



## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
 Development Authority **DIVISION:** 9  
**DATE:** July 28, 2021 **APPLICATION:** PRDP20212043  
**FILE:** 07936001  
**SUBJECT:** Home-Based Business (Type II) / Discretionary use, with Variances

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**APPLICATION:** Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits.

**GENERAL LOCATION:** Located at the southwest junction of Range Road 50 and Township Road 280.

**LAND USE DESIGNATION:** Agricultural, General District (A-GEN).

**EXECUTIVE SUMMARY:** This application is for a Home-Based Business, Type II, for a feed store. The business, "Blackwell Feed and Forage," will offer retail sales of equine, canine, and feline food and supplements, wood shavings, hats, and other promotional materials. The property is developed with a dwelling and five (5) farm buildings, as well as a 40-year-old hay farming and sales operation. The feed store will bring together locally produced feed and related products to a single location accessible to the local equine community, and for the convenience of customers already visiting the property to pick up hay.

The business would operate out of an existing 107.21 sq. m (1,154.00 sq. ft.) farm building. The days of operation are Fridays and Saturdays, from 8:00 a.m. to 6:00 p.m. One employee resides on the property and two employees do not. There will be one fascia sign at the entrance of the feed store with the "Blackwell Feed and Forage" logo.

The Applicant anticipates approximately 10 daily business related visits during the two days of operation of the feed store. This requires a variance of 25%. The application also requires a variance to Section 145 f) of the Land Use Bylaw, which states that retail stores shall not be permitted as a Home-Based Business. As the business is in keeping with the County Plan's Agriculture Business policies, which support and encourage agricultural operations and agricultural related economic activity, Administration recommends that Municipal Planning Commission grant the requested variances.

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

**OPTIONS:**

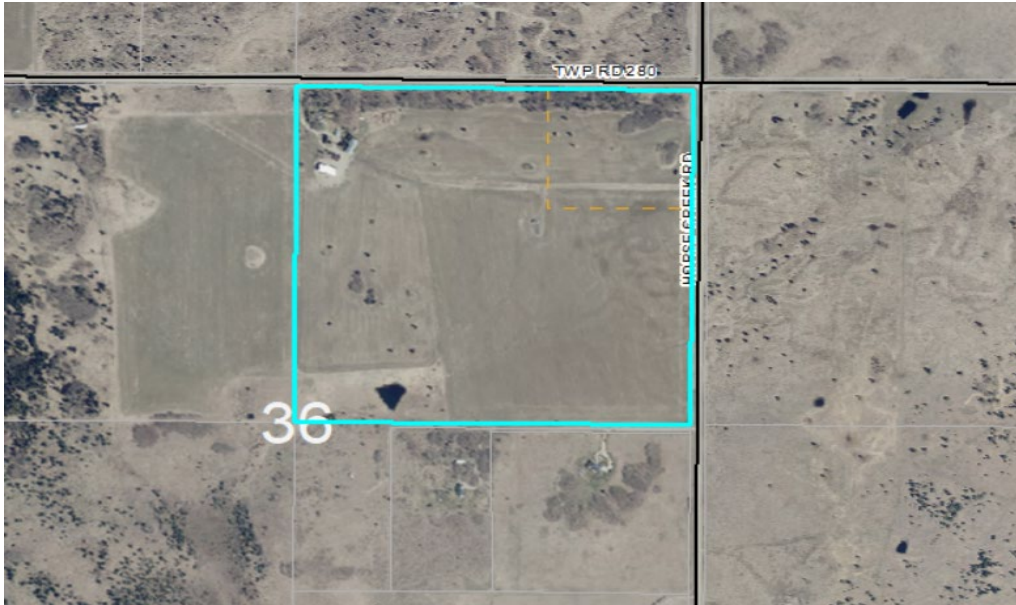
Option #1: THAT Development Permit Application PRDP20212043 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20212043 be refused.

