

January 3, 2023
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING AGENDA
COUNCIL CHAMBERS AND VIDEOCONFERENCE
2:00 p.m.

1. CALL TO ORDER (2:00 p.m.)

2. SCHEDULE OF HEARINGS:

2.1. Appellant: Joginder Singh 023-STU-001 Development Appeal

3. ADJOURNMENT

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:	Date Received Stamp
Municipal Address of site: 5503 hwy 825 sturgeon county ,ab T8L5G3	
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter’) QS-SW SEC-05 TWP-055	
Development Permit number or Subdivision Application number: 305305-22-D0323	
Appellant Information: severed in line with section 17 of the FOIP Act	
Name: JOGINDER SINGH	Phone: [REDACTED] Agent Name: (If applicable)
Mailing Address: 55013 HWY 825	City, Province: [REDACTED]
Postal Code: T8L5G3	Email: [REDACTED]

APPEAL AGAINST (Check ONE Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit	Subdivision Application
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approval
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval
<input type="checkbox"/> Refusal	<input checked="" type="checkbox"/> Refusal
Stop Order	
<input type="checkbox"/> Stop Order	

REASON(S) FOR APPEAL Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons

1. Development permit is approved (2022-0006330) 2. Home -based Business comply with all the requirements except number of commercial vehicles are more . All are parked but only 3-4 vehicles are in operation. 3. I am applying for rezoning asap. 4. No one lives at this place except me,so all residences are far away .4 lts less than 30 meters excess to hwy 825. (Attach a separate page if required)

The personal information collected will be used to process your request for a hearing before the Subdivision and Development Appeal Board and is collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP). Your information will form part of a file available to the public. If you have any questions about the collection and use of this information, please contact the Sturgeon County FOIP Coordinator at 9613-100 Street, Morinville, Alberta, T8X 1L9 (780) 939-4321.

Signature of Appellant/Agent:	Date:
FOR OFFICE USE ONLY	
SDAB Appeal Number:	Appeal Fees Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No Hearing Date: YYYY/MM/DD



Sturgeon County
 9613-100 St (780) 939-4321
 Morinville, Alberta T8R-1L9
 (780) 939-4321 ext.

SINGH, JOGINDER
 55013 HWY 825
 STURGEON COUNTY, AB
 T8L 5G3

Receipt Number: 202207995
 GST Number: 107747412RT0001
 Date: 2022-12-08
 Initials: CS

Account	Description	Prev Bal	Payment	Balance
16APP	APPEAL FEES - LEGISLATIVE SI		\$100.00	
			Subtotal: \$100.00	
			Taxes: \$0.00	
			Total Receipt: \$100.00	<u>Cheque No.</u>
			Visa: \$100.00	
			Total Monies Received: \$100.00	
			Rounding: \$0.00	
			Amount Returned: \$0.00	

December 16, 2022

SDAB File Number: 023-STU-001

Dear Joginder Singh:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	Plan 4595NY; ; Lot A
Rural Address of Subject Property:	55013 Hwy 825
Decision Regarding Proposed Development:	A development permit to operate a home-based business level 3 - transportation trucking company - Awake Transport Ltd. was refused

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on December 8, 2022. In accordance with section 686(2) of the *Municipal Government Act*, the Subdivision and Development Appeal Board (SDAB) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **January 3, 2023 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the hearing this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 469 268 232#. This should connect you directly into the hearing.

When an appeal is received, the Appellant has the right to make a written submission and attend the hearing. Should you wish to exercise this right, your written submissions should be addressed to the undersigned and sent by email to legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date. Therefore, written submissions are due to be submitted no later than December 29, 2022.

SDAB hearings are public in nature, and it is understood that an individual writing or submitting items to the Board has a reasonable expectation that their correspondence/presentations, which may include personal information (i.e., name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website.

Should you require further information, call 780-939-8279 or email legislativeservices@sturgeoncounty.ca.



Lisa Schovanek
Secretary, Subdivision and Development Appeal Board

December 16, 2022

SDAB File Number: 022-STU-014

To Whom It May Concern:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following proposed development:

Legal Description of Subject Property:	Plan 4595NY; ; Lot A
Rural Address of Subject Property:	55013 Hwy 825
Decision Regarding Proposed Development:	A development permit to operate a home-based business level 3 - transportation trucking company - Awake Transport Ltd. was refused

Appellant/Applicant: Joginder Singh

Reasons for Appeal (as identified on the Notice of Appeal):

- Alberta Transportation Development Permit 2022-0006330 was approved;
- The home-based business complies with all requirements except for the number of commercial vehicles; all are parked but only 3-4 vehicles are in operation;
- All residences are far away;
- It is less than 30 metres access to Highway 825.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **January 3, 2023 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 469 268 232#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed development. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date and must include your current email address. Therefore, written submissions are due to be submitted no later than December 29, 2022.

SDAB hearings are public in nature, and it is understood that an individual writing or submitting items to the Board has a reasonable expectation that their correspondence/presentations, which may include

**SUBDIVISION and
DEVELOPMENT**
APPEAL BOARD

Sturgeon County
9613-100 Street, Morinville, AB T8R 1L9

personal information (i.e., name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website.

For further information, please call 780-939-8279 or by email at legislativeservices@sturgeoncounty.ca.



Lisa Schovanek
Secretary, Subdivision and Development Appeal Board

Subdivision and Development Appeal Hearing Process

The hearing is a formal meeting and the length of time can vary. Hearings are generally scheduled Tuesday afternoons at the Sturgeon County Centre in the Town of Morinville or via videoconference.

Persons who file an appeal are expected to make a verbal presentation to the Board. Persons who have been notified of the appeal also have the right to present a verbal, written and/or visual presentation to the Board. ***This information should be submitted to the Secretary at least five (5) days in advance of the hearing, so it can be included within the hearing package.*** If desired, parties may have someone, or an agent, speak on their behalf. If a number of appeals are filed on the same subdivision or development, it is recommended that a spokesperson be selected to organize presentations so that evidence is not repetitive.

The Board is not an evidence seeking body. It relies on the written evidence presented, as well as verbal submissions at the hearing, as the basis for their decision. Therefore, it is critical that persons appearing before the Board ensure that sufficient evidence is presented to support their respective positions.

When presenting an appeal, keep in mind the Board does not consider precedent when making its decision. Each application is judged on its own merits.

At the hearing . . .

Anyone in attendance with an interest in the appeal enters the hearing room, joins the videoconference, or dials in just before the scheduled start time of the hearing on the scheduled date of the hearing.

1. The meeting is called to order by the Chair.
2. The Chair welcomes everyone and gives a brief outline as to how the hearing will proceed.
3. The Chair will have all board members, staff and people involved in the appeal introduce themselves and those present are asked if there are any objections to the Board members hearing the appeal.

