

Topic: Text Amendments to Land Use Bylaw 20-2009 (Bylaw No.2014-19)

Introduction:

To make text amendments to Land Use Bylaw No. 20-2009 in order to expedite the approval of variance requests and to eliminate the restriction of only Manufactured Homes 1985 or newer to be placed in Parkland County. This will not materially affect the Bylaw in principle or substance.

Facts (Background Information):

The Municipal Planning Commission has recognized that the number of variance requests coming before them are excessive, and potentially unnecessary. These variance requests can be more expeditiously decided at the discretion of the Development Officers. As was the County's practice prior to 2013. An amendment was passed in 2013 to take away that same authority from the Development Officers and Administration (based on a recommendation from the MPC) is now recommending that be reversed.

The second amendment is to remove the year of construction requirement from both the single and double wide manufactured home. Administration feels that to place such a restriction is to imply an economic restriction that may prevent the purchase of an affordable home and places the onus on the home owner.

Proposed Bylaw 2014-19 is written in a manner that follows the Land Use Bylaw Sections numerically.

THAT LAND USE BYLAW NO. 20-2009 IS AMENDED AS FOLLOWS:**1. Section 16.11 Variance Authority**

By deleting the following in **bold**:

3. Notwithstanding Section 16.11.1, a Development Officer shall be limited to the following variance provisions:
 - a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same district.
 - b) A variance to a regulation shall be limited to a maximum of ten percent (10%) of any regulation, except that there shall be no variance to floor area or site coverage.**

- c) Upon receipt of a request for a variance exceeding the authority of the Development Officer shall review the application and refer the application, with the Development Officer's recommendation, to the Municipal Planning Commission for decision.

By adding the following in **bold**:

- 3. Notwithstanding Section 16.11.1, a Development Officer shall be limited to the following variance provisions:
 - a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same district.
 - b) **A variance to a regulation shall be applied to any regulation, at the discretion of the Development Officer, except, there shall be no variance to floor area ratio of the principal building.**
 - c) Upon receipt of a request for a variance exceeding the authority of the Development Officer shall review the application and refer the application, with the Development Officer's recommendation, to the Municipal Planning Commission for decision.

2. Section 20.1 Definitions

By deleting the following in that is in **bold**:

MANUFACTURED HOME, DOUBLE WIDE means a building or structure **built after 1985**, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts with each of the two parts being moved from one point to another individually and put together on a parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A double-wide manufactured home does not include a single wide manufactured home, holiday trailer or recreation vehicle.

By deleting the following that is in **bold**:

MANUFACTURED HOME, SINGLE WIDE means a building or structure, **built after 1985**, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts with each of the two parts being moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A single-wide manufactured home does not include a double-wide manufactured home, a holiday trailer, park model or a recreation vehicle.

Alternatives:

- 1. To amend proposed Bylaw 2014-19
- 2. Not to proceed with proposed Bylaw 2014-19 to amend the Land Use Bylaw 20-2009

Conclusion/Summary:

Administration supports the proposed amendments to Land Use Bylaw 20-2009

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