

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 1
DATE:	July 14, 2021	APPLICATION: PRDP20212203
FILE:	05828006	
SUBJECT:	Home-Based Business, Type II / Discretionary use, with Variances	

APPLICATION: Home-Based Business, Type II, for health & wellness retreats, workshops, and classes, relaxation of the maximum number of business-related visits, and relaxation of the maximum number of business-related signs

GENERAL LOCATION: Located approximately four (4) kilometres (2 1/2 miles) north of Township Road 252 and on the west side of Range Road 43.

LAND USE DESIGNATION: Agricultural, Small Parcel District (A-SML p8.1)

EXECUTIVE SUMMARY: This application is for a Home-Based Business, Type II, for a health and wellness-related business. The business, "The Yurt," will offer health and wellness-related retreats such as yoga classes, yoga workshops, and similar events.

Programming will be by appointment only and held one to two times per day within an existing 74.72 sq. m (804.25 sq. ft.) yurt. The Applicant and her husband, who both reside onsite, operate the business. Hours of operation are Monday to Friday from 7:00 AM to 10:00 PM and Saturday and Sunday from 9:00 AM to 10:00 PM. Each event can accommodate up to 16 attendees, meaning a variance to the number of business-related visits is required. The Applicant is also requesting a variance to the maximum number of business-related signs to allow for a total of three (3) freestanding signs.

The Applicant has indicated that the business offerings are intended to be quiet and relaxing, so it is not anticipated that noise will be a concern. All business parking will be provided on-site, and landscaping will be planted around the perimeter of the yurt for screening.

This application is the result of enforcement action. Three (3) letters of support has been submitted by adjacent neighbors and is included in Attachment B.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212203 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212203 be refused.

Administration Resources

Sandra Khouri, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Number of daily business-related visits	8	16	100%
Number of business-related signs	1	3	200%

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Cochrane Intermunicipal Development Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: Home-Based Business, Type II, is a discretionary use in the A-SML district	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission



ROCKY VIEW COUNTY

Additional Review Considerations

Access

- The business will be accessed by way of the existing approach off Towers Trail and driveway located on the property to the south (Lot 2, Block 1, Plan 1811055).
- There is an Access Easement (181 100 607) registered on title between the subject property (Lot 1) and Lot 2.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

SK/lt

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 health & wellness retreats, workshops, and classes, may operate on the subject parcel in accordance with the approved plans.
 - a. That the maximum number of business-related visits is relaxed from **8** to **16**.
 - b. That the maximum number of business-related signs is relaxed from **1** to **3**.
- 2) That three (3) freestanding directional signs may be installed on the subject property, in accordance with the approved plans.
 - a. The signs shall not exceed 0.50 sq. m (5.38 sq. ft.) in area or 1.50 m (4.92 ft.) in height, in accordance with the Land Use Bylaw (C-8000-2020).

Permanent:

- 3) That the number of non-resident employees shall not exceed two (2) 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.
- 4) That the operation of this Home-Based Business, Type II may generate up to a maximum of 16 business-related visits per day.
 - a. That for the purposes of this permit, one business-related visit would include client arrival and departure.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) 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.
- 9) That the Home-Based Business shall be limited to the dwelling and accessory building.
- 10) That there shall be no outside storage associated with the Home-Based Business at any time.
- 11) That any site landscaping or screening elements approved with the application shall be maintained onsite at all times.
- 12) That there shall be a minimum of 16 parking stalls, including two (2) barrier-free, maintained on-site at all times, in accordance with the approved Site Plan. All customer and employee parking shall be restricted to the subject land and there shall be no offsite parking.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That there shall be no parking or signage in the County Road Right-of-Way at any time.



ROCKY VIEW COUNTY

- 15) That all outdoor lighting shall be fully cut-off (shielded) light fixtures that direct light downward and designed to minimize light pollution, glare, and light trespass onto adjacent properties, while maintaining night-time, on-site safety, and security during evening operating hours.
- 16) That this Development Permit shall be valid until **August 31, 2022**.

