MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REPORT FOR COUNCIL'S CONSIDERATION ON REDUCTION OF RED TAPE
April 29, 2026

FOOTHILLS COUNTY	**PROPOSAL:** Review policy topics with Council regarding potential Land Use Bylaw amendments to reduce red tape
FILE MANAGER: Coreena Carr, Planner	

PURPOSE – REQUEST FOR DIRECTION

The purpose of this report is to review potential Land Use Bylaw topics that may help to reduce red tape with Council.

This report is intended to seek Council direction on whether, and how, Administration is to proceed with potential Land Use Bylaw amendments.

Administration is requesting Council direction on the red tape reduction policy topics identified in this report, including:

- which topics Council wishes to proceed with; and
- the preferred process for advancing each topic, including drafting amendments, public consultation, and public hearing sequencing.

Further detail on the anticipated scope of potential amendments for each topic is provided in the respective appendices.

BACKGROUND

October 8, 2025, Council passed the following resolution:

Council directs Planning staff to prepare a report for Council's consideration regarding potential amendments to the Land Use Bylaw to lessen red tape for residents and address regulations for Development Permits. Further, that Council direct Planning staff to prepare a report for Council's consideration regarding potential amendments to the Land Use Bylaw addressing the regulations for Solar Power Systems, Personal.

KEY POLICY TOPIC CONSIDERATIONS

Administration has identified the following policy topics for consideration to reduce regulatory burden and minimize the number of Development Permits required: (Detailed background reports for each topic are provided as attached Schedules).

1. Private Solar Power Systems (See Appendix A)

Administration recommends increasing the maximum size of personal solar power systems permitted without the requirement for a Development Permit and allow for greater flexibility regarding their location on a parcel by removing the 2X setback requirement where no permit is required.

Administration is of the opinion that there is an opportunity to reduce red tape for personal-use ground-mounted solar arrays, especially on Country Residential and Agricultural parcels, as the data indicates a large number of applications are being made for solar array sized to meet best practices for solar with little to no appeal.

2. Sub-District 'A' Waiver Process (See Appendix B)

Administration recommends establishing a "Sub-District A" waiver process, similar to the current waiver for the Flood Hazard Protection Overlay.

Where a parcel is designated "Sub-District A" for a specific requirement, and:

a. the proposed development does not engage or impact that specific requirement; or
b. a Development Permit would not otherwise be required if the parcel were not zoned "Sub-District A,"

the Approving Authority may issue a waiver to the Development Permit requirement.

3. Buildings

a) Permitted Building Sizes on Country Residential /Agricultural parcels (See Appendix C)

Administration recommends consideration of restructuring the policy addressing permitted building sizes by incorporating all buildings on a property, including Dwellings, Garages, and Personal Use Accessory Buildings, into one cumulative total area with a maximum size based on the actual property size. The intent would be to allow for greater flexibility of building type, size, and combinations.

Additional policies are recommended to identify specific variance thresholds and authority granted to the Development Officers for oversized accessory building applications. Current policy allows a Development Officer the discretion to approve or refuse any oversized building.

b) Maximum Lot Coverage (See Appendix D)

Administration recommends consideration of amendments to the "Maximum Lot Coverage" provisions for the following districts, to allow additional flexibility in comprehensively planned communities where development is supported by a stormwater management plan prepared by an accredited professional:

- Residential Community District
- Residential Multi-Family District
- Residential Manufactured Home District
- Business Park District
- Highway Commercial District
- Community Commercial District

This approach would mirror the provisions in the General Industry District and Industrial Edge District and reduce Development Permit applications where review is limited to stormwater management considerations.

c) Sea Cans (Shipping Containers) (See Appendix E)

Administration recommends consideration of the following options to reduce the number of Development Permits required for sea cans:

i. Increase the number of sea-cans permitted on a property <u>without</u> a Development Permit, based on the land use or parcel size which Council feel is appropriate, provided it aligns with other applicable Land Use Bylaw provisions, including but not limited to, cumulative building size, site coverage, number of buildings, and property setback.

<u>For Example - No Development Permit Required for:</u>

a. parcels that are less than 2 acres in size are permitted one temporary storage container for up to sixty (60) consecutive days per year.
b. no more than one (1) sea-can on County Residential District parcels;
c. a maximum of two (2) sea-cans on Agricultural District and Agricultural Business District parcels;

d) Private Arenas (See Appendix F)

Administration recommends an amendment to the definition of Arena Private under the Land Use Bylaw to remove the 16,400 sq. ft. size restriction, and similar amendments to Section 10.3A removing the requirement for oversized private arena to acquire a site specific amendment or rezoning to Direct Control District #29 prior to a Development Permit. A Development Permit is still required for all private use arenas, as a discretionary use, where it is listed as a use in the land use district. This would reduce the number of applications for SSA and rezoning to allow for private riding arenas.

Alternatively, Should Council wish to amend the Buildings as per proposed amendment 3.a (above within this staff report), Council may also wish to consider an amendment to the definition of "Accessory Building, Detached", under the Land Use Bylaw to include "Arena, Private", as an accessory building.

Private Arena's within the permitted size and number of accessory buildings on the subject property would be deemed a permitted use not requiring a Development Permit, and if oversized would be deemed discretionary use requiring a Development Permit, just as any other oversized personal use accessory building.

4. Remove Amendment process for same land use district subdivisions – Agricultural District (See Appendix G)

Administration recommends consideration by Council to allow subdivisions of Agricultural lands without requiring a prior land use amendment, where the land use is not changing and the subdivision complies with all requirements of the land use district.

This process change would save significant time and resources for applicants, staff, and Council by eliminating duplication where municipal policy can be relied on for determining where subdivision is appropriate.

WHAT HAPPENS NEXT

Administration will proceed in accordance with Council's direction and return to Council with draft amendments, consultation results, or public hearing materials, as applicable.

RECOMMENDED COUNCIL MOTIONS

Motion #1 – Direction on Policy Topics

That Council direct Administration on which of the policy topics identified in this report are to proceed further as part of the County's red tape reduction initiatives.

Motion #2 – Direction on Process for Each Topic

That Council direct Administration, for each policy topic approved to proceed, on the preferred process for advancing potential Land Use Bylaw amendments, including whether Administration is to:

a) prepare completed draft Land Use Bylaw amendments and return to Council for consideration prior to a public hearing;
b) prepare draft Land Use Bylaw amendments for Council's consideration at a public hearing; or
c) undertake public consultation prior to drafting further Land Use Bylaw amendments and return to Council with the results and recommended next steps.

APPENDICES:

Appendix A: Background report for Solar Power Systems, Personal provisions
Appendix B: Background Report for Sub-District "A" provisions
Appendix C: Background Report for Permitted Building Sizes on CR & A Parcels
Appendix D: Background Report for Maximum Lot Coverage
Appendix E: Background Report for Sea Cans
Appendix F: Background Report for Private Arenas
Appendix G: Background Report for Amendment Process for Subdivision under same district

APPENDIX A - BACKGROUND REPORT FOR SOLAR POWER SYSTEMS, PERSONAL

INTRODUCTION

Administration recommends amendments to increase the maximum size of personal solar power systems permitted without a Development Permit and provide greater flexibility regarding their location on a parcel by removing the 2X setback requirement where no permit is required.

Other proposed amendments have been included for clarification on personal solar power in conjunction with the red tape reduction.

SUMMARY OF CURRENT PROVISIONS UNDER BYLAW

SOLAR POWER SYSTEM, PRIVATE means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy for a single landowner, resident, business, or occupant of a site, for personal, domestic, business use, and/or agriculture uses on-site. Annual electricity produced for the site is generally expected to be equal to consumption.

Amendments were adopted in 2016 restricting the size of free-standing (ground or pole mount) solar not requiring a Development permit to 10m^2 and setback 2X the minimum setback requirement.

In accordance with Section 4.2.1, no Development Permit is required for private solar power systems under the following situations:

a) Personal household, business, or agriculture purposes only which:
    i. Any wall or roof mount of an approved building that does not exceed the max. height requirements.
b) Free-standing (pole, fence, or ground mount) provided:
    i. Solar array is no greater than 1m^2 (10.8 sq. ft). in size meeting max. height requirements.
    ii. Array in excess of 1m^2 (10.8 ft^2) but no greater than 10m^2 (107.6 ft^2) meeting max. height requirements and setback 2X (double the min. rear and side yard setback).

A Development Permit is required for all other personal solar power systems as a Discretionary Use.

Land Use Districts:

- Private Solar Power System is a permitted use where no permit is required in all districts except for DC5 (Foothills Regional Airport District).
- Private Solar Power System is a discretionary use in all other instances.

MUNICIPALITY COMPARION SUMMARY

a) Roof and wall mount personal solar are most often exempt from a Development Permit if common safety standards and building/electrical codes are met.

b) Most free-standing solar are considered an “accessory use” or “accessory structure” and usually require a Development Permit

c) Some municipalities exempt personal use household or agricultural use solar of a smaller size from requiring a Development Permit where it is a permitted use.

d) Most municipalities have setbacks to property lines similar to other development setbacks.

DEVELOPMENT PERMIT STATISTICS FOR PERSONAL SOLAR POWER

DATA ON WHAT IS APPLIED FOR:

Number of applications: (solar power personal- all free-standing ground mount) -Total 76 applications

TIME FRAME	# OF APPLICATIONS
2016 – 2020	11
2021 - 2025	66
Conclusion: *Development Pemit applications for private solar systems have increased substantially over the past 5 years.*	

Number Based on parcel size: free-standing ground/pole mount solar

PARCEL SIZES	# OF APPLICATIONS (TOTAL 76)
Under 2 acres (Other Residential)	0
2 – 21 acres (County Residential)	47
Over 21 Acres (Agricultural)	29
Industrial/Commercial	1
Conclusion: *Applications are concentrated in Country Residential and Agricultural districts. The data does not show any applications on smaller residential parcels.* *This excludes any installations that were exempt from requiring development permit approval due to size and meeting 2x property line setbacks.*	

Range of sizes based on parcel size:

LAND USE	SIZE RANGE	AVERAGE SIZE	MEDIAN SIZE (Typical size)
County Residential (23 records)	12.6m^2 (136 ft^2) – 223m^2 (2400 ft^2)	50m^2 (538 ft^2)	63m^2 (674.6 ft^2)
Agricultural (19 records)	2.4m^2 (26 ft^2) – 111.5m^2 (1200 ft^2)	39 m (420 ft^2)	46 m^2 (495.5 ft^2)
Conclusion: *The median array area was approximately 537.9 ft² (50.0 m²) on 2–20 acre / Country Residential parcels and 420.0 ft² (39.0 m²) on 21+ acre / Agricultural parcels.* *These figure match or are lower than what industry best practices identify for array sizes to produce energy to sustain typical acreage home and related agricultural uses*			

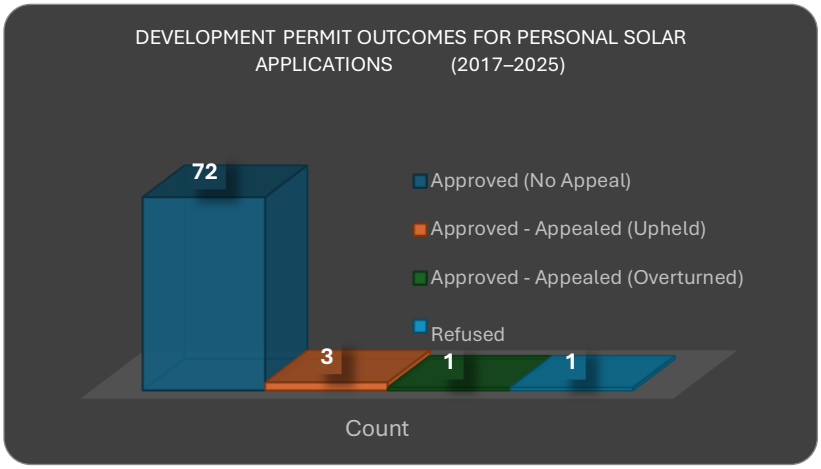
Note: not all applications identified the size of array in the database so only records identified are included. The median is the typical size as it is not influenced by one large or small system, whereas average is.

Height of Ground Mount systems:

NUMBER OF APPLICATIONS	HEIGHT RANGE	AVERAGE HEIGHT	MEDIAN HEIGHT
72 (showed height in database)	1.3 m (4.4 ft) – 10.6m (34.8 ft)	3.9 m (12.7 ft)	3.7 m (12.1 ft)
Conclusion: *Most ground mount systems have modest heights with a median of* 3.7 *m (12.1 ft) in height. All applications were well within the height allowed under land use district and current rules.* Our land use districts height requirement is 12m (39.37 ft) for principal buildings, 10.57m (35 ft) for accessory buildings, and 16m (52.49 ft) for towers, antennas, and wind turbines. Some municipalities restrict height of free-standing solar to 4.6 m (15 ft.).			

DEVELOPMENT PERMIT OUTCOMES FOR PERSONAL SOLAR APPLICATIONS (2017–2025)

TOTAL APPLICATIONS	REFUSED	APPROVED	APPEALED (DECISION UPHELD)	APPEALED (DECISION OVERTURNED)
76	1	75	3	1
Conclusion: The data shows a very high approval rate, with minimal refusals and limited appeals. Where appeals have occurred, the County's decisions have largely been upheld.				



Summary of Statistics:

The data suggests that the majority of our development permit applications for ground-mounted personal solar installations are on Country Residential and Agricultural parcels, rather than on smaller residential lots. The data identifies the size of personal solar power applications being applied for, which appears to align with industry best practices, with limited to no refusal or appeal on approvals. This may support consideration of larger personal-use ground-mounted solar arrays being exempted, or reduced permitting requirements, on appropriately sized rural parcels without materially changing the overall development pattern currently occurring in the County.

INDUSTRY INFORMATION AND BEST PRACTICES

RESIDENTIAL

Item	Value
Avg Alberta home electricity use	**7,200 kWh/year**
Output per 400W panel	~560 kWh/year
Estimated Number of Panels	12-14 panels
Typical Panel Size (45"x 80")	~25 sq.ft. (2.33 m^2)
Total Array Area	**300 - 350 sq.ft. (27.9 - 32.5 m^2)**

Peak sun hours = 1,200 – 1,400 hrs/year/

AGRICULTURAL

Component	Annual Usage
Farm Operation	~15,936 kWh/year
Residence	~7,200 kWh/year
Total required solar production	**~23,136 kWh/year**
Output per 400W panel	~560 kWh/year
Estimated Number of Panels	~42 panels
Typical Panel Size (45"x 80")	~25 sq.ft. (2.33 m^2)
Total Array Area	**~1050 sq.ft. (97.5 m^2)**

AVERAGE RURAL HOME

Item	Value
Estimated Avg. Acreage Use	10,000 kWh/year
Peak sun hours	1,200–1,400 hrs/year
Output per 400W panel	~560 kWh/year
Estimated Number of Panels	16–20 panels
System Production Capacity	6.4–8.0 kW
Typical Panel Size (45x80 inch)	~25 sq.ft. (2.33 m^2)
Total Array Area	**400–500 sq.ft. (37.2m^2-46.5m^2)**

Typical Solar Requirements Summary

- A standard urban home typically requires **5,500–6,000 kWh/year**, equivalent to approximately **10 panels**.
- An average acreage with a larger home will typically require at least **10,000 kWh/year**, equivalent approximately **20 panels**.

It is important to note that:

No Development Permit is required for roof-mounted systems and landowners may supplement energy production with ground-mounted systems, where household consumption exceeds roof capacity.

PROPOSED AMENDMENTS FOR SOLAR POWER SYSTEM, PERSONAL:

Draft amendment language provided for illustration purposes and subject to Council direction.

Section 4.2.1.18, where no Development Permit is required to Solar Power System, Private, shall be amended as follows:

4.2.1.18 Solar *Power System, Private* which meets the following criteria:

a. The solar power system is used for on-site personal household, business, and/or agricultural purposes only and generates power solely for on-site consumption, or incidental feed into grid for grid-tied systems. Commercial sale of electricity is not permitted. ~~The installation is to be used for on-site personal household, business use, and/or agricultural purposes only and it meets all other policies under Section 4.2.1.18.~~

b. Wall-mounted or roof-mounted system on an approved building, provided: ~~The solar array is mounted on the wall or roof of an approved building, and~~:
   i. the array does not exceed the maximum building height of the applicable land use district when placed at its maximum tilt. ~~highest proposed angle; and~~
   ii. all equipment meets the minimum setback requirements of ~~for~~ the applicable land use district.

c. Free-standing solar power systems, including ground, pole, or fence mounted installations provided the following criteria are met: ~~Solar array ground/pole/ or fence mounted, provided:~~
   i. Solar panels and associated equipment for low-voltage systems (including ~~for example~~ but not limited to solar fence chargers, trickle chargers, livestock troughs, and gate systems), where the solar array is no greater than 2.33~~1.0~~ m^2 (25 ft^2~~10.7 sq. ft.~~) in size, may be located a minimum of zero (0) metres from a property line provided it is contained entirely within the subject property, and does not exceed 4.6 m (15 ft.) maximum height above grade, when oriented at its maximum tilt. ~~And all equipment does not exceed the maximum building height when the array is placed at its highest proposed angle.~~

ii. ~~solar panels and associated equipment where the solar array is in excess of 1m2 but no greater than 10m2 in size and meets the following.~~

~~a. does not exceed the maximum building height when the array is placed at its highest proposed.~~

~~b. is setback 2X (double) the minimum side and rear yard setback requirement for the applicable land use district. Larger free-standing arrays are permitted in accordance with the following land uses, provided that:~~

Solar panels and associated equipment where the cumulative freestanding solar arrays on the property exceed 2.33 m² (25 ft².) are permitted in accordance with the following:

a. On Residential zoned parcels equal to or greater than 1 acre in size, the cumulative freestanding solar array(s) not exceeding 46.5 m² (500 ft²) in size. or

b. On Agricultural District parcels, the cumulative freestanding solar array(s)solar array not exceeding 56 m² (1000 ft²) in size.

c. In both cases, the following conditions shall apply to qualify for no Development Permit requirement:

i. the solar array does not exceed a maximum height of 4.6 m (15 ft.) above grade, when oriented at its maximum tilt.

ii. The solar array is located on the property in accordance with all minimum building setbacks for the applicable land use district.

iii. Total lot coverage, including all structures associated with the solar power system ~~equipment, shall~~ does not exceed the maximum lot coverage ~~overall lot requirements~~ permitted for the site ~~as outlined~~ under the applicable ~~development requirements~~ of land use district.

iv. ~~There is n~~No alteration to drainage patterns or the overland ~~water~~ flow of water which occurs on ~~within~~ or off the property without prior written approval from the County or Alberta Environment.

v. Any accessory building ~~in conjunction~~ associated with the solar power system ~~array~~, including mounting structures whether for mounting, battery storage, or similar equipment ~~purposes~~, ~~which is within the sq. ft.~~ complies with the maximum floor area requirements ~~allowed~~ for accessory buildings as set out in Table 4.2.1.7(A).

The following provision shall be added under Section 5.6 Variances:

5.6.14 The Development Authority may grant a variance of up to 50% to the maximum allowable size of a solar array associated with a private solar power system located on a parcel as a discretionary use, in accordance with Section 10.22.

a. The variance power given to the Development Authority under Section 5.6.14 of this Bylaw shall not be exercised with respect to a proposed development unless the landowner can demonstrate that the proposed location meets the setbacks in accordance with the land use district and is the most appropriate site for the proposed development.

OTHER CONSIDERATIONS UNDER SECTION 10.22 SOLAR POWER SYSTEMS, FOR CLARITY:

10.22.5 On parcels 1 acre in size or greater, private solar power system installations may be mounted to the roof of a building, affixed to a building wall, or mounted to the ground as a free standing structure.

10.22.6 Only roof or wall mount private solar power systems are permitted in residential zoned parcels which are less than 1 acre in size, where the solar array is no greater than 2.33m² (25 ft²) in size.

10.22.7 Solar array mounted to the roof of a principal building or accessory building or structure must not extend beyond the outermost edge of the roof.

