

## Request for Decision

<b>Title</b>	<b>Land Use Bylaw 1385/17 (First reading)</b>
<b>Proposed Motion</b>	That Council give first reading to Bylaw 1385/17, Land Use Bylaw.
<b>Administrative Recommendation</b>	Administration recommends first reading of this Bylaw so that a Public Hearing can be scheduled for the new Land Use Bylaw.
<b>Previous Council Direction</b>	Motion 389/14 - On December 9, 2014: Council adopted the 2015-2017 Corporate Business Plan which included initiative 2.2.D Land Use Bylaw Rewrite – a complete rewrite of Sturgeon County’s Land Use Bylaw that conforms with the Municipal Development Plan.
<b>Report</b>	<p><u>Background Information</u></p> <p>The Land Use Bylaw (LUB) is a land use regulation tool used to implement Council approved statutory planning documents such as the Municipal Development Plan (MDP) or Neighbourhood ASPs. The <i>Municipal Government Act</i> (MGA) requires that all Alberta municipalities have a LUB adopted by Council and further sets out what types of regulations and details shall be contained within. The LUB reflects the parameters Council provides to staff for evaluating and preparing recommendations and the boundaries within which approvals may be provided by the Municipal Planning Commission.</p> <p>The current Land Use Bylaw was adopted in 1996 and has been amended numerous times over the past 18 years in an effort to keep the Bylaw current with the ever-changing development environment we experience in Alberta. Council adopted a new MDP in the spring of 2014 and, as noted above, the LUB is integral to the successful implementation of the County’s MDP by establishing land use regulations that support the growth principles and policies of the MDP.</p> <p>The update and rewrite of the LUB has culminated in the proposed Bylaw 1385/17 (Attachment #2) and has strived to strike a balance between ensuring the County making land use decisions that support planning policy while carefully considering the uniqueness of Sturgeon County and its landowners.</p>

For information, the Environmental Scan (Attachment #3) and Research and Recommendations Report(Attachment #4) prepared by ISL and presented to Council in 2015 as part to the Project Plan have been attached.

#### External Communication

- The work plan for the project to rewrite the Land Use Bylaw included multiple engagement events in multiple forms as detailed below:
  - April 2015
    - Stakeholder On-Line Survey
  - Summer 2015 (Public Engagement Open Houses)
    - May 13 – Cardiff Hall
    - May 14 – Gibbons
    - May 20 – Sturgeon Valley (Hunters Green Golf Course)
    - May 21 – Riviere Qui Barre
  - February 2016:
    - Presentation, Q&A with Economic Development Advisory Board
  - August 5, 2016
    - Information Booth at Culinary Cookout
  - October 11, 2016
    - The presentation of the draft Land Use Bylaw placing the documents in the public realm.
  - October 19, 2016
    - Staff attended a table at the Calahoo Community Meeting with project information and DRAFT 3 of the Land Use Bylaw
  - November 2, 2016
    - Staff attended a table at the Namao Community Meeting with project information and DRAFT 3 of the Land Use Bylaw
  - November 10, 2016
    - A Stakeholder Information Session held in Council Chambers
  - November 28, 2016
    - Public Information Session hosted at Cardiff Hall
  - January 12, 2017
    - Inter-municipal Information Session in Cardiff Room

RMRF completed a review of Draft 3 of the proposed LUB in October 2016 and their comments and revisions were incorporated into the final document.

#### Internal Communication

The following internal Departments were referred the draft LUB and comments were received back from all:

- Legislative Services
- Assessment Services
- Agriculture Services

- Protective Services
- Community Services
- Transportation Services
- Engineering Services
- Economic Development
- Community and Regional Planning

Over the duration of the project Council was engaged 23 times through Committee of the Whole, Workshops and Informal Briefings contributing to the development of the final LUB.

Specific details with respect to both internal and external feedback received from the above noted engagements will be made available and presented during the Public Hearing in the event first reading to the bylaw is given by Council.

Relevant Policy/Legislation/Practices:

- Section 617 of the MGA states: “The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.”
- Section 639 of the MGA states “every municipality must pass a land use bylaw”.
- Section 640 of the MGA states:
  - “(1) A land use bylaw may prohibit or regulate and control the use and development of land and buildings in a municipality.
  - (2) A land use bylaw
    - (a) must divide the municipality into districts of the number and area the council considers appropriate;
    - (b) must, unless the district is designated as a direct control district pursuant to section 641, prescribe with respect to each district,
      - (i) the one or more uses of land or buildings that are permitted in the district, with or without conditions, or
      - (ii) the 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, or both;
    - [...]
    - (e) must establish the number of dwelling units permitted on a parcel of land.”

