

# MUNICIPAL DISTRICT OF BIGHORN NO. 8

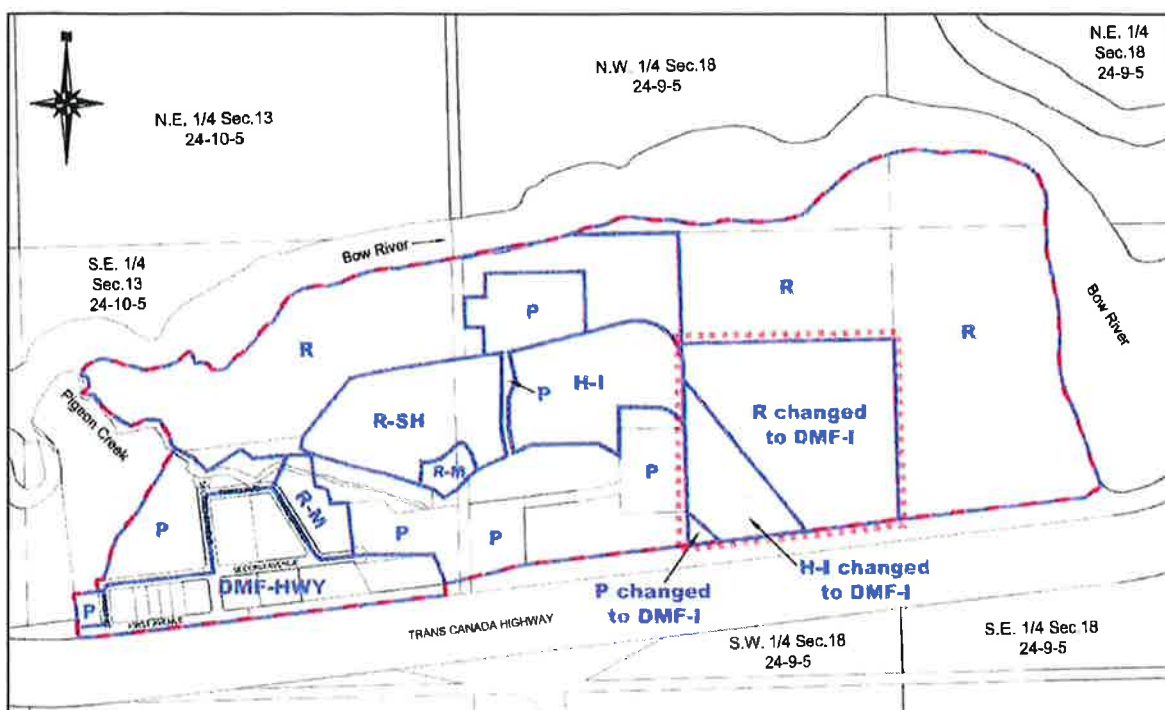
## NOTICE OF PUBLIC HEARING

**RE:** BYLAW 16-Z/17, A PROPOSAL TO CREATE A NEW LAND USE DISTRICT – DEAD MAN'S FLATS EAST INDUSTRIAL DISTRICT (DMF-I) AND AMEND MAP 2 HAMLET OF DEAD MAN'S FLATS IN LAND USE BYLAW 04/10 BY REDISTRICTING THE RURAL RECREATION DISTRICT (R), HAMLET INDUSTRIAL DISTRICT (H-I) AND PUBLIC SERVICE DISTRICT (P) TO DEAD MAN'S FLATS EAST INDUSTRIAL DISTRICT (DMF-I)

**DATE:** WEDNESDAY, JANUARY 24, 2018

**TIME:** 7:00 PM

**PLACE:** EXSHAW COMMUNITY CENTRE  
24 HEART MOUNTAIN DRIVE, EXSHAW, ALBERTA



### PURPOSE:

The purpose of proposed Bylaw 16-Z/17, is to create a new land use district – Dead Man's Flats East Industrial District (DMF-I) and redistrict approximately 14.0 ha (34.5 ac) of municipal lands in the Hamlet of Dead Man's Flats from Rural Recreation District (R), Hamlet Industrial (H-I) and Public Service District (P) to Dead Man's Flats East Industrial District (DMF-I). The proposed land use district conforms to the policies contained in the Dead Man's Flats Area Structure Plan. Included in the redistricting is:

