

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: September 9, 2021 **DIVISION:** 9
FILE: 06708012 **APPLICATION:** PRDP20212083
SUBJECT: Development Item: Home-Based Business (Type II) / Discretionary use, with no Variances

APPLICATION: Home-Based Business (Type II), for a construction and outside storage business.

GENERAL LOCATION: Located approximately 0.80 kilometres (1/2 mile) south of Township Road 262 and on the west side of Glendale Road.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on July 28, 2021 and was conditionally approved.

The application is for a Home-Based Business, Type II, for a construction and outdoor storage company. This development permit application is the result of enforcement action. The business uses a laydown storage area, approximately 161.65 sq. m (1,740.00 sq. ft.) in footprint, to store materials, small equipment, and a trailer, which is screened by a 1.82 m (6.00 ft.) tall wooden fence. The business operates Monday to Saturday, 8:00 AM to 6:00 PM. There are four (4) employees, two (2) of which are non-resident. Approximately three to four business-related vehicle visits are anticipated per week. The application appears to comply with all Home-Based Business (Type II) requirements.

On August 3, 2021, the Notice of Decision was circulated to 11 adjacent landowners. The decision was appealed on August 19, 2021, by an affected party, and the reasons for the appeal are included in the Notice of Appeal.

DECISION: Conditionally-Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:
July 28, 2021

APPEAL DATE:
August 19, 2021

ADVERTISED DATE:
August 3, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Bronwyn Culham, Planning & Development Services

**APPLICATION EVALUATION:**

The application was evaluated based on the information and site plan 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> • Bears paw Area Structure Plan; and • Land Use Bylaw (LUB). 	DISCRETIONARY USE: <ul style="list-style-type: none"> • A Home-Based Business, Type II is a discretionary use in the Residential, Rural (R-RUR) district.
	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor Development & Compliance

BC/llt



APPLICATION INFORMATION

APPLICANT: Matt Machula (ML Holdings Ltd.)	OWNER: TD Canada Trust Machula, Mateusz R. & Lisa J.
DATE APPLICATION RECEIVED: May 10, 2021	DATE DEEMED COMPLETE: June 11, 2021
DEVELOPMENT AUTHORITY DECISION DATE: July 28, 2021	
APPELLANT: Jeff & Sharon Foster	
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: Lot 3 Block 1 Plan 0815496, NE-08-26-03-05; (261141 GLENDALE ROAD)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <i>Feb 08, 2016:</i> Building Permit (PRBD20160400) As Built Wood Burning Fireplace – PSR – in Compliance <i>Dec 11, 2015:</i> Building Permit (PRBD20154944) Seacan Accessory building – PSR – in Compliance <i>Apr 15, 2010:</i> Building Permit (2010-BP-22882) Single Family Dwelling – PSR – Not in Compliance <ul style="list-style-type: none">• There are no related planning applications• There are no related development permit applications	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

PLANNING AND DEVELOPMENT SERVICES

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DATE: July 28, 2021
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DIVISION: 9
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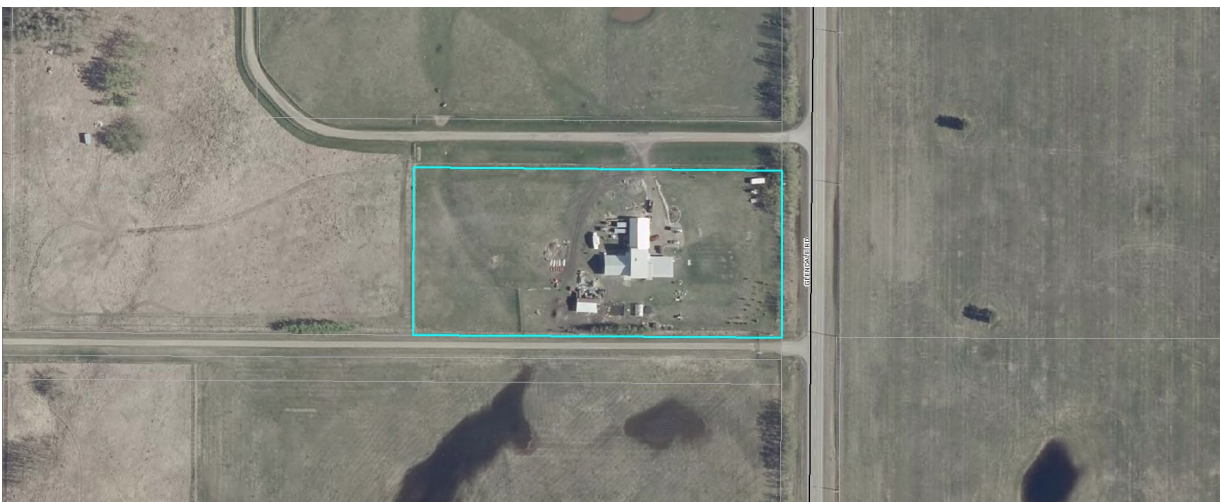
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ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212083 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212083 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
Bronwyn Culham, Planning and Development Services

APPLICATION EVALUATION:

The application was evaluated based on the information and site plan provided and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none">• <i>Municipal Government Act</i>;• Bears paw Area Structure Plan; and• Land Use Bylaw (LUB).	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none">• None provided
PERMITTED USE: <ul style="list-style-type: none">• A Home-Based Business, Type II is a discretionary use in the Residential, Rural (R-RUR) district.	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none">• Municipal Planning Commission

Additional Review Considerations

The application was assessed in accordance with Sections 145 to 147 and Sections 315 to 323 of the LUB.

The site is developed with a dwelling, single-detached and several existing accessory buildings including sea can containers, a greenhouse, and a lean-to structure located on the property. The dwelling and accessory buildings appear to be non-compliant with the LUB, as multiple buildings are encroaching into the rear and side yard setbacks. A separate Development Permit will be required to bring the property into compliance.

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

BC/llt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS**Description:**

- 1) That a Home-Based Business, Type II, for a construction and outdoor storage business, may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.

Prior to Release:

- 2) That prior to release of this permit, that the Applicant/Owner shall install the proposed outside storage area screening in accordance with the approved site plan.
 - i) Once the screening for the outside storage area is installed, a site inspection shall be completed by the County, to confirm that the outdoor storage area is screened in accordance with the approved site plan, to the satisfaction of the County.

Permanent:

- 3) 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 may generate up to a maximum of four (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, accessory building, and outside storage area.
- 10) That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and **shall not exceed 1,740.00 sq. ft. (161.65 sq. m)**
- 11) That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
- 12) That there shall be no signage, exterior display, or advertisement of goods or services discernible from the outside of the building.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That if this Development Permit is not issued by **February 28, 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, once issued, shall be valid until **August 25, 2022**.

