

Table of Amendments

Section	Proposed Change	Rationale	Corresponding Sections
Part 1			
1.2. Purpose	Wording change	Readability. Adds necessary provisions.	
1.3. Control of Development	Wording change	Readability.	
1.4 Previous Bylaws	Wording change	Updates section to repeal LUB 20-2009	
1.6. Applications in Progress	Wording change	Readability. Removes reference to obsolete Bylaw.	
1.8. Compliance with Other Legislation	Re-organized	Readability. Added subdivision approval and relevant legislation. Removes redundant legislation.	
1.9 and 1.10 General Interpretation and Rules of Interpretation	Wording Change Renaming Section 1.9 to Interpretation of this Bylaw and deleting name of Section 1.10	Improves readability and supports further changes proposed within the Bylaw.	
1.9.1 and 1.9.2	Wording Change	Improves readability.	
1.9.3	Deleting section	Provisions within the “notes” headings within Districts were not applied in all cases according to this subsection. Supports further changes related to changes in how Districts are formatted and Fundamental Use Provisions	All land use district tables
1.9.3	Adding interpretive clause related to how General Regulations are to be applied.	Identifies the hierarchy of regulations within the document. Provides direction to the Development Authority.	
1.9.4	New provision. Places labels for specific districts and use classes.	Classifies specific uses and districts. Therefore, any references within the Bylaw can be linked to a specific use or district. Removes ambiguity.	
1.9.5	New Section that sets out rules of interpretation regarding parcels with split districting	Provides clarity of interpretation.	

1.9.6	New provision articulating the function of the purpose sections in each district.	Provides rationale and direction for the Development Authority regarding interpretation of the bylaw and its provisions.	
1.9.7	New Section setting out the rules and interpretation of the Fundamental Use Provisions within each District.	Provides direction to the Development Authority regarding Fundamental Use Provisions. This will remove ambiguity created within the “notes” column in each district. Provides robust application and interpretation of Use classes. Replaces deleted section 1.9.15.	All Land Use Districts
1.9.15	Replacing existing Section.	Provides stronger and clearer wording.	
2.1 Municipal Planning Commission	Removing Municipal Planning Commission	MPC is Obsolete.	
2.2 Subdivision Authority	Deletes Subdivision Authority	Subdivision Authority is established by the Subdivision Authority Bylaw and the MGA	
2.3. Development Authority	Wording Change	Existing Section refers to specific positions that no longer exist. New wording aligns with the Development Authority Bylaw and the MGA.	
Part 2			
3.3.1 Land Use District Maps	New provision referring to Schedule A	Reference to MGA requirement	
3.3.2 Land Use District Maps	Reworded provision explaining application and purpose of the Permitted and Discretionary Uses by Land Use District Table	Establishes the applicability of the Table. Eliminates any conflicts between the table and specific Land Use Districts.	
3.4 Summary Table	New provision	Clarifies prevailing permitted/discretionary uses when there is discrepancy between table and other sections	
All Land Use Districts - 1	Reformatting Land Use Tables in all Districts by establishing a system of numbering to Permitted and Discretionary Uses	A letter identifier to separate permitted and discretionary use is necessary. The Development Authority will be able to correctly cite the section when drafting Development Permit decisions.	
All Land Use Districts – 2	Removing the “Notes” column.	Removes ambiguity. It is unclear how the notes are to be interpreted and applied. The “Notes” column is replaced with	

