

NOVEMBER 13th COUNCIL UPDATE

- **Distillery approved in Bragg Creek**
- **Application to convert Ag Holdings into Industrial District denied in Div 5**
- **Division 5 Truck Storage Facility put on hold**
- **Census Results announced - appeal to Deputy Minister**

Distillery approved in Bragg Creek

An application to have a 1-acre parcel changed from Hamlet Residential 1 to Hamlet Commercial for the creation of a distillery in Bragg Creek was approved 8-0. Councillor Mark Kamachi was absent. Administration found the application to be compliant with policy.

The application received a number of letters in support and objection. Those in support believed that the plan supported the Bragg Creek Revitalization initiative and would be a welcome business to the community. Those in opposition cited concerns over traffic, water supply, wastewater treatment, potential odours and fire issues.

The applicants cited the economic benefits of the distillery to the area. There are a number of tax incentives in place from the province for craft made spirits and the niche marketing the applicants felt Bragg Creek provided would help boost not only their business but the community overall.

In terms of its location, the applicants tried to place their business in the local mall but there was no space available. That said, the proposed lot is located within the hamlet core and the property is considered to be sequential development.

The applicants addressed each of the points raised by those in opposition. With regards to traffic, they noted that access to the property is not off the same road as neighbouring residences rather it comes off the main road. In addition, they would have sufficient parking so that visitors would not need to park on neighbouring residential streets.

They cited that the water drawn by the property would be akin to 3 or 4 residences. Interestingly, in the hamlet of Bragg Creek a 1-acre lot can be subdivided into 3-4 parcels - making the usage compatible to that of more densified residential.

In terms of wastewater, solid waste would be used for animal feed or compost and 95% of their water use would be recycled. They also stated any construction would be in compliance with FireSmart regulations.

Application to convert Ag Holdings into Industrial District denied in Division 5

An application to convert a 20-acre parcel in Division 5 from Ag Holdings to Industrial Activity district was denied on a vote of 6-2, with Councillors Al Schule and Dan Henn in opposition. Administration found the application to be non-compliant with policy.

The owner currently operates a landscaping business from the property. Earlier this year, he applied for a Home Based Business permit but was denied as he did not live on the property. There was some debate as to what constituted "living on the property" as there was an occupied trailer on the lands.

The property is the eastern-most property on the section and is accessed through an 8m wide panhandle. The designation of Industrial Activity would allow

the lot to be further subdivided into multiple 2-acre lots, which an 8m panhandle driveway would not be sufficient to access.

The applicant stated a lot in the same subdivision was already occupied by Volker Stevin and being used for industrial purposes. However, Volker Stevin has occupied those lands since 1999. Since that time, policy has been created to eliminate potential landuse conflicts and focus this type of industry in identified growth areas (which these lands do not fall within).

While the application was denied, local Councillor Jerry Gautreau did acknowledge that the land use bylaw needs to be reviewed as he considers it this area as transitional. Until that is done, however, ad hoc development like this should not occur.

As a result of the debate about the Home Based Business, Councillor Gautreau made a motion to have Administration work with the applicant to submit a development permit application for a Home Based Business Type II and:

- a) waive any development permit application fees
- b) waive any appeal fees under the Master Rates Bylaw.

His motion was supported unanimously.

Division 5 Truck Storage Facility put on hold

An application to have a parcel changed from Ranch and Farm to Business Industrial Campus in Division 5 was put on hold pending further research from Administration.

The property in question is half in phase II of the Conrich ASP while its other half is in the future policy area. Administration had stated the application was non-compliant as the lands in phase I should be built out before allowing development in other phases.

The applicant argued that all other lands in phase I are being held on speculation by their owners and none of them would be suitable as a truck storage facility, so his proposal was not a competitive threat to these landowners. He also argued that the train tracks and the roads that dissected the property had, in essence, turned the parcel into an island.

The applicant noted that the intended land use - that of a truck storage facility was temporary. This raised the question as to the appropriateness of changing the land use to Business Industrial Campus and its compatibility with other land uses in the area (kitty corner from the proposed parcel is a residential development).

To add further complication, to make the plan work, the applicant did not want to change the designation on the entire parcel, just the portion where he wanted the truck storage facility to go. He wanted to leave the remainder as Ranch and Farm as that would be where stormwater would be held. He made it clear he was only seeking redesignation not subdivision.

Councillor Gautreau moved to conclude that the proposed development was consistent with the Conrich Area Structure Plan policies. His motion lost on a tie. Councillors Crystal Kissel, Kevin Hanson, Reeve Greg Boehlke and myself formed the opposition.

Gautreau then motioned to have the application tabled until a later date while Administration works with the applicant to come up with an alternate solution.

His motion was supported unanimously.

Census results announced - appeal to Deputy Minister

According to the responses of 14,791 households, there are 36,776 residents that call Rocky View home, a number that does not include the 1,455 homes that were classed as non-contacted.

In an effort to include the 1,455 non-contacted dwellings in the total usual resident population, Administration submitted a formal request to the Deputy Minister of Municipal Affairs. The request was denied.

Acknowledging that Rocky View County's population count would be affected by the 1,455 non-contacted dwellings, the Deputy Minister of Municipal Affairs granted approval for the County to use the 2016 Federal Census count of 39,407 as the population count for Rocky View County for the 2018 Municipal Affairs Official Population List. Meaning that for official reporting purposes, and for Municipal Sustainability Initiatives (MSI) grant funding, the official population for 2018 for Rocky View County will be 39,407.

The request submitted to the Deputy Minister included an assumed population of 2.7 residents for each of the 1,455 non-contacted homes. This would increase our population to 40,705, approximately 3% above the 2016 Federal Census count.

The County's letter to the Deputy Minister stated that "it is usual practice at the County, by municipalities and in other organizations to extrapolate the likely number of residents in such cases". To which the Deputy Minister countered with "utilizing an extrapolation of 2.7 residents for each contacted dwelling is not an acceptable methodology as it is not possible to determine if the occupants of the dwelling are usual residents of the municipality without a census interview".

As a result of the response, Councillor Gautreau made a motion to have the Deputy Minister's decision appealed. It was approved unanimously.