

Bylaw 48-2016 Text Amendment to Land Use Bylaw 6-2015 (Ward 5)

Owner: Jaybill Ventures Ltd.
Applicant: Clinton Alexander
Legal Description: Part of SE 26-52-22-W4
Location: North of Wye Road (Hwy 630) and West of Range Road 221

Report Purpose

To give three readings to a bylaw that proposes to add gas bar to the list of permitted uses within DC 44 Direct Control District.

Recommendations

1. THAT Bylaw 48-2016, a bylaw that proposes to add gas bar to the list of permitted uses within DC 44 Direct Control District, be given first reading.
2. THAT Bylaw 48-2016 be given second reading.
3. THAT Bylaw 48-2016 be considered for third reading.
4. THAT Bylaw 48-2016 be given third reading.

Council History

May 24, 2005, Council adopted Bylaw 48-2005, the current DC 44 Direct Control District.

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

Strategic Plan Priority Areas

Economy: To meet the strategic goal to promote Strathcona County locally as a place that is open for business and investment by enabling an additional use within an existing commercial district.

Governance: To meet the strategic goal of public involvement and communicating with the community on issues affecting the County's future, the Public Hearing provides Council with the opportunity to receive public input prior to making a decision on the proposed LUB text amendment.

Social: The proposal supports the strategic goal of building strong neighbourhoods/communities to support the diverse needs of our residents.

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 LUB.

Interdepartmental: The proposal has been circulated to internal departments and external agencies, no objections were received.

Summary

Bylaw 48-2016 proposes to amend the text in the Direct Control District DC 44 to add gas bar to the list of permitted uses.

The Land Use Bylaw defines gas bar as:

a premises for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. This may be a self-service, full service, key lock, card lock, or other similar operation. This does not include minor service stations, major service stations and vehicle-washing facilities.

The purpose of DC 44 Direct Control District is:

a site-specific district that provides rural community oriented commercial and retail services intended to serve adjacent country residential clusters and the rural area. This district will also facilitate a family care dwelling.

The inclusion of gas bar to the list of permitted uses would enable the County to consider an application for a Development Permit application for a gas station at the existing commercial location along Highway 630. The proposal is consistent with the policy direction of the Municipal Development Plan for the siting of Highway Commercial development. Should Council choose to adopt the proposed bylaw, approvals from provincial regulators will also be required, in addition to the Development Permit.

The proponent also intends to apply to replace the existing antique store with a convenience store. As retail, convenience is already a listed use in DC 44, that change of use would only require a Development Permit application.

A Traffic Impact Assessment (TIA) was submitted with the Land Use Bylaw amendment application. The TIA indicates that improvements to the intersection of Hwy 630 and Rge Rd 221 would be needed and are required by Alberta Transportation (AT). These improvements would be the responsibility of the applicant/landowner and would be addressed at part of the Development Permit application if the proposed bylaw is approved.

The applicant has obtained a Roadside Development Permit from AT for the proposed gas bar and retail, convenience uses at this location.

Communication Plan

Newspaper advertisement, letter

Enclosures

- 1 Rural Location map
- 2 Location map
- 3 DC 44 Direct Control District with proposed change highlighted
- 4 Bylaw 48-2016
- 5 Air photo
- 6 Notification Map