

**BYLAW 19-009
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 17-004, BEING THE LAND USE BYLAW OF LAC LA BICHE COUNTY.

WHEREAS Council has adopted Bylaw 17-004 to be used as the Lac La Biche County Land Use Bylaw; and

WHEREAS it is deemed expedient to amend Bylaw 17-004 as set out in Section 692 of the *Municipal Government Act*, R.S.A. 2000, Chapter M 26, as amended;

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other powers enabling it, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. Parking Requirements table removed from zoning districts. All Parking Requirements found in Section C3, Parking and Loading Facilities.
2. That Greenhouse and Plant Nursery be combined uses where one or either is listed as a permitted or discretionary use. Read as Greenhouse/Plant Nursery.
3. That Personal Service Shop and Health & Wellness Centre be listed as separate discretionary uses in the Rural Residential Work/Live District (RRW). The uses are differentiated in the Definitions section.
4. Amend the definition of Dwelling, Duplex (Side Side) to read as Dwelling, Semi-Detached.
5. That Hotel and Motel be separated as different uses within the zoning districts. The uses are differentiated In the Definitions section.
6. Added new language to Direct Control District 1 (DC1) Area "C" Permitted Uses: "Such other uses or development which the Development Authority, in its discretion, deems to be similar to the above uses and purposes."
7. Renumber Sections C2.2(7), C2.2(8), C2.2(9), C2.2(10), C2.2(11), and C2.2(12) to Sections C2.2(6), C2.2(7), C2.2(8), C2.2(9), C2.2(10), and C2.2(11) to correct numbering errors.
8. Revise Section C2.2(6) so that setback distances for an accessory building apply to all districts, not just residential. Will read as: "In all districts, accessory buildings shall..."
9. Replace "in" with "with" in Section C2.18(7): A Minor, Major or Agricultural home based business shall have no mechanical or electrical equipment used which creates visual, audio, or electrical interference in adjacent dwellings or properties.

10. In all zoning districts, unit conversions from meters to feet corrected for accuracy.
11. Definition added for Aircraft Hangar: "A covered and usually enclosed area for housing and repairing of aircraft."
12. Definition added for Control Tower: "A tall building at an airport from which the movements of air and runway traffic are controlled."
13. Definition added for Terminal Building: "A building at a station or airport that is used by passengers leaving or arriving by train or aircraft."
14. Definition added for Weather Station: "An observation post where weather conditions and meteorological data are observed and recorded."
15. Revise definitions of Garage Suite and Garden Suite to be included as types of Secondary Suites. Formerly, Garage Suites and Garden Suites were excluded from Secondary Suites in their definition.
16. Signs, Fascia be added as a permitted use in the Public/Institutional District (PI).
17. Remove Sea Can from the definition of Accessory Building as they as separately listed as their own use and correct spelling of Sea Can for consistency throughout bylaw.
18. Revise definition of Recreational Vehicle Park Model to read as Park Model to keep the wording consistent in the Land Use Bylaw.
19. In Section D1.1(e)(ii), Duties and Responsibilities, replacing the reference to Section1(e)(ii) with C2.30(3)(a). It will now read as: "Work camps other than those stated in C2.30(3)(a)."
20. Remove Section D1.1(3)(c). It is redundant to Section D1.1(e)(ii).
21. Add new point to Section D1.4(1)(l), Development Permit Applications, that reads: "Corporation papers denoting signing authority if the land is registered in a company name."
22. In Section D1.5, renumber D1.5(6), D1.5(7), and D1.5(8) to Section D1.5(8), D1.5(9), and D1.5(10) to accommodate additional added subsections regarding Decisions.
23. In Section D1.5(6), added new section to read: "The Development Authority must, within twenty (20) days after the receipt of an application for a development permit, determine whether the application is complete. Written notice shall be provided to the applicant, if a written notice is not received within the allotted time the development application is deemed complete. If additional information is required, the Development Authority may place a timeline to obtain the necessary information."
24. In section D1.5(7), added new section to read: "The timeframe listed in subsection (6) may be extended by an agreement in writing between the applicant and the Development Authority."