- Plan 1113618, Block 1, Lot 5 from Rural Recreation District (R) to Dead Man's Flats East Industrial District (DMF-I)
- Ptn. Plan 1113618, Block 1, Lot 4 from Hamlet Industrial District (H-I) to Dead Man's Flats East Industrial District (DMF-I)
- Plan 1113618, Block 1, Lot 4 from Public Service District (P) to Dead Man's Flats East Industrial District (DMF-I)

The subject lands are intended for light industrial development that will provide local goods and services, employment/businesses opportunities, and tax revenue for the long term financial sustainability of the MD of Bighorn.

**REPRESENTATION:**

Oral and written comments and suggestions are invited and should be addressed to the point of draft Bylaw 16-Z/17. The comments and suggestions may be made by any person or group of persons, or a person acting on his, her or their behalf, who claims to be affected by the proposed bylaw; and from any other persons whom, at the hearings, Bighorn Council wishes to hear. Technical Documents may also be submitted and may include, but are not limited to, engineering reports, consultants' studies, environmental impact assessments, geotechnical investigations, groundwater evaluations, ground/slope stability reports, flood risk assessments, traffic impact assessments, historical surveys, utility master plans and other similar documentation.

Written submissions may be made by the persons described above and must be received in the Municipal District of Bighorn No. 8 Municipal Office, #2 Heart Mountain Drive, P.O. Box 310, Exshaw, Alberta, T0L 2C0 by the dates as indicated below:

- Technical Documents and other written submissions in support of the proposed bylaws must be received no later than **4:30 p.m. January 9, 2018.**
- Technical Documents and other written submissions which are not in support of the proposed bylaws must be received no later than **4:30 p.m. January 17, 2018.**

Oral presentations may be made at the hearing by individuals or groups (as described above), whether or not they have submitted a written presentation. Oral presentations should be limited to five (5) minutes at each hearing.

**DOCUMENTATION:**

Copies of proposed Bylaw 16-Z/17 may be inspected by the public at the Municipal District of Bighorn Municipal Office in Exshaw during regular working hours and on the MD of Bighorn's website ([www.mdbighorn.ca](http://www.mdbighorn.ca)). Similarly, Technical Documents and similar written documentation, letters and other written submissions may be inspected after the dates noted above at the MD of Bighorn office, located at No.2 Heart Mountain Drive, Exshaw, Alberta.

For additional information, contact the M.D. of Bighorn No. 8 office at 403-673-3611 or 403-233-7678 (Calgary direct line).

Robert M. Ellis, RPP, MCIP  
Assistant C.A.O.

**MUNICIPAL DISTRICT OF BIGHORN NO. 8**

**BYLAW #16-Z/17**

A BYLAW FOR THE PURPOSE OF AMENDING THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED

**WHEREAS** the Municipal District of Bighorn No. 8 adopted Land Use Bylaw No. 04/10;

**AND WHEREAS** pursuant to the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000 as amended, a Council may adopt and amend a Land Use Bylaw;

**AND WHEREAS** In accordance with the Dead Man's Flats Area Structure Plan, Council has given the direction to bring forward an application to amend Land Use Bylaw No. 04/10 by creating a new industrial district and redesignating:

- a) Plan 1113618, Block 1, Lot 5 from Rural Recreation District (R) to Dead Man's Flats East Industrial District (DMF-I)
- b) Ptn. Plan 1113618, Block 1, Lot 4 from Hamlet Industrial District (H-I) to Dead Man's Flats East Industrial District (DMF-I)
- c) Plan 1113618, Block 1, Lot 4 from Public Service District (P) to Dead Man's Flats East Industrial District (DMF-I)

