

AGENDA

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**Monday, January 15, 2024 – 10:00 a.m.
Council Chambers – 53109A Hwy 779, Parkland County, AB**

Virtual attendance option available via Teams

Please email SDAB@parklandcounty.com no later than 9:00 a.m. on Monday, January 15, 2024 to register for attendance via Teams

- 1) Call to order
- 2) Members Present
- 3) Adoption of Agenda
- 4) 10:00 a.m. Appointment
 - I. The appeal of an approved Home Base Business Level 2 (landscaping/plumbing/gas fitting) located at:
Municipal Address: 2, 54023 Range Road 280
Legal Location: Plan 6048RS, Block 1, Lot 2, NW 6-54-27-W4M
Application Permit: PLDPH20230543
 - II. Applicant: P.W.R. Contracting (Ryan Creelman)
 - III. Appellant: Stefan Koester
- 5) Adjournment

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4. SUBMISSION OF THE APPELLANT N/A

5. SUBMISSION IN SUPPORT OF THE APPEAL N/A

6. SUBMISSION OF THE APPLICANT.....N/A

Site and appellant information (fill out completely)				Clerk Subdivision and Development Appeal Board Legislative Services 53109A Hwy 779 Parkland County, AB T7Z 1R1 Email: SDAB@parklandcounty.com Date Received: Appeal Fee: Development Permit \$200 Stop Order \$500 Subdivision Application \$250 Receipt No.
Site Information				
Municipal address of site 2 54023 RGE RD 280				
Legal land description of site ('plan, block, lot' and/or 'range-township-section-quarter') PLAN 6048 RS BLOCK 1 Lot 2				
Development permit number or subdivision application number PLDPH 20230543				
Appellant Information				
Name of appellant STEFAN KOESTER		Agent name (if applicable) /		
Street Address 20 54023 RGE RD 280				
City SPRUCE GROVE	Province ALBERTA	Postal Code T7X3V4	Day Phone Number (780) 868 9389	
Evening Phone Number (780) 868 9389	Fax Number /	Email Address stefankoester777@gmail.com		

Appeal Against (check one box only)

Development Permit	Subdivision Application	Order
☒ Approval ☐ Conditions of approval ☐ Refusal	☐ Approval ☐ Conditions of approval ☐ Refusal	☐ Notice of order

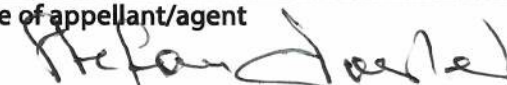
Reasons for appeal

Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons for the appeal.

The appeal is herein launched for the following reasons: (attach a separate page if required)

Collection and use of personal information

Personal information is being collected under the authority of the *Municipal Government Act (MGA)* and the *Freedom of Information and Protection of Privacy Act (FOIP)* and is managed in accordance with the provisions of FOIP. This information will be used to process your request for a hearing before the Subdivision and Development Appeal Board. Your information will form part of a file available to the public. If you have any questions about the collection of your personal information, contact Odessa Bartel, FOIP Coordinator at 780-968-3229.

Signature of appellant/agent 	Date (YYYY/MM/DD) 2023/11/22
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The appeal is herein launched for the following reasons:

Stefan and Birgit Koester, Rolling Hills 20, Residents for the last 20 years, there were challenges and changes yes along the way, but a home-based contracting business land scaping/ plumbing/ gas fitting would impact our way of living on our acreage immensely.

In the first place we think a contracting home based business should not be allowed in a quit residential subdivision.

A home based contracting business like landscaping, plumbing and gas fitting sure generates offensive noise, smoke, odour, dust, fumes, vibrations and dirt and traffic, -dirt trailers and bobcats and equipment- on our the subdivision road.

Our privacy and piece of quiet cannot be preserved.

Regards

Stefan and Birgit Koester

Nov22nd, 2023



Subdivision and Development Appeal Board Waiver Form

RE: File No.
PLDPH20230543

Municipal or Legal Address:
2 54023 RGE RD 280, Spruce Grove, AB T7X 3V4

I am requesting that this matter be heard on January 15, 2023 or N/A for
the following reason(s):

Due to the Christmas closure there are insufficient days to have the appeal heard and

I hereby waive my right to be heard by the Board within thirty days.

X 

Signature

X Nov 29/2023

Date

The Board makes every reasonable effort to schedule hearings in accordance with the requests made by parties to the appeal but cannot guarantee that a particular request will be granted. Please call us at 780-968-8471 to confirm the date of your hearing.

Parkland County Subdivision and Development Appeal Board
53109A Hwy 779, Parkland County AB, T7Z 1R1
Ph: 780-968-8471
Email: sdab@parklandcounty.com
Website: www.parklandcounty.com





Parkland County
53109A HWY 779
Parkland County, AB T7Z 1R1
Phone: 780-968-8888 Fax: 780-968-8413

OFFICIAL RECEIPT

KOESTER, STEFAN
2-54023 RGE RD 280

GST Reg. #: R106989189
Receipt #: 3446820
Receipt Date: 2023/11/22
Page: 1
Received by: CM

Account #	Description	Opening Balance	Payment	Amount Due
1725	Develop Appeal Fee-Non Residen	200.00	200.00	.00

Tender Type & Description	Reference	Amount	Total Tax:	.00
VS DEV APPEAL		200.00	Total Amount Paid:	200.00
			- Tender Received:	200.00
			= Change Given:	

THANK YOU FOR YOUR PAYMENT. THE MAYOR AND COUNCIL'S
COMMITMENT TO YOU IS TO SPEND YOUR TAX DOLLARS RESPONSIBLY.



Subdivision and Development Appeal Board Waiver Form

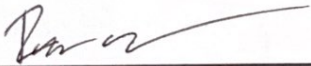
RE: File No.
PLDPH20230543

Municipal or Legal Address:
2 54023 RGE RD 280, Spruce Grove, AB T7X 3V4

I am requesting that this matter be heard on January 15, 2023 or N/A for
the following reason(s):

Due to the Christmas closure there are insufficient days to have the appeal heard and

I hereby waive my right to be heard by the Board within thirty days.

X 

Signature

X Dec 4th 2023

Date

The Board makes every reasonable effort to schedule hearings in accordance with the requests made by parties to the appeal but cannot guarantee that a particular request will be granted. Please call us at 780-968-8471 to confirm the date of your hearing.

Parkland County Subdivision and Development Appeal Board
53109A Hwy 779, Parkland County AB, T7Z 1R1
Ph: 780-968-8471
Email: sdab@parklandcounty.com
Website: www.parklandcounty.com

December 5, 2023

NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Appeal of:	Development Permit Approval, authorizing home based business level 2, as a discretionary use.
Application Number:	PLDPH20230543
Location:	Municipal Address: 2 54023 RGE RD 280, Spruce Grove, AB T7X 3V4 Legal Address: Plan 6048RS Block 1 Lot 2 W4-27-54-6-NW
Application Approved:	November 6, 2023
Appeal Received:	November 22, 2023
Applicant:	Ryan Creelman
Appellant:	Stefan Koester
Appeal Hearing Date:	10:00 a.m., Monday, January 15, 2024
Appeal Hearing Location:	Council Chambers – 53109A Hwy 779, Parkland County, AB <i>Zoom virtual attendance also available</i>
Submissions Deadline:	January 10, 2024

Parkland County received a Development Permit application located on the above noted lands. The Development Permit application was approved on November 6, 2023.

Correspondence has been received appealing the decision for approval, and in accordance with Section 686.2 of the *Municipal Government Act*, a hearing will be held at Parkland County Centre in Council Chambers on **Monday, January 15, 2024 at 10:00 a.m.**

Written submissions for inclusion in the agenda package for the Subdivision and Development Appeal Board regarding this appeal must be received by the undersigned on or before **Wednesday, January 10, 2024**. This will allow time for all parties to review all information before the hearing.

All written submissions for the agenda package must be sent via email to sdab@parklandcounty.com , or dropped off at the Parkland County Centre building during regular business hours on or before January 10, 2024.

The agenda package for this hearing will be available for viewing on our website: www.parklandcounty.com/sdab no later than January 11, 2024. Prior to the start of the hearing, a copy of the application and supporting documentation is available for inspection at Parkland County Centre, during regular business hours. Please contact Legislative Services at 780-968-8888 or by email at sdab@parklandcounty.com to schedule an appointment to view these documents.

Please Note:

This meeting will be conducted in person at the Parkland County Council Chambers. However, for those unable to attend in person, the option to attend via TEAMS conferencing is available. Should you wish to attend via TEAMS conferencing please contact SDAB Clerk staff by email at SDAB@parklandcounty.com or by telephone at 780-968-8888 no later than 9:00 a.m. on Monday, January 15, 2024.

Please contact the Clerk's Office at the above should you require assistance or have any questions/concerns.

