

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: January 13, 2021 **DIVISION:** 7
FILE: 06532008 **APPLICATION:** PRDP20203168
SUBJECT: Home-Based Business, Type II / Discretionary use, with Variances

APPLICATION: Home-Based Business, Type II, for a conveyor belt refurbishment company, relaxation of the maximum number of non-resident employees from two (2) to four (4).

GENERAL LOCATION: Located at the southwest junction of Rge. Rd. 14 and Big Hill Springs Rd.

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

EXECUTIVE SUMMARY: This business was formerly operating on another parcel in the County and has been permitted since 2012. The Applicant has decided to move the business to the subject parcel as it is larger and better equipped to accommodate the business. However, the application is inconsistent with the Home-Based Business, Type II regulations in the Land Use Bylaw (C-8000-2020). Specifically, the proposal exceeds the maximum permitted number of non-resident employees. Further, the proposal does not meet the definition of a Home-Based Business as none of the employees of the business reside on the subject parcel.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203168 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203168 be refused for the following reasons:
1. The requested number of non-resident employees exceeds the requirements of Section 145(d) of the Land Use Bylaw (C-8000-2020).
Number of non-resident employees: two (2)
Requested number of non-resident employees: four (4)
 2. The proposed business does not employ any residents of the subject property. As such, the proposal does not meet the definition of a Home-Based Business, Type II as per Part 8 of the Land Use Bylaw (C-8000-2020).
 3. 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.

