

## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 4

**DATE:** June 9, 2021  
**APPLICATION:** PRDP20211948

**FILE:** 03223560

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

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**APPLICATION:** Application is for a Home-Based Business, Type II, for an automotive business (automotive servicing and modifications) and relaxation of the allowable business use.

**GENERAL LOCATION:** located in the hamlet of Langdon.

**LAND USE DESIGNATION:** Residential, Urban District (R-URB), under Land Use Bylaw C-8000-2020

**EXECUTIVE SUMMARY:** The Applicant is proposing to operate a Home-Based Business, Type II, for automotive service and modifications on the subject parcel. The name of the business is Kriegers Kustoms and requires a relaxation to the type of business regulation.

The business operates Monday to Saturday from 9:00 am to 4:00 pm, with approximately two (2) business-related visits per week. The business currently has one (1) employee, resident of the parcel, with plans for one (1) additional employee. The business utilizes approximately 78.04 sq. m (840.00 sq. ft.) of an accessory building and there is a paved area, in a gated and locked backyard, that can accommodate up to four (4) vehicles, if required.

The business was previously approved under a Home-Based Business, Type I, approval dated April 8, 2020. The Applicant has plans for an additional non-resident employee. That requires permitting as a Home-Based Business, Type II, and requires relaxation to the type of business regulation.

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

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20211948 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20211948 be refused for the following reasons:

1. That the application does not meet the requirements for a Home Based Business, Type II, as specified in Section 145 (f) of the Land Use Bylaw, C-8000-2020.

*Retail, restaurants, and automotive-related businesses shall not be permitted as a Home-Based Business (Type II).*

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

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### **Administration Resources**

Wayne Van Dijk, Planning and Development



## AIR PHOTO & DEVELOPMENT CONTEXT:



## APPLICATION EVALUATION:

The application was evaluated based on the information 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>• Land Use Bylaw C-8000-2020; and.</li> <li>• Langdon Area Structure Plan</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Home Based Business, Type II is listed as Discretionary Use</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

### Additional Review Considerations

Business approved April 8, 2020, as a Home-Based Business, Type I and the Applicant has plans for an additional non-resident employee that requires permitting as a Home-Based business, Type II and requires relaxation to the type of business regulation.

The Applicant has gained written support from eight (8) adjacent landowners, which have been included in the package.

## CONCLUSION:

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



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

WV/lt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval subject to the following conditions:

**Description:**

1. That a Home-Based Business, Type II, for automotive service and modifications, may commence operating on the subject parcel in accordance with the approved site plan and conditions of this permit.
  - i. That the proposed Automotive use is permitted as a Home-Based Business, Type II.

**Permanent:**

2. That the number of non-resident employees, for the operation of this Home-Based Business, in conjunction with any other Home-Based Business approved for this parcel, shall not exceed two (2) at any time.
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, Type II 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 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. The Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
7. That the Home-Based Business shall be limited to the dwelling and its accessory buildings.
8. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building.
9. That there shall be no signage, exterior display, or advertisement of goods and services discernable from the outside of the building.
10. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
11. That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
12. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
13. That this Development Permit shall be valid until **July 7, 2022**.

**Advisory:**

14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Ryan Krieger	<b>OWNER:</b> Ryan & Jennifer Krieger
<b>DATE APPLICATION RECEIVED:</b> April 20, 2021	<b>DATE DEEMED COMPLETE:</b> April 28, 2021
<b>GROSS AREA:</b> ± 0.10 hectares (± 0.25 acres)	<b>LEGAL DESCRIPTION:</b> Lot 12, Block 8, Plan 9810976, NW-23-23-27-W04M (58 Anderson Ave.)
<b>APPEAL BOARD:</b> Subdivision & Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>• Home-Based Business, Type I: automotive service and modifications</li> <li>• PRDP20211335: addition to an accessory building</li> </ul>	
<b>PUBLIC &amp; 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.	





