

Request for Decision

Title	Bylaw 1635/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of 55013 Highway 825 (Lot A, Plan 4595NY) from AG – Agriculture District to DC24 – Direct Control District 24 – First Reading
Proposed Motion	That Council give first reading of Bylaw 1635/23.
Administrative Recommendation	Administration recommends that Council give first reading of Bylaw 1635/23, to allow for the proposed Land Use Bylaw amendment to proceed to a Public Hearing to receive feedback from affected parties.
Previous Council / Committee Direction	<u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17 - Land Use Bylaw.
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • An application has been received to redistrict lands from the AG – Agriculture District to DC24 – Direct Control District 24 to facilitate the expansion of an existing trucking business. • The applicant had originally applied to operate a Home-Based Business Level 3, but the proposed number of trucks exceeded the home-based business regulations. The refusal decision was appealed to the Subdivision and Development Appeal Board (SDAB), which upheld the decision of the Development Authority (the appeal was denied). • There is no new development proposed for this application. Existing structures include a single detached dwelling, office/shop, and commercial truck parking. • The property is accessed by a service road off Highway 825 (see Schedule “A” of Attachment 1). • The parcel is adjacent to lands that are part of Sturgeon Industrial Park (SIP) that are districted as I4 – Medium Industrial Serviced. <p><u>Operational Details</u></p> <ul style="list-style-type: none"> • Current operations include two non-resident employees and one resident employee. • Twelve parking stalls are provided for onsite employees.

- Current vehicles and equipment include:
 - Sixteen trucks (highway tractor – 8,200 kilograms), nine of which are operational, while seven trucks are parked and not in use.
 - One loader (to remove snow)
 - Trailers
 - Four flatbed Super B (32 feet and 28 feet)
 - Eight flatbed (53 feet)
 - One grain hopper
- Hours of operation are 8:00 a.m. to 5:00 p.m.
- The operation is anticipated to have 2-3 vehicle visits per day.
- The applicant recently undertook a new Traffic Impact Assessment to obtain an updated Roadside Development Permit from Alberta Transportation & Economic Corridors (AT).
- AT has approved a maximum of 30 commercial trucks and 29 non-resident employees operating from the site.
- Direct highway access is not permitted. Access must be provided via the local municipal road.

Referral Comments

- While not required for the redistricting process, the following information may be required at the development stage:
 - The applicant must adhere to AT Roadside Development Permit conditions, which include a sunset clause of July 28, 2028. Any forthcoming Development Permits issued by Sturgeon County shall include the same termination date.
 - General Site plan with contours at 0.5 metres separation.
 - Lot Grading, site stripping and cut and fill plan.
 - Stormwater management plan.
 - Erosion and sediment control plan.
 - Proper landscaping and fencing installation shall be a condition of a development permit.

External Communication

- If Council gives first reading of the Bylaw, Administration will ensure public notification and advertising for the Public Hearing are completed in accordance with relevant legislation and County processes.

Relevant Policy/Legislation/Practices

- The *Municipal Government Act* (MGA) authorizes Council to establish and amend bylaws.
- As no Area Structure Plan (ASP) exists for the area, the County's Municipal Development Plan provides the overarching land use policy for the application. The relevant MDP policies are listed below.

	<ul style="list-style-type: none"> • Policy 5.1.8 – “Should encourage Non-Residential developments that provide diverse employment opportunities for Sturgeon County residents.” <ul style="list-style-type: none"> ○ The applicant has approval from AT to operate with up to 29 non-residential employees on-site, which will add to employment opportunities within the region. • 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.” <ul style="list-style-type: none"> ○ With the realignment of Range Road 225 and intersection improvement, access to the parcel from the service road can now accommodate for more traffic and vehicles of larger size. AT granting a Roadside Development Permit suggests access to the site is suitable for the proposed development. Feedback on the application will be solicited from adjacent neighbours through the Public Hearing process. • Policy 5.4.1 – “Shall limit premature subdivision and development of lands for Non-Residential purposes by directing new development to existing lands identified for the proposed activity. If, based on the findings of a Needs Assessment and a Fiscal Impact Assessment, a demonstrated need is provided, priority shall be given to land contiguous to an existing development park, unless a significant demonstrated constraint is identified and agreed upon by Sturgeon County.” <ul style="list-style-type: none"> ○ This parcel is located immediately adjacent to Sturgeon Industrial Park (SIP). SIP parcels are zoned as I4 – Medium Industrial Serviced District, and largely remain in an undeveloped state. Fleet Service is a permitted use within the I4 – Medium Industrial Serviced District.
Implication of Administrative Recommendation	<p><u>Strategic Alignment</u></p> <p>Planned Growth – The application intends to rezone the parcel to accommodate a fleet service business, which is currently in excess of Home-Based Business Level 3 regulations. The applicant has obtained a Roadside Development Permit from AT, which suggests that the existing road infrastructure in place can support the proposed business and the associated increase in traffic.</p> <p>Thriving Communities – This proposal will bring employment opportunities to the region.</p> <p>Collaborative Governance – The Land Use Bylaw amendment process is legislated by the <i>Municipal Government Act</i> (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 advertising and required information for the bylaw amendment.</p> <p><u>Financial</u> Financial implications will include advertising of the Public Hearing.</p>
Alternatives Considered	Council may defeat the motion to give first reading of Bylaw 1635/23.
Implications of Alternatives	<p><u>Strategic Alignment</u> If Council refuses to grant first reading, the Bylaw would be defeated and would not proceed to public hearing.</p> <p><u>Organizational</u> A decision to give first reading of a Bylaw is not support for the Bylaw, but approval that the matter may proceed to Public Hearing to receive feedback from affected parties. It is the advice of Sturgeon County's legal counsel that providing first reading of bylaws initiated by a third party is appropriate, to ensure due consideration and procedural fairness.</p> <p><u>Financial</u> None.</p>
Follow up Action	1. Schedule a Public Hearing with respect to Bylaw 1635/23 (Planning & Development Services, December 2023).
Attachment(s)	1. Attachment 1: Bylaw 1635/23
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>