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## 1.0 Introduction

The purpose of this Environmental Scan is to document the review of the current Land Use Bylaw (LUB) and associated regulations conducted by the consultant team. The Scan will build on the extensive and detailed work already completed by County Administration, and will document what regulations and land use districts are working, and what is not working. The Scan will also form a baseline of information from which future tasks will build upon and provide a platform from which the Background Research and Recommendations Report will follow.

This effort will include a review of a sample of recent Subdivision Development Appeal Board (SDAB) and Municipal Government Board (MGB) decisions. The issues addressed at the appeal process can shed light on bylaw gaps that require attention, particularly if similar appeals are being heard time and time again. This activity can also provide insight into procedural concerns.

The Environmental Scan is one piece of the overall review of the LUB. Further insights will be drawn from the stakeholder online survey, community consultation activities and expert interviews. The next submission document, the Research and Recommendations report will use all of the input received through the Environmental Scan, the online survey, community consultations and expert interviews to define recommendations and path forward to draft the new LUB.

## 2.0 Relevant Plans and Policies

### 2.1 Municipal Government Act

Section 639 of the Municipal Government Act (MGA) establishes that every municipality must pass a LUB, which purpose is to regulate and control the use and development of land and buildings in a municipality. Section 640 of the MGA states that the LUB must do the following:

- a) consider the protection of agricultural operations;
- b) divide the municipality into a number of districts, such as low density residential, highway commercial and agricultural;
- c) prescribe for each district:
  - one or more uses of land or buildings that are permitted in the district, with or without conditions, or
  - one or more uses of land or buildings that may be permitted in the district at the discretion of the development authority, with or without conditions;
- d) establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for:
  - the types of development permits that may be issued;
  - applying for a development permit;
  - processing an application for, or issuing, cancelling, suspending or refusing to issue, a development permit;
  - the conditions that are to be attached, or that the development authority may attach, to a development permit either generally or with respect to a specific type of permit (the development authority is usually the development officer as appointed by council);
  - how long any type of development permit remains in effect;
  - the extent of the development authority's discretion in issuing to development permits,
  - a method of providing notice of the issuance of a development permit, and
  - identifying the number of dwelling units permitted on a parcel of land.

The MGA also outlines what a LUB may regulate a large number of other development matters, such as:

- subdivision design standards;
- the ground area, floor area, height, size and location of buildings;
- the amount of land to be provided around or between buildings;
- the landscaping of land;
- the location, height and maintenance of fences and walls;
- parking standards;
- the design, character and appearance of buildings;
- the lighting of land, buildings or other things;
- the enlargement, alteration, repair, removal or relocation of buildings;
- the excavation or filling in of land and
- signs, including construction, placement, height, size and appearance standards.



The LUB also regulates such elements as secondary suites, home based businesses, lot sizes in residential neighbourhoods, compatibility between different types of land uses, and aesthetic standards for high visibility corridors, amongst others.

### **2.1.1 Municipal Government Act Review**

The Municipal Government Act is currently under review. In January 2015, a memorandum of understanding was signed which established a goal for proclamation for the new Municipal Government Act by the end of 2016. In March 2015, the Provincial government gave first, second and third readings to an initial set of amendments. This initial set of amendments will not impact municipal requirements as they are applied to LUBs.

## **2.2 Subdivision and Development Regulations**

The Subdivision and Development Regulation (43/2002) was amended in 2014. Relevant to the LUB, the Regulation established minimum distance requirements from wastewater and landfill sites. The new LUB will have to refer and adopt the direction of the Regulations.

## **2.3 Land-use Framework**

The Land-use Framework sets out a broad approach to manage public and private lands and natural resources to achieve Alberta's long-term economic, environmental and social goals. It provides a basis for land use management and decision-making that addresses Alberta's growth pressures.

Seven regions and two-subregions (metropolitan) were created through the Land-use Framework. The seven regions are generally congruent with the Province's major watersheds and aligned with municipal boundaries. Sturgeon County falls within the boundaries of the North Saskatchewan Regional Plan, and the Capital Region Growth Plan – one of the two metropolitan plans.

