

## Request for Decision

<b>Title</b>	<b>Bylaw 1609/23 – Amendment to Land Use Bylaw 1385/17 – Sturgeon Valley South Land Use Districts – Third Reading</b>
<b>Proposed Motion</b>	That Council give third reading of Bylaw 1609/23.
<b>Administrative Recommendation</b>	Administration recommends that Council give third reading of Bylaw 1609/23.
<b>Previous Council / Committee Direction</b>	<p><u>May 23, 2023 Regular Council Meeting</u> Motion 198/23: That Council give second reading of Bylaw 1609/23 as amended.</p> <p>Motion 199/23: That Council schedule a second Public Hearing for Bylaw 1609/23 at the June 13, 2023 Regular Council Meeting for Council to receive feedback from affected parties on the proposed Bylaw as amended.</p> <p><u>May 9, 2023 Regular Council Meeting</u> Motion 178/23: That Council direct Administration to prepare amendments to Bylaw 1609/23 to allow for agricultural subdivision in accordance with the Residential Type 4 policies of the Municipal Development Plan and AG - Agriculture District subdivision regulations.</p> <p><u>March 14, 2023 Regular Council Meeting</u> Motion 067/23: That Council give first reading of Bylaw 1609/23.</p> <p><u>September 14, 2021 Regular Council Meeting</u> Motion 449/21: That Council give third reading of Bylaw 1555/21 as amended.</p> <p><u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17, Land Use Bylaw.</p>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>Future development in the Sturgeon Valley South requires key amendments to the County's Land Use Bylaw (LUB) that set the foundation for all future activity. The proposed amendments are within two categories: <ul style="list-style-type: none"> <li>The creation of an Urban Reserve Overlay, designed to allow for interim development activity, while protecting the lands for</li> </ul> </li> </ul>

development consistent with the Sturgeon Valley South Area Structure Plan (SVS ASP).

- The creation of two new hybrid form-based land use districts, that most new residential development will fall within.

#### Urban Reserve Overlay

- Land within the SVS ASP boundaries is subject to development pressures. The intent of the overlay district is to ensure that some development can occur prior to final development interest, while not impeding / remaining consistent with the vision of the SVS ASP.
- The purpose of the SVS ASP is *"...to guide the development of the Plan area in an orderly and phased manner, and in a direction that provides a framework for complete communities. The Plan is intended to drive development in the Sturgeon Valley in a contiguous, compact manner, with transitions that are sensitive to existing landowners, surrounding agricultural areas, and the metropolitan boundaries."*
- Sturgeon County requires regulatory tools to ensure that development within the plan area is consistent with the scale and densities as required by the SVS ASP, which itself is consistent with the policies of the Edmonton Metropolitan Region Growth Plan (EMRGP).
- Given the timescales involved with complete build-out of the plan area, and that some parts of the plan area will not be developed for decades, applying an Urban Reserve Overlay would allow for interim development of a nature that would not compromise the vision of the intent of the SVS ASP and any subsequent sub-plans. An Overlay District allows for additional regulations as it relates to a geographic area.
- Key components of the Urban Reserve Overlay include:
  - Applicable to all lands within the SVS ASP. The existing multi-lot residential subdivisions of North Point, Skyglen Air Park, and Glenview Acres would be exempt. Lands identified for continued agricultural use within the SVS ASP would also be exempt.
  - Proposed development identified as a permitted use within the underlying land use district would be considered discretionary.
  - Rezoning of parcels would still be allowed, subject to Council approval, but any subsequent development would be subject to the term limits as outlined below.
  - Development permits issued in areas within an approved sub-plan would be for a 5-year period, at which time the applicant would need to re-apply. Residential (and accessory) uses would be exempt.
  - Development permits issued in areas outside an approved sub-plan would be for a 10-year period, at which time the applicant would need to re-apply. Residential (and accessory) uses would be exempt.
  - Subdivision would only be considered if the proposal is consistent with the SVS ASP and any subsequent sub-plan and

must be accompanied by a rezoning application. Existing lands within the AG – Agriculture district will remain subject to the subdivision regulations of that district.

- Development that may be considered within the Urban Reserve Overlay may include uses that do not require permanent structures or municipal servicing. Such development could be issued with a term-limited permit, the length of which is dependent on whether the parcel is located within an approved sub-plan. As future development approaches, the permit would be allowed to lapse, and the lands could then be utilized for development consistent with the vision of the SVS ASP.