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 19) That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the yurt located on the subject site, to facilitate accurate emergency response. *Note: Municipal address is C 254065 Towers Trail.*
- 20) That Building Permit PRBD20200630 shall be issued prior to any construction taking place, and that building occupancy is granted prior to commencement of business operation.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

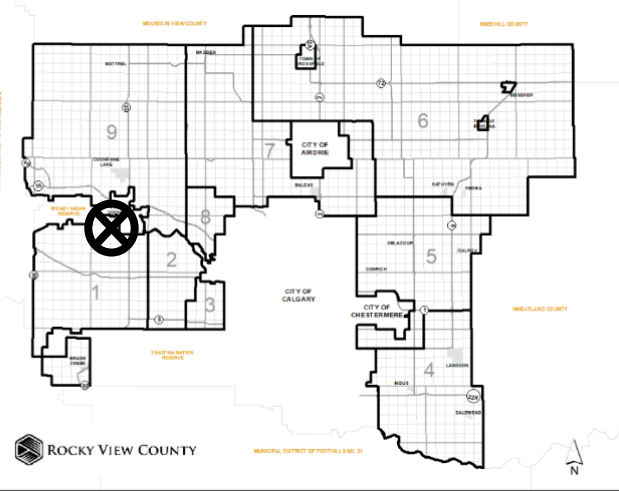
APPLICANT: Marni McConnach	OWNER: Gwynneth Butler
DATE APPLICATION RECEIVED: May 19, 2021	DATE DEEMED COMPLETE: May 21, 2021
GROSS AREA: ± 1.63 hectares (± 4.03 acres)	LEGAL DESCRIPTION: Lot:1 Block:1 Plan:1811055; SE-28-25-04-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>June 9, 2021: Development permit (PRDP20210965) issued for Bed and Breakfast (out of principal dwelling).</p> <p>June 7, 2021: Development permit (PRDP20211006) issued for a Dwelling, Tiny.</p> <p>July 31, 2020: Building permit (PRBD20200630) issued for Yurt (waiting for inspection).</p> <p>July 31, 2017: Application for a subdivision to create a ± 8.28 hectare (± 20.48 acre) parcel (Lot 1) with a ± 24.86 hectare (± 61.43 acre) remainder (Lot 2) was approved.</p> <p>May 1, 2017: Application to redesignate the subject land from Ranch and Farm District to Agricultural Holdings District and Ranch and Farm Two District, in order to facilitate the creation of a ± 8.28 hectare (± 20.48 acre) parcel (Lot 1) with a ± 24.86 hectare (± 61.43 acre) remainder was approved.</p> <p>June 24, 1999: Building permit (1999-BP-12863) granted final occupancy for a single-family dwelling.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was also 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

Home-Based Business
 (Type II) for health &
 wellness retreats,
 workshops, and classes,
 relaxation of the maximum
 number of business
 related visits, and
 relaxation of the maximum
 number of business
 related signs