Advisory:

- 16) That the applicant/owner shall ensure that post-development drainage does not exceed pre-development drainage and there are no stormwater implications to neighboring property due to proposed development.



- 17) That the applicant/owner shall implement appropriate ESC measures during the construction of the proposed development in accordance with County's servicing standards.
- 18) That any buildings that are encroaching into the minimum setback requirements and are non-compliant with the County's Land Use Bylaw shall require a Development permit, to bring the property into compliance.
- 19) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 20) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 21) That a Building Permit and sub-trade permits shall be obtained through Building Services, for the proposed or change of use permit for the existing accessory buildings, used for business operations prior to any construction or business activity taking place (if required).

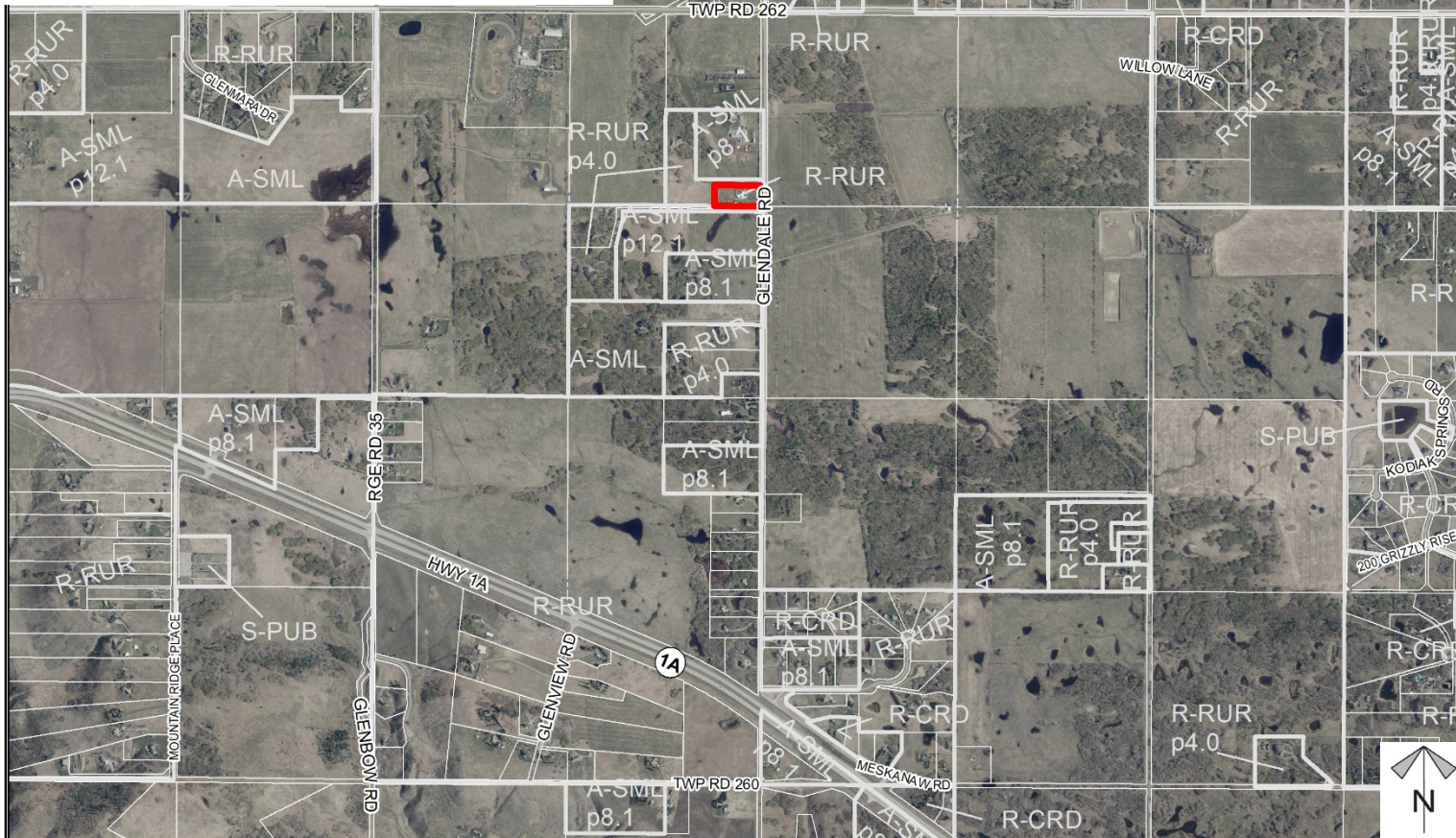
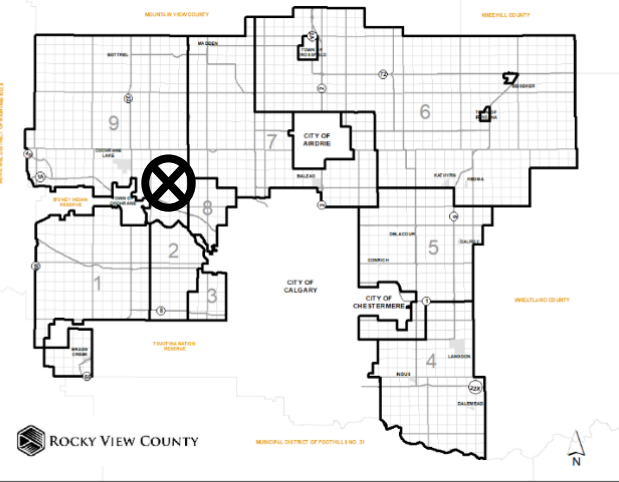
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Matt Machula (ML Holdings Ltd.)	OWNER: TD Canada TrustMachula, Mateusz R. & Lisa J.
DATE APPLICATION RECEIVED: May 10, 2021	DATE DEEMED COMPLETE: June 11, 2021
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: Lot 3 Block 1 Plan 0815496, NE-08-26-03-05; (261141 GLENDALE ROAD)
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PUBLIC & AGENCY SUBMISSIONS: <p>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.</p>	

Location & Context

Development Proposal

Home-Based Business
 (Type II), for a
 construction and outside
 storage business

