

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority

DATE: February 24, 2021

SUBJECT: 2020 – Year in Review

POLICY DIRECTION: The Municipal Planning Commission (MPC) was created by passing of Bylaw C-7967-2019, and held its first meeting back on February 12, 2020.

All subdivision applications outside of those delegated to Administration under the Subdivision Authority Bylaw C-7546-2015 are considered by the MPC. In regards to Development Permits, an Administrative Directive was created in July of 2020 to determine the application types that were to be decided by the MPC with the remainder being referred to Administration.

EXECUTIVE SUMMARY: A total of 50 subdivision applications were considered by the MPC in 2020. A total of 184 Development Permits were considered by the MPC in 2020. Of the 184 applications, the MPC upheld 174 of the recommendations put forward by Administration for a concurrence rating of 95%. The decisions in regards to the (10) permit decisions that the MPC did not uphold are summarized below.

- Three (3) overturned decisions of which two (2) of which were for single lot grading and one (1) for a home based business that had an automotive component;
- Two (2) which were approved but with a modified set of conditions; and
- Five (5) that were tabled.

Based on the statistics, the MPC decisions for the following permit types were highly consistent with Administrative recommendations.

1. Relaxation of Setbacks either on existing or proposed structures;
2. Additional Dwelling Units (ADUs)
3. Home Based Business Type II that meet the requirements of the Land Use Bylaw, with the exception of an Automotive related business;
4. Accessory Buildings; and
5. Change of Use that triggers a Development Permit, not including commercial or industrial.

The above uses are not considered to be highly complex however, tend to add approximately two (2) additional weeks of processing time to each application due to the requirement for them to be considered by the MPC.

Based on the statistics pulled for 2020, should the MPC consider further amendments to the Administrative Directive in the future, processing timelines would be expedited for these permit types. Furthermore, amendments would better align with Council's strategic initiative to improve customer service while further aligning with the provincial campaign to reduce red tape. An update to the Directive would also reduce the amount of items on each MPC agenda by up to 50% while decreasing wait times for applicants.

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STATISTICS: The following statistics have been derived from the period of February 12, 2020 to December 31, 2020 inclusively.

	2020	%
Total Development Permits Presented to the MPC	184	
Administration Recommendation Upheld	174	95%
Administration Recommendation Overturned/Amended	10	5%
Types of Uses		
Permitted	19	10%
Discretionary	151	82%
Listed DC Use	14	8%
Specific Types of Uses		
Dwelling, Single Detached (setback relaxations)	15	8%
Additional Dwelling Units	7	4%
Home Based Business, Type I	1	1%
Home Based Business, Type II	18	10%
Accessory Buildings	33	18%
Change of Use (within an existing building):		
Cannabis Cultivation	3	21%
Cannabis Retail	1	7%
Cannabis Facility	1	7%
Equestrian Centre	1	7%
Vacation Rental	2	14%
Child Care Facility	2	14%
Commercial Business Tenancy	4	29%

A similar trend has continued into 2021 with regards to the MPC's decisions as it relates to development permits.

ADMINISTRATION RECOMMENDATION: Administration recommends Option #1.

OPTIONS:

Option #1: THAT Administration's report on 2020 – Year in Review in regards to the Municipal Planning Commission be received as information.



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THAT the Municipal Planning Commission direct Administration to bring forward amendments to the Administrative Directive that shift simpler uses such as Additional Dwelling Units, Home Based Businesses, Accessory Buildings and change of use to Administration for decision at the March 10, 2021 meeting of the Municipal Planning Commission.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

HM/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Existing Administrative Directive

ATTACHMENT 'A': CURRENT ADMINISTRATIVE DIRECTIVE

PLANNING AND DEVELOPMENT SERVICES

TO: Planning and Development Services
DATE: July 30, 2020
SUBJECT: Administrative Directive – Municipal Planning Commission Development Permits

PURPOSE:

The intent of this Administrative Directive is to create guidelines determine which applications are decided by Municipal Planning Commission (MPC) and which by Administration.

ADMINISTRATIVE DIRECTIVE:

The following Development Permit appliaiton decisions should completed by Administration:

- Permitted uses and uses in Direct Control Districts that do not distinguish between Permitted and Discretionary uses where:
 - The application has no variances; or
 - The application has minor variances.
- All Accessory Buildings less than or equal 930 m² (10,010.40 ft²) in Agricultural Districts and all Show Homes where:
 - The application has no variances; or
 - The application has minor variances.
- Minor variances are to be defined as follows:
 - Front and side yard setback variance(s);
 - Abutting a gravel road less than or equal to 25%
 - Abutting a paved road less than or equal to 50%
 - Rear yard setback variance(s) less than or equal to 25%;
 - Height variance(s) less than or equal to 25%;
 - Accessory Building and Accessory Dwelling Unit building area or parcel coverage variance(s) less than or equal to 25%.
- Development Permit renewals (such as Home-Based Business Type II, Gravel Pit, etc.) where:
 - There are no changes are being proposed by the applicant;
 - There are no open enforcement files; and
 - There have been no complaints on the property, regarding the subject Development Permit, since the previous approval.
- Development Permit reapplications of expired applications where there are no changes are being proposed by the applicant.
- Applications that would typically be decided upon by MPC where MPC is unavailable (ex: on break).

The following Development Permit application should forwarded to MPC for decision:

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- All discretionary uses (with or without variances), except applications specified to be decided by Administration.
- Applications where proposed variance(s) are larger than minor variances.
- Applications where:
 - Administration is of the opinion that the minor variance(s) would have undue detrimental impact on the neighbourhood and/or surrounding properties; or
 - Administration believes that the application would benefit from oversight from MPC.

Where a File Manager requires assistance on determining if a decision on a Development Permit application should be forwarded to MPC or not, they should consult with Management to make the determination.

A handwritten signature in black ink, appearing to read 'Dominic Kazmierczak', written over a horizontal line.

Dominic Kazmierczak
Acting Manager, Planning and Development Services