

Proposed LUB Omnibus Amendments

#	LUB Section	Page	Item	Description & Justification	Proposed Amendment
1	14.6.6	109	Visitor Accommodation Suite Sign	<ul style="list-style-type: none"> Remove wall sign from Visitor Accommodation Suite Use Regulations and replace with Fascia Sign and Projecting Sign. Wall signs by LUB definition are painted on or engraved into the wall of a building or structure which does not align with the MD's Visitor Accommodation Suite sign template. Projecting Sign is a commonly requested sign option. It was noted by DO's that there is no "minimum" size for Suite signs in the LUB (only maximum). Proposed that the maximum be removed from sign size so that the size is consistent for all applications. 	<ul style="list-style-type: none"> Amend 14.6.6: An MD approved Wall Sign, Fascia Sign, Projecting Sign, Fence Sign or Freestanding Sign identifying the Visitor Accommodation Suite business shall be located on the property. The Sign shall: <ol style="list-style-type: none"> be weatherproof, visible and reasonably readable from the adjacent roadway; and be no larger than 0.2 m² (2.0 ft²).
2	4.3.7	63	Bed and Breakfasts	<ul style="list-style-type: none"> Remove wall sign from Bed and Breakfast Use Regulations and replace with Fascia Sign and Projecting sign. Wall signs by LUB definition are painted on or engraved into the wall of a building or structure which does not align with the MD's Bed and Breakfast sign template. Propose to add Projecting sign option to be consistent with Visitor Accommodation Suite signs. Size of Bed and Breakfast Sign within Hamlets under Section 4.3.7 is proposed to be amended to be consistent with Visitor Accommodation Suite sign requirements. 	<ul style="list-style-type: none"> Amend 4.3.7: An MD approved Wall Sign-Fascia Sign, Projecting Sign, Fence Sign or Freestanding Sign identifying the Bed and Breakfast business shall be located on the property. The Sign shall: <ol style="list-style-type: none"> be weatherproof, visible and reasonably readable from the adjacent roadway; be no larger than 0.2 m² (2.0 ft²) in Hamlet districts; and be no larger than 0.6 m² (6.5 ft²) in districts other than Hamlet districts.
3	2 & 4.8	11, 32, 65	Wet Bar	<ul style="list-style-type: none"> New definition added for wet bar which is separate from a 'kitchen.' The LUB requires a Development Permit for an Accessory Use for a second kitchen (S. 4.8.1). 	<ul style="list-style-type: none"> Add Wet Bar Definition to Section 2 "WET BAR" means a small bar used for mixing and serving beverages that includes a sink with running water. A wet bar is typically used solely for

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				<ul style="list-style-type: none"> Previous enforcement issues with wet bars installed in conjunction with a Bed and Breakfast as wet bars being used as a kitchen in and the B and B operation therefore rents out bedroom units as a suite using the wet bar as a kitchen. 	<p>drink preparation, while a kitchenette allows for the preparation of both drinks and food. A wet bar is not considered a kitchenette and shall not contain kitchen elements as defined in the Land Use Bylaw.</p> <ul style="list-style-type: none"> 2 – Definitions: Add to Bed and Breakfast definition: BED AND BREAKFAST” means a Principal Residence where overnight lodging with or without meals, is provided to members of the travelling public for remuneration, which is operated by the full-time residents of the dwelling. Bed and Breakfasts are not separate Dwelling Units and includes Guest access and use of common living and dining areas in the Principal Residence. Bed and Breakfasts do not include “Accommodation, Visitor”; “Accommodation, Resort”; or “Suites, Visitor Accommodation.” Wet bars and Kitchenettes are not permitted within a dwelling that contains a Bed and Breakfast operation. Add 4.8.2 and re-number subsequent sections: 4.8.2 A dwelling unit may contain a wet bar as defined in the Land Use Bylaw without requiring a separate development permit for an Accessory Use - Kitchen. The wet bar shall not contain kitchen elements and shall not be intended for the preparation of food.
4	2 & 4.18	8, 77	Shipping Containers	<ul style="list-style-type: none"> There is currently confusion between 4.18.4 which allows Shipping Containers to be Accessory Buildings vs the definition for Accessory Building which states that Shipping Containers are not accessory buildings. There is currently no clear guidance on architectural guidelines for Shipping Containers being used as accessory 	<ul style="list-style-type: none"> Section 2 Accessory Building Definition: “ACCESSORY BUILDING” means a detached building or structure which is secondary and subordinate to the Principal Building or use that is typically located on the same site, and includes, but is not limited to garages, sheds, fabric covered structures, or air monitoring stations. This does not include “Shipping Containers” or “Farm Structures.” “Shipping Containers” shall be considered an Accessory

