

Bylaw 10-2018 map amendment to Land Use Bylaw 6-2015 (Ward 6)

Owner / Applicant: Curt Beyer
Legal Description: S ½ of the NW 7-51-22-W4
Location: South of Township Road 512, East of Highway 21
From: AG – Agriculture: General
To: RA – Rural Residential/Agriculture
PC – Conservation

Report Purpose

To provide information to Council to make a decision on third reading of a bylaw as amended that proposes to rezone approximately 31.8 hectares (78.6 acres) in the S ½ of the NW 7-51-22-W4 from AG – Agriculture: General to RA – Rural Residential/Agriculture and PC – Conservation Zoning Districts of Land Use Bylaw 6-2015, in accordance with the Council adopted Conceptual Scheme.

Recommendations

1. THAT Bylaw 10-2018 be amended by removing Lot 1A, Plan 012 0399 from the area proposed to be rezoned, resulting in a reduction in the approximate area to be rezoned from 39.5 hectares to 31.8 hectares (97.6 acres to 78.6 acres).
2. THAT Bylaw 10-2018 be amended by rezoning the entirety of the S ½ of the NW 7-51-22-W4 from AG – Agriculture: General Zoning District to RA – Rural Residential/Agriculture and PC – Conservation Zoning Districts of Land Use Bylaw 6-2015.
3. THAT Bylaw 10-2018, as amended, be given third reading.

Council History

March 6, 2018 – Council rescinded first and second readings of Bylaw 39-2016 as the bylaw had lost quorum following the 2017 municipal election. Council held a Public Hearing and thereafter gave first and second readings to Bylaw 10-2018, which replaced rescinded Bylaw 39-2016.

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

September 13, 2016 – Council held a public hearing and thereafter gave two readings to Bylaw 39-2016, which proposed to amend Land Use Bylaw 6-2015 to rezone approximately 39.5 hectares (97.6 acres) of land from AG Agriculture: General and RA Rural Residential/Agriculture to RA Rural Residential/Agriculture; RS Small Holdings; and PC Conservation. Bylaw 34-2014 (see below) was rescinded at the same time as it had not received third reading within two years of first and second reading.

September 13, 2016 - Council adopted the amended Conceptual Scheme for the NW 7-51-22-W4.

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

September 23, 2014 – Council gave two readings to Bylaw 34-2014, which proposed to amend Land Use Bylaw 8-2001 to rezone approximately 39.5 hectares (97.6 acres) of land

from AG Agriculture: General and RA Rural Residential/Agriculture to RA Rural Residential/Agriculture and RS Small Holdings.

September 23, 2014 – Council adopted the Conceptual Scheme for the NW 7-51-22-W4.

Strategic Plan Priority Areas

Economy: n/a

Governance: The public hearing held on March 6, 2018 provided 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 a significant environmental feature in order to protect its natural functions.

Other Impacts

Policy: SER-008-022 Redistricting (Map Amendment) Bylaws.

Legislative/Legal: The *Municipal Government Act* provides that Council may, by bylaw, amend the Land Use Bylaw.

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

Summary

When Council gave first and second readings to Bylaw 10-2018, it proposed to rezone approximately 39.5 hectares (97.6 acres) of land in Lot 1A, Plan 012 0399 and NW 7-51-22-W4 from AG – Agriculture: General and RA – Rural Residential/Agriculture to RA – Rural Residential/Agriculture, RS – Small Holdings and PC – Conservation Zoning Districts of Land Use Bylaw 6-2015. The proposed rezoning was based on the proposed lot areas shown on the approved tentative plan of subdivision for Lot 1A, Plan 012 0399 and NW 7-51-22-W4. Specifically, one of the lots was proposed to be less than eight hectares in size according to the approved tentative plan of subdivision, and was therefore proposed to be rezoned from AG – Agriculture: General and RA – Rural Residential/Agriculture to RS – Small Holdings Zoning District which allows for smaller lot sizes of two to eight hectares.

Following subdivision approval, and upon review of engineering drawings submitted in support of the proposed subdivision, it was determined that the proposed lot areas had been changed to a minor extent. All proposed new residential lots are now greater than eight hectares in area and can all be zoned RA – Rural Residential/Agriculture as this zoning district allows for lot sizes greater than eight hectares. Consequently, as Lot 1A, Plan 012 0399 is currently zoned RA – Rural Residential/Agriculture, it no longer needs to be rezoned based on the above.

In order to keep the proposed rezoning consistent with the revised subdivision plans, Bylaw 10-2018 is now proposed to be amended by removing Lot 1A, Plan 012 0399 from the bylaw and by rezoning the entirety of the S ½ of the NW 7-51-22-W4 from AG – Agriculture: General to RA – Rural Residential/Agriculture and PC – Conservation Zoning Districts. The proposed amendment to the bylaw results in the area proposed to be rezoned being reduced to 31.8 hectares (78.6 acres).

The subject lands are located within the Agriculture Small Holdings Policy Area of the MDP Bylaw 20-2017. In accordance with Section 6.1.5 of the MDP:

If a Conceptual Scheme was adopted prior to the effective date of the Plan, then any Land Use Bylaw amendment, subdivision or development may be considered as per that adopted Conceptual Scheme.

The Conceptual Scheme for NW 7-51-22-W4 was initially adopted by Council on September 23, 2014, and subsequently amended by Council on September 13, 2016, prior to the adoption of the current MDP.

The Conceptual Scheme establishes a plan for future rezoning and subdivision within the subject area. The proposed rezoning has been prepared in accordance with the Conceptual Scheme and supports the concurrently proposed subdivision of the subject lands to create four rural residential parcels, municipal and environmental reserve, and a service road.

Subdivision of the subject lands in accordance with the adopted Conceptual Scheme has been approved, and one of the conditions of approval is that the proposed rezoning bylaw receives third reading prior to endorsement of the subdivision.

The landowner has entered into a Development Agreement to address the financial obligations for the construction of the required municipal improvements.

Communication Plan

Letter to landowner

Enclosures

- 1 Bylaw 10-2018, as amended, including rezoning map
- 2 Bylaw 10-2018 with proposed amendments for third reading
- 3 Rural Location Map
- 4 Location Map
- 5 Air Photo
- 6 Conceptual Scheme Land Use Concept