

ADMINISTRATIVE REPORT

TO: Robert Nicolay, City Manager	DATE: October 3, 2022
FROM: Yemi Babalola, Planner	MEETING: City Council
SUBJECT: Land Use Bylaw Amendment C-1260-161 Add "Child Care Facility, RV Parking and Storage, and Agricultural Operation" uses to the DC-24 District and Associated Amendments	

RECOMMENDATIONS

It is recommended that City Council:

- 1) Give 1st reading to Bylaw C-1260-161, being an amendment to the Land Use Bylaw,
- 2) Give 2nd reading to Bylaw C-1260-161,
- 3) Have 3rd reading for Bylaw C-1260-161, and
- 4) Give 3rd reading to Bylaw C-1260-161.

PREVIOUS COUNCIL / COMMITTEE DIRECTIONS

There are no previous Council directions on this application.

BACKGROUND

The City has received an application to amend the Land Use Bylaw to add "Child Care Facility, Recreation Vehicle Storage, and Agricultural Operation" to the list of uses in the DC-24 District (see Attachment #1). The purpose of the amendment is to allow for an expansion of the current business of the Sand Zone through the addition of a Child Care Facility, Garden Plot rental and space rental for RV parking and storage.

These uses are not currently listed in the District and therefore cannot be considered for development. Adding the aforementioned uses to the DC-24 District would allow for the uses to be considered for development in the District.

While reviewing Section 104.4.24.5 of the Land Use Bylaw, it was observed that specific clauses in the section could be wrongly interpreted. To address this, Administration initiated a housekeeping amendment to include in this bylaw. The housekeeping part of the amendment involves removing the phrase Schedule A and rewriting the sentences to reference the site plan for the District correctly. Schedule A in the Land Use Bylaw is referenced as the Land Use District Map in the list of schedules. Referencing different figures as Schedule A in the same Plan would lead to confusion.

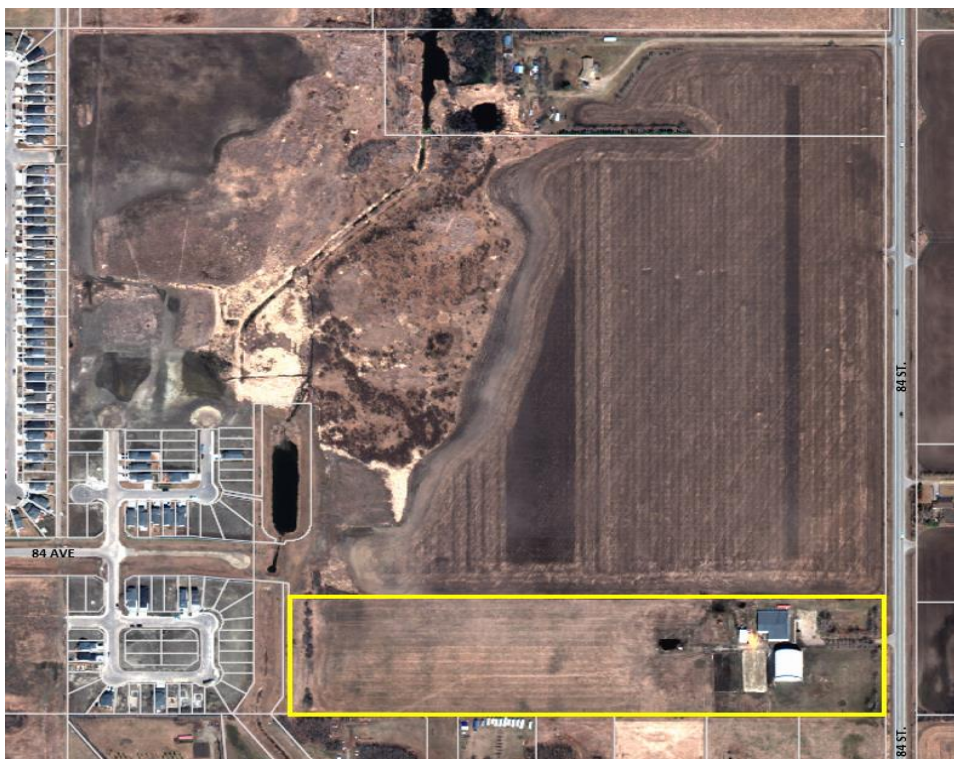
The proposed housekeeping part of the amendments to the Land Use Bylaw is housekeeping in nature, meaning they are being initiated to correct contradictions and inconsistencies that may be subjective for the Development Authority to interpret.

