

## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 7

**DATE:** February 24, 2021  
**APPLICATION:** PRDP20204145

**FILE:** 06307009

**SUBJECT:** Renewal of a Home-Based Business, Type II / Discretionary use, with Variances

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**APPLICATION:** Renewal of a Home-Based Business, Type II, for automobile maintenance and sales and relaxation of the allowable business use

**GENERAL LOCATION:** Located approximately 1.21 km (3/4 mile) south of Hwy. 566 and on the east side of Rge. Rd. 290

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

**EXECUTIVE SUMMARY:** The application is for the renewal of a Home-Based Business, Type II, for automobile sales and minor repairs of used work/service vehicles. The operation includes a 400 sq. m (4,305.56 sq. ft.) outside storage area that is completely screened by trees and bushes. Minor repairs are carried out within a 140.55 sq. m (1,512.87 sq. ft.) shop. The application does not meet section 145 (f) of the Land Use Bylaw (C-8000-2020) which states that automotive related businesses shall not be permitted as a Home-Based Business, Type II. However, the parcel is located within the Balzac East Area Structure Plan area, in close proximity to industrial lands, highlighting the suitability of an automotive Home-Based business in this area.

Further, the business is compliant with all other Home-Based Business regulations and is a renewal application with no prior enforcement concerns. As such, Administration recommends approval.

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

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20204145 be approved with the conditions noted in Attachment 'A'.

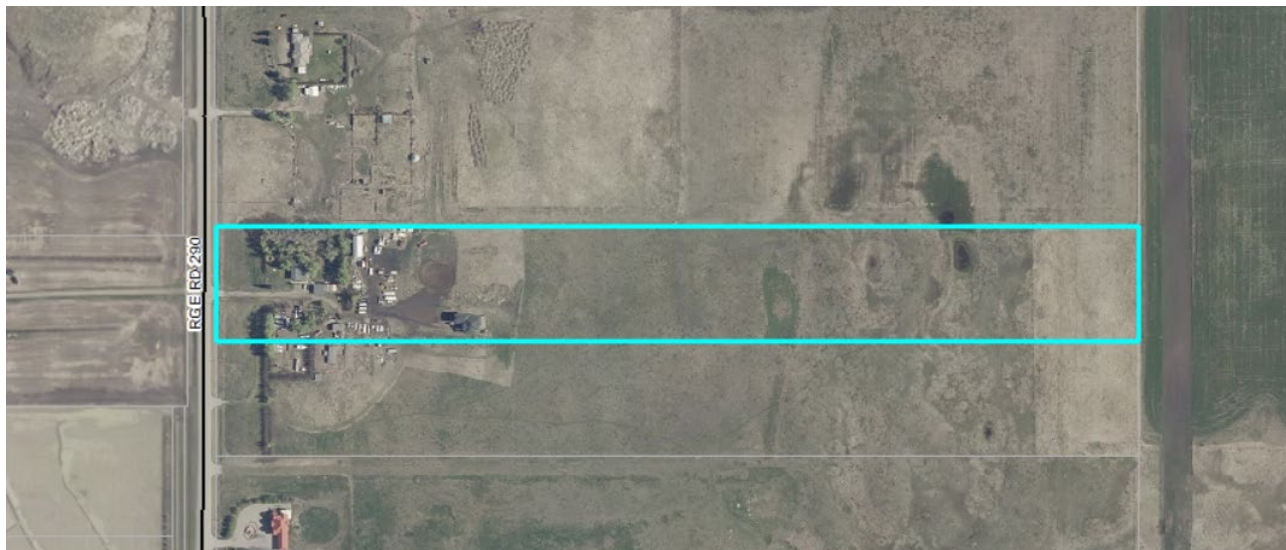
Option #2: THAT Development Permit Application PRDP20204145 be refused.

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### **Administration Resources**

Sandra Khouri, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Automotive Related Business	Not Permitted	Automotive sales and minor repairs of work/service vehicles	N/A

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Balzac East Area Structure Plan; and</li> <li>• Land Use Bylaw.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• NA</li> </ul>
<b>PERMITTED USE:</b> Home-Based Business, Type II is a discretionary use in the R-RUR district	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



ROCKY VIEW COUNTY

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

SK/sI

**ATTACHMENTS**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That a Home-Based Business, Type II, for automobile vehicle maintenance and sales may continue to operate on the subject parcel in accordance with the approved plans and submitted application.
  - a. That the proposed automotive use shall be permitted under a Home-Based Business, Type II.
  - b. That no more than ten (10) vehicles shall be stored on the subject site at any time.

**Permanent:**

2. That there shall be no non-resident employees at any time.
  - a. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
3. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
4. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
5. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
6. That the number of business related vehicle trips shall not exceed four (4) per day.
7. That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of the adjacent residential dwellings shall be preserved and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
8. That the Home-Based Business shall be limited to the dwelling, accessory building and the approved outside storage area.
9. That all vehicles, trailers, and equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
10. That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **400.00 sq. m (4,305.00 sq. ft.)**.
11. That any non-domestic wastewater, anti-freeze, oils or fuels that accumulate on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site in accordance with the regulations administered by Alberta Environment & Parks.
12. That there shall be no outdoor display areas of any business vehicles.
13. That all vehicles for sale purposes shall be newer or used models. No salvaged or damaged vehicles shall be stored on site.
14. That there shall be no signage, exterior display, or advertisement of goods or services discernible from the outside of the property. Any future signage shall require a separate Development Permit.
15. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



**Advisory:**

16. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
17. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
18. That this Development Permit shall be valid until **October 9, 2022**.

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

<b>APPLICANT:</b> Deep Brar	<b>OWNER:</b> Gurdip & Harminder Brar
<b>DATE APPLICATION RECEIVED:</b> December 15, 2020	<b>DATE DEEMED COMPLETE:</b> December 16, 2020
<b>GROSS AREA:</b> ± 8.14 hectares (± 20.11 acres)	<b>LEGAL DESCRIPTION:</b> Block: N1/2A, Plan: 7410080; SW-07-26-28-W04M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b>  <i><b>December 10, 2020:</b></i> a development permit for a Home-Based Business, Type II, for automobile sales was issued but expired on October 9, 2020. The delay in issuance was due to extension requests for prior to release conditions.  <i><b>August 8, 2017:</b></i> a development application for a Home-Based Business, Type II, for an automobile dealership was withdrawn by the applicant	
<b>AGENCY SUBMISSIONS:</b>  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.	

