

## Request for Decision

<b>Title</b>	<b>Bylaw 1649/24 – Amendment to Land Use Bylaw 1385/17 - Redistricting of a Portion of SW-5-55-22-4 (Lot A, Plan 4595NY) from AG – Agriculture District to I4 – Medium Industrial Serviced District and Bylaw 1650/24 – Amendment to Sturgeon Industrial Park Area Off-site Levy Bylaw 1548/21 - Adding a Portion of SW 5-55-22-4 (Plan 4595NY, Lot A) - First Readings</b>
<b>Proposed Motion</b>	<ol style="list-style-type: none"> <li>1. That Council give first reading of Bylaw 1649/24.</li> <li>2. That Council waive the Land Use Bylaw amendment base-fee of \$5,000 for Bylaw 1649/24.</li> <li>3. That Council give first reading of Bylaw 1650/24.</li> </ol>
<b>Administrative Recommendation</b>	Administration recommends that Council give first readings of Bylaw 1649/24 and Bylaw 1650/24.
<b>Previous Council / Committee Direction</b>	<p><u>January 16, 2024 Regular Council Meeting</u> Motion 003/24: That Council give second reading to Bylaw 1635/23. <u>DEFEATED</u></p> <p>Motion 004/24: That Administration work with the applicant to identify opportunities for appropriate land districting for Council consideration at a future Council Meeting.</p> <p><u>April 27, 2021 Regular Council Meeting</u> Motion 259/21: That Council give third reading to Bylaw 1548/21 – Sturgeon Industrial Park Area Off-site Levy Bylaw.</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 lands from the AG – Agriculture District to I4 – Medium Industrial Serviced District, to facilitate the expansion of an existing trucking business.</li> <li>• The existing business falls under the <i>Fleet Service</i> definition, which is a permitted use under the Medium Industrial Serviced District within the Land Use Bylaw.</li> </ul>

- Administration considers this a re-application, after Bylaw 1635/23, which sought to redistrict this parcel from Agriculture (AG) to District Control (DC24) District, was defeated at second reading on January 16, 2024.
- The typical advertising fees per Sturgeon County's 2024 Fees and Charges Bylaw 1641/23 (\$2,000) have been paid.
- 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 and was subsequently refused by the Development Authority.
- This 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 immediately adjacent to Sturgeon Industrial Park (SIP) that is districted as I4 – Medium Industrial Serviced and where *Fleet Service* is a permitted use.
- Administration has reviewed the Alberta Transportation and Economic Corridors (TEC) permit and the recommendations provided within the Traffic Impact Assessment (TIA).
  - Trip generation was estimated based on business use and the assumption that half of the employees would arrive during the AM peak hour and leave during the PM peak hour.
  - Since there are no set schedules, there is variability on when the trucks would arrive and leave the site, depending on their clients' needs.
  - TEC's intersection analysis procedures were completed and found that the existing intersection is adequate for the proposed development.
  - The existing southbound left turn lane meets the minimum deceleration lengths for the design speed.
- Administration assessed the submitted TIA and agrees with the findings that support the traffic volume imposed by TEC. However, Council has the authority to set a lesser traffic volume.

#### Operational Details

- 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
- Proposed hours of operation are 8:00 a.m. to 5:00 p.m. Monday - Friday.
- The operation is anticipated to have 2-3 vehicle visits per day.
- The applicant recently undertook a new TIA to obtain an updated Roadside Development Permit from TEC.
- TEC 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

- The application was re-circulated to County departments for comment.
  - It was noted that the parcel benefits from existing water servicing, but the connection is not sized appropriately for industrial operations that require high water usage. It would also be financially prohibitive to tie into the sanitary network.

Therefore, Administration considers that only transportation levies would be payable at this time. This would leave open the opportunity to collect levies related to water and sanitary servicing at a future date.