**AND WHEREAS** Council, having considered at a public hearing the concerns of persons claiming to be affected by this bylaw amendment application, believes that the amendment of the Land Use Bylaw should be allowed in order to achieve the orderly, economical and beneficial use of land in the Municipal District;

**NOW THEREFORE**, the Municipal Council of the Corporation of the Municipal District of Bighorn No. 8 in the Province of Alberta, duly assembled in Council, enacts as follows:

Land Use Bylaw No. 04/10 is amended as follows:

1. Land Use Bylaw No. 04/10 is amended by the insertion of a new land use district into Section 19 to be called Dead Man's Flats East Industrial District (DMF-I) as set out in Schedule "A" attached hereto, and all subsequent Land Use Bylaw sections shall be renumbered accordingly.
2. Delete MAP 2 HAMLET OF DEAD MAN'S FLATS LAND USE MAP and replace with amended MAP 2 HAMLET OF DEAD MAN'S FLATS LAND USE MAP attached to Bylaw No. 16-Z/17 as Schedule "B", is hereby adopted.

READ A FIRST TIME THIS NOVEMBER 6, 2017.

READ A SECOND TIME THIS \_\_\_\_\_.

READ A THIRD TIME THIS \_\_\_\_\_.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
EXECUTIVE SECRETARY

## SCHEDULE 'A'

### **19 DEAD MAN'S FLATS EAST INDUSTRIAL DISTRICT (DMF-I)**

#### **19.1 Purpose and Intent**

19.1.1 The purpose of this district is to provide land within the Dead Man's Flats East Industrial Area for light industrial uses. Types of uses include, but are not limited to: manufacturing, processing, servicing, warehousing, and distribution and storage.

#### **19.2 Permitted Uses**

Accessory buildings less than 100.0 m<sup>2</sup> (1,076.4 ft<sup>2</sup>)

Signs (fascia, fence, freestanding)

#### **19.3 Discretionary Uses**

Accessory buildings 100.0 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) or greater

Accessory uses (including retail, repair and servicing)

Auto body services

Automotive repair, services and sales

Business support services

Contractor services

General industrial building

Household equipment repair services

Industrial equipment service, rentals and sales

Manufacturing and distribution

Mini storage

Offices

Public utilities and buildings

Signs (canopy, roof, wall)

Shipping containers

Storage yard

Warehousing

#### **19.4 Subdivision Regulations**

19.4.1 The following subdivision regulations shall apply to future subdivisions in this district.

a) The minimum lot area shall be 1,393.5 m<sup>2</sup> (15,000.0 ft<sup>2</sup>).