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				<p>buildings within Hamlets. The proposed amendment links 4.18 with the accessory building regulations under 4.1.7 in which a) requires that accessory buildings be similar and complimentary to the Principal Building as it relates to exterior materials, color and appearance.</p>	<p>Building only in accordance with Section 4.18.4 of the Land Use Bylaw.</p> <ul style="list-style-type: none"> • Add to 4.18.4: Shipping containers which are being utilized, including storing items within the container, shall be considered an “Accessory Building” in all districts where Shipping Containers are listed as a Permitted or Discretionary Use, and are subject to the regulations under Section 4.1.7 of the Land Use Bylaw.
5	42.4.3	202	Adjacent Landowner Notification	<ul style="list-style-type: none"> • There is currently little guidance for the adjacent neighbour notification requirement under Section 42.4.3. (type of notification, timeline, etc.). For all Discretionary Uses or Permitted Uses requiring a Variance, the Applicants shall submit proof of notification of the application to adjacent landowners. • To streamline the process, it is proposed that the MD of Bighorn send out notices to adjacent landowner by mail for all discretionary use applications or permitted uses requiring a variance. • A notification timeframe of 15 days (including 5 days mailing time) is added. A clause of ‘unless otherwise approved by the MD of Bighorn, has been added if a longer notification period is required. • Clarify notification of ‘adjacent landowners’ for use applications within industrial bays. This has been proposed as adjacent bay owners. • To align with the proposed amendments to the Visitor Accommodation Suite and Bed 	<ul style="list-style-type: none"> • Amend 42.4.3: 42.4.3 For all Discretionary Uses or Permitted Uses requiring a Variance, the MD of Bighorn shall notify Applicants shall submit proof of notification of the application to adjacent landowners. The notification must include a description of the proposed use and/or development; where further information may be obtained; and details for submitting comments to the Development Authority. The closing date on responses from adjacent landowners shall be 15 days from the working date after the notice was mailed, unless otherwise approved by the MD of Bighorn. • Add a new Section 42.4.4 and re-number subsequent sections: 42.4.4 Notwithstanding 42.4.3, Development Permit renewals for Visitor Accommodation Suites and Bed and Breakfast operations do not require notification to adjacent neighbours if the operation remains unchanged since the initial Development Permit was approved. • Add a new Section 42.4.5 and re-number subsequent sections: 42.4.5 Notwithstanding 42.4.3, for Discretionary Uses or Permitted Uses requiring a variance within a

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				and Breakfast Renewal process, it is proposed that a 'notwithstanding' clause be added so that Visitor Accommodation Suite and B&B renewals, do not require adjacent neighbour notification if the operation has not changed since the initial DP was approved.	commercial or industrial building containing multiple units, the adjacent units/bays shall be notified to the satisfaction of the Development Officer.
6	N/A	81	Page header	<ul style="list-style-type: none"> Header missing from P. 81 	<ul style="list-style-type: none"> Add header to page 81 and check remainder of document if missing
7	2, 7, 29	22, 87, 166	Natural Resource Extraction	<ul style="list-style-type: none"> New definition added to Section 2 for 'Natural Resource Extraction Facility Addition' and add this use to the F and NR Districts MPC expressed that ancillary structures to existing NR facilities should be treated as discretionary applications. Currently NR facility additions are treated as accessory buildings however this may not be the right fit if it is a large addition to the NR facility and it has implications on the community. 	<ul style="list-style-type: none"> Add new definition under Section 2: Natural Resource Extraction and Processing Facility Addition Natural Resource Extraction Facility Addition means ancillary buildings over 20 square metres and uses related to the approved Natural Resource extraction operation onsite. Structures under 20 square metres are considered Accessory Buildings. Add Natural Resource Extraction Facility Addition as a Discretionary Use to the Natural Resource Extraction District (NR) (Section 29) and the Forestry District (F) (Section 7)
8	3.12.1 e)	42	Fire Prevention and Emergency Access	<ul style="list-style-type: none"> Typo – should read 3.12.3 not 3.11.3 	<ul style="list-style-type: none"> 3.12.1 To protect a development from significant wildfire hazard or where a development may be located in an area that is removed from existing Municipal emergency services, the following fire protection measures may be required by the Development Authority: e) the provision of a secondary vehicular emergency access to the site, pursuant to Section 3.11.3 3.12.3;
9	18.7.5	125	Conceptual Scheme Requirement in	<ul style="list-style-type: none"> Currently, the DMF-CMU District requires a Conceptual Scheme to be completed prior to development and subdivision within the district. 	<ul style="list-style-type: none"> Add definition of Conceptual Scheme to Section 2: "Conceptual Scheme" means a non-statutory plan that provides detailed land use direction, subdivision design, and development guidance.

