

**BYLAW NO 2014-19
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. 2013-07 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 **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 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.

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**. A.D.

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

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

MAYOR

MANAGER,
LEGISLATIVE & ADMINISTRATIVE SERVICES