

Topic: Outdoor Participant Recreation Services and Outdoor Shooting Ranges

Introduction

Proposed Bylaw 2017-19 is in response to Council's direction to amend the Land Use Bylaw regarding Outdoor Participant Recreation Services and outdoor shooting ranges. This report provides an option for Council's consideration and administration's recommendation.

Background Information:

Council's Direction to Administration

On May 9, 2017, Council made the following motions:

Motion 1

That administration be directed to prepare an amendment to the Land Use Bylaw and the accompanying definition section of the Bylaw to exclude outdoor gun ranges in all residential districts from the definition of Outdoor Participant Recreation Services.

Motion 2

That administration provide a full comprehensive review of shooting ranges on all regulatory matters within its purview in 2018 as part of the broader Municipal Development Plan and Land Use Bylaw change.

Background

The Land Use Bylaw currently defines "Outdoor Participant Recreation Services" as follows:

"OUTDOOR PARTICIPANT RECREATION SERVICES means development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical facilities would include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, miniature golf establishments, Scout/Guide camps, religious outdoor retreat camps and parks, paint ball parks, gymkhana/rodeos."

The County's Land Use Bylaw lists the use as a permitted use in two districts and discretionary in 11 districts. There are no specific regulations or qualifiers for the use as it relates to outdoor gun ranges. Therefore, in districts where the use is discretionary, the Development Authority must base its decision on the merits of the application and the characteristics of the area. In districts where the use is permitted, the Development Authority must approve an application for development permit if it complies with the provisions of the Land Use Bylaw.

Analysis

Motion 1

In reviewing Council's first motion, administration created Bylaw 2017-19 allowing outdoor shooting ranges as a discretionary use in two non-residential land use districts.

Bylaw 2017-019 is attached to this report. Bylaw 2017-019 would:

- Change the existing definition of Outdoor Participant Recreation Services to exclude outdoor shooting ranges
- Create a new use class and definition for outdoor gun ranges
- Include Outdoor Shooting Ranges as a discretionary use in the AGG and RE districts

These amendments would amend the current definition and create a new use class for outdoor shooting ranges. This allows the Land Use Bylaw to regulate outdoor shooting ranges without restricting other developments that fall within the definition of Outdoor Participant Recreation Services.

The proposed amendments would increase the Land Use Bylaw's consistency with a number of the County's statutory planning documents. The Municipal Development Plan (MDP) identifies residential areas as Country Residential Core. The MDP enables compact, economical, and efficient residential development within these areas. The Atim Creek North Area Structure Plan (Bylaw 26-2002) states that the primary use of the land in Country Residential Core areas would be country residential with farming and horticultural uses being compatible (Section 6.3.1). The Woodbend-Graminia Area Structure Plan also refers to residential and compatible uses in Section 4.3.1. The proposed Land Use Bylaw amendments are consistent with the policies that encourage higher density residential development and recognize the need for compatible land uses within residential districts.

Motion 2

Administration undertook a thorough review of municipal regulatory requirements for shooting ranges while creating the proposed amendments. As a result, administration will not be undertaking further analysis at this time.

July 15, 2017 Open House

In keeping with Council Policy C-AD51 Administration held an open house on June 15, 2017. The open house provided an opportunity for the public to provide feedback in response to the notice of motion to amend the Land Use Bylaw and the accompanying definition section of the Bylaw to exclude outdoor gun ranges in all residential districts from the definition of Outdoor Participant Recreation Services. The June 15, 2017 open house also presented the public with a draft new Land Use Bylaw; however, but that is not the subject of this report.

One hundred and five (105) people attended the open house. Forty-six percent of the 99 people who signed the register were residents of Parkland County. A summary of the feedback received from the open house is attached to this report.

Section 692 Public Hearing

Pursuant to section 692 of the *Municipal Government Act*, a Public Hearing must be held prior to second reading of the bylaw. The Public Hearing is to be held in accordance with section 230 of the *Municipal Government Act* after giving notice to the public in accordance with section 606 of the *Municipal Government Act*. Section 230(4) of the *Municipal Government Act* states:

- (4) In the public hearing, council
 - (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the council, and
 - (b) may hear any other person who wishes to make representations and whom the council agrees to hear.

Section 230(5) of the *Municipal Government Act* states:

- (5) After considering the representations made to it about a proposed bylaw or resolution at a public hearing and after considering any other matter it considers appropriate, the council may
 - (a) pass the bylaw or resolution,
 - (b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
 - (c) defeat the bylaw or resolution.

Should Bylaw 2017-019 receive first reading Administration recommends a Public Hearing be held at the regular council meeting on September 12, 2017 at 9:30 a.m.

Recommendation:

Administration recommends that Council give first reading to Bylaw 2017-19 as presented.

Administration recommends that a Public Hearing be held at the regular council meeting September 12, 2017 at 9:30 a.m.

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