

Wheatland County

Request for Decision

Municipal Planning Commission
December 8, 2020



Report prepared by: Suzanne Hayes

DP 2020-151

File Number:	DP 2020-151	Division:	3
Proposal:	Home Based Business Type 3 (HBB3) for a Variety of Services/Experiences		
Location:	2 Miles North of Hwy 22x Just East of the Rockyview County Border		
Legal Description:	Plan 021 1804, Block 2, Lot 1, SW-5-23-26-4		
Title Area:	3 acres		
Existing Land Use:	Residential (Country Residential (CR))		
Proposed Parcels:	N/A		

Report

The proposal is a home based business offering a variety of services and experiences utilizing the single family dwelling, hot tub and potentially a movable dome structure. Services are proposed to include financial planning, coaching, and reiki, hot tub rental for star gazing, photography, Nidra yoga, and couples coaching.

The three (3) adults who reside on the property will be the only employees. The combined number of client visits is expected to be 10-20 per week total and will vary between the different uses.

No deliveries, products or supplies are required for the business as clients will bring their own items. All activities are quiet and will not produce odors, noise, or other nuisances. A movable glamping dome 23 ft. in diameter is proposed to be placed on the site which is not a permanent structure. This will accommodate photography or Nidra yoga. Inside the structure will be yoga mats, photography back drops, and chairs; no outdoor storage will be required.

Hours of operation are 9:00 AM to 10:00 PM (depending on the service), hot tub rentals would be in the evenings. Services would be offered Tuesdays to Wednesday every other week year-round. There are six (6) parking stalls available for clients and no signage will be required.

The applicants are aware of the Alberta Health Services requirements and added insurance for short term rentals.

Recommendation from Administration

THAT Municipal Planning Commission approve DP 2020-151 for a Home Based Business Type 3 subject to the following conditions:

1. This Development Permit is issued solely for a business offering a variety of services and experiences with erection of a 23 ft. diameter movable dome structure – 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 the 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. No parking of business related vehicles on County roads.
9. Prior to operation, applicant to provide documentation confirming all provisions of Alberta Health Services have been met.
10. Permit to be issued for a two (2) year term expiring on December 8, 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 Type 1 <i>Example: Home Office</i>	Home-Based Business Type 2 <i>Example: Service-Oriented</i>	Home-Based Business Type 3 <i>Example: Contractors</i>
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 Home Based Business meets the criteria of the MPD and LUB.
- There will be no outdoor storage and minimal extra traffic will be generated at any one time.
- There were no circulation responses from adjacent landowners.

Technical Review

There are two dwellings on the parcel which share the existing access off RR 230.

- The new dome structure will not require additional water or septic services.
- The site has adequate room for parking of customer vehicles.

Circulation Comments

AGENCY CIRCULATION	
Alberta Health Services	No comments received at the time of this report.
INTERNAL CIRCULATION	
Internal File Review	Planning & Development: Question regarding signage. Follow-Up: They are not planning to install any signage.
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

Inform applicant of MPCs' decision.

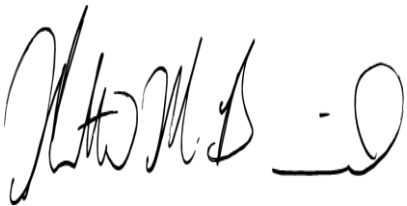
Report Approval Details

Document Title:	DP 2020-151.docx
Attachments:	- Appendices for DP 2020-151.docx
Final Approval Date:	Nov 30, 2020

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



Sherry Baers



Matthew Boscarol