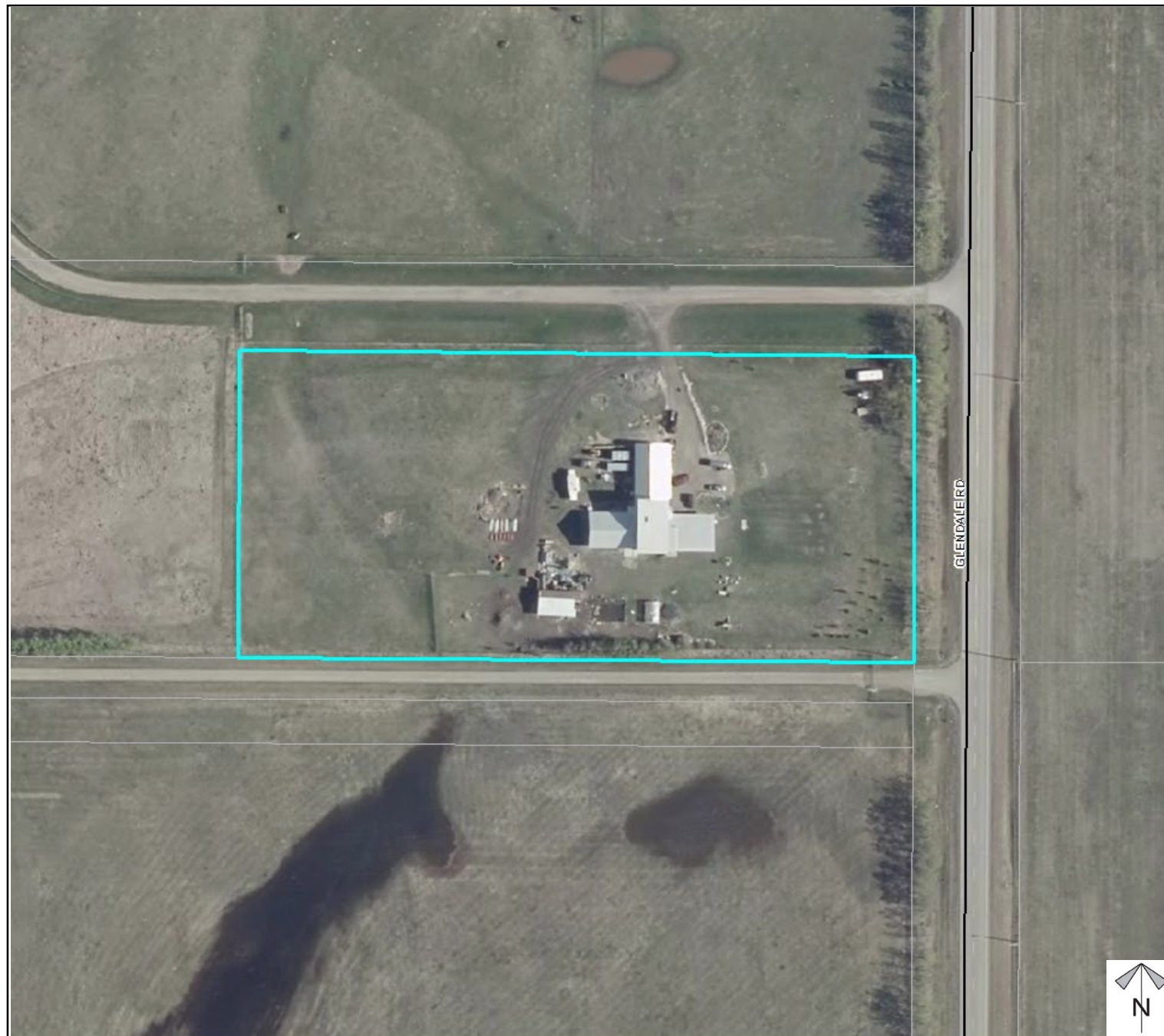


Division: 9
Roll: 06708012
File: PRDP20212083
Printed: June 21, 2021
Legal: Lot:3 Block:1
Plan:0815496 within NE-08-
26-03-W05M

Location & Context

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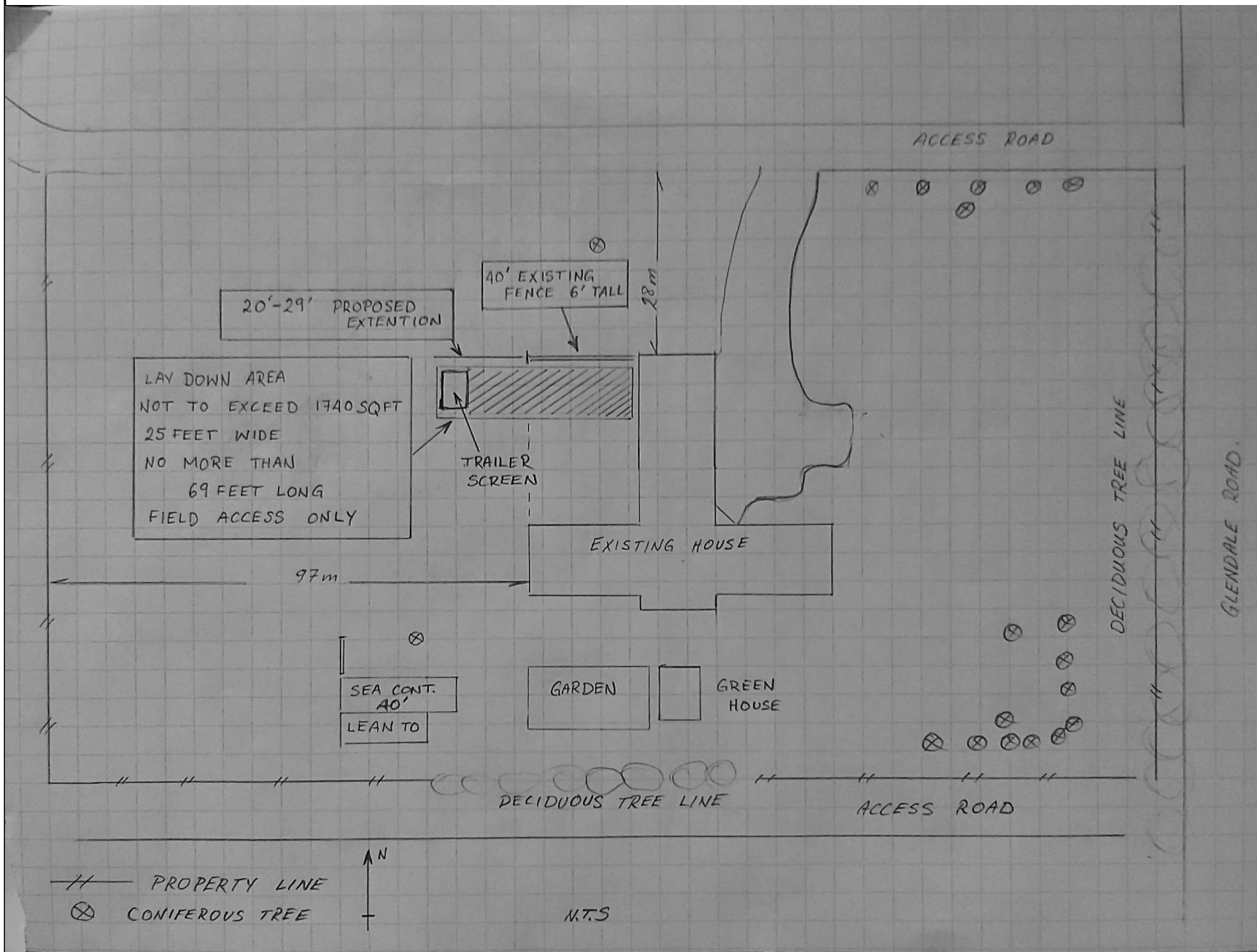


