
PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 5
DATE:	July 28, 2021	APPLICATION: PRDP20212170
FILE:	04323045	
SUBJECT:	Home-Based Business (Type II) / Discretionary use, with Variances	

APPLICATION: Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement.

GENERAL LOCATION: Located approximately 0.20 kilometres (1/8 mile) north of Township Road 243 and on the west side of Range Road 281.

LAND USE DESIGNATION: Residential, Rural District (R-RUR).

EXECUTIVE SUMMARY: The application is for a Home-Based Business (Type II), for a paving contractor. The business name is G&V Paving & Contracting Ltd. This is the applicant's seventh (7th) renewal application for this business.

The business operates seasonally, approximately 8 to 10 hours a day, Monday to Saturday. The business consists of three full-time employees, including one of the landowners, and two non-resident employees. Upon an inspection conducted on May 28, 2021, it was noted that the applicant has exceeded the approved maximum allowable outside storage area of 186.92 sq. m (2,012.47 sq. ft.). The Applicant has requested a variance to the outside storage area requirement in order to keep the existing vehicles and equipment on the property. If the application is approved, the proposed condition set includes a condition requesting the vehicles and equipment be moved to the dedicated storage area and screened appropriately

It is to be noted that there are currently no active Enforcement files open on the subject property.

The applicant is requesting a variance to the maximum allowable outside storage area, from 186.92 sq. m (2,012.47 sq. ft.) to 1,086.97 sq. m. (11,700.05 sq. ft.), a variance of 482%.

Six (6) letters of support have been submitted by adjacent landowners and are included in Attachment B.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20212170 be approved with the conditions noted in Attachment 'A'.

Administration Resources

Jeevan Wareh, Planning & Development Services



Option #2: THAT Development Permit Application PRDP20212170 be refused for the following reasons:

1. The requested outside storage area exceeds the requirements of Section 146(a)(iii) of the Land Use Bylaw C-8000-2020.

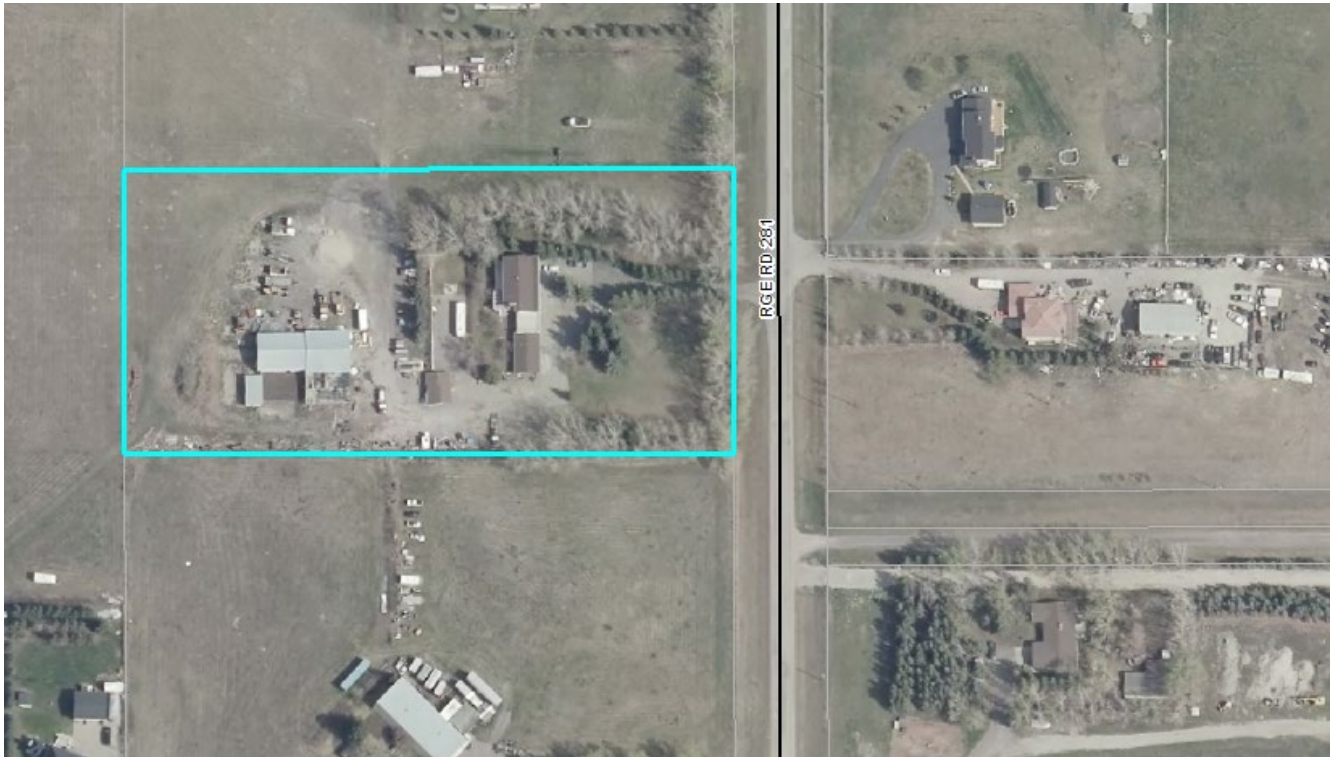
Permitted: 186.92 sq. m (2,012.47 sq. ft.)

Requested: 1,086.97 sq. m. (11,700.05 sq. ft.)

Variance: 482%

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

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Outside storage area	186.92 sq. m. (2,012.47 sq. ft.)	1,086.97 sq. m. (11,700.05 sq. ft.)	482%

APPLICATION EVALUATION:

The application was evaluated based on the information 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> • Land Use Bylaw C-8000-2020; • Subdivision and Development Regulations; and • Chestermere Intermunicipal Development Plan. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: Home-Based Business (Type II) is listed as Discretionary Use in the R-RUR district	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Outside storage area calculation

Section 145 a) iii Outside storage area shall not exceed 400.00 sq. m or 1% of the parcel area, whichever is less

- Parcel area: 4.62 acres = 18,696.48 sq. m. * 1% = 186.96 sq. m.

CONCLUSION:

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

Respectfully submitted,

Brock Beach

Concurrence,

Kent Robinson

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

JW/Ilt

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 paving contractor, may continue to operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.
 - a. That the maximum outside storage area is relaxed from **186.92 sq. m (2,012.47 sq. ft.)** to **1,086.97 sq. m. (11,700.05 sq. ft.)**.

Prior to Release:

- 2) That prior to release of this permit, that the Applicant/Owner shall submit a screening plan for the outside storage area. All vehicles and equipment must be located within the outside storage area, which shall be completely screened and meet the building setback requirements of the Land Use Bylaw.
 - i. That once the outside storage area is screened, a site inspection shall be completed by the County to confirm that the outside storage area is as per the screening plan, to the satisfaction of the County.

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 4 business-related visits per day.
- 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 outside storage area.
- 10) That any site landscaping or screening elements approved with the application shall be maintained onsite at all times.
- 11) That all outside storage that is a part of the Home-Based Business (Type II) shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **1,086.97 sq. m (11,700.05 sq. ft.)**, in accordance with the approved Site Plan.
- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



ROCKY VIEW COUNTY

- 13) That there shall be no parking or signage in the County Road Right-of-Way at any time.
- 14) That if this Development Permit is not issued by **January 31, 2022** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 15) That this Development Permit shall be valid until **September 1, 2022**.