#### Form-Based Code Land Use Districts

- The SVS ASP policy framework contemplates a transition in densities from low / country residential density established communities within the Sturgeon Valley Core towards higher / urban density development within the Sturgeon Valley South. To this end:
  - Lands adjacent to established communities in the Sturgeon Valley Core are required to adopt the R7 – Transitional Valley Residential District (being established via Bylaw 1620/23). This is in alignment with the Sturgeon Valley Core Area Structure Plan and is based on the maximum density of 20 du/nrha (dwelling units per net residential hectare).
  - As development moves further south, densities of 35 du/nrha and greater are required. Additional regulations will need to be developed eventually for the lands designated 42 du/nrha.
- To accommodate the required densities within the SVS ASP (and ultimately the regional Edmonton Metropolitan Region Growth Plan), a comprehensive study was undertaken to assess various approaches to implement the vision and policy within the SVS ASP. This study considered:
  - different communities with similar densities and regulatory frameworks;
  - input from development experts, Council, and the development industry; and
  - how the private and public land interface will support “...a place where people want to visit, play, work, live and be part of a strong community.”
- Considering the above, a hybrid form-based code was recommended to guide development on lands with densities of 35 du/nrha and greater.
- This approach focuses strongly on the design elements between the private and public realm with the intent to avoid creating residential communities that are repetitive in their form/design or are dominant in their appearance from the public realm. Another key element is the

creation of safe, functional, and attractive walkable/cycling corridors throughout varied communities.

- This approach has enabled the creation of land use regulations that provide flexibility for the development industry by being able to meet the density targets while reducing the need to create more than two new districts. A greater focus has been placed on meeting Council's vision while respecting the interests of the development industry and area residents.

#### Proposed Amendments Since First Reading

- A Public Hearing for Bylaw 1609/23 was held on April 11, 2023. During the Public Hearing, verbal and written submissions were considered, including:
  - Landowners in Planning Area 5 objected, requesting that the Overlay not be applied to that Planning Area. The landowner noted concerns that only allowing interim development would create challenges for landowners being able to finance future development, such as a new house or garage.
  - A letter of support for the Bylaw was received from the Urban Development Institute, for Edmonton Metro. A comment was made that "...we believe that this Bylaw provides the combined flexibility and direction to create a unique community that includes diverse housing choice at different densities, provides access to commercial and employment opportunities, and is market responsive."
  - Other area developers and landowners have also expressed support.
- To address the comments, Administration proposed amendments to:
  - exempt permits issued for residential uses, including uses accessory to residential uses from time-limits for the entirety of the overlay area; (Attachment 3 - Development Regulations (d)).
  - remove lands identified within the SVS ASP (Figure 9: Concept Plan) for future agricultural use from the Overlay. These lands have been identified to remain Agriculture within the SVS ASP. No urban type of development is contemplated for these lands, and these lands are already regulated by the AG – Agriculture District of the County's LUB (Attachment 4).
  - apply the subdivision regulations of the AG – Agriculture land use district to lands with the same district within the Overlay.
  - note that the Overlay also applies to future road alignments, as per Section 5.9 (Functional Planning Studies for Roads) of the County's Land Use Bylaw.
- At the May 23, 2023 Regular Council Meeting, Council gave second reading of the Bylaw, as amended. As these amendments were considered substantive, a second Public Hearing was scheduled.

- Public comments received during the June 13, 2023 Public Hearing focused more on concerns regarding the creation of the SVS ASP (adopted in 2021) including density, the World Economic Forum, and other items unrelated to this Bylaw. No further amendments are being proposed.
- Development industry representatives within the Sturgeon Valley South have been directly engaged over many months, have reviewed the proposed bylaw amendments, and have expressed support.
- The Record of Submissions for the April 11, 2023 and June 13, 2023 Public Hearings are provided in Attachment 5.
- Section 184 of the MGA states that, when a public hearing on a proposed bylaw or resolution is held, a councillor may abstain from voting on the bylaw or resolution if the councillor was absent for part of a public hearing. As there were two public hearings for Bylaw 1609/23, each forms “part” of the overall Public Hearing. Mayor Hnatiw was absent from the June 13, 2023 Public Hearing, and therefore Administration recommends that she abstain from voting on third reading of Bylaw 1609/23.

#### External Communication

- The April 11, 2023 Public Hearing was advertised in the March 23 and 30 editions of the *St. Albert Gazette*, a publication that is available to residents within the Sturgeon Valley.
- The June 13, 2023 Public Hearing was advertised in the same paper on June 1 and June 8, 2023.