10.22.8 The maximum projection of solar array affixed to the wall of a principal building, or accessory building or structure shall be 1.22 m (4 ft.) and are subject to the maximum height and minimum setbacks requirements of the applicable land use district.

10.22.9 The maximum height of a free-standing solar array when oriented at maximum tilt, shall not exceed:

a. 4.6 m (15 ft).in residential and agricultural land use districts;
b. 6.1m (20ft) in non-residential/agricultural land use districts

10.22.10 Solar collectors must be located and positioned in such a manner that they do not create undue glare onto neighbouring properties or public roadways.

10.22.11 Development permit applications for a solar power system, private shall be accompanied by the following additional information:

a. documentation demonstrating the system is designed to produce energy primarily for sole use and consumption on-site by the landowner, resident or occupant.
b. manufacturer's specifications for system design and rated output;
c. a site plan showing the location and orientation of the solar collectors.
d. for solar array mounted to the roof of a building or affixed to the wall of a building, a description of how the solar array are to be mounted or affixed, maximum projection from roof or wall, and structural capacity of the building/wall to support the proposed development.
e. for free-standing solar array (ground mount), a description of the proposed ground mount design including clearance to the bottom of the collectors and maximum height from existing grade.
f. wire service provider (WSP) approval for solar array that are proposed to be connected to the provincial power grid.

Complete amendments can be brought back further to Council direction.

APPENDIX B - BACKGROUND REPORT FOR SUB-DISTRICT "A" PROVISIONS

INTRODUCTION:

Administration is proposing the establishment of a Sub-District "A" waiver process, similar in intent and function to the existing waiver provisions for the Flood Hazard Protection Overlay.

Sub-District "A" is applied to parcels where Council has determined that special consideration is required prior to development, typically to address site-specific constraints such as drainage, access, wastewater servicing, or environmental features. Under the current Land Use Bylaw, this designation triggers a Development Permit requirement for all development, regardless of whether the proposed activity engages the identified concern.

Administration is of the view that, in limited circumstances, this results in Development Permit applications being required for minor development where:

- the proposed development does not engage or impact the specific Sub-District "A" requirement, and
- a Development Permit would not otherwise be required if the parcel were not designated Sub-District "A".

To address this inefficiency, Administration recommends enabling the Approving Authority to issue a waiver of the Development Permit requirement where the intent of the Sub-District "A" designation is not affected.

EXAMPLE

A parcel zoned County Residential Sub-District "A" carries the sub-district solely to ensure confirmation of adequate septic system design.

An application is received for a small accessory shed that:

- does not interfere with septic system location or function; and
- would not require a Development Permit if the parcel were not designated Sub-District "A".

In this scenario, a waiver could be issued, allowing the development to proceed without a Development Permit while maintaining the integrity of the Sub-District "A" requirement.

CURRENT LAND USE BYLAW PROVISIONS

Section 2.4 Special Provisions For Parcels With Sub-Districts

2.4.1 Parcels within all land use districts may be further designated with a sub-district "A" in cases where Council feels that there is need for special consideration to be given on the development and construction on the lands including, but not limited to, the construction and placement of dwellings, accessory buildings, and structures, development of access, or any other lot grading that may impede drainage, through approval of a Development Permit prior to a Building Permit for reasons including but not limited to compliance with the following requirements:

a. Lot grading and building envelope.
b. Site coverage and setback.
c. Storm water management.
d. Access design and construction.
e. Location of a floodway.
f. Landscaping and screening requirements.
g. Water and wastewater utility systems.
h. Engineering requirements such as foundation design.
i. Preservation of environmental and landscaping features.
j. Other such reasons as deemed appropriate by Council.

2.4.2 When a sub-district "A" designation is placed on a land use district parcel, a Development Permit approval is required prior to a Building Permit for all development, lot grading, and/or placement and construction of buildings or structures on site. Upon land use designation, the Approving Authority shall indicate the nature of the special consideration required to assist with Development Approval.

There are also several other provisions under Section 4.2 where a permit is not required that includes or excludes sub-district parcels.

APPLICATION STATISTICS

There are currently **704 parcels** that carry a Sub-District "A" designation within the County:

Agriculture (A)	County Residential (CR)	Country Estate (CER)	Residential Community (RC)	Residential Multi-Family (RMF)	Other (EP & PUL)
52	526	14	109	1	2

In 2025, we had fifty-five (55) applications for Development Permit on Sub-District A lands.

Administration anticipates, enabling ability to grant a waiver for where the sub-district considerations are not engaged, could reduce the number of development permits required.

Administration Observations

Administration notes that:

- Sub-District "A" is applied for a specific, identified purpose;
- many Development Permit applications on Sub-District "A" parcels involve minor development unrelated to that purpose; and
- a targeted waiver process would preserve Council's intent while improving administrative efficiency.

The proposed approach does **not remove Sub-District "A"**, nor does it reduce Council's ability to require Development Permits where warranted.

PROPOSED LAND USE BYLAW AMENDMENTS

The following draft language is provided to demonstrate the proposed waiver mechanism. Final wording would be subject to Council direction.

The following amendments to the Land Use Bylaw are proposed in support:

The following clause is added to Section 2.4 (:

2.4.3 Notwithstanding Section 2.4.2, the Approving Authority may issue a signed waiver to allow for development on a site without the requirements of a Development Permit prior to any Building Permit issuance, and prior to any development, lot grading, and/or placement and construction of buildings or structures on site in accordance with Section 4.2.1 of the Land Use Bylaw, where a parcel is designated Sub-District "A" for a specific requirement, and it is determined by the Approving Authority that the proposed development does not engage or impact that requirement, and a Development Permit would not otherwise be required.

If a Sub-District "A" designation applies to a parcel for a specific requirement and the proposed development, grading, or construction engages or impacts that requirement, a waiver cannot be issued, and a Development Permit will be required.

For the purposes of this section, a "specific requirement" is the explicitly stated reason for which the property was designated Sub-district "A" within the redesignation/land use amendment bylaw.

In the absence of a stated reason, the specific requirement may be replaced by fulfilling all of the following requirements:

a. Building envelope;
b. Riparian setback; and

c. Suitability of septic system
d. Stormwater Management
e. Other

The following clause is added to Section 4.2 "No Development Permit Required":

4.2.1.7 b. having an area greater than 20.8 sq. m. (224 sq. ft.) where an accessory building is a permitted use in the land use district and does not exceed the cumulative size of accessory buildings allowed under Table 4.2.1.7A, except on any lands designated Sub-district "A" (unless the Approving Authority has issued a signed waiver pursuant to Section 2.4.3 confirming that the proposed development does not engage or impact the Sub-district "a" requirement), Direct Control District , or Flood Hazard Protection Overlay, or within lands defined under policy 11.2.4.2 within the Airport Protection Overlay, or where the accessory building is being relocated from another property. Relocation of structures requires a Development Permit in accordance with Section 9.21 of this bylaw.

