

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 7
DATE:	January 27, 2021	APPLICATION: PRDP20204016
FILE:	06636004	
SUBJECT:	Home Based Business, Type II / Discretionary use, with Variances	

APPLICATION: Application is for a renewal of a Home-Based Business, Type II, for a trucking company, relaxation of the type of business regulation and the maximum to permitted number of non-resident employees.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) south of Hwy 566 and on the east side of Hwy. 772.

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

EXECUTIVE SUMMARY: The Applicant has been operating a trucking company (Rebel Hotshot LTD.) from the parcel. The Applicant has proposed 400 sq. m (4305.56 sq. ft.) of outside storage and 222.97 sq. m (2400 sq. ft.) of an accessory building for business purposes. The business operates Monday – Friday (7:00am – 4:00pm) and has eight (8) full-time employees. Two of the full-time employees are residents on the parcel. The application states that there are no business-related visits per day. There are approximately 6 - 8 trucks and 3 - 4 trailers on the site for business purposes. The activity was previously permitted under PRDP20193657.

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

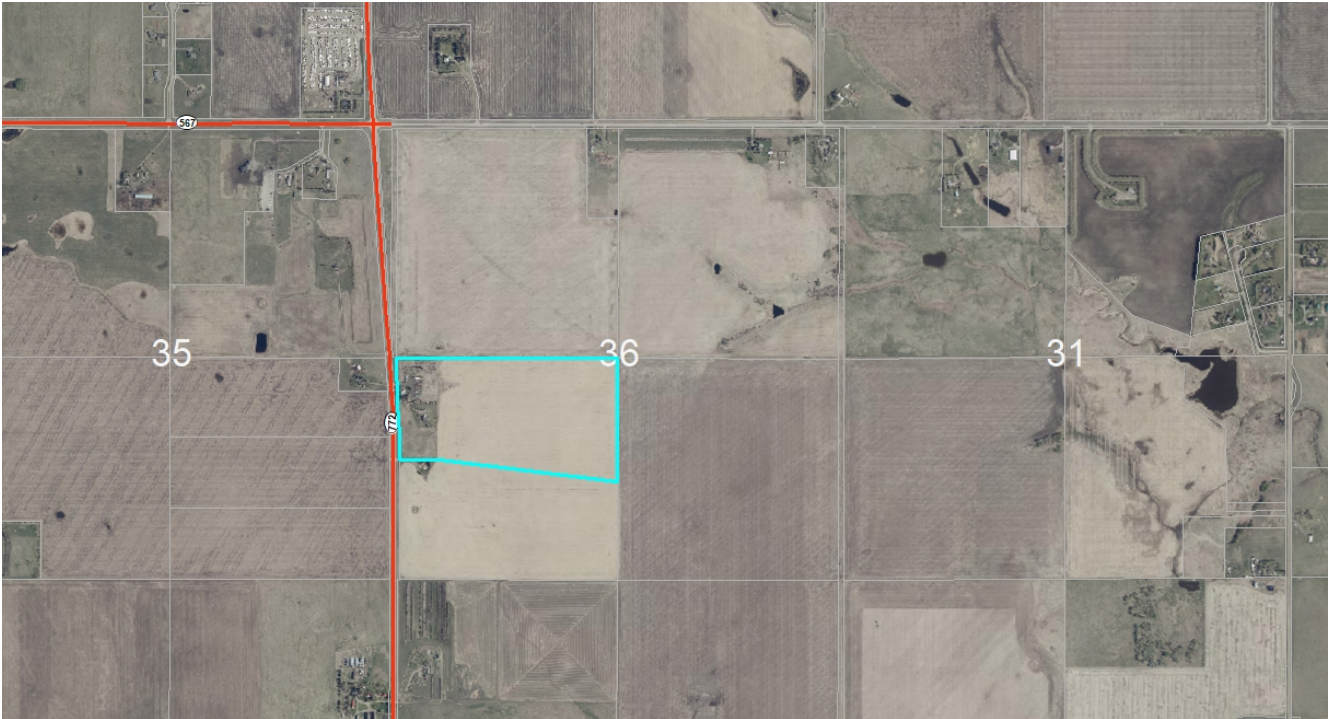
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204016 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204016 be refuse 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:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Automotive Use	Not Permitted as HBB	Trucking Company	100.00%
Number of Non-Resident Employees	2 Non-Resident Employees	6 Non-Resident Employees	200.00%

APPLICATION EVALUATION:

The application was evaluated based on the technical reports 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
PERMITTED USE: 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. This activity was previously approved under PRDP20193657 but without the variance to the number of non-resident employees.