During the creation of the Sturgeon County MDP, significant regard was given to connect long-range Planning Documents to Sturgeon County's current Planning Document - the LUB. The LUB is the regulatory document applied by Alberta's municipalities to establish rules, procedures and criteria regarding the use and development of buildings and land. The LUB is an important tool when implementing planning policies and goals contained within the MDP. (ref. MDP p.12)

The LUB is referenced numerous times in the County's MDP as a critical regulatory tool to implement key policy with respect to growth. Given the limited neighbourhood level planning (Area Structure Plans) in the County, the connection between the MDP and LUB becomes much more important to ensure land use decisions are consistent with long range planning goals of the County.

**Implication of Administrative Recommendation**

Strategic Alignment:

The Land Use Bylaw is one of the primary tools the County uses to implement approved strategic and planning policy. Ultimately the Land Use Bylaw will speak to all six (6) Focus Areas found in the Council's Strategic Plan to demonstrate the County's' commitment to quality of life for its residents. A Land Use Bylaw that implements the goals of the MDP supports transparent governance and decision making which is an important Strategic Goal of Council.




Organizational:

The process to rewrite a LUB does not end when Council adopts the bylaw. Implementation of the LUB will require Administration collecting customer feedback over the first year of the LUB being in effect to document needed refinements based on applications received and processed. A LUB is a very complex document and despite the best efforts of all parties involved, inherently things are missed and/or overlooked during the development stage, and these anomalies will be caught through administering the LUB on a daily basis. In Q1 of 2018 Administration will bring back a report outlining any required amendments to the LUB based on the feedback and lessons learned from implementing for the remainder of 2017.

Financial:

The project was funded from the Current Planning and Development operating budget for special projects. The contract for services signed with ISL Engineering and Land Services was for \$153,068 (excluding GST). In April of 2015 a scope change was authorized for \$13, 496 (plus GST) to cover the additional Public Engagement event requested by Council. In September of 2016 one additional scope change was authorized for \$12,000 (plus GST) which covered one additional review by ISL of the draft LUB and support for the final two engagement events in November of 2016.

ISL Engineering and Land Services	\$173,611
RMRF Legal Review	\$5,412

	Incidental costs incurred by County for Engagement Events, advertising, and Project Team support.	\$6,067
	<b>Total*</b>	<b>\$185,090</b>
*This total does not include cost associated with internal staff time associated with this project.		
<b>Alternatives Considered</b>	Council could refer the bylaw back to Administration for further review and refinements.	
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment:</u></p> <p>The project to re-write the County's LUB was approved by Council as an 18-month project during the 2015 Budget. Although the project took an additional six (6) months to complete, Administration has fulfilled the terms of reference for this project and it is now being advanced to political realm for decision. Delaying the project outside of the completed work plan runs the risk of changes being made without the appropriate level of public engagement. Supporting first reading and allowing the LUB to re-enter the public realm through the statutory Public Hearing process will allow both the public to influence and Council to debate any suggested refinements and/or edits to the Land Use Bylaw through the legislative (transparent) bylaw process.</p> <p>There is also a risk of additional cost being incurred by delaying the project further.</p>	
<b>Follow up Action</b>	1. Administration will proceed with sending notification and scheduling a Public Hearing for Bylaw 1385/17.	
<b>Attachment(s)</b>	<ol style="list-style-type: none"> <li>1. Bylaw 1385/17</li> <li>2. Bylaw 1385/17 – Schedule A</li> <li>3. Environmental Scan</li> <li>4. Research and Recommendations Report</li> <li>5. Land Use District Mapbook (copies to be distributed at meeting)</li> </ol>	
<b>Report Reviewed by:</b>	 <p>Clayton Kittlitz, Manager Planning &amp; Development</p>  <p>Collin Steffes for Stephane Labonne General Manager, Integrated Growth</p>  <p>Peter Tarnawsky, County Commissioner – CAO</p>	

## Strategic Alignment Checklist

**Vision:** Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

**Mission:** Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
<b>Strong Local Governance and Regional Leadership</b>			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Consistent with neighborhood role (see MDP), master plans, policies</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers fiscal stability and sustainability</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Has a positive impact on regional and sub-regional cooperation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Respect the Natural Environment</b>			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Compliance with Provincial and Federal regulations and/or legislation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Ensure effective environmental risk management</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Community Identity &amp; Spirit</b>			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Promotes and/or enhances residents' identification with Sturgeon County</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Enhances service provision through community partnerships</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Supports Sturgeon County's cultural history</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Planned Growth and Prosperity</b>			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers cumulative costs and long-term funding implications</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Targets growth around current or planned infrastructure</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Maintain and Enhance Strong Communities</b>			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Positive impact on residents' quality of life</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Supports and promotes volunteer efforts</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Provides programs and services that are accessible to all residents</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Staff have the knowledge, skills and capability to perform their jobs</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Streamlines operational processes and policies</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Promotes engagement and professional interaction with stakeholders</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>