

Briefing Note

Title	1:00 p.m. - Public Hearing – Bylaw 1397/17 to Amend Land Use Bylaw 1385/17
Issue	To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1397/17.
Previous Council Direction	Motion 431/17 - October 24, 2017: That Council give first reading to Bylaw 1397/17 to redistrict Lot 1; Plan 9520743 from "DC1 - Direct Control District 1 - General" to "DC9 - Direct Control District 9 - Plan 9520743; Lot 1."
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • Cliff Bokenfohr, the applicant, is proposing to amend the Land Use Bylaw to change the land use designation from DC1 to DC 9 for Lot 1; Plan 9520743. • On July 10, 2017, Council approved a new Land Use Bylaw (Bylaw 1385/17) and on September 8, 2017, the new Land Use Bylaw came into effect. The new Land Use Bylaw designated the subject land as “DC1 – Direct Control District 1 – General” (attached). Council is the decision-making authority in the DC1 District and can approve <i>any use deemed appropriate by Council</i>. All development permit applications within this district proceed to Council for a decision. • As part of the approval process for the new Land Use Bylaw (1385/17) Council approved an Implementation Plan. That Implementation Plan stated that “The proposed LUB proposes to allocate DC1 zoning district to several parcels where site specific amendments were approved. In those cases where land owners are dissatisfied with the zoning district, Administration will process Land Use Bylaw amendment applications from the said landowner to either change to a suitable conventional district or a regulated Direct Control district. Fees for redistricting applications within one (1) year of the application period are exempt.” • The applicant has applied to rezone the subject land from DC1 to DC9. The decision-making authority in the proposed district is the Municipal Planning Commission. There are eight (8) specific uses allowed in this district: Accessory Building, Accessory Use, Agricultural Support Service Dugout, the existing Single Detached Dwelling, Light Industrial, Storage Facility and Limited Warehousing.

- The proposed direct control land use district would enable the owner to build additional building(s) on up to 20% of the parcel size. Currently, the site coverage is 16.8%. The idea behind this is to allow the existing uses and buildings on the site to remain, but to restrict large scale expansion on the site. This is in keeping with the General Purpose statement of the proposed bylaw that states “Only Type 3 development contemplated by the Integrated Regional Growth Strategy within the Municipal Development Plan are allowed.”
- During the drafting of the proposed direct control district the applicant expressed a desire to have 30% as a maximum parcel coverage.
- The subject site is a +/- 5.12 acre parcel.
- There are no new servicing requirements for this proposal.
- Currently, there is a Millwork operation (including warehousing of raw materials for the Millwork operation) as well as an enviro bag business (which involves the bringing in, storage and shipping of bags used for the holding of construction waste) operating on the subject site. There is also a Single Detached Dwelling on the subject site that was issued a development permit in 1985. The draft direct control district lists Single Detached Dwelling as a use.
- Prior to the adoption of Land Use Bylaw 1385/17 the subject land was zoned Agricultural – Nature Conservation (A-NC). The A-NC district included a site-specific discretionary use listed as “Minor Warehousing and Manufacturing only on Lot 1, Plan 9520743.” This discretionary use was added to the A-NC District and approved by Council on July 30, 2013 (Bylaw 1302/13).
- Minor Warehousing and Manufacturing was defined in LUB 819/96 as “a wholly-enclosed commercial development which primarily involves the keeping of raw materials, finished goods, and associated machinery and equipment and the processing of raw or finished materials, the manufacturing or assembly of goods, products and equipment. Without restricting the generality of the foregoing, typical developments could include small businesses associated with metal fabrication, cabinet and furniture making, electronics, textiles and other small businesses of a similar nature.”

External Communication

- The application has been circulated to internal County departments, external agencies, and to the City of St. Albert. All comments received expressed support for the application.
- Notifications for the Public Hearing were placed in the November 14th and 21st editions of the *Free Press* and *Redwater Review* as well as the

November 15th and 22nd editions of the *St. Albert Gazette*, in accordance with the *Municipal Government Act*.

- The Newspaper Ad was posted on the Sturgeon County Website until the Public Hearing date.
- Letters were also sent out to landowners within 800 metres of the subject lands notifying them of the Public Hearing.

Relevant Policy/Legislation/Practices:

Municipal Government Act, R.S.A. 2000 c.M-26, and amendments thereto (MGA) authorize Council to establish and amend Bylaws.

Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.

Municipal Development Plan – Bylaw 1313/13

- Generally, the MDP supports the proposal to amend the Land Use Bylaw to DC9. DC9 is drafted in a way to allow what currently exists on site. The district limits all future development to Non-Residential Type 3 development as stated in the MDP. Ways in which DC9 achieves this is by limiting the maximum building site coverage allowed to 20% and exterior storage shall not exceed 2%.
- Since no Local Planning Document (i.e. ASP) exists for the subject lands, the County's Municipal Development Plan (MDP) provides overarching land use policy direction for the area. Some of the relevant MDP policies are listed below for reference.