Similar worded amendments would also be required for the following under Section 4.2.1 "No Development Permit Required":

- 4.2.1.9, 4.2.1.12, 4.2.1.23, 4.2.1.25

Complete amendments can be brought back further to Council direction.

APPENDIX C – BACKGROUND REPORT FOR
PERMITTED BUILDING SIZES ON CR & A PARCELS

INTRODUCTION:

Administration is proposing amendments to Land Use Bylaw provisions to reduce the number of Development Permits required for Oversized Garages and Oversized Accessory Buildings on Country Residential and Agricultural District properties by considering amendments to Section 4.2.1.7 "No development permit required for "a detached accessory building where it is accessory to a primary residence" and Table 4.2.1.7A.

Under this section, Table 4.2.1.7A currently identifies that accessory buildings are permitted without the benefit of a development permit provided a primary residence exists on the property and that the proposed accessory building is for personal use, **accessory to the residential use,** and does not exceed the given number or cumulative size in accordance with the subject property's acreage size.

Administration is proposing to amend this section to restructure how buildings size is considered by including all buildings on a property within a cumulative building footprint.

Note: This section addresses buildings "accessory to a primary residence" only. Any buildings related to a business use, or those exempt as agricultural buildings with the Agricultural District are dealt with separately. A principal dwelling would still be required prior to any buildings "accessory to the residential use".

RATIONAL:

By eliminating building "categories" and instead considering the total cumulative footprint of all buildings, this approach would allow greater flexibility for landowners while promoting equitable treatment of building sizes regardless of whether they are attached or detached from the principal dwelling.

Under current LUB provisions, if a building is attached to the Principal Dwelling, it is deemed to be part of the dwelling and exempt from the "accessory building" sizes (such as, attached indoor pool, gymnasium, atriums, etc.) with the exception of attached garages which are currently limited to a maximum of 1,200 sq.ft. on Country Residential and 1,800 sq.ft. on Agricultural properties.

In addition to the principal dwelling and cumulative garages area, of up to 1,200/1,800 sq.ft. respectively, any additional detached "accessory buildings" on a property may be permitted and exempt from requiring a development permit based on the property size as illustrated within Table 4.2.1.7A.

By considering the cummulative footprint of all buildings on a property, including the dwelling, this will allow landowners to choose any combination of buildings, whether attached or detached, and is expected to significantly reduce the number of development permits required.

A development permit would only be required if they wish to exceed the permitted cummulative footprint for their given property size or exceed the total number of buildings under the proposed new provisions.

Example Scenarios:

Under current policies, on a five-acre parcel, a landowner can build any size of house (greater than 1,077 sq.ft. minimum), an attached or detached garage up to 1,200 sq.ft. and up to four additional "accessory buildings" with cumulative size not to exceed 3,500 sq.ft.

If they wish to have a 2,000 sq.ft. attached garage, they currently require a Discretionary Use development permit which may be appealed by neighbours, even if they do not have any "accessory buildings".

Discrepancy: Landowners currently have to seek permission to exceed a 1,200 sq.ft. attached garage, but if they detach the garage, from their house it can be considered an "accessory building" of up to 3,500 sq.ft. without any development approval.

Similarly, if a landowner builds a 2,000 gymnasium or indoor pool attached to their house, this would be exempt from any size provisions as it is deemed part of the principal residence; however, if the same building is detached from the dwelling it must adhere to the permitted "accessory building" size as per table 4.2.1.7A.

Administration is also proposing to assign permitted cumulative building size based on actual parcel size. Under current provisions, parcel size ranges create inequity depending on parcel thresholds; ie.

a. 4.99 acres are permitted 3,075 sq.ft.
b. 5.00 acres are permitted 3,500 sq.ft.
c. 9.99 acres are permitted 3,500 sq.ft.

Within the proposed amendments, staff would be able to multiply the exact parcel size, as per the land title certificate, to determine the cumulative permitted building size.

A maximum number of buildings that are permitted and exempt from requiring a development permit is still being considered to ensure that properties don't have too many individual buildings, as this can result in unsightly properties.

CURRENT LAND USE BYLAW PROVISIONS

Under Section 4.2, No Development Permit Required, Table 4.2.1.7A identifies sizes and number of accessory buildings not requiring a Development Permit, based on Parcel Size. As per Policy 4.2.1.7, these buildings are considered as "a detached accessory building where it is accessory to the primary residence," therefore, a primary dwelling must exist on the property prior to the following buildings being exempt from requiring a Development Permit:

Accessory Buildings/Structures:

4.2.1.7 A detached accessory building where it is accessory to a primary residence:

a. having an area 20.8 sq. m. (224 sq. ft.) or less, where an accessory building is a permitted use in the land use district, including those lands designated as Sub-district "A", Direct Control District, within the Flood Hazard Protection Overlay, and/or within the Airport Protection Overlay provided the structure does not result in the cumulative accessory buildings on the property exceeding the size or number of accessory buildings allowed under Table 4.2.1.7A, and does not exceed to maximum permitted height under the designated Land Use District or the Airport Protection Overlay, and

b. having an area greater than 20.8 sq. m. (224 sq. ft.) where an accessory building is a permitted use in the land use district and does not exceed the cumulative size of accessory buildings allowed under Table 4.2.1.7A except on any lands designated Sub-district "A", Direct Control District, or Flood Hazard Protection Overlay, or within lands defined under policy 11.2.4.2 within the Airport Protection Overlay, or where the accessory building is being relocated from another property. Relocation of structures requires a Development Permit in accordance with Section 9.21 of this bylaw.

Table 4.2.1.7A

PARCEL SIZE	SIZE OF ACCESSORY BUILDING
Less than 1 acre	Maximum of two (2) buildings with a total cumulative size not to exceed 41.8 sq. m. (450 sq. ft.) accessory to the residence
1.0 - 1.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 88.26 sq. m. (950 sq. ft.) accessory to the residence
2 - 2.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 155.6 sq. m. (1,675 sq. ft.) accessory to the residence
3.0 - 4.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,075 sq. ft.) accessory to the residence
5.0 - 9.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 325.2 sq. m. (3,500 sq. ft.) accessory to the residence
10.0 - 14.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) accessory to the residence
15.0 - 20.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 422.7 sq. m. (4,550 sq. ft.) accessory to the residence
21.0 acres and over in size:	Maximum of six (6) buildings with a total cumulative size not to exceed 478.5 sq. m. (5,150 sq. ft.) accessory to the residence.
Agricultural District and Agricultural Business District Parcels	Any size accessory building to be used for agricultural, general purposes on agricultural zoned parcels when an agricultural operation exists on the property, in accordance with Section 4.2.1.7 of this Bylaw.

APPLICATION STATISTICS

Oversized Accessory Buildings (2022–2025)

Between 2022 to 2025, Thirty-One (31) Development Permit applications were submitted for Oversized Accessory Buildings. Twenty-Nine (29) of the submitted applications between 2022 and 2025 were approved.