### **2.3.1 North Saskatchewan Regional Plan**

The North Saskatchewan Regional Plan is bounded by the Alberta-Saskatchewan border to the east, the Alberta-British Columbia border to the southwest and it includes Banff National Park to as far north as the northern limit of Smoky Lake County. The North Saskatchewan Region includes Sturgeon County and its neighbours to the northwest (County of Thorhold), the east (Strathcona County, Lamont County, City of Fort Saskatchewan), south (City of Edmonton) and southwest (Parkland County).

Initial planning activities for the North Saskatchewan Regional Plan were initiated in 2014. The North Saskatchewan Regional Plan is scheduled for completion by the end of 2015. It is expected that there will be little to no direction out of the NSRP that will impact the direction of the County's LUB.

### **2.3.2 Capital Region Growth Plan**

Since its formation, the Capital Region Board has adopted numerous regional planning documents that guide land use, transportation and affordable housing decision making and service provision within the Capital Region in accordance with the CRB Regulation. These documents include:

1. Growing Forward: The Capital Region Growth Plan (CRGP), March 2009, inclusive of:
  - Capital Region Land Use Plan (CRLUP), March 2009,
  - Capital Region Integrated Growth Management Plan (CRITNP), March 2009
  - Capital Region Geographic Information Services (CRGIS): Strategy and Implementation Plan (CRHP), March 2009, and
  - Capital Region Housing Plan (CRHP): Strategy and Implementation Plan, March 2009;

2. The Capital Region Growth Plan Addendum, October 2009;
  - The Capital Region Growth Plan Addendum, December 2009;
  - CRB Integrated Regional Transportation Systems Study (IRTSS), June 2011;
  - CRB Integrated Regional Transportation Master Plan (IRTMP), September 2011; and
  - CRB 30 Year Transit Service Plan, September 2011.

After adoption by the CRB in 2009, the first four documents were approved by the Province in 2010. After adoption by the CRB in 2011, the last three documents were approved by Ministerial Order in 2013 as addenda to the CRGP.

Concurrent with its approval of the CRGP in 2010, the Province established a Regional Evaluation Framework (REF) requiring CRB member municipalities to submit certain proposed statutory plans and statutory plan amendments to the CRB for review to ensure they were integrated, strategic, and consistent with the direction and intent of the CRGP.

Relevant to the LUB are the density targets established for traditional and Cluster Country Residential Areas in the October 2009 Addendum. Traditional country residential areas are assigned a density target of a maximum of 50 lots per quarter section, and is applied to development that is serviced by wells or cisterns and septic systems or by connection to communal water and sanitary services in areas outside of the Priority Growth Areas and Cluster Country Residential Areas. Cluster Country Residential Area O includes areas of Sturgeon County, specifically Sturgeon Valley, and is assigned a density target of 2 units per gross hectare.

#### Capital Region Growth Plan, Five-Year Review

The Growth Plan is currently undergoing a five-year review and is expected to be completed by the Fall of 2016. No new or amended policies have been approved by the Board and existing policies that apply to growth within the CCRA areas, as well as areas outside PGAs and CCRA's, are within the scope of the review.

## 2.4 Alberta Building Code

Changes to the Alberta Building Code were implemented in 2010 as a result of several high intensity residential fires (HIRF). Any implications of these changes that are relevant to the LUB (e.g. building setbacks) will be incorporated into the review. Building setbacks in all districts will comply with provincial regulations.

## 2.5 General Municipal Servicing Standards

The General Municipal Servicing Standards (GMSS) were approved by Council in 2002 and amended in 2009. The purpose of the GMSS is to “provide specific guidelines to assist the County and Developer in the design, preparation and submission of plans and specifications for construction of municipal improvements and systems that will meet the servicing requirements for commercial, industrial, and residential subdivision development within Sturgeon County.” For the purpose of this Environmental Scan, only sections relating to the LUB (Sections B1 and C) have been reviewed.

