

Wheatland County

Request for Decision

Municipal Planning Commission

October 13, 2020

Report prepared by: Suzanne Hayes



DP 2020-099

File Number:	DP 2020-099	Division:	6
Proposal:	Variance Request (Existing Shed)		
Location:	Within the Hamlet of Redland		
Legal Description:	Plan 8643CP, Block 4, Lot 1-6; SE-10-27-22-W4		
Title Area:	1.13 Acres		
Existing Land Use:	Residential		
Proposed Parcels:	N/A		

Report

The applicant requested a compliance review which was completed by Wheatland County on August 14, 2020. The review identified an existing 3.06 m x 4.89 m shed, which did not have a Development Permit and did not meet the 6.10 m (20.0 ft) front yard setback requirement of our current Land Use Bylaw.

The existing shed is located 4.01 m (13.16 ft) from 1st Street within the hamlet of Redland and has been on the property approximately 3-4 years. A variance request greater than 10% requires a decision by Municipal Planning Commission (MPC).

Recommendation from Administration

THAT Municipal Planning Commission approve DP 2020-099 for a Variance for an existing shed subject to the following conditions:

1. This Development Permit is issued solely for the purpose of an existing shed requiring a variance – Defined as an Accessory Building with a Variance.
2. The variance has been granted allowing the existing 3.06 m x 4.89 m shed to be located 4.01 m (13.16 ft) from the front yard property line adjacent to 1st Street West in the hamlet of Redland.
3. Development shall proceed according to Hamlet Residential General (HRG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.

Policy Analysis

9.12 Hamlet Residential General

An accessory building is a permitted use in the Hamlet Residential General (HRG) District.

Front Yard Setback	A minimum of 6.10 m (20.0 ft)
	A minimum of 6.10m (20.0ft) from the property line for WECS micro and Category 1, and Solar Panel, Ground Mount.
Side Yard Setback	A minimum of 3.05 m (10.0 ft) from the right-of-way of a public road (corner lots).
	A minimum of 3.05 m (10.0 ft) from the right-of-way of an internal subdivision road.
	A minimum of 1.22 m (4.0 ft) from the property line.
Rear Yard Setback	Principal Building: A minimum of 6.10 m (20.0 ft)
	Accessory Building: A minimum of 1.22 m (4.0 ft)

4.3 Variances

- 4.3.1 Upon receipt of an application for any development for which a variance exceeds 10 % of any numerical rules and regulations of this Bylaw, the Development Officer shall refer the application to the Municipal Planning Commission for a decision.
- 4.3.2 The Development Authority may approve a Development Permit even though the proposed development does not comply with this Bylaw or is a non-conforming building if, in the opinion of the Development Authority:
- a) The proposed development would not:
 - i. Unduly interfere with the amenities of the neighborhood; or
 - ii. Materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land; and
 - iii. The proposed development conforms with a similar use prescribed for that land or building in this Bylaw.

Considerations:

- The shed has been on the property since approximately 2016.
- The proposal meets the Land Use Bylaw criteria for approving a variance request as the reduced front yard setback does not place it any closer to the neighboring residence.
- No concerns were received as a result of the circulation of this application.
- Transportation and Agriculture department had no concerns regarding the proximity to the road.

Technical Review

The shed is located in the front yard which is adjacent to 1 Street West within the hamlet of Redland.

Circulation Comments

AGENCY CIRCULATION	
Not performed	
INTERNAL CIRCULATION	
Internal File Review	No Concerns.
NEIGHBOUR CIRCULATION	

AGENCY CIRCULATION	
To adjacent neighbors within 1 mile	No Comments Received at the time of this report.

Response Options

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

Follow-up Action / Communications

Inform applicant of the decision.

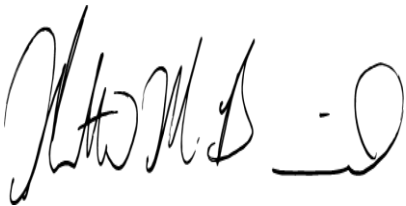
Report Approval Details

Document Title:	DP 2020-099.docx
Attachments:	- Appendices for DP 2020-099.docx
Final Approval Date:	Oct 1, 2020

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Sherry Baers". The script is cursive and fluid.

Sherry Baers

A handwritten signature in black ink, appearing to read "Matthew Boscarol". The script is cursive and fluid.

Matthew Boscarol