

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 8

DATE: February 24, 2021
APPLICATION: PRDP20210030

FILE: 05632030

SUBJECT: Care Facility (Child) / Discretionary use, with Variances

APPLICATION: Care Facility (Child) (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014).

GENERAL LOCATION: Located approximately 0.80 km (1/2 mile) south of Burma Rd. and on the west side of Rge. Rd. 24.

LAND USE DESIGNATION: Residential, Rural District (R-RUR).

EXECUTIVE SUMMARY: This is an amendment application for a Care Facility (Child) (within an existing dwelling, single detached) and signage. This previous application (PRDP20201014) was conditionally approved by the Municipal Planning Commission on June 22, 2020. The proposed amendments are as follows:

- Expansion of the days of operation to include Saturdays and Sundays to allow for parented baby gym classes; and
- Including use of the facility for summer camps.

The facility's operating capacity is subject to Provincial licensing requirements and will not be affected by these amendments. Further, Administration has determined that there are no additional technical considerations.

The proposal does not appear to meet Section 323.1 a) of the Land Use Bylaw (C-8000-2020), which states that commercial development shall be accessory to a primary residential use on the parcel. The previous application was approved under the old Land Use Bylaw (C-4841-97) which did not contain this regulation. Administration is of the opinion that the overall intent of the proposal is in keeping with the previous approval and the amendments will not unduly impact adjacent lands. As such, Administration recommends approval.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

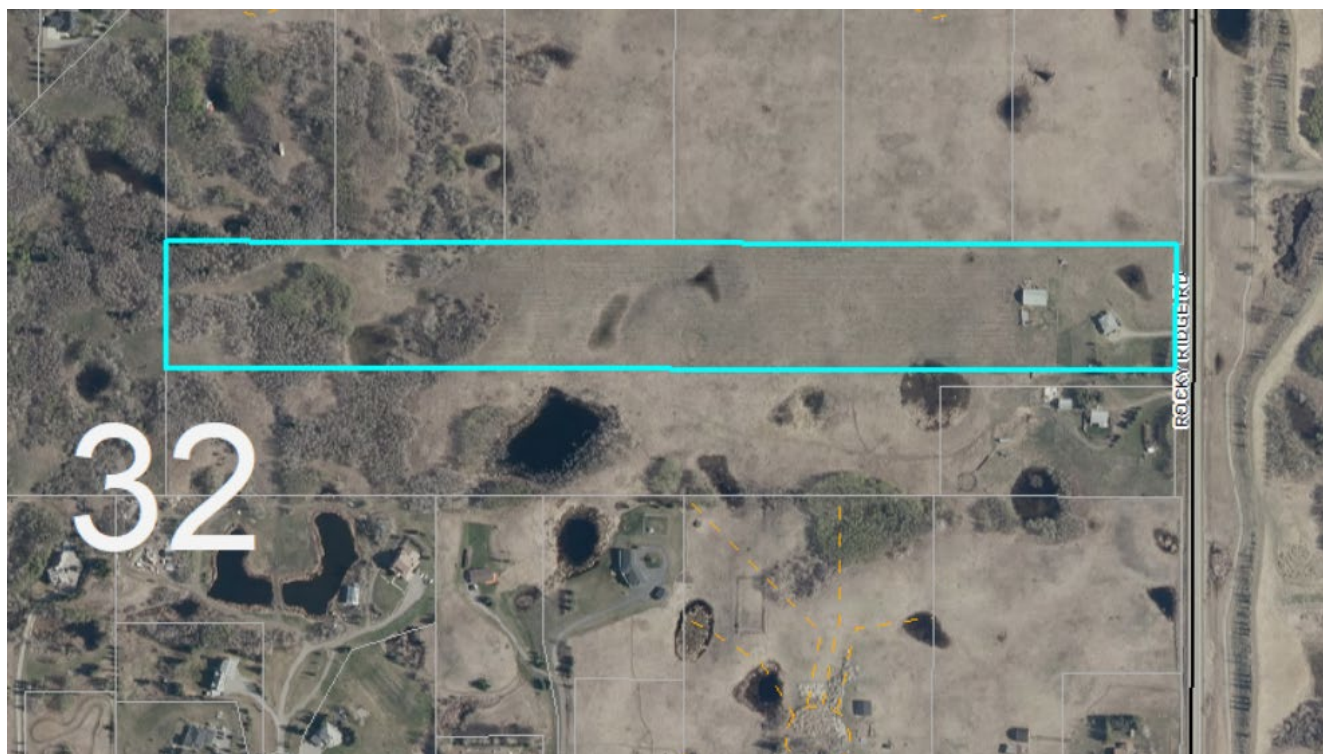
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210030 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210030 be refused.

Administration Resources

Sandra Khouri, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Commercial Development	Shall be accessory to a residential use	No primary residential use	N/A

APPLICATION EVALUATION:

The application was evaluated based on the technical reports 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>; • Subdivision and Development Regulations; • Municipal Development Plan; • City of Calgary Intermunicipal Development Plan • Bearspaw Area Structure Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: Care Facility (Child) is a discretionary use in the R-RUR district	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	\$2,445.00

Additional Review Considerations

Conditions were set based on the following items:

Traffic Impact Assessment

As per the information provided from the applicant, the child care facility will have about 24 children and 4 employees. The expected daily visit will be 56 vehicles per day.

Prior to release, the applicant shall submit a Trip Generation Assessment memo, prepared by a qualified professional, to assess the impacts of the proposed development on the surrounding transportation network based on the estimated trip generation. If any upgrades to the local road network are identified, the applicant shall be required to enter into a Development Agreement with the County for implementation of said upgrades.

*Parking*Section 236 (C-8000-2020)

Required stalls: Care Facility (Child) 3 stalls per 100.0 sq. m (1076.39 sq. ft.) gross floor area

Required stalls: 7 (including 1 barrier free stall)

Proposed stalls: 6

- Prior to release, the Applicant/Owner shall provide an updated parking plan identifying at least 7 parking stalls including 1 barrier free stall, in accordance with the Land Use Bylaw.

Proposed parking stall dimensions: not provided

- Prior to release, the Applicant/Owner shall provide an updated parking plan identifying minimum parking stall dimensions in accordance with the Land Use Bylaw.



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

SK/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That a Care Facility (Child) may operate within the existing dwelling, single-detached on the subject property in accordance with the Site Plan, Floor Plans, Parking Plan, Signage Plan, and business details submitted with the application, including:
 - i. A day care facility operating from Monday to Friday;
 - ii. Parented baby gym classes operating Saturday and Sunday; and
 - iii. A summer day camp operating seasonally.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Parking Plan identifying the required minimum number of parking stalls (7) and the required minimum parking stall dimensions, in accordance with Section 236 and 239 of the Land Use Bylaw (C-8000-2020). The Parking Plan shall also include the minimum number of barrier free parking stalls (1), signage, and dimensions in accordance with the Alberta Code Building.
3. That prior to release of this permit, the Applicant/Owner shall submit a Trip Generation Assessment memo, prepared by a qualified professional, to assess the impacts of the proposed development on the surrounding transportation network based on the estimated trip generation, in accordance with County Servicing Standards.
 - i. If any upgrades to the local road network are identified, the Applicant/Owner shall be required to enter into a Development Agreement with the County for implementation of said upgrades.
4. That prior to release of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy, in accordance with Transportation Offsite Levy Bylaw at time of approval, for the total development area associated with proposed Care Facility. The total acreage will be based on the final site plan.

Permanent:

5. That a maximum operational capacity of the Care Facility (Child) shall not exceed 24 children at any one time, or in accordance with Provincial licensing requirements.
6. That there shall be no overnight stays related to the Child Care Facility at any time, including during the summer day camp.
7. That the hours of operation for the Child Care Facility may be Monday to Sunday, from 7:00 a.m. to 6:00 p.m.
8. That all parking shall be restricted to on-site and that no parking shall be permitted within the County road allowance.
 - i. That a minimum of seven (7) parking stalls, including one (1) barrier free stall, shall be maintained on-site at all times.
9. That all lighting shall be located, oriented, and shielded to prevent adverse effects on adjacent properties, be dark-sky compliant with County policies and shall be compatible with the surrounding area.
10. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:



ROCKY VIEW COUNTY

11. That a Building Permit and applicable sub-trade permits shall be obtained for any additional renovations that may be required to accommodate the Child Care Facility. The application shall include a 3.2.2. Building Code Classification, as the proposed use is considered an A-2 occupancy.
12. That the Applicant/Owner shall contact Rocky View County Fire Services to arrange for an inspection or inspection program.
 - i. That the Applicant/Owner shall adhere to all Building Code and Fire Code requirements for the operation of the Child Care Facility, including the appropriate number of fire extinguishers and smoke detectors and installation of emergency lighting.
13. That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed weatherproof and animal-proof containers, located within the buildings or adjacent to the side or rear of buildings and disposed of at an approved disposal facility.
14. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
15. That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
16. That if the development authorized by this Development Permit has 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 Authority.
17. That if this Development Permit is not issued by **September 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

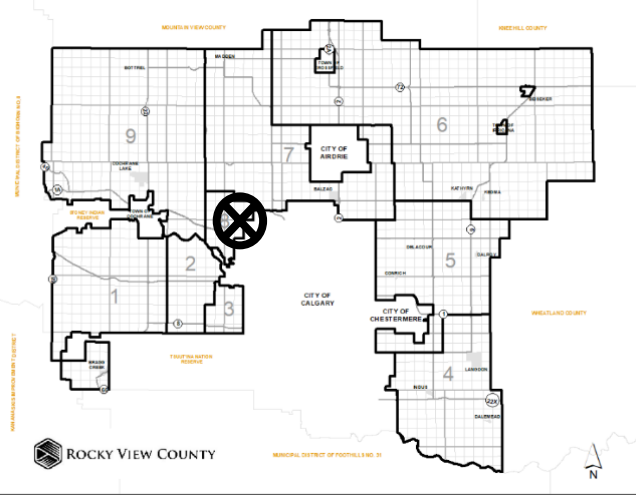
APPLICANT: Franscois van Vuuren	OWNER: Nasir & Ayesha Rahim
DATE APPLICATION RECEIVED: January 5, 2021	DATE DEEMED COMPLETE: January 7, 2021
GROSS AREA: ± 7.95 hectares (± 19.64 acres)	LEGAL DESCRIPTION: Block 7, Plan 731547; NE-32-25-02-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>June 22, 2020: PRDP20201014;</i> Development Permit for a Child Care Facility was conditionally approved by the Municipal Planning Commission on June 22, 2020	
AGENCY SUBMISSIONS: The application was also 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

Child Care Facility (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014)

Division: 08
 Roll: 05632030
 File: PRDP20210030
 Printed: Jan 19, 2021
 Legal: Block:7 Plan:731547
 within NE-32-25-02-W05M



Site Plan

Development Proposal

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Sign Details

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Site Photos

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