

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

July 15, 2020

Rocky View County
Council Chambers
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

A CALL MEETING TO ORDER

B DEVELOPMENT APPEALS

9:00 AM APPOINTMENT

1. Division 5 File: 04331006 PRDP20200703

page 2

An appeal against the Development Authority's decision to refuse a development permit application for the renewal of a home-based business, type II, for the operation of a trucking company at 245152 84 Street NE (Lot 1 Plan 9011064; NW-31-24-28-W04M) and located approximately 1.61 kilometres north of Highway 1 and on the east side of Range Road 290.

Appellants/Applicants: Alnoor and Shellina Velji

C CLOSE MEETING

D NEXT MEETING: August 5, 2020

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: July 15, 2020 **DIVISION:** 05

FILE: 04331006 **APPLICATION:** PRDP20200703

SUBJECT: Renewal of a Home-based Business Type II
for a Trucking Operation

PROPOSAL: Renewal of a Home-Based Business Type two for a Trucking Operation	GENERAL LOCATION: Located approximately 1.61 km (1 mile) north of Hwy. 1 and on the east side of RGE. Rd. 290
APPLICATION DATE: April 2, 2020	DEVELOPMENT AUTHORITY DECISION (MUNICIPAL PLANNING COMMISSION): Refused
APPEAL DATE: June 15, 2020	DEVELOPMENT AUTHORITY (MUNICIPAL PLANNING COMMISSION) DECISION DATE: May 25, 2020
APPELLANT: Alnoor Velji	APPLICANT: Alnoor Velji
LEGAL DESCRIPTION: Lot:1 Plan:9011064	MUNICIPAL ADDRESS: 245148 84 ST NE
LAND USE DESIGNATION: Farmstead (F)	GROSS AREA: ± 6.41 hectares (±15.84 acres)
PERMITTED USE: Home-Based Business Type II	DEVELOPMENT VARIANCE AUTHORITY:
PUBLIC SUBMISSIONS: The application was circulated to nine (9) adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application, excepting the appeal.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none">• County Plan• Land Use Bylaw• City of Calgary – Rocky View County IDP• Conrich Area Structure Plan

EXECUTIVE SUMMARY:

The subject land is located immediately adjacent to the border to the city of Calgary along 84 St NE and is designated Farmstead District.

Home-Based Business, Type II is a discretionary use in the Farmstead district – however, the Municipal Planning Commission determined that development did not meet the definition of a Home-Based Business Type II and is considered a General Industry, Type II; which is not a listed use in the Farmstead District. The full reasons for refusal are listed in the Municipal Planning Commission Notice of Decision attached.



The 2006 Home-Based Business, Type II approval (2006-DP-11867) permitted a maximum number of employees of eight (8) through appeal. The maximum of eight (8) employees was continued through the 2007, 2010, and 2015 renewal Development Permit approvals through appeal.

The application before the Board proposes to increase the number of non-resident employees to 12 (500% variance). In addition to the variance to the number of non-resident employees, the application requests an increase to the number of business trips to 16 (100% variance) and to increase the amount of outdoor storage to 3,400 m² (750% variance).

On June 15, 2020, the Appellant appealed the decision of the Municipal Planning Commission as detailed in the attached Notice of Appeal.

PROPERTY HISTORY:

Date	File/Application #	Type	Result
Jan 2006	EF-1047	Enforcement File	Operation of a business without a Development Permit.
April 2006	2006-DP-11867	Development Permit	Initial approval via appeal to conditions.
April 2007	2007-DP-12455	Development Permit	1 st Renewal via appeal of a refusal.
April 2020	2010-DP-13922	Development Permit	2 nd Renewal via appeal of a refusal.
June 2015	PRDP20150839	Development Permit	3 rd Renewal via appeal of a refusal.
May 2020	PRDP20200703	Development Permit	Refusal by Municipal Planning Commission

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

EN/lt

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: May 25, 2020

DIVISION: 05

APPLICATION: PRDP20200703

SUBJECT: Development Item: Home-Based Business, Type II (renewal)

USE: Discretionary, with Variances

APPLICATION: This proposal is for the renewal of a home-based business, type II, for the operation of a trucking company.

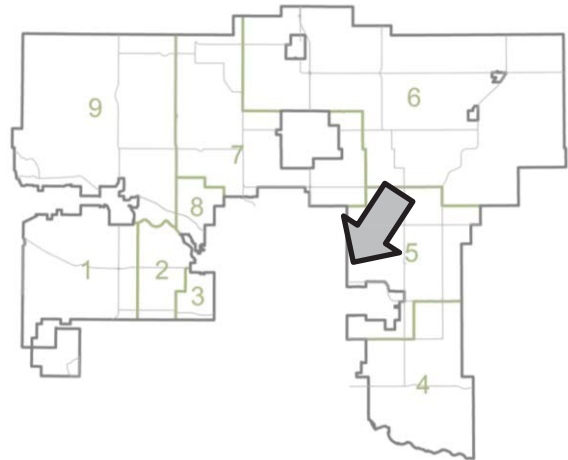
GENERAL LOCATION: located approximately 1.61 km north of Hwy. 1 and on the east side of Rge. Rd. 290

LAND USE DESIGNATION: Farmstead (F)

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

VARIANCE SUMMARY:



Variance	Requirement	Proposed	Percentage
Outside Storage	400.00 m (4,305.56 sq. ft.)	2,900.00 sq. m (31,215.34 sq. ft.)	750.00%
# of Employees	2	12	500.00%
Vehicle Visits per Day	8	16	100.00%

OPTIONS:

Option #1: THAT Development Permit Application PRDP20200703 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20200703 be refused as per the reasons noted.