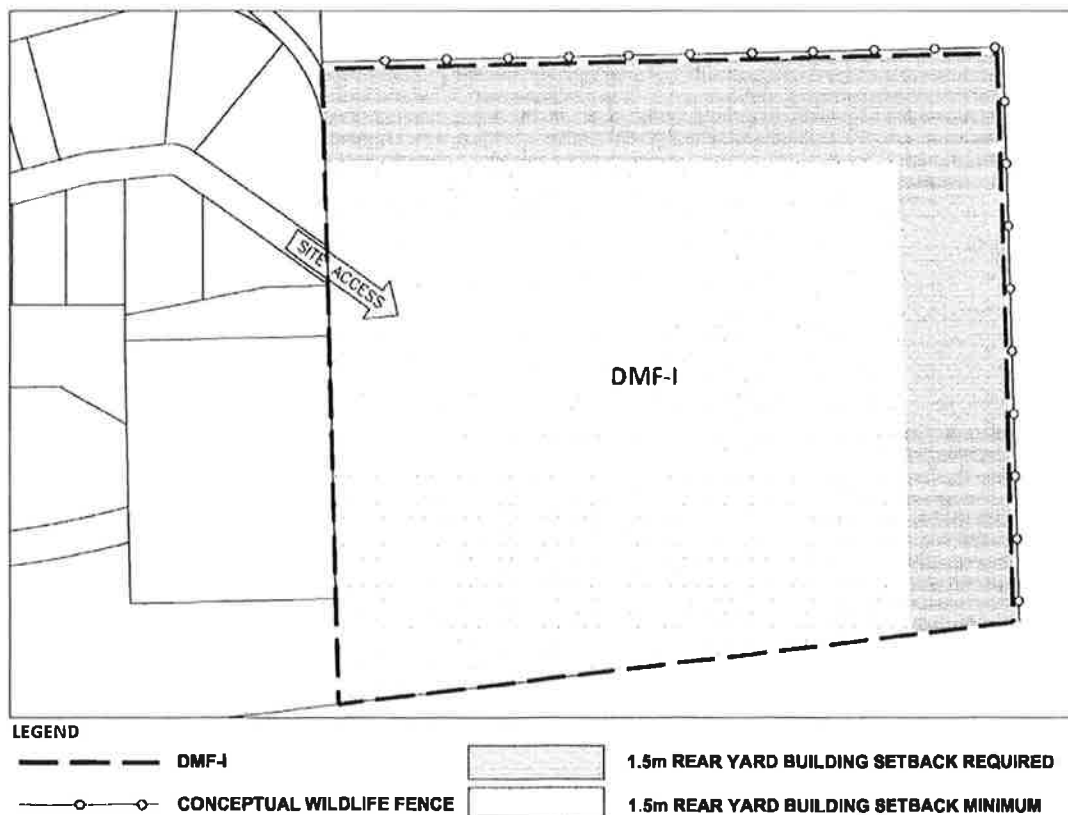
## SCHEDULE 'A'

### 19.5 Development Regulations

19.5.1 In addition to the general and specific land use provisions contained in Part 2 of this Bylaw, the following provisions shall apply to every development in this district:

<b>Front yard setback</b>	Minimum	6.0 m (19.7 ft)
<b>Rear yard setback</b>		
For lots backing onto the wildlife fencing (see Figure 1)	Required	1.5 m (4.9 ft)
For all other lots	Minimum	1.5 m (4.9 ft)
<b>Side yard setback</b>		
Interior side of lot	Minimum	1.5 m (4.9 ft), excepting a zero yard setback may be allowed along a common fire wall
Road side of corner lot	Minimum	6.0 m (19.7 ft)
<b>Building height</b>	Maximum	10.0 m (32.8 ft)

**Figure 1: Setbacks**



## SCHEDULE 'A'

### 19.6 Conceptual Scheme

19.6.1 Prior to subdivision and development in this district, a conceptual scheme for the East ASP area must be approved by the MD of Bighorn. The conceptual scheme shall address:

- a) Lot layout, Density, and Access: A detailed site plan must be prepared which illustrates all proposed lots and future development area on the parcel, including access and egress to the development.
- b) Wildlife Fencing: A wildlife fence is required along the north and east side of the East ASP area. The fence shall be 2.5m (8.2 ft) high with a flexible top or an outrigger to prevent access by climbing carnivores. Jump-outs will be designed in the fence to allow for the removal of wildlife that has gained access inside the fence. The fence shall be constructed on the property lines using a buried apron and a high tensile strand on top to reduce potential tree fall damage. No pedestrian access will be provided through the fence to reduce human use of the wildlife corridor and potential human-wildlife conflict.
- c) Stormwater Management:
  - i. A Stormwater Management plan in accordance with AEP shall be submitted to the MD of Bighorn as part of the conceptual scheme.
  - ii. Stormwater management ponds shall be located outside of the proposed wildlife fencing to integrate the pond into the natural environment and provide a buffer between the development and the adjacent wildlife corridor.
  - iii. A gate shall be provided in the east wildlife fence for municipal access to the stormwater ponds. No additional gates should be constructed in the wildlife fence.
  - iv. Low Impact Development: Stormwater Management design shall incorporate Low Impact Development (LID) practices in an effort to reduce site runoff. These may include but are not limited to: rain gardens, roof drains to the rear of lots to allow infiltration and minimize storm run-off to the piped system, and the reduction of hard surfaces wherever possible through the use of vegetated ditches, rain gardens, bioswales, narrow driveways, gravel pathways, and trails.
  - v. Storm pond systems should be designed to minimize the levels of suspended sediments and improve water quality through incorporating a forebay to collect sediments. The use of wetland plants around pond edges should be used to further enhance the water quality and create a natural buffer between the wildlife corridor and development.
- d) Water and Wastewater: A detailed outline of how water and wastewater will be handled within the subdivision, including municipal service connections in accordance with M.D. of Bighorn standards.
- e) Fire Protection and Suppression:

