



## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Council  
**DATE:** September 22, 2020 **DIVISION:** 4  
**TIME:** Morning Appointment  
**FILE:** 03323014 **APPLICATION:** PL20190161  
**SUBJECT:** Redesignation Item – Agricultural, Small Parcel District to Business, Live-Work District

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### **POLICY DIRECTION:**

The County Plan and Land Use Bylaw.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate the subject land from Agricultural, Small Parcel District (A-SML p8.1) to Business, Live-Work District (B-LWK), in order to facilitate a trucking business.

Council gave first reading to Bylaw C-7970-2019 on December 10, 2019.

On July 28, 2020 Council approved a new Land Use Bylaw (C-8000-2020) which comes into effect on September 8, 2020. Administration has reviewed the district conversions and confirmed that the proposed Live-Work District (L-W) under the old Land Use Bylaw (C-4841-97) now converts to Business, Live-Work District (B-LWK) in the new Land Use Bylaw (C-8000-2020).

The application was circulated to 41 landowners in the area; in response, four letters in opposition were received (see Appendix D). The application was also circulated to a number of internal and external agencies, and responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The proposal is consistent with Business Development policies within the County Plan.
- The subject land is located in the area that is transitioning to a Live-Work area. Therefore, the proposal would meet the purpose and intent of Business, Live-Work District of the Land Use Bylaw.

### **ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with Option #1.

**DATE APPLICATION RECEIVED:** October 31, 2019  
**DATE DEEMED COMPLETE:** July 28, 2020

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**PROPOSAL:** To redesignate the subject land from Agricultural, Small Parcel District (A-SML p8.1) to Business, Live-Work District (B-LWK) in order to facilitate a trucking business.

**LEGAL DESCRIPTION:** Block 2, Plan 731129, NW-23-23-28-W04M

**GENERAL LOCATION:** Located approximately 0.40 km (1/4 mile) south of Highway 560 and immediately east of Range Road 282.

**APPLICANT:** Terradigm Development Consultants Inc. (Steve Grande)

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### **Administration Resources**

Xin Deng, Planning and Development Services



<b>OWNERS:</b>	Gerald & Dawn Gautreau
<b>EXISTING LAND USE DESIGNATION:</b>	Agricultural, Small Parcel District (A-SML p8.1)
<b>PROPOSED LAND USE DESIGNATION:</b>	Business, Live-Work District (B-LWK)
<b>GROSS AREA:</b>	± 19.33 acres
<b>SOILS (C.L.I. from A.R.C.):</b>	<p><b>1 1</b> – Western portion of the land contains soil with no significant limitations for crop production.</p> <p><b>2T40 2D30 5N, W30</b> – Eastern portion of the land contains soil with slight limitations to very severe limitations for cereal crop production due to adverse topography, low permeability, high salinity, excessive wetness/poor drainage.</p>

## **HISTORY:**

**September 8, 2009** Application 2009-RV-201 to redesignate the subject land from Agricultural Holdings District to Direct Control District in order to accommodate a portable toilet supply and service business was withdrawn and the file was closed.

## **BACKGROUND:**

The property contains a dwelling and two large shops. The dwelling is serviced by a water well and a private sewage treatment system. The property is accessed by the existing approach off Range Road 282.

The property had Development Permits for a Home-Based Business, Type II for water hauling business from 2011 to 2019, and for a porta-potti business from 2007 to 2011. The Applicant proposes to redesignate the subject land to Business, Live-Work District in order to facilitate a trucking business. A proposed stormwater pond would be located on the east portion of the land.

This application was originally scheduled for a Council meeting on January 28, 2020. However, the Applicant requested that it be removed from the agenda due to objections from the neighbors, and placed on hold until further notice. On July 28, 2020, the Applicant requested that this application be scheduled for consideration.

The subject land is located in an area with a mix of country residential and small agricultural parcels. The lands to the north and west of the subject land fall within the Janet Area Structure Plan.

## **POLICY ANALYSIS:**

### County Plan

Section 14 Business Development provides policies for evaluation of proposals ranging from regional business to highway business and other business development. This Section encourages new business to locate within the existing business area as identified on Map 1, but also provides flexibility for considering development that is located outside of the business area if the proposal can justify their need and location. "Other Business Development" provides policies to evaluate a proposal that is not located in the identified business areas.

Policy 14.22 requires that the proposals for business development outside of a business area should be limited in size, scale, intensity, and scope; should have direct access to a paved County road or Provincial highway; should provide a traffic impact assessment; and should minimize adverse impact on existing residential and agricultural uses.



The proposed development is considered limited on size, the land has direct access Range Road 282 and, the Applicant provided a Stormwater Management Plan that covers both the subject land and the adjacent land to the south. The Plan concluded that stormwater could be managed on-site and will not have adverse impact on adjacent lands. A traffic assessment will be required at future Development Permit stage.

#### Land Use Bylaw

The purpose and intent of the Business, Live-Work District is to provide for a combination of residential and light industrial or commercial activities on a single parcel, with residential as the primary use. The parcel must be located in the Central East Rocky View Region in locations where adjacent development activity is industrial or commercial in nature.

The property located in the adjacent quarter section, which is five lots to the south, was redesignated to Live-Work District on July 28, 2020 (PL20200053). The land immediately to the south has applied for the same Business, Live-Work District (PL20190162) and is also being considered on September 22, 2020. Therefore, the subject land is located in the area that is in transition to business development and the proposal would meet the purpose and intent of the Business, Live-Work District.

#### **OPTIONS:**

- Option #1:      Motion #1      THAT Bylaw C-7970-2019 be amended in accordance with Appendix B.  
                          Motion #2      THAT Bylaw C-7970-2019 be given second reading, as amended.  
                          Motion #3      THAT Bylaw C-7970-2019 be given third and final reading, as amended.
- Option #2:      THAT application PL20190161 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

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#### **APPENDICES:**

- APPENDIX ‘A’: Application Referrals  
 APPENDIX ‘B’: Bylaw C-7970-2019 and Schedule A  
 APPENDIX ‘C’: Map Set  
 APPENDIX ‘D’: Adjacent Landowner Letters