Yours truly,



Barb Williams
Clerk, Subdivision and Development Appeal Board
sdab@parklandcounty.com

Development Authority Report

Appealed?	YES
Appeal Details	Appeal Hearing Date: January 10, 2024 Appellant(s): Stefan Koester

Application Details

Applicant(s)	P.W.R. Contracting (Ryan Creelman)
Landowner(s)	KELLY MCILROY, PAYTON CREELMAN, RYAN CREELMAN,
Application Date	July 18, 2023
Deemed Complete Date	November 06, 2023
Decision Date	November 06, 2023
Description of Development	The applicant is proposing the storage of plumbing, gas fitting, and landscaping equipment in an existing garage on their property located at 2-54023 RGE RD 280. Additionally, the proposal includes parking one pickup truck, trailer, and skid steer on the subject property. The hours of operation are 7 am to 5 pm, Monday to Saturday. The traffic will only include the resident leaving and returning to the property, with no other employee or client visiting the site.
Submittals	1. Planning Application Submittal 1.1. Business Details 1.2. Photographs of existing building for interior business storage 1.3. Existing Garage Floor Plan 1.4. Certificate of Title 1.5. Landowner Authorization Letter 1.6. Site Plan
Variance Requested?	No
Reasonings for Variance (as provided by Applicant)	N/A

Site Information

Title Area	2.78 (ha)
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Current Land Use District	Country Residential District
Use of Adjacent Parcels	Country Residential
Environmental Considerations	Current Wetland Inventory does not identify any wetlands within the proposed development area and is not within a High Priority Landscape as outlined in Municipal Development Plan Bylaw 2017-14. No offsite environmental impacts are anticipated.
Gas wells and pipelines abandoned and active within Title Area	None
Instruments Registered on Title	222 252 731 Mortgage 232 107 978 Caveat Re: Agreement Charging Land

Legislative History and Higher Order Planning Documents

Regional Plan	None.								
Edmonton Metropolitan Region Growth Plan	Identified within Rural Area of Metropolitan Region Structure.								
Intermunicipal Development Plan	N/A								
Municipal Development Plan Bylaw 2017-14 (MDP)	In reference to Figures of the MDP, the subject parcel is identified in the following classifications: <table> <tr> <td>Figure 7 – Development Concept Designation</td><td>Country Residential Area</td></tr> <tr> <td>Figure 9 – Prime Agricultural Areas</td><td>☐Yes / ☒No</td></tr> <tr> <td>Figure 11 – Prime Recreation and Tourism Areas</td><td>☐Yes / ☒No</td></tr> <tr> <td>Figure 14 – High Priority Landscapes</td><td>☐Yes / ☒No</td></tr> </table>	Figure 7 – Development Concept Designation	Country Residential Area	Figure 9 – Prime Agricultural Areas	☐ Yes / ☒ No	Figure 11 – Prime Recreation and Tourism Areas	☐ Yes / ☒ No	Figure 14 – High Priority Landscapes	☐ Yes / ☒ No
Figure 7 – Development Concept Designation	Country Residential Area								
Figure 9 – Prime Agricultural Areas	☐ Yes / ☒ No								
Figure 11 – Prime Recreation and Tourism Areas	☐ Yes / ☒ No								
Figure 14 – High Priority Landscapes	☐ Yes / ☒ No								
Area Structure Plan	The Lands are governed by the Atim Creek Area Structure Plan (ASP) and are identified as within the “Country Residential Core Area”. ○ The ASP supports residential and commercial uses in the Country Residential Core Area that do not exceed the capability of the site ASP (7.1.6, 7.3.5) ○ Lands within the “Country Residential Core Area are considered residential lands. When approving a development for commercial use, the County will consider if the proposed site is suited for the proposed use, if it is separated from other commercial uses to avoid the creation of a commercial node, the proposed use is compatible with land uses in the vicinity, the subject parcel is designated with a land use district								

that accommodates the land use (ASP 7.3.5).

Land Use Bylaw 2017-18 Regulation

Use Class Determination

Current Land Use District	Country Residential District (Section 5.1 of LUB)
Description of Development	The applicant is proposing the storage of plumbing, gas fitting, and landscaping equipment in an existing garage on their property located at 2-54023 RGE RD 280. Additionally, the proposal includes parking one pickup truck, trailer, and skid steer on the subject property. The hours of operation are 7 am to 5 pm, Monday to Saturday. The traffic will only include the resident leaving and returning to the property, with no other employee or client visiting the site.
Determined Use Class	HOME BASED BUSINESS LEVEL 2
Use Class Definition (LUB s.20.3)	<i>means an occupation, trade, or craft for gain or support, and is secondary to the principal residential use. It may include some client visits and the parking of one commercial vehicle and may not include on-site employees except the resident and the resident's family who permanently reside in the dwelling. Typical secondary uses may include massage therapy, spa/esthetics services, dog grooming, landscaping/snow removal, dressmaking, hairdressing, home crafts and handicrafts, picture framing, delivery services, mobile food vendors or caterers, individual instruction to students, off-site mobile repairs and installation, janitorial services, mobile entertainment services and the carrying out of minor household appliance repair and automotive repair (does not include autobody repair).</i>
Is Use Class a Listed Use in District?	Discretionary
Applicable Specific Use Regulations	Yes – see Chart 1 “Applicable Specific Use Regulations”.

Chart 1: Applicable Specific Use Regulations (LUB s12.8 Home Based Business)

s12.8.2 a)	No outside storage of goods, materials, commodities, or finished products shall be permitted	<i>Storage is confined to an indoor area (existing garage)</i>
12.8.2 b)	No variation from the external appearance and residential character of land or buildings shall be permitted	<i>The application has not proposed any new buildings, modifications to existing buildings, or modifications to the land to accommodate the business</i>
12.8.2 c)	The use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area	<i>Other than the resident employees, the application does not propose employee or client related trips to the property</i>

12.8.2 d)	The display or placement of signage on the premises of a Home Based Business Level 2 shall be in accordance with Subsection 15.3	<i>No signage is proposed as part of the Home Based Business application</i>
12.8.2 e)	The Home Based Business Level 2 use shall not generate noise, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority	<i>No offensive offsite impacts are anticipated from the proposed business operations on the property (storage of goods, parking of commercial vehicles and accessory trailer/skid steer)</i>
12.8.2 f)	At all times the privacy of the adjacent residential parcels shall be preserved and the home based business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.	<i>No client visits, employee visits, additional lighting, or activities generating an excessive amount of noise have been proposed for this development</i>
12.8.2 g)	The parking of one (1) commercial vehicle with one (1) accessory trailer such as a dual axle gravel truck with pup, trailer carrying a small backhoe, bobcat or similar, tractor unity 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.	<i>The application proposes the parking of one (1) 1-ton truck, trailer, and skidsteer on the parcel. The parking area is located on the driveway and to the side of the existing garage proposed for business use</i>
12.8.2 h)	Only the resident and the resident's family who permanently reside in the residential dwelling on the subject Parcel may be permitted as employees	<i>The application does not propose any on-site visits of non-resident employees to the site.</i>

Comments Received from Internal/External Circulation

Public Pre-Consultation Comments

Was public pre-consultation required prior to development permit application?

☐ Yes / ☒ No

If yes, was Public Engagement Summary submitted as part of application submittals?

Referral Agency Comments

Due to the limited impacts change in intensity of the existing use of the property and the subordinate nature of the Home Based Business, the application was not referred to any internal or external agencies.

Development Authority Decision

Reasons for Decision

In the opinion of the Development Authority, the proposed activities on the Lands meet the intent of the definition and regulations for Home Based Business Level 2.

The Development Authority took into consideration the following:

1. Proposed Land Use
 - Home Based Business Level 2 is a Discretionary Use within the Country Residential District
 - Home Based Business Level 2 is not included as a prohibited use within a Multi-Parcel Residential Subdivision (LUB Section 5.3.2)
 - The proposed development meets the requirements for Home Based Business Level 2 as outlined in Section 12.8 of the Land Use Bylaw.
2. Relevant Planning Documents
 - The governing Area Structure Plan (Atim Creek) supports commercial development within the Country Residential Core Area.
 - Home-Based Business development is supported throughout the County within the Municipal Development Plan (MDP Section 5.0).
3. Adjacent Land Use
 - The Development Authority is of the opinion that the proposed development is compatible with surrounding adjacent land uses (residential).
 - The Development Authority considered the proposed hours of operation, limited number of employees and client visits, and the suitability of the existing site to accommodate the proposed use (existing buildings, indoor storage, minimal parking), and determined that the proposed development would not unduly affect the use and enjoyment of the adjacent residential uses.

In the opinion of the Development Authority, the proposed development and associated submittal items sufficiently address the Specific Use Regulations specific to Home Based Business Level 2 use within Parkland County.

Closing Statement

The Development Authority submits that the SDAB uphold the decision of the Development Authority to approve Home Based Business Level 2 on the lands.

EXHIBITS

- Exhibit A: Development Permit Decision
- Exhibit B: Location Map
- Exhibit C: Land Use Bylaw 2017-18 Excerpts
- Exhibit D: Area Structure Plan Excerpts (if applicable)
- Exhibit E: Municipal Development Plan Bylaw 2017-14 Excerpts
- Exhibit F: Development Authority's PowerPoint Presentation

Prepared by: Parkland County Development Authority 12/14/2023



DISCRETIONARY USE
APPROVED DEVELOPMENT PERMIT

Application No: PLDPH20230543
Roll: [REDACTED]

Applicant(s)

[REDACTED]
[REDACTED]
[REDACTED]

On November 06, 2023, the Development Authority deemed your application complete. In reviewing your application and associated submittals for the Development described as “contracting business (landscaping / plumbing / gasfitting) ”, the Development Authority determined the use to be for HOME BASED BUSINESS LEVEL 2.

