

Topic: Proposed Amendment to Land Use Bylaw 2017-18 –Amendments to the Osprey Bay Direct Control District Including Redistricting**Administration Recommendation:**

1. That Bylaw 2024-24 receive second reading.
2. That Bylaw 2024-24 receive third reading.

Introduction:

Administration is proposing an amendment to the Osprey Bay Direct Control District (DC) including a redistricting of a portion of the lands within the DC area. The objective of this amendment is to provide additional flexibility and subdivision opportunities for the two parcels of land located within the district, and to provide increased transparency regarding the limited development opportunities for the vacant lands within the district.

Facts (Background Information):

Proposed Bylaw 2024-24 is a Land Use Bylaw amendment for the Osprey Bay Direct Control District (DC Area 6) which impacts the two (2) parcels of land legally described as Pt. NW-16-53-5-W5M and Lot 1, Plan 902 2292. The purpose of the DC District is to accommodate the eight (8) dwellings currently existing on the two parcels. The landowners wish to pursue fee-simple subdivision to have a separate title for each dwelling. The Bylaw also proposes to redistrict the vacant lands within the DC area to the PC-Conservation District.

On December 10, 2024, Council gave first reading to Bylaw 2024-24 and set a Public Hearing date of January 28, 2025, at 10:00am.

Land Use Bylaw (LUB) Redesign Project

Parkland County Administration is currently undertaking a redesign of our current Land Use Bylaw 2017-18. Although Bylaw 2024-24 is an amendment to Parkland County's current Land Use Bylaw, the Land Use Bylaw Redesign Project Team was consulted during the drafting of the amendments to ensure that the proposed changes will be in alignment with the new Land Use Bylaw, which is expected to be presented for Council's consideration in early 2025.

Analysis:**Text Amendment:**

Regulation within the existing DC District restricts the subdivision ownership type to Bareland Condominium, and also states that any application for subdivision within the district must be a district wide application, meaning that the two parcels cannot apply to subdivide their property independently of each other.

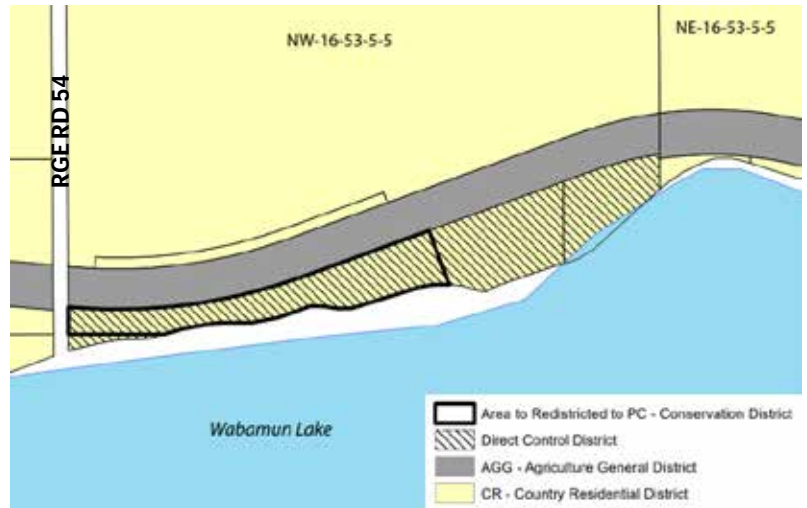
Provincial and County policy states that each new parcel of land created must have legal and/or physical access to a public roadway. In the case of Osprey Bay due to fragmentation from the CN railway, the existing dwellings do not have access to a public roadway, and instead there is a private roadway in place to provide access to each dwelling.

A Bareland Condominium subdivision type would allow the private roadway to be dedicated as common area and continue to be maintained privately. However, the same outcome can be achieved via a registered access right-of-way plan and access easement agreement, to provide legal and physical access to each dwelling on a fee-simple parcel.

As such, Administration determined that the ownership type restriction and district wide application regulation within the district are not necessary. Bylaw 2024-24 proposes to remove these two regulations from the DC District which will allow landowners within the area to apply for fee-simple subdivision to create a separate title for each dwelling on the properties. The Bylaw also proposes to adjust the decision authority for subdivision applications from Council to the Subdivision Authority in order to streamline the subdivision approval process in the future, consistent with subdivision applications in other districts. Council will remain as the decision authority for any development related applications (new structures).

Redistricting:

Given that the DC District is intended to accommodate only the existing eight dwellings (no new dwellings are permitted in the area), it is not appropriate for the vacant lands within the area to remain within the DC District once the developed area has been subdivided. Additionally, a DC district is intended to be used when no other district within the Land Use Bylaw can accommodate a unique type of development. Once the developed area within Osprey Bay is subdivided, the vacant area no longer meets this criteria as there is a district within the Land Use Bylaw to accommodate these lands.



Bylaw 2024-24 proposes to redistrict the vacant lands within the area to the PC-Conservation District due to the environmental sensitivity of the lands being along Wabamun Lake and largely within the Wabamun Lake floodplain. The redistricting will allow the landowners to continue to use and enjoy the lands, while also providing increased transparency regarding the limited development opportunities since no new dwellings can be constructed.

Public Consultation

Administration conducted public engagement as required by Council Policy C-AD51 for the proposed Land Use Bylaw amendment. An Open House was held on November 6, 2024, at the Wabamun Office.

Advertisements for the Open House included:

- Newspaper advertisements in the Spruce Grove Examiner, Community Voice, and Pembina Post
- Uploading content on the County webpage and social media
- Emailing subscribers from YourParkland.ca
- Direct mailout to landowners within the Osprey Bay DC area and adjacent landowners within 800m of the DC area

There were 24 attendees at the open house. Hand-out materials were available at the event detailing the proposed amendments, and feedback boards were present with prompting questions where attendees were encouraged to provide written feedback. Overall, many of the participants expressed their satisfaction with their questions answered.

A complete summary of the engagement can be found in the What We Heard Report.

Policy Framework Review

The policy frameworks relevant to the consideration of the proposed Land Use Bylaw amendment:

1. Edmonton Metropolitan Region Growth Plan (EMRGP):

The proposed Land Use Bylaw amendment does not require referral to the Edmonton Metropolitan Region Board (EMRB) as Land Use Bylaw amendments are not a requirement under the Regional Evaluation Framework (REF).

2. Parkland County Strategic Plan 2022-2025

The proposed Land Use Bylaw amendment is in alignment with Pillar D Responsible Leadership – Goal D2: To strive for organizational excellence in delivering County services and programs to residents, businesses, and community groups.

3. Municipal Development Plan (Bylaw 2017-14):

In addition to the Figures of the MDP listed in the chart below, the Land Use Bylaw amendment is consistent with Section 7 (“Rural Communities & Housing”) of the County’s MDP.

Figure 2-Edmonton Metropolitan Region-Policy Tiers	The subject parcel is located within the Rural Area of the Edmonton Metropolitan Region.
Figure 4- Natural Resource Consideration	This area is identified as having a low concentration of oil and gas well activity.
Figure 5-Environmentally Significant Areas	The subject parcel is located within the Wabamun Lake and Fallis Slopes Environmentally Significant Areas.
Figure 7- Development Concept	The subject parcel is located within the Lakefront Residential Area.
Figure 9-Prime Agriculture Areas	The subject parcel is NOT located within one of the identified Prime Agricultural Areas.
Figure 11-Prime Recreation and Tourism Areas	The subject parcel is located within the Wabamun / Pembina Prime Recreation and Tourism Area.
Figure 14-High Priority Landscapes	The subject parcel is NOT located within a High Priority Landscape.

Alternatives:

1. If Council desires to receive more information Council may adjourn the Public Hearing to continue to receive additional information accordingly.
2. Should Council be satisfied with the information received at the Public Hearing, that the Public Hearing be closed and:
 - a. That Bylaw 2024-24 be presented to Council at this meeting for second and third reading.
 - b. That Bylaw 2024-24 be presented for second and third reading on February 11th, 2025, at a regular scheduled meeting of Council.

Conclusion/Summary:

Administration finds that the proposed Land Use Bylaw amendment provides additional flexibility and subdivision opportunities as well as increased transparency regarding the limited development opportunities within the area and therefore recommends that upon closing the Public Hearing, Council give second and third reading to Bylaw 2024-24.

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