

Responses to the What We Heard Report

Draft Land Use Bylaw
Version 1

Town of Hanna
June 2023

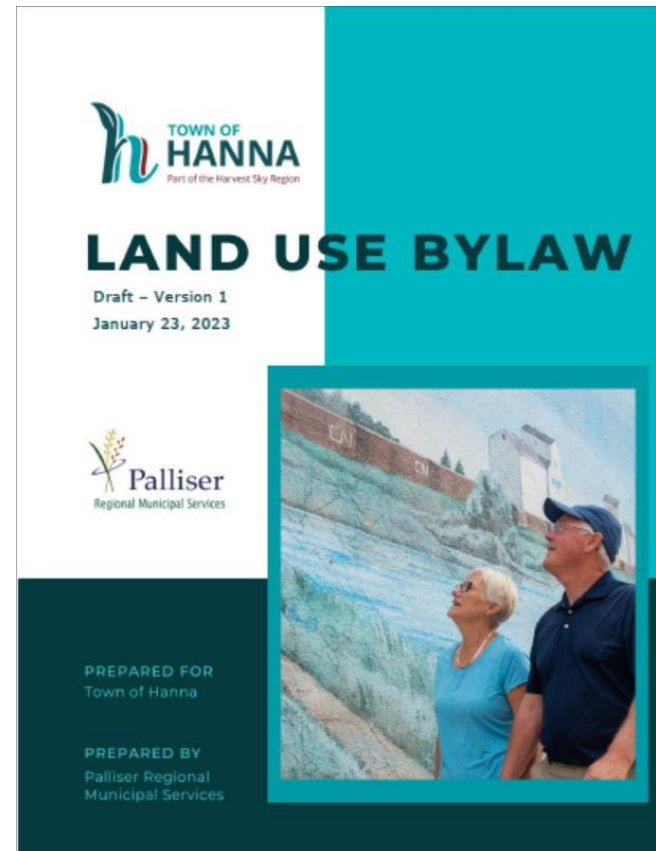


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General Comments

Part A – The Approvals Process		
Section #	Comment	Response and Recommendation
1.2.1	Concerns with wording of this. Especially the last line.	<p>This statement is in alignment with the purpose of planning regulation in Alberta. See Part 17 of the <i>Municipal Government Act</i> (the 'MGA') for all planning related legislation in Alberta. Specifically:</p> <p>Purpose of this Part</p> <p><i>617 The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted</i></p> <p><i>(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and</i></p> <p><i>(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.</i></p> <p>No change recommended.</p>
1.2.1	Concern with last line of purpose statement	
1.2.1	...except to the extent that is for the overall greater public interest! You can not infringe on individual rights, and this appears to move us to communism or, at the very least, closer to socialism.	
1.3	Are all of these extensive Land Use Bylaws adequately enforced every day equally to all residents? When one can apply for 100% variance?	<p>Enforcement of bylaws is an operational decision of the Town of Hanna and is independent of the content of the LUB. However, it is recommended municipalities only regulate in their bylaws what they will enforce, and that the rules apply equally to all persons.</p> <p>A person can apply for a variance of any standard in a LUB by submitting a development permit application. Each permit goes through the required permit approval process as outlined in the MGA and the LUB. The decision will be made by the Development Authority, and the decision to approve or refuse a variance can be appealed to the ISDAB (Intermunicipal Subdivision and Development Appeal Board) by the applicant or an affected person.</p> <p>No change recommended.</p>
1.6	What about grandfathering? Conforming and non-conforming? The wording appeared vague upon quick consideration.	<p>Non-conforming buildings and uses are clearly defined and regulated within the MGA and municipalities must comply. Please refer to Section 643 of the MGA.</p> <p>However, this section of the MGA does allow a municipality to regulate two aspects of non-conforming buildings specifically in a LUB, shown highlighted in red font below.</p> <p>643(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except</p> <p><i>(a) to make it a conforming building,</i></p>

		<p>(b) <i>for routine maintenance of the building, if the development authority considers it necessary, or</i></p> <p>(c) <i>in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.</i></p> <p>643(6) <i>If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.</i></p> <p>The updated Hanna LUB now provides powers in 1.6.2 and 1.6.3 to allow variances related to 643(5)(c). The Hanna LUB does not address 643(6) of the MGA and it is not recommended to change this.</p> <p>No change recommended.</p>
1.6.3	The Development Authority can make a non-conforming building conforming through the granting of a relaxation of rules or requirements – why have any rules?	<p>A building can become non-conforming over time when the rules in the LUB change. For example, if the ‘zoning’ (land use district) of a property changes and the front or side yard setback requirement is larger in the new district. Municipalities may decide to rezone one or more properties to meet the changing long-term goals for land use and development.</p> <p>In the case where a building becomes non-conforming, the Development Authority may decide that the existing building in its current location may be increased in size or increase its intensity of use, despite the non-conformity. It may not be deemed necessary to require the building to be demolished and replaced at that particular point in time, even though the new standards would apply to any new development.</p> <p>This provision allows for the municipality to consider each situation of an existing non-conforming building on a case by case manner. In Hanna, this is important as the standards in various districts have changed over time, as well as some buildings in Hanna were constructed prior to the first Land Use Bylaw coming into effect.</p> <p>No change recommended.</p>
2.1.4	Blacks law dictionary defines a person as only a corporation. Why add individual?	<p>It is standard for a Land Use Bylaw to define a ‘person’ as both an individual and a corporation.</p> <p>No change recommended.</p>
3.1.3	Fences should not require a development permit	<p>It is not common that a development permit is required for the construction of a fence. The Town issued 17 fence permits last year, which is a fair amount of work. If fence permits are not required, the Development Officer will have more time to focus on other permit applications. However, not requiring permits may lead to increased enforcement action.</p> <p>Recommended change: Fences have been removed from the requirement for obtaining a development permit in 3.1.3, unless the fence requires a variance to any regulation (i.e. fence height). Any variances must be approved through a development permit application. 9.10.1 is also deleted.</p>
3.1.3	Permit for fence is insane	

3.1.3	Solar panels should require a permit (renewable energy)	Similar to fences, it is not common to require a development permit for Renewable Energy Systems . No change recommended.
3.1.3	Should be development permit for renewables	
3.1.3	Greenhouse should not require a permit	A greenhouse that is accessory to a development (i.e. a small greenhouse on a residential property) would follow the permit requirements and regulations for Accessory Buildings in sections 3.1.4 (f) and 10.1. A greenhouse that produces food or plants for commercial purposes is only allowed in certain commercial and industrial districts and the UR District. A development permit is required for all commercial uses. No change recommended.
3.1.3	Is permit required for disability access	Yes. A development permit would be required. However, regulations are proposed to be added to 9.9.9 to allow for these structures to encroach into yard setbacks (see below). No change recommended.
3.1.3/3.1.4	Clarification on the types of items that don't need a permit.	Every use is defined in the Definitions (Section 27). No change recommended.
4.3.3	MPC should have a variance cap. 100% should not be allowed. 30% or less would be better	The current Hanna LUB 967-2012 and the updated LUB (Version 1) allow the Municipal Planning Commission (MPC) to grant a variance of up to 100% of any standard. This was not proposed to change in the new LUB. The Town does not get many requests for variances. If 4.3.3 is amended to reduce the variance power to 30% or even 50%, then any permit application that requests a higher variance is required to be refused automatically. The applicant then has the option to appeal the refusal to the ISDAB. The ISDAB is not limited in its variance powers. The following explains the pros and cons of limiting the variance powers of the MPC. Pros: The rules would be followed more strictly, as most applicants do not prefer to go through the ISDAB process due to time and expense. The ISDAB requires a formal hearing be held to hear from the applicant and any affected members of the public prior to a decision being made. Once the ISDAB decision is made, there is no longer any opportunity to further appeal in the process (outside of a Provincial Court of Appeal). Cons: The ISDAB can be a stressful process for all parties involved. An MPC meeting is a less formal process that still encourages discussion of potential impacts of granting large variances. If the MPC approves the variance, an affected neighbour can still appeal that approval to the ISDAB. The Town's practice of allowing the MPC to grant variances up to 100% has not been an issue or resulted in a significant amount of appeals to the ISDAB. No change recommended.
4.3	Variance powers – Development Officer has 10% variance powers and the MPC has 100% variance powers – again why have any rules?	

4.3	Home Occupations, signs, and fences: If your rules are stated, why would you allow for flexibility or relaxation by the development authority?	<p>The rules and regulations in a LUB are written in a way that can achieve general conformity. However, there may be specific situations where the general rules do not work as intended. This can be due to the location of the site, the size and shape of a site or the type and layout of development on an adjacent site, or the desires of an applicant for something different. All these factors play into the decisions that a Development Authority must make.</p> <p>Many of the comments in the What We Heard Report make reference to specific conditions where something should or may not need to be regulated. The LUB provides this flexibility to make decisions that are considered the best course of action based on the merits of each application. The MGA requires public notification where a decision is made that does not meet the requirements or standards of the LUB, and further allows for appeals of any decision made by a Development Authority. Planning isn't only about having the 'right' rules, it is also about having a process in place to deal with situations that don't exactly fit the rules (refer to the purpose of planning legislation in 617 of the MGA).</p> <p>No change recommended.</p>
4.5	Kindly clarify what a subdivision authority is?	<p>A Subdivision Authority is responsible for approving and endorsing an application for subdivision. More information on the subdivision process can be found on Palliser's website at https://www.palliserservices.ca/subdivision/subdivision-process, in the MGA and the <i>Matters Related to Subdivisions and Development Regulation</i>.</p> <p>No change recommended.</p>
5.3	What is a notice of referral?	<p>Please see section 5.3 of the updated LUB related to 'Notice of Application and Application Referrals'. Once an application has been deemed complete, the Development Officer may determine that comments are required on the application from other internal departments (i.e. public works) or to external agencies (i.e. Alberta Transportation) before a decision is made on the application. The application will be referred to those persons or agencies (see 5.3.2).</p> <p>The completed application may also be required to be circulated to an adjacent municipality for comment pursuant to an Intermunicipal Development Plan (see 5.3.3).</p> <p>No change recommended.</p>
5.4.3	Comma after "bylaw". Clause is very confusing as it appears to contradict itself. A clear example may assist in some clarification.	<p>Where a variance is approved related to the maximum height of a building, for example, the Development Authority could require as a condition of approval that the building be designed to 'step back' in the upper levels or that the roof is designed to reduce the appearance and massing of the building. This type of condition "off-sets" the impact of granting the relaxation.</p> <p>5.4.3 would not allow a Development Authority to require, for example, that the applicant provide additional parking spaces due to the increase in building height. Parking is not directly related to the height of the building and does not mitigate or "off-set" any impact of granting a variance to allow a building to be a greater height than the maximum.</p>

		Recommended Change: Add a comma after the word 'Bylaw'.
5.4.7	Why must it be refused? What about other innovations that are unforeseen now? Why would this be restricted?	<p>The MGA requires that any development permit applications for uses that are not listed in the district to be refused pursuant to 640(6).</p> <p>Pursuant to the LUB Section 7, if a use is not listed in a district, a person has the ability to apply to amend the LUB to add a use to the district. The Town of Hanna LUB 967-2012 has been amended a number of times by applicants through this exact method. This is called a 'bylaw amendment' and is a standard process accommodated pursuant to 692 of the MGA.</p> <p>No change recommended.</p>
5.4.7b)	What does this mean?	<p>This means if a definition for a use excludes something in particular, that it would not be allowed under that use. For example, the definition in Section 27 for an Agricultural Supply Depot specifically excludes "the buying or selling of farm produce or animals". If a development permit application was submitted for an Agricultural Supply Depot for the purpose of selling horses or cows, the application would be refused because that activity is excluded from the use in its definition.</p> <p>No change recommended.</p>
5.4.8	Appears to be contradictory to 5.4.7.	<p>It is complimentary, not contradictory. 5.4.7b refers specifically to EXCLUSIONS that are listed in the definition for the use. 5.4.8 refers to uses that may be deemed similar, but that are not specifically EXCLUDED. A Development Authority would not be able to deem that a use is similar <u>if</u> it is clearly excluded in the use definition.</p> <p>No change recommended.</p>
5.5.2	Concerned with where you will be publishing your permits approved for discretionary use or permitted uses with a variance and the timeline.	<p>While preparing the draft LUB Version 1, the Town of Hanna was posting the required notices related to the approval of discretionary use permits and variances in the <i>Hanna Herald</i>. With the recent discontinuation of this newspaper, the Town will place any notifications in the East Central Review. In the survey, a question related to the preference for sending and posting notifications was asked (Question 2). The overwhelming response was for a letter to be mailed to adjacent owners.</p> <p>The Town currently mails letters to all adjacent properties for Home Occupations. The Town currently does not process too many discretionary use permits or permits with variances and it does not require many letters be sent.</p> <p>Recommended change: For all discretionary use permit and permits that require a variance, a notice of the decision will be placed in the East Central Review, and a written notice will be mailed to all adjacent properties (note: adjacent is defined in the LUB Section 27). The 21-day appeal period will commence the date the letters are placed in the mail.</p>
5.6.3	Who is paying for what? Why may you have to contract with the town? Please explain c) of this section.	<p>The MGA specifically outlines what and how a municipality can require a developer to pay for infrastructure pursuant to section 650. As a condition of a development permit, the municipality may require a developer under (c) to install utilities, such as water and sewer lines. This may include service lines from a main which is already adjacent to the property, or it may include a requirement</p>

		for the developer to extend the main lines to the property line as well. If required, this is discussed and negotiated in the development approval process by the Town. No change recommended.
8	<p>Enforcement</p> <ul style="list-style-type: none"> ○ 8.1.3 Who exactly are the designated officers? What are official duties? ○ 8.2.2 Who are such other persons? ○ 8.3 Orders – please clarify the rules. ○ 8.3.3 Have the timelines been changed from 14 to 21 days? 	<p>8.1.3 – The Town of Hanna has designated Officer Bylaw.</p> <p>8.2.2 – As stated, other such persons may be appointed by resolution of Council to be authorized to perform inspections. Until such resolution is made, this is not known. The Council has not given this authorization as of this date.</p> <p>8.3 – Please refer to Section 645 of the MGA which outlines how orders are issued.</p> <p>8.3.3 – It appears this question should have been in reference to 8.3.2 instead. Yes, the rules around appeals and timelines were amended in the MGA in both 2019 and 2020. In 2020, the Alberta Government passed Bill 48 referred to as “the Modernized Municipal Government Act”. More information on these changes is available here: https://www.alberta.ca/municipal-government-act-changes.aspx.</p> <p>No change recommended.</p>
8.4.6	<i>Editors note:</i> there is an unintentional page break in the middle of the sentence that needs to be corrected.	Recommended change: Remove page break.
Part B – General Regulations		
Section #	Comment	Response and Recommendation
9.4.1	We would like to continue storing vehicles on our private property. The cost of everything, including vehicles, is astronomical! We need to conserve and reuse what we can	<p>The residents of Hanna do not appear to be concerned to any great extent of derelict vehicles or commercial vehicles on private properties. In a residential district, the Town can use the Unsightly Bylaw to deal with derelict vehicles. In commercial districts, the Town can commence enforcement if a property contains derelict vehicles and there is no development permit approval for the operation of a business such as a Wrecker and Salvage.</p> <p>Recommended change: Delete 9.4.1.</p>
9.4.1	Derelict vehicle - 30 days instead of 14. If its a legit vehicle needing work, that would be a more acceptable time frame. Seems to be the standard in many other municipalities. Would it also be valuable to have a definition of derelict vehicle? Uninsured/unregistered, non operable?	
9.4.3	Seacans for storage only - not dwelling. I agree.	<p>This regulation provides more flexibility for different building forms in the future. A development is required to meet the design and aesthetic regulations of section 9.2.</p> <p>No change recommended.</p>
9.5	Why are “Apartments’ developments added to 9.5.1 but not to 9.5.2 – 9.5.4?	9.5.2 and 9.5.3 do not relate to residential uses (commercial or industrial uses only). This is intentional.

		<p>9.5.4 is not limited to which uses, it relates only to any development on a corner lot. This may apply to an Apartment. The relevant aspect that is being regulated is the corner lot, independent of the use on that lot.</p> <p>No change recommended.</p>
9.7.2	<p>“Where a drainage swale or path is maintained & the swale shall be kept free of any obstructions?”</p> <p>Q. Who is responsible to maintain & keep free of any obstruction?</p>	<p>The first statement in the paragraph indicates who the regulation applies to. “The owner of a parcel shall be responsible...”</p> <p>No change recommended.</p>
9.8.2 (c)	<p>“the building be renovated to a satisfactory condition within a specified time.”</p> <p>Q. Who determines if the renovation is completed to a “satisfactory condition”?</p>	<p>The Development Authority is always the person responsible to ensure that the conditions of a development permit are met.</p> <p>No change recommended.</p>
9.9	<p>No yard restrictions or permit required for universal access structures (i.e. wheelchair ramps).</p>	<p>The permitted yard encroachments were not changed from the current LUB 967-2012. It is possible to add a statement to allow wheelchair ramps to encroach into any yard.</p> <p>Recommended change: Addition of the following regulation:</p> <p>9.9.9 Wheelchair ramps may be permitted to encroach into any required yard setback, at the discretion of the Development Authority, provided that the ramp:</p> <ul style="list-style-type: none"> (a) does not impede fire access to or around the building; (b) is complementary to and well integrated into the existing building design; and (c) does not extend beyond the property line unless where allowed pursuant to an encroachment agreement entered into with the Town. <p>Should the Town wish to allow these structures to be built on Town lands, it is recommended that the Town adopt an “Encroachment Policy” first pursuant to 651.2 of the MGA.</p>
9.12.11	<p>Parking Areas At the end of this line there is an “Error Message” which needs correcting.</p> <p>In the section of Parking, there doesn’t appear to be any space allotted for large trucks to park, off the main roads to ensure safety for vehicles & pedestrians. Is this not the responsibility of the Business owner?</p> <p>For Example: Tim Horton’s. There is parking for cars, vans & passenger trucks & space for these vehicles to through the Drive Thru. But, there is no accounting for large trucks. Since they cannot fit thru the Drive Thru & place an order,</p>	<p>This error message will be corrected.</p> <p>A Land Use Bylaw does not apply to highways or roads. On-street parking is dealt with through the municipality’s road designs and bylaws (i.e. through engineering standards or Master Transportation Plan). It is encouraged that municipalities frequently consider their provision of on-street parking and evaluate any future requirements.</p> <p>Therefore, the standards in a LUB are for parking to be provided and maintained on the site. It is not recommended that developments such as restaurants are required to provide parking for transport trucks on their site in the regulations for parking as a general regulation. Special regulations may be added to for example, the HWY-C District to ensure that parking for large transport trucks may be required on a site.</p>

	<p>they must physically get out of their vehicle & go inside the business to place their order.</p> <p>Since transport trucks move supplies through the rural areas, they must be allowed to park safely, off the main road so they can stop for food at the various fast food establishments at the entrance to Hanna; parking along the main road creates visibility issues for vehicles & for those who may be crossing the road to their vehicle parked in the Subway parking area.</p> <p>It is not safe for large trucks to park along the main road & in some cases trucks & trailers & holiday trailers. Should there not be a designated area close to the restaurants for truck drivers & larger vehicles to park where others are not put at risk?</p>	<p>When a development permit is issued for developments such as a restaurant with a drive-through, the new regulations in Section 9.14 of the LUB are followed, and the drive through only be allowed if the Development Authority is satisfied with the design.</p> <p>If it is determined by Council that if the parking of transport trucks is an issue, the Town of Hanna may also engage a qualified professional to design a solution. There are a variety of ways that these solutions can be paid for, such as levies. For example, pursuant to section 650 of the MGA and 5.6.3 of the LUB, the municipality can require a developer to construct or pay for the construction of “off-street or other parking facilities”. Local improvement levies are another financial tool that is available to municipalities.</p> <p>No change recommended.</p>
9.15	No solar panel fields or wind towers in town limits unless on a house	<p>Section 9.15 in the LUB currently allows for renewable energy systems to be located on a building or freestanding. Renewable Energy Systems are defined as: “a system that produces electrical power or heat to be used for on-site consumption or heating requirements by means such as, but not limited to, active and passive solar collectors, geothermal energy or heat exchange systems. A renewable energy system may provide residual power to the grid but is not intended to produce power primarily for resale”.</p> <p>On commercial and industrial properties, solar panels on roofs may not be viable. In this situation it would be reasonable to allow for solar panels that are freestanding.</p> <p>Recommended change: A new Renewable Energy Systems- Freestanding use and definition has been create and is only allowed in non-residential districts.</p>
9.15	Renewables - Would like 9.15.2 Removed. I would like the standard for solar in Hanna to only be attached to existing buildings.	

Part C – Specific Use Regulations		
Section #	Comment	Response and Recommendation
	Why not chickens (barking dogs!)	<p>Although chickens are considered as part of the Farm Animal use, there are no Specific Use regulations in the LUB that apply to all properties. Currently, Farm Animals are allowed in the RA Residential Acreage District and Extensive Agriculture is allowed in the UR Urban Reserve District. Otherwise, chickens are not allowed in the LUB in any other land use district. Changes are proposed to the RA Residential Acreage District (see below 13.5).</p> <p>No change recommended: to the Specific Use Regulations related to Farm Animals.</p> <p>Other recommendation: Should the Town of Hanna wish to allow and regulate other animals than dogs and cats, it is recommended that this is done through an Animal Control or similar bylaw, not the Land Use Bylaw.</p>
	Yes! we want chickens!	
	No chickens within 300 ft of a home!	
10.1.9	Accessory Building, Fabric Covered. In the examples, there is reference to “burning barrels”. Burning Barrels are not allowed in Town are they?	<p>The Burning Bylaw 902-2002 prohibits “Open Fires” in Hanna.</p> <p>Recommended change: Delete “burning barrels” from the list of examples in 10.1.9(a).</p>
10.3.2	Is a new business license also required with the new Developing Permit? If the business license was allowed to lapse because the Home Occupation no longer operates, would the Dev. Permit still be required?	<p>A person operating a Home Occupation is required to have a valid Business License. This requirement is not regulated in the LUB, but a separate Business Licence Bylaw 889-2000.</p> <p>If the Home Occupation is no longer in operation, a new Development Permit is not required.</p> <p>No change recommended.</p>
10.3.3	Suggestion for rephrasing: “the applicant shall provide” a written authorization from the registered owners to the Development Authority.	<p>Recommended change: reword 10.3.3 to “Where the applicant for the Home Occupation is not the registered owner of the Dwelling Unit proposed to be used for a Home Occupation, the applicant shall provide written authorization from the registered owner(s) to the Development Authority”.</p>
10.12	Cannabis Production Facility. How would this facility fall within Town limits? If allowed in Town Limits, it should be at the outermost edge of Town limits in an Industrial Area furthest away from Residential Districts & situated such that the natural wind stream would take any smell away from the Town. I would not like to see a facility such as this within Town limits. We have experienced negative effects having a facility similar to this with the GFL facility on the SW edge of Hanna within Town limits. There should be a Remote Rural Industrial area away from populated areas	<p>The current LUB 967-2012 does not allow for a Cannabis Production Facility. This was included as a new discretionary use to increase Hanna’s potential for economic development. As a discretionary use, it is decided upon by the MPC.</p> <p>Cannabis Production Facilities are proposed to be allowed in an Industrial District only. It is at Council’s discretion to zone lands that are Industrial, and where those lands would be located.</p> <p>No change recommended.</p>
10.13	Small Wind Energy - Seems so restrictive that a compliant wind tower/turbine would be quite useless. I would support it	

	being completely removed or simply state that it needs confirm to accessory building height?	There are currently no Small Wind Energy Systems in Hanna which would be affected by any change to this section of the LUB. This use is not generally supported by the community of Hanna.
10.13	Small Wind Energy Systems Is there any long term research on Wind Energy Systems & the negative effect on the population in close proximity? Until these are placed in large centers & as described in this Bylaw with long term results provided, I do not see the value of these systems & I would be against these systems in a small populated rural center. These systems would remove the scenic value from living in a rural community. Remote Rural Industrial area away from populated areas. I am not supportive of adding Small Wind Energy Systems within Town Limits.	Recommended change: Delete Section 10.13 and all references to Small Wind Energy Systems in the LUB.
10.14	Work Camps The work camps must be screened in residential areas & lighting must not interfere with the existing residents to deter from their quality of life while the Work Camp is set up. Ideally, camps will be on the edge of any residential area & lighting should shine directly into the camp & not into any adjacent residential areas. They should also be made aware of the Sound Bylaw.	The LUB requires the applicant to provide such detail as screening of a Work Camp . Conditions that address the impact of a Work Camp on any adjacent properties can be imposed on a development permit approval, or the permit can be refused. The LUB does not have any impact on other Bylaws that the Town of Hanna has, or how the Town enforces those bylaws. A person is required to follow other Town of Hanna Bylaws independent of development permit approval. No change recommended.
10.15	Solar Power Plant - Would like this removed. I like the idea of commercial solar farms/arrays built in rural municipalities, instead of consuming our limited land inside Hanna's municipal borders. Not a good fit for an urban municipality.	The Province, specifically the Alberta Utilities Commission (AUC), is the decision-making authority of Solar Power Plants . In accordance with section 619(1) of the Act, where the AUC grants an approval, it prevails over any statutory plan, LUB or decision by a Development Authority. Furthermore, pursuant to 619(2) of the MGA, when a development application is received, the municipality must approve the application to the extent that the application is consistent with an AUC approval.
10.15	Solar Power Plant. People live in the rural areas to get away from Industrial Elements. Are there any long term studies to show the effect of Solar Power Plants in close proximity to residential & populated areas? These systems would remove the scenic value from living in a rural community. Remote Rural Industrial area away from populated areas. I feel the application for a development permit should be the 1st step in entering a community. If it is NOT well received in the community then the Solar Plant should go elsewhere. Having all the paperwork completed through Alberta Utilities Commission gives the AUC all the say in entering a community NOT the residents who have to live with this on the AUC approval which is NOT in our community. I am not	The AUC would consider comments from a municipality in its approval process of a Solar Power Plant . However, if the AUC does not consider factors in its decision that are important to the Town to regulate, namely road use and construction, and scenic values, the development permit process can address these concerns. It is recommended that this section remain in the LUB in the case the AUC does approve an application. The Development Authority would then have direction in the LUB to include any conditions of approval that it deems necessary. No change recommended.

	supportive of Solar Power Plants within Town Limits. I may be supportive on personal solar panels installed on houses, or installed on Commercial Buildings, providing Glint & Glare will not negatively affect pilots & the use of the Hanna Airport.	
Part D – Signs		
Section #	Comment	Response and Recommendation
11.1	Signs should not be regulated and not require a development permit	It is important to regulate signs to prevent a proliferation of signage. No change recommended.
11.1	Signs an issue. No permits.	
11.1.7	Q: Is there a time frame for the removal? There appears to be a timeframe for the removal in 11.1.8 & in 11.1.9. Should be a specified time frame here too?	The timeframe for removal in 11.1.7 is specifically the day that the sign no longer relates to the business or event on that property. There is no specific timeframe in 11.1.8 because every enforcement action will depend on the situation. The timeframe in 11.1.9 is stated specifically because it relates to when a new permit can be applied for. No change recommended.
Part E – Districts		
Section #	Comment	Response and Recommendation
12.3.1	Direct Control Districts. I am the President of the Hanna Roundhouse Society & we were advised to provide a list of possible uses to Palliser Municipal Planning before our property was to be Re-Zoned to Direct Control. If we were planning a use outside the list we provided, we were to get “permission” from the Town Council to be able to proceed with that “use”. “Land Uses within a Direct Control District shall be determined by Council” does not imply that the landowner has any input into what “uses” will be allowed. I would like to see there be some indication that the Land Owner has some communication with Council for proposed uses vs the uses as “determined by Council”. Otherwise, the land owner may be “penalized” because a Land Use cannot be determined in a unique scenario such as the Hanna Roundhouse.	A Direct Control District is one that is very special, and any uses and regulations are a specific negotiation with Council. Should the Roundhouse Society wish to change any uses or regulations in the Direct Control District, the Society would need to submit an application to amend the Land Use Bylaw to the Hanna Council. This LUB update does not consider amendments to Direct Control Districts in its scope. No change recommended.

13 to 25	Why have all the different districts when in general, residential, commercial, and industrial are all that are generally required?	Each type of district allows for different uses and has different regulations. For example, the downtown commercial area allows very different uses from the highway commercial district. The downtown also permits buildings to have no front or side yards to create a “main street” streetscape which is not appropriate in other commercial areas. No change recommended.
13.5	Remove animal limitations - Anyone serious about livestock won't have an unreasonable quantity.	This is supported. Although the regulations currently exist, the Town of Hanna is not aware that owners have been obtaining development permits in the RA Residential Acreage District for Farm Animals . Recommended change: Delete Section 13.5.
13	If a residence has been allowed to have a certain number of “Farm Animals” prior to a change in their District, this should be Grandfathered to still be allowed that number of “Farm Animals”. Where the change in the District will result in a loss of revenue with the Sale of their property, then the change to the district should be reconsidered. What is the basis of the Change in the District? Why? If the value of a property is perceived based on how the property is currently being operated & a change to the District will change the perceived value if the property were to be sold, then the landowner is being penalized based on something out of their control. If a barn is on site which can accommodate “X” number of Farm Animals & has been on site for years, the number of animals should be allowed until the said barn is removed, providing the barn is maintained at high standards & does not put the animals at risk. If the condition of the barn fails, the barn is removed & so is the previous association to the number of animals. At this time the Farm Animals are reviewed at the discretion of the Development Authority.	It is understood that this comment is specifically related to the proposed rezoning of a single property in the Town of Hanna. The reason that a property would be located in the RA Residential Acreage District or the Urban Reserve District is more than having animals. It is related to the purpose of each district. The purpose of the RA Residential Acreage District is “to accommodate acreage-style low density residential development in a semi-rural setting”. The purpose of the UR Urban Reserve District is “to reserve lands which are intended for future urban development”. Recommended change: As mentioned above, it is recommended that the Farm Animal regulations (13.5.1 and Table 5) are deleted from the RA Residential Acreage District. Farm Animals will remain a permitted use in the RA District, but no permits will be required and there are no regulations on the type or number of animals. The maximum limits on the parcel coverage of Accessory Buildings has also been deleted (13.4.10) and the maximum height of an Accessory Building was increased from 8.0 m to 10.0 m (13.4.11).
14 & 15	Changes from R2 to R1 affect allowable square footage.	Yes. The current way of regulating minimum floor area of a dwelling in the R1 and R2 Districts in LUB 967-2012 is challenging to use so it was simplified. The updated LUB proposed a much simpler way, with the minimum floor area of 1200 ft ² in the R1 and 1000 ft ² in the R2. In general, it is 200 ft ² larger for a one-storey dwelling than the current LUB 967-2012. Recommended change: The proposed floor area has been reduced in the R1 and R2 districts back to the minimum floor area as per the LUB 967-2012. This will reduce the number of non-conforming buildings. See the changes to 14.4.7 and 15.4.7.

		Note that the current front yard setback requirement in the R-2 District is 6 m in the LUB 967-2012. This has resulted in many non-conforming buildings which were built in the past with a lesser front yard setback. It is also proposed to reduce the front yard setback to 4 m in 15.4.4 to attempt to reduce the number of non-conforming properties, and to add a new 15.5.1 to ensure that any front driveways still meet the minimum required length.
14	R1 - Wider range of uses for more development	This comment is challenging to evaluate, as it does not give any indication of the types of uses that they believe would be suitable to add to the R-1 District. No change recommended.
14 & 15	14.5.2 (g) & (h); 15.5.2 (g) & (h). Although it indicates that the Development Authority may be required to include enhanced design elements that add visual interest, aren't the styles of Manufactured Dwellings changes & the info in both (g) & (h) appear to be outdated & obsolete?	A Manufactured Dwelling use includes a building that could have been constructed prior to the new styles of buildings that are being constructed now. It is unclear if the comment is requesting that (g) and (h) be deleted, or is there updated information that is more relevant? No change recommended.
14 & 15	Manufactured home restrictions need more community input	Without more specific recommendations, it is challenging to analyze and provide recommendations for changes to the LUB. Extra time was allocated for gathering more community input, none was received. No change recommended.
15	Would like to see less restrictions on manufactured homes in R2 District. Particularly on architectural designs.	These regulations are not mandatory, and are only applicable at the discretion of the Development Authority based on the consistency with adjacent development. No change recommended.
15	Can we combine R2 & R3 into one district? I don't see any major discrepancies and they seem quite compatible.	The intent of the R2 and R3 districts are quite different, with different uses that allows for different densities. Rather than combine these districts, it is perhaps better to make the uses and densities even more different. Recommended change: Add Attached Housing as a discretionary use to the R2 District (not just existing Attached Housing) in 15.2.1. Add Attached Housing and Apartments as permitted uses in the R3 District (16.2.1).
16.5.2	"Parking areas shall not be located in the "front yard"". This is different than parking in the front of the building along the street?	The LUB does not regulate parking in a street (off-site parking). Street parking is managed by the Town separately. ' Front yard ' has a specific definition in Section 27. When words are bold and italicised , please refer to the definition to for clarification. No change recommended.
17	MD – Manufactured Dwelling District. There are no guidelines for Parking in this section. Should there be?	Parking regulations are in the General Regulations Section 9.12. There are no specific regulations related to parking that are required in the R2 District. No change recommended.

19 - 21	Changes from CT to other commercial may affect above business residences.	Dwelling units, accessory to a commercial use or above the first storey are listed as discretionary uses in all commercial districts in the new LUB, including C-T, C-1, C-2, HWY-C, and the I District. Any properties which have been proposed to be rezoned from CT to another district and have a dwelling unit will not be affected. There are 17 properties proposed to change from CT to C2, and one property from CT to R2. No change recommended.
19	CT- restricting parking in front yard could be an issue	Due to the proximity of the C-T District to the downtown, it is recommended that future development be designed so that parking is not located in the front yard. All C-T properties have lane access, so parking in the rear is possible to achieve. Properties that currently have parking in the front yard will be able to remain, it is at redevelopment of these properties that it would apply. Recommended change: Delete 19.5.1. to allow parking in a front yard.
19	Add warehousing to CT District	Warehousing could be considered as a supporting use to the commercial businesses downtown. Recommended change: Add Warehousing and Distribution as a discretionary use to the C-T District.
21	C-2 General Business District. There are no guidelines for Parking in this section. Should there be?	Parking regulations are in the General Regulations Section 9.12. There are no specific regulations related to parking that are required in the C-2 District. Development in the C-2 District is specifically designed to accommodate uses that require on site parking and are automobile oriented. No change recommended.
22	HWY C – Highway Commercial District. There are no guidelines for Parking in this section. Should there be? Such Commercial Uses should require Parking provisions for large trucks so they do not park along the side of the main road into Hanna. For Example, Tim Horton’s. There was provision for passenger vehicles, but not for large trucks, trailers, delivery vans & Drive Thru’s were not designed to accommodate larger or longer vehicles. As a result, drivers were parking along the main road into Hanna creating a safety hazards. Space should be provided for these large vehicles to park off the main road & reduce the safety issues parking along the road. These vehicles need to be able to park safely for themselves & the general public.	The HWY-C District requires lots that have double the width of a C-2 lot, and requires a larger side yard to provide access to the rear of a building. These sites generally are larger and have less coverage to account for larger vehicles. Specific regulations related to the parking of tractor trailers could be added to the HWY-C District. Recommended change: Add a new section 22.5 ‘Additional Requirements’ 22.5.1 In addition to the general parking requirements in Section 9.12, parcels intended to accommodate uses or developments that require the parking or loading of tractor trailer vehicles shall be designed to the satisfaction of the Development Authority . (a) Parking stalls and loading stalls for tractor trailer vehicles shall be a minimum of 15.2 m (50.0 ft) in length and 2.75 m (9.0 ft) in width and have a minimum overhead clearance of 4.25 m (13.9 ft). (b) Sites shall be designed with appropriate vehicle entrances and maneuvering areas to accommodate tractor trailer vehicles.
23	I – Industrial District. There are no guidelines for Parking in this section. Should there be? Should there be parking allowances for staff & customers?	Parking regulations are in the General Regulations Section 9.12. There are no specific regulations related to parking that are required in the I District. Parking stalls should not be distinguished by staff and customers, this is too challenging of a way to regulate. The standard is to regulate based on the type of use and the floor area of the development.

