

BYLAW NO. 1413/24

A BYLAW OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND THE LACOMBE COUNTY LAND USE BYLAW, BYLAW NO. 1237/17 AS IT RELATES TO GENERAL REGULATIONS AND DISTRICT REQUIREMENTS.

WHEREAS notice was given of Council's intention to amend the Land Use Bylaw in the following local newspapers:

Lacombe County News	May 17, 2024
Sylvan Lake News	May 30 and June 6, 2024
Rimbey Review	May 28 and June 4, 2024
Bashaw Star	May 29 and June 5, 2024
Lacombe Express	May 30 and June 6, 2024
Chautauqua	June 7, 2024

AND WHEREAS a public hearing was held on June 13, 2024 to allow the general public to comment on the proposed amendments to the Land Use Bylaw;

NOW THEREFORE the Council of Lacombe County under the authority and pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c.M-26-1, as amended, enacts that the Land Use Bylaw be amended as follows:

PART 1 – DEFINITIONS

1.6 DEFINITIONS

Add the following definitions:

AGRICULTURAL SUPPORT SERVICE means development providing products or services directly related to the agricultural industry. This use would include the service, sale or storage of seed, feed, fertilizer, chemical products, fuel, and agricultural machinery. This may include ancillary uses, including, but not limited to, office, sales, technical, administrative support, storage or warehousing. An agricultural support service is larger in size or scale than a home based business or minor business.

AGRICULTURAL PROCESSING, MAJOR means a large-scale value-added agricultural operation (other than a confined feeding operation or cannabis production facility) that includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. Due to the large-scale nature of the business, the agricultural products may be produced onsite or offsite. A major agricultural processing operation may produce some offsite impacts such as noise, appearance, or odour.

AGRICULTURAL PROCESSING, MINOR means a small-scale value-added agricultural operation (other than a confined feeding operation or cannabis production facility) that includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. These minor operations are intended to primarily use agricultural products which are produced onsite. A minor agricultural processing operation does not produce any offsite impacts.

ALCOHOL PRODUCTION means a use where beer, wine, spirits or other alcoholic beverages are manufactured. This use may include the sale of alcoholic beverages to the public for consumption within the premises, and may include the retail sale of products. Accessory activities may include the preparation and sale of food, storage, packaging, bottling, canning and shipping of products manufactured within the premises. The use includes only those developments where no significant nuisance factor is created or apparent beyond the boundaries of the site. Typical uses include breweries, distilleries, wineries, and meaderies.

ELECTRICAL VEHICLE CHARGING STATION (EV CHARGER) means a piece of equipment that supplies electrical power for a charging plug-in

for electric vehicles. This may include but is not limited to hybrids or electric, vehicles, trucks and/or buses.

KITCHEN FACILITIES means area for the preparation of cooking food and includes any room containing counters, cabinets, plumbing, and appliances including range or an oven or utility connections for servicing a range or oven.

THEATRE means a building or part of a building used for the commercial showing of films on indoor screens, the presentation of live entertainment, such a live theatre, musical concerts and dance performances, but does not include an adult entertainment establishment.

TRANSPORTATION TERMINAL/HUB means a facility for bus depots, moving companies, vehicle rental agencies, trucking, taxi, or courier firms.

VEHICLE WASH means a use, building, or structure where facilities are specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.

Amend the following definitions:

AUTOMOTIVE, FARM EQUIPMENT AND RECREATIONAL VEHICLE SERVICES means development used for the rental, lease, sale, storage, service, inspection, restoration and/or mechanical repair of automobiles, trucks, trailers, motorcycles, farm machinery and equipment, snowmobiles, boats and recreation vehicles. Uses would also include transmission shops, muffler shops, auto body paint and repair facilities, service stations and fleet services involving vehicles for the delivery of people, goods and services.

DWELLING, MOBILE/MANUFACTURED HOME means a prefabricated transportable, single or multiple section dwelling unit conforming to CAN/CSA Z240 MH Series or A277 certified standards at the time of manufacture. A Mobile/manufactured home may be a single section ("single-wide") or consist of two sections which are put together to comprise a complete dwelling unit ("double-wide"). Mobile/manufactured homes shall have the following features:

- (a) minimum roof pitch of 5.08 cm (2 in) of vertical rise for every 30.48 cm (12 in); and
- (b) minimum length to width ratio of 3:1.

Also for the purpose of this Bylaw, a mobile/manufactured home excludes a modular home/RTM or recreational vehicle-park model recreational unit.

DWELLING, MODULAR HOME/RTM means a prefabricated or factory built frame or shell which comprises of the walls or siding of a single dwelling unit. More specifically, a modular unit represents only a section of the modular home. A modular home/RTM has no chassis, running gear or wheels, but units may be stacked side by side or vertically and complete to form a dwelling unit.

Also for the purpose of this Bylaw, a modular home/RTM excludes a mobile/manufactured home, or recreational vehicle-park model recreational unit.

DWELLING, MOVED-IN RESIDENCE means a residential building that has previously been constructed or placed on a different parcel for occupancy and has been relocated to serve as a residence at its new location. A moved-in residence is not of new construction, and for the purpose of this bylaw does not include a mobile/manufactured home, modular home/RTM, or recreational vehicle-park model recreational unit.

DWELLING, SINGLE DETACHED means a residential building containing one dwelling unit and intended as a permanent residence. Detached dwellings shall be of new construction, typically with the following features:

- (a) all exterior walls dimensioned at less than or equal to 3:1 length to width ratio; and
- (b) roof pitches being a minimum of 3:12 ratio (3 ft of elevation for every 12 ft of width).

A detached dwelling may include a building that has been constructed off-site. All detached dwellings constructed outside the Province of Alberta must meet the standards of the Alberta Safety Codes Act. For the purpose of this Bylaw, a single detached dwelling excludes a mobile/manufactured home or recreational vehicle-park model recreational unit.

GUEST HOUSE means an accessory building which has sleeping accommodation and may have sanitary, but does not have kitchen facilities and is not intended to be a self-contained unit.

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, or goods. The mobile vendor is on a specific location for a period of ten (10) consecutive days or more.

RECREATION FACILITIES, OUTDOOR means facilities which are available to the public for sports and active recreation conducted outdoors. Typical uses include driving ranges, miniature golf courses, sports fields, outdoor ice surfaces or rinks, go-cart tracks, amusement parks, outdoor swimming pools, drive-in theatre, water slides, marinas, equestrian centres, race tracks, fair/exhibition/rodeo grounds and golf courses.

WAREHOUSING AND STORAGE means the use of a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles thereof, or any waste material. It includes self service storage where storage rooms, or lockers are provided on site for the purpose of renting space for the indoor storage of goods.

Delete the following definitions:

AGRICULTURAL SERVICE FACILITY means a use which provides non-industrial agriculturally oriented services to the rural community. This shall include secondary agricultural processing; and the retailing, servicing and/or repairing of agricultural implements and goods such as but not limited to farm machinery dealers, grain elevators, canola crushing, and fertilizer sales.

BOARDING AND ROOMING HOUSE means a detached dwelling in which the proprietor supplies for fee sleeping accommodations, with or without meals, for not more than six (6) persons, excluding of the proprietor's family.

BUS DEPOT means a facility providing for departure and arrival of passengers and freight carried by bus.

DISTRICT SHOPPING CENTRE means a group of commercial establishments planned, owned, developed and managed as a unit with off street parking established on the same site which serves the needs of the urban centre and surrounding municipalities.

FARM MACHINERY AND EQUIPMENT SALES AND SERVICES means development used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of farm machinery and equipment.

MUNICIPAL SHOP AND STORAGE YARD means facility or facilities used by the County for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment.

PARKING FACILITY means a structure or an area providing for the parking of motor vehicles but does not include long term vehicle storage.

RECREATIONAL VEHICLE PARK means the planned development used for the seasonal 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 SALES AND SERVICES means development used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of recreation vehicles, snowmobiles, and all terrain vehicles, and boats.

REPAIR SERVICES means the restoration and/or maintenance of equipment, vehicles, and other machinery.

PART 3 – DEVELOPMENT & SUBDIVISION APPLICATION PROCESS

Replace all 'mobile home' references with 'mobile/manufactured home'

PART 6 – GENERAL REGULATIONS

Replace all 'mobile home' references with 'mobile/manufactured home'

PART 7 – LAND USE DISTRICTS

IN ALL DISTRICTS

Replace all 'mobile home' references with 'mobile/manufactured home'

Replace all 'other moved-in residence' references with 'moved-in residence'

7.1 AGRICULTURAL DISTRICT (A)

2 USES

Add **Permitted use:**

Agricultural processing, minor

Add **Discretionary use:**

Agricultural support service

Agricultural processing, major

Alcohol production

Public utility

Remove **Discretionary use:**

Agricultural service facility

7.2 GENERAL COMMERCIAL DISTRICT (C-GC)

2 USES

Add **Permitted uses:**

Automotive, farm equipment and recreational vehicle services

Community facility

Electric vehicle charging station

Add **Discretionary uses:**

Alcohol production

Heavy equipment sales and rental

Heavy equipment service and repair

Public utility

Remove **Discretionary use:**

Repair services

7.3 HIGHWAY COMMERCIAL DISTRICT (C-HC)

2 USES

Add **Permitted uses:**

Alcohol production

Auction service
Cartage and moving services
Community facility
Electric vehicle charging station
Heavy equipment sales and rental
Heavy equipment service and repair
Industrial training service
Protective and emergency services
Theatre
Transportation terminal/hub
Vehicle wash
Warehousing and storage

Move from **Discretionary Use** to **Permitted Use**, and rename:
Automotive, farm equipment and recreational vehicle services

Remove **Permitted Uses**:
Farm machinery and equipment sales and service
Recreational vehicle sales and service

Add **Discretionary uses**:
Bulk fuel depot
Educational services
Funeral home
Public utility

Rename **Discretionary use**:
Modular, RTM, mobile or manufactured home sales

Remove **Discretionary uses**:
Repair services

7.4 HAMLET COMMERCIAL DISTRICT (C-H)

2 USES

Add **Permitted uses**:
Community facility
Electric vehicle charging station
Industrial training service
Retail, minor
Tourist information services and facilities
Vehicle wash

Move from **Discretionary Use** to **Permitted Use**:
Agri-commercial
Eating and drinking establishment

Move from **Discretionary Use** to **Permitted Use** and rename:
Automotive, farm equipment and recreational vehicle services

Rename **Permitted Use**:
Accessory building and use

Remove **Permitted Uses**:
Indoor merchandise sales

Add **Discretionary uses**:
Alcohol production
Bulk fuel depot (*in Fringe Commercial Area Only*)
Funeral home
Public utility
Recreation facilities, outdoor
Retail, major
Theatre
Transportation terminal/hub

Remove **Discretionary uses**:
Accessory use

Bus depot
District shopping centre
Drive-in theatre
Parking facility
Repair services, excluding heavy equipment

7.5 BUSINESS INDUSTRIAL DISTRICT (I-BI)

2 USES

Add Permitted uses:

Agri-commercial
Alcohol production
Automotive gas bar
Automotive service station
Commercial school
Community facility
Custom manufacturing
Electric vehicle charging station
Financial service
Government service
Health service
Landscaping sales and service
Public utility
Transportation terminal/hub
Vehicle wash

Rename Permitted Uses:

Automotive, farm equipment and recreational vehicle services
Warehousing and storage

7.6 HEAVY INDUSTRIAL DISTRICT (I-HI)

2 USES

Add Permitted uses:

Electric vehicle charging station
Public utility

Rename Permitted Use:

Warehousing and storage

7.7 HAMLET INDUSTRIAL DISTRICT (I-H)

2 USES

Add Permitted uses:

Agri-commercial
Automotive, farm equipment and automotive vehicle services
Automotive gas bar
Automotive service station
Commercial school
Community facility
Custom manufacturing
Electric vehicle charging station
Industrial training service
Landscaping sales and service
Transportation terminal/hub
Vehicle wash

