



Fort Macleod

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OPEN HOUSE

OCTOBER 24, 2024

Land use bylaw update

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WHAT IS A LAND USE BYLAW?

A Land Use Bylaw (LUB) is the primary document that details how land can be used and what can be built on it. Amongst other things, the purpose of a Land Use Bylaw is to:

- divide the municipality into land use districts; prescribe and regulate the use(s) for each district;
- establish a method for making decisions on applications for development permits;
- provide the manner in which notice of the issuance of a development permit is to be given; and
- establish the number of dwelling units permitted on a parcel of land.

A Land Use Bylaw may also set standards for development and specific uses within the municipality. These standards are used to regulate matters such as density / intensity, location and size of structures, landscaping, parking, signage and the overall quality of development.

WHY IS THE FORT MACLEOD LUB CHANGING?

The Land Use Bylaw is the primary planning tool for implementing the long-term vision for the future growth of Fort Macleod described in the Municipal Development Plan. Fort Macleod's new Land Use Bylaw:

- Better aligns with current development trends
- Supports more residential development options
- Reconfigures bylaw sections the proper parts of the land use bylaw
- Ensures effective regulation of land

THE PARTS OF THE LAND USE BYLAW (LUB)

ADMINISTRATION

- Outlines the development permit process, explains the roles of the Development Officer and the Municipal Planning Commission

1. LAND USE DISTRICTS MAP

- Every lot is assigned a land use district, which is identified on this map
- Land can be zoned through a LUB amendment approved by Council

2. LAND USE DISTRICTS

- Outlines the purpose of each land use district
- Includes a list of permitted and discretionary uses and regulations to guide development

3. GENERAL STANDARDS

- Identifies rules that apply to all types of development, such as accessory buildings, fences, and parking requirements

4. DESIGN STANDARDS

- Identifies the rules that apply to the finishing details of a proposed development including landscaping and lighting

5. USE SPECIFIC STANDARDS

- Identifies rules for specific uses that need more regulation, such as backyard suites, secondary suites and shipping containers

6. OVERLAYS

- Outlines additional requirements pertaining to a specific bounded location which can affect each land use district

7. SIGNAGE

- Defines the different types of signs, which ones need development permits, and the rules that apply to different kinds of signs

8. DEFINITIONS

- Provides a definition for every use and for general terms that help with interpreting the LUB



WHAT ARE PERMITTED AND DISCRETIONARY USES?

Every land use district has a list of permitted and discretionary uses. The new Land Use Bylaw also differentiates between Discretionary A and Discretionary B uses as outlined below.

	PERMITTED	DISCRETIONARY A	DISCRETIONARY B
What does this term mean?	<ul style="list-style-type: none"> When meeting the rules of the LUB a permitted use is a permit in right meaning a development permit must be granted if it complies with the LUB 	<ul style="list-style-type: none"> This use is generally a good fit for the land use district There may be cases where it does not work, or additional conditions should be added to the permit to manage land use impacts 	<ul style="list-style-type: none"> This use may or may not work based on the specific circumstances More oversight is needed on the application and more conditions may be applied to manage land use impacts
Who makes the decision on the development permit?	DEVELOPMENT OFFICER	DEVELOPMENT OFFICER	MUNICIPAL PLANNING COMMISSION
Are neighbours sent a letter about the development?	NO	YES	YES
Example from the Residential: R land use district	Single-unit Dwelling	Childcare Day home	Secondary Suite

HOW ARE USES CHANGING IN THE LAND USE BYLAW?

Uses have been updated in the new Land Use Bylaw in one of the following ways:

- Improving the definition to describe a use better
- Combining uses that have the same land use impacts to simplify development into broader categories
- Adding new uses to add a development opportunity that did not exist before

EXAMPLE OF NEW USE ADDED TO CAPTURE DEVELOPMENT OPPORTUNITIES

DWELLING GROUP

- Group means a cluster of detached housing consisting of multiple principal dwellings spatially articulated around a centralized amenity space on a single title.