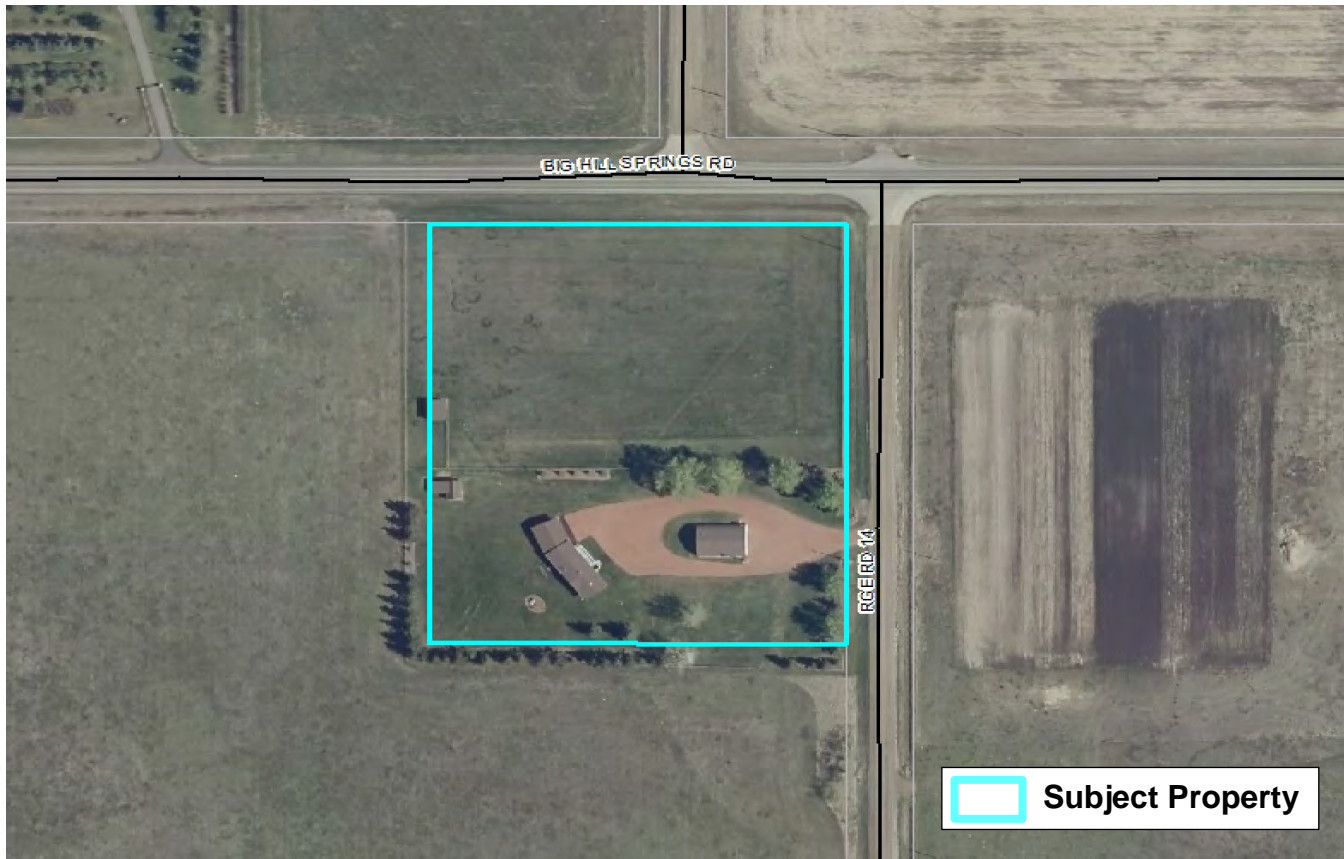
Administration Resources

Sandra Khouri, Planning and Development Services



ROCKY VIEW COUNTY

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Number of non-resident employees	Two (2)	Four (4)	100.00%

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> Land Use Bylaw 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
---	--



ROCKY VIEW COUNTY

DISCRETIONARY USE:

A Home-Based Business, Type II is a discretionary use in the Agricultural, General (A-GEN) district.

DEVELOPMENT VARIANCE AUTHORITY:

Municipal Planning Commission

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.

CONCLUSION:

This application is recommended for Refusal in accordance with the reasons in Option #2.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

SK/llt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

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

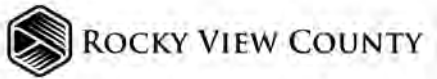
- 1) That a Home-Based Business, Type II, for a conveyor belt refurbishment company may operate on the subject parcel in accordance with the approved plans.
 - i. That the maximum number of non-resident employees **shall be relaxed from two (2) to four (4).**
 - ii. That the Home-Based Business shall be permitted an over height fence enclosure, approximately 2.44 m (8.00 ft.) in height, in accordance with the approved Site Plan.

Permanent:

- 2) That the operation of this Home-Based Business may generate up to a maximum of eight (8) business-related visits per day.
- 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 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-Based 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, accessory building (Quonset), and outside storage area.
- 8) 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 157.94 sq. m (1,700.00 sq. ft.).**
- 9) 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.
- 10) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
- 11) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 12) That this Development Permit shall be valid until **February 10, 2022.**

Advisory:

- 13) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 14) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Kadvin Enterprises, Pastala Melvin Luck	OWNER: Reginald Hammond, Mi Young Park
DATE APPLICATION RECEIVED: October 7, 2020	DATE DEEMED COMPLETE: October 26, 2020
GROSS AREA: ± 1.96 hectares (± 4.84 acres)	LEGAL DESCRIPTION: NE-32-26-01-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY (all under former parcel; roll 06427010): <p>February 1, 2019: Development permit renewal (PRDP20184245) was issued for a Home-Based Business, Type II, for a conveyor belt refurbishment company</p> <p>November 3, 2016: Development permit renewal (PRDP20163592) was issued for a Home-Based Business, Type II, for a conveyor belt refurbishment company</p> <p>September 7, 2016: Development permit renewal (PRDP20144230) was issued for a Home-Based Business, Type II, for a conveyor belt refurbishment company</p> <p>December 25, 2013: Development permit renewal (PRDP20130047) was issued for a Home-Based Business, Type II, for a conveyor belt refurbishment company</p> <p>November 21, 2012: Development permit (2012-DP-151400) for a Home-Based Business, Type II, for a conveyor belt refurbishment company was issued</p> <p>March 9, 2011: Development permit (2011-DP-14411) for a Home-Based Business, Type II, for a conveyor belt refurbishment company was refused for the reason that no one involved in the business resides on the subject parcel</p>	
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>	