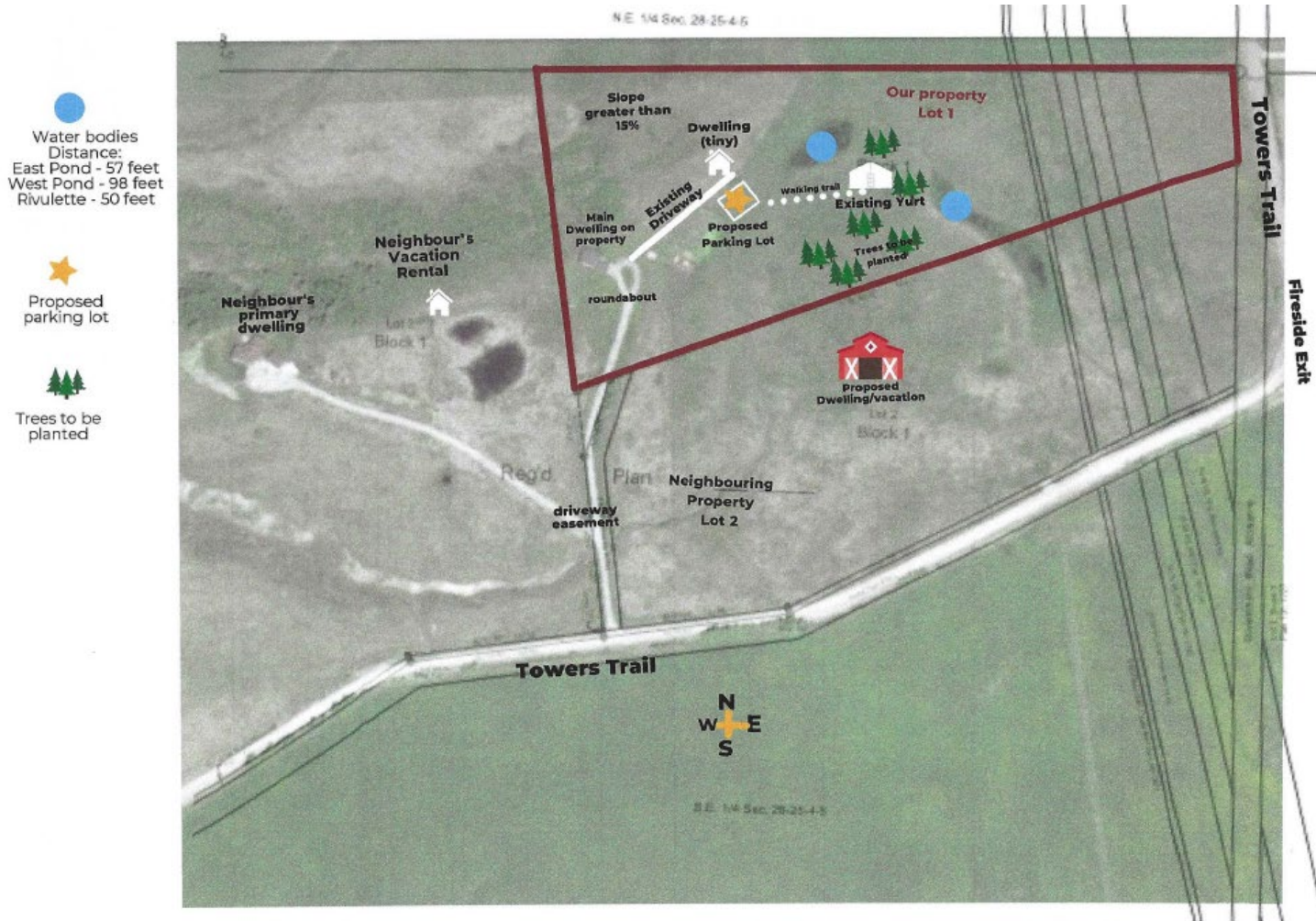
Division: 1
Roll: 05828006
File: PRDP20212203
Printed: June 3, 2021
Legal: Lot:1 Block:1
Plan:1811055 within SE-28-
25-04-W05M



Site Plan

Development Proposal

Home-Based Business (Type II) for health & wellness retreats, workshops, and classes, relaxation of the maximum number of business related visits, and relaxation of the maximum number of business related signs



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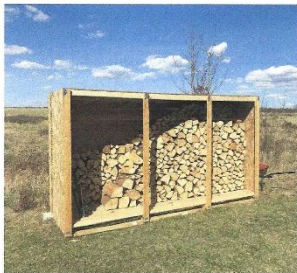
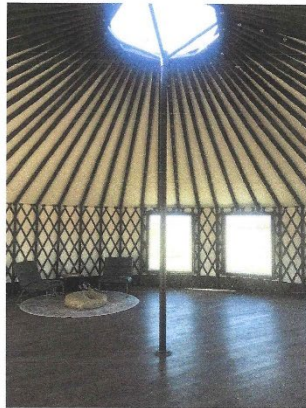
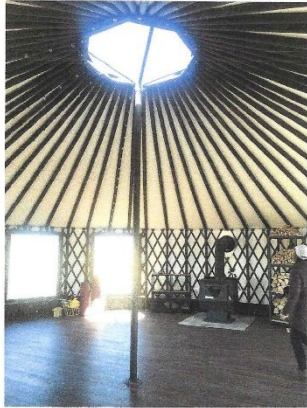
Image 5: The Existing Yurt Building (2 of 3)

