

## PLANNING

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|-----------------|---------------------------------|---------------------|------------|
| <b>TO:</b>      | Subdivision Authority           |                     |            |
| <b>DATE:</b>    | July 26, 2022                   | <b>DIVISION:</b>    | 6          |
| <b>FILE:</b>    | 03323008                        | <b>APPLICATION:</b> | PL20210148 |
| <b>SUBJECT:</b> | Subdivision: Business Live-Work |                     |            |

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**APPLICATION:** To create a  $\pm 3.20$  hectare ( $\pm 7.92$  acre) parcel with a  $\pm 2.22$  hectare ( $\pm 5.51$  acre) remainder.

**GENERAL LOCATION:** Located approximately 3.22 km (2.00 miles) east of Calgary and approximately 0.81 km (0.50 mile) south of Highway 560 and on the east side of Range Road 282.

**LAND USE DESIGNATION:** Business Live-Work District

**EXECUTIVE SUMMARY:** The land use for the subject parcel was amended from Agricultural Holdings District to Business Live-Work District in July 2020 (PL20200053). A Development Permit application (PRDP20200842) relating to a truck dispatching business and relaxation of maximum outside storage area was tabled by the Municipal Planning Commission on September 24, 2020. A previous Development Permit was granted and expired in 2019 (PRDP20184721) and there is no Development Permit currently active on site. There is an existing dwelling on the southern portion of the site, with some outdoor storage also present.

At the May 10, 2022, Council meeting, Council directed Administration to provide an assessment to Council of the advantages and disadvantages of introducing one or more new Home-Based Business development permit options no later than September 13, 2022.

At the May 17, 2022, Council meeting, Council directed that no Business Live-Work land use amendment proposal should proceed to Council until Administration's report on the District has been received by Council.

The application is consistent with Policy 14.22 of the County Plan being limited in size, scale, intensity, and scope, having direct access to a paved County Road or highway; the proposal would also appear to have limited adverse impacts on existing residential, business, or agricultural uses. Given that the proposed business would be limited to three to five trucks per day, a Traffic Impact Assessment (TIA) was not deemed necessary by Administration as the business would have limited impact on the transportation infrastructure.

The proposal meets the minimum parcel size requirements of the Land Use Bylaw of 1.0 hectare (2.47 acres) with lot 1 having a proposed area of  $\pm 3.20$  hectares ( $\pm 7.92$  acres), and the proposed remainder Lot 2 with an area of  $\pm 2.22$  hectares ( $\pm 5.51$  acres). However, further subdivision would also be possible given that the proposed remainder parcels are of greater size than the minimum parcel size in the Land Use Bylaw.

Although Administration has found that the subdivision largely aligns with statutory policies and the Land Use Bylaw, it is considered that the creation of further Business Live-Work lots that do not have existing dwellings located within them conflicts with the overall intent of the Business Live-Work district and results in an intensification of business uses that was not anticipated by the Land Use Bylaw. Taking this into account, Administration recommends tabling of the application until Council has had the opportunity to consider the merits of the Business Live-Work district more holistically.

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### Administration Resources

Reynold Caskey, Planning & Development Services

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

**OPTIONS:**

- Option #1: THAT Subdivision Application PL20210148 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT the application be tabled until after Administration reports back to Council on potential options for amendment to the Business Live-Work district or before September 13, 2022.
- Option #3: THAT Subdivision Application PL20210148 be refused.

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**APPLICATION EVALUATION:**

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

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| <p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan (County Plan);</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul> | <p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Phase 1 Groundwater Supply Assessment by Groundwater Resources Information Technologies Ltd. dated August 19, 2021</li> <li>• Level II PSTS Assessment by Almor Testing Services Ltd. dated June 27, 2021</li> <li>• Desktop Wetland Assessment by Higher Ground Consulting, dated June 24, 2021</li> </ul> |
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### *Payments and Levies*

| <b>APPLICABLE FEE/LEVY</b>         | <b>AMOUNT OWING (ESTIMATE)</b>             |
|------------------------------------|--|
| <i>TRANSPORTATION OFFSITE LEVY</i> | \$4,595 per acre x 7.92 acres<br>=\$36,392 |

The subject parcel is located outside of an area structure plan. The application was therefore reviewed against the policies of the County Plan and the Land Use Bylaw.

### *Municipal Development Plan (County Plan)*

The County Plan directs business development within the County to existing business areas. The subject parcel was redesignated from Agricultural Holdings District to Business Live-Work District in July 2020. Section 14.0 (Business Development) of the County Plan provides some direction for small-scale business uses outside of established business areas and the proposal broadly complies with criteria for such uses. Given that Council has already set direction on this issue approving land use, the proposed subdivision aligns with the County Plan.

### *Transportation*

Access to proposed Lot 1 would be from the existing approach off Range Road 282. The proposed remainder Lot 2 would gain access from a new approach off the Range Road and the Applicant would be responsible for any upgrades necessary.

The Applicant would be required to pay the transportation off-site levy as per the applicable TOL Bylaw at time of approval because the subject lands are to be subdivided as Business Live-Work. Estimated TOL payment is \$4,595 x 7.92 acres = \$36,392.

### *Water/Wastewater Servicing*

The Applicant provided a Phase 1 Groundwater Assessment and a Level II PSTS report supporting the use of a well and wastewater for domestic use on site, and it has been accepted by the County. If the Owner were to seek use of the water well for commercial or industrial purposes at the future Development Permit stage, the Owner must seek approval from Alberta Environment & Parks in order to obtain a license for such use.

