

**BYLAW 1597/22
AMENDMENT TO LAND USE BYLAW 1385/17
STURGEON COUNTY, MORINVILLE, ALBERTA**

A BYLAW OF STURGEON COUNTY, ALBERTA, FOR THE PURPOSE OF AMENDING THE LAND USE BYLAW 1385/17.

WHEREAS, the *Municipal Government Act*, RSA 2000 c M-26, any regulations thereunder, and any amendments or successor legislation thereto, authorize Council to establish and amend the Land Use Bylaw 1385/17;

AND WHEREAS, the Council of Sturgeon County has directed Administration to amend Land Use Bylaw 1385/17;

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

- 1.1. This Bylaw may be referred to as the “Diversified Agriculture Amendments to Land Use Bylaw 1385/17”.

2. Purpose

- 2.1. The purpose of this Bylaw is to amend the Land Use Bylaw to add diversified agriculture and other related changes, including revising and adding definitions, terminology, and regulations related to diversified agriculture.

3. Application

- 3.1. Land Use Bylaw 1385/17 is amended as follows:

- a. In section 1.6 add the following terminology for an *Event*:

Event means a limited term commercial activity or gathering that may include entertainment, food and beverage services, additional parking, and other additional services. Examples may include weddings, ceremonies, retreats, parties, corporate functions, concerts, tradeshow, markets, and farm-to-table dinners.

- b. In section 1.6 revise the terminology of *Guest Unit* to:

Guest unit means an attached or detached room, cottage, cabin, yurt, or campsite that is designed to be used as temporary accommodations for one or more people. All guest units provide for sleeping and sanitation, although sanitation may be provided through shared bathrooms. A guest unit may be equipped with a partial kitchen.

- c. In section 1.6 revise the terminology of *Campsite* to:
Campsite means a delineated area or site typically within a campground intended for occupancy by tents and recreational vehicles on a limited temporary basis, and is ancillary to an approved use of the parcel.
- d. In section 1.6 add the following terminology for *Value Added Agricultural Processing*:
Value Added Agricultural Processing means storage and upgrading of agricultural products for distribution or sale through value added processes such as mixing, drying, canning, fermenting, applying temperature, chemical, biological or other treatments to plant matter, the cutting, smoking, aging, wrapping and freezing of meat, or similar production methods.
- e. Revise section 5.13.1 to:
In addition to the requirements of subsections 2.4.1 and 2.4.2, the Development Authority may require the applicant for a development permit within an industrial district or for an industrial use to provide the following information in addition to the general requirements of the application for a development permit:
- f. Add section 6.7A – Diversified Agriculture, Intensive Agriculture, and Agriculture Support Services as follows:
 - 1. A development permit application for *Diversified Agriculture* and *Agriculture Support Service* shall include a detailed proposed plan for the development area that includes but is not limited to:
 - a. Hours and season of operation;
 - b. peak site visits;
 - c. anticipated noise;
 - d. traffic volume and routing;
 - e. servicing;
 - f. site plan showing existing and proposed buildings, including outdoor areas open to the public;
 - g. signage;
 - h. occupancy of all current or proposed buildings including temporary buildings and farm buildings;
 - i. equipment and/or material storage;
 - j. number of employees;
 - k. number of commercial vehicles; and
 - l. and any other information that the Development Authority considers necessary.
 - 2. The business shall not generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority.
 - 3. The Development Authority shall create an intensity matrix to assist in determining impacts of proposed development and may require conditions of development in accordance with section 2.9. The intensity matrix should also

be used to determine a proposal's use between the *Intensive Agriculture*, *Diversified Agriculture* and *Agriculture Support Service* uses.

- g. Add section 6.11A – Event Venue & Community Building
- 1- The business shall not generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. 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.
 - 2- The Development Authority may require any or all of the following with a development permit application or as a condition for an event venue or community building:
 - a. Operations outline or plan, including number of attendees, peak site visits, hours and season of operation, signage, and servicing;
 - b. Traffic impact assessment;
 - c. Emergency response plan;
 - d. Surveyed site plan;
 - e. Noise impact assessment. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required;
 - f. Community and neighbourhood consultation plan; and/or
 - g. any other information required by the *Development Authority*.
 - 3- Development shall provide adequate garbage receptacles and resources, to remove all garbage from the parcel.
- h. Remove subsection 6.37A.7
- ~~Visitor accommodation excludes the use of a recreational vehicle for overnight accommodation.~~
- i. In Part 9 add the following regulations to the Commercial table:

Commercial	Minimum number of parking stalls
Diversified Agriculture	2 per 100m ² of Gross Floor Area of public buildings and 0.5 per 100m ² of outdoor areas open to the public. or At the discretion of the Development Authority in consideration of a parking assessment
Event Venue	1 per 3 seating capacity

- j. ~~In section 11.1.2 add the use of *Event Venue* as a discretionary use:~~

- j. In section 11.1.2 add the use of *Diversified Agriculture* as a permitted use:
- k. Add AG 2 – Agriculture 2 district attached in Appendix 1 as section 11.1A
- l. In section 13.1.2 add the use of *Community Building* as a permitted use:
- m. In section 13.2.2 add the use of *Community Building* as a permitted use:
- n. In section 13.3.2 add the use of *Community Building* as a permitted use:
- o. In section 15.2.2 add the use of *Community Building* as a discretionary use:
- p. In Part 18 revise the definition of *Agricultural Support Service* to:

Agricultural Support Service means the use of land, buildings and structures for the purposes of supplying and selling of goods, materials, services ~~or processing (e.g. an abattoir)~~ directly and primarily related to the agricultural industry. The intensity of the operations has significant land, transportation or water demands and may include off-site impacts that are licensed under provincial or federal regulations. Typical uses include abattoirs; fertilizer plants; sale, cleaning and storage of seed and feed. This may include ancillary uses, including, but not limited to, office, sales, technical, administrative support, storage or warehousing. This does not include Cannabis Production and Distribution or Cannabis Retail Sales or general industrial.

