

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: January 13, 2021 **DIVISION:** 4
FILE: 03323021 **APPLICATION:** PRDP20203544
SUBJECT: Home Based Business, Type II / Discretionary use, with Variances

APPLICATION: Application is for a Home Based Business, Type II, for automotive detailing and repair business and relaxation of the type of business regulation.

GENERAL LOCATION: Located at the southeast junction of Highway 560 and Glenmore View Road.

LAND USE DESIGNATION: Agriculture, General District (A-GEN) under Land Use Bylaw C-8000-2020.

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

EXECUTIVE SUMMARY: The name of the company is Abdul Custom Auto Detail. The Applicant has proposed approximately 371.61 sq. m (4,000.00 sq. ft.) of fenced outside storage space, 278.70 sq. m (3,000.00 sq. ft.) of an accessory building as a workshop, and 55.74 sq. m (600.00 sq. ft.) of office space (located in a dwelling). The Applicant has requested a 2.00 ft. x 3.00 ft. sign, to be placed on building. The application states the outside storage is requested at 371.61 sq. m (4,000.00 sq. ft.) however, when referencing the site plan and the 2020 imagery, there is approximately 1,700.00 sq. m. (18,298.65 sq. ft.) of outside storage area and that requires a variance.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP 20203544 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203544 be refused for the following reasons:
1. That the application does not meet the requirements for a Home-Based Business, Type II, as specified in Section 145 (f) of the Land Use Bylaw, C-8000-2020.
Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type II).
 2. The outside storage area proposed for this Home-Based business exceeds the maximum allowable amount, as permitted by Land Use Bylaw, C-8000-2020 and would require a variance of approximately 325% and the Development Authority deems that excessive.

Administration Resources

Wayne Van Dijk, Planning and Development

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

Variance	Requirement	Proposed	Percentage (%)
Automotive Use	Not Permitted as HBB	Automotive Storage	100.00%
Outside Storage	400.00 m ² (4,305.56 ft. ²)	1,700.00 m ² (18,298.65 ft. ²)	325.00%

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 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
DISCRETIONARY USE: <ul style="list-style-type: none"> Home-Based Business, Type II is listed as a Discretionary use 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission



Additional Review Considerations

As per Land Use Bylaw C-8000-2020, Section 146 (f): "Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type II)."

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

WV/lt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Conditions
ATTACHMENT 'B': Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval, subject to the following conditions:

Description:

1. That a Home-Based Business, Type II, for automotive uses (detail cleaning and minor body and mechanical work) with signage may operate on the subject parcel in accordance with the approved site plan and conditions of this permit.
 - i. That the proposed Automotive use shall be permitted under a Home-Based Business, Type II
 - ii. That the maximum permitted outside storage area **shall be relaxed from 400.00 sq. m (4,305.56 sq. ft.) to 1,700.00 sq. m (18,298.65 sq. ft.).**

Prior to Issuance:

2. That prior to issuance of the permit, the Applicant/Owner shall confirm existing or proposed screening of the outside storage area, to the satisfaction of the Development Authority.

Permanent:

3. That the number of non-resident employees shall not exceed two (2) at any time.
 - i. That an employee in this home-based business is a person who attends the property more than once in a seven (7) day period for business purposes.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business, Type II shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
7. 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.
8. That the Home-Based Business shall be limited to the dwelling, its accessory buildings and outside storage area.
9. That all outside storage that is a part of the Home-Based Business, shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **1,700.00 sq. m (18,298.65 sq. ft.).**
 - i. That any requirement outside storage screening elements, as approved with the outside storage screening plan, shall be implemented onsite prior to business operation.
10. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area.
11. That there shall be one (1) sign permitted (2.00 ft. x 3.00 ft.), placed on the exterior of the accessory building (shop).
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



ROCKY VIEW COUNTY

13. That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
14. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.

Advisory:

