

**BYLAW NO 2013-07
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 1.9 General Interpretation

By deleting the following in bold:

- 3 In Part 2 of this Bylaw, land use districts, the provisions referred to under the headings "Notes" in the table of Uses, **shall form part of the description of the particular use to which each note relates. A proposed use must comply with the qualifications established by reference to particular bylaw provisions under the heading "Notes," in order to be Permitted or Discretionary Use, as the case may be.**

By add the following in bold:

- 3 In Part 2 of this Bylaw, land use districts, the provisions referred to under the headings "Notes" in the table of Uses, **are for convenience purposes to assist in the interpretation of this Bylaw.**

2. Section 2 Approving Authorities

By deleting the following in bold:

2.1 Development Authority

- 1 The **Development Authority** is established pursuant to the Parkland County **Development Authority** Bylaw and shall perform such duties that are specified in this Bylaw, the Parkland County **Development Authority** Bylaw and the *Act*. The **Development Authority** ...
- 2 **For the purposes of right of entry, the Development Authority is hereby authorized to carry out the duties and powers of a Designated Officer pursuant to the Act.**

2.2 Subdivision Authority

- 1 The Subdivision Authority is established pursuant to the Parkland County **Subdivision Authority** Bylaw and shall perform such duties that are specified in the Parkland County **Subdivision Authority** Bylaw and the *Act*. The **Subdivision Authority** ...
- a) shall keep and maintain for the inspection of the public during all reasonable office hours, a copy of this Bylaw and all amendments thereto, and ensure that copies are available at a reasonable charge as prescribed by Council; and
- b) shall keep and maintain for the inspection of the public during all reasonable office hours, a record of all applications for subdivision approval, including the decisions thereto and the reasons thereto.

BYLAW NO. 2013-07
AMENDING LAND USE BYLAW NO. 20-2009

By adding the following in bold:

2.1 Municipal Planning Commission

- 1 The **Municipal Planning Commission** is established pursuant to the Parkland County **Municipal Planning Commission** Bylaw and shall perform such duties that are specified in this Bylaw, the Parkland County **Municipal Planning Commission** and the *Act*. **Municipal Planning Commission ...**

2.2 Subdivision Authority

1. The Subdivision Authority is established pursuant to the Parkland County **Municipal Planning Commission** Bylaw and shall perform such duties that are specified in the Parkland County **Municipal Planning Commission** Bylaw and the *Act*. The Subdivision Authority ...

2.3 Development Authority

Those persons employed by Parkland County in the capacity of the Senior Development Officer, Development Officer and Assistant Development Officer shall perform such duties that are specified in the Parkland County Land Use Bylaw and the *Act*.

3. Section 3.3 Land Use District Maps

Table 3.3.1 Permitted and Discretionary Uses by Land Use Bylaw.

Add Secondary Suite to the RE – Resource Extraction District as a Discretionary Use.

Add Home Based Business Level 2 to the following Districts as a Discretionary Use:

LSR – Lakeshore Residential District

RRH – Residential Row Housing District

MHR - Manufactured Home Residential District.

Remove Garden Suite from all Districts .

4. Section 4.1 AGG – Agricultural General District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

5. Section 4.2 ANC – Agriculture/Nature Conservation District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway

6. Section 4.3 AGR – Agriculture Restricted District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

7. Section 5.1 – CR – Country Residential District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

8. Section 5.2 CRWL – Country Residential Work/Live District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

9. Section 5.3 CRR – Country Residential Restricted District

By deleting the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.
- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

b) Setbacks for Accessory Buildings

- (v) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the side edge of the parcel, not adjacent to any roadway.

