

BYLAW 68/2023

BEING A BYLAW OF FOOTHILLS COUNTY TO AUTHORIZE AN AMENDMENT TO THE LAND USE BYLAW NO. 60/2014 AS AMENDED.

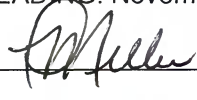
WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, and amendments thereto, the Council of Foothills County in the Province of Alberta, has adopted Land Use Bylaw No. 60/2014 and amendments up to and including those passed on December 17, 2014.

AND WHEREAS pursuant to Section 191(1) of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

AND WHEREAS Bylaw 68/2023 was introduced to Council to further amend the Land Use Bylaw by authorizing text amendments to Land Use Bylaw 60/2014 pertaining to Secondary Suites as described within the attached Schedule 'A.'

1. This Bylaw shall have effect on the date of third reading.

FIRST READING: November 15, 2023

Reeve 

CAO 

SECOND READING: JAN 31 2024

Reeve 

CAO 

THIRD READING: JAN 31 2024

Reeve 

CAO 

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 31 day of January, 2024.

LAND USE BYLAW AMENDMENTS - SECONDARY SUITES
BYLAW 68-2023

1. DEFINITIONS:

- a. The following amendment is proposed to the definition of Dwelling, Secondary Suite:

DWELLING, SECONDARY SUITE means a subordinate Dwelling Unit located on a parcel in addition to the principal Dwelling Unit, which constitutes a self-contained living accommodation unit comprised of kitchen facilities, sleeping amenities, ~~and~~ washroom facilities **consisting of a full bathroom including a tub and/or shower fixture**, and a separate entrance or includes a door which can be physically closed or locked off from the remainder of the principal dwelling.

A Dwelling, Secondary Suite may be a Secondary Suite, Principal, ~~a Secondary Suite, Accessory, or a Secondary Suite, Detached.~~ **But does not include a Tourist Home.**

- b. The following amendment is proposed for the definition of Secondary Suite, Principal:

SECONDARY SUITE, PRINCIPAL means a dwelling, Secondary Suite, located within the principal dwelling unit, **in an extension or addition to the principal dwelling, or** above a garage attached to the principal dwelling in accordance with Section 10.26 of this bylaw.

- c. The existing definition of Secondary Suite, Accessory is deleted and replaced under the definition of Secondary Suite, Detached as follows below:

SECONDARY SUITE, DETACHED means a *Dwelling, Secondary Suite*, which is detached from and subordinate to, the principal dwelling located on the same parcel. A Secondary Suite, Detached may be a stand-alone suite or a suite within or attached to, an accessory building or detached garage on the same parcel as the principal dwelling and shall be constructed in accordance with all provisions under Section 10.26.

- e. The following amendment is proposed to the definition of Habitable Area and Gross Floor Area:

HABITABLE AREA means the sum of all floors of all livable space contained within the exterior walls of the structure above grade (**this does not include any basement area** except in the case of walk-out basements in which case the **walk-out** basement is considered the first floor), designated for human occupancy including areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage **area or basement areas** used exclusively for storage, or areas devoted exclusively to mechanical or electrical equipment servicing the development.

GROSS FLOOR AREA means the total **cumulative** floor area of ~~each floor~~ **all levels** of a building measured to the outside surface of the exterior walls **and does not include decks or basements** (except in the case of walk-out basements in which case the walk-out basement is considered the first floor). ~~including covered patio or deck areas, or~~ Where buildings are separated by a fire walls, the gross floor area is measured from ~~to~~ the centerline of the common fire wall ~~and does not include basements or uncovered decks.~~ ~~Gross Floor Area identifies the building footprint that is used for assessing things such as lot coverage.~~ ~~Gross Floor Area may differ from the Habitable Area of a dwelling.~~ ~~Gross Floor Area may differ from the Habitable Area of a dwelling as it includes any unfinished space(s), storage, attached garage(s), and mechanical or electrical rooms.~~

- f. The following new definition is added for clarity:

BUILDING FOOTPRINT means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing lot coverage and cumulative area for accessory buildings on a parcel.

