

Briefing Note

Title	Proposed Land Use Bylaw: Secondary Suites/Dwellings Agricultural – Residential (Proposed new Land Use District)
Issue	<p>The Land Use Bylaw review and consultation process has identified a need to address the growing demand for secondary suites and secondary dwellings within the County.</p> <p>Through the process, it has been identified that there is a need to have a separate Land Use district for residential acreage development within the Agricultural District.</p>
Previous Council Direction	None
Report	<p><u>Discussion:</u></p> <p>Secondary Suites/Dwellings</p> <p>Sturgeon County does not currently allow for secondary suites in any Land Use District. As a result, applications cannot be considered by the County.</p> <p>Similarly, the County currently does not allow for secondary dwellings. But it does allow for temporary dwellings in some districts and only in two circumstances, i.e. agricultural dwelling (farm help) or as a family care dwelling.</p> <p>Current Planning and Development Services receives a number of enquiries as to whether secondary suites/dwellings can be considered. Similar jurisdictions within the region, have identified the need to regulate these uses and have included them in their Land Use Bylaw.</p> <p>Despite the County not allowing for secondary suites or permanent secondary dwellings, it does not mean they are not constructed and operated as such. The Department is aware of some that already exist, but only enforces those where a complaint has been received in alignment with the Department's standard practice.</p>

Acknowledging the existence of these uses and incorporating them in the new Land Use Bylaw review is considered to be more prudent than undertaking enforcement action when a complaint is made.

Furthermore, accommodating these uses can also:

- Diversify the County's housing supply;
- Help address demands for more affordable rental accommodation;
- Provide supplemental income to landowners;
- Ensure that existing suites are brought into compliance with the LUB, as well as Building and Fire Code; and
- Ensure more optimal use of existing residentially zoned land.

However, allowing secondary suites and dwellings within the County will likely have other impacts, such as:

- Insufficient municipal infrastructure to provide for additional dwelling units;
- "Nimby-ism" and how secondary suites may impact the character/value of a neighbourhood; and
- A large influx of permits, and an unplanned population increase within the County.

Further, the Capital Region Growth Plan estimates that the County's population will increase from 19,165 (2011) to 32,782 (2044). While the majority of the projected population growth is anticipated to be centralized within existing residential communities (such as existing country residential multi-lots, the Sturgeon Valley and hamlets), a small percentage of population growth is expected on subdivided agricultural lots in rural areas (agricultural acreages and farmsteads). However, the impact of allowing a secondary dwelling unit on agricultural lands (Sturgeon County's largest land use) has not been fully contemplated in the projected population estimates, which currently only accounts for the potential of 4 permanent dwelling units per quarter section.

Sturgeon County already has a liberal subdivision policy of allowing for four parcels from a quarter section. A Provincial-wide comparison shows that this policy is shared by only 11 of the 67 other counties (including the specialized municipalities of Strathcona County, the RM of Wood Buffalo and Mackenzie County, with only two counties allowing for more parcels (five) from a quarter section. Forty-four counties only allow for one additional parcel (First Parcel Out). The Province-wide average of parcels from a quarter section is 2.39. The full financial implications with the allowance of secondary suites/dwellings are not known at this time. At a minimum, these may include additional maintenance/repairs to County infrastructure (road

upgrades/repairs, drainage network assessment and remedial measures, etc.). In addition, there may be unforeseeable impacts such as:

- Increased water demands from bulk water stations for acreage lots with no onsite water wells; and
- Increased traffic on County roadways, creating functional deficiencies and unsafe conditions where County infrastructure connects to Alberta Transportation roadways.

Agricultural – Residential (Proposed Land Use District)


As a related topic to the Land Use Bylaw review, the Department is looking to add a new Land Use district, namely Agricultural – Residential.

The current Land Use Bylaw has a number of Agricultural districts, however, none of these districts take into account the size of a particular parcel. As such, a 1ha parcel has the same listed uses as a quarter section of land. This has led to a number of land-use conflicts, as well as development that is disproportionate to the parcel on which it is located. For example, a Home Based Business Level 3 is a permitted use within the Agricultural (AG) district, and this use allows for the floor area of all accessory buildings to be used for business operations, as well as a portion (30%) of the dwelling, in addition to outdoor storage, client visits, non-resident employees and commercial vehicles. This intensity of use is more suited to a larger parcel of land, rather than an acreage, the creation of which is to allow for a primary residential use within an agricultural landscape.