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			DMF-CMU District	<ul style="list-style-type: none"> Administration recommends that the wording of section 18.7.5 be amended to clarify that the Conceptual Scheme be required at the redistricting stage to assist in Council's decision making during the redistricting process (this would save the applicant some time as the Conceptual Scheme could run concurrently with the redistricting application). Following the redistricting (and Conceptual Plan approval), the applicants would proceed to Development Permit application. 	<ul style="list-style-type: none"> Amend S. 18.7.5. Conceptual Scheme: Prior to subdivision and development in this district In conjunction with the redistricting application to the DMF-CMU District, a conceptual scheme for the development area must be approved by Council the Municipal Planning Commission. Add to Section 18.7.5 (f): 18.7.5 f) iii) Servicing Study iv) Development Impact Assessment
10	19.3		Hamlet Industrial District – Projecting Signs	<ul style="list-style-type: none"> Projecting signs are currently not listed as a sign type under Permitted or Discretionary Uses in the Hamlet Industrial District. This poses a problem when industrial bays do not face the street. Adding Projecting Signs as an option would allow more visibility for businesses. Proposed that projecting sign be added as a Discretionary use in the HI District. 	<ul style="list-style-type: none"> Add Discretionary Use to 19.3 Hamlet Industrial District: 19.3 Discretionary Uses Signs (Canopy, Roof, Wall, Projecting)
11	14.6.11, 14.6.12	110, 194	Visitor Accommodation Suite Renewals	<ul style="list-style-type: none"> The proposed amendment will streamline the Visitor Accommodation Suite renewal process. Development Permits are currently issued on a one-year basis and require renewals yearly. By increasing the timeframe for suite renewals and simplifying the DP renewal process, Administration will be able to more efficiently administer suite renewal applications. The one year period was a trial as this was a new use introduced to the Land Use Bylaw. As the use has been in operation for four years, it is recommended 	<ul style="list-style-type: none"> 14.6.11. A Development Permit issued for a Visitor Accommodation Suite may not be issued for a period exceeding one (13) years. Amend typo and remove adjacent neighbour re-notification requirements (b) 14.6.12: Notwithstanding Section 14.6.12, Development Permit renewals may be issued by the Development Officer, having consideration to the following factors: <ul style="list-style-type: none"> a) any complaint or enforcement history related to the Visitor Accommodation Suite, and b) comments from adjacent and area residents, and

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				<p>that renewals be increased from 1 year to 3 years.</p> <ul style="list-style-type: none"> • The MD already has a mechanism to enforce suites which are not in compliance with their Development Permit conditions through Stop Work Orders, therefore increasing the renewal period will not affect the MD's enforcement abilities. • There is currently a waitlist for Visitor Accommodation Suites. The LUB currently has a 30% cap within the R1-S District of Dead Man's Flats and Exshaw. Increasing this cap may involve public consultation and could be considered as a separate LUB amendment in the future. • *Draft Visitor Accommodation Suite renewal form (not to be included in LUB) 	<p>e) b) adherence to the previously approved Development Permit and current Land Use Bylaw requirements.</p>
12	4.3.4, 41.1.1	63, 194	Bed and Breakfast Renewals	<ul style="list-style-type: none"> • The proposed amendment will streamline the Bed and Breakfast renewal process, which includes the removal of the trial 1 year period, increasing the renewal period from 3 to 5 years, allowing the Development Officer to issue renewals, and reducing the submission requirements for B & B renewals (removing the requirement for adjacent neighbour notifications) if application has not changed since original DP approval. • The proposed amendment clarifies Section 4.3.2 with respect to the statement 'unless otherwise approved by the development authority' with respect to the number of bedrooms allowed and the bed units. Depending on whether the Bed and 	<ul style="list-style-type: none"> • Adding vii) to Section 41.1.1. 41.1.1 The Development Officer shall: k) consider and decide on applications for a Development Permit for: vii) renewals for Bed and Breakfasts in accordance with Section 4.3 of the Land Use Bylaw. • 4.3.4. A Development Permit issued for a Bed and Breakfast, may not be issued for a period exceeding one (1) year for the first Development Permit. The Development Permit may be subsequently renewed for repeated periods of up to three five (35) years, in at the sole discretion of the Development Authority, having consideration for the following factors: a) any complaint or enforcement history related to the Bed and Breakfast use, b) comments from adjacent and area residents, and

