

BYLAW NO. LU 575

A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 1667 BEING THE MUNICIPAL DISTRICT OF BONNYVILLE LAND USE BYLAW.

WHEREAS, under the provisions of the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto, a Council's power to pass a bylaw includes a power to amend or repeal a bylaw;

AND WHEREAS, under the provisions of the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto, every municipality must pass a land use bylaw;

AND WHEREAS, notice of the intention of Council to pass a bylaw has been published in accordance with provincial and municipal legislation advising of the date for a Public Hearing;

AND WHEREAS, persons claiming to be affected by the proposed bylaw and any other person wishing to make representations were afforded an opportunity to be heard by Council through Public Hearing at a public meeting of Council prior to the final passing thereof;

NOW THEREFORE, the Council of the Municipal District of Bonnyville No. 87, duly assembled in the Province of Alberta, hereby enacts the following:

1 BYLAW AMENDMENTS

1.1 Bylaw No. 1667 to adopt the Land Use Bylaw of the Municipal District of Bonnyville No. 87 is amended as follows:

- (a) Table of Contents, under Part 7, Section 75 "Direct Control District #5 – Municipal District of Bonnyville Regional Airport – YBY" and "Direct Control District #6 - Industrial Direct Control District – DCI" is added after "Direct Control District #4 – Natural Open Space District".
- (b) Part 7 Establishment of Land Use Districts and Land Use District Regulations, Section 75 Direct Control District – DC includes the following additions before Section 76:

"Direct Control District #5 – Municipal District of Bonnyville Regional Airport – YBY

MERIDIAN 4 RANGE 5 TOWNSHIP 61
SECTION 30

ALL THAT PORTION OF THE NORTH WEST QUARTER WHICH LIES SOUTH OF A LINE DRAWN EASTERLY AND AT RIGHT ANGLES TO THE WEST BOUNDARY THEREOF THROUGH A POINT THEREON EIGHT HUNDRED (800) FEET NORTHERLY FROM THE SOUTH WEST CORNER THEREOF CONTAINING 19.6 HECTARES (48.48) ACRES, MORE OR LESS.

And

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION THIRTY (30)
TOWNSHIP SIXTY ONE (61)

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RANGE FIVE (5)
WEST OF THE FOURTH MERIDIAN
WHICH LIES SOUTH OF A LINE DRAWN WESTERLY AND AT RIGHT
ANGLES TO THE EAST BOUNDARY THEREOF THROUGH A POINT
THEREON FIVE HUNDRED (500) FEET NORTHERLY FROM THE SOUTH
EAST CORNER THEREOF, CONTAINING 12.2 HECTARES (30.3 ACRES)
MORE OR LESS

1.0 Purpose:

The general purpose of this District is to provide site specific development controls that will provide opportunity for the continuing aviation operations of the Bonnyville Regional Airport. Any development must be directly related to the aviation industry.

2.0 Authority:

All Permitted Uses shall be referred to the Development Officer for decision while Discretionary Uses shall be referred to Council for a decision.

3.0 Uses:

Permitted Uses	Discretionary Uses
Aerial Business	Convenience Vehicle Rentals
Accessory Buildings	
Aircraft Sales/Rental	
Airport Operations and Facilities	
Aircraft Support Services	
Hangar	

4.0 Site Provisions:

Development at the airport must abide by all federal regulations for airports, airport operations and airport safety. Federal regulation supersedes all municipal regulations.

In addition to the General Regulations contained in Part Six and in compliance with the relevant Area Structure Plans, the following shall apply to development in this district:

- (a) Setbacks with internal road
 - (i) front yard primary structure 7.6 metres (25.0 feet)
 - (ii) front yard accessory building 4.5 metres (14.7 feet)
 - (iii) side yard 1.5 metres (5.0 feet)
 - (iv) rear yard (runway side) 17 metres (55.7 feet)
 - (v) maximum height 10 metres (32.8 feet)

- (b) The primary structure shall be placed at the rear yard setback

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- (c) Density:
 - (i) Maximum Building coverage 55%
- (ci) Fencing: A 2.4 metre (8 feet) tall page wire fence is required parallel with the southmost facade of the primary building extending to the side property boundaries.

5.0 Parking:

- (a) The dimensions and minimum number of parking stalls shall be in compliance with Section 31 for warehouses and located within the front yard of the lot.