Building Permit: #PRBD20200630

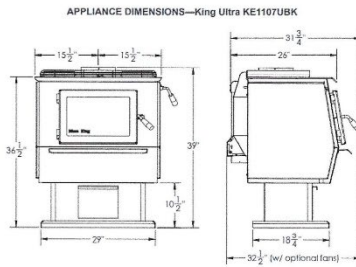
Diameter: 32 ft

Height: 13 ft. 8 Inches

Open concept design to accommodate a range of offerings. One wood stove oven and firewood shelf. Hearth pad 64"x58"
 Indoor (solar) lighting along the top of lattice walls and 8 strings along ceiling poles from lattice tops up to skylight.



Outdoor wood shed
 Dimensions: 47"x145" and 79" tall.



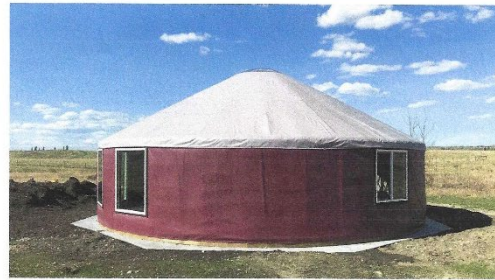
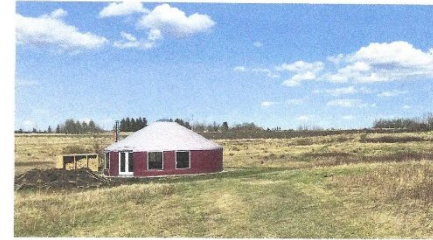
Blaze King Model "King Ultra"
 Wood Stove

Image 5: The Existing Yurt Building (3 of 3)

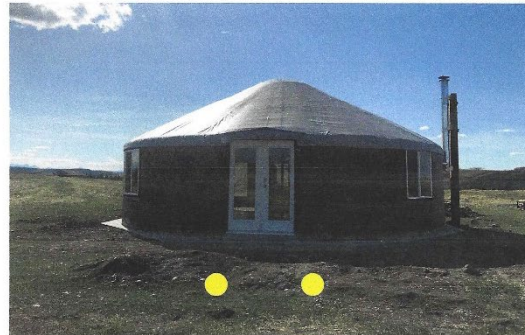
Building Permit:
 #PRBD20200630

Diameter: 32 ft

Height: 13 ft. 8 Inches



Exterior Materials: vinyl siding and roof
 Colour: burgundy siding with grey roof
 Grading: Yurt foundation is flush with outdoor ground.
 Proposed motion detecting ground light fixture: ●



Yurt Photos

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Signage

Proposed Signage (Continued)

Sign 1
 32'
 Wood



Sign 2
 32'
 Wood

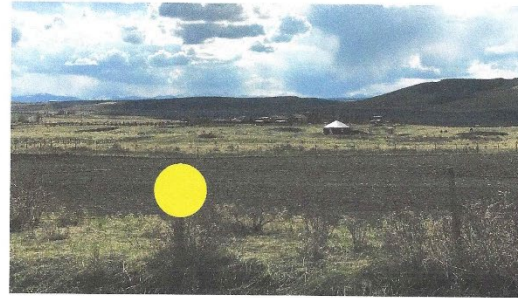


Sign 3
 15'
 Wood



Proposed Signage

Design: Circular wood sign with black paint/etching

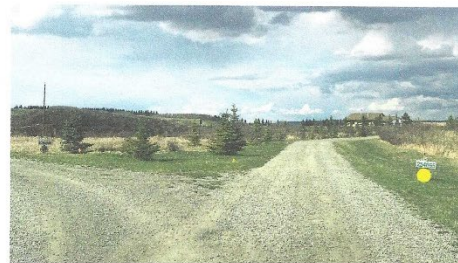


Sign 1

On property fence line leading up to driveway entrance.

Sign 2

At front entrance
 36 feet from neighbours sign
 46 feet from public roadway



Sign 3

Where driveway splits

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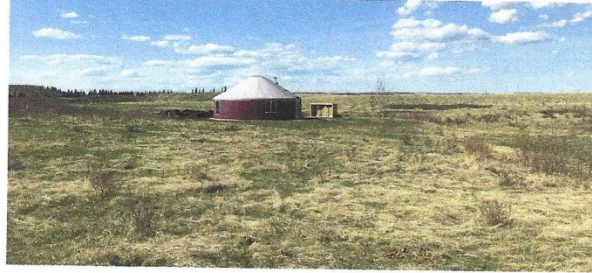
Site Photos

May 17, 20201

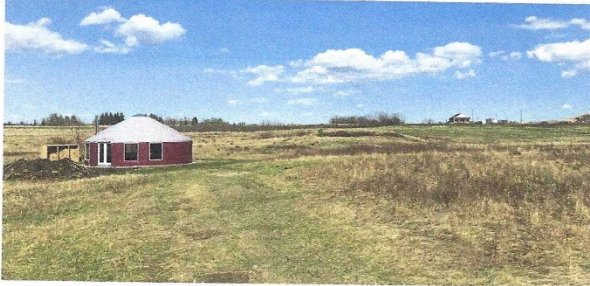
Facing West



Facing North



Facing East



Facing South



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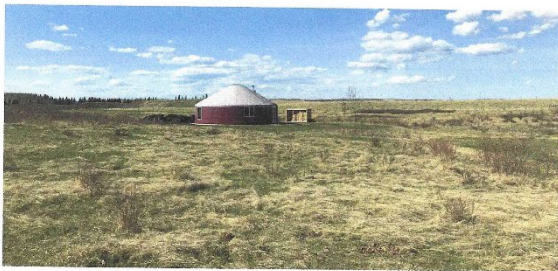
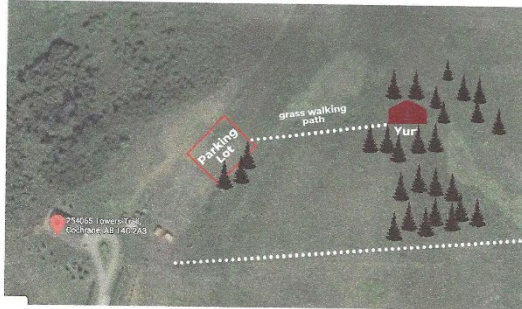
Landscaping and Parking

Development Proposal

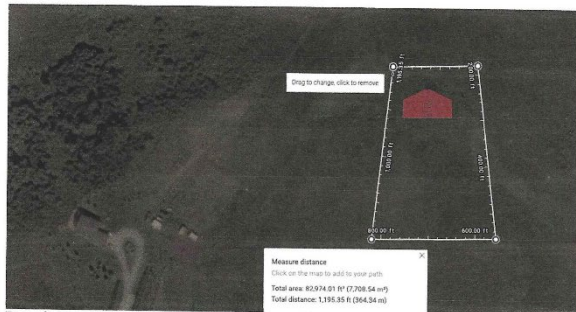
Home-Based Business (Type II) for health & wellness retreats, workshops, and classes, relaxation of the maximum number of business related visits, and relaxation of the maximum number of business related signs

