

Topic: New Land Use Bylaw

Introduction:

Proposed Bylaw 2017-18 is a Bylaw to replace the County's existing Land Use Bylaw. The proposed Land Use Bylaw is a significant update to the current document's administrative and interpretive provisions. These changes represent the first phase in creating an effective document that responds to development/industry trends, community interests, and Council's strategic goals.

Administration is asking Council to give first reading to Bylaw No. 2017-18 and set a public hearing for September 26, 2017.

Background Information:

In accordance with Section 639 of the Municipal Government Act (MGA), every municipality must have a Land Use Bylaw. The Land Use Bylaw is a planning document that regulates the use of land and built form. The Land Use Bylaw is a dynamic document and therefore, it is necessary to keep the document current so it effectively responds to development/industry trends and community interests, and facilitates effective decision-making. Council adopted the current Land Use Bylaw in 2009. Since that time, the County passed a number of amendments, largely in response to particular issues or developments. Moving forward, any proposed amendments will be subject to sufficient review to minimize inconsistencies, conflicts, and redundancies.

The primary objective of the Land Use Bylaw project is to create a robust document that effectively regulates development. The new Land Use Bylaw focuses on strengthening interpretive and administrative provisions to facilitate effective decision-making. The document also ensures provisions will clearly articulate development rights. Because this phase focuses more on rules related to how to interpret and apply the document and less on specific regulatory provisions, there is little effect on residents of the County. Subsequent phases of the project will focus on specific regulatory parts in order to implement policies adopted in the Municipal Development Plan such as land use regulation within hamlets, gravel extraction, and environmental considerations. A new and robust Land Use Bylaw will more effectively accommodate these future amendments.

This phase of the project also responds to Council's direction in relation to accessory buildings on vacant residential parcels and adds provisions to certain regulations that do not currently exist. The updates also recognize dominant legislation and streamlines approval processes.

Attached is a listing of all proposed changes. The following table summarizes key changes in relation to the project's objectives:

Objective	Incorporated into the New Land Use Bylaw
Clarity	Provisions in plain language
	Removing conflicting sections
	Reformatting land use districts
	Capitalizing words and terms that are specifically defined
	Consistent numeric values (metric values are rounded)
	As much as possible, clearly identifying development rights on the face of each district (Removing “qualifiers” of use within regulations)
	Removing “notes” column in land use districts
	Removing obsolete provisions
	New interpretive provisions for accessory developments
	Clarifying provisions related to Natural Resource Extraction/Processing
Applicability and Use	Adding interpretive clauses to give direction to the document’s user
	Adding fundamental use provisions within each land use district
	Updating purpose statements to align with statutory planning documents
	Adding interpretive sections for Direct Control districts
	Removing ambiguous provisions related to accessory developments
	Adding provisions related to accessory developments
	Variance authority that reflects that unique characteristics of Parkland County
	Adding criteria and direction for issuing a letter of support or non-support regarding telecommunication towers
Removing Redundancy and Inconsistency	Removing redundant requirements for securities
	Removing development permit requirements for telecommunication towers (Federal Jurisdiction)
	Removing time limiting requirements for Natural Resource Extraction/Processing – Mechanisms in place to enforce without this requirement
	Changing primary method of notification from advertising in the newspaper to regular mail with an expanded notification area
	Updating Entwistle Urban Village District
	No longer requiring a Development Permit for farming activities
	No longer requiring a Development Permit for utilities (exempt under MGA)
	No longer requiring a Development Permit for minor home occupations
Responsive to Public Interest	Adding provisions that prohibit certain types of uses from being accessory unless they are specifically allowed within the district
	Changing primary method of notification from advertising in the newspaper to regular mail with an expanded notification area
	Strengthening rules pertaining to validity and cancelation of development permits
	Making Manufactured Home (Single Wide) allowed within the EUV district
Council Direction	New definition for “Out-Building”
	Allowing Out-Buildings in specific land use districts as a discretionary use
	New regulations for Out-Buildings in districts where allowed

Public Engagement

County staff presented information regarding the Land Use Bylaw on six separate occasions. In addition, staff conducted one-on-one meetings with internal stakeholders throughout the process of drafting the Land Use Bylaw. The following summarizes the County's public engagement initiatives:

- March 20, 2017: Sandhills Community Hall (in conjunction with the MDP Open House)
- March 21, 2017: Carvel Hall (in conjunction with the MDP Open House)
- March 22, 2017: Tomahawk Hall (in conjunction with the MDP Open House)
- March 30, 2017: Parkland County Centre (in conjunction with MDP Stakeholder Open House)
- April 7-9, 2017: Tri-Municipal Spring Expo
- June 15, 2017: Parkland County Centre

For Council's convenience, this report includes a redlined Land Use Bylaw, a table listing each change with rationale for the change, a summary of key changes, and the final version of the Land Use Bylaw with all of the changes incorporated.

Conclusion/Summary:

Administration recommends that Council give first reading to Bylaw 2017-18, and set a Public Hearing for September 26, 2017, at 9:30 a.m. in Council Chambers to hear public comment on Bylaw No. 2017-18.

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