

**BYLAW NO. 1078-17**  
**BEING A BYLAW OF**  
**MACKENZIE COUNTY**  
**IN THE PROVINCE OF ALBERTA**

**TO REVISE THE**  
**MACKENZIE COUNTY LAND USE BYLAW**  
**TO ADD THE DEFINITION AND INTERPRETATION OF**  
**PANHANDLE/FLAG LOT AND ROAD ACCESS, ADD DISCRETIONARY USES TO**  
**THE FORESTRY “F” ZONING DISTRICT, AND REVISE THE DEFINITION OF**  
**AGRICULTURAL SUPPLY DEPOT**

**WHEREAS**, Mackenzie County has a Municipal Development Plan adopted in 2009, and

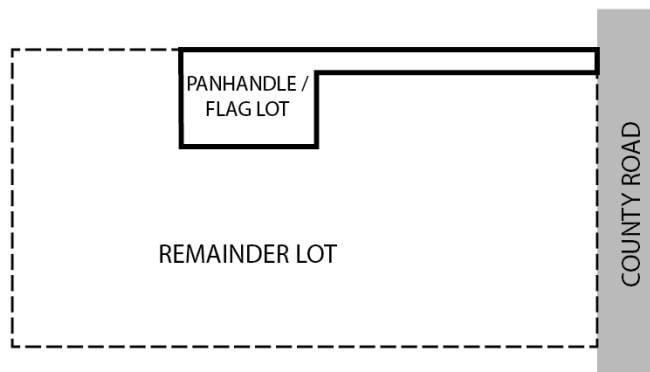
**WHEREAS**, Mackenzie County has adopted the Mackenzie County Land Use Bylaw in 2017, and

**WHEREAS**, the Council of Mackenzie County, in the Province of Alberta, has deemed it desirable to revise the Mackenzie County Land Use Bylaw by adding the definition and interpretation of panhandle/flag lot and road access, add discretionary uses to the Forestry “F” zoning district and revise the Agricultural Supply Depot definition.

**NOW THEREFORE**, THE COUNCIL OF THE MACKENZIE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. That the Mackenzie County Land Use Bylaw Section 2.3 be revised with the following additions:

**“PANHANDLE/FLAG LOT”** means any parcel in the AGRICULTURAL DISTRICT which gains access and road frontage through a narrow strip of land which is an integral part of the parcel. The strip of land providing access shall be excluded in the total acreage size.



“**ROAD ACCESS**” means direct access to a ROAD from a lot, or lawful means of access satisfactory to the Subdivision Authority.

2. That the Mackenzie County Land Use Bylaw Section 7.1 be revised to include:

### **7.1 SUBDIVISION APPLICATION PROCEDURES**

*7.1.7 When evaluating an application for subdivision in the Agricultural Land Use District the Subdivision Authority may consider whether a ROAD providing access to the subject property complies with the General Municipal Infrastructure Standards and the Rural Road, Access Construction and Surface Water Management Policy No. PW039.*

3. That the Mackenzie County Land Use Bylaw Section 8.1 be revised to include:

### **8.1 ACCESS AND DRAINAGE**

*8.1.6 Applications for subdivision shall be required to demonstrate ROAD ACCESS for proposed lots to the standards established in the General Municipal Improvement Standards or to the satisfaction of the Subdivision Authority.*

- i) *When a parcel abuts an undeveloped ROAD, this does not constitute ROAD ACCESS for purposes of subdivision.*
- ii) *A subdivision applicant may be required by the Subdivision Authority to construct a ROAD extension at their own expense in order to provide ROAD ACCESS:*
  - *Where direct access by a ROAD constructed to meet the General Municipal Improvement Standards does not already exist*
  - *In order to provide ROAD ACCESS to the balance of a subdivided lot*
- iii) *ROAD construction pursuant to 8.1.6.ii shall be in accordance with the General Municipal Improvement Standards.*
- iv) *Notwithstanding 8.1.6.i, 8.1.6.ii, 8.1.6.iii, and at the discretion of the Subdivision Authority, subdividing an existing farmstead or subdividing to create a new lot where ROAD ACCESS is limited by natural features of the site may be done through the use of a PANHANDLE/FLAG LOT with or without extending a ROAD.*

4. That the Mackenzie County Land Use Bylaw Section 9.1 Agricultural “A”, 9.1.11 be revised to include:

**9.1 AGRICULTURAL “A”**

**ADDITIONAL REQUIREMENTS**

9.1.11 *Subdivision of new Panhandle/Flag Lots shall only occur to subdivide an existing farmstead for subdivision where the proposed or balance of the lot will have ROAD ACCESS that would otherwise be obstructed by natural features of the site, or for subdivision where allowing a panhandle/flag lot will reduce the impact on agricultural uses. A new Panhandle/Flag Lot shall only be within the title property that is being subdivided.*

5. That the Mackenzie County Land Use Bylaw Section 9.2 Forestry “F”, 9.2.2 be revised with the following additions:

**9.2 FORESTRY “F”**

9.2.2 Permitted and Discretionary Land Use Classes

Permitted	Discretionary
ACCESSORY BUILDING	CAMPGROUND, MAJOR
CABIN	CAMPGROUND, MINOR
COMMUNICATION TOWER	COMMUNITY PASTURE
DUGOUT	EMERGENCY SERVICES FACILITY
FOREST BASED INDUSTRY	EXTENSIVE RECREATIONAL USE
GOVERNMENT SERVICE	NATURAL RESOURCE EXTRACTION
INDUSTRIAL CAMP	NATURAL RESOURCE PROCESSING
SHIPPING CONTAINER	RECREATIONAL SERVICE, OUTDOOR
WOODLOT MANAGEMENT	TEMPORARY/PORTABLE UNIT

6. That the Mackenzie County Land Use Bylaw Section 2.3 Definition of “Agricultural Supply Depot” be revised as follows:

**AGRICULTURAL SUPPLY DEPOT** means a facility that specializes in bulk storage and sale of agricultural products or other farm supplies, but does not include the sale and storage of **regulated** solid and liquid fertilizers.

READ a first time this 8<sup>th</sup> day of August, 2017.

PUBLIC HEARING held this 12<sup>th</sup> day of September, 2017.

READ a second time this 12<sup>th</sup> day of September, 2017.

READ a third time and finally passed this 12<sup>th</sup> day of September, 2017.

(original signed)

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Bill Neufeld  
Reeve

(original signed)

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Len Racher  
Chief Administrative Officer