		Fundamental Use Provisions and added Subsections within the “Interpretation of This Bylaw” Section. These proposed additions give more certainty to the interpretation of the Use and how other Sections are to be applied.	
All Land Use Districts - 3	Adding Fundamental Use Provisions	<p>Fundamental Use Provisions (FUP) are requisite qualifiers for specific or all uses within each District. FUP replace certain qualifiers existing within the “Notes” column of each Land Use Table. This removes ambiguity, provides clear interpretation, and eliminates the ability the Appeal a Use Class. The application and wording of the FUP can vary from District to District.</p> <p>Specific FUP of note include:</p> <ul style="list-style-type: none"> • Prohibiting certain uses within Multi-Parcel Subdivisions; • Limiting the number of Wind Energy Converter Systems; • Restricting the generality of certain uses. 	1.9.7
All Land Use Districts – 4	Adding a new Use Class “Accessory Uses” to both the Permitted and Discretionary classifications	This supports other changes within the Bylaw, specifically changes related to accessory buildings prior to a principal building.	11.1.1
4.1.2(b) AGG, 4.2.2(b) ANC, 4.3.2(b) AGR, 5.1.2(b) CR, 5.3.2(b) CRR, 5.6.2(b) LSR	Adding Use Class “Out-Buildings” as a Discretionary Use	<p>This will allow certain Buildings on a Parcel of land without a Principal Single Detached Dwelling.</p> <p>Follows Council’s direction to allow garages, carports, and sheds on vacant parcels in certain situations.</p>	4.1.6, 4.2.6, 4.3.6, 5.1.6, 5.3.6, 5.6.6
4.1.6 AGG, 4.2.6 ANC, 4.3.6 AGR, 5.1.6 CR, 5.3.6 CRR, 5.6.6 LSR	Regulations specific to Out-Buildings. These regulations provide criteria to the DA to exercise discretion and provide specific regulations for such buildings as it applies to the individual District.	Provides direction for exercising discretion when considering applications for accessory buildings on vacant land. This ensures such buildings are appropriate and reasonably compatible in order to be approved.	4.1.2(b) AGG, 4.2.2(b) ANC, 4.3.2(b) AGR, 5.1.2(b) CR, 5.3.2(b) CRR, 5.6.2(b) LSR
All Land Use Districts	Removing Demolition from the Land Use Tables	Demolition cannot be listed as a use. A demolition or partial demolition changes the intensity of the existing use. According to the MGA, a change in intensity of a use is considered a	12.5

		Development and therefore requires a Development Permit. Section 12.5 provides clarification to this.	
4.1.2 AGG, 4.2.2 ANC, 4.3.2 AGR, 5.1.2 CR, 5.2.2 CRWL, 5.9.2 BRR,	Removing Dugout from the Use Tables.	A Dugout is an Accessory Use. Changes within the Land Use Bylaw related to Accessory Uses align with this change.	Addition of Accessory Uses in District use tables. 11.1.1
4.1.2 AGG, 4.2.2 ANC, 4.3.2 AGR, 5.1.2 CR, 5.2.2 CRWL, 5.3.2 CRR, 5.4.2 CCR, 5.5.2 CRE, 5.6.2 LSR, 5.7.2 RRH, 5.8.2 MHR, 5.9.2 BRR, 5.10.2 RC 5.11.2 EUV	Removing Home Based Business Level 1 from the Permitted Use Table.	The proposed change aligns with administration's established practice regarding Home Based Business Level 1. Administration does not issue a DP for this use. Home Based Business Level 1 are those businesses that have no visual effect or nuisance factor.	16.2.1(q)
4.1.2 AGG, 4.3.2 AGR, 5.1.2 CR, 5.2.2 CRWL, 7.1.2, BI 7.2.2, MI	Removing Shipping Container from the Use Tables	A Shipping Container is an Accessory Use. Changes within the Land Use Bylaw related to Accessory Uses align with this change.	Addition of Accessory Uses in District use tables. 11.1.1
Applicable Land Use Districts (All except PC)	Removing of Utility Services – Minor Infrastructure and Utility Services	These "uses" contradict section 16.2, which specifically exempts the requirement for Development Permit approval. Requiring Development Permits for these types of uses, which include basic infrastructure such as power lines, gas lines, cable lines, and the like, is unreasonable. This use also conflicts with 616(a.1) and 618 of the MGA.	16.2.1.i

Applicable Land Use Districts	Removing Telecommunication Towers from the Use Tables	The construction and location of Telecommunication Towers are under the authority and jurisdiction of the Federal Government – Industry Canada. The standards and regulations concerning Municipalities are established through Federal Policy, which do not correspond with legislation pertaining to Development Permits.	12.1 16.6
4.1.1 AGG District	Amended Purpose Section	Aligns with changes to MDP	
4.2.1 ANC District	Amended Purpose Section	Aligns with changes to MDP	
5.1.1 CR District	Amended Purpose Section	Aligns with changes to MDP	
5.2.1 CRWL District	Amended Purpose Section	Changes remove unnecessary wording	
5.3.1 CRR District	Amended Purpose Section	Aligns with changes to MDP	
6.2.1 HC District	Amended Purpose Section	Aligns with changes to MDP	
7.7.1 IRD District	Amended Purpose Section	Better reflects purpose of the district	
8.1.1 PC District	Amended Purpose Section	Aligns with changes to MDP	
8.2.1 PR District	Amended Purpose Section	Aligns with changes to MDP	
8.3.1 PS District	Amended Purpose Section	Aligns with changes to MDP	
EUV District	Reformatting Establishing sub districts	Provides clarity. Consistent with rest of the document.	
EUV District	Allow Manufactured Homes	Allows a use that already exists within Entwistle.	
Direct Control	Added provisions regarding interpretation and process	Existing provisions are not clear if Council is the approving authority or if Council has delegated its authority to administration. Proposed amendments clarify interpretation for three types of DC districts. DCs that are applied in combination to an underlying district; DCs that are not in combination with an underlying district; and DCs where Council is the Sole Authority. Changes clarify the intent of each DC and specifically identifies who is the approving authority.	Section 9
Part 3			
11.1 Accessory Buildings	Changing name of heading from Accessory Buildings and Uses to Accessory Developments	Use of the word “Development” is more correct. Development includes uses, change in intensity of use, building, excavation, and stockpile.	
11.1.1	Deleting Subsection stating Buildings are considered a Permitted Use	The District Use Tables identify whether a use is permitted or discretionary. Stating whether a use is permitted or discretionary	All Land Use Districts

