

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission **DIVISION:** 7
DATE: March 10, 2021 **APPLICATION:** PRDP20210284
FILE: 06630005
SUBJECT: Home-Based Business Type II / Discretionary Use, with Variances

APPLICATION: The proposal is for the renewal of a Home Based Business Type II for a vacuum truck service, with a relaxation of the total allowable number of non-resident employees.

GENERAL LOCATION: Located at the northeast junction of Twp. Rd. 264 and Bearspaw Rd.

LAND USE DESIGNATION: Agriculture, General District (A-GEN)

EXECUTIVE SUMMARY: This application is for the renewal of a Vacuum truck service business (Rockyview Aqua LTD), which has been renewed since 2013. For this renewal, the Applicant has requested a variance to the number of non-resident employees be relaxed from two (2) employees to three (3) employees. The trucks are stored indoors with outside storage for a fuel tank remaining as per the previous renewals.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210284 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210284 be refused for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Camilo Conde, Planning and Development Services



AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Relaxation to total number of non-resident employees	2	3	66.00 %

APPLICATION EVALUATION:

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> <i>Municipal Government Act</i> Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site plan
DISCRETIONARY USE: <ul style="list-style-type: none"> Home Based Business Type II 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission (MPC)

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 145 to 147 of Land Use Bylaw C-8000-2020.

CONCLUSION:

Subject to the assessment of the application, the application is recommended for APPROVAL.



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

CC/llt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

Description

1. That a Home-Based Business, Type II, for renewal of a vacuum truck service may continue to operate on the subject parcel in accordance with the approved plans.
 - a. That the number of non-resident employees be **relaxed from two (2) to three (3)**.

Permanent:

2. That the number of non-resident employees shall not exceed two (3) 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 may generate up to a maximum of four (4) business-related visits per day.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
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 outside storage area.
9. 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 **200.00 sq. ft. (18.58 sq. m.)**.
10. That all vehicles, trailers, or 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.
11. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That this Development Permit shall be valid until **March 24, 2025**.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

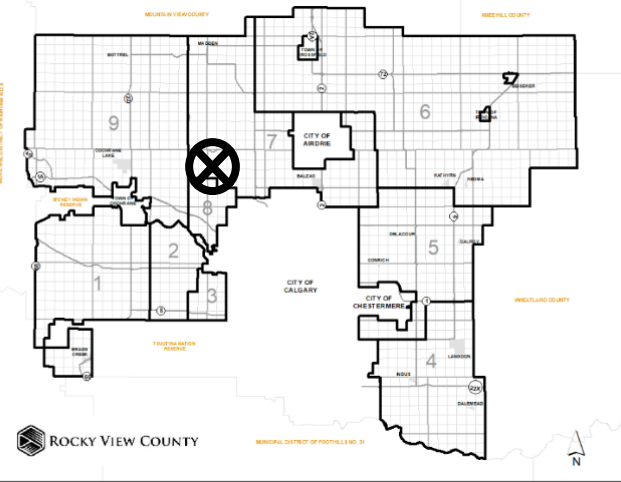
APPLICANT: Albert Rakowski	OWNER: Kraig Rakowski
DATE APPLICATION RECEIVED: January 19, 2021	DATE DEEMED COMPLETE: January 20, 2021
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: SW-30-26-02-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> • There are no Planning related application on file for this parcel <p>Development Permits</p> <ul style="list-style-type: none"> • PRDP20193374 (Home Based Business Renewal) • PRDP20180558(Construction of two accessory buildings) • PRDP20162997 (Home Based Business Renewal) • PRDP20151717 (existing accessory building- oversize shop) • PRDP20141060 (addition to existing dwelling) • 2013-DP-15567 (Home Based Business renewal) • 2011-DP-14727 (Home Based Business application) • 2010-DP-14199 (Home Based Business application) • 2009-DP-13747 (Home Based Business application) • 2008-DP-13279 (Construction of accessory shop – relaxation of side yard setback) • 2008-DP-13280 (construction of two berms) • 2008-DP-13186 • 2008-DP-13201 <p>Building Permits</p> <ul style="list-style-type: none"> • PRBD20192284 (Oversize Accessory Building- in compliance) • PRBD20181427 (Farm building location – closed complete) • PRBD20153426 • PRBD20140954 • 2009-BP-21968 	
<p>PUBLIC & AGENCY SUBMISSIONS:</p> <p>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.</p>	



Location & Context

Development Proposal

Renewal of a Home Based Business Type II, Vacuum truck service.



