

# Administrative Backgrounder

## Public Presentation Request

<b>Title</b>	<b>10:30 a.m. Johnny's Store Presentation and Waiver Request</b>
<b>Purpose of Report</b>	To provide background information on Johnny's Store presentation to Council.
<b>Proposed Motion</b>	That Council refer the presentation from Johnny's Store to Administration to prepare a recommendation for Council's consideration at a November 2023 Council Meeting.
<b>Previous Council Direction</b>	None.
<b>Additional Background Information</b>	<p><u>Background</u></p> <ul style="list-style-type: none"><li>• Johnny's Store, built in 1902, opened for brief periods between 2016 and 2019.</li><li>• The store is a small, family-owned business, which changed ownership in 2021 and is intending to continue offering service in the Namao area.</li><li>• Johnny's Store has noted its historical nature, its importance to the community, and creation of jobs and revenue.</li><li>• As part of the store's intention to continue to utilize the County's land for patron parking, the applicant is asking Council to waive the requirement for a parking survey and grading plan.<ul style="list-style-type: none"><li>○ A parking survey/grading plan is not mandatory within the County's Land Use Bylaw; however, if the plan is not completed the County would need to complete it and/or accept responsibility for current and future drainage issues.</li></ul></li></ul> <p><u>Technical Background</u></p> <ul style="list-style-type: none"><li>• <b>Opening and Building Permit:</b> In Early 2022, Administration had discussions with new owner regarding the re-opening of the store, to sell locally sourced items and alcoholic products. The owner indicated plans for future expansion.</li></ul>

- The land is districted C2 – Local Commercial. *Retail Sale* and *Retail Sale – Liquor* are permitted uses. *Eating & Drinking Establishment* is a discretionary use.
- The store lacked both Development and Roadside Development Permits.
- On July 12, 2023, a Building Permit was issued for Interior Renovations.
- **Access:** Discussions with Alberta Transportation and Economic Corridors confirmed that a new Roadside Development Permit must be obtained, per section 16 of the *Highways Development & Protection Act*, as the commercial business has been closed for a least one calendar year.
  - In late 2019, Sturgeon County installed a barricade to prevent vehicle access from Range Road 244. A portion of the barricade has since been removed, and an access was constructed to align with the Petro Canada access.
  - Prior to issuance of a Roadside Development Permit, Alberta Transportation and Economic Corridors requires that the direct highway access off Highway 37 be removed, and that vehicle access to the site be obtained solely from Range Road 244. To remove the access, an acceptable traffic accommodation strategy and construction of a fence or guardrail installation is required along Highway 37.
- **Parking:** On July 31, 2023, Johnny's Store provided a Site Plan showing the proposed parking area (24 stalls/2 accessible) to be located on County land (the road allowance) in front of the store, with a metal barrier proposed to close off direct access off Highway 37.
  - This parking area on County land has been used for parking for the store's patrons since the store was built.
  - At the proposed development scale, only 6 parking stalls would be required.
  - Minor grade improvements of the road allowance or "parking area" were completed in June of 2023 as it was reported the store had a flooded basement.
  - A proposed site plan was provided to Administration for comment. The applicant was requested to provide a surveyed drawing and grading plan of the area proposed for parking.
    - **Engineering Services' Rationale for a survey and grading plan to park on the County's property:** Parking for commercial areas is

described within section 9.2 & 9.3 of the Land Use Bylaw and reflects a common approach amongst Alberta municipalities. This section speaks to the importance of confirming grading does not result in stormwater running between properties or onto sidewalks for pedestrians. In this case, the County-owned parking lot is linked to the commercial parcel, and pedestrian traffic must pass between each; therefore, the parking area must be graded appropriately. There have been grading concerns in this area previously and it is the developer's responsibility for any improvements required to facilitate the development.

- A formal agreement would also be required for Johnny's Store to use County land for offsite parking purposes, in the form of a license of occupation.
- An alternative to using County land for the Off-Site Parking Facility would be to provide parking on the store lands. This would require clearing of trees and creating a new access entering from the Range Road.
- Administration understands that the applicant is requesting that the County waive the requirement for the above parking survey and grading plan or provide financial support to procure it.
- Administration recommends that Council refer the presentation from Johnny's Store to Administration to prepare a recommendation for Council's consideration at a November 2023 Council Meeting.

<b>Attachment(s)</b>	Attachment 1: Presentation Request Form Attachment 2: Tentative Renovation Drawing Attachment 3: Presentation from Johnny's Store
<b>Report Reviewed by:</b>	Bonnie McInnis, Manager, Planning & Development Services  Travis Peter, General Manager, Development & Strategic Services  Gary Mayhew, Acting Chief Operating Officer – COO  Reegan McCullough, County Commissioner – CAO