The subject property is located at 2 54023 RGE RD 280, legally described as Plan 6048RS Block 1 Lot 2, W4-27-54-6-NW and is within the Country Residential District.

This Development Permit APPROVAL authorizes the HOME BASED BUSINESS LEVEL 2 as a DISCRETIONARY USE in accordance with Section ## of Parkland County Land Use Bylaw 2017-18. In accordance with Section 16.14.1 of Parkland County Land Use Bylaw 2017-18, this Development Permit is not valid unless and until:

- Any conditions, except those of a continuing nature, have been fulfilled; and,
- No notice of appeal has been served by the Applicant or adjacent landowners on the Subdivision and Development Appeal Board in accordance with the *Municipal Government Act* s.686(1).

This approval is subject to the following conditions:

CONDITIONS	
1.	The proposed development shall conform to the stamped approved plans and shall not be moved, altered or enlarged except where authorized or directed through this permit approval.
2.	Any proposed changes shall first be submitted for review by the Development Authority. Any changes considered substantial or inconsistent with this approval, as determined by the Development Authority, may require separate development permit approval.
3.	The site shall be kept in a neat and orderly manner.
4.	The display or placement of signage on the premises shall be in accordance with Subsection 15.3 as per Parkland County's Land Use Bylaw 2017-18.
5.	No variation from the external appearance and residential character of land or buildings shall be permitted.
6.	The business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority.
7.	No outside storage of goods, materials, commodities or finished products shall be permitted.
8.	The parking of commercial vehicles, including the number considered and location, shall be allowed as shown on the submitted site plan and documentation.
9.	At all times the privacy of the adjacent residential dwellings shall be preserved and the home based business use shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion.
10.	Only the resident and the resident's family who permanently reside in the residential dwelling on the subject parcel may be permitted as employees who attend the subject parcel.
11.	Failure to comply with the conditions of this permit may result in the permit being cancelled and or revoked.

The applicant is advised of the following permit notes:

PERMIT NOTES	
1.	The applicant is responsible to ensure compliance with the Restrictive Covenant(s) registered on Title.
2.	The applicant is responsible to ensure compliance with the National Fire Code (Alberta Edition).
3.	Noise that exceeds the level as specified in the Community Standards Bylaw is an indication that noise may be an annoyance.
4.	The applicant is responsible to obtain any Provincial approval which may be required.



**DISCRETIONARY USE
APPROVED DEVELOPMENT PERMIT**

Application No: PLDPH20230543
Roll: [REDACTED]

5.	This approval permits the above noted Business to operate in Parkland County, Spruce Grove and Stony Plain (under the tri-municipal business licence agreement).
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This decision was issued on November 06, 2023
If no notice of appeal is served, **the permit will come into effect on:**
November 27, 2023

A handwritten signature in black ink, appearing to read "KH", enclosed within a simple oval outline.

Kristin Hoberg
Development Planner I
Development Authority

The development must be started and diligently pursued within **twelve (12) months** from the Date of Decision, unless otherwise specified on this development permit approval or in the conditions of the development permit approval. If the authorized development is not commenced, the approval ceases and this permit is deemed void, expired and without effect

DO YOU WISH TO APPEAL THIS DECISION?

This decision may be appealed to the Subdivision and Development Appeal Board within twenty-one (21) days after the Date of Decision pursuant to Section 686 of the *Municipal Government Act, RSA 2000, CM-26*.

For inquiries regarding the appeal process or to submit an appeal, please contact Parkland County Legislative Services at 780-968-8471 or SDAB@parklandcounty.com. Parkland County requires that a non-refundable fee of ~~\$200.00~~ must be paid for an appeal served on the Subdivision and Development Appeal Board by the applicant.





November 06, 2023

«NANAME»

«NAADD1»

«NACITY», «NAAPRV» «NAPSTC»

Dear Landowner;

You are receiving this notice because the attached discretionary development permit was issued to the property described below, which is **within 100 meters of your property.**

Notice of Approved Development Permit Near You

Development Permit:	PLDPH20230543 (<i>see enclosed permit for details</i>)
Legal Description:	Plan 6048RS Block 1 Lot 2
Municipal Address:	2 54023 RGE RD 280
Development Approved:	Home Based Business Level 2: contracting business (landscaping / plumbing / gasfitting)
Decision Date:	November 06, 2023
Development Authority:	Kristin Hoberg, Development Planner I, Development Planning Kristin.Hoberg@parklandcounty.com (780) 968-8888 , 8224 Contact the Development Authority with any questions regarding this decision.

If you are affected by this development decision, as per the *Municipal Government Act* s686(1)(b), you may file an appeal to the Subdivision and Development Appeal Board (SDAB).

How to file an appeal

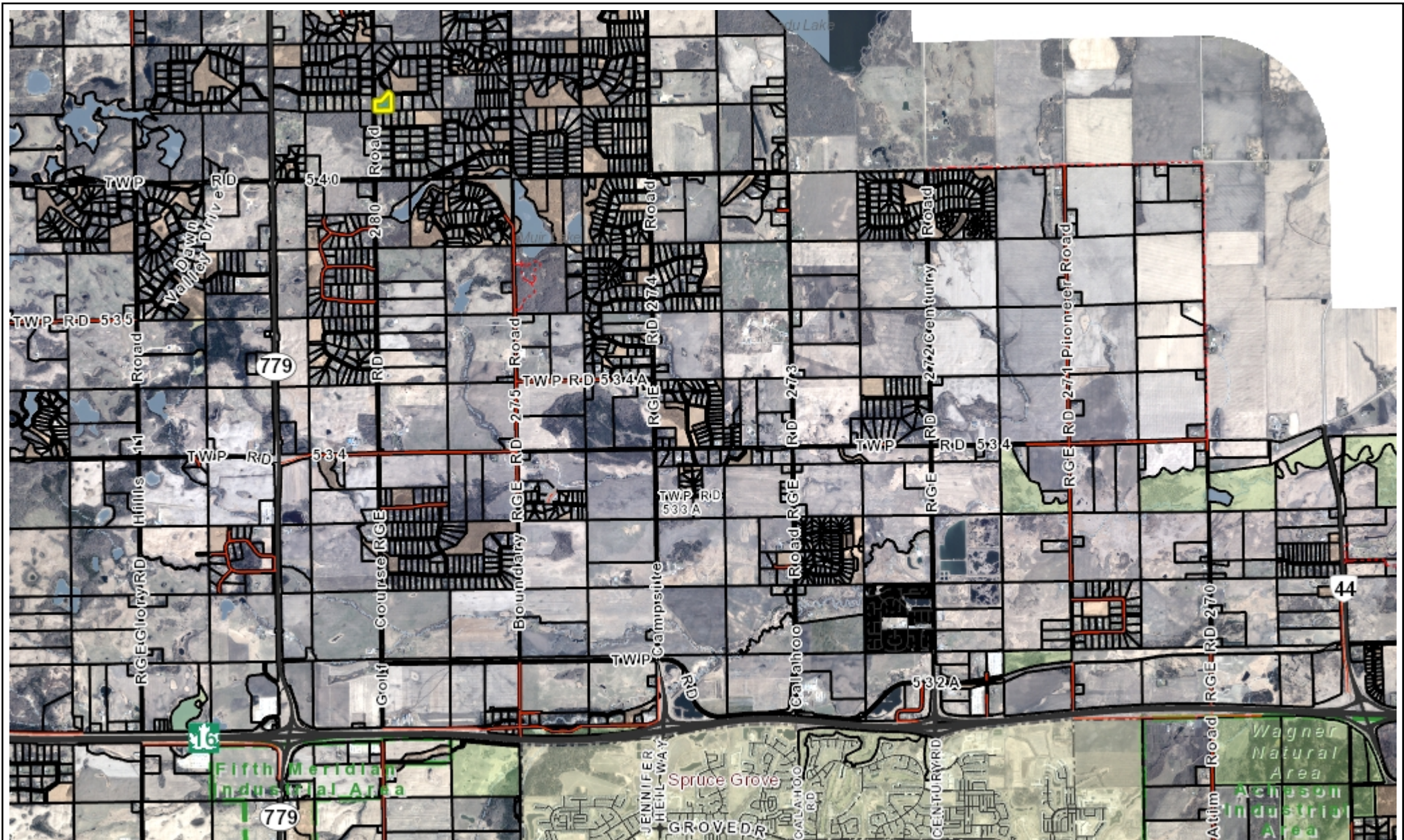
To file an appeal, you must complete and submit a Notice of Appeal form to the SDAB and pay the mandatory \$200 appeal fee, **BEFORE the appeal deadline of 4:30pm, November 27, 2023**

Appeal questions?