Year	Total Applications	Approvals	Refusals	Appeals
2022	6	5	1 refusal by DO	Refusal upheld by SDAB No appeals by neighbours
2023	7	7	0	No appeals by neighbours
2024	9	5	4 refusal by DO	1 Refusal upheld by SDAB 3 Refusals overturned to approval by SDAB
2025	9	9	0	2 appeals by neighbouring landowners, both approvals upheld by SDAB.

Note: Several Development Permit applications for both an Oversized Attached Garage and Oversized Accessory Building(s) were also received. These "dual" application have been included in the statistics for Oversized Garages and have not been included in the above table.

The Refusal in 2022 was proposing an oversize accessory building which would have exceeded the permitted accessory building size by approximately 2040 sq. ft. (190 sq.m.) on a 4.8 acre property. This refusal by the Development Officer was subsequently appealed by the applicant and the refusal was upheld by the SDAB.

The Refusal 2024 was refused by the Development Officer as the proposed building location was requesting a 69.3% relaxation of property line setbacks. The application was not refused due to the proposed building size but due to the proposed location of the accessory building being outside of the Development Authorities discretion, therefore was deemed an automatic refusal. This Refusal was appealed by the applicant and upheld by the SDAB.

Three additional applications were refused by the Development Authority in 2024; however, these were overturned by the SDAB.

Oversized Attached Garages (2022-2025)

Between 2022 and 2025, Sixty-Nine (69) complete Development Permit applications for Oversized Garages were received. A total of two applications were refused by the Development Authority. One refusal, in 2022, was appealed by the applicant and this refusal was overturned by the SDAB. The other refusal, in 2024, was not appealed by the applicant.

Year	Total Applications	Approvals	Refusals	Appeals
2022	18	17	1 refusal by DO	Refusal overturned to approval by SDAB
2023	8	8		No appeals by neighbours
2024	18	17	1 refusal by DO	No appeals by neighbours
2025	25	25		1 appeal by neighbours, approval upheld by SDAB

Note: Applications that included requests for both Oversized Attached Garages and Oversized Accessory Buildings have been included in these Oversize Garage statistics.

When considering an Oversized Attached Garage application, the Development Officer may consider any remaining size for Accessory Buildings permitted on the subject property.

Only one conditional approval for an oversized attached garage has been appealed by a neighbouring landowner between 2022 and 2025. This appeal was denied by the SDAB and approval upheld, though it should be noted that the submitted application had errors and through the appeal proceedings proposed building sizes were confirmed to be within the permitted maximums for both an attached garage and detached accessory building.

Thirteen applications for oversized attached garages have been received to date in 2026. Five of these have been approved without appeals and the remaining applications are still in process.

Administration Observations

Administration notes that:

- Very few applications for oversized accessory buildings and oversized garages are appealed by neighbouring landowners.
- Applications for Oversized Accessory Buildings which were Refused by the Development Authority were requesting between 150% and 350% variance to the permitted building size.
- Of those applications for Oversized Accessory Buildings that were refused by the Development Authority only 2 refusals were upheld by the SDAB, the rest were overturned to approvals by the SDAB.
- Of those appeals received or opposition expressed during appeal hearings, most concerns are for the use or location of the proposed buildings (i.e. neighbours concerned that the building is proposed for non-personal uses or concerned about being too close to a property line, but not specifically concerned about the size of the building).
- The number of buildings on a property has not been a principal concern or issue during the 2022-2025 period. Multiple of the above noted applications included conditions of approval requiring the applicant to remove existing buildings in order to accommodate the proposed oversized buildings, either with the intent of reducing cumulative size or to bring the property into alignment with maximum number of buildings; however, such conditions have not been appealed nor been identified as concerns during appeal proceedings.

DECISION POINTS FOR COUNCIL

Council direction will be requested on:

- whether to replace building categories with a cumulative footprint approach;
- how cumulative size should be calculated;
- whether a maximum number of buildings should be retained.

Amendments can be brought back further to Council direction.

APPENDIX D - BACKGROUND REPORT FOR MAXIMUM LOT COVERAGE

INTRODUCTION

Administration is proposing amendments to the Land Use Bylaw to reduce the number of Development Permits required for lot coverage on residential lots.

The amendments would revise the Maximum Lot Coverage provisions in certain districts, including the Residential Community, Residential Multi-Family, Residential Manufactured Home, and potentially other non-residential districts, to provide additional flexibility in comprehensively planned communities where development is supported by a stormwater management plan prepared by an accredited professional.

This approach would align with provisions already in place in several Industrial and Commercial Districts (such as the General Industry, Industrial Edge, and Business Park Districts) and would reduce Development Permit applications where review is limited to stormwater management considerations.

CURRENT LAND USE BYLAW PROVISIONS

Residential Districts

Most residential land use districts include a fixed maximum lot coverage standard within the Development Requirements section. For example:

> **Maximum Lot Coverage**
> No building or group of buildings, including accessory buildings and impervious surfaces, shall cover more than **50 percent** of the lot area.

Where a proposal exceeds the prescribed maximum lot coverage, a **Development Permit is required,** even when no other development impacts are identified.

Commercial and Industrial Districts

Several commercial and industrial districts already provide additional flexibility within their maximum lot or site coverage provisions. For example:

> **Maximum Lot Coverage**
> The maximum site coverage, including all buildings and impermeable surfaces, is **60 percent** of the total lot area ***or as supported by a stormwater management plan prepared by an accredited professional***.

PROPOSED LAND USE BYLAW AMENDMENTS

Administration proposes adding the following wording to the Maximum Lot Coverage provisions under the Development Requirements of selected land use districts: (addition shown in red)

“or as supported by a stormwater management plan prepared by an accredited professional.”

APPENDIX E - BACKGROUND REPORT FOR SEA CANS (SHIPPING CONTAINERS)

INTRODUCTION:

Administration is proposing amendments to the Land Use Bylaw to reduce the number of Development Permits required for Sea-Cans (shipping containers), where their placement and use can be adequately regulated through existing performance standards.

The intent of the proposed amendments is to allow a greater number of Sea-Cans on a parcel **without requiring a Development Permit**, provided the placement complies with all other applicable Land Use Bylaw provisions, including, but not limited to, cumulative accessory building size, site coverage, number of buildings, setbacks, and any parcel size or land use district thresholds deemed appropriate by Council.

Proposed Land Use Bylaw amendment options are outlined for Council's consideration.

CURRENT LAND USE BYLAW PROVISIONS

Definition – Sea-Can

SEA-CAN (sea-can, intermodal shipping container, cargo container, steel container, and railway car) means an intermodal shipping container off a chassis that was originally used for the shipping of goods, which is now used as an accessory building. A chassis may be defined as a wheeled structure which the Sea-can may be affixed to for the purposes of vehicular transportation.

