

MOUNTAIN VIEW COUNTY

BYLAW NO. 11/19

TO AMEND LAND USE BYLAW NO. 16/18

Mountain View County
Province of Alberta

Bylaw No. 11/19

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO AMEND THE LAND USE
BYLAW NO. 16/18

SECTION 1 - AUTHORITY

- 1.1 Section 639 of the *Municipal Government Act*, as amended from time to time, requires that every municipality pass a Land Use Bylaw.
- 1.2 The *Municipal Government Act*, as amended from time to time, provides that the Land Use Bylaw may be amended from time to time.

SECTION 2 - AMENDMENTS

- 2.1 Mountain View County hereby enacts that Land Use Bylaw No. 16/18, be amended as follows:

To delete from Section 2.5 Definitions PERMITTED USE, and replace with:

PERMITTED USE means the one (1) or more uses of land or buildings that are permitted in a given district, with or without conditions applied by the Approving Authority upon application having been made. All Permitted Uses require the issuance of a Development Permit, unless exempted under this Bylaw and shall be a DISCRETIONARY USE when a relaxation of the district site regulations is proposed.

To delete from Section 2.5 Definitions KENNEL, and replace with:

KENNEL, COMMERCIAL means a development for the breeding, boarding, caring or training of small animals, normally considered household pets, excluding livestock. Typical facilities include pet boarding and pet training establishments.

To delete Section 10.10 Kennel and replace with:

Kennel, Commercial

1. The development of a kennel as defined in Subsection 2.5, may not be permitted within or adjacent to a multi-parcel residential subdivision or closer than 400.0 m (1,312.3 ft) from the boundary of a multi-parcel residential subdivision. Exceptions may be made by the Approving Authority when a physical or topographical feature serving as a natural buffer or a highway bisects the minimum separation distance.
2. Approved kennels within 400.0 m (1,312.3 ft) of a multi-parcel residential subdivision that provides, to the satisfaction of the Approving Authority, evidence of its existence prior to passing of this Bylaw may be permitted to continue operating but will not be permitted to expand.
3. All kennel buildings may be required to have soundproofing and screening to the satisfaction of the Approving Authority.
4. All kennels and associated facilities shall be kept in a manner satisfactory to the Health Authority and the Society for the Prevention of Cruelty to Animals (SPCA).

5. No exterior exercise area used to accommodate dogs shall be located within 30.0 m (98.4 ft) of any property line of the parcel on which the kennel is located.
6. No exterior exercise area used to accommodate dogs shall be located within 90.0 m (295.3 ft) of any dwelling on an adjacent parcel.
7. All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Approving Authority.
8. Waste management of approved kennels shall be in accordance with Provincial requirements regarding waste disposal.
9. An application for a Development Permit for a kennel shall include:
 - a) detailed site sketch showing all existing buildings and proposed facilities, including setback distances from the property line;
 - b) type of facility (boarding, breeding or other);
 - c) the maximum number of household pets on site at any one time, including the number of personal household pets, number of kennel dogs/cats;
 - d) sound proofing of the kennel building and related facility;
 - e) how noise will be mitigated;
 - f) how many employees including the applicant;
 - g) how much onsite parking there is for employees and customers;
 - h) identification of supervision during active kennel operation;
 - i) days and hours of operation;
 - j) expected traffic generation;
 - k) identification of roadways to and from the site and the type of roadway;
 - l) identification of whether there will be new buildings or structures or usage of existing structures;
 - m) dust mitigation methods on gravel roads to and from the site; and
 - n) sign size, wording, and the location of the sign must be identified on the site sketch.
10. The Approving Authority shall require the applicant of an application for a kennel to undertake community consultation prior to submission of the Development Permit application. Written confirmation of community consultation shall be submitted with submission of the development permit application.
11. In support of a Development Permit application for a kennel, the applicant shall submit a Waste Management Plan detailing the control, management and disposal of animal waste associated with the operation. Information on whether or not there has been consultation with the local Health Authority will be required.

12. On parcels zoned A, A(2), CR, and R-F the Kennel must be operated on the property by the person who occupies the dwelling.

To delete from Section 11 Agricultural Districts, Section 11.1 Agricultural District, Uses a) Discretionary:

Kennel

To add to Section 11 Agricultural Districts, Section 11.1 Agricultural District, Uses a) Discretionary:

Kennel, Commercial

To delete from Section 11 Agricultural Districts, Section 11.2 Agricultural (2) District, Uses a) Discretionary:

Kennel

To add to Section 11 Agricultural Districts, Section 11.2 Agricultural (2) District, Uses a) Discretionary:

Kennel, Commercial

To delete from Section 12 Residential Districts, Section 12.1 Country Residential District, Uses a) Discretionary:

Kennel

To add to Section 12 Residential Districts, Section 12.1 Country Residential District, Uses a) Discretionary:

Kennel, Commercial

To delete from Section 12 Residential Districts, Section 12.3 Residential Farmstead District, Uses a) Discretionary:

Kennel

To add to Section 12 Residential Districts, Section 12.3 Residential Farmstead District, Uses a) Discretionary:

Kennel, Commercial

To add to Section 13 Commercial Districts, Section 13.1 C-LC Local Commercial District, Uses a) Discretionary:

Kennel, Commercial

To delete from Section 14 Industrial Districts, Section 14.1 Business Park District, Uses a) Discretionary:

Kennel

To add to Section 14 Industrial Districts, Section 14.1 Business Park District, Uses a)

Discretionary:

Kennel, Commercial

To add to Section 14 Industrial Districts, Section 14.2 Heavy Industrial District, Uses a) Discretionary:

Kennel, Commercial

To add to Section 16 Public Service Districts, Section 16.2 S-AP Airport District, Uses a) Discretionary:

Kennel, Commercial

To delete from Section 18 Land Use District Maps, 1., Illustration 18.1-1 Discretionary:

Kennel

To add to Section 18 Land Use District Maps, 1., Illustration 18.1-1 Discretionary:

Kennel, Commercial

SECTION 3 - EFFECTIVE DATE

3.1 This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*, as amended from time to time.

Received first reading _____.

Received second reading _____.

Received third reading _____.

Reeve

Chief Administrative Officer

Date of Signing