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**Administration Resources**

Sandra Khouri, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**

**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Number of daily business-related visits	8	10	25%
Type of business	Retail store not permitted	Retail store requested	n/a

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports 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>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>PERMITTED USE:</b> Home-Based Business, Type II, is a discretionary use in the A-GEN district	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission

Additional Review Considerations*Legal Non-Conforming*

Hay farming and hay sales have been operating on the property for 40 years. As such, Farm Gate Sales would be considered a legally non-conforming use, and a development permit is not required.

*County Plan*

The County Plan policies that support this application are as follows:

- 8.0 Agriculture – Business
- 8.7 Support and encourage agriculture operations and agricultural related economic activity.
- 8.8 Support and encourage *small scale, value-added agriculture* and *agriculture services* to locate in proximity to complementary agricultural producers.
- 8.11 Provide for increased home based business opportunities.

**CONCLUSION:**

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

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

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**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 a feed store, may operate out of the existing farm building, approximately 107.21 sq. m (1,154.00 sq. ft.) in size, in accordance with the approved plans and conditions of this permit.
  - a. That the maximum number of business related visits is relaxed from **8** to **10**.
  - b. That the proposed retail store use is permitted as a Home-Based Business (Type II).
- 2) That one (1) fascia sign may be placed on the subject property, in accordance with the application details.
  - a. The sign 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 10 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 9 parking stalls 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.

- 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 feed store located on the subject site, to facilitate accurate emergency response.  
*Note: Municipal address is A 50127 TWP RD 280.*
- 20) That a Building Permit shall be obtained and that building occupancy is granted prior to commencement of business operation.



**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

<p><b>APPLICANT:</b> Micheline Maes</p>	<p><b>OWNER:</b> Robert &amp; Marla Blackwell</p>
<p><b>DATE APPLICATION RECEIVED:</b> May 11, 2021</p>	<p><b>DATE DEEMED COMPLETE:</b> June 4, 2021</p>
<p><b>GROSS AREA:</b> ± 63.92 hectares (± 157.94 acres)</p>	<p><b>LEGAL DESCRIPTION:</b> NE-36-27-05-W05M</p>
<p><b>APPEAL BOARD:</b> Subdivision and Development Appeal Board</p>	
<p><b>HISTORY:</b></p> <p><b>September 20, 2018:</b> Farm building location permit (PRDP20183798) issued for a farm building.</p> <p><b>May 16, 2011:</b> Farm building location permit (FBL20110516_1051) issued for a farm building.</p> <p><b>April 26, 2011:</b> Development permit (2011-DP-14470) issued for a 6,480 sq. ft. farm building.</p> <p><b>February 26, 2002:</b> Building permit (2001-BP-15057) granted final occupancy for an addition to a single-family dwelling.</p> <p><b>June 15, 1989:</b> Building permit (1989-BP-1018) granted final occupancy for a single-family dwelling.</p>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <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>	

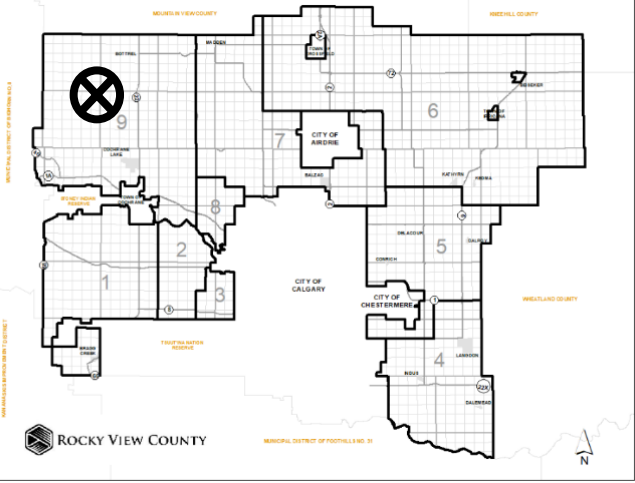


# Location & Context

## Development Proposal

Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits

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File: PRDP20212043  
Printed: June 24, 2021  
Legal: NE-36-27-05-W05M