Additional information related to Sea-Cans and accessory building regulations is contained in:

- Section 9.2 – Accessory Buildings and Uses
- Section 9.24 – Signage

Section 4.2.1 No Development Permit Required

4.2.1.13 On parcels 21 acres or more, one Sea-can, no larger than 48' in length and 10' in width, is permitted per parcel, provided it meets the minimum setback requirements.

4.2.1.61 The placement of no more than one temporary storage container on a property for up to 60 consecutive days per year. Such container shall contain no explosives or flammables and shall be located on the site in a location that meet the minimum setback distances for the appropriate land use. An example of applicable temporary storage containers may include but are not limited to Sea-cans

Section 9.2 Accessory Buildings and Uses

9.2.8 A Sea-can may be considered as an accessory building to be used for storage purposes only in accordance with the following:

a. On parcels 21 acres or more, one (1) Sea-can no larger than 48' in length and 10' in width, is permitted without a Development Permit, provided it meets the minimum setback requirements for that Land use District and does not exceed the maximum requirements under the applicable land use district.
b. In all other instances, a Development Permit is required for placement of a Sea-can and must be in compliance with Table 4.2.1.7A "Maximum Area for Accessory buildings not requiring a permit".
c. The exterior finish should match or compliment the exterior finish of the principal building or be screened from view to the satisfaction of the Development Authority.

APPLICATION STATISTICS

Development Permit Applications – Sea-Cans (2025)

In 2025, the County received 15 Development Permit applications for Sea-Cans.
Fourteen (14) were approved, and one (1) was refused.

Parcel Size	Number of Applications	Applications for More Than One Sea-Can
2–5 acres	3	1 (four Sea-Cans forming one 1,873 ft² accessory building on a 2.57-acre parcel)
6–10 acres	8	4 (two Sea-Cans)
11–21 acres	3	2 (two Sea-Cans)
Over 21 acres	1	0 (one Sea-Can only)

Summary of Approvals and Refusals

- Only one application was refused, involving two Sea-Cans on an 8.21-acre parcel.
    - The proposal exceeded cumulative accessory building size limits and did not meet setback requirements.

- One approval for two Sea-Cans on a 6.57-acre parcel was appealed by a neighbouring landowner.
    - The Subdivision and Development Appeal Board upheld the approval.
    - The appeal related to location and visual impact, not the presence of Sea-Cans themselves.
        - The Board required fencing and screening to mitigate impacts.

Parcel Size Trends

- The majority of applications occurred on parcels between 6 and 10 acres.
- All applications involving more than one Sea-Can occurred on parcels under 15 acres.

Number of Sea-Cans

- Six (6) applications involved two Sea-Cans on a site; only one was refused.
- One application was approved for four (4) Sea-Cans, arranged to form an 1,873 sq. ft. accessory building on a 2.57-acre Country Residential parcel.

Administration Observations

Based on application history, Administration notes that:

- Sea-Can proposals are generally approved, with conditions addressing site placement, screening, appearance, and overall building coverage;
- Impacts tend to be specific to individual sites rather than reflecting broader land use policy issues; and
- Using clear performance standards instead of permit thresholds alone could reduce unnecessary Development Permit applications while maintaining appropriate site outcomes.

PROPOSED LAND USE BYLAW AMENDMENT WORDING

Council may direct Administration to refine parcel size thresholds and permitted quantities prior to drafting final amendments.

The following amendments to the land use bylaw are proposed:

~~4.2.1.13 On parcels 21 acres or more, one Sea-can, no larger than 48' in length and 10' in width, is permitted per parcel, provided it meets the minimum setback requirements.~~

4.2.1.13 The following number of sea-cans, no larger than 48’ in length and 10’ in width, are permitted per parcel, provided they meet the cumulative building size permitted on the property in accordance with Table 4.2.1.7A and meet the minimum setback requirements and maximum lot coverage for the applicable land use district:

a. no more than one (1) sea-can on County Residential District parcels;
b. a maximum of two (2) sea-cans on Agricultural District and Agricultural Business District parcels.

4.2.1.61 The placement of no more than one temporary storage container, on a property for up to 60 consecutive days per year. Such container shall contain no explosives or flammables and shall be located on the site in a location that meet the minimum setback distances for the appropriate land use. An example of applicable temporary storage containers may include but are not limited to Sea-cans

Section 9.2 Accessory Buildings and Uses

9.2.8 A Sea- may be considered as an accessory building to be used for storage purposes only in accordance with the following:

a. the placement of no more than one temporary storage container, on a property for up to 60 consecutive days per year. Such container shall contain no explosives or flammables and shall be located on the site in a location that meet the minimum setback distances for the appropriate land use. An example of applicable temporary storage containers may include but are not limited to Sea-cans
b. the placement of no more than one (1) sea-can on County Residential District parcels or the placement of a maximum of two (2) sea-cans on Agricultural District and Agricultural Business District parcels, so long as they are:
    i. in compliance with Table 4.2.1.7A “Maximum Area for Accessory buildings not requiring a permit”; and
    ii. the exterior finish ~~should~~ matches or compliment the exterior finish of the principal building, or ~~be~~ the sea-can is screened from view to the satisfaction of the Development Authority.

Amendments can be brought back further to direction from Council.

APPENDIX F - BACKGROUND REPORT FOR PRIVATE ARENAS

INTRODUCTION:

Administration is proposing amendments to the Land Use Bylaw to reduce the number of applications requiring a site-specific Land Use Bylaw amendment or redesignation for **oversized private riding arenas**, where the use, intensity, and impacts remain consistent with existing policy objectives.

If Council were to support the proposed amendments to Accessory buildings proposed, consideration could also be given to amend the definition of Accessory Building to include Arena, Private.

Private Arena's within the permitted size and number of accessory buildings on the subject property would be deemed a permitted use and if oversized would be deemed discretionary use, just as any other personal use accessory building.

The proposed amendments are intended to streamline the approval process while maintaining full discretionary review through the Development Permit process.

CURRENT LAND USE BYLAW PROVISIONS

Definition – Arena, Private

ARENA, PRIVATE means a building or structure, no more than **1,500 square metres (16,146 square feet)** in size, in which equestrian, athletic, or recreational activities are carried out and which is intended to be used solely by the occupants of the residence and/or by no more than four (4) non-resident users per day, other than the occupants of the residence located on the lot upon which the arena is situated.

(Additional provisions related to riding arenas are contained in Section 10.3 of the Land Use Bylaw.)

Development Permit Requirements

While agricultural activities generally do not require a Development Permit in certain districts, a Development Permit is required for all riding arenas, including private arenas.