The intent of conducting the review of the GMSS in the context of the LUB is to identify areas of the GMSS that may not align with the development permit process outlined in the LUB, and where there may be implications with respect to the service level for land use districts. Amendments to the GMSS may be required as an outcome of the LUB rewrite project.



### 2.5.1 Submission Requirements for Lot/Site Grading Permit

Development permits are required for the stripping and grading of land in preparation for subdivision development, and a development agreement is required as a condition of development permit. As well, Subdivision Authority approval is required prior to the submission of engineering drawings. This process must be mirrored in the LUB, and if any process changes are proposed in the new LUB, they must be reflected in the GMSS.

The following are the development permit submission requirements for grading outlined in the GMSS:

- Provide a general site plan illustrating existing contours at 0.5 m intervals. Elevations will be relative to geodetic datum.
- Provide a conceptual site plan illustrating proposed site stripping, cut and fill requirements and proposed contour elevations.
- Provide the results of a Geotechnical/Hydrogeological Investigation completed by a qualified geotechnical engineer.
- For subdivision lots or development sites that require 1.0 m or more of fill, a geotechnical evaluation and the engineering requirements for each lot is to be submitted.
- Phase I Environmental Site Assessment (ESA).
- If a creek, river or other major watercourse crosses the site, a plan of the floodplain and letter outlining the recommended measures to ensure that the development would not be exposed to flooding is required.
- Overall conceptual plans and description for the proposed subdivision or development area are required for review and approval.
- Any subdivision or development involving pipeline and or power line transmissions and/or public utility right-of-way shall be sited and comply with all relevant Federal and Provincial legislation.
- Any other relevant supporting reports may be required by the County.

### 2.5.2 Land Use Districts and Level of Service

The intent of this section is to outline the minimum level of service for a particular development based on the land use district. This section of the GMSS also outlines the minimum lot size and servicing standards for each land use district and confirms the County's right to require a higher level of service for any particular development.

## 2.6 Municipal Development Plan

As part of this Environment Scan, a review of the Neighbourhood Development Strategies of the Implementation Framework of the Municipal Development Plan (MDP) was conducted. Below are some of the opportunities to implement strategies of the MDP through the LUB.

### Neighbourhood A

- Diversification of residential land use types (non-hamlet) – with densities of up to 50 units per quarter section
- Discourage the expansion or new Confined Feeding Operations
- Centralize service delivery out of the hamlet of Calahoo
- Guidelines for country residential development including scale, massing, architectural design and details. The LUB is limited in its ability to define building architecture requirements, but steps can be made to regulate landscaping, setbacks, accentuated entrance features, and percentage of building width attributed to front garages.



### Neighbourhood B

- Discourage the expansion of Confined Feeding Operations in proximity to Morinville and Hamlets
- Diversify residential housing types in the Hamlet of Alcomdale, including increasing allowable densities where available municipal infrastructure capacity is available
- Centralize service delivery out of the hamlet of Riviere Qui Barre
- Coordinate open space and trail development between new developments to facilitate movement within the Hamlet of Riviere Qui Barre
- Align hamlet land use districts with the Municipal Development Plan development and land use strategies in the absence of a planning document that directs future growth

### Neighbourhood C

- Discourage the expansion of Confined Feeding Operations from the boundaries of Bon Accord, Gibbons, Morinville, Legal and Hamlets
- Cardiff is the growth node for the area, based upon servicing capacity
- Diversification of residential options in Carbondale
- Developing walking/cycling linkages between Cardiff and the Town of Morinville
- Locating institutional and recreational facilities in Cardiff

### Neighbourhood D

- Reduce the sterilization of natural resources by limiting development in areas with known aggregate deposits
- Discourage the development of Confined Feeding Operations from the municipal boundaries of Redwater and country residential subdivisions
- Coordinate open space and trail networks in conjunction with the Historic Athabasca Landing Trail Master Plan to facilitate movement across the neighbourhood
- Provide for passive outdoor recreation opportunities along environmental amenities

### Neighbourhood E

- Reduce the sterilization of natural resources by limiting development in areas with known aggregate deposits
- Develop a Villeneuve Airport Approach Path Overlay
- Discourage the development of Confined Feeding Operations near Villeneuve
- Align Municipal Development Plan strategies (Neighbourhood Type 2) for Villeneuve
- Recognizing Villeneuve as a residential and non-residential centre for growth
- Encouraging a range of housing options (including market and non-market) in Villeneuve
- Expansion of seniors' facility in Villeneuve
- Institutional and recreation facilities should be located within Villeneuve
- Diversity of open spaces within Villeneuve
- Limit land use conflicts for planned developments in close proximity to the airport



### Neighbourhood F

- Protect lands that have been identified as Flood Risk Areas
- Any new development abutting the County Aquatic Resources provide sufficient setbacks from the river valley, ravine or aquatic transitional zones

### Neighbourhood G

- Ensure residential densification in PGA Future Growth 1 by adhering to the residential density targets outlined in PGA B and CCRA O of the CRB Growth Plan
- Encourage a wide range of housing options (including market and non-market)
- Coordinate open space and trail networks between new multi-lot developments, and neighbouring municipalities and CFB Edmonton
- Diversify open spaces within the neighbourhood
- Opportunities for residential and non-residential growth

### Neighbourhood H

- Consider non-residential developments in Namao
- Apply CFB Edmonton's Approach Path Overlay

### Neighbourhood I

- Discourage the development of Confined Feeding Operations in proximity of Lamoureux and country residential subdivisions
- Provide for compatible land use transitions between Edmonton residential developments and existing primary industry
- Protect the historically significant community of Lamoureux from development that detract from its value
- Encourage adequate transition between industrial activity and existing multi-lot residential developments
- Support a variety of non-residential uses that compliment development activity and serve the local employment sector of the Sturgeon Industrial Park

### Neighbourhood J

- Promote clustering of industry in the Alberta Industrial Heartland
- Limited opportunities for residential development

## 2.7 Significant Area Structure Plans

Area Structure Plans (ASP) provide land use planning policy framework for specific areas within the County. According to the Sturgeon County MDP "ASPs outline the proposed sequence of development for an area, future land uses, population density predictions and the general location of transportation and public utilities. Primary ASPs focus on regional considerations and interconnections, but do not provide site specific details regarding individual subdivisions." There are currently four significant ASPs in Sturgeon County, which are listed below:

- Alberta Industrial Heartland – Sturgeon Portion
- Calahoo – Villeneuve Sand & Gravel Extraction
- Sturgeon Valley

### 2.7.1 Alberta Industrial Heartland – Sturgeon Portion Area Structure Plan

The current Alberta Industrial Heartland ASP was adopted in 2007, replacing the original 2000 ASP. The Plan area is approximately 16,500 ha (50,772 ac) in size. It is located adjacent to the North Saskatchewan River, more specifically; the north boundary is approximately 1.5 km north of Highway 38 and Township Road 570, the east boundary is the North Saskatchewan River, the south boundary is 3 km south of Township Road 560 and the west boundary is 1.5 km west of Highway 825 and Opal Road.

The purpose of the ASP was to review and update ASP bylaw No. 900/00. The ASP provides for land uses within Alberta's Industrial Heartland to the year 2017. Proposed land uses within the Plan area include: Agricultural Policy Area, Environmental Policy Area, Heavy Industrial Policy Area, Heartland Agricultural Policy Area and Heartland Industrial Service.

The intent of the Environmental Policy Area is to “conserve environmentally sensitive areas within the valleys of the North Saskatchewan River and Sturgeon River and to enhance preservation and character of these areas through managing growth and development in a manner that is congruent with the goals and objectives of this plan.” The ASP emphasizes the significance of the North Saskatchewan River and North Saskatchewan River Valley as regional and natural features.

The Heavy Industrial Policy Area will “accommodate heavy industry such as petrochemical processing and manufacturing, oil and gas refining and directly associated support service industries.” Extensive agricultural operations are also permitted within this Policy Area.

The Industrial Service Centre Policy Area “provides a centralized centre for commercial services such as a truck stop with service station, restaurants and other amenities.” This Policy Area may also provide an opportunity for the County to develop a new Emergency Service Building for fire protection and emergency response.