Detailed appeal information and the Notice of Appeal form are available online at <http://www.parklandcounty.com/SDAB>, or by contacting the SDAB Clerk at **780-968-8471** or sdab@parklandcounty.com

Subdivision and Development Appeal Board

Legislative Services, Parkland County Centre
53109A Highway 779
Parkland County, AB T7Z 1R1



Notes: Location Map - subject parcel identified in yellow

Created By: K. Hoberg
Created On: Jan 09, 2024

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. **THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES**



1: 59,780





5.3 CR – Country Residential District

1. Purpose

The purpose of this district is:

- To provide for traditional Multi-Parcel country residential communities;
- To accommodate residential development that meets varied housing and lifestyle needs; and
- To accommodate certain agricultural pursuits.

2. Uses

a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That the following uses shall not be located within a Multi-Parcel Residential Subdivision:
 - (1) Animal Health Care Service
 - (2) Cemetery
 - (3) Government Services
 - (4) Home Based Business Level 3
 - (5) Indoor Participant Recreation Services
 - (6) Medical Treatment Services
 - (7) Natural Sciences Exhibit
 - (8) Outdoor Participant Recreation Services
 - (9) Recreational Vehicle Storage
 - (10) Utility Services – Major Infrastructure
- ii) That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- iii) That Manufactured Home, Single Wide shall not be allowed within a Multi-Parcel Subdivision with the exception of the following:

(1) Annedale Acres	NE 18-53-2-W5M
(2) Bowen Lake Estates	NW 3-53-2-W5M
(3) Brookside Estates	N ½ and SE 26-53-4-W5M
(4) Cherlyn Heights	S ½ of SE 32-53-1-W5M
(5) Highland Acres II	NE 17-53-3-W5M
(6) Lake Isle Estates	Pt. N ½ 25-53-6-W5M
(7) Meso West II	N ½ 24-53-3-W5M
(8) Meso West III	N ½ 24-53-3-W5M
(9) Silver Sands Estates	NE 20-53-1-W5M

PARKLAND COUNTY LAND USE BYLAW

BYLAW NO. 2017-18

CONSOLIDATED JUNE 19, 2020

- (10) Summerview Heights SE 25-53-6-W5M
 (11) West 80 Estates S ½ and NW 17-53-2-W5M
 (12) Westland Park I SE 22-53-3-W5M
 (13) Plan 792 0114 NE 10-53-1-W5M

- iv) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
 v) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than two systems.

Bylaw No. 2019-01

d) PERMITTED USES	e) DISCRETIONARY USES
Bed and Breakfast Home Dwellings, Single Detached Home Day Care Park Show Home Accessory Uses for the uses listed in 5.3.2 b)	Animal Health Care Services Apiary Boarding House Cannabis Cultivation, Minor Cemetery Community Recreation Services Cottage Industry Day Care Services Dwelling Duplex <i>only on Pt. NW 35-53-27 W4</i> Educational Services Government Services Group Care Facility Group Home, Limited Group Home, Major Home Based Business Level 2 Home Based Business Level 3 Horticultural Use Indoor Participant Recreation Services Kennel Manufactured Home Single Wide Medical Treatment Services Natural Resource Extraction/Processing Natural Science Exhibit Out-Building Outdoor Participant Recreation Services Professional, Business, Financial and Office Support Services <i>only on Block 14, Plan 4134RS Riverview Acres</i>

Bylaw No. 2018-09

d) PERMITTED USES	e) DISCRETIONARY USES
	Religious Assembly Riding Arena Recreational Vehicle Storage Secondary Suite Small Animal Breeding and/or Boarding Services Tourist Campground, Destination Tourist Campground, Enroute Wind Energy Converter Systems – Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.3.2 c)

Bylaw No. 2018-09

3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
 - i) Extensive agriculture and extensive livestock shall have a minimum Parcel area of 16.0 ha, more or less. The minimum Parcel Frontage shall be 400.0 m , more or less.
 - ii) Manufactured Home, Single Wide and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel or Multi-Parcel Residential Subdivision, unless greater area is required to include shelterbelts, buildings or other improvements related to the residential component of a farmstead. Minimum Parcel width at the Parcel front shall be 30.0 m excepting that it may be 20.0 m fronting onto an internal cul-de-sac.
 - iii) The maximum width:depth ratio for a residential Parcel shall be 1:4.
 - iv) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
 - i) Extensive Agriculture and Extensive Livestock shall have a maximum of two (2) 32.0 ha Parcels or a maximum of four (4) 16.0 ha Parcels, more or less, from a quarter section.
 - ii) Manufactured Home and Dwelling, Single Detached for single Parcel residential subdivision shall have a maximum of three (3) single residential Parcels from an un-subdivided quarter section or a maximum of one (1) single residential Parcel from an existing 32.0 ha Parcel, more or less but not less than 28.0 ha unless significant physical features dictate otherwise at the discretion of the Subdivision Authority.
 - iii) For all other Permitted and Discretionary Uses, including Multi-Parcel Residential Subdivision, the Parcel density requirement shall be determined by the Subdivision Authority.

4. Development

- a) Setbacks for Dwellings, Single Detached

- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
 - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
 - iii) A minimum Setback of 45.7 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
 - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
 - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
 - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
 - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
 - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
 - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
 - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
 - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
 - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) Proposed Development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and Development Permits may be issued, having regard for the limitations of the Parcel.
- d) For Discretionary Uses, the minimum building Setback requirement shall be determined by the Development Authority.

5. Other Development Regulations

- a) Accessory Buildings may be Permitted or Discretionary consistent with Subsection 11.1.
- b) 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.

- c) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

6. Regulations for an Out-Building

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
- c) Have a maximum floor area of 53.5 m²
 - i) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer;
 - ii) Be located within the rear 30% of the Parcel if located on a Multi-Parcel Subdivision; and
 - iii) Be screened to the satisfaction of the Development Authority.

- b) The minimum distance of separation between a new or expanding Confined Feeding Operation and a multi-Parcel residential development, any urban centre, school, hospital, Hamlet, or a Direct Control District shall be the greater of
 - i) 0.8 km, or
 - ii) the Minimum Distance Separation (MDS) Formula as described in the *Agricultural Operation Practices Act* (AOPA), Standards and Administration Regulation, Section 3. The MDS formula is outlined in its entirety in the AOPA, Standards and Administration Regulation, Schedule 1.
- c) Notwithstanding any other provision of this Bylaw that requires a minimum Setback, the minimum distance of separation between a proposed Dwelling Unit and a Confined Feeding Operation, allowed under the AOPA, shall be equivalent to the required distance of separation between a proposed Confined Feeding Operation from an existing Dwelling Unit as determined by the Natural Resources Conservation Board.
- d) Where more than one (1) minimum Setback distance is applicable under this Bylaw, the greater distance shall prevail.
- e) In all land use districts, where Multi-Parcel Residential development is allowed, it shall be a Discretionary Use if it is within the minimum distance separation for a Confined Feeding Operation allowed under the AOPA.

12.8 Home Based Business

1. The following provisions shall apply to all Home Based Business Level 1:
 - a) the business must be located in the principal building or accessory building(s) approved by the Development Authority;
 - b) no storage of goods, materials, commodities or finished products shall be permitted except within the dwelling;
 - c) no variation from the external appearance and residential character of land or buildings shall be permitted;
 - d) no use of signage;
 - e) no on-site attendance of clients; and
 - f) no person other than the resident(s) of the property may work on-site in the business.
2. The following provisions shall apply to all Home Based Business Level 2:
 - a) no outside storage of goods, materials, commodities or finished products shall be permitted;
 - b) no variation from the external appearance and residential character of land or buildings shall be permitted;
 - c) the use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area;
 - d) the display or placement of signage on the premises of a Home Based Business Level 2 shall be in accordance with Subsection 15.3;

- e) the Home Based Business Level 2 use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority;
 - f) at all times the privacy of the adjacent residential dwellings shall be preserved and the home based business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.;
 - 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; and
 - h) only the resident and the resident's family who permanently reside in the residential dwelling on the subject Parcel may be permitted as employees.
3. The following provisions shall apply to Home Based Business Level 3:
- a) with the exception of the CRWL – Country Residential Work/Live District, a Home Based Business Level 3 shall not be located within a Multi-Parcel Residential Subdivision (excluding rural centres) or row housing development and/or if the location of the development is within 150.0 m of a Multi-Parcel Residential Subdivision (excluding Rural Centres) or row housing development;
 - b) outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;
 - c) the display or placement of signage on the premises of a Home Based Business shall be in accordance with Subsection 15.3;
 - d) the home based business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials considered offensive or excessive by the Development Authority;
 - e) at all times the privacy of the adjacent residential dwellings shall be preserved and the Home Based Business use shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.;
 - f) the parking of any commercial vehicles, including the number considered and location, shall be at the discretion of the Development Authority, notwithstanding, the parking of school buses in excess of the number allowed shall be as per the Community Standards Bylaw; and
 - g) in addition to the resident and the resident's family who permanently reside in the residential building on the subject Parcel, up to four (4) additional other employees may be permitted as part of the approval and operation of a Home Based Business Level 3, if deemed appropriate by the Development Authority.

