

## Request for Decision

<b>Title</b>	<b>Bylaw 1606/22 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of Lot 3, Block 1, Plan 0324168 from AG – Agriculture District to INS – Institutional District – Second Reading</b>
<b>Proposed Motion</b>	That Council give second reading of Bylaw 1606/22.
<b>Administrative Recommendation</b>	Administration recommends that Council vote to <b>defeat</b> Bylaw 1606/22 at second reading.
<b>Previous Council / Committee Direction</b>	<p><u>December 13, 2022 Regular Council Meeting</u> Motion 493/22: That Council give first reading of Bylaw 1606/22.</p> <p><u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17, Land Use Bylaw.</p>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>• The applicant has applied to redistrict approximately 3.6 hectares (8.9 acres) of an existing 76.4-acre parcel from AG – Agriculture District to INS – Institutional District to facilitate the relocation of a church from St. Albert. The parcel is accessed via Range Road 260 (see Schedule “A” of Attachment 1).</li> <li>• The proposed redistricting configuration would include approximately 1.5 hectares (3.6 acres) of cultivated land. The applicant has indicated that they would lease this land for continued agricultural purposes.</li> <li>• The applicant intends to use an existing shop as the church building, while the existing house would be utilized as a parish home for a future pastor. The parcel is accessed via Range Road 260.</li> <li>• An existing concrete pad would accommodate onsite parking. It would hold 26 parking stalls, accommodating up to 78 users. A congregation of 50 – 60 people would be anticipated. No additional structures are proposed.</li> <li>• The estimated proposed hours of operation for the parcel are as follows: <ul style="list-style-type: none"> <li>○ Sunday Worship: 10:00 a.m. and 5:00 p.m.</li> <li>○ Saturday classes: 9:00 a.m. – 11:00 a.m.</li> <li>○ Bible Study Group: One evening per week at 7:30 p.m.</li> </ul> </li> </ul>

- Monthly meeting: 7:00 a.m. – 10:00 p.m.

- If redistricting is successful, the applicant has expressed an interest in subdividing out the institutional portion and selling off the agricultural remnant.

#### Referral Comments

- While not required for the redistricting process, Administration has noted that the following information may be required at the development stage:
  - General site plan in accordance with General Municipal Servicing Standards.
  - Lot grading and stormwater management plan.
  - The shop (if used as a church) would be required to acquire a Development Permit and Building Permit to convert the existing use of the building into a Religious Assembly.
  - Any subsequent development permit for *Religious Assembly* would consider the dwelling accessory to the church building.

#### Summary of Council Comments from December 13, 2022 Council Meeting

- At the December 13, 2022 Regular Council Meeting, Council discussed the difference between a panhandle configuration, which does not include any farmland (5.5 acres), and the applicant's rounded off configuration (8.9 acres).
  - As the applicants intend to continue agricultural operations, farmland may not be lost.
  - If subdivided in the future, the larger area allows for a straightforward subdivision with clear boundaries. It also may leave room for growth of the operations in the future.
  - A panhandle redistricting and subsequent subdivision would leave a small strip of AG land isolated from the remainder of the cultivated area. This land would need to have a separate approach to provide access.
  - A panhandle redistricting could limit future development of other uses (not religious assembly) that are permitted under the INS – Institutional District.

#### Summary of the January 24, 2023 Public Hearing

- At the January 24, 2023 Public Hearing, a representative of the applicant spoke to the application and ten residents provided written submissions in opposition of the proposed Bylaw.
- Council asked questions regarding the differences between redistricting to the INS – Institutional District, and a DC – Direct Control District. It was noted that in either case, if ownership of the lands changed, a subsequent redistricting would be required to return the lands to Agricultural.
- Approval of the application would grant the ability to subdivide the redistricted area, creating an additional lot on the quarter section.

- Future expansion of operations would require a new development permit, which may include a Traffic Impact Assessment for the proposed use.

#### Recommendation and Rationale

- Administration recommends that the application be denied, for the following reasons:
  - There were ten residents who submitted comments in opposition of this application and none in support.
  - The proposed use exceeds the scale that can be considered by Non-Residential Type 4 development – which can only be considered in areas where Residential Type 4 policies apply. These residential policies consider agricultural areas where the “four on a quarter” subdivision policies apply which include this parcel.
  - The application cannot be considered as ‘Non-Residential Type 3’ as this applies to Hamlets and areas of the County “...identified for limited institutional, commercial and industrial growth.” The subject parcel is not within a Hamlet, nor has the area been identified for limited growth. Even so, Administration has applied the criteria noted within Non-Residential Type 3 policy 5.5.14 of the Municipal Development to the application. This policy notes that the County “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.”
  - While subdivision is not a part of this application, it is proposed to be undertaken following the approval of this redistricting. There are no service upgrades required as a part of this application.
- Given the above, Administration is recommending that Council not support the proposed redistricting, as the application does not meet the criteria of Policy 5.5.14 (Non-Residential Type 3), exceeds the scale of development contemplated by Policy 5.5.15 of the Municipal Development Plan, and does not have demonstrated community support.