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Site Plan

Development Proposal

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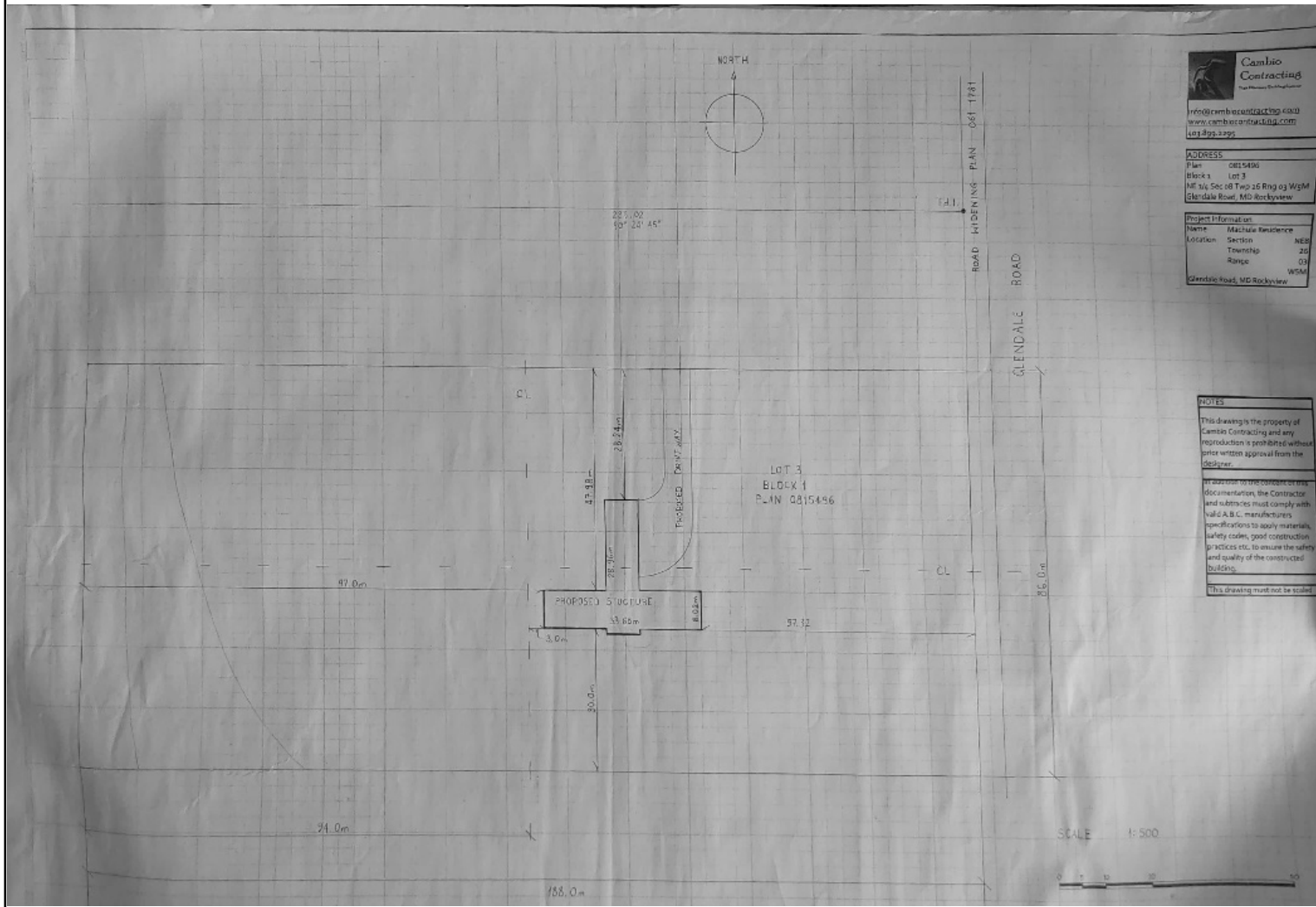


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 storage business



Cambio Contracting
 info@cambiocontracting.com
 www.cambiocontracting.com
 404.899.9999

ADDRESS
 Plan 0815496
 Block 1 Lot 3
 NE 1/4, Sec 08 Two 25 Ring rd W3M
 Glendale Road, MD Rockyview

Project Information
 Name Machine Residence
 Location Section NE08
 Township 20
 Range 09
 W3M
 Glendale Road, MD Rockyview

NOTES
 This drawing is the property of Cambio Contracting and any reproduction is prohibited without prior written approval from the Designer.
 In accordance with the provisions of this documentation, the Contractor and subcontractors must comply with valid A.B.C. manufacturers specifications to apply materials, safety codes, good construction practices etc. to ensure the safety and quality of the constructed building.
 This drawing must not be scaled

Division: 9
 Roll: 06708012
 File: PRDP20212083
 Printed: June 21, 2021
 Legal: Lot:3 Block:1
 Plan:0815496 within NE-08-26-03-W05M



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) GARY BROOKS & LEANNE BINETRY			
Mailing Address 11 Glen Mara Dr	Municipality Rocky View Cty.	Province AB	Postal Code T4C 2Z2
Main Phone #	Alternate Phone #	Email Address	
Site Information			
Municipal Address 261141 Glendale Road		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 3, Block 1, Plan 0815496, NE-08-26-03-05	
Property Roll # 06708012	Development Permit, Subdivision Application, or Enforcement Order # PRDP20212083		

I am appealing: (check one box only)		
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required) <p>The decision by Rocky View County is to provide the above noted site the ability to have outdoor storage.</p> <p>We purchased our property, 261143 Glendale in January 2020 and we hold the restrictive covenant on the property. We understand the owners, Matt MacLuska do not respect the current conditions of h.s property</p> <p>- House is unfinished, and not in agreement with restricted covenant, yard is not in accordance either.</p>

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.


Appellant's Signature

Aug 15, 2021
Date



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Submitting an Appeal

Appeals must be submitted on time and with the required fee

Sections 547, 645, 678, and 686 of the *Municipal Government Act*, RSA 2000, c M-26, and Rocky View County's *Master Rates Bylaw* require that your Notice of Appeal be submitted to the Subdivision and Development Appeal Board (SDAB) or Enforcement Appeal Committee (EAC) within the legislated timeframe and with the required fee. Fees are as follows:

Subdivision and Development Appeal Board	Fee
Development Authority decision – appeal by the owner of the subject property	\$350.00
Development Authority decision – appeal by an affected party	\$250.00
Development Authority decision – appeal of a Stop Order issued under section 645 of the <i>Municipal Government Act</i>	\$500.00
Subdivision Authority decision (paid at time of application and used as a credit on endorsement fees except where the owner appeals the subdivision)	\$1,000.00
Enforcement Appeal Committee	
Compliance Order - appeal as per section 545 or 546 of the <i>Municipal Government Act</i>	\$500.00

How to submit your appeal and pay your fee

You can submit your Notice of Appeal by mail or deliver it in person. Arrangements can also be made to e-mail your Notice of Appeal and pay over the phone. If you e-mail your appeal to the SDAB clerk, you must call the SDAB clerk for verbal confirmation of receipt. Regardless of how you submit your Notice of Appeal, it must be received on or before the final appeal deadline.

Mail or deliver to:

Clerk, Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Please make cheques payable to "Rocky View County".

What happens after my appeal is submitted?

Once your Notice of Appeal is submitted on time and with the required fee, the appeal will be heard by the SDAB or EAC within 30 days. The Clerk of the SDAB will be in touch with you about the appeal hearing. You and the landowners who are adjacent to the property in question will receive a written Notice of Hearing.

More information

For more information about filing an appeal or SDAB/EAC procedures, please contact the SDAB Clerk at:

Phone: 403-230-1401

Email: sdab@rockyview.ca

Website: www.rockyview.ca



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY

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APPLICATION NO.	PRDP20212083
ROLL NO.	06708012
RENEWAL OF	
FEES PAID	585.00
DATE OF RECEIPT	May 10, 2021

APPLICANT/OWNER

Applicant Name: MATT MACHULA Email: matt@cambi contracting.com
Business/Organization Name (if applicable): ML HOLDINGS Ltd.
Mailing Address: 261141 GLENDALE Rd Postal Code: T4C 2Y8
Telephone (Primary): 403-899-2295 Alternative: 403-899-2285

Landowner Name(s) per title (if not the Applicant):

Business/Organization Name (if applicable):

Mailing Address: Postal Code:

Telephone (Primary): Email:

LEGAL LAND DESCRIPTION - Subject site

All/part of: NE 1/4 Section: 08 Township: 26 Range: 03 West of: 5 Meridian Division:
All parts of Lot(s)/Unit(s): 3 Block: 1 Plan: 0815496 Parcel Size (ac/ha): 4 ac
Municipal Address: 261141 GLENDALE Rd. Land Use District:

APPLICATION FOR - List use and scope of work

Lay down storage area for materials and trailer
One enclosed trailer to be used as screen (west side)

Variance Rationale included: ☐ YES ☒ NO ☐ N/ADP Checklist Included: ☐ YES ☒ NO**SITE INFORMATION**

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
(Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☐ YES ☒ NO

AUTHORIZATIONI, MATT MACHULA (Full name in Block Capitals), hereby certify (initial below):MM That I am the registered owner OR _____ That I am authorized to act on the owner's behalf.MM That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

____ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the Freedom of Information and Protection of Privacy Act.

____ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.Applicant Signature Matt MachulaLandowner Signature Matt MachulaDate May 10, 2021Date May 10, 2021



ROCKY VIEW COUNTY

HOME-BASED BUSINESS (TYPE II) BED AND BREAKFAST INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20212083
ROLL NO.	06708012
DISTRICT	R-RUR

DETAILS		USE TYPE/LOCATION
Business-related area within:		<input checked="" type="checkbox"/> Home-Based Business (Type II)
Principal dwelling	(m ² /ft. ²)	<input type="checkbox"/> * Bed and Breakfast
Accessory building	(m ² /ft. ²)	Located within:
Outdoors (for storage)	1740 (m ² /ft. ²)	<input checked="" type="checkbox"/> Existing Building OR <input type="checkbox"/> New Building
NOTE: If a new accessory building is proposed for Home-Based Business (Type II), submit the Accessory Building(s) - Information Sheet and related documents in addition to this form.		
BUSINESS OPERATIONS		
Business name: <u>ML HOLDINGS Ltd.</u>		
Describe nature of business: <u>Construction</u>		
Any outdoor area on site being used for business purposes (other than storage/parking)? If yes, describe purpose:		
<u>STORAGE</u> NO		
Days of operation: <u>Mon - Sat</u>		Hours of operation: <u>800-1800</u>
Total number of employees (including residents/applicant):		Part-time: <u>1</u> Full-time: <u>3</u>
Number of non-resident employees:		Part-time: <u>1</u> Full-time: <u>1</u>
Number of business-related vehicle visits per day: <u>0.5 - 0.67</u>		Per week: <u>3 - 4</u>
Location of business-related vehicle parking on site: _____		
Total number and type of vehicles used for business on site (Home-Based Business, Type II only):		
<u>Non-commercial vehicles only</u>		
SCREENING AND SIGNAGE		
Type of screening provided for outdoor storage area (Home-Based Business, Type II only):		
<input type="checkbox"/> Landscaping (specify vegetation): _____		
<input checked="" type="checkbox"/> Fencing (specify material and height): <u>WOOD 6 Foot Tall</u>		
<input checked="" type="checkbox"/> Other (specify material and height): <u>ENCLOSED TRAILER METAL 9 Foot Tall</u>		
Business signage proposed on site? <input type="checkbox"/> YES - attach Signage - Information Sheet and documents <input checked="" type="checkbox"/> NO		
ADDITIONAL SITE PLAN REQUIREMENTS		
<input type="checkbox"/> Location of parking area		
<input checked="" type="checkbox"/> Location and dimensions of proposed outdoor storage area(s)		
<input checked="" type="checkbox"/> Location and type of existing/proposed screening (landscaping, fence etc.), specifically for outdoor storage		
<input type="checkbox"/> Location of any proposed signage		
* Bed and Breakfast shall not be permitted in a principal dwelling which has an existing Home-Based Business (Type I) or Home Based Business (Type II) uses. Land Use Bylaw, C-8000-2020		

