

Policy statement

Leduc County believes that compliance with the County's Land Use Bylaw is beneficial to the public interest and helps to ensure that all areas of the County are developed and used as envisioned by Council.

Leduc County landowners maintaining compliance with the County's Land Use Bylaw will help to minimize land use conflicts between landowners.

Leduc County supports landowners' rights to use their properties within the confines of applicable rules and regulations as well as carrying out compliance and enforcement activities in a sustainable manner and in accordance with the standards identified in this policy.

Definitions

County Manager means the Chief Administrative Officer of Leduc County.

Development has the same meaning as provided in the Municipal Government Act, RSA 2000, Chapter M-26.

Land Use Bylaw means the Leduc County Land Use Bylaw adopted by County Council, as amended and replaced from time to time, in accordance with Part 17 of the Municipal Government Act, and for the purposes of this policy includes any development permits, or conditions thereof, that are issued by the Development Authority.

Environmentally Sensitive Area has the same meaning as provided in the Land Use Bylaw.

Policy authority

Both the Municipal Government Act (MGA) and the Leduc County Land Use Bylaw have provisions for the enforcement of the bylaw, including development permits (and permit conditions) issued pursuant to the bylaw.

Legislative implications:

- Section 545 of the MGA authorizes a designated officer to issue a written order to a person responsible for a contravention of any enactment that a municipality is authorized to enforce, or a bylaw, to remedy the contravention.
- Section 645 of the MGA states that if a development authority finds that a development, land use, or use of a building is not in accordance with a land use bylaw or a development permit, the development authority may issue a written order to discontinue the contravention or take any actions required by the notice to make the land or building compliant.
- The MGA also contains provisions enabling the municipality to enforce an order by entering the land or building and taking any action necessary to carry out the order.

Bylaw implications:

- The Leduc County Land Use Bylaw contains provisions related to the issuance and enforcement of stop orders.

Approval date	April 26, 2022	Motion number	117-22	Page 1 of 2
---------------	----------------	---------------	--------	-------------

Policy standards

1. Investigation in relation to a property or development in the County to determine whether it is compliant with the Land Use Bylaw will be undertaken in the following circumstances:
 - Pursuant to a written complaint submitted by a resident and/or landowner in Leduc County (includes submissions from the public made through the County’s website);
 - Pursuant to a motion of Council; or
 - Pursuant to direction from the County Manager.
2. The enforcement actions provided for in the MGA and the County’s Land Use Bylaw may be undertaken if an investigation reveals that a property is being used in a manner that is not compliant with the Land Use Bylaw.
3. Complaints submitted anonymously will not be investigated, unless directed by Council or the County Manager.
4. Notwithstanding policy standard #1, investigation and enforcement actions may be undertaken in the absence of a written complaint, a council motion, or direction from the County Manager if:
 - a. There is a reasonable risk to public or individual safety as a consequence of an unauthorized or non-compliant development;
 - b. There is a reasonable risk of damage to public infrastructure as a result of an unauthorized or non-compliant development; or
 - c. There is a reasonable risk that an environmentally sensitive area or agricultural land may be threatened by an unauthorized or non-compliant development.

Policy responsibilities

Council responsibilities:

Council will,

- Provide direction to administration in relation to Land Use Bylaw compliance and enforcement actions.

Administration responsibilities:

Administration will,

- Undertake investigations and enforcement actions related to Land Use Bylaw compliance in conformance with this policy.

Monitoring and updating

- This policy will be posted on Leduc County’s website.
- This policy will be reviewed at least once every four years.

Approval date	April 26, 2022	Motion number	117-22	Page 2 of 2
---------------	----------------	---------------	--------	-------------