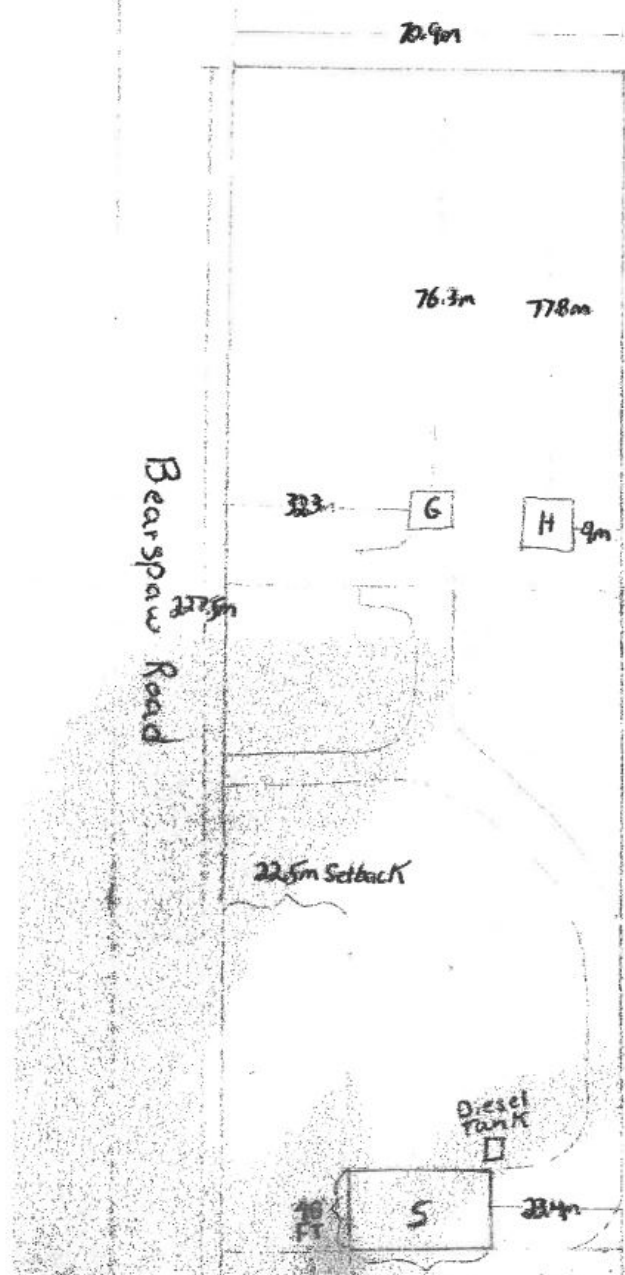
Division: 7
 Roll: 06630005
 File: PRDP20210284
 Printed: February 2, 2021
 Legal: Block:1 Plan:6708 JK;
 within SW-30-26-02-W05M



Site Plan

Development Proposal

Renewal of a Home
Based Business Type II,
Vacuum truck service.



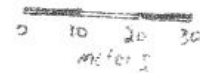
Legend

G = Garage

H = House

S = Shop

Scale = 1:1000



Division: 7

Roll: 06630005

File: PRDP20210284

Printed: February 2, 2021

Legal: Block: 1 Plan: 6708 JK;

within SW-30-26-02-W05M



264018

For Package
Delivery
Please Use
Dropbox To
The Right Side

Purolator/Deliveries

Kraig and Danielle Rakowski
authorize deliveries to be
put in the lockable box on
the right side of the
driveway