		<p>within regulations creates ambiguity. Regulations may be varied whereas uses cannot.</p> <p>Accessory uses are tied to their principal use and therefore how an accessory use is classified should also be tied to its principal use. If a use is accessory to a discretionary use and considered permitted, it must be approved. This can be problematic if the accessory is not compatible with surrounding land uses. The proposed amendments correct this flaw in the Bylaw.</p>	
11.1.1(a)(b)	Adding explanatory provisions for Accessory Developments	Provides interpretation aligning with case law and legislation.	
11.1.1	Adding an explanatory provision for developments that may be Accessory to an Unauthorized Dwelling, Single Detached.	This follows Council's direction to allow Accessory Buildings prior to the principal Dwelling being constructed. The subsection makes certain Developments accessory to a listed Permitted Single Detached Dwelling without that dwelling being authorized by a Development Permit.	4.1.2(b) AGG, 4.2.2(b) ANC, 4.3.2(b) AGR, 5.1.2(b) CR, 5.3.2(b) CRR, 5.6.2(b) LSR 4.1.6, 4.2.6, 4.3.6, 5.1.6, 5.3.6, 5.6.6
11.1.2	Adding a Subsection that prohibits certain developments from being Accessory if not listed within the applicable land use district.	This Subsection prohibits certain uses from being Accessory unless the use is specifically listed as a Permitted or Discretionary Use in the Land Use district where the Parcel is located. Because an accessory development falls under the principal use, the accessory use does not need to be specifically listed within the use table. For example, a gas station (Service Station) may have a restaurant (Indoor Eating Establishment) within its building as an accessory use. Service Station must be either a permitted or discretionary use; however, an Indoor Eating Establishment does not need to be a listed use provided that the restaurant is ancillary to and strictly devoted to the Service Station use. Certain accessory uses can be problematic and therefore should not be considered accessory if	

		they are not listed within the district. This prevents problematic uses to be allowed in this situation (For example: an outdoor gun range that is accessory to an Indoor Participant Recreation Service). This subsection also provides consistency with other proposed changes related to Accessory Uses.	
11.1.3	Removing table and listing regulations pertaining to building area of Accessory Buildings. Increases the size of accessory buildings on larger parcels. Makes reference to <u>residential</u> properties.	Removes confusion over the words “permitted” and “maximum building area.” It is unclear if this refers to building footprint or floor area. The proposed is clearer, more concise, and removes ambiguity. This provision is intended for residential parcels.	
11.1.4	Removing provision stating accessory buildings shall be calculated as part of maximum accessory building area.	Provision is not necessary.	
11.1.4	Revising wording	This provision should apply to all accessory buildings	
11.1.5	Revised wording	Revised wording is more clear.	
11.1.6	Removing provision stating accessory building shall be no higher than the height of the principal building.	Accessory building height is reasonable. Height of accessory building should not be limited because of the height of principal building. Doesn’t apply in rural or country residential settings.	
11.1.7 11.1.8 11.1.9	Removing existing Subsections pertaining to developments prior to the principal dwelling unit.	Follows Council directions to allow Accessory Buildings prior to the principal Dwelling being constructed and eliminate specific requirements for securities. Existing provisions are problematic, difficult to enforce, and inconsistent with Land Use Planning legislation.	
11.2.2(a) Design, Character, and Appearance of Buildings	Removing part related to other legislation.	Sub delegation provision.	
11.2.2(b)	Removing parts of the provision	Strengthens the provision and removes redundancy.	

