
W/O--Walkout Basement W.W.--Window Well

Buildings to be removed

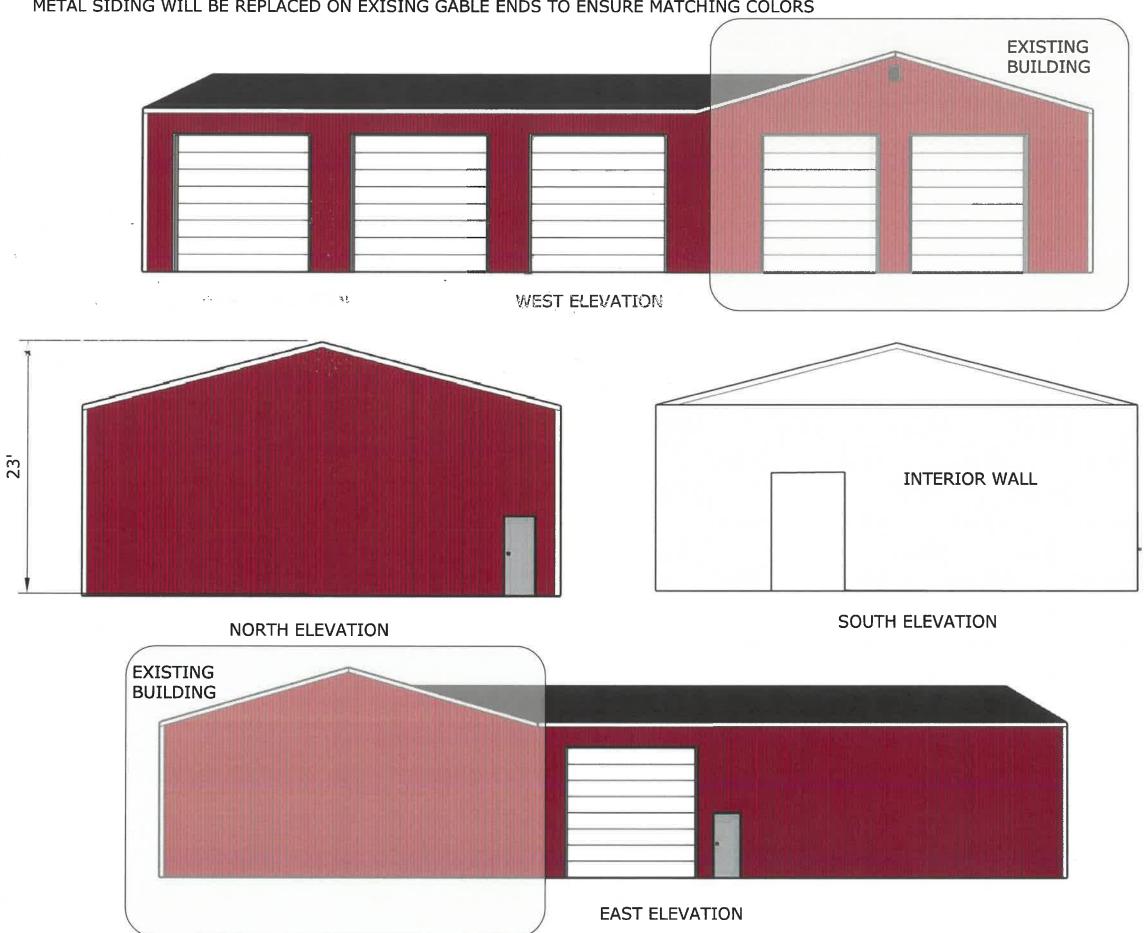
NOTE:

