

**TOWN OF KIPPENS**

**DEVELOPMENT REGULATIONS AMENDMENT NO. 24-01**

**ADMINISTRATIVE AMENDMENT TO ACCESSORY BUILDING, HOME BUSINESS,  
AND SUBDIVISION REGULATIONS**

**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

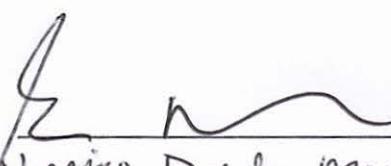
**TOWN OF KIPPENS DEVELOPMENT REGULATIONS AMENDMENT NO. 24-01**

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Kippens adopts the Town of Kippens Development Regulations Amendment No. 24-01.

Adopted by the Town Council of Kippens on the 8<sup>th</sup> day of August, 2024.

Signed and sealed this 8<sup>th</sup> day of August, 2024.

Mayor:

  
Eric Nippard, Deputy Mayor

Clerk:

  
Florence Barten



**Canadian Institute of Planners Certification**

I certify that the attached Town of Kippens Development Regulations Amendment No. 24-01 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: Andrew Smith, MCIP



  
A. Smith

<b>Development Regulations/Amendment</b>	
<b>REGISTERED</b>	
Number	2615-0014-2024
Date	16 SEPTEMBER 2024
Signature	Kippens Council



## **Background**

The purpose of this administrative text amendment is to update the accessory building, home business, and subdivision regulations. Where the proposed changes are harmonious with the Municipal Plan, this amendment does not have a corresponding Municipal Plan amendment.

The Town does not currently have provisions regulating the use of shipping containers as accessory buildings/structures. The following amendment regulates the use of these buildings/structures throughout the Town.

The following amendment would also add a definition for “small scale lawn care business” and include this new use under the list of permitted home businesses.

The following administrative text amendment also adds a provision to the subdivision regulations to account for the extension of a public street to rectify a preexisting ownership issue. The Town currently services multiple, legacy public streets (predating the adoption and implementation of any Municipal Plan and Development Regulations), which were not properly vested to the Town. The Town has historically provided regular maintenance to these legacy public streets including repairs and snow clearing. The following amendment provides for an exemption to the maximum of a dead-end cul-de-sac or p-loop street where the total street length is technically extended by virtue of the Town formalizing and acquiring sections of preexisting, legacy public streets.

## **Public Consultation**

As per the requirements of subsection 35(5) of the *Urban and Rural Planning Act, 2000*, the proposed amendment was advertised in the West Coast Wire on July 4, 2024. Residents were provided an opportunity to provide comments by July 17, 2024. No objections were received and as such Council chose not to hold a public meeting as stipulated in the Development Regulations.

## **Development Regulations Amendment No. 24-01**

The Town of Kippens Development Regulations is hereby amended by:

(1) Adding the following paragraph under subsection “C.1 Accessory Buildings”:

(d.1)

- i. A container designed for commercial transport, even though modifications have been made to said container, shall not be used as an accessory building or structure in the RES use zone or on a lot where the main residential use is a double unit dwelling, micro dwelling, mini home dwelling, mobile home dwelling, multi-unit dwelling ( $\leq 3$  DUs), or single unit dwelling.
- ii. On any other lot, a container designed for commercial transport, even though modifications have been made to said container, may be considered and approved as an accessory building by Council as a discretionary use in accordance with subsection A.2.2.8, thereby requiring public notice (see subsection A.2.2.12).

(2) Amending paragraph C.3 (n) under subsection “C.3 Home Businesses and Industries” by:

- (a) Adding “xii. Small scale lawn care business.” in numerical order;
- (b) Striking out “x. Printing centre; and” and replacing with “x. Printing centre;”; and
- (c) Striking out “xi. Retail store.” and replacing with “xi. Retail store; and”.

(3) Adding the following subparagraph under paragraph D.9.2 (b):

vi. Despite i. and ii., the maximum length of a dead-end cul-de-sac or p-loop street may be exceeded, without requiring secondary emergency vehicle access, where Council acquires land associated with a preexisting street or access that is privately owned but has been historically used as a public street.

(4) Adding the following definition in alphabetical order under appendix “App. B.3 Defined Terms”:

**SMALL SCALE LAWN CARE BUSINESS** means a commercial use where lawn care services are provided off-site, but no more than four (4) lawnmowers associated with the business are stored on the property in which the business is operating from.

(5) Adding the following row under the “Agricultural – Small Scale – Personal – (N/A)” row in “Appendix C: Use Category Table”:

Commercial	(N/A)	Small Scale Lawn Care Business	(N/A)
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