

Request for Decision

Title	Agribusiness and Agritourism Review Recommendations Implementation - Bylaw 1597/22 - Amendment to Land Use Bylaw 1385/17 – Diversified Agriculture - Third Reading
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give third reading of Bylaw 1597/22. 2. That Council approve the Agribusiness and Agritourism Implementation Communications Strategy as presented. 3. That Council authorize the Mayor to pursue a resolution to the Rural Municipalities of Alberta (RMA) requesting a provincial review of agribusiness and agritourism regulations, including consideration of provincial requirements that may serve as an impediment to an agricultural producer’s transition into diversified agribusiness activities.
Administrative Recommendation	<p>Administration recommends that Council give third reading of Bylaw 1597/22, which reflects the Land Use Bylaw-related recommendations of the Agribusiness and Agritourism Review Task Force and the results of the subsequent Public Hearings and administrative review process.</p> <p>Administration also recommends that Council approve the proposed Agribusiness and Agritourism implementation communications strategy, and that Administration commence implementation.</p> <p>Further, Administration recommends that the Mayor be authorized to pursue a resolution to the Rural Municipalities of Alberta (RMA) requesting a provincial review of agribusiness and agritourism regulations, including consideration of flexibility in provincial requirements that may serve as an impediment to an agricultural producer’s transition into diversified agribusiness activities.</p> <p>Note that Administration does not recommend waiving fees for operators who wish to apply for required permits to come into compliance with municipal regulations. If Council desires such a motion, proposed wording is provided in the alternative section of this report.</p>
Previous Council / Committee Direction	<p><u>September 13, 2022 Regular Council Meeting</u> Motion 339/22: That Council give second reading of Bylaw 1597/22 as amended.</p>

Motion 340/22: That Council schedule a Regular Council Meeting on October 6, 2022 at 5:00 p.m. in Council Chambers for the purpose of holding a second Public Hearing for Bylaw 1597/22.

May 3, 2022 Regular Council Meeting

Motion 187/22: That Council give first reading of Bylaw 1597/22.

April 12, 2022 Regular Council Meeting

Motion 130/22: That Council direct Administration to bring forward amendments to the Land Use Bylaw that would enact associated Agribusiness and Agritourism Review Task Force recommendations at the May 3, 2022 Council meeting, for consideration of first reading and scheduling of a Public Hearing.

March 9, 2021 Regular Council Meeting

Motion 118/21: That Council initiate an agribusiness and agritourism review, supported by a community-based Task Force as defined in proposed Bylaw 1538/21.

Report

Background Information

- Sturgeon County has long supported agricultural operators and their success, while honouring and protecting quality of life in the community.
- Agritourism is a business model that is growing in popularity as agricultural producers recognize a need and opportunity to diversify their operations and supplement their incomes. In addition, there is a growing public interest to engage in rural experiences and outdoor recreational activities. By combining agriculture and tourism, agritourism offers rural experiences to urban residents and economic diversification to farmers.
- In supporting such activity, municipal decision makers must also balance neighbourhood impacts and potential concerns related to greater noise, traffic, and other impacts that could change the overall character of a community.
- In 2021, Council launched a review to assess the mechanisms that Sturgeon County could use to better enable agricultural operators to diversify their operations and income streams and have investment certainty. Council also heard of a rising need to understand and manage the impacts of such operations on neighbouring properties looking to protect and preserve quality of life.
- On March 9, 2021, Council passed Bylaw 1538/21, which supported an Agribusiness and Agritourism Review to be conducted through a community-based Task Force.
- The scope of the Agribusiness and Agritourism Review, and the Task Force, was to:
 - Evaluate the current state of agribusiness and agritourism in Sturgeon County, including economic impact; any real or

