



## Draft Land Use Bylaw 1808 Proposed Changes

Kneehill County is proposing to make some amendments to the Land Use Bylaw.

Noted below are the changes to content or requirements. Additional changes not noted below have been made for clarification or grammatical purposes, and some legislated requirements have been added for convenience.

Existing Wording/Change	Proposed Wording
Sec. 8(m) Shall refer any such application to adjacent land owners for a discretionary use or for a proposed development requesting a variance/relaxation in excess of 10% of any listed maximum or minimum standard;	Sec. 9(m) Shall refer any such application to adjacent land owners for a discretionary use or for a proposed development requesting a variance/ relaxation in excess of 15% in any hamlet/ex-hamlet district and in excess of 20% in any other district of any listed maximum or minimum standard;
Addition under Sec. 15(1)(q)	Development permit not required for: Roof mounted solar panels for residential or private commercial use only.
Addition under Sec. 15(1)(r)	Development permit not required for: Storage containers on lands zoned Agriculture District greater than 20-acres.
Addition under Sec. 17(5)	A business license may be issued for non-residents wanting to do business in Kneehill County or for a mobile business for a resident and/or non-resident.
Sec. 17(2)(c)(iv) would not require a variance of any minimum or maximum standard within the district in excess of 10%.	Sec. 18(2)(c)(iv) would not require a variance of any minimum or maximum standard within the district in excess of 15% within any hamlet/ex-hamlet district and 20% in any other district.

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<p>Addition to Sec. 52(5-10) Campgrounds</p>	<ul style="list-style-type: none"> <li>(5) Each stall or campsite shall be accessible by means of an internal road that is at least 3.0 m in width where the access is for one-way traffic, or at least 6.0 m in width where the access is for two-way traffic.</li> <li>(6) The internal road network shall be properly signed for users and for emergency response vehicles and shall be sensitive to the topography and environmental characteristics of the site.</li> <li>(7) A suitable ingress and egress shall be provided so that every campground may be readily serviced in emergency situations; 24-hour emergency communications service (e.g. telephones) shall be provided.</li> <li>(8) Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service buildings;</li> <li>(9) Fires will be permitted only in designated fire pits or other such facilities;</li> <li>(10) One (1) parking stall shall be provided per campsite;</li> </ul>
<p>Sec. 53-54 Cannabis</p>	<p>Changed the terminology to match the Federal licensing terminology</p>
<p>Addition Sec. 57 (Approved April 2013 by Bylaw 1652)</p>	<p>57.Gas &amp; Oilfield Services Business, Minor</p> <ul style="list-style-type: none"> <li>(1) The business shall be contained within an enclosed building(s) and the outdoor storage of any materials, heavy vehicles, equipment and/or pipes is restricted to 20% of the total parcel size or an area within the subject Agriculture parcel of 1 ha (2.5 acres) more or less whichever is the lesser (excluding any access road required to access the same)</li> <li>(2) Shall not include the use or storage of toxic explosive or radioactive materials.</li> <li>(3) The subject parcel and all outdoor storage shall be screened at the discretion and to the satisfaction of the Development Authority.</li> <li>(4) At the discretion of the Development Authority the developer may be required to landscape and screen the area in a similar fashion to those required in Light Industrial and Industrial Districts of this Bylaw.</li> <li>(5) At the discretion of the Development Authority, the parking requirements shall be that as described in this Bylaw's LI-Light Industrial and Industrial Districts.</li> </ul>

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	<p>(6) The landowner/applicant shall comply with all applicable Provincial and Federal Legislation and regulations including but not limited to the Safety Codes Act, the Alberta Building Code and the Alberta Private Sewage Treatment and Disposal Regulation.</p> <p>(7) Shall not generate a nuisance such as smell, smoke, dust, noise, traffic, vibrations, heat and intense light sources and shall not be unsightly in appearance.</p> <p>(8) Any intensification of use shall require a new development permit. Should the Development Authority consider an application for intensification as potentially generating a nuisance, the business may be required to relocate to more suitable non-agricultural lands.</p>
Addition to Sec. 59(10) Hamlet Regulations	No occupant of a principal dwelling in a residential area/district shall permit a recreational vehicle to be used for living or sleeping accommodation for longer than a 14-day period. This includes unoccupied lots.