Applicant Signature

Date May 10, 2021

Home-Based Business (Type II)/Bed and Breakfast - Information Sheet

Page 1 of 1



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☐ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the [Master Rates Bylaw](#).
- ☐ **CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:**
 - ☐ Digital copy of non-financial instruments/caveats registered on title
- ☐ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☐ **COVER LETTER, shall include:**
 - ☐ Proposed land use(s) and scope of work on the subject property
 - ☐ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☐ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN, shall include:**
 - ☐ Legal description and municipal address
 - ☐ North arrow
 - ☐ Property dimensions (all sides)
 - ☐ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☐ Dimensions of all buildings/structures
 - ☐ Location and labels for existing/proposed approach(s)/access to property
 - ☐ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☐ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☐ Identify site slopes greater than 15% and distances from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☐ **FLOOR PLANS/ELEVATIONS, shall include:**
 - ☐ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☐ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☐ Indicate type of building/structure on floor plans and elevations
- ☒ **COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy:** Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☐ **SUPPORTING DOCUMENTS (as applicable):** Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): **Home-Based Business (Type 2)**

Land Use District: **R-RUR**

Applicable ASP/CS/IDP/MSDP: **Bearspaw ASP**

Included within file: ☒ Information Sheet ☒ Parcel Summary ☒ Site Aerial ☒ Land Use Map Aerial ☒ Site Plan

NOTES:

Staff Signature: Steven Lam

Rocky View Map



ii

Roll Number	06708012	
Legal Desc	NE-08-26-03-W05M	
Divison	09	
Lot Block Plan	Lot:3 Block:1 Plan:0815496	
Linc Number	33642521	
Title Number	091158397	
Parcel Area	4.00000	
Municipal Address	261141 GLENDALE ROAD	
Contact Information	Machula, Mateusz R. & Lisa J. [REDACTED]	[REDACTED]
Land Use Information	R-RUR	

Planning Applications Information

{There is no related Application}

Area Structure Plan

Plan Name

Bearspaw

RV Number

Conceptual Scheme

{There is no related Conceptual Scheme}

Building Permit

Permit Number	Permit Type	Date Issued
PRBD20160400	Building	Mon Feb 08, 2016
PRBD20154944	Building	Fri Dec 11, 2015
2010-PS-2825	Private Sewage	Mon Aug 22, 2011
2010-BP-22882	Building	Thu Apr 15, 2010
2010-EP-10249	Electrical	Thu Apr 15, 2010
2010-GP-10307	Gas	Thu Apr 15, 2010
2010-PL-6334	Plumbing	Thu Apr 15, 2010
2010-EP-10343	Electrical	Tue Mar 09, 2010

Development Permit Information

{There is no related Development Permits}

Department	Issued By	Date Issued	Date Closed	Status	Reference No.	Description	Severity
		Sunday, November 22, 2015	Wednesday, December 16, 2015	C		EF-2255 Contravention: Accessory Building	2

Boundary

Category

Division

9

Area Structure Plan

Bearspaw

Conceptual Scheme

No Conceptual Scheme

IDP

No IDP

Airport Vicinity

No APVA

Engineer	
Water Coop	
Gas Coop Service	
No.of Lots Within 600 M	7
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Ranch Lands
Fire District	BEARSPAW
Primary Fire Station	103
Secondary Fire Station	151
Tertiary Fire Station	102

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Glendale Pit	4288.51 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:15551.42 M
Closest Road Name	GLENDAL RD(Surface Type:Paved)	14.88 M
Closest Railway	CPR	4856.59 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	7394.54 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	TOWN OF COCHRANE	3139.82 M
Closest Confined Feeding		3627.09 M

To whom it may concern:

I the undersigned am a construction professional. I intend to use the 1% of the area of my home acreage (approximately 1700 square feet) to help in the functioning of the business. This area would be used for storage of materials and small equipment, such as stucco wire, scaffolds and trailer. The business is operated primarily by me and there are very infrequent visits from employees. Employees may not visit this location for several week or even a month at a time; so it would most commonly be accessed by me.

The North end of the proposed storage area is already concealed by 6-foot fence 30 feet long. The East side it is concealed by the home garage. On the West a cargo trailer is used to reduce view of the storage area and on the South side, section of the house as well as our garden shed reduce the direct view of this area. With time and when required, the North fence will be extended another 20 to 30 feet to take full advantage of the area allotted as indicated on the drawing provided in the application.

No chemicals, toxic or dangerous materials will be stored in this area.

Access to this area would be over the native grass field on the West side of the house.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0033 642 521 0815496;1;3 091 158 397

LEGAL DESCRIPTION
PLAN 0815496
BLOCK 1
LOT 3
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.619 HECTARES (4 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;26;8;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 081 454 832

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
091 158 397	08/06/2009	TRANSFER OF LAND	\$394,000	\$394,000

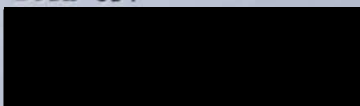
OWNERS

MATEUSZ R MACHULA

AND

LISA J MACHULA

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4902LH	05/06/1972	CAVEAT CAVEATOR - THE CALGARY REGIONAL PLANNING COMMISSION.

(CONTINUED)

REGISTRATION

PAGE 2

NUMBER

DATE (D/M/Y)

PARTICULARS

091 158 397

DEFERRED RESERVE CAVEAT

741 078 138 14/08/1974 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

761 141 577 17/11/1976 ZONING REGULATIONS
SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

081 454 836 08/12/2008 UTILITY RIGHT OF WAY
GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
AS TO PORTION OR PLAN:0815498

091 158 396 08/06/2009 RESTRICTIVE COVENANT

121 053 670 05/03/2012 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
500 EDMONTON CITY CENTRE EAST
10205- 101ST STREET, 5TH FLOOR
EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$792,117

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 18 DAY OF MAY,
2021 AT 10:18 A.M.