6.0 Outside Storage and Display:

- (a) There shall be no outside storage of goods, products, materials, or equipment permitted within the rear yard setback of this district;
- (b) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority;
- (c) When part of the site 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 shall not, in the opinion of the Development Authority:
 - (i) unduly interfere with the amenities of the district; or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties.
 - (iii) cause unsafe operation of aircraft.
- (d) No storage sea cans shall be permitted in this district.

7.0 Lighting:

- (a) Outdoor lighting shall be directed away from runways and no exposed bulbs shall be permitted.

8.0 Definitions:

Aerial Business means business such as but not limited to flight training, aerial photography, charter flights, and agricultural spraying.

Accessory Buildings means sheds related to the primary use on the lot.

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Aircraft Sales/Rental means development use for the sale, charter or rental of aircraft together with the incidental maintenance services, and the sale of parts and accessories.

Airport Operations and Facilities means uses for the operations and maintenance of the airport including equipment storage sheds, sand sheds, fire halls, air traffic control tower and other airport related support functions. This use includes the terminal and can include eating and drinking facilities within.

Airport Support Service means uses for the maintenance of aircraft, parts storage and sales.

Convenience Vehicle Rentals means development used for the rental of new or used automobiles and light trucks with a gross vehicle weight rating of 4000 kg or less. This Use Class includes those establishments which are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fueling or car washing facilities. This Use does not include Professional, Financial and Office Support Services, Fleet Services or establishments for the rental of trailers.

Hangar means a storage garage used to store aircraft with at least 75% of the floor space being utilized to store aircraft.

Direct Control District #6 – Industrial Direct Control – DCI

1.0 Purpose:

The general purpose of this District is to allow direct control by Council over the development of land for industrial purposes.

2.0 Uses:

Permitted Uses	Discretionary Uses
Accessory Building	Abattoir
Agricultural Service Facility	Auto and Equipment Sales/Repair/Storage
Auction Facility	Cannabis Production Facilities
Beekeeping	Fuel/Chemical Sales/Storage
Commercial Facility	Medical Marijuana Production Facilities
Communication Tower	Public Utility
Community Facility	Work Camp
General Industrial	
Greenhouse/ Plan Nursery	
Institutional Use	
Natural Resource Extraction/Processing Facility	
Retail Store	
Rural Industry Minor	
Rural Industry Major	

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3.0 Site Provisions:

All site requirements and other regulations with respect to parcel size, density and servicing shall be determined by the Development Authority.

The siting, minimum floor area, and appearance of all buildings or improvements of the site shall be to the satisfaction of the Development Authority with regard for general conformity in such matters as adjacent and accessory buildings.

In addition to the General Regulations contained in Part Six and in compliance with the relevant Area Structure Plans, the following shall apply to development in this district:

- (a) Setbacks with internal road
 - (i) front yard 7.6 metres (25.0 feet)
 - (ii) side yard 6.0 metres (19.6 feet)
 - (iii) rear yard 6.0 metres (19.6 feet)
- (b) Setback from adjacent public roads shall be as established in Section 42.1.
- (c) Any Development Permit application for a discretionary use or which requires a variance of the bylaw will be submitted to Council for approval.

4.0 Outside Storage and Display:

- (a) There shall be no outside storage of goods, products, materials, or equipment permitted within the front yard setback of this district;
- (b) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority;
- (c) When part of the site 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.

5.0 Parking:

- (a) The dimensions and minimum number of parking stalls shall be in compliance with Section 31 of the Land Use Bylaw.

6.0 Landscaping:

- (a) 10% of the parcel area shall be required for landscaping in a form satisfactory to the Development Authority. This shall include a buffer strip of landscaping to be provided along any boundary of this district that is immediately adjacent to a highway, watercourse, or any Land Use District other than DCI, RI and RC Districts.”

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2 EFFECTIVE DATE

2.1 That this Bylaw shall come into force and have effect from and after the date of third and final reading thereof.

READ A FIRST TIME IN COUNCIL THIS _____ DAY OF _____, 2023.

READ A SECOND TIME IN COUNCIL THIS _____ DAY OF _____, 2023.

READ A THIRD TIME IN COUNCIL THIS _____ DAY OF _____, 2023.

REEVE

CHIEF ADMINISTRATIVE OFFICER

DRAFT