

Request for Decision

Title	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) from AG – Agriculture District to DC23 – Direct Control District – Second and Third Readings
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give second reading of Bylaw 1628/23 as amended. 2. That Council give third reading of Bylaw 1628/23.
Administrative Recommendation	Administration recommends that Council give second and third readings of Bylaw 1628/23.
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 redistricting would result in a split zoned parcel. • 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 had been operational previously during its market testing phase but is currently closed to the public until appropriate permits are in place. • The applicant planned to lease the redistricted 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

- The first Public Hearing for Bylaw 1628/23 was held on June 13, 2023.
- **There were 8 verbal submissions with 6 speakers opposed and 2 not indicating if they were in favour or opposed to the Bylaw.**
- **10 written submissions were received, 4 in favour and 6 in opposition.** The Record of Submissions for this Public Hearing is provided as Attachment 4.
- Those in opposition of Bylaw 1628/23 stated concerns regarding traffic, potential for litter, dust, noise, and the list of potential uses within the Recreational District.
- Those in support of Bylaw 1628/23 were disc golfers that 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 on the property while any non-disc golf uses would be considered "discretionary" therefore requiring subsequent permitting, which could be appealed.
 - Some of the uses within the Recreational District that have the potential to create greater conflict have also been removed.
 - See Attachment 2 for further detail.
- 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.
- However, to allow the public to provide input prior to further consideration of the Bylaw, Council directed Administration to schedule a second Public Hearing.

Second Public Hearing

- A second Public Hearing for Bylaw 1628/23 was held on August 22, 2023, to hear from the public regarding the potential for a Direct Control District (DCD) for the site.

- There were **13 verbal submissions with 7 speakers in favour and 6 opposed** to the Bylaw.
- **54 written submissions were received: 46 in favour and 8 in opposition.** The Record of Submissions for this Public Hearing is provided as Attachment 5.
- Those in opposition of Bylaw 1628/23 stated similar concerns to the first public hearing regarding traffic, littering, dust, noise, and noted the potential for fire to spread from the subject parcel onto adjacent properties.
- Those in support of Bylaw 1628/23 were disc golfers or Sturgeon County residents in support of recreational opportunities in the region. Supporters 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. Disc golf is a low impact, low cost, activity accessible to all age and skill levels, and offers fitness and mental health benefits to users.

External Communication

- Newspaper advertisements for the first Public Hearing held on June 13, 2023, were placed in the May 31 and June 7, 2023 editions. 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.
- The applicant hosted an open house on his property on June 3, 2023, from 10:00 a.m. – 4:00 p.m. to connect with neighbours, educate individuals on disc golf, and discuss the redistricting 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 10:00 a.m. – 4:00 p.m. 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.”*

The intent is to privately fund a disc golf course in the County, which will provide residents access to a unique type of recreational activity that is accessible to all ages.

- Policy 3.1.6 – *“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.”*

The disc golf course was created in a heavily treed area, which was delineated through the cleanup of natural dead brush. This course offers unique public access to a natural recreation area.

- Policy 5.5.14 – *“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.”*

The Applicant’s proposal does not require any service upgrades, but a TIA will need to be undertaken to confirm the need for any road upgrades. The greater region’s disc golf community and Sturgeon County residents have demonstrated support for the application. Some neighbours immediately adjacent to the proposed parcel are not in support of the proposal.

Implication of Administrative Recommendation

Strategic Alignment

Planned Growth – The application intends to provide recreational opportunity while preserving the existing agricultural activity on the parcel.

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.

Collaborative Governance – 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><u>Organizational</u> Administration has capacity to implement the redistricting.</p> <p><u>Financial</u> None.</p>
Alternatives Considered	<ol style="list-style-type: none"> 1. Council could defeat the motion to give second reading of Bylaw 1628/23. 2. Council could amend the motion or provide alternative direction.
Implications of Alternatives	<p><u>Strategic Alignment</u> If Council defeats the motion to give second reading, the Bylaw will not proceed to further readings and the applicant will be unable to proceed with their proposed development.</p> <p><u>Organizational</u> None.</p> <p><u>Financial</u> None.</p>
Follow up Action	<ol style="list-style-type: none"> 1. Obtain Mayor and CAO signatures on the Bylaw (Legislative Services, September 2023). 2. Consolidate amendments to the Land Use Bylaw (Planning and 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: June 13, 2023 Public Hearing Record of Submissions 5. Attachment 5: August 22, 2023 Public Hearing Record of Submissions
Report Reviewed by:	<p>Martyn Bell, Program Lead, Planning & Development Services</p> <p>Bonnie McInnis, Manager, Planning & Development Services</p> <p>Travis Peter, General Manager, Development & 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
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 type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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"/>