Image 7: Landscaping

Proposed

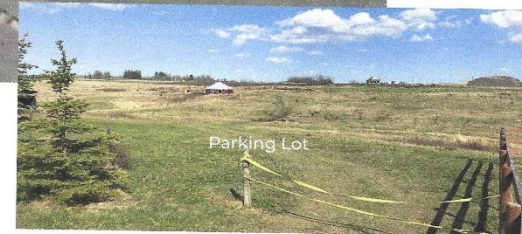
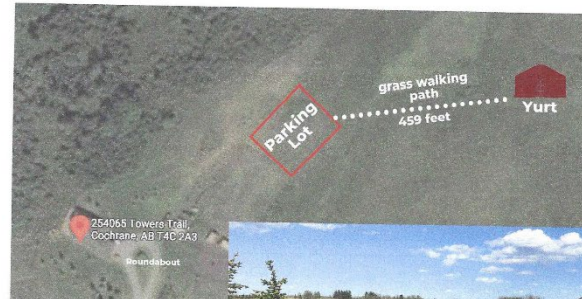


Trees will be located around the Yurt and South side for privacy

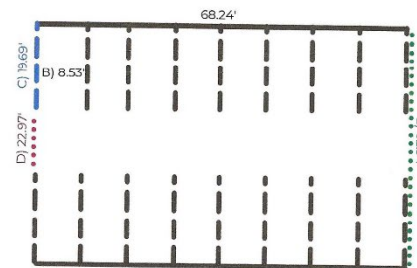


Total area: 82,974.01 ft² (7,708.54 m²)

Image 6: Proposed Parking



- A) Angle of parking: 90 degrees
- B) Stall width: 2.6 m (8.53 ft.)
- C) Stall depth perpendicular to aisle: 6.0 m (19.69 ft.)
- D) Aisle width: 7.0 m (22.97 ft.)
- E) Overall Depth: 19.0 m (62.34 ft.)