25. Renumber Section D1.5(6) to Section D1.5(8) to accommodate new sections: no changes to text.
26. In Section D1.5, amended Section D1.5(7) to Section D1.5(9), and to read as: "When an application is refused, the decision shall outline the specific reasons for the refusal, the time periods within which an appeal can be made, and to whom the applicant can make the appeal, if so desired. The refusal notice shall be provided in writing to the applicant."
27. Renumber Section D1.5(8) to Section D1.5(10) to accommodate new sections: no changes to text.
28. Remove portion of Section D1.7(b) which states that a development permit shall not be valid until fourteen (14) days after publishing in the newspaper. It should read, "that a development permit shall not be valid until twenty-one (21) days have passed from the decision date."
29. Section D1.8(2)(d), Community Engagement Practices, regarding development permit applications, reworded to: "comply with Lac La Biche County's Community Engagement Policy and Procedure PI-61-001 and amendments thereto, for the requirements of community engagement practices."
30. In Section D1.8, remove Table D1.1: Minimum Public Consultation Requirements for Development Permits. For public consultation practices, we refer to Lac La Biche County's Engagement Policy and Procedure PI-61-001 for consultation guidelines.
31. Renumber Sections D1.10(3), D1.10(4), D1.10(5), and D1.10(6) to Section D1.10(4), D1.10(5), D1.10(6), and D1.10(7) to accommodate additional subsection on Notice of Decisions.
32. Remove portion of Section D1.10(1) that requires a Notice of Decision be sent within five (5) business days of a decision. It should read, "that a decision of a development authority must be sent to the applicant on the same day the decision is made." The change is to comply with the revision to Section 642(3) of the current Municipal Government Act.
33. Remove portion of Section D1.10(2) that requires the Notice of Decision for a permitted use that proposes a variance, or a discretionary use to be published in a newspaper. This is not mandated by the Municipal Government Act. Adjacent property owners within a distance of 60.0 m (196.8 ft) will continue to be sent the notice by regular mail.
34. In Section D1.19, amended Section D1.10(3) to Section D1.10(4), and to read as: "In the case of an application for a work camp, natural resource extraction, or major campground, the Development Officer may send a copy of the notice by regular mail to all owners of land, located adjacent to, or wholly or partially within a distance of 1000.0 m (1.0 km) of the lot lines of the lot on which the work camp or major campground is proposed to be located."
35. Renumber Sections D2.2(1), D2.2(2), D2.2(3) and D2.2(4) to Section D2.2(3), D2.2(4), D2.2(5) and D2.2(6) to accommodate additional added subsections regarding the subdivision process.

36. In Section D2.2(1), added new section to read: "That A Subdivision Authority, must, within twenty (20) days after the receipt of an application for subdivision approval, determine whether the application is complete. This notification shall be provided to the applicant in an agreed upon manner. If additional information is required, the Subdivision Authority may place a timeline to obtain the necessary information." The added new section is to comply with the new Section 653.1(1) of the current Municipal Government Act.
37. In Section D2.2(2), added new section to read: "That the timeframe listed in subsection (1) may be extended by an agreement in writing between the applicant and the Subdivision Authority." The new section is to comply with the new Section 653.1(3) of the current Municipal Government Act.
38. In Section D3.1, amend Section D3.1(5) to Section D3.1(7), and to read as: "An applicant may appeal a decision on a development permit by filing a notice of appeal with the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days after the date on which the decision is made. Remove the portion that speaks to having to publish the notice in the newspaper." The new section is to comply with the new Section 686(1) of the current Municipal Government Act.
39. New Section D3.1(5) to read: an appeal for a subdivision may be commenced by filing notice of appeal within fourteen (14) days after receipt of the written decision of the subdivision authority or deemed refusal by the subdivision authority. The date of receipt of the decision is deemed to be seven (7) days from the date the decision is mailed. The new section is to comply with the new Section 678(2) and 678(3) of the current Municipal Government Act.
40. Renumber Section D3.1(6) to Section D3.1(9) to accommodate additional added subsections on Appeals, no changes to text.
41. New Section D3.1(6) added and renumbered to read as: "A subdivision appeal may be made to the Subdivision and Development Appeal Board or the Municipal Government Board as determined in Section 678(2) of the *Municipal Government Act*."
42. Section D3.1(8) to read: An applicant or a person affected by the decision of the development authority may appeal decisions for discretionary uses or approved variances by filing a notice of appeal with the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days from the date notice is received. The change section is to comply with the new Section 686(1)(a)(i)(A) and 686(1)(a)(i)(B) of the current Municipal Government Act.
43. Change wording in section C1.23 (5)(c) to read..."all animals are confined to the Lot", removing the word "be" from the clause.
44. Change section D1.2 (e) to reference C2.23 (Recreational Vehicle Accommodations and Storage) from C2.21 (Medical Marijuana Production Facilities).
45. Changed the abbreviation for Restricted Residential Large Lot District to RL from RR.

- 46. Borrow pits be relocated from a discretionary use to a permitted use in Section B2.1 Agricultural District (AG) and Section B2.2 Crown Land District (CL).
- 47. Storage Facility, Outdoor be relocated from a discretionary use to a permitted use in Section B2.1 Agricultural District (AG).
- 48. This bylaw shall come into effect upon passing of the third reading.

MOTION BY COUNCILLOR STEDMAN THAT BYLAW 19-009 BE GIVEN FIRST READING THIS 11th OF JUNE, 2019.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

MOTION BY COUNCILLOR BENIUK THAT AMENDED BYLAW 19-009 BE GIVEN SECOND READING THIS 9th DAY OF JULY, 2019.

MOTION BY COUNCILLOR JOHNSON THAT AMENDED BYLAW 19-009 BE GIVEN THIRD READING THIS 9th DAY OF JULY, 2019.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer