

V3 COMPANIES OF CANADA

WHO IS V3 COMPANIES?

V3 Companies of Canada is a multi-disciplinary firm that offers professional services such as planning and civil engineering. They are based out of Sherwood Park, Alberta and have a lot of experience with different projects all over Alberta and Western Canada. V3 also has offices in the US.

WHY IS BEAVER COUNTY USING V3 FOR THIS PROJECT?

Beaver County engaged V3 Companies to help support carrying out updates of the Municipal Development Plan and Land Use Bylaw based on their extensive experience of working throughout Alberta on developing policy and regulatory documents.

Many municipalities, like Beaver County, may not have the capacity or expertise to take on a large project by themselves. Therefore, engaging consultants who have the experience in these projects, can provide the resources and expertise the project needs.

GENERAL PLANNING QUESTIONS

WHAT ARE 15-MINUTE CITIES? IS BEAVER COUNTY TRYING TO IMPLEMENT A 15-MINUTE CITY PLAN?

No. Beaver County is not exploring the 15-minute city concept.

15-minute cities have been recently trending on social media and are typically undertaken by urban municipalities that can offer amenities or basic needs within a 15-minute walk or short drive from a resident's home. Beaver County is a rural municipality, and this philosophy would simply not be realistic.

WHAT IS LAND USE PLANNING?

Government land use planning began in Canada as early as 1912. Land use planning manages land uses to mitigate, remedy, or avoid impacts on the community, the natural environment, and the economy.

WHAT IS THE ROLE OF THE CAO?

A Chief Administrative Officer (CAO) is employed by the Council to lead the responsibilities of the municipality as governed under the Municipal Government Act.

WHAT ARE THE LEGISLATION AND POLICIES RELATED TO LAND USE PLANNING IN ALBERTA?

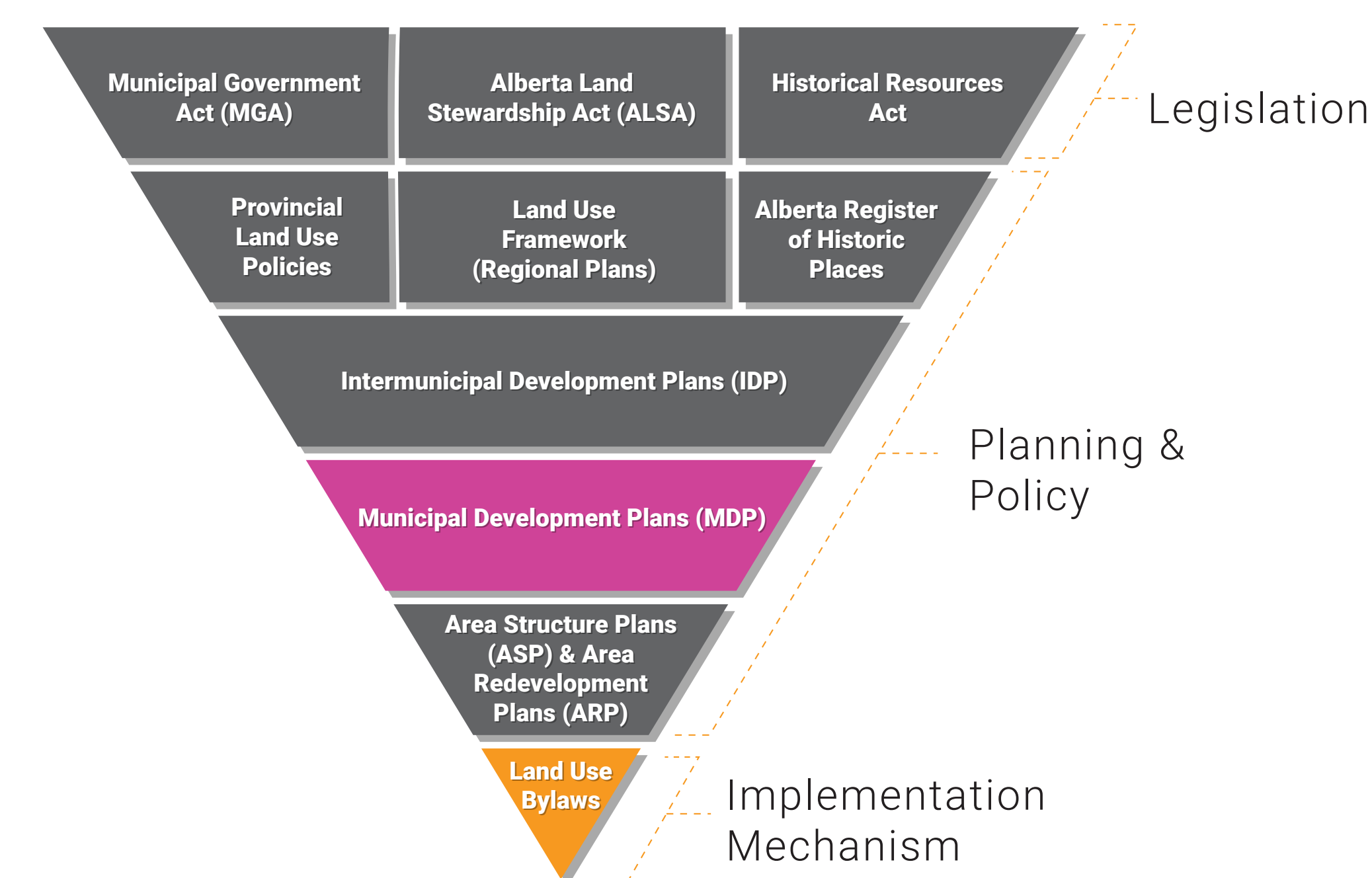
The main legislation related to land use planning in Alberta are the Alberta Land Stewardship Act and Municipal Government Act.

WHAT IS THE PROCESS FOR LAND USE PLANNING IN ALBERTA?

In Alberta, land use planning is guided by various plans for different geographical scales. Imagine it like planning for a big area, then breaking it down into smaller pieces. At the highest level, the Land Use Framework, governed by the Province, sets the broad goals and boundaries for seven regions across Alberta. These regions are like big districts/zones on the map.

Then, within each region, we have more detailed plans which can be regional plans, sub-regional plans, municipal development plans and more. These detailed plans can include plans for smaller regions, cities, or towns. It all depends on the characteristics and needs of the area.

Refer to the diagram below on the various planning documents and structure.



IS BEAVER COUNTY A SMART CITY?