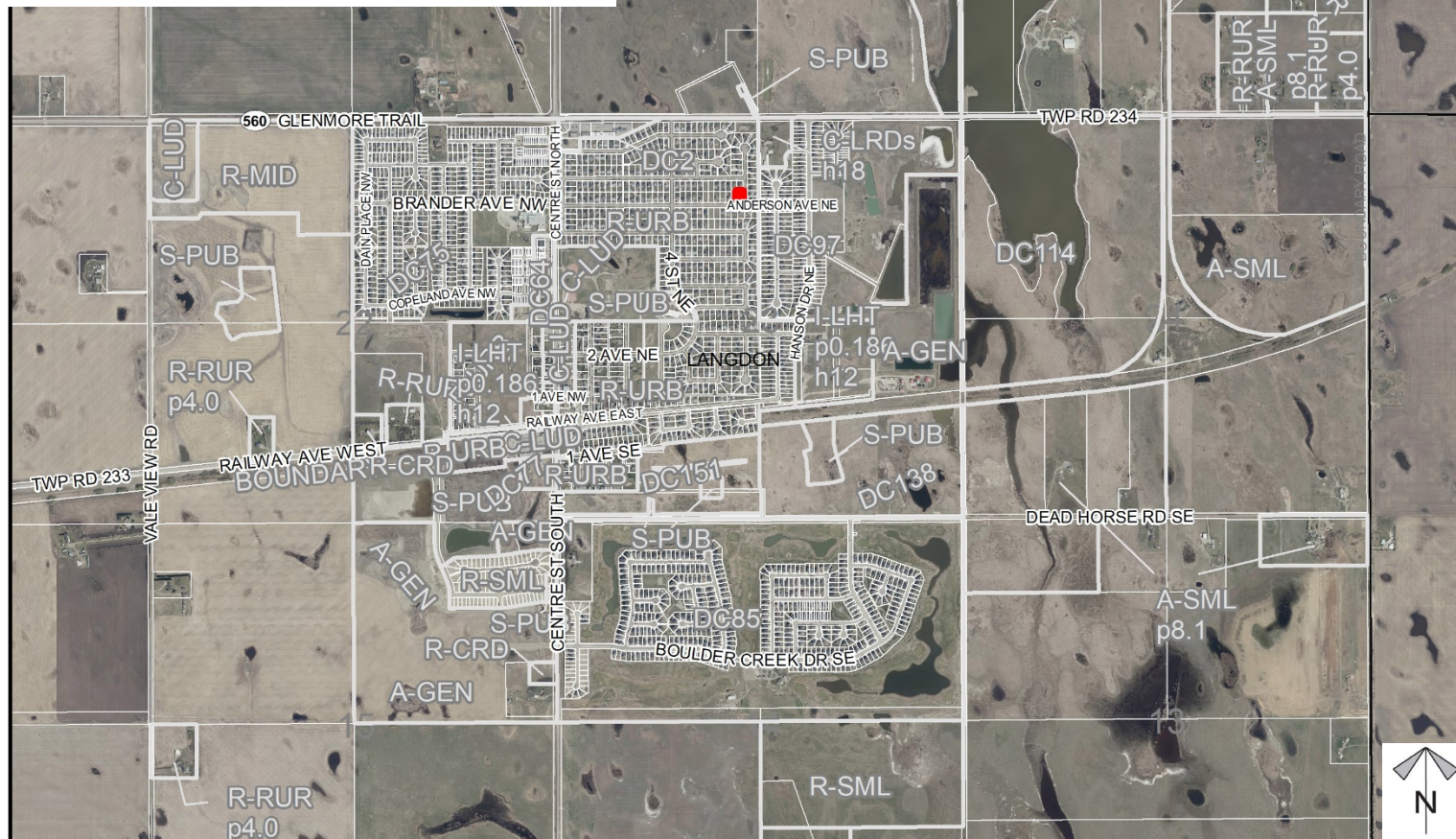
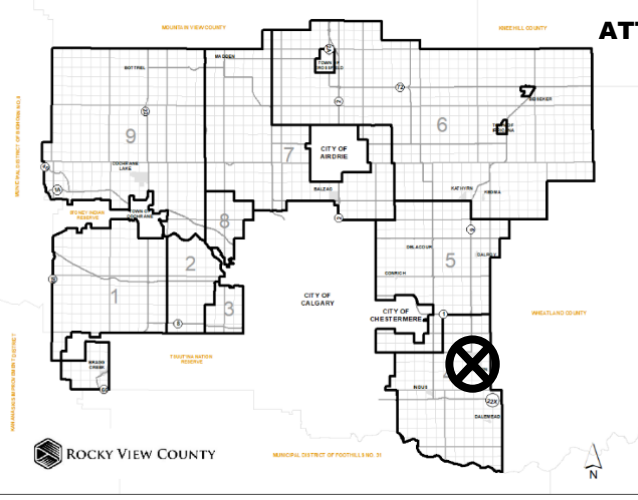
## Location & Context

