

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 format and administrative and interpretive provisions. These changes represent the first phase in creating a robust document that effectively regulates development and facilitates good decision making.

Administration is asking Council to give second and third reading to Bylaw No. 2017-18.

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 municipality's regulatory land use planning document that implements policies established within higher-level statutory planning documents. It is also a dynamic document and therefore, it is important to ensure the document is current as a way to respond to development/industry trends and community interests, and facilitates effective decision-making. Council adopted the current Land Use Bylaw in 2009.

The majority of the changes focus on strengthening the document's fundamental provisions related to use and application. This phase of the project aims to facilitate effective decision-making and be well positioned to support future updates. 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. Because this phase focuses more on rules related to the document's use and application and less on specific regulatory provisions, there will be little effect to residents of the County.

Public Engagement

County staff presented information regarding the Land Use Bylaw on six separate occasions. 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

Table I summarizes key changes in relation to the project's objectives:

Table I

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
Cohesiveness	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

Updates from First Reading:

Council gave first reading to Bylaw 2017-18 on July 11, 2017. Since that time, administration has updated the proposed Land Use Land Bylaw to include subsequent amendments to Land Use Bylaw 20-2009. These amendments include:

- Bylaw 2017-17: Redistricting of Lot 21; Block 1; Plan 172 0470 from BI and AGR to PC (Maps 9 and 9a)
- Bylaw 2017-19: Outdoor Participant Recreation Services and Outdoor Shooting Ranges (Text Amendments)
- Bylaw 2017-21: Redistricting portion of Condo Plan 112 2441 from AGG to BRR (Map 2)

Updates also include corrections identified since first reading. The majority of these updates were reflected in the redlined version provided to Council at first reading. Attached to this report is a summary of these updates.

For these amendments to be included as part of Bylaw 2017-18, Council must amend Bylaw 2017-18 prior to giving second and third reading.

Conclusion/Summary:

Administration recommends that Council amend and give second and third readings to Bylaw 2017-18.

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