Development Proposal

Vacation Rental

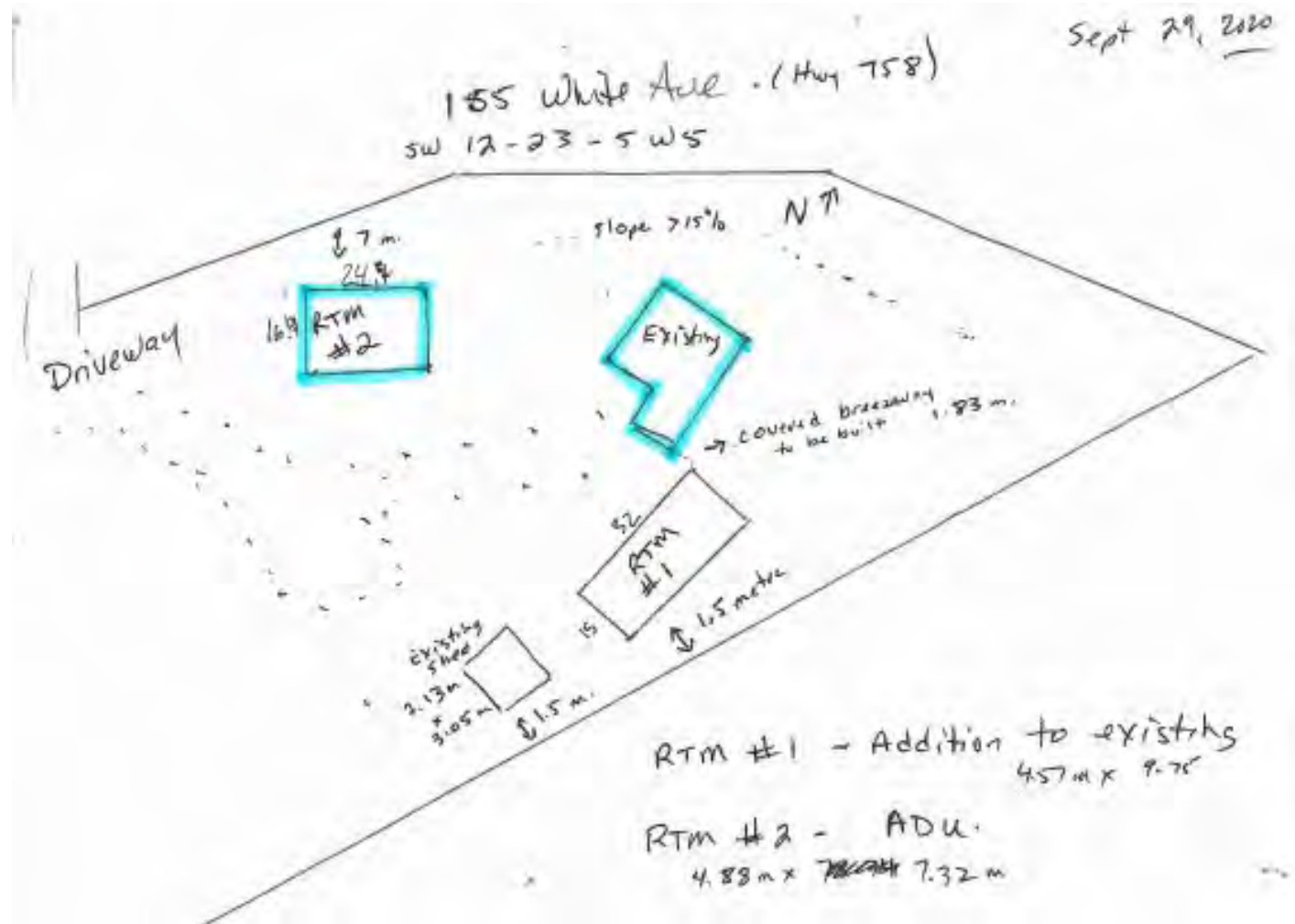


Division: 1
Roll: 03912007
File: PRDP20203500
Printed: January 27, 2021
Legal: SW-12-23-05-W05M
Lot: 1 Block: 2 Plan: 1312600

Site Plan

Development Proposal

Vacation Rental



Division: 1
 Roll: 03912007
 File: PRDP20203500
 Printed: January 27, 2021
 Legal: SW-12-23-05-W05M
 Lot: 1 Block: 2 Plan: 1312600

Inspection Photos
November 24, 2020