2. SECTION 10.26 SECONDARY SUITE PROVISIONS

The following amendments are proposed to Section 10.26:

a. Section 10. 26.1 is deleted and replaced as follows:

~~10.26.1 A Secondary Suite may be located within a principal Dwelling Unit or above a garage attached to the principal dwelling, or within an accessory building or detached garage on the same parcel, as per the definitions in Section 2.5 in accordance with all provisions under this section.~~

10.26.1 A Secondary Suite may be considered in accordance with the following:

- a. Secondary Suite, Principal - located within a principal Dwelling Unit, in an extension or addition to the principal dwelling, or above a garage attached to the principal dwelling on the same parcel, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.
- b. Secondary Suite, Detached - detached from and subordinate to the principal dwelling, and may be a stand-alone suite, or a suite within, or attached to an accessory building or detached garage on the same parcel as the principal dwelling, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.

b. A new provision is added as 10.26.2:

10.26.2 Secondary Suites are not permitted within the hamlets of Heritage Pointe and Priddis Greens.

c. The following provisions are renumbered and/or amended as follows:

10.26.3 A Secondary Suite shall be subordinate to a principal dwelling and shall only be located on a parcel where Secondary Suite, Principal or Secondary Suite, ~~Accessory Detached~~ is listed as a permitted or discretionary use under the appropriate land use district.

10.2.6.4 Where a Secondary Suite is a permitted use under the applicable land use district but does not meet all other provisions under this bylaw, it shall be considered a Discretionary use.

10.26.5 A Development Permit shall be obtained for all Secondary Suites in the County.

10.26.6 All Secondary Suites shall have an approved Building Permit and shall comply with all applicable Building and Safety Code Requirements.

10.26.7 All Secondary Suites shall comply with the Land Use and Development Requirements for the applicable land use district such as, but not limited to, height requirements, setback regulations, ~~dwelling density~~, and lot coverage for the applicable land use district.

d. The following provision is added for clarification and replaces where it was deleted in the above provision:

10.26.8 A Secondary Suite shall only be permitted on a site in accordance with the maximum dwelling unit density requirements under the applicable land use district or in accordance with Section 10.10.5 where the maximum dwelling unit density is not listed in the land use district.

e. The previous Section 10.26.7 is deleted to allow for other uses to be approved for operation by Development Permit from a Secondary Suite:

~~10.26.7 A Secondary Suite shall not be operated as a Tourist Home or as a short term vacation rental unit or include a Home Based Business Minor or Major, or Bed and Breakfast.~~

f. These provisions remain unchanged but are renumbered accordingly:

10.26.9 A parcel shall be limited to one Secondary Suite.

10.26.10 Occupancy shall be restricted to a maximum of two bedrooms per Secondary Suite.

g. Section 10.26.10 shown below is deleted.

~~10.26.10 Secondary Suites shall meet the following size requirements:~~

~~a. Secondary Suite, principal:~~

~~i. Minimum habitable area: 37 sq. m. (400 sq. ft.)~~

~~ii. Maximum size: no larger than 40% of the habitable area of the principal dwelling to a maximum of 83.6 sq. m. (900 sq. ft.) in size~~

~~b. Secondary Suites, accessory:~~

~~i. Minimum Habitable area: 37 sq. m. (400 sq. ft.)~~

~~ii. up to 50% of the gross floor area of the accessory building to a maximum of 83.6 sq. m. (900 sq. ft.)~~

h. The following Sections 10.26.11 – 10.26.15 are added in place of above deleted Section 10.26.10:

10.26.11 Secondary Suite, Principal, shall be smaller than the habitable area of the principal dwelling to a maximum of 1,400 sq. ft. in size.

The *Habitable Area* is the sum of all floors of all livable space contained within the exterior walls of the structure, **including the basement** designated for human occupancy including areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage **area or basement areas** used exclusively for storage, or areas devoted exclusively to mechanical or electrical equipment servicing the development.