AIR PHOTO DEVELOPMENT CONTEXT:



Administration Resources

Evan Nielson, Planning and Development Services



Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Alnoor & Shellina Velji			
Mailing Address	Municipality	Province	Postal Code
Site Information			
Municipal Address 245152 84 st NE		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 1, nw 1/4 s31 t24 r28 w4	
Property Roll # 04331006	Development Permit, Subdivision Application, or Enforcement Order # PRDP20200703		
I am appealing: (check one box only)			
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
Was approved the last 3 terms via appeal and want to continue as same as before with same conditions & terms as the last appeal process please.			

This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

DocuSigned by:
Alnoor Velji
 Appellant _____
 _____227C4A2A68FB4FA...

15-Jun-2020 | 12:58 PM MDT
 Date _____



Application No.	PRDP20200703 (Roll 04331006)	File Manager	Evan Neilsen
District	F	Gross Area (ha)	6.41 ha
Proposed Business	Renewal of Home-Based Business, Type II, for a trucking company		

Use and District Intent Check	Yes/No
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	No
Does the proposed business meet the Purpose and Intent? - 12.3(b)	No

VARIANCE
VARIANCE

Comments
This HBB Type II is a listed discretionary use for the zoning under section 47.3, however this application falls outside of the definition of the use. As there was variances requests, it would appear that the business no longer meets the purposes and intent of the Farmstead district.

Compatibility Check	Yes/No
22.1 (c) Variation in parcel appearance or character?	No
(d) Excessive or unacceptable traffic?	Yes
(f) Offensive or excessive noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter?	No
21.3 (a) Include structures other than SDD or Acc. Buildings?	No
(c) Secondary to the residential use?	Yes
(d) Variation in parcel appearance or character?	No
(f) Include a general store?	No
(g) Outdoor storage screened from adjacent lands?	Yes

VARIANCE

Comments
With intensifying variance requests through the years, this application has successfully been able to obtain permits over the last 14 years. This indicates that the business <i>is</i> compatible with the residential use and has not generated excessive negative impacts to adjacent properties. The last approval, PRDP20155089, was issued by the Subdivision and Development Appeal Board on June 24, 2015; Expiry: April 30, 2020.

Regulation	Max	Proposed	Δ	Variance
21.3 (b) Business Trips	8.00	16.00	8.00	100.00%
(e) Non-Resident Employees	2.00	12.00	10.00	500.00%
35.11 (a) No. of Signs	1.00	0.00	-1.00	-100.00%
(b) Sign length	1.00	0.00	-1.00	-100.00%
(b) Sign width	0.60	0.00	-0.60	-100.00%

VARIANCE
VARIANCE

Comments
The applicant has indicated there will be 16 visits per day and advised the inspector during their visit that there are 12 employees. This business operates 13 trucks.

Outdoor Storage Calculation (m ²) - 21.3(g)				
1% of Parcel:	641.02	Over 400m ² ?	TRUE	Max Area Permitted: 400
Proposed Outdoor Storage Area (m ²)		Δ	Variance	
3,400.00		3000.00	750.00%	

VARIANCE

Comments
This business utilizes 3,400 sq. m(36,598.00 sq. ft.) of outdoor storage area. The truck storage area is screened by a fence and meets all required setbacks.

Does Proposed Outdoor Storage Area Meet District Setbacks?

Front	Side 1	Side 2	Rear
Yes	Yes	Yes	Yes

Proposed Operations

Days Open	Hours
Monday - Saturday	6:00 AM - 6:00 PM

Does the proposed development (including variances):

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	N/A
IDP	RVC/ City of Calgary	Yes	Yes
MDP	County Plan	No	N/A
ASP	none	No	N/A
CS	none	No	N/A

Comments

The hours are consistent with the hours indicated in their previous application (PRDP20150839).

Comments

There is no recent enforcement activity or complaints received for activities on parcel. The storage area appears to be screened by the trailer on one side.

Comments

The application appears to meet the purpose & intent of policies 7.1.4 and 7.1.6 of the City of Calgary/ Rocky View County IDP. The application was also evaluated as per the Land Use Bylaw, HBB Type II Section 21.