ANALYSIS

Site and Context

The site is located within the Fieldbrook neighbourhood, at 8202 84 Street. It is made up of a 20-acre lot and currently houses the Sand Zone, an indoor and outdoor recreational facility for people of all ages.

The site is bounded by several single-family unit residential developments to the west, by 84 street to the east, and by Eagle Estates to the south. The parcel directly to the north of the site is currently under cultivation. The Meadow View ASP proposes commercial and multi-family development for the parcel.



Relationship to City Council's Areas of Focus / Strategic Priorities

The Child Care Facility and RV Storage do not directly align with the Council's Strategic Priorities. However, the Agricultural Operation (rentable garden plot) proposal aligns with the Council's Strategic Priority – Quality of Life with the following area of focus:

Active Lifestyle – encouraging and facilitating healthy individual and family lifestyles that are inclusive and affordable to residents.

Environmental Impact

No environmental impact is foreseen.

Economic Impact

The amendment would allow for the development of a child care service facility within the existing Sand Zone building that could enable more parents to join the workforce, consequently improving the City's economy.

Social Impact

The amendment would allow for the development of rentable garden plots that can promote social ties and build a feeling of community among residents.

Relevant Statutes / Master Plans / City Documents

Municipal Development Plan (MDP)

The MDP's future land use map designates the area for future residential use. The designation is generalized and compatible with non-residential uses that support residential neighbourhoods. Child Care Facility and Agricultural Operation (garden plot rental) are considered appropriate under this designation. The proposed amendment is deemed to comply with the requirements of the MDP.

Meadow View Area Structure Plan

The subject area was identified as an Urban Reserve in the Meadow View Area Structure Plan but has been rezoned as DC-24 (Bylaw C-1260-103). The ASP allows for non-residential uses that are compatible with residential uses in the area. The proposed uses will be consistent with the ASP.

Outline Plan

The area is within the Fieldbrook Neighbourhood Outline Plan and is planned for Recreational uses. The proposed amendment to allow Garden plot rental is consistent with the OP. Recreation Vehicle storage and child care facility may be deemed to be compatible with recreational activities.

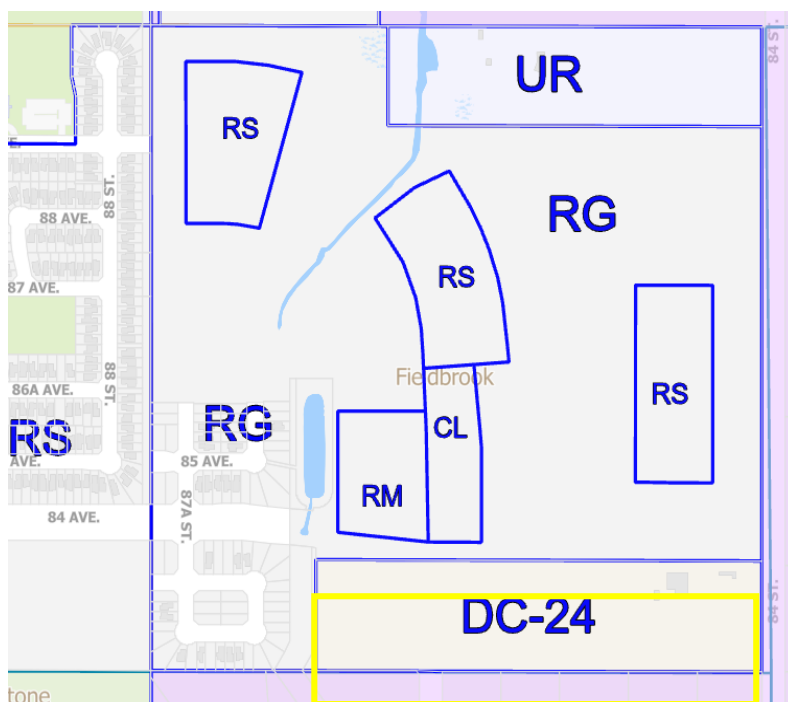
Land Use Bylaw

Site Zoning

The site is zoned DC-24 Site Specific Direct Control District (see Attachment #1). The site was zoned DC-24 in February of 2022 to allow Commercial Recreation Facility, Indoor and Commercial Recreation Facility, Outdoor.