## SCHEDULE 'A'

- i. In addition to the flows required for industrial use, fire coverage will be provided from hydrants. The hydrant spacing will ensure adequate coverage and will be in accordance the requirements of the M.D. of Bighorn and related fire codes.
- ii. Fire Smart Principles shall be considered for all building development within the district.
- iii. Emergency Access
- f) Municipal Reserve: A detailed outline of how municipal reserve requirements will be met shall be included in the conceptual scheme.
- g) Phasing: A phasing plan must be included which outlines servicing and access requirements for each phase of the development.
- h) Flood Fringe: The conceptual scheme shall consider mitigation measures for development within a flood fringe.
- i) Any other information or technical reports at the discretion of the MD of Bighorn, including but not limited to:
  - i. Environmental Site Assessment
  - ii. Geotechnical and Slope Stability Assessment
  - iv. Stormwater Management Report
  - v. Historical Resource Assessment

19.6.2 As a condition of subdivision, landscape and architectural guidelines approved by the MD of Bighorn shall be registered on each individual land title.

### **19.7 Additional Regulations**

#### **19.7.1 Prohibited Uses**

- (a) To promote water conservation, uses which involve a high-water demand such as car washes, laundry facilities, and bulk water sales shall be prohibited within this district at the discretion of the Development Authority.

#### **19.7.2 Outdoor storage**

- (b) The maximum height of stored materials shall not exceed 3.5 m (11.5 ft) in height, except materials stored within 6.0 m (19.7 ft) of any property line shall not exceed 1.5 m (4.9 ft) in height.
- (c) For lots directly adjacent to the wildlife fencing, no material or waste storage shall be located in the rear setback area between the building and the wildlife fence.
- (d) Stored materials shall not obstruct emergency firefighting access to any portion of a building.
- (e) Uses which involve the outside storage of goods, machinery, vehicles, building materials, waste materials and other similar objects shall be screened from



## SCHEDULE 'A'

adjacent sites and roads, through the use of fences, berms, landscaping, or a combination thereof, to the satisfaction of the Development Authority.

### 19.7.3 Site layout

- (a) Sites shall be designed to provide for adequate vehicular movement or an on-site turning area that allows vehicles to exit the site facing the roadway.

### 19.7.4 Landscaping

- (a) Landscaping should be used to define areas such as entrances to buildings and parking lots, to provide a transition between abutting properties, to assist with the treatment of stormwater, and to provide screening of outdoor storage areas where permitted onsite.
- (b) A minimum of 10% of a site shall be landscaped in accordance with a landscaping plan.
- (c) A maximum of 30% of the area to be landscaped shall be landscaped with hard landscaping.
- (d) Existing trees, shrubs and plants that are wildlife attractants (e.g., buffaloberry) shall be removed from each development site. The remaining vegetation may be retained and incorporated into a landscape plan for the site.
- (e) Native plant species, consisting of trees, shrubs and grasses, shall be low maintenance and non-palatable/not an attractant to wildlife.
- (f) Xeriscaping is encouraged to utilize landscaping that reduces or eliminates the need for supplemental water from irrigation.

