



PLANNING

TO: Council
DATE: December 6, 2022 **DIVISION:** 2
TIME: Afternoon Appointment
FILE: 04735027 **APPLICATION:** PL20220042
SUBJECT: Redesignation Item: Residential Use

APPLICATION: To redesignate the subject lands from Residential, Country Residential District (R-CRD) to Residential, Rural District (R-RUR) to accommodate a Home-Based Business Type II use.

GENERAL LOCATION: Located at the southwest junction of Township Road 250 and Range Road 31A, approximately 1.21 kilometres (0.75 miles) west of the city of Calgary.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8310-2022 on July 26, 2022.

The subject parcel contains a primary dwelling and a detached accessory building (oversized workshop) that currently supports the operation of a woodworking business. As per the approved Development Permit (2013-DP-15573), the accessory building is permitted to house a Home-Based Business Type I.

In July 2021, a complaint was received against the business, citing excessive noise that was related to business activities (Enforcement file #: 202107-0173). During the enforcement investigation, it was determined that the business does not meet the Land Use Bylaw's (LUB) classification of a Home-Based Business Type I; the business should instead be considered a Home-Based Business Type II in accordance with regulations 142 and 145 of the LUB due to an offsite employee working on the premises and that the business operates within an accessory building instead of the dwelling.

To bring the business into compliance with the LUB, the Landowner applied for a Development Permit (PRDP20213143) for a Home-Based Business Type I, with a proposed variance to allow one offsite employee to work on the property. The County's Municipal Planning Commission approved the Development Permit application, subject to a one-year period expiry, providing the Landowner time to apply for this land use redesignation. If Council were to approve this application, a subsequent development permit for a Home-Based Business Type II would be required to allow the business to continue in compliance with the LUB requirements.

The subject parcel was principally assessed against the Central Springbank Area Structure Plan (ASP), and the Land Use Bylaw and was found to align with these documents.

Administration concludes that the application is consistent with the residential development policies (Section 2.9.2 and 2.9.3) of the Central Springbank Area Structure Plan and notes that a Conceptual Scheme is not required at this time, as the proposal is not facilitating future subdivision.

The subject parcel also meets the minimum parcel size requirements of the Residential, Rural District (R-RUR) and is consistent with the Land Use Bylaw.

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

Administration Resources

Gerrit Scheffel, Planning & Development Services



OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8310-2022 be given second reading.
- Motion #2 THAT Bylaw C-8310-2022 be given third and final reading.
- Option # 2: THAT application PL20220042 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.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Calgary IDP Study Area; • Municipal Development Plan (County Plan); • Central Springbank Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • None submitted.
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POLICY ANALYSIS:

City of Calgary / Rocky View County Intermunicipal Development Plan (IDP)

The subject lands are located within the IDP’s Policy Area. The application was circulated to The City of Calgary, which expressed no concern with the application and provided no additional comment.



ROCKY VIEW COUNTY

Municipal Development Plan (County Plan)

As per Policy 10.1 of the County Plan, all country residential development within Central Springbank shall conform to the Central Springbank Area Structure Plan. Administration conducted a policy review of the application against the Central Springbank Area Structure Plan below.

Central Springbank Area Structure Plan (ASP)

Map 11 of the ASP identifies the subject lands as being located within the Central Springbank ASP Residential Infill Area. Section 2.9.3 of the ASP lists specific policies for the identified Residential Infill area and supports residential development on parcel sizes between ± 0.81 and ± 1.62 hectares (± 2.00 and ± 4.00 acres). Therefore, the current 1.62 hectare (4.00 acre) parcel is aligned with the expectations set out in the Central Springbank ASP.

As per Policy 2.9.2 (f) of the ASP, a conceptual scheme is required for residential development unless the following conditions are met: *“direct road access is available, one (1) lot is being created, the proposed lot is 0.8 hectares (2.0 acres) or greater in size, and the creation of the lot will not adversely affect or impede future subdivision of the balance lands”*. As the proposed redesignation would neither result in future subdivision of the lot, nor adversely impact the ability to comprehensively plan the surrounding area in the future, a conceptual scheme is not required to support this redesignation application.

Land Use Bylaw (LUB)

The current parcel size of 1.62 hectares (4.00 acres) meets the required minimum parcel size of 1.60 hectares (3.95 acres) outlined in the LUB for the R-RUR district. The applicant wishes to apply for a Home-Based Business, Type II, which is not permitted under the current R-CRD district, but is listed as a discretionary use under the R-RUR district. The Home-Based Business (Type II) development permit application would be processed separately through the development permit process if this redesignation proposal is approved by Council.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Services

Chief Administrative Officer

GS/rp

ATTACHMENTS:

ATTACHMENT ‘A’: Application Information
ATTACHMENT ‘B’: Application Referrals
ATTACHMENT ‘C’: Bylaw C-8310-2022 & Schedule ‘A’
ATTACHMENT ‘D’: Map Set
ATTACHMENT ‘E’: Public Submissions