



HIGHLIGHTS OF MOUNTAIN VIEW COUNTY'S NEW LAND USE BYLAW

Mountain View County initiated a review of the Land Use Bylaw (LUB) and development of new Commercial / Industrial Design Guidelines in April 2008. The LUB, which guides how land in the County is used and developed, is being updated to reflect new policies in the 2007 Municipal Development Plan. Design guidelines are also being created to encourage higher quality architecture and landscaping for new commercial and industrial developments. The project is being overseen by a Steering Committee. Edmonton-based planning consultant Armin A. Preiksaitis & Associates Ltd. was retained by the County to undertake the LUB review and preparation of the Design Guidelines.

The project is in Phase III of a four-phased work plan with the draft Land Use Bylaw and Commercial / Industrial Design Guidelines being prepared we want to seek feedback from property owners and members of the public on new strategic directions being proposed.

Highlights of changes being proposed to Mountain View County's new Land Use Bylaw

- Location Permits have been replaced by permitted uses within several districts or use classes that are deemed “not requiring a development permit” to provide more certainty and reduce approval times for land owners and developers.
- A much more extensive definitions section of the bylaw with illustrations to provide clarity and interpretations of various terms and uses in the new Land Use Bylaw.
- Setback regulations have been tailored to address new parcels sizes and embedded in each district. Measurements are now taken from the property line instead of the centre line of roadways or highways.
- Purpose statements have been added to each district to clearly indicate the expected type of development and their areas of applicability.
- Several new Land Use Districts have been added to reflect residential policies in the 2007 Municipal Development Plan.. Examples include the **R-LD Low Density Country Residential District; R-MD Medium Density Estate Residential District; R-HD High Density Residential District.**
- Other new Land Use Districts have been introduced to address particular needs in different areas of the County. Examples include a **I-HI Heavy Industrial District; P-PC Conservation District; P-CR- Comprehensive Recreation District; and P-PI Institutional District.**
- Keeping of Animals regulations have been expanded to include livestock operations that not exceed 1 animal unit per 3 acres to the maximum threshold on this use at 1 animal unit per 1 acre, just below CFO thresholds.
- Guaranteed security requirements has been incorporated to several types of development applications including use of accessory buildings as temporary residence, condominium development, reclamation, soil remediation, relocation of structures, landscaping, and Wind Energy Converter Systems (WECS).

- As some type of developments may impact surrounding property owners, applicants will be required to carry out a Community Consultation Program prior to submission of a development application as part of the application requirements.
- Application requirements for Natural Resource Extraction have been strengthened with the addition of the Community Consultation Program, phasing for reclamation and guaranteed securities requirements.
- Commercial / Industrial Design Guidelines that address development considerations such as site planning, design character and appearance of buildings, parking and loading, landscaping and signs have been included to improve the appearance of new industrial and commercial development throughout the County particularly along highly visible highways and County main roads.

What has been done to make the Land Use Bylaw more user-friendly?

- A new Section entitled “*Users Guide to the Land Use Bylaw*” has been added to the front to help the reader more easily navigate the LUB. Although contained in the LUB document, the User’s Guide will not legally form part of the Bylaw once adopted by Council.
- The Land Use Map is a critical part of the LUB. In order to make it easier to read and interpret, the scale has been increased and large foldout maps of various areas of the County are now provided with an index map in each.

Other improvements include formatting changes, use of plain language, an enhanced and expanded definition section, new illustrations and tables for quick reference of permitted and discretionary uses, and most common regulations in each district.

What changes have been made to the Land Use Districts and what remains the same?

Agricultural Districts

The **Agricultural Intensive District “AI”** has been removed from the new Draft LUB as Intensive Livestock Operations are now regulated by provincial legislation under the Natural Resources Conservation Board.

The **Agricultural (2) District “A (2)”** is has been reworked to expand on permitted and discretionary uses and it is now called **A-AG Agriculture General District**. All parcels ranging from 40 - 160 acres will be included in this district.

The new **A-SH Agricultural Small Holding District** is being proposed to address various new forms of agricultural developments in relatively smaller operations. All parcels ranging from 10 - 40 acres will be included in this district.

Residential Districts

The **Country Residential District “CR”** has been excluded and all lands within this district will be included in the **R-LD Low Density Country Residential District**.

The **Country Residential (1) District “CR (1)”** has been replaced by the **R-LD Low Density Country Residential District**. All existing country residential parcels, including those ranging from 3 – 10 acres will be included in this district.

