

BYLAW 1609/23
AMENDMENT TO LAND USE BYLAW 1385/17
STURGEON COUNTY, ALBERTA

A BYLAW OF STURGEON COUNTY, ALBERTA FOR THE PURPOSE OF AMENDING LAND USE BYLAW 1385/17.

WHEREAS, the *Municipal Government Act*, RSA 2000 c.M-26, any regulations thereunder, and any amendments or successor legislation thereto, authorize Council to establish and amend Land Use Bylaw 1385/17;

AND WHEREAS, the Council of Sturgeon County has deemed it desirable to amend Land Use Bylaw 1385/17;

NOW THEREFORE, the Council of Sturgeon County, duly assembled, enacts as follows:

1. Title

1.1. This Bylaw may be referred to as the “Sturgeon Valley South Land Use Districts Bylaw”.

2. Purpose

2.1. The purpose of this bylaw is to amend the Land Use Bylaw 1385/17 to:

- Create an overlay that applies to lands within the Sturgeon Valley South Area Structure Plan; and
- Create two new hybrid form-based code land use districts with the intent that they be applied to lands within the Sturgeon Valley South Area Structure Plan.

3. Application

3.1. Land Use Bylaw 1385/17 is amended as follows:

a) In Section 1.6 (Terminology) add the following:

- Average grade means the ground elevation determined by averaging the highest elevation point and lowest elevation point along the front parcel line.
- Figure 1.2A: Average Grade Diagram – Typical
- Figure 1.2B: Average Grade Diagram – Corner Lot
- Block length means the distance between intersections of through streets, such distance being measured along the longest street bounding the block and from the right-of-way line of the two (2) intersecting streets.
- Common Wall means a wall erected at, or upon, a line separating two or more parcels of land, each of which is, or is capable of being, a separate legal parcel.
- Development mix means a variation in the building form and/or type along the block length such that the block is not comprised of only one built form and/or type for its entire length.
- Glazing means a part of a wall or window, made of glass. Common types of glazing that are used in architectural applications include clear and tinted float glass, tempered glass, and laminated glass as well as a variety of coated glasses

- Public right-of-way means any street, avenue, boulevard, highway, sidewalk, or alley or similar place which is owned or controlled by a governmental entity.
- Studio means an enclosed space used by a person engaged in artistic employment or instruction in painting, sculpture, photography, music, dancing, dramatics, literature or similar occupations.
- Street exposure means the elevation, frontage, or façade of a building.
- Zero Lot Line – means a development on a lot where one side setback is reduced to 0m and the other side setback includes a maintenance and access easement acting as a setback.

b) Add the following to Table 2.1:

District	Percentage of variance that may be granted by the Development Authority
<u>R6 – Modular Dwelling District</u>	<u>0.1 – 40%</u>
<u>R7 – Urban Residential District</u>	<u>0.1 – 50%</u>
<u>IND – Integrated Neighbourhood District</u>	<u>0.1 – 50%</u>
<u>CMUD – Commercial Mixed-Use District</u>	<u>0.1 – 50%</u>

c) Amend Paragraph 6.1A.1(a) to read as follows:

“A maximum of one accessory dwelling unit shall be considered per principal dwelling and shall be subordinate to the principal dwelling in all districts except AG-Major and AG-Minor parcels within the Agriculture District, and within the IND-Integrated Neighbourhood District, which may allow up to two accessory dwelling units.”

d) Amend Paragraph 6.1A.1(i) to read as follows:

“Shall not be permitted on the same parcel containing a group home (major or minor), ~~family day home~~, farm help accommodation, bed and breakfast, visitor accommodation or home-based business (level 3).”

e) Amend Paragraph 6.1A.2(a) to read as follows:

“Maximum floor area of Accessory Dwelling Units shall be: 115m² (1,237ft²) in the R1 district and on AG-Residential parcels within the AG District, and 80m² (861ft²) in all other residential districts. There shall be no maximum floor area regulations on AG-Major and AG-Minor parcels within the AG district, or within the IND-Integrated Neighbourhood District and CMUD-Commercial Mixed-Use District.”

f) Amend Section 6.10 to read as follows and renumber accordingly:

- “.1 A duplex shall have full municipal servicing available before a development permit will be issued.
- .2 Each dwelling shall have separate, individual and direct access to grade.
- ~~.3 A duplex shall not contain a secondary suite.~~

.4 A duplex shall not contain a home-based business level 2 or level 3.”

g) Amend Paragraph 6.13.1(a) to read as follows:

“...shall not be located in a dwelling containing a home-based business level 2 or level 3 ~~or a secondary suite, and~~”

h) Add the following to Table 6.2:

District	Maximum number of recreational vehicles allowed on a parcel without a development permit
R5 – Multi-Family	<u>1</u>
<u>R6 – Modular Dwelling District</u>	<u>1</u>
<u>R7 – Urban Residential District</u>	<u>1</u>
<u>IND – Integrated Neighbourhood District</u>	<u>0</u>
<u>CMUD – Commercial Mixed-Use District</u>	<u>0</u>

i) Amend Section 6.26 to read as follows and renumber accordingly:

“.1 A parcel for a proposed semi-detached dwelling shall have, and be connected to, full municipal servicing.

.2 ~~A parcel containing a semi-detached dwelling shall not contain an accessory dwelling unit.~~

.3 A semi-detached dwelling shall not contain a home-based business level 2 or level 3.”

j) Add the following to Table 6.3:

District	Maximum number of shipping containers allowed on a parcel without a development permit
<u>R6 – Modular Dwelling District</u>	<u>0</u>
<u>R7 – Urban Residential District</u>	<u>0</u>
<u>IND – Integrated Neighbourhood District</u>	<u>0</u>
<u>CMUD – Commercial Mixed-Use District</u>	<u>0</u>

k) Amend Table 9.1 as follows:

Parking Angle in Degrees (see A in diagram)	Width of Stall in Metres (see B in diagram)	Depth of Stall Perpendicular to Maneuvering Aisle in Metres (see C in diagram)	Width of Stall Parallel to Maneuvering Aisle in Metres (see D in diagram)	Overall Depth in Metres (see E in diagram)	Width of Manoeuvring Aisle in Metres (one-way) (see F in diagram)
0	2.7 (8.9ft)	2.7 (8.9ft)	7.0 (23ft)	9.1 (29.9ft)	3.6 (11.8ft)
30	2.7 (8.9ft)	5.2 (17.1ft)	5.5 (18ft)	14.0 (45.9ft)	3.6 (11.8ft)
45	2.7 (8.9ft)	5.8 (19ft)	4.0 (13.1ft)	15.2 (49.9ft)	3.6 (11.8ft)
60	2.7 (8.9ft)	6.1 (20ft)	3.1 (10.2ft)	18.2 (59.7ft)	6.0 (19.7ft)
90	2.7 (8.9ft)	6.1 (20ft)	2.7 (8.9ft)	19.5 (64ft)	7.3 (24ft)
Stalls accessed directly from a Public right-of-way					
<u>90</u>	<u>2.7</u> (8.9ft)	<u>5.5</u> (18ft)	<u>2.2</u> (7.2ft)	<u>N/A</u>	<u>N/A</u>

- l) Add Part – 13 ‘Sturgeon Valley South’, as shown in Schedule “A”, which forms part of this Bylaw.
- m) Add Section 17.5 UR – Urban Reserve Overlay, as shown in Schedule “B”, which forms part of this Bylaw.
- n) In Part 18 (Definitions for Uses) add the following:
- Brewery, winery, distillery means the manufacturing, packaging, bottling, canning of beer, wine, spirits, or other alcoholic beverages for on-site or off-site consumption. These developments may include the preparation and sale of food for on-site or off-site consumption.
 - Craft workshop means a building or part of a building used for trade, craft or guild for the manufacture primarily by manual methods in small quantities, of craft articles such as leatherwork, upholstery, repair, finishing of antiques and other art objects, pottery, woodwork, hand woven goods and similar articles, but shall not include metal spinning, or furniture manufacturing, or refinishing of automobiles.
 - Live-work unit means a dwelling unit that includes working space accessible from the living area, reserved for and regularly used by one or more residents of the dwelling unit, but does not include home based businesses. Working space may be used for retail sales, personal services, studio for artists/ dancers/ designers/ musicians/ photographers, including production from finished materials, office, and school.
 - Neighbourhood mixed-use development means a building designed for more than one type of land use on the same site. The composition of uses will typically be small-scale retail intended to serve the local neighbourhood within walking distance on the ground floor, with residential uses above.
- o) Add Section 19.7 Schedule 6 – Urban Reserve Overlay Map, as shown in Schedule “C”, which forms part of this Bylaw.

p) Renumber all internal references accordingly.

4. Severability

4.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

5. Effective Date

5.1. This Bylaw shall come into force upon being passed.

Read a first time this 14th day of March, 2023.

Read a second time this 23rd day of May, 2023.

Read a third time this 27th day of June, 2023.

“Original Signed”
Alanna Hnatiw
MAYOR

“Original Signed”
Reegan McCullough
COUNTY COMMISSIONER

June 28, 2023
DATE SIGNED

Schedule "A"
Part 13 Sturgeon Valley South

Schedule "B"
Section 17.5 UR – Urban Reserve Overlay

Schedule "C"
Section 19.7 Urban Reserve Overlay Map