

# Wheatland County

## Request for Decision

### Municipal Planning Commission

October 13, 2020

Report prepared by: Suzanne Hayes



## DP 2020-100

<b>File Number:</b>	DP 2020-100	<b>Division:</b>	5
<b>Proposal:</b>	Home Based Business Type 3 (HBB 3), Smoking Meat Onsite and Selling It at Markets		
<b>Location:</b>	¼ Mile West of Ardenode on TWP RD 253A		
<b>Legal Description:</b>	Plan 131 2172 Block 2 Lot 2; SE-21-25-25-W4		
<b>Title Area:</b>	1.21 Hectares (3 Acres)		
<b>Existing Land Use:</b>	Residential		
<b>Proposed Parcels:</b>	N/A		

### Report

The proposal is to offer smoked beef, pork and sausage to customers via online ordering. Meats will be purchased at supermarkets and smoked and packaged onsite and taken to markets for sale.

The smoker will be located outside beside a proposed 10' x 20' workshop which will house the meat freezer, fridges, sinks and prep area. The shop will obtain all Alberta Health Services and appropriate Safety Code approvals.

The business will be owned and operated by the two home owners and two offsite employees/co-owners. Onsite operations will consist of smoking meat 8:00 am to 6:00 pm on weekends and holidays all year round as well as prepping and packaging the products for sale. There will be no customer visits to the site, and no deliveries. No business vehicles will be necessary and no signage will be placed on the property.

### Recommendation from Administration

THAT Municipal Planning Commission approve DP 2020-100 for a Home Based Business Type 3 subject to the following conditions:

1. This Development Permit is issued solely for a Meat Smoking Business with construction of a workshop/prep/storage building – Defined as a Home-Based Business Type 3.
2. No variances have been granted.
3. Development shall proceed according to Country Residential (CR) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Development to remain consistent with submitted application and all approved plans and procedures which form the application and have been deemed to be appropriate.

6. Any future modifications or development on or to the lands will require the appropriate development permits in accordance with the Wheatland County Land Use Bylaw.
7. Any expansion or intensification of the business beyond the criteria of a Home-Based Business Type 3 may require re-application to an alternate use or relocation of the business to an area more appropriate for the use.
8. Prior to operation, applicant to provide documentation confirming all provisions of Alberta Health Services have been met.
9. Permit to be issued for a two (2) year term expiring on October 13, 2022.

## **Policy Analysis**

### **MUNICIPAL DEVELOPMENT PLAN (MDP):**

The proposed Home-Based Business Type 3 aligns with Section 3.7.1 and 3.7.3 of the MDP as it facilitates employment for residents within close proximity of their home, and is an economic development opportunity.

### **LAND USE BYLAW (LUB):**

### **9.3 Country Residential (CR) District**

The subject property has a land use designation of Country Residential (CR) District; Home Based Business is a discretionary use within that zone.

#### **Definition:**

**Home-Based Business, Type 3** means the secondary use of a dwelling and its accessory buildings by an occupant of the residential dwelling to conduct an activity that will generate daily business-related visits. *See Home-Based Business Section for more information.*

#### **Home-Based Business:**

	<b>Home-Based Business Type 1 <i>Example: Home Office</i></b>	<b>Home-Based Business Type 2 <i>Example: Service-Oriented</i></b>	<b>Home-Based Business Type 3 <i>Example: Contractors</i></b>
Development Permit Required	No	Yes	Yes
Site Plan Required	No	No	Yes
Landscaping / Screening Required	No	No	Yes
Non-Resident Employees	None	Up to 2	Up to 4
Commercial Vehicles and/or Trailers	1 Business Related Vehicle Maximum	Up to 2	Up to four (4) Business Related Vehicles
Customer Traffic Generation	Up to two (2) business related visits per day on average.	Up to five (5) business related visits per day on average.	At the discretion of the Development Authority