EXAMPLE OF USES THAT HAVE BEEN COMBINED INTO A NEW USE

GRAIN ELEVATOR &
SEED CLEANING
BULK FERTILIZER

AQUAPONICS or
AQUACULTURE

INDUSTRIAL AGRICULTURE

- Industrial Agriculture means a development for industrial processing of agricultural products such as but not limited to aquaculture, bulk fertilizer, seed cleaning, or grain elevator. The use may include the retail sale of agricultural products.

NEW LAND USE DISTRICTS



The Residential Multi-unit: R-MU district has been split into two districts based on density.

- The Residential Multi-unit 1 district will be limited to 4 dwelling units.
- The Residential Multi-unit 2 district will be required zoning for any density above 4 units where the lot size will also have to be greater than a 66x99' lot.



The Agriculture district has been split into two districts based on the Municipal Development Plan's (MDP) projected land use.

- Agriculture Residential Transitional: A-RT is proposed for those lands projected to be residential.
- Agriculture Business Transitional: A-BT is proposed for those lands projected to be commercial/industrial.

See the proposed Land Use District Map on display.

NEW OPPORTUNITIES IN RESIDENTIAL AREAS

Short-Term Rental means a development of a dwelling unit operated by an owner-occupied residence as a temporary or short-term rental or lease accommodation unit, with or without compensation, occupied by a guest or guests for a period of less than 28 consecutive days and includes all vacation rentals of a dwelling unit. This use is more commonly known as **Airbnb, Vrbo, Booking.com** etc.

Short-Term Rental is determined to be a dwelling where an owner lives/resides (owner-occupied) in the dwelling as their primary residence and provides a short-term rental or lease situation in a portion of the residence. Short-Term Rental is prohibited in residential districts except where they are expressly listed as a permitted or discretionary use. Where an owner does not live/reside in the dwelling as their primary residence (non-owner occupied) but rents out the house or rooms as accommodation is prohibited.

Some General rules:

- The Development Authority may in its discretion, place any conditions it deems reasonable, on a development permit approved for Short-term Rentals to manage potential impacts to neighbors or ensure the use is operating within the regulations and standards of the bylaw.
- Short-term Rentals shall not interfere with the rights of other neighbours and residents and owners and renters must adhere to the requirements of the Town of Fort Macleod Community Standards Bylaw.
- As a recreational vehicle (camper trailer) is not a dwelling unit, they shall not be used as accommodation for the owner/operator other residents of the property or for the Short-term Rental guests.

See Schedule 5 Section 23 for the full set of regulations.

NEW OPPORTUNITIES IN RESIDENTIAL AREAS

Secondary suites are already allowed in residential neighbourhoods in Fort Macleod. The new Land Use Bylaw adds two additional locations, as a development option in residential land use districts that can be pursued by landowners if desired.