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				<p>Breakfast Operation is within a Hamlet or rural, the number of bedrooms may increase on a case by case basis. The clarification of 4.3.2 allows for this.</p> <ul style="list-style-type: none"> *Draft renewal form (not to be included in LUB) 	<p>c) Adherence to the previously approved Development Permit and current Land Use Bylaw requirements.</p> <ul style="list-style-type: none"> Amend 4.3.2, add b) and re-number subsequent sections: 4.3.2 Bed and Breakfast accommodations shall: <ul style="list-style-type: none"> a) be limited to a maximum of 2 Accommodation Units per Principal Residence, where no more than 2 Bed Units are allowed per Accommodation Unit, unless otherwise approved by the Development Authority b) have no more than 2 Bed Units per Accommodation Unit, unless otherwise approved by the Development Authority;
13	4.16.7	72	Secondary Suite Renewals	<ul style="list-style-type: none"> The proposed amendment will streamline the Secondary Suite renewal process, which includes removing the trial 1 year period and removing the requirement for Development Permit renewals. The MD already has a mechanism for enforcement of Secondary Suites that do not comply with the applicable Development Permit conditions/LUB through the Stop Order process in accordance with the Municipal Government Act. 	<p>Remove 4.16.7 and subsequently renumber sections after:</p> <p>4.16.7. A Development Permit issued for a Secondary or Studio Suite may not be issued for a period exceeding one (1) year for the first Development Permit. The Development Permit may be subsequently renewed for repeated periods of up to three (3) years, in the sole discretion of the Development Authority, having consideration for the following factors:</p> <ul style="list-style-type: none"> a) any complaint or enforcement history related to the Secondary or Studio Suite, b) comments from adjacent and area residents, and c) adherence to the previously approved Development Permit and current Land Use Bylaw requirements. <ul style="list-style-type: none"> Remove 41.1.1 k) vi) as it is no longer needed without the suite renewal requirement: 41.1.1. The Development Officer shall: <ul style="list-style-type: none"> k) consider and decide on applications for a Development Permit for:

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					<p>vi) renewals for Secondary and Studio Suites in accordance with S. 4.16 of the Land Use Bylaw.</p> <ul style="list-style-type: none"> • Amend 4.16.8: If the Development Permit expires and is not renewed, or if the Development Permit is cancelled in writing, the owner shall remove the Studio or Secondary Suite within sixty (60) days, including: <ul style="list-style-type: none"> a) the kitchen or kitchenette unit which may include the stove, hot-plate, kitchen sink, dishwasher and kitchen cabinetry, to the satisfaction of the Development Authority; b) associated electrical wiring (typically 220 V); and c) any lockable separation door or similar enclosure which prevents access from the Principal Residence.
14	4.11.4, 41.1.1	67, 194		<ul style="list-style-type: none"> • The proposed amendment will streamline the Home-Based Business renewal process, which includes the removal of the 1 year trial timeframe for the initial application, the ability for the Development Officer to renew development permits, and amending the renewal period from 3 to 5 years. • Section 4.11.5 already requires enforcement of home-based businesses in violation of their development permit or the LUB. 	<ul style="list-style-type: none"> • Amend 4.11.4: A Development Permit for a home-based business shall be issued for no longer than 1 year for the first application, and not more than 3 years thereafter for renewals. may be renewed for repeated periods of up to five (5) years for a Minor Home Based Business and three (3) years for a Major Home Based Business, at the sole discretion of the Development Authority, having consideration for the following factors: <ul style="list-style-type: none"> a) any complaint or enforcement history related to the Home Based Business Use, b) Adherence to the previously approved Development Permit and current Land Use Bylaw requirements. • Amend 41.1.1 by adding vii): The Development Officer shall: <ul style="list-style-type: none"> k) consider and decide on applications for a Development Permit for:

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					vii) renewals for Home Based Businesses in accordance with S. 4.11 of the Land Use Bylaw.
15	2	18	GFA Definition	<ul style="list-style-type: none"> There is currently confusion on the Gross Floor Area definition when determining a Visitor Accommodation Suite or Secondary Suite size, in accordance with S. 4.16.2 of the LUB. The suite size cannot exceed 40% of GFA, and there has been confusion on whether the GFA includes the garage or not. Amend GFA definition to clarify. 	<ul style="list-style-type: none"> Section 2 Amendment: "GROSS FLOOR AREA" means the total floor area of each floor of a building measured to the inside surface of the interior walls, or where buildings are separated by fire walls, to the centre line of the common fire wall. The GFA includes living spaces only. Attached garages are not included in the GFA calculation.
16	2, 4.20	19, 77	Guest Register Definition	<ul style="list-style-type: none"> Currently, the only reference to the contents of a guest register is within the Visitor Accommodation Suite regulations (S. 14.6.6). Therefore it is proposed that the Guest Register requirements be added to Section 4.20 Visitor and Resort Accommodations. Clarify that a centralized guest register may be kept as an option to fulfill this requirement. Mandatory centralized guest registry system for Visitor and Resort Accommodation operations which do not contain a front desk/check in. 	<ul style="list-style-type: none"> Replace wording in Section 4.20.3 with the below wording so that it is consistent with Section 14.6.16 and include the option for centralized guest registry: 4.20.3. The operator of a visitor or resort accommodation development shall keep and maintain a Guest register that shall be reasonably available to the Development Authority for inspection. 4.20.3. The operator of a visitor or resort accommodation development shall maintain records sufficient to establish compliance with this Land Use Bylaw and the Development Permit conditions in the form of a Guest register or similar documentation and shall produce such records to the Development Authority upon request for the purpose of confirming compliance with this Land Use Bylaw and the Development Permit conditions. A centralized Guest register system may be used to fulfill this requirement. The details of the centralized Guest register shall be provided to the development authority for review as part of the development permit application. A centralized Guest register system must be kept for Visitor and Resort Accommodation developments which do not contain

