

Bylaw 63-2017 Text Amendment to Land Use Bylaw 6-2015

Applicant: Sweetgrass Inc.

Report Purpose

To give three readings to a bylaw that proposes to amend the IM – Medium Industrial zoning district to add Agriculture, Intensive Horticulture and Agriculture, Product Processing uses to the list of discretionary uses.

Recommendations

1. THAT Bylaw 63-2017, a bylaw that proposes to amend the IM – Medium Industrial zoning district to add Agriculture, Intensive Horticulture and Agriculture, Product Processing uses to the list of discretionary uses, be given first reading.
2. THAT Bylaw 63-2017 be given second reading.
3. THAT Bylaw 63-2017 be considered for third reading.
4. THAT Bylaw 63-2017 be given third reading.

Council History

March 10, 2015 – Council adopted Land Use Bylaw (LUB) 6-2015 with an effective date of May 11, 2015.

Strategic Plan Priority Areas

Economy: The proposal reflects the economic priority area to diversify the economy and directly achieves the strategic goals to increase and diversify agricultural business as well as promote Strathcona County locally, nationally and internationally as a place that is open for business and investments.

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

Social: n/a

Culture: n/a

Environment: n/a

Other Impacts

Policy: n/a

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

Interdepartmental: The proposal has been circulated to internal County departments and external agencies. No objections to the proposal were received.

Summary

The subject proposal is intended to create additional opportunity for agriculture, intensive horticulture and agriculture, product processing within Strathcona County by providing an option for these uses to be considered at appropriate locations zoned IM - Medium Industrial.

Agriculture, Intensive Horticulture means the primary and basic production and processing (i.e. cleaning, sorting, separating, grading or packing) of horticultural products such as vegetables, herbs and orchards, for sale on or off site. Typical uses include berry farms, tree

farms, sod farms, plant nurseries and market garden operations. This does not include minor or intensive livestock agriculture, an agricultural product stands, or a greenhouse.

Agriculture, Product Processing means a premise for the purpose of processing agricultural products including:

- mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments and biological treatments of plant matter; or cutting, curing, smoking, aging, wrapping or freezing of meat.

This may include accessory uses, including but not limited to office, sales, technical, administrative support, storage or warehousing.

The purpose of the IM – Medium Industrial Zoning 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.

A discretionary use is defined in the LUB as “those uses of land, buildings or structures for which a development permit may be approved or refused at the discretion of the Development Officer.” As a discretionary use, the Development Officer may issue an approval:

- with or without conditions,
- with or without changes in the development, or
- with or without the imposition of regulations that are more restrictive than those in the Zoning District, the General Regulations of the LUB or the Specific Use Regulations of the LUB.

Listing agriculture, intensive horticulture and agriculture, product processing as discretionary uses therefore provides the opportunity for discretion. This gives a Development Officer an opportunity to consider if what is being proposed is appropriate and compatible at the location to which it is being proposed. Further, adding these uses to the Medium Industrial Zoning District as discretionary uses is consistent with the other zoning districts in which they can be considered.

As discretionary uses, notification of the decision is provided by regular mail to adjacent landowners and by placing a notice on the County’s website. Within the notification letter the adjacent landowner is advised of their right of appeal if they consider themselves to be affected by a permit approval.

As it relates to financial considerations, an agriculture, intensive horticulture use located on a property with medium industrial zoning may result in that property not generating the maximum potential tax revenue, due to the application of Provincial Legislation. However, the amount of any resulting tax implication will vary depending on the details of a particular proposal.

Communication Plan

Newspaper advertisement, letter

Enclosures

- 1 Bylaw 63-2017
- 2 IM – Medium Industrial Zoning with proposed additions shaded.

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