Two new residential districts are being proposed to implement residential policies of the 2007 Municipal Development Plan which reflect new forms of residential development that is more compact and sustainable. The new **R-MD Medium Density Estate District** will allow up to 51 lots per quarter section, while the **R-HD High Density Estate District** will allow up to 80 lots per quarter section. A bonusing density system based on green sustainable initiatives, consistent with

residential policies of the 2007 Municipal Development Plan, may increase the number of lots per quarter section to a maximum of 240 lots.

Commercial Districts

The **Commercial District “C”** has been reworked to expand on permitted and discretionary uses. In addition, development within this district will have to adhere to the new Commercial / Industrial Design Guidelines.

The **Highway Commercial District “HC”** has been reworked to expand on permitted and discretionary uses. In addition, development within this district will have to adhere to the new Commercial / Industrial Design Guidelines.

Industrial Districts

The **Business Park District “BP”** is has been reworked to expand on permitted and discretionary uses and it is now called **I-BP Business Park District**. In addition, development within this district will have to adhere to the new Commercial / Industrial Design Guidelines.

The **Industrial District “I”** is being replaced by the new **I-BP Business Park District**.

A new **I – Heavy Industrial District** has been created for heavy industrial uses such as upgraders and petrochemical facilities where potential nuisance impacts and safety considerations may extend beyond the site boundary or even the District. Similar to practices in other municipalities, the new LUB will require development applications for heavy industrial uses to be supported by risk and/or environmental impact assessments to determine appropriate separation distances, buffering and emergency response plans.

Recreational Districts

A new **P-PC Conservation District** is being proposed to respond to environmental preservation needs. At this time, only those lands held in title by the County within Environmentally Significant Area should have this district explicitly applied.

A new **P-CR Comprehensive Recreational District** is being proposed to address several forms of recreational development, including campground, cabins, and recreational vehicles. The district has also been designed to accommodate uses regardless the ownership type, for example, condominium and resort development.

The **Recreational Facilities District “RF”** is being replaced by the **P-CR Comprehensive Recreational District**.

Service District

The **Airport District “AP”** and the **County Airport District “DC”** have been replaced by the new **A-AP Airport District**. Airport Lands including the immediate airport improvements and surrounding areas will be designated to this new district. This district allows for all use classes under the **I-BP Business Park District** on a discretionary basis.

An **Airport Protection Zone** implemented by an overlay is being proposed to regulate development near airports. The Airport Protection Zone Overlay will reflect the extent of the noise exposure forecast areas, and height limitations affecting areas surrounding airports in the County.

A new **P-PI Institutional District** is being proposed to include lands such as County office, yards, and facilities, existing Community hall sites, cemeteries, the Olds College Lands, and School Sites in rural areas.

Direct Control Districts

The majority of existing Direct Control Districts were translated to the new Comprehensive Recreational District or to Industrial Districts. Direct Control Districts carried forward are the Rainor, May City Hutterite Colony, and Crystal Waters Wellness Retreat.

In addition, appropriate servicing requirements have been included in all districts.

What improvements have been made to how new development is to be regulated?

- The Supplementary Regulations Section has been expanded and broken down in specific sections to better address for example; business licensing, condominium development, development adjacent to aerodromes, development adjacent to confined feeding operations, hazard lands, keeping of animals, parcel density and subdivision requirements, home occupations, manufactured dwellings, natural resource extractions, secondary suites, tourist campgrounds, and work camps.
- New development trends such as wind energy conservation systems (WECS) and Communication Towers, have been acknowledged.
- Accessory buildings will be considered permitted or discretionary according to the use of the principal building on the parcel. A new section has been created to regulate the size, location and height of several situations where accessory buildings may be allowed (e.g. basement suites, garden suites).
- Several forms of Secondary Suites will be implemented in agricultural and residential districts. Additional development requirements to mitigate potential impacts (e.g. parking) before approving a development permit.
- Landscaping requirements have been expanded to include landscaping plans for new industrial and commercial development. The purpose is to improve landscaping standards around industrial/commercial development, particularly near highways and County roads. In order to guide the applicant, the LUB outlines the required planting standards and approval process.

What improvements have been made to the application and administration processes?

- Procedures for Development Permit Applications have been organized according to the type of application. The goal is to make it easier to find the requirements for a simple application (for instance a Home Occupation Level 1) as well as for a complex application (such as Natural Resource Extraction).
- A detailed list of supplementary requirements has been added to ensure that appropriate technical studies are submitted to support development applications with potentially significant impacts. A development application may now require a Biophysical Assessment, Phase I Environmental Site Assessment, Traffic Impact Assessment and/or Slope Stability Studies. These technical studies will support the review of complex applications and assure land owners who may be affected that a comprehensive assessment will be done prior to deciding upon development applications.

