

# MUNICIPAL DEVELOPMENT PLAN & LAND USE BYLAW REVIEW

## TERMS OF REFERENCE

January 28, 2025

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This Terms of Reference outlines the purpose, scope, methodology, and governance structure for a review of the Municipal Development Plan (MDP) and the Land Use Bylaw (LUB) (hereinafter referred to as “the Review”).

### 1.0 BACKGROUND

The current Municipal Development (MDP) Bylaw No. 20/20 was approved in 2020 with the most recent amendment in 2022. In accordance with MDP policy 13.3.6, a review shall be done within five years, including a public consultation process to test the validity of the document in the community.

The current Land Use Bylaw No. 10/24 was approved in 2024 with the most recent amendment in 2025.

Changes from the MDP may require updates to the LUB, making it efficient to combine the reviews. As part of the 2026 Budget, Council approved the MDP & LUB Review (PD-26-01) for a total of \$30,000. **See attachment 01.**

### 2.0 ENABLING LEGISLATION

Section 632 of the MGA provides what **must** be addressed in an MDP (s.632(3)(a)) and what **may** be addressed in an MDP (s.632(3)(b)).

Section 640 of the MGA provides what **may** and what **must** be addressed in a Land Use Bylaw. Excerpts of the MGA, **see attachment 02.**

### 3.0 PURPOSE OF THE REVIEW

The purpose of the Review is to:

Address the key review topics of the MDP and the LUB;  
Identify any other gaps, challenges, and emerging opportunities;  
Gather the public and stakeholder input to verify and refine changes; and  
Update policies and regulations to reflect current and future needs within the County.

### 4.0 REVIEW TOPICS

The key Review topics from Project Sheet PD-26-01 were approved with the 2026 Budget and slightly modified with the addition of emerging trends and business uses with the LUB.

**4.1 Five (5) key MDP review topics:**

- 1) Subdivision potential within the Agricultural Preservation Area.  
Consider a second title (a residential parcel with an existing residence) (RC25-0383)
- 2) Consider policies for land use, subdivision, and development within the Floodway and Flood Fringe (RC25-281)
- 3) Review of Section 3.0 Agriculture Land Use Policies and Section 4.0 Residential Land Use Policies for clarity and interpretation issues.
- 4) Review of Section 7.0 Growth Centres & Economic Nodes and Section 5.0 Economic Development Land Use Policies for Concept Plan requirements and clarity on first parcel out proposals.
- 5) Review other Sections for clarity and alignment with the County's Council direction, including but not limited to requirements for public consultation. (Administrative recommendations).  
Removal of Policy 6.3.17 (RC25-083).

**4.2 Six (6) key LUB review topics:**

- 1) Regulations from MDP review topics (see above).
- 2) New regulations for the Aerodrome Protection Zone Overlay and amendments to the S-AP Airport District to align with the Olds Didsbury Airport Area Structure Plan (ASP) and the Sundre Airport Concept Plan within the South McDougal Flats ASP (recommended by the Steering Committees)
- 3) Review of the Canadian Veterinary Medical Associations Code of Practice for Kennel Operations to address the Municipal Planning Commissions concerns (RC24-576)
- 4) Emerging trends (for example data centres & gas fired powered generation plants)
- 5) Review the business uses within Districts.
- 6) Review other sections for edits and errors (Administrative recommendations). Amend the DC District (Section 17.12) for the outdoor and indoor storage facility, as an approach from Range Road 52 is no longer a requirement (RC25-432).

## **5.0 GOVERNANCE STRUCTURE**

### **5.1 Steering Committee**

Council is the Steering Committee for the MDP & LUB Review.

### **5.2 Responsibilities of the Steering Committee**

- Identify issues and opportunities with respect to the key topics and provide direction for policy and regulation options;
- Confirm preferred option for policy and regulation changes;
- Schedule and attend meetings as required;
- Identify the appropriate Public Participation and participate in events; and
- Consider feedback from the public and stakeholders.

### **5.3 Responsibility of Administration**

- Administration is a resource to the Steering Committee.  
As directed by the Steering Committee:
  - Prepare Steering Committee Agendas;
  - Provide background information; relevant data; research options;
  - Draft policies and regulations;
  - Prepare Public Participation materials; and
  - Prepare the Bylaws for Council's consideration.

### **5.4 Responsibility of Council**

After the Steering Committee concludes the Review, Council is responsible for the approval of the MDP and LUB Bylaws, after holding a joint Public Hearing.

## **6.0 SCOPE OF WORK AND PROJECT PHASES**

The scope of work is organized into four stages, with a completion date to be determined through the process. The four stages of the work program include:

#### Phase 1: Steering Committee meetings for key review topics

- Meetings for the Steering Committee to receive background information and research prepared by Administration, in order to provide direction on each of the key topics.
- Administration to draft policies and regulations options.
- Engage the Municipal Planning Commission (MPC), Agricultural Service Board (ASB) and Subdivision and Development Appeal Board (SDAB) and any other stakeholders to provide input on the changes or options.

