

Topic: Rural Business ("Cottage Industry") Land Use Bylaw amendment

Introduction:

Proposed Bylaw 2016-26 is a Land Use Bylaw amendment that adds a new "Cottage Industry" as a new land use class, including a new definition and specific use regulations. The proposed amendment will provide greater opportunities for a wide range of rural businesses to obtain development permit approvals within Parkland County.

Facts (Background Information):

Under the current Land Use Bylaw, entrepreneurs wanting to start small businesses in rural areas of the County are restricted to home based businesses or a limited number of specific uses listed in the Land Use Bylaw. As such, the Land Use Bylaw discourages certain start-ups and innovative rural-based economic opportunities.

As rural businesses innovate, many also grow beyond the scope of existing land use classes allowed in the Land Use Bylaw and encounter barriers in obtaining development permit approvals. While these businesses may not comply with the Land Use Bylaw, they may still be compatible with the surrounding areas due to their rural character.

Therefore, Administration has proposed Bylaw No. 2016-26 to amend the Land Use Bylaw to add a new "cottage industry" land use class to accommodate a wider range of rural businesses. First reading of Bylaw No. 2016-26 was given on December 13, 2016, and a public hearing date was set for February 28, 2017 at 9:30 a.m. in Council Chambers.

Analysis

Based on background research, in-depth interviews with business owners, and public consultation feedback received (please see Attachment 4, *Research Public Consultation Summary*), Administration determined that allowing a variety of small-scale rural, niche and/or agricultural businesses referred to as "cottage industries" under a new land use class would be appropriate in certain districts within the County, provided that:

- a) the new use is clearly defined; and
- b) planning considerations regarding compatibility are addressed through specific land use regulations.

Use Definition

Administration felt that the definition of this new land use class must be broad enough to capture a range of appropriate businesses, and flexible enough to adapt to the current and future trends in rural economic development. At the same time, this definition must specifically identify locations where the use shall not be permitted due to a greater potential to adversely impact adjacent residences, such as in multi-parcel residential subdivisions. Within multi-parcel residential subdivisions, landowners are still able to operate businesses under the existing "Home Based Business" uses.

Planning Considerations

The “cottage industry” land use class will be a Discretionary Use in existing country residential and agricultural land use districts. This is because a cottage industry use may involve a wide range of activities and services conducted on properties with different circumstances and characteristics, requiring the Development Authority to exercise greater discretion when considering potential adverse impacts.

For this reason, conditions under a development permit approval may vary greatly amongst different cottage industries, reflecting their unique local context, history and characteristics. For example, depending on proximity to residences, the Development Authority may require screening for outdoor storage under one cottage industry; however, this requirement may be deemed irrelevant by the Development Authority for cottage industries with minimal visual impact to nearby residences.

Hence the proposed regulations will enable the Development Authority to carefully consider context-specific factors when approving cottage industry uses, with the overall goal to minimize possible nuisances to adjacent residences, such as noise, dust, noxious emissions, excess traffic and lighting.

For cottage industries that may present a greater potential to adversely impact neighbouring residences, the Development Authority may require public consultation prior to submission of a development permit application.

Bylaw 2016-26 (Attachment 1) includes Land Use Bylaw amendment to add the following:

1. Section 12.24 – Cottage Industry;
2. Section 20.1 – Definitions;
3. Cottage Industry discretionary use to Table 3.3-1: Permitted and Discretionary uses by Land Use District; and
4. Cottage Industry discretionary use to all relevant Use tables under applicable Land Use Districts.

Alternatives:

1. Council may defeat Bylaw No. 2016-26 at second reading.
2. Council may give second reading to Bylaw No. 2016-26, but defer third reading to a later date.

Conclusion/Summary:

Administration supports the proposed amendment and recommends that Council give second and third readings to this Bylaw.

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