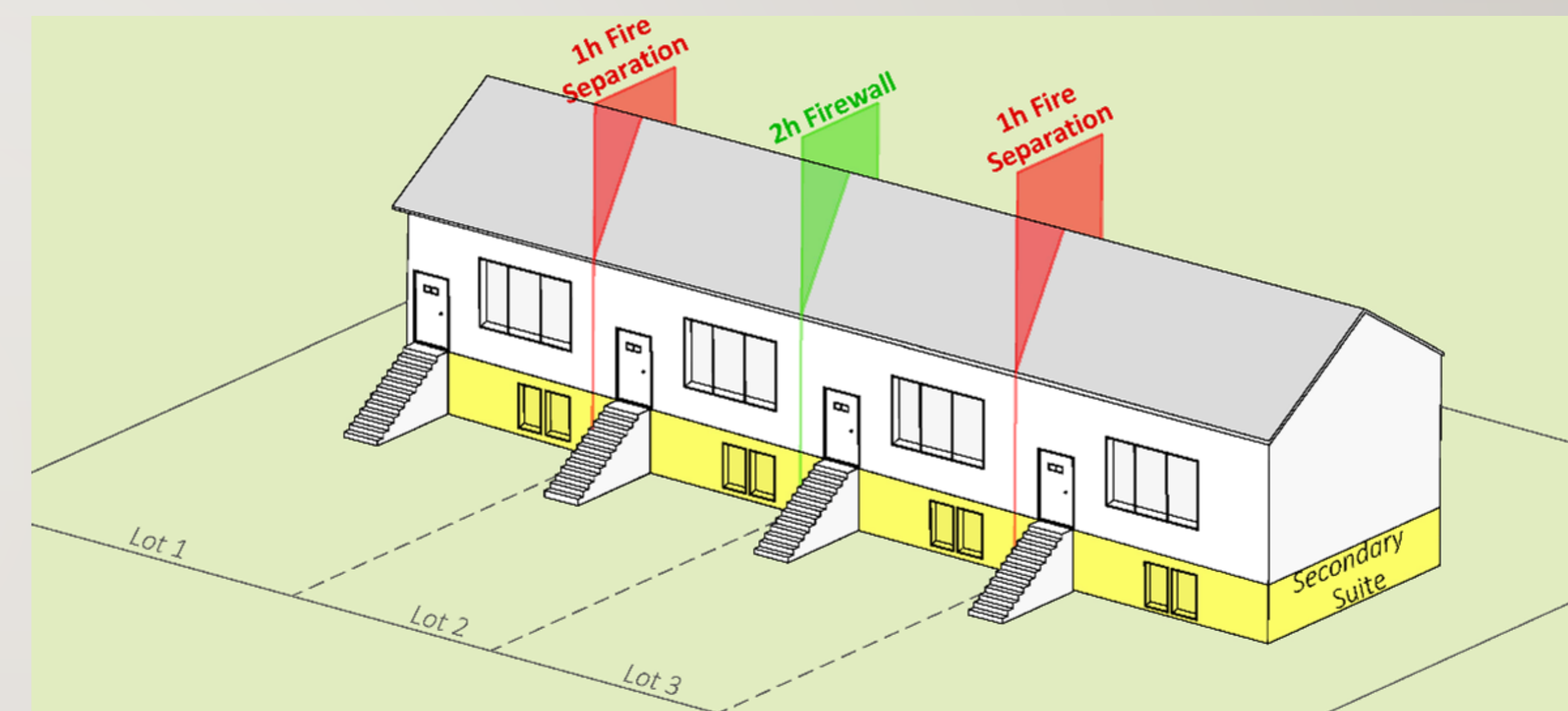
WHAT IS A GARDEN SUITE?

- Garden suites are detached completely from the principal dwelling and are standalone structures constructed at grade.

