

**BYLAW NO. 2014-21
PARKLAND COUNTY**

**BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF
AMENDING LAND USE BYLAW NO. 20-2009**

WHEREAS the Council of Parkland County has passed a Bylaw pursuant to Part 17, Section 639 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, known as the Parkland County Land Use Bylaw No. 20-2009 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County;

WHEREAS pursuant to Section 191 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, the Council of a municipality is authorized to pass a bylaw to amend a bylaw; and

WHEREAS Section 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, requires the Council of a municipality to hold a public hearing before giving second reading to a proposed bylaw amending a land use bylaw; and

WHEREAS this bylaw is advertised in accordance with Section 606 of the Municipal Government Act, and a public hearing is held in accordance with Section 230 of the Municipal Government Act; and

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the Municipal Government Act, as amended, hereby enacts the following:

THAT LAND USE BYLAW NO. 20-2009 IS AMENDED AS FOLLOWS:

1. Section 5.9 (4)(b)(ii) and (iii) Setbacks for Internal Parcels

By deleting the following in **bold**:

- 4. Development
 - b) Setbacks for Internal Parcels
 - i. A minimum front yard setback shall be 3.5 m (11.5 ft) from an internal subdivision road or parking area.
 - ii. **A minimum side yard setback shall be 1.5 m (5.0 ft).**
 - iii. **A minimum rear yard setback shall be 1.5 m (5.0 ft).**

By adding the following in **bold**:

- 4. Development
 - b) Setbacks for Internal Parcels
 - i. A minimum front yard setback shall be 3.5 m (11.5 ft) from an internal subdivision road or parking area.
 - ii. **A minimum side yard setback shall be 0.8 m (2.6 ft).**
 - iii. **A minimum rear yard setback shall be 0.8 m (2.6 ft).**

2. Section 5.9 BRR – Bareland Recreational Resort District

Notwithstanding 11.1 (5)

By adding the following in **bold** to Section 5.9 (5)

- a) *Repealed under Bylaw 04-2010*
- b) Accessory buildings may be permitted or discretionary consistent with Subsection 11.1.
- c) A minimum of 10% of the gross condominium parcel area shall be set aside for common space recreation area and no portion of any Bareland Condominium unit shall be included in this open space.
- d) Development of land within a Bareland Condominium shall be considered the same as the development of land within a fee simple subdivision, with each unit of land treated as an individual parcel.

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- e) **Accessory buildings shall be limited to one story and shall not exceed 3.6 m (12 ft) in height from the inside wall grade to the peak of the roof.**
- f) **Accessory buildings shall not be used for accommodation purposes.**
- g) Development within a Bareland Condominium shall be subject to all of the provisions of this district unless otherwise determined through a negotiated development agreement with the County.
- h) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the *Environmental Conservation Plan*, and may be required within 0.8 km of areas defined as environmentally significant in the *Environmental Conservation Plan*, or if the site contains natural features such as sloughs or extensive tree cover.
 - (i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- i) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 – DEVELOPMENT REGULATIONS.

3. Section 5.11 Schedule 1 Entwistle Village District Map (Attachment 1)

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

DC – Direct Control District on the south side of Highway 16

DC – Direct Control District on the north side of Highway 16

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

R1 – Residential – Single Family, on the south side of Highway 16

R2 – Residential – Medium Density, on the north side of Highway 16

4. Section 16.2 (1)

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

1. Pursuant to Subsection 16.1, developments designated as "deemed approved" and therefore not requiring a development permit include
 - a) those uses and developments exempted under Section 618 of the *Act* and regulations thereto;
 - b) the use of a building, or part thereof, as any official temporary use in connection with a federal, provincial or municipal election, referendum or census;
 - c) personal use tennis court or swimming pool, where there is an existing permitted dwelling, single detached or manufactured home;
 - d) the carrying out of routine maintenance to any building, provided that such works do not include or constitute structural alterations;
 - e) the completion/continuation of a development that was initiated in accordance with a lawful development permit issued before the effective date of this Bylaw provided that the development is completed/continuous in accordance with the terms and conditions of that permit;
 - f) the construction, completion, alteration, maintenance or repair of a street, lane or utility undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;
 - g) the installation, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal authorities on land that is publicly owned or controlled;
 - h) the construction of an accessory building or structure less than 10.0 m² (107.6 ft²) in area, excluding a deck
 - (i) is not located on a registered easement or right-of-way; and

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Bylaw No. 310
Bylaw No. 213-07

- (ii) all setbacks as required in the Land Use Bylaw, are maintained; and
 - (iii) the overall floor area of all accessory buildings on the site do not exceed the floor area allowed as a Permitted Use, as set out in Section 11.1.
- i) the construction of unenclosed decks, 60.96 cm (24 in) or more above the ground, attached to or detached from a structure providing:
 - (i) it is not located on a registered easement or right-of-way; and
 - (ii) all setbacks as required in the Land Use Bylaw, are maintained; and
 - (iii) a building permit is obtained.
 - (iv) no walls.
- j) the erection, construction or maintenance of a temporary building which is necessary only for the construction, alteration, maintenance or marketing of a building for which a development permit has been issued;
- k) the erection, construction or maintenance of a temporary structure as defined by this Bylaw;**
- l) a television or communication aerial (not used for commercial purposes) less than 15.0 m (49.5 ft) in height and sited on a parcel of at least 0.4 ha (1.0 ac) in size (refer to Section 12.1.5);
- m) a satellite dish, light standard, or flagpole and structures less than 4.5 m (15.0 ft) in height from grade, when located and sited on a parcel containing a single detached dwelling, duplex or manufactured home, in accordance with the accessory building setback provisions;
- n) the extraction and processing exclusively by Parkland County, or its authorized agents, of sand, gravel, or other earth materials and including asphalted or concrete mixtures for any County purpose within Parkland County; and/or
- o) the extraction and processing exclusively by the Government of Alberta, or its authorized agents, of sand, gravel, or other earth materials for any road construction for Provincial or County purposes within Parkland County.
- Bylaw No. 2013-07

p) the construction of an agricultural building, provided all setbacks as required in the Land Use Bylaw are maintained; and the total combined accessory building area does not exceed the permitted use provisions in Section 11.1.2.

5. Section 20.1 (3)

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

ACCESSORY STRUCTURE means a structure incidental and subordinate to the principal use which at no time shall be used as a dwelling. This includes plastic and metal garden shed, metal carports and tarped structures that are 600 ft² or less in size.

AND THAT this Bylaw shall come into force and have effect from and after the date of third reading and signing thereof.

READ A FIRST TIME this ____ day of _____, **2014.**

PUBLIC HEARING held this ____ day of _____, **2014.**

READ A SECOND TIME this ____ day of _____, **2014.**

READ A THIRD TIME AND FINAL TIME this ____ day of _____, **2014.**

MAYOR

MANAGER,
LEGISLATIVE & ADMINISTRATIVE SERVICES