4. A representative of Sturgeon County Planning and Development will outline the background of the appeal and why the decision was made.
5. The Chairman will then ask:
 - The Appellant to introduce themselves for the record.
 - The Appellant then presents his/her position or concerns with respect to the matter being considered by the Board. Development Appeal Board members question the Appellant.
 - Clearly state your reasons for the appeal.
Information such as photographs, illustrative materials and well-prepared drawings that you wish to present should be submitted to the Secretary at least five (5) days in advance of the hearing, so that the information can be included within the hearing package that is circulated.
 - Stick to the planning facts and support them with quantifiable (measurable) data.
 - State the detailed issues about the site in the context of the surrounding properties and the impact on the community.
 - The Board will then hear from anyone else in favor of the appeal (persons who filed an appeal or support the position of the Appellant). Following each presentation Board members may ask questions.
 - The Board will then hear from anyone opposed to the appeal (persons who oppose the position of the Appellant).
6. After all presentations have been heard, the Chairman will give the Appellants the right to respond to new information. This is an opportunity to refute information and evidence presented since the last time you spoke that you could not have reasonably anticipated. It is not an opportunity to reargue your case or create new argument.
7. The Chairman advises that the Board will deliberate in a Closed Session and a written decision will be mailed within 15 days from the date of the decision as per legislation.

DP 305305-22-D0323 Home Based Business Level 3

Lot A; Plan 4595NY

8-Dec-2022



Information on this map is provided solely for the user's information and, while thought to be accurate, is provided strictly "as is" and without warranty of any kind.

NAD_1983_10TM_AEP_Resource
© Sturgeon County

Prepared By:
Page 9 of 46

Development Services





Planning and Development

9613-100 Street

Morinville, AB T8R 1L9

Phone (780) 939-8275

Fax (780) 939-2076

Email: PandD@sturgeoncounty.ca

Notification of Decision Letter

Date: Nov 18, 2022

Permit Number: 305305-22-D0323

severed in line with section 17 of the FOIP Act

To:



Email



Re: Decision of the Development Officer

Please be advised that development permit #305305-22-D0323 to operate a home-based business level 3 - transportation trucking company - Awake Transport Ltd. was refused on Nov 18, 2022.

This decision may be appealed to an Appeal Board within 21 days (December 9, 2022) after the date on which a person qualified to appeal is notified of the decision. Appeal Board information can be found at the bottom of the permit.

If you have any questions regarding the decision, please contact the undersigned at (780)939-8275 or toll free at 1-866-939-9303.

Yours truly,

A handwritten signature in cursive script that reads 'CWilliams'.

Carla Williams
Development Officer

Development Permit

Land Use Bylaw 1385/17

Permit No.:	305305-22-D0323
Tax Roll No.:	46000
Decision Date:	Nov 18, 2022
Effective Date:	Dec 9, 2022

severed in line with section 17 of the FOIP Act

Applicant

Name: SINGH, JOGINDER
 Address: [REDACTED]
 Phone: [REDACTED]
 Cell: [REDACTED]
 Email: [REDACTED]

Owner

Name: 2341704 ALBERTA LTD.
 Address: [REDACTED]
 Phone: [REDACTED]
 Cell: [REDACTED]
 Email: [REDACTED]

Property Description

Legal Land Description: Plan 4595NY; ; Lot A
Land Use Description: (AG) Agriculture District
Rural Address: 55013 Hwy 825

Description of Work

To operate a home-based business level 3 - transportation trucking company - Awake Transport Ltd.

Fees

Home Based Business - Level Three	\$310.00
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Permit Decision

The application to operate a home-based business level 3 is **REFUSED** for the following reasons:

1. Pursuant to section 11.1.2 of Land Use Bylaw 1385/17, as amended, a Home-Based Business Level 3 is a discretionary use.
2. Pursuant to section 6.16.5 of Land Use Bylaw 1385/17, Home Based-Business, a home-based business shall comply with the requirements provided in Table 6.1:
 - **Level 3 - Maximum Number of Commercial Vehicles shall not exceed three (3)**
 - Under Vehicles & Equipment of the application - Number of Trucks – five (5) highway tractors (8200kg).
 - **Level 3 - Maximum Number of Commercial Trailers shall not exceed three (3)**
 - Under Vehicles & Equipment of the application - Number of Trailers – four (4) flatbed super b (32ft and 28ft), one (1) step deck (53 feet), and one (1) flatbed (53 feet).
3. Pursuant to section 2.8.1 of Land Use Bylaw 1385/17, Decision Process, (c) the Development Authority may refuse an application for a discretionary use, where the proposed development does not conform to this Bylaw. The number of commercial vehicles and commercial trailers exceed the maximum number allowed and therefore the application was refused.

Advisory Notes:

1. Home-based business means the accessory use of a dwelling, accessory buildings, and parcel for an occupation, trade, profession, or craft to be operated by the permanent residents of the dwelling.
2. Commercial trailer means a non-motorized vehicle towed by a motorized vehicle. It is commonly used for the transport of goods and materials related to the operation of a home-based business.
3. Commercial vehicle means a unit which includes a multi-axle vehicle or trailer, used in relation to a home-based business. Commercial vehicles are those considered to require a Class 1, 2, 3 or 4 driver's license.

If you have any questions or concerns about your application or decision, please contact the Planning and Development Department at 780-939-8275.

Issued By:

Carla Williams
Development Officer

Municipality

Sturgeon County
9613 – 100 Street Morinville, AB T8R 1L9
Phone: (780) 939-8275
Fax: (780) 939-2076
Toll Free: 1-866-939-9303

Appeal Information

Pursuant to Section 685(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date. If you wish to appeal this decision, please choose the correct appeal body having jurisdiction.

If the application is the subject of a license, permit, approval, or other authorization granted by the Minister of Environment and Parks or granted under any Act the Minister is responsible for under section 16 of the Government Organization Act, or granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission - Appeals shall be filed with the Land and Property Rights Tribunal at lprrt.appeals@gov.ab.ca or by mail to 2nd Floor, Summerside Business Center, 1229 91 Street SW, Edmonton, AB, T6X 1E9. Telephone enquiries can be made to 780-427-2444.

All other appeals not subject to the above can be filed with the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via mail to Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can be made at 780-939-4321.



Planning and Development
 9613-100 Street
 Morinville, AB T8R 1L9
 Phone (780) 939-8275
 Fax (780) 939-2076
 Email: PandD@sturgeoncounty.ca

For Office Use	
Permit Number:	_____
Date Received:	_____
Received By:	_____

Development Permit Application for Home Based Business

Application is hereby made under the provisions of Land Use Bylaw 1385/17 to develop in accordance with the plans and supporting information submitted herewith and which form part of this application.

APPLICANT INFORMATION severed in line with section 17 of the FOIP Act

APPLICANT NAME JOGINDER SINGH JOGINDER SINGH/SARABJIT SINGH GILL
 LANDOWNER(S) NAME (IF DIFFERENT THAN APPLICANT) _____

MAILING ADDRESS _____ CITY / TOWN _____ PROVINCE _____ POSTAL CODE _____

PHONE _____ severed in line with section 17 of the FOIP Act
 ALTERNATE PHONE _____ FAX _____

EMAIL _____

LAND INFORMATION

PROPERTY ADDRESS 55013 HWY 825 STURGEON COUNTY, AB SUBDIVISION NAME _____

LEGAL DESCRIPTION: LOT A BLOCK _____ PLAN 459 NY 152094 S PARCEL SIZE _____

QUARTER _____ SECTION _____ TWP _____ RGE _____ W _____

HOME BUSINESS DESCRIPTION

NAME OF BUSINESS AWAKE TRANSPORT LTD

PROVIDE A DETAILED DESCRIPTION OF DAY TO DAY OPERATIONS & SERVICES YOU PROVIDE
 (ATTACH A LETTER IF MORE SPACE IS NEEDED)

1. General office work (Dispatch ,keeping records of transport)
2. Operation Time 8:00 am to 5:00 pm
3. 2-3 visits in a day
4. Truck parking an an open yard of the property
- 5 . 9000sq feet building is empty ,using for storing few truck parts ,tires and personeel vehicle.

Sturgeon County Planning and Deve oprnent

9613-100 Street Morinville, AB T8R 1L9 | P: 780-939-8275 | Fax 780-939-2076 | E: PandD@sturgeonccounty.ca | www.sturgeoncounty.ca

YEARS IN BUSINESS 2017 TYPE OF BUSINESS: BUSINESS TO BUSINESS BUSINESS TO CONSUMER
 MARKET (ALL THAT APPLY): LOCAL REGIONAL PROVINCIAL NATIONAL INTERNATIONAL

NAICS: (North American Classification System)

Please check off the ONE NAICS category that best applies to your business. This classification is important information for our team and will provide valuable information that can assist greatly with statistical data analysis of our region.

- | | | | |
|----------------------------------------|-----------------------------------------------|--------------------------|-----------------------------------------------------------------------|
| <input type="radio"/> 11 | Agriculture, forestry, fishing and hunting | <input type="radio"/> 54 | Professional, scientific and technical services |
| <input type="radio"/> 21 | Mining, quarrying, and oil and gas extraction | <input type="radio"/> 55 | Management of companies and enterprises |
| <input type="radio"/> 22 | Utilities | <input type="radio"/> 56 | Administrative and support, waste management and remediation services |
| <input type="radio"/> 23 | Construction | <input type="radio"/> 61 | Educational services |
| <input type="radio"/> 31-33 | Manufacturing | <input type="radio"/> 62 | Health care and social assistance |
| <input type="radio"/> 41 | Wholesale trade | <input type="radio"/> 71 | Arts, entertainment and recreation |
| <input type="radio"/> 44-45 | Retail trade | <input type="radio"/> 72 | Accommodation and food services |
| <input checked="" type="radio"/> 48-49 | Transportation and warehousing | <input type="radio"/> 81 | Other services (except public administration) |
| <input type="radio"/> 51 | Information and cultural industries | <input type="radio"/> 91 | Public administration |
| <input type="radio"/> 52 | Finance and insurance | | |
| <input type="radio"/> 53 | Real estate and rental and leasing | | |

SOCIAL MEDIA: WHERE CAN WE FIND YOU? WE LOVE TO FOLLOW STURGEON COUNTY BUSINESSES!

WEBSITE _____ FACEBOOK AWAKE TRANSPORT LTD INSTAGRAM _____
 TWITTER _____ OTHER _____

- YES I WOULD LIKE TO RECEIVE OCCASIONAL EMAIL UPDATED FROM STURGEON COUNTY ECONOMIC DEVELOPMENT
 YES PLEASE CONTACT ME TO LEARN MORE ABOUT STURGEON COUNTY'S BUSINESS VISITATION PROGRAM

CLIENTS, CUSTOMERS & EMPLOYEES

DO CLIENTS / CUSTOMERS VISIT YOUR PROPERTY? Y N
 IF YES, AT WHAT HOURS AND HOW MANY VISITS PER DAY / WEEK? 8:00 am to 5:00 pm
 HOW MANY NON-RESIDENT EMPLOYEES WILL WORK AT OR VISIT THE PROPERTY? 02
 HOW MANY PARKING STALLS DO YOU PROVIDE YOUR CLIENTS / CUSTOMERS AND EMPLOYEES? 06

VEHICLES & EQUIPMENT

LIST ALL VEHICLE TYPES AND EQUIPMENT ASSOCIATED WITH YOUR BUSINESS

CAR / VAN 01

TRUCKS(S) 05
(INDICATE NUMBER, SIZE, TYPE, WEIGHT)

MACHINERY (SPECIFY) 244 " Highway Tractor . 8200 kg
(SKID STEER, BACKHOE, FORKLIFT) loader 4 wheeler (use to remove snow)

TRAILERS (SPECIFY) 4 flat bed super b 32 ' and 28 '
step deck 53 feet ,flat bed 53 feet

OTHER (SPECIFY) _____

STORAGE & DELIVERIES

ARE MATERIALS AND/OR EQUIPMENT RELATED TO THE BUSINESS STORED ON THE PROPERTY? Y N

HOW MUCH IS STORED AND WHERE? all truck traileres parked inthe yard

ARE THERE ANY DANGEROUS GOODS ON SITE ASSOCIATED WITH YOUR BUSINESS? Y N

IF YES, WHAT TYPES? _____

ARE DELIVERIES MADE TO THE PROPERTY? Y N

IF YES, HOW OFTEN ARE DELIVERIES MADE TO THE PROPERTY? none

BUSINESS SIZE & ADVERTISING

TOTAL FT²/M² OF HOME 3000 ft FT²/M² ALLOCATED FOR BUSINESS _____

LIST ANY ADDITIONAL BUILDINGS USED IN THE OPERATION OF THE BUSINESS INCLUDING FT²/M²

WHAT ADVERTISING SIGNAGE WILL APPEAR ON THE PROPERTY? None , there is no need

SITE PLAN

SITE PLAN (attached)

PLEASE PROVIDE A SITE PLAN INDICATING THE BUILDINGS INTENDED FOR USE BY THE BUSINESS, ONSITE PARKING STALLS FOR CLIENTS/EMPLOYEES, PARKING AREA FOR VEHICLES AND EQUIPMENT RELATED TO THE BUSINESS, EXTERIOR STORAGE AREA (dimensioned) FOR MATERIALS/GOODS, AND ANY PROPOSED OR EXISTING SCREENING OR FENCING.

APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this home based business development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be released by Sturgeon County.

I/We grant consent for an authorized person of Sturgeon County to communicate information electronically as per Section 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26.

SIGNATURE OF APPLICANT(S) MAY 30, 2022 DATE _____
SIGNATURE OF LANDOWNER _____
DATE MAY 30, 2022

severed in line with section 17 of the FOIP Act

SIGNATURE OF LANDOWNER DATE

SUPPORT DOCUMENTS

Ensure the listed supporting documentation is included with this permit application, Sturgeon County cannot accept incomplete applications.

ALBERTA TRANSPORTATION APPROVAL OR PROVIDE CURRENT ROADSIDE APPROVAL # 2022-0006330 N/A
If developing within 800m (0.5 miles) of a Provincial highway.

LAND TITLE CERTIFICATE
Searched within 30 days prior to the application. These documents can be obtained at any Provincial Registry Office or online at <http://www.spin.gov.ab.ca/>.

CORPORATE REGISTRY N/A

FOR OFFICE USE ONLY

HOME BASED BUSINESS LEVEL 1 2 3 ROLL _____
LUB ZONING _____ FEES _____
USE: PERMITTED DISCRETIONARY RECEIPT _____
FORM OF PAYMENT _____

FOIP DISCLAIMER: The personal information provided will be used to process a home based business development permit application and is collected under the authority of Section 642 of the Municipal Government Act and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. Personal information you provide may be recorded in the minutes of the Municipal Planning Commission. If you have any questions about the collection and use of this information, please contact the Sturgeon County FOIP Coordinator at 9613 – 100 Street, Morinville, Alberta, T8R 1L9 (780) 939-4321.