No, Beaver County is a rural municipality consisting of a few hamlets and is not a city.

A "smart city" is an urban area that uses digital technologies to improve quality of life, sustainability, and economic development. A rural municipality may look to use technology to improve its services that may be more cost effective. An example could be monitoring water catchment areas that can provide warnings of potential flooding. This does not currently exist within Beaver County.

WHAT IS ANNEXATION?

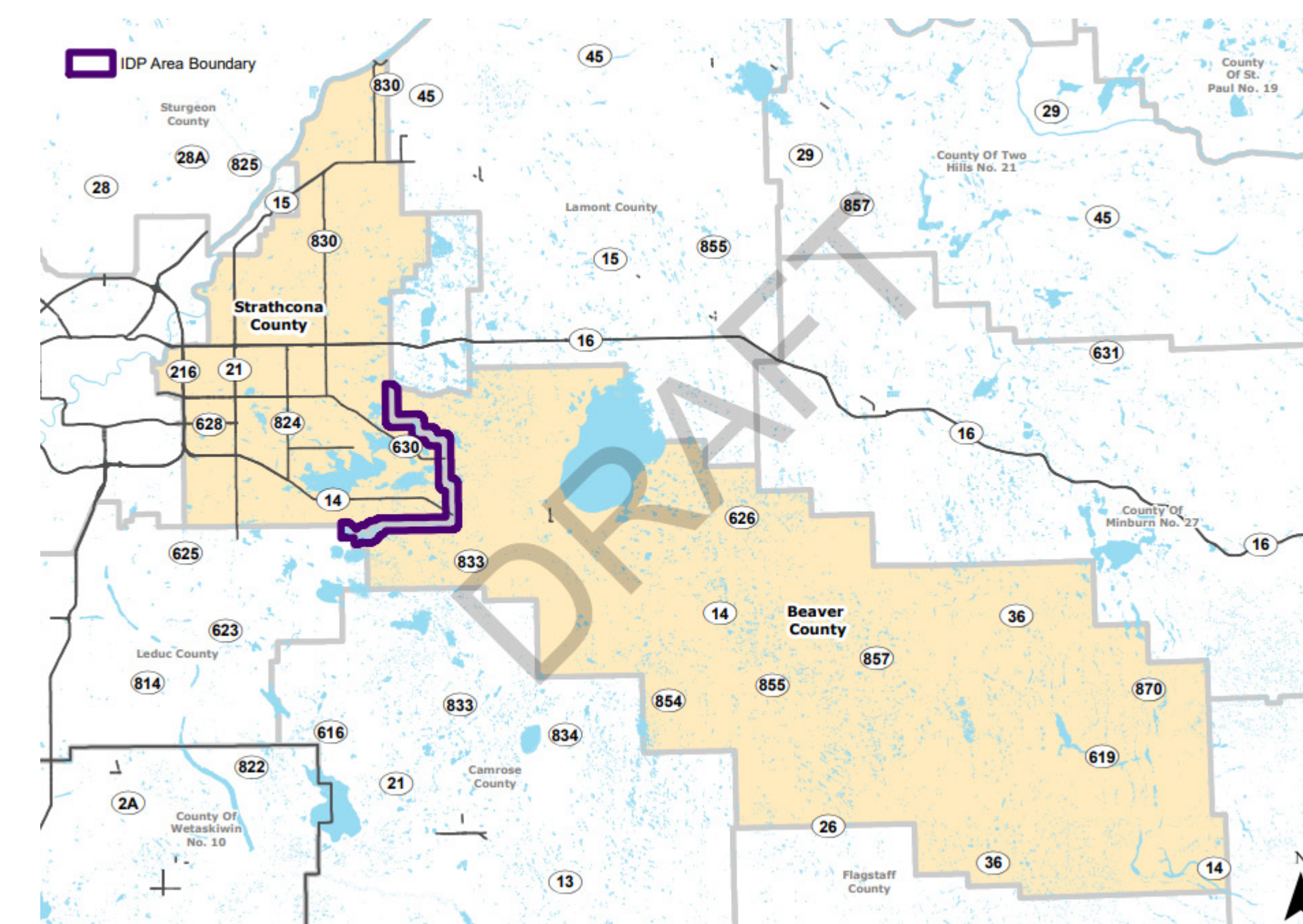
Annexation generally is carried out by Villages/Towns/Cities where their future growth is expected to exceed their existing land availability. The relevant municipality seeks to acquire land from the adjoining municipality to enable them to continue to grow in the future. Typically, the community looks to accommodate a 20 year supply of land for development but it could be larger or smaller.

WHAT IS REGIONAL PLANNING?

Regional planning refers to the process of coordinating land use, development, and infrastructure within a larger area. Boundaries for regional planning can include different municipalities working together on land use, but it can also transcend borders and can be driven by environmental features of the land, such as water catchment areas or rivers.

Regional planning aims to ensure that growth and development occur in a sustainable and organized manner, taking into account the social, economic, and environmental needs and objectives at a larger scale than to address larger planning issues.

An example of regional planning is the draft Strathcona and Beaver County Intermunicipal Development Plan where both counties coordinate land use decisions with one another to ensure potential land use conflicts are minimized.



HOW DOES ENGAGEMENT FIT INTO THE PLANNING AND DEVELOPMENT APPLICATION PROCESS?

Public engagement plays a varying role in different aspects of planning documents. High level planning documents, such as the Municipal Development Plan, Area Structure Plans, and Land Use Bylaws are required by legislation to carry out a process to obtain public input. When these plans are approved by Council, public engagement becomes more focused depending on the nature of a specific application.

For example, if someone is applying for a use that is identified as being discretionary, it will be advertised, and adjoining neighbours will be informed should they have concern.

If an applicant is applying for a development permit that complies with the Land Use Bylaw regulations and the use is permitted then no engagement will occur because the use or building complies with all the regulations and engagement is not required.

Any changes to a planning document, such as a redistricting/rezoning, does require public engagement.

WHAT IS A LAND USE BYLAW?

A Land Use Bylaw is like a rule book or a blueprint for how land in a specific area should be used and developed through the establishment of land use districts/zones. Imagine it as a plan for your neighborhood or town, outlining where houses, roads, schools, businesses, parks, and other things should be located to make a community. Different uses have different land use districts/zones with specific regulations and building forms for that use.

So, a Land Use Bylaw is like a set of rules and ideas to make sure our communities are places where people want to live, work, and play, both now and in the future by making sure surrounding uses work well together.

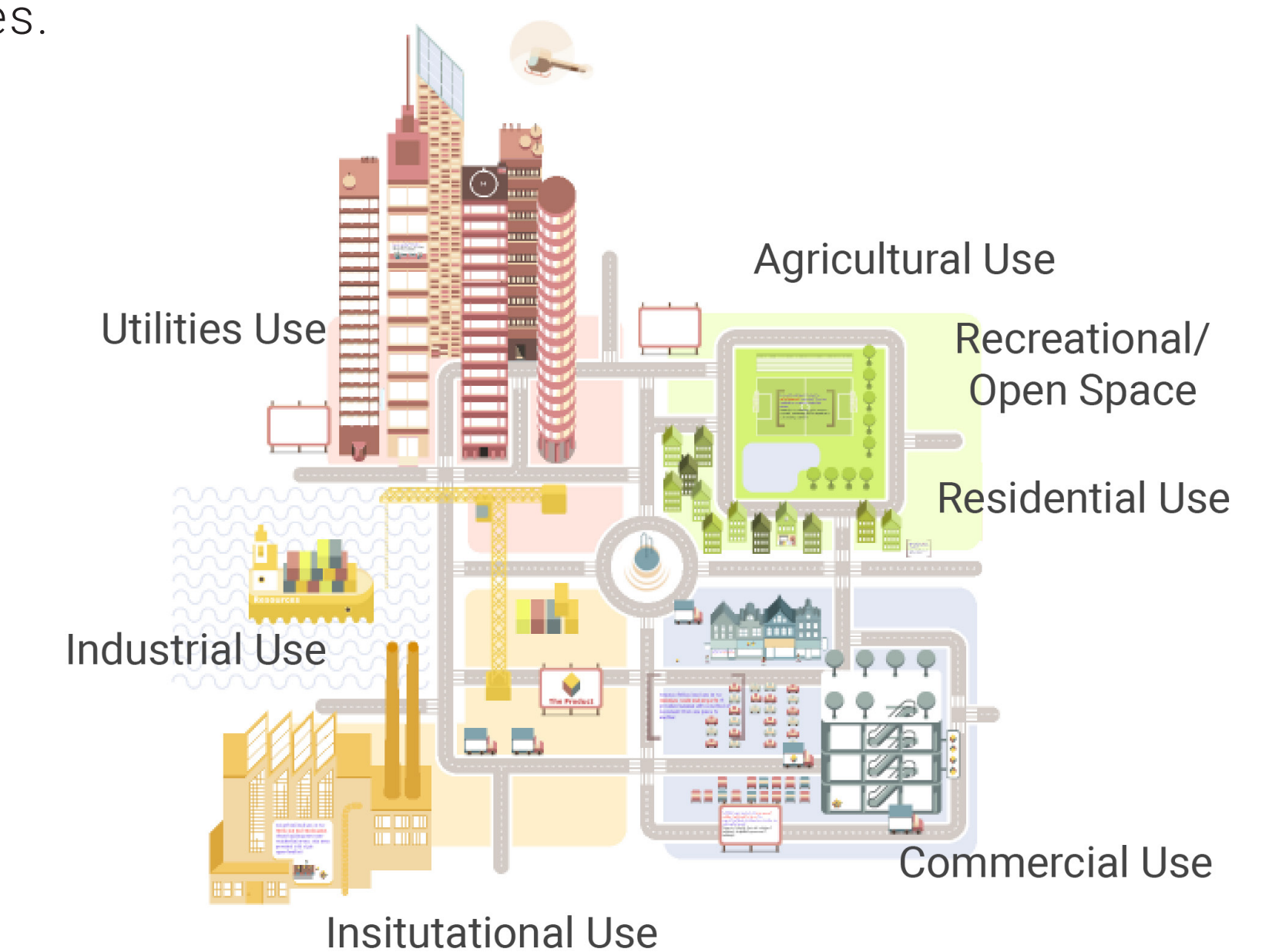
WHAT ARE DISTRICTS/ZONES?

Districts/zones are designated land areas created in the municipalities' Land Use Bylaw that determine the type of land uses allowed within the County, each with its own rules and regulations about how the land can be used and what the built form could look like.

For example:

- » Residential districts/zones are where people can build houses and live.
- » Commercial districts/zones are for businesses like stores and offices.
- » Industrial districts/zones are for uses such as factories and warehouses.
- » Agricultural districts/zones are for farming and agriculture.

These districts help the County manage the impacts of land uses.



DOES SINGLE DETACHED DISTRICTING/ZONING LIMIT THE CHOICE OF HOUSING AVAILABLE TO PEOPLE?

Yes, single detached districting/zoning restricts the type of dwellings that can be built to only single detached homes. While single detached housing can be an attractive option for many individuals and families, single detached districting/zoning prohibits other types of housing, such as duplexes, triplexes, townhouses, or multi-unit apartment buildings. This lack of housing diversity can limit the options available to people with different needs, preferences, and income levels.

LAND USE BYLAW AND MUNICIPAL DEVELOPMENT PLAN QUESTIONS

HOW DOES A LAND USE BYLAW AFFECT TAXES?

Taxes are based on the current land usage at the time of assessing the land for tax calculation. When developing a Land Use Bylaw, Council needs to consider the nature of the uses and what infrastructure they may inherit and be responsible for managing along with the additional services that may arise from development. These costs affect their operational and capital budget which is linked to the revenue obtained through taxes.

Typically, residential and farm taxes do not cover the costs to service these homes (services like road maintenance or sewer and water) when compared to non-residential development (commercial/industrial development). Therefore Council needs to be careful about where they permit development to ensure that they are being fiscally responsible.

WHERE DOES THE REVENUE FROM MUNICIPAL RESERVES GO?

Revenue generated from municipal reserves typically goes into a dedicated fund, known as a reserve fund or reserve account, that is specifically earmarked for particular purposes related to municipal reserve lands across the County. These reserve funds are established to ensure that money is available to cover future costs or investments related to specific projects or needs within the municipality.

WILL THE NEW MUNICIPAL DEVELOPMENT PLAN AND LAND USE BYLAW ALLOW PEOPLE TO NOW DEVELOP RENEWABLE ENERGY PROJECTS (I.E.: SOLAR, WIND TURBINE, ETC.)?

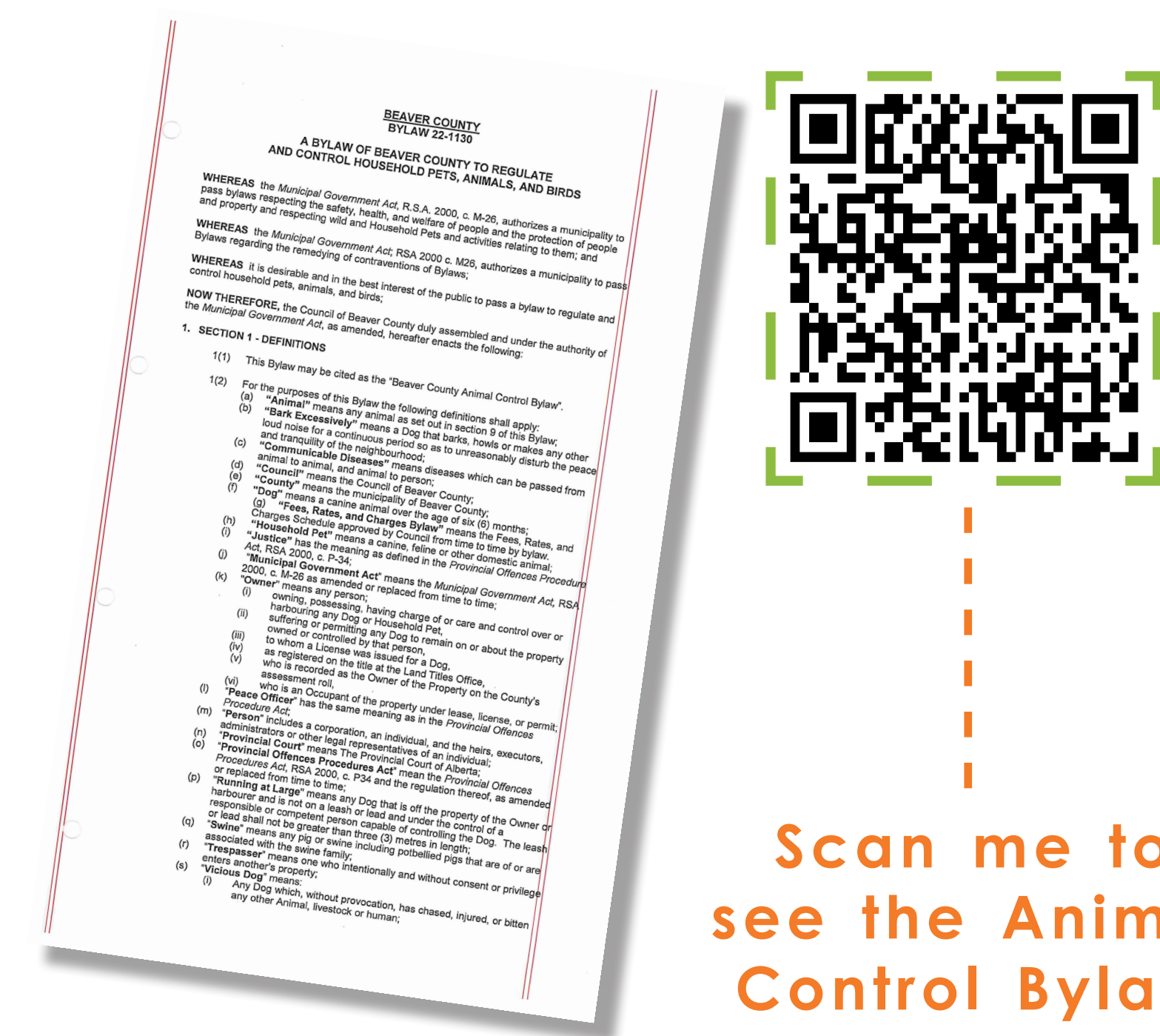
Applicants can already apply for non-commercial renewable energy developments (meaning they are solely for energy generation on your property) based on the land use district/zone that applies to your property and meeting the regulations outlined in the Land Use Bylaw. However, commercial renewable energy projects are governed by the province and not the County.

CAN MUNICIPALITIES INSPECT MY PROPERTY ANYTIME?

No, they have to provide notice before inspecting a property for matters related to the MDP or LUB.

WILL THE NEW LUB/MDP AFFECT THE NUMBER OF ANIMALS I CAN HAVE?

No, this is controlled by an existing and separate Beaver County Animal Control Bylaw (which is not being reviewed or updated at this time) as it relates to domestic animals and is not related to agricultural activities which is governed by other government agencies.



WHY ARE MUNICIPALITIES RESTRICTING THE NUMBER OF ANIMALS SOMEONE CAN HAVE ON THEIR ACREAGE?

Each municipality can regulate the number of livestock and animals that can reside on acreages. This is to help protect the welfare of the animals, mitigate nuisance factors to adjoining landowners, and reduce the risks of public health and safety as a result of disease transmission or accidents involving animals. Depending if your acreage is districted/zoned as agricultural parcels or Country residential, there will be limitations on the number of animals that you can have. If your acreage is districted/zoned as Country residential, you can find the number of animals you can have on your property on Beaver County's Animal Control Bylaw. Agricultural operations are governed by the province through the Agricultural Operations Practice Act.

