



**NOTICE OF PUBLIC HEARING  
AMENDING LAND USE BYLAW**

**BYLAW NO. 1757**

Date: April 10, 2018

Time: 10:00 AM

Place: Council Chambers, Kneehill County Office  
1600, 2<sup>nd</sup> Street NE, Three Hills, AB T0M 2A0

Legal Description: Portion of NE 3-34-26 W4M

Landowners: Ross & Ray Ann Benedict

**Purpose**

Pursuant to sections 230, 606, and 692 of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of Kneehill County in the Province of Alberta hereby gives notice of its intention to consider an application to amend Kneehill County Land Use Bylaw.

The purpose of the proposed amendment is to redesignate a 23.0 +/- acre portion of the NE 3-34-26 W4M from Agriculture District to Agriculture Business District, for a commercial riding arena.



**Therefore, Take Notice** that a public hearing to contemplate the proposed amendment will be held in Kneehill County Council Chambers at 10:00 am on the 10<sup>th</sup> day of April, 2018.

**Presentation:** Oral and written comments and suggestions are invited and should be addressed to the point of the proposed Bylaw. They may be made by any person or group of persons or a person acting on his or their behalf, who claims to be affected by the proposed bylaw, and by any other persons that Council wishes to hear at the hearing. Written submissions may be made by the persons above, and must be received in the Kneehill County Office by Noon on Friday, April 6, 2018. It should be noted, written submissions will become public. Oral presentations may be made at the hearing by the persons above.

Individuals who have submitted a letter may only address Council at the Public Hearing on new information not contained in the letter. The time limit of oral presentations is subject to the direction of the Chairman.

**Documentation:** Copies of the proposed amendment are available for public inspection at the Kneehill County Office during regular office hours.

First publication: March 21, 2018

Second Publication: March 28, 2018

Third Publication: April 4, 2018

Emailed submissions can be sent to: [planning.dept@kneehillcounty.com](mailto:planning.dept@kneehillcounty.com)

Written submissions can be sent to: Kneehill County  
Att: Planning Department  
Box 400  
Three Hills, AB T0M 2A0



PART XII – LAND USE DISTRICTS

84. A - Agriculture District

Purpose

To preserve **Better Agricultural Land** and to provide areas for the conduct, accommodation, and continuation of a wide-range of agricultural and compatible uses.

Permitted Uses	Discretionary Uses
(a) <b>Accessory Building</b>	(a) <b>Abattoir</b>
(b) <b>Agricultural Building</b>	(b) <b>Accessory use(s)</b>
(c) <b>Agriculture, Extensive</b>	(c) <b>Agricultural Processing</b>
(d) <b>Auxiliary Dwelling Unit</b>	(d) <b>Agricultural Support Services</b>
(e) <b>Greenhouse, Private</b>	(e) <b>Agricultural Tourism</b>
(f) <b>Home Occupation, Minor</b>	(f) <b>Airport</b>
(g) <b>Housing, Manufactured - Type 1</b>	(g) <b>Airstrip</b>
(h) <b>Housing, Manufactured - Type 2</b>	(h) <b>Animal Shelter</b>
(i) <b>Housing, Single-Detached</b>	(i) <b>Auction Mart</b>
(j) <b>Indoor Riding Arena, Private</b>	(j) <b>Auction Mart, Livestock</b>
(k) <b>Portable Storage Container</b>	(k) <b>Bed and Breakfast Establishment</b>
(l) <b>Public Utility Building</b>	(l) <b>Boarding or Lodging House</b>
(m) <b>Temporary Second Dwelling</b>	(m) <b>Clustered Farm Dwellings</b>
	(n) <b>Cemetery</b>
	(o) <b>Commercial Kennel</b>
	(p) <b>Community Hall</b>
	(q) <b>Corn Maze</b>
	(r) <b>Creative Architecture</b>
	(s) <b>Day Care Facility, Major</b>
	(t) <b>Day Care Facility, Minor</b>
	(u) <b>Farm Gate Sales</b>
	(v) <b>Feed Mills, Grain Elevators, Seed Cleaning Plants, &amp; Fertilizer Storage &amp; Distribution</b>
	(w) <b>Home Occupation, Major</b>
	(x) <b>Housing, Cluster</b>
	(y) <b>Housing, Cluster Farm</b>
	(z) <b>Housing, Garden Suite</b>
	(aa) <b>Intensive Vegetative Operation</b>
	(bb) <b>Livestock as per Section 40</b>
	(cc) <b>Moved-in Building</b>

Permitted Uses	Discretionary Uses
	(dd) <b>Natural Resource Extractive Industry</b> (ee) Office (ff) <b>Place of Worship</b> (gg) <b>Public or Quasi-public Use</b> (hh) <b>Second Dwelling</b> , on parcels greater or equal to 8.09 ha (20 acres) (ii) <b>Sign</b> (jj) <b>Solar Farm</b> (kk) U-Pick (ll) <b>Warehousing</b> (mm) <b>Waste Management Facility, Major</b> (nn) <b>Waste Management Facility, Minor</b> (oo) <b>Wind Energy Conversion System</b> (pp) <b>Work Camp</b>

