

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: January 13, 2021 **DIVISION:** 9
FILE: 07815005 **APPLICATION:** PRDP20203725
SUBJECT: Home Based Business, Type II / Discretionary use with Variances

APPLICATION: Application is for a Home Based Business, Type II, for automotive uses (automotive sales and sales of lifts) and relaxation of the type of business regulation.

GENERAL LOCATION: Located at the northwest junction of Hwy. 22 and Twp. Rd. 272.

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 Applicant has proposed to operate two related businesses from the parcel, Unique Auto Sales and Unique Lifts. The businesses are described as sales of automotive lifts/car hoists and the sales of exotic, high-end, custom automobiles. Both businesses operate by appointment only (8:00 am – 8:00 pm) with anticipated, business-related visits of four (4) per day with a maximum of thirty (30) per week. The application states that there are two (2) full time employees and both are residents of the parcel. No outside storage or signage is proposed.

OPTIONS:

Option #1: THAT Development Permit Application PRDP 20203725 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20203725 be refused for the following reasons:

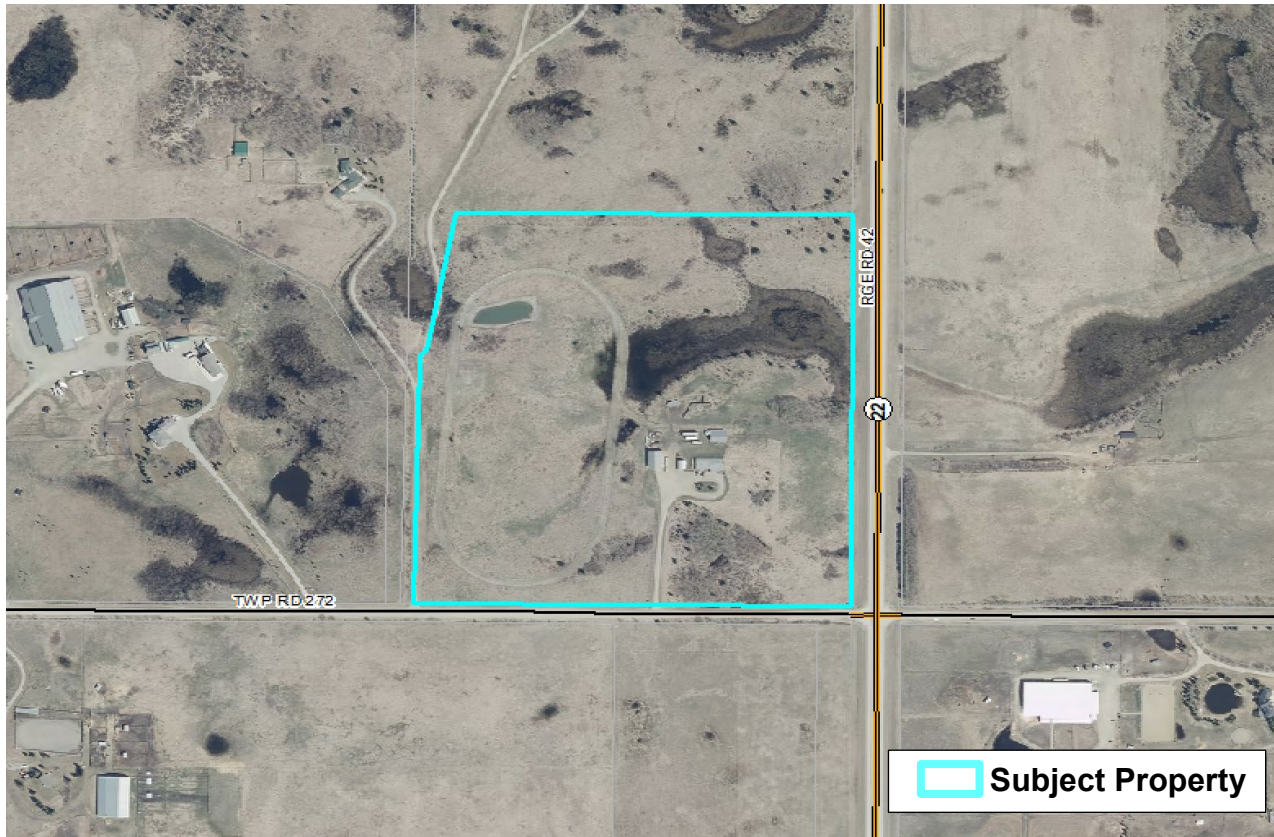
1. That the application does not meet the requirements for a Home-Based Business, Type II, as specified in Section 145 (f) of the Land Use Bylaw, C-8000-2020.

Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type II).

2. 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.