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<p>Addition of Sec. 60 Hen Regulations – Permitted in Country Residential, Ex-Hamlet, Hamlet Residential, and Hamlet General</p>	<ol style="list-style-type: none"><li>(1) A Hen License and Premises Identification Number are required for any person wanting to keep hens in districts that hens are permitted.</li><li>(2) Hens are a permitted use in County Residential, EX-Hamlet, Hamlet Residential and Hamlet General Districts.</li><li>(3) The applicant must reside on the property on which the hens will be kept.</li><li>(4) A Hen License is not transferable from one person to another or from one property to another.</li><li>(5) Hens must be kept in a “Coop” – a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Hens, that is no larger than 10 m<sup>2</sup> (107.64 ft<sup>2</sup>) in a floor area, and no more than 2.5 m (8.20 ft) in height.</li><li>(6) Each hen must be provided with at least 0.37 m<sup>2</sup> (3.98 ft<sup>2</sup>) of interior floor area, and at least 0.92 m<sup>2</sup> (9.9 ft<sup>2</sup>) of outdoor enclosure, within the coop.</li><li>(7) At least one nest box per coop and one perch per hen, that is at least 15 cm (5.9 inches) long must be provided and maintained in the coop.</li><li>(8) Hens are to be kept in the coop at all times.</li><li>(9) Hens are not to be released into the wild or buried on the property.</li><li>(10) In the designated areas no person shall:<ul style="list-style-type: none"><li>Keep a rooster;</li><li>Keep a hen, other than an urban hen for which a valid Hen License has been issued;</li><li>Sell eggs, manure, meat, or other products derived from hens;</li><li>Slaughter a hen on the property</li><li>Dispose of a hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of hens;</li><li>Keep a hen in a cage, kennel, or any shelter other than a coop.</li></ul></li><li>(11) Refer to Animal Control Bylaw for further information.</li></ol>
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<p>Addition Sec. 64(8)(9) Housing, Manufactured – Type 2</p>	<p>(8) Relocatable industrial accommodation is prohibited as a permanent dwelling.</p> <p>(9) Park models are for seasonal use only and may not be considered as a permanent dwelling unless evidence of four-season status is provided.</p>
<p>Sec. 65(2)(4) Indoor Riding Arena clarification</p>	<p>(2) A Riding Arena, Private shall be used solely by the occupants of the residence.</p> <p>(4) A Riding Arena, Commercial are not considered farm buildings and must meet all Alberta Building Code requirements for public occupancy.</p>
<p>Addition Sec. 68 Recreational Vehicle Storage, Major</p>	<p>(1) Recreational vehicle storage will only be considered on a lot equal to or greater than 8.1 hectares (20 acres).</p> <p>(2) A development permit application must include a site plan, and a screening plan. A drainage plan is to be provided by a professional engineer or professional engineering technologist.</p> <p>(3) The site shall be bermed, with a screened fence on top of the berm, unless it can be shown that the development would be visually screened year round, from any road, and/or by existing natural vegetation (i.e. trees and/or bush). The existing natural vegetation must exceed 2.5 metres in height.</p> <p>(4) The site shall be graded with the top soil being removed and stored on site.</p> <p>(5) A four (4) inch minimum gravel base shall be provided for the area to be used for storage.</p> <p>(6) Except for emergency situations, all vehicle trips to the recreational vehicle storage site shall be restricted to:</p> <p>(7) Monday to Saturday between the hours of 7:00 a.m. and 10:00 p.m.</p> <p>(8) Sunday and Statutory holidays between the hours of 10:00 a.m. and 6:00 p.m.</p> <p>(9) The subject parcel shall include an occupied dwelling.</p> <p>(10) There shall be no pumping or washing on site.</p> <p>(11) Reclamation of the site must be executed once the recreational vehicle storage facility is discontinued.</p> <p>(12) The development permit shall indicate the maximum number of recreational vehicles to be stored on the property.</p>

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	(13)RV storage sites are for storage only not occupation of the units.
Addition Sec. 69 Recreational Vehicle Storage, Minor	<p>(1) Parcel size must be equal to or greater than 8.1 ha. (20 acres).</p> <p>(2) The maximum number of RVs shall be 50.</p> <p>(3) The parcel shall include an occupied dwelling.</p> <p>(4) Storage area must be located beside or to the rear of the dwelling.</p> <p>(5) The development permit must include a site plan and a screening plan.</p> <p>(6) There shall be no pumping or washing on site.</p> <p>(7) The development permit shall indicate the maximum number of recreational vehicles to be stored on the property.</p> <p>(8) RV storage sites are for storage only not occupation of the units.</p>
Sec. 72(1) change	A development permit application for site stripping, filling, excavation, extraction, grading and/or re-contouring may be required when no other permit is being applied for.
Addition to Sec. 86(3)	(3) Illuminated freestanding signs may be allowed in Commercial and Industrial Districts and may be considered for a commercial use in the Agriculture District. Illumination may be subject to hours of operation in the Agriculture District.
Sec. 92(1)(a) change Maximum of five (5) lots per quarter section.....	Maximum of three (3) lots per quarter section, including the balance of the quarter section, but not including lots for public or quasi-public use or public utility.
Addition to Sec. 92(6)(b)	Approved Garden Suites are exempt from minimum gross floor area requirement.
Addition of new district Sec. 99 Health & Public Services District	See separate attachment
Section 102 & 103 change – Local Rural Commercial District; Light Industrial District	Cannabis uses now require redesignation to the Light Industrial District or the Local Rural Commercial District (depending on the use) instead of the Direct Control District.