### *Stormwater*

There are identified wetlands on site, and the applicant would have to provide a site-specific stormwater implementation plan conducted by a professional engineer.

### *Land Use Bylaw*

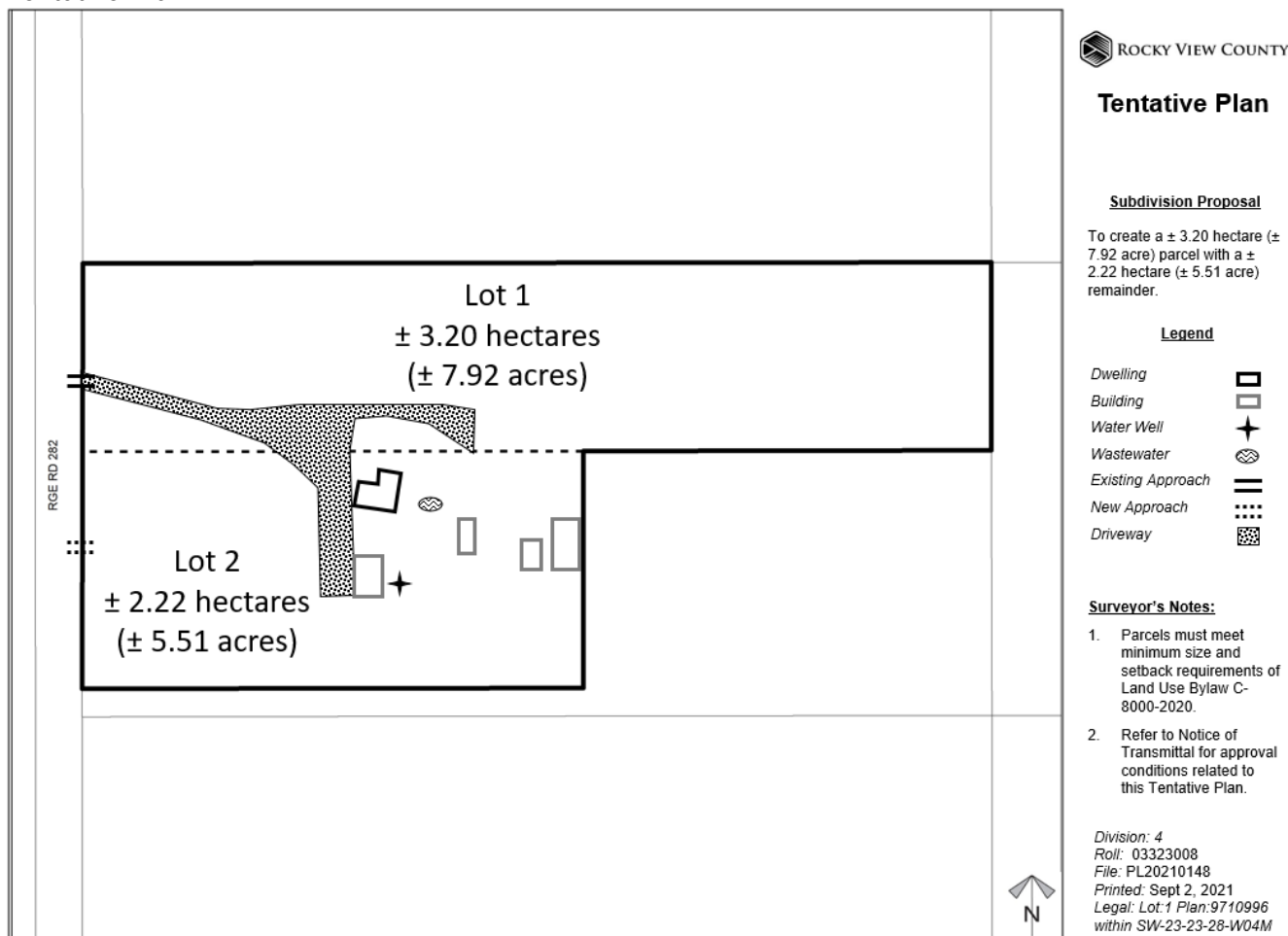
The existing parcel is 5.43 hectares (13.42 acres) and proposed to be subdivided into two parcels: a  $\pm 3.20$  hectare ( $\pm 7.92$  acre) parcel with a  $\pm 2.22$  hectare ( $\pm 5.51$  acre) remainder. The proposed subdivision application would meet the minimum parcel size for the District with proposed parcels being larger than 1.00 hectares (2.47 acres).

Further consideration is required for the future subdivided lots. To conform with the Land Use Bylaw, a dwelling must first be constructed on the northern Lot 1 prior to any business use on site. In addition, the subject parcel is adjacent to Agricultural and Residential Districts, and a 10 metre landscaped buffer is required when adjacent to these Districts to counteract negative visual impacts. The maximum area of outdoor storage must not exceed 400m<sup>2</sup>, must be screened from view from adjacent lands and road, and meet minimum setback requirements of the land use. Agricultural Services staff also provided comment that the Agricultural Boundary Design Guidelines would be beneficial in buffering the residential

land uses. Prior to the issuance of any Development Permit, the applicant would be required to meet the Land Use Bylaw requirements.

Municipal Reserves would be deferred by Deferred Reserve Caveat to both lots.

### Tentative Plan





Respectfully submitted,

“Brock Beach”

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Acting Executive Director  
Community Development Services

RC/rp

**ATTACHMENTS:**

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Application Information

ATTACHMENT ‘C’: Map Set

Concurrence,

“Dorian Wandzura”

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Chief Administrative Officer