#### Phase 2: Open Houses to engage the Public

- The first round of Open Houses will engage the public and focus on the five key review topics with draft options. May include questions to the Public for specific feedback.
- Opportunity for the public to identify/raise/discuss additional topics.

#### Phase 3: Further drafting

- Steering Committee to receive the input and feedback from the Open Houses and direct Administration to further draft policies and regulations.
- Upon direction from the Steering Committee, the draft documents will be prepared for the public to review.

#### Phase 4: Open House to share the drafts with the Public

- The second round of Open Houses will provide the public with an opportunity to review and comment on the drafts.
- Steering Committee to receive comments and provide direction on any final changes.
- The Bylaws will be prepared for First Reading (circulation to referral agencies) and a joint Public Hearing.

**Anticipated timeline:**

TOR Approval January 28, 2026

Phase 1 Five key topic meetings; once a month starting in March to July, every Agenda will include both an MDP and LUB topic;  
Meetings to resume after Council break in August as required;  
Engage Council's MPC, ASB, SDAB, and any other stakeholders.

Phase 2 Fall 2026: Open Houses to engage the public.

Phase 3 Winter 2027: Draft and further define policies and regulations after receiving Open House responses.

Phase 4 Spring 2027: Open Houses to share the draft MDP & LUB; final consideration of comments by the Steering Committee. Recommend that Council considers the Bylaws.

## **7.0 PUBLIC AND STAKEHOLDER INVOLVEMENT**

Public Participation is proposed to fall within the “Consult” spectrum Appendix A of Public Participation Policy and Procedure 1030. [Public Participation Policy 1030](#) .

1. Website:
  - Dedicate a webpage on the County's website that will provide information and updates on the Review process as well as what the public can expect. Steering Committee meetings will be in public and electronically accessible. Communicate via social media, the County app, radio and newspaper as appropriate.
2. Open Houses:
  - Two rounds of Open Houses to engage the public. The first round of Open Houses to receive feedback on potential policy options and the second round of Open Houses to share the draft MDP. Administration will include pre-recordings and virtual Open Houses.

- (a) repealed 2019 c22 s10(21);
- (b) respecting the matters to be included in an intermunicipal development plan.
- (c) repealed 2019 c22 s10(21).

**(1.1)** After considering the recommendations of the Land and Property Rights Tribunal respecting a matter referred to the Tribunal under section 631(5), the Minister may, by order, require 2 or more municipal authorities to establish an intermunicipal development plan in accordance with the order by a date specified in the order.

**(1.2)** If the municipal authorities to whom an order under subsection (1.1) applies do not comply with the order, the Minister may make a further order establishing an intermunicipal development plan that is binding on the municipal authorities.

**(2)** Repealed 2019 c22 s10(21).

2009 cA-26.8 s83;2019 c22 s10(21);2020 cL-2.3 s24(31)

### **Municipal Development Plans**

#### **Municipal development plans**

**632(1)** Every council of a municipality must by bylaw adopt a municipal development plan.

**(2)** Repealed 2016 c24 s98.

**(2.1)** Within 3 years after the coming into force of this subsection, a council of a municipality that does not have a municipal development plan must by bylaw adopt a municipal development plan.

**(3)** A municipal development plan

- (a) must address

- (i) the future land use within the municipality,
- (ii) the manner of and the proposals for future development in the municipality,
- (iii) the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,

- (iv) the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
- (v) the provision of municipal services and facilities either generally or specifically,
- (b) may address
  - (i) proposals for the financing and programming of municipal infrastructure,
  - (ii) the co-ordination of municipal programs relating to the physical, social and economic development of the municipality,
  - (iii) environmental matters within the municipality,
  - (iv) the financial resources of the municipality,
  - (v) the economic development of the municipality, and
  - (vi) any other matter relating to the physical, social or economic development of the municipality,
- (c) may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies,
- (d) must contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities,
- (e) must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school boards,
- (f) must contain policies respecting the protection of agricultural operations, and
- (g) may contain policies respecting the provision of conservation reserve in accordance with section 664.2(1)(a) to (d).

**(4)** Repealed 2020 c39 s10(19).

RSA 2000 cM-26 s632;RSA 2000 c21(Supp) s4;2008 c37 s11;  
2015 c8 s62;2016 c24 s98;2017 c13 s2(16);2020 c39 s10(19)

### **Area Structure Plans**

#### **Area structure plan**

**633(1)** For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may by bylaw adopt an area structure plan.

**(2)** An area structure plan

(a) must describe

- (i) the sequence of development proposed for the area,
- (ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
- (iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
- (iv) the general location of major transportation routes and public utilities,

and

(b) may contain any other matters, including matters relating to reserves, as the council considers necessary.

