
Area Concept Plans/Area Structure Plans

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Lead Role: Chief Commissioner

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Administrative Responsibility: Planning & Development Services

A. POLICY STATEMENT

This policy establishes definitions, guidelines and roles and responsibilities related to Area Concept Plans, Area Structure Plans and amendments.

Area Concept Plans and Area Structure Plans ensure that County Council's land use policies, as outlined in the Strategic Plan and the Municipal Development Plan, are implemented in more detailed planning documents.

B. DEFINITIONS

Area Concept Plan (ACP) means a plan adopted by County Council by Bylaw as a statutory plan and which has an equivalent status as an Area Structure Plan. It is prepared to guide the subsequent planning processes for an area larger than that of a typical Area Structure Plan and to provide a more generalized and less detailed framework for future land use and servicing than an Area Structure Plan.

Area Redevelopment Plan (ARP) means a statutory plan adopted by County Council to provide a framework for preserving, improving or rehabilitating land and buildings; removing, constructing or replacing buildings; establishing, improving or relocating roads, public utilities or other services; and facilitating any other development in the plan area.

Area Structure Plan (ASP) means a statutory plan adopted by County Council to provide a detailed framework for future land use and servicing to guide the subsequent rezoning, subdivision and development of an area of land.

Biophysical Assessment (BA) means an assessment of the biological and physical elements of an ecosystem in accordance with Policy SER-009-032 – Biophysical Assessment.

Capital Region Board (CRB) means a corporation of participating municipalities established in 2008, pursuant to Capital Region Board Regulation 38/2012.

Capital Region Growth Plan (CRGP) means the document prepared by the Capital Region Board to guide the regional planning process.

Conceptual Scheme (CS) means a plan approved by County Council in accordance with Policy SER-008-019 Conceptual Schemes.

Director means the Director of the Planning & Development Services Department.

Eighty (80) Acre Split means a subdivision of a previously unsubdivided quarter section into two equally titled parcels of eighty acres (more or less).

Engineering Design Brief means a report prepared, stamped and signed by a professional engineer licensed to practice in Alberta which indicates how underground and aboveground services can be provided to and within an area of land, while also addressing required upstream servicing and impacts on adjacent lands and downstream users, all in accordance with Strathcona County's Design and Construction Standards. The report shall also identify stormwater management requirements, servicing and geotechnical opportunities and constraints and solutions and any other issues as deemed necessary by the County.

First Parcel Out means the first parcel subdivided from a previously unsubdivided quarter section. A first parcel out does not include an eighty (80) acre split.

Land Use Bylaw (LUB) means the current Land Use Bylaw of Strathcona County, as amended.

Major Amendment means a proposed change which impacts the policies or intent of an approved Area Concept Plan or Area Structure Plan and which may include changes to land use, land use areas, servicing concepts, population densities, road networks or park and open space dedications.

Minor Amendment means a proposed change to an approved Area Concept Plan or Area Structure Plan which, in the opinion of the Director, is not considered to be a major amendment due to the limited impact of the proposed change on the intent of the plan.

Municipal Development Plan (MDP) means the current Municipal Development Plan of Strathcona County, as amended.

Municipal Government Act (MGA) means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended.

Pre-Application Meeting means the required meeting between County staff and an applicant and their representatives prior to an application for an Area Concept Plan, Area Structure Plan or amendment being submitted.

Public Engagement Plan (PEP) means the document authorized by County Council prior to public engagement commencing, which describes the strategy for public engagement and outlines the opportunities for landowners, residents and stakeholders to review and provide representation and input on a proposed plan or amendment.

Regional Evaluation Framework (REF) means the review and decision process undertaken by the Capital Region Board to evaluate applicable statutory plans and amendments for consistency with the Capital Region Growth Plan.

Strategic Plan means Strathcona County's principal guiding document for governance, community development, infrastructure and service delivery.

SuN Living Process means the planning methodology as outlined in the SuN Living booklet.

Technical Amendment means a proposed change to an Area Concept Plan or Area Structure Plan which is for the purpose of correcting clerical, technical, grammatical or typographical errors and which does not materially affect the Bylaw in principle or substance.

Traffic Impact Assessment (TIA) means a report prepared, stamped and signed by a professional engineer licensed to practice in Alberta which includes the analysis of the impact that the proposed plan will have on the existing road network and the proposed layout of internal road network within the study area, in accordance with Strathcona County's Design and Construction Standards.

C. GUIDELINES

1. Statutes and Regulations

- a) Strathcona County considers an ACP on an equivalent statutory status to an ASP and is adopted as such.
- b) The lands that are the subject of a proposed ACP, ASP or amendment may be subject to other federal and provincial statutes and regulations. It is the responsibility of the applicant/developer to ensure that a proposal complies with any federal or provincial requirement.
- c) An application for an ACP, ASP or amendment shall comply with all applicable County policies and requirements.
- d) A proposed ARP or ARP amendment shall follow the applicable requirements of this Policy at the determination of the Director.

2. An Area Concept Plan is Required:

- a) As indicated in the MDP; or
- b) As determined by the Director for any area that due to unique circumstances, long term planning requirements or limited direction in the MDP, a more detailed planning and/or servicing framework than what is provided in the MDP is required; and where an ASP would provide too much detail for the proposed plan area.

3. An Area Structure Plan is Required:

- a) As indicated in the MDP; or
- b) As indicated in an approved ACP; or at the discretion of the Director for an area within an approved ACP which requires a more detailed planning and/or servicing framework than the ACP provides; or
- c) For a proposed rezoning or subdivision where the future layout of land uses or a servicing framework has not been identified for the subject area in a document approved or accepted by the County; or
- d) As determined by the Director for any proposed rezoning, subdivision, or development which due to the scale, intensity, potential impacts on servicing capacity or infrastructure, or the need to co-ordinate planning with adjacent lands, an ASP is necessary.

4. An ASP is Not Required:

- a) Where the policies of the MDP or an ACP require a Conceptual Scheme be prepared; or
- b) Where an ASP or Conceptual Scheme is already approved and a proposal is consistent with the ASP or Conceptual Scheme as well as current policies and standards; or
- c) For a first parcel out of an unsubdivided quarter section or an eighty (80) acre split subdivision; or where a natural, severed, or boundary adjustment subdivision is proposed.

5. ASP Waiver

- a) If an owner/developer feels that the requirement for an ASP or amendment is not warranted for their specific proposal or subject property due to a unique or special

circumstance not addressed by the MDP or this Policy, they can make a written request to waive the requirement for an ASP or amendment to the Director. If the Director determines that given the particular circumstances of the specific proposal or the subject property an ASP or amendment is not required, a recommendation authorized by the Director may be presented to County Council requesting to waive the requirement for an ASP or amendment. Council shall make a decision by resolution and provide the reason why an ASP or amendment is or is not required for that specific proposal.

6. Other Planning Applications

- a) An application to rezone can be applied for and considered concurrently with an ASP application; however, the rezoning application shall not be considered by County Council prior to consideration of the ASP, and third reading of the rezoning shall not be given prior to third reading of the ASP.

7. Application Requirements

- a) A pre-application meeting shall be held prior to an application for an ACP, ASP or amendment being submitted, in order for the applicant to provide an overview of their proposal, and for County staff to provide comment on County requirements, timelines and potential concerns that may be identified at this stage.
- b) In order to be considered complete, an application for an ACP, ASP or amendment shall be submitted with:
 - i. the completed application form;
 - ii. the required fee;
 - iii. the proposed ACP or ASP or amendment document, which shall be prepared by or endorsed in writing by a full member in good standing of the Canadian Institute of Planners (MCIP or FCIP). The document shall be prepared in accordance with the 'Terms of Reference for the Preparation and Amendment of Area Concept Plans or Area Structure Plans' document;
 - iv. an Engineering Design Brief;
 - v. a Traffic Impact Assessment;
 - vi. a cover letter prepared and signed by a professional engineer certifying that the items in Section 7 b)(iv),(v) and where applicable (x) were prepared in accordance with the minimum County Standards;
 - vii. a Biophysical Assessment prepared by a qualified professional in the environmental field;
 - viii. the current certificate of title(s) for the properties within the proposed plan area;
 - ix. a written report regarding the results of a required initial PEP meeting along with any forms collected at the meeting; and
 - x. any other report, drawing, analysis or study such as, but not limited to, a geotechnical report or a historical resource impact assessment required by the County in order to properly review the proposal and its potential impacts.
- c) A proposed ACP, ASP or amendment shall conform to County requirements in addressing the manner in which the proposal:
 - i. meets the principles and policies of the CRGP;
 - ii. meets the goals of the County's Strategic Plan;
 - iii. conforms to the sustainability principles of the MDP;
 - iv. conforms to other sustainability principles measures or practices; and
 - v. conforms to the applicable policies of the MDP.
- d) At the discretion of the Director, some of the items required in Section 7 b) above may not be required due to the nature of the proposed plan or amendment.

8. SuN Living Process

- a) In some instances, a proposed ACP, ASP or amendment shall be required to follow the SuN Living process. The potential of the SuN Living process shall be discussed at the pre-application meeting with the applicant. The Director shall confirm in writing when an application is to follow the SuN Living process.

9. Public Input

- a) A proposed ACP, ASP and major amendment shall require a Public Engagement Plan (PEP).
- b) A PEP shall be prepared by an applicant and provide a description of the proposed public engagement, including the anticipated schedule of engagement, the type of communication proposed, and a description of the format of any required meeting. All costs associated with a PEP shall be borne by the applicant.
- c) In accordance with an approved PEP, an applicant shall host at least two meetings to present the proposed ASP, ACP or major amendment to the public.
 - i. the first meeting shall be required prior to the application being deemed complete by Administration and being put into circulation.
 - ii. the second meeting shall be completed prior to Administration submitting the proposed plan or amendment to Council for consideration.
- d) Despite Section 9 c) above, a recommendation authorized by the Director may be presented to County Council to waive the requirement for the second meeting for a major amendment where the concept has not changed subsequent to what was proposed at the first meeting. The decision shall be made by resolution and provide reason(s) why the requirement was or was not waived.
- e) An applicant may be required to hold an additional meeting if the Director determines that a PEP meeting or communications were not held or conducted in accordance with an approved PEP, or in accordance with Section 10 c) below; or where otherwise deemed necessary by County Council.
- f) At the discretion of the Director, a minor amendment may require a PEP. The number of and timing of meetings and method of communication will be determined by the Director based on the particular circumstances of the specific proposal or subject property.
- g) A technical amendment does not require a PEP.
- h) A Public Hearing regarding a proposed ACP, ASP or amendment shall be held as part of a regularly scheduled Council meeting, pursuant to the requirements of the Municipal Government Act. In situations where an applicant prefers it and Council allows it, the Public Hearing regarding an ASP or amendment and a rezoning application may be held concurrently.

10. Inactive Application

- a) At the discretion of the Director, a file closure letter may be sent to the applicant advising that an application will be closed, if due to the inactivity of the applicant, there has been no progression of the application to conclusion for at least six (6) consecutive months.
- b) Notification to the applicant regarding the lack of progression of an application prior to a file closure letter being sent may include written or e-mail correspondence.
- c) If an applicant or owner wishes to reactivate a file which has been closed in accordance with Section 10 a) and b) above, a new application including an updated document, any updated supporting documents, and the fee in effect at the time of the reactivation shall be submitted to the satisfaction of the Director. A new PEP or an additional meeting may also be required at the discretion of the Director.

11. Active File Maintenance

- a) If on the two (2) year anniversary of an application for an ACP, ASP or amendment being deemed complete by Administration an active file has not be brought forth to Council for a Public Hearing, the application is subject to an annual file maintenance fee in accordance with the Fees, Rates and Charges Bylaw.