Advisory:

- 16) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 17) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

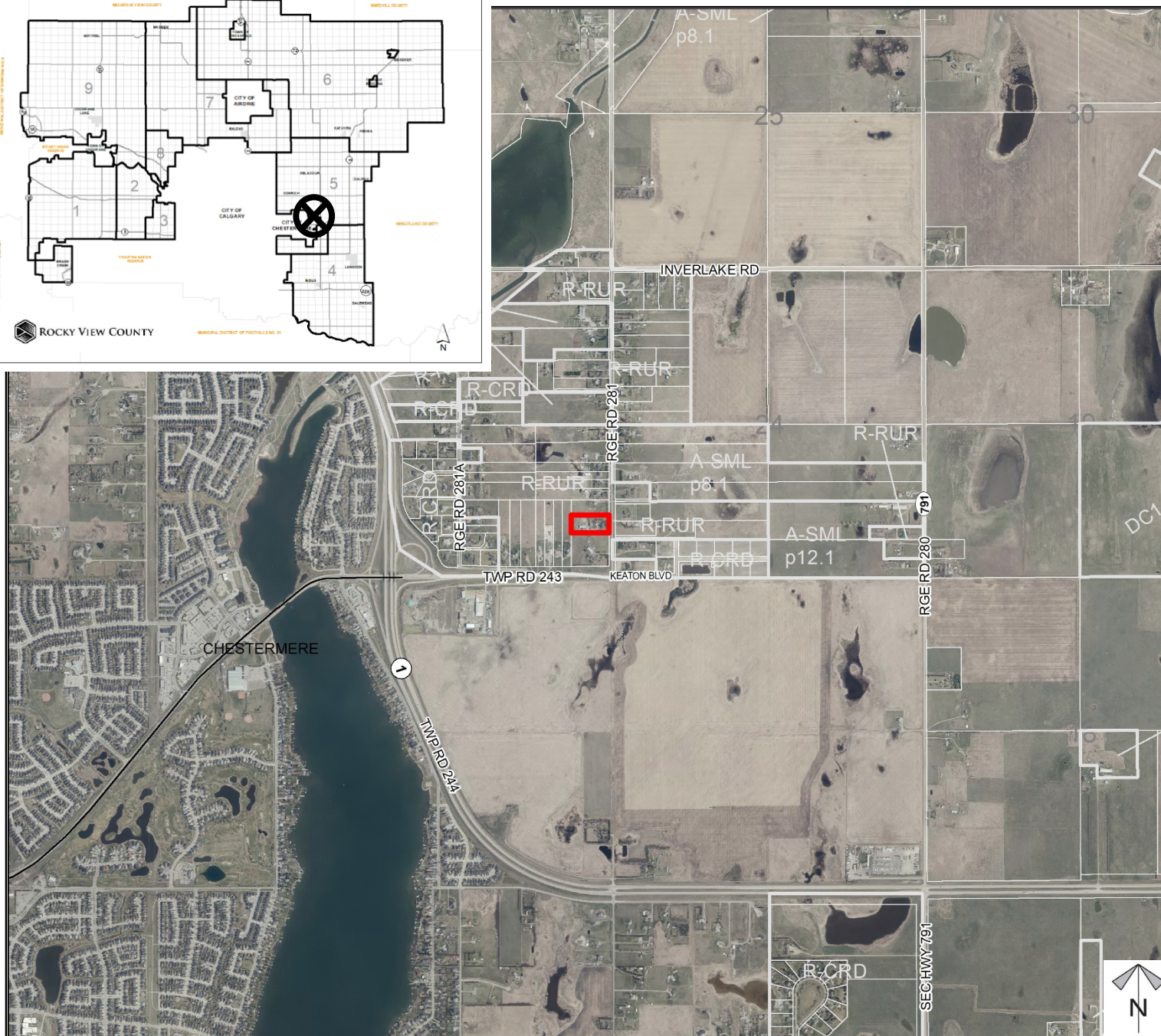
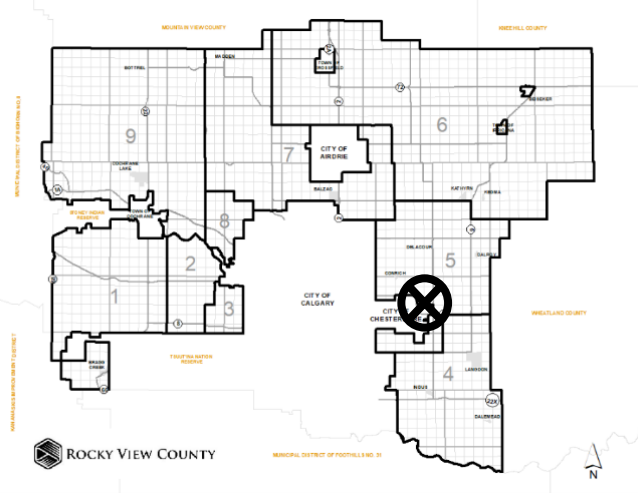
APPLICANT: Vilona, Giuseppe & Rosaria	OWNER: Vilona, Giuseppe & Rosaria
DATE APPLICATION RECEIVED: May 17 th , 2021	DATE DEEMED COMPLETE: May 28 th , 2021
GROSS AREA: ± 1.87 hectares (± 4.62 acres)	LEGAL DESCRIPTION: Lot: 23 Plan: 9111464; SE-23-24-28-04
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>July 11, 2018: Development permit (PRDP20181279) issued for the renewal of a Home-Based Business, Type II.</p> <p>August 5, 2015: Development permit (PRDP20152200) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 29, 2013: Development permit (2013-DP-15347) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 11, 2011: Development permit (2011-DP-14484) issued for the renewal of a Home-Based Business, Type II.</p> <p>April 28, 2010: Development permit (2010-DP-13946) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 27, 2009: Development permit (2009-DP-13507) issued for the renewal of a Home-Based Business, Type II.</p> <p>July 23, 2008: Development permit (2008-DP-12978) issued for a Home-Based Business, Type II.</p> <p>April 30, 1991: Application for a subdivision to create a ± 1.62 hectare (± 4.00 acre) parcel (Lot 22) and a ± 1.87 hectare (± 4.62 acre) (Lot 23) parcel with a ± 4.86 hectare (± 12.00 acre) remainder was approved.</p> <p>April 13, 1983: Building permit (1983-BP-9349) issued for the construction of an Accessory Building.</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