		No change recommended.
24	CS – Community Services District. There are no guidelines for Parking in this section. Should there be? Also, Small Wind Energy System has been added as a Discretionary Use. Airport is also a Discretionary Use. The purpose of this District is defined as “To provide for recreational, educational, community & emergency services.” I can understand the Airport as an Emergency Service, but I do not see a “Small Wind Energy System” as an emergency service or any of the other uses. Unless fossil fuels are no longer available. The Airport fits as emergency services allowing Fixed Wing planes to land for medical evacuation.	<p>Parking regulations are in the General Regulations Section 9.12. There are no specific regulations related to parking that are required in the CS District.</p> <p>Small Wind Energy Systems are not new, they are currently listed in the discretionary uses of the CS District of LUB 967-2012. Notwithstanding this, the recommendation is to remove Small Wind Energy Systems from the LUB as per 10.13 above.</p> <p>No change recommended.</p>
25	Urban Reserve - remove small wind from discretionary use, or leave as R1	Recommended change: The recommendation is to remove Small Wind Energy Systems from the LUB as per 10.13 above.
25	UR – Urban Reserve District. Purpose for the intention “for urban development”. Small Wind Energy System has been added.	<p>Small Wind Energy Systems are not new, they are currently listed in the discretionary uses of the UR District of LUB 967-2012. Notwithstanding this, the recommendation is to remove Small Wind Energy Systems from the LUB as per 10.13 above.</p> <p>No change recommended.</p>
13, 23, 24 & 25	Wind energy in rural acreage only, or not at all. I agree. I agree!	Recommended change: The recommendation is to remove Small Wind Energy Systems from the LUB as per 10.13 above.
21	Total lot usage for C2 is currently at 40%, while in the 1970s and 1980s it was 80%. These types of changes will greatly affect a landowner’s ability to operate their business if the property is rezoned after the property was originally purchased.	<p>That is correct. In the 1970s under Bylaw 390, the maximum coverage was 80% of the lot in the C-2 District. At that time, the C-2 District was primarily applied to standard “residential” sized lots. There was one very large lot with C-2 applied to it, but it is suspected that this lot would be subdivided into smaller lots. Over time, the area that the C-2 District was applied to, including larger lots, significantly increased all over Town. The record of when or why the maximum lot coverage of the C-2 District was reduced cannot be found.</p> <p>While 80% coverage is quite high for commercial (except in the downtown), the coverage could increase in the C-2 District back to 80%. Some examples of current higher parcel coverage are:</p> <p>#516 Railway Ave: approximate 60% coverage #208 Railway Ave: approximate 40% coverage #602 2nd Ave W: approximate 44% coverage</p> <p>Recommended change: Increase the maximum parcel coverage in the C-2 District to 80% (21.4.6).</p>

<p>21/23</p>	<p>Would it be possible to categorize Hanna into specific areas. E.g. Museum Industrial Park. Then by-laws are set up that deal with that area only. Those permitted and discretionary uses stay with that area only.</p> <ul style="list-style-type: none"> - Maximum yard dimensions stay. - Building height stays. - Maximum lot coverage stays. - The permitted uses because the lots are larger could be many and possibly added to but never deleted. - The discretionary uses should be few and possible added to but never deleted. <p>The original intent will not be compromised by by-laws that were brought into accommodate another specific area. E.G., If the part of town with smaller lots wished to accommodate infills that require different by-laws, they could still be zoned C2 or I, but then those specific customized by-laws would not affect the other C2 or I zones. Perhaps it could be zoned Downtown C2. Other examples are East C2 or East Industrial, or maybe Highway 9 C2 or Highway 9 Industrial. Implementation of this could mean that a designated zone would never become non-compliant.</p> <p>Bylaw changes that need to be addressed by Palliser Planning, Town Council and Hanna residents.</p> <ul style="list-style-type: none"> - Palliser Planning and town council are in error if they change a bylaw that adversely affects a compliant business enough to make the business non-compliant. - when changing a bylaw consideration of "Grandfathering" previous by-law portions must be considered as to not impede a developed, functioning business. - By-laws for subdivision etc. are created and all parties should adhere to them. If someone wants to do an endeavor 	<p>The type of district suggested in this comment would be to create a Direct Control District for each property. This is not a recommended way of regulating land use and development.</p> <p>Municipalities change over time, and the ability for the municipality to update the regulations of the LUB to accommodate those changes is important. Residents of a municipality may determine that they no longer want that use to occur in their municipality. For example, in this LUB review process many residents have requested that Small Wind Energy Systems are completely removed from the Bylaw.</p> <p>Use definitions change as business and technology changes, as well as responding to changes in legislation and decisions of the courts. For example, housing is no longer referred to as 'single family' because the LUB cannot regulate whether or not people living in a home together are all part of a single family.</p> <p>No change recommended.</p>
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	<p>that does not fit, they need to be informed no, it is not permitted under the by-law.</p> <ul style="list-style-type: none"> - The Town's responsibility is to have properly zoned areas available so potential buyers have an option of buy a property that does fit. This may mean developing new subdivisions or risk the possibility of attracting a business. - A new planning draft is a long-term endeavor that takes in past, present and future considerations. - Planning is not "asking someone which of these preventable situations that have been previously created would you like to be in"? 	
23	<p>Industrial uses have changed. Unsure of why some of the name changes and unsure of where butcher shops would appear under.</p>	<p>Yes, many of the use names and definitions have been updated in the new bylaw. This was an important component of the review, to ensure that all uses have a clear definition, and that the uses are generalized sufficiently to cover all types of businesses. For example:</p> <ul style="list-style-type: none"> • In the I District of Bylaw 967-2012, there is a permitted use "Automotive, Truck and Recreation Vehicle Service and Repair", yet there is no definition for this use. The closest definition is for "Automotive Repair & Service". It is unclear if this is intended to be the same use. • There is no definition of "Truck and Freight Terminal", a permitted use in the I District of Bylaw 967-2012. • There is a definition for "Bulk Fuel Sales Depot" in Bylaw 967-2012, but it is unclear how this use is different than the "Service Station" because there is no definition for a "Service Station". • "Kennel" is defined in Bylaw 967-2012, but is not listed as a use in any district. There is an operating Kennel in the Town of Hanna. <p>The Town of Hanna Development Officer has many challenges in trying to determine which use an application is for in the current LUB 967-2012. The new LUB attempts to resolve this issue and provide clarity to both applicants and the Development Authority.</p> <p>In the example given, a butcher shop, it would depend on the nature of the business. For example, a small retail butcher shop may fit in the Retail Store definition, and could have a small storefront in the downtown. A larger butcher shop could also be located in a C-2 District as a Retail Store. However, a butcher operation that would be considered an 'abattoir or slaughterhouse' is not allowed within the Town of Hanna. It is not allowed in either the current LUB 967-2012 or the new proposed LUB.</p>

		<p>Another goal of this LUB review and update was to ensure that the defined uses are listed in the appropriate districts, and are appropriately assigned as a permitted or discretionary use. For example, in the I District a few uses were added that are applicable to an industrial district.</p> <p>No change recommended.</p>
21/23	<p>Over the years, there is a pattern for C2 and Industrial to have many permitted uses moved to discretionary and back up to permitted and vice versa. C2 and Industrial have both had items switched back and forth between each other also. A few years ago, there was a debate in town regarding a house being built in a manufactured home park. Eventually the house was built, and therefore it appears that this house was granted 100% nonconforming status before it was built. It has been stated that the proposed LUB update will get rid of incorrect zoning of current buildings, however, I have not had time to confirm this statement or have not been educated on exactly what this is addressing. If this statement could be clarified with an adequate number of examples, it would be appreciated.</p>	<p>This is correct. The C-2 District has expanded greatly since LUB 390, and the eastern portion of Town has been changed between C-2, HWY-C and I Districts. These changes happened in the past for reasons that there are no record of.</p> <p>One of the primary goals of this review is to ensure that the uses in each district are appropriate and that the correct districts are applied to each lot. There are a number of examples where existing uses are not currently allowed in Bylaw 967-2012 and would be considered non-conforming uses, and are listed below:</p> <ul style="list-style-type: none"> • 1002 3rd Street W: This Worship Facility is located in the CS District. Worship Facilities are not a listed use in the CS District of LUB 967-2012. • 401 & 403 8th Avenue W: This fourplex (Apartment) is located in the R-1 District. Apartments are not a listed use in the R-1 District of LUB 967-2012. • 321 3rd Avenue E: The SPCA is located in the C-2 District. Kennels are not an allowed use in the C-2 District of LUB 967-2012. • 109 3rd Avenue W: The building is currently used for Warehousing. The C-1 District does not allow Warehousing and Distribution as a use in the LUB 967-2012. <p>No change recommended.</p>
23	<p>Why has an adult entertainment facility been included in one or more of the districts? Would these types of items that are not explicitly listed be something that one could propose through a development permit and the community members would be allowed to have their say as to if this new type of establishment would be accepted? - this would probably be only in the commercial or industrial districts anyway. It could be any new type of establishment – this one caught my eye.</p>	<p>The current LUB 967-2012 defines 'Adult Entertainment Facility' in Part 1, Section 2. It also lists 'Adult Entertainment Facility' as a discretionary use in the Industrial District.</p> <p>The new LUB did not delete this use, however the definition was updated. There are currently no 'Adult Entertainment Facilities' operating in Hanna.</p> <p>If a use is not listed in a district, a development permit cannot be applied for or issued. It would require an applicant to submit an application to amend the Land Use Bylaw to add a new use.</p> <p>No change recommended.</p>
25	<p>Renewable energy systems are also a concern as is Urban Reserve. These areas deserve further clarification and understanding.</p>	<p>See Section 9.15 above for responses related to Renewable Energy Systems and 10.15 with regards to Solar Power Plants.</p>

		Need more details of concerns with regards to Urban Reserve to evaluate if any changes would be recommended. No change recommended.
Part E – Definitions		
Section #	Comment	Response and Recommendation
27	what does (existing) mean	Existing is defined in Section 27 as “means existing as of the effective date of this Bylaw”. The updated LUB provides a new method to determine when a general term or Use is defined. Users should find the LUB more user-friendly once this process becomes more familiar. For example, if a use is listed in a district as “ Detached Dwelling (existing) ”, it means that the Detached Dwelling use is allowed if the use existed on the date that the Bylaw came into effect. However, no <u>new</u> Detached Dwellings would be allowed to be constructed after the effective date of the Bylaw. No change recommended.
27	Please clarify a Cannabis Production Facility? (as opposed to Heavy or Light Manufacturing)	This is a specific use and is also regulated by the federal government. It is defined in Section 27 as “where Cannabis is grown, produced, tested, destroyed, stored or distributed in a federally approved and licensed facility. This does not include Cannabis Retail Sales ”. It is different than manufacturing and has its own special set of regulations in the LUB (see Section 10.12). No change recommended.