### Development Proposal

Home Based Business, Type II for an automotive business (service and modifications) and relaxation to the allowable business use

Division: 4  
 Roll: 03223560  
 File: PRDP20211948  
 Printed: May 10, 2021  
 Legal: Lot:12 Block:8  
 Plan:9810976 within  
 NW-23-23-27-W04M

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION





## Aerial Imagery

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RJK Ventures Ltd. o/a Kriegers Kustoms  
58 Anderson Avenue N.E., Langdon, AB T0J 1X1  
[www.kriegerskustoms.ca](http://www.kriegerskustoms.ca)  
(780) 238-3851

## Cover Letter

### Development Proposal

Home Based Business,  
Type II for an automotive  
business (service and  
modifications) and  
relaxation to the allowable  
business use

To whom it may concern,

My name is Ryan Krieger and I am applying today for a Home Based Business Level 2 Development Permit for my business RJK Ventures o/a Kriegers Kustoms. I have been operating under a Level 1 Development Permit with AMVIC certification and full insurance for just over a year now. Unfortunately I have just been served a letter from Rocky View County indicating that I am now required to change over to a Level 2 to continue operating. I have actually already been working towards this change of my own accord, however, I am delayed in finalizing my application for the change due to waiting for the Permits for my garage expansion to be approved. I require these so that when my property is inspected (as per a Level 2 home based business development permit requirement) everything will be in order to pass this inspection. Please find attached the communication over the last few months in regards to my other permit applications for reference.

My reason for pursuing the change to Level 2 Development Permit of my own accord prior to the letter from Rocky View is I am looking to expand my business by hiring an employee. As such, I understand that to hire someone who does not live at my property I need to get a Level 2 permit. I have recently undergone back surgery and am finding myself in need of a helping hand to keep up with the demands of my customers as well as my mobility limitations. I am extremely proud of having recently been awarded the Business Excellence Award for #AutoLangdon, and I look forward to continue serving the Hamlet of Langdon that I call home! Unfortunately, as you may be quite aware, there is no commercial properties for lease within the Langdon town proper and without an opportunity to continue operating my business out of my separate garage on my property, I simply would not be able to afford relocating to another city/town/location.

The following is a description of the services my business performs and the hours of work etc.:

- Mon-Fri 9am to 4pm, Sat 10am to 4pm (as required)
- Oil, Lube and Filter service.
- Tire Rotations
- Vehicle modifications such as mud flaps, step bars, light upgrades and various other accessory installs
- Vehicle Stereo and Electronic Installations

I do not have any more appointments booked than I can get finished in any given day, so I rarely have any customer vehicles parked outside my garage as they're stored inside while being serviced. If on the odd occasion I have a customer requiring to drop off the vehicle the night before for example, I have a paved parking area in my backyard that can easily accommodate 4 cars behind a locked and secure gate. I do not anticipate much random traffic as 99% of my business is conducted via email/social media/phone prior to customer's arrival at my shop.

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I have additional parking for 4 cars in the front of my house to accommodate the 1% of drive in customers that may arrive without an appointment. This allows me to keep my business operations entirely on my property without impacting traffic on any roadways.

I have engaged with my neighbors all around my property to ensure there would be no conflicts or concerns with my business and have received nothing but support from them to my knowledge. Please let me know if any formal letters of recommendation are required from them and I will request these.

Thanks in advance for your consideration,

Ryan Krieger, Owner  
Kriegers Kustoms

## Cover Letter

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## Adjacent Landowner Consent

### Development Proposal

Home Based Business,  
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To whom it may concern,

In regards to Kriegers Kustoms operating within the community of Langdon at the address of 58 Anderson Ave, the following neighbors have offered their support and signatures to indicate they do not have any concern over the business operating under the regulations as outlined under the Home Based Business (Type II):