BP/DP History	Enforcement File EF-1047 was opened on Jan 5, 2006 and resulted in the first application for a home-based business (2006-DP-11867). The applicant has subsequently attempted to renew the application four times since the original application (2007-DP-12455, 2010-DP-138922, PRDP20150839 and the current application). Each application/renewal has resulted in an appeal by the applicant to SDAB and the applicant has been successful in each appeal.
Inspector Comments	(April 17, 2020) 2 Employees on site at time of inspection, applicant indicated 12. Counted 9 trucks on site w/ one leaving as I arrived. Storage area is paved with some personal storage on the eastern side of storage area. A small amount of parking is provided on the south-west of parcel. Main residence is to the east of parcel. They are using a seacan to separate the personal storage and the business storage. Could find no signs on the parcel or around it advertising.
Overall Assessment	The applicant has increased the number of employees by 50% (8-> 12) since the last approved application. The applicant has had to appeal their application/renewals to the SDAB due to the number of employees and outdoor storage area being significantly outside of the regular bylaws governing the operation of a home-based business type II would allow. It is the interpretation of Administration, that this application exceeds the intent of the Farmstead district and the definition of a Home-Based Business, Type II as it would appear commercial in nature. A redesignation of the lands, to accommodate a commercial use would appear more suitable.
	No new non-standard conditions applied. Previous conditions have been updated in accordance with this application;

Non-Standard Conditions	
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PRDP20200703 Development Permit Options**OPTIONS:**

Option # 1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:

Description:

1. That a Home-Based Business, Type II, for a trucking company may operate on the subject parcel in accordance with the approved site plan and Conditions #2 - #17.
 - i. That the maximum number of non-resident employees is relaxed from **two (2) to twelve (12) employees at any time**;
 - ii. That the maximum number of business-related visits per day is relaxed from **eight (8) to sixteen (16)**.
 - iii. That the maximum allowable outside storage area is relaxed from **400.00 sq. m (4,305.56 sq. ft.) to 3,400.00 sq. m (36,598.0 sq. ft.)**.

Permanent:

2. 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.
3. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
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 buildings and the outside storage area.
8. That all outside storage, that is a part of the Home-Based Business shall be contained within the existing storage area, which shall meet the minimum setback requirements for buildings, shall remain screened and shall not exceed **36,598.0 sq. ft. (3,400 sq. m.)**.
9. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or storage area.
10. That any garbage or debris, accumulated from the business, shall be contained in weather proof and animal proof containers and transported offsite to an approved site for disposal.
11. That if the business vehicles entering or leaving the subject site, track any mud onto the municipal roadway, the roadway is to be cleaned immediately by this home-based business.

12. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
13. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.

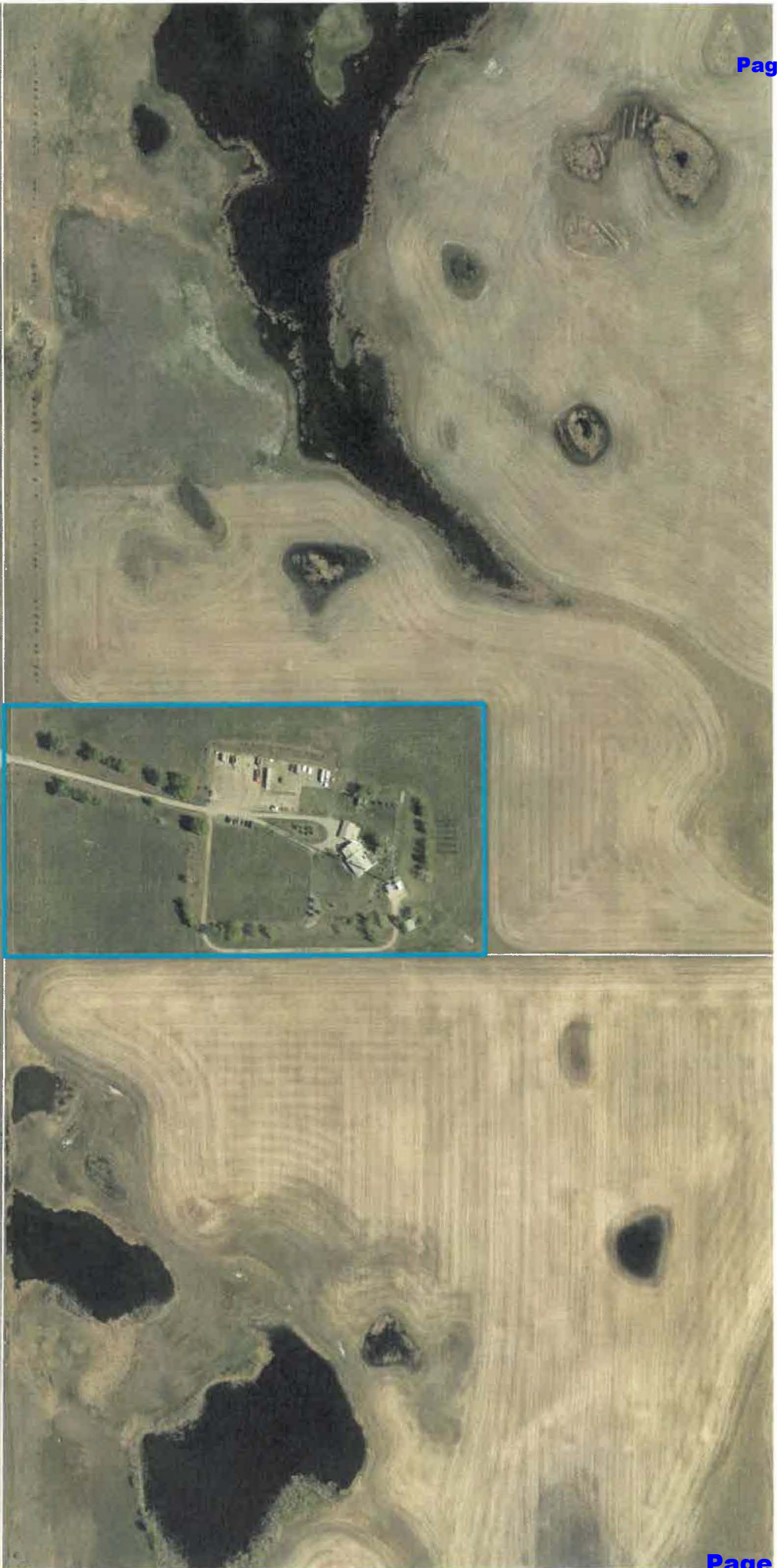
Advisory:

14. That any other government permits, approvals, or compliances are the sole responsibility of the applicant.
15. That this Development Permit shall be valid until **May 25, 2025**.

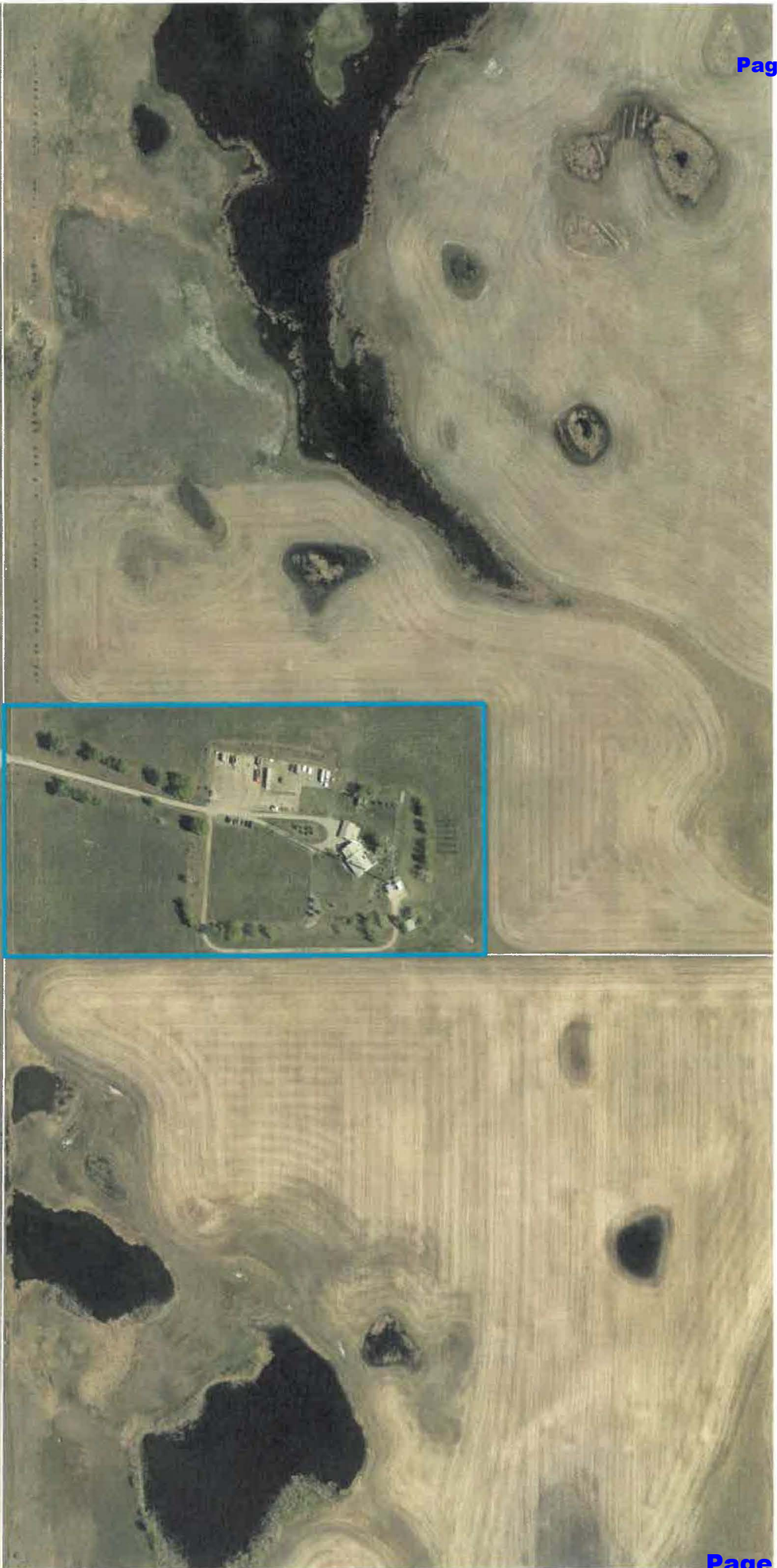
Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. The amount of outside storage exceeds the maximum amount permitted which is in contravention of Section 21.3(g) of Land Use Bylaw C-4841-97.
**(permitted maximum amount of outside storage – 400.0 sq. m (4,305.7 sq. ft.);
existing amount of outside storage – 3,400.0 sq. m (36,598.0 sq. ft.)**
2. The number of business-related visits per day exceeds the maximum permitted number allowed as defined in Section 21.3(b) of Land Use Bylaw C-4841-97.
(permitted vehicle visits per day - 8; proposed vehicle visits per day - 16)
3. The number of employees of the Home-Based Business, Type II exceeds the maximum number of non-resident employees which is in contravention of Section 21.3(e) of Land Use Bylaw C-4841-97.
(permitted employees - 2; existing number of employees - 12)
4. This business is considered as a General Industry, Type II business, which should be in a land use district in which Commercial/Industrial uses are encouraged. Continued operation of this home-based business, type II could negatively impact surrounding/adjacent parcels.
5. 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.