Specific Comments Related to Property Zoning

Address	District Change	Comment	Response and Recommendation
518 1st Ave W	From CT to C-2	The owner called on the phone. He said he can't make the meeting on the 23rd, but he does not see anything in the proposed change that would negatively impact them. The building is used for storage. The current district does not allow for storage, but the proposed C-2 District does which would make the use conforming.	The new LUB would make the use a conforming use. No change recommended.
220 1st Ave E	From MH to R-2	The owner called on the phone. The property is currently vacant. The owner appeared supportive of the new district as it gives more options for future development and reduced time (uses are permitted rather than discretionary).	The new LUB increases the development opportunity of the property. No change recommended.
401 & 403 3 Ave E	From C-2 to I	PRMS staff met with the landowner multiple times. The owner provided written comments and a survey. Generally, the owner indicated they would prefer to be in the C-2 District exactly as it was written in Bylaw 390 as adopted in 1970. The owner understood that the previous wording in the 1970 bylaw cannot (for legal reasons) be written the same, but that the intent of the 1970 C-2 district would likely be equally as good of a solution.	There are a few recommendations from these discussions with the landowner. Recommended changes: Keep the properties in the C-2 District as requested by the landowner. The C-2 District, where possible, has been amended to better meet the intent of the C-2 District in Bylaw 390. The front and side yard setbacks have been reduced, in addition to increasing the parcel coverage. See Section 21.4.
514 2nd Ave W	From CT to C-2	Sent concern in email that C-2 District does not have Worship Facility listed as a use in C-2 (it is there in CT). This change would make the church a non-conforming use. Request to add Worship Facility as a use to the C-2 District.	It was not intentional to make the use non-conforming. Recommended change: Add Worship Facility to the list of permitted uses in the C-2 District (21.2.1).
602 2nd Ave W	From CT to C-2	The owner called on the phone. He wondered if the LUB change would impact his property taxes. He indicated that an increase in property taxes would impact the sustainability of his business.	The rezoning will not affect tax assessment. No change recommended.
109 3rd Ave W	From C-1 to CT	No concerns with storefront on Main street in C-1 (114 2nd Ave W). Concern that the related warehouse located to the north of the retail store is not a listed use in the CT district. Request that warehousing (indoor storage) is added as a discretionary use to the CT District.	The new LUB would make the use a conforming use. Recommended change: Add Warehousing to the list of discretionary uses in the CT District (19.3).
102 & 104 1st Ave W	From C-1 to CT	No concerns.	No change recommended.

503 2nd Ave W	From CT to C-2	No concerns.	No change recommended.
314 1 Ave E	From HWY-C to C-2	No concerns. The C-2 district allows for a wider range of permitted and discretionary uses.	Pioneer Trail is not a “highway commercial” area similar to Palliser Trail. There should be a greater range of uses in this area than the HWY-C District contains. No change recommended.
201 Pioneer Trail	From UR to RA	Landowner expressed concerned that the proposed UR District will make her property less appealing for sale. The UR District provides more opportunity for development, more potential for larger accessory buildings. The landowner does have horses, and would have more than is allowed in the RA district. The landowner did state that some regulation may be beneficial to keep people who don't know about horses from having too many on their property.	The RA District best meets the intent of this property. “To accommodate acreage-style low density residential development in a semi-rural setting.” The UR District is not compatible. Recommended change: The regulations of the RA District have been updated to address these concerns. The maximum parcel coverage has been deleted (13.4.10) and the maximum building height increased to 10.0 m (13.4.11). Section 13.5.1 has also been deleted so there are no regulations for Farm Animals.
1002, 3rd St W	From CS to R-1 (or R-2)	The letter to the landowner indicated R-1, the map shows R-2. The change to either district is supported as it will make the Worship Facility a conforming use. Worship Facility is not listed as an allowed use in the CS District.	There was an unintentional error between the mapping and the letter mailed to the owner. Recommended change: Ensure this property is shown in the R-1 District of the updated LUB (Section 28, Land Use District Map).
217 1st Ave W	From C-1 to CT	The landowner is supportive of the change as the CT District has a wider range of uses.	No change recommended.
412 Railway Ave W	No change was proposed.	The landowners questioned if this should be in a residential district rather than C-2. They use next door as a business, and this property for residential storage.	This lot is on the boundary of the new MD Manufactured Dwelling District and the C-2 General Business District. No change recommended.
318 1st Ave W	From MH to R-2	An email from the landowner stated “It is my understanding that my residence will be affected by this bylaw. I found the land use bylaw available for viewing on the Town of Hanna's website to be loaded with legal jargon that was very confusing and hard to understand for the average lay person. It was not clear to me and did not answer any of my concerns. I believe that the public should be given at least 3 months to review your information. I also believe that everyone who pays municipal taxes in Hanna should have been notified about this rezoning issue. Transparency is so important if you want cooperation and trust in your system. I found this to be lacking in the way you went about it. Maybe legally your butt is covered but if you want Hanna	No change recommended.

		to be worth the drive, we need to have more cohesiveness here. Just sayin'."	
519 3rd Ave W	From CT to C2	A representative of the organization requested a letter to explain better how the rezoning affects the Senior's Circle (specifically if they can they remain as a use).	The use would be considered a Cultural Establishment , a discretionary use in the C-2 District. No change recommended.
118 McCrea	No change was proposed.	The lot is currently zoned CT. The landowner is wondering about their use of the lot and outdoor storage. It is currently occupied by an electrical contractor.	Under the current LUB 967-2012, a Contractor's Shop is not permitted or discretionary use in the CT District. The zoning of this property was not proposed to change from CT. Contractor Services - Minor is listed as discretionary in the new LUB. However, the new definition of the use does not allow for outdoor storage. Recommended change: Delete the major and minor definitions to only have one Contractor Services use, which allows for outdoor storage.
405/403-8th Ave W	From R1 to R3	The landowner called and is supportive of the rezoning as it will make the use conforming and will allow for refinancing of the property. The owner would not like the adoption of the bylaw to be delayed.	No change recommended.

Survey Responses

Question 1

Many properties in Hanna are proposed to be rezoned to better fit their current and future use, and to reduce the number of properties with a "non-conforming" status. You can see the proposed zoning of your property on the Land Use District map in Part G, and the details of each zoning district in Part E.

Has the zoning of your property changed in the updated Land Use Bylaw? How do you feel about the proposed change? If your property zoning did not change, how do you feel about your current zoning?

Responses	Recommendation
I feel things are fine in town with the current zoning. If someone is looking to apply to change to run a home business then they should go through an application process and the community should have a say pending circumstances of the particular type of business.	No change recommended.
Yes it changed. Not worth the effort. I need to learn about all the changes. Because the open house and this sheet does not even address 1/4 of our population. I consider it all Null and Void. People need more time.	No change recommended.
The rezoning is not being explained. Lack of information leads to distrust. The government has proved that there is always an ulterior motive. I believe this is to benefit the government NOT the people of the town.	No change recommended.
No	No change recommended.
No zoning change	No change recommended.
Zoning is ok	No change recommended.
I rent	No change recommended.
No comment	No change recommended.
My property hasn't been rezoned, however, the adjacent property to me, between 3rd St W & Argue Drive is proposed to go to Urban Reserve from R-1. I agree to the rezoning. But I don't want to look out that window and see any kind of power production on that land. Current proposal would allow discretionary use to include wind power. My fear is if it stays the same, it will open the door in the future to include solar. Remove "small wind" to discretionary and I don't see a problem on that parcel.	Recommendation: As recommended in the previous section, Small Wind Energy Generation to be deleted from the new LUB.
No not bordering the proposed changes. I have some reservations concerning some of the changes. I am currently ok with my zoning, however, the proposed changes may be a future concern for all residents including myself.	No change recommended.
I don't understand many of the new bylaw changes I would really like to see an open town hall question and answer meeting. Explain and answer to everyone at once and in detail.	No change recommended.
Not that I know of.	No change recommended.

Question 2

The Town is required give notice to the owners of adjacent properties when a development permit is issued for a discretionary use permit or where a variance is approved. What is the best way to notify you?

Please rate each option below, 1 being your most preferred method and 3 being your least preferred.

- _____ A letter in the mail.
- _____ An advertisement in the local newspaper.
- _____ A sign posted on the property.

Responses

	Top choice	Second Choice	Third Choice
A letter in the mail	16 of 18 responses		
An advertisement in the local newspaper		3 of 9 responses	6 of 9 responses
A sign posted on the property		6 of 9 responses	3 of 9 responses

The top choice is a letter in the mail, followed by a sign posted on the property. An advertisement in the newspaper is the least preferred option.

Additional Comments:

- Every resident and every business invited to and given a chance to speak at a new meeting, where all questions and answers are heard by everybody
- what newspaper
- notice to the owners of adjacent properties - when a development permit is issued, should ONLY be notified by a letter in the mail. We have a senior population and e-mail, advertisement in the East Central Review or the posting of the property involved is not appropriate.

Recommendation

Section 5.5.3 of the new LUB to be amended to state that a development permit for a discretionary use or where a variance has been granted until 21 days after the date that the decision is mailed to adjacent residents.

Question 3

The Town supports residents to be able to operate businesses from their residence to encourage economic development. How Home Occupations are regulated is proposed to change in the updated Land Use Bylaw to support this economic development while minimizing the potential impact on the neighbourhood. The proposed regulations for Home Occupations can be found in Section 10.3.

Do you currently operate a Home Occupation in Hanna? **Yes** or **No**

Please indicate below if you **agree** with the following statements.

Responses

1 of 16 respondents indicated they currently operate a Home Occupation.

Minor Home Occupations	# of Responses Yes	# of Responses No	Recommendation
do not require a development permit.	7	4	No change recommended.
are not open to appeal by an affected neighbour.	3	7	No change recommended.
allow for up to 11 customer visits per day, with no more than 2 customers at one time.	5	6	No change recommended.
only occupy up to 25% of the floor area in the dwelling.	4	6	No change recommended.
do not allow for outdoor storage or parking of large commercial vehicles.	4	6	No change recommended.

Major Home Occupations	# of Responses Yes	# of Responses No	Recommendation
require development permit approval.	9	2	No change recommended.
are open to appeal by an affected neighbour.	9	2	No change recommended.
allow for 11 or more customer visits per day, and more than 3 customers at a time.	7	3	No change recommended.
can exceed 25%, but not be greater than 50% of the floor area in the dwelling.	6	2	No change recommended.
allow for outdoor storage.	6	2	No change recommended.
allow for parking of large commercial vehicles.	2	7	Recommended Change: Delete 10.3.7c

Additional Comments:

- I think any bylaw that is imposed on a home biz should be a vote on the town members and community. It is important for economic growth.
- no information
- Individual rights! There is dozens of ways to handle these. This LUB affects future generations and our elderly!
- please sever all ties to the Green Space Alliance and Smart City Alliance.
- lower fees and less red tape
- limited time parking for deliveries - if this is not already addressed
- specific definitions!
- y/n highlighted above should be highly restricted in size of storage and commercial vehicles if in residential areas.
- I don't feel I can answer these questions until they have all been explained in detail.
- ?
- In my mind the divisions of Home Occupations into Minor and Major with various regulations in each is not appropriate. All Home Occupations should require a development permit and these permits should be open to appeal by an affected neighbour. As street parking always seems to be a problem, at no time should there be more than one customer at a time. These Home Occupations should not be allowed outdoor storage.
- What is major? What is minor? Dollars? Size?
- Why is there one vote for all these different issues? I am for letting people have as little government interference as possible as long as they can get along with their neighbours.

Question 4

A Land Use Bylaw can regulate the types of vehicles parked on a property in a residential district, for example large commercial vehicles or derelict vehicles. Proposed regulations are found in Section 9.4 of the new Land Use Bylaw.

Do you feel that the parking of large commercial vehicles or derelict vehicles on residential properties is an issue in Hanna that the Town should regulate? Please explain.

Responses

Yes

- If it is a something like a school bus
- My property - I can park – wherever I want. Every yard needs to be safe and not pose a health risk to close residents.
- If there are complaints
- I think it's self explanatory. Who wants a large vehicle or derelict vehicle parked in front of their home?
- Everyone has a different idea of an eyesore. There needs to be an enforceable limit - if there is a problem
- Commercial or unsightly vehicles
- Just vehicles that have no plates or unsightly vehicles or for instance you want a semi truck parked on your street.
- Yes, however, commercial vehicles should be restricted to a particular time frame to allow for deliveries during business hours. Derelict vehicles required to have a "tag" - temporary permit to allow for removal/transfer to storage/repair
- Time limit – then okay
- For commercial vehicles yes

No

- If it is a stock trailer.
- I would also like container structures added to an existing building to be restricted to storage use only. No inhabitation should be allowed in shipping containers
- Unless the residential property is used as a wrecking yard it shouldn't be an issue.
- Private property. Owner decides what to store.
- I have no problem with parking on the street or at residences without on-property parking, or minor auto maintenance or repair on property.
- If you have an old vehicle you should be allowed to keep on your property.
- Short time
- Hanna has a large service industry. Hanna has trucks. If they are parked in front of their property, it means people are working. No to large vehicles that have boxes/trailers that limit the view.
- Derelict ornamental vehicles
- Private no

Recommendation

Delete 9.4.1.

Question 5

*There are a number of new land uses in the proposed Land Use Bylaw. All uses are identified in **Bold and Capitalized** text. Definitions for all uses are found in Part F.*

Do you have any comments or concerns with the land uses allowed in Hanna, or the definitions of any land uses?

Responses

- Not sure why things need to change. Its your own personal property we are small town not a gated community. Unless something is affecting or harming someone's quality of life.
- I need to know what is the 'vision' of the Town of Hanna Municipal Plan?? Do you assume governing bodies have control over development of Town owned property? Taxpayers own it.
- There is not enough information to make any changes.
- Too much regulation. No longer private property since the town wants to control everything on private property.
- Prejudice should be used in favour of local developers/owners
- Yes - Urban Reserve within the town proper should have small wind projects removed from the discretionary uses - this goes as well with any solar not on top of a building. Its all about greenspace and making the town attractive. Covering areas with solar or wind is a bad idea.
- Numerous comments, concerns and questions. IMO - There should have been far more detailed information sessions on the individual changes to the Draft LUB, and more time to allow for the public to determine their point of view after meaningful sessions.

Recommendation

No change recommended.

Question 6

There are also new regulations for certain land uses, such as Pet Care Services, Kennels, Solar Power Plants, Car Washes and Auto Body Shops. These regulations can be found in Part C.

Do you have any comments or concerns with the land uses allowed in Hanna, or the definitions of any land uses?

Responses

- I run a grooming business out of my home. The odd day I get a noisy client. It says no new bylaws for pet care but yes for kennels. Am I affected?
- After having been told town council do not control developments for accessing renewable resources, AEC makes those decisions - it is definitely alarming to see Solar Power Plants combined with Pet Care Services?!
- There is not enough information to make any changes.
- Too much regulation
- Prejudice should be used in favour of local developers/owners
- No communication towers, any animal businesses like kennels or chicken coops. Re: Hygiene & health
- Numerous questions, concerns, comments regarding Solar Power Plants in particular. Especially the time frame and format, and path you have chosen to allow for inclusion of "PACE" in particular, and utilities.
- As above, no wind or solar plants within the town proper
- Solar power plants??
- Why small pet care is in with Solar Power? Do not mix staff.

Recommendation

No change recommended.

Question 7

Additional Comments

Do you have any other general comments you would like to share about the proposed new Land Use Bylaw? Please feel free to attach additional pages.

Responses

- I personally feel if someone wants to put up storage in their backyard such as a storage container they are allowed. As for parking I think a time limit set would help. Sometimes coffee is essential lol. Honestly people are just trying to make a living having home based business. As for stock trailer maybe set a time like 48hr. But can't be a constant parking lot. What about vehicles that don't move for street cleaning or have been parked on the street and haven't moved in months.
- The rush thru of this process is not going to be expectable to Hanna residents. The overreach is infringing on the "greater public". Inconsistent answers destroyed any trust we have felt. Back to the drawing board!
- I feel that there is not enough information. I feel that there are hidden motives as the information is hidden or does not exist. I do not want my property changed.
- 9.5 what are the landscaping regulations locate in applicable land use districts? 9.15 it is not your prerogative to encourage alternative generation district MYOB. Just how much of the Urban Reserve can be occupied by "solar power plant". Totally against this use of urban reserve. *Just received the solar application by Pace Canada. Coincidence? I think not! I am totally against this.
- the public should have access to a public forum on this LUB!
- residential acreage - private property owners should be the ones to decide how many animals they own and how many fences. Also TOH doesn't need to know locations of each building.
- listing one thousand things you can now regulate is deplorable
- FREEDOM
- I will reserve my further comments for a more appropriate time
- The Town of Hanna has been rebranding the town as "Worth the Drive" and recently "Live the Lifestyle". Many people moved here from all over, attracted by the cost of housing and beauty of the community and its surrounding area. We are not living up to our logos if we pollute our community with miles of solar and wind projects. The least we can do is keep our town clear of them. as well, my assessed value is destined to drop if you look around my house and see this crap. Please keep our green spaces.
- Not clear on certain words. Public clarification would be good so no fake stories go around. "Development Authority" can change many things. Does that person have help from a side kick (maybe elected person)? Have to look ahead in case that person changes. Or is unable to work and another takes their place. No wind towers should in town limits. Is that Small Wind Energy Systems? I never did discover what D.P. stands for! How many electric vehicle charging stations are allowed on a block. Too many differences in the Pace presentation. Not a good start.
- My concern is that if the Town signs up for "green" initiatives through the government or other groups and then receives funding, we will be giving up our rights to do things on our own, both as a town and as individuals within the town. I am not against trying to do things more efficiently but not at the expense of my privacy and my using common sense to look after my property, to not impose or restrict my neighbour in any way. Town Councilors should be able to vote on each individual bylaw not the whole package.
- I am concerned about the wiring or wireless that is possibly going up to connect a grid of information to a central control to do with utilities and possible surveillance. I am also concerned about the compliance to the "green" movement as in the propaganda around "man made climate change".

Recommendation

There are no further recommendations beyond the recommendation already addressed in previous sections of this report.

LUB Review Process

Comments

- Notification of tonight was not good
- Was advertised to be a town hall, not open house format
- Would like explanation on public hearing or meeting format in advance
- Older generation not receiving electronic notices
- More clear comparison of what has changed (side by side)
- Better methods of communication regarding meetings & information. Especially for the senior population who may not follow the social media platforms. Please phone, email, send letters or text
- After attendance at the public information forum held in the community centre and reviewing what material was able to be read on the very disappointing information boards I decided there must be something being hidden. After reading through the information on the links provided by the town of Hanna e-mail and reading through the Alberta Municipal Act it became very clear to me that all these documents had been written by highly paid civil servants. No elected officials can be expected to read and understand all the information held not only in these documents but all the other material they are expected to cover.
- Consider public forum Q & A Session
- The survey suggests that “many properties in Hanna are proposed to be rezoned to better fit their current and future use, and to reduce the number of properties with a “non-conforming” status.”

It appears that there is an assumption that the residents living in the Town of Hanna and the surrounding area understand Land Use Bylaws. As per the turnout at the “Open House” on February 23, 2023, and the number of people attending community meetings to investigate and understand the LUB, one would conclude that residents and interested parties are not familiar with Land Use Bylaws, and the excessive and significant number of changes contained within the proposed change may not be fully understood to make an informed consent.

Meaningful engagement with residents is essential to ensure the community is informed and aware of happenings in town. Many community members were not aware of the proposed LUB until the beginning of February of 2023. It appears the implication is that 100 letters adequately included all residents who would be affected by this proposed LUB change, however, the extensive proposed changes in this document will affect all town residents and those who may wish to purchase properties in the future. This only allowed people about 3 weeks to understand the numerous proposed changes and format.

Prior to attending the open house, there was an understanding or expectation that there would be a presentation allowing for the community members to ask questions in a group format so there would not be a need to have questions repeated. However, upon arrival the participants were instructed to sign in and only connect with Tracey Woitenko, however, the advertising indicated “You are invited to attend the open house and discuss the draft with Palliser and Town staff.” There was not enough time for each resident to connect with 1 person and have their questions adequately addressed.

Other municipalities have had from 6 months to 1 and a half years of community engagement prior to the 1st reading of the proposed changes to their LUB. It would appear that many residents and interested parties may require a significant more amount of time to review these amendments. You will probably find that, upon consultation, many residents will provide excellent responses and solutions to issues in town.

This is all that I have had time to observe in my studies and is not complete, in my opinion. I have not had time to compare it to the 2012 original LUB and would appreciate more time and explanation to follow through with the changes between the years. It would be appreciated that a document would be prepared to show, side by side, the current bylaw and the proposed bylaw and your explanation of each change in the middle. (This would be different than the summary type currently provided.)

It appears that the proposed LUB was presented to council during a 5-hour evening meeting. Many counsellors are more familiar with these documents, and it appears this time was necessary for their understanding. One would then predict that the residents may require just as much, if not more time, to ask questions and understand this document too.

I would also like to state that, despite my residing 20 minutes out of town, I have elderly parents in town and, at some time, I may look at purchasing property in town. Should I not be familiar with your LUB system and all the rules that residents are instructed to follow, I would not be making an informed decision. I would request that non-residents be respected in our concerns with amendments to LUBs, especially in municipalities that are in close proximity to residences outside of the town boundaries.

Should one be open to considering my opinion, I would be opposed to the passing of this proposed LUB in its present form as, under the first timeline proposed and the March 22nd date, there was not enough time to meaningfully consider and educate myself on these changes, and there are multiple and excessive changes being proposed in one document that appear to have areas of concern or misunderstanding. One would assume others living in the community boundaries would also have similar concerns.

Should any of the above concerns be more appropriate to forward to council or town administration, please let me know. As I was concerned about meeting your deadline, I will most likely forward them myself either way.

- It has been stated that the current state of the districts is clearly disjointed, however, it appears that the proposed LUB may contain the same disjointed labelling without adequate attention.

Questions

- Who helped prepare the LUB? Who are the consultants? What are the future goals of Hanna?
- What is the experience of the Planners and what they can contribute to the Hanna LUB?
- What is the role of MPC, PRMS and the Development Officer?
- How does the bylaw adoption and amendment process work? Isn't the 2012 bylaw up to date with the recent 2022 amendments and shouldn't need to be reviewed?
- What is the FOIP process?
- What are the background reasons for all the changes in the Land Use Bylaw in Hanna? Is it really being forced on us by the Alberta government Municipal Act: maybe the voters need to demand change in the Act. The Act as I read it does not seem to differentiate between the tiny Town of Hanna and the city of Calgary. Is it really necessary to have us in Hanna being under the same control by planners as in a large city? I am very tired of civil servants writing the rules for us poor illiterate members of the population. We do have elected officials and that is supposedly how democracy works, not this totalitarian we are smarter than the population and we will decide what is best for them.
- From 1970 until 2002, the larger LUBs were changed on average every 5 years. Since 2002, they have been amended in 2012 and then proposed in 2023. Why have they only been reconsidered every 10 years over the last 20 years.
- It appears there are other documents to which the LUB must follow. The MDP is about 10 years old. Would it not have to be updated prior to the LUB?
- Bylaws - do the councilors have to vote on everything as one lump?

Recommendations

The Town of Hanna should consider ways to increase the general knowledge of planning and development within its residents.

Prior to the review and update of a statutory plan or LUB, the Town should consider an educational campaign and community survey/workshops to collaborate with and learn from its residents.

The formation of a public review committee to assist in the review and update process, or holding focused workshops during the review process may be beneficial.

During the review of a statutory plan or LUB, newsletters mailed direct to residents to keep residents and landowners informed of the process may also be beneficial.

Telecommunication Structure Policy Comments

- Can you also shed some light on the "letter of concurrence" for the telecommunications policy? The policy reads like towers won't need any kind of approval if they are under 15 m. That policy doesn't read near as well as the LUB.
- The Telecommunications Bylaw was also proposed at the same time as the LUB, however, it took some time before I was aware this was being proposed at the same time. There could be further explanations to clarify this document and its changes too. What is a letter of concurrence or non-concurrence?

Recommendations

The Telecommunication Structure Policy has been re-written to be more clear. Version 2 is available for review and comment.

Comments Unrelated to the Land Use Bylaw

- You put up these sheets
- Ever since the protest in Ottawa and the resulting application of the Emergencies Act, every thinking Canadian is no longer fully trusting any level of government , the judicial system, the banks or our police forces.
- \$250 permit for fence
- Hanna is the right size, it should not expand
- What is the current bylaw on demolition of fire damaged properties?
- No smart cities, no 15-minute cities
- All bylaws should be in general terms so everyone can understand not just lawyers
- It is every community residents business
- Door Prizes?
- Peace Officer access without a warrant. (Try it). I agree! no trespassing!
- I don't agree with \$250 permit, we are getting hooped with taxes leave us alone
- Priority given to local interests for purchase or development. Hanna < Alberta < Canada < Foreign
- What Hanna residents are looking for & not getting is lower permit fees and less red tape
- Concern with the purpose and intent of the LUB "without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest." & its relation to covid.
- As concerned citizens we are angered about the wasteful and unnecessary overreach of the Town and its council upon us all. I for one do not consent to this overreach, refuse to enter any contract regarding the new LUBs, 5G technology, solar power, surveillance or sharing any of my personal info in regards to Digital ID. It's here already eg. MyAlbertaID , Digital health records, my medical status, tax information. Town and councillors' roles are to provide services for the community and to collect taxes as appropriate. We are blessed to have great services available here. Maintenance is also a big role. If there is \$\$\$\$ to spend improving our community it needs to start with repairing streets and sidewalks that are unsafe for anyone using mobility devices. I can speak on that personally as I spent almost a year in a wheelchair or with a walker. I have a motorized chair and I could not use any of the sidewalks on just 2nd ave. It's dangerous trying to get onto the street and worse to get back onto another sidewalk. We are an aging community and if I couldn't get myself around I can't imagine what it's like for someone with more disabilities than I have. If we take care and maintain the town we have already, who cares what color my front door is, or how big a front window! If anyone thinks these new LUBs are to simplify our lives, remove or change wording, trying to make bylaws clear and understanding , you are not hearing what the citizens are saying. Stakeholder own the land in this community, not municipal governments and your stakeholders are not appreciative of being talked down to, of suggesting more surveillance is for OUR benefit or that changing a few thousand words will in any way improve our daily lives.

No change recommended.

Next Steps

This “Responses to the What We Heard Report” has been used by PRMS and Town staff to prepare a revised Draft LUB (Version 2) and a revised Telecommunication Structure Policy.

During the bylaw approval process, residents and business owners will have the opportunity to provide their feedback directly to Council at the public hearing prior to second reading if any parts of the revised LUB are not considered satisfactory. Council can make amendments to the bylaw at any of the three readings to address any outstanding concerns.

The Land Use Bylaw comes into effect after it receives three readings. An effective date will be chosen and written into the bylaw for transparency and clarification. It was anticipated the new Land Use Bylaw could have been in effect by May 1, 2023. With the additional time being added to the process to gather feedback, a new date will need to be determined by Council and will likely occur winter 2023.