



PLANNING REPORT

1st Reading – COUNCIL
January 14th, 2020

BYLAW #: 2019-30	File No: LU2019-11
LEGAL DESCRIPTION: NW-29-24-24-W4	TITLED AREA: 51.87 Acres
EXISTING LAND USE DISTRICT: Agricultural General (AG) District	PROPOSED LAND USE DISTRICT: Direct Control (DC-18) District 18
The purpose of this application is to redesignate +/-2.43 acres of land from Agricultural General (AG) District to Direct Control District 18 (DC-18) for the purposes of an existing Automotive & Equipment Services Business.	

LOCATION:

Access to the parcel is off of Range Road 245 and is approximately 2.5 km east of the Town of Strathmore.

BACKGROUND INFORMATION:

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.

POLICY ANALYSIS:

Interim Regional Evaluation Framework (IREF):

The application falls within the Calgary Metropolitan Regional Plan area. An application through the IREF is not required as the application is not amending or creating a statutory plan.

South Saskatchewan Regional Plan (SSRP):

The strategies within the Community Development section of the SSRP direct municipalities to establish an appropriate mix of land use patterns and provide a wide range of economic development opportunities. By creating a specific land use that will permit the business on a parcel with a residential development and agricultural operations supports these strategies. The SSRP speaks to limiting fragmentation of agricultural land and to supporting a diversification of the overall agricultural economy. As there is no subdivision intended, and the business supports agricultural operations, these strategies are supported by this application.

Regional Growth Management Strategy Plan (RGMS):

The RGMS's goals include the supply of industrial and commercial land, economic growth and diversification, avoiding conflict between land uses, and protection of agricultural land. The business contributes to economic growth and diversification in the area, there have been no conflicts between it and the surrounding residential dwellings and agricultural operations. Though the decision was to move forward with a Direct Control District rather than redesignating to Industrial General, the uses within DC-18 are Industrial in nature. As the business has been in operation for several years, and does provide support to the agricultural industry, Staff has determined it is not fragmenting productive agricultural land.

Municipal Development Plan (MDP):

The MDP contains objectives and policies pertaining to agriculture and commercial and industrial development. The proposed redesignation aligns with the agricultural objectives and policies. The proposed redesignation is kept to the area currently used by the business, and so is not removing productive agricultural land. It diversifies the development on the parcel with a business that supports agricultural operations. It also aligns with the commercial and industrial development objectives and policies. The proposed redesignation facilitates employment for the landowner within close proximity to their place of residence, and it diversifies and expands the industrial and commercial land base within the County.

Land Use Bylaw:

The purpose of a Direct Control District is to provide specific regulations for development that are otherwise not found within existing Districts of the Land Use Bylaw. This proposed Direct Control District pares down the Industrial General District to the uses required to operate the business. They are all requested to be permitted uses as Staff has no concerns the business will have any negative impacts on the surrounding parcels. It would be the Development Officer's responsibility to issue development permits for all permitted uses, if there are requested variances 10% or greater, the development permit would need to be issued by Council.

The definitions for "Agricultural Support Services" and "Automotive and Equipment Services" have been included in the proposed DC-18. If the Land use Bylaw definitions for these uses change, the definitions will remain the same within this District. "Parcel" has also been defined to mean the portion of the titled parcel that is proposed to be redesignated to DC-18. Where there is no intention to subdivide, it is important to establish how the setbacks are to be measured.

CIRCULATION COMMENTS:

EXTERNAL AGENCIES	COMMENTS
AB Community Development	
AB Culture and Tourism	
AHS	
ATCO Gas	
Canadian Pacific Rail	
Fortis	
WID	No objections
INTERNAL DEPARTMENTS	

Development	<p>Please ensure the applicant is aware that if the redesignation is approved, a Development Permit will be required for the business.</p> <p>Please ensure all existing structures meet the appropriate setbacks. Will they be measure from the "parcel" boundaries or the property lines?</p> <p>The applicant has been made aware a development permit application will be required if the proposed DC-18 District is approved.</p> <p>Staff defined "parcel" to the proposed redesignated area and measured the setbacks from the buildings and proposed lot lines. No variance will be required.</p>
Enforcement	
Fire	
Parks and Recreation	
Planning	
Public Works	

OPTIONS:

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

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.

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

Resolution 1 That Council refuse 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

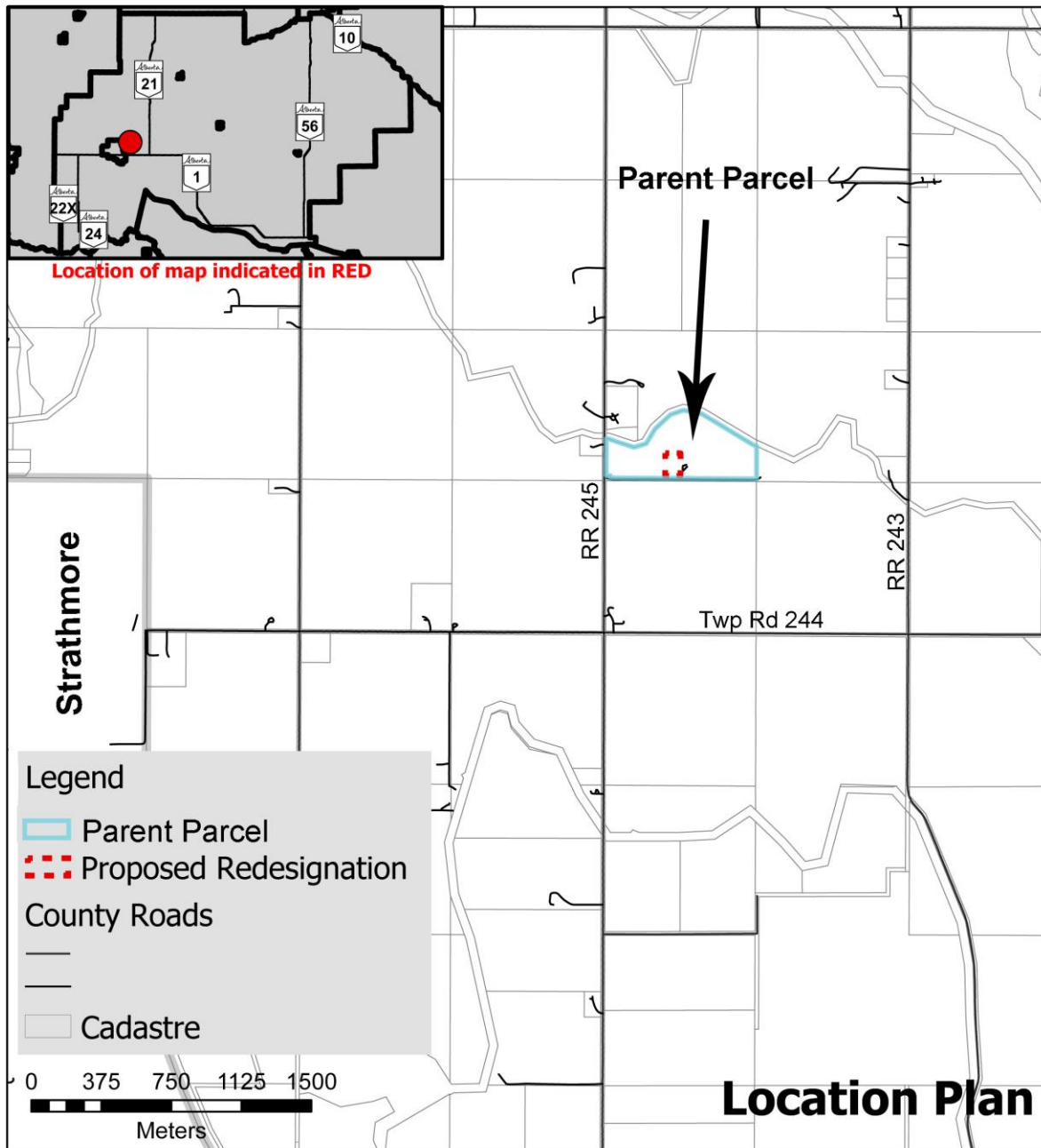
Staff is recommending Option #1 - Approval for the following reasons:


- 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.

Respectfully submitted,



Megan Williams, Planner II
Planning and Development Department





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