ROCKY VIEW COUNTY
Cultivating Communities

20200703

**APPLICATION TO OPERATE A
HOME-BASED BUSINESS**

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 04331006
Date of Receipt Apr 2/20	Receipt # 2020 023804

Name of Business ALNOOR NELJI

Address of Business Same - SITE 3, Box 6, R26
Calgary, Alberta Postal Code T2M 4L5

Telephone (B) 403-560-3335 (H) [REDACTED]

1. PROPERTY INFORMATION

Is this on your property? ☒ Yes/No At your customers locations? Yes/No Both? Yes/No

How many square feet are being used for business purposes in the following: 3400 m² - Same

House _____ Accessory Building _____ Outdoors ☒

2. VEHICLES

How many vehicles come to your home/property Per day _____ Per week _____

Please describe the number and type of vehicles used in the business Trucks & trailers.

Where will these vehicle(s) be parked? Yard location, away from home, same as before the last 2 terms.

* Please show parking and storage area on your site plan.

3. EMPLOYEES

Including the Applicant, how many people are employed by the Home-Based Business?

(An employee is a person who attends the site more than once in a seven (7) day period for business purposes)

Full Time 1 Part Time _____

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 1 Part Time Employees _____

4. OPERATION

-What are your days of operation? Mon-Sat -What are your hours of operation? 6-6

5. STORAGE AND SIGNAGE

Is outside storage requested? YES/NO If yes - how many square feet? _____

Will a sign be required? YES/NO If yes - Please provide detailed sketches of the proposed sign on a separate sheet

6. ADDITIONAL INFORMATION

Seasonal - Continue normal as before for the last 13 yrs. Working on Conceptual scheme with B&A for the area.

Signature of Applicant [Signature] Date: Mar 17/2020

PLEASE PROVIDE A COVERING LETTER DETAILING THE NATURE OF THE BUSINESS
PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU



ROCKY VIEW COUNTY
Cultivating Communities

20200703

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 04331006
Date of Receipt	Receipt #

Name of Applicant

ALNOOR VELTI

Email

Mailing Address

Telephone (B)

For Agents please supply Business/Agency/ Organization Name

Registered Owner (if not applicant)

Mailing Address

Postal Code

Telephone (B)

(H)

Fax

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NN 1/4 Section 31 Township 24 Range 28 West of 4 Meridian
 b) Being all / parts of Lot 1 Block _____ Registered Plan Number 901064
 c) Municipal Address 245152 84 ft NE 84 ft / McNaught blvd NE
 d) Existing Land Use Designation F Parcel Size 15.85 Acres Division _____

2. APPLICATION FOR

Renewal of a home based business Type II for a
trucking company.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No ☒
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No ☒
 (Sour Gas facility means well, pipeline or plant)
 c) Is there an abandoned oil or gas well or pipeline on the property? Yes ☒ No _____
 d) Does the site have direct access to a developed Municipal Road? Yes ☒ No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALNOOR VELTI hereby certify that ☒ I am the registered owner
 (Full Name in Block Capitals)

I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

Affix Corporate Seal
here if owner is listed
as a named or
numbered company

Applicant's Signature

Date

Mar 17/20

Owner's Signature

Date

Mar 17/20

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

DocuSigned by:

Alnoor Velji

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Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

Alnoor velji

I, _____, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

DocuSigned by:

Alnoor Velji

Signature 227C4A2A68FB4FA...

27-Mar-2020 | 6:12 PM MDT

Date



Inspection Request

Evan-SE
MPC-May 4th
20th

Roll #: 04331006 DP #: PRDP20200703

Applicant/Owner: Velji, Alnoor & Shellina A.
Legal Description: Lot 1 Plan 9011064, NW-31-24-28-04
Municipal Address: 245148 84 ST NE, Rocky View County, AB
Land Use: F
Reason for Inspection: renewal of Home-based business Type II, trucking company

Inspection Report

Can you please confirm the number of trucks on site and any employees on site at time of inspection?
Thank you!

Date of Inspection: 2020-04-17

Permission granted for entrance? Yes

Observations:

2 employees on site at the time of inspection, applicant indicated 12.
Counted 9 trucks on site w/ one leaving as I arrived. Storage area
is paved with some personal storage on the eastern side of storage
area. A small amount of parking is provided on the South-West
of parcel. Main residence is to the East of parcel. They are using
a seacan to separate the personal storage and the business
storage. Could find no signs on the parcel or around it advertising.

