



AGENDA ITEM

Redesignation of Land on Lot 15 Block 1 Plan 162 0927 Expansion of Rebel Energy Ltd.

November 7, 2019

BACKGROUND

A Public Hearing was held and Council gave Second Reading to Bylaw 1305/19 on October 10, 2019. The Bylaw proposes to rezone approximately 3.68 ha (9.11 ac) on Lot 15 Block 1 Plan 162 0927, adjacent to the Burbank Industrial park from Agricultural 'A' District to Business Industrial 'I-BI' District. This is being requested by Rebel Energy Services Ltd., on behalf of the landowner Ron Campbell, to facilitate an expansion to Rebel Energy Services Ltd.'s yard site. The Bylaw is attached as Schedule 'A'.

In January 1996, a Bylaw was passed to rezone approximately 42.08 hectares (104 acres) of land from Agricultural "A" District to Industrial "I" District under the County's Land Use By-law on Pt. SW 23-39-27-W4M. These lands are now known as Burbank Industrial Park. At that time, Council agreed not to extend the industrial zoning to the south quarter line in order that a buffer could be maintained for the adjoining residential property to the south. The *Blackfalds Intermunicipal Development Plan* (IDP) identifies the land as green space/buffer area. Since that time however, a 21 acre gravel pit has developed between the residence and the proposed lands to be rezoned. Additionally the IDP is currently being updated and an amendment has been prepared to accommodate this change.

No studies are being required as part of the application, as this is a small extension to the developer's yard site and is not considered to have an impact on traffic, storm water, or environmental considerations.

An Open House was held by the developer on August 29, 2019 to solicit feedback from the public on the proposed rezoning. A total of two (2) members of the public attended and they had no concerns with the proposed redesignation. One (1) written submission was received from a neighbouring landowner. He advised that he had no issues with the proposed redesignation but requested that the following conditions be applied to the approval:

- 1) The dedication of an undisturbed buffer between the proposed industrial lands and the SE 23-39-27-W4M similar in width to Lot 12 PUL, Block 2 Plan 012-1471;

- 2) The proposed buffer should be no less than 20 metres in width and shall run from the south boundary of Lot 12 PUL Block 2 Plan 012-1471 to the south boundary of lot 1 Block 15 Plan 162 0927 paralleling the west boundary of the SE 23-39-27-W4M;
- 3) The proposed buffer can be dedicated through subdivision or as a condition of development approval through the development approval process;
- 4) The construction of a 5 ft. chain link fence along the entirety of the east boundary of Lot 1, Block 15 Plan 162-0927.

No issues or concerns were raised as part of the Public Hearing held on October 10, 2019. The requests made by the neighbouring landowner during the pre-bylaw public consultation have been addressed in the Development Agreement which the developer has entered into prior to Council's consideration of Third Reading.

POLICY CONSIDERATIONS

The *Municipal Development Plan* (MDP) contains policies, which direct the location of Industrial and Commercial sites. Both ECON 5.6.3 Synergies, and ECON 5.6.4 Industrial and Commercial Park Location, encourage the clustering of similar types of industries and businesses so that they can build cooperative relationships, take advantage of major transportation routes, and locate in areas with compatible land uses.

The *Blackfalds Intermunicipal Development Plan* (IDP) currently identifies the land as green space/buffer area but an amendment is being proposed to accommodate the expansion as part of the IDP review.

The purpose of the Business Industrial 'I-BI' District is to provide for a broad range of commercial and industrial uses in business and industrial parks, some of which may have outdoor storage or work activities.

LEGISLATIVE RESPONSIBILITIES

The *Municipal Government Act* gives Council the sole authority and responsibility to consider amendments to the Land Use Bylaw. In dealing with any request to change the land use zoning of a parcel of land, Council is required to consider:

- the suitability of the land for the intended use; and
- the compatibility of the intended use with other uses, both existing and proposed, in the surrounding area.

Council is also expected to consider how the proposed zoning change conforms to the *Municipal Development Plan* and any other local plans that Council has adopted, which affect the land.

PUBLIC PARTICIPATION

Lacombe County sees the value in engaging the public through a variety of mediums and is committed to open, accountable and responsive decision making, including different levels of engagement with the public as outlined in the Policy AD (40): Public Participation Policy. The appropriate level of engagement for each public participation opportunity should be selected on a project-to-project basis. The levels of engagement within the policy are as follows:

- *Inform*: To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
- *Consult*: To obtain public feedback on analysis, alternatives and/or decisions.
- *Involve*: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
- *Collaborate*: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
- *Empower*: To place final decision making in the hands of the public.

The County's *Multi-Lot Development Proposals: A Guide to the Approval Process* outlines the process which developers are required to follow as part of their application for redesignation. This document requires developers to host a public meeting. The purpose of this presentation is to inform affected landowners of the proposed development prior to the bylaw process.

A Public Hearing allows members of the public to provide additional input into the proposed development before the lands are rezoned.

RECOMMENDATION

Staff recommend that Third Reading be given to Bylaw 1305/19 to change the zoning of approximately 3.68 ha (9.11 ac) on Lot 15 Block 1 Plan 162 0927, from Agricultural 'A' District to Business Industrial 'I-BI' District as generally shown on Schedule 'A'.

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REVIEWED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager

Three blue ink signatures are stacked vertically in separate boxes. The top signature is a cursive signature, the middle one is 'D.F.', and the bottom one is 'T.T.'.