The Plan area currently contains the following land use districts: Industrial-Heavy (I-H), Agricultural (AG) and Agricultural – Natural Conservation (A-NC). Revised or new land use districts will have to align with the ASPs policy areas.

### 2.7.2 Calahoo-Villeneuve Sand & Gravel Extraction Area Structure Plan

The Calahoo-Villeneuve Sand & Gravel Extraction ASP was adopted in 2001 and was amended in 2014. The Plan area comprises of 55 sections of land (14,250 ha, 35,200 ac). The Plan area is bounded by Range Road 262 to the east, Range Road 111 to the west, Highway 633 to the south and Highway 37 to the north. An additional eight sections are bounded by Highway 633 to the north, Highway 44 to the east, Range Road 273 to the west and Township Road 540 to the south.

The purpose of the ASP is “intended to minimize and control the effects of sand and gravel extraction by providing development and implementation guidelines and a framework for industry to develop a valuable resource efficiently and in an environmentally responsible manner.” The Plan area is predominantly agricultural, however with the Hamlet of Villeneuve in the east, the Hamlet of Calahoo in the west, along with a number of country residential developments, there is a large portion of residential development as well. The Villeneuve airport is located in the central portion of the Plan area. The major principle of the ASP is that sand and gravel extraction is an industrial use distinct from agricultural and country residential land use.

The proposed land uses within the Plan area include: Quick Extraction Area, Resource Extraction Area, Agriculture – No Resource Extraction Area, Agriculture Area, Country Residential Area, Environmental Area, Environmental Protection Area, Industrial Area and Commercial Area.



The intent of the Resource Extraction Area “is to recognize and accommodate existing sand and gravel extraction operations, to provide for the orderly development of future operations and to identify the future extent of sand and gravel extraction operations to the public.”

The Agriculture Area “provides for the continuation of agricultural production, while allowing for the regulation of sand and gravel extraction operations through the re-districting process.”

No subdivision of land for residential purposes will be permitted within the Quick Extraction Area, within 400 m of the boundary of the Quick Extraction Area, within the Resource Extraction Area, within 400 m of the boundary of the Resources Extraction Area, or within a sand and gravel extraction operation zoned Gravel Extraction within the Agricultural Policy Area.

No additional sand or gravel extraction operations are permitted within the Agriculture – No Resource Extraction Area. Sand and gravel extraction shall not be permitted within 800 m of a multi-lot subdivision, hamlet or urban centre. Sand and gravel extraction shall not be permitted within 400 m of an individual residence, however may be permitted within 400 m of an individual residence where provision is made regarding site-specific mitigation of noise, dust, visual, traffic, lighting and other effects of sand and gravel operation as agreed to by the resident in writing.

The Plan area currently contains the following land use districts: Agricultural (AG), Agricultural – Natural Conservation (AG-NC), Country Residential – One (CR-1), Hamlet (H), Airport (AP), Industrial – Rural (I-R), Specific-Development Control (S-DC) and Highway Commercial (HC). Through the rewrite of the LUB, revised or new land use districts must align with the subareas as described in the ASP.

### 2.7.3 Northern Lights Estates Area Structure Plan

The Northern Lights Estate ASP was adopted in 2005 and was amended later in 2005 and again in 2011. The Plan area is approximately 26.6 ha in size, located southwest of the St. Albert Airport. It is bounded to the west by Range Road 261 and to the north by Township Road 544, approximately 4 km west of Highway 2 and 2 km north of Secondary Highway 633. The Plan area is located within the Sturgeon County/City of St. Albert Intermunicipal Development Permit (IDP) Area. All applications for amendments to the ASP and subdivision applications within the ASP are referred to the City of St. Albert and the Town of Morinville.

The majority of the Plan area consists of residential development and approximately 37 ha is dedicated to residential lots having an area of at least 0.2 ha. A small commercial site and a 1 ha park have also been allocated within the Plan area. It is estimated that approximately 133 units will be generated with an expected population of 435. The maximum allowable residential density is 3.5 dwelling units per gross ha.

