



## AGENDA ITEM

Bylaw No. 1374/22

The Slopes -Rezoning of Land – SE 17-39-1-W5M

**May 12, 2022**

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### **BACKGROUND**

Chris Artibello, on behalf of Belterra Land Company, is seeking permission to rezone a portion of the Slopes development from Higher Density Residential (R-HDR) District to Residential Conservation (R-RCC) District. The development is located on Pt. SE 17-39-1-W5M, just north of the Summer Village of Birchcliff. The proposal would change the zoning of four (4) R-HDR lots and result in two (2) R-RCC lots. In order to meet the size requirements in the R-RCC district, (0.25 ac – 1.25 ac) consolidation would be required.

The development concept is currently composed of thirty-three (33) R-RCC lots varying in size from 0.14 hectares (0.35 acres) to 0.3 hectares (0.75 acres) and sixteen (16) R-HDR lots of 0.06 hectares (0.15 acres) in size. The rezoning and consolidation request, if approved, would result in thirty-seven (37) R-RCC lots and twelve (12) R-HDR lots. The number of total lots in this development would remain the same overall at 49-lots as the developer intends to pick up the outstanding two lots in the second phase of the development.

A number of relevant studies were carried out as part of the development of this concept plan that address traffic impacts, storm water management, the availability of groundwater, geotechnical considerations and the environmental impact. As this rezoning request would not result in an increase in density, the studies undertaken as part of the original development are deemed to be sufficient for the purposes of this application. On April 14, 2022 Council granted first reading to Bylaw 1374/22.

### **POLICY CONSIDERATIONS**

#### **SYLVAN LAKE IDP**

The proposal falls within the plan area for the Sylvan Lake Intermunicipal Development Plan (SLIDP). The development is within the “Lower Density Residential” area of the SLIDP which encourages residential growth in the form of clustered single detached dwellings. The IDP is

broad in context and often refers to the more prescriptive policies found in the Sylvan Lake ASP.

### **Sylvan Lake ASP**

The land use strategy originally proposed by the Slopes followed the policies laid down in the Sylvan Lake ASP to reduce the impact of development on the land through conservation and clustering. The development is within “Lake Development Area 1” of the plan. The proposed rezoning request remains in compliance with the ASP policies.

### **LEGISLATIVE RESPONSIBILITIES**

The Municipal Government Act gives Council the sole authority and responsibility to consider amendments to the Land Use Bylaw. In dealing with any request to change the land use zoning of a parcel of land, Council is required to consider:

- the suitability of the land for the intended use; and
- the compatibility of the intended use with other uses, both existing and proposed, in the surrounding area.

Council is also expected to consider how the proposed zoning change conforms to the Municipal Development Plan and any other local plans that Council has adopted, which affect the land.

### **ANALYSIS**

This rezoning request meets the principles of the Sylvan Lake IDP, and the policies set out in the Sylvan Lake ASP. The density of the overall development will remain the same and there are no proposed changes to any of the municipal improvements. Extensive public consultation has already been completed, as well as the required site-specific studies as part of the original rezoning. This application represents a relatively minor adjustment of the concept plan, which is primarily being requested as a way of responding to a change in the market since the original approval.

### **NOTICE OF PUBLIC HEARING**

In accordance with the requirements of the Municipal Government Act, notice of the public hearing was published in the following local newspapers:

County News  
Sylvan Lake News

April 22, 2022  
April 28 and May 5, 2022

County staff also sent notice to all landowners within one mile of the property, neighbouring municipalities, and other interested agencies advising them of the hearing and inviting their comments on the proposed development.

Staff also posted notice of the hearing, a copy of the proposed Bylaw, and other information relating to the Slopes redesignation on the County's website.

## RESPONSES

Staff have not received any responses at the time of writing of this report.

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**PREPARED BY:** Peter Duke, Planner/Development Officer



**REVIEWED BY:** Dale Freitag, Director of Planning Services



**REVIEWED BY:** Tim Timmons, County Manager

