



REPORT TO THE MUNICIPAL PLANNING COMMISSION

December 12, 2019

Agenda Item	
Application No.	DPA 100/19
Proposed Development	Bed and Breakfast, Home Business, Major, and Sign <i>*known as Grain B and B, Grain Bin Gift Shop</i>
Legal Description	Lot 1 Block 1 Plan 952 0795 (Pt. NE 32-39-26-W4M)
Titled Area	16.19 hectares (40 acres)
Zoning	Agricultural 'A' District
Applicant	Cheryl LaRue
Landowner	Niels Lausten

BACKGROUND

Cheryl LaRue has applied to operate a Bed and Breakfast and a Home Business, Major out of three (3) grain bins. The grain bins are currently on the subject property, but will be relocated as per the site plan and renovated to accommodate the proposed services. A business sign is also proposed.

Each of the two (2) 20 ft (6.10 m) tall grain bins are proposed to be renovated to include sleeping, sanitary, and cooking facilities within two (2) storeys. Each grain bin would then have a floor space of 508.9 ft² (47.3 m²). The grain bins will be insulated and connected to the existing septic system and an additional holding tank will be installed. The applicant lives on the property and will be the one (1) employee operating the bed and breakfast business.

The 10 ft (3.05 m) grain bin is proposed to be renovated into a gift shop for artists to rent, who can then sell their products. This will be considered a Home Business, Major. An artist

renting the gift shop will then be considered one (1) non-resident on-site employee.

The business and services will only operate seasonally. When operating, the applicant expects the business to generate one (1) vehicle trip per day.

POLICY CONSIDERATIONS

The County's Land Use Bylaw (LUB) defines a Bed and Breakfast as "*the accessory use of a principal dwelling unit in which short term overnight accommodation and limited meals are provided to overnight guests*".

The County's LUB defines a Home Business, Major as "*a secondary use of a principal dwelling, its accessory buildings, or combination thereof, by at least one resident of the dwelling to conduct a business or activity or occupation. It includes client visits and in the Agricultural District allows for not more than two (2) non-resident employees or non-resident business partners to work on-site in the business*".

A Bed and Breakfast and a Home Business, Major are both discretionary uses in the Agricultural 'A' District. The application requires MPC's approval.

CIRCULATION RESPONSE

The application was circulated to the Town of Blackfalds, Lacombe County's Operations Department, and Lacombe County's Fire Chief.

The Fire Chief's response advised that at least one face of each building should have direct access for fire department vehicles, and that a secondary egress should be provided from the sleeping spaces on the second floor of the grain bins. The Fire Chief also mentioned that an inspection should be done after construction to verify compliance with the Alberta Fire Code, and that the inspection could be done by an accredited safety codes officer.

The Operations Department's response advised that a Stop sign is required, and listed requirements for placing the business sign.

The Town of Blackfalds responded with no objections

Surrounding property owners will be notified of the MPC's decision, and their right to appeal.

ANALYSIS

A Bed and Breakfast and a Home Business, Major are both discretionary uses in the Agricultural 'A' District.

The proposed Bed and Breakfast business does not match the LUB's definition for a Bed and Breakfast as the service is being offered outside of the principal dwelling. The MPC however can consider applications that do not match the LUB's definitions. As the grain bins are to be relocated to the residential yard, staff consider the proposed use an extension of the residential site. Staff also believe that this application should be considered because its unique aspects could draw tourism to the County.

The applicant was required to contact an Accredited Safety Codes Agency to confirm if a grain bin could be converted into a habitable structure, and comment on what would be required for the structures to meet Alberta's Building Code. An Agency confirmed that it would be possible and mentioned that plans for the foundation and walls would need to be prepared by an engineer (see Schedules A and B).

The bed and breakfast grain bins are proposed to have sleeping, sanitary, and cooking facilities. If all of these facilities are included, the structures would be considered dwelling units. Each of the two (2) storey grain bins however have a floor area of 508.9 ft² (47.3 m²) which does not meet the minimum 900 ft² (83.61 m²) requirement for a dwelling unit in the Agricultural 'A' District. In addition, only two (2) dwelling units are permitted on parcels with 40 acres (16.19 hectares) or more. If the two (2) grain bins were dwelling units, the parcel would then have three (3) dwelling units. As such, if no cooking facilities are included, the structures would be more consistent with LUB's definition for a *Guest House*.

STAFF RECOMMENDATION

APPROVE the application, subject to the following conditions:

1. the term of the development permit to be for three (3) years
2. prior to issuance of a development permit, the applicant must submit plans prepared and stamped by an engineer for the foundation and walls of the grain

- bins. The plans must also incorporate a secondary egress from the sleeping space on the second floor of the grain bins
3. prior to occupancy of the grain bins, the applicant shall retain an accredited safety codes officer to inspect the grain bins for compliance with the *National Building Code (2019 Alberta Edition)* and *National Fire Code (2019 Alberta Edition)* for the intended use as a bed and breakfast. The written correspondence (including any applicable permits pursuant to the *National Building Code (2019 Alberta Edition)*) from an accredited safety codes agency/officer shall be provided to the County, confirming that the structures are compliant with the *National Building Code (2019 Alberta Edition)* and *National Fire Code (2019 Alberta Edition)* for the intended use as a bed and breakfast
 4. this approval shall be subject to an annual review by the Development Officer. Failure to comply with the conditions of the development permit may result in the permit being suspended or revoked
 5. the three (3) grain bins shall be located and constructed in accordance with the site plan and information submitted with the development application, any changes will require prior approval from the County
 6. two (2) grain bins to be utilized for sleeping accommodation only. No cooking facilities are permitted
 7. one (1) grain bin to be utilized as a gift shop
 8. business activities at the site shall adhere to the description of the business provided with the development application and the site plan. A further development application is required for any changes to the business, including any new buildings or additions to existing structures
 9. no more than one (1) non-resident employee may work on-site in the business
 10. business to be operated at all times in a manner that does not cause nuisance for surrounding residents due to noise, excessive traffic, or anything else of dangerous or objectionable nature, as determined by the County at its sole discretion
 11. applicant to install a STOP sign for traffic leaving the subject property, to the satisfaction of the County. Please contact James Pruden, Inspections Officer, at 403-391-0779 for more information
 12. no changes to the business sign or location of the sign, than what has been outlined in the development application unless prior approval has been obtained from Lacombe County

- 13. business sign to be maintained in proper state of repair
- 14. if not kept in acceptable condition, business sign must be removed or repaired by applicant within seven (7) days of receiving notice of deficiency. Otherwise sign will be removed by County at applicant's expense

It is the responsibility of the applicant to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations. For more information on what permits may be required, contact one of the safety service agencies listed on the attached sheet.

MPC DECISION

PREPARED BY: Florian Goetz, Junior Planner/Development Officer



REVIEWED BY: Dale Freitag, Director of Planning Services



REVIEWED BY: Tim Timmons, County Manager

