

# **TOWN OF NANTON**

CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT APPEAL BOARD

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**June 15, 2026**

**1:30 P.M.**

**Hearing No. DP D13-26**

**Applicant/Appellant: Aijaz Shah**

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## **LIST OF EXHIBITS**

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Letter of Appeal
- D. Notice of Decision
- E. Application for Development Permit
- F. Development Permit D13-26
- G. Notice of Proposed Development
- H. Report for the Municipal Planning Commission
- I. Excerpts from Town of Nanton Land Use Bylaw No. 1389/24
- J. Aerial Photo of Subject Property
- K. Appellant Submittal – May 27, 2026

# TOWN OF NANTON

## NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Development Application D13-26

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THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

**Municipal Planning Commission of the Town of Nanton  
with respect to Development Permit Application D13-26**

**APPELLANT/APPLICANT:** Aijaz Shah  
**LEGAL DESCRIPTION:** Lot 2 Block 85 Plan 071 5724  
125 Westview Drive, Nanton AB  
**PROPOSAL:** Detached garage with rear setback variance  
**DECISION:** APPROVED with conditions (refusing variance)

**PLACE OF HEARING:** Council Chambers  
Tom Hornecker Recreation Centre (2<sup>nd</sup> Floor)  
2122 18 Street, Nanton

**DATE OF HEARING:** **Monday, June 15, 2026**  
**TIME OF HEARING:** **1:30 p.m.**

### PROCEDURES PRIOR TO THE HEARING FOR DP13-26:

1. **Provide Written Submissions** - The Appeal Board is encouraging all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format. Please contact the Clerk with your written submissions which will be accepted until **4:00 p.m. June 11, 2026.**

**EMAIL:** ryandyck@orrsc.com

**MAIL:** Ryan Dyck, Board Clerk  
Oldman River Regional Services Commission  
3105 – 16<sup>th</sup> Avenue N., Lethbridge, Alberta T1H 5E8

***If you are bringing information to the hearing for submission you are required to supply 12 copies.***

2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at [www.orrsc.com](http://www.orrsc.com).

**DATE:** May 26, 2026



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**Ryan Dyck, Board Clerk**  
Subdivision & Development Appeal Board

# TOWN OF NANTON

## CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Lands Subject of Appeal Hearing D13-26  
Lot 2 Block 85 Plan 071 5724  
(125 Westview Drive)



LOCATION SKETCH  
LOT 2, BLOCK 85, PLAN 0715724  
WITHIN SE 1/4 SEC 16, TWP 16, RGE 28, W 4 M  
MUNICIPALITY: TOWN OF NANTON  
DATE: MAY 25, 2026



May 25, 2026 N:\Willow-Creek-MD\Nanton\Nanton Projects\Nanton - Location Sketch Appeal - Lot 2 Block 85 Plan 0715724.dwg

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**TOWN OF NANTON**  
**CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT**  
**APPEAL BOARD**

Development Application D13-26

List of Persons Notified

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**Municipality:**

Town of Nanton, CAO  
Town of Nanton, Development Officer  
Town of Nanton, MPC (5)  
ORRSC Planner, Kattie Schlamp

**SDAB Members:**

Howard Paulsen  
John Seaman  
Dave Mitchell  
Daryl Sutter  
Gentry Hall

**Appellant/Applicant:**

Aijaz Shah

**Adjacent Landowners Notified:**

Sharise Spence  
Helmut Gutsche  
Jason Ufland  
Robb Thael  
Anna Thael  
Work Boot Projects Inc.  
Superior Safety Codes Inc

To,

**The Subdivision and Development Appeal Board,**

**Subject: Appeal Submission for Rear Setback Variance – Detached Garage 20 ft X 20 ft  
Less than 12 ft in Height, Development Application N0. D13-26**

I respectfully submit this appeal regarding the rear setback variance request for the detached garage located at 125 Westview Drive, Nanton, Alberta.

The garage was constructed with a rear setback that does not meet the 1.2 metre (4 foot) rear yard setback requirement under Land Use Bylaw 1389/24.

I acknowledge that the structure, as built, requires variance approval from the Board.

The variance relates specifically to the rear setback adjacent to the lane. The garage was constructed on the existing rear parking/concrete area located at the back of the property as shown in Alberta Land Surveyor's Real Property Report - Plan.

Rear detached garages with lane access are a common development pattern within residential communities throughout Alberta and are consistent with the character of the surrounding neighborhood.

Relocating the completed garage to achieve full bylaw compliance would create significant hardship, including:

- \* major demolition and reconstruction costs,
- \* removal and replacement of concrete work,
- \* grading and drainage impacts,
- \* structural risks to the completed building,
- \* and substantial financial burden disproportionate to the variance requested.

The structure is already fully constructed, and relocation would impose severe hardship while providing limited practical benefit.

**Visibility and Traffic Safety Concerns:**

I understand concerns were raised regarding possible vehicle visibility or blind-spot impacts associated with exiting into the rear lane.

I respectfully submit that these concerns can be reasonably mitigated without requiring relocation of the entire structure.

I am willing to cooperate with reasonable safety measures, including:

- \* installation of a convex traffic mirror if required,
- \* maintaining clear sightlines near the lane,
- \* limiting visual obstructions adjacent to the driveway,
- \* use of reflective markers or signage,
- \* and ensuring cautious low-speed vehicle movements when entering or exiting the lane.