12. Council Process and Approval

- a) At the discretion of the Director, a proposed ASP, ACP or amendment shall be submitted to County Council to consider setting a Public Hearing date, and to initiate Public Hearing notification and advertising if the Public Hearing date is set.
- b) A Public Hearing is required for a proposed ASP, ACP or amendment prior to proceeding with first reading of the bylaw to adopt the ASP, ACP or amendment.
- c) A technical amendment does not require a Public Hearing.
- d) After the Public Hearing, County Council may:
 - i. where a Regional Evaluation Framework (REF) is required, give first reading and refer the plan to the CRB; or
 - ii. give three readings to a Bylaw to adopt the proposed plan or amendment (where a REF is not required); or
 - iii. defeat the Bylaw to adopt the proposed plan or amendment; or
 - iv. revise and amend the proposed plan or amendment before giving three readings to the Bylaw, as amended; or
 - v. refer the proposed plan or amendment back to Administration for further review and/or to consider comments and concerns presented at the Public Hearing.

13. Re-Application

- a) Where a Bylaw to adopt an ASP, ACP or amendment has been defeated by Council, an application for an ASP, ACP or amendment that is in the opinion of the Director the same or substantially the same shall not be accepted for consideration until after one (1) year of the date on which the Bylaw was defeated.
- b) Despite Section 13(a) above, if an applicant addresses and resolves the issues that were of concern to Council and/or the public to the satisfaction of the Director, a new application may be accepted for consideration within the one (1) year period.
- c) To the satisfaction of the Director, an application considered under this section shall include:
 - i. an updated document; and
 - ii. any updated report, drawing, analysis or study; and
 - iii. the fee in effect at the time of the application; and
 - iv. a new PEP or additional PEP meetings.

D. Roles and Responsibilities

1. Land Development Services (LDS) is responsible for:

- a) Processing of applications;
- b) Attending public meetings associated with the PEP;
- c) Referring applications to internal County departments and external agencies;
- d) Reviewing reports, drawings, analysis's and studies submitted with an application for conformity with the County's Design and Construction Standards and other related standards documents;
- e) Providing comment on applications from the perspective of the County's MDP and other planning documents;
- f) Receiving comments, and consolidating and preparing a summary of comments for the applicant;
- g) Facilitating meetings between the applicant and members of Administration, as

- required, to resolve planning and engineering issues;
- h) Preparing reports for County Council;
- i) Preparing Public Hearing notification;
- j) Submitting an application to the CRB, where required;
- k) Preparing Department Procedures in support of this Policy and to provide additional information on application and process requirements.

2. Land Management Services (LMS) is responsible for:

- a) Providing written comment on the application from the perspective of the legislation and policies that govern the use of County-owned or controlled lands;
- b) Meeting with LDS and the applicant(s), as required, to resolve issues related to an application.

3. Environmental and Open Space Planning (EOSP) is responsible for:

- a) Reviewing technical documents submitted with application for conformity with the County's Design and Construction Standards, Open Space and Recreation Facility Strategy, Trails Strategy and relevant policies;
- b) Providing written comment on the application from the perspective of environmental and municipal reserve dedication, wetland conservation, tree management, trail networks, conservation of other environmentally sensitive areas and potential development setbacks;
- c) Meeting with LDS and the applicant(s), as required, to resolve issues related to an application.

4. Director, Planning & Development Services is responsible for:

- a) The review and approval of an application for submission to Council; and
- b) Items noted within this Policy that are left to the Director's discretion to determine.

5. Other PDS branches and other County departments, including but not limited to Permitting, Inspections and Customer Service, Capital Planning and Construction (CPC), Utilities (UT), Recreation, Parks & Culture (RPC), Transportation & Agriculture Services (TAS) and Emergency Services (ES) are responsible for:

- a) Reviewing technical documents submitted with application for conformity with the County's Design and Construction Standards and relevant plans, policies, standards and guidelines;
- b) Providing written comment on the application with respect to issues related to the Department's interests;
- c) Meeting with LDS and the applicant(s), as required, to resolve issues related to applications.