

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW 2017-05

**BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF AMENDING
LAND USE BYLAW 20-2009 TO ADD AGRICULTURAL INDUSTRY DEVELOPMENT DISTRICT**

WHEREAS the Council of Parkland County passed a Bylaw pursuant to Part 17, Section 639 of the Municipal Government Act, R.S.A. 2000, c.M-26, known as the Parkland County Land Use Bylaw 20-2009 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County;

WHEREAS and pursuant to Part 17, Section 692 of the Municipal Government Act the Council of a municipality is authorized to amend a Land Use Bylaw; and

WHEREAS Section 692 of the Municipal Government Act requires the Council of a municipality to hold a public hearing and advertise such a Bylaw in accordance with Sections 230 and Section 606 of the Municipal Government Act, respectively.

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

BYLAW 20-2009 AMENDMENTS:

1. That Bylaw 20-2009 being the Land Use Bylaw is amended as follows:

(1) Adding a new Section 4.4. to read:

4.4. AGI - Agricultural Industry Development District

1. Purpose

The purpose of this district is to accommodate new agricultural-based and alternative energy-based development in rural or rural fringe areas that:

- a. manufactures or processes value added agricultural products;
- b. produces or imports materials, or grows biomass crops, for use in alternative energy feed stocks or products; or
- c. generates alternative energy.

2. Uses

a. Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure that any new principal developments:

- i. support value added manufacturing or processing of agricultural or biomass inputs;
- ii. produce supplies or inputs that directly support the value added agriculture and/or alternative energy industries; or
- iii. provide for the generation of alternative energy.

b. Permitted Uses

- i. Agricultural Support Services
 - ii. Apiary
 - iii. Extensive Agricultural Development
 - iv. General Industrial Manufacturing/Processing
 - v. Government Services
 - vi. Horticultural Uses
 - vii. Professional, Business, Financial and Office Support Services, as ancillary to uses listed in 4.4(2)(b)
 - viii. Silviculture Processing
 - ix. Solar Farm
 - x. Wind Energy Converter System – Minor (1 System)
 - c. Discretionary Uses
 - i. Dwelling, Single Detached, that exist on or before the lands being redistricted to this district
 - ii. Natural Science Exhibits/Tours
 - iii. Professional, Business, Financial and Office Support Services, as ancillary to uses listed in 4.4(2)(c)
 - iv. Wind Energy Converter System – Minor (2 Systems)
 - v. Wind Energy Converter System – Major (3 Systems or more)
3. Fundamental Use Provisions Interpretation

To ensure that a use meets the Fundamental Use Provisions, the Development Authority shall interpret the use based on the fundamental purpose of the proposed use, in accordance with the following principles:

- a. For the purposes of this District, value added agriculture production shall mean manufacturing or processing wherein an agricultural commodity undergoes physical changes, and as a result the consumer base for the commodity is expanded and/or the producers are able to capture a greater share of the revenue.
- b. For the purposes of this District, alternative energy shall mean energy generated from sources other than fossil fuel, and include biofuels or renewable energy sources such as sunlight, wind, and geothermal heat that are naturally replenished.
- c. For the purposes of this District, uses that directly support the value added agricultural and alternative energy industries shall mean any manufacturing or processing providing supplies or inputs that directly support these industries. Examples include processing of biomass to produce biofuels.

- d. In interpreting the use, the Development Authority may request the Applicant to provide a description explaining the nature of the use and how it would meet the qualifiers outlined in Fundamental Use Provisions.
 - e. The Fundamental Use Provisions are to be applied to the principal use for new developments. The Provisions do not apply to Permitted and Discretionary Uses that exist on or before the lands being redistricted to this district.
4. Development Regulations
- a. Setbacks
 - i. Minimum Front Yard Setback
 - 01. A minimum setback of 8.0 m (26.3 ft.) shall be provided from the front property line.
 - 02. Notwithstanding 4 a)(i)(1) above, for parcels adjacent to a highway, the minimum setback from a property line abutting the highway shall be determined by the Development Authority in consultation with Alberta Transportation.
 - ii. Minimum Side Yard Setback
 - 01. A minimum setback of 3.0 m (9.8 ft.) shall be provided from a side property lines for parcels not adjacent to multi-parcel residential subdivisions.
 - 02. A minimum side yard setback of 15.0 m (49.5 ft.) shall be provided from a side property lines for parcels with side yards that are adjacent to a multi-parcel residential subdivision.
 - iii. Minimum Rear Yard Setback
 - 01. A minimum setback of 9.0 m (29.5 ft.) shall be provided from a rear property lines for parcels not adjacent to multi-parcel residential subdivisions.
 - 02. A minimum rear yard setback of 15.0 m (49.5 ft.) shall be provided from arear property lines for parcels with rear yards adjacent to a multi-parcel residential subdivision.
 - b. Parking and Loading
 - i. Vehicular entrances and exits, as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
 - ii. Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement, and to minimize impacts on adjacent land uses.

- iii. No parking, loading, trash collection, outdoor service or display area shall be permitted within the first 6 metres of a required front yard setback. Loading and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent residential properties or public roadway.
 - c. Outdoor Storage
 - i. All outdoor storage that may present negative visual impact shall be mitigated by use of fencing or landscaping, or by being located in areas that will present minimal visual impact to existing residential developments.
 - d. Screening
 - i. Any alternative or renewable energy systems may be located and screened, by land forms, natural vegetation or other means to minimize its visual impact on adjacent residences, public roads, or other public areas at the discretion of the Development Authority.
 - e. Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
 - f. Pursuant to the MDP the Development Authority may require the applicant to provide a biophysical assessment. A biophysical Assessment:
 - i. shall be required for a site proposed for 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.
 - ii. shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat, unique physical features, and overall ecosystem services, and shall recommend appropriate measures for protecting significant features.
- (2) Adding a new land use district of Agricultural Industry Development District (AGI) in Table 3.3-1.
- (3) Adding the following definitions in Section 20.1(3):
 - 1. **Silviculture Processing** means the processing of cultivated forest commodities.
 - 2. **Solar Energy System** means a system of components that convert sunlight energy into useable electrical or heat energy.
 - 3. **Solar Farm** means an installation or area of land in which a large Solar Energy System is installed in order to generate an alternative energy.

ENACTMENT/TRANSITION

2. Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.
3. This Bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this 23 day of January, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME and finally passed this _____ day of _____, 2017.

SIGNED AND PASSED this _____ day of _____, 2017.

Mayor

Chief Administrative Officer