11.4 Dwelling Units on a Parcel	Rewording provisions	Removing provisions that regulate users and not use. Revised provisions are more clear. Removing provisions that deal with classification of use. Classifying uses within the district's use table is more definitive and less vague.	
11.6.5 and 11.6.6 Relocation of any Building or Structure	Removing provisions pertaining to requiring securities for a relocated Single Detached Dwelling	The Land Use Bylaw provides the opportunity to ask for securities. Removing provisions requiring securities. This removes redundancy within the Bylaw. The Bylaw has provisions regarding securities. This also provides greater flexibility.	
11.7 Soil Remediation	Removing Section	No Development Permit has been issued for Soil Remediation. No definition for soil remediation. If this section is specific to contaminated sites, it is not recommended to be regulated within the Land Use Bylaw.	
11.10. Fencing (Renumbered to 11.9)	Adding regulations for fencing	Aligns with proposed changes in Section 16.2. Section 16.2 currently provides regulations for fencing whereas this Section is intended to list Developments that do not require a Development Permit. The proposed change removes the regulations from 16.2 and places them in this new Section.	16.2
Antennas, Satellite Dishes and Telecommunication Towers 12.1.1 12.1.2 12.1.3	Adds criteria specific to Telecommunication Towers in relation to the Development Authority issuing a letter of support.	The Federal Government is the Development Authority for Telecommunication Towers. According to Federal Government Legislation, Municipalities shall issue a letter of support or non-support. This Section sets out criteria for issuing a letter of support (in lieu of a Development Permit)	Applicable Land Use Districts
12.1.7 12.1.8 12.1.9 12.1.11 12.1.12 12.1.13	Removing specific regulations for Telecommunication Towers	The Federal Government is the Development Authority for Telecommunication Towers. According to Federal Government Legislation, Municipalities shall issue a letter of support or non-support. The regulations proposed to be removed are criteria specific to development permits.	
12.2.1 and 12.2.2	Changing the wording to remove qualifier of Use and	A "use qualifier" should be within the district use table and not be within the regulations. The proposed change places a discretionary	

	add the ability for the DA to waive the requirement	regulation to the use – which has exactly the same effect; however, it is more clear and consistent.	
Former 12.2.3	Removing regulation stating the DA may approve if the apiary passes a test of reasonably compatibility.	This regulation is redundant for Apiary uses that are categorized as Discretionary and contradictory for Apiary uses categorized as Permitted.	
New 12.2.3	Changing the wording to remove qualifier of Use	A “use qualifier” should be within the district use table and not be within the regulations.	
12.3.2	Reworded provision to remove reference to breakfast.	The provision has two regulations – one referring to the only meal and the other referring to no food preparation. It is inappropriate to regulate that the only meal provided to guests shall be breakfast.	
12.5.1 12.5.2 12.5.3 12.5.4(f)	Adding interpretive statements explaining that demolition of a building or portion thereof changes the intensity of the use.	The act of Demolition in of itself is not a development; however, the building being demolished is a development. Removing the building or portion thereof represents a change in the intensity of the building. It is the change of intensity that requires the Development Permit.	All applicable districts (removal of Demolition from the Use Tables)
12.7.1 Kennel	Amending the wording to remove the Use qualifier that a Kennel is neither Permitted nor Discretionary is within or adjacent to a multi-parcel subdivision. Amendment makes it a regulation as opposed to a use qualifier.	A “use qualifier” should be within the district use table and not be within the regulations.	All applicable use tables
12.7.1(a)	Add the ability for the DA to waive the requirement. This replaces the “exception” provision.	The proposed change places a discretionary regulation to the use – which has exactly the same effect; however, it is more clear and correct. The exception provision was ambiguous because the regulation above made the use neither permitted or discretionary and the exception provision enabled the DA to approve a use that was not allowed.	

