

Wheatland County

Request for Decision

Regular Council Meeting

August 18, 2020

Report prepared by: Megan Williams



Bylaw 2020-25: Public Hearing, Second and Third Reading COVID-19 LUB Amendments

Recommendation from Administration

Resolution 1: That Council undertake the Public Hearing for Bylaw 2020-25.

Resolution 2: That Council move Second Reading of Bylaw 2020-25, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to update multiple Land Use Districts, Specific Use Regulations, Applications for Development and Subdivision, and Definitions regarding recreational vehicles used for quarantine or self-isolation and the COVID-19 temporary payment deferral incentive.

Resolution 3: That Council move Third Reading of Bylaw 2020-25, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to update multiple Land Use Districts, Specific Use Regulations, Applications for Development and Subdivision, and Definitions regarding recreational vehicles used for quarantine or self-isolation and the COVID-19 temporary payment deferral incentive.

Chief Administrative Officer's Comments

N/A

Report

Division: County-wide

When the Provincial and Federal Government established a set of guidelines to self-isolate and quarantine to prevent the spread of COVID-19, many residents struggled to balance these recommendations with keeping their family safe. Council directed Staff to research and bring forward a solution that will allow residents to quarantine or work remotely in their recreational vehicle. Brownlee LLP released a series of information sessions regarding the changes COVID-19 was forcing landowners and municipalities to take, and they cautioned municipalities to ensure any changes in operations or application processing were still legal within their Land Use Bylaw and other policy and regulatory documents.

Staff reached out to adjacent municipalities to learn what they had done to accommodate similar requests to use RVs to self isolate or work remotely. The only municipality that had made changes was Strathmore, and they are requiring residents to obtain an 'on-street parking permit' which allows people to obtain a permit for their RVs for self-isolation/quarantine purposes.

As the County's land use bylaw specifically prohibits using an RV as a dwelling, amending the land use bylaw to allow RVs as a dwelling was necessary. Staff reviewed a bylaw amendment Rocky View County implemented to accommodate temporary dwellings after the flooding in 2012 in Bragg Creek. Their bylaw amendment created a new definition, brought the use into several land use districts, and created a time restriction

requiring these RVs to be removed by a certain date. Wheatland County staff used this bylaw as a base for how to handle residents using RVs to quarantine or self-isolate during the COVID-19 pandemic. The proposed bylaw sets the removal date for RVs to be October 1, 2021. Staff is also proposing to exempt RVs used for Quarantine or Self-Isolation from obtaining a development permit.

Staff proposed a new incentive program for business-related development permit applications that Council approved on April 20, 2020. As the incentive program delays the payment of development permit applications, staff needs to amend the sections of the Land Use Bylaw 2016-01 that require payment of the development permit application to deem the application complete. This aligns with the legal recommendation that any changes we make to our processes align with our policies and regulatory documents.

If Council does not choose to move the Recreational Vehicle for Quarantine or Self-Isolation amendments, Staff recommends Council amend Bylaw 2020-25 to remove all but proposed amendments #4 and #5 as these relate to the COVID-19 temporary payment deferral incentive.

Though the Province has moved steadily through the relaunch program, people are still required to self-isolate for 10 days if they have been exposed to someone with COVID-19, or 14 days if they are returning from overseas. Wheatland County was recently moved onto the watch list for the coronavirus; therefore, Staff is recommending Second and Third Reading of Bylaw 2020-25 be granted.

Staff advertised the public hearing in the papers, online, and on Facebook and no comments were received from landowners at the time this report was submitted. Staff did not receive any concerns from external agencies at the time this report was submitted.

Relevant Policies, Practices, and Legislation

There are no guidelines or policies within the South Saskatchewan Regional Plan, Municipal Development Plan, or Regional Growth Management Strategy that specifically address this topic. The policies regarding waste management may have some relevance. To accommodate those policies Staff included in the definition that wastewater disposal was not be outside of an approved sewage disposal system.

Alignment with the Strategic Plan

N/A

Response Options

Option 1: THAT the proposed recommendation is accepted/approved.

Option 2: THAT the proposed recommendation is not accepted/approved.

Option 3: THAT an alternate recommendation is accepted/approved.

Implications of Recommendation

General

The Land Use Bylaw amendments will allow residents of Wheatland County to utilise RVs to quarantine or self-isolate if necessary. They will not be required to obtain a development permit and the use is only permitted until October 1, 2021.

Organizational

By exempting the use from obtaining a development permit, it won't create additional work for County Staff. It will, however, give Staff members a bylaw to reference if they receive a complaint.

Financial

N/A

Environmental, Staff, and Public Safety

As the RVs will not be permitted to discharge septic/wastewater outside of an approved sewage disposal system, Staff does not have any environmental concerns.

Follow-up Action / Communications

Staff will update the Land Use Bylaw 2016-01.

Report Approval Details

Document Title:	Bylaw 2020-25 PH, 2nd, 3rd Reading, COVID LUB amendment.docx
Attachments:	- Bylaw 2020-25 LUB amendment, COVID.pdf
Final Approval Date:	Jul 30, 2020

This report and all of its attachments were approved and signed as outlined below:



Sherry Baers



Matthew Boscarol



Brian Henderson