

BYLAW NO. 1205-20
BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA

TO AMEND THE
MACKENZIE COUNTY LAND USE BYLAW
TO ADD A ZONING OVERLAY TO REGULATE DEVELOPMENT IN THE AREA
SURROUNDING MACKENZIE COUNTY AIRPORTS

WHEREAS, Mackenzie County has a Municipal Development Plan adopted in 2009, and

WHEREAS, Mackenzie County has adopted the Mackenzie County Land Use Bylaw in 2017, and

WHEREAS, the Council of Mackenzie County, in the Province of Alberta, has deemed it desirable to amend the Mackenzie County Land Use Bylaw to add a Zoning Overlay for the Area Surrounding the Mackenzie County Airports;

NOW THEREFORE, THE COUNCIL OF MACKENZIE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. That Mackenzie County Land Use Bylaw Section 8 General Regulations be amended with the following addition:

8.70 Zoning Overlay for the Fort Vermilion (Wop May Memorial) Airport Vicinity and the La Crete Airport Vicinity.

8.70.1 This Overlay applies to those lands in the vicinