



AGENDA ITEM

2021 REVIEW OF THE MUNICIPAL DEVELOPMENT PLAN & LAND USE BYLAW

Bylaw Nos. 1365/22 and 1366/22

March 10, 2022

BACKGROUND

The County's *Municipal Development Plan (MDP)* and *Land Use Bylaw (LUB)* were adopted in July 2017. Policy MUNI 8.3.2 requires an annual review and report based on the findings of the Monitoring Matrix of the MDP. The matrix was created to test the success or failure of the plans' policies and indicate if the policies are meeting the plan's objectives.

The *Municipal Development Plan & Land Use Bylaw 2021 Review - Annual Report & Monitoring Matrix* is attached as **Appendix A**. This review has identified some areas for improvement in the plans, to which amendments are proposed. Bylaw 1365/22 proposes a number of amendments to the MDP and Bylaw 1366/22 proposes a number of amendments to the LUB.

PUBLIC SUBMISSIONS 2021 REVIEW

In addition to the annual staff review, 2 public submissions were made during the past year for Council's consideration, attached as **Appendix B**. Based on the public submissions, staff are not proposing any amendments, as the requests are considered inconsistent with the overall vision for the community in the MDP or LUB. Further explanation is provided below each request.

- × Chris Artibello, Belterra Land: Requesting the addition of 'dwelling, single detached' as a use in the Higher Density Residential 'R-HDR' District, specifically for Lots 13 through 16 within The Slopes on Sylvan Lake.

- The request is considered inconsistent with the overall purpose of the Higher Density Residential 'R-HDR' District. The purpose of the 'R-HDR' District as stated in the *Land Use Bylaw* is "to allow for higher density, multi-unit housing with associated commercial uses, in return for the dedication of publicly accessible open space."
- Further, if the use 'dwelling, single detached' was considered appropriate for the District, it would have to be added as a use for all R-HDR lots in the County, it could not be lot specific.
- × Kevin Kallis, Kountry Kamping: requesting 'campground, major' be listed as a use in the Agricultural 'A' District.
 - The request is considered inconsistent with the overall purpose of the Agricultural 'A' District. The purpose of the 'A' District as stated in the *Land Use Bylaw* is "to provide a land base to support a variety of agricultural operations. Other uses may be considered in this District based upon their compatibility with surrounding agricultural operations". Based on the impacts of large campgrounds, staff do not feel a 'campground, major' is a compatible use with surrounding agricultural operations.
 - Currently, 'campground, major' is a listed discretionary use in the Recreation 'PR' District, Hamlet Public Recreation 'PR-H' District and the Recreational Vehicle Resort 'R-RVR' District. All of these districts have the purpose of facilitating recreational uses and activities, and the rezoning process allows the public an opportunity for input to ensure the future use is compatible with surrounding lands. The rezoning process also follows the *Municipal Development Plan* growth management strategy, where rezoning is focused within future plan areas, where development is considered most suitable, to help protect the majority of remaining land for agricultural use. Allowing large campgrounds in agricultural areas would circumvent the purpose of the County's growth management strategy.
 - Campgrounds in the 'A' District are also not held to the high level of infrastructure servicing requirements that campgrounds in the 'PR' District or 'R-RVR' District are. Specifically in lake plan areas, allowing large campgrounds on 'A' District lands would circumvent the high standards of infrastructure servicing typically required as per the *Land Use Bylaw*.

SUMMARY OF PROPOSED AMENDMENTS

The following is a summary of amendments being brought forward and an explanation as to why these changes are being proposed.

Municipal Development Plan (Bylaw 1365/22 – Appendix C)

Annual Review Amendments

1. Section 8.6, Indigenous Peoples: Insert new section, Add Policies MUNI 8.6.1 Acknowledging Land and People, MUNI 8.6.2 Communication and Collaboration with Indigenous Peoples and MUNI 8.6.3 Honoring Reconciliation
2. Section 9.1, Glossary of Terms: Insert definition for a 'right-of-way, undeveloped'.

Assorted Housekeeping Amendments

3. Section 8.5, Collaboration with Neighbouring Municipalities: Remove reference in first paragraph to no Intermunicipal Development Plan around Sylvan Lake
4. Section 9.2, Glossary of Abbreviations: Remove Municipal Government Board (MGB), add Land and Property Rights Tribunal (LPRT)

Land Use Bylaw (Bylaw 1366/22 – Appendix D)

Annual Review Amendments

1. Section 1.6, Definitions: Insert 'agri-commercial' and insert 'agri-industrial' definitions
2. Part 7, Commercial Land Use Districts: List 'agri-commercial' definition as a permitted use in General Commercial 'C-GC' District, Highway Commercial 'C-HC' District, and a discretionary use in the Hamlet Commercial 'C-H' District.
3. Part 7, Industrial Land Use Districts: List 'agri-industrial' definition as a permitted use in the Business Industrial 'I-BI' District, and a discretionary use in the Heavy Industrial 'I-HI' District and Hamlet Industrial 'I-H' District. Remove 'agricultural service facility' from Business Industrial 'I-BI' District.

Assorted Housekeeping Amendments

4. Section 4.1 and 4.2: Update due to *Municipal Government Act* changes regarding development appeal boards
5. Part 7, Land Use Districts: Insert missing words in the purpose of the Hamlet Industrial 'I-H' District

LEGISLATIVE RESPONSIBILITIES

The *Municipal Government Act* gives Council the sole authority and responsibility to consider amendments to the Land Use Bylaw and the Municipal Development Plan.

Section 640(1) of the *Municipal Government Act* states that a Land Use Bylaw may prohibit or regulate and control the use and development of land and buildings within a municipality.

The *Municipal Government Act* also requires that all amendments be passed by bylaw. Council must hold a public hearing to allow all interested parties to comment on the proposed amendments.

RECOMMENDATION

Staff recommend that Council accept the *Municipal Development Plan & Land Use Bylaw 2021 Review - Annual Report & Monitoring Matrix* for information.

Further, staff recommend that Council give first reading to Bylaw 1365/22 (**Appendix C**) to amend the County's *Municipal Development Plan* and give first reading to Bylaw 1366/22 (**Appendix D**) to amend the County's *Land Use Bylaw*.

If Council gives first reading to the bylaws, Council may set a date to hold a Public Hearing to allow interested parties to comment on these changes. Staff recommends the April 14, 2022, Council meeting at 9:30 am.

COUNCIL DECISION

PREPARED BY: Cajun Paradis, Senior Planner
PREPARED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager

