

Briefing Note

Title	2:30 p.m. Public Hearing – Bylaw 1628/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of NW-6-57-23-W4M (Lot 1, Block 1, Plan 1722474)
Issue	To receive comments from the public regarding proposed Bylaw 1628/23, to redistrict approximately 22ha (54.44ac).
Previous Council / Committee Direction	<p><u>July 18, 2023 Regular Council Meeting</u> Motion 268/23: That Council direct Administration to schedule a second Public Hearing for Bylaw 1628/23.</p> <p><u>May 9, 2023 Regular Council Meeting</u> Motion 179/23: That Council give first reading of Bylaw 1628/23.</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>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • An application has been received to redistrict a portion of the subject parcel (±22ha (54.44ac)) from AG – Agriculture District to REC – Recreational District to facilitate a disc golf course. • The proposed rezoning would result in a split zoned parcel. • The front ±30 acres is partially drained, poor-quality low-land soil, is only suitable for haying, and is the area that is proposed to retain the current AG – Agriculture District. The applicant intends to lease the front half of the property for agricultural production. The ±40 acres at the back of the parcel are not suitable for farming as it is thickly forested, has steep slopes, and is the proposed location of the disc golf course. • The disc golf course has been operational previously but is currently closed to the public. • The applicant plans to lease the recreation zoned portion of the land to a registered non-profit society. The non-profit's purpose is to provide affordable outdoor sport opportunities for Albertans, with a specific focus on disc golf.

Operational Details

- Disc golf is a low-impact environmental sport suitable for all ages. The narrow fairways and reduction of brush, dead fall, and dead standing trees help to create natural fire breaks.
- Unlike traditional (ball/club) golf, disc golf courses have limited landscaping, much less maintenance, and a small carbon footprint. Natural forest and meadows are used rather than extensively manicured fairways and greens. Mechanized carts are not used in disc golf.
- There are no proposed buildings or services included with the proposal. A hard surface (gravel) parking lot is proposed to provide adequate parking for the small number of simultaneous visitors.
- The number of vehicle visits during the summer high season (July-August) is estimated to average 5-10 per day on weekdays and 20 per day on weekends and holidays. Low season (May-June, September-October) is estimated to average 5 per day on weekdays and 10 per day on weekends.
- Hours of operation in the summer for disc golf would be approximately 8:00 a.m. until dark.
- Noise impacts to neighbours should be minimal as the forested area provides a natural sound barrier.
- There are plans for dust mitigation. Larger (100-150 player) events would typically be early and late in the season, outside of the drier summer months. Additionally, temporary signs would be posted to remind guests to be courteous and slow down to reduce dust.

Referral Comments

- Administrative departments have expressed no concerns. While not required for the redistricting process, the following information may be determined at the development permit stage:
 - Traffic Impact Assessment
 - Parking Plan
 - Further investigation of drainage course and wetlands on the parcel as the westerly portion of the property is identified as flood risk.
 - Upgrades to existing approach
 - Most of the area proposed for rezoning falls under the REO - Resource Extraction Overlay which identifies areas where there is existing or potential for future natural resource extraction and secondary processing activity. A condition of development approval for a building on a parcel subject to this overlay shall include a restrictive covenant to be registered on title notifying the landowner that any dwelling could potentially be located near an incompatible use (i.e., resource extraction).

First Public Hearing

- A Public Hearing was held for Bylaw 1628/23 on June 13, 2023.
- There were eight verbal submissions with six speakers opposed and two who did not indicate if they were in favour or opposed to the Bylaw.
- Ten written submissions were received, four in favour and six in opposition. The Public Hearing Record of Submissions is provided in Attachment 4.
- Those in opposition of Bylaw 1628/23 stated concerns regarding traffic, littering, dust, noise, and the list of potential uses within the Recreational District.
- Those in support of Bylaw 1628/23 are avid disc golfers that have identified a lack of facilities within the region. They have identified that this course is ideal due to its natural environment and that it is dedicated solely to disc golf unlike other public courses.