12.7.2(b)	Removal of provision that required Kennels to meet public health regulations and be kept in a matter to the satisfaction of the Health Authority.	This proposed removal corrects an error as health regulations are not a land use matter and referring to an external agency is improper sub delegation.	
12.7.2(d)	Amending regulation related to fence height	Proposed change ensures consistency with other amendments.	16.2
12.9.1(h)	Removed	Removing the requirement for the applicant to sign an agreement. This is unnecessary.	
12.9.2(i) and 12.9.3(h)	Removed	Removing requirement for the business owner to obtain a business license. County no longer issues business licenses.	
12.9.3(a)	Amending the wording to remove the Use qualifier that a Home Based Business Level 3 is neither Permitted nor Discretionary is within or adjacent to a multi-parcel subdivision. Amendment makes it a regulation as opposed to a use qualifier.	A “use qualifier” should be within the district use table and not be within the regulations.	Applicable land use districts.
12.10.1	Deleting the Use qualifier stating that Liquor Sales/Distribution Services is neither a P/D Use within multi-parcel residential subdivisions	Notwithstanding this provision qualifies a Use within the regulations, this use is not listed within any residential or agricultural districts.	
12.11.2(e) and 12.11.3 Manufactured Home	Removed	This provision is replaced by Fundamental Use Provisions within the applicable Land Use Districts	
Table 12.11.2.1	Removed	Replaced by the Fundamental Use Provisions within the applicable Land Use Districts	

12.12.1 Resource Extraction	Removed	Removing ambiguous provision. This section is replaced with Fundamental Use Provisions and reworded provisions.	
12.12.1	New wording	Clear regulation stating not allowed within Multi-Parcel subdivisions. (this is also FUPs in applicable districts)	
12.12.2	New wording	Removes ambiguous provision. Clear regulation requiring a specified setback from multi parcel residential subdivisions	
12.12.3	New provision	Provides clear direction to Development Officer. Gives criteria for the Development Authority when considering a variance to 12.12.2	
Former 12.12.1	Removed	Current provision is confusing and ambiguous. The change revises the definition of Resource Extraction. Therefore, if it does not meet the definition, the use is disqualified from meeting the definition. New use class and definition for Mines under 5.1 ha.	Revised definition
12.12.6 (new number)	Reworded provision	Clarifies hours of operation. Removes ambiguity.	
12.12.12	Deleted provision	Problematic provision. The provision requires a two year approval for a development that, by its nature, extends well beyond the two years. Once the permit expires, the site is in contravention of the LUB. The Bylaw gives the Development Authority the ability to place time limits without this provision.	
12.13.1	Reworded	Clarifies provision.	
12.13.5	Delete existing regulation stating Secondary Suites shall be allowed as a Discretionary Use.	Permitted and Discretionary Uses must be listed in the District Use Tables. If it is listed within a regulation, it may be varied.	
12.13.5	New provision	This ensures no conflict with Building Code.	
12.16.1 Small Animal Breeding/Boarding	Amending wording to remove qualifier that the use is neither permitted or discretionary within or adjacent to multi-parcel subdivision.	A “use qualifier” should be within the district use table and not be within the regulations.	
12.17.4(a) Tourist Campground	Delete provision stating use is discretionary use on a specific parcel	Unnecessary provision. If the use exists, it has obtained a DP. If not, the provision that regulates separation distance may be varied. Bad practice to have a regulation specific to a specific parcel.	

12.17.6(j)	Removed provision	Over regulatory provision.	
12.17.6	Removed provision	Provision sub delegates – not land use consideration	
12.18.1 Waste Mgt Facility or Dry Waste Landfill	Delete provision stating that it is neither a Permitted or Discretionary Use.	Ambiguous regulations. This does not need to be stated. As a regulation, it may be misinterpreted. Provision is contradictory because the use is allowed in HI and PS.	
12.18.1	Addition of new provision that provides the process for new Waste Management Facilities or Dry Waste Landfill.	If the intent is to give Council particular control over this use and not allow within conventional districts, then this subsection should identify the process. There are specific Direct Control Districts that give Council particular authority.	
12.18.2.i	Removed provision requiring a business license		
12.20.2 Work Camps	Amending provisions related to time limits and subsequent development permit approvals.	The change clarifies the provision. The existing provision was unclear. The change also clarifies the DA discretion when considering subsequent applications. The existing provision suggests the DA must refuse if any complaint is received. It is more correct to give the DA discretion and consider the nature of the complaints when deciding.	
12.21.2 Shipping Containers	Adding provision regarding Shipping Containers when used for trans-shipping as opposed to re-use	The change clarifies that regulations are not intended to restrict shipping containers that are used for the purposes of shipping goods and materials.	Glossary
12.22.1(a) RV Storage	Deleting 12.22.1(a) provision qualifying whether or not RV Storage is a permitted or discretionary use.	A “use qualifier” should be within the district use table and not be within the regulations. Regulations may be varied whereas a use within the district cannot. Deleting this provision removes ambiguity.	Applicable Districts
12.23.1(a) Recycling Depots	Deleting 12.23.1(a) provision qualifying whether or not the use is a permitted or discretionary use.	A “use qualifier” should be within the district use table and not be within the regulations. Regulations may be varied whereas a use within the district cannot. Deleting this provision removes ambiguity.	
14.1.1 General Parking	Amending section	Deleting phrase within the provision. The phrase does not need to be provided.	

14.2.1(d) Parking Space Requirements	Adding provision	New provision gives the Development Authority with the ability to require larger stalls or drive aisles based on the nature of the development and typical traffic characteristics.	
Table 14.3-2 and 14.3-3	Adding provision	This provision is specific to shopping centres and multi-tenant buildings. This new requirement will provide one parking regulation for the entire development as opposed to each use.	
14.3.9	Adding provision related to parking study	The Development Authority may determine the required parking based on evidence provided within a parking study.	
16.2.1(b)	Adding Extensive Agriculture Development	This means “farming” does not require a DP	
16.2.1(c)	Adding Extensive Livestock Development	This means a farm having cattle (not CFO) does not require a DP	
16.2.1(i) (new number)	Amending provision regarding public works and utilities	Provides more clarity. This means installing utilities such as cable does not require a DP.	
16.2.1(j) (new number) Accessory Buildings	Amending provisions related to whether accessory buildings require a DP or not	The two effected provisions can be combined into one.	
16.2.1(k) Decks 16.2.1(i)	Amending provisions related to decks not requiring a DP	The proposed amendments provide clarity. The original provision states decks over 2 feet in height do not require a DP which suggests that decks under 2 feet require DPs. The amendment removes reference to height.	
16.2.1(p) Agricultural Buildings	Amending provision related to agricultural buildings not requiring a DP	The proposed amendment provides clarity.	
16.2.1(q) Home Based Business Level 1	Adding provisions stating that a Home Based Business Level 1 does not require a DP	Aligns with current practice.	
16.2.4(j)	Removing provisions related to fences	The proposed amendment eliminates redundancy – fences are already dealt with in this section. The existing provision is meant to be regulatory and therefore should not be within this section.	12.7.2(c)
16.3.1 Application for Home Based Business	Deleting provision	Unnecessary provision	

16.4.8	Removed Telecommunication Tower from table		All applicable Districts 12.1
16.6 Application for Telecommunication Towers	Delete subsection related to application for a telecommunication tower.	The construction and location of Telecommunication Towers are under the authority and jurisdiction of the Federal Government – Industry Canada. The standards and regulations concerning Municipalities are established through Federal Policy, which do not correspond with legislation pertaining to Development Permits.	All applicable Districts 12.1
16.8 Master Site Development Plan	Adding provisions regarding Master Site Development Plan	The purpose of these provisions is to ensure that a site is suitable for a major development. The provisions require approval of a MSDP prior to acceptance of a DP application	
16.9.1(a) Non-Conforming Buildings and Uses	Deleting provision related to setbacks being considered non-conforming...	This provision does not need to be stated. Stating in the Land Use Bylaw may suggest that other requirements are not considered non-conforming.	
16.10. Decisions on Development Permit Applications	Deleting and Replacing	The existing provisions do not address process. New provisions provide direction to the Development Authority. Removes ambiguity and redundancy.	
16.11.2 Variance Authority	Amending provision	More specific wording.	
16.11.3(a)	Amending provision	The proposed test is more appropriate given the broad circumstances within the County. Changes the test from a prescriptive based to a more “objective based”. (The existing test appears to duplicate the Edmonton Zoning Bylaw).	
16.11.3(b)	Amending provision	Reflecting amendments regarding fundamental use provisions. The Development Authority cannot vary a fundamental use provision.	
16.11.3(c)	Deleting provision	MPC is repealed	
16.12.4 Development Permit Conditions	Amending provision related to conditions for a Discretionary Use or where a variance has been granted	The proposed amendment provides direction to the Development Authority regarding conditions. Conditions for Discretionary Uses or where a variance has been granted must achieve a planning objective.	
16.12.6	Adding provisions related to condition requiring security	This provision gives the Development Authority the ability to place a condition requiring the applicant to post a security.	

