

BYLAW NO. 21-61-458

**COUNTY OF NORTHERN LIGHTS
PROVINCE OF ALBERTA**

**BEING A BYLAW FOR THE PURPOSE OF AMENDING THE COUNTY
OF NORTHERN LIGHTS LAND USE BYLAW NO. 12-61-290**

WHEREAS the Council of the County of Northern Lights, Province of Alberta, has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000 as amended to amend the Land Use Bylaw; and

WHEREAS the Council of the County of Northern Lights deems it desirable to amend Land Use Bylaw No. 12-61-290; now

THEREFORE the Council of the County of Northern Lights, duly assembled, hereby enacts the following:

- (1) **THAT the following new definitions be added to Section B Definitions, in alphabetical order:**

***“CHICKEN COOP”** means a structure where chickens are kept safe and secure.*

***“HAMLET CHICKENS”** means the keeping of up to 10 chickens (no roosters), in a secured Chicken Coop in the Hamlet of Dixonville.*

***“SOLAR PANELS (GROUND MOUNT)”** means a ground-mounted solar installation that converts light into energy, which is set upon the ground and may be intended for onsite use or scaled up for industrial purposes.*

***“SOLAR PANELS (ROOF MOUNT)”** means a roof-mounted solar installation that converts light into energy, intended for onsite use.*

***“SOLAR PANELS (WALL MOUNT)”** means a wall-mounted solar installation that converts light into energy, intended for onsite use.*

- (2) **THAT the following amended definitions replace the current definitions with the same title in Section B Definitions:**

***“ACCESSORY BUILDING OR USE”** means a building or use which, in the opinion of the Development Authority, is subordinate to, exclusively devoted to, and located on the same site as the principle building or use.*

***“MINOR AGRICULTURAL PURSUIT”** means the non-commercial rearing of a small number of livestock on a country residential parcel.*

- (3) **THAT the following definition be deleted from Section B Definitions:**

***“SOLAR COLLECTOR”** means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.*

- (4) **THAT Section D2(n) be amended to read as follows:**

- (n) A Solar Collector Panel (Ground Mount) that is smaller than 56 m² (602.8 ft²) in Agricultural and Industrial Districts and smaller than 28 m² (301.4 ft²) in all other Districts, provided that all setbacks and height regulations for the required land use district are met and is developed in accordance with Section I30.

- (5) **THAT the following regulation be added to Section D2:**

- (q) A Solar Panel (Roof Mount) that is in compliance with the Alberta Building Code and Section I30.

(6) THAT Section I7 be amended to read as follows:

I7 DWELLING UNITS PER LOT

I7.1 No person in the County shall construct or cause to be constructed more than one dwelling unit per lot.

I7.2 Section I7.1 does not apply to:

- (a) Duplexes;*
- (b) Semi-Detached Dwellings;*
- (c) Garage Suites;*
- (d) Garden Suites;*
- (e) Row Housing;*
- (f) Secondary Suites;*
- (g) dwellings that are located within an approved Manufactured Home Park;*
- (h) a second or additional dwelling on an agricultural lot over 32.4 ha (80 ac) in size.*

I7.3 Notwithstanding I7.2(d) and (h), a Manufactured Home can be considered a Garden Suite on parcels larger than 2 ha (5ac) subject to I10.4, I10.9 and I17.4.

(7) THAT Section I10.4 and I10.9 be amended to read as follows:

I10.4 The minimum distance between a detached Garage containing a Garage Suite, and a Garden Suite and a Single Detached Dwelling or Manufactured Home on the same Site, shall be 5 m.

I10.9 A Garage Suite or Garden Suite shall not be subject to separation from a Single Detached Dwelling or Manufactured Home through a condominium conversion or subdivision.

(8) THAT the following regulation be added to Section I17:

I17.4 A Manufactured Home can be considered a Garden Suite on A, AR and CR1 parcels larger than 2 ha (5ac).

(9) THAT the following regulation be deleted from Section I General Regulations:

I30 SOLAR COLLECTORS

I30.1 A solar collector may be located on the roof or wall of a building or structure.

I30.2 A solar collector mounted on a roof must not extend beyond the outermost edge of the roof.

I30.3 A solar collector located within a yard must be provided in accordance with the applicable District, or as required by the Development Authority.

