

## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
Development Authority **DIVISION:** N/A

**DATE:** April 14, 2021 **APPLICATION:** N/A

**FILE:** N/A

**SUBJECT:** Administrative Directive

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### POLICY DIRECTION:

On February 24, 2021, the Municipal Planning Commission (MPC) directed Administration to bring forward statistics regarding Subdivision and Development Appeal Board (SDAB) appeal numbers and proposed amendments to the Administrative Directive.

### EXECUTIVE SUMMARY:

#### Subdivision & Development Appeal Board (SDAB)

2019:

- Subdivision Appeals – 1
- Development Appeals – 60

2020:

- Subdivision Appeals – 1
- Development Appeals – 16

The above statistics varied from 2019 to 2020 based on the following factors:

- The creation of MPC back in February of 2020;
- The adoption of the Land Use Bylaw in September of 2020, including amendments prior to that adoption; and
- The Covid-19 Pandemic.

#### Amendments to the Administrative Directive

The direction of MPC was to bring back an amended administrative directive based on the statistics that were provided at the February 24, 2021 meeting. It was noted that five (5) permit types were highly consistent with Administrative recommendations and have been reflected in the amendments. Those amendments include the following:

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.

Therefore, administration has put together redline amendments in Attachment A, to reflect those permit types listed above.

<b>Administration Resources</b>
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Heather McInnes, Planning and Development Services
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As part of administrations detailed review, we identified some additional uses for MPC’s consideration to add to the Administrative Directive. This version of the directive is included as Appendix B, and includes both the direction of the MPC, in addition to the following uses:

- 1. Animal Units
- 2. Bed and Breakfast
- 3. Riding Arenas

**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with Option #2.

**OPTIONS:**

- Option #1: THAT the amended Administrative Directive be updated as per the red line changes in Attachment A
- Option #2: THAT the amended Administrative Directive be updated as per the red line changes in Attachment B.
- Option #3: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Al Hoggan”

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Acting Executive Director  
Community Development Services

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Chief Administrative Officer

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**ATTACHMENTS:**

- ATTACHMENT ‘A’: Proposed Amended Administrative Directive
- ATTACHMENT ‘B’: Proposed Amended Administrative Directive



## ATTACHMENT 'A': PROPOSED AMENDED ADMINISTRATIVE DIRECTIVE

**PLANNING AND DEVELOPMENT SERVICES**  
**Administrative Directive**

## PURPOSE:

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

## ADMINISTRATIVE DIRECTIVE:

The following Development Permit application decisions should be 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 to 930 m<sup>2</sup> (10,010.40 ft<sup>2</sup>) in Agricultural Districts and all Show Homes where:~~
  - ~~○ The application has no variances; or~~
  - ~~○ The application has minor variances.~~
- ~~Minor~~ All variances ~~are to be defined as follows as follows:~~
  - Relaxation of all Setbacks;
  - 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, Commercial or Industrial Uses~~, Gravel Pit, etc.) where:
  - There are no changes 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.
- Home Based Business (HBB) Type II that meet the requirements of the Land Use Bylaw, with the exception of:
  - Any variance to the regulations (i.e. automotive related, increase to site visits, etc.);
  - If they are the result of an enforcement issue.
- Additional Dwelling Units (ADU) with the exception of:
  - If they are the result of an enforcement issue;
  - Any additional uses for the ADU that are not exempt under the Land Use Bylaw (Vacation Rental, etc.).



## ROCKY VIEW COUNTY

- Any change of use that triggers a Development Permit, with the exception of:
  - Any variances to the regulations;
  - If they are the result of an enforcement issue.
  - Retail Restrictive (Cannabis Dispensaries, Firearm Sales and Liquor Sales that includes Bars & Pubs)
  - Any uses that fall under a Commercial or Industrial District.
- Development Permit reapplications of expired applications where there are no changes 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 be forwarded to MPC for decision:

- All Development Permits that would be considered or recommended for refusal.
- 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.



## ATTACHMENT 'B': PROPOSED AMENDED ADMINISTRATIVE DIRECTIVE

**PLANNING AND DEVELOPMENT SERVICES**  
**Administrative Directive**

## PURPOSE:

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

## ADMINISTRATIVE DIRECTIVE:

The following Development Permit application decisions should be 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 to 930 m<sup>2</sup> (10,0101.40 ft<sup>2</sup>) in Agricultural Districts and all Show Homes where:~~
  - ~~○ The application has no variances; or~~
  - ~~○ The application has minor variances.~~
- ~~Minor~~ All variances ~~are to be defined as follows as follows:~~
  - Relaxation of all Setbacks;
  - 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, Commercial or Industrial Uses~~, Gravel Pit, etc.) where:
  - There are no changes 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.
- Home Based Business (HBB) Type II that meet the requirements of the Land Use Bylaw, with the exception of:
  - Any variance to the regulations (i.e. automotive related, increase to site visits, etc.);
  - If they are the result of an enforcement issue.
- Additional Dwelling Units (ADU) with the exception of:
  - If they are the result of an enforcement issue;
  - Any additional uses for the ADU that are not exempt under the Land Use Bylaw (Vacation Rental, etc.).



## ROCKY VIEW COUNTY

- Any change of use that triggers a Development Permit, with the exception of:
  - Any variances to the regulations;
  - If they are the result of an enforcement issue.
  - Retail Restrictive (Cannabis Dispensaries, Firearm Sales and Liquor Sales that includes Bars & Pubs)
  - Any uses that fall under a Commercial or Industrial District.
- Animal Units with the exception of:
  - If they are the result of an enforcement issue;
- Bed & Breakfast with the exception of:
  - If they are the result of an enforcement issue;
- Riding Arena with the exception of:
  - If they are the result of an enforcement issue;
  - They exceed the definition of a Riding Arena under the Land Use Bylaw.
- Development Permit reapplications of expired applications where there are no changes being proposed by the applicant **and do not fall under the exemptions listed above.**
- Applications that would typically be decided upon by MPC where MPC is unavailable (ex: On break).

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

- **All Development Permits that would be considered or recommended for refusal.**
- 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.