The rear lane is a low-speed residential lane, and similar garage and driveway configurations exist throughout residential neighborhoods.

The garage is residential in nature, compatible with surrounding development, and does not negatively impact the overall character of the modern neighborhood.

The variance requested is related to setback distance only and does not alter the residential use of the property.

Additionally, there are no residential homes, driveways, or opposing garage accesses directly across from the subject garage location. The rear lane opens onto an undeveloped/open area opposite the property, which reduces vehicle interaction and minimizes potential traffic conflict points.

The lane itself is low-volume and residential in nature, with infrequent traffic activity and low travel speeds. As a result, the practical visibility and safety impact associated with the existing garage location is limited. Photographs of the lane conditions have been provided for reference.

I respectfully request that the SDAB approve the requested variance and allow the detached garage to remain in its current as-built location.

I believe approval would represent a fair and reasonable balance between:

- \* the practical realities of the completed construction,
- \* the significant hardship associated with relocation,
- \* and the ability to address safety concerns through reasonable mitigation measures rather than demolition or relocation.

Thank you for your time and consideration.

Respectfully submitted,



20-MAY-2026

AIJAZ SHSH

125 Westview Drive  
Nanton, Alberta T0L 1R0

RECEIVED

MAY 21 2026

3:10 pm

TOWN OF NANTON

C2

Land Use By-law No. 1389/24  
NOTICE OF DECISION



May 13, 2026

**WWW.NANTON.CA**

**Development Application D13-26**

**EMAIL**

Applicant: SHAH  
Owner (if different):

**In the matter of:** CONSTRUCTION OF NEW ACCESSORY BUILDING – 20 ft x 20 ft detached garage less than 12 ft in height

**Legal:** LOT 2 BLOCK 85 PLAN 071 5724  
**Civic Address:** 125 WESTVIEW DRIVE

and described on the application for development, and plans submitted by the applicant. The development as specified has been **APPROVED** subject to the following conditions:

**Variations granted:**

1. None. Section 3.30 Land Use Bylaw standards apply.

**Standard Conditions:**

1. As-built garage location to comply with current Land Use Bylaw standards within 90 days of Notice Date.
2. Development to comply with the Safety Codes Act and all safety codes regulations. It is the responsibility of the Applicant to obtain and adhere to all necessary safety codes permits from Superior Safety Codes Inc., Lethbridge, AB (1-877-320-0734).
3. Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.
4. Developer to obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land.

**DATE OF DECISION:** May 11, 2026

**NOTICE DATE:** May 12, 2026

Anyone affected by this decision has the right to appeal in accordance with Section 685 and 686 of the Municipal Government Act. To appeal, you must submit a written notice to the:

- Land and Property Rights Tribunal [www.alberta.ca/subdivision-appeals](http://www.alberta.ca/subdivision-appeals)
- Chinook Subdivision and Development Appeal Board, containing reasons, together with a \$220.00 fee payable to the Town of Nanton.

Appeals must be received **no later than 4 o'clock, June 2, 2026.**

Georgina Sharpe  
Planning and Development Officer

Complete Application(s) can be viewed at the Town of Nanton Office. Land Use Bylaw 1389/24 can be viewed at [www.nanton.ca](http://www.nanton.ca) or at the Town of Nanton office.

RECEIVED

APR 22 2026



Town of Nanton  
Box 609, Nanton, Alberta, T0L 1R0  
Phone: 403-646-2029 E-mail: [develop@nanton.ca](mailto:develop@nanton.ca)

TOWN OF NANTON

Permit Fee: \$ 100 Security Deposit: \$ 0 Receipt # 151510 Rec'd by: [Signature] Tax Roll: 155100

+100 Inv  
\$200

DEVELOPMENT PERMIT APPLICATION

Land Use By-law No. 1389/24

Application # 013-26

I/We hereby make application for a Development Permit under the provisions of the Land Use Bylaw in accordance with the plans and supporting information submitted herewith which form part of this application. I/We understand that a 21-day appeal period follows notice of approval.

This is not a building permit; applicable building, gas, electrical, and plumbing permits must be obtained prior to commencing any renovation or new construction. Safety code permit applications and fees may be dropped off at the Town of Nanton Office for forwarding to: Superior Safety Codes Inc., Lethbridge, AB. Phone 1-877-320-0734

1.0 Applicant (Print Name): AIJAZ SHAH  
Address: Box Number [Redacted] City/Town/Village: [Redacted] Postal Code: [Redacted]  
Tel. No. [Redacted] No: [Redacted] e-mail: [Redacted]

I agree to receive correspondence via electronic message related to this application.  
Registered Owner of Land: (If Different from Applicant) \_\_\_\_\_  
Address: Box Number: \_\_\_\_\_ City/Town/Village: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Tel. No. \_\_\_\_\_ e-mail: \_\_\_\_\_

2.0 Civic Address of Property: 125 - WESTVIEW DRIVE NANTON ALBERTA  
Lot(s) 2 Block 85 Plan No. (Quarter Section) 0715724  
Existing use of Land or Building: Single Detached + Sec. Suite and Use District: R-GEN

3.0 Proposed Development or Use: (see page 3 for application requirements) 20x20 Accessory Building (Garage) - Detached; requiring variance.  
Setbacks: Front Yard: N/A; Rear Yard: 0; N/W Side Yard: 24'; S/E Side Yard: 12'  
Height: 12ft; Floor Area: 400ft<sup>2</sup>; Percent Building Coverage: 38%; Lot Area: 7,273.  
Project Cost (materials and labor): \$ 11,000  
Estimated Commencement Date: complete Estimated Completion Date: \_\_\_\_\_  
Will there be a water connection and/or disconnection at the curb stop required?  Yes  No Fee \$ \_\_\_\_\_

Signatures required on page 2 of this application.  
A Development Officer shall, within 20 days after the receipt of an application for a development permit, determine whether the application is complete, during which time the application may be referred to other agencies and departments. Once an application is deemed complete, the Development Authority has up to 40 days to render its decision on an application and may request additional information.

Adj 1/0 4/23/26 >25% plan var.  
web. 4/23/26  
MPC 5/11/26 - did not approve variance request

Development Permit Application

DP # D13-26

**Registered Owner/Applicant Signature**

The Registered Owner/Applicant represents and warrants to the Town of Nanton that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

I, AIJAZ SHAH (print name) hereby certify that I am (choose one) the  Registered Owner or I am the  Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

[Signature] Date 22-APRIL-2026  
Registered Owner(s) or Applicants' Signature

**Right of Entry Signature**

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application

[Signature]  
Registered Owner(s) or Applicants' Signature

**Protection of Privacy**

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

[Signature]  
Applicants' Signature

The personal information collected on this form is being collected under the authority of Section 4 of the Alberta Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Chief Administrative Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.

E2





Town of Nanton

1907 21 Avenue, PO Box 609, Nanton, Alberta T0L 1R0

P 403.646.2029 F 403.646.2653 nanton.ca

## DEVELOPMENT PERMIT

LAND USE BYLAW NO. 1389/24  
DEVELOPMENT APPLICATION NO. D13-26

Name and address of applicant:

**AIJAZ SHAH**

E: [syedajazgillani@hotmail.com](mailto:syedajazgillani@hotmail.com)

**In the matter of:** CONSTRUCTION OF NEW ACCESSORY BUILDING – 20 ft x 20 ft detached garage less than 12 ft in height

**Legal:** LOT 2 BLOCK 85 PLAN 071 5724  
**Civic Address:** 125 WESTVIEW DRIVE

This permit refers only to works outlined in application number **D13-26** and is subject to the conditions contained in the notice of decision dated **May 12, 2026**.

**ISSUE DATE:** May 12, 2026

**SIGNED:** \_\_\_\_\_

  
Development Authority  
Town of Nanton

**THE DEVELOPMENT OUTLINED ABOVE IS SUBJECT TO THE FOLLOWING:**

(a) Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

(b) Unless a development permit is suspended or cancelled, the development must be commenced within 12 months from the date of issuance of the permit or within 24 months with an extension, otherwise the permit is no longer valid.

**NOTE: It is the responsibility of the applicant to obtain all necessary building, electrical, gas and plumbing permits. Safety code permit applications and fees forward to: Superior Safety Codes Inc., Lethbridge, AB. Phone 1-877-320-0734.**

cc. Benchmark Assessments  
Superior Safety Codes Inc.

F1



Town of Nanton

1907 21 Avenue, PO Box 609, Nanton, Alberta T0L 1R0  
P 403.646.2029 F 403.646.2653 nanton.ca

## NOTICE OF DECISION ON APPLICATION FOR A DEVELOPMENT PERMIT

LAND USE BYLAW NO. 1389/24  
DEVELOPMENT APPLICATION NO. D13-26

Name and address of applicant:

**AIJAZ SHAH**



E: [Redacted]

**In the matter of:** CONSTRUCTION OF NEW ACCESSORY BUILDING – 20 ft x 20 ft detached garage less than 12 ft in height

**Legal:** LOT 2 BLOCK 85 PLAN 071 5724  
**Civic Address:** 125 WESTVIEW DRIVE

and described on the application for development, and plans submitted by the applicant.

The development as specified has been APPROVED subject to the following conditions:

**Variations granted:**

1. None. Section 3.30 Land Use Bylaw standards apply.

**Standard Conditions:**

1. As-built garage location to comply with current Land Use Bylaw standards within 90 days of Notice Date.
2. Development to comply with the Safety Codes Act and all safety codes regulations. It is the responsibility of the Applicant to obtain and adhere to all necessary safety codes permits from Superior Safety Codes Inc., Lethbridge, AB (1-877-320-0734).
3. Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.
4. Developer to obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land.

**DATE OF DECISION:** May 12, 2026

**NOTICE DATE:** May 12, 2026 **SIGNED:**

  
Development Authority

**IMPORTANT NOTES**

1. If an appeal is lodged pursuant to Section 686 (1) of the Municipal Government Act, RSA 2000, chapter M-26, as amended, then a permit will not take effect until the appeal board has determined the appeal.
2. If you wish to appeal the decision or any of the conditions, you may do so within 21 days from the notice date, by filing a written notice of appeal, containing reasons, to the Land and

Property Rights Tribunal, as appropriate, or the Chinook Intermunicipal Subdivision and Development Appeal Board with payment of the applicable fee of \$220 to the Town of Nanton.