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					<p>a front desk. The guest register or similar documentation shall contain the following information:</p> <p>a) Name of Guest(s), b) Licence plate number(s) of Guest(s), and c) Date(s) of occupancy of the Visitor Accommodation Unit</p>
18			Architectural controls	<ul style="list-style-type: none"> Currently, it is unclear in the LUB how developer's Architectural Controls are used to regulated development in the LUB. Propose adding wording to Section 3 General Regulations 	<ul style="list-style-type: none"> Add definition of Architectural Controls to Section 2: “Architectural Controls” means a set of development guidelines or standards that have been established by the developer and registered on a certificate of title for the purpose of creating and maintaining a higher quality of construction than is the norm for a particular subdivision and/or development project. Add to Section 3.5 – General Regulations - Design, Character and Appearance: 3.5.4 Architectural controls for developments, will be developed and administered by the Developer.
19	39.7.1 (under Bylaw 05-Z/20)	186	DC-4 District – Visitor Accommodation renewals – The Crossing	<ul style="list-style-type: none"> Increase the 5 year renewal timeframe to 10 for visitor accommodation renewals within the DC-4 District. There have not been any issues with complaints/enforcement at this site since this use was approved. Consolidate DC-4 Bylaw amendments into LUB 	<ul style="list-style-type: none"> 39.7 Visitor Accommodation 39.7.1 The initial Development Permit shall be issued for a trial period of two (2) years. Upon completion of a satisfied trial period, subsequent Development Permits may be issued for up to five (510) years at the discretion of the development Authority.
20	3.15 -Table 1, 18.8,	45, 126	Parking	<ul style="list-style-type: none"> Consolidate Bylaw 09-Z/22 - Parking Amendment Bylaw into LUB. 	<ul style="list-style-type: none"> Consolidate Bylaw 09-Z/22 - Parking Amendment Bylaw into LUB.
21	2	14	Designated Officer	<ul style="list-style-type: none"> Add Peace Officer as a designated officer for LUB enforcement purposes. Update definition of Peace Officer 	<ul style="list-style-type: none"> Amend definition of Designated Officer under Section 2: “DESIGNATED OFFICER(S)” means those persons designated by bylaw under the Act and for purposes

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				<ul style="list-style-type: none"> LUB: 45.1.3. Pursuant to the Act, the Designated Officer may enforce the provisions of the Act and regulations thereunder, the Subdivision and Development Regulations, the conditions of a Development Permit and this Bylaw. Enforcement may be by written notice of contravention, an order, or any other authorized action to ensure compliance. 	<p>of this Bylaw, are the Development Officer, Subdivision Officer, and Chief Administrative Officer, and Peace Officer (for the purposes of carrying out inspections, remedial actions and enforcement under Sections 542, 545, 546, and 646 of the Act). of the MD of Bighorn No. 8.</p> <ul style="list-style-type: none"> Amend definition of Peace Officer under Section 2: "PEACE OFFICER" means a bylaw enforcement officer duly appointed pursuant to the Act, a special constable duly appointed pursuant to the Police Act, a member of the Royal Mounted Canadian Police, or an employee of a corporation retained by the Municipality to enforce this Bylaw. a member of Police Service, or a Peace Officer appointed pursuant to the Peace Officer Act.
22	2		Commercial	<ul style="list-style-type: none"> Define commercial – relates to the DMF ARP and the need to define traditional retail/street oriented commercial as opposed to hotel (visitor accommodation). 	<ul style="list-style-type: none"> Add definition for Commercial to Section 2: "Commercial" means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises.
23	4.14, 42.13, 42.14	70, 210, 211	Livestock	<ul style="list-style-type: none"> Consolidate Bylaw 09-Z/20 - livestock LUB updates 	<ul style="list-style-type: none"> Consolidate livestock LUB updates under previously approved Bylaw 09-Z/20.
24	5.2, 41.3.3 c)	81, 195	Setbacks from Steep Slopes	<ul style="list-style-type: none"> Clarify that the variance under Section 5.2 is based on an engineering report/technical analysis which recommends site specific setback distances and does not fall within the 20% variance power of MPC or the DO ((S. 41.3.2 b) and 41.3.3 c)) 	<ul style="list-style-type: none"> Add wording to 5.2 Development Setbacks from Steep Slopes: 5.2.2. A reduced setback may be considered when the Development Authority is satisfied by the submission of a Geotechnical Report prepared and stamped by a professional engineer that a lesser setback is warranted. As the reduced setback is based on the recommendation of a Geotechnical Report approved by a professional engineer, the reduced setback is not subject to the maximum development standards percentages referred to in Section 41.3.2 b) and 41.3.3 c).