### 19.7.5 Fencing

- (a) Fencing shall not exceed a height of 2.0 m (6.6 ft) above grade, excepting fencing located within the landscaped portion of the front yard setback area shall not be greater than 1.2 m (3.9 ft) in height.
- (b) Only chain link fencing shall be permitted within this district.
- (c) Use of barbed wire in fencing shall be prohibited except above a height of 2.0 m (6.6 ft), and where installed, the total height of the fence shall not exceed 2.5 m (8.2 ft) in height above grade.

### 19.7.6 Lighting

- (a) Careful attention shall be paid by the applicant to the exterior lighting for the site and an effort shall be made to preserve the low ambient brightness in this area. The applicant shall ensure that any spot or flood lamps are directed to the ground (45° or lower down tilt) and all lights shall be shielded if the output per light fixture is over 2000 lumens.
- (b) No lighting shall be allowed on the rear of buildings backing onto the wildlife fencing. Low cut light fixtures are required at side door entrances.

### 19.7.7 Building Access

- (a) Access to buildings on lots directly adjacent to the wildlife fencing shall be through the front or side setbacks of the buildings only.

## **SCHEDULE 'A'**

- (b) Access to buildings for the those lots not adjacent to the wildlife fence may be from the front, rear, or side yards.

### **19.7.8 Garbage and Recycling Containers**

- (a) For lots backing onto the wildlife fencing, garbage and recycling containers are not permitted outdoors and must be enclosed within the building.
- (b) For all other lots, garbage and recycling containers shall be screened from the road or located within the building.

