



AGENDA ITEM

MUNICIPAL PLANNING COMMISSION

April 9, 2020

BACKGROUND

At the February 27, 2020 Council Meeting, Council requested that staff research Municipal Planning Commission (MPC) structures in other municipalities, specifically in terms of when MPC meetings were held and who sits on the MPC.

CURRENT CONTEXT

Lacombe County's *Land Use Bylaw*, Section 2.2, establishes the MPC as the Development Authority. Further, the MPC is composed of all members of Council, and shall hold meetings as necessary to perform its duties as set out in Part 3 of the *Land Use Bylaw*. The MPC duties are to advise and assist Council with regard to planning for the orderly and economical development of land within the County, and shall seek to ensure that any proposed development complies with the provisions of the *Municipal Development Plan, Land Use Bylaw*, any intermunicipal or local plan affecting the land, and the *Municipal Government Act*.

Part 3 of the *Land Use Bylaw* outlines the Development Officer shall refer with their recommendation to the MPC, certain discretionary use applications, or any other applications which, in the opinion of the Development Officer, should be decided by the MPC. Typical discretionary use applications which require MPC's approval include: minor business and trades, sand and gravel extraction and processing, communication towers, community facilities, special events, major campgrounds, commercial alternative energy, cannabis production facilities, and cannabis retails.

Currently, Lacombe County MPC meetings are held during regular Council meeting hours, twice per month, or less frequently based on application volumes. Based on information from 2015-2019, the average number of MPC applications

presented per meeting was 1.45 applications (based on meeting twice per month). Based on that same information, there has been an average of 5 MPC meetings not required per year.

Based on information from the past 12 months, the average length of an MPC meeting is approximately 30 minutes.

RESEARCH & ANALYSIS

To gain a better understanding, staff researched several other municipalities' MPC's. While there are differing specifics between the municipalities' MPC structures, three main aspects were identified:

- **Number of Meetings per Month:** The majority of municipalities researched hold one (1) MPC meeting per month, or more if required based on the volume of applications. A few municipalities researched hold two (2) MPC meetings per month.
- **Composition of MPC:** The majority of municipalities researched have Council members sit as MPC members. A few municipalities researched have a combination of Council members and members at large that sit as MPC members. Where it is a combination, a Council member not on the MPC can sit on the Subdivision and Development Appeal Board (SDAB), but only one Councillor can be a member of the SDAB.
- **Schedule of Meetings:** The majority of municipalities researched host the MPC meetings on a different day than Council meetings. A few municipalities host MPC meetings during regular Council meeting hours, but only where the MPC members are only Council members.

BENEFITS & CHALLENGES

Benefits

Should Council decide to alter the existing MPC structure, the following benefits could include, but not be limited to, the following:

- + **MPC Duties:** If Council decided to host MPC meetings separate from regular Council meeting dates, it would allow MPC members to differentiate between MPC duties and Council duties.
- + **Public Attendance:** If Council decided to host MPC meetings separate from regular Council meeting dates, it would possibly increase attendance rates by reducing the intimidation of attending as a member of the public.

Challenges

Should Council decide to alter the existing MPC structure, the following challenges could include, but not be limited to, the following:

- **Budget:** If Council decided to host MPC meetings separate from regular Council meeting dates, additional budget would be required. The cost to add a ½-day separate MPC meeting (not during regular Council meeting hours) would be approximately \$1,800.33 per meeting. If Council held one ½-day separate MPC meeting per month, this would total \$21,603.99 per year. If Council held two ½-day separate MPC meetings per month, this would total \$43,207.98 per year. These budget amounts include Council per diem, employer benefits, and mileage.
- **Applicant Timelines:** If Council reduced the number of meetings per month, the timeline from initial application to decision would increase, seeing delays for applicants initiating new developments. Some applications would have to wait longer than one month to get on the MPC agenda if they required pre-circulation to agencies/landowners, or if they were received after the deadline to prepare the agenda.
- **Council Time:** If Council decided to host MPC meetings separate from regular Council meeting dates, additional Council time would be required to attend these additional meetings in addition to the regular Council meetings. This extra time required would vary depending on how many additional meetings are required for MPC, from one ½ day to two ½ days per month.
- **Staff Time:** If Council decided to host MPC meetings separate from regular Council meeting dates, additional staff time would be required to attend these additional meetings in addition to the regular Council meetings. This extra time required would vary depending on how many additional meetings are required for MPC, from one ½ day to two ½ days per month.