12.9 Kennel

1. A kennel shall not be within or adjacent to a Multi-Parcel Residential Subdivision or closer than 300.0 m from the boundary of a Multi-Parcel Residential Subdivision or a row house development.

Policies

- 7.3.1 In the Highway Commercial Cluster Area, the County will require a proposal for subdivision and development approval to include the submission of an outline plan and supporting planning, engineering and transportation studies, each prepared to a professional standard by a person qualified to do so, for consideration and approval by the County and Alberta Transportation. Normally the County will require the outline plan to cover the entire quarter section in which the land being proposed for subdivision is located, but may allow the outline plan to cover a smaller area if in the opinion of the County circumstances so warrant.
- 7.3.2 In the Highway Commercial Cluster Area, highway commercial and related land use development will need to be serviced to the satisfaction of the County by a common water distribution system and a common sewage collection system connected to the regional sanitary trunk sewer.
- 7.3.3 An outline plan must address those matters identified in the Municipal Development Plan and Land Use Bylaw and when required by the County be supported by geotechnical, engineering and other reports. Without restricting the requirements for information addressed elsewhere in this Plan and the Municipal Development Plan, the information and reports required by the County include:
- (a) the nature of the proposed use or uses;
 - (b) the suitability of the site for the proposed uses or uses;
 - (c) site design, including parcel sizes;
 - (d) impact on the site, adjacent lands and land uses thereon;
 - (e) impact on the environment;
 - (f) traffic impacts;
 - (g) provisions for road widening, road improvements and intersection improvements for access roads leading to the site;
 - (h) provisions for a common water distribution system and a common sewage collection system;
 - (i) provisions for stormwater management; and
 - (j) provisions for the dedication of municipal reserves or money-in-lieu of land.
- 7.3.4 The County will require commercial development to not exceed the capability of the site. In the opinion of the County, where site conditions are such that the standards in the Highway Commercial District or another appropriate commercial district created by the County provide for a total number of lots, lot sizes and/or density of lots that may exceed the capability of the site, the County may designate an overlay direct control district in order to apply specific standards and requirements to the area covered by the overlay direct control district.
- 7.3.5 In the Country Residential Core Area, Manufactured Home Community Area and Fringe Area, the County may approve a commercial land use if:

- (a) the proposed site is suited for the proposed commercial use;
- (b) the proposed site is separated from other commercial uses to avoid the creation of a commercial node;
- (c) the proposed commercial use is compatible with land uses in the vicinity;
- (d) the subject parcel is designated with a land use district which accommodates the commercial land use; and
- (e) the proposed development is consistent with the provisions of this Plan.

7.3.6 The only industrial use that may be allowed in the plan area is a natural resource extraction operation.

7.4 Highways and Roadways

Introduction

The plan area has excellent access from all directions, it being bounded on all sides by highways. Access management is especially important for Highway 16, which is an important interprovincial highway and international transport route. Highway 44 has become a major truck route for hauling sand and gravel from major nearby extraction operations in Sturgeon County. A series of collector and municipal roads provide access into the plan area. Country residential subdivisions are served internally by local roads, for which construction standards have increased such that new country residential areas now have paved roads.

Goals

The transportation infrastructure goals are:

- (1) To promote an effective and safe roadway network.
- (2) To encourage high development standards along major roadways.

Policies

7.4.1 Accesses to and setbacks from highways will be in accordance with the requirements of Alberta Transportation.

7.4.2 Access to Highway 16 will be limited to interchange locations as shown on Map 5. Upon completion of the Campsite Road interchange, the County encourages the closure as soon as possible of the remaining level accesses and crossings within the plan area, and the completion of the Highway 16 north service road network.

7.4.3 From time to time the County will review its roadway classifications and may consider adding to the collector road system in the Atim Creek North area, as outlined on Map 5. Notwithstanding the existing and potential collector road system shown on Map 5, based upon changes of traffic patterns and volumes in the plan area the County may designate other roadways as collectors or eliminate any existing collector road from designation as a collector road.

7.4.4 As a condition of subdivision approval the County may require:

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ECONOMIC COMPETITIVENESS AND EMPLOYMENT



ECONOMIC COMPETITIVENESS AND EMPLOYMENT

5.0 ECONOMIC COMPETITIVENESS AND EMPLOYMENT



OBJECTIVE

To promote a strong and diversified economy throughout all areas of the County; **One Parkland: Powerfully Connected.**

Parkland County is well situated to continue to grow its economy through a diverse range of agriculture, commercial, industrial, natural resource and institutional land uses.

The County has supported many successful business ventures that bring stable and diversified employment and economic growth to the Edmonton Region, including supporting business development in the Acheson, Fifth Meridian and Entwistle Industrial areas. In addition, agriculture, small and large businesses and natural resource industries contribute significantly to employment and economic growth in the County. As the County looks to attract, retain and expand employment opportunities, it will continue to support entrepreneurship, innovation and economic diversification through the provision of local services and infrastructure.

Businesses and related employment opportunities are encouraged to locate in concentrated areas of development, such as hamlets or existing business park areas. This development pattern minimizes the need for new County servicing and transportation infrastructure, and reduces the fragmentation of agricultural land for non-agricultural purposes. Providing opportunities for businesses and employment where there is an existing demand for services is essential to building synergies throughout the County.





ECONOMIC DIVERSIFICATION & INNOVATION



Economic diversification and innovation requires the interplay of four (4) areas. Focus of growth in all four (4) areas requires coordinated efforts to:

- ✓ **ATTRACT EMPLOYMENT**
- ✓ **RETAIN & EXPAND BUSINESS**
- ✓ **INCREASE CONNECTIVITY**
- ✓ **GROW KNOWLEDGE WORKFORCE**



ECONOMIC COMPETITIVENESS AND EMPLOYMENT

EMPLOYMENT AREAS

Major Employment Areas | Major employment areas accommodate significant concentrations of business and economic activities for commercial, light industrial and medium industrial development with regional significance. Major employment areas will provide municipal servicing and a higher intensity of employment opportunities. Major employment areas require significant transportation infrastructure and good access to regional and national markets. *Acheson Industrial and Fifth Meridian Industrial are major employment areas within Parkland County.*

Local Employment Areas | Local employment areas accommodate a concentration of industrial, commercial and institutional land uses with a locally significant concentration of employment. A rural industrial commercial park will accommodate land uses requiring larger lots and lower levels of infrastructure and amenities. *The Entwistle Business Park is a local employment area within the County.*

Local Services | Business sector growth within Parkland communities supports the provision of local services and jobs within the County's hamlets. The County strongly supports growth within its existing hamlets, including new employment and institutional uses which serve the everyday needs of the surrounding community and provide a wide range of services and amenities at a scale appropriate to the community.

Home-based Business | Home-based businesses provide economic opportunity and diversity throughout Parkland County. The County recognizes and supports home-based business as a viable lifestyle and economic development opportunity. The County recognizes and encourages home-based businesses throughout the County.

Corridor Development | Parkland County has an excellent transportation network which has enabled employment and economic growth in all areas of the County. Major transportation corridors provide opportunities for more intensive forms of development such as commercial, retail and institutional uses.

Natural Resource Extraction | Parkland County supports the responsible extraction of aggregates and other natural resources within its boundary. Responsible natural resource extraction operations effectively manage the environmental and off-site impacts of their operations while providing local employment and economic growth.



POLICIES

5.0.1 Encouraging Economic Competitiveness and Employment Opportunities

- a. The County encourages economic and employment diversification throughout the County where businesses will be supported by adequate infrastructure and transportation networks.
- b. The County will encourage local community economic development initiatives within the Rural Agricultural Area.
- c. The County will encourage a range of commercial and industrial lot sizes and servicing standards to be located where appropriate in the County.
- d. The County will maintain a 50-year supply of industrial and employment lands to ensure continued economic growth and employment within the County.
- e. The County will encourage traditional agriculture, value-added agriculture, agricultural industrial businesses and processing and the development of agricultural products to grow and diversify agricultural uses and employment opportunities throughout the County.
- f. The County will seek to foster partnerships with other governmental agencies and private industry to promote the economic opportunities available in Parkland County.
- g. Employment and business development should locate in areas where the off-site impacts of the business on surrounding land uses can be mitigated to the satisfaction of the County.
- h. The County supports an eco-industrial approach to new major and local employment areas. New eco-industrial areas in the County will strive to:
 - i. target growth that attracts similar or complementary businesses to create synergies;
 - ii. promote by-product reuse of materials and energy throughout the park to increase efficiency and to reduce the environmental impacts;
 - iii. promote the use of sensitive infrastructure and practices such as manufactured wetlands for stormwater management, and the reuse and recycling of water; and
 - iv. focus on network development to share services, such as marketing, transportation, research and monitoring services whenever possible.



ECONOMIC COMPETITIVENESS AND EMPLOYMENT

5.0.2 Major Employment Areas (Serviced Industrial)

- a. Major Employment Areas shall be located as shown on **Figure 7: Development Concept**.
- b. Major Employment Areas will support a range of intensive land uses including commercial, industrial and institutional uses that require full municipal servicing.
- c. Major Employment Areas must be planned and coordinated through an Area Structure Plan or other statutory plan.
- d. The County will encourage the extension of municipal services to the Acheson Business Park and Fifth Meridian Business Park.
- e. The County will seek to recover infrastructure costs through off-site levies or other cost recovery mechanisms.

5.0.3 Rural Economic Diversification - Local Employment Areas

- a. Local Employment Areas shall be located as shown on **Figure 7: Development Concept**.
- b. The County will support growth in Local Employment Areas to ensure a diversified tax base in the Rural Agricultural Area.
- c. Local Employment Areas must be planned and coordinated through an Area Structure Plan or other statutory plan.
- d. Businesses locating within the Rural Agricultural Area should locate in areas where their needs can be met with the available transportation network, shallow utilities, water and sanitary services. If infrastructure upgrades are required to support the growth of a new business, the developer shall play for their portion of any required infrastructure upgrades.
- e. Private on-site servicing may be considered for employment growth in the Rural Agricultural Area where appropriate.

5.0.4 Providing Local Services

- a. The County encourages new commercial and institutional developments in hamlets, communities and accessible locations within the Rural Agricultural Area to serve the everyday needs of the surrounding community.
 - b. Commercial and institutional uses are encouraged to locate in developed areas where they are compatible with the surrounding land uses and can manage off-site impacts.
 - c. Commercial, business and employment areas should be connected to residential areas through convenient pedestrian and cycling connections, such as multi-use pathways, whenever possible.
-



5.0.5 Growth in Home-based Business

- a. The County encourages home-based businesses in all areas of Parkland County.
- b. The County will seek to support home-based businesses through provision of adequate infrastructure, transportation network (road) access, economic development promotion and potential high-speed internet.
- c. Home-based businesses shall:
 - i. have adequate road access and parking;
 - ii. cause minimal impact on the environment, water, municipal infrastructure and neighbouring properties; and
 - iii. be secondary (in size and scale) to the residential use of the property.

5.0.6 Attractive Corridor Development

- a. Development along highways and major roads shall be planned in a comprehensive manner and be concentrated at highway intersections, near interchanges and in consideration of service road locations. Single parcel or dis-contiguous development along the highway and major County road corridors is generally discouraged.
 - b. Development that is highly visible from a major transportation corridor should enhance visual attractiveness through design features, such as landscaping, fencing, buffering and other design features, to the satisfaction of the County as regulated in the Land Use Bylaw.
 - c. The County may identify key transportation corridors for future corridor studies or may establish corridor development standards for key corridors.
-



ECONOMIC COMPETITIVENESS AND EMPLOYMENT

5.0.7 Responsible Natural Resource Extraction

- a. The County supports the responsible extraction of natural resources prior to surface development.
- b. Businesses involved in natural resource extraction must build and encourage ongoing, transparent communication and engagement with the communities in which they operate.
- c. New natural resource extraction operations will be required to identify how proposed activities respond to the existing land use context and environmental characteristics, mitigate off-site impacts and implement best practices for resource extraction.
- d. New or expanding natural resource operations may be required to undertake public consultation in accordance with County policy and any applicable provincial regulations.
- e. The County may undertake an Aggregate Resource Management Plan to guide the extraction of aggregate resources throughout the County.
- f. The County will discourage non-compatible uses from being developed adjacent to existing and known future pit areas.
- g. Applications for natural resource extraction activities shall be supported by a Master Site Development Plan (MSDP) and complete all technical studies as required by the County.
- h. All natural resource extraction operations must ensure compliance with municipal, provincial and federal regulations and permitting.

5.0.8 Power Generation Facilities

- a. The County supports the continued operation and adaptive reuse of power generation facilities within Parkland County as an important source of local employment opportunities.
 - b. Reclamation planning for coal extraction areas should consider ways to support local recreational and employment growth opportunities whenever possible.
-





SUBDIVISION AND DEVELOPMENT APPEAL BOARD DEVELOPMENT APPEAL

SDAB HEARING DATE: JANUARY 15, 2024

PRESENTED BY: KRISTIN HOBERG, DEVELOPMENT AUTHORITY

PARKLAND COUNTY FILE: PLDPH20230543

APPLICATION DETAILS

On August 9, 2023, an application was received for operation of a business for "plumbing/gas fitting and landscaping".

The Development Authority determined the Use Class to be **Home Based Business Level 2**

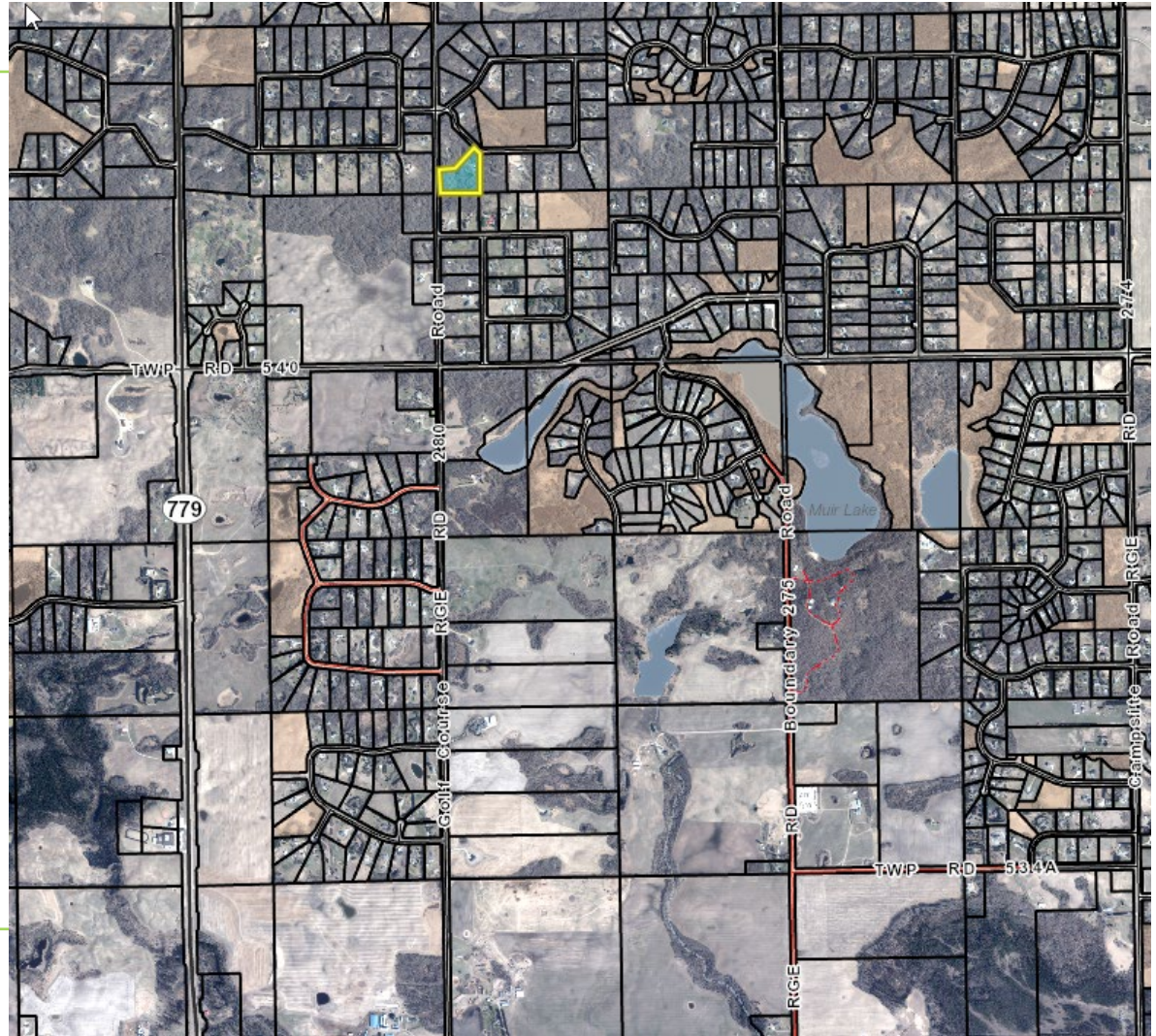
Home Based Business Level 2 is a Discretionary Use in the Country Residential District (CR)