#### External Communication

- Landowners within 800 metres of the subject parcel and landowners accessing from Range Road 260 between Highway 37 and Pro North Industrial Park were notified of the Public Hearing via direct mail.
- Newspaper notifications were placed in the *Morinville Free Press* and *Redwater Review* for two consecutive weeks (January 11 and 18, 2023) in accordance with the advertising requirements of the *Municipal Government Act* (MGA).

#### Relevant Policy/Legislation/Practices

- The MGA authorizes Council to establish and amend Bylaws.
- No Local Planning Document (e.g., Area Structure Plan) exists for the area; therefore, the County’s Municipal Development Plan (MDP)

	<p>provides the overarching land use policies for this application. The relevant MDP policies are listed below.</p> <ul style="list-style-type: none"> <li>○ The subject property is located within Neighbourhood B – the role of which is <i>“To foster an adaptive local economy that builds upon the resiliency of the community and is capable of responding to the shifting priorities of Primary Industry.”</i></li> <li>• Policy 3.1.1 directs the County to <i>“...ensure that community amenities and facilities are available to accommodate the demand of new and existing residential populations.”</i> <ul style="list-style-type: none"> <li>○ Policy 3.1.6 – <i>“...should ensure adequate maintenance of and/or improvement to the quality and distribution of (and public access to) recreation and cultural facilities, open space networks and natural recreation areas.”</i></li> </ul> </li> <li>• Policy 5.2.4 – <i>“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.”</i> <ul style="list-style-type: none"> <li>○ Policy 5.5.14 – <i>“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.”</i></li> </ul> </li> </ul> <p>While subdivision is not a part of this application, it is proposed to be undertaken following the approval of this redistricting. There are no service upgrades required as a part of this application. Finally, there were ten residents who submitted comments in opposition of this application and zero in support.</p> <p>Given the plans for immediate subdivision and the lack of support for this redistricting from the local community, Administration considers that the application does not satisfy the criteria of Policy 5.5.14.</p>
<b>Implication of Administrative Recommendation</b>	<p><u>Strategic Alignment</u></p> <p><b>Planned Growth</b> – The redistricting would be inconsistent with the community outcome of “comprehensive land use and infrastructure planning” as it would contemplate uses inconsistent with other properties within the vicinity. Further, the proposal does not support agricultural preservation.</p> <p><b>Collaborative Governance</b> – The Land Use Bylaw amendment process is legislated by the MGA. Those affected by the proposed bylaw were provided the opportunity to comment during the Public Hearing, ensuring affected persons were consulted and engaged. Decisions made by Council are transparent and based on policy after respectful and informed debate.</p> <p><u>Organizational</u></p> <p>None.</p> <p><u>Financial</u></p> <p>None.</p>

<b>Alternatives Considered</b>	Council could give second and third reading of Bylaw 1606/22.
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment</u></p> <p><b>Planned Growth</b> – Approving the redistricting would result in an inconsistent land use within close proximity of agricultural properties. The proposal may also result in the loss of agricultural land.</p> <p><u>Organizational</u></p> <p>None.</p> <p><u>Financial</u></p> <ul style="list-style-type: none"> <li>• For assessment of the lands if successfully redistricted, the following would apply: <ul style="list-style-type: none"> <li>○ Until the development permit for a Religious Assembly use is issued, the parcel would continue to be assessed as it currently is.</li> <li>○ Places of worship are exempt from being assessed; however, this only applies to the structure being used for worship. Therefore, the shop to be converted into a church would be exempt from assessment; however, the existing residence to be converted into a Parish Home would still be assessed as a residence.</li> </ul> </li> </ul>
<b>Follow up Action</b>	1. Notify the applicant of Council’s decision (Planning & Development Services, February 2023).
<b>Attachment(s)</b>	1. Attachment 1: Bylaw 1606/22 2. Attachment 2: Letter of Intent 3. Attachment 3: Record of Public Hearing Submissions
<b>Report Reviewed by:</b>	Bonnie McInnis, Manager, Planning & Development Services  Travis Peter, General Manager, Development & Strategic Services & Acting County Commissioner – CAO

## 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
<b>Planned Growth</b>			
<ul style="list-style-type: none"> <li>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Modern broadband and digital capabilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Low cost, minimal red-tape regulations</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Thriving Communities</b>			
<ul style="list-style-type: none"> <li>Beautiful, surprising places with high standards; integrated natural spaces &amp; trail systems; healthy and resilient</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Engaging cultural, historical, and civic amenities; strong community identity and pride</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Environmental Stewardship</b>			
<ul style="list-style-type: none"> <li>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Sustainable development; partnerships with industry and others to drive emission reductions</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Collaborative Governance</b>			
<ul style="list-style-type: none"> <li>Predictable and stable external relationships; volunteer partnerships</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Meaningful connections with Indigenous communities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Respectful and informed debate; clear and supportive governance processes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<ul style="list-style-type: none"> <li>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>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</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Future focused thinking to proactively respond to emerging opportunities and challenges</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Alternative revenue generation and service delivery models integrated strategic and business planning</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>