- **Composition of MPC and SDAB:** If Council decided to amend the structure of MPC to be a combination of Council members and members at large, the composition of the SDAB could also be amended to be a combination of one Council member and members at large. This would result in only one member of the public on MPC, unless the size of MPC was increased, or other Council members do not participate in MPC or the SDAB.

OPTIONS

Given the information provided through research, there are a handful of different approaches utilized by Alberta municipalities to address the MPC structure. Ultimately, Lacombe County should carefully consider what model best suits our needs in terms of budget, timelines, and resources. A combination of options could also be considered.

1. Maintain existing Municipal Planning Commission structure, no changes will take place.
2. Maintain existing Municipal Planning Commission structure, but hold meetings at an assigned time during regular Council meetings, at 1:00 pm on the second and fourth Thursday of each month.
3. Reduce number of MPC meetings to one (1) meeting per month and hold meeting at an assigned time during a regular Council meeting, at 1:00 pm on the second Thursday of each month.
4. Reduce number of MPC meetings to one (1) meeting per month and hold a separate MPC only meeting, at 9:00 am on the second Tuesday of each month.
5. Change composition of the MPC to include a combination of Council members and members at large.
6. Other options as determined by Council.

LEGISLATIVE RESPONSIBILITIES

The *Municipal Government Act* gives Council the sole authority and responsibility to consider amendments to the *Land Use Bylaw*. Section 640(1) of the *Municipal*

Government Act states that a Land Use Bylaw may prohibit or regulate and control the use and development of land and buildings within a municipality. The *Municipal Government Act* also requires that all amendments must be passed by bylaw, and a public hearing must be held by Council to allow all interested parties to comment on the proposed amendments.

The *Municipal Government Act* outlines Council must by bylaw provide for a development authority, which may include a designated officer and/or a municipal planning commission. Council must also by bylaw establish a subdivision and development appeal board, and unless an order of the Minister authorizes otherwise, a panel of a subdivision and development appeal board hearing an appeal must not have more than one councillor as a member. A panel of a subdivision and development appeal board must also not include a member of a municipal planning commission.

PUBLIC PARTICIPATION

Lacombe County sees the value in engaging the public through a variety of mediums and is committed to open, accountable and responsive decision making, including different levels of engagement with the public as outlined in the *Policy AD(40): Public Participation Policy*. The levels of engagement within the policy are as follows:

- *Inform*: To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
- *Consult*: To obtain public feedback on analysis, alternatives and/or decisions.
- *Involve*: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
- *Collaborate*: To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.
- *Empower*: To place final decision making in the hands of the public.

The public will be *Informed* of Council's decision regarding Municipal Planning Commission meetings.

RECOMMENDATION

Staff recommend that Council approve Option 2, maintain existing status quo but hold meetings at an assigned time during regular Council meetings, at 1:00 pm on the second and fourth Thursday of each month.

Currently, there is minimal MPC application volume to warrant separate MPC meetings. While two meetings per month are scheduled, where the second meeting is not necessary based on the volume of applications, the second meeting is cancelled. This allows staff to gauge the schedule based on volume of applications, and ensure application processing times are not delayed due to scheduling. In addition, changing MPC meeting dates and/or MPC composition would require significant additional funds to be budgeted for.

COUNCIL DECISION

PREPARED BY: Cajun Paradis, Senior Planner
PREPARED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager

Three stacked signature boxes with handwritten initials in blue ink. The top box contains the initials 'CP', the middle box contains 'DF', and the bottom box contains 'TT'.