10.26.12 Notwithstanding Section 10.26.11, a Secondary Suite may exceed 1,400 sq. ft. in size where a Secondary Suite, Principal is situated:

a. Entirely within the basement of the principal dwelling and the ~~gross floor area~~ building footprint of the basement is greater than 1,400 sq. ft. in size.

b. Within the entire loft area above a garage attached to the principal dwelling, provided the Secondary suite does not exceed the ~~gross floor area~~ building footprint of the attached garage and the Secondary suite remains smaller in size than the habitable area of the principal dwelling.

~~The Gross Floor Area is the total floor area of each floor of a building measured to the outside surface of the exterior walls, or where buildings are separated by fire walls, to the centerline of the common fire wall and does not include basements.~~

~~*Building Footprint* means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing lot coverage and cumulative area for accessory buildings on a parcel.~~

10.26.13 Secondary Suite, Detached shall meet the following maximum size requirements:

a. on parcels 1 acre and larger in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,400 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.

b. on parcels less than 1 acre in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,000 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited, to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.

10.26.14A Secondary Suite, Detached shall be considered as part of the total allowable number of accessory buildings and total accumulated area of accessory buildings in accordance with parcel size as identified in Table 4.2.1.7A of the Land Use Bylaw.

10.26.15 Where a Secondary Suite, Detached exceeds the maximum total number of buildings and/or total cumulative size of buildings allowed, based on parcel size in accordance with Table 4.2.1.7A of this bylaw, the Development Authority reserves the right to refuse a Development Permit for the Secondary Suite should they feel the number of buildings and/or cumulative size of buildings on the parcel is excessive and may materially interfere with, or affect the use, enjoyment, or value of neighbouring property.

i. The following provision is deleted and replaced and renumbered as follows:

~~10.26.14 Each Secondary Suite shall provide a minimum of one additional on-site parking space per bedroom in accordance with Section 9.19 of this bylaw. In accordance with Section 9.19 of this bylaw~~

10.26.16 Each Secondary Suite shall provide the following on-site parking spaces for Secondary Suites:

- a. a minimum of one additional on-site parking space for a Secondary Suite up to a maximum 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw
- b. a minimum of two additional on-site parking spaces for a Secondary Suite larger than 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw

j. The following provisions are renumbered as follows:

10.26.17 All Secondary Suites shall have their own distinct County address to facilitate accurate emergency response.

10.26.18 All restrictive covenants existing on title shall be submitted with applications for Secondary Suites. Should a restrictive covenant disallow or restrict development of a Secondary Suite or additional dwelling unit, the application shall be considered a Discretionary Use under the land use district in which the Development Authority may refuse the Development Permit application.

k. The Section 10.26.17 is deleted and the following Sections 10.26.19 – 10.26.22 replace this provision allowing for some flexibility for allowance of manufactured and mobile homes:

~~10.26.17 A Secondary Suite shall not be a mobile home.~~

10.26.19 A Dwelling, Manufactured Home or Dwelling, Mobile Home may be approved by Development Permit as a Secondary Suite, Detached where:

- a. The unit has been prefabricated, built or factory-constructed within ten (10) years of the date of the application.
- b. The unit is placed upon an approved permanent foundation pursuant to the provisions of the building code.
- c. The development is in compliance with all requirements of Section 10.26 for Secondary Suites.
- d. It would not cause the maximum dwelling density for the parcel to be exceeded.
- e. The development meets all other development requirements as per the applicable land use district.
- f. All applicable fire, building and safety codes requirements are met.
- g. The Secondary Suite is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish) to the satisfaction of the Development Authority.