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement

Division: 5
Roll: 04323045
File: PRDP20212170
Printed: June 7, 2021
Legal: Lot:23 Plan:9111464
within SE-23-24-28-W04M



Site Plan

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



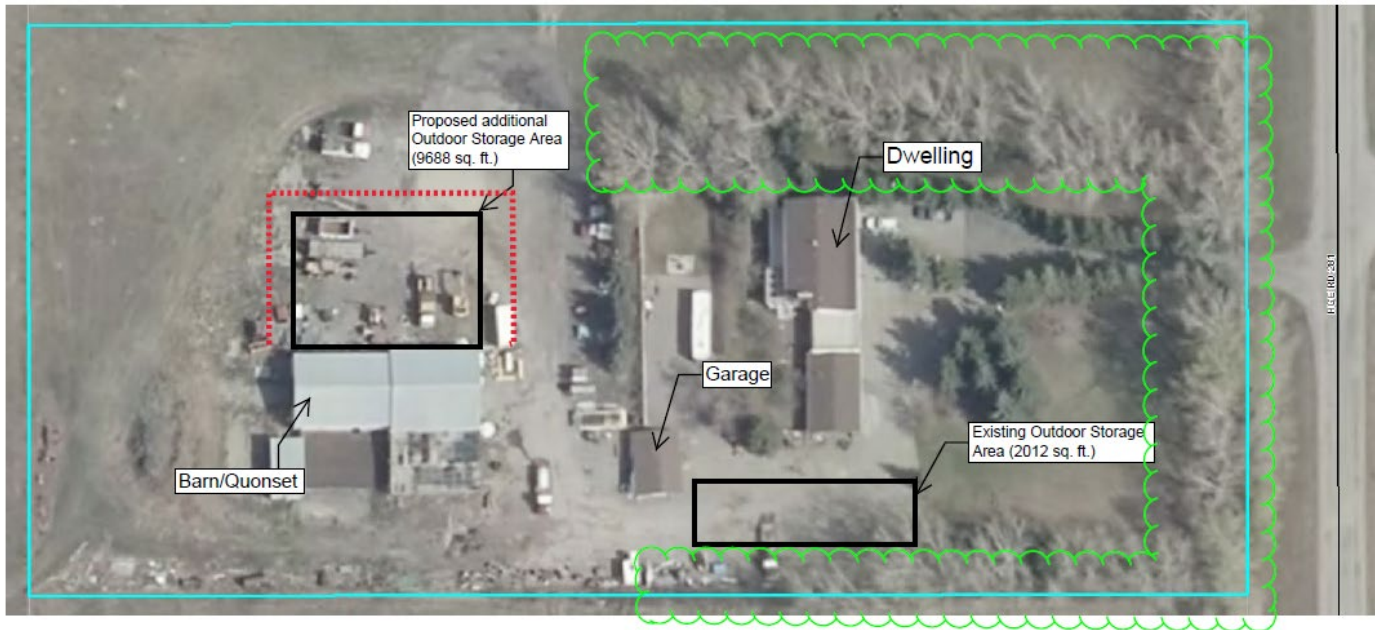
Existing screening (trees & fencing)



Required screening (fencing w/ lattice panels)



Outdoor Storage Area



Division: 5
 Roll: 04323045
 File: PRDP20212170
 Printed: June 7, 2021
 Legal: Lot:23 Plan:9111464
 within SE-23-24-28-W04M