Signature: 



16 04 2020



16 04 2020



16 04 2020



16 04 2020



16 04 2020



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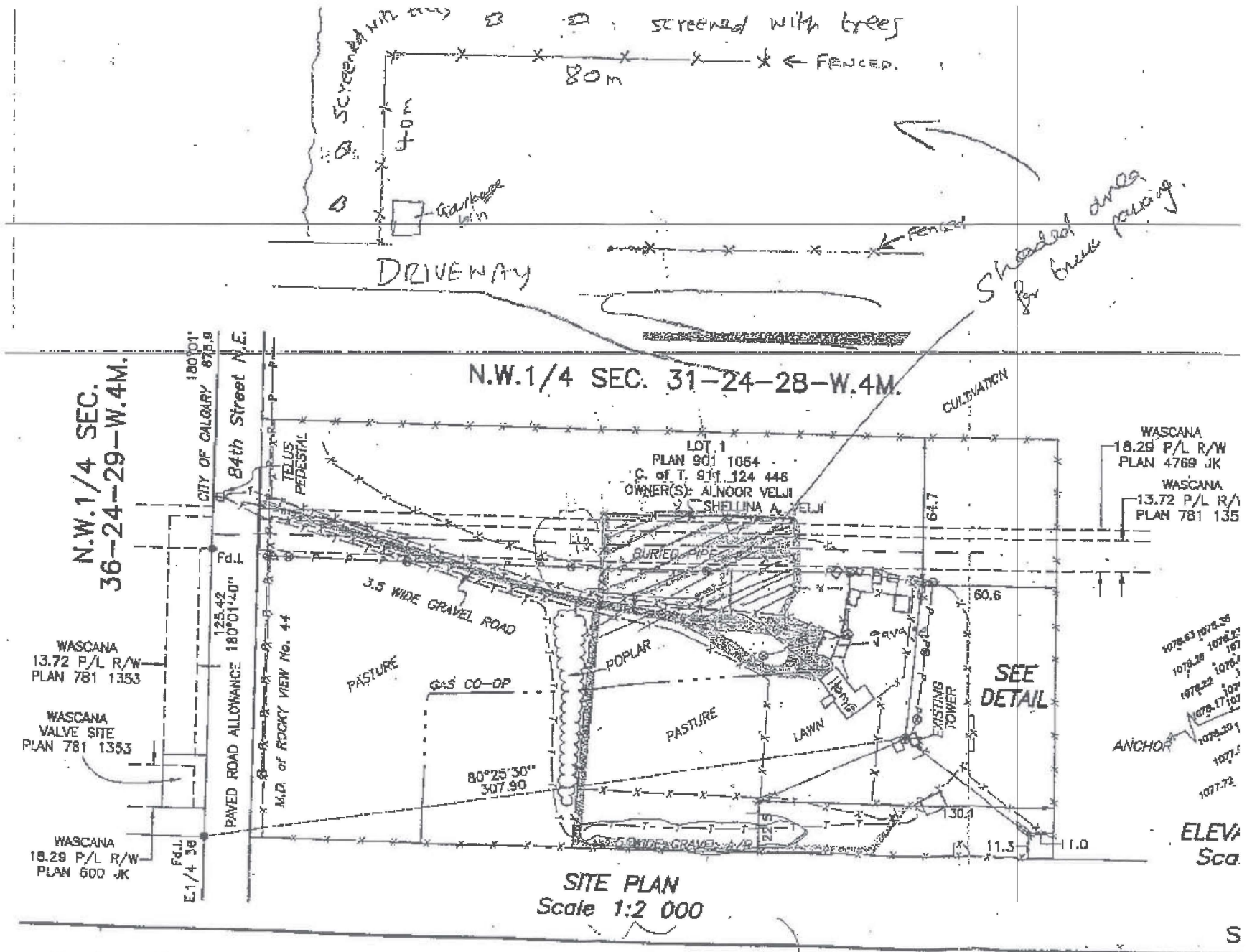
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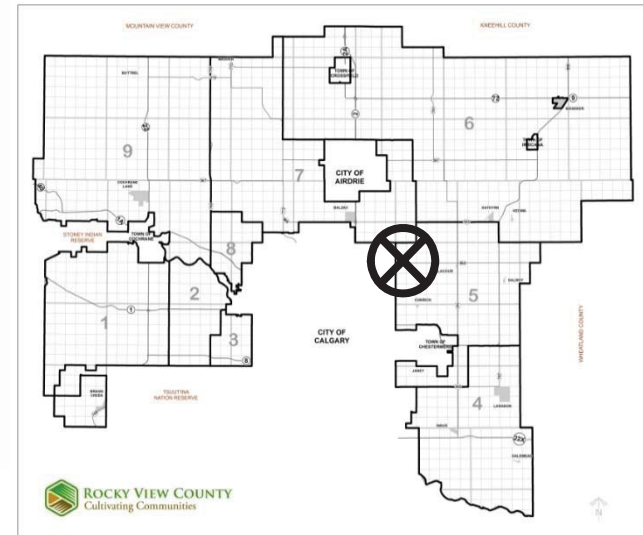
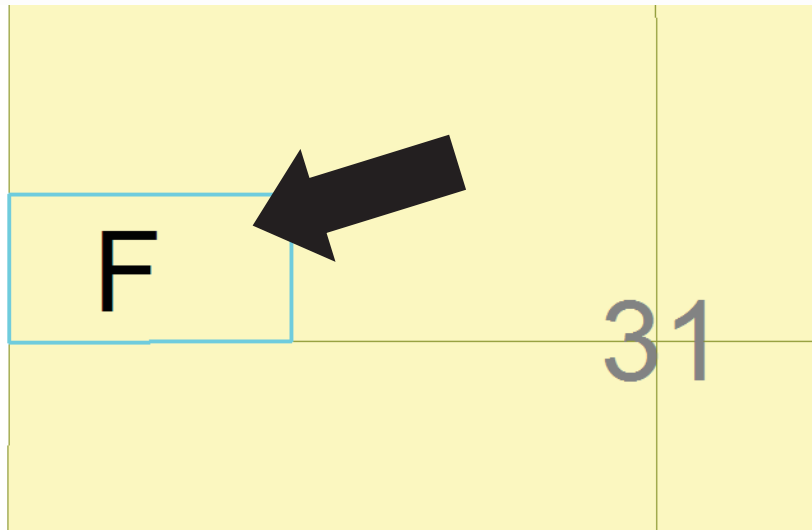


