

## SECTION 11 GENERAL REGULATIONS

Bylaw No. 2018-09

### 11.1 Accessory Developments

1. Interpretation
  - a) Developments that are naturally or normally incidental, subordinate, and strictly devoted to the principal use is considered to be an Accessory Development;
  - b) An Accessory Development falls under the Use Class of its Principal Use and therefore is either Accessory to a Permitted Use or Accessory to a Discretionary Use.
2. Notwithstanding any other provision in this Bylaw, the following Uses, unless specifically listed as a Permitted or Discretionary Use in the Land Use District where the Parcel is located, are prohibited as Accessory Uses to any other use:
  - a) Automotive, Equipment, and Vehicle Services
  - b) Boarding House;
  - c) Cannabis Consumption Facility;
  - d) ~~Cannabis Production Facility;~~
  - e) ~~Cannabis Cultivation, Major~~
  - f) ~~Cannabis Cultivation, Minor~~
  - g) ~~Cannabis Processing, Major~~
  - h) ~~Cannabis Processing, Minor~~
  - i) ~~Cannabis Retail Sales;~~
  - j) ~~Detention and Correction Services;~~
  - k) ~~General Industrial Manufacturing/Processing;~~
  - l) ~~Group Home, Major;~~
  - m) ~~Group Care Facility;~~
  - n) ~~Horticultural Use;~~
  - o) ~~Industrial Storage and Warehousing;~~
  - p) ~~Outdoor Shooting Range;~~
  - q) ~~Kennel;~~
  - r) ~~Liquor Sales/Distribution Services;~~
  - s) ~~Outdoor Participant Recreation Services;~~
  - t) ~~Security Suite;~~
  - u) ~~Small Animal Breeding/Boarding Services;~~
  - v) ~~Specialized Botanical Production Facility;~~
  - w) ~~Tourist Campground, Destination;~~
  - x) ~~Tourist Campground, Enroute;~~

## H

**HAMLET** means any area declared by a Bylaw of Parkland County to be a Hamlet. These include Carvel, Duffield, Fallis, Gainford, Keephills, Magnolia and Tomahawk.

**HAZARD LANDS** means land that consists of a swamp, gully, ravine, coulee or natural drainage course, or land that is subject to flooding or is, in the opinion of the Subdivision Authority and Development Authority, unstable.

**HIGHWAY** means land used or surveyed for use as a public Highway or road, and includes a bridge forming part of a public Highway or road and any structure incidental to the public Highway or road or bridge, subject to the direction, control and management of Alberta Transportation.

**HIGHWAY COMMERCIAL BUILDING** means a Commercial building intended primarily for the use of the travelling public and which is located on a Parcel adjacent to a major route designated as a public Highway pursuant to the *Public Highway Development Act*.

## I

**INDUSTRIAL HEMP** means a cannabis plant — or any part of that plant — in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves.

**INTERNAL SUBDIVISION ROAD** means a public roadway providing access to lots within a Multi-Parcel Subdivision and which is not designated as a Township or Range Road.

**INTERIOR PARCEL** see PARCEL, INTERIOR.

## L

**LANDSCAPING** means to preserve or change the natural features of a site by adding top soil of no more than six (6) inches in depth, lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways, residential, commercial and industrial lighting (luminary replacements) or other structures and materials as used in landscape architecture.

**LANE** means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m and is not less than 6.0 m wide, and which provides a secondary means of access to a Parcel or Parcels, or as defined as an alley in the *Highway Traffic Act*.

**LIVESTOCK** means cattle, swine, poultry, sheep, goats, horses, game and similar animals.

**LOADING SPACE** means an off-street space on the same Parcel as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.



Bylaw No. 2018-03 **CANNABIS CONSUMPTION FACILITY** means a development, or any part thereof, licensed to sell Cannabis to the public for consumption within the premises.

Bylaw No. 2018-03 **CANNABIS PRODUCTION FACILITY** means a development, or any part thereof, that involves the production, cultivation, and growth of Cannabis and Cannabis products. This includes one or more of the following: making, testing, manufacturing, assembling or altering the chemical and physical properties of finished and semi-finished goods and products. This use class does not preclude the storage, and transporting of products and materials related to Cannabis production.

**CANNABIS CULTIVATION, MAJOR** means a development that has a plant canopy area greater than 200.0 m<sup>2</sup> and is used principally for the production, cultivation, and growth of Cannabis as licensed by Health Canada. This use class does not preclude the packaging, storage and transporting of products and materials related to cultivation of Cannabis. This does not include Industrial Hemp.

**CANNABIS CULTIVATION, MINOR** means a development that has a plant canopy area 200.0 m<sup>2</sup> or less and is used principally for the production, cultivation, and growth of Cannabis as licensed by Health Canada. This use class does not preclude the packaging, storage and transporting of products and materials related to cultivation of Cannabis. This does not include Industrial Hemp.

**CANNABIS PROCESSING, MAJOR** means a development that is used principally for one or more of the following: making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products of cannabis as licensed by Health Canada. This use class does not preclude the storage and transporting of products and materials related to Cannabis processing. This does not include Industrial Hemp.

**CANNABIS PROCESSING, MINOR** means a development that is used principally to process a maximum of 600.0 kg of dried cannabis (or equivalent) in one (1) calendar year. This includes one or more of the following: making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products as licensed by Health Canada. This use class does not preclude the storage and transporting of products and materials related to Cannabis production. This does not include Industrial Hemp.

Bylaw No. 2018-03 **CANNABIS RETAIL SALES** means a development, or any part thereof, used for the retail sale of Cannabis. Does not include Cannabis Production and Distribution or Convenience Retail.

**CANNABIS RETAIL SALES** means a development, or any part thereof, used for the retail sale of Cannabis as licensed by the Province of Alberta. Does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; Cannabis Processing, Minor; or Convenience Retail. This does not include Industrial Hemp.

**CEMETERY** means a Development where land is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

**COMMUNITY RECREATION SERVICES** means development for recreational, social, or multi-purpose use primarily intended for local community purposes. Typical facilities would include community halls and community centres operated by a local residents' organization.

and other naturally occurring, uncontaminated aggregate fill materials are not considered dry-waste landfill for the purposes of this Bylaw.

**DWELLING, DUPLEX** means a Development consisting of a residential Building containing only two dwellings placed side by side or with one dwelling placed over the other in whole or in part, with individual and separate access to each dwelling. This type of development shall be designed and constructed as two dwellings at the time of initial construction of the building and intended as a permanent residence. It is also known as semi-detached dwelling.

**DWELLING, FOURPLEX** means a Development consisting of a residential Building containing four Dwelling Units located immediately adjacent to each other and sharing a common wall and each having a separate entrance at grade and intended as a permanent residence.

**DWELLING, ROW HOUSING** means a Development consisting of a residential Building designed and built to contain three or more Dwelling Units with a separate exterior entrance at grade that shares no more than two party walls with adjacent Dwelling Units and intended as a permanent residence. No part of a Dwelling Unit is placed over another in part or in whole and every Dwelling Unit shall have separate, individual direct access to grade. For the purposes of this Bylaw, garden linked, row and townhouse units are considered to be row housing dwellings. Row housing units are adjoined by a vertical party wall that is insulated against sound transmission. Row housing units have the following features:

- a. they are adjoined by a vertical party wall that is insulated against sound transmission; and
- b. each Dwelling Unit has a minimum floor area of 80.0 m<sup>2</sup>.

**DWELLING, SINGLE DETACHED** means a Development consisting of a residential Building containing one Dwelling with or without an attached garage and/or attached carport and is separated from any other Dwelling. Modular Homes, Double wide Manufactured homes and a dwelling constructed onsite are all considered Single Detached Dwellings. Where a Secondary Suite is a Permitted or Discretionary Use within a District, a Dwelling, Single Detached may also contain a Secondary Suite.

**DWELLING, TRIPLEX** means a Development consisting of a residential Building containing three Dwelling Units located immediately adjacent to each other and sharing a common wall and each having a separate entrance to grade.



**EDUCATIONAL SERVICES** means development for instruction and education purposes, involving assembly for educational, training or instruction purposes and includes administration offices, dormitory and accessory buildings. Typical facilities would include public and separate schools, private schools or seminaries, community colleges, universities, technical and vocational facilities.

**EXTENSIVE AGRICULTURE DEVELOPMENT** means a system of tillage including the associated clearing of land for agricultural production purposes, which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming as well as farm related uses. Extensive Agriculture Development does include the off-site removal and export of logs or trees. This use class does not include **Cannabis Production Facility**; **Cannabis Cultivation, Major**; **Cannabis Cultivation, Minor**; **Cannabis Processing, Major**; or **Cannabis Processing, Minor**. This includes Industrial Hemp.

**EXTENSIVE LIVESTOCK DEVELOPMENT** means a farming operation on at least 16.0 ha of land involving the rearing of livestock either in conjunction with or separate from an Extensive Agricultural Development, where the number of animals on the subject Parcel falls below the registration threshold of a Confined Feeding Operation hempas per the AOPA, Agricultural Operations, Part 2 Matters Regulation, Schedule 2.

F

**FARM VACATION HOME** means a single detached dwelling located on land whose primary use is agricultural where temporary lodging or sleeping accommodation, with no more than three guest rooms, is provided, with any or all meals prepared in the residential kitchen, on a daily basis to registered guests for not longer than fourteen days by the occupant and his immediate family for a remuneration.

**FUNERAL HOME** means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.

G

Bylaw No. 2018-03 **GENERAL COMMERCIAL RETAIL SERVICES** means development used for the retail rental or sale of groceries, beverages, household goods, furniture and appliances, hardware, lumber, printed matter, secondhand/used household goods (and related repair and refurbishing activities), personal care items, automotive parts and accessories, stationary, office equipment and similar goods. Wholesale or retail liquor sales/distribution services sales/distribution outlets or facilities are not included in this use class. This use class does not include Cannabis Retail Sales.

Bylaw No. 2018-03 **GENERAL INDUSTRIAL MANUFACTURING / PROCESSING** means development principally associated with manufacturing, assembling, fabrication, processing and research/testing activities. Without restricting the generality of the foregoing, typical facilities would include plants involved with natural gas or its derivatives; pulp and paper products; stone, clay, glass, plastic, wood, rubber or metal products; cement or lime products; automotive assembly or fabrication. This use class does not include **Cannabis Production Facility** **Cannabis Cultivation, Major**; **Cannabis Cultivation, Minor**; **Cannabis Processing, Major**; or **Cannabis Processing, Minor**.

**GOVERNMENT SERVICES** means development providing municipal, provincial or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courthouses, postal distribution offices, municipal offices, social service offices, manpower and employment offices and airport terminals.

**GROUP CARE FACILITY** means supervised residential Dwelling Unit, licensed or approved under provincial legislation, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health professionals.

**GROUP HOME, LIMITED** means development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide

exhaust, vibration, heat, glare, refuse matter, and storage of hazard or combustible materials which should be located in an industrial district.

**HOME DAY CARE** means when a Dwelling Unit is used to provide a facility and/or program for the care, maintenance and supervision of six or fewer children under the age of 15 years, by a person who resides in the Dwelling Unit and who is either related or unrelated to the children involved, for periods of more than three but less than twenty-four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare.

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**HORTICULTURAL USE** means a Commercial horticultural operation other than a Confined Feeding Operation that, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include horticultural uses like nurseries, greenhouses, market gardens, tree farms, and specialty crops (not including Cannabis).



**INDOOR EATING ESTABLISHMENT** means a commercial development where foods and beverages are prepared and consumed for consumption on-site and within the confines of the building by the public.

**INDOOR PARTICIPANT RECREATION SERVICES** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical facilities would include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges; bowling alleys and racquet clubs, indoor soccer fields.

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**INDUSTRIAL, HEAVY** means a manufacturing or processing facility whereby external effects are likely to be felt beyond the boundaries of the site and possibly the district or neighbourhood. External effects include, but are not limited to, noise, vibration, light, noise, dust, odour, humidity, smoke, fumes, steam, heavy traffic, and other impacts that affect the safety, use, amenities and enjoyment of property. Without restricting the generality of the foregoing, these uses would generally be related to the oil and gas industry and would include for example: upgraders, plants for the manufacture of petroleum products, fertilizers, chemicals and the processing of natural gas and its derivatives.

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**INDUSTRIAL STORAGE AND WAREHOUSING** means development (including a security suite as defined by this Bylaw used solely for security purposes) used for either indoor or outdoor storage, warehousing, distribution or trans-shipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical facilities would include pipe yards, heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centres. Generally no additional processing would occur on site. This use class does not include **Cannabis Production Facility-Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; or Cannabis Processing, Minor.**