Direct Control District

- In response to the public's concerns, Administration developed a Direct Control District (DCD) for the site as an alternative to proceeding with the Recreational District (REC).
- The intent of the DCD is to accommodate disc golf uses as permitted use development while non-disc golf uses would be considered discretionary, which is why the same uses are listed as both permitted and discretionary (see Attachment 2).
- In creating the DCD, some of the uses within the Recreational District that have the potential to create greater conflict have been removed, allaying some concerns heard from adjacent landowners, while keeping to the intent of the proposed development.
- The Bylaw was presented for consideration of second and third reading at the July 18, 2023 Council Meeting, with Administration proposing to amend the Bylaw as noted above. As the amendment from a REC District to DCD provided for a narrower scope of uses, and based on previous advice from legal counsel, a second Public Hearing was not required by legislation.
- To allow the public to provide input prior to further considering the Bylaw, Council directed Administration to schedule a second Public Hearing, which is scheduled for the August 22, 2023 Council Meeting.

External Communication

- Newspaper advertisements for the second Public Hearing were placed in the *Morinville Free Press* and *Redwater Review* for two consecutive weeks on August 9 and 16, 2023. Newspaper advertisements for the first Public Hearing held on June 13, 2023 were placed in the May 31 and June 7, 2023 editions.

- The applicant hosted an open house on his property on June 3, 2023 from 10am – 4pm to connect with neighbours, educate individuals on disc golf, and discuss the rezoning application. The open house was advertised on social media.
- The applicant hosted an additional open house on his property on August 12-13, 2023 from 10am – 4pm each day. Open house invitations were sent to all landowners within the referral area via registered mail and advertised on social media.
- In accordance with the Public Notification Bylaw, notice of the Public Hearing was circulated on social media and the County’s website. Additionally, one temporary road sign was placed within the road right-of-way outside the application site.

Relevant Policy/Legislation/Practices

- The *Municipal Government Act* (MGA) authorizes Council to establish and amend bylaws.
- Section 641 of the MGA provides that the council of a municipality that has adopted a municipal development plan, if it wishes to exercise particular control over the use and development of land or buildings within an area of the municipality, may in its land use bylaw designate that area as a direct control district.
- 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.

- Policy 3.1.2 – *“Should establish partnership agreements with municipal neighbours, other government agencies and the private sector to fund, upgrade, and develop community amenities that provide access to recreation activities reflective of Community needs.”*
- Policy 4.1.10 – *“Shall seek to improve and extend the regional ecological network by promoting development and open-space designs that link and integrate natural environmental features, important regional wildlife corridor and aquatic ecosystems.”*

Implication

Strategic Alignment

Planned Growth – The application intends to preserve the existing agricultural portion of the parcel by continuing to lease the land for agricultural purposes.

Environmental Stewardship – The disc golf course fairways follow the existing natural breakaways within the treed area, which in turn have conserved the natural areas within the parcel.

	<p>Collaborative Governance – The Land Use Bylaw amendment process is legislated by the MGA. Those affected by the proposed bylaw are 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> None.</p>
Follow Up Action	<ol style="list-style-type: none"> 1. Bring the Bylaw forward to Council for consideration of second and third readings (Planning & Development Services, September 2023).
Attachment (s)	<ol style="list-style-type: none"> 1. Attachment 1: Bylaw 1628/23 – Redline 2. Attachment 2: Bylaw 1628/23 3. Attachment 3: Recreational District Excerpt from Land Use Bylaw 1385/17 4. Attachment 4: First Public Hearing Record of Submissions 5. Attachment 5: Written Submissions for Public Hearing
Report Reviewed by:	<p>Martyn Bell, Program Lead, Current Planning</p> <p>Michael Klassen, Acting Manager, Planning & Development Services</p> <p>Travis Peter, General Manager, Development & Strategic Services</p> <p>Andrew Hayes, Acting 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
Planned Growth			
• <i>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Modern broadband and digital capabilities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Low cost, minimal red-tape regulations</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thriving Communities			
• <i>Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Engaging cultural, historical, and civic amenities; strong community identity and pride</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Stewardship			
• <i>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Sustainable development; partnerships with industry and others to drive emission reductions</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
• <i>Predictable and stable external relationships; volunteer partnerships</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Meaningful connections with Indigenous communities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <i>Respectful and informed debate; clear and supportive governance processes</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
• <i>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>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</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Future focused thinking to proactively respond to emerging opportunities and challenges</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• <i>Alternative revenue generation and service delivery models integrated strategic and business planning</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>