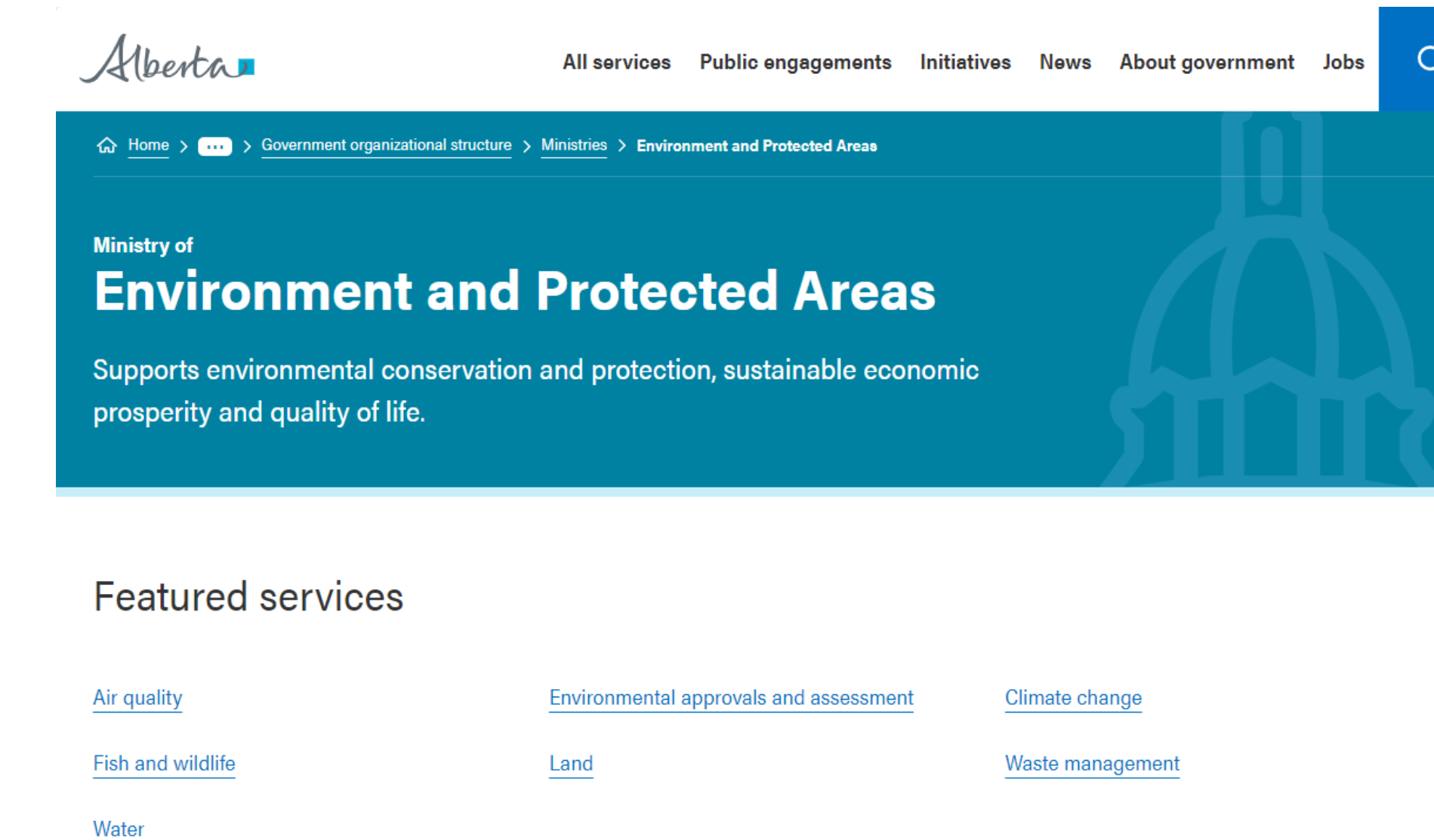
IS FARMLAND BEING USED FOR SOLAR ENERGY?

Large scale commercial solar energy, like commercial wind projects, is governed by the province and the County seeks to avoid such projects from fragmenting farmland, however, the decision is ultimately the provinces.



IF I WANT TO ALTER OR EXPAND A WATERBODY ON MY PROPERTY (THAT IS NATURALLY OCCURRING), DO I HAVE TO ASK BEAVER COUNTY FOR PERMISSION?

No, you must reach out to Alberta Environment and Protected Areas to obtain approval. Beaver County can assist you with providing contact details for Alberta Environment.



WILL MY EXISTING DEVELOPMENTS BE GRANDFATHERED IN OR DO I HAVE TO REAPPLY FOR DEVELOPMENT PERMITS?

What has been legally established on your lands today that may not comply with new Land Use Bylaw regulations will be permitted, unless:

- a. You modify the use/building that may result in the grandfathering clause being lost;
- b. Where a use is discontinued for a period of greater than 6 months; and/or
- c. The building is destroyed by fire or other natural disaster.

DO I HAVE TO WAIT FOR THE NEW LUB/MDP TO SUBMIT A DEVELOPMENT PERMIT/SUBDIVISION APPLICATION?

No, you can apply for a development permit or subdivision at any time. The current LUB/MDP would apply to any development/subdivision commencing at this time.



Learn more about development permits here.



Learn more about subdivision applications here.

WILL THE NEW LUB/MDP REQUIRE ME TO GET A PERMIT FOR FARM BUILDINGS?

No, farm buildings (and dugouts) being used for agricultural uses are still exempt from requiring a development permit, so long as they meet the setback requirements of the district/zone they are located within. Some uses that are accessory to agricultural uses may require development permits, like dwellings or more commercial-oriented activities. Beaver County can assist you with determining if you are exempt under the new MDP/LUB or if you require a development permit.



IS IT LEGAL TO CHANGE A DISTRICT/ZONE WITHOUT INFORMING THE LANDOWNER IN WRITING OF THEIR INTENTION TO DO SO?

It is illegal to change a district/zone without informing the landowner in writing of their intention to do so, unless a municipality is amending the Land Use Bylaw where they are changing the entire zoning approach. In this situation they are required to proceed through a formal public notification process involving advertising of the changes.

LAND USE BYLAW AND MUNICIPAL DEVELOPMENT PLAN QUESTIONS

DO I HAVE TO PAY FOR UPGRADES TO THE ADJACENT ROAD TO GET A DEVELOPMENT PERMIT ON MY PROPERTY?

Depending on the nature of the development and Council policies regarding off-site levies you may have to pay. It is recommended to discuss with the County prior to carrying out a project to seek clarification.

ASSESSING A REDISTRICTING/REZONING APPLICATION VERSUS A DEVELOPMENT – HOW IS IT DONE?

The difference between a redistricting/rezoning application and a development permit application is the latter is very specific to the use or built form complying with existing regulations and therefore is assessed based on the proposal. When someone seeks to redistrict/rezone may relate to a wide range of reasons but unlike a development permit where the approval is based on a specific use or built form with potential conditions, a redistricting/rezoning should be assessed based on all the potential uses that the district/zone would allow and the regulations that support the use vs expecting the applicant to present a specific proposed use/building.

WILL THE NEW LUB/MDP RESTRICT THE TYPES OF FENCING I CAN HAVE?

The construction of fences does not need a development permit up to a certain height and has not changed from the current Land Use Bylaw. The existing Land Use Bylaw has some restrictions around fencing based on the district/zone. Outlined below are districts/zones that currently have regulations. The intent if the regulation generally relates to safety to prevent the blocking of a driver's view at the intersection of a road.

