

CITY OF AIRDRIE
PROVINCE OF ALBERTA
BYLAW NO. B-11/2021

BEING A BYLAW of the City of Airdrie, in the Province of Alberta, to amend Bylaw No. B-01/2016, the City of Airdrie Land Use Bylaw.

WHEREAS under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta, 2000, Chapter M-26, and amendments thereto, the Council of the City of Airdrie may pass Bylaws respecting land use; and

WHEREAS the Council of the City of Airdrie has passed Bylaw No. B-01/2016, the City of Airdrie Land Use Bylaw; and

WHEREAS it is desirable to establish a Bylaw to enact that the said Land Use Bylaw be amended in the manner outlined below;

NOW THEREFORE the Council of the City of Airdrie in Council duly assembled enacts that Bylaw No. B-11/2021 amends Land Use Bylaw No. B-01/2016 as follows:

1. Section 1.13(5) is amended by editing the definition for “Dwelling, Townhouse” to read as follows:

Dwelling, Townhouse means:
A building containing three (3) or more units as its principal use, each with a direct access from the finished grade. Each dwelling is separate from the adjoining dwelling by a vertical party wall. This includes:

- (a) **Freehold townhouses** developed on fee simple lots where the lots are created by a plan of subdivision or;*
- (b) **Condominium townhouses** that are or will be established as separate units within a condominium plan or strata space plan, and may include shared common areas of the overall development site, facilities, and/or landscaping.*

2. Section 2.3.2(1) is amended by adding the following to Table 1: Development Not Requiring a Development Permit:

<i>Freehold Townhouses</i>	<i>Where listed as a Permitted Use in accordance with the R2-T, Townhouse Residential District and Section 7.36 (Townhouse Exemption Requirements), providing each townhouse units' land boundaries are individually owned.</i>
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3. Section 2.5.1 is amended by adding the following as 2.5.1(8):

(a) On-site securities for Freehold Townhouses may not be required by the Development Authority provided the townhouse development is does not require a Development Permit as specified under Section 2.3.2 and the townhouse development is not a part of a condominium development. Securities for Freehold Townhouses described within this section are captured under the Subdivision Servicing Agreement Security Policy.

4. Section 2.5.4(1)(a) is amended to read as follows:

(a) Notwithstanding the above, security for landscaping requirements for freehold residential developments shall be released once an inspection of the site demonstrates to the satisfaction of the Development Authority that the landscaping has been successfully installed as requirement by the approved Development Permit or Subdivision Servicing Agreement.

5. The following is inserted as **Section 7.36 (Townhouse Exemption Requirements)**, and the remaining sections under Part 7 are renumbered accordingly:

7.36 Townhouse Exemption Requirements

A Freehold Townhouse development may be exempt from a Development Permit application, as outlined in Section 2.3.2 (Development Not Requiring a Development Permit), provided that:

- (1) Essential legal agreements are registered on title. Without limiting the general intention of this requirement, essential legal agreements may include party wall agreement, maintenance standard agreement (e.g. restrictive covenant governing the architectural control of the exterior appearance and landscaping), and other service and access easement agreements;*
- (2) Landscaping is provided in accordance with Section 3.0 Landscaping Requirements;*
- (3) All required plans and information have been provided to the satisfaction of the Development Authority;
 - a. The delineation and dimensions of the current and future parking spaces must be provided on the site plan;**
- (4) The lot grading design is fully in compliance with the subdivision developer's grade slip(s);*
- (5) Documentation that security coverage for this development is provided through the Subdivision Servicing Agreement;*
- (6) The townhouses are registered as individual lots and are not considered Condominium Townhouses as defined in Section 1.13(5);*
- (7) The Freehold Townhouse dwellings are street-oriented; and*
- (8) The development shall not build any private utility infrastructure that provides water, storm, and sanitary service to more than one parcel.*

Read a first time this _____ day of _____, 2021.

Read a second time this _____ day of _____, 2021.

Read a third time this _____ day of _____, 2021.

This bylaw was executed as of the latest date evidenced by digital signature below.

Mayor

City Clerk