

Rescinding Service Policy SER-008-022 Redistricting Bylaw**Report Purpose**

To provide Council information to make a decision on rescinding Service Policy SER-008-022 Redistricting (Map Amendment) Bylaw.

Recommendation

THAT Service Policy SER-008-022 Redistricting (Map Amendment) Bylaw be rescinded.

Our Prioritized Strategic Goals

Goal 2 - Manage, invest and plan for sustainable municipal infrastructure

Continuously improving the way we work, as one organization, in an agile and sustainable manner

Report

Consideration to allow rezoning prior to a development agreement being signed, along with the recently introduced developer categorization, and the ability to accept additional forms of security such as surety bonds, are all observations included in the Planning and Development Red Tape Reduction Task Force's final report that was presented to Priorities Committee on October 6, 2020.

In response to the observations of the Task Force's final report, administration reviewed the interrelationship between the rezoning and the development agreement process which is summarized below.

The County's Service Policy SER-008-022 'Redistricting (Map Amendment) Bylaws' currently outlines that a development agreement must be negotiated and executed before administration will take the related Redistricting Bylaw to Council for consideration of third reading.

In accordance with this policy, to achieve a rezoning in Strathcona County an applicant for rezoning must follow four overall steps in the following order:

1. Achieve first and second readings on a rezoning bylaw.
2. Achieve subdivision approval, which includes a condition that a development agreement be entered into to address all financial obligations.
3. A development agreement is entered into between the applicant and the County.
4. Achieve third reading on a zoning bylaw.

We heard through the Task Force and, in the past, from the Urban Development Institute, the zoning of a property is a factor in a financial institution's consideration to lend money as zoning provides a level of confidence to the financial institution that the property can be developed as proposed. Strathcona County's current policy does not enable third reading of a rezoning bylaw to occur until a subdivision is approved, a development agreement is executed, and applicable fees are provided from the developer to the County.

Furthermore, the financial costs resulting from the development of municipal improvements are incurred at the time of subdivision and development process rather than as part of a rezoning. Sections 650 and 655 of the *Municipal Government Act* provide the ability to

require an applicant to enter into an agreement with the municipality specifically at the time of subdivision or development.

As a result of the review of the policy, it has been identified that:

- The majority (if not all) of municipalities in the Edmonton Metropolitan Region, including the cities of Edmonton, St. Albert and Fort Saskatchewan, do not require a development agreement prior to rezoning.
- Enabling rezoning to occur prior to a development agreement would not place undue risk on the County as:
 - i. adopted statutory plans provide the necessary and appropriate level of detail to enable consideration of rezoning a property; and
 - ii. financial obligations are secured through agreements at the time of subdivision or development in accordance with the *Municipal Government Act*.
- Separating the rezoning and development agreement process could benefit developer timelines and have a positive impact on resources by reducing the need to return to Council twice for a rezoning.

While reviewing the policy, administration found that all other items within SER-008-022 are either addressed in legislation, addressed in other County policy or regulation, are informational or procedural items, or are outdated due to process changes. Enclosure 1 identifies where each clause within SER-008-022 is addressed or why it is not necessary.

Based on the above, administration recommends that Service Policy SER-008-022 Redistricting (Map Amendment) Bylaw be rescinded as:

- Enabling rezoning prior to a development agreement eliminates red tape and increases process efficiencies without providing undue risk to the County.
- The remaining items in the policy are either addressed in legislation, addressed in other County policies or regulations, are informational or procedural in nature, or are outdated due to process changes.

Council and Committee History

October 6, 2020	Priorities Committee was presented the final report of the Planning and Development Red Tape Reduction Task Force to the Priorities Committee.
December 10, 2019	Council approved Bylaw 43-2019, a Bylaw to establish the Planning and Development Red Tape Reduction Task Force.

- September 24, 2019 Council approved the motion "THAT administration prepare a report identifying opportunities for red tape reduction with a goal of streamlining departmental operations and increasing efficiencies in order to improve the business climate within Strathcona County with consideration given to:
- streamlining the permitting process;
 - reviewing departmental policies that create bottlenecks;
 - striking a task force that includes members of the Chamber of Commerce and the Urban Development Institute to identify opportunities for red tape reduction; and
 - reporting back to council by the end of the second quarter of 2020."
- May 8, 2007 Council approved Service Policy SER-008-022 Redistricting (Map Amendment) Bylaw.

Other Impacts

Policy: SER-008-022 Redistricting (Map Amendment) Bylaw

Legislative/Legal: Legislative and Legal Services has reviewed the existing policy

Interdepartmental: n/a

Master Plan/Framework: n/a

Enclosures

- 1 Service Policy SER-008-022 Redistricting (Map Amendment) Bylaw
- 2 Planning and Development Red Tape Reduction Task Force Final Report