LOCATION

Municipal Address:
2-54023 RGE RD 280

Legal Description:
Plan 6048RS
Block 1 Lot 22

District:
CR – Country
Residential District

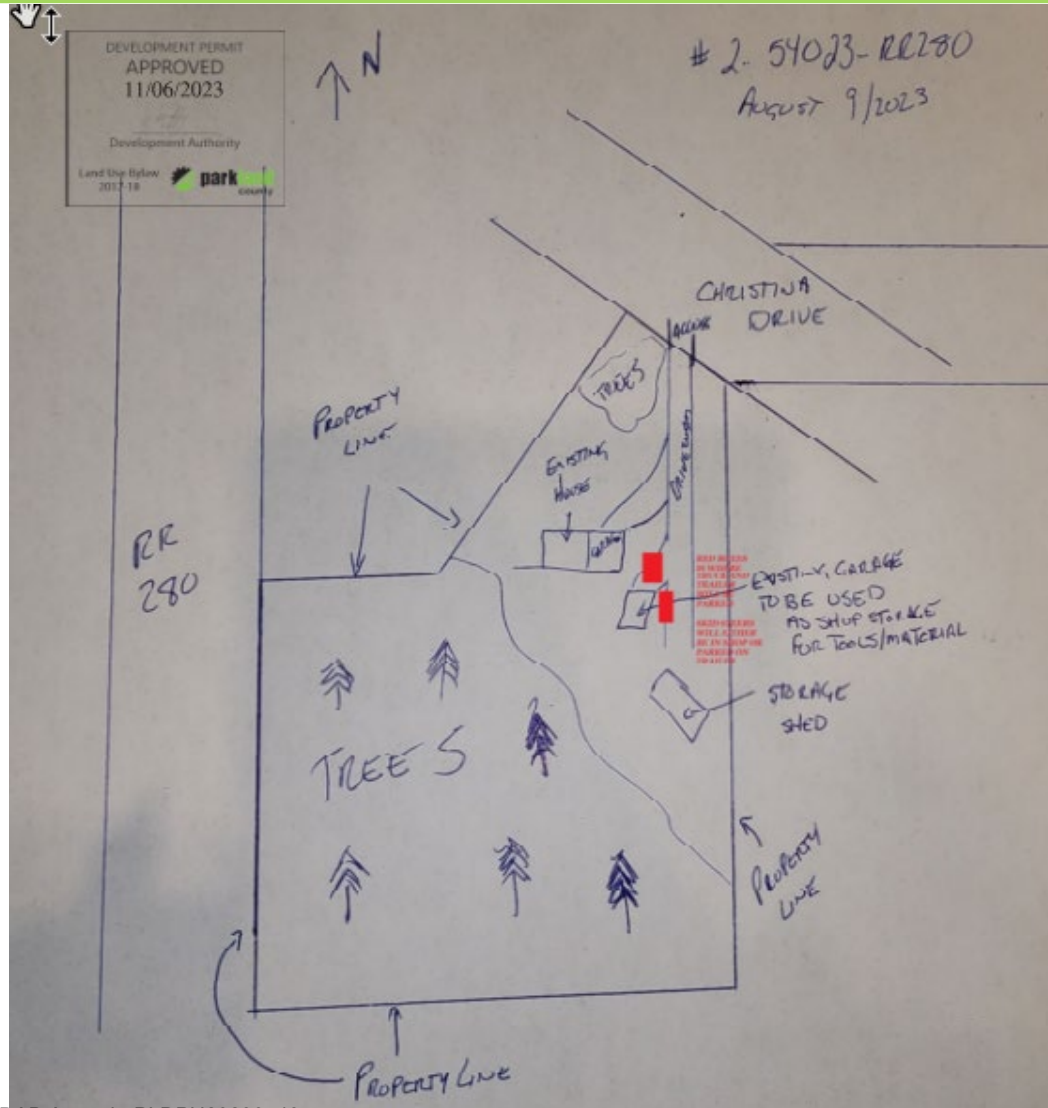


APPLICATION DETAILS

Application Items included:

1. Application Fee
2. Certificate of Title
3. Landowner Authorization Form
4. Site Plan
5. Building Elevations
6. Business Details

APPLICATION DETAILS



APPLICATION DETAILS – LOCATION CONTEXT



APPLICATION DETAILS – HOME BASED BUSINESS



DEVELOPMENT AUTHORITY DECISION

Applicable Specific Use Regulations (LUB s12.8 Home Based Business)

Section #	Specific Use Regulation	Application Detail
s12.8.2 a)	No outside storage of goods, materials, commodities, or finished products shall be permitted	<i>Storage is confined to an indoor area (existing garage)</i>
12.8.2 b)	No variation from the external appearance and residential character of land or buildings shall be permitted	<i>The application has not proposed any new buildings, modifications to existing buildings, or modifications to the land to accommodate the business</i>
12.8.2 c)	The use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area	<i>Other than the resident employees, the application does not propose employee or client related trips to the property</i>
12.8.2 d)	The display or placement of signage on the premises of a Home Based Business Level 2 shall be in accordance with Subsection 15.3	<i>No signage is proposed as part of the Home Based Business application</i>
12.8.2 e)	The Home Based Business Level 2 use shall not generate noise, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority	<i>No offensive offsite impacts are anticipated from the proposed business operations on the property (storage of goods, parking of commercial vehicles and accessory trailer/skid steer)</i>

DEVELOPMENT AUTHORITY DECISION

Applicable Specific Use Regulations (LUB s12.8 Home Based Business) (con't)

Section #	Specific Use Regulation	Application Detail
12.8.2 f)	At all times the privacy of the adjacent residential parcels shall be preserved and the home based business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.	<i>No client visits, employee visits, additional lighting, or activities generating an excessive amount of noise have been proposed for this development</i>
12.8.2 g)	The parking of one (1) commercial vehicle with one (1) accessory trailer such as a 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.	<i>The application proposes the parking of one (1) 1-ton truck, trailer, and skidsteer on the parcel. The parking area is located on the driveway and to the side of the existing garage proposed for business use</i>
12.8.2 h)	Only the resident and the resident's family who permanently reside in the residential dwelling on the subject Parcel may be permitted as employees	<i>The application does not propose any on-site visits of non-resident employees to the site.</i>

DEVELOPMENT AUTHORITY DECISION

On November 6, 2023, the Development Authority deemed the application for the proposed development **APPROVED** for the following reasons:

Proposed Land Use

- The Development Authority determined the use as **Home Based Business Level 2**
- Home Based Business Level 2 is a Discretionary Use within the Country Residential District and is not included as a prohibited use within a Multi-Parcel Residential Subdivision (LUB Section 5.3.2)
- The proposed development meets the requirements for Home Based Business Level 2 as outlined in Section 12.8 of the Land Use Bylaw.

Relevant Planning Documents

- The governing Area Structure Plan (Atim Creek) supports commercial development within the Country Residential Core Area (s7.3.5)
- Parkland County Municipal Development Plan supports Home-Based business developments (s5.0.5)

Adjacent Land Use

- The Development Authority is of the opinion that the proposed development is compatible with surrounding adjacent land uses (residential).
- The Development Authority considered the proposed hours of operation, limited number of employees and client visits, and the suitability of the existing site to accommodate the proposed use (existing buildings, indoor storage, minimal parking), and determined that the proposed development would not unduly affect the use and enjoyment of the adjacent residential uses.

In the opinion of the Development Authority, the proposed development and associated submittal items sufficiently address the Specific Use Regulations specific to Home Based Business Level 2 use within Parkland County.

NOTICE OF DECISION

- As per *LUB s16.13.2*, within five days of the issuance of Development Permit a notice of Decision was mailed by ordinary mail to each registered owner of land within 100 m from the boundary of the property subject to the decision.
 - Issued November 6, 2023
 - Mailed November 6, 2023

CONCLUSION

Questions?