Outside Storage	None	None	At the discretion of the Development Authority. Minimal outdoor storage may be allowed.
Accessory Building / Structure	None	None	Maximum of 1
Parking Stalls	None	One (1) per employee plus one (1) for customers	One (1) per two employees, one (1) per commercial vehicle, one (1) for customers

#### 8.13.1 General Regulations

- a) A Type 1 Home-Based Business does not need a Development Permit. However, a Type 2 & Type 3 Home-Based Business will need development permits.
- b) No more than one Type 2 or one Type 3 Home-Based Business is allowed on a parcel.
- c) The applicant must own the residence for which the permit has been issued.
- d) The term of a temporary development permit issued for a Home-Based Business shall be for two (2) years if the Home-Based Business is a Permitted Use on the parcel subject to the application.
- e) The term of a temporary development permit issued for a Home-Based Business Type 2 and 3 shall not exceed two (2) years if the Home-Based Business is a Discretionary Use.
- f) An approved Permitted or Discretionary use Development Permit may be re-issued by the Development Officer for a Home-Based Business for a two (2) year term if the following conditions have been met:
  - i. The Home-Based Business is applying for a renewal of its Development Permit prior to the expiry date;
  - ii. There has been no changes to the Home-Based Business from the previous application;
  - iii. There are no enforcement orders or complaints related to the Home-Based Business.
- g) If a previously approved Discretionary Use Development Permit does not fit all of the criteria listed in 8.12.1f, the Development Officer may refuse the renewal of the temporary Development Permit or refer it to the Municipal Planning Commission for a decision.

#### 8.13.2 Neighbouring Properties

- a) A Home-Based Business should not negatively affect neighbouring residences with lighting, noise, vibration, smoke, dust, odour, or other nuisances.
- b) A Home-Based Business should not negatively affect the livability or enjoyment of neighbouring properties.

#### 8.13.3 Signage

- a) See the Signage section for more details.

c) Home-Based Business – Type 3

- i. The business can occur in both the residential home and accessory buildings such as a garage.
- ii. The business should not significantly change the external appearance of the residence, buildings or land to the point where the primary residential use is not apparent. A business that becomes the primary use of the site in appearance or use will not be permitted.
- iii. Examples include, but are not limited to: a small-scale landscaping company, trades, or a mechanical/welding services.
- iv. Some outdoor storage is allowed however a site plan would be required. Requirements for outdoor storage include the following:
  - The site plan will include the dimension of the storage area including the length, width and total area.
  - Should the outdoor storage exceed the total area provided by the applicant the permit would become void.
  - The applicant will be required to screen and fence any outdoor storage areas

Considerations:

- The HBB meets the criteria of the MPD and LUB.
- There will be no outdoor storage and minimal extra traffic will be generated.
- There were no circulation responses from adjacent landowners.

**Technical Review**

- The parcel is accessed off of TWP RD 253 A.
- The workshop/prep area will be serviced with electricity and will tie into the existing well and septic.

**Circulation Comments**

AGENCY CIRCULATION	
Alberta Health Services	No comments received at the time of this report.
INTERNAL CIRCULATION	
Internal File Review	No Concerns.
NEIGHBOUR CIRCULATION	
To adjacent neighbors within 1 mile	No Comments Received at the time of this report.

**Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

### **Follow-up Action / Communications**

Notify applicant of the decision.

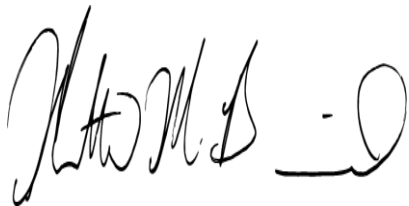
### **Report Approval Details**

Document Title:	DP 2020-100.docx
Attachments:	- Report DP 2020-100.docx
Final Approval Date:	Oct 5, 2020

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Sherry Baers". The script is cursive and fluid.

Sherry Baers

A handwritten signature in black ink, appearing to read "Matthew Boscarol". The script is cursive and fluid.

Matthew Boscarol