- perceived barriers to agribusiness or agritourism growth and success; and identify the needs and expectations of Sturgeon County's businesses and landowners;
- Review local, provincial, and national agribusiness and agritourism regulatory best practices;
 - Investigate and recommend appropriate licensing requirements or regulations related to hosting events on agricultural parcels;
 - Evaluate the real or perceived impacts (positive and negative) that agribusiness and agritourism operations of different types and sizes have on surrounding landowners;
 - Recommend and undertake an engagement and communication strategy with key stakeholders;
 - Produce a "What We Heard" report summarizing the consultation feedback and comments; and
 - Present a Final Report containing the Task Force findings and recommendations on potential regulations and policy for Council consideration.
- On April 12, 2022, the Agribusiness and Agritourism Review Task Force presented its Recommendations Report to Council. Administration was directed to take the recommendations and provide proposed bylaw amendments and implementation requirements.
 - A summary of the status of implementation of the Task Force recommendations are below (for more details on each recommendation see the Final Report in Attachment 2):
 - **Recommendation 1 (Land Use Bylaw Amendments to Facilitate Diversified Agriculture)** – The proposed amendments to the Land Use Bylaw are captured within the next section of this Request for Decision and are provided in Bylaw 1597/22.
 - **Recommendation 2 (Public Communications Plan)** – A public communications plan, with associated implementation and resourcing requirements, has been created and brought forward for Council consideration concurrently with third reading of Bylaw 1597/22.
 - **Recommendation 3 (Temporary Fee Waivers for Existing Operators)** – Council may cancel fees and charges for existing operators. This motion has been brought forward for Council consideration as an option (not recommended) concurrently with third reading of Bylaw 1597/22.
 - **Recommendation 4 (Ongoing Economic Development Opportunities at Municipal Boards)** – At the May 12, 2022 Governance and Council Services Committee meeting, the Committee advised that it would await approval of Land Use Bylaw amendments prior to approving revised mandate letters for Boards and Committees.
 - **Recommendation 5 (Application Matrix Trial)** – Administration has prepared and will trial a matrix in the manner described in

the Task Force report. The intensity matrix has been designed to assist in determining impacts of proposed development and conditions of development. The intensity matrix will also be used to determine a proposal's use between the Intensive Agriculture, Diversified Agriculture, and Agriculture Support Service uses.

- Of note, for any operators who are currently operating non-permitted agritourism operations, this proposed bylaw would provide a pathway to come into Land Use Bylaw compliance. This does not negate the need for operators to secure permits and ensure building, parking, traffic, and other safety or nuisance related requirements are attended to.

Recommended Land Use Bylaw Amendments in Bylaw 1597/22 (Recommendation 1)

- In response to the Task Force's Recommendation 1, Administration prepared draft Land Use Bylaw amendments that reflected the recommendation while also ensuring functionality of the Land Use Bylaw (LUB) as a whole.
- The following specific amendments, supporting the Task Force recommendations, were included in Bylaw 1597/22, which was given first reading at the May 3, 2022 Council Meeting:
 - Create a Diversified Agriculture use to be placed within the AG – Agriculture district as a permitted use.
 - 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. 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.
 - Modify the definitions of Intensive Agriculture and Agriculture Support Service to ensure the distinction between the new Diversified Agriculture use.
 - Create regulations for Diversified Agriculture and Agriculture Support Service.
 - Create a new district AG 2 – Agriculture 2 district to provide an option to support agriculture developments that are a greater impact and intensity than typical uses under the AG - Agriculture district.
 - Create an Event venue use to be placed within the AG – Agriculture district as a discretionary use and within the AG 2 – Agriculture 2 as a permitted use.

- Add Community Building as a permitted use to commercial districts C1, C2, and C3 as permitted uses and to AP (Airport Support District) as a discretionary use.
- Modify the definitions of Community Building, Recreation Facility – indoor, Religious assembly, and Resort to better delineate due to the inclusion of Event Venues.
- Create regulations for Event Venues and Community Buildings.
- Additional proposed changes to the Land Use Bylaw, including:
 - Add / modify terminology for Value Added Agricultural Processing, Campsite, Guest unit, and Event;
 - Add / modify parking regulations;
 - Clerical change to Industrial uses; and
- **In response to the public comments from the June 14, 2022 Public Hearing**, at the September 13, 2022 Council Meeting, Council gave second reading of Bylaw 1597/22 with the following amendments:
 - Modified the inclusion of Event Venues within the AG 2 – Agriculture 2 to be a discretionary use instead of a permitted use and removed the inclusion of Event Venue use from the AG – Agriculture district. Essentially, this means that event venues would not be permitted within the AG district, and that event venues could occur in AG 2 district, but neighbours would have the ability to appeal approval of such a use.
 - Modified the proposed Diversified Agriculture definition to bring greater clarity by adding the words “but does not include events that are not primarily agricultural in nature, such as weddings, retreats, ceremonies, and corporate events” to the definition. Essentially, this means that weddings, retreats, ceremonies, and corporate events would not be permitted in the AG Agriculture General district.
 - Removal of the recreational vehicle restriction from the *visitor accommodation* regulations to better clarify within the Bylaw the intent of the recommendations.
- **In response to the public comments from the October 6, 2022 Public Hearing**, no amendments to Bylaw 1597/22 are proposed; however several clarifications in response to misunderstandings or mis-statements will be provided during the Council meeting and during pending public communications. These will include clarifications related to:
 - **Bylaw effect on private vs. commercial events and gatherings** – this bylaw has no effect on small private events. This includes Indigenous ceremonies that that have no commercial element (where tickets are sold, lands or buildings are rented, etc.).
 - **Bylaw effect on existing non-permitted businesses** – this bylaw enables such businesses to apply to have agritourism

activities. Without the bylaw, enforcement of the non-permitted activity would be necessary.