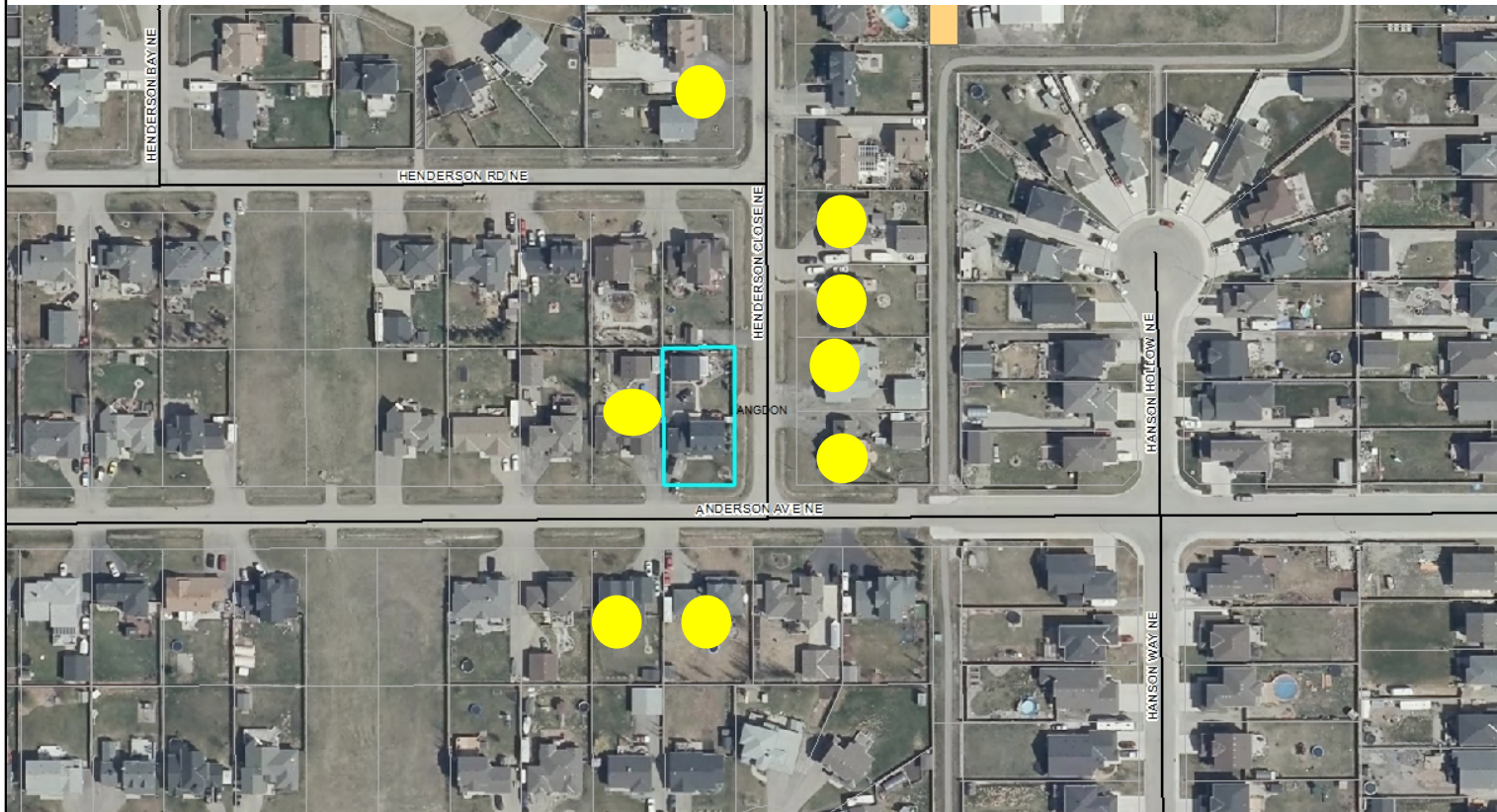
<u>Address</u>	<u>Name</u>	<u>Signature</u>
1. <u>56 Anderson Ave</u>	<u>Mikaela Hayes</u>	<u>M. Hayes</u>
2. <u>55 Anderson Ave</u>	<u>IAN O'GRADY</u>	<u>[Signature]</u>
3. <u>57 Anderson Ave</u>	<u>Crystal MacDonald</u>	<u>[Signature]</u>
4. <u>1 Henderson Close</u>	<u>H. Farmer</u>	<u>H. Farmer</u>
5. <u>3 Henderson Close</u>	<u>[Signature]</u>	<u>Cody Liard</u>
6. <u>5 Henderson Close</u>	<u>[Signature]</u>	<u>[Signature]</u>
7. <u>7 Henderson Close</u>	<u>C. Patzack</u>	<u>[Signature]</u>
8. <u>8 Henderson Close</u>	<u>IVAR Miltino</u>	<u>IVAR Miltino</u>