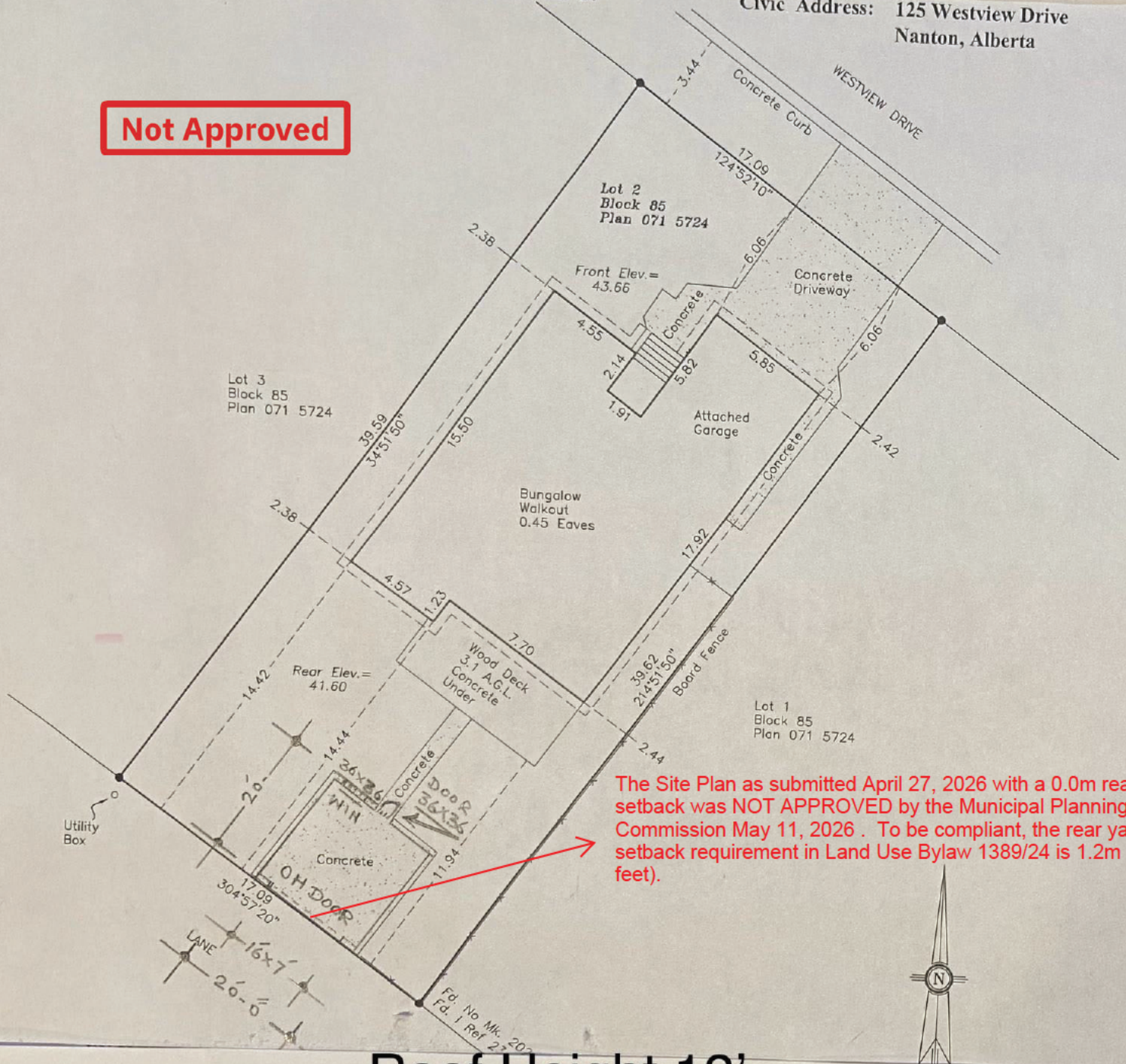
3. Any development occurring prior to the dates determined under subsection 1 and 2 above is at the risk of the applicant.
- cc. Benchmark Assessments  
Superior Safety Codes Inc.

# Rona Standard Gable Roof Garage Package 20'x20' fits.

Legal Description: Lot 2 Block 85 Plan 071 5724

Civic Address: 125 Westview Drive  
Nanton, Alberta

**Not Approved**



The Site Plan as submitted April 27, 2026 with a 0.0m rear setback was NOT APPROVED by the Municipal Planning Commission May 11, 2026 . To be compliant, the rear yard setback requirement in Land Use Bylaw 1389/24 is 1.2m (4 feet).



**Roof Height 12'**  
**Wall Height 8'**  
**Window 36"x26"**  
**Door 36"x36"**  
**OH Door 16'x8'**  
**Vinyl Siding**

F4

Land Use Bylaw 1389/24  
NOTICE OF PROPOSED DEVELOPMENT



April 23, 2026

[WWW.NANTON.CA](http://WWW.NANTON.CA)

Development Application #D13-26

EMAIL

Legal: LOT 2 BLOCK 85 PLAN 071 5724  
Civic Address: 125 WESTVIEW DRIVE

Name of applicant (s): Shah  
Name of property owner (s) if different than above:

**TYPE OF DEVELOPMENT**

An application is being made for a development permit to develop the above-mentioned property as follows:

**ACCESSORY BUILDING (DETACHED GARAGE) LESS THAN 12 FEET TALL  
20 FT X 20 FT REQUIRING REAR SETBACK DISTANCE VARIANCE  
LAND USE DISTRICT: RESIDENTIAL, GENERAL (R-GEN)**

This development application and associated information can be provided upon request, by submitting an email to [develop@nanton.ca](mailto:develop@nanton.ca) and quoting the permit number in the subject line or by contacting the Planning & Development Officer. As an adjacent property owner or affected party, you have the right to bring forward any concerns or comments on this proposed development.