- **Bylaw effect on existing permitted businesses** – this bylaw has no effect on businesses that have existing permits for the activities occurring on their lands.
 - **Bylaw effect on traditional farming, such as raising of crops or livestock** – this bylaw has no effect on traditional farming; the bylaw relates to commercial activities.
 - **Bylaw effect on requirement for neighbour approval** – this bylaw has no effect on requirements for neighbour approval, other than noting which uses are permitted or discretionary (subject to appeal). Council makes zoning determinations based on public input and multiple other factors, and 100% support of neighbours is not a requirement.
 - **Requirements for operators who may wish to pursue agritourism following bylaw approval** – this bylaw enables operators to apply for an agritourism use or district, and then the appropriate permits. Application requirements may require submission of technical reviews and information.
 - **Bylaw effect on infrastructure requirements** – this bylaw has no effect on existing provincial or local requirements for safety or infrastructure upgrades that are the result of a business owner’s desired activities and visitor volumes.
- Overall, the proposed Land Use Bylaw amendments serve to:
 - Update terminology to enable agribusiness and agritourism applications and provide clear rules.
 - Enable agricultural diversification and enable (but limit) event venues in rural areas.
 - Make other consistency amendments within the bylaw.

Proposed Communications Plan (Recommendation 2)

- A Diversified Agriculture Bylaw Implementation Communications Strategy is provided within Attachment 2. This strategy describes the communication tactics that would be implemented, pending Council’s approval.
- The Strategy is intended to support the knowledge and clarity of County landowners, agritourism operators, event venue operators, and others related to how the bylaw does, and does not, affect them.

Provincial Advocacy on Agritourism (Recommendation 3)

- In parallel to the consideration of this Agribusiness and Agritourism Review, Council has considered how many of the regulations and incentives around the industry are not municipal in nature.
- Municipalities in Alberta have broad authority under the *Municipal Government Act (MGA)* to regulate local land use and to support

diversification. However, municipal and provincial support could be reviewed, potentially including:

- financial and non-financial incentives;
 - regulatory interface – local and provincial;
 - transitional building code or NRCB requirements (considering the difficulty for agricultural operators with farm buildings to transition to commercial building code – such as those which were never required to meet code, never had permits, poor documentation, etc.);
 - transitional taxation requirements (considering the costly infrastructure upgrades to safely accommodate high volumes of visitors); and
 - other elements as identified.
- As Sturgeon County proceeds, collaboration with other municipalities and the Province could be highly advantageous. In this regard, Council could support the Mayor in advancing a resolution to the Rural Municipalities of Alberta to advocate for a targeted review.

External Communication

- The Agribusiness and Agritourism Review was conducted over the past year, with review information included on the County's website, social media, signage, and print advertisements.
- The Task Force developed and presented a communications and engagement plan to Council for approval, which guided its engagement efforts. Engagement occurred throughout the review with a variety of stakeholders – operators, landowners, experts, and the public – to allow for input related to agribusiness and agritourism.
- Initial engagement included an online survey to provide awareness about the review and collect input on agribusiness and agritourism practices. Respondents were specifically asked to reflect on land use compatibility and issues such as noise, odour, traffic, and parking. Respondents were also asked to provide ideas on solutions to overcome obstacles relating to agritourism and agribusiness.
- When initial definitions and core criteria were developed, a second survey was provided to agritourism and agribusiness operators and area property owners. Information was mailed to 384 properties (36 agribusiness / event operators and 348 adjacent landowners), of which 39 responded to the survey.
 - The mailout also included an invitation for those who wanted to make a presentation to the Task Force. Fifteen people took advantage of the opportunity and either sent in their submissions or presented to the Task Force on January 20, 2022.
- The June 14, 2022 Public Hearing for this Bylaw was advertised in the *Morinville Free Press* and *Redwater Review* for two consecutive weeks (June 1 and June 8, 2022) in accordance with the advertising requirements of section 606 of the *Municipal Government Act* (MGA).