1. In the **Agricultural District**: you cannot put up gates, fences, walls, or anything that blocks the view of the road or street if it's within a certain distance from the road. Please refer to Figures 2, 3, 4, and 5.
2. In the **Country Residential District**: if you live in this district and want to put up a gate, fence, wall, or anything that blocks the view of the road or is taller than 6 feet (1.84 metres) in your front, back, or side yard, a Development Permit is needed.
3. In the **Urban General District**: if you live in this district and want to put up a gate, fence, wall, or anything that blocks the view of the road or is taller than 3 feet (0.92 metres) in the front yard and taller than 6 feet (1.84 metres) in the back yard, or side yard, a Development Permit is needed.

The Land Use Bylaw and the Municipal Development Plan does not restrict the types of fencing you can have with the exception of Country Residential District and Urban General District restricting electric fences.

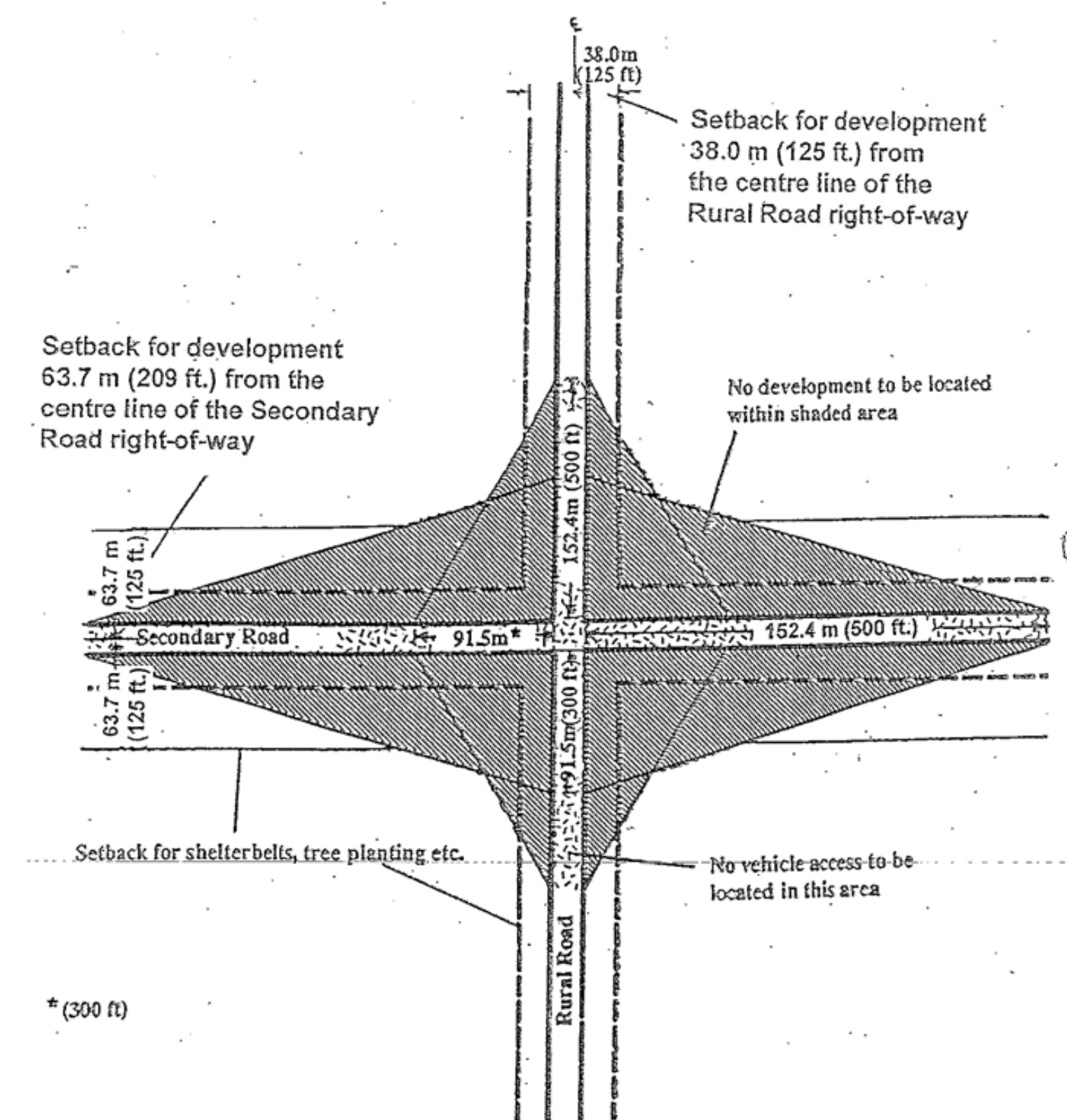


Figure 3: Intersection between two secondary roads

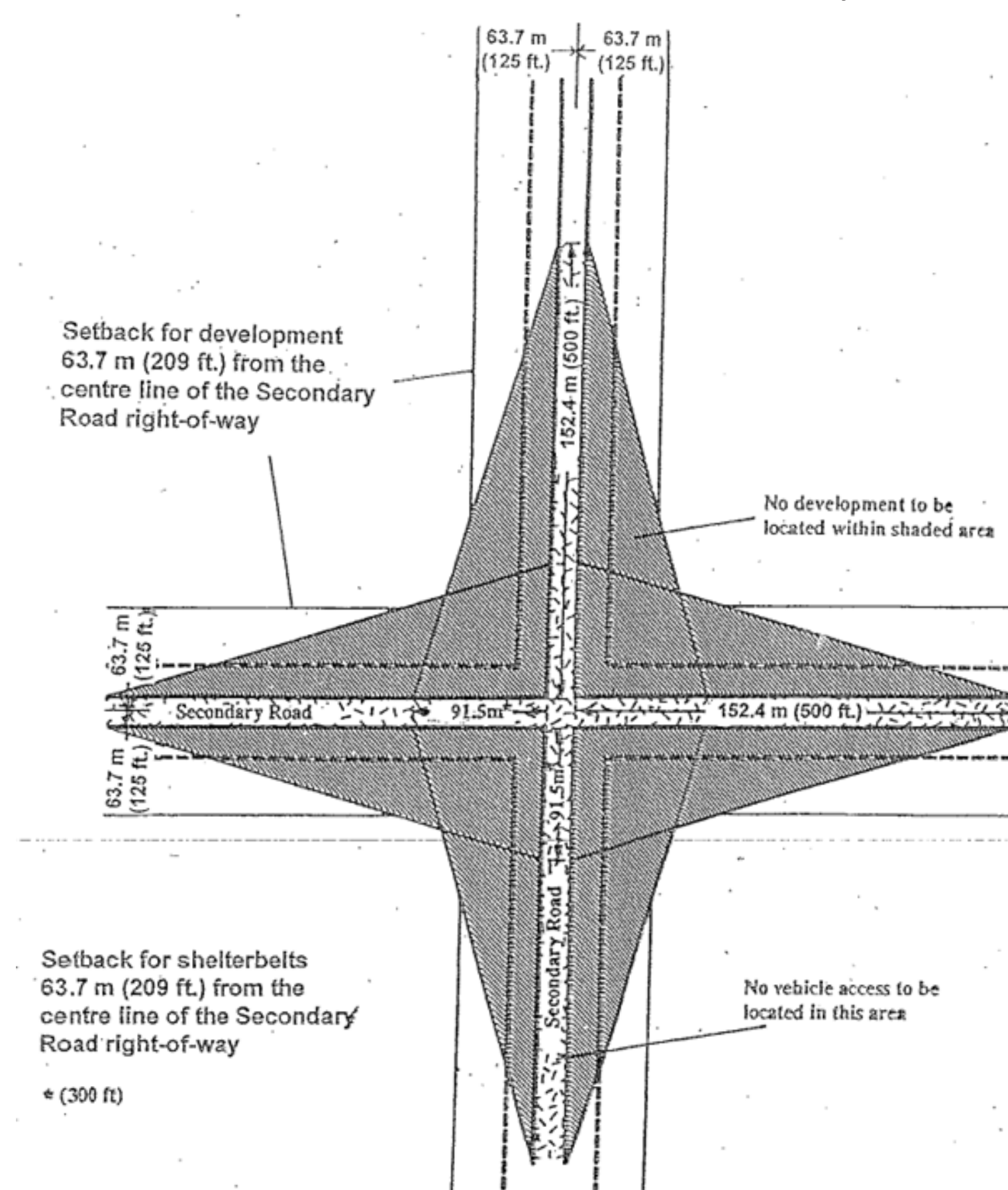


Figure 4: Degree of curvature greater than 20 degrees

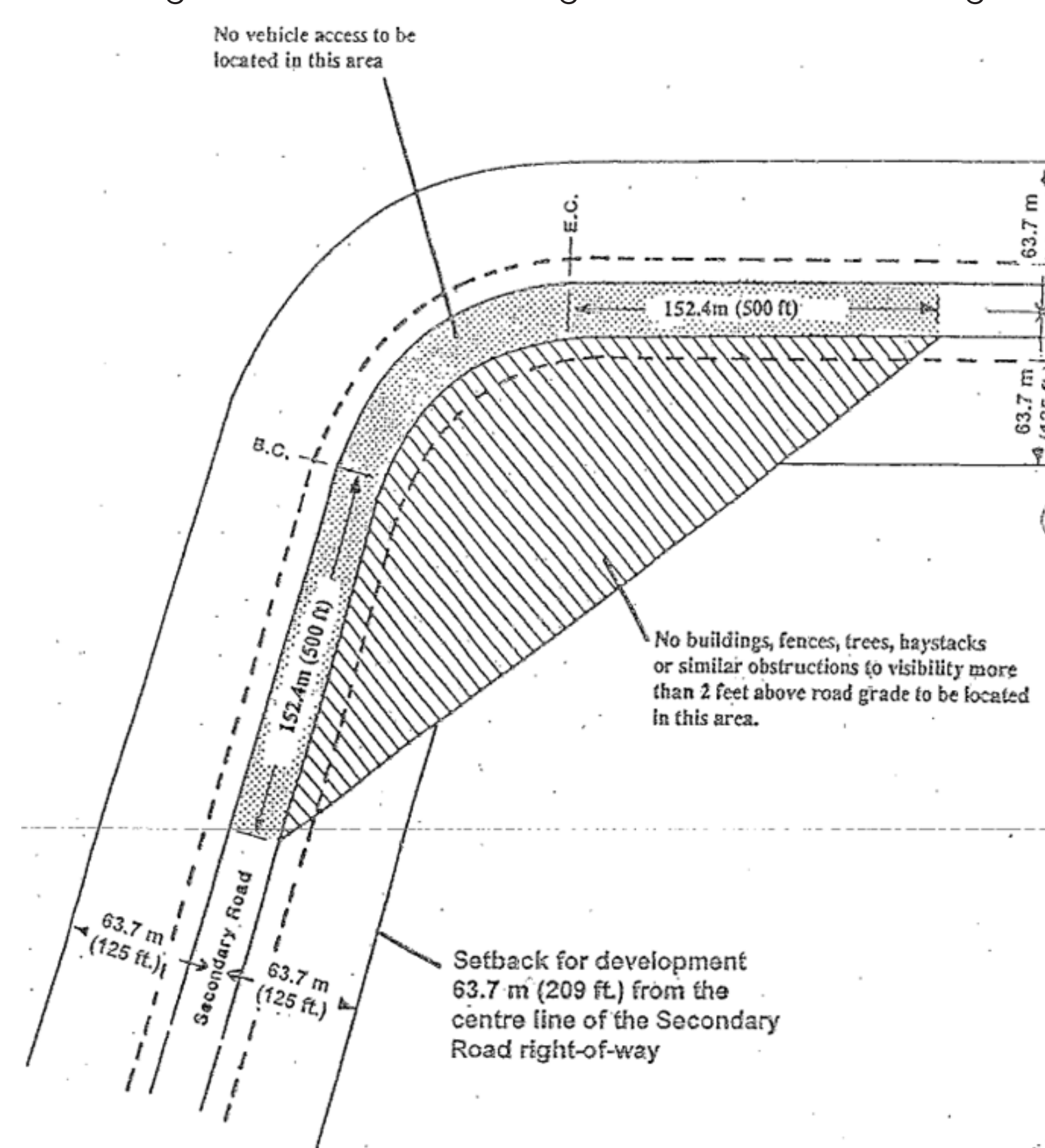
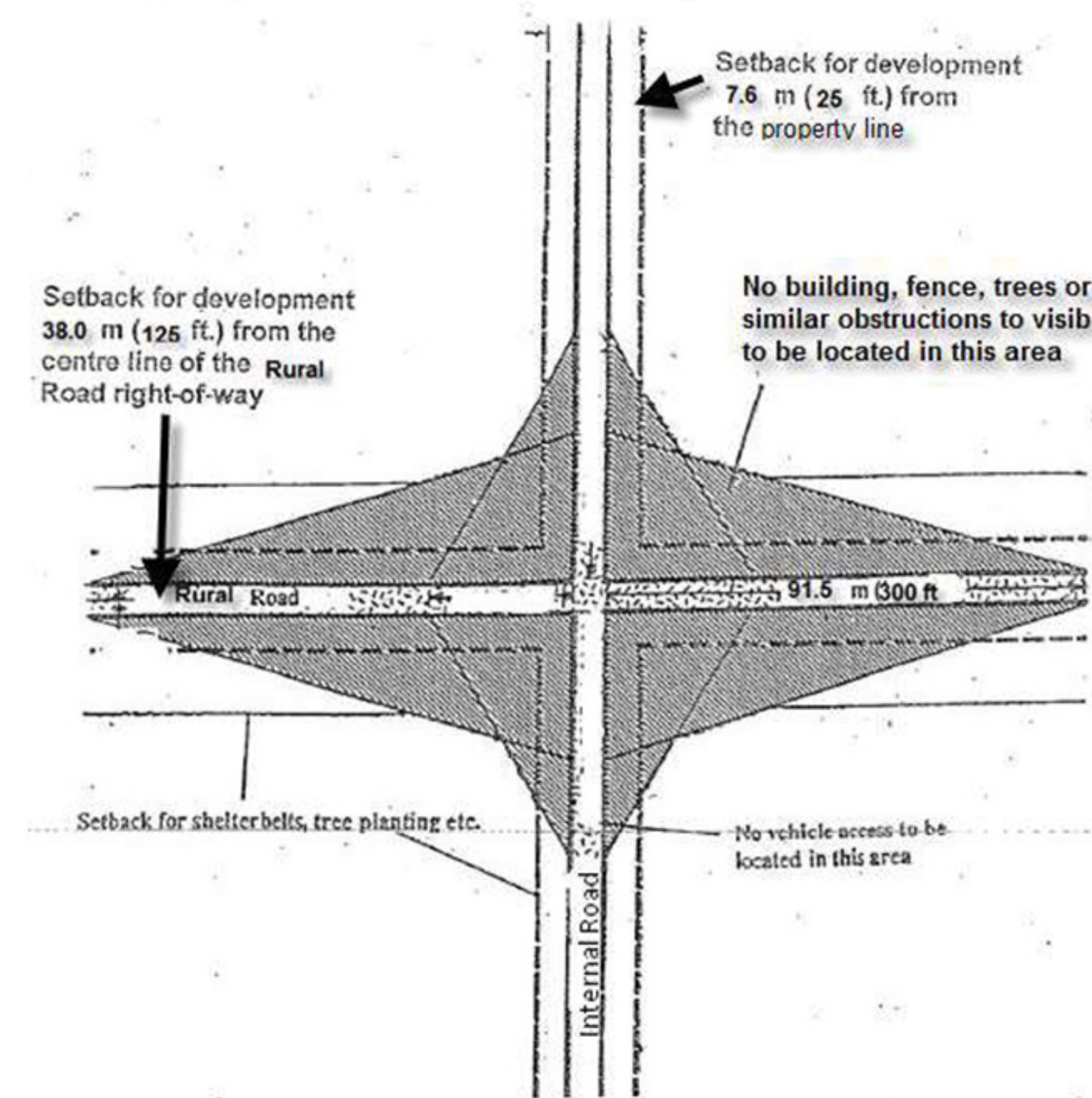


