

Bylaw 30-2017 Map Amendment to Land Use Bylaw 6-2015 (Ward 5)

Applicant: Fillmore Holdings Inc.
Owner: Brent Fillmore
Legal Description: Lot 2, Block 1, Plan 022 5574
Pt. NE 11-53-21-W4 (16.19 hectares)
Location: South of Highway 16, West of Range Road 211
From: RA-Rural Residential/Agriculture
To: IM-Medium Industrial

Report Purpose

To provide information for Council to make a decision on a bylaw that proposes to rezone approximately 1.87 hectares (4.62 acres) within part of Lot 2, Block 1, Plan 022 5574 from RA - Rural Residential/Agriculture to IM - Medium Industrial to address unauthorized indoor storage and outdoor storage operations on the subject land; Administration does not support this Bylaw.

Applicant Request*

1. THAT Bylaw 30-2017, a bylaw that proposes to rezone approximately 1.87 hectares (4.62 acres) within part of Lot 2, Block 1, Plan 022 5574 from RA - Rural Residential/Agriculture to IM - Medium Industrial, be given first reading.
2. THAT Bylaw 30-2017 be given second reading.
3. THAT Bylaw 30-2017 be considered for third reading.
4. THAT Bylaw 30-2017 be given third reading.

***Administration Position**

The proposal does not meet the intent of the Beaver Hills Moraine Policy Area and the policies of the Strathcona County Municipal Development Plan; therefore Administration does not support the proposed bylaw.

Council History

May 23, 2017 – Council postponed proposed Bylaw 30-2017 and the public hearing to the Council Meeting on June 20, 2017.

April 21, 2015 – Council adopted Land Use Bylaw 6-2015 with an effective date of May 11, 2015.

May 29, 2007 – Council adopted Municipal Development Plan (MDP) Bylaw 1-2007.

Strategic Plan Priority Areas

Economy: n/a

Governance: The Public Hearing provides Council with the opportunity to receive public input prior to making a decision on the proposed bylaw.

Social: n/a

Culture: n/a

Environment: n/a

Other Impacts

Policy: SER-008-022 Redistricting (Map Amendment) Bylaws. This policy ensures that Council has the opportunity to consider and address the social, financial and/or environmental impacts of a redistricting bylaw and whether the bylaw conforms to the Municipal Development Plan.

Legislative/Legal: The *Municipal Government Act* provides that Council may, by bylaw, amend the Land Use Bylaw. The proposed bylaw requires a public hearing.

Interdepartmental: The proposal has been circulated to internal departments and external agencies. Land Development Planning, Development Permitting and Environmental Planning do not support the proposed rezoning.

Summary

The applicant is proposing to rezone approximately 1.87 hectares (4.62 acres) within part of Lot 2, Block 1, Plan 022 5574 from RA-Rural Residential/Agriculture to IM-Medium Industrial to address existing unauthorized indoor storage and outdoor storage operations on the subject land.

The subject property is located within the Beaver Hills Moraine Policy Area of MDP Bylaw 1-2007. The MDP defines the Beaver Hills Moraine Policy Area as:

"An area that accommodates agriculture, residences tied to agriculture and low impact recreational uses. The primary intent of the Beaver Hills Moraine Policy Area is to preserve the Beaver Hills Moraine ecosystem and landscape."

Policy 7.31 of the MDP directs light/medium industrial development within the Rural Service Area to locate adjacent to heavy industrial uses. In this regard, the subject property is not adjacent to any type of industrial land use. The only area identified as industrial light/medium policy area within the rural area is adjacent to the Industrial Heavy Policy area in the Heartland area.

Policy 13.19 of the MDP states that the County will ensure that home businesses which are beyond the intent and purpose of a home business, re-locate to appropriate commercial or industrial zoned lands. In this regard, as this operation has exceeded the intent and purpose of a home business it should re-located to an appropriate existing industrial area.

Within the Land Use Bylaw (LUB), the purpose of the IM-Medium Industrial district is:

"To provide for a broad range of compatible commercial and industrial uses, some of which have outdoor storage or activities. This Zoning District is generally not located adjacent to residential areas because of potential nuisance factors."

The purpose of the proposed IM-Medium Industrial zoning is not consistent with the intent of the Beaver Hills Moraine Policy area or the noted MDP policies. Further, the proposed zoning has a number of permitted and discretionary uses which would also not be appropriate in the Beaver Hills Moraine Policy Area.

Given the above, Administration's position is that the proposal does not conform to the County's MDP and therefore do not support the proposed bylaw. The applicant has been provided in writing Administration's position.

Communication Plan

Letter, Advertisement

Enclosures

- 1 Bylaw 30-2017
- 2 Rural Location Map
- 3 Location Map
- 4 Air Photo
- 5 Notification Map