

**Bylaw 65-2017 Map Amendment to Land Use Bylaw 6-2015 (Ward 6)**

**Applicant:** Navland Geomatics  
**Owners:** 1744003 Alberta Ltd.  
**Legal Description:** NE 29-51-22-W4  
**Location:** South of Highway 14 and West of Range Road 224  
**From:** AG – Agriculture: General  
**To:** RA – Rural Residential/Agriculture

**Report Purpose**

To provide information to Council to make a decision on first and second reading of a bylaw that proposes to rezone approximately 32.16 hectares (79.48 acres) within the NE 29-51-22-W4 from AG – Agriculture: General to RA - Rural Residential/Agriculture to support the future subdivision of four lots in conformance with a Council adopted Conceptual Scheme.

**Recommendations**

1. THAT Bylaw 65-2017, a bylaw that proposes to rezone approximately 32.16 hectares (79.48 acres) within the NE 29-51-22-W4 from AG – Agriculture: General to RA - Rural Residential/Agriculture in accordance with the Council adopted Conceptual Scheme, be given first reading.
2. THAT Bylaw 65-2017, be given second reading.

**Council History**

September 5, 2017 – Council adopted Municipal Development Plan (MDP) Bylaw 20-2017.

October 6, 2015 – Council gave two readings to Bylaw 43-2015, which proposed to amend Land Use Bylaw (LUB) 6-2015 by rezoning approximately 32.16 hectares (79.48 acres) of land from AG – Agriculture: General to RS - Small Holdings to support the future subdivision of four lots in accordance with a Council adopted Conceptual Scheme.

October 6, 2015 – Council adopted the Conceptual Scheme for the NE 29-51-22-W4.

March 10, 2015 – Council adopted LUB 6-2015, with an effective date of May 11, 2015.

**Strategic Plan Priority Areas**

**Economy:** n/a

**Governance:** To meet the strategic goal of public involvement and communicating with the community on issues affecting the County's future, a public meeting was held on September 9, 2015, for adjacent landowners to provide input into the Conceptual Scheme associated with the proposed rezoning. A public hearing was held for previous rezoning Bylaw 43-2015 on October 6, 2015. The public hearing for Bylaw 65-2017 provides Council with the opportunity to receive public input prior to making a decision on the proposed Bylaw.

**Social:** n/a

**Culture:** n/a

**Environment:** The proposed concept meets the strategic priority to protect our environment and preserve biodiversity by planning future boundaries around significant environmental features in order to protect their natural functions.

### **Other Impacts**

**Policy:** The subject parcel is located within the Agriculture Small Holdings Policy Area of MDP Bylaw 20-2017. The LUB amendment has been prepared in accordance with Redistricting Bylaw Policy SER-008-022.

**Legislative/Legal:** The *Municipal Government Act (MGA)* provides that Council may, by bylaw, amend the LUB. This Bylaw requires a public hearing.

**Interdepartmental:** The proposed proposal has been circulated to internal departments and external agencies. No objections were received.

### **Summary**

The subject lands are located within the Agriculture Small Holdings Policy Area of the MDP. The proposed rezoning allows for the consideration of subdivision of the subject lands into four rural residential lots with an environmental reserve easement in conformance with the Council adopted Conceptual Scheme.

On October 6, 2015, Council gave two readings to Bylaw 43-2015, which proposed rezoning the same area as proposed Bylaw 65-2017 for the same intent. However, Section 188(a) of the *MGA* specifies that previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years after first reading. Consequently, as third reading was not given to Bylaw 43-2015 by October 6, 2017, first and second readings of Bylaw 43-2015 have been rescinded. The new Bylaw 65-2017 is proposed to replace rescinded Bylaw 43-2015 and will restart the mandated two-year timeframe for the bylaw to receive third reading.

As a clarification, Bylaw 43-2015 indicated that the proposed zoning would be RS - Small Holdings. However, detailed information provided with the current subdivision application clarifies the size of the titled parcel, which results in each proposed lot being 8.05 hectares (19.88 acres) in area. As a result, Bylaw 65-2017 proposes the lots to be zoned RA – Rural Residential/Agriculture as they exceed the minimum 8.0 hectares (19.77 acres) lot area requirement of the RA Rural Residential/Agriculture zoning district.

A development agreement will be required prior to third reading of Bylaw 65-2017 to address the construction of the required service road extension from Range Road 224 along the north part of the subject lands paralleling Highway 14.

### **Communication Plan**

Newspaper Ad, Letter

### **Enclosures**

- 1 Bylaw 65-2017
- 2 Rural Location Map
- 3 Location Map
- 4 Air Photo
- 5 Rescinded Bylaw 43-2015
- 6 Notification Map