### 2.7.4 Sturgeon Valley Area Structure Plan

The Sturgeon Valley ASP was adopted in 1999. The Plan area covers approximately 20 sections or 5,060 ha (12,501 ac). Located just north of the corporate boundary of the City of Edmonton and east of the corporate boundary of the City of St. Albert. The Plan area is bounded to the north by Highway 37, to the south by Highway 28, to the west by Range Road 253 and south by the Cities of Edmonton and St. Albert.

The purpose of the ASP is to “provide a plan for how the community envisions its future and how growth and development will take place within the context of that Community Vision.”

The proposed land uses within the Plan area include: Agriculture Area, Country Residential Area, Institutional Area, Recreation Area and Environmental Protection Area. A mixture of small farms and country residential developments are encouraged adjacent to each other, separated as required by landscape buffers. The existing institutional uses will be maintained into the future, “including the Poundmaker Lodge/Nechi Institute, Community League Hall, two churches and the Namao Cemetery”. Conservation of

the Sturgeon River Shorelands and providing access to these lands through recreation and greenway corridors will remain a dominant feature of this ASP. “It is proposed that the Sturgeon Valley is expected to see country residential land use growth of 2-3% per year, or approximately 4-6 ha.”

The Plan area is located within the Sturgeon County Intermunicipal Development Permit (IDP) Area. All applications for amendments to the ASP and subdivision applications within the ASP are referred to the City of Edmonton and City of St. Albert.

The Plan area contains the following land use districts: Agriculture (AG), Agriculture-Nature Conservation (A-NC), Intermunicipal Fringe (IMF), Country Residential 1 (CR-1), Country Residential 2 (CR-2) and Airport (AP). “Country residential development accounts for approximately 11% of the ASP area.”



## 3.0 Administrative Provisions

Bylaw 1338/14 repealed Bylaw 1094/06, and directs that the powers and duties of the Development Authority are described in the LUB. This ensures that no overlap or discrepancies are found between the Development Authority Bylaw and the LUB.

### 3.1 Development Authority and Municipal Planning Commission

County Bylaws grants Development Authority to Development Officers and the Municipal Planning Commission. Direction within the LUB determines which amendment applications are to be reviewed through the MPC, and which discretionary uses and variances under certain conditions.

In the recent past, a high number of development applications have been referred to the MPC. These applications were largely for accessory buildings and uses and the yards applied to them. Amendments to the LUB in 2014 included amending the yard requirements and redefining accessory building and use from discretionary to permitted in certain land use districts.

The drafting of the LUB may explore specifically listing uses within the districts that are to be considered by the MPC, further reducing the number of applications before the MPC.

### 3.2 Review of Subdivision and Appeal Board and Municipal Government Board Decisions

A high number of the Subdivision and Appeal Board (SDAB) appeals reviewed were related to variances and the application of yard regulations, and accessory buildings. The amendment to the LUB addressing yard requirements and accessory buildings and uses have reduced the number of applications before the SDAB.

A number of the appeals heard at the Municipal Government Board (MGB) are due to the proximity to, and access to Provincial highways, and Alberta Transportation (AT) requirements. The referral requirements are bound by Provincial regulations, and therefore the LUB cannot change this aspect of the appeal process. However, the LUB can provide clear regulations as they apply to site requirements applied to land uses, and therefore provide further direction to the MGB through their deliberation of appeals.

## 4.0 Review of the Existing Land Use Bylaw

### 4.1 General and Sign Regulations

The following are general issues attributed to the General Regulations section of the LUB:

- not listed in a logical order (e.g. alphabetical, site provisions, land use provisions, special provisions);
- lack of theme applied to graphics used to illustrate regulations;
- regulations that repeat of Provincial regulations (e.g. Section 6.11); if Provincial regulations are amended, the LUB is inconsistent;
- regulations that contradict (e.g. stall width in Table 6.1 vs. Section 6.12.3);

It is recommended that when other sources of regulations, provisions or standards are referenced, that the regulations of the LUB not reiterate those standards, but refer to them. This will prevent the application of standards that are out-of-date.

There is a need to update the regulations to address those issues already noted by Administration through research papers, such as home based businesses, fences, and kennels, boarding and breeding. The Environmental Scan has also noted the following as issues:

- Parking regulations – some stall requirements are noted to be low for some use types (places of public assembly, eating and drinking establishments).
- The list of uses in the parking requirements does not reflect the available uses in the LUB. A robust list of uses, and appropriate regulations for use classes that generate different levels of parking is required.
- Landscape regulations – it has been noted in the MDP and through this review that the LUB does not contain any landscaping regulations. Current best practices include regulations for:
  - Landscaping requirements for residential, industrial, institutional, and commercial land uses;
  - use of native species, capable of healthy growth, and resilient to specific site location factors;
  - Fire Smart principles;
  - Landscaping islands for parking areas; and
  - Security deposit to ensure compliance with regulations.
- Regulations for digital copy on signs are absent.

### 4.2 Land Use Districts

This section of the Environmental Scan provides review and discussion of issues relating to the Land Use Districts within the LUB. A review of Districts is significant as it ensures that they are properly structured, and the standards within the Districts are reflective of municipal policy and sound development practices, are logical, and do not duplicate each other.

A key consideration in the review will be to ensure that standards are not revised in the new LUB to such an extent that non-conforming uses are unnecessarily created. It is important that the incidence of non-conforming uses (and therefore some form of grandfathering) be minimized. This will be achieved in part through the careful review of site-specific and direct control districts to determined opportunities to roll them up into a conventional district.

The existing LUB lists the land use districts in alphabetical order. As noted by Administration, a more logical order for the land use districts is needed. For the purposes of this Scan, districts are organized in the



following categories: Agricultural and Resource, Residential, Commercial, and Industrial. This is followed by a brief discussion of districts that are absent and should be considered to be included in the new LUB.

#### 4.2.1 Agricultural and Resource Districts

The LUB contains seven Agricultural and Resource Districts:

AG	Agriculture
AG-H	Agriculture Heartland
A-CVA	Agriculture – Calahoo/Villeneuve Area District
A-NGE	Agriculture – No Gravel Extraction
A-NC	Agriculture – Nature Conservation District
A-NC-H	Agriculture – Nature Conservation – Heartland
GE	Gravel Extraction

Based on preliminary review and comments provided by County Administration on these districts, the following observations are provided:

- parcels are currently permitted through subdivision from a quarter section. Due to the high number of subdivision applications for residential purposes, and the desire to support agricultural activities and production, there needs to be a consideration of the:
  - number of parcels permitted through subdivision;
  - size of parcels permitted through subdivision; and
  - mechanisms through the LUB that should be considered to reflect the true use of the land once subdivided (redistricting, requirements for an Area Structure Plan or Outline Plan).
- conflicting regulations in the AG District, Section 8.2.4(a)(ii) states minimum size of 32.4 ha (80 ac +/-), however Section 8.2.4(d)(i) states “Maximum Parcel size - single detached dwelling 1 ha (2.47 ac).
- investigate and review the parcel size requirements associated with extensive agricultural and extensive livestock on smaller lots.
- consider a minimum 30 m wide Environmental Reserve buffer from the top of banks of any major watercourse in all districts. See observation also in Section 4.2.6 with respect to districts absent from the LUB.
- rationalize A-CVA, A-NC and A-NC-H districts. There may be opportunity to consolidate districts.
- rationalize extensive agriculture use as a permitted uses under the GE District.

#### 4.2.2 Residential Districts

The LUB contains four residential Land Use Districts:

CR-1	Country Residential – One District
CR-E	Country Residential – Estate District
CR-2	Country Residential – Two District
HR	Hamlet Residential District

Based on preliminary scan of the LUB, and review of relevant research papers completed by County Administration on these districts, the following observations are provided:

- use for the HR District should identify ‘larger’ hamlets, and reflect the development strategies outlined in the MDP.
- no maximum lot sizes.
- county administration would like to see the minimum lot size increased to 2.0 ha from 1.0 ha.
- consider removing the minimum floor area from the residential districts; yard setbacks and site coverage will dictate the floor area.
- consider stating a maximum density.