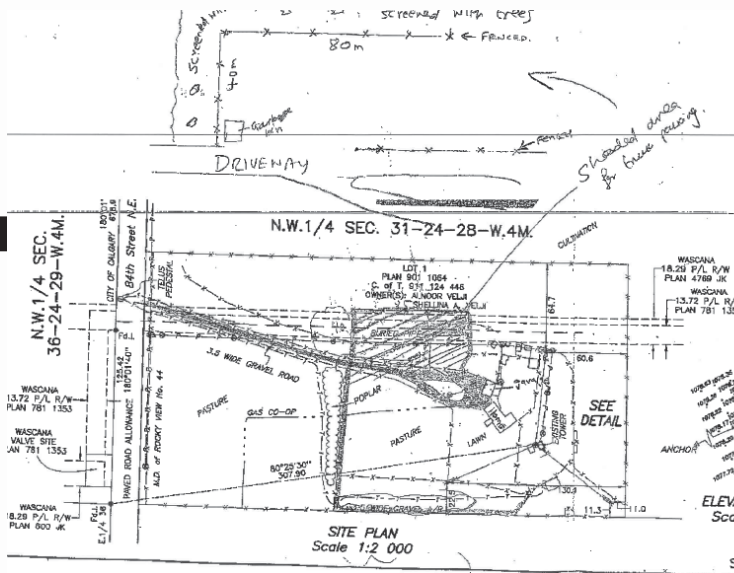
16 04 2020



Land Use and Location

- Farmstead district
- Parcel is adjacent to City of Calgary and is otherwise surrounded by agricultural land





Development Proposal

Uses:

- Home-Based Business Type II, with variances
- Relaxation of number of employees (2 → 12)
- Relaxation of total outdoor storage area (400.00 sq. m [4305.56 sq. ft. → 3400.00 sq. m [36598.0 sq. ft.)

Requirement	Required	Proposed	% relaxation
Outdoor Storage area	400.0 sq. m	3400 sq. m.	750%
# of site visits	8	16	100%
# of employees	2	12	500%