Two main uses are currently allowed in the DC-24 District; the third being accessory uses to the other two. The Development Officer is the Development Authority for the uses and standards in the District.

The amendment would add "Child Care Facility, RV Parking and Storage, and Agricultural Operation" to the DC-24 District.



Child Care Facility is defined as:

"...a development licensed by the Province of Alberta to provide personal care, maintenance, supervision or education, without overnight accommodation, for seven (7) or more children at one (1) time for more than three (3) but less than 24 consecutive hours in a day. This includes daycare centres, out of school service, drop in centres, nurseries, kindergartens, nursery schools and play schools and other similar uses."

Recreation Vehicle Storage is defined as:

"...an outdoor storage facility used specifically for seasonal or temporary storage of cars, trucks, and recreation vehicles."

'Recreational Vehicle Storage' is considered an industrial use and therefore does not align with the purpose or intent of this District. The LUB currently has no specific regulations for this use. However, the Development Permit process provides the opportunity for additional oversight and authority to ensure the proposed recreational vehicle storage development is appropriate for the DC-24 District and will not negatively impact the neighbourhood. The development of this use for this District will therefore have to meet the specifications of the Development Authority. It shall be limited to the storage of 50 recreational vehicles.

Garden Plot is currently not defined in the LUB. However, this use is considered as a use similar in character and purpose to section 5 of Agricultural Operation definition.

Agricultural Operation is defined as:

"an agricultural activity conducted for gain or reward or in the hope of expectation of gain or reward, and includes, but is not limited to:

- 1. The cultivation of land;*
- 2. The raising of poultry and livestock, including game-production animals within the meaning of the Livestock Industry Diversification Act;*
- 3. The raising of fur-bearing animals, birds or fish;*
- 4. The production of agricultural field crops;*
- 5. The production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;*
- 6. The production of eggs and milk;*
- 7. The production of honey;*
- 8. The operation of agricultural machinery and equipment, including irrigation pumps; and*
- 9. The application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spray, in conjunction with agricultural purposes".*

A Garden plot is a compatible use with the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops. The Development Permit process provides the opportunity for additional oversight and authority to ensure the proposed garden plot rental is appropriate for the District.

Surrounding Zoning

The DC-24 zone is surrounded by RG, RM and CL to the north and west, while the south and east boundaries are adjacent to the Rural Service Area zoned lands. As per the Outline Plan, the Plan is to extend 84 Avenue to link 84 Street.

Risk

The site is currently not serviced by Aquatera for water and wastewater but with private water and wastewater services. Water supply for firefighting may have to be provided by the landowner.

Administration believes there are no risks associated with the proposed housekeeping amendments. The proposed housekeeping amendments neither increase nor decrease restrictions

or alter the Land Use Bylaw's intent but improve its interpretation. No risk was anticipated as a result of adding the three new uses to the DC-24 District.

STAKEHOLDER ENGAGEMENT

Notification of the public hearing for the proposed amendment was undertaken per the MGA and the LUB requirements. This included mailing notices to surrounding property owners and posting notices of the amendment on the subject site. The proposed amendment was also posted on the Planning and Development Public Notices webpage. No comments or concerns have been received from the stakeholders at the time of writing this report.

The applicant also posted signs at strategic locations in the common community areas to notify the surrounding landowners as part of the application process and in compliance with the LUB. No one responded with any comments or concerns.

BUDGET / FINANCIAL IMPLICATIONS

None.

SUMMARY / CONCLUSION

The proposed LUB amendment would increase the number of enabled uses in the DC-24 by adding a Child Care Facility, RV Storage and Agricultural Operation to the existing enabled uses in the District.

No adverse land use impacts were foreseen with adding the three proposed uses to the DC-24 District. If the proposal is approved, the establishment of any of the new uses would require further conditional approval through a development permit process and be subject to conditions and guidelines applicable to the use. Administration recommends that Council give Bylaw C-1260-161 first, second and third reading as proposed.

ATTACHMENTS

1. DC-24 Site Specific Direct Control District
2. Bylaw C-1260-161