15. That any other government permits, approvals including a Roadside Development Permit through Alberta Transportation, or compliances are the sole responsibility of the Applicant/Owner.
16. That this Development Permit shall be valid until **February 10, 2022**.
17. That if this Development Permit is not issued by **August 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Youssef Assaf	OWNER: Youssef Assaf
DATE APPLICATION RECEIVED: November 4, 2020	DATE DEEMED COMPLETE: November 6, 2020
GROSS AREA: ± 4.64 hectares (± 11.47 acres)	LEGAL DESCRIPTION: NE-23-23-28-W04M
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • PRDP20180856: February 24, 2019, Refusal for renewal of Home-Based Business, Type II, for vehicle restoration and detailing. • PRDP20163787: May 12, 2017, Home-Based Business, Type II, for vehicle restoration and detailing 	
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>	

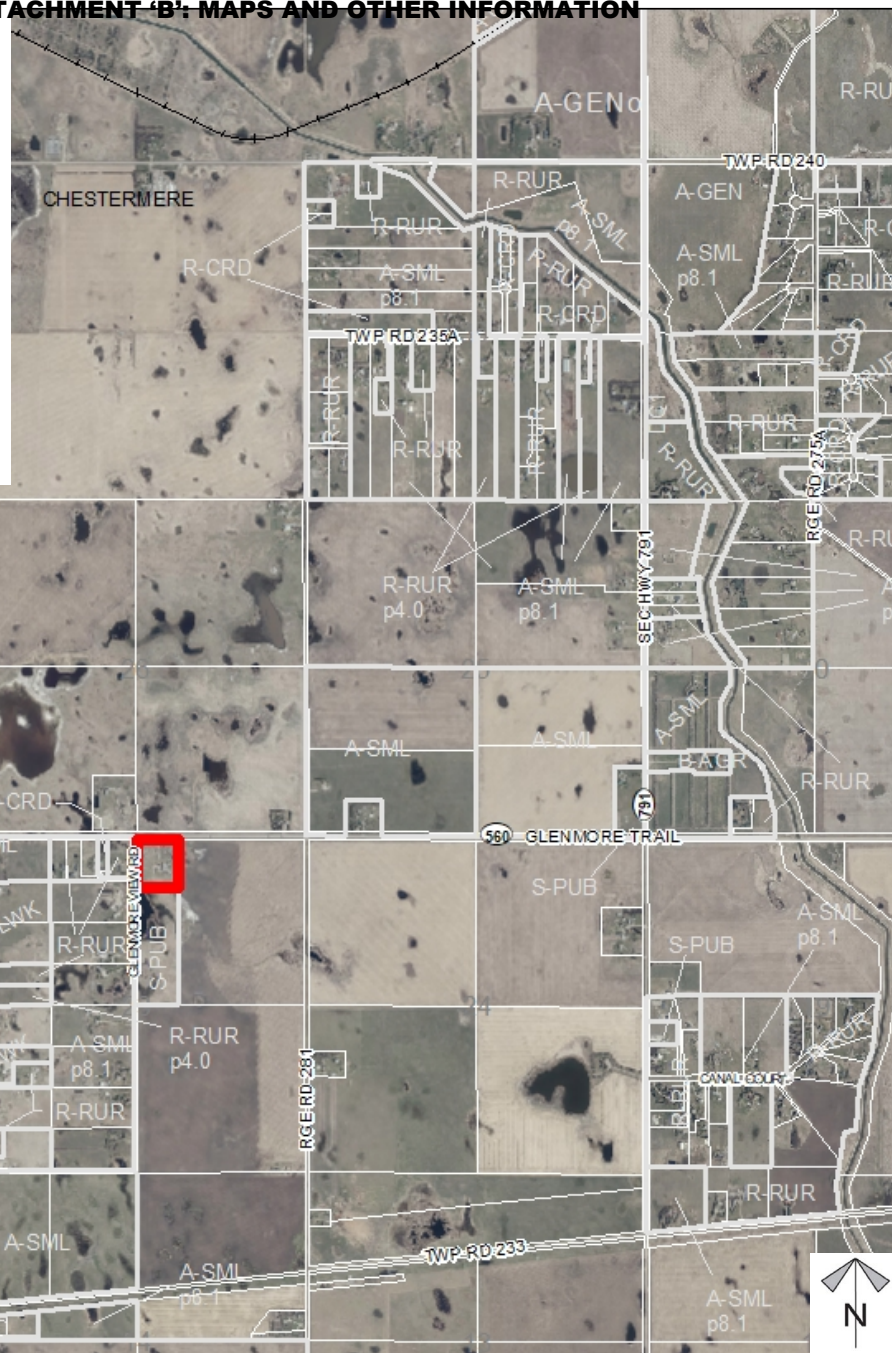
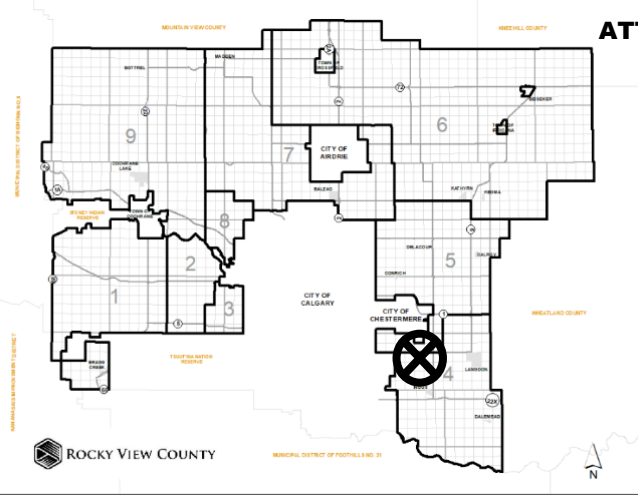


