

**Bylaw/Policy Disposition**

Amends: 02-09  
Amended by: \_\_\_\_\_  
Rescinds: \_\_\_\_\_

**VILLAGE OF BARNWELL  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 04-14**

**RESCINDED**

Rescinded By: 01-19  
Date: 21 FEB 2019

**BEING** a bylaw of the Village of Barnwell in the Province of Alberta, to amend Bylaw No.2-09, being the municipal Land Use Bylaw.

**WHEREAS** the Village Council wishes to update the land use bylaw to address discretionary uses within the Residential – R district, clarify fence policies, and add standards pertaining to the development of secondary suites;

**AND WHEREAS** the purpose of proposed Bylaw No. 04-14 is to undertake a series of amendments, as shown in the attached Schedule A, and summarized as follows:

Residential Land Use District (Schedule 2)

- add Secondary Suite as a discretionary use;
- remove Institutional as a discretionary,

Standards of Development (Schedule 4)

- replace Section 5. Fences to clarify the allowance of a 1.8 m (6 ft) fence in a corner side yard.

Off-Street Parking and Loading Requirements (Schedule 5)

- add parking requirements for Secondary Suite

Definitions (Schedule 10)

- add definition for Secondary Suite
- add Sororities to the definition for Clubs and fraternal organizations

Add new schedule that includes standards for the development of Secondary Suites (Schedule 11).

**AND WHEREAS** the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Barnwell in the Province of Alberta duly assembled does hereby enact the following:

1. That Schedule 2 of Land Use Bylaw 2-09, is amended as indicated in attached Schedule A;
2. That Schedule 4 of Land Use Bylaw 2-09 is amended as indicated in attached Schedule A;
3. That Schedule 5 of Land Use Bylaw 2-09 is amended as indicated in attached Schedule A;
4. That Schedule 10 of Land Use Bylaw 2-09 is amended to add a definition of *Secondary Suite* and amend definition of *Clubs and fraternal organizations* as indicated in attached Schedule A;
5. That a new Schedule 11 be added to Land Use Bylaw 02-09 for the purpose of establishing standards of development for Secondary Suites as indicated in attached Schedule B;


- 6. Bylaw No. 2-09 is hereby amended.
- 7. This bylaw shall come into effect upon third and final reading hereof.

READ a first time this 9<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Mayor – Eric Jensen

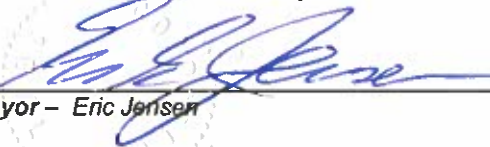
  
\_\_\_\_\_  
Chief Administrative Officer – Wendy Bateman

READ a second time this 20<sup>th</sup> day of November, 2014.

  
\_\_\_\_\_  
Mayor – Eric Jensen

  
\_\_\_\_\_  
Chief Administrative Officer – Wendy Bateman

READ a third time and finally PASSED this 20<sup>th</sup> day of November, 2014.

  
\_\_\_\_\_  
Mayor – Eric Jensen

  
\_\_\_\_\_  
Chief Administrative Officer – Wendy Bateman

## SCHEDULE A

### **Amendments to Schedule 2**

***Add the following to RESIDENTIAL – R:***

1. (b) Secondary Suites

***Delete the following from RESIDENTIAL – R:***

1. (b) Institutional

***Amend the following in RESIDENTIAL – R:***

1. (b) Clubs, sororities and fraternal organizations

***Amend the following in GENERAL COMMERCIAL – GC:***

1. (b) Clubs, sororities and fraternal organizations

***Amend the following in PUBLIC AND INSTITUTIONAL – P/I:***

1. (b) Clubs, sororities and fraternal organizations

***Amend the following in AGRICULTURAL - A:***

1. (b) Clubs, sororities and fraternal organizations

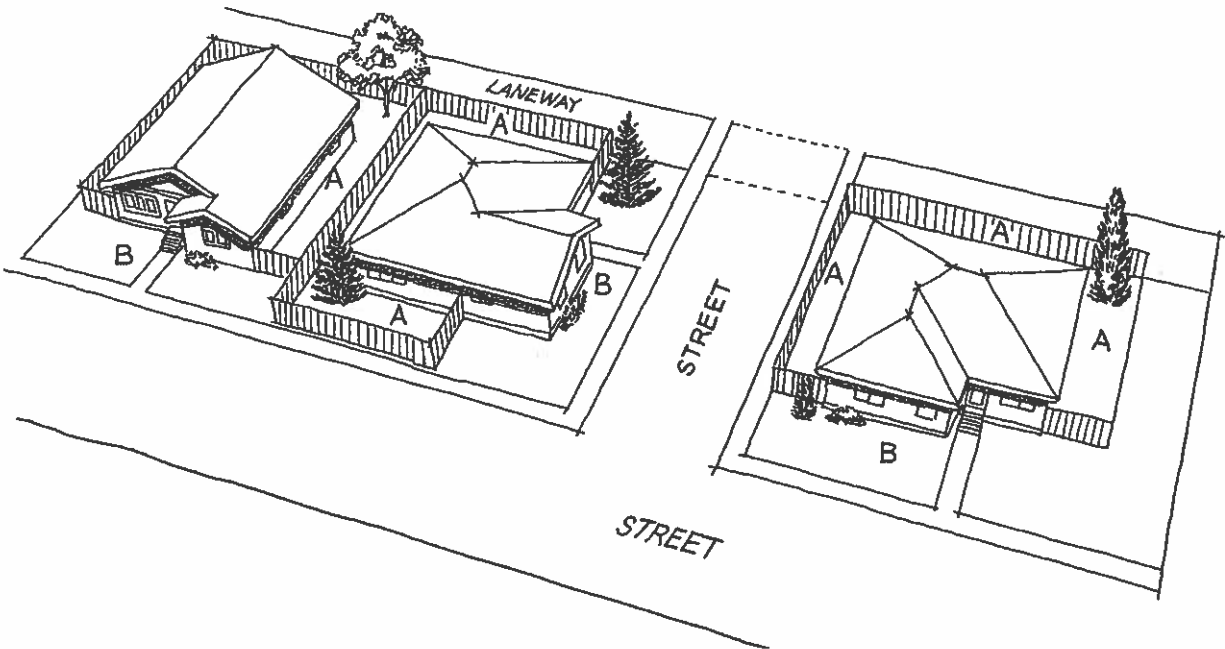
### **Amendments to Schedule 4**

***Replace Section 5. Fences with the following wording and diagram:***

#### **5. FENCES**

- (a) No fence, wall, hedge or any combination thereof shall extend more than 0.9 m (3 ft.) above the ground in any front yard area, as illustrated in Figure 4.4 labelled as B, without a development permit approved by the Municipal Planning Commission.
- (b) Fences in the corner side, rear and side yards shall be 1.8 m (6 ft.) in height or less (see Figure 4.4 where Dimension A = 1.8 m (6 ft.)) and must adhere to the Street Corner Visibility standards found in Section 1.
- (c) Where a permit is required, the Municipal Planning Commission may regulate the types of materials and colours used for a fence.

Figure 4.4



### Amendments to Schedule 5

**Amend Section 2 (a) Dwellings to include the following:**

Secondary suites      2 per dwelling unit

### Amendments to Schedule 10

**Add the following definition:**

**Secondary Suite** means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure. A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.

**Amend the following definitions to include the word sororities:**

**Clubs, sororities and fraternal organizations** means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, and athletic, business or fraternal organization, without on-site residences. Clubs, sororities and fraternal organizations may include rooms for eating, drinking and assembly.

## SCHEDULE B

### Schedule 11

## STANDARDS FOR SECONDARY SUITES

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The following development standards apply to all secondary suites:

1. A secondary suite shall have cooking facilities, food preparation area, sleeping and sanitary facilities, which are physically separate from those of the principal dwelling within the structure. A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.
2. This use does not include two-unit dwelling, row dwelling, apartment, or boarding or lodging house.
3. The minimum lot size for a single-unit, dwelling containing a secondary suite is 579.1 m<sup>2</sup> (6,250 ft<sup>2</sup>).
4. The maximum floor area of the secondary suite shall be as follows:
  - (a) in the case of a secondary suite located completely below the first storey of a single-unit, dwelling (other than stairways or a common landing), the floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling;
  - (b) in the case of a secondary suite developed completely or partially above grade, the floor area (excluding the area covered by stairways) shall not exceed 40 percent of the total floor area above grade of the building containing the associated principal dwelling, nor 70.0 m<sup>2</sup>, whichever is the lesser.
5. The minimum floor area for a secondary suite shall be not less than 30.2 m<sup>2</sup> (325 ft<sup>2</sup>).
6. A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.
7. Only one secondary suite may be developed in conjunction with a principal dwelling.
8. A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation B, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighbourhood.
9. The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
10. Variances or waivers of setbacks shall not be granted to develop a secondary suite.
11. The secondary suite shall have full utility services through service connections from the principal dwelling unit.
12. Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.