16.12.7	Adding provisions related to rationale for requiring security	The proposed provision provides direction for the Development Authority when considering requiring securities.	
16.13(1,2, and 3) Notice of DP Decisions	Adding provisions related to Notice of Development Permit	Proposed provisions eliminates the mandatory requirement to notify in the newspaper and enhances the requirement to notify through regular mail. Advertising in the newspaper delays permit validity up to two weeks. This can create an unnecessary hardship on the landowner.	
16.13.1	Deleting provisions related to Notice within the Newspaper	See above	
16.13.5	Deleting provision regarding time to reapply after a DP is refused	These provisions should not be located within the Notification section. Replaced in 16.14.8 and 16.14.9	16.14.8 & 16.14.9
16.14(1,2,3,4,5,6) Issuance and Validity of Development Permits	Adding provisions related to issuance and validity of Development Permits	Proposed provides greater clarity. Shortens the time in which a development permit is considered valid (current Bylaw can add as much as two extra weeks). Clarifies and corrects provisions related to “renewals” and temporary Development Permits.	
16.14.8	Adding provision regarding time to reapply after a DP is refused	Relocated from 16.13.5. More appropriate location.	16.13.5
16.14(9,10,11)	Adding provisions related to expiration of a use that has ceased	Provides clarity and direction for the Development Authority.	
16.16 Compliance Certificates	Adding Provisions regarding Compliance Certificates	This replaces policy regarding compliance certificates.	
19.3	Deleting provisions regarding Land Use Bylaw Amendments and establishing the date, time, and place for Public Hearing.	Unnecessary process that adds time to the development process.	
Glossary			
Accessory Building	Deleting and Replacing	The existing definition only refers to residential uses. Therefore, any reference in the Bylaw to Accessory Building is a reference to a residential Accessory Building. The proposed deletes Accessory	

		Building and replaces with the word “Accessory”. This also supports other changes in the Bylaw related to Accessory Uses and Accessory Buildings	
Accessory Use	Deleting	Removes ambiguity within the definition because it provides a contradictory regulation. There is no need for the definition if there is a definition for “Accessory”.	
Apiary	Amending	Including the word “commercial”. Makes the definition less inclusive.	
Aquaculture	Amending	Including words “a development where”. Aquaculture is a use, therefore the reference should be to a “development” as opposed to land.	
Area Structure Plan	Amending	A Statutory Plan should not be defined differently than what it already defined in the MGA.	
Arterial Roads	Amending	Existing definition is subjective. Amendment refers to a schedule.	
Bed and Breakfast	Amending	Adding “development within and secondary to.” This ensures a Bed and Breakfast will be secondary to the principal residential use.	
Boarding House	Amending	Deleting “four to six” – referring to sleeping units. Removes a contradiction with Section 12.4.3 which states, no more than four guest rooms shall be allowed in the home.	
Cemetery	Amending	Reference to a “development”. Corrects definition.	
Collector Road	Adding		
Compliance Certificate	Adding	New definition supports changes related to provisions related to compliance certificates.	
Corner Lot	Deleting	Removes redundancy. Existing definition for corner parcel.	
Coverage	Adding	Provides clarity for interpreting coverage of buildings on land.	
Development Authority	Amended	Clarifies definition and aligns with other proposed amendments related to Development Authorities	
Development Officer, Development Officer Assistant, and Senior	Deleted	“Development Authority” replaces “Development Officer”. Eliminates confusion.	

Development Officer			
Discretionary Use	Deleted	No need for a definition. Application and interpretation of discretionary uses are explained elsewhere in the Bylaw.	
Dwelling, Duplex	Amended	Adding the word “residential” before building.	
Dwelling, Fourplex	Amended	Adding the words “development consisting of a residential” before building.	
Dwelling, Row Housing	Amended	Adding the word “residential” before building.	
Dwelling, Single Detached	Amended	Removes regulations within the definition pertaining to size. Having this regulation creates issues in terms of how to deal with housing forms that do not meet the regulation and thus not meeting the definition. Removing references that refer to other legislation. Bad practice to use other legislation within a LUB definition. Cannot sub delegate.	
Family Care Limited	Deleted	The existing use class is redundant because it includes uses that already exist.	See residential care facility
Foster Home	Deleted	No reference anywhere in the Bylaw. Other use classes encompass this definition. Therefore, deleting “Foster Home” removes redundancy.	
Front Yard	Deleted		
Group Home, Major and Group Home, Limited	Amended	Adding “this use class does not include homes or halfway houses for persons under jurisdiction of the Federal or Provincial justice systems”. Deleting “and does not include housing facilities for convicts or ex-convicts.” The existing clause is discriminatory and regulates users and not the use. The revised wording is specific to a function of the use as opposed to the individuals associated with the use.	
Home Based Business Level 2	Amended	Ensures the use is secondary to the principal residential use.	
Home Based Business Level 3	Amended	Ensures the use is secondary to the principal residential use. Clarifies wording.	
Horticultural Use	Amended	Adding words “specialized botanical production”. Reflects industry trends.	