- q. In Part 18 add the following definition for *Event Venue*:

Event Venue means a use primarily intended to hold events and includes the provision of facilities to enable entertainment, public assembly, and/or the preparation of food and beverage services. This use does not include bed and breakfast, recreation facilities, visitor accommodation, or home-based business.

- r. In Part 18 add the following definition for *Diversified Agriculture*:

Diversified Agriculture means an agricultural use that brings additional traffic or impacts to the parcel than activities anticipated in the *Extensive livestock* or *Extensive and Intensive agriculture* uses. Typical activities include value added agricultural processing, retail sales of agricultural products and products complementary and accessory to the agricultural use, and allows for commercial experiences related to the enjoyment, education, or activities and events related to farming or farm life but does not include events that are not primarily agricultural in nature such as weddings, retreats, ceremonies and corporate functions. This use does not include home based business, visitor accommodation, intensive agriculture, event venue, agriculture support services, Cannabis Production and Distribution, or Cannabis Retail Sales.

- s. In Part 18 revise the definition of *Community building* to:

Community building means a building used for recreational, social, arts, events or multi-purpose use without fixed seats and primarily intended for local community purposes. Typical uses include community halls, community centres, and community league buildings.

- t. In Part 18 revise the definition of *Recreation facility, indoor* to:

Recreation facility, indoor means a facility in which the public participates in recreational activities within a building. Typical uses include amusement arcades, billiard or pool halls, bowling alleys, racquet courts, swimming pools, gymnasiums, simulated golf facilities, and arenas. This may include retail sales and eating and drinking establishments as an accessory use. This use does not include an Event Venue or Community Building.

- u. In Part 18 revise the definition of *Religious assembly* to:

Religious assembly means a development used for religious worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation, events, and service facilities, parish house, classrooms, dormitories and other buildings. Typical uses include churches, mosques, temples, synagogues, convents and monasteries.

- v. In Part 18 revise the definition of *Resort* to:

Resort means a commercial development which offers guest and staff accommodation as well as complementary recreational opportunities. The resort may include eating and drinking establishments, concessions, event venue and picnic areas. This use does not include a Cannabis Consumption Venue.

- w. In Part 18 revise the definition of *Intensive agriculture* to:

Intensive agriculture means a horticultural operation ~~which may be accessory to an extensive agriculture or extensive livestock use that,~~ generally operates on smaller tracts of land. Without restricting the generality of the foregoing, this may include nurseries, greenhouses, market gardens, u-pick farms, tree farms, ~~fish farms, stud farms and sod farms.~~ This use accommodates minimal site visits, typically on a seasonal basis, ~~to an agricultural parcel for customers for the purchasing of strictly onsite farm products.~~ This does not include Cannabis Production and Distribution or Cannabis Retail Sales.

4. Severability

- 4.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

5. Effective Date

5.1. This Bylaw shall come into force upon being passed.

Read a first time this 3rd day of May, 2022.

Read a second time this 13th day of September, 2022.

Read a third time this ____ day of _____ 20__.

Alanna Hnatiw
MAYOR

Reegan McCullough
COUNTY COMMISSIONER

DATE SIGNED

Appendix 1

11.1A AG 2 - AGRICULTURE 2 DISTRICT



.1 General Purpose

This district accommodates diversified agricultural development that has a greater effect on local road infrastructure and neighbouring parcels due to increased levels of traffic and visitors...

AG-Major are tracts of land 16ha (39.5ac) or larger in size;

AG-Minor are parcels between 4ha (9.8ac) and 15.9ha (39.3ac); and AG-Residential are parcels smaller than 4ha (9.8ac).

AG-Residential are parcels smaller than 4ha (9.8ac).

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Agricultural support service</i>	<i>Accessory Dwelling Unit</i>
<i>Auctioneering establishment</i>	<i>Cannabis production and distribution, micro</i>
<i>Bed and breakfast</i>	<i>Event Venue</i>
<i>Community garden</i>	<i>Topsoil screening</i>
<i>Diversified Agriculture</i>	
<i>Dugout</i>	
<i>Dwelling, single detached</i>	
<i>Event Venue</i>	
<i>Equestrian facility</i>	
<i>Farm help accommodation</i>	
<i>Intensive agriculture</i>	
<i>Kennel and animal boarding</i>	
<i>Landscaping contractor service</i>	
<i>Veterinary clinic</i>	
<i>Visitor accommodation</i>	

* Refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

At the discretion of the *Subdivision Authority*, as per section 11.1.3 of the AG – Agriculture District.

.4 Development Regulations

<i>Front yard and flanking front yard setbacks</i>	<i>Principal building</i>	35m (114.8ft)
	<i>Accessory building or accessory, agricultural building</i>	20m (65.6ft)
<i>Side yard and rear yard setbacks</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building or accessory, agricultural building</i>	3m (9.8ft)

.5 Additional Development Regulations

- a. All development in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.