

Introduction

Over the past several months the steering committee has reviewed each section of the current Land Use Bylaw and the changes proposed by staff based on input from the public, local developers, and Town staff. The steering committee has provided numerous recommendations to refine the proposed changes and we are now ready to review the entire consolidated document.

Major Changes

Part 1- 6:

- (a) **Variance Authority** – A 10% variance power is being proposed for the Development Officer with regards to setbacks and site coverage. MPC/Council will have an additional, unlimited variance on top of this should a greater variance be requested. Requirements have been added as to what would constitute a reasonable situation for a variance request in order to try to reduce the amount of variance requests. A comment that variances may only be granted if the subject property has an irregular shape or other situation which is not generally common to other land in the district.
- (b) **Adjacent Landowner notification** – any discretionary use in a district is referred to all adjacent land owners, currently defined as “any land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream.” The steering committee has indicated that a larger notification radius should be considered. Research comparing the notification radius of other municipalities has been done and the majority of municipalities refer to the adjacent landowners as we currently do, however, a few other municipalities do refer to a larger area with the most common being 30m or 60m from the parcel. The steering committee has proposed a 50m radii for adjacent notifications. Consideration should be given to increased staff time and mailing costs for additional notifications.
- (c) **Validity of Permits** – currently the Land Use Bylaw states that a permit shall not be valid until 14 days following the approval date. This allows for the appeal time period to expire. The problem that staff have found with this specification for validity is that once the applicant has the permit in hand, quite often conditions related to such permit are forgotten. The recommended change is to instead state that a permit will not be issued until all outstanding conditions, except those of a continuing nature have been met. This will reduce the amount of time that staff spends trying to chase down outstanding conditions and instead puts the onus back on the applicant to ensure that everything is in order before they can receive their permit and commence development.

Part 7:

- (d) **New sections** added under the Supplementary Regulations include:
- Alternative Energy Collecting and Storing Devices – to allow for solar panels, wind turbines, and geothermal energy devices.
 - Comprehensive site planning and design
 - Crime prevention through environmental design
 - Decks
 - Fencing and screening
 - Garbage storage
 - Lighting
 - Manufactured home design

- Multiple housing developments
 - Outdoor display areas
 - Outdoor storage
 - Temporary buildings – this new section deals with residential and commercial/industrial buildings which are allowed as a temporary measure until a permanent building is developed. Maximum allowable length of time in a residential district is 24 months and all other districts is 12 months.
- (e) **Accessory Buildings** – provisions have been added to allow soft-sided structures which are permanent in nature, in districts other than residential, where accessory buildings are a listed use, providing certain requirements are met.
- (f) **Home Occupations** – the current LUB allows for Home Occupations – A & B. We have recognized that there is a need for a more basic home occupation class which would accommodate the home office that receives no visitors, requires no parking stalls, and essentially is undetectable from outside the home. A new classification, home occupation “A” has been added for this reason. The current A has become “B” and the current B has become the new “C”.
- (g) **Landscaping** – the requirements of the landscaping section have been significantly increased including what is required on a landscaping plan submission, requirements for plants (sizes and calculations), protection of existing trees, parking island landscaping, and securities. The addition of the Landscaping securities is slowly becoming a popular addition to many municipal Land use bylaws as municipalities are looking for ways to ensure that landscaping is completed. The proposed security would be a letter of credit (LOC) valued at 100% of the cost of the landscaping which would be reduced after installation has been completed. The LOC would then be reduced to 50% which would be retained for one full growing season as a maintenance period to ensure the survival of all materials.
- (h) **Environmental Conservation** – a tree protection measure has been added which will require any healthy mature tree required to be removed for development to be replaced at a ratio of 2 new trees to existing removed, in addition to the other landscaping requirements.
- (i) **Parking** – new provisions have been added for parking for people with disabilities, parking lot design and bicycle parking.

Part 9:

- (j) **Land Use Districts** – the major changes to the land use districts are as follows:
- **Marina Bay Residential (RMB)** – this new district has been created from combining both the R1MB and R5MB districts which were very similar. The R1MB district only covered 5 lots in Town. The two differences (side yard setback and parcel area) have still been retained.
 - **R1MB and R5MB** - these districts have been removed and replaced by the RMB district.
 - **Neighbourhood Shopping Centre (CNS)** – this new district was created as a replacement district for DC-3, which has been deleted from the bylaw. This district is intended to provide a medium sized commercial node within a community that is a step up from the neighbourhood commercial district that currently exists. A review of other municipalities including Innisfail, Rocky Mountain House and Leduc found that generally three main types

of commercial districts were used: Central, Local/Neighbourhood, and Highway Commercial, which are a logical commercial progression.

- **Direct Control District 3** – this district has been removed and replaced by the above CNS district.
- **Central Commercial District** – this district is being removed. Existing parcels with this zoning are being redesignated to appropriate new zonings as indicated on the map.

Part 11:

- (k) **Land Use Districts Maps** - All proposed changes to the land use districts due to deletion of existing districts or addition of new districts are shown on this map. The detailed map pages have not been included. Other zoning changes (clean-ups) will also be taking place when the bylaw moves forward for adoption however these changes are not shown at this time.