

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: January 13, 2021 **DIVISION:** 8
FILE: 05724016 **APPLICATION:** PRDP20203724
SUBJECT: Accessory Building (existing) / Permitted use, with Variance

APPLICATION: Application is for the relaxation of the minimum side yard setback requirement, to permit an existing accessory building to remain.

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) south of Twp. Rd. 254 and on the west side of Bears paw Pointe Way.

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 accessory building is approximately 1.80 m x 3.60 m (5.91 ft. x 11.81 ft.) and is located approximately 0.02 m (0.07 ft.) from the adjacent property boundary. The application is the result of a Real Property Report request and requires a variance.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203724 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203724 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.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Wayne Van Dijk, Planning and Development

**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Side yard setback	3.00 m (9.84 ft.)	0.02 m (0.07 ft.)	99.33%

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 Bearspaw Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> No reports submitted
PERMITTED USE: <ul style="list-style-type: none"> Accessory Building <190 sq. m (2045.14 sq. ft.) is listed as a permitted use. 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

The accessory building is well-screened and no issues have been reported from adjacent landowners.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

WV/ilt

ATTACHMENTS

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That the accessory building (existing) may remain on the subject parcel, in general accordance with the drawings prepared by Genesis Geomatics and submitted with the application.
 - i. That the side yard setback be relaxed from **3.00 m (9.84 ft.) to 0.02 m (0.07 ft.)**.

Permanent:

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



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Louis Wang	OWNER: Troy Devon Proppe
DATE APPLICATION RECEIVED: November 17, 2020	DATE DEEMED COMPLETE: November 25, 2020
GROSS AREA: ± 2.21 hectares (± 5.46 acres)	LEGAL DESCRIPTION: Lot 3, Block 3, Plan 9210875, NW-24-25-03-W05M (65 Bearspaw Pointe Way)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: No previous development permit applications	
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.	

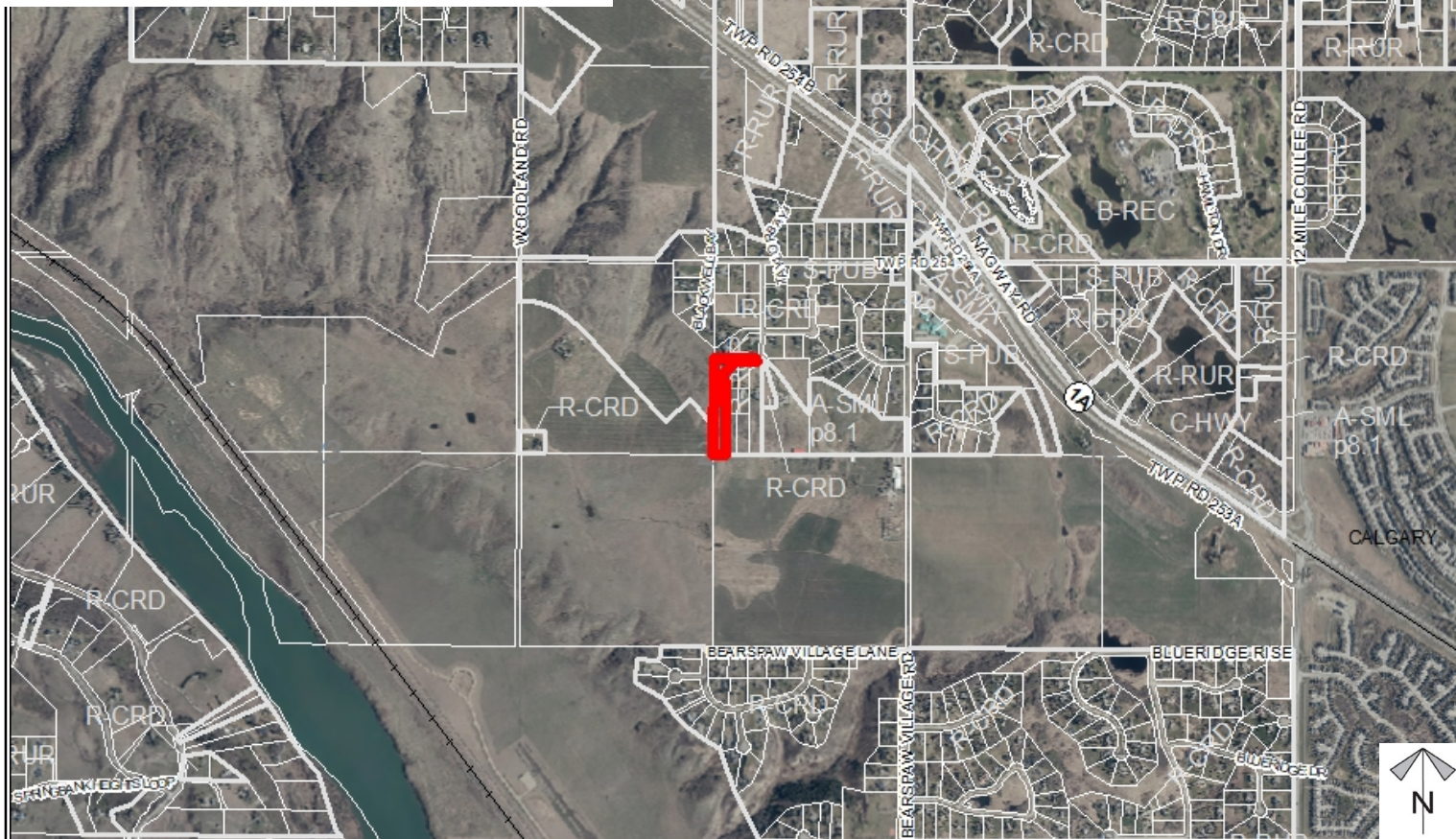
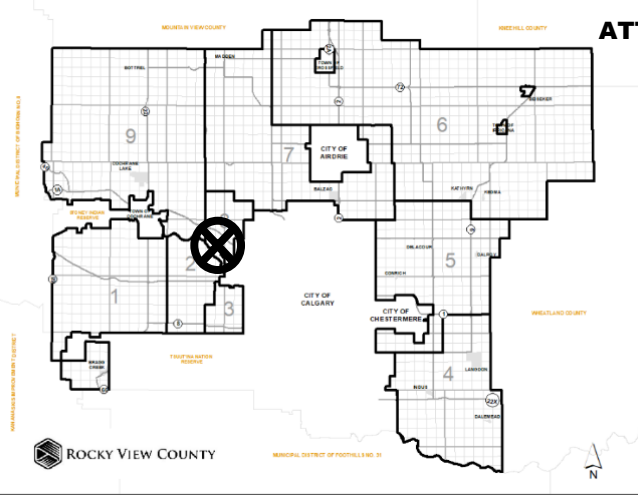