BYLAW NO. 2013-07
AMENDING LAND USE BYLAW NO. 20-2009

- (vi) A minimum setback of **3.0 m (9.8 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

10. Section 5.4 CCR – Cluster (Conservation) Country Residential District

By deleting the following in bold:

4. Development

a) Setbacks for Principal and Accessory Buildings for residential parcels:

- (vi) A minimum setback of **6.0 m (19.7 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

a) Setbacks for Principal and Accessory Buildings for residential parcels:

- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

- (vii) Minimum side yard and rear yard setback for an accessory building shall be 3.0 m (9.8 ft) from the edge of the parcel, not adjacent to any roadway.**

11. Section 5.5 CRE – Country Residential Estate District

By deleting the following in bold:

4. Development

a) Setbacks for Principal and Accessory Buildings for residential parcels:

- (vi) A minimum setback of **6.0 m (19.7 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

By adding the following in bold:

4. Development

a) Setbacks for Principal and Accessory Buildings for residential parcels:

- (vi) A minimum setback of **6.1 m (20.0 ft)** shall be provided from the rear edge of the parcel, not adjacent to any roadway.

- (vii) Minimum side yard and rear yard setback for an accessory building shall be 3.0 m (9.8 ft) from the edge of the parcel, not adjacent to any roadway.**

12. Section 7.1 BI – Business Industrial District

By deleting the following in bold:

4. Development

a) Setbacks

(i) Minimum Front Yard Setback

- (1) A minimum setback of 12.0 m (39.4 ft) shall be provided from the property line of an adjacent internal subdivision road.**

- (2) A minimum setback of 23.0 m (75.5 ft) shall be provided from the property line of an adjacent municipal road right-of-way.**

- (3) A minimum setback of 45.7 m (150.0 ft) shall be provided from the property line of an adjacent arterial road right-of-way.**

- (4) A minimum setback shall be provided as determined by Alberta Transportation for parcels adjacent to a highway.**

- (ii) Minimum side yard setback shall be 9.0 m (29.5 ft) or 15.0 (49.5 ft) from a side parcel property line adjacent to a residential development.**

By adding the following in bold:

4. Development

a) Setbacks

(i) Minimum Front Yard Setback

- (1) A minimum setback of 8.0 m (26.3 ft) shall be provided from the property line of an adjacent local road.**

- (2) A minimum setback of 23.0 m (75.5 ft) shall be provided from the property line of an adjacent minor or major collector road, or arterial road.**

- (3) A minimum setback shall be provided as determined by Alberta Transportation for parcels adjacent to a highway.**

- (ii) Minimum side yard setback required shall total 12 m (39.4 ft) with one side being no less than 3 m (9.8 ft). Where there are two (2) or more front yards and one (1) side yard the side yard setback shall be no less than 3 m (9.8 ft). Side yard setback adjacent to a residential development shall be a minimum of 15.0 m (49.5 ft).

13. Section 7.2 MI – Medium Industrial District

By deleting the following in bold:

4. Development

a) Setbacks

(i) Minimum Front Yard Setback

- (1) A minimum setback of 12.0 m (39.4 ft) shall be provided from the property line of an adjacent internal subdivision road.
- (2) A minimum setback of 23.0 m (75.5 ft) shall be provided from the property line of an adjacent municipal road right-of-way.
- (3) A minimum setback of 45.7 m (150.0 ft) shall be provided from the property line of an adjacent arterial road right-of-way.
- (4) A minimum setback shall be provided as determined by Alberta Transportation for parcels adjacent to a highway.

- (ii) Minimum side yard setback shall be 9.0 m (29.5 ft) or 15.0 (49.5 ft) from a side parcel property line adjacent to a residential development.

By adding the following in bold:

4. Development

a) Setbacks

(i) Minimum Front Yard Setback

- (1) A minimum setback of 8.0 m (26.3 ft) shall be provided from the property line of an adjacent local road.
- (2) A minimum setback of 23.0 m (75.5 ft) shall be provided from the property line of an adjacent minor or major collector road, or arterial road.
- (3) A minimum setback shall be provided as determined by Alberta Transportation for parcels adjacent to a highway.

- (ii) Minimum side yard setback required shall total 12 m (39.4 ft) with one side being no less than 3 m (9.8 ft). Where there are two (2) or more front yards and one (1) side yard the side yard setback shall be no less than 3 m (9.8 ft). Side yard setback adjacent to a residential development shall be a minimum of 15.0 m (49.5 ft).

