

**BYLAW 13-004
OF
LAC LA BICHE COUNTY**

BEING A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW 12-024, BEING THE LAND USE BYLAW OF THE LAC LA BICHE COUNTY.

WHEREAS Council has adopted the Lac La Biche County Bylaw 12-024 to be used as the Lac La Biche County Land Use Bylaw; and

WHEREAS IT IS DEEMED EXPEDIENT TO AMEND Bylaw 12-024 as set out in Section 692 of the Municipal Government Act, 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 hereby assembled enacts as follows:

1. Schedule "A" of Land Use Bylaw 12-024 be amended in accordance with the changes identified on attached schedule 'A'.
2. This Bylaw comes into effect upon final passing.

MOTION BY COUNCILLOR PIQUETTE THAT BYLAW 13-004 BE GIVEN FIRST READING THIS 12TH DAY OF FEBRUARY, 2013.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

MOTION BY COUNCILLOR SIEBOLD THAT BYLAW 13-004 BE GIVEN SECOND READING THIS 12TH DAY OF MARCH, 2013.

MOTION BY COUNCILLOR UGANECZ THAT BYLAW 13-004 BE GIVEN THIRD READING THIS 12TH DAY OF MARCH, 2013.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

BYLAW 13-004
SCHEDULE 'A'

- 1) Section 11: Definitions (as attached)
- 2) Section 95: Heavy Industrial (as attached)
- 3) Section 101: Rural Industrial (as attached)
- 4) Section 125: Rural Industrial District (RI) (as attached)

SECTION 11 DEFINITIONS continued.

HOTEL means the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. Hotels may include accessory eating and drinking facilities, meeting rooms, and Personal Service Shops.

INDUSTRIAL, HEAVY means a large scale manufacturing or processing facility that due to its appearance, noise, odour, risk of toxic emissions, or fire and explosion hazards are incompatible with residential, commercial, and other land Uses. Heavy industrial uses include, but are not limited to, such uses as land treatment, asphalt plants, concrete plants, and gravel crushing plants that create nuisances that extend beyond the boundaries of the Site, but does not include agriculture or agricultural industries. Such Uses should normally be located on the interior of industrial or agricultural areas, such that they not interfere with the safety, use, amenity, or enjoyment of any non-industrial land uses in the vicinity.

INDUSTRIAL, LIGHT means an industrial activity that is accommodated on a relatively small, serviced lot, and includes the following activities:

- (a) the processing of raw materials;
- (b) the manufacturing or assembly of goods or equipment;
- (c) or the storage or transshipment of materials, goods, and equipment;

Which will not result in the emission of odours, dust, smoke, gas, noise, or vibration outside the Building in which the Light Industrial activity is carried on, and which is carried on entirely indoors, except for the storage of finished goods which may be located outdoors provided it is entirely screened from view. Notwithstanding the above, Light Industrial Uses shall not include the outdoor storage of used goods or materials for any purpose.

INDUSTRIAL, MEDIUM means an industrial activity that is accommodated on a relatively large, unserviced and serviced lot and includes, the following activities:

- (a) the processing of raw or finished materials and includes food processing;
- (b) the manufacturing or assembly or transport of materials, goods, products, or equipment including petro-chemical products and supplies;
- (c) Development used for industrial service support and construction;
- (d) the cleaning, servicing, repairing, or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing, and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial Districts;

SECTION 11 DEFINITIONS continued.

- (e) the training of personnel in general industrial operations; and
- (f) it may include any indoor display, office, technical, or administrative support areas or any sales operation accessory to the general industrial Uses.

A medium Industrial Use shall not adversely affect surrounding non-industrial Uses through the generation of emissions, noise, odours, vibrations, heat, bright light, or dust. Medium industrial uses may be accommodated in established industrial parks, or on isolated parcels in accordance with the policies of the Municipal Development Plan.

INDUSTRIAL VEHICLE AND EQUIPMENT SALES, REPAIR, RENTAL, AND STORAGE

means the sale, repair, rental, or storage of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, pipeline, oil field and mining, construction, manufacturing, assembling, and processing operations and agricultural production.