SUBDIVISION AND DEVELOPMENT APPEAL BOARD DEVELOPMENT APPEAL

SDAB HEARING DATE: JANUARY 15, 2024

PRESENTED BY: KRISTIN HOBERG, DEVELOPMENT AUTHORITY

PARKLAND COUNTY FILE: PLDPH20230543

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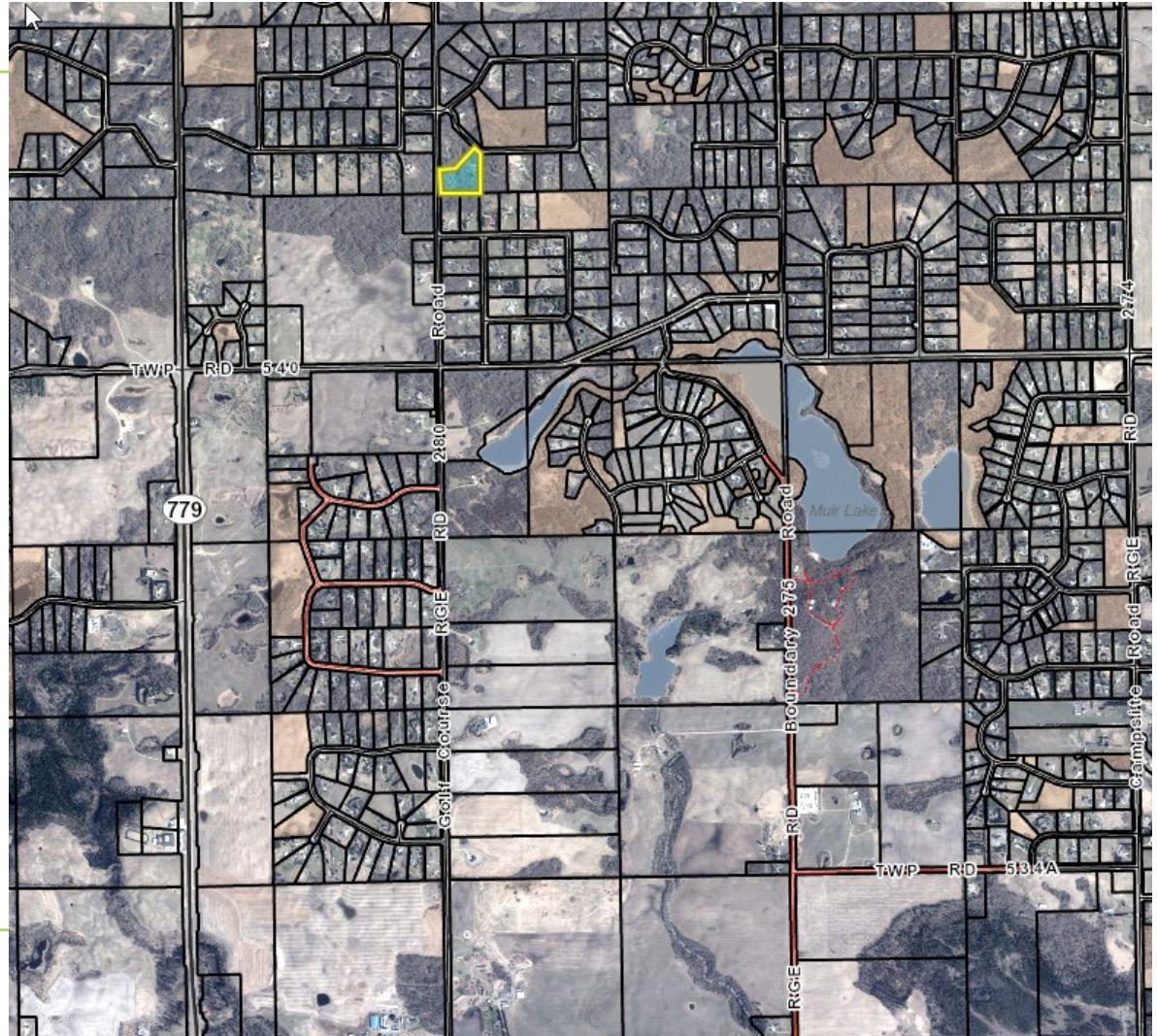
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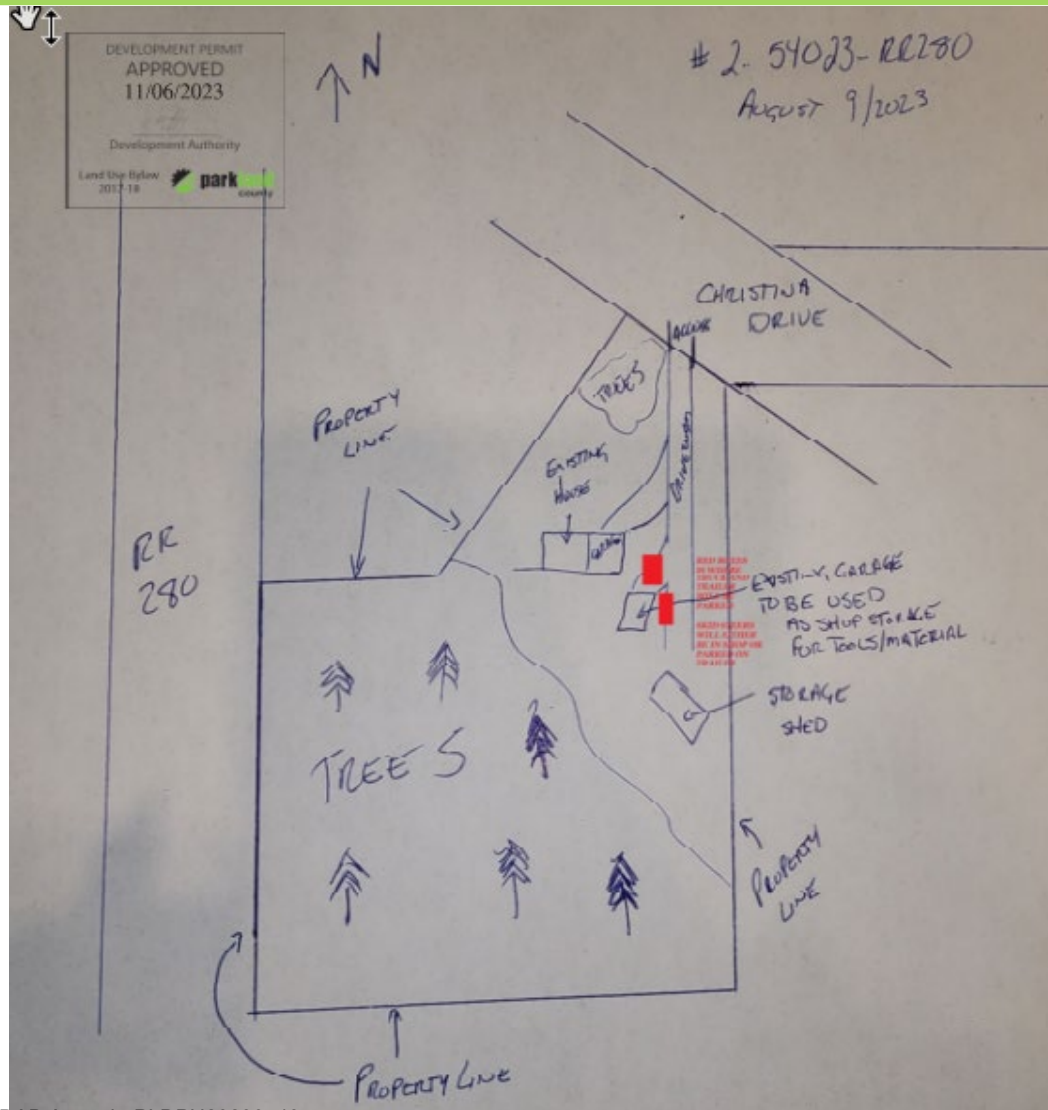


APPLICATION DETAILS

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6. Business Details

APPLICATION DETAILS



APPLICATION DETAILS – LOCATION CONTEXT



APPLICATION DETAILS – HOME BASED BUSINESS



DEVELOPMENT AUTHORITY DECISION

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12.8.2 c)	The use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area	<i>Other than the resident employees, the application does not propose employee or client related trips to the property</i>
12.8.2 d)	The display or placement of signage on the premises of a Home Based Business Level 2 shall be in accordance with Subsection 15.3	<i>No signage is proposed as part of the Home Based Business application</i>
12.8.2 e)	The Home Based Business Level 2 use shall not generate noise, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority	<i>No offensive offsite impacts are anticipated from the proposed business operations on the property (storage of goods, parking of commercial vehicles and accessory trailer/skid steer)</i>

DEVELOPMENT AUTHORITY DECISION

Applicable Specific Use Regulations (LUB s12.8 Home Based Business) (con't)

Section #	Specific Use Regulation	Application Detail
12.8.2 f)	At all times the privacy of the adjacent residential parcels shall be preserved and the home based business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.	<i>No client visits, employee visits, additional lighting, or activities generating an excessive amount of noise have been proposed for this development</i>
12.8.2 g)	The parking of one (1) commercial vehicle with one (1) accessory trailer such as a 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.	<i>The application proposes the parking of one (1) 1-ton truck, trailer, and skidsteer on the parcel. The parking area is located on the driveway and to the side of the existing garage proposed for business use</i>
12.8.2 h)	Only the resident and the resident's family who permanently reside in the residential dwelling on the subject Parcel may be permitted as employees	<i>The application does not propose any on-site visits of non-resident employees to the site.</i>

DEVELOPMENT AUTHORITY DECISION

On November 6, 2023, the Development Authority deemed the application for the proposed development APPROVED for the following reasons:

Proposed Land Use

- The Development Authority determined the use as **Home Based Business Level 2**
- Home Based Business Level 2 is a Discretionary Use within the Country Residential District and is not included as a prohibited use within a Multi-Parcel Residential Subdivision (LUB Section 5.3.2)
- The proposed development meets the requirements for Home Based Business Level 2 as outlined in Section 12.8 of the Land Use Bylaw.

Relevant Planning Documents

- The governing Area Structure Plan (Atim Creek) supports commercial development within the Country Residential Core Area (s7.3.5)
- Parkland County Municipal Development Plan supports Home-Based business developments (s5.0.5)

Adjacent Land Use

- The Development Authority is of the opinion that the proposed development is compatible with surrounding adjacent land uses (residential).
- The Development Authority considered the proposed hours of operation, limited number of employees and client visits, and the suitability of the existing site to accommodate the proposed use (existing buildings, indoor storage, minimal parking), and determined that the proposed development would not unduly affect the use and enjoyment of the adjacent residential uses.

In the opinion of the Development Authority, the proposed development and associated submittal items sufficiently address the Specific Use Regulations specific to Home Based Business Level 2 use within Parkland County.

NOTICE OF DECISION

- As per *LUB s16.13.2*, within five days of the issuance of Development Permit a notice of Decision was mailed by ordinary mail to each registered owner of land within 100 m from the boundary of the property subject to the decision.
 - Issued November 6, 2023
 - Mailed November 6, 2023

CONCLUSION

Questions?