(1) Density

- (a) Maximum of 5 **Lots** per quarter section, including the balance of the quarter section, but not including **Lots** for **Public or Quasi-public Use** or **Public Utility**.
- (b) Only one **Dwelling Unit** shall be permitted per **Lot** unless otherwise approved by the Development Authority.
- (c) Maximum total area of all subdivided **bare parcels** from a quarter shall not exceed 6.07 ha (15 acres); exempt from this requirement is a subdivision proposed solely for an existing farmstead.
- (d) If it's an undeveloped **road**, the applicant is required to build the **road** as part of their subdivision conditions in accordance with Kneehill County standards.

(2) Subdivision Regulations

- (a) Minimum **Lot Area** is 64.7 ha (160 acres) for an **Agriculture, Extensive Principal** use. Or the largest remaining remnant of a previously subdivided quarter section.
- (b) For a **bare parcel** residential **principal** use the following **lot** areas apply:
  - i. Minimum lot area is 0.8 ha (2 acres).
  - ii. Maximum lot area is 2.02 ha (5 acres).
- (c) Subdivision approvals for developed farmsteads shall be a minimum of 0.8 ha (2 acres) and be kept as small as possible while incorporating shelterbelts, ancillary buildings, on-site sewage disposal and water systems and access.
- (d) Minimum and maximum **Lot Areas** for all other uses at the discretion of the **Development Authority**.

(e) Subdivisions of lots should not be allowed where, in the opinion of the **Development Authority**, potential conflicts with adjacent or surrounding land uses would result.

(3) Other Regulations

- (a) Water wells and private sewage treatment and disposal systems that meet current code requirements shall be located on the **Parcel** they service.
- (b) Both the proposed **Parcel** and the remainder **Parcel** shall have direct legal and physical access to a **public road**.

(4) Siting Regulations

- (a) Minimum **Yard, Front Setback:** 41.1 m (135 ft.) from a **Highway**.
- (b) Minimum **Yard, Front Setback:** 30.5 m (100 ft.) from a local **Road**.
- (c) Minimum **Yard, Side Setback:** 7.6 m (25 ft.)
- (d) Minimum **Yard, Rear Setback:** 7.6 m (25 ft.)

(5) **Development** Regulations

- (a) Minimum **Gross Floor Area** for **Housing, Single-Detached:** 74 m<sup>2</sup> (800 ft.<sup>2</sup>)
- (b) Minimum **Gross Floor Area** for other uses: at the discretion of the **Development Authority**.
- (c) Maximum **Height** for a **Dwelling Unit:** 10.7 m (35 ft.) or 3.5 stories
- (d) **Housing, Cluster, Farm and Housing, Employee** are exempt from (5)(a) & (c)

(6) Additional permanent **Housing, Single-Detached** on **Parcels** greater than or equal to 8.09 ha (20 Acres) are subject to the following:

- (a) The **Development Authority** shall not approve an additional permanent **Housing, Single-Detached** on parcels less than 8.09 ha (20 acres).
- (b) All additional permanent **Housing, Single-Detached** are subject to the requirements of Subsection (4) and (5).
- (c) On parcels containing greater than or equal to 8.09 ha (20 Acres) the additional **permanent housing, single-detached** is subject to the following condition:
  - i. The **permanent housing, single-detached** may be required to tie in to the existing water and sewage systems, utilities, and use existing access roads driveways and approaches existing on the **lot**.

(7) A **Development Officer** may approve a **Temporary Second Dwelling** subject to the following:

- (a) The applicant shall, within one year of occupying the new dwelling, remove, destroy or render uninhabitable the former dwelling located on the **Lands** to the satisfaction of the **Development Authority**.
  - (b) As a condition of issuing a **development permit** approval for a **Temporary Second Dwelling**, the **Development Authority** may require an irrevocable letter of credit or cash, representing the costs which may be incurred by the **County** in the event the **Owner** should breach this agreement and fail to remove, destroy or render uninhabitable the former within one year of occupancy of a new residence.
  - (c) The security will be released once all the conditions have been completed by the applicant to the satisfaction of the **Development Authority**, and are met within the time frame as set out in the **development permit**.
  - (d) Upon expiry of the **development permit**, the **Development Authority** will inspect the site to determine compliance. If the required work has not been completed to the satisfaction of the **Development Authority**, administration may use the security to have the work completed and bring the **building** into compliance as per recommendation by the **Development Authority**.
- (8) Special Requirements
- (a) The **Development Authority** may impose conditions on any **development permit** to ensure that safe and proper access to the **lot(s)** is provided. The **development permit** conditions may also address the control of animals and **livestock** on **lots**.
  - (b) Agricultural land, in particular, Canada Land Inventory Capability for Agriculture classifications 1 to 3 shall be encouraged to be preserved for agricultural purposes.
- (9) In addition to the regulations listed above, other regulations may apply. These include Part VII – General Land Use Regulations, Part VIII – Specific Land Use Regulations, Part IX – Landscaping, Fencing and Screening, Part X – Parking and Loading Regulations, and Part XI – Sign Regulations.