INSTITUTIONAL USE means Uses for the purpose of assembly, education, health care, public administration, or public service, and shall also include Uses related to culture or other community, area, or regional activities as determined by the Development Authority.

INTERNAL ROAD means a Public Road, the primary function of which is to provide access to individual Sites within a multi-Lot Subdivision, with the exception of Mobile Home communities and Bare Land Condominium Developments, in which case the Internal Roads are privately owned.

LANDFILL means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern, or a disposal well.

LAND USE DISTRICT means an area of the Municipality established as a Land Use District by this Bylaw.

SECTION 95 HEAVY INDUSTRIAL

- (1) Heavy Industrial Uses shall not be permitted within 3.0 km (1.8 mi) of the boundary of a multi-lot Residential subdivision or Institutional Development.
- (2) The development of Heavy Industrial Uses will be in accordance with the Lac La Biche County Municipal Development Plan, as amended.
- (3) All Development Permit applications for Heavy Industrial Uses must be accompanied by measures to mitigate impacts on surrounding properties to the satisfaction of the Development Authority. Such measures include solid fencing, berming, landscaping, retention of natural vegetation buffers, or some combination thereof.
- (4) Where there are potential effects or risks associated with a proposed Heavy Industrial development, the applicant shall be required to submit to the Development Authority an environmental impact assessment, a risk assessment report and an emergency response plan for the proposed development. The required reports are to be prepared by qualified professionals to the satisfaction of the Development Authority.

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XIII INDUSTRIAL DISTRICTS

SECTION 125 RURAL INDUSTRIAL DISTRICT (RI)

- (1) General Purpose of District
 - (a) The general purpose of this District is to permit and control the Development of those industries which require large tracts of land and are best suited to a rural area, outside of the designated Hamlets.

- (2) Rural Industrial District (RI) Uses
 - (a) Permitted Uses
 - (i) Accessory Building
 - (ii) Agricultural Service Facility
 - (iii) Auctioneering Establishment
 - (iv) Communication Tower
 - (v) General Contractor Services
 - (vi) Industrial, Light
 - (vii) Industrial, Medium
 - (viii) Natural Resource Extraction/Processing
 - (ix) Public Utility
 - (x) Veterinary Services, Major

 - (b) Discretionary Uses
 - (i) Abattoir
 - (ii) Airport/Airstrip
 - (iii) Animal Service Facility
 - (iv) Automotive and Equipment Sales, Repair, Rental, and Storage
 - (v) Fuel and Chemical Sales/Storage
 - (vi) Greenhouse/Plant Nursery

- (vii) Industrial, Heavy
- (viii) Industrial Vehicle and Equipment Sales, Repair, Rental, and Storage
- (ix) Landfill
- (x) Non-Accessory Parking
- (xi) Surveillance Suite
- (xii) Warehouse Sales
- (xiii) Work Camp
- (xiv) Consideration for those Commercial Uses, as listed in the Highway Commercial District (HWC - Section 121) and Arterial Commercial District (C2 – Section 124), as deemed appropriate by the Development Authority.

(3) Rural Industrial District (RI) Regulations

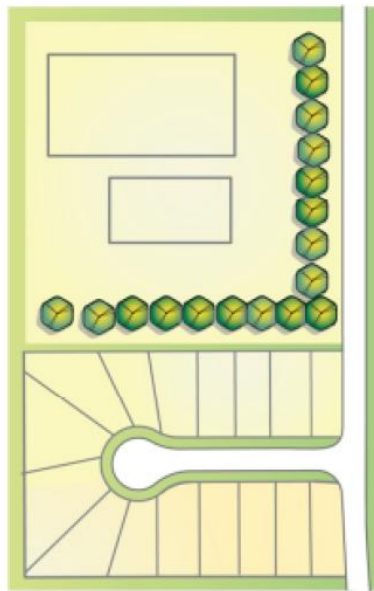
- (a) Minimum Site area of 1.0 ha (2.5 ac)
- (b) Minimum Site Width of 50.0 m (164.0 ft)
- (c) Minimum front Setback from ROW of any primary highway of 30.0 m (98.4 ft)
- (d) Minimum front Setback from ROW of any municipal road allowance or secondary road of 20.0 m (65.6 ft)
- (e) Minimum front Setback from the Front Yard property line Adjacent to an internal Subdivision road of 10.0 m (32.8 ft)
- (f) Minimum side and rear Setback Adjacent to a roadway of 30.0 m (98.4 ft)
- (g) Minimum side and rear Setback for other of 6.0 m (19.7 ft)
- (h) Maximum Principal Building Height is at the discretion of the Development Authority
- (i) Minimum Floor Area is at the discretion of the Development Authority