**(3)** Repealed 2020 c39 s10(20).

RSA 2000 cM-26 s633;2015 c8 s63;2017 c13 s1(56);  
2020 c39 s10(20)

### **Area Redevelopment Plans**

#### **Area redevelopment plans**

**634(1)** A council may

- (a) designate an area of the municipality as a redevelopment area for the purpose of any or all of the following:
  - (i) preserving or improving land and buildings in the area;
  - (ii) rehabilitating buildings in the area;
  - (iii) removing buildings from the area;
  - (iv) constructing or replacing buildings in the area;

**(3)** A development authority, subdivision authority, subdivision and development appeal board, the Land and Property Rights Tribunal or a court shall not have regard to any policy approved by a council or by a person or body referred to in subsection (1)(b) unless the policy is set out in the list prepared and maintained under subsection (1) and published in accordance with subsection (2).

**(4)** Repealed 2020 c39 s10(25).

2016 c24 s99;2020 cL-2.3 s24(41);2020 c39 s10(25)

## **Division 5** **Land Use**

**639** Repealed 2020 c39 s10(26).

**639.1** Repealed 2020 c39 s10(27).

### **Land use bylaw**

**640(1)** Every municipality must pass a land use bylaw.

**(1.1)** A land use bylaw may prohibit or regulate and control the use and development of land and buildings in a municipality, including, without limitation, by

- (a) imposing design standards,
- (b) determining population density,
- (c) regulating the development of buildings,
- (d) providing for the protection of agricultural land, and
- (e) providing for any other matter council considers necessary to regulate land use within the municipality.

**(2)** A land use bylaw

- (a) must divide the municipality into districts of the number and area the council considers appropriate;
- (b) must, unless the district is designated as a direct control district pursuant to section 641, prescribe with respect to each district,
  - (i) the one or more uses of land or buildings that are permitted in the district, with or without conditions, or

- (ii) the one or more uses of land or buildings that may be permitted in the district at the discretion of the development authority, with or without conditions, or both;
- (c) must establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for
  - (i) the types of development permit that may be issued,
  - (ii) applying for a development permit,
  - (iii) processing an application for, or issuing, cancelling, suspending or refusing to issue, a development permit,
  - (iv) the conditions that are to be attached, or that the development authority may attach, to a development permit, either generally or with respect to a specific type of permit,
  - (v) how long any type of development permit remains in effect,
  - (vi) the discretion that the development authority may exercise with respect to development permits, and
  - (vii) any other matters necessary to regulate and control the issue of development permits that to the council appear necessary;
- (d) must provide for how and to whom notice of the issuance of a development permit is to be given;
- (e) must establish the number of dwelling units permitted on a parcel of land.

**(3)** A land use bylaw may identify additional land as adjacent land for the purpose of notification under sections 653, 679, 680 and 692.

**(4)** Repealed 2020 c39 s10(28).

**(5)** A land use bylaw may provide that when an application for a development permit or change in land use designation is refused another application with respect to the same lot

- (a) for a development permit for the same or a similar use, or

(b) for a change in land use designation

may not be made by the same or any other applicant until the time stated in the land use bylaw has expired.

**(6)** A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

(a) the proposed development would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(b) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

**(7)** A land use bylaw must be consistent with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises.

**(8)** Despite this section or any other provision of this Act, the authority to pass a land use bylaw does not include the authority to pass a bylaw in respect of the use of a building or part of a building for residential purposes that has the effect of distinguishing between any individuals on the basis of whether they are related or unrelated to each other.

**(9)** The Minister may by order direct a municipality to amend its land use bylaw in respect of the use of a building or part of a building for residential purposes if the land use bylaw has the effect of distinguishing between senior citizens on the basis of whether they are related or unrelated to each other.

RSA 2000 cM-26 s640;2016 c24 s100;2017 c21 s28;  
2020 c39 s10(28)

**640.1** Repealed 2020 c39 s10(29).



**Mountain View  
C O U N T Y**

# Project Sheet

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**Department:** Planning

**Year:** 2026

**Project Name:** MDP & LUB Review

**Budget Reference:** PD-26-01

**Council Motion:**

**Cost Center:** 4.10 - PLANNING

**Project Type:** OPERATING

## **Project Description & Benefits:**

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Changes from the MDP Review will require updates to the Land Use Bylaw, making it efficient to combine the reviews.

Council, as the Steering Committee for the MDP & LUB Review is to adopt a Terms of Reference that may further define key topics; determine the appropriate public consultation; and estimated time lines.

Key MDP review topics:

1) Subdivision potential within the Agricultural Preservation Area

Consider a second title (a residential parcel with an existing residence) (RC25-0383)

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Key LUB review topics:

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**Council Goal:**

Rural and Agricultural Focused Community - Promote a vibrant, inclusive, rural culture.

**Funding Sources:**

General Revenue - \$30,000

**Total Funding: \$30,000**

**Costs:**

MDP Review (Public Engagement & Staff Time) - \$30,000

**Total Cost: \$30,000**