SITE PLAN

55013 HWY 825

STURGEON COUNTY, AB T8L5G3

RR 225

FENCE
GATE

FENCE

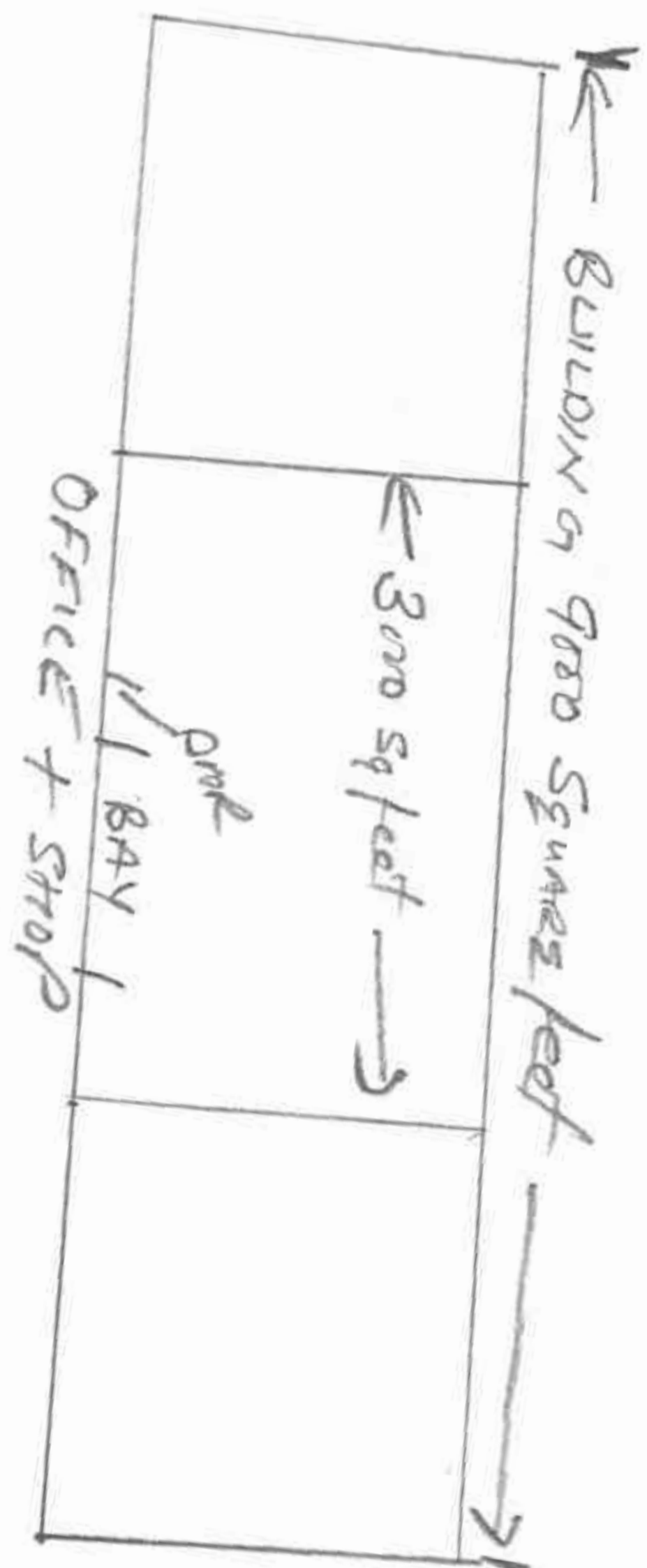
LAWN

RESIDENCE

CAR PARKING

TRUCK TRAILER
PARKING

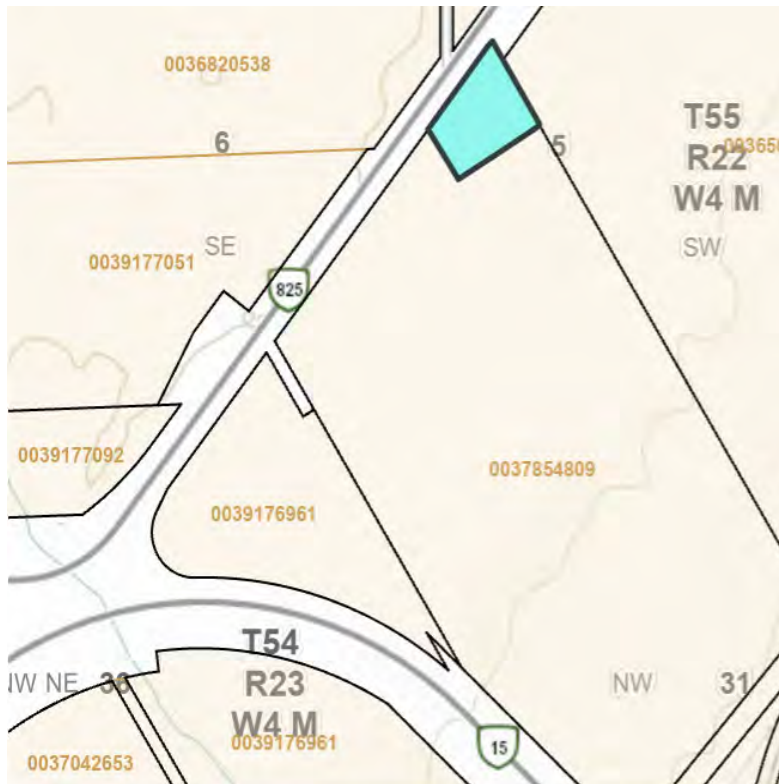
HWY 825



Alberta Transportation Permit

Request for development in proximity of a provincial highway **approved**

Permit Number:	2022-0006330	Highway(s):	37, 825, 15
Issued to (Permittee):	joginder singh sturgeon county Alberta [REDACTED] [REDACTED]	severed in line with section 17 of the FOIP Act	
Legal Land Location:	QS-SW SEC-05 TWP-055 RGE-22 MER-4	Municipality:	Sturgeon County
Approved By:	Robert Lindsay	Issuing Office:	North Central Region / Stony Plain
Issued Date:	2022-11-09 11:34:43	Expiry Date:	2027-11-09
Description of Development:	Operate a Home based Business - Trucking; Lot A Plan 4595NY; SW05-55-22-W4N; South of Highway 825		



Alberta Transportation Permit No. **2022-0006330** is issued to the above named Permittee under authority of Section 14 of the *Highways Development and Protection Act* (the Act) authorizing the development(s) listed herein, and a further application is required for any changes or additions.

The approved site plan forms a part of this permit and any changes to the approved site plan will require an amendment or a new permit application.