14. Section 10.1 Acheson Industrial Commercial Area Overlay

By adding the following in bold:

5. The following setbacks shall apply for developments that fall within the boundary of the Acheson Industrial Commercial Area Overlay:

a) Minimum Front yard setbacks

- (i) A minimum setback of 12.0 m (39.4 ft) shall be provided from the property line of an adjacent local road.
- (ii) A minimum setback of 23.0 m (75.5 ft) shall be provided from the property line of an adjacent minor or major collector road.
- (iii) A minimum setback of 45.7 m (150.0 ft) shall be provided from the property line of an adjacent arterial road.
- (iv) A minimum setback shall be provided as determined by Alberta Transportation for parcels adjacent to a highway.

b) Minimum side yard setback shall be 9.0 m (29.5 ft) or 15.0 (49.5 ft) from a side parcel property line adjacent to a residential development.

c) Minimum rear yard setback shall be 9.0 m (29.5 ft) or 15.0 (49.5 ft) from a side parcel property line adjacent to a residential development.

6. BI – Business Industrial designated lands that fall within the Acheson Industrial Commercial Area Overlay, the following minimum standards shall apply:

- a. Sites smaller than 1.0 ha (2.5 ac), a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped; and,
- b. On sites larger than 1.0 ha (2.5 ac), a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscape

7. For MI – Medium Industrial designated lands that fall within the Acheson Industrial Commercial Area Overlay, the following minimum standards shall apply:

- a. On sites smaller than 1.0 ha (2.5 ac), a minimum of 5%, or as otherwise required by the Development Authority, of the site area shall be landscaped.
- b. On sites larger than 1.0 ha (2.5 ac), a minimum of 30%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped.

15. Section 11.4 Dwelling Units on a Parcel

By deleting the following words in bold:

- 1 Only one (1) detached dwelling unit shall be allowed on a parcel unless
 - a) it is a second **or additional** detached dwelling allowed on an agricultural parcel of at least 28.3 ha (70.0 ac) in size, **agriculture is the principal use of the parcel, and the dwelling is to be occupied by a person who is engaged on a full time basis for at least six (6) months of the year in an agricultural pursuit on the parcel that is the subject of the application;**
 - c) **it is a garden suite allowed in accordance with other provisions contained in this Bylaw;**
 - e) it is a secondary suite attached to a dwelling, single detached **or as a second storey of a garage** where the principal use of the parcel is a dwelling, single detached. **The second storey of a garage shall not be used as a secondary suite unless a dwelling, single detached is already erected on the parcel.**

By adding the following words in bold:

- 1 Only one (1) detached dwelling unit shall be allowed on a parcel unless
 - c) **the Development Authority views as appropriate the development of a third detached dwelling unit on an agricultural parcel of at least 28.3 ha (70 ac) in size, agriculture is the principal use of the parcel and the third dwelling unit is a single wide manufactured home. The third dwelling must be occupied by a person who is engaged on a full time basis for at least six (6) months of the year in an agricultural pursuit on the parcel that is the subject of the application.**
 - e) it is a secondary suite attached to a dwelling **or a single detached dwelling** where the principal use of the parcel is a dwelling, single detached.
4. Any application for additional dwelling units as described in Section 11.4.1 shall be considered Discretionary Uses.

16. Section 12.8 Reclaimed Gas and Oil Wells

By deleting the following in bold:

- 2 In accordance with the Energy Resources Conservation Board recommendations, a setback consisting of a minimum of 10.0 m (33.0 ft) by 15.0 m (49.5 ft) work area surrounding a reclaimed well shall be maintained at all times.
- 3 The setback boundaries shall be established so that the well is no less than 5.0 m (16.4 ft) from the setback boundary. A minimum 8.0 m (26.5 ft) width access to this setback area shall be maintained.

By adding the following in bold:

2. **Setbacks from an abandoned well shall be established in accordance with the Subdivision and Development Regulations and the most current Directive as adopted by the ERCB.**

Renumber sections **12.8.4** and **12.8.5** to **12.8.3** and **12.8.4** respectively.