- h. A current report completed by a certified engineer, is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
 - i. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.26.20 The Development Authority, in their discretion, may consider a development permit for a change of use from an existing Dwelling, Temporary to a Secondary Suite, Detached, if the Dwelling, temporary has approvals under a previous Development Permit and can provide, to the satisfaction of the Development Authority, the following:
- a. The unit is placed upon an approved permanent foundation pursuant to the provisions of the applicable building code as part of the change of use approval.
 - b. The unit must be prefabricated, built or factory-constructed ~~later~~ more recently than September 2, 2007.
 - c. Must be in compliance with all requirements of Section 10.26 for Secondary Suites.
 - d. Does not exceed the maximum dwelling density and maximum height requirements and meets all other requirements as per the applicable land use district.
 - e. The unit is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish).
 - f. A current Engineer's report is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
 - g. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.26.21 Further to 10.26.25, in all cases a Development Permit for the change of use of a Dwelling, Temporary to a Secondary Suite, Detached will be considered a Discretionary Use.
- 10.26.22 The Development Authority reserves the right to refuse a Development Permit for a prefabricated dwelling (Dwelling, manufactured home or Dwelling, mobile home) that is of poor appearance or condition.
- I. This provision amended in accordance with the new Bylaw and moved to the end of the general provisions in Section 10.26:**
- 10.26.23 Existing unpermitted Secondary Suites that were not allowed under the land use bylaw prior to the passing of Bylaw 68/2023 (January 31, 2024), may be allowed some variances, within two years from the date these provisions were passed ~~April 17, 2019, under Bylaw 8/2019~~, in accordance with Section 5.6 of this bylaw when applying for Development Permit approval to bring them into conformance.

m. The following provision Section 10. 26.13 pertaining to servicing requirements is amended and renumbered as follows:

10.26.24 It is the landowner's responsibility to ~~All Secondary Suites shall~~ provide proof of adequate water servicing and sanitary sewer servicing for a Secondary Suite, to the satisfaction of the Development Authority.

n. The following provisions on Servicing Requirements are added to Section 10.26:

10.26.25 Where a proposed Secondary Suite is to be serviced with a communal or municipal piped water supply, the following is required:

- a. a letter shall be submitted to the Development Authority providing confirmation from the owner/operator of the piped water system, indicating that there is adequate water available to service the additional use of the proposed Secondary Suite on the subject parcel.
- b. Where a separate water connection/or line extension may be required, confirmation from the utility corporation/ owner/operator of the piped water system, that the line has been installed, connected, and where applicable appropriate meters installed to their satisfaction, shall be submitted to the Development Authority.

In some areas, such as the Foothills County Hamlets, the water connection may need to be assessed on a case by case basis to ensure there is sufficient line size to accommodate the additional use for the site prior to approval. Separate water meter devices may be required for Secondary Suites at the discretion of the utility provider.

10.26.26 Where a secondary suite is to be serviced utilizing ground water, the Development Authority (Development Officer, Council, or Development Appeal Board) may require an updated pump test and/or hydrogeologist report or other validation data, completed by a professional engineer or hydrogeologist, on the source groundwater well be submitted to the County for review to confirm that the source water well can sustain an adequate water supply for the existing and proposed development with no anticipated interference to any neighboring wells.

10.26.27 Where water is hauled to the site as the primary water source for a Secondary Suite (to a cistern or water storage system) the applicants must provide proof, to the satisfaction of the Development Authority, that the system will provide an adequate quantity of potable water for the proposed use.

Where there is no piped municipal or communal water system available for water supply to a Secondary Suite, installation of a water cistern, in support of the water supply, is encouraged and recommended.

10.26.28 The proposed method of managing the wastewater/sewage system for the Secondary Suite shall be provided to the satisfaction of the Development Authority and shall consist of either:

- a. A private sewage treatment system that can adequately manage the additional waste; or a new system or additions to the existing system that have been adequately sized to accommodate the additional waste and the location is suitable and meets the current Safety Codes.
- b. Where sewage disposal is connected to an approved piped communal collection system, a letter providing confirmation from the sewage disposal operator that the system has adequate capacity for the additional sewage and authorization to connect.

o. Section 10.25.18 Permit Considerations shall be amended and renumbered as follows:

Permit Considerations

10.26.29 In considering a Development Permit application for a Secondary Suites, the Development Authority may consider factors such as:

- a. Any significant adverse impacts on the adjacent properties and dwellings (for example: drainage, fire protection, access, etc.).
- b. Adequate water and wastewater services to sustain the current and proposed additional use on the site.
- c. The architectural character of the Secondary Suite, including:
 - i. In the case of a Secondary Suite, principal, the use of design strategies that minimize structural changes to the exterior of the principal dwelling, so that it maintains the appearance of a single dwelling; and
 - ii. In the case of a Secondary Suite, Detached, the suite, should be constructed and finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to size/scale, location, and/or color/finish).
 - iii. The availability of an indoor storage area located on the property for use of the residents of the Secondary Suite to minimize visual impact to neighbouring properties.
- d. Site design features, including:
 - i. The need for landscaping or screening to provide privacy between the Secondary Suite and adjacent properties and dwellings.
 - ii. The need for adequate space to accommodate on-site parking and loading for use by residents of the Secondary Suite.
- e. Such other considerations as the Development Authority may deem to be relevant.

All Secondary Suites, with a valid Development Permit ~~will~~ may be recorded on the Secondary Suite Registry for public information.

3. AMENDMENTS TO VARIANCES FOR SECONDARY SUITES:

a. Section 5.6.9 is amended as follows:

5.6.9 Within two years from the date the updated Secondary Suite provisions adopted under ~~Bylaw 8/2019~~ Bylaw 68/2023 (January 31, 2024), the following variances may be considered when applying for approval to bring previously existing suites into compliance, which were not previously allowed in Foothills County prior to the passing of said bylaw:

- a. The Development Authority may issue a Development Permit for an existing oversized Secondary Suite if:
 - i. The Secondary Suite existed prior to the date of the adoption of these regulations; and
 - ii. The Secondary Suite is no more than 25% greater than the size permitted under Section 10.26 Secondary Suites; and
 - iii. A Development Permit has been granted approval within two years of the date which Bylaw 68/2023 received third reading on (January 31, 2024).
- b. The Development Authority may issue a Development Permit for reduced building setbacks for a Secondary Suite-where:

- i. the building code, safety code, and fire code requirements can be met (for example side yard setbacks may not be relaxed on smaller parcels due to separation distances of residential buildings with greater than 10 minutes fire department response time).
- ii. it does not materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.

This applies to Secondary Suites on parcels under 2 acres in size and Secondary Suites within hamlet boundaries or Secondary Suite, Detached on other parcels (within hamlet boundaries does not include the hamlets of Heritage Pointe and Priddis Greens).

b. Section 5.6.10 remains unchanged as follows:

5.6.10 The Development Authority may allow a 10% variance to the maximum size requirements of a Secondary Suite, where the Development Authority is of the opinion it will not materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.

c. Section 5.6.11 is added in conjunction with the potential for change in use applications for Dwelling Temporary to Dwelling Secondary Suite::

5.6.11 The Development Authority may allow up to a 25% variance to the allowable maximum size requirements of a Secondary Suite, where an application has been made for a change in use from an approved Dwelling, Temporary to a Secondary Suite, Detached, in accordance with Section 10.26.

4. PARKING PROVISION UNDER SECTION 9.19 PARKING AND LOADING FACILITIES

a. The parking requirements under Table 9.19C for Secondary Suites shall be amended as follows:

Remove: ~~Dwelling, Secondary Suite—1 parking stall per bedroom.~~

Add the following: Dwelling, Secondary Suite up to a max. 1,000 sq. ft in size = 1 parking stall.
Dwelling, Secondary Suite over 1,000 sq. ft. in size = 2 parking stalls.