This permit is subject to the following terms and conditions, which should be carefully reviewed:

1. This permit is subject to the provisions of Section 11-19 inclusive of the Highways Development and Protection Act (Chapter H-8.5 2004), amendments thereto, and Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.
2. This permit is issued subject to any other municipal, provincial, or federal approvals that may be required. Issuance of a permit by Alberta Transportation does not guarantee the permittee will be able to obtain other required approvals and does not excuse violation of any regulation, bylaw, or Act that may affect the proposed development.
3. The Permittee consents to a person designated by Alberta Transportation to enter upon land during construction and again upon completion of construction for the purpose of inspection to ensure the terms and conditions of this permit are met.
4. All works authorized by this permit shall be constructed, altered, maintained or operated at the sole expense of the Permittee. The permittee expressly waives any right to claim damages or compensation (including injurious affection) for development, signs or other encumbrances that are placed in an area required for future widening of the highway right of way for highway improvement purposes
5. In consideration of the permit issued in respect to this development, the Permittee shall indemnify and hold harmless Alberta Transportation, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized.
6. The Permittee shall conform to the approved site plan. Failure to conform to the approved site plan without an approved amendment may result in enforcement measures as laid out in the Act
7. The Department accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof.
8. This permit expires on November 09, 2027. If you wish to continue to operate this business after that date, please apply for a new permit a minimum 30 days prior to this date.
9. The Department is under no obligation to reissue or renew a permit.
10. This permit approves only the development contained herein. Any proposed addition and / or change to the design, standards and / or construction/placement process attached to this permit requires a separate approval from Alberta Transportation prior to commencing the addition and / or change.

11. Direct highway access is not permitted. Access must be via the local municipal road.

12. All highway accesses are to be considered temporary. No compensation shall be payable to the Permittee or their assigns or successors when the Department removes or relocates the temporary access or if highway access is removed and access provided via service road.

13. The Permittee must operate this home based business with a maximum of ten commercial trucks operating from this site and a maximum of nine employees working from the site who do not reside on this property.

Failure to comply with the terms and conditions of this permit is an offense pursuant to Section 35 of the Highways Development and Protection Regulation (the Regulation), and may result in enforcement or penalties as described in Section 55 of the Act and Section 35-36 of the Regulation.

This permit is valid until **2027-11-09**. If the Permittee wishes to continue the development beyond that date the Permittee must reapply for a new permit. Alberta Transportation is under no obligation to issue a new permit extending the expiration date.



Issued by **Robert Lindsay**, , on **2022-11-09 11:34:43** on behalf of the Minister of Transportation pursuant to *Ministerial Order 52/20 – Department of Transportation Delegation of Authority*

PLANNING AND DEVELOPMENT SERVICES REPORT

Subdivision & Development Appeal Board
File Number 023-STU-001**FILE INFORMATION**

Department File:	305305-22-D0323
Legal Land Description:	Lot A; Plan 4595NY
Address:	55013 HWY 825
Appellant:	Joginder Singh
Landowner:	2341704 Alberta Ltd.
Description of Appeal:	Appealing the Decision of the Development Authority of Refusal to Operate a Home-Based Business Level 3
Land Use Bylaw District:	AG – Agriculture Residential
Tax Roll Number:	46000

BACKGROUND

- An application to operate a home-based business was received in May of 2022. The business is a trucking company named Awake Transport Ltd.
- The application was deemed to be incomplete until a Roadside Development Permit was received from Alberta Transportation.
 - Roadside Development Permit #2022-0006330 was issued on November 9, 2022. Condition #13 states *the Permittee must operate this home-based business with a maximum of ten commercial trucks operating from this site and a maximum of nine employees working from the site who do not reside on this property.*
- A site inspection of the property was conducted by Bylaw Services on Oct 20, 2022. At the time of inspection, there were eight (8) semi-tractors parked on site. Three of the trucks had trailers attached and there were eight (8) passenger vehicles parked in front of the dwelling.
- A letter of inquiry was sent to the property owner on Oct 21, 2022, regarding the unauthorized development (transport business) operating from the parcel.
- A completed application was accepted by the Development Authority and included the following details:
 - the property would be used for general office work (dispatch, keeping records of transport),
 - hours of operation 8:00am to 5:00pm,
 - 2-3 visits in a day,
 - 2 non-resident employees would work or visit the property,
 - vehicles associated with the business
 - 1 car/van
 - 5 trucks (highway tractor – 8200kgs)
 - 1 loader (to remove snow)

- trailers - 4 flatbed super b 32ft and 28ft, 1 step deck 53ft, 1 flatbed 53ft
 - truck parking provided in the open yard,
 - 6 parking stalls provided onsite for employees: and
 - existing 9,000ft² warehouse building is empty and would be used for storing a few truck parts, tires, and personal vehicles.
- The number of commercial vehicles and trailers associated with the business exceed the number that can be approved to operate a level 3 HBB and therefore the application was refused.

PROPERTY INFORMATION

- The property is 1.78ha (4.4ac) in area currently developed with a manufactured home (D-77-2002) and accessory building (305305-14-D0348 – to leave detached shop as built 836m²)
- The property is accessed by a service road off HWY 825.
- The parcel is adjacent to lands that are part of Sturgeon Industrial Park (SIP) that are districted as I4 – Medium Industrial Serviced.

RELEVANT POLICY/LEGISLATION

- There is no Local Planning Document (i.e., Area Structure Plan) for this area, therefore the County's Municipal Development Plan provides the overarching land use policies for this application.
 - **Municipal Development Plan (MDP) 1313/13**
 - Subject property is located within Neighbourhood I – the Role of which is *to strengthen the strategic industrial corridor, by targeting infrastructure investment that supports and links regional economic growth.*
 - Output I.4(a) ensures *...proposed developments for the Neighbourhood demonstrate limited adverse impact on the activities, growth, or viability of the SIP.*
 - Output I.4(c) seeks to locate *... proposed or expanding Non-Residential developments to the Non-Residential Development Park (SIP). If there is a demonstrated need identified by Sturgeon County to create additional industrial development opportunities in the Neighbourhood, priority will focus on land contiguous to the existing Non-Residential Development Park and will necessitate an MDP amendment.*
 - Outcome C4(d) requires *...proposed or expanding development that exceeds Non-residential Type 4, to relocate to identified Non-Residential centres in the County. HBBs, where the Non-Residential type and scale conflicts with residential uses, are to relocate to an existing Non-Residential Development*

Park or an appropriate location identified in an approved Planning Document.

- **Land Use Bylaw 1385/17**, as amended.
 - Home-Based Business means the accessory use of a dwelling, accessory buildings and parcel for an occupation, trade, profession, or craft to be operated by the permanent residents of the dwelling.
 - Fleet service means the use of the parcel and/or building(s) for the parking and servicing of vehicles for the delivery of people, goods, or services where such vehicles are not available for sale or long-term lease. This may include, but is not limited to, bus lines, commercial transport, cartage, and courier services. This use does not include warehousing.
 - Commercial Vehicle means a unit which includes a multi-axle vehicle or trailer, used in relation to a home-based business. Commercial vehicles are those considered to require a Class 1, 2, 3, or 4 driver's license.
 - Commercial Trailer means a non-motorized vehicle towed by a motorized vehicle. It is commonly used for the transport of goods and materials related to the operation of a home-based business.
 - Home-based businesses shall comply with the requirements provided in Table 6.1:

Table 1.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> • 10% of the gross floor area of the dwelling 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • Area of accessory building(s) at the discretion of the Development Authority 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • 100% of the gross floor area of accessory building(s) at the discretion of the Development Authority
Equipment and/or material storage	<ul style="list-style-type: none"> • Shall be located within the dwelling 	<ul style="list-style-type: none"> • No exterior storage. Any storage shall be located within the dwelling or accessory building(s). 	<ul style="list-style-type: none"> • Exterior storage shall not exceed 1% of the parcel size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Eight vehicle visits per 24-hour period in the AG district 	<ul style="list-style-type: none"> • Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Two 	<ul style="list-style-type: none"> • Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> • Three

	Level 1	Level 2	Level 3
Commercial trailers (maximum)	• None permitted	• One	• Three
Passenger vehicles (maximum)	• One	• One	• Two
Hours of operation	• No limit	• 7:00a.m. to 8:00p.m.	• 7:00a.m. to 8:00p.m.
Additional on-site parking stall requirements	In accordance with Part 9		
Signage	In accordance with Part 7		

- A 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.
- **Highways Development and Protection Regulation** (Alberta Regulation 326/2009 and amendments)
 - A Roadside Development Permit is required for new or changes to roadside development permits within a development control zone, which is:
 - 300m from a provincial right-of-way or
 - 800m of the centerline of a highway and public road intersection.