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Development Proposal

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Legend

Letter of Support



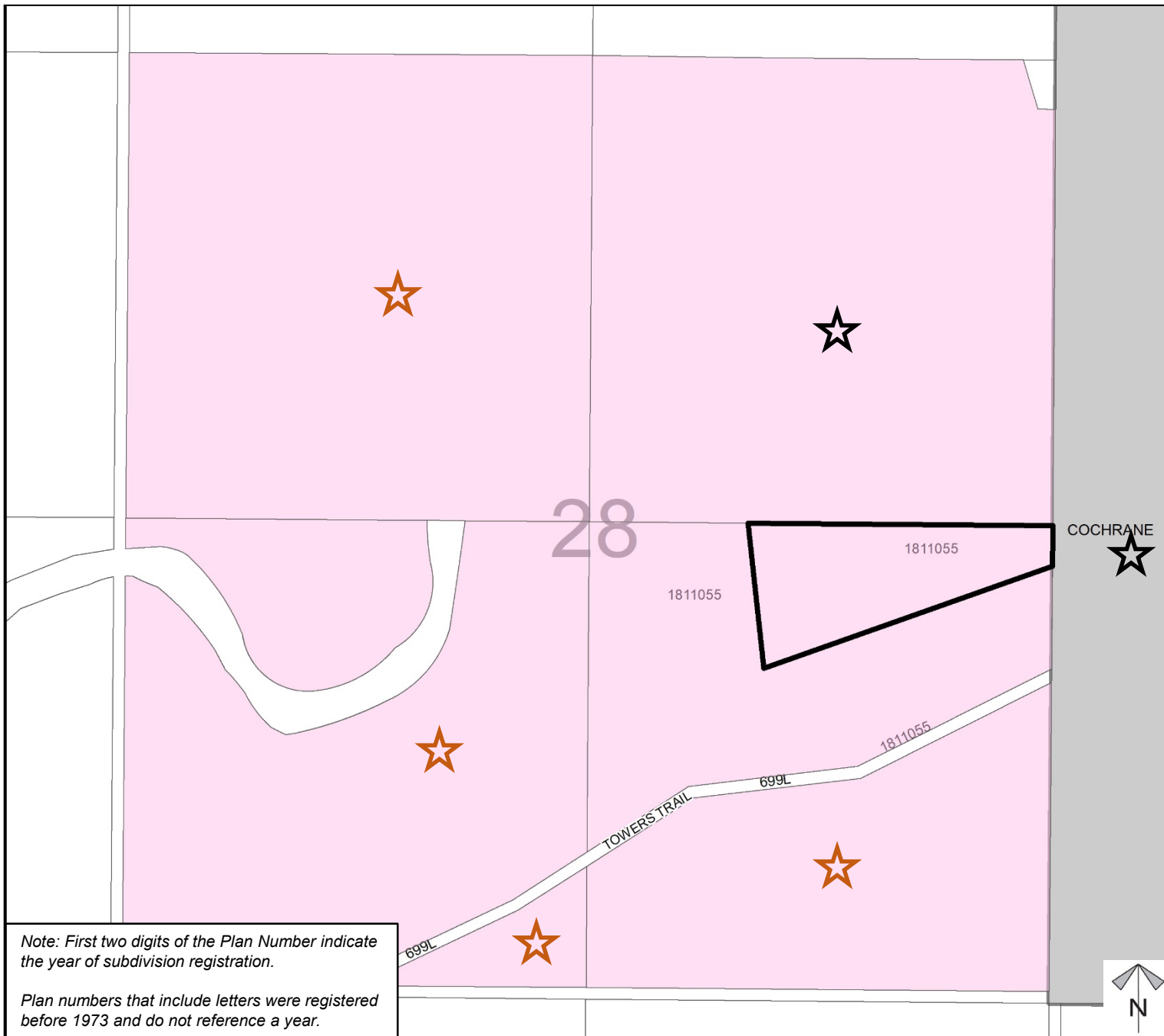
One letter of support, same owner



Not in Support



Division: 1
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25-04-W05M



May 18, 2021

Building Services

262075 Rocky View Point

Rocky View County, AB, T4A 0X2

Re: Development Permit + Home Based Business Type II Plus
Variance + Signage Permit Application
Applied for by Marni and Kevin McConnach

To Whom It May Concern:

My name is Edith Wearmouth and together with my son Travis Eklund, we own the WineGlass Ranch, which is adjacent to the attached application.

The applicants have been our neighbors for more than 20 years. They are good stewards of the land and considerate of their neighbors.

We feel this application has been very well thought and is a much needed and healthy use of their resources.

This is a letter of support for the attached application.

Sincerely

Edith Wearmouth

A solid black rectangular box used to redact the signature of Edith Wearmouth.

Doug and Cheryl Wearmouth
254187 Towers Trail
Cochrane, Alberta T4C 1B7

Marni and Kevin McConnach
Box 1536
Cochrane Alberta, T4C 1B7
254065 Towers Trail
Rocky View County, Alberta T4C 2A3

May 18, 2021

RE: Development Permit + Home Based Business Type II Plus Variance + Signage Permit Application

We would like to thank you for providing us with a copy of the above noted application. Your proactive desire for open, honest communication and input as you developed your business plan was evident. Your transparency and honesty during discussions was very appreciated.

We have no objection to your application as it is submitted. Below were our concerns that you have adequately addressed in your application:

- Noise levels kept to a minimum
- Strict hours of business
- Maximum of two business sessions per day
- Access road to parking lot and parking lot location
- 16 vehicle daily restriction
- Maximum occupancy restrictions
- No trespassing onto adjacent property
- Privacy

We trust that any future changes and variations will be discussed with adjacent and neighboring landowners. We wish you every success in your application and business plans.

Regards,

Doug and Cheryl Wearmouth

May 18, 2021

Building Services
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Re: Marni and Kevin McConnach's Yurt Development Permit Application

Marnie has asked us for a letter of support for their above-mentioned application.

We have lived at this address for 25 years and live directly east of Marni and Kevin's residence and Yurt and can see them both from our house.

We have met with Marni and she has given us a tour of their Yurt and informed us of their plans for the operation of their business.

We feel that their business plan is very well thought out and they have given thoughtful environmental consideration for the construction and proposed operation of the Yurt. They have also kept their neighboring residents informed of their plans and taken their concerns into consideration.

Businesses that focus on wellness, especially in times like this, are very important for the wellbeing of our community and we support their plans for the development of this operation.

Please feel free to contact us if you have any questions regarding this letter.

Best regards,

Jim and Jean Blyth