



# WHEATLAND COUNTY

Where There's Room to Grow

## Request for Decision

January 14, 2020

Resolution No. \_\_\_\_\_

Date Prepared December 16, 2019

### Subject

Decision-making topic title

**Bylaw 2019-30 – First Reading** to redesignate +/-2.43 acres of land from Agricultural General (AG) District to Direct Control District 18.

### Recommendation

Clear resolution answering – what/who/how/when

**That Council choose Option #1, to approve Bylaw 2019-30.**

**Resolution 1: That Council move First Reading of Bylaw 2019-30, this being the bylaw to redesignate +/- 2.43 acres of NW-29-24-24-W4 from Agricultural General District to Direct Control District 18.**

**Resolution 2: That Council move that a Public Hearing for Bylaw 2019-30 be scheduled for February 18, 2020 at 9:00AM in Wheatland County Council Chambers.**

### GM Comments

Any additional comments regarding the reason for the recommendation

### RECOMMENDATION

Report/Document:

Attached

☒

Available

☐

None

☐

### Key Issue(s) / Concepts Defined

Define the topic, reference background material and state question to be answered

The purpose of this application is to redesignate +/-2.43 acres of NW-29-24-24-W4 from Agricultural General (AG) District to a new Direct Control District (DC-18). If Council grants the redesignation, a development permit application will follow for the existing Automotive & Equipment Services Business. The business has been in operation for over a decade, and there have been no complaints. The County has no record that the existing business had ever applied or received a development permit. The landowners explained that they were told no development permit was necessary for their business; however, this information was incorrect. As staff was unable to find records or written confirmation, the business cannot be deemed 'Legal Non-Conforming' and a development permit is still required. The business does not fall under any of the permitted or discretionary uses within the Agricultural General (AG) District. After several discussions with the landowners to find a solution, it was determined a new Direct Control District would best meet their needs.

Staff has determined the proposed redesignation aligns with the South Saskatchewan Regional Plan, Regional Growth Management Strategy, and Municipal Development Plan. It supports the

diversification of the agricultural economy, it isn't proposing to fragment productive agricultural land, it facilitates employment for the landowner within close proximity to their place of residence, and, as the business has been in operation for several years, has proven there are no land use conflicts.

The application is for a new direct control district. The current definitions for "Agricultural Support Services" and "Automotive and Equipment Services" have been included within the proposed district. This has been done so if the Land Use Bylaw definitions for these uses changes, the definitions will remain the same within the proposed district. The term "Parcel" has been defined to mean the portion of the titled parcel that is proposed to be redesignated. This is being done to establish how setbacks will be measured for any future development permit applications.

Staff has received one comment from internal circulation requesting clarification on how setbacks will be measured and that the existing structures meet those setbacks. Staff included the definition for 'Parcel' in the proposed DC-18 District, and checked the setbacks; the development currently complies with the proposed setbacks.

## Relevant Policy / Practices / Legislation

### Strategic Relevance

SSRP Implementation Plan: Agriculture, Community Development  
RGMS 4.3  
MDP Policies 3.1, 3.7  
Land Use Bylaw 2016-01

### Response Options and Desired Outcome(s)

Option #1: THAT First Reading of Bylaw 2019-30 be granted.

- |              |   |
|--------------|---|
| Resolution 1 | That Council move <u>First Reading</u> of Bylaw 2019-30, this being the bylaw to redesignate +/- 2.43 acres of NW-29-24-24-W4 from Agricultural General District to Direct Control District 18. |
| Resolution 2 | That Council move that a <u>Public Hearing</u> for Bylaw 2019-30 be scheduled for February 18, 2020 at 9:00AM in Wheatland County Council Chambers.   |

Option #2: THAT Bylaw 2019-30 be refused.

- |              |  |
|--------------|--|
| Resolution 1 | That Council <u>refuse</u> Bylaw 2019-30, this being a bylaw to redesignate +/- 2.43 acres of NW-29-24-24-W4 from Agricultural General District to Direct Control District 18. |
|--------------|--|

Option #3 THAT Council approve an alternate recommendation.

### RECOMMENDATION

**Staff is recommending Option #1 - Approval for the following reasons:**

- The proposal generally aligns with the SSRP, RGMS and MDP in terms of what is proposed.
- The proposal aligns with the LUB general rules and regulations.

### IMPLICATIONS OF RECOMMENDATION

#### General

Proceed with preparation for Public Hearing on February 18<sup>th</sup>, 2020.

**Organizational**

N/A

**Financial**

N/A

**Environmental, Staff and Public Safety**

N/A

**Follow-up Action / Communications**

If given first reading, staff will schedule a public hearing for February 18<sup>th</sup>, 2020 and advertise it in the paper for two consecutive weeks.

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