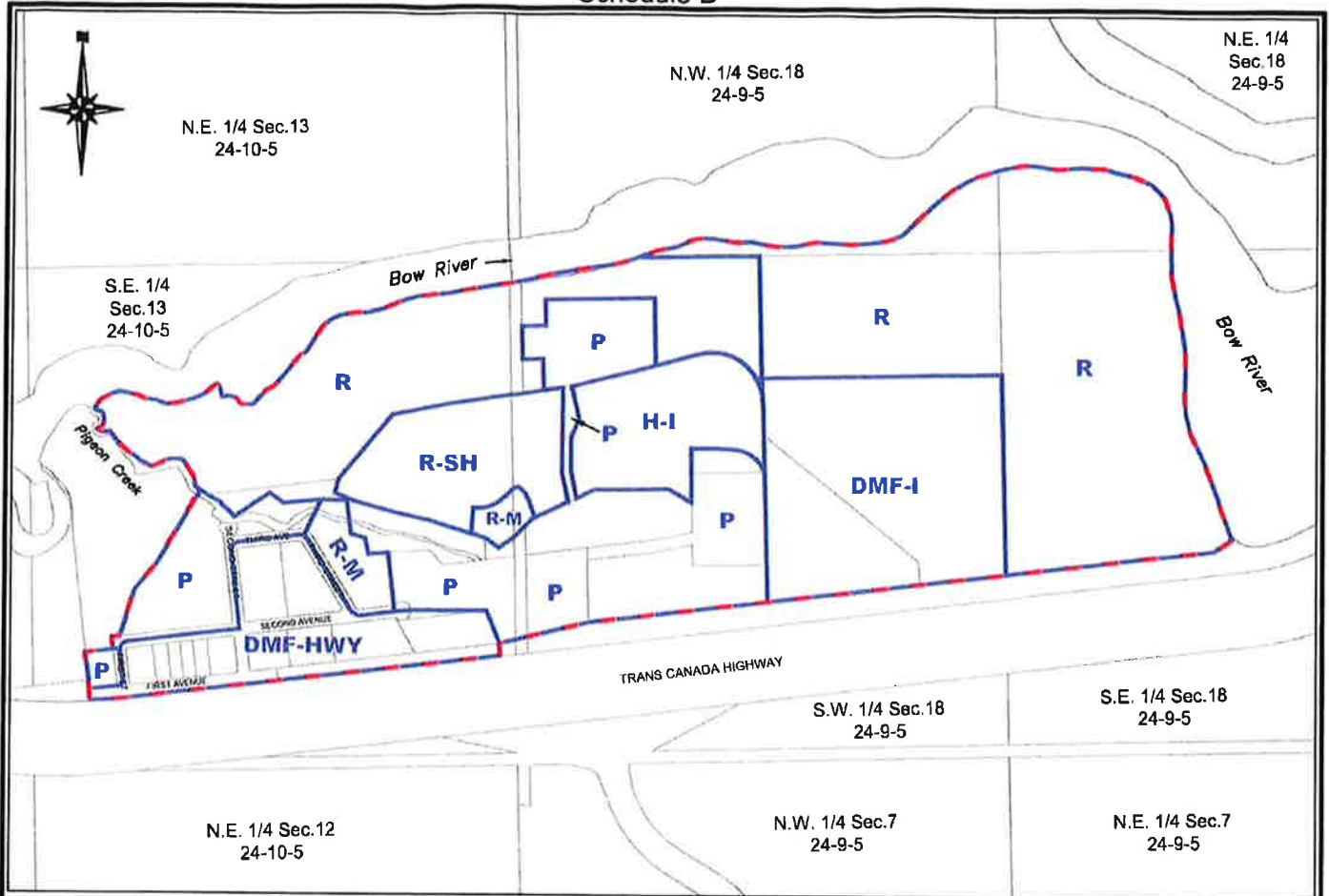
### **19.7.9 Utility services**

- (a) All new development shall be connected to municipal water and wastewater systems.

### **19.7.10 Development in a Flood Fringe**

- (a) Construction of buildings within a flood fringe shall be in accordance with the regulations for flood fringe areas set out in Section 5.4 of the M.D. of Bighorn No. 8 Land Use Bylaw No. 04/10, as amended.

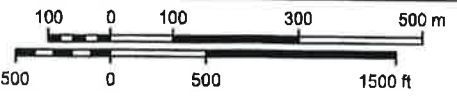
Schedule B



**MUNICIPAL DISTRICT OF BIGHORN No.8  
HAMLET OF DEAD MAN'S FLATS  
LAND USE MAP**

SECTION 6.3.1 OF LAND USE BYLAW 04/10  
ADOPTED BY COUNCIL THIS 12<sup>TH</sup> DAY OF OCTOBER, 2010 A.D.

AMENDMENTS			
BYLAW NO.	LEGAL	FROM	TO
	PLAN 1113818, BLOCK 1, LOT 5 (8.82 HA)	R	DMF-I
	PORTION OF PLAN 1113818, BLOCK 1, LOT 4	H-I	DMF-I
	PORTION OF PLAN 1113818, BLOCK 1, LOT 4	P	DMF-I
	PLAN 0913084, BLOCK 6, LOT 2, PLAN 1113818, BLOCK 1, LOT 8, AND PLAN 1113818, BLOCK 1, LOT 7	R	P



- HAMLET SINGLE DETACHED SERVICED RESIDENTIAL DISTRICT ..... **R-SH**
- HAMLET MEDIUM DENSITY MULTI-DWELLING UNIT RESIDENTIAL DISTRICT ..... **R-M**
- PUBLIC SERVICE DISTRICT ..... **P**
- RURAL RECREATION DISTRICT ..... **R**
- HAMLET INDUSTRIAL DISTRICT ..... **H-I**
- DEAD MAN'S FLATS TOURIST AND HIGHWAY COMMERCIAL DISTRICT ..... **DMF-HWY**
- DEAD MAN'S FLATS EAST INDUSTRIAL DISTRICT ..... **DMF-I**

**LEGEND:**  
 HAMLET BOUNDARY ..... - - - - -  
 LAND USE DISTRICT BOUNDARY ..... ————

**NOTE:**  
 This drawing may not show all legal boundaries or land use designations. It is the user's responsibility to determine the above with the Land Titles Office and the Municipal District of Bighorn Number 8.

ISSUE DATE: NOV. 2017

MAP NO: 2

**CHALLENGER**  
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