ANALYSIS

- The MDP policy requires that a proposed development that exceeds Non-residential Type 4 or if the scale conflicts with residential uses, to relocate to an appropriate location such as an industrial park.
- The site inspection and aerial photos from Oct 2022 reveals more truck and trailer units parked on the property than what the application suggests.
- The LUB allows a Fleet Service use within the industrial and direct control districts. A Fleet Service use is neither a permitted nor discretionary use within the AG-Agricultural district.
- A Home-Based Business Level 3 is a discretionary use in the AG district. The intent of a home-based business is to be an accessory use to the dwelling, accessory building(s) and the parcel. An accessory use is to be incidental and subordinate to the principal use of the parcel. The principal use of the subject parcel is intended to be for AG residential purposes.
- Alberta Transportation approved a Roadside Development permit allowing a maximum of 10 commercial trucks to operate from this site with a maximum of 9 employees working from the site who do not reside on this property. This would suggest the access off HWY 825 can safely accommodate additional traffic to and from this property.
- A home-based business level 3 shall comply with the requirements provided in Table 6.1:

- Level 3 - Maximum Number of Commercial Vehicles shall not exceed three (3)
 - Under Vehicles & Equipment of the application - Number of Trucks – five (5) highway tractors (8,200kg).
- Level 3 - Maximum Number of Commercial Trailers shall not exceed three (3)
 - Under Vehicles & Equipment of the application - Number of Trailers – four (4) flatbed super b (32 feet and 28 feet), one (1) step deck (53 feet), and one (1) flatbed (53 feet).
- A variance cannot be applied to a “use” and is not intended to be used as way to undermine the intent of the regulations. Therefore, the Development Authority did not consider a variance to allow for additional commercial vehicles and trailers over the permitted number of units as the scale of the proposed number of trucks and trailers would, in the opinion of the Development Authority better fit as a Fleet Service use.
- Pursuant to section 2.8.1 of Land Use Bylaw 1385/17, Decision Process, (c) the Development Authority may refuse an application for a discretionary use, where the proposed development does not conform to this Bylaw. The number of commercial vehicles and commercial trailers exceed the maximum number allowed and therefore the application was refused.

CONCLUSION

- The Board must comply with the following:
 - Any applicable statutory plan (*MGA s. 687(3)(a.2)*).
 - In the opinion of the Development Authority the application is incompatible with MDP Policies I.4(a) & I.4(d).
 - The Board may interpret these policies independently.
 - Application must conform with the prescribed uses of the land (*MGA s. 687(3)(d)(ii)*).
 - In the opinion of the Development Authority the proposed use better falls under a Fleet Service use and would therefore be neither permitted nor discretionary within the AG - Agricultural district.
 - The Board may independently interpret what use is proposed.
- The Board may consider the following:
 - If the existing development unduly interferes with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties.
 - Special circumstances that may be applicable to the subject property such as size, shape, topography, location, buildings, or surroundings.
 - Alberta Transportation’s Roadside Development Permit.
- Should the Board uphold the Appeal and approve the application as a Home-Based Business Level 3 to operate in accordance with the submitted application, the following conditions are recommended:
 1. No more than one level 3 home-based businesses shall be allowed on one parcel.

2. The home-based business shall not occupy more than 30% of the gross floor area of the dwelling and 100% of the gross floor area of the accessory building (detached shop 836m²).
3. Exterior storage shall not exceed 1% (178m²) of the parcel size (17,806m²).
4. Exterior storage of goods and materials associated with this approval shall be kept in a clean and orderly manner at all times and shall be screened from roads and adjacent residential uses to the satisfaction of the Development Authority.
5. Client traffic generation shall not exceed more than ten (10) vehicle visits per 24-hour period.
6. **The home-based business shall be operated by the permanent resident(s) of the principal dwelling and there shall be no more than two (2), non-resident employees on site.**
7. **There shall be no more than five (5) commercial vehicles (semi-tractors), two (2) passenger vehicles and six (6) trailers used for business purposes and be parked on-site OR**
**** The number of commercial vehicles and employees on site shall comply with the conditions of Roadside Development Permit Number 2022-0006330 issued by Alberta Transportation. ****
8. 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.
9. At all times, the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use, enjoyment or value of neighbouring or adjacent parcels.
10. Only one on-site, commercially produced sign to identify the business, shall be allowed. The sign dimensions shall be a maximum of 1m (3.3ft) in length and 0.6m (2ft) in height. The sign shall be displayed as a window sign, be affixed to a building, or be located in the front yard adjacent to the front parcel boundary and either be self-supporting or attached to existing fencing. There shall be no off-site signage associated with this home-based business.
11. The home-based business shall operate between 7:00 a.m. to 8:00 p.m. only.
12. One parking stall per non-resident employee and one parking stall per commercial vehicle shall be provided onsite in accordance with the approved site plan.
13. The development permit is issued to the applicant and is non-transferable. Should the applicant move or sell the business, the permit will become void.

Advisory Notes:

1. Home Based Business means the accessory use of a dwelling, accessory buildings and parcel for an occupation, trade, profession, or craft to be operated by the permanent residents of the dwelling.

Prepared By:

C Williams

Carla Williams, Development Officer

Reviewed By:

Tyler McNab

Digitally signed by Tyler McNab
Date: 2022.12.14 14:12:21 -07'00'