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Adjacent landowner consent



Subject parcel

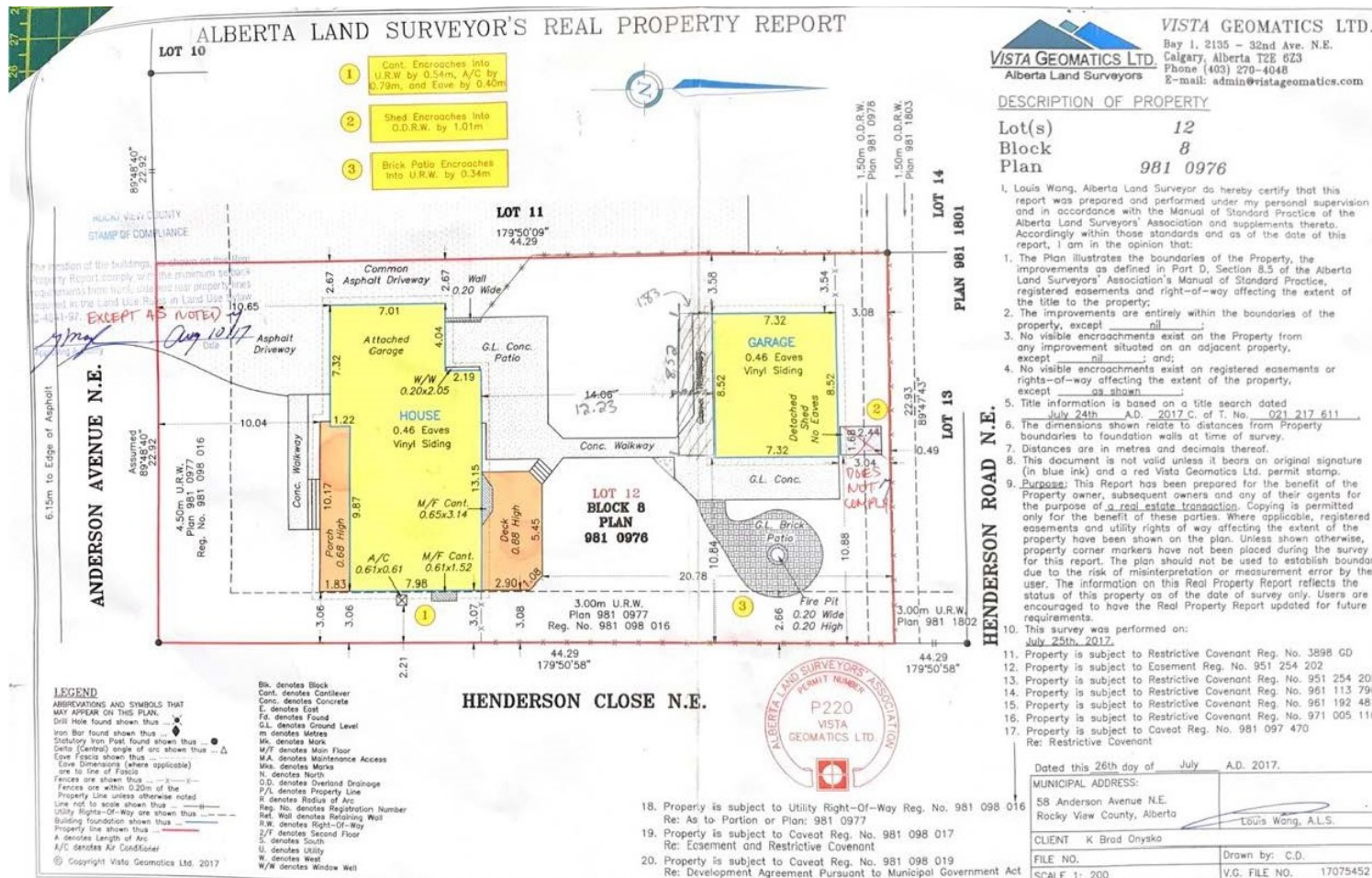
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## Site Plan

## Development Proposal

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**Site Photo**

(May 14, 2021  
Inspection)

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