SITE PLAN

NW-31-24-28-04
Division 5; File 04331006



2018 Aerial Image



2012 Aerial Image



2016 Aerial Image



2010 Aerial Image

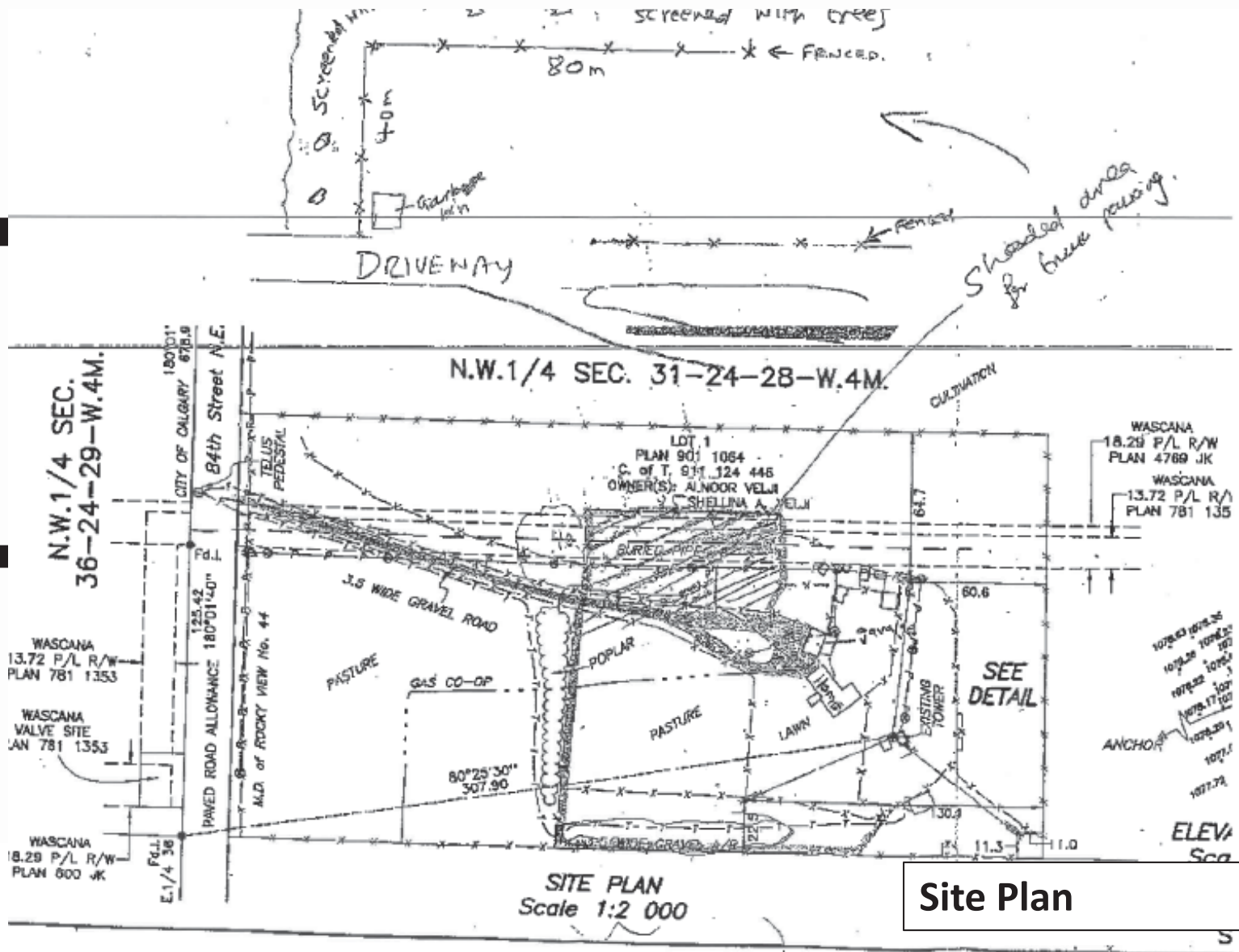


2014 Aerial Image



2007 Aerial Image





SITE PLAN

SW-28-25-28-04

Division 1; File 04823001


ROCKY VIEW COUNTY

Mostly industrial vehicles parked in storage area –
area is screened by fencing



Some residential storage adjacent to industrial
storage – screened from industrial storage by white
seacan



Residence on site with radio tower



No signage other than municipal address on site



Application History

DEVELOPMENT PERMIT REFUSAL

Velji, Alnoor & Shellina A.

Development Permit #: PRDP20150839

Date of Issue: Wednesday, April 29, 2015

Roll #: 04331006

Your Application dated March 09, 2015 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-4841-97 of Rocky View County in respect of:

renewal of a Home-Based Business, Type II for a trucking company

Velji, Alnoor & Shellina A.

Development Permit No.: PRDP20150839

Date of Issue: June 24, 2015

Roll(s) 04331006

Your Application dated March 09, 2015 for a Development Permit in accordance with the provisions of the Land Use Bylaw in respect of:

renewal of a Home-Based Business, Type II for a trucking company

at Lot 1 Plan 9011064, NW-31-24-28-04; (245152 84 ST NE)

in accordance with Board Order 36-15 of the Development Appeal Committee of the Subdivision and Development Appeal Board is approved subject to the following conditions:

- A letter was sent to the applicant by Development compliance on Jan 17, 2006 identifying that their business-use required a development permit
- Original application (2006-DP-11867) was made on January 30, 2006
 - Application was approved by DAB on April 19, 2006 granting relaxations to the number of employees, site visits and outdoor storage area.
- This will be the 4th renewal, all have been required to be appealed through DAB/SDAB due to the relaxations being requested
 - 2007-DP-12455
 - 2010-DP-13922
 - PRDP20150839
 - PRDP20200703 (current application)

NOTICE OF DECISION

NW-31-24-28-04
Division 5; File 04331006



ROCKY VIEW COUNTY

Options

- Administration recommends Refusal in accordance with Option #2.
- Option #1:
THAT Development Permit Application PRDP20200703 be approved with the conditions noted in the report, as proposed by Administration.
- Option #2:
THAT Development Permit Application PRDP2020703 be refused as per the reasons noted.





Decision of the Municipal Planning Commission

Development Permit

Alnoor Velji

Development Permit #: PRDP20200703

Issue Date: May 26, 2020

Roll #: 04331006

Rocky View County's Municipal Planning Commission has refused your March 26, 2020 development permit application for Renewal of Home-Based Business, Type II, for a trucking company at NW-31-24-28-04, Lot 1 Plan 9011064 for the following reasons:

1. The amount of outside storage exceeds the maximum amount permitted which is in contravention of Section 21.3(g) of Land Use Bylaw C-4841-97.
2. The number of business-related visits per day exceeds the maximum permitted number allowed as defined in Section 21.3(b) of Land Use Bylaw C-4841-97.
3. The number of employees of the Home-Based Business, Type II exceeds the maximum number of non-resident employees which is in contravention of Section 21.3(e) of Land Use Bylaw C-4841-97.
4. This business is considered as a General Industry, Type II business, which should be in a land use district in which Commercial/Industrial uses are encouraged. Continued operation of this home-based business, type II could negatively impact surrounding/adjacent parcels.
5. 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.

Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact the Municipal Clerk's Office at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.



Jerry Gautreau, Chair
Municipal Planning Commission