ORDER NUMBER: 41697535

CUSTOMER FILE NUMBER: walkin

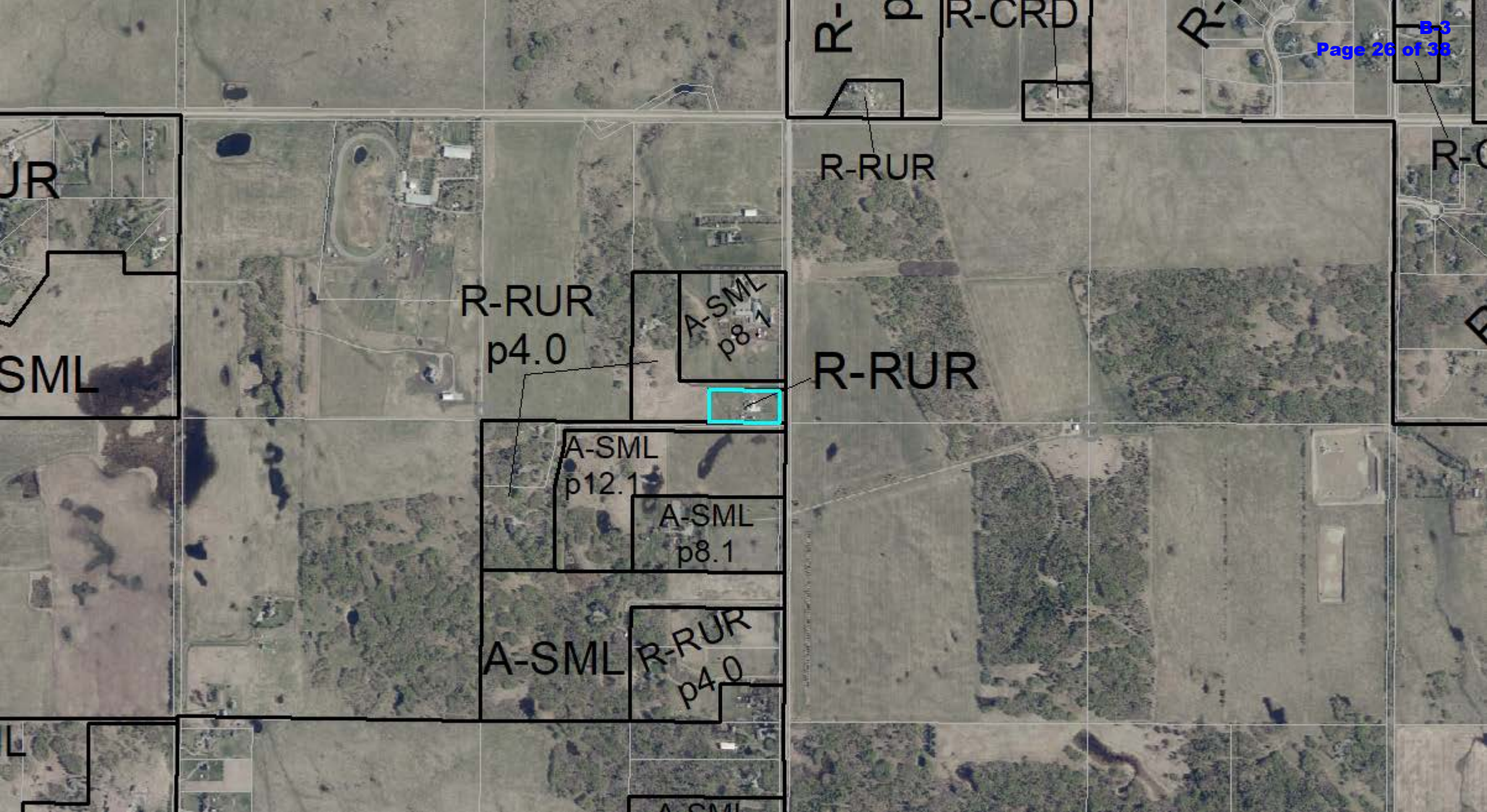


END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).











Cambio Contracting
High Efficiency Building Systems

info@cambiocontracting.com
www.cambiocontracting.com
403.899.2295

ADDRESS
Plan 0815496
Block 1 Lot 3
NE 1/4 Sec 08 Twp 26 Rng 03 W5M
Glendale Road, MD Rockyview

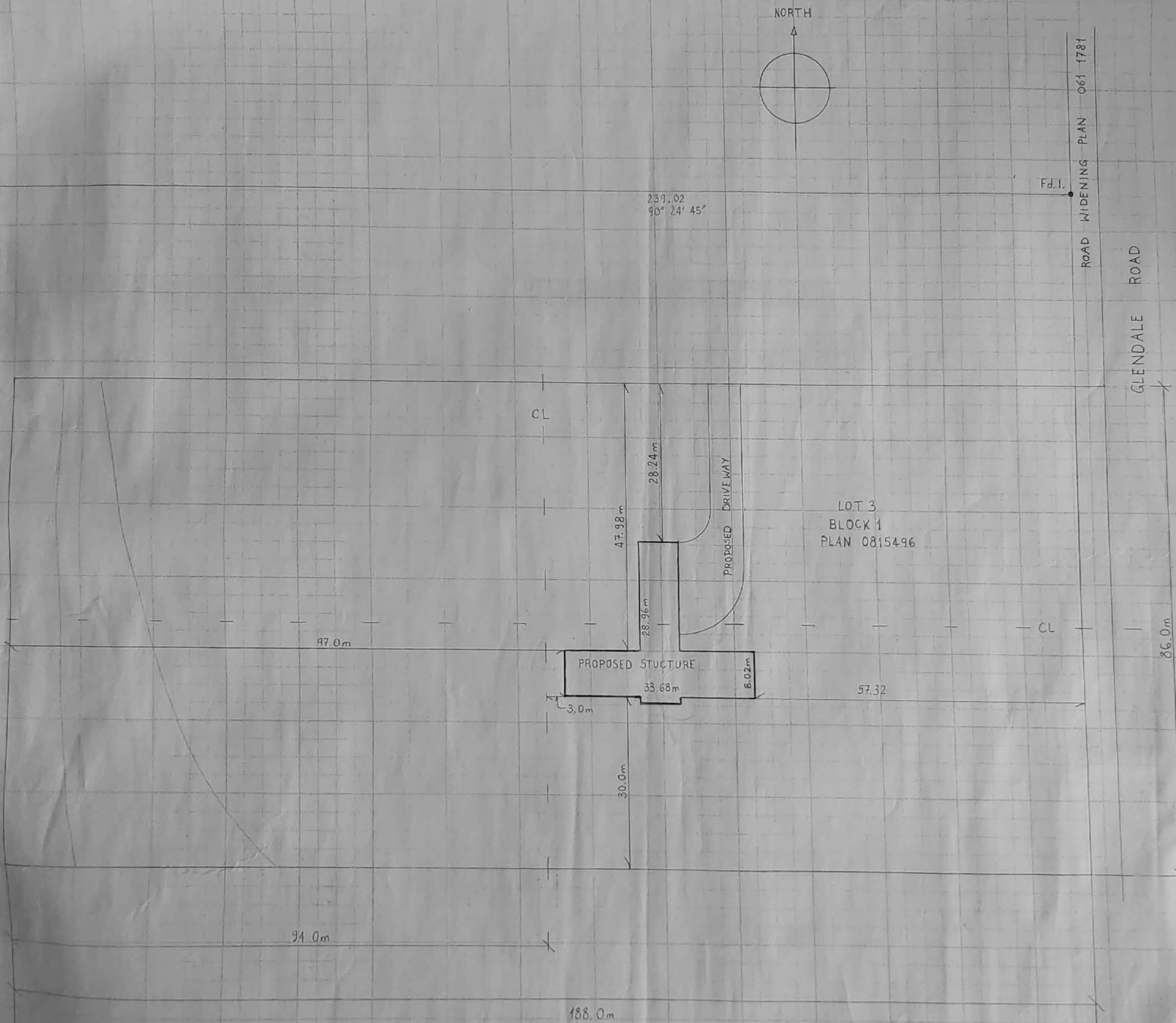
Project Information
Name Machula Residence
Location Section NE8
Township 26
Range 03
W5M
Glendale Road, MD Rockyview

NOTES

This drawing is the property of Cambio Contracting and any reproduction is prohibited without prior written approval from the designer.