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25	3.18 & applicable Land Use Districts, 2	52	Rooftop Deck	<ul style="list-style-type: none"> 3.18.3 requires that any proposed buildings with a rooftop deck be considered a Discretionary Use in <u>all</u> Districts. There has been some concern from legal on the ability to make a permitted use discretionary and the subsequent appeal process. Therefore, it is proposed that 3.18.3 be removed and instead, Rooftop Deck is added as a use, and listed in the appropriate land use districts. Current definition: <i>“DECK, ROOFTOP” means a raised surface on which people can stand, that is located on top of a roof of a building, but does not project beyond any façade of the storey below; is surrounded by guard rails, parapet walls, or similar feature; and is intended for use as an amenity space.</i> 	<ul style="list-style-type: none"> Remove 3.18.3: 3.18.1. Rooftop Decks in Hamlet Districts, may be required to have a Step back from any building façade, to the discretion and satisfaction of the Development Authority, and in no case shall the deck be less than 2.5 m (3.2 ft) from any property line. 3.18.2. Rooftop Decks may require privacy screening to the satisfaction of the Development Authority. 3.18.3. Any proposed buildings with a Rooftop Deck will be considered a Discretionary Use in all districts. Add Deck, Rooftop as a discretionary use to the below districts: <ul style="list-style-type: none"> Forestry District Agriculture Conservation District Small Holdings District Country Residential District – Ghost River Country Residential District – Scott Lake Hamlet Residential District Hamlet Residential District – Benchlands Hamlet Serviced Residential District Hamlet Commercial District Dead Man’s Flats Commercial Mixed Use District Highway Commercial District – Scott Lake Highway Commercial District – Harvie Heights Highway Commercial District – Dead Man’s Flats
26	14.6, 4.16	72, 110	Visitor Accommodation Suites in conjunction with Home	<ul style="list-style-type: none"> Section 14.6.1. states that Visitor Accommodation Suites be subject to Section 4.16 of Studio and Secondary Suite regulations. 4.16.10 states that Secondary and Studio Suites shall not be permitted in conjunction with a Major or Minor Home 	<ul style="list-style-type: none"> Add Section 14.6.13 and re-number all sections afterwards accordingly: 14.6.13 Visitor Accommodation Suites shall not be permitted in conjunction with a Major or Minor Home-Based Business, unless otherwise approved in accordance with S. 4.16.10 of the Land Use Bylaw.

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			Based Businesses	Based Business unless certain criteria are met. As 14.6.1 states that Visitor Accommodation Suites must meet Section 4.16, then they also are not permitted in conjunction with a Major or Minor HBB. To ensure that this is not overlooked, it is proposed that a new S.14.6.13 be added to address that both uses are not permitted together unless the stated criteria are met.	
27	8	89	Studio Suite	<ul style="list-style-type: none"> • Add Studio Suite as a Discretionary Use to the AC District. The AC district currently allows Secondary Suites but not Studio Suites. • Note that parcels over 32ha allow 2 single detached dwellings and 1 secondary suite whereas parcels less than 32 ha allow 1 SDD and 1 secondary suite. It is proposed that Studio Suite only be added to parcels less than 32ha to ensure that these are not an option for parcels containing two single detached dwellings. • Amend Section 8.5.1 to limit parcels to either having one Secondary Suite or one Studio Suite, not both. 	<ul style="list-style-type: none"> • Add Studio Suite as a Discretionary Use to Section 8.3: 8.3 Discretionary Uses Studio Suite (on parcels less than 32 ha, (79.1 ac.) • Add wording to Section 8.5.1 table: Density Parcels less than 32.0 ha Maximum 1 Single Detached Dwelling and 1 Secondary Suite or Studio Suite
28	9			<ul style="list-style-type: none"> • Add Studio Suite as a Discretionary Use to the SH District. The SH District currently allows Secondary Suites but not Studio Suites. 	<ul style="list-style-type: none"> • Add Studio Suite as a Discretionary Use to Section 9.3: Studio Suite • Add wording to Section 9.5.1 table: Density: Secondary and Studio Suites Maximum 1 Dwelling Unit
29	42.23.2	215	Notice of Decision and	<ul style="list-style-type: none"> • Clarify the appeal periods under 42.23.3 	<ul style="list-style-type: none"> • Add wording to 42.23.3: 42.23.2. When an application for a Development Permit is approved for a Discretionary Use, or for a

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			Issuance of Permits		<p>Permitted Use for which a variance has been granted, the Development Authority shall:</p> <p>a) provide notice in writing to the Applicant or land owner of the approval;</p> <p>b) publish a notice of the decision in a local newspaper circulating in the municipality stating the legal description of the property in which the development is being considered and describing the development, including any variances being considered;</p> <p>c) state the procedure for any appeal and the date the appeal period expires. Pursuant to Section 686 of the MGA, the appeal period for any affected party is 21 days from the date of the newspaper advertisement, and for the applicant, 21 days from receipt of the Notice of Decision; and</p> <p>d) issue a Development Permit after the appeal period has expired.</p>
30	4.16.3	72	Studio Suite Height	<ul style="list-style-type: none"> The wording is currently confusing regarding Studio Suite height. 4.16.3 states that “Notwithstanding anything else in this Bylaw, a Studio Suite may be permitted in the second storey of an accessory building where the accessory building does not exceed 8.0 m (26.2 ft) in height above grade.” The R1-S District states that the maximum accessory building height is 5.5m. 	<ul style="list-style-type: none"> Add wording to Section 4.16.3: 4.16.3 Notwithstanding anything else in this Bylaw, a Studio Suite may be permitted in the second storey of an accessory building. where The accessory building containing the studio suite shall does not exceed 8.0 m (26.2 ft) in height above grade.
31	2		Definitions for Industrial and Quarry	<ul style="list-style-type: none"> Add definitions for ‘Industrial’ and ‘Quarry’ This is in relation to Section 12.2.1 of the MDP: “The management, handling or disposal of waste produced off-site, including but not limited to municipal solid waste, biosolids, 	<ul style="list-style-type: none"> Add definitions for Industrial and Quarry to Section 2: “Quarry” means a place, typically a large, deep pit, from which stone or other materials are or have been extracted. If a quarry is not utilized for aggregate extraction/natural resource extraction under an active development permit issued by the MD of Bighorn, it is considered to be a brownfield site.

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				agricultural and industrial waste, shall be prohibited in industrial and quarry sites.”	“Industrial” means development used for manufacturing, processing, fabricating, packaging, servicing, testing, storing, assembly, and/or distribution of finished or partially finished products from raw materials.
32	3.12.3	42	Fire Prevention and Emergency Access - Lock Boxes	<ul style="list-style-type: none"> Address the requirement for lock boxes for commercial, industrial, and multi-residential districts in accordance with MD’s Bylaw 14/20 (Fire Services Bylaw) and the Alberta Fire Code. Add a new 3.12.3 e) to address lock boxes 	<ul style="list-style-type: none"> Add 3.12.3 e) 3.12.3 e) The inclusion of lock boxes in accordance with the MD of Bighorn Fires Services Bylaw and the Alberta Fire Code.
33	3.15.10	49	Barrier Free Parking	<ul style="list-style-type: none"> Clarify Barrier Free parking options in accordance with the National Building Code (i.e. barrier free stalls sharing an access aisle). An amendment is proposed to Section 3.15.10 a) to allow barrier free parking dimensions which meet the National Building Code. 	<ul style="list-style-type: none"> Amend 3.15.10 a): 3.15.10 Barrier Free Parking stalls shall be: <ol style="list-style-type: none"> 4.0 m (13.1 ft) in width, or as required by the National Building Code – 2019 Alberta Edition; clearly demarcated and appropriately signed; located as close as possible to building entrances, elevators and ramps designed for ease of accessibility; and designed that the users are not required to pass behind parked cars to access building entrances.
34	Varies		National Building Code	<ul style="list-style-type: none"> Find and replace Alberta Building Code with National Building Code – 2019 Alberta Edition 	<ul style="list-style-type: none"> Replace ‘Alberta Building Code’ with ‘National Building Code – 2019 Alberta Edition’
35	3, 42.2.1	57, 198	Development Permits not Required	<ul style="list-style-type: none"> Currently, a Development Permit is required for a hot tub or pool. Wording has been proposed which defines hot tubs, provides regulations, and exempts hot tubs from obtaining a DP as long as the Development Officer approves the site plan to confirm setbacks. The pool or hot tub will still require a Building Permit in 	<ul style="list-style-type: none"> Add Definition to Section 2 for Swimming Pool/Hot Tub “Swimming Pool/Hot Tub” means a structure, basin or tank containing an artificially created pool of water that is used for swimming, recreation, bathing, or wading. Add to General Regulations – Section 3: 3.27 Swimming Pools/Hot Tubs