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### New Definitions:

**“Amusement and Entertainment Services”** means those developments, having a room area or building used indoors or outdoors for the purpose of providing entertainment and amusement to patrons on a commercial fee for admission/service basis. Typical uses and facilities would include carnivals, and drive-in motion picture theatres. This use class includes seasonal events.

**“Animal Nuisance”** means and includes any use of or activity upon any premises which is offensive to any person acting reasonably, or has or may be reasonably expected to have a detrimental impact upon any person or other premises in the neighbourhood or is an imminent danger to public health or safety, or materially depreciates the value of other land or improvements on adjacent land, and may include the following:

1. noise;
2. trespass upon property;
3. threat to public health;
4. accumulation of animal waste;
5. accumulation of material contaminated by animal waste;
6. inappropriate disposal of dead stock;
7. lack of adequate containment or shelter;

which in the opinion of an Enforcement Officer, having regard for all circumstances is obnoxious or likely to unreasonably detract from the comfort, repose, health, peace or safety of persons or property within the boundaries of the County.

**“Cabin”** means a single detached dwelling with a maximum floor area of 65.03 m<sup>2</sup> (700 ft<sup>2</sup>) which is used for a seasonal recreational residence. This use does not include manufactured dwellings, holiday trailers, motor homes and similar recreation vehicles, boarding or lodging houses.

**“Cannabis Micro Cultivation Facility”** means the licensee can cultivate any variety of cannabis, produce cannabis seeds, cannabis plants, and fresh and dried cannabis. The area used for cultivation must be less than 200m<sup>2</sup> (2152.78 ft<sup>2</sup>).

**“Cannabis Micro Processing Facility”** means a small scale production of cannabis products and/or the packaging

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	<p>and labelling of products for sale to the public. Small scale is defined as using less than the equivalent of 600 kilograms of dried cannabis a year.</p> <p><b>“Cannabis Standard Cultivation Facility”</b> means the licensee can cultivate any variety of cannabis, produce cannabis seeds, cannabis plants, and fresh and dried cannabis.</p> <p><b>“Cannabis Standard Processing Facility”</b> means a large-scale production of cannabis products (e.g. cannabis oil) and/or the packaging and labelling of products for sale to the public.</p> <p><b>“Communication Tower”</b> means a tower federally regulated by Innovation, Science and Economic Development (ISED) Canada under the <i>Radiocommunication Act</i>. Communications towers may include cell towers, wireless internet towers, and oil/gas communications towers.</p> <p><b>“Community Garden”</b> means a single piece of land gardened collectively by a group of people. Community gardens utilize either individual or shared plots on private or public land.</p> <p><b>“Counseling Services”</b> means therapy that involves a trained therapist listening to you and helping you find ways to deal with specific life questions/issues. Common services include but are not limited to: marriage and family, guidance and career, rehabilitation, mental health, substance abuse, and educational counseling.</p> <p><b>“Culinary Herb Production”</b> means the commercial production of ready-to-eat culinary herbs and spices.</p> <p><b>“Data Centre”</b> means a building, dedicated space within a building, or a group of buildings used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes backup components and infrastructure for power supply, data communication connections, environmental controls (e.g. air conditioning, fire suppression) and various security devices. May include encryption and processing for blockchain transactions.</p>
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**“Exempt”** means development that does not require a Development Permit if it meets all requirements of this Bylaw.

**“Gas and Oilfield Services Business, Minor”** means a business that provides limited support services to oilfield and pipeline operations. Typical services in this use include but are not limited to, hot shots, inspection, maintenance, testing, well conditioning, well logging, x-ray and diagnostic cathodic protection wireline services or other such similar services. This use does not include the use or storage of toxic, explosive or radioactive materials.

**“General Municipal Servicing Standard”** Provides the minimum specific requirements to assist the County and a potential developer in the design, preparation and submission of plans and specifications for approval and/or construction of Municipal Improvements and Systems that will meet the servicing requirements for commercial, industrial and residential subdivision and development within the County.

**“Group Care Facility”** means a supervised residential dwelling unit, licensed or approved under Provincial legislation, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health professionals.

**“Group Home, Limited”** means a development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for six (6) residents or less, excluding staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The use class does not include treatment facilities such as detoxification centres.

**“Group Home, Major”** means a development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board

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for seven (7) residents or more, excluding staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group using cooking facilities shared in common.

**“Hemp Processing”** means the processing of industrial hemp into products used for textiles, cordage, paper products, animal bedding, garden mulch, fuel and an assortment of building materials.

**“Hen License”** means a license issued by the Development Authority authorizing the license holder to keep Hens on a specific property permitted as a use within this bylaw.

**“Industrial Storage”** means moderate to extensive open storage or stockpiling of raw materials, vehicles and machinery that may be partly or wholly visible off an industrial site.

**“Landscaping, Commercial”** means a business that encompasses a full spectrum of services that modifies the visible features of an area of land, including living elements, such as flora or fauna. May include indoor and outdoor storage of products for purchase.

**“Massage Therapy Service”** means the use of massage for health-related purposes, including to relieve pain, rehabilitate sports injuries, reduce stress, increase relaxation, address anxiety and depression, and aid general wellness. It involves manipulating the soft tissues of the body to manage a health condition or enhance wellness.

**“May”** is a discretionary term, providing notification that the regulation in question can be enforced if the County chooses to do so, and is usually dependent on the particular circumstances of the specific parcel and application.

**“Meat Market/Butcher”** means a person who may slaughter animals, prepare standard cuts of meat and poultry for retail sale.

**“Mobile Vendor”** means a self-contained vehicle, trailer or stand that is capable of being moved from one location to another that is equipped to prepare, serve and sell food,

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or goods. The mobile vendor is on a specific location for a period of seven (7) consecutive days or more.

**“Overlay District”** means additional development regulations superimposed on specific areas of the County, which supersede or add to the development regulations of the District for which the land is designated under this Bylaw. The Overlay Districts are contained in Part of this Bylaw.

**“Recreational Vehicle Park”** means a planned development for the short-term use of recreational vehicles with a higher level of service provided than in a campground. The recreational vehicle park shall not be used as year round storage, or accommodation for residential use. A recreational vehicle park may be developed in association with related recreational activities’ such as hiking or riding trails, picnic grounds, boating facilities and playgrounds.

**“Recreational Vehicle Storage, Major”** means a compound created for storage exceeding 50 units on a parcel of land greater than 8.1 ha (20 acres) for recreation vehicles and equipment such as boats, seadoos, trailers and ATVs.

**“Recreational Vehicle Storage, Minor”** means a compound created for storage limited to a maximum of 50 units, for recreational vehicles and equipment such as boats, seadoos, trailers and ATVs.

**“Relocatable Industrial Accommodation”** means a building providing accommodation for an industrial work force living and working in a temporary location, but does not apply to manufactured homes, prefabricated single-family dwelling units, or other types of prefabricated or manufactured buildings. These Industrial Accommodations cannot be considered for a permanent dwelling or be located where the work force will be at a permanent location.

**“Secondary Suite”** means a second self-contained dwelling unit located within a detached principal dwelling unit. The secondary suite must have a separate entrance from the principle building, either from a common indoor landing or directly from the exterior of the building. A secondary suite shall include a cooking area, a sleeping area and sanitary facilities.

**“Security/Operator Suite”** means a secondary building or portion of a building used to provide on-site accommodation by the employer for persons employed

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on the property, a residence for the site caretaker or operator of a commercial or industrial establishment, or for the on-duty security personnel at a storage facility when permitted in the District. No more than one Security/Operator Suite is permitted on a site.

**“Shall”** is a directive term that indicates that the actions outlined are mandatory and therefore must be complied with, without discretion.

**“Should”** is a directive term that provides direction to strive to achieve the outlined action but is not mandatory. When the regulation is directed to the developer, the onus is on the applicant to justify why the desired action/result is not proposed and/or will not be achieved.

**“Similar and Compatible Uses”** means those uses, which in the opinion of the Development Authority, are similar to one of the Permitted or Discretionary uses and which conform to the general purpose of the district.

**“Solar, Generation Facility”** means an energy resource created by solar panels where the capacity of the facility designed to be commercial is for the sole purpose of creating power to put back into the grid.

**“Solar, Private”** Ground Mounted – means a solar array designed to create an energy resource to power private use buildings only. These arrays are fixed to the ground typically with screw piles.

**“Storage Rental Facility”** means storage facilities for rent or lease of space to individuals usually for storing of household goods or to small businesses usually storing excess inventory or archived records.

**“Wool Processing”** means the method of using raw wool and converting it into cleaned, graded yarn or wool products for retail sales.