**Landowner
Circulation
Area****Development Proposal**

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement

Legend

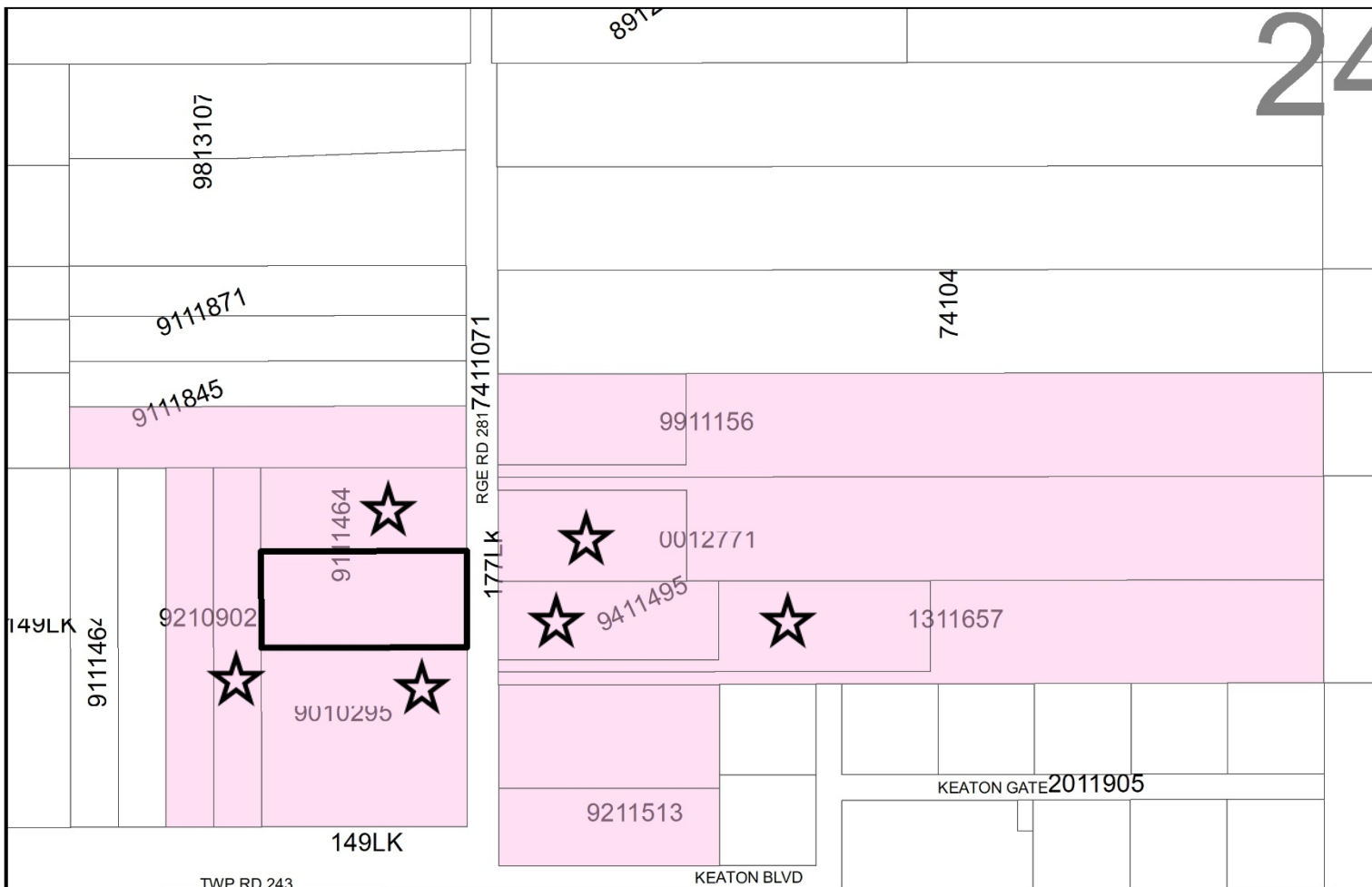
Support



Not Support



Division: 5
Roll: 04323045
File: PRDP20212170
Printed: June 7, 2021
Legal: Lot:23 Plan:9111464
within SE-23-24-28-W04M



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Site Photos – Existing Outdoor Storage Area

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



Division: 5
 Roll: 04323045
 File: PRDP20212170
 Printed: June 7, 2021
 Legal: Lot:23 Plan:9111464
 within SE-23-24-28-W04M

Site Photos – Proposed Outdoor Storage Area

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



*Division: 5
Roll: 04323045
File: PRDP20212170
Printed: June 7, 2021
Legal: Lot:23 Plan:9111464
within SE-23-24-28-W04M*

**Site Photos –
Additional Business
Equipment**

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



Division: 5
 Roll: 04323045
 File: PRDP20212170
 Printed: June 7, 2021
 Legal: Lot:23 Plan:9111464
 within SE-23-24-28-W04M

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Maria Holmes ^{J.W.} adjacent resident of 243065 J.W. 243049 Range Road 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 9, 2021
Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I T. Langdon ^{J.W.} adjacent resident of 243034 RR 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 10/21
Date

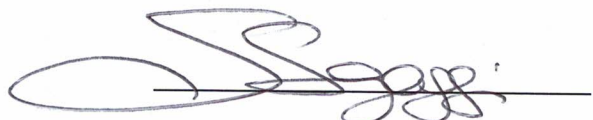
Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I, Silvia Sgaggi ^{J.W.} adjacent resident of 281040 TSP Rd 243
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 10, 2021
Date


Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I HARRY LILLO J.W. adjacent resident of 243021 Rg Rd 281
Name Address
ROCKVIEW COUNTY

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

9 July / 21
Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Helen Chack ^{J.W.} adjacent resident of 243048 Range Rd 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.

Muk July 9/2021
Signature Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Shabey S. Deol ^{J.W.} adjacent resident of 2430 52 Range Road 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 12, 2021
Date