If you wish to make a submission, please send your written comments to the Town of Nanton, by emailing [develop@nanton.ca](mailto:develop@nanton.ca), or Box 609, 1907 21 Avenue Nanton, AB, T0L 1R0 (mail or drop off) no later than **12 o'clock noon, May 4, 2026**. If you wish to present your submission during the meeting please contact the Planning and Development Officer by the deadline to pre-register.

Applicable if checked below:

This application will be reviewed at the next **Municipal Planning Commission** meeting. *Please contact the Planning and Development Officer with any questions regarding public accessibility. The meeting is held upstairs at the Tom Hornecker Recreation Centre and is accessible from the South door at the west end of the building.*

MEETING DATE: May 11, 2026 PLACE: Council Chambers (2122 18 St) TIME: 7:00 p.m.

Georgina Sharpe  
Planning and Development Officer

Copies to (as applicable): applicant, property owner, adjacent landowners, CAO, Operations, Parks and Recreation, Fire Department, Municipal Enforcement, Superior Safety Codes, Alberta Health Services, Alberta Transportation

Complete Application can be reviewed upon request by contacting the Planning and Development Officer.

Any comments received will be available to the public and is subject to the provisions of the Access to Information Act and the Protection of Privacy Act.

Land Use Bylaw 1389/24  
 NOTICE OF PROPOSED DEVELOPMENT



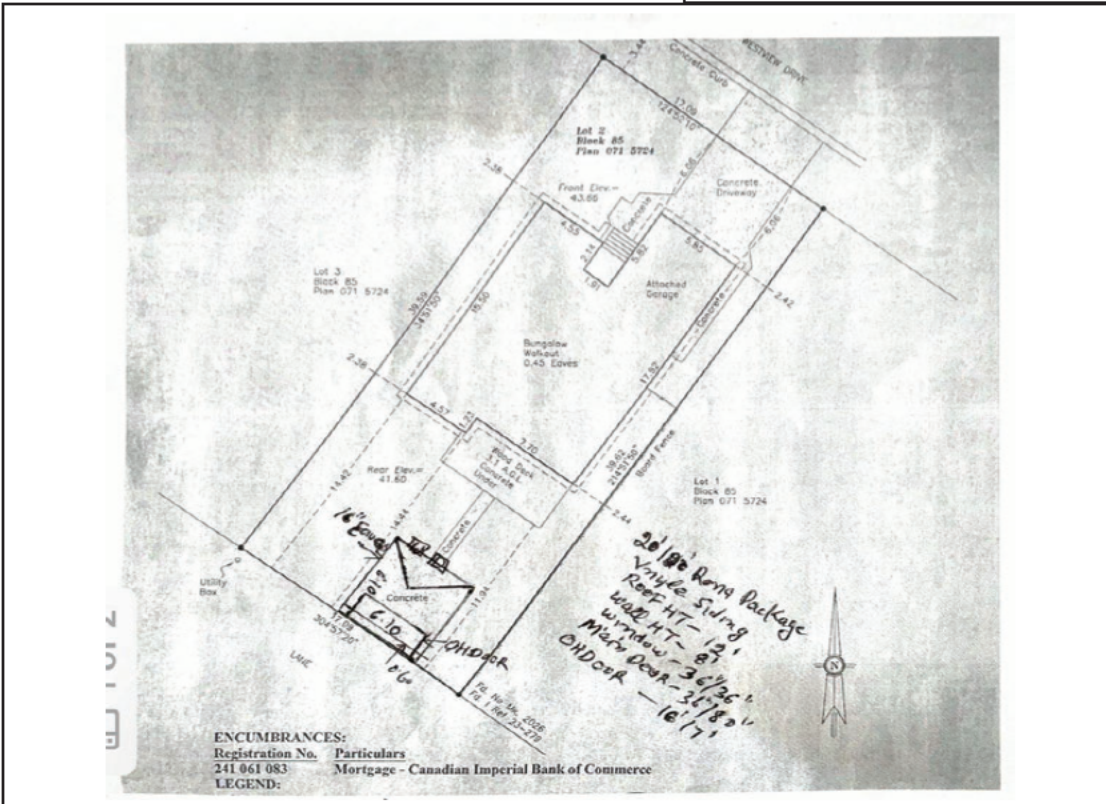
Land Use Bylaw 1389/24 can be viewed at [www.nanton.ca](http://www.nanton.ca)



Proposed development:

Accessory building (detached garage) – 20 ft x 20 ft, 12 feet in height

Variance Requests (1): Rear yard setback request 0.0m (bylaw requirement is 1.2m/4 ft)





## REPORT TO MPC

Meeting: May 11, 2026  
Agenda Item:4.2

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### Development Application D13-26

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Legal: LOT 2 BLOCK 85 PLAN 071 5724  
Civic Address: 125 WESTVIEW DRIVE  
Applicant: SHAH  
Property owner (if different):  
Land Use District: Residential, General District (R-GEN)  
Existing Land Use: Dwelling (Single Detached)

**Proposed Land Use: ACCESSORY BUILDING (DETACHED GARAGE) LESS THAN 12 FEET TALL  
20 FT X 20 FT REQUIRING REAR SETBACK DISTANCE VARIANCE  
LAND USE DISTRICT: RESIDENTIAL, GENERAL (R-GEN)**

Public Notice: Adjacent Landowner letters were mailed March 20. Notice posted on [www.nanton.ca](http://www.nanton.ca) website and in foyer March 20.