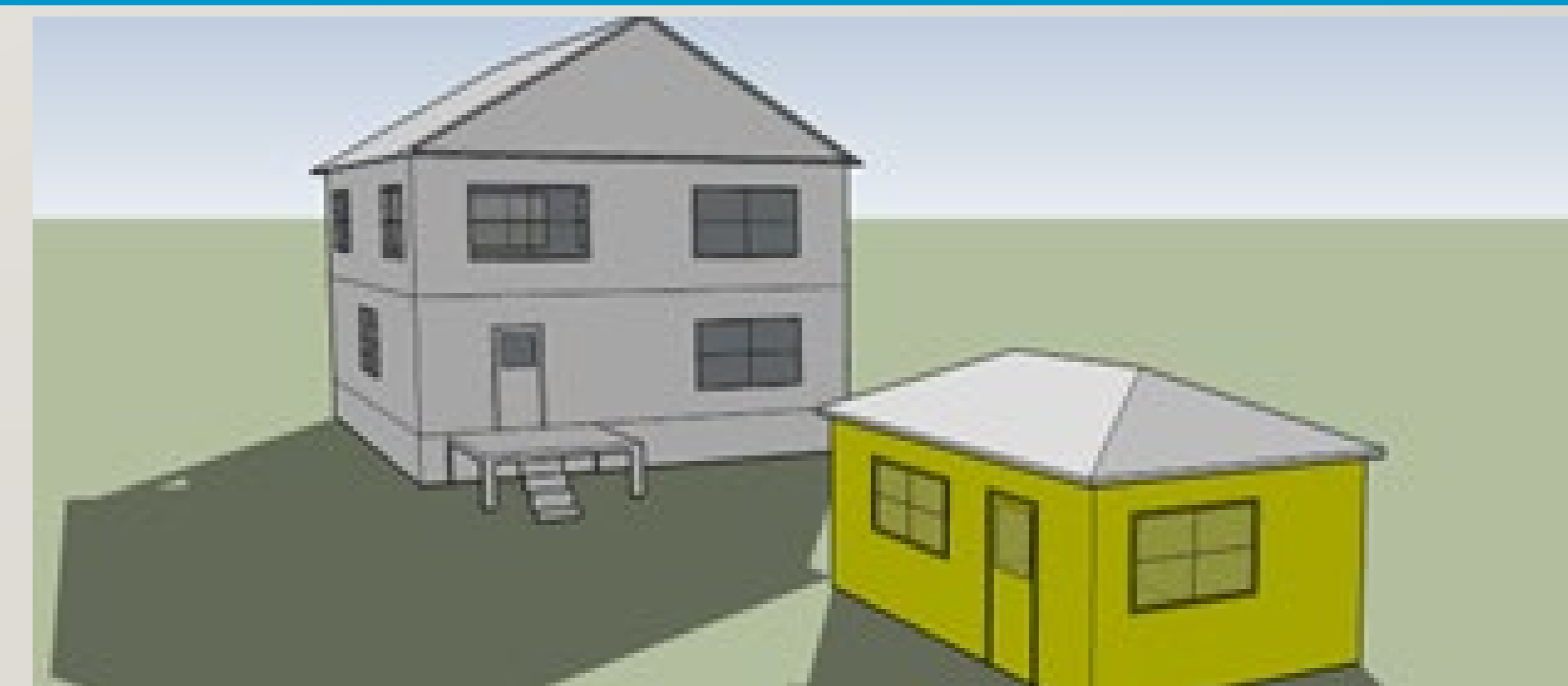
HOW IS A GARDEN SUITE REGULATED?

- You can have either 1 secondary suite OR 1 backyard suite but not both
- An extra parking stalls must be provided
- A garden suite shall only be permitted on lots with laneways
- A garden suite shall not be developed on a lot until a principal dwelling has been erected on the same lot
- It must meet the height, setbacks, and maximum site coverage requirements in the land use district

BASEMENT SUITES as part of a row house



GARDEN SUITES are not attached to the main home.



OTHER CHANGES TO THE LAND USE BYLAW

Several other changes in the new Land Use Bylaw may affect residents and businesses in Fort Macleod. These updates have all been made to encourage more orderly development and/or streamline the development process.

SHIPPING CONTAINERS

- By definition, when a container is used for any purpose other than transporting freight, it will be considered as a structure and must conform to the bylaw.
- Residentially this use is a temporary use only.
- A permit exemption is proposed for containers within the Ag and Industrial districts where >10 acres in compliance all other requirements of the LUB.

See Schedule 5 Section 16 for more information.

SOLAR PANELS

- Currently all Alternative Energy uses are considered as one use
- It is proposed that wind and solar be separated and further that solar be separated into roof or wall mount and ground mount.
- Roof or wall mount solar panels are proposed as a permitted use except in the Commercial Central District.

See Schedule 5 Section 1 for more information.

ELECTRONIC SIGNS

- Currently electronic displays are part of the changeable content type of sign, but technology has improved these signs to the point that the displays can be programmed with a computer
- This bylaw proposes rules to regulate the brightness, the speed of change of each image and the appropriateness of location.

See Schedule 7 Section 4.3 for more information.

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SANDBLASTING, WELDING AND FABRICATION

- If the use is located within 150m of residential use, park and recreation facilities, RVL or Public land use districts, all activity shall be fully contained within a building.
- The building or structure containing any sandblasting, welding, or fabrication operation shall be located no closer than 90.0 m to an adjacent residential dwelling.