- While not required for the redistricting process, the following information may be required at the development stage:
  - The applicant must adhere to TEC 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.
  - Must reference the volume of traffic outlined within the provided Traffic Impact Assessment.
  - General Site plan with contours at 0.5 meters separation
  - As-built Lot Grading, site stripping, and cut and fill plan.
  - Stormwater management plan.
  - Erosion and sediment control plan.
  - Proper landscaping and fencing installation.

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### External Communication

- If Council gives first reading of the redistricting Bylaw 1649/24, Administration will ensure public notification for the Public Hearing are completed in accordance with relevant legislation and County processes.
- The MGA does not require a Public Hearing to be held prior to amending an off-site levy bylaw such as Bylaw 1650/24.

### 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.
- Policy 5.1.8 – “Should encourage Non-Residential developments that provide diverse employment opportunities for Sturgeon County residents.”
  - 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.”
  - With the realignment of Range Road 225 and intersection improvement, access to the parcel from the service road can now accommodate more traffic and vehicles of larger size. TEC is satisfied that the parcel is suitable for the development, having issued a Roadside Development Permit.
- 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.”
  - 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.

<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment</u>  <b>Planned Growth</b></p> <ul style="list-style-type: none"> <li>• SIP has been identified as an area for industrial use. Administration’s recommendation would facilitate this industrial use to be located within a planned industrial park.</li> <li>• Given the parcel’s development history and proximity to SIP, it is often mistaken as an industrial land use district. The parcel <u>would be formally integrated into SIP</u> which would support the applicant’s interests, align the parcel to the industrial park’s intent, and better integrate it from an infrastructure perspective.</li> <li>• Redistricting the parcel to I4 would cause the existing dwelling to become a non-conforming use. A non-conforming use of a building may remain on site, but the building may not be enlarged or added to, and no structural alterations could be made to it or in it.</li> <li>• A potential implication of this option could be that other owners of lands adjacent to industrial parks may pursue incorporation into existing industrial parks rather than encouraging relocation to existing vacant parcels within the existing park boundaries.</li> </ul> <p><b>Thriving Communities</b> – This proposal will bring employment opportunities to the region.</p> <p><b>Collaborative Governance</b> – The Land Use Bylaw amendment process is legislated by the <i>Municipal Government Act</i> (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 advertising and required information for the bylaw amendment.</p> <p><u>Financial</u></p> <ul style="list-style-type: none"> <li>• If Bylaw 1650/24 passes, the parcel would be subject to relevant off-site levy payment (see Benefitting Area 24, Attachment 3).</li> <li>• The total off-site levy payment for this parcel within SIP would be \$27,337 x 1.68 (ha) = \$48,659.86.</li> <li>• The applicant has indicated that they would be willing to integrate into SIP and pay the relevant off-site levies.</li> </ul>
<p><b>Alternatives Considered</b></p>	<p>Council could decide not to give first reading of Bylaw 1649/24 and/or Bylaw 1650/24. A decision to give first reading of a Bylaw is not an indication of support for the Bylaw, but approval that the matter may proceed to Public Hearing or other public notification to receive feedback from affected parties. It is the advice of Sturgeon County’s legal counsel that providing</p>

	first reading of bylaws initiated by a third party is appropriate, to ensure due consideration and procedural fairness.
<b>Implications of Alternatives</b>	<u>Strategic Alignment</u> None.  <u>Organizational</u> None.  <u>Financial</u> None.
<b>Follow up Action</b>	1. Schedule a Public Hearing with respect to Bylaw 1649/24 (Planning & Development Services, March/April 2024).
<b>Attachment(s)</b>	1. Attachment 1: Bylaw 1649/24 - LUB Amendment 2. Attachment 2: Bylaw 1650/24 - SIP Off-site Levy Amendment 3. Attachment 3: Bylaw 1548/21 - SIP Off-site Levy Bylaw
<b>Report Reviewed by:</b>	Martyn Bell, Program Lead, Planning & Development Services  Bonnie McInnis, Manager, Planning & Development Services  Travis Peter, General Manager, Development Services  Reegan McCullough, County Commissioner - CAO

## 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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"/>