

Request for Decision

Title	Bylaw 1371/16 – On-Track Railway Services Redistricting Application (Second and Third Readings)
Proposed Motion	<p>1. That Council give second reading to Bylaw 1371/16 to rezone Lot 1, Block 1, Plan 0226804 from Intermunicipal Fringe District - A (IMF-A) to Specific - Development Control District - Fifteen.</p> <p>2. That Council give third reading to Bylaw 1371/16 to rezone Lot 1, Block 1, Plan 0226804 from Intermunicipal Fringe District - A (IMF-A) to Specific - Development Control District - Fifteen.</p>
Administrative Recommendation	That Council approves second and third reading of Bylaw 1371/16
Previous Council Direction	<p>November 8, 2016 – Motion 403/16:</p> <p>That Council give first reading to Bylaw 1371/16 to rezone Lot 1, Block 1, Plan 0226804 from Intermunicipal Fringe District - A (IMF-A) to Specific - Development Control District - Fifteen.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> ▪ On February 17, 2016, ISL Engineering and Land Services Ltd., on behalf of On-Track Railway Services (OTRS), submitted an application to rezone Lot 1, Block 1, Plan 022 6804 and portion of Lot 1, Block 1, Plan 162 0404 from IMF-A District to I-R District. ▪ On September 9, 2016, the Applicant revised the original application to only include Lot 1, Block 1, Plan 022 6804 as the new LUB proposes to correct the zoning for the portion of Lot 1, Block 1, Plan 162 0404. The Applicant also changed the application to rezone to Specific – Development Control District Fifteen instead of Industrial Rural District. ▪ The proposed rezoning would enable OTRS’ existing operations to expand to the southern site. ▪ Administration generally supports railway uses on the subject parcels, but not for general industrial uses and other non-railway related uses such as those currently listed in the I-R District. Increasing the amount of land zoned I-R was not advisable given the amount (+2,070 acres) of vacant land zoned I-R in the Sturgeon Industrial Park (SIP) which is 7 km away. SIP is an area where the County has invested significantly in infrastructure to encourage development in that area.

- Currently the subject site is a rural area with residents living in the vicinity. New or expanded development will likely impact residents in the area. Specifically, rail uses have an impact. In the past, the County has received noise complaints from residents in the area. Sturgeon County roads are also impacted by the volume and weight of vehicles using roads in the area.
- There is currently no Area Structure Plan for this area, however, On-Track has expressed an interest in submitting an Area Structure Plan for this area in the future.
- Alberta Transportation (AT) has stated that any future development on the site will require a Roadside Development Permit and that a full review of the Traffic Impact Assessment (TIA) will be required by AT.
- Alberta Environment and Parks (AEP) has stated that the rezoning stage does not trigger a requirement for a wetland assessment, but at the development permit stage the applicant should be submitting an application to AEP for *Water Act* Approval, as there may be two wetlands and a natural drainage channel that flows through the property.
- Detailed design drawings will be required for the proposed rezoned lands which incorporates offsite ditch improvements to be completed by the developer that will allow optimization of overland drainage for the parcel of land being rezoned.
- Sturgeon County's Economic Development Department is supportive of a Site-Specific Development Control District that would allow OTRS to develop the land in support of railway services in the area.
- The Applicant has stated that their business model and existing 'synergies' necessitate adjacency to the railway line linking Edmonton and Fort McMurray – something that cannot be achieved through relocation elsewhere.
- The Public Hearing for the redistricting application occurred on December 13, 2016 at 1:30 pm. No one registered to speak at the hearing and only one (1) letter was received (from CN). That letter stated: "CN has no comments or objections regarding the application to allow rail-related industrial uses. However, please note that CN is not in a position to agree or disagree to provide rail connections and or service until the proponent provides CN with a conceptual track plan and further details."

Note: *All members of Council participated in the public hearing and may participate in the voting on second and third reading.*

External Communication

- Notifications for the Public Hearing were placed in the November 15 and November 23, 2016, editions of the *Free Press*, in accordance with the *Municipal Government Act*.
- In addition, the Public Hearing Notice was posted on the Sturgeon County Website.

- Letters were also sent out to landowners within 800 metres of the subject lands notifying them of the Public Hearing.

Relevant Policy/Legislation/Practices:

- The *Municipal Government Act*, RSA 2000 c.M-26, as amended, authorizes Council to establish and amend bylaws.
- Section 692 of the *Municipal Government Act*, RSA 2000 c.M-26, as amended, requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.
- Section 17(1) of the Capital Region Board Regulation issued under the *Municipal Government Act*, prevents a participating municipality from making a bylaw or passing a resolution in conflict with the Capital Region Growth Plan.