Under Section 4.2.1.6 of the Land Use Bylaw, a Development Permit is required where construction involves a building to be used as an:

- Arena, Private
- Arena, Limited Public
- Arena, Commercial

Section 10.3 – Riding Arenas (Private Arena Standards)

Private Arena

A facility or structure intended for equestrian-related activities, intended to be used solely by the occupants of the residence on the property and/or by no more than four (4) non-resident guests per day.

Standard	Requirement
Animal Units	1 animal unit per 3 acres
Non-resident vehicle trips	Maximum of 4 per day
Arena size	Maximum 1,500 sq. m (16,146 sq. ft.)*
Overnight camping	Not permitted
Engineering requirements	Professionally engineered and stamped plans; must comply with applicable Building and Fire Codes
Other requirements	Manure management plan to the satisfaction of the Approving Authority; additional requirements as deemed necessary

***Private arenas exceeding 1,500 sq. m currently require a site-specific Land Use Bylaw amendment or redesignation to Direct Control District #29.**

Private riding arenas are currently considered a **Discretionary Use** in applicable land use districts, including Agricultural, Agricultural Business, Country Residential, and various Direct Control districts (DC1 (Spruce Meadows), DC#35 (Event Venue), DC#36 (Equine Rehapillitation)).

APPLICATION STATISTICS

Site-Specific Amendments – Oversized Private Arenas (2020–2025)

From 2020 to 2025, four (4) applications were submitted for site-specific Land Use Bylaw amendments to permit oversized private arenas. All four applications were approved.

Parcel Size (acres)	Arena Size (sq. ft.)
150.3	24,489
96.20	44,380
80.0	20,320
59.51	19,872

Development Permits – Private Arenas (2020–2025)

During the same period, thirteen (13) Development Permit applications were submitted for private arenas within the currently permitted size limit. All applications were approved.

One appeal was filed in 2022 related to a 16,146 sq. ft. private arena on a 59.51-acre Agricultural parcel. The Subdivision and Development Appeal Board upheld the approval.

Administration Observations

Administration notes that:

- All oversized private arena applications have been approved following site-specific Land Use Bylaw amendments;
- The impacts associated with oversized private arenas are typically addressed at the Development Permit stage through conditions related to access, traffic, manure management, and servicing;
- Retaining the site-specific amendment requirement adds duplication, cost, and processing time without materially altering land use outcomes.

The proposed amendments would streamline the approval process for private riding arenas while retaining discretionary control, technical oversight, and public input through the Development Permit process.

PROPOSED LAND USE BYLAW AMENDMENTS

The proposed amendments do not change the discretionary use status of private arenas, nor do they remove public notice, circulation, or appeal rights associated with the Development Permit process.

Administration proposes the following amendments:

1. Remove the requirement for a site-specific Land Use Bylaw amendment or redesignation to Direct Control District #29 for private riding arenas exceeding 1,500 sq. m (16,146 sq. ft.).
2. Remove the following note from Table 10.3A – Criteria for Private Arenas:
   "Site-specific bylaw amendment or redesignation to Direct Control District #29 required for private arenas larger than 16,146 sq. ft."
3. Maintain private riding arenas, regardless of size, as a Discretionary Use, subject to:
   - Development Permit approval;
   - All applicable technical review, circulation, and conditions; and
   - Compliance with existing performance standards and regulations.

Amendments can be brought back further to Council direction.

APPENDIX G - REMOVAL OF LAND USE BYLAW AMENDMENT REQUIREMENTS FOR SUBDIVISIONS WITHIN THE SAME DISTRICT

INTRODUCTION

Currently, the County requires a Land Use Bylaw (LUB) amendment and associated public hearing to consider a subdivision, even when both the newly created parcel(s) and the remainder of the land retain the same land use designation. This process introduces duplication, lengthened timelines, and additional costs without achieving a corresponding land use policy outcome, as no change in use or development intent is occurring.

Administration recommends that Council consider allowing subdivision applications to proceed without a prior Land Use Bylaw redesignation where the proposed subdivision maintains the existing land use district. Under this approach, subdivisions would be evaluated entirely through the subdivision approval process, provided they fully comply with applicable policies and regulations, including density, parcel size, servicing, environmental constraints, and applicable Municipal Development Plan (MDP) policies.

RATIONALE

Allowing subdivision without a concurrent land use amendment where no land use change is proposed would:

- Eliminate duplicative review processes and reduce administrative inefficiencies;
- Shorten application timelines for landowners by more than six months;
- Reduce administrative and applicant costs associated with repeated circulation, technical review, and public notification;
- Remove the need for public hearings where land use policy is not being changed; and
- Reduce significant staff time currently devoted to preparing repetitive public hearing materials and multiple reports addressing the same proposal.

At present, many technical details and conditions are addressed at the land use amendment stage, where a public hearing is held, but affected parties have no right of appeal. By shifting these matters to the subdivision approval stage, procedural fairness is improved, as subdivision decisions are appealable to the Subdivision and Development Appeal Board. This approach aligns decision-making authority with the appropriate level of review and public accountability.

POLICY CONSIDERATIONS

Administration is of the view that Council-approved MDP policies and existing land use district regulations provide sufficient direction to assess subdivision requests without requiring redesignation when the land use remains unchanged. Beginning with a land use with limited applications, such as the Agricultural District, would allow Council to assess the effectiveness of this approach while remaining consistent with long-standing rural land use objectives.

APPLICATION STATISTICS (2020–2025)

Land Use District	# of LUB Amendments for Subdivision	Approved	Refused
Agricultural	24	16	8
County Residential	71	51	16

These figures demonstrate that a significant number of applications involve subdivision within the same land use district, resulting in repeated amendment processes despite no change to the intended land use.

POTENTIAL SCOPE AND PARAMETERS OF AMENDMENTS (SUBJECT TO COUNCIL DIRECTION)

Should Council wish to proceed, Administration anticipates that any amendments would initially be limited in scope and may include the following parameters:

- **Applicable Land Use Districts**

  Administration suggests that this change be initially limited in scope to the **Agricultural District**. This would allow Council to evaluate the effectiveness of the policy change prior to considering expansion to other land use districts.

- **Exclusion Criteria and Limitations**
  - Subdivision applications would continue to require careful review and consideration of technical and site-specific matters typically addressed at the Land Use Bylaw amendment stage, through conditions of subdivision approval where appropriate.

- **Subdivision Authority and Approval Process**

  The removal of the Land Use Bylaw amendment requirement would **not** alter subdivision approval authority or decision-making processes. Subdivision applications would continue to be reviewed and decided under the Municipal Government Act, applicable Municipal Development Plan policies, and the County's subdivision regulations. All subdivision decisions would remain subject to appeal to the Subdivision and Development Appeal Board, where applicable.

What this change does is remove duplication. Any technical or site-specific issues that are often identified at the land use amendment stage would continue to be addressed through conditions of subdivision approval instead.

Final draft Land Use Bylaw amendments, including precise eligibility criteria and exclusion thresholds, would be prepared and returned to Council for consideration following receipt of Council direction.