See Schedule 5 Section 22 for more information.

NATURAL RESOURCE EXTRACTION

- All 'Natural resource extractive uses' shall apply for zoning to Direct Control – DC.
- Prior to a decision being made, the proponent shall hold a public meeting (open house) to solicit the views of the public regarding the application for a natural resource extractive uses development.

See Schedule 5 Section 12 for more information.

DATA MINING OPERATION

- Data mining operations are an intensive use requiring scrutiny of its power needs and external impacts on adjoining uses.
- noise impact assessment is the key component to the review of this use and its locational appropriateness.
- It is listed as a Discretionary B use under the Heavy Industrial district.

See Schedule 5 Section 19 for more information.

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MANUFACTURED HOME

- With the adoption of the National Building Code – Alberta Edition in 2019 the Z240 standard for manufactured homes was dropped and now only recognizes A277 as the standard for construction.
- The Residential Manufactured Home: R-MH district is proposing 5 year or newer units as permitted, 5-10 year units as Discretionary A and Older units as Discretionary B.

See Schedule 5 Section 9 for more information.

PARKING

- The prior bylaw had 3 categories for parking which was inflexible for certain uses. The new bylaw proposes parking standards based on individual uses which will allow Council to adjust the standard for a single without affecting other uses.
- Barrier Free parking standards were update with the National Building Code– Alberta Edition and has been updated in the LUB to match.

See Schedule 2 Section 19 for more information.

CAMPGROUNDS

- The impact of recreation and tourism in the province has continued its growth and has with it many development considerations. This new section provides guidance on what is expected in new campground applications for roads, servicing, amenities, emergency response plan, etc.
- All design work is to be put forward in the form of a concept plan or area structure plan.

See Schedule 5 Section 18 for more information.

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GROUP HOME

- The applicant for a group home shall be required to meet and consult with all adjacent landowners in the vicinity of where the use is proposed and submit a summary of the consultation as part of the development permit application;
- The Development Authority may establish the maximum number of residents allowed in a group home facility on a case specific basis with attention given to the land use district in which the use is located and the type of facility seeking approval;
- Group homes are split into two categories: Group Home and Group Home, Limited
 - Group Home, Limited is restricted to a maximum of five clients and must have an alley to help serve the site
 - Group Home siting criteria includes:
 - (a) is located on a corner lot;
 - (b) shall have a rear lane;
 - (c) provide space for a loading area; and
 - (d) provide or be located adjacent to open space.

See Schedule 5 Section 4 for more information.

