

Regional Municipality of Wood Buffalo

Land Use Bylaw Amendment

Dunvegan Gardens

Lot 5, Plan 992 0950 & Lot 6, Plan
992 0950



Prepared for Dunvegan Gardens (Fort McMurray) Ltd.
by IBI Group

February 2018

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1 Introduction

1.1 Purpose

The purpose of this amendment to the Regional Municipality of Wood Buffalo (RMWB) Land Use Bylaw (LUB) is to add a Direct Control District and enable the land uses associated with a community focussed greenhouse commercial establishment.

1.2 Proponent of the Amendment

IBI Group is submitting this proposed LUB amendment on behalf of Dunvegan Gardens (Fort McMurray) Ltd., who is the Registered Owner of the subject lands.

2 Background

2.1 Amendment Location

The proposed amendment will apply to the lands located at 128 Garden Lane (Lot 5, Plan 992 0950 & Lot 6, Plan 992 0950). These lands are situated in the northwest area of the Airport Lands Land Use Districts plan. The location of the proposed amendment is illustrated in **Map 10 – Airport Lands Land Use Districts**.

2.2 Planning Context

The proposed amendment area is located in a cluster area of Small Holding Districts located within the northwest of the Draper Region bordered by the Draper Road and Country Residential Districts to the south and Environmental Protection area and the Clearwater River to the north.

2.3 Existing Development

Dunvegan Gardens currently operates under the Small Holdings District. Small Holding Districts are for the purpose of providing large lot acreages intended for residential, small scale agricultural pursuits and other compatible uses.

Dunvegan Gardens is a local business that has been operating a small scale agricultural and market garden operation serving the RMWB region for over 40 years.

3 Land Use Bylaw Amendment

3.1 Proposed Amendment

This LUB amendment proposes to add a new Direct Control District to enable a broader range of permitted land uses. This new Direct Control District proposes to establish a special land use district to accommodate community focused greenhouse commercial uses on a site specific basis. The District is intended to provide the RMWB with the necessary control over the nature and location, site design, and appearance of development on the site.

The location of the proposed amendment is illustrated in **Map 10 – Airport Lands Land Use Districts and Figure 1 – Redistricting Plan**.

3.2 Amendment Rationale

The amendment to the LUB is allow for a local community focussed business to continue operating in a manner that is in keeping with the permitted uses and site provisions and regulations of the Regional Municipality of Wood Buffalo (RWMB) Land Use Bylaw.

3.3 Policy Context

A corresponding Amendment to the Highway 69 / Clearwater Valley Area Structure Plan has been submitted along with this application.

3.4 New Direct Control District

The proposed new DC# - Direct Control District is as follows:

SECTION ### DC-## – DIRECT CONTROL DISTRICT

(1) PURPOSE

The purpose of this District is to establish a special land use and development regulations to accommodate a community focused greenhouse commercial establishment on a site specific basis. The district is intended to provide the Municipality with the necessary control over the nature and location, site design, appearance of development on the site.

(2) Permitted Uses

The following are permitted uses:

Accessory Building and Uses
Breweries, Wineries and Distilleries
Commercial Recreation Facility, Indoor
Commercial Recreation Facility, Outdoor
Community Service Facility
Community Garden
Events/Special Events
Food Service, Major Restaurant
Food Service, Minor Restaurant
Greenhouse/Plant Nursery
Home Business

Intensive Agriculture (on lots larger than 4 hectares) (*as per Section 91.0 Additional Provisions:

Intensive Agriculture)

Keeping of Animals (Petting Zoo) (*as per Section 91.0 Additional Provisions:

Intensive Agriculture)

Manufactured/Modular Home

Market Garden

Office

Park

Public Use

Retail Store, General

Temporary Building or Structure

Warehouse and storage

(3) Discretionary Uses – Development Authority

The following are uses that may be approved by the Development Authority:

Amateur Radio Antenna

Bed and Breakfast

Campground

Country Inn

Essential Public Service

Family Care Dwelling

Home Occupation

Kennel

Parking Lot/Structure

Public Utility

Retaining Wall

Resort Facility

Satellite Dish Antenna

Single Detached Dwelling

DRAFT

(4) SITE PROVISIONS

In addition to the General Regulations contained in Part 5, (of the Land Use Bylaw), the following standards shall apply to every development in this district.

- a) Lot Area (minimum): 2.0ha
- b) Front yard (minimum): 7.6m for principle buildings
15.0m for all other buildings and structures
- c) Side Yard (minimum): 5.0m for principle buildings
10.0m for all other buildings and structures
- d) Rear Yard (minimum): 7.6m for principle buildings
15.0m for all other buildings and structures
- e) Building Height (maximum): 12.0m

(5) ADDITIONAL PROVISIONS

Development Authority must be satisfied that:

- (a) Adequate access exists to a public road.
- (b) The developer will be responsible for constructing all internal roads.
- (c) The keeping of animals, birds and livestock shall be as per Section 91.0 Additional Provisions: Intensive Agriculture. Where there are multiple lots adjacent to each other owned by one owner, the total allowed units of livestock will correspond to the total lot area combined. Grazing areas are to implement adequate fencing and buffering to ensure the safe on-site confinement of animals and to reduce the noise and visual impacts on neighbouring properties. All grazing areas shall provide adequate measures for the disposal of animal waste to the satisfaction of the Development Authority and the Regional Health Authority.
- (d) The development can be serviced with water and sanitary sewage in compliance with Nuisance and General Sanitation Regulation of the Public Health Act and the Alberta Private Sewage Treatment and Disposal Regulations.
- (e) The development meets the requirements of Section 60 – Development in the Flood Plain (Clearwater River/Athabasca River Flood Plain Area) and Section 61 – Development Near Water Bodies and Water Courses, of this Bylaw.
- (f) Parking shall be provided in accordance with Part 7.
- (g) Garbage and waste material shall be stored in weather proof and animal proof containers and shall be visually screened from adjacent sites and public areas to the satisfaction of the Development Authority.
- (h) Outdoor Landscaping Material Storage Bins
 - (i) Retaining walls will be a maximum height of 2.44m (8ft).
 - (ii) All new landscape material storage bins will require approval by the Development Authority

3.5 Text Amendments

The following text will be added to Part 5 General Regulations of the Regional Municipality of Wood Buffalo Land Use Bylaw;

Part 5 General Regulations

56 *Breweries, Wineries and Distilleries*

Breweries, Wineries and Distilleries shall comply with the following regulations:

- 56.1 *A property or building in which beer, wine, spirits and other alcoholic beverages are manufacture using products grown onsite or imported in;*
- 56.2 *Which has designated areas for the production process, canning, bottling and for the storage for intent of sold on site or for shipping;*
- 56.3 *That has a designated hospitality areas for private groups to access for sampling, tasting and consumption.*
- 56.4 *That product manufactured onsite be available to be sold onsite for consumption on and off the premises;*
- 56.5 *A Brewery, Winery and Distillery can be combined with a Restaurant and/or Drinking establishments to provide an increase of the public space for consumption of food and beverages onsite, but shall not exceed the maximum capacity of the Use it is combined with.*
- 56.6 *that where a public space is provided that does not open on to a residential district, except for emergency exits, loading bay doors and non-operable windows.*
- 56.7 *That Outdoor Public Space shall not be located next to a Residential Land Use;*
- 56.8 *That no noxious odours, dust or waste be generated in excess of the Use characteristics or does not comply with Development Permit Application requirements;*
- 56.9 *That all manufacturing and storage of equipment, materials and product be contained within an enclosed structure;*
- 56.10 *That all parking meets the requirements of Part 7 of the Land Use Bylaw.*
- 56.11 *That all exterior Landscaping meets the requirements of Part 5 of the Land Use Bylaw and in conformance of Crime Prevention Through Environment Design principles.*

The following text will be deleted and replaced with;

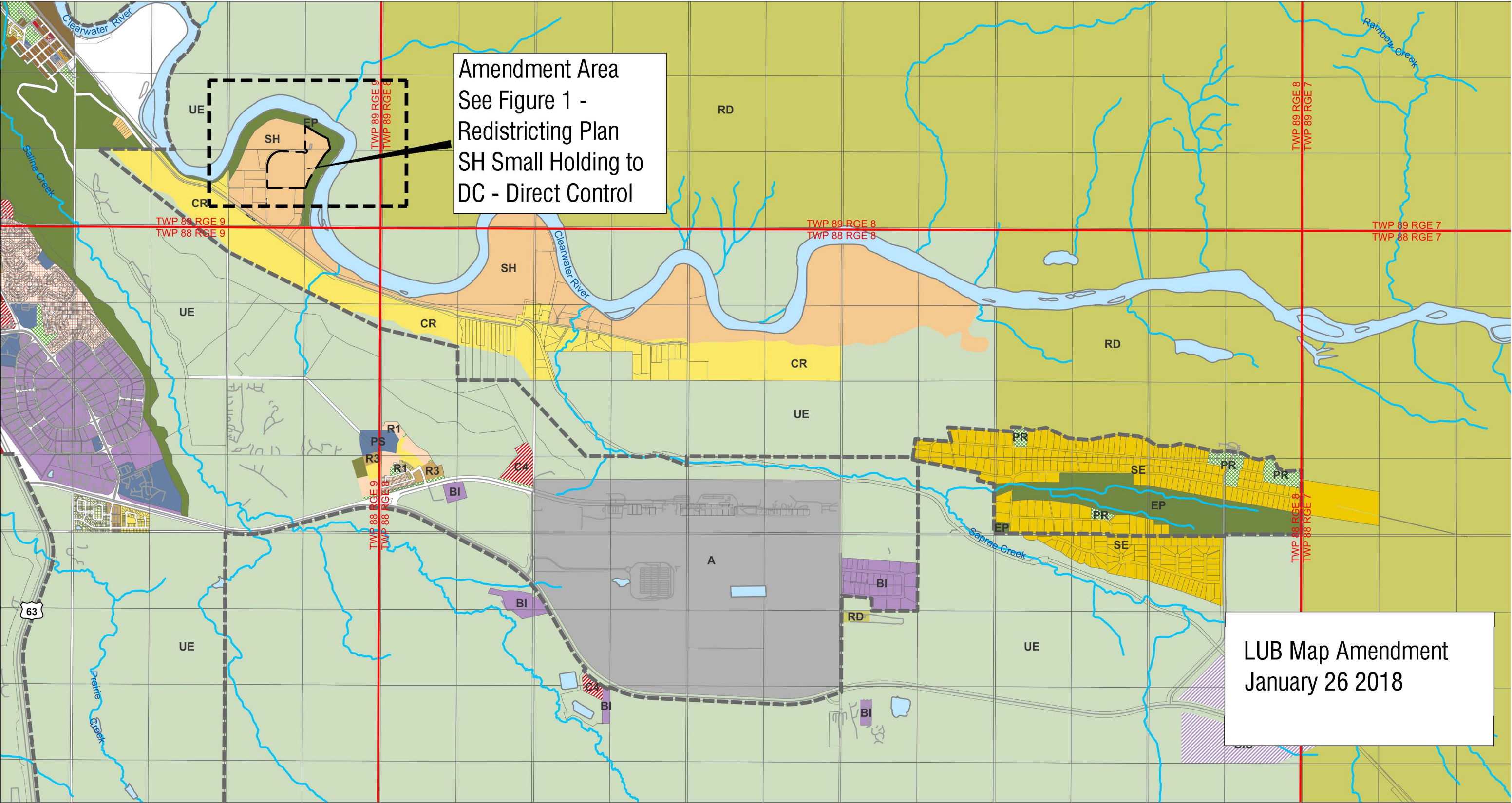
- 76.7 Delete “No livestock, fowl or fur-bearing animals, other than domestic pets, shall be permitted in any residential districts, except for horses, donkeys, goats, llamas, alpacas, and other similar such animals, kept as pets and/or for personal enjoyment, at Saprae Creek, Conklin, Janvier, Anzac and deleted (Bylaw No. 01/043) whereby parcels greater than 0.809 ha are permitted a maximum of (3) three horses, conditional upon the horses being confined within a fence constructed to the satisfaction of the Development Officer. Deleted (Bylaw No. 00/011).”
- 76.7 *Replace with “No livestock, fowl or fur-bearing animals, other than domestic pets, shall be permitted in any residential districts, except for horses, donkeys, goats, llamas, alpacas, and other similar such animals, kept as pets and/or for personal enjoyment, at Saprae Creek, Conklin, **Draper**, Janvier, Anzac and deleted (Bylaw No. 01/043) whereby parcels greater than 0.809 ha are permitted a maximum of (3) three horses, conditional upon the horses being confined within a fence constructed to the satisfaction of the Development Officer. Deleted (Bylaw No. 00/011).”*
- 76.8 Delete “Notwithstanding section 76.7, on residential lots in the hamlets of Conklin and Janvier, the keeping of animals, including livestock, is permitted at the discretion of the Development Authority in accordance with the provisions for Intensive Agriculture contained in Section 116.6 of this Bylaw.”
- 76.8 *Replace with “Notwithstanding section 76.7, on residential lots in the hamlets of Conklin, **Draper** and Janvier, the keeping of animals, including livestock, is permitted at the discretion of the Development Authority in accordance with the provisions for Intensive Agriculture contained in Section 116.6 of this Bylaw.”*

3.6 Exhibit Amendments

- a) Substituting “**Map 10 – Airport Lands Land Use Districts**”, with “**Map 10 – Airport Lands Land Use Districts**”, appended herewith.

Appendix A – Proposed Figures

Map 10 – Airport Lands Land Use Districts Plan
Figure 1 – Redistricting Plan



Land Use Districts - Rural Service Area

A Airport	C4 Highway Commercial	GD Gateway District	R2 Low Density Residential	SE Suburban Estate Residential
BI Business Industrial	CR Country Residential	PR Parks and Recreation	R3 Medium Density Residential	SH Small Holdings
BIU Business Industrial Unserved	DC Direct Control	PS Public Service	R5-MU Apartment & Commercial Mixed Use	UE Urban Expansion
C1 Community Commercial	DC-R3 Direct Control Medium Density Residential	R1 Single Detached Residential	RD Rural District	
C2 Mixed/Transitional Commercial	DC-UER Direct Control Urban Estate Residential	R1M Mixed Form Single Detached Residential	RMH Manufactured Home Residential	
C3 Shopping Center Commercial	EP Environmental Protection	R1S Single Family Small Lot Residential	RMH-2 Small zero lot line Manufactured Home	

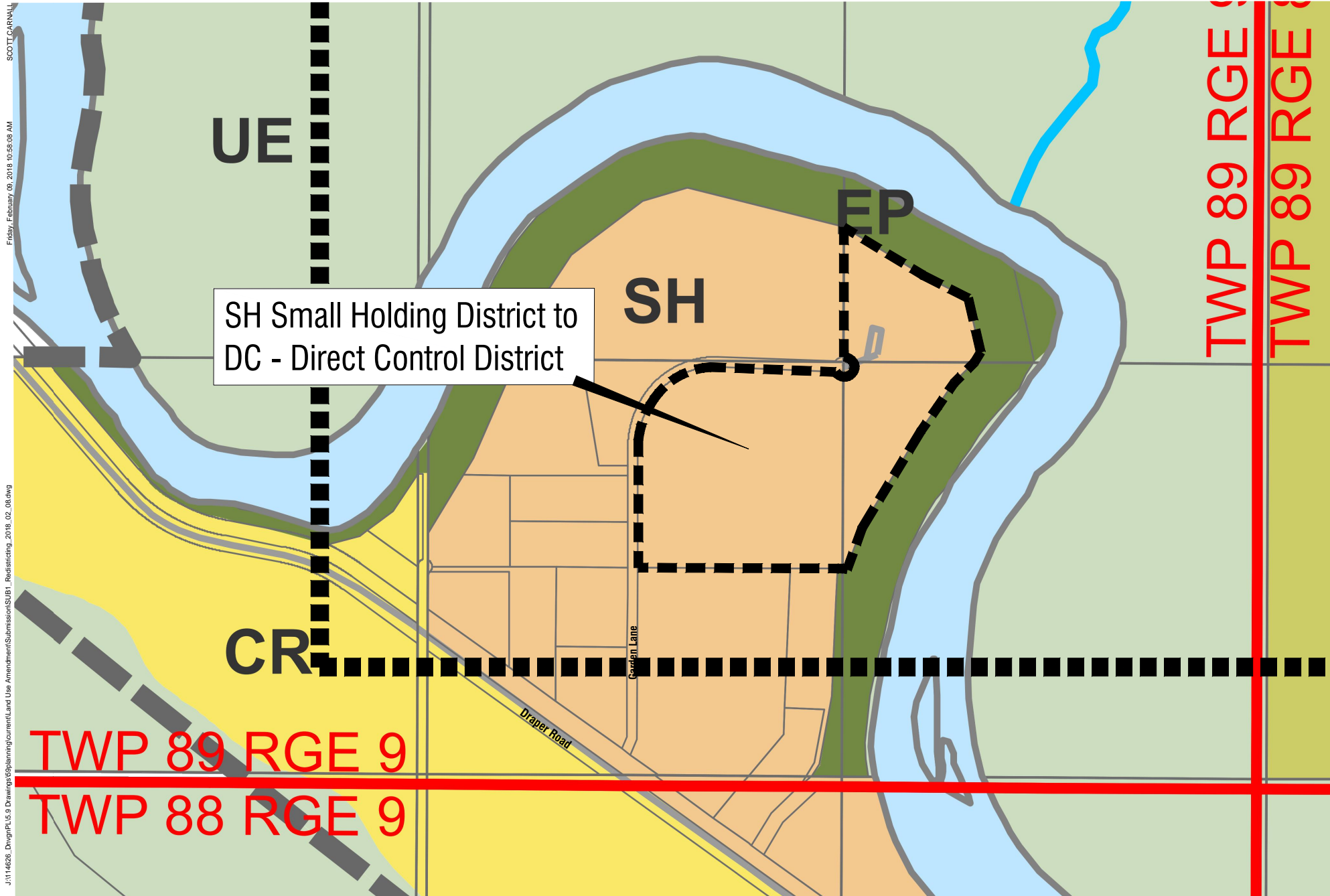
AIRPORT LANDS
LAND USE DISTRICTS

Amendment Date: November 25, 2014



1 cm = 380 meters

December 08, 2017
Map produced for
Community Development Branch



J:\114626_Draper\PLS 9 Drawings\Planning\CurrentLand Use Amendment\Submission\SUB1_ Redistricting_2018_02_08.dwg
Friday, February 09, 2018 10:58:08 AM
SCOTT CARNALL



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DUNVEGAN GARDENS LOT 5, PLAN 992 0950 & LOT 6, PLAN 992 0950

From: SH (Small Holding District)
To: DC## (Direct Control District)

DATE: February 9, 2018
DESIGNED BY: SC
DRAWN BY: SC
CHECKED BY: MM
SCALE: NTS
JOB NUMBER: 114626