## 85. Agriculture Business District

### Purpose

To provide areas where specific agricultural uses for commercial purposes can be accommodated on a smaller scale. Uses within this district further the Municipal Development Plan’s goals of maintaining a rural and agricultural focus for the County through allowing for businesses that are related to agricultural pursuits and are an appropriate adjacent use to agricultural operations.

Permitted Uses	Discretionary Uses
<b>Accessory Building</b>	<b>Abattoir</b>
<b>Agriculture Building</b>	<b>Accessory Use(s)</b>
<b>Agriculture, Extensive</b>	<b>Agriculture Processing</b>
Community Garden	<b>Agriculture Support Services</b>
Culinary Herb production	<b>Agriculture Tourism</b>
Cut Flower market	Brewery/Distillery & Sales
<b>Farm Gate Sales</b>	Cheese processing
<b>Greenhouse, commercial</b>	<b>Commercial Aquaculture</b>
<b>Market Garden</b>	<b>Compost Facility, Commercial</b>
<b>Public Utility Building</b>	Corn Maze
U-Pick	<b>Feed Mills, Grain Elevators, Seed Cleaning Plants, Fertilizer Storage &amp; Distribution</b>
	Honey Processing
	<b>Housing, Single Detached</b>
	<b>Intensive Vegetative Operation</b>
	Landscaping, commercial
	Livestock (per Sec. 40)
	Meat production
	Medicinal Herb production
	<b>Office</b>
	<b>Portable Storage Container</b>
	<b>Retail Store</b>
	Riding Arena, Commercial
	<b>Sign</b>
	Tree Farm
	Wool Production

- (1) Density
- (a) Maximum of 16.18 ha (40 Acres) per quarter section, including the balance of the quarter section, but not including **Lots** for **Public or Quasi-public Use** or **Public Utility**.
  - (b) Should be located along highways or well developed roads
  - (c) Only one residence permitted on lots created under Agriculture Business District
- (2) Subdivision Regulations
- (a) For a **bare parcel principal** use on **arable land** and **non-arable land** the following lot areas apply:
    - i. Minimum **Lot Area** is 4.05 ha (10 acres).
    - ii. Maximum **Lot Area** is 16.18 ha (40 acres).
  - (b) Subdivision of **lots** should not be allowed where, in the opinion of the **Development Authority**, potential conflicts with adjacent or surrounding land uses would result.
- (3) Siting Regulations
- (e) Minimum **Yard, Front Setback:** 41.1 m (135 ft.) from a **Highway**.
  - (f) Minimum **Yard, Front Setback:** 30.5 m (100 ft.) from a local **Road**.
  - (g) Minimum **Yard, Side Setback:** 7.6 m (25 ft.)
  - (h) Minimum **Yard, Rear Setback:** 7.6 m (25 ft.)
- (4) **Development** Regulations
- (e) Minimum **Gross Floor Area** for **Housing, Single-Detached:** 74 m<sup>2</sup> (800 ft.<sup>2</sup>)
  - (f) Minimum **Gross Floor Area** for other uses: at the discretion of the **Development Authority**.
  - (g) Maximum **Height** for a **Dwelling Unit:** 10.7 m (35 ft.) or 3.5 stories
- (5) When permitted, these **parcels** should not:
- i. Fragment **existing** farming units;
  - ii. Provide access that would result in unduly severing of the agricultural land
- (6) Uses that will largely be contained within a commercial building should be located on marginal or **non-arable** land when possible
- (7) Water wells and private sewage treatment and disposal systems shall be located on the **Parcel** they service.
- (8) Both the proposed **Parcel** and the remnant **Parcel** shall have direct legal and physical access to a **public road**.



(9) Applications to re-designate land to Agriculture Business District will be evaluated on their own merits. Proposals shall be compatible with adjacent uses and agricultural land, in particular Canada Land Inventory classifications 1 to 3, shall be encouraged to be preserved for agricultural purposes. Developers will be required to install services, provide access to the **parcel** and the **parcel** must be suitable for adequate water and sewer servicing.

(10) In addition to the regulations listed above, other regulations may apply. These include Part VII – General Land Use Regulations, Part VIII – Specific Land Use Regulations, Part IX – Landscaping, Fencing and Screening, Part X – Parking and Loading Regulations, and Part XI – Sign Regulations.