Figure 5: Intersection between rural roads and internal roads



WHAT ARE MY FENCING OBLIGATIONS?

On a municipal level, the Land Use Bylaw does not require residential areas to have a fence. In most instances, the Development Authority may require commercial or industrial uses to require fencing or landscaping, particularly when those developments are adjacent to transportation corridors, are within commercial or industrial parks, are within a hamlet, or abut residential uses. The intent is to mitigate the potential unsightly visual impact on an adjoining property or key corridors. The following fencing reference is not administered by the municipality.

On a provincial level, fences are required on farmland in Alberta through the Stray Animals Act, the Line Fence Act, the Public Lands Act, and the Surveys Act. To know more about farmland fencing obligations, go to this link:

<https://open.alberta.ca/dataset/5caf134a-78c5-4952-8a18-9da6bba06b61/resource/17b52cb0-f59c-4baf-9dc4-1146059767c4/download/afred-fao-fencing-obligations.pdf>

or scan the QR code below.



There are other uses that have regulations governing fencing that is governed by the province and/or federal agencies, such as a cannabis production facility.

WHY ARE THERE RESTRICTIONS ON BARBED WIRE FOR MY FARM?

Land Use Bylaw does not govern fencing on farms refer to above. Notwithstanding this, Land Use Bylaw may place regulations around other uses installing barb wire as it can create a hazard.

CAN I AMEND THE EXISTING LAND USE BYLAW?

Yes, you can typically amend an existing Land Use Bylaw, however, the amendment must be consistent with other statutory documents – such as the Municipal Development Plan, Area Structure Plan etc. If it is not consistent you may also need to amend these documents as well, however, seeking an amendment does not mean it will be approved and hence the important of consulting with a municipality when considering to carry out amendment applications. Amendments to these documents also trigger a public consultation process, in which the public are provided the opportunity to voice their support or raise their concerns.

To amend the existing Land Use Bylaw you would typically follow this process:

1. **Consult the Municipality:** Discuss your proposed amendments with municipal staff to understand the requirements, process, and potential implications.
2. **Determine the Amendment Type:** Identify the type of amendment you are seeking. Common types of amendments include redistricting/rezoning specific parcels of land, changing land use designations, altering development standards, or introducing new regulations.
3. **Application Submission:** Prepare and submit a formal application for the proposed bylaw amendment.
4. **Public Consultation:** Public consultation is required as part of the bylaw amendment process. This may involve hosting public meetings, open houses, or notifying neighboring property owners and affected parties. Public input is often considered in the decision-making process.
5. **Municipal Review:** The municipal planning department and possibly other relevant departments will review your proposed amendment. They will assess it for compliance with municipal policies, existing land use plans, and other regulatory considerations.
6. **Recommendation and Council Approval:** Following the review, municipal staff will prepare a recommendation for the proposed amendment, which is presented to the County Council at a Public Hearing. Council will decide whether to approve, amend, or reject the proposal.
7. **Legal Process:** If the proposed bylaw amendment is approved by the County council, it will go through a legal process to be formally adopted as part of the Land Use Bylaw. This may include readings, public notices, and final adoption by the council.
8. **Implementation:** Once the amendment is legally adopted, it becomes part of the Land Use Bylaw, and the new regulations and land use designations come into effect.