There was a compliance file and it was subsequently closed with this application.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

ATTACHMENTS

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



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval, subject to the following conditions:

Description:

1. That a Home-Based Business, Type II, for a Trucking Business may continue to operate on the subject parcel in accordance with the approved plans.
 - i. That the proposed Automotive use is permitted as a Home-Based Business, Type II.
 - ii. That the number of non-resident employees be relaxed from **two** to **six**
 - a. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.

Permanent:

2. That the operation of this Home-Based Business may generate up to a maximum of 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 and the 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 400.00 sq. m (4,305.56 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 business vehicle idling at any time, associated with the business operations.
11. That any non-domestic wastewater, anti-freeze, oils or fuels that accumulate on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site in accordance with the regulations administered by Alberta Environment.
12. That all business vehicles shall be newer or used models. No salvaged or damaged vehicles shall be brought/stored on site.
13. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
14. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



ROCKY VIEW COUNTY

15. That this Development Permit shall be valid until **February 17, 2022**.

Advisory:

16. That any other Federal, Provincial, or County permits, approvals, and/or compliances, including a Road Side Development Permit from Alberta Transportation, are the sole responsibility of the Applicant/Owner.
17. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.



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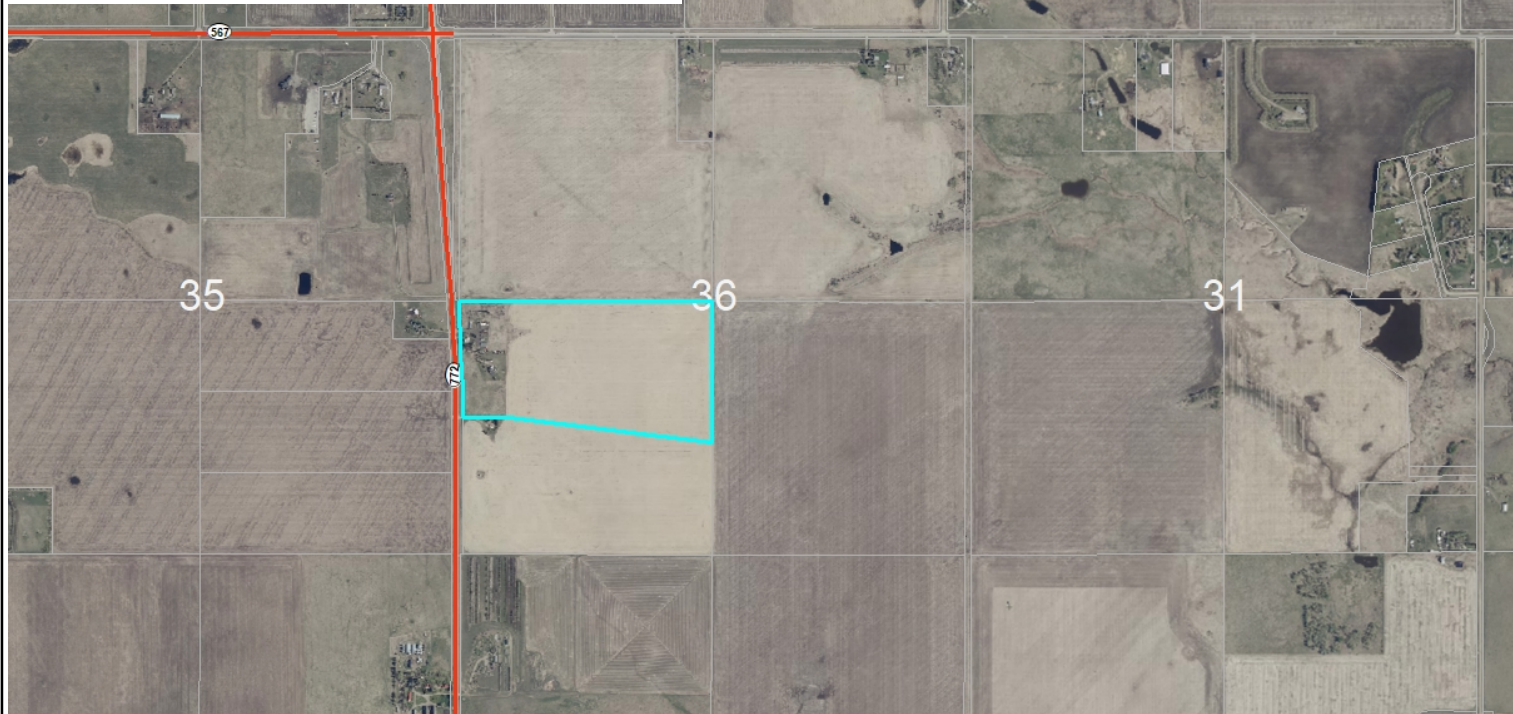
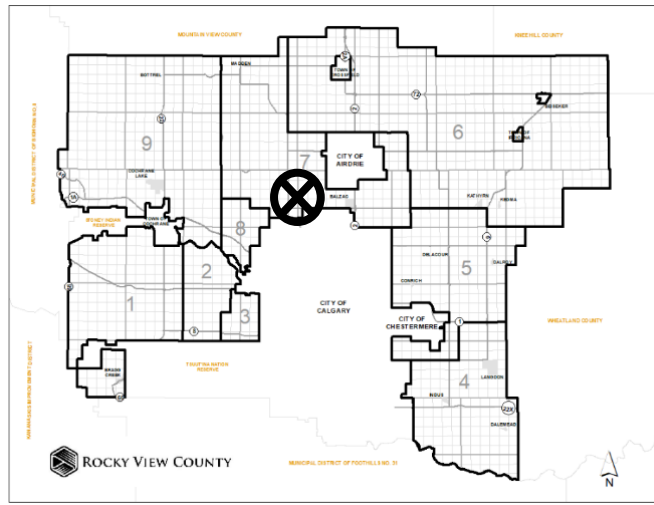
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Rebel Hotshot Ltd. (Shane MacDonald)	OWNER: Andrew B. & Ursula Zaleski
DATE APPLICATION RECEIVED: December 8, 2020	DATE DEEMED COMPLETE: December 10, 2020
GROSS AREA: ± 31.91 hectares (± 74.84 acres)	LEGAL DESCRIPTION: Block 1, Plan 7810555 SW-36-26-02-W05M (265114 Symons Valley Road)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: PRDP20193657, HBB, Type II for trucking company, expired December 8, 2020	
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