Move from Discretionary Use to Permitted Use:

Agri-industrial
Heavy equipment sales and rental
Heavy equipment service and repair

Rename Permitted Uses:

Accessory building and use

Warehousing and storage

Remove Permitted Uses:

Municipal shop and storage yard

Add Discretionary uses:

Alcohol production
Bulk fuel depot
Public use
Public utility

Remove Discretionary uses:

Accessory use
Feed mill and grain elevator
Parking facility
Repair services
Seed cleaning plant

7.8 RECREATION DISTRICT (PR)

2 USES

Remove Permitted use:

Recreation vehicle park

Add Discretionary use:

Public utility

7.9 HAMLET PUBLIC RECREATION DISTRICT (PR-H)

2 USES

Add Discretionary use:

Public utility

Rename Permitted Use:

Accessory building and use

Remove Discretionary use:

Accessory use
Parking facility

7.10 RECREATIONAL VEHICLE RESORT DISTRICT (R-RVR)

2 USES

Add Discretionary use:

Public use

7.11 HAMLET DISTRICT (H)

2 USES

Add Permitted uses:

Public utility

Add Discretionary Uses:

Agri-commercial
Agri-industrial

Rename Discretionary Uses:

Automotive, farm equipment and recreational vehicle services
Dwelling, mobile/manufactured home
Dwelling, moved in residence

Remove Discretionary Use:

Grain elevator

7.12 HAMLET RESIDENTIAL 1 DISTRICT (H-R1)

2 USES

Add Discretionary use:

Public utility

Rename Permitted Use:

Accessory building and use

Rename Discretionary Uses:

Dwelling, mobile/manufactured home (*existing mobile/manufactured home on approved permanent foundation*)

Dwelling, mobile/manufactured home (*maximum 10 years old, only as a replacement for an existing mobile/manufactured home*)

Dwelling, moved in residence

Remove Discretionary Use:

Accessory use

Boarding and rooming house

7.13 HAMLET RESIDENTIAL 2 MOBILE HOME DISTRICT (H-R2)

2 USES

Add Discretionary use:

Public utility

Rename Permitted Use:

Accessory building and use

Dwelling, mobile/manufactured home (*new*)

Rename Discretionary Uses:

Dwelling, single detached (*existing*)

Dwelling, mobile/manufactured home (*relocated, maximum 10 years old*)

Dwelling, modular home/RTM

7.14 HAMLET RESIDENTIAL 3 DISTRICT (H-R3)

2 USES

Add Discretionary use:

Public use

Public utility

7.15 COUNTRY RESIDENTIAL DISTRICT (R-CR)

2 USES

Add Discretionary use:

Public use

Public utility

Rename Discretionary Uses:

Dwelling, mobile/manufactured home

Dwelling, moved-in residence

7.16 COUNTRY RESIDENTIAL ESTATE DISTRICT (R-CRE)

2 USES

Add Discretionary use:

Public use

Public utility

7.17 RESIDENTIAL CONSERVATION (CLUSTER) DISTRICT (R-RCC)

2 USES

Add Discretionary use:

- Public use
- Public utility

7.18 RESIDENTIAL LAKE AREA DISTRICT (R-RLA)

2 USES

Add Discretionary use:

- Public use
- Public utility

Rename Discretionary Uses:

- Dwelling, mobile/manufactured home
- Dwelling, moved-in residence

7.19 HIGHER DENSITY RESIDENTIAL DISTRICT (R-HDR)

2 USES

Add Discretionary use:

- Public use
- Public utility

7.20 URBAN FRINGE RESIDENTIAL DISTRICT (R-UFR)

2 USES

Add Discretionary use:

- Public use
- Public utility

This Bylaw shall come into effect upon final passage thereof.

INTRODUCED AND GIVEN FIRST READING this 9 of May, 2024

GIVEN SECOND READING this 13 of June, 2024

GIVEN THIRD AND FINAL READING this 13 of June, 2024

Barb Shepherd
Reeve

Tim Timmons
County Manager