17. Section 12.9 Home Based Business

By deleting the following in bold:

2. g) the parking of one (1) commercial vehicle with one (1) accessory trailer such as **single** axle gravel truck with pup, trailer carrying a small backhoe, bobcat, or similar, tractor unit only (no trailer), or a three (3) ton truck or like type vehicle may only be allowed by the Development Authority on a discretionary basis;

By adding the following in bold:

2. g) the parking of one (1) commercial vehicle with one (1) accessory trailer such as **dual** axle gravel truck with pup, trailer carrying a small backhoe, bobcat, or similar, tractor unit only (no trailer), or a three (3) ton truck or like type vehicle may only be allowed by the Development Authority on a discretionary basis.

18. Section 12.13 Secondary Suite

By deleting the following in bold:

1. **The maximum floor area of a secondary suite shall be as follows:**
 - a) **for a secondary suite located completely below the first storey of a single detached dwelling (other than stairways or a common landing), the floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling;**
 - b) **for a secondary suite developed at grade, or completely/partially above grade, the floor area (excluding the area covered by stairways) shall not exceed the lesser of the following: 92.9 m² (1000.0 ft²) or 50% of the total floor area of the first storey of the associated principal dwelling.**
7. **On any parcel, only one (1) of either a secondary suite or garden suite may be developed.**
8. **An attached secondary suite shall only be allowed within the principal building or its accessory building.**
10. **A secondary suite or a garden suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.**
11. **Notwithstanding the provisions of Section 11.4, a second detached dwelling unit shall not be considered as a secondary suite.**

By adding the following in bold:

1. **On any parcel only one secondary suite may be developed.**
2. **The minimum floor area for a secondary suite shall be 30.0 m² (322.9 ft²) and the maximum floor area of a secondary area shall be 92.9 m² (1000 ft²).**
3. **The Development Authority shall, in its opinion, be satisfied that there exists on the hosting parcel, a suitable development site upon which to site the secondary suite. The Development Authority shall be satisfied that the secondary suite can and will, where possible, be properly connected to services (e.g.: gas, power, water, sewage disposal) associated with the existing host residence without jeopardizing existing services associated with either the hosting parcel or adjacent and neighbouring parcels.**
4. **A secondary suite shall be designed, sited, constructed, finished and sided in a manner that is visually compatible, in the opinion of the Development Authority, with the residential character of adjacent and neighbouring lands and/or the neighbourhood in general. The following guidelines may be considered by the Development Authority:**
 - a) **the suite should not be placed in front of the primary residence or placed in a manner which could obstruct the view from a house on an adjacent property ;**
 - b) **The suite shall not be placed on any easements and shall not be placed on a gas line;**
 - c) **the suite shall be sited in accordance with setback regulations for a principal building;**
 - d) **the site shall be graded to avoid ponding under or around the suite.**

19. **Section 13.6 Industrial Landscaping Requirements**

By deleting the following in bold:

1.	<table border="1"> <tr> <td>Minimum Landscaping Area for Industrial Sites</td><td> On sites smaller than 1.0 ha (2.5 ac), a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped. </td></tr> </table>	Minimum Landscaping Area for Industrial Sites	On sites smaller than 1.0 ha (2.5 ac), a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped.
Minimum Landscaping Area for Industrial Sites	On sites smaller than 1.0 ha (2.5 ac), a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped.		
2.	<table border="1"> <tr> <td>Minimum Landscaping Area for Industrial Sites</td><td> On sites smaller than 1.0 ha (2.5 ac), a minimum of 5%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 30%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped. </td></tr> </table>	Minimum Landscaping Area for Industrial Sites	On sites smaller than 1.0 ha (2.5 ac), a minimum of 5%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 30%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped.
Minimum Landscaping Area for Industrial Sites	On sites smaller than 1.0 ha (2.5 ac), a minimum of 5%, or as otherwise required by the Development Authority, of the site area shall be landscaped. On sites larger than 1.0 ha (2.5 ac), a minimum of 30%, or as otherwise required by the Development Authority, of the required front and side yard setbacks of the site shall be landscaped.		

By adding the following in bold:

1.	<table border="1"> <tr> <td>Minimum Landscaping Area for Industrial Sites</td><td> A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) in width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5 m (4.8 ft.), extending to the nearest portion of the principal building. </td></tr> </table>	Minimum Landscaping Area for Industrial Sites	A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) in width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5 m (4.8 ft.), extending to the nearest portion of the principal building.
Minimum Landscaping Area for Industrial Sites	A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) in width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5 m (4.8 ft.), extending to the nearest portion of the principal building.		
2.	<table border="1"> <tr> <td>Minimum Landscaping Area for Industrial Sites</td><td> A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be at the discretion of the Development Authority. </td></tr> </table>	Minimum Landscaping Area for Industrial Sites	A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be at the discretion of the Development Authority.
Minimum Landscaping Area for Industrial Sites	A minimum uninterrupted landscaped yard of 6.0 m (19.7 ft.) width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be at the discretion of the Development Authority.		

20. **Section 16.2 Development Not Requiring a Development Permit**

By adding the following in bold:

- 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.**
1. o).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.
4. a) landscaping (not including dugouts or artificial water bodies, see Subsection 11.8) including **ornamental water features two feet deep or less**, retaining walls of 1.0 m (3.3 ft) in height or less, as measured from the base of the retaining wall, where the existing natural surface drainage pattern on or off site is not altered, except where landscaping forms part of a development which requires a development permit (see Subsection 11.8) for excavation and grading regulations;

BYLAW NO. 2013-07
AMENDING LAND USE BYLAW NO. 20-2009

21. **Section 16.4 Application for Development Permit**

By deleting the following in bold:

- g) the Development Authority may require a Real Property Report to verify the location of an existing building that is subject of a development permit application; **and**
- h) such additional information as the Development Authority deems necessary in order to evaluate any application in accordance with this Bylaw.**

By adding the following in bold:

- h. Confirmation from the Energy Resources Conservation Board (ERCB) for buildings larger than 47 m² (500 ft²) or larger, identifying the presence or absence of abandoned wells; and**
- i. Provide additional information as required by the Development Authority deems necessary in order to evaluate any application in accordance with this Bylaw.**

22. **Section 16.10 Decisions on Development Permit Application**

By adding the following in bold:

- 2. Development Officer Discretionary Authority
 - a) (iii) Relax a regulation of this Bylaw, in accordance with the regulations in Section 16.11, and in such case, the development applied for shall be a Discretionary Development.**

23. **Section 16.11 Variance Authority**

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 limited to a maximum of ten percent (10%) of any regulation, except that there shall be no variance to floor area, height, or site coverage.**
 - c) Upon receipt of a request for a variance exceeding the authority of the Development Officer, the Development Officer shall review the application and refer the application, with the Development Officer's recommendation, to the Municipal Planning Commission for decision.**

24. **Section 16.13 Notice of Development Permit Application, Decision and Re-application Interval**

By adding the following in bold:

- 1. **b) if the approved development is located within a multi-parcel subdivision, notify in writing all registered owners within a 100 metre radius of the subject property of the said subdivision of the decision. If the approved development also happens to be located on the periphery of the said subdivision, then any adjacent land owners shall also be notified in writing.**

25. **Section 20.1 Definitions**

By deleting the following in bold:

DEVELOPMENT AUTHORITY means, as established pursuant to the Act, **that person(s) defined by the Development Authority Bylaw of Parkland County.**

DEVELOPMENT OFFICER means that person(s) **defined by the Development Authority Bylaw of Parkland County to act as Development Officer.**

DEVELOPMENT OFFICER, ASSISTANT means that person(s) **defined by the Development Authority Bylaw of Parkland County to act as Assistant Development Officer.**

HOME BASED BUSINESS LEVEL 3 means trade or craft for gain or support conducted within the residential dwelling and/or accessory building and includes all home based businesses not considered Home Based Businesses, Level 1 or Level 2. It may include up to **six (6)** on-site employees in addition to the resident and the resident's family who permanently reside in the dwelling.