- Comments were requested from the County’s Economic Development Advisory Board and Agricultural Service Board on the proposed amendments. Both Boards expressed overall support for the proposed amendments.
- The October 6, 2022 Public Hearing for this Bylaw was advertised in the *Morinville Free Press*, *Redwater Review* and in the *St Albert Gazette* for two consecutive weeks (September 21 and September 28, 2022) in accordance with the advertising requirements of section 606 of the *Municipal Government Act* (MGA).
- The What We Heard Report – Public Hearings (Attachment 4) details the comments received during the Public Hearings.
- Previous Task Force engagement activities and results are referenced with the Task Force’s Final Report (Attachment 3). This includes information that the Task Force assessed related to other Canadian jurisdictions, such as those within Ontario and BC.

Relevant Policy/Legislation/Practices

- Bylaw 1538/21 – Agribusiness and Agritourism Review Task Force Bylaw
- Agribusiness and Agritourism Review Task Force Final Recommendations Report
- Sturgeon County Strategic Plan
- Sturgeon County Land Use Bylaw
- Sturgeon County Economic Development Strategy

Implication of Administrative Recommendation

Strategic Alignment:

Planned Growth – The Task Force recommendations and amendments to the Land Use Bylaw are meant to provide future-focused planning and investment certainty for those in agribusiness and agritourism industries. Sturgeon County desires to be a low-cost, internationally competitive location to conduct business.

Collaborative Governance – Having community members engaged in the Task Force showcases a collaborative and transparent approach to governance while retaining Council authority and decision-making. Resident engagement in policy formation was a key facet of the process.

Organizational Excellence – The Task Force’s report is designed to position the municipality well into the future, to proactively respond to opportunities and challenges. The proposed land use bylaw amendments attempt to apply the Task Force’s recommendations while reflecting the public opinion expressed at the first Public Hearing.

Organizational:

Providing more intensive uses of agricultural lands may increase volumes of both permit applications and complaints, which may require additional staff resources over time.

Financial:

Allowing more intensive uses of agricultural lands may trigger increased impacts to transportation and utility networks. These impacts would require consideration on a case-by-case basis.

<p>Alternatives Considered</p>	<p>Council could choose not to support amendments to the Land Use Bylaw, the communications strategy, or the RMA resolution.</p> <p>Council could choose to waive municipal fees for rezoning and/or development permitting for 2022, for existing agritourism, agribusiness and event venue operators needing to come into compliance with the new regulations. If supported, a potential motion would be:</p> <p>“That Council direct Administration to waive municipal fees for rezoning and/or development permits during 2022, for existing agritourism, agribusiness and event venue operators seeking to comply with municipal regulations”.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment</u> Planned Growth and Collaborative Decision Making:</p> <ul style="list-style-type: none"> • Choosing not to support the enablement and clarity of event venue and agritourism related uses would result in a lack of ability for agritourism operators to seek compliance, and continued investment and neighbour uncertainty within the County. • Choosing not to approve the proposed Communications Strategy could impact stakeholder awareness and acceptance. • Choosing not to support an RMA resolution would result in a missed opportunity for provincial collaboration and support. • Choosing to waive fees and charges for existing operators would be inconsistent with past practice, and potentially create real or perceived inequities. At this time, it is believed that three or fewer operators across the County would fall into this category. <p><u>Organizational</u> If bylaw amendments are not approved, additional time would be required to enforce uses and activities not currently defined or regulated in the Land Use Bylaw. If the Communications Strategy or RMA resolution are not approved, Administration would not proceed with either.</p> <p><u>Financial</u> Potential for increased enforcement of non-compliant uses, incurring both legal and other related costs. If fees and charges are waived, fee revenue for those applications would be lost.</p>
<p>Follow up Action</p>	<ol style="list-style-type: none"> 1. Implement the Agribusiness and Agritourism Review: Diversified Agriculture Bylaw Implementation Communications Strategy (Corporate Communications & Planning & Development Services, Q4 2022). 2. Bring forward report on the application and results of an intensity matrix pilot (Planning & Development Services, in August 2024).
<p>Attachment(s)</p>	<ol style="list-style-type: none"> 1. Attachment 1: Bylaw 1597/22 2. Attachment 2: Agribusiness and Agritourism Review - Diversified Agriculture Bylaw Implementation Communications Strategy 3. Attachment 3: Agribusiness and Agritourism Review - Task Force Recommendation Report

4. Attachment 4: Agribusiness and Agritourism Review – Council Public Hearings What We Heard Report

**Report Reviewed
by:**

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Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>