Tyler McNab, Program Lead Development & Safety Codes

305305-22-D0323 Home Based Business Level 3

Development Authority Report for SDAB Appeal 023-STU-001

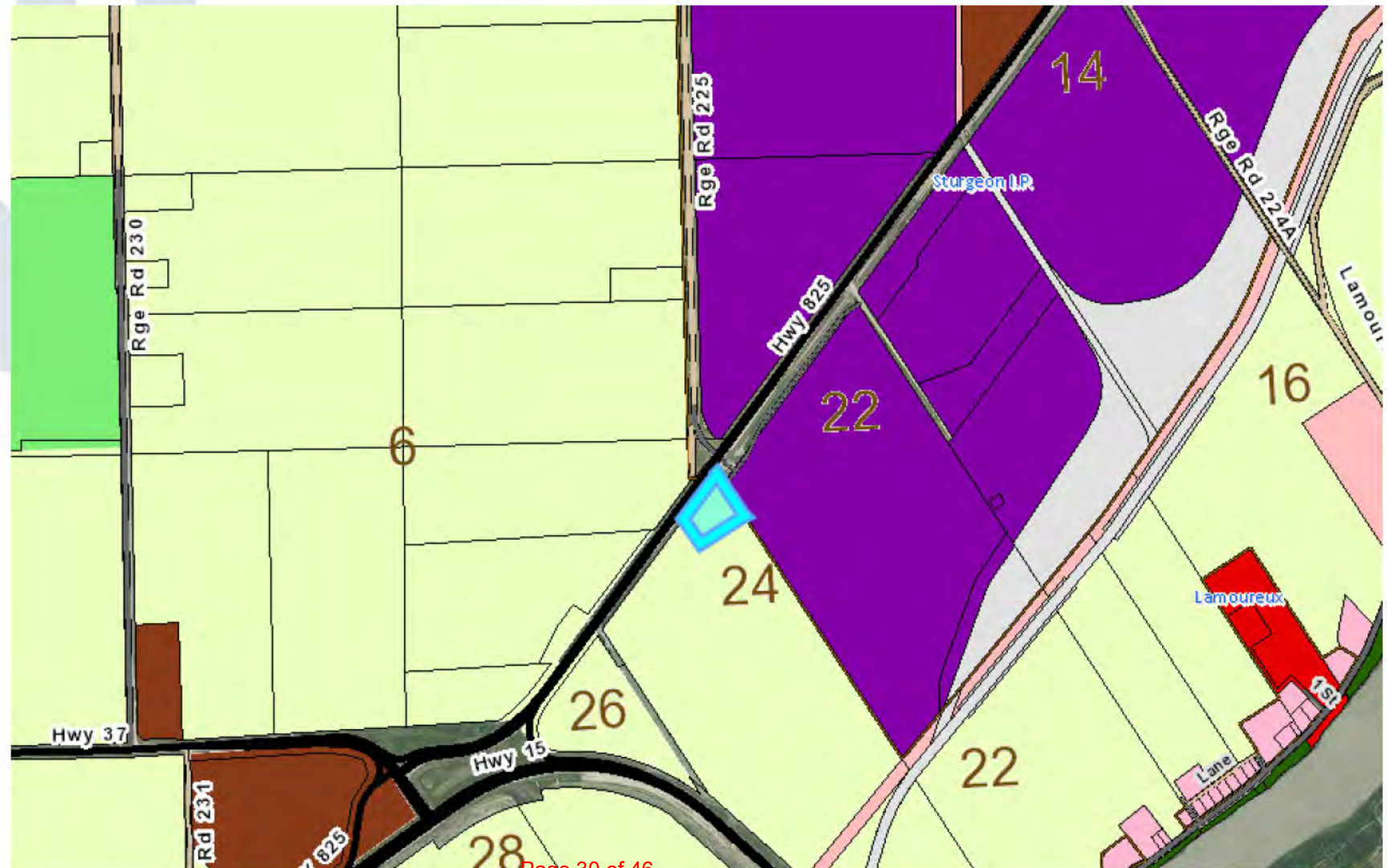
2023-01-03



Sturgeon
C O U N T Y

Site Location

55013 HWY 825



Site Location



Property Information



55013 HWY 825

Lot A; Plan 4595NY

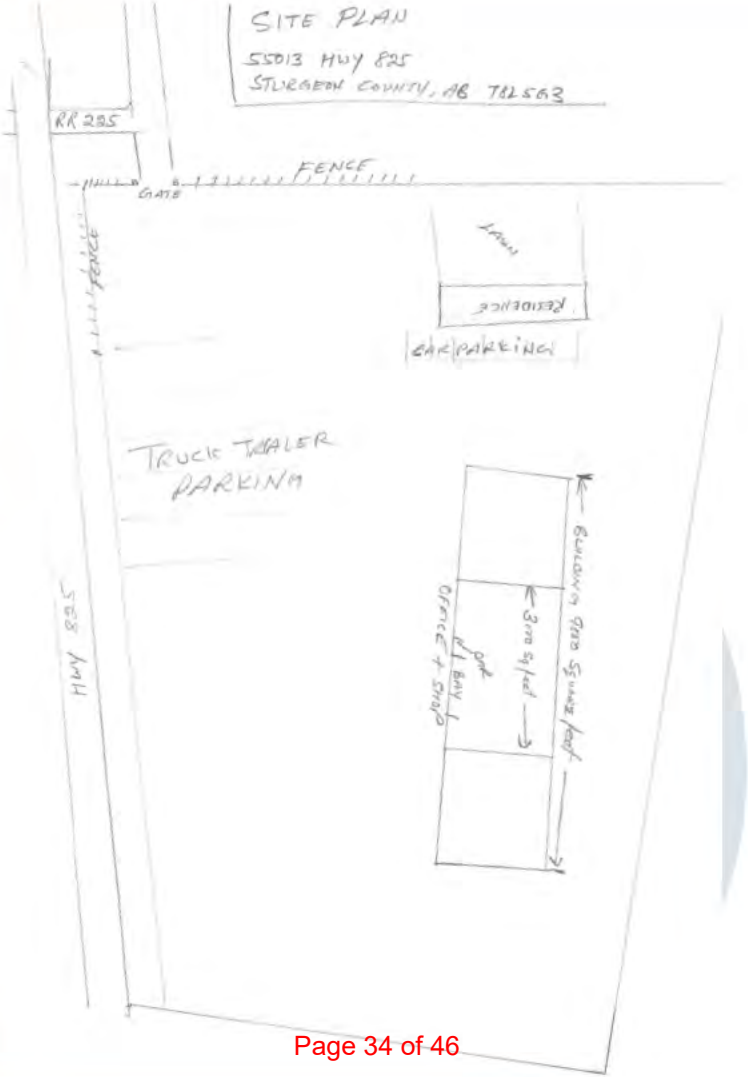
- 1.78ha (4.4ac)
- **AG - Agricultural Residential**
- Development Records
 - #D-77-2002 – Mobile Home
 - #305305-14-D0348 To Leave Existing Detached Shop As Built

Application Details

A completed application was accepted by the Development Authority and included the following details:

- the property would be used for general office work (dispatch, keeping records of transport)
- hours of operation 8:00am to 5:00 pm
- 2-3 visits in a day
- 2 non-resident employees would work or visit the property,
- **vehicles associated with the business**
 - **1 car/van**
 - **5 trucks (highway tractor – 8200kgs)**
 - **1 loader (to remove snow)**
 - **trailers - 4 flatbed super b 32ft and 28ft, 1 step deck 53ft, 1 flatbed 53ft**
- truck parking provided in the open yard,
- 6 parking stalls provided onsite for employees,
- existing 9,000ft² warehouse building is empty and would be used for storing a few truck parts, tires, and personal vehicles.

