



ADMINISTRATIVE REPORT

Topic: Bylaw 2020-16, Land Use Bylaw Amendment Related to Use Classifications

Introduction:

Administration is proposing Bylaw 2020-16 to amend Land Use Bylaw 2017-18. The proposed amendment would reintroduce previously included uses to the Agricultural General (AGG) District, the Entwistle Urban Village (EUV) District, and the Rural Centre (RC) District.

Background Information:

A periodic review of Land Use Bylaw 2017-18 (LUB) brought to light that certain permitted and discretionary uses were unintentionally omitted in a 2016 update to the LUB ("2016 LUB Refresh Phase 1"). As a result, these uses were absent from the LUB when it received Third Reading by Council. Three Districts were affected: Agricultural General (AGG) District, Entwistle Urban Village (EUV) District, and Rural Centre (RC) District. The respective uses that were omitted from each district are as follows:

AGG - Agriculture General District

- Boarding House (Discretionary)
- Cemetery (Discretionary)
- Community Recreation Services (Discretionary)

EUV – Entwistle Urban Village

- Subdistrict R2: Home Day Care (Discretionary)
- Subdistrict R3: Secondary Suite (Discretionary)
- Subdistrict C1: Government Services (Discretionary)

RC - Rural Centre District

- Educational Services (Permitted)
- Government Services (Discretionary)
- Home Based Business Level 2 (Discretionary)
- Home Based Business Level 3 (Discretionary)

Administration is proposing to amend the Land Use Bylaw to ensure that existing developments within these districts may re-build, re-develop, and expand. The reintroduction of these uses will align with the overall purpose of the respective districts and enable the Development Authority to consider new developments that align with their intent.

Analysis:

Background Research Summary

The unintentional omissions were made during a project titled “2016 LUB Refresh Phase 1” which which was a comprehensive reformatting of the Land Use Bylaw. During this project a Table of Amendments was created, itemizing all intentional changes. The uses that were unintentionally omitted from the AGG, EUV, and RC Districts are not listed in the Table of Amendments. The following process was used to confirm their unintentional omission:

1. The 20-2009 LUB, which was the start of the 2016 LUB Refresh Phase 1 project, was compared against the 2017-18 LUB, which was the end of the project. This comparison was used to generate a list of all uses (intentional and unintentional) that were removed.
2. The project’s Table of Amendments was used to categorize all removed uses as intentional or unintentional.
3. To identify the exact step where each unintentionally omitted use was removed, project documents were examined, starting with the 20-2009 LUB through to the redline version of the 20-2009 LUB and the 2017-18 LUB adopted by Council.

It was found that, in total, ten uses across the AGG, EUV, and RC Districts were unintentionally omitted from the regulatory text of the LUB but not from the summary table at the front of the document (i.e. Table 3.4-1 Permitted and Discretionary Uses by Land Use District). The summary table is for reference purposes only and in order for the Development Authority to consider the omitted uses they must be included in the regulatory text.

Public Engagement

In accordance with the provincial health requirements, public engagement for this amendment was conducted via a virtual open house that ran from November 9 - 14, 2020. A live chat (i.e. virtually staffed session) was also held on November 12 from 1:00 pm to 7:00 pm to engage directly with members of the public.

Newspaper, County website and social media advertisements ran prior to the virtual open house commencement. Newspaper advertisements were also ran during the 3 consecutive weeks immediately prior the Public Hearing.

Overall, there were 26 unique visitors to the virtual open house and 0 written submissions. As no feedback was received the same proposed amendments that were presented at the open house and First Reading are being presented to Council for the Public Hearing.

Proposed Amendment:

The proposed amendment would add the following permitted and discretionary uses to the respective district listed:

AGG - Agriculture General District

- Boarding House (Discretionary)
- Cemetery (Discretionary)
- Community Recreation Services (Discretionary)

EUV – Entwistle Urban Village

- Subdistrict R2: Home Day Care (Discretionary)
- Subdistrict R3: Secondary Suite (Discretionary)

- Subdistrict C1: Government Services (Discretionary)

RC - Rural Centre District

- Educational Services (Permitted)
- Government Services (Discretionary)
- Home Based Business Level 2 (Discretionary)
- Home Based Business Level 3 (Discretionary)

The proposed text amendments to the Land Use Bylaw are shown in red font added to excerpts of the consolidated version in **Attachment 3 – Land Use Bylaw with Redlined Amendments**.

Policy Framework Review:

This Land Use Bylaw amendment project is supported by several Pillars found in the County's Long-Term Strategic Plan "2040 and Beyond", related to strategic economic diversification, complete communities, and respected leadership.

This project is also supported by the County's Municipal Development Plan (2017-14), which supports the reintroduction of these appropriate uses throughout the County's agricultural lands and rural centres (i.e. hamlets).

Recommendation:

Administration supports the proposed amendment and upon closing of the Public Hearing recommends that Council give Second and Third reading to Bylaw 2020-16.

Attachments:

- Attachment 1: Chair's Notes
- Attachment 2: Written Submissions for Public Hearing
- Attachment 3: List of Speakers for Public Hearing
- Attachment 4: Administrative Report (this document)
- Attachment 5: Proposed Bylaw 2020-16
- Attachment 6: Land Use Bylaw with Redlined Amendments
- Attachment 7: What We Heard Report (Previously Circulated to Council at First Reading)
- Attachment 8: Administration PowerPoint Presentation

AUTHORS: Tom Lippiatt, Development Planning

Department: Planning & Development Services

Date written: January 12, 2021