Location & Context

Development Proposal

Home Based Business, Type II, for automotive detailing and repair business and relaxation of the type of business regulation

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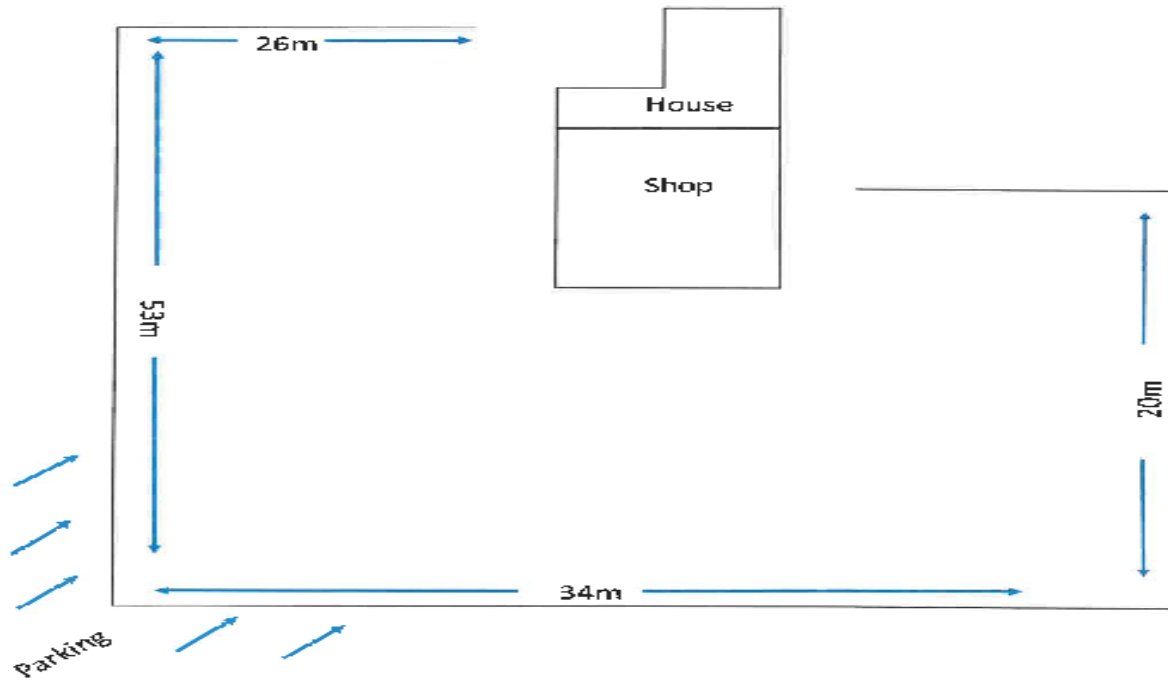


Division: 4
Roll: 03323021
File: PRDP20203544
Printed: December 9, 2020
Legal: Lot:1 Block:1
Plan:0110831; within NE-23-23-28-W04M

Site Plan

Development Proposal

Home Based Business,
 Type II, for automotive
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 regulation



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.



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Inspection Photos

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