Indoor Eating Establishment	Amended	Provides more clarity.	
Major Development	Added	Supports references in the Land Use Bylaw and policies related to Major Developments.	
Mean Parcel Width	Deleted	The definition makes no reference to average or mean. Removes redundancy because parcel width is defined.	
Master Site Development Plan	Added	New definition to support additions within the document	
Medical Treatment Services	Amended	More clear definition meant to distinguish this use from certain types of residential uses or care facilities such as supportive housing or housing with services.	
Minor	Deleted	Not necessary. Other definitions with the word minor are provided.	
Motor Vehicle	Amended	Amendment simplifies the definition.	
Multi-Tenant	Added	Reflects new provisions (parking) related to multi-tenant developments	
Natural Resource Extraction /Processing	Amended	Adding reference to Total Mine Area to be 5.1 ha or greater. This removes ambiguity regarding regulation in Section 12.12.1. If the mine area is under the 5.1 ha, the development does not meet the definition.	12.12.1
Natural Resource Extraction /Processing (minor)	New Definition and use class	As a result of the amended definition to Natural Resource Extraction/Processing, this new use class includes developments where the mine area is smaller than 5.1 ha.	
Off-Street Parking	Deleted	Ambiguous. Off street parking does not need to be defined. The definition referred to parking of three or more vehicles. Does not take into consideration parking of two or fewer stalls.	
Outdoor Eating Establishment	Amended	Provides more clarity	
Parcel Coverage	Deleted	Redundant	
Permitted Use	Deleted	No need for a definition. Application and interpretation of permitted uses are explained elsewhere in the Bylaw.	
Pit Area	Added	Reflects changes in 12.12	12.12
Principal Building	Amended	Simplified.	
Principal Use	Amended	Simplified. Deletes a regulation within the definition.	

Property Line	Amended	Removes ambiguity	
Real Property Report	Added	Supports new provisions within the Bylaw	
Rear Yard	Removed	Removes redundancy. Bylaw refers to Setbacks, no yards.	
Recreational Equipment	Added	Differentiates certain items from Recreational Vehicles (such as ATVs, utility trailers, etc..). Supports definition of RV Storage	
Recreational Vehicle	Amended	Clarifies the definition and removes ambiguity. Supports definition of RV Storage	
Recreational Vehicle Storage	Amended	Existing definition is under-inclusionary. New wording refers to amended definitions of recreational vehicles and recreational equipment.	
Recycling Depot – Major	Amended	Removing ambiguous phrases and regulatory statements.	
Residential Care Facility	Added	Replaces Family Care Limited. Not a good practice to use the word “Family” in the use class.	
Riding Arena	Amended	Simplifies	
Security Suite	Amended	Removes regulatory provisions within the use and labels as an accessory development.	
Secondary Suite	Amended	Clarifies wording and removes regulations.	
Service Station	Added	Added cleaning as a use	
Setback	Amended	Provides clarity for interpretation	
Side Property line	Re-named		
Side Yard	Removed		
Silviculture Processing	Added		
Solar Energy Systems	Added	Consistent with provisions of the MDP.	
Solar Farm	Added	Consistent with provisions of the MDP.	
Shopping Centre	Added	Reflects new parking provisions related to multi-unit developments and shopping centres	
Show Home	Amended	Simplifies	
Site Coverage	Deleted	Removes redundancy.	
Temporary Permit	Deleted	Amendment reflects changes within the Bylaw	

Total Mine Area	Added	Reflects changes in 12.12.	12.12
Tree Clearing	Amended	Removes ambiguous phrase. Cannot classifies whether it is permitted or discretionary within a definition.	
Unauthorized	Added	Reflects changes within the Bylaw.	
Utility Services – Major Infrastructure	Amended	Removed “sewage lagoons”. Removes redundancy. Bylaw exempts this type of development.	
Yard	Amended	Clarifies and ensures “Yard” is not confused with “Setback”	
Yard – flanking, front, rear, and side	Deleted	Removes redundancy. Bylaw uses the term “setback”.	