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				accordance with the National Building Code – 2019 Alberta Edition.	<p>3.27.1 A Swimming Pool/Hot tub is subject to the setback requirements for an accessory building for the District in which it is located and shall be secured against entry by the public other than owners, tenants or their guests in accordance with the National Building Code – 2019 Alberta Edition.</p> <ul style="list-style-type: none"> Amend 42. o) the construction of structures under the height of 0.6 m (2.0 ft) including patios and decks., but not including hot tubs and swimming pools; Add to 42.2.1 zz) The construction of a Swimming Pool/Hot Tub when it complies with all other provisions of this bylaw and the Site Plan is approved by a Development Officer.
36	2, 3.6	15, 37	Define Approach vs Laneway	<ul style="list-style-type: none"> There has been some confusion regarding driveway approaches from laneways as it relates to the maximum widths illustrated in Figure 12 (i.e. a Studio Suite with rear lane access). Recommended that the definition of Driveway Approach be modified. 	<ul style="list-style-type: none"> Add wording to Driveway Approach definition under Section 2: “DRIVEWAY APPROACH” means the connection located within a municipal road allowance the land shown as a road on a plan of survey that has been filed or registered in a land titles office between the carriageway of a developed roadway and an adjoining existing private property or a new private property being created through Subdivision.
37	Land Use Maps update	N/A	Land Use Maps Update	<ul style="list-style-type: none"> Consolidate approved redistricting applications into Rural Land Use Map and Hamlet Land Use Maps Add legal land base to Hamlet of Dead Man’s Flats map 	
38		3	Restrictive Covenants	<ul style="list-style-type: none"> The LUB currently does not provide direction on Restrictive Covenants. It is recommended that wording be added to clarify the enforcement of restrictive covenants. 	<ul style="list-style-type: none"> Add Section 1.5.2 under ‘Compliance with Other Legislation:’ 1.5.2 The Development Authority does not enforce Restrictive Covenants that attempt to regulate land use and to which it is not a party. The enforcement of such a Restrictive Covenant would be a matter

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					between landowners and the standing of the Restrictive Covenant would be determined through the legal system.
39	2	26, 207	Retreats	<ul style="list-style-type: none"> The current definition for retreat is unclear on whether the retreat can contain multiple buildings. There are currently retreats in operation which contain multiple buildings. It is recommended that the definition be amended to clarify this. There are currently no application requirements for retreats. It is suggested that these be included with the Country Recreational Centre and Lodge requirements in Section 42.8. 	<ul style="list-style-type: none"> Add wording to Section 2 – Retreat Definition: “RETREAT” means a building, group of buildings, or land used by small groups for study, relaxation, meditation, and similar activities and may include Visitor Accommodation, eating facilities, and accessory facilities. “Country Recreational Centre” and “Country Recreational Lodge” are not included in this category. Add wording to Section 42.8: 42.8 Application for Country Recreational Lodge and Centre, Retreat, and Recreational Uses
40	42.13	210	Keeping of Livestock	<ul style="list-style-type: none"> Council passed Bylaw 09-Z/20 which were clarifications regarding applications for keeping of livestock within the MD. Since the amendment, there has been some confusion as to the application requirements for livestock other than horses and llamas on parcels less than 18ha. The proposed amendments aim to clarify this. 	<ul style="list-style-type: none"> Amendments to Section 42.13: 42.13. Application for Keeping of Livestock (Horses and Llamas) 42.13.1. In addition to the general Development Permit application requirements the Applicant shall provide: <ol style="list-style-type: none"> a description specifying the number and type of horses or llamas livestock, and the expected length of stay of the animals during a typical year; the submission of a feeding, pasture and manure management plan; a description of how surface water run-off will be contained on the site using berms, ditches or other means; a statement indicating the number of horses or llamas the Applicant believes to be currently kept in the Hamlet of Benchlands; a written comment from the municipality’s Environmental Fieldman approving the number of proposed horses and/or llamas livestock, and the proposed management plan;

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					<p>e) Identification of the grass and forage species in the proposed pasture; and</p> <p>f) f) a site plan of the property illustrating:</p> <p>i) where the animals would be kept, including the location of any animal paddocks and other livestock structures.</p> <p>ii) the general contours of the land at approximately 1.5 m (4.9 ft) intervals to indicate drainage patterns and any areas that may not be suitable for grazing or containment due to steep slopes;</p> <p>iii) proposed manure storage areas and bedding sites;</p> <p>iv) Livestock watering resources;</p> <p>iv) v) v) water wells and septic fields on the subject and adjacent properties; and</p> <p>vi) Distance to neighboring residences</p> <p>vii) Identification of all water bodies on the property and distance of these water bodies to where livestock will be kept and/or grazed;</p> <p>ix) if required, any proposed berms or ditches to control run-off.</p> <ul style="list-style-type: none"> • Add 42.13.2: For Livestock (horses and llamas) applications within the Hamlet of Benchlands, in addition to the above requirements, the applicant must also submit a statement indicating the number of horses or llamas the Applicant believes to be currently kept in the Hamlet of Benchlands.