Response to Notifications by deadline: 1 (attached)  
Response to departmental circulation: None

#### **DEVELOPMENT OFFICER'S COMMENTS:**

This application was the result of an investigation into a garage built without a development or building permit at this location in mid-April. A concrete pad was visible in GIS, meaning that it had been present for at least a year. An RPR (Real Property Report) was submitted to the town (date of survey March 27, 2026) which did not indicate that a garage was on site. Observations and discussions with the applicant confirmed that the garage was built directly on top of the existing concrete pad which has no rear yard setback allowance. The concrete pad itself is not an issue regarding its location nor was a permit required, but the garage requires a 1.2m setback to all property lines, which is why the application is being brought forward to the MPC.

The current owner is not in violation of the Lot Sale Agreement for the property which restricts the height of accessory buildings within Block 85 to 12 feet or less to preserve views of the neighbouring properties. The property is listed as MLS® Number: A2288042.

#### **APPLICATION DESCRIPTION:**

The property has one Dwelling Unit upstairs and one downstairs. Total number of parking spaces required under the current bylaw is 3, the original permit D04-23 showed the requirement for 2 spaces for the suite in the rear yard for a total of 4 spaces. No garage permit was applied for at that time.

The applicant has stated that the garage was necessary for the occupants of the secondary suite for their personal and property safety. The Town's off leash area is directly across the alleyway with a small parking lot for public use.

The garage is a 20 ft x 20 ft RONA garage package. No building plans have been provided. The applicant opted to provide as built pictures of each elevation of the garage and a site plan. Building coverage does not exceed the 40% maximum allowed. One adjacent landowner has provided comments opposed to the granting of the rear yard setback citing safety concerns.

Report to Municipal Planning Commission

**Land Use Bylaw Development Authority:**

Variations can be granted by the MPC for uses that request a Variance(s) exceeding twenty-five percent (>25%) of any measurable standard of this bylaw, or a Variance of any other bylaw provision in accordance with Section 2.19 (Variations).

Variations **may** be issued where:

- i. The proposed development would not unduly interfere with the amenities of a neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
- ii. The proposed development conforms with the use prescribed for that land or building in the Bylaw.

**Land Use Bylaw Definitions:**

**ACCESSORY BUILDING/STRUCTURE** – means any building or structure that is physically separate from the principal building on the parcel on which both are located, and the use of which is subordinate and incidental to that of the principal building. Typical accessory building/structures include, but are not limited to, sheds, standalone garages and shelters, swimming pools, tall flagpoles, and satellite dishes, but shall not include quonsets, quonset-style buildings, or Secondary Suites (External).

**Land Use Bylaw Regulations, Standards:****3.30 ACCESSORY BUILDINGS AND STRUCTURES**

- a) Accessory Building/Structures shall be located at least 1.2 m from the principal building or a parcel line.
- b) Accessory Building/Structures shall not be located in the front yard.
- d) An Accessory Building/Structure shall not be used as a dwelling or contain a dwelling unit, unless converted into a Secondary Suite (External) in alignment with section 4.16, and the National Building Code - Alberta Edition.
- e) Carports attached to a principal dwelling or building shall comply with the provisions for the principal dwelling or building.

**DECISION OPTIONS:** (Recommended Option is checked, highlights require editing)

#1 - Approve with or without conditions – recommendations as shown

IMPLICATIONS: Pending any appeals, would be able to proceed with the proposed development.

**Land Use Bylaw Variations:**

1. Section 3.30 (a) – Variance granted to allow the Accessory Building (detached garage) to be located 0.0m from the rear property line (standard setback required is 1.2m).

**Standard Conditions:**

1. Development to comply with the Safety Codes Act and all safety codes regulations. It is the responsibility of the Applicant to obtain and adhere to all necessary safety codes permits from Superior Safety Codes Inc., Lethbridge, AB (1-877-320-0734).
2. Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.
3. Developer to obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land.

#2 – Refuse with reasons for refusal. The reasons should be applicable to the Land Use Bylaw, or statutory plans as applicable, and should be based on relevant planning and development implications (suggestions listed below).

1. The proposed development does not meet the requirements of the Town of Nanton Land Use Bylaw 1389/24. (Specify)

- 2. The proposed development would unduly interfere with the amenities of a neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, in the following manner: (Specify)

IMPLICATIONS: The Applicant may appeal the decision to the Intermunicipal Subdivision and Development Appeal Board (ISDAB) or Land and Property Rights Tribunal (LPRT), as appropriate, within 21 days of notice of decision.

**PROPOSED RESOLUTION:**

As per MPC's preferred option

**Attachments:** D13-26 Plans, pictures and orthophoto, comments from adjacent landowner  
**Prepared By:** Georgina Sharpe, Planning and Development Officer  
**Date:** May 7, 2026



**Proposed development:**

Accessory building (detached garage) – 20 ft x 20 ft, 12 feet in height

Variance Requests (1): Rear yard setback request 0.0m (bylaw requirement is 1.2m/4 ft)



**Good day: Please find attached drawing and snapshots of the garage. Thanks**

---

**From** Syed Aijaz Hussain Shah gillani  
**Date** Mon 4/27/2026 12:01 AM  
**To** Georgina Sharpe <develop@nanton.ca>

Hi Georgina

Good day:

Please find attached drawing and snapshots of the garage I took.