5. A MENDMENTS UNDER SECTION 10.10 DWELLINGS PERTAINING TO SECONDARY SUITES:

a. Delete the following Section under Section 10.10.27:

~~10.10.27 An approved Dwelling, Secondary Suite may be located within the principal dwelling unit or located within an accessory building on the same titled parcel as the principal dwelling. Information on Secondary Suites can be found in Section 10.26~~

b. Add the following new provisions at the end of Section 10.10:

Dwelling Secondary Suite

10.10.31 A Development Permit shall be obtained for all Dwelling, Secondary Suites.

10.10.32 A Dwelling, Manufactured Home, or Dwelling Mobile Home, may be approved for use as Secondary Suite, Detached if approved by Development Permit, in accordance with Section 10.26.

c. Amend Section 10.10.12 for allowance for Dwelling, Mobile Home/Dwelling Manufactured Home approval as a Secondary Suite, Detached subject to specific conditions:

- 10.10.12 A Dwelling, Mobile Home may only be permitted on parcels under 80 acres in size if:
- a. approved by Development Permit for temporary purposes as a Dwelling, Temporary in accordance with Section 10.10; or
 - b. approved by Development Permit as a Secondary Suite, Detached in accordance with Section 10.26; and

- c. ~~it is not placed on a permanent foundation but meets all applicable building code requirements for a temporary foundation.~~
 - d. ~~if it was prefabricated, built or factory constructed later than September 2, 2007~~
 - e. all applicable building and safety codes requirements are met; and
 - f. it does not exceed the maximum dwelling density and maximum height requirements and meets minimum habitable area per dwelling and other requirements as per the applicable land use district.
- d. **Section 10.10.12.2 shall be added, as follows:**
 10.10.12.2 A Dwelling, Manufactured Home or Dwelling, Mobile Home may be permitted as a Secondary Suite, Detached where approved by Development Permit in accordance with Section 10.26:
- e. **Section 10.10.17 shall be amended to include a Secondary Suite, Detached under Dwelling, more than one on a property, as follows:**
 10.10.17 No person shall erect a Dwelling, Single Family, Dwelling, Mobile Home, or Dwelling, Manufactured Home on a parcel less than 32.4 ha. (80 acres Gross Lot Area) on which another Dwelling, Single Family, or Dwelling, Manufactured Home is already located unless:
- a. the dwelling has been approved by a Development Permit as a Dwelling, Temporary in accordance with Section 10.10, OR
 - b. ~~the dwelling has been approved by a Development Permit as a Secondary Suite, Detached in accordance with Section 10.26;~~ AND
 - c. is in conformance with the maximum dwelling density requirement under the applicable land use district.

AMENDMENTS TO DWELLING DENSITY

- a. The following amendments are proposed to the dwelling unit density provisions under the corresponding land use district:

Country Residential District

- 13.1.7.2 Maximum Dwelling Unit Density
- a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite ~~in accordance with Section 10.26~~ or one Dwelling, Temporary in accordance with Section 10.10 ~~on dwellings.~~
 - b. ~~Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.~~

Cluster Residential District

- 13.2.7.2 Maximum Dwelling Unit Density
- a. Maximum dwelling unit density for a parcel is one Dwelling, Single Family ~~and either one Dwelling, Secondary Suite in accordance with Section 10.26 or one Dwelling, Temporary (for construction only)~~ in accordance with Section 10.10 ~~on dwellings.~~
 - b. ~~Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.~~

Country Estate Residential District

- 13.3.7.2 Maximum Dwelling Unit Density
- a. ~~Maximum dwelling unit density for a parcel is one Dwelling, Single Family or Dwelling, Temporary, or one Dwelling Semi-detached in accordance with Section 10.10 on Dwellings. and one Dwelling, Temporary, or one Dwelling Semi-detached, in accordance with Section 10.10 on Dwellings.~~

- a. Maximum dwelling unit density for a parcel is one Dwelling, Single Family, and either one Dwelling Secondary Suite in accordance with Section 10.26 or one Dwelling, Temporary (for construction purposes only) in accordance with Section 10.10.
- b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.

