



Request for Decision

Title	Bylaw 1397/17 - Bokenfohr Redistricting Application (Second and Third Reading)
Proposed Motion	<p>1. That Council give second 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.”</p> <p>2. That Council give third 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.”</p>
Administrative Recommendation	That Council approve second and third reading to Bylaw 1397/17 as it aligns with the Municipal Development Plan.
Previous Council Direction	<p>Motion 431/17 – October 24, 2017</p> <p>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.”</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • 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. • The Public Hearing occurred on November 28, 2017. No public submissions were received for the Public Hearing and no members of the public attended the Public Hearing. • During the Public Hearing there was discussion involving the definition of Light Industrial. The applicant expressed a concern with the wording in the definition that activities on the site “cannot be detected” and that this wording leaves no room for minor sounds such as a dust extraction unit that is mounted on the side of one of the buildings on the subject site. • Administration suggests changing the wording of this section of the DC9 district to read: “Light Industrial means an indoor industrial or manufacturing activity which, in the opinion of the Development Authority, is of limited impact...” This is consistent with the wording in section 2.7e of DC9. • 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.” A copy of that district is attached to this RFD. Council is the decision-making authority in the DC1 District and can approve *any use deemed appropriate by Council*. 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 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) 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.
- 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.”

- 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.

External Communication

- The application has been circulated to internal County departments, to external agencies, and to the City of St. Albert. All comments received expressed support for the application.
- Notification for the Public Hearing was in the November 14 and November 21, 2017 editions of the *Free Press* and the November 15 and 22, 2017 editions of the *Gazette*, in accordance with the *Municipal Government Act*. The Public Hearing Notice was also placed on the Sturgeon County website. In addition, letters were sent to all landowners within 800 metres of the subject lands notifying them of the time and date of the Public Hearing.

Relevant Policy/Legislation/Practices:

The *Municipal Government Act*, R.S.A. 2000 C.M-26, and amendments thereto authorize Council to establish and amend Bylaws.

Section 692 of the *Municipal Government Act*, R.S.A 2000 C.M-26 and amendments thereto 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 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 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.

	<p><i>Implementation Framework:</i></p> <p>Neighbourhood G</p> <p>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.</p> <p>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.</p> <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.
<p>Implication of Administrative Recommendation</p>	<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>Alternatives Considered</p>	<p>Council can refuse to grant second reading of the bylaw, which would result in the current application being terminated.</p>

Implications of Alternatives	<u>Organizational:</u> <ul style="list-style-type: none"> Administration will close the amendment file and ensure that the applicant operates within the current zoning.
Follow up Action	Administration will ensure that the Land Use Bylaw is amended accordingly.
Attachment(s)	<ol style="list-style-type: none"> Bylaw 1397/17 DC9 – Schedule ‘A’ DC1 – Direct Control District 1 - General Air Photo of Subject Site
Report Reviewed by:	 Clayton Kittlitz, Manager Planning and Development  Collin Steffes, Acting General Manager Integrated Growth  Rick Wojtkiw, GM Corporate & Acting CAO

Strategic Alignment Checklist

Vision: Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

Mission: Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
Strong Local Governance and Regional Leadership			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Consistent with neighborhood role (see MDP), master plans, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Respect the Natural Environment			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers cumulative costs and long-term funding implications</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>