(4) Additional Requirements

- (a) Development Permits for Industrial Development shall not be approved unless the Development Authority is satisfied that:
 - (i) There is adequate legal and physical access to transportation facilities;
 - (ii) The Site is suitable for on-site sewage disposal and water supply;

- (iii) There would be no substantial conflicts with existing adjacent land Uses; and
 - (iv) Any other factors which the Development Authority may consider necessary have been met.
- (b) Outside Storage and Display:
- (i) there shall be no outside storage of goods, products, materials, or equipment permitted within the Front Yard Setback of this District;
 - (ii) outside storage of goods, products, materials, or equipment on sites located along public thoroughfares and/or adjacent to a residential use, shall be screened from view to the satisfaction of the Development Authority.
 - (iii) when part of the Site, including the Front Yard, is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such displays shall be arranged and maintained in a neat and tidy manner, and
 - (iv) shall not, in the opinion of the Development Authority, unduly Interfere with the amenities of the District, or materially interfere with or affect the Use, enjoyment, or value of neighbouring properties.
- (c) Buffering
- (i) On-site visual buffering shall be required for the edge of industrial properties that are located adjacent to residential sites or other high-visibility transportation corridors. Such buffering may take the form of fencing, berming, landscaping, natural vegetation or a combination of these to the satisfaction of the Development Authority.
 - (ii) Notwithstanding any other provision of this Bylaw, where Industrial development is proposed on a forested site adjacent to established multi-lot residential development or other high-visibility site (see Figure 1), a natural forested buffer not exceeding 100m (305ft) in width may be required by the Development Authority in lieu of fencing, berming or other measures.

Figure 1: Buffering Concept



- (d) Surveillance Suites
- (i) In this District one Surveillance Suite may be allowed per lot at the discretion of the Development Authority, to a maximum of one (1) suite per Lot and accessory to the Principal Use. Where approval for a suite is given, the following regulations shall apply:
- (1) where a Surveillance Suite is attached to the Principal Building on a Site, by a roof, an open or enclosed Structure, a floor or a foundation, it is to be considered a part of the Principal Building;
 - (2) detached Surveillance Suites shall be located to the satisfaction of the Development Authority, and the suite shall comply with the minimum Setbacks of this District;
 - (3) where the Surveillance Suite is a Mobile Home unit, the unit shall have Canadian Standards Association certification or equivalent. Proof of these shall be submitted with the Development Permit application;
 - (4) the Mobile Home unit shall be secured and properly skirted to the satisfaction of the Development Authority;
 - (5) the minimum Floor Area of any suite shall be 50.0 m² (538.2 ft²) and a maximum of 102.0 m² (1,097.9 ft²); and
 - (6) the quality of exterior treatment and design for the Surveillance Suite shall be to the satisfaction of the Development Authority. The character and appearance of the suite shall be compatible with any other Buildings existing on the property.

(e) Supporting Reports

- (i) A biophysical and/or environmental impact assessment, prepared by a qualified professional, shall be required by the Development Authority for any multi-lot subdivision or major development located within or in close proximity to an area or site that is determined by the Development authority to be environmentally sensitive or ecologically significant.
- (j) Where there are potential effects or risks associated with a proposed Light, General, or Heavy Industrial development, the applicant may be required to submit to the Development Authority an environmental impacts assessment or risk assessment reports for the proposed development. This applies, but is not limited to, uses in which dangerous goods are produced, processed, handled, stored or disposed of on-site. The reports are to be prepared by qualified professionals to the satisfaction of the Development Authority.