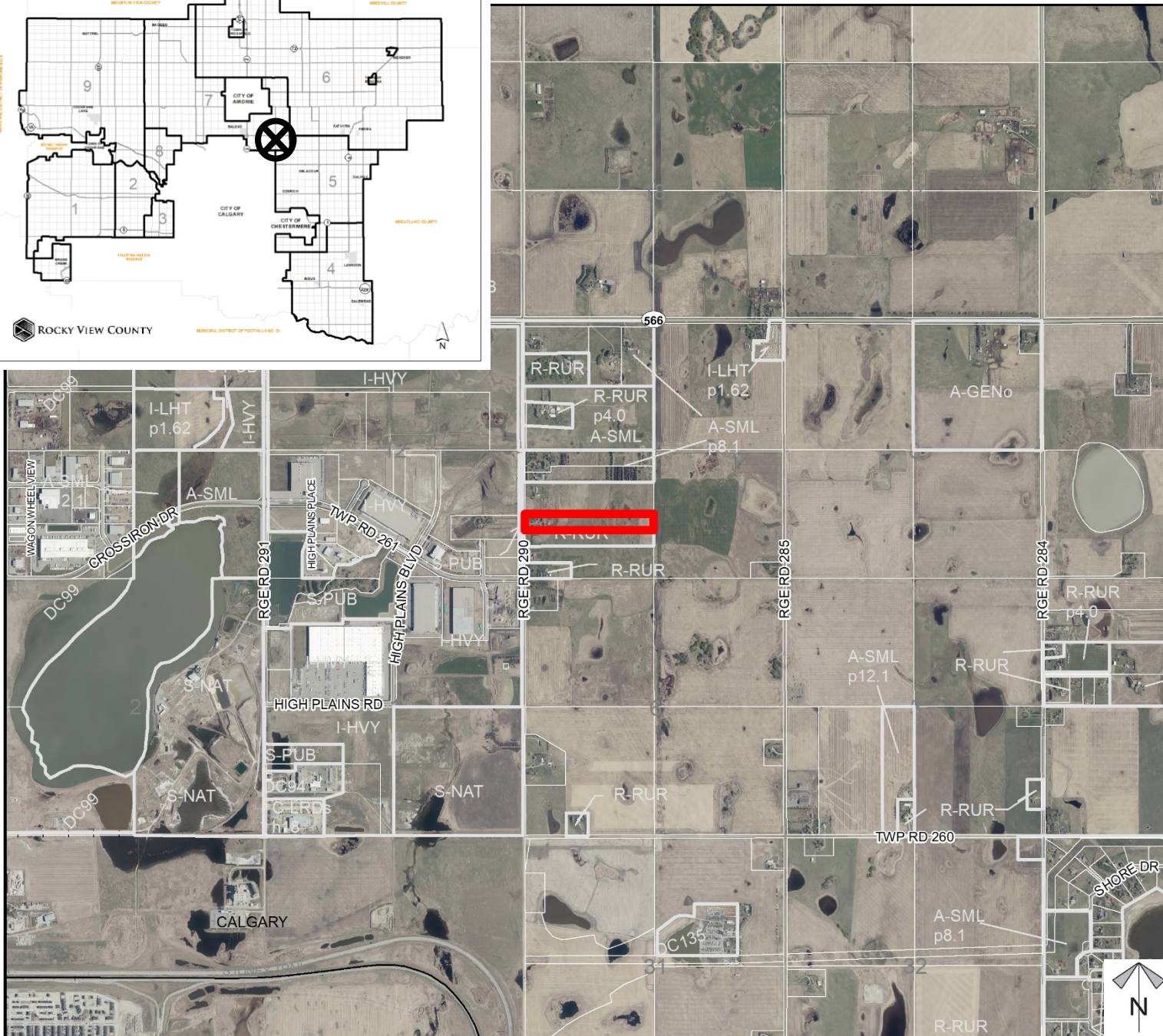
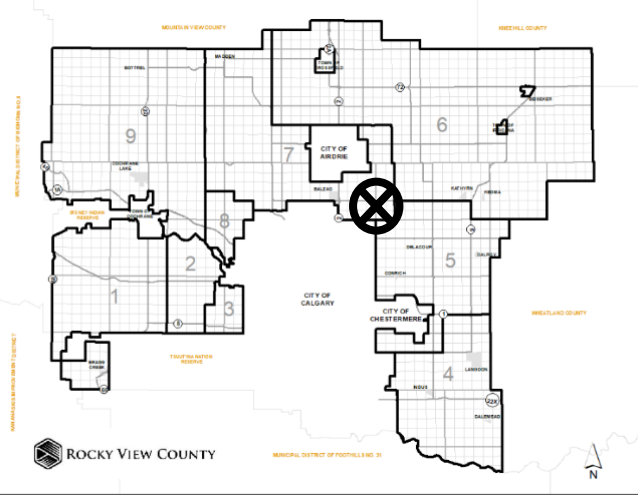


## Location & Context

### Development Proposal

Renewal of a Home-  
Based Business, Type II,  
for automobile  
maintenance and sales

*Division: 07*  
*Roll: 06307009*  
*File: PRDP20204145*  
*Printed: Jan 19, 2021*  
*Legal: Block: N1/2A*  
*Plan: 7410080 within SW-07-  
26-28-W04M*



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## Site Photos

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