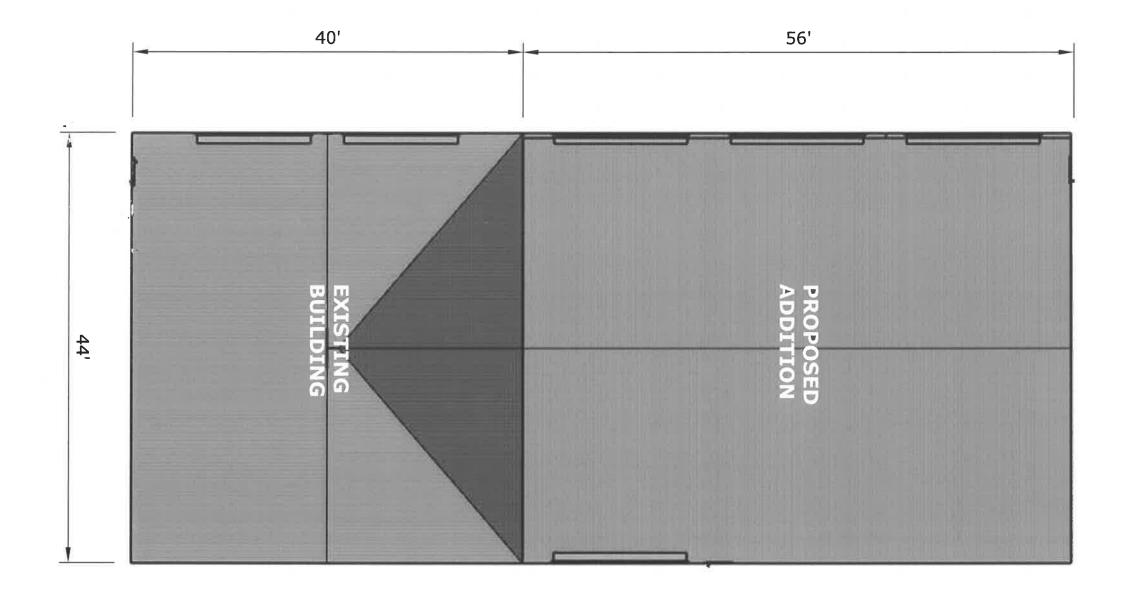
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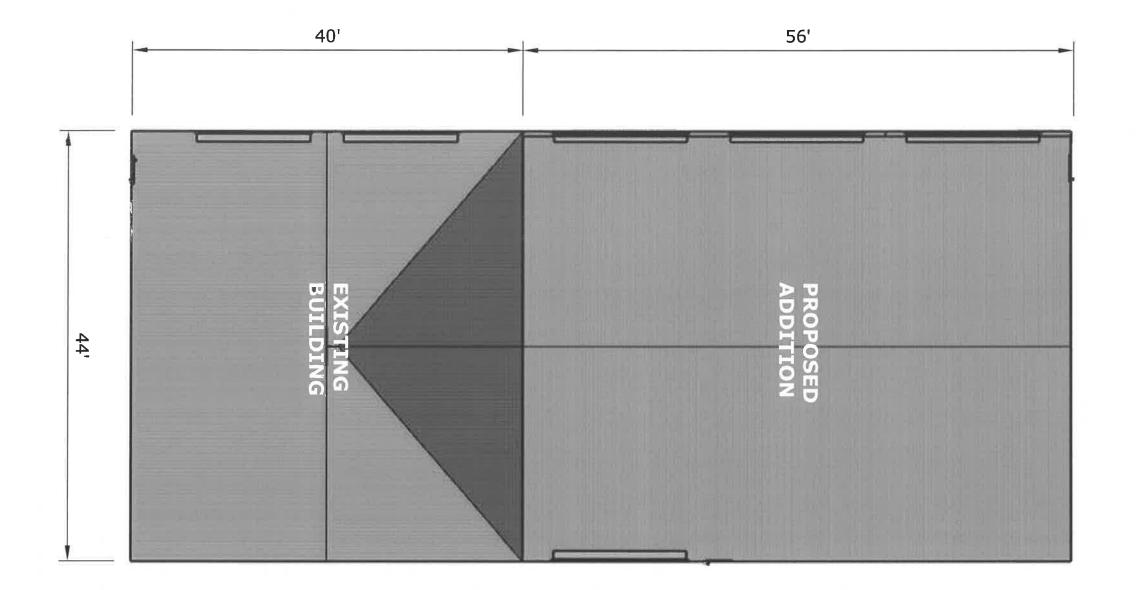
BOTH EXISTING & PROPOSED BUILDINGS ARE OF POST FRAME CONSTRUCTION METAL SIDING WILL BE REPLACED ON EXISING GABLE ENDS TO ENSURE MATCHING COLORS



BOTH EXISTING & PROPOSED BUILDINGS ARE OF POST FRAME CONSTRUCTION METAL SIDING WILL BE REPLACED ON EXISING GABLE ENDS TO ENSURE MATCHING COLORS







NORTH

SITE PLAN

Drake & Cindy Whitney Box 10026, Airdrie, AB T4A 0H4

403-371-9991

SE1/4 18 27 27 w of 4

272011 RR 275



Building Area: 2464 Sq.Ft Building Peak Height: 23'



SITE PLAN

Drake & Cindy Whitney Box 10026, Airdrie, AB T4A 0H4

403-371-9991

SE1/4 18 27 27 w of 4

272011 RR 275

چدیہ .



Building Area: 2464 Sq.Ft Building Peak Height: 23'