- The purpose of the CR-E and CR-2 districts are not distinguishable; it may be appropriate to consolidate them.

#### 4.2.3 Commercial Districts

The current LUB contains three commercial Land Use Districts as follows:

HC	Hamlet Commercial District
ISC-H	Industrial Service Centre - Heartland
HWYC	Highway Commercial District

Based on preliminary review and comments provided by County Administration on these districts, the following observations are provided:

- There may be opportunities within the Districts to introduce building design and siting regulations to implement elements of neighbourhood character as identified in the MDP.
- There is a need to accommodate larger scale commercial development where municipal servicing is available
- Commercial districts need to consider available municipalservicing
- There is a demand for commercial services that serve and support larger industrial activities
- There is no definition or delineation of small scale commercial development

#### 4.2.4 Industrial Districts

There are three industrial Districts in the LUB:

BI	Business Industrial
I-H	Industrial – Heavy District
I-R	Industrial – Rural District

Based on preliminary review and comments provided by County Administration on these districts, the following observations are provided:

- The uses within the BI District need to be rationalized to ensure that they align with the district's purpose statement and intent; as well as anticipate future development potential within the County.
- Outline Plan requirements are listed under the ISC-H District. Should be moved to General regulations.

#### 4.2.5 Other Districts

The following are categorized as 'other' for the purpose of this scan.

AP	Airport District
IMF-A	Intermunicipal Fringe Area District – A
IMF-B	Intermunicipal Fringe Area District – B
UF	Urban Fringe
S-DC	Specific – Development Control District

Based on preliminary review and comments provided by County Administration on these districts, the following is provided:

- Airports are federally regulated, all airport development should refer to Federal regulations.
- There are currently no overlays. Consider an overlay that addresses height restrictions for the approaches to the airport runways (NEF contours).
- Overlays should also be explored for common regulations within the Intermunicipal Fringe Districts.
- A detailed review of all S-DC districts will be conducted to identify opportunities for integration in conventional districts or consolidation where appropriate.



- There is not a consistent determination of Development Authority for the S-DC districts. This maybe be addressed in the administrative provisions of the LUB

#### 4.2.6 Consideration for new land use districts

The Scan and the research conducted by Administration have identified new land use districts that should be considered through the drafting of the new LUB. They are:

- Institutional land uses are included in the HC District. Due to the building form, parking and land requirement associated with this land use, it may be warranted to include an institutional district within the new LUB.
- Administration has noted the need to recognize municipal and environmental reserves throughout the County, and the appropriate land development considerations associated with them.
- There is no public utility district. In addition to utility land uses, a public utility district would also be used to recognize community services such as protective and emergency services.

### 4.3 Definitions

A review of the LUB definitions has also been undertaken. The initial review of the definitions as revealed some inconsistencies and definitions that contain regulations.

- All permitted and discretionary uses listed throughout the LUB currently have definitions.
- A detailed review of all S-DC districts is necessary to determine what definitions are necessary for implementation of these provisions
- There are Provincial regulations that apply to family day homes and daycares; definitions must be consistent with Provincial direction.
- Reference to CSA standards for mobile homes should be moved to General Regulations.
- The definition for confined feeding operation refers to specific regulations within the LUB.
- It has been noted that County Administration has also provided a review of their concerns with the current definition and they will be taken into account.

### 4.4 Closing

Through the development of the General Regulations and Land Use Districts of the new LUB, the following key principles will be followed:

- Format and organize land use districts in an organized and logical fashion
- Consolidation of land use districts
- Reduce number of site-specific districting (e.g. Kennel as a permitted use, but only on Lot X, Block Y, Plan Z).
- Concise regulations, where regulations are common across a number of districts or uses, place regulations within the General Regulations
- Eliminate regulations that contradict or overlap others, or orders from other levels of government and regulation
- Clear direction to the Development Authority to ease interpretation and implementation
- Specific Purpose statements for each district
- Rationalize permitted and discretionary uses that align with the district's Purpose statement