#### Relevant Policy/Legislation/Practices

- The *Municipal Government Act* (MGA) authorizes Council to establish and amend bylaws.
- Section 640(1) of the MGA requires every municipality to pass a Land Use Bylaw.
- Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading of a proposed bylaw.
- Policy 6.2.1.1 of the SVS ASP requires the County to “...work with landowners/developers to create new land use districts and regulations within the Land Use Bylaw that accommodates the required densities.”
- Policy 6.3.1.2 of the SVS ASP requires the County to “...work with landowners/developers to create new subdivision regulations within the Land Use Bylaw that accommodate the required densities.”

<b>Implication of Administrative Recommendation</b>	<p><u>Strategic Alignment</u>  <b>Planned Growth</b> – The proposed amendments will put in place the controls to help ensure the vision of the SVS ASP is met, while maintaining a flexible process – important to market alignment and innovation.</p> <p><u>Organizational</u>  The proposed amendments will ensure that Administration is ready to process development consistent with the vision of the SVS ASP.</p> <p><u>Financial</u>  The proposed amendments will help ensure that only development consistent with the SVS ASP can proceed, helping to ensure the provision of relevant infrastructure aligns with development timelines.</p>
<b>Alternatives Considered</b>	<ol style="list-style-type: none"> <li>1. Council could defeat the motion to give third reading of the Bylaw, resulting in the status quo.</li> <li>2. Council could defeat the motion to give third reading of the Bylaw, and direct Administration to seek an alternative approach that differs from the status quo and the proposed motion.</li> </ol>
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment</u></p> <ol style="list-style-type: none"> <li>1. The Land Use Bylaw would lack clarity and would be misaligned with the SVS ASP.</li> <li>2. Strategic alignment implications would depend on the direction provided by Council.</li> </ol> <p><u>Organizational</u></p> <ol style="list-style-type: none"> <li>1. Administration would continue to interpret current applicable policies and regulations as they pertain to subdivision and rezoning within the SVS ASP.</li> <li>2. Organizational implications would depend on the direction provided by Council.</li> </ol> <p><u>Financial</u></p> <ol style="list-style-type: none"> <li>1. Infrastructure spending may be required in advance of anticipated timelines.</li> <li>2. Financial implications would depend on the direction provided by Council.</li> </ol>
<b>Follow up Action</b>	<ol style="list-style-type: none"> <li>1. Obtain Mayor and CAO signatures on the Bylaw (Legislative Services, June 2023).</li> <li>2. Consolidate amendments to the Land Use Bylaw (Planning and Development Services, June 2023).</li> </ol>
<b>Attachment(s)</b>	<ol style="list-style-type: none"> <li>1. Attachment 1: Bylaw 1609/23</li> <li>2. Attachment 2: Schedule A – Part 13 Sturgeon Valley South</li> <li>3. Attachment 3: Schedule B – UR – Urban Reserve Overlay</li> <li>4. Attachment 4: Schedule C – Urban Reserve Overlay Map</li> <li>5. Attachment 5: April 11, 2023 and June 13, 2023 Public Hearing Record of Submissions</li> </ol>

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<b>Report Reviewed by:</b>	Bonnie McInnis, Manager, Planning & Development Services Travis Peter, General Manager, Development & Strategic Services Reegan McCullough, County Commissioner – CAO
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## Strategic Alignment Checklist

**Vision:** *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

**Guiding Principles:** Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
<b>Planned Growth</b>			
<ul style="list-style-type: none"> <li>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Modern broadband and digital capabilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Low cost, minimal red-tape regulations</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Thriving Communities</b>			
<ul style="list-style-type: none"> <li>Beautiful, surprising places with high standards; integrated natural spaces &amp; trail systems; healthy and resilient</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Engaging cultural, historical, and civic amenities; strong community identity and pride</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Environmental Stewardship</b>			
<ul style="list-style-type: none"> <li>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Sustainable development; partnerships with industry and others to drive emission reductions</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Collaborative Governance</b>			
<ul style="list-style-type: none"> <li>Predictable and stable external relationships; volunteer partnerships</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Meaningful connections with Indigenous communities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Respectful and informed debate; clear and supportive governance processes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<ul style="list-style-type: none"> <li>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Future focused thinking to proactively respond to emerging opportunities and challenges</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Alternative revenue generation and service delivery models integrated strategic and business planning</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>