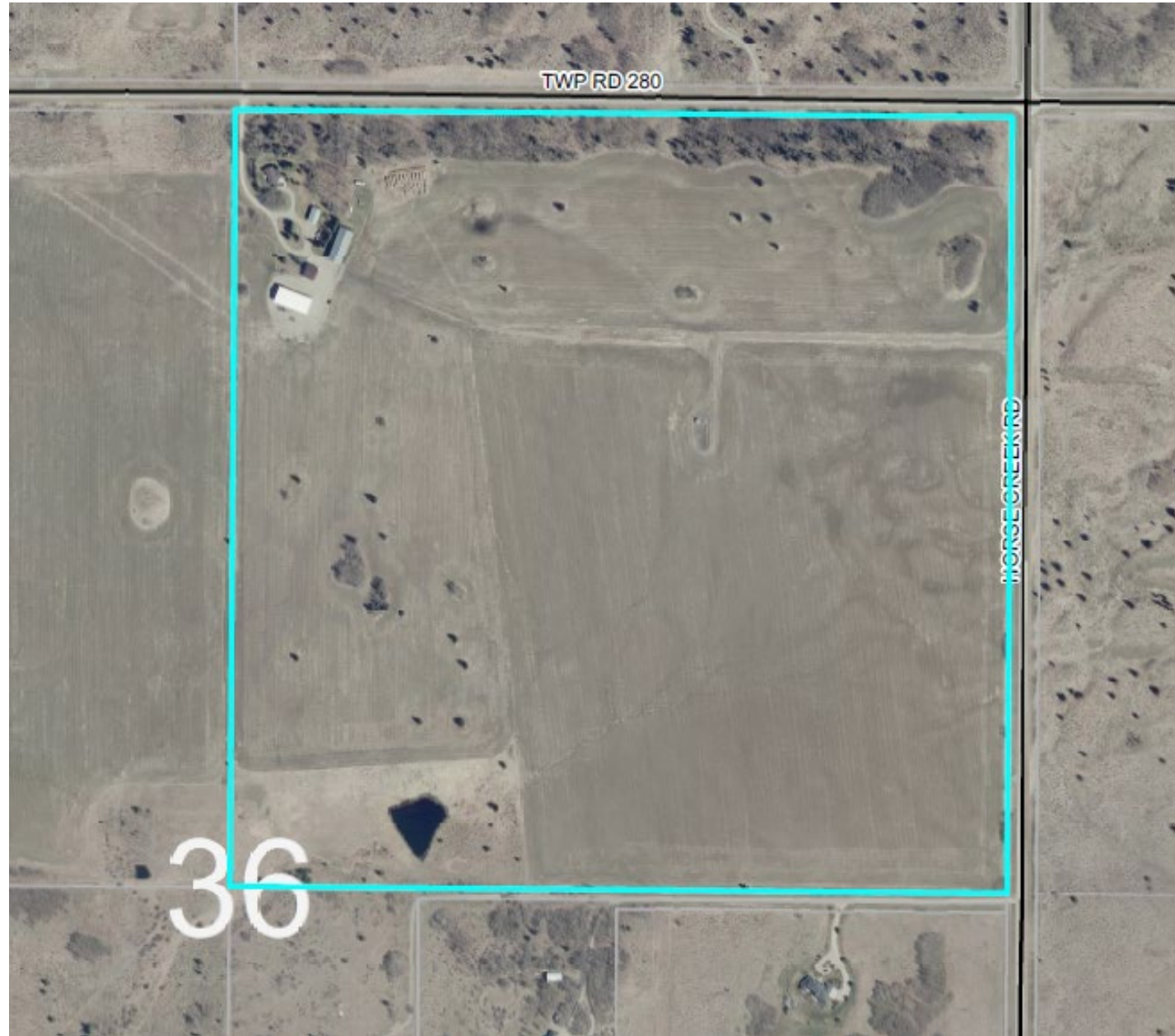




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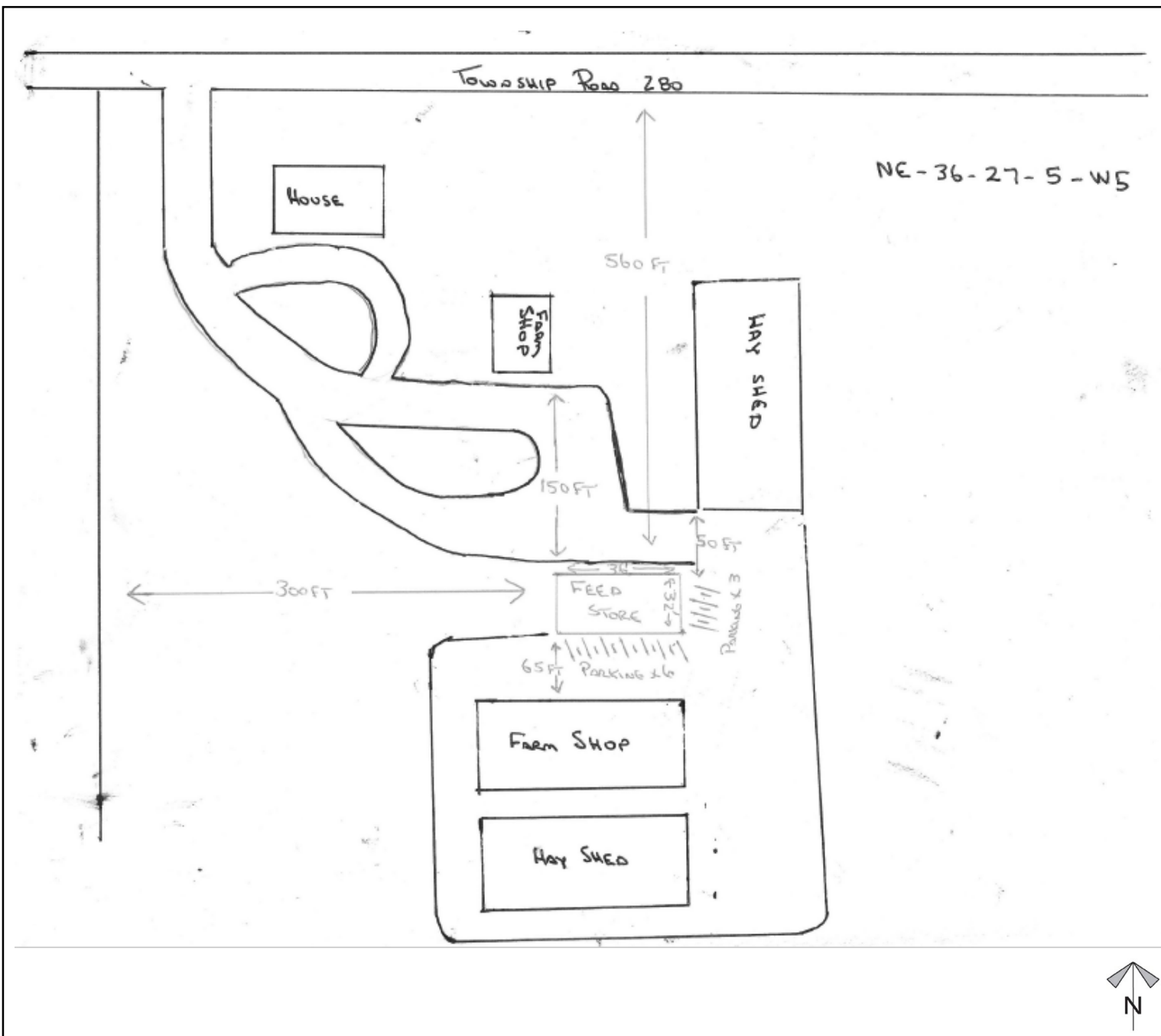
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### Site Plan

#### Development Proposal

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## Building Photos

### Development Proposal

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## Fascia Sign

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