Planning Framework:

RG 1.1 Implementing Strategic Decision Making

1.1.1 Shall apply the objectives of the Integrated Regional Growth Strategy (IRGS) as a way to evaluate proposed developments and ensure that targeted growth areas for Residential, Non-Residential, and Primary Industry development are supported. Proposed amendments shall demonstrate achievement of the IRGS objectives through application of Municipal Development Plan (MDP) Community Guiding Principles and distinctive Neighbourhood Roles (see Figure 4 – Regional Concept Map p.25).

- IRGS objectives include locating types and scales of development based on both regional and local considerations and opportunities, as well as to promote and facilitate growth of strategic Development Parks that increase long-term viability of key County industries. The IRGS Concept map, on page 25 of the MDP, does not identify this area as a Non-residential Type 1 or 2 area, so limiting the scope and impact of

industrial uses for this specific site aligns with the Integrated Regional Growth Strategy (IRGS) map and objectives within the MDP, and the opportunity for other industrial developments in the County's industrial parks are not taken away.

EH 5.2 Promoting an Integrated Economy

5.2.4 Should collaborate with local businesses to identify opportunities for developments to relocate, redevelop, intensify, expand and remain, where the activity supports the local Neighbourhood Development Strategy and is in keeping with the aims of the IRGS.

- Restricting the scale of the business allowed on the subject site through the Direct Control District will limit potential future development to Non-Residential Type 3 as described in the MDP. This is in keeping with the aims of the IRGS.

5.5.14 May consider Non-Residential development on a case-by-case basis (without the adoption of a Planning Document) provided that no subdivision is proposed, that there are no service upgrades required and that there is demonstrated support from the local community

- There is no subdivision application associated with this LUB Amendment application, and draft Direct Control District 9 states that no subdivision of the site shall be permitted. The existing site does not require water or wastewater servicing, nor does the proposal. The public hearing will provide an opportunity for the community to provide input.

Implementation Framework:

Neighbourhood G

The subject parcel is located within Neighbourhood G in the MDP and is within PGA Future Growth 2 area. These lands present limited future residential influence within Sturgeon County. Future residential development will require infrastructure upgrades and connection to existing servicing networks that are not easily accessed through Sturgeon County.

G.4(d) Directing Non-residential industrial types to locate in the existing Non-Residential Development Park. Sturgeon County shall give planning priority to land contiguous to existing Non-residential Development Parks or as identified in Regional Planning Documents, when there is a demonstrated need to expand Non-Residential industrial opportunities in the Neighbourhood.

	<ul style="list-style-type: none"> Given that the subject site is existing development and the proposed Direct Control District limits the potential expansion on the site, the proposal can be considered to support this section of the MDP.
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Implication	<p><u>Strategic Alignment:</u></p> <p>Planned Growth and Prosperity Goal 2.2 – Sturgeon County fosters growth through the Integrated Regional Growth Strategy Strategy 2.2.2 – Promote land use activities that provide a positive return on investment and facilitate the development of a complete community</p> <p>By limiting the Direct Control Bylaw to industrial uses within the parameters of Non-residential Type 3 development as described in the MDP (and similar to the historical use of the subject site), the County encourages maximum development of the County’s Industrial Parks.</p> <p>Planned Growth and Prosperity Goal 2.3 – Sturgeon County balances the demand for new infrastructure while managing investment in current assets Strategy 2.3.1 – Encourage maximum development around existing County infrastructure</p> <p>By limiting the Direct Control Bylaw to industrial uses within the parameters of Non-residential Type 3 development as described in the MDP (and similar to the historical use of the subject site), the County encourages maximum development of the County’s Industrial Parks.</p> <p><u>Organizational:</u></p> <p>Administration will work with the applicant to address any relevant concerns raised at the Public Hearing.</p>
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Follow up Action	<ol style="list-style-type: none"> Administration will work with the applicant to address any relevant concerns raised at the Public Hearing. Administration will bring this item back to Council in the near future for consideration of second reading and third reading.
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Attachment(s)	<ol style="list-style-type: none">1. Public Hearing Information Insert2. Bylaw 1397/173. Bylaw 1397/17 – Schedule A4. Land Use Bylaw 1385/17 Excerpt DC15. Pictometry of the Subject Site
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Report Reviewed by:	 Clayton Kittlitz, Manager Planning & Development  Collin Steffes, Acting General Manager of Integrated Growth  Peter Tarnawsky, County Commissioner – CAO
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