

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: January 13, 2021

DIVISION: 5

FILE: 05336001

APPLICATION: PRDP20203638

SUBJECT: Home-Based Business, Type II / Discretionary use with Variances

APPLICATION: The proposal is for a Home-Based Business, Type II, limousine business, relaxation to the number of non-resident employees and relaxation of the type of business regulation.

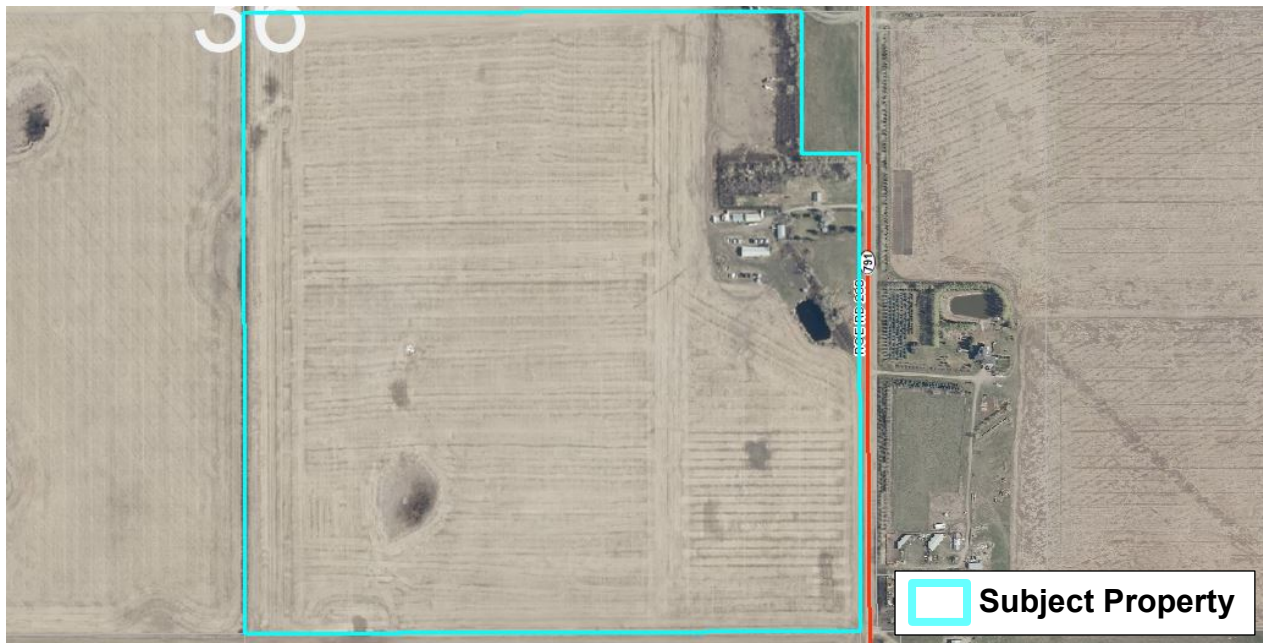
GENERAL LOCATION: Located 2.00 km (1 1/4 mile) north of Highway 564 and on the west side of Highway 791.

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

EXECUTIVE SUMMARY: The application is requesting variances to both the total number of non-resident employees and the type of allowable use under a Home Based Business Type II, in order to accommodate the proposed limousine business. As the employees for the business are confirmed to be both resident and non-resident family of the Applicant and the outside storage area is well screened from adjacent parcels and the highway, Administration supports the approval of the application.

ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Camilo Figueora-Conde, Planning and Development Services



OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203638 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203638 be refused for the following reasons:
1. 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.

VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
HBB II Type Allowable Use	Non-Automotive related	Automotive related	100.00%
Number of Non-Resident Employees	No more than two (2) non-resident employees	4 non-resident employees	100.00%

APPLICATION EVALUATION:

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

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 provided
DISCRETIONARY USE: <ul style="list-style-type: none"> Home-Based Business, Type II 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission (MPC)

Additional Review Considerations

This application is requirement as the subject use is discretionary within the Land Use District and variances are being requested due to the nature of the Land Use Bylaw stipulating, "Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type II)" and that only two (2) non-resident employees are permitted.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

CC/ltt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

OPTIONS:

Option #1

APPROVAL, subject to the following conditions:

Description:

1. That a Home Based Business Type II, for a limousine business, including approximately 400.00 m² (4305.56 ft²) in outside storage area, may be conducted on the subject land in general accordance with the approved site plan.
 - i. That the proposed Automotive-related use be allowed under a home-based business, type II application.
 - ii. That the permitted non-resident employees **shall be relaxed from two (2) to four (4)**.

Permanent:

2. That the Home Based Business Type II be ancillary to the residential and residential aspect of the parcel.
3. That the Home-Based Business, Type II shall not change the residential or agricultural character and external appearance of the land and buildings.
4. That the operation of this Home-Based Business, Type II shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
5. That the Home-Based Business, Type II 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 resident dwellings shall be preserved. The Home-Based Business, Type II use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
6. That there shall be no more than 10 limousines parked in the designated storage area at any given time.
 - i. That any expansion of vehicle storage would require a new Development Permit.
7. That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area in accordance with the approved Site Plan.
8. That all outside storage that is a part of the Home-Based Business, Type II shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements, and **shall not exceed 400.00 m² (4305.56 ft²)** in accordance with the approved site plan.
9. That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area in accordance with the approved Site Plan.
10. That the operation of this business may generate up to eight (8) business related visits per day.
 - i. That one business-related visit would include one (1) entry into the site and one (1) exit from the site.
11. That no off-site advertisement signage associated with the Home-Based Business shall be permitted



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12. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.
13. That this Development Permit shall be valid until **February 10, 2022**.

Advisory:

14. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
15. That any other federal, provincial (including a Roadside Development Permit from Alberta Transportation) or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: SBB Holdings Ltd.	OWNER: SBB Holdings Ltd.
DATE APPLICATION RECEIVED: November 9, 2020	DATE DEEMED COMPLETE: November 9, 2020
GROSS AREA: ± 63.36 hectares (± 156.59 acres)	LEGAL DESCRIPTION: SE-36-25-28-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: Planning Applications <ul style="list-style-type: none"> • There are no Planning related application on file for this parcel Development Permits <ul style="list-style-type: none"> • PRDP20202228 accessory building, oversize shop (Closed-approved) Building Permits <ul style="list-style-type: none"> • PRBD20203091 Farm building exemption, farm equipment storage (In compliance) 	
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.	