By introducing this new Land Use district, it is anticipated that the County can help mitigate such land-use conflicts within the Agricultural districts and moving forward, ensure development is proportionate to the size of the parcel.

The impact of this proposed change to the landowner is that an application to subdivide an agricultural parcel from the quarter section will require the applicant to re-district the parcel first. This is due to the change of use from an agricultural use, to a use which is primarily residential in nature. This proposal may have implications on the subdivision process, notably increasing the length between the time of application and the time of decision. The primary reason for the increased length of time is to accommodate the Public Hearing process as required by the *MGA* for Land Use Bylaw amendments. Also, under the current fee schedule, an application for subdivision would be more expensive as it also requires re-districting. In light of this,

	<p>administration has spent some time on looking at a refined process and fee schedule to make this option more customer friendly.</p> <p><u>External Communications</u></p> <ul style="list-style-type: none"> • April 2015 <ul style="list-style-type: none"> ○ Stakeholder On-Line Survey (24 responses) • Summer 2015 Public Engagement Open Houses <ul style="list-style-type: none"> ○ May 13 – Cardiff Hall (25 responses) ○ May 14 – Gibbons (18 responses) ○ May 20 – Sturgeon Valley (Hunters Green Golf Course – 13 responses) ○ May 21 – Riviere Qui Barre (42 responses) • February 2016 <ul style="list-style-type: none"> ○ Presentation, Q&A with Economic Development Advisory Board • August 5, 2016 <ul style="list-style-type: none"> ○ Information Booth at Culinary Cook Out (Approx. 30 residents visited the booth to gather information and talk to staff) <p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> • Agricultural subdivision policy (Section 8.2.4, Land Use Bylaw 819/86) • Dwelling units on a parcel (Section 6.2, Land Use Bylaw 819/96) • Agriculture – Residential District (Proposed Land Use Bylaw)
Implication	<p><u>Strategic:</u></p> <p>Goal 2.2 – Sturgeon County fosters growth through the Integrated Regional Growth Strategy</p> <ul style="list-style-type: none"> • Strategy 2.2.3: Focus growth around current or planned infrastructure <p>Goal 2.3 – Sturgeon County balances the demand for new infrastructure while managing investment in current assets</p> <ul style="list-style-type: none"> • Strategy 2.3.1: Encourage maximum development around existing County infrastructure • Strategy 2.3.2: Provide a level of infrastructure that is affordable, safe and sustainable as set by long-range financial plans

	<p>It is unclear at this time whether these goals and strategies could be compromised by the provision of secondary suites/dwellings in the proposed Land Use Bylaw.</p> <p><u>Organizational:</u></p> <p>Administration anticipates development permit applications will be forthcoming for secondary suites/dwellings. However, this may be offset by a reduction in subdivision applications, as currently the only way to allow for additional dwelling units on a quarter section is to subdivide the land. Introducing secondary dwellings/suites provides additional options to landowners in respect to living arrangements and estate planning.</p> <p>An increased demand on County infrastructure may require additional staff to ensure on-going service levels.</p> <p><u>Financial:</u></p> <p>There will undoubtedly be a financial cost to the County if secondary suites/dwellings are provided for in the new Land Use Bylaw. These costs will likely arise through maintenance/repair of County infrastructure, as well as an increased demand at the County's bulk water stations. Furthermore, deficiencies may arise where the County road network connects to Alberta Transportation roadways, which may require expensive intersectional upgrades.</p> <p>Furthermore, increased maintenance may require additional staff to ensure on-going service levels.</p>
Follow Up Action	1. Staff to may make adjustments to the proposed Land Use Bylaw based on discussion and feedback from Council.
Attachment (s)	None – Further information will be forthcoming during the presentation.
Report Reviewed by:	 <p>Clayton Kittlitz, Manager Planning & Development</p>



Stephane Labonne, General Manager of Integrated Growth



Peter Tarnawsky, County Commissioner – CAO