Residential Community District

13.4.7.2 Maximum Dwelling Unit Density

- a. Maximum dwelling unit density for a parcel is one Dwelling, Single Family in accordance with Section 10.10, and one Dwelling, Secondary Suite in accordance with Section 10.26 ~~10 Dwellings~~.
- b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.

b. Section 10.10.5 under Dwellings is deleted and replaced as follows below:

~~10.10.5~~ In all districts, where the maximum dwelling density is not identified, the following maximum number of dwelling units per parcel shall apply:

10.10.5 In all districts, where the maximum dwelling density is not identified and the dwelling type is listed as a permitted or discretionary use in the applicable land use district, the following maximum number of dwelling units (dwelling density per parcel) shall apply:

- a. for a parcel under 80 acres in size you are permitted no more than:
 - i. one Dwelling, Single Family; **and**
 - ii. either one Dwelling, Secondary Suite in accordance with Section 10.26, or one Dwelling, Temporary in accordance with Section 10.10.
 - iii. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.
- b. for a parcel 80 acres or larger in size you are permitted no more than:
 - i. two Dwellings, Single Family; **and**
 - ii. either one Dwelling, Secondary Suite in accordance with Section 10.26, or one Dwelling, Temporary in accordance with Section 10.10.
 - iii. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.

7. AMENDMENTS TO SECTION 10.4 BED AND BREAKFAST

- a. Section 10.4.2 is deleted, removing the restriction of a Bed and Breakfast to be operated from a Secondary Suite.

~~10.4.2~~ A Bed and breakfast shall not be operated from a Secondary Suite.

8. AMENDMENTS TO LAND USE DISTRICTS

- a. The following use is amended under Section 13.2.5 Cluster Residential District and Section 13.3.5 County Estate Residential District as shown below:

Discretionary use - Dwelling, temporary (during construction only)

- b. The following exception is added to Section 13.4.8 Residential Community District to exclude the use of a **Secondary Suite within the hamlets of Heritage Pointe and Priddis Greens:**

13.4.8.1 Secondary Suites are not permitted on any lot within the hamlets of Heritage Pointe or Priddis Greens.

- c. The following text is placed under the exceptions in the corresponding hamlet lists in the Residential Community District under Section 13.4.8. for information purposes:

See 13.4.8.1 for exceptions - Secondary Suites are not permitted on any lot within **the Hamlet of Priddis Greens.**

See 13.4.8.1 for exceptions - Secondary Suites are not permitted on any lot within the Hamlet of Priddis Greens which includes the **Hawks Landing development.**

See 13.4.8.1 for exceptions - Secondary Suites are not permitted on any lot within the **Hamlet of Heritage Pointe.**

See 13.4.8.1 for exceptions - Secondary Suites are not permitted on any lot within the Hamlet of Heritage Pointe which includes **Artesia.**

8. AMENDMENTS AND ADDITIONS TO USES UNDER LAND USE DISTRICTS

Secondary Suites are added and amended as permitted or discretionary uses as follows to the Land use districts:

Black – Existing

Red – Proposed Change

Land Use District	Permitted	Discretionary
Agricultural District Agricultural Business District	Secondary Suite, Principal Secondary Suite, Detached	
Country Residential District	Secondary Suite, Principal	Secondary Suite, Accessory Secondary Suite, Principal Secondary Suite, Detached
Cluster Residential District Country Estate Residential District	Secondary Suite, Principal	Secondary Suite, Detached
Residential Community District <i>(except for Hamlet of Heritage Pointe and Hamlet of Priddis Greens)</i>		Secondary Suite, Principal Secondary Suite, Detached
Rural Business District		Secondary Suite, Principal Secondary Suite, Detached
Direct Control District #1 - Spruce Meadows Direct Control District #29 - <i>Riding Arena</i> Direct Control District #32 - <i>Ag Societies</i>		Secondary Suite, Accessory Secondary Suite, Principal Secondary Suite, Detached
Direct Control District #3 - <i>Retreat Facilities</i> Direct Control District #14 - <i>Ptn. NE 08-21-29-W4</i> Direct Control District #22 - <i>Priddis Meadows Commercial</i> Direct Control District #25 - <i>Rocky Mountain Show Jump</i> Direct Control District #26 - <i>Dog Kennels & Facilities</i> Direct Control District #27 - <i>Home Based Business Type III</i> Direct Control District #35 - <i>Event Venue</i>		Secondary Suite, Detached Secondary Suite, Principal
Direct Control District #36 - Equine Vet & Rehab	Secondary Suite, Principal Secondary Suite, Detached	