BYLAW NO. 2013-07
AMENDING LAND USE BYLAW NO. 20-2009

UTILITY SERVICES - MAJOR INFRASTRUCTURE means development for public or private utility infrastructure purposes which is likely to have a major impact on the environment or adjacent land uses by virtue of their emissions, effect or appearance. Typical facilities would include sewage and/or water treatment plants, sewage lagoons, **waste transfer/compacting stations**, power generating stations, cooling plants, and incinerators.

By adding the following in bold:

AGRICULTURAL BUILDING means a freestanding structure on a parcel two acres or greater in size, that is used solely to house livestock, storage and repairs of agricultural equipment, storage of farm produce and livestock feed. This use class would include developments such as animal shelters, hay/feed sheds, granaries, but does not include a riding arena, detached garage or if a building is partially used for personal, residential use.

DEVELOPMENT AUTHORITY means, as established pursuant to the Act, **the Development Officer or the Municipal Planning Commission of Parkland County, or both as the case may be.**

DEVELOPMENT OFFICER means that person(s) **appointed to the office established by this Bylaw.**

DEVELOPMENT OFFICER, ASSISTANT means that person(s) **appointed to the office established by this Bylaw.**

GARDEN SUITE means a development consisting of dwelling unit separate from any other dwellings. This use class is a form of detached secondary suite, but does not include garage suites. A garden suite shall have a minimum floor area of 46.4 m² (500 ft²) and a maximum floor area of 92.8 m² (1000.0 ft²), and

- a) Garden suites shall not be permitted on parcels less than 0.8 ha (2.0 ac), and shall be considered as Discretionary use on parcels over 0.8 ha (2.0 ac).
- b) Garden suites shall not be constructed on a basement.

HOME BASED BUSINESS LEVEL 3 means trade or craft for gain or support conducted within the residential dwelling and/or accessory building and includes all home based businesses not considered Home Based Businesses, Level 1 or Level 2. It may include up to **four (4)** on-site employees in addition to the resident and the resident's family who permanently reside in the dwelling.

MANUFACTURED HOME, DOUBLE WIDE means a building or structure **built after 1985,...**

MANUFACTURED HOME, SINGLE WIDE means a building or structure **built after 1985,...**

SECONDARY SUITE means an additional dwelling unit located within a single detached dwelling, within an accessory structure that is located on a residential or agricultural parcel or a dwelling unit separate from any other dwellings. It must have its own entrance, kitchen, bathroom and living quarters. This use does not include boarding and lodging houses. The second storey of a garage shall not be used as a secondary suite unless a single detached dwelling is already erected on the site.

- e) on parcels less than 0.8 ha (2.0 ac) a secondary suite that is a dwelling unit separate from any other dwelling or accessory building shall not be permitted,
- f) a secondary suite shall not be constructed on a basement.

BYLAW NO. 2013-07
AMENDING LAND USE BYLAW NO. 20-2009

26. Remove Garden Suite from the following districts:

Section 4.1.2 AGG – Agriculture General District
Section 4.2.2 ANC – Agriculture/Nature Conservation District
Section 4.3.2 AGR – Agriculture Restricted District
Section 5.1.2 CR – Country Residential District
Section 5.2.2 CRWL – Country Residential Work/Live District
Section 5.3.2 CRR – Country Residential Restricted District
Section 5.4.2 CCR – Cluster (Conservation) Country Residential District
Section 7.5.2 RE – Resource Extraction District.

27. Adding Home Based Business Level 2 as a Discretionary Use to the following districts:

Section 5.6.2 LSR – Lakeshore Residential District
Section 5.7.2 RRH – Residential Row Housing District
Section 5.8.2 MHR - Manufactured Home Residential District.

28. Repeal Bylaw No. 10-2010 regarding Garden Suites.

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 _____, **2013**. A.D.

READ A SECOND TIME this ____ day of _____, **2013**. A.D.

READ A THIRD TIME AND FINAL TIME this ____ day of _____, **2013**. A.D.

MAYOR

MANAGER,
LEGISLATIVE & ADMINISTRATIVE SERVICES