I couldn't contact with contractor He texted me some one cell number to contact with them for drawing

He will charge me \$600 for drawing if I need

I will call you tomorrow and discuss in details. Thanks

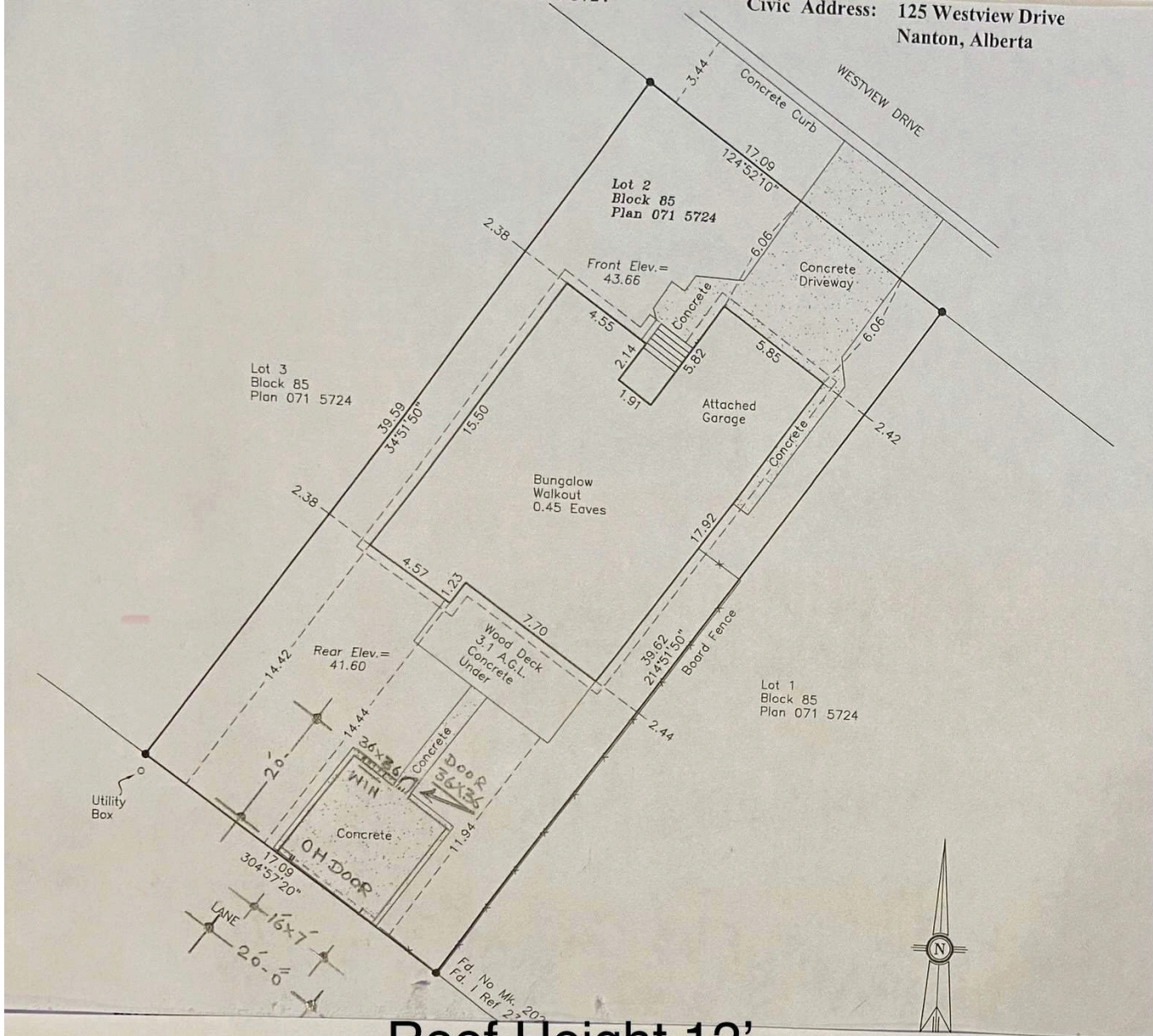
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**From:**  
**Sent:** April 26, 2026 11:50 PM  
**To:**  
**Subject:**

# Rona Standard Gable Roof Garage Package 20'x20' fits.

Legal Description: Lot 2 Block 85 Plan 071 5724

Civic Address: 125 Westview Drive  
Nanton, Alberta



Roof Height 12'  
Wall Height 8'  
Window 36"x26"  
Door 36"x36"  
OH Door 16'x8'  
Vinyl Siding



H6



Left Side  
Elevation



Right Side  
Elevation

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**Re: Development Application for #D13-26 125 Westview DR. Nanton**

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**From** Georgina Sharpe <develop@nanton.ca>

**Date** Mon 5/4/2026 10:33 AM

**To** robert bonutti

Thanks Robert - I will put these comments into my report for the Municipal Planning Commission for them to consider in their decision. A post notice regarding their decision will be email and mailed out after May 11th.

**Georgina Sharpe**

Planning & Development Officer

**Town of Nanton** - [nanton.ca](http://nanton.ca)

1.403.336.6564 (direct)

[develop@nanton.ca](mailto:develop@nanton.ca)

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**From:** robert bonutti

**Sent:** Monday, May 4, 2026 6:38 AM

**To:** Georgina Sharpe <develop@nanton.ca>

**Subject:** Development Application for #D13-26 125 Westview DR. Nanton

Hello Georgina

As the owner of the adjacent property to 125 Westview Dr, I have a safety concern with the existing location of the garage.