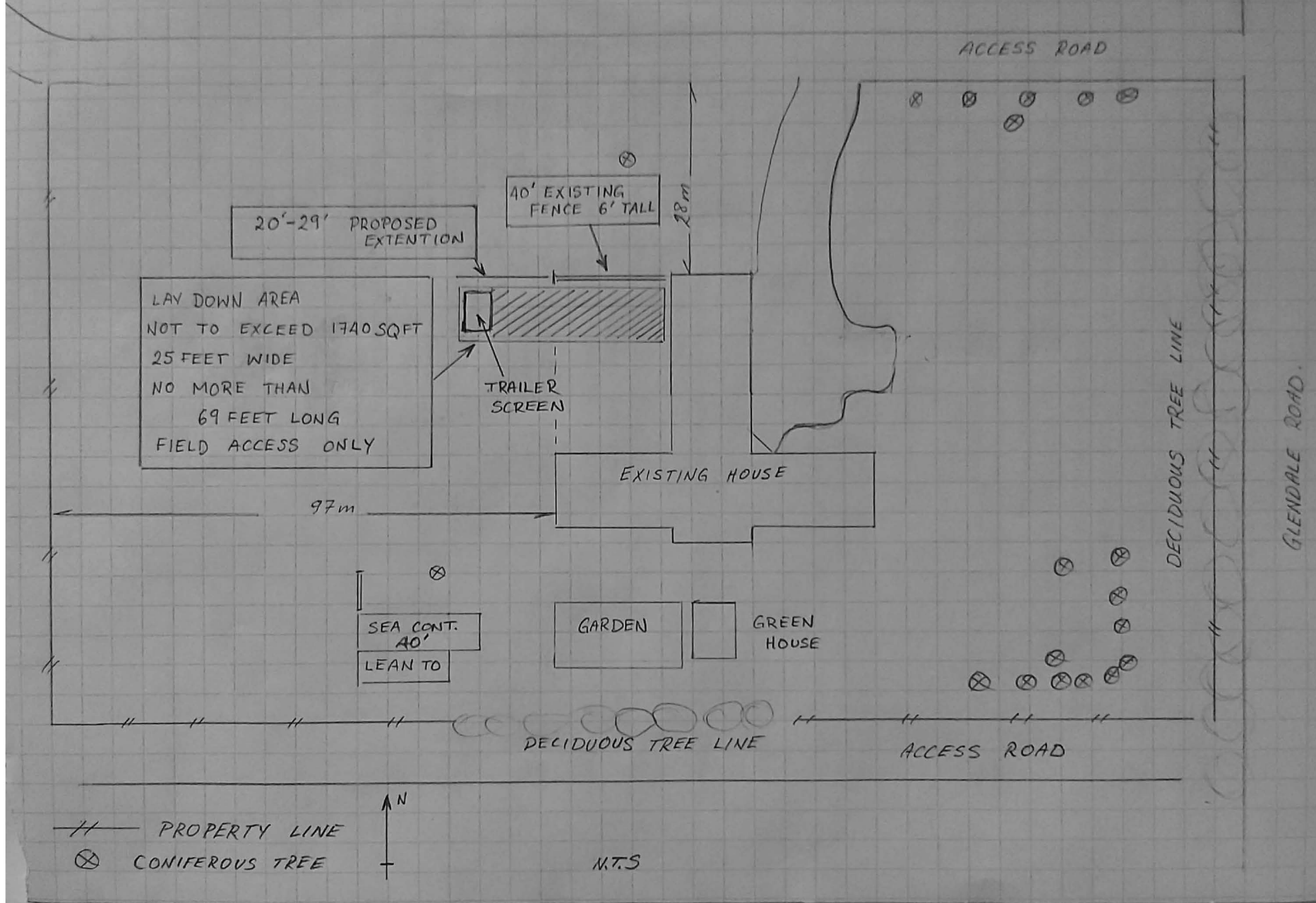
In addition to the content of this documentation, the Contractor and subtrades must comply with valid A.B.C. manufacturers specifications to apply materials, safety codes, good construction practices etc. to ensure the safety and quality of the constructed building.

This drawing must not be scaled



SCALE 1:500







Decision of the Municipal Planning Commission

This is not a development permit

Matt Machula
[REDACTED]

Development file #: PRDP20212083
Issue Date: July 29, 2021
Roll #: 06708012
Legal description: NE-08-26-03-W05M

The Municipal Planning Commission conditionally approves the following:

Description:

- 1) That a Home-Based Business, Type II, for a construction and outdoor storage business, may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.

Prior to Release:

- 2) That prior to release of this permit, that the Applicant/Owner shall install the proposed outside storage area screening in accordance with the approved site plan.
 - i) Once the screening for the outside storage area is installed, a site inspection shall be completed by the County, to confirm that the outdoor storage area is screened in accordance with the approved site plan, to the satisfaction of the County.

Permanent:

- 3) 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 may generate up to a maximum of four (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.

This is not a development permit

- 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, accessory building, and outside storage area.
- 10) That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and **shall not exceed 1,740.00 sq. ft. (161.65 sq. m)**
- 11) That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
- 12) That there shall be no signage, exterior display, or advertisement of goods or services discernible from the outside of the building.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That if this Development Permit is not issued by **February 28, 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, once issued, shall be valid until **August 25, 2022**.

Advisory:

- 16) That the applicant/owner shall ensure that post-development drainage does not exceed pre-development drainage and there are no stormwater implications to neighboring property due to proposed development.
- 17) That the applicant/owner shall implement appropriate ESC measures during the construction of the proposed development in accordance with County's servicing standards.
- 18) That any buildings that are encroaching into the minimum setback requirements and are non-compliant with the County's Land Use Bylaw shall require a Development permit, to bring the property into compliance.
- 19) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 20) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 21) That a Building Permit and sub-trade permits shall be obtained through Building Services, for the proposed or change of use permit for the existing accessory buildings, used for business operations prior to any construction or business activity taking place (if required).

This is not a development permit

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission



Al Schule, Vice-Chair

This is not a development permit