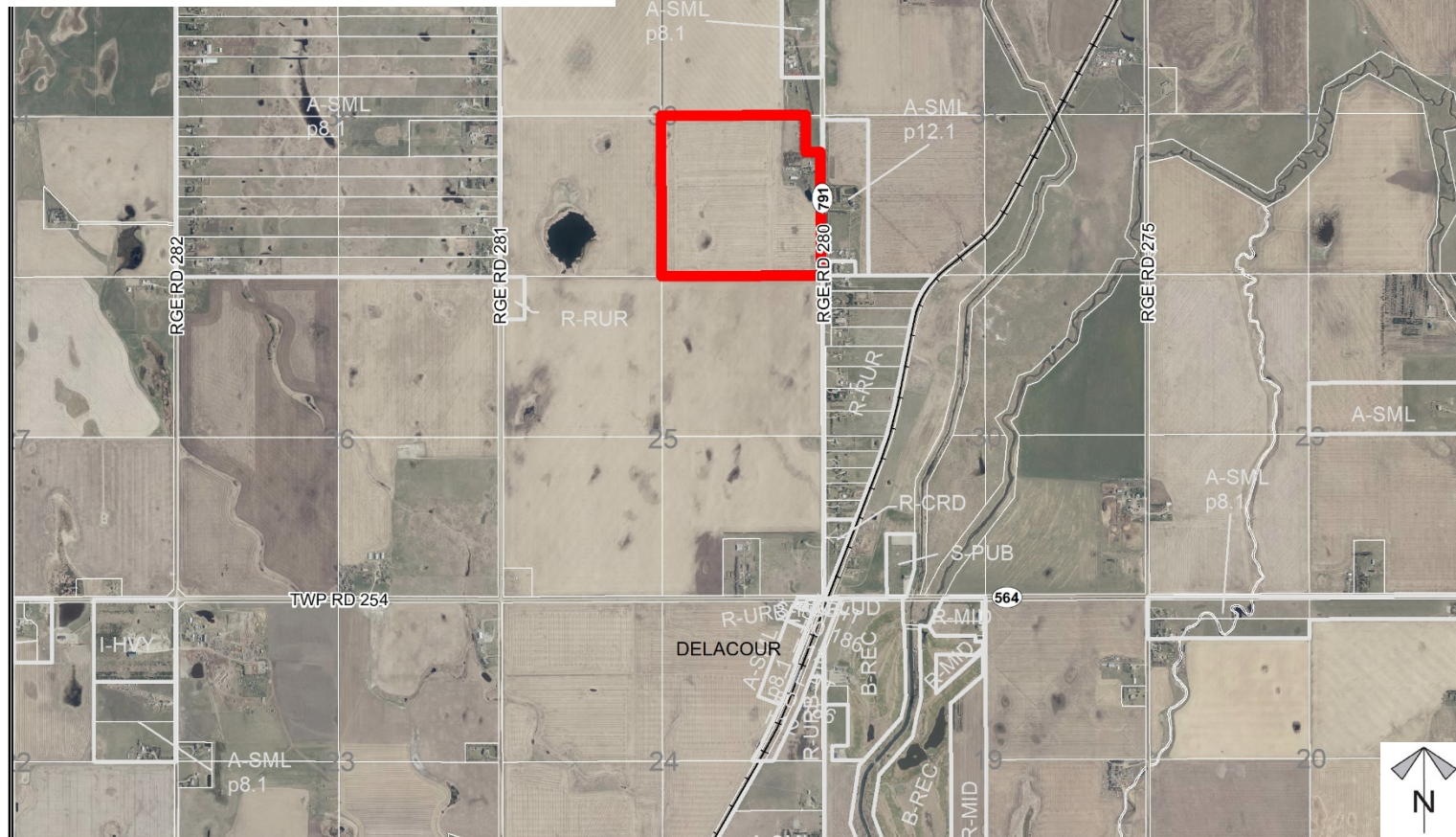
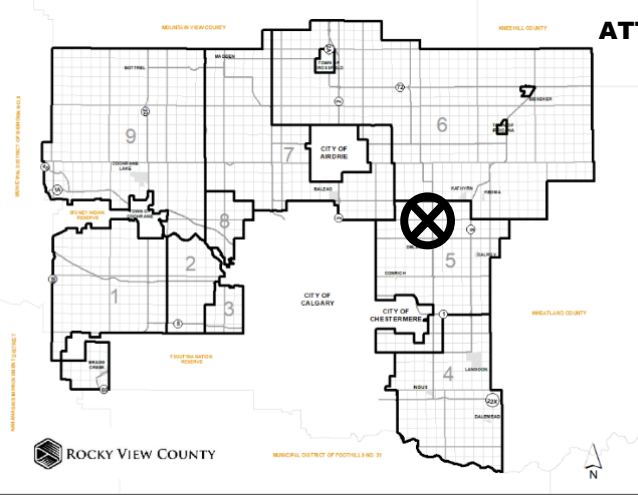
Location & Context

Development Proposal

A Home Based Business Type II, limousine business, relaxation to the number of non-resident employees and relaxation of the type of business regulation.

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ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Site Plan

Development Proposal

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