Site Plan



Photos Oct 2022



6 trucks
9 trailers

Relevant Policy & Legislation

Municipal Development Plan 1313/13

Neighbourhood I – the Role is to *strengthen the strategic industrial corridor, by targeting infrastructure investment that supports and links regional economic growth.*

- *ensures ...proposed developments for the Neighbourhood demonstrate limited adverse impact on the activities, growth, or viability of the SIP.*
- *seeks to locate ... proposed or expanding Non-Residential developments to the Non-Residential Development Park (SIP). If there is a demonstrated need identified by Sturgeon County to create additional industrial development opportunities in the Neighbourhood, priority will focus on land contiguous to the existing Non-Residential Development Park and will necessitate an MDP amendment.*
- *requires ...proposed or expanding development that exceeds Non-residential Type 4, to relocate to identified Non-Residential centres in the County. HBBs, where the Non-Residential type and scale conflicts with residential uses, are to relocate to an existing Non-Residential Development Park or an appropriate location identified in an approved Planning Document.*

Relevant Policy & Legislation

Land Use Bylaw 1385/17

Home-Based Business means the accessory use of a dwelling, accessory buildings and parcel for an occupation, trade, profession, or craft to be operated by the permanent residents of the dwelling.

Commercial Vehicle means a unit which includes a multi-axle vehicle or trailer, used in relation to a home-based business. Commercial vehicles are those considered to require a Class 1, 2, 3, or 4 driver's license.

Commercial Trailer means a non-motorized vehicle towed by a motorized vehicle. It is commonly used for the transport of goods and materials related to the operation of a home-based business.

Table 1.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> 10% of the gross floor area of the dwelling 	<ul style="list-style-type: none"> 30% of the gross floor area of the dwelling Area of accessory building(s) at the discretion of the Development Authority 	<ul style="list-style-type: none"> 30% of the gross floor area of the dwelling 100% of the gross floor area of accessory building(s) at the discretion of the Development Authority
Equipment and/or material storage	<ul style="list-style-type: none"> Shall be located within the dwelling 	<ul style="list-style-type: none"> No exterior storage. Any storage shall be located within the dwelling or accessory building(s). 	<ul style="list-style-type: none"> Exterior storage shall not exceed 1% of the parcel size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Eight vehicle visits per 24-hour period in the AG district 	<ul style="list-style-type: none"> Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Two 	<ul style="list-style-type: none"> Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Two
Hours of operation	<ul style="list-style-type: none"> No limit 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m.

Relevant Policy & Legislation

Fleet service means the use of the parcel and/or building(s) for the parking and servicing of vehicles for the delivery of people, goods, or services where such vehicles are not available for sale or long-term lease. This may include, but is not limited to, bus lines, commercial transport, cartage, and courier services. This use does not include warehousing.

Highways Development and Protection Regulation

A Roadside Development Permit is required for new or changes to roadside development permits within a development control zone, which is:

- 300m from a provincial right-of-way or
- 800m of the centerline of a highway and public road intersection.

Roadside Development Permit #2022-0006330

Condition #13 states the Permittee must operate this home-based business with a maximum of ten commercial trucks operating from this site and a maximum of nine employees working from the site who do not reside on this property.

Analysis

- MDP policy
- The site inspection and aerial photos from Oct 2022 reveals more truck and trailer units parked on the property than what the application suggests.
- Fleet Service is neither a permitted nor discretionary use in AG – Agricultural District
- A Home-Based Business Level 3 is a discretionary use in the AG district – Accessory to Principal Use
- Alberta Transportation approved a Roadside Development permit allowing a maximum of 10 commercial trucks to operate from this site with a maximum of 9 employees working from the site who do not reside on this property. This would suggest the access off HWY 825 can safely accommodate additional traffic to and from this property.

Analysis

- A home-based business level 3 shall comply with the requirements provided in Table 6.1:
 - Level 3 - Maximum Number of Commercial Vehicles shall not exceed three (3)
 - Under Vehicles & Equipment of the application - Number of Trucks – five (5) highway tractors (8,200kg).
 - Level 3 - Maximum Number of Commercial Trailers shall not exceed three (3)
 - Under Vehicles & Equipment of the application - Number of Trailers – four (4) flatbed super b (32 feet and 28 feet), one (1) step deck (53 feet), and one (1) flatbed (53 feet).
- Variances
- Decision Process, the Development Authority may refuse an application for a discretionary use, where the proposed development does not conform to this Bylaw. The number of commercial vehicles and commercial trailers exceed the maximum number allowed and therefore the application was refused.

Conclusion

The Board must comply with the following:

- Any applicable statutory plan (*MGA s. 687(3)(a.2)*).
 - In the opinion of the Development Authority the application is incompatible with MDP Policies I.4(a) & I.4(d).
 - The Board may interpret these policies independently.
- Application must conform with the prescribed uses of the land (*MGA s. 687(3)(d)(ii)*).
 - In the opinion of the Development Authority the proposed use better falls under a Fleet Service use and would therefore be neither permitted nor discretionary within the AG - Agricultural district.
 - The Board may independently interpret what use is proposed.

Conclusion

The Board may consider the following:

- If the existing development unduly interferes with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties
- Special circumstances that may be applicable to the subject property such as size, shape, topography, location, buildings, or surroundings
- Alberta Transportation's Roadside Development Permit

Conditions

Should the Board uphold the appeal and approve the application as a Home-Based Business Level 3, the following conditions are recommended:

1. No more than one level 3 home-based businesses shall be allowed on one parcel.
2. The home-based business shall not occupy more than 30% of the gross floor area of the dwelling and 100% of the gross floor area of the accessory building (detached shop 836m²).
3. Exterior storage shall not exceed 1% (178m²) of the parcel size (17,806m²).
4. Exterior storage of goods and materials associated with this approval shall be kept in a clean and orderly manner at all times and shall be screened from roads and adjacent residential uses to the satisfaction of the Development Authority.
5. Client traffic generation shall not exceed more than ten (10) vehicle visits per 24-hour period.
6. **The home-based business shall be operated by the permanent resident(s) of the principal dwelling and there shall be no more than two (2), non-resident employees on site.**
7. **There shall be no more than five (5) commercial vehicles (semi-tractors), two (2) passenger vehicles and six (6) trailers used for business purposes and be parked on-site OR**

**** The number of commercial vehicles and employees on site shall comply with the conditions of Roadside Development Permit Number 2022-0006330 issued by Alberta Transportation. ****

Conditions

8. 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.
9. At all times, the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use, enjoyment or value of neighbouring or adjacent parcels.
10. Only one on-site, commercially produced sign to identify the business, shall be allowed. The sign dimensions shall be a maximum of 1m (3.3ft) in length and 0.6m (2ft) in height. The sign shall be displayed as a window sign, be affixed to a building, or be located in the front yard adjacent to the front parcel boundary and either be self-supporting or attached to existing fencing. There shall be no off-site signage associated with this home-based business.
11. The home-based business shall operate between 7:00 a.m. to 8:00 p.m. only.
12. One parking stall per non-resident employee and one parking stall per commercial vehicle shall be provided onsite in accordance with the approved site plan.
13. The development permit is issued to the applicant and is non-transferable. Should the applicant move or sell the business, the permit will become void.

Advisory Notes:

1. Home Based Business means the accessory use of a dwelling, accessory buildings and parcel for an occupation, trade, profession, or craft to be operated by the permanent residents of the dwelling.

ADJACENT LANDOWNER WRITTEN SUBMISSIONS

*NOTE:

No submissions were received at
the time of publication of the
Agenda

APPELLANT'S SUBMISSION RECEIVED

***NOTE:**

No submissions were received at
the time of publication of the
Agenda