I30.4 A Solar Collector must be constructed to ensure no nuisance effects, such as light reflection or noise, extend beyond the site. (Bylaw 16-61-352)

(10) THAT the following regulations be added to Section I General Regulations:

I30 SOLAR PANELS

I30.1 Solar Panels (Ground Mount)

- a) Solar Panels (Ground Mount) shall not be located in the front yard or side yard of a parcel smaller than 1.2 ha,*
- b) Installations of Solar Panels (Ground Mount) larger than 5MW (approximately 8 hectares (19.8 ac.) in size) shall be circulated to adjacent landowners and require Alberta Utilities Commission (AUC) approval,*
- c) A Development Permit is not required for Solar Panels (Ground Mount) provided they are smaller than 56 m² (602.8 ft²) in Agricultural and Industrial Districts and smaller than 28 m² (301.4 ft²) in all other Districts, so long as they comply with the above requirements and all setbacks and height regulations for the required land use district, and*
- d) A Development Permit is required for Solar Panels (Ground Mount) that are larger than 56 m² (602.8 ft²) in Agricultural and Industrial Districts and larger than 28 m² (301.4 ft²) in all other Districts, and a Development Permit application will respond to the above noted requirements and all setbacks and height regulations for the required land use district.*

I30.2 Solar Panels (Roof Mount)

- a) *May project a maximum of 1.3 m from the surface of the roof without exceeding the maximum height requirements of the applicable District,*
- b) *Shall not extend beyond the outermost edge of the roof, and*
- c) *A Development Permit is not required for Solar Panels (Roof Mount) so long as they comply with the above requirements.*

I30.3 Solar Panels (Wall Mount)

- a) *May project a maximum of 1.8 m from the surface of the wall, when the wall faces the front or rear property line, subject to the setback requirements of the applicable District,*
- b) *May project a maximum of 0.6 m from the surface of the wall when the wall faces the side property line, subject to the setback requirements of the applicable District,*
- c) *Shall be located a minimum of 2.4 m above grade, and*
- d) *A Development Permit application will respond to the above noted Requirements.*

I30.4 Any variances to the above regulations shall result in the interpretation of the Solar Panels as a Discretionary Use in the applicable District.

I39 DEMOLITION OR REMOVAL OF A BUILDING

I39.1 The demolition or removal of a building is allowed in all Land Use Districts,

I39.2 Prior to the demolition or removal of a building, a Development Permit must be approved by the Development Authority.

I39.3 Notwithstanding I39.2, a Development Permit is not required where:

- (a) The demolition or removal of a building is a result of a development for which a Development Permit has already been approved and issued, and/or*
- (b) The building that is being demolished or removed does not require a Development Permit as noted in Section D2 'When Development Permits are Not Required', and*

I39.4 A Building Permit shall be required, per the Safety Codes Act, for the demolition or removal of any building.

(11) THAT the following Discretionary Use be deleted in Land Use Districts K1 – K13:

Solar Panels greater than 9.29 m² (100 ft²) in area

(12) THAT the following Discretionary Use be added to Land Use Districts K1 – K2 and K9 – K10:

Solar Panels (Ground Mount) greater than 56 m² (602.8 ft²) in area

(13) THAT the following Discretionary Use be added to Land Use Districts K1 – K2:

Semi-Detached Dwelling

(14) THAT the following Discretionary Use be added to Land Use Districts K3 – K6, K8 and K11 – K13:

Solar Panels (Ground Mount) greater than 28 m² (301.4 ft²) in area

(15) THAT the following Discretionary Use be added to Land Use Districts K1 – K6, K8 and K11 – K13:

Solar Panels (Wall Mount)

(16) THAT the following Permitted Use be added to Land Use Districts K9 – K10:

Solar Panels (Wall Mount)

(17) THAT the following Discretionary Use be added to Land Use District K7 Hamlet (H) District:

Hamlet Chickens (Dixonville)

(18) THAT the following regulation be added to Land Use District K7 Hamlet (H) District:

K7.3 Additional Requirements: Hamlet Chickens

- a) *Hamlet Chickens are a Discretionary Use within the Hamlet of Dixonville only.*
- b) *Up to 10 Chickens are permitted.*
- c) *Notwithstanding b), Roosters are not allowed.*
- d) *Chickens must always be kept within an enclosed Chicken Coop.*
- e) *Hamlet Chickens are restricted to the Rear Yard of Single Detached or Semi-Detached Dwellings only.*
- f) *A Chicken Coop shall follow the height limitation, side and rear yard setbacks as a standard Accessory Building.*
- g) *A Development Permit application will respond to the above noted regulations and:*
 - i. *Applicants must register online at the Government of Alberta Identification website to receive their unique Premises Identification (PID) number as a condition of their Development Permit application.*
 - h) *The maximum term of a Development Permit issued is one (1) year, shall be reviewed on an annual basis, and may be renewed.*
 - i) *An application for a renewal of a Development Permit for a Hamlet Chicken use shall take into consideration a review of complaints or comments from adjacent landowners.*

(19) THAT this bylaw shall come into effect upon the date of the final passage thereof.

READ for a First time this 13th day of July 2021.



Chief Elected Official



Chief Administrative Officer

READ for a Second time this 10th day of August 2021.

READ for a Third and Final time this 10th day of August 2021.



Chief Elected Official



Chief Administrative Officer