Location & Context

Development Proposal

accessory building
(existing), relaxation of the
minimum side yard
setback requirement

ATTACHMENT 'B' MAPS AND OTHER INFORMATION

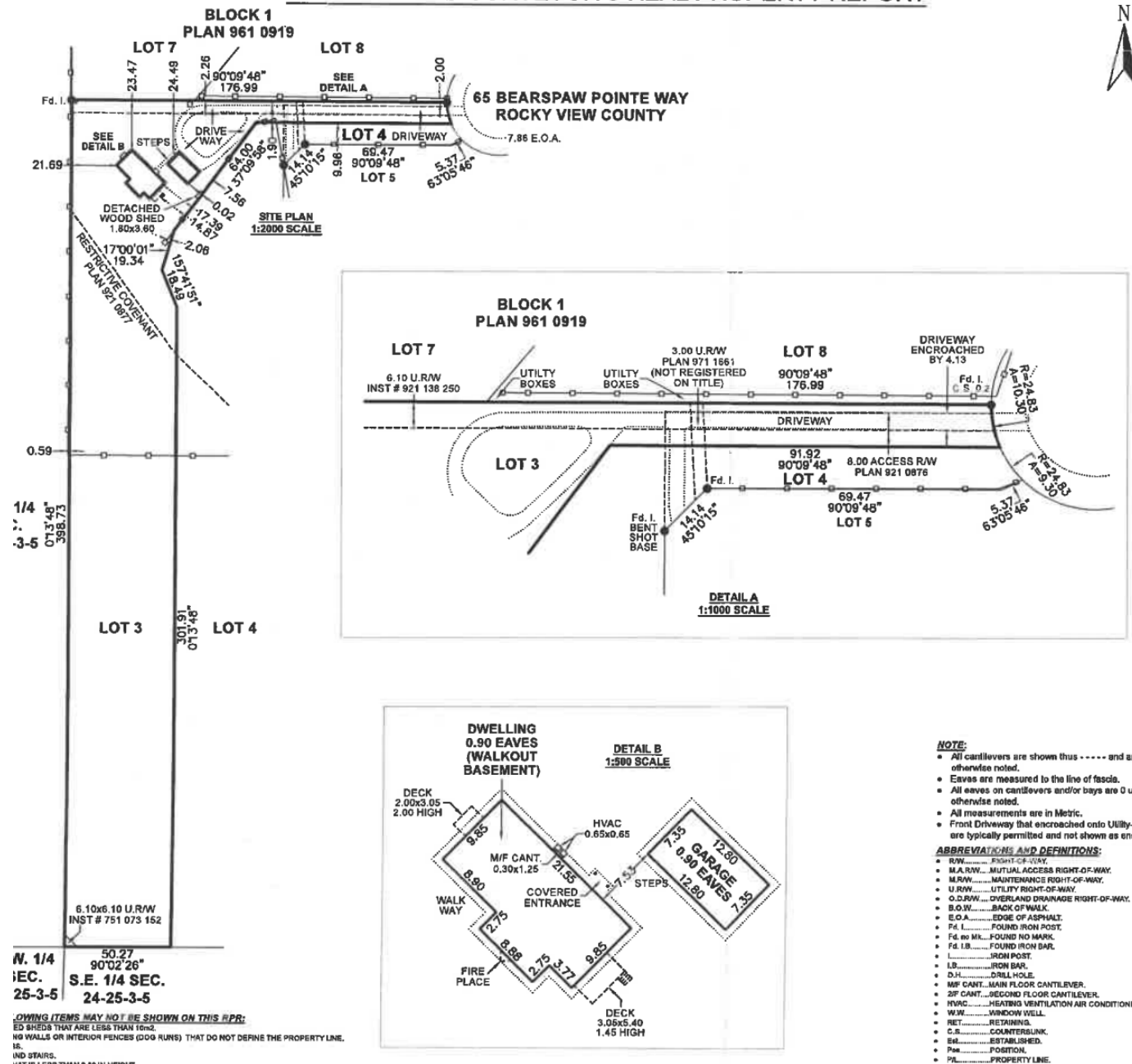


Division: 8
Roll: 05724016
File: PRDP20203724
Printed: December 9, 2020
Legal: Lot:3 Block:3
Plan:9210875; within NE-24-
25-03-W05M

Site Plan

Development Proposal

accessory building
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Inspection Photos

Development Proposal

accessory building
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September 21, 2020



September 21, 2020



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 File: PRDP20203724
 Printed: December 9, 2020
 Legal: Lot:3 Block:3
 Plan:9210875; within NE-24-
 25-03-W05M