It is my understanding that one of the purposes of a set back for a garage or storage shed, that is accessed by a public road or lane way, is to provide extra reaction time and a greater site lines for vehicles, and pedestrians to safely react when vehicles and people are merging into the lane from the garage or storage shed.

If my understanding of the purpose for a set back is correct, then I'm not in favor of granting the relaxation.

It is unfortunate that the structure was built in the wrong location, but the safety of lives is more important.

There are companies that can move the structure back to conform with the present bylaws.

Thank you

Rob

H8



# Land Use Bylaw

Excerpts

Bylaw No. 1389/24

April 2024

Consolidated to Bylaw 1421/26, March 2026

- e) A minimum of 4.00 m<sup>2</sup> of Amenity Area (Private) shall be provided for each Dwelling Unit.
- f) No use or operation within a building shall cause air contaminants, visible emissions, particulate emissions of odorous matter or vapor, or create the emission of toxic matter beyond the building that contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

### 3.30 ACCESSORY BUILDINGS AND STRUCTURES

- a) Accessory Building/Structures shall be located at least 1.2 m from the principal building or a parcel line.
- b) Accessory Building/Structures shall not be located in the front yard.
- d) An Accessory Building/Structure shall not be used as a dwelling or contain a dwelling unit, unless converted into a Secondary Suite (External) in alignment with section 4.16, and the National Building Code - Alberta Edition.
- e) Carports attached to a principal dwelling or building shall comply with the provisions for the principal dwelling or building.

### 3.31 PRIVATE SWIMMING POOLS

Any private swimming pool with a design depth greater than 0.6 m shall be restricted to the side or back yard only and constructed and fenced in accordance with *Safety Codes* requirements.

### 3.32 NUMBER OF DWELLING UNITS ON A PARCEL

- a) No more than one dwelling unit shall be constructed or located or caused to be constructed or located on a parcel except where permitted within a District and specified in a Development Permit.
- b) The Development Authority may issue a Development Permit for the construction or location of more than one dwelling unit on a parcel of land if the proposed dwelling units will be:
  - i. Contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units,
  - ii. Located on a parcel of land that is divided into bareland condominium units, or
  - iii. A single detached dwelling and a Secondary Suite (Internal) or (External).

### 3.33 CONDOMINIUM AND BARE LAND CONDOMINIUM PLANS

- a) In the event of subdivision by condominium or bare land condominium plan, development shall be treated as a multi-unit complex where development setbacks for the front, rear, and side yards shall be the same as specified in the appropriate Land Use District. Spatial separation between buildings shall also comply with the *National Building Code - Alberta Edition*.
- b) The Town's road and utility servicing standards may be relaxed within the boundaries of a proposed development that will be registered by condominium or bare land condominium plan, provided that:
  - i. Adequate fire access, legal road access, and municipal servicing are provided and maintained to the satisfaction of the Development Authority, and
  - ii. The applicant, heirs and assigns or the condominium corporation assumes all responsibility for the construction, maintenance, repair, and replacement of all such roads and utility services within the condominium plan or bare land condominium plan.

# R-GEN Residential, General District

**PURPOSE:** To accommodate street-oriented single detached and duplex/semi-detached housing forms on standard sized parcels.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Accessory Use
Bed and Breakfast	Boarding House
Care Facility (Child)	Dwelling (Duplex/Semi)
Dwelling (Single Detached)	Dwelling (Multi-Unit)
Moved In Dwelling	Home-Based Business Type Two (HBB2)
Parks and Playgrounds	Secondary Suite (External)
Secondary Suite (Internal)	
Show Home	
Solar Collector (Roof/Wall)	
Utilities	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL DEPTH:** 31 m

**MINIMUM PARCEL WIDTH:** 14 m; 7.6m (per unit for Semi-Detached)

**MAXIMUM PARCEL SIZE:** 0.2ha

**MAXIMUM BUILDING HEIGHT:** 10 m (Dwelling); 5.5 m (Accessory Building); 10 m (Secondary Suite (External))

**MAXIMUM PARCEL COVERAGE:** 40%

**MAXIMUM DENSITY:** One (1) Principal Building and one (1) Secondary Suite per parcel.

**MINIMUM SETBACKS:**

Front Yard	Side Yard	Side Yard (Corner)	Rear Yard
6 m	1.5 m*	3 m	6 m

\* No side yard is required where a party wall separates two (2) units.

\* 3 m on one (1) side of the dwelling, where there is no provision for an attached garage on the front or side of the dwelling and no lane access.

**EXCEPTIONS:**

a) For the parcel at 1613 26 Avenue:

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Accessory Use
Care Facility (Child)	Dwelling (Live-Work)
Dwelling (Single Detached)	Home-Based Business Type Two (HBB2)
Secondary Suite (Internal)	Mixed-Use Development
Solar Collector (Roof/Wall)	Moved-in Building
	Secondary Suite (External)

An aerial photograph of a residential property. A yellow rectangular outline highlights a specific area within the property, which contains a large, dark-roofed building. The text "Subject Property" is overlaid in white serif font on this yellow-outlined area. The surrounding area includes a driveway with a white car, a lawn, and a road with a dark car. Red lines indicate the overall boundaries of the property.

Subject Property

J1



K1



K2



K3



K4



K5