Administration Resources

Wayne Van Dijk, Planning and Development

**AIR PHOTO & DEVELOPMENT CONTEXT:****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"> 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

Section 146 (f) of the Land Use Bylaw states that automotive related businesses shall not be permitted as a Home-Based Business, Type II. The proposed development does not appear to unduly interfere with the amenities of the neighbourhood or materially interfere with and affects the use, enjoyment, and value of neighbouring parcels of land.



ROCKY VIEW COUNTY

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

1. **Description:** That a Home-Based Business, Type II, for automotive sales and automotive lift sales may commence to operate on the subject parcel in accordance with the approved site plan and conditions of this permit.
 - i. That the proposed Automotive use is permitted as a Home-Based Business, Type II

Permanent:

2. That the number of non-resident employees, for the operation of this Home-Based Business, in conjunction with any other Home-Based Business approved for this parcel, 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.
3. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
4. That the Home-Based Business, Type II shall not change the residential character and external appearance of the land and buildings.
5. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
6. 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-Base Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
7. That the Home-Based Business shall be limited to the dwelling and its accessory buildings.
8. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area.
9. That there shall be no signage, exterior display or advertisement of goods and services discernable from the outside of the building.
10. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
11. That the operation of this Home-Based Business, in conjunction with any other Home-Based Business approved for this parcel, may generate up to a maximum of eight (8) business-related visits per day.
12. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.

Advisory:

13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
14. That this Development Permit shall be valid until **January 13, 2022**.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: James Scott	OWNER: Grant & Michelle Profit
DATE APPLICATION RECEIVED: November 4, 2020	DATE DEEMED COMPLETE: November 6, 2020
GROSS AREA: ± 15.71 hectares (± 38.82 acres)	LEGAL DESCRIPTION: Block 1, Plan 9410432, SE-15-27-04-W05M (42026 Twp. Rd.)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: PRDP20180119: HBB, Type II for truck storage (renewal)(expires February 8, 2020) PRDP20164667: HBB, Type II for truck storage	
PUBLIC & AGENCY SUBMISSIONS: 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.	

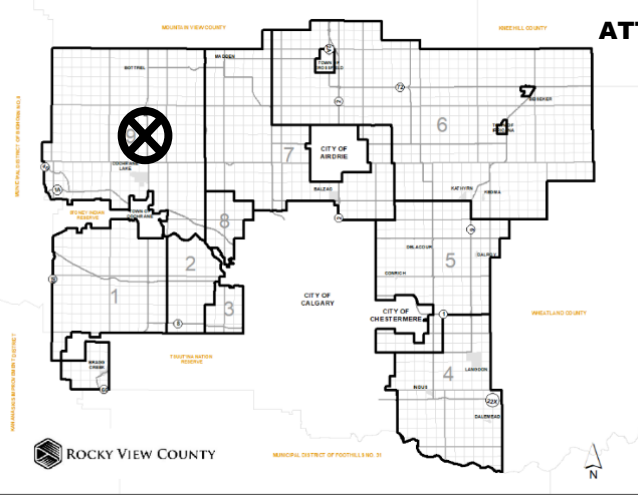


Location & Context

Development Proposal

Home Based Business,
Type II, automotive uses

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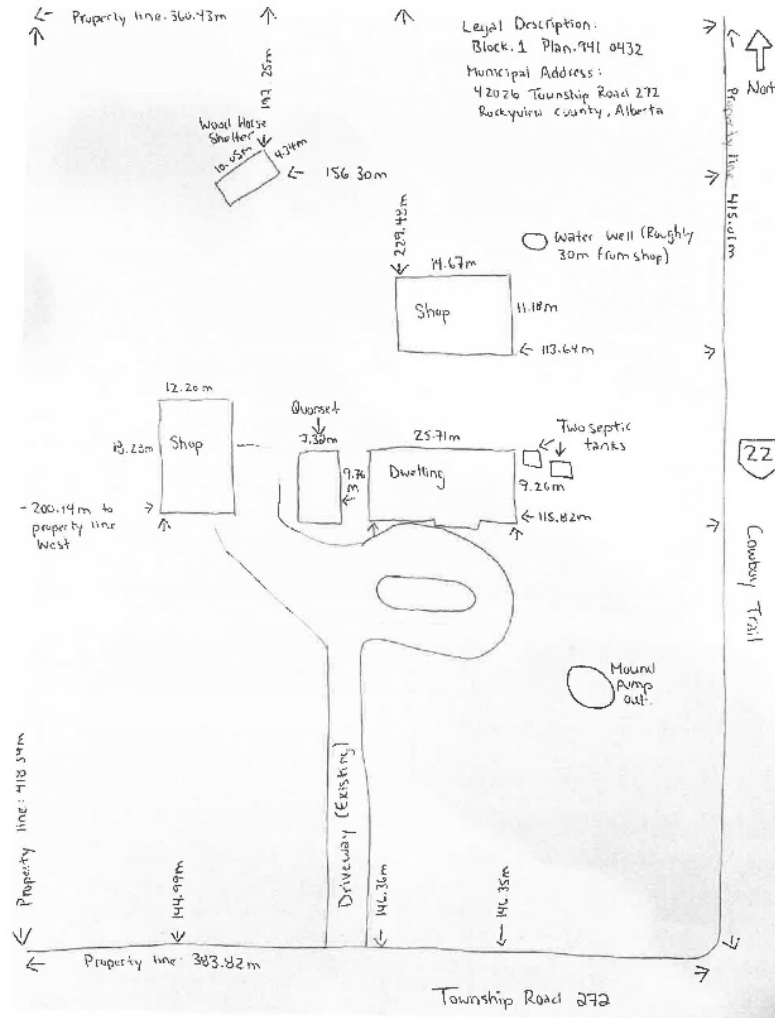


Division: 9
Roll: 07815005
File: PRDP20203725
Printed: December 9, 2020
Legal: Block:1
Plan:9410432; within SE-15-
27-04-W05M

Site Plan

Development Proposal

Home Based Business,
 Type II, automotive uses



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.



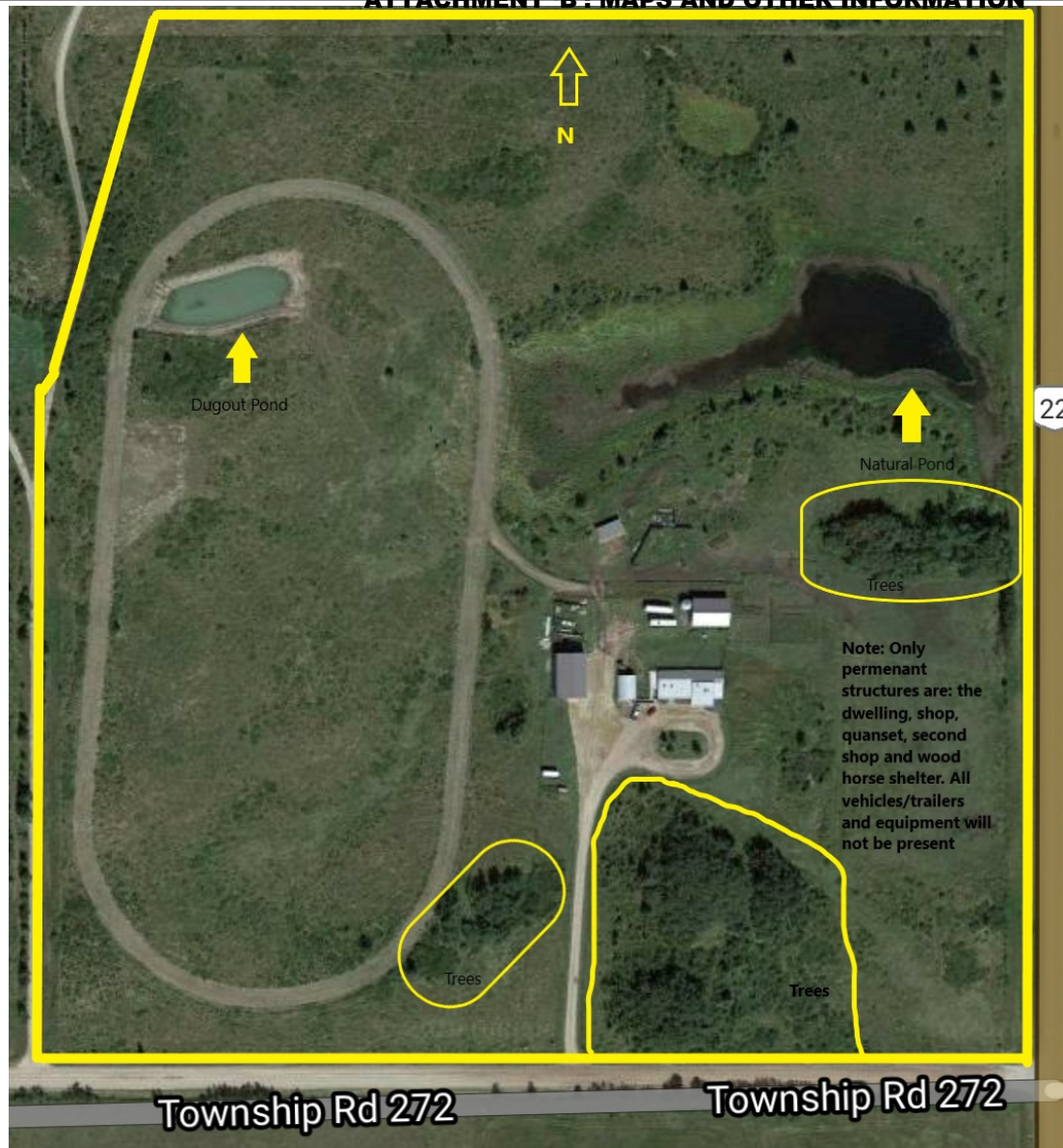
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