What specific aspects of the new land use bylaw does County Council want feedback from the property owners and stakeholders?

Business Licenses

The draft LUB has proposed the basis for the business license bylaw:

- A license is required to carry on or operate a resident business, a non-resident business, or a temporary business.

- A change in use class or tenancy may not require a development permit, a license shall be required to operate a new business within that same building.
- All licenses shall have limit duration as determined by bylaw.

Development Near Airports and Aerodromes

Uses and regulations were reviewed in several municipalities. Some municipalities have districts governing the development of land around airports, some have overlays, some had requirements set out in their development application process, and others have a general regulation for airports and aerodromes. In the draft LUB:

- The new Airport Protection Zone Overlay has been created to reflect the extent of the noise exposure forecast areas, and height limitations affecting areas surrounding airports in the County.
- Land uses within the vicinity of the airport shall be determined through the preparation of an Area Structure Plan.

Natural Resource Extraction

Mountain View County already has policies in place which require the County to adhere to a high standard on its gravel operations. Recognizing gravel is an important and strategic resource in Alberta, the proposed new draft Land Use Bylaw would not require Mountain View County or its authorized agents to obtain a development permit for extraction and processing of sand, gravel or earthen materials including asphalt or concrete mixtures to be used exclusively by Mountain View County.

Keeping of Animals

New concentrated livestock operations or the expansion of existing concentrated livestock operations need to be addressed within multi-parcel residential districts. Similarly, expansion within existing single parcel residential districts within prescribed threshold is another possibility that needs to be considered. Additional development application requirements such as community consultation are being considered.

Removal of Top Soil (Excavation, Stripping, Filling and / or Recontouring)

Top Soil is a valuable resource for the County. There is a need to ensure no net loss of Top Soil, especially in large developments. One alternative is to allow large developments to move the Top Soil during installing services, to other areas such as Municipal Reserves to store the soil prior to final grading of the site. Overall, a complete description on the developer's handling of Top Soil is being considered.

Home Occupations

Three levels of home occupation are being proposed based on their impact on surrounding areas. The level one will not required a development permit but must apply for a business license. A level 3 home occupation is only being considered on large parcels.

Design Guidelines for Commercial and Industrial Buildings

These design guidelines should be feasible for a large developer to implement, as well as for many of the smaller developers or "one-off" developments. Also, they should not impose significant costs and other deterrents, which in turn could hurt the economic development. The application process will address how the County will assist smaller developers in interpreting and designing developments to these new standards. The use of plain English descriptions to convey meaning of

guidelines and illustrations are some of the approaches that are being developed to implement the design guidelines.

Landscaping Requirements

The landscaping regulations establish when site landscaping may be required to contribute to a reasonable standard of appearance for developments. It also identifies when landscaping may be required and the associated process for how it is implemented. The Commercial / Industrial Design Guidelines contains more detailed landscaping guidelines for commercial and industrial uses that supplement the landscaping requirements.

New P-CR Comprehensive Recreation District to Facilitate Resort Residential Uses

The net impact resulting from several forms of recreation development is very similar, for example, density, traffic, environmental preservation, and therefore they are being accommodated under one district with strict development application requirements.

How will the new land use bylaw affect land and developments?

The vast majority of the properties will remain in districts that are very comparable to existing districts. As Mountain View County now requires country residential parcels to be redesignated prior to being subdivided out of a quarter section, it is proposed that some existing smaller sized parcels currently designated as Agricultural would be redesignated as either **R-LD Low Density Country Residential District** or **A-SH Agricultural Small Holding District**. Whenever possible, the creation of legal non-conforming uses will be avoided. However, this may not be possible in each case.

Most property owners, particularly those properties already developed will see little or no change.

What happens next?

You are invited to participate in a **Public Open House** on the key points of Draft LUB which will take place on **Thursday, June 11 from 4:00-6:00 p.m. and from 7:00-9:00 p.m. at Mountain View County Office**. The consultants will make a 4:30 p.m. and a 7:30 p.m. presentation on key changes being proposed and you will have an opportunity to ask questions and provide comments. It is important that you attend as we are in the process of finalizing the Draft LUB for public release early in the Fall 2009. We will consider all comments before releasing the Draft LUB which will also be reviewed by the Steering Committee and Administration.

For further information please contact

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