renewal of a Home-Based Business, Type II, for a trucking company, relaxation of the allowable use and relaxation of the permitted number of non-resident employees

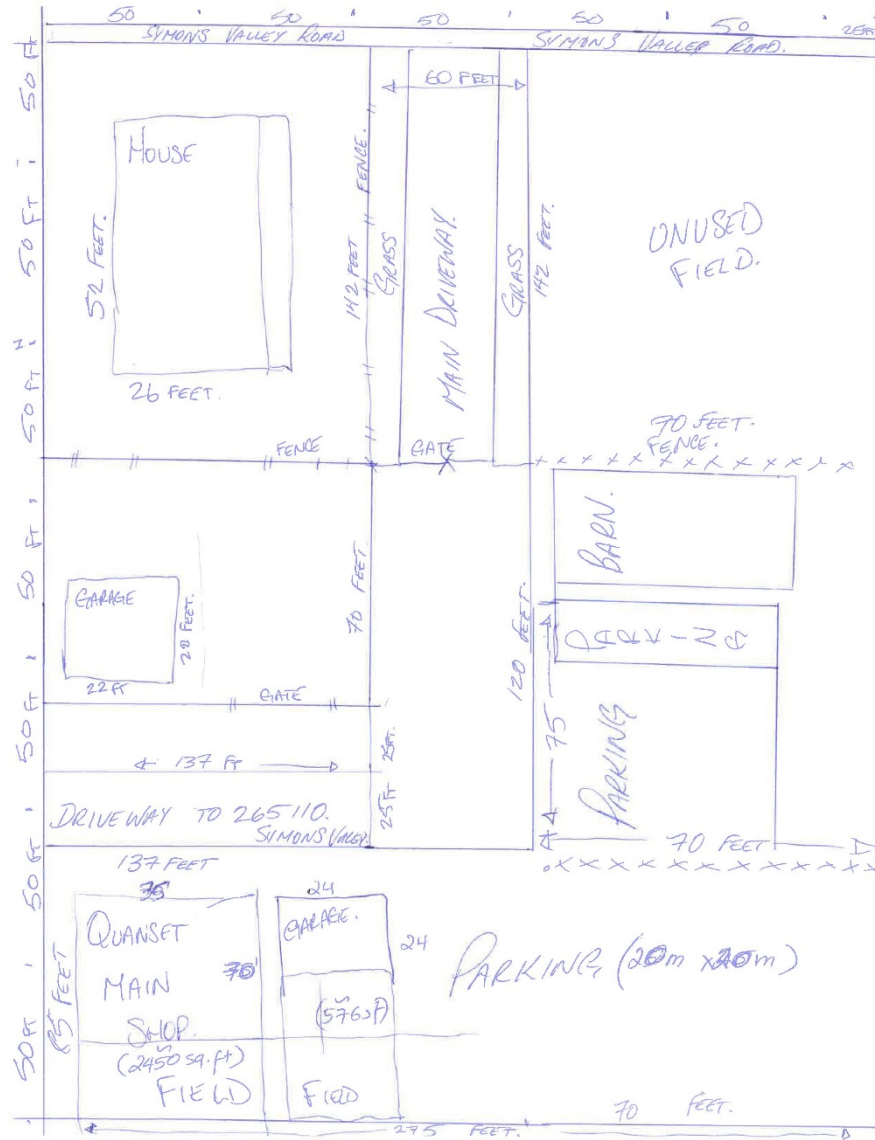


Division: 7
 Roll: 06636004
 File: PRDP20204016
 Printed: December 9, 2020
 Legal: Block:1
 Plan:7810555; within SW-36-
 26-05-W05M

Site Plan

Development Proposal

renewal of a Home-Based Business, Type II, for a trucking company, relaxation of the allowable use and relaxation of the permitted number of non-resident employees



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.

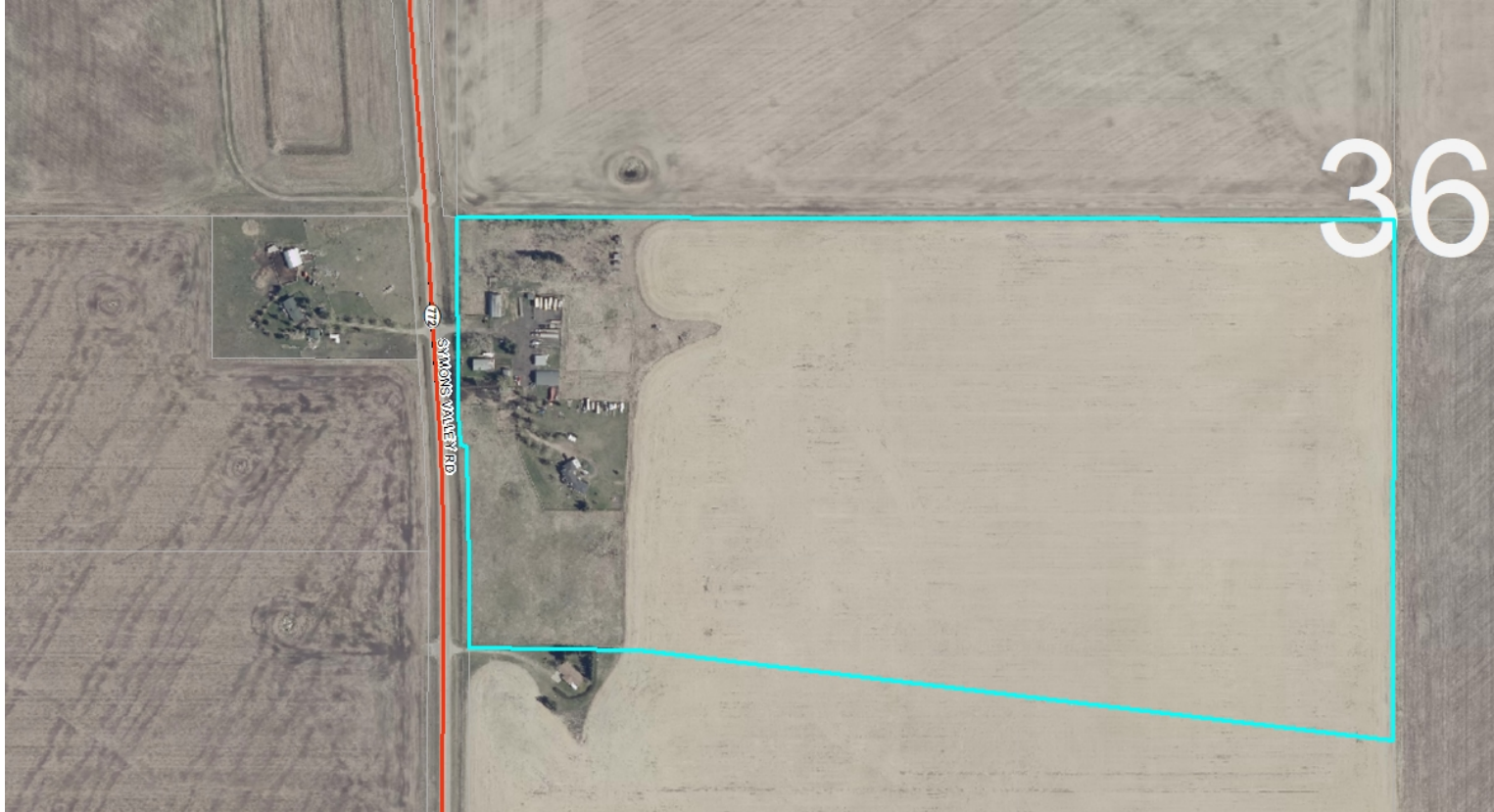


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Aerial Imagery

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