Municipal Development Plan(MDP) – Bylaw 1313/13:

- Since no Local Planning Document (i.e. ASP) exists for the subject lands, the County's MDP provides overarching land use policy direction for the area.
- Generally, the MDP supports the proposal to amend the Land Use Bylaw to Specific Development Control District - Fifteen. Some of the relevant policies in the MDP 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 uses to rail related only, and limiting all future development to Non-Residential Type 3 (as stated in the 'Purpose' of the bylaw amendment), aligns with the Integrated Regional Growth Strategy (IRGS) map and objectives within the MDP. By limiting the uses to rail related only, opportunity for other industrial developments in the County's industrial parks are not taken away.

EH 5.2 Promoting an Integrated Economy

5.2.1 Shall promote the growth and expansion of value-added agriculture, manufacturing, advanced energy, transportation and logistics, where the associated development is strategically located and supportive of the IRGS.

- The subject site is strategically located on the rail line to Fort McMurray and adjacent to On-Track's current operation.

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.

- The proposal supports the local Neighbourhood Development Strategy (Neighbourhood H) and the aims of the IRGS.

5.4.4 Shall require a Local Planning Document for Non-Residential subdivision and development proposals on Greenfield Lands, where the proposed development is not contained or does not conform to a Regional Planning

Document or the Land Use Bylaw. (For applications regarding Non-Residential development parks see policy 5.4.2.).

- The applicant has expressed an interest in submitting an Area Structure Plan for this area in the future. Administration supports the notion of ASP level planning in this area to manage the growth and development pressure that is occurring.

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 Specific Development Control District Fifteen states that no subdivision shall be allowed on the site unless an ASP is approved. The current On-Track development to the north does not require water or wastewater servicing, and the proposal does not require any additional servicing. The public hearing will provide an opportunity for the community to provide input.

Implementation Framework:

Neighbourhood H

H4 – Economic Health Outcome - Supporting Non-Residential development and associated service delivery out of Namao

H.4(f) Giving regard to development opportunities for existing Non-residential operations, where development objectives are local in nature and do not initiate regional infrastructure expansion not contemplated in the Capital Region Growth Plan.

	<ul style="list-style-type: none"> ▪ The development does not trigger requirements to expand or extend water and wastewater infrastructure at the regional or local levels as the existing development is not connected to local or regional water and wastewater services. The proposed expansion does not require connection to services. ▪ The proposed land use bylaw amendment does not trigger upgrade to the intersection of Highway 37 and RR 234 or the upgrade of Range Road 234. Having said this, at the development permit stage, given the proximity of the subject lands to Highway 37, a Roadside Development Permit is required prior to County issuance of any development permits. Depending on the details of any development permit application, AT and/or the County may require an updated Traffic Impact Assessment at that time.
<p>Implication of Administrative Recommendation</p>	<p><u>Strategic Alignment:</u></p> <p>Planned Growth and Prosperity</p> <p>Goal 2.2 – Sturgeon County fosters growth through the Integrated Regional Growth Strategy</p> <p>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>Goal 2.3 – Sturgeon County balances the demand for new infrastructure while managing investment in current assets</p> <p>Strategy 2.3.1 – Encourage maximum development around existing County infrastructure</p> <ul style="list-style-type: none"> - By limiting the Specific - Development Control District Bylaw to rail-related uses only, Sturgeon County encourages maximum development of the County’s Industrial Parks, and in particular SIP, where the County has invested significantly in infrastructure and the land is already zoned Industrial – Rural.
<p>Alternatives Considered</p>	<p>Council may refuse to grant second reading of the bylaw, which would result in the current application being terminated.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <p>If Council refused to grant second reading the proposal would be defeated.</p> <p><u>Organizational:</u></p> <p>Administration will close the amendment file and ensure that the applicant operates within the current zoning.</p> <p><u>Financial:</u></p> <p>Administration will close the amendment file.</p>
<p>Follow up Action</p>	<p>Administration will ensure that the LUB is amended accordingly.</p>

Attachment(s)	1. Bylaw 1371/16 2. Bylaw 1371/16 Schedule A
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Report Reviewed by:	 Clayton Kittlitz, Manager of Current Planning & Development Services  Stephane Labonne, General Manager of Integrated Growth  Peter Tarnawsky, County Commissioner – CAO
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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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (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 type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>