

## Request for Decision

<b>Title</b>	<b>Bylaw 1605/22 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of SW 36-54-25-W4M from AG – Agriculture District to R1 – Country Residential District – Second and Third Reading</b>
<b>Proposed Motion</b>	<ol style="list-style-type: none"> <li>1. That Council give second reading of Bylaw 1605/22.</li> <li>2. That Council give third reading of Bylaw 1605/22.</li> </ol>
<b>Administrative Recommendation</b>	Administration recommends that Council give second and third readings of Bylaw 1605/22.
<b>Previous Council / Committee Direction</b>	<p><u>February 14, 2023 Regular Council Meeting</u> Motion 016/23: That Council postpone consideration of second reading of Bylaw 1605/22 to the February 28, 2023 Regular Council Meeting.</p> <p><u>January 24, 2023 Regular Council Meeting</u> Motion 013/23: That Council postpone consideration of second reading of Bylaw 1605/22 to the February 14, 2023 Regular Council Meeting.</p> <p><u>December 13, 2022 Regular Council Meeting</u> Motion 492/22: That Council give first reading of Bylaw 1605/22.</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>• An application has been received to redistrict the subject parcel (portion of SW-36-54-25-W4M) from AG – Agriculture District to R1 – Country Residential District. First reading was provided on December 13, 2022.</li> <li>• The subject property, which is 5.13 acres in size, is located between the multi-lot subdivisions of Richfield Estates and Green Acres and is bordered by other R1 - Country Residential parcels to the north, east, and south. It is located outside of the Sturgeon Valley Core Area Structure Plan.</li> <li>• While the parcel is currently regarded as agricultural, its size and location among other properties districted as R1 provide strong rationale for the proposed redistricting. Additionally, the size and</li> </ul>

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configuration of the parcel is not conducive to viable agricultural operations.

- If the application to redistrict the parcel is successful, the applicant intends to subdivide the parcel into two approximately equal lots. The minimum parcel area for an R1 parcel not connected to a municipal sanitary line is 2.47 acres (1 hectare). As such, a subsequent subdivision application can meet the subdivision regulations of the R1 district.
- A new access that would serve the proposed parcel from Range Road 251 (Starkey Road) was approved by Administration in 2022.
- Any subdivision proposal to split the lot would be unlikely to impact existing municipal infrastructure as the lots would have private servicing.
- A drainage course also traverses the parcel. Additional information is provided below, see 'Historical Development Activity & Drainage Concerns'.
- A Public Hearing was held on January 24, 2023:
  - One submission was received that noted historical concerns related to the drainage course that traverses the property. Other comments were received related to a fence being wrongly located and historical coal mining within the area.
  - A relative of the applicant spoke in support of the application.
- During the Public Hearing, Council asked questions of Administration pertaining to the drainage course and enforcement action undertaken to date. Additionally, Council requested information about development activity on the parcel.

#### Historical Development Activity & Drainage Concerns

- Building permits were issued for the house and garage in March 1990.
- Building permit was issued for the shop in September 2009.
- Home based business approval for a level 2 custom gunsmithing, sales, ammunition sales, firearm sales was issued in August 2014.
- October 2014, a concerned neighbour called the County regarding the filling of a ravine, which may result in potential flooding.
- The County issued a stop work order for unauthorized grading and stockpiling of fill on October 31, 2014.
- Administration indicated that a development permit would be required for grading and stockpiling and that a geotechnical study would be required to support the application. Additionally, Administration noted that Alberta Environment approval would be required as they have jurisdiction in relation to the drainage course.
- Ownership of the parcel has since changed.

	<ul style="list-style-type: none"> <li>• As part of this redistricting application, Administration reached out to Alberta Environment and Parks for an update but have yet to receive a response.</li> <li>• If the Bylaw is passed, concerns related to drainage would be addressed at the subdivision stage.</li> <li>• To summarize, the applicants are seeking subdivision, and a successful redistricting would enable a subdivision application to be submitted. The applicants have acknowledged their willingness to meet conditions pertaining to the subdivision application.</li> <li>• Any future subdivision would be of benefit to the County as it would allow for drainage concerns to be addressed through subdivision conditions and without compromising the existing character of the surrounding area.</li> </ul> <p><u>External Communication</u></p> <ul style="list-style-type: none"> <li>• Advertising of the Public Hearing for the Bylaw consisted of directly notifying adjacent landowners via mail. Additionally, newspaper notifications were placed in the <i>Morinville Free Press</i> and <i>Redwater Review</i> for two consecutive weeks (January 11 and 18, 2023).</li> </ul> <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> <li>• The <i>Municipal Government Act</i> (MGA) authorizes Council to establish and amend bylaws.</li> <li>• Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading of a proposed bylaw.</li> <li>• No Local Planning Document (e.g., Area Structure Plan) exists for the area; therefore, the County's Municipal Development Plan (MDP) provides the overarching land use policies for this application. The relevant MDP policies are listed below: <ul style="list-style-type: none"> <li>○ The subject property is located within Neighbourhood G – the role of which is, "To deliver a sustainable and complete community where placemaking principles and local distinctiveness are embedded into the fabric of the neighbourhood."</li> <li>○ Policy 2.3.14 allows the County to "...consider additional residential development within the established Hamlet/area administrative boundary, when the existing municipal infrastructure can accommodate the proposal."</li> <li>○ Policy 4.1.7 states that the County "Shall support regional watershed and local drainage planning initiatives and the development of overall watershed water quality indicators to ensure a healthy, secure and sustainable water supply for County residents and neighbouring communities."</li> </ul> </li> </ul>
<b>Implication of Administrative Recommendation</b>	<p><u>Strategic Alignment</u></p> <p><b>Planned Growth</b> – The redistricting would provide opportunity for a new parcel to be created, consistent with other properties within its vicinity.</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 communities are consulted and engaged. Decisions made by Council are transparent and based on policy after respectful and informed debate.</p> <p><u>Organizational:</u> Administration has capacity to coordinate the bylaw amendment.</p> <p><u>Financial:</u> Financial implications included advertising the Public Hearing.</p>
<b>Alternatives Considered</b>	Council may defeat the motion to give second reading of Bylaw 1605/22.
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment</u> If Council refuses to give second reading, the Bylaw would be defeated and would not proceed to further readings.</p> <p><u>Organizational</u> None.</p> <p><u>Financial</u> None.</p>
<b>Follow up Action</b>	1. Obtain Mayor and CAO signatures on the Bylaw (Legislative Services, February 2023).
<b>Attachment(s)</b>	1. Attachment 1: Bylaw 1605/22
<b>Report Reviewed by:</b>	<p>Bonnie McInnis, Manager, Planning &amp; Development Services</p> <p>Travis Peter, General Manager, Development &amp; Strategic Services</p> <p>Reegan McCullough, County Commissioner – CAO</p>

## 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>