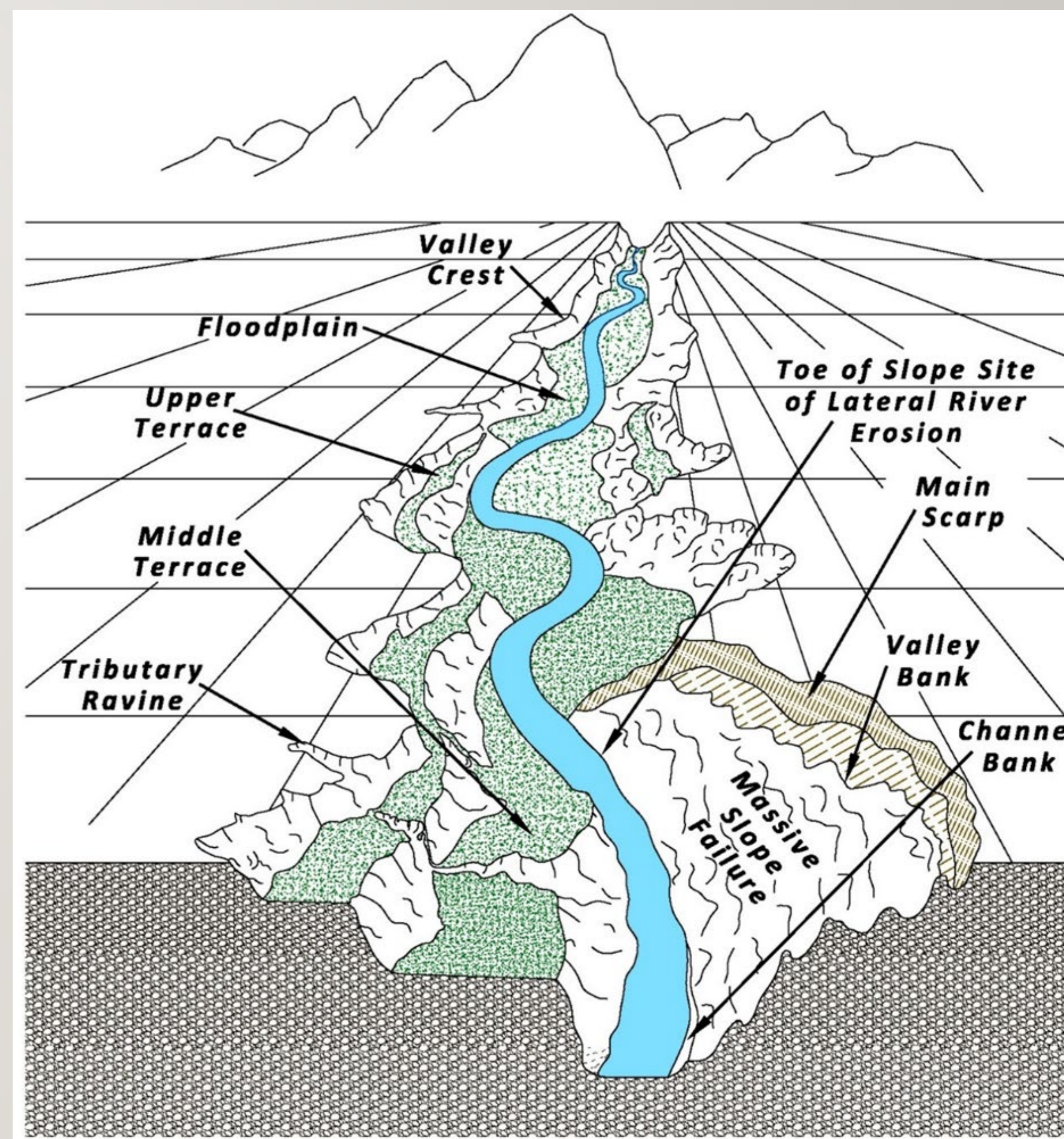
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SETBACKS FROM STEEP SLOPES AND WATERBODIES

- The development setback distance from any valley edge and its sufficiency, including any specific building requirements, shall be confirmed by a geotechnical report or other acceptable soils analysis prepared by an engineer qualified in the field of soils analysis, submitted prior to issuance of a decision on the development permit application.
- Notwithstanding that a use of land may be permitted or discretionary in a land use district, where in the opinion of the Development Authority there is a potential risk for flooding, the Development Authority may require any conditions as deemed appropriate on a development permit approval.

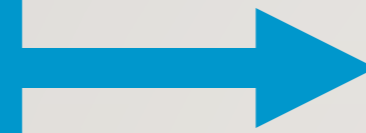
See Schedule 2 Section 20 for more information.



WHAT HAPPENS NEXT?

NOW

- Gather public feedback
- Circulate to the MD of Willow Creek and review agencies
- Modify the Land Use Bylaw as needed



NEXT

- Presentation at Council and first reading of the Land Use Bylaw
- Modify the Land Use Bylaw as needed



- Public Hearing
- Modify the Land Use Bylaw as needed
- Potential adoption of the Land Use Bylaw

WHAT WILL BE ADDRESSED IN THE FUTURE?

- **With the adoption of the LUB, multi-unit dwellings greater than 4 units will be identified and proposed for redesignated to the new Residential Multi-unit 2 district.**
- **Review of the 2024 Flood mapping and how it may affect the Land Use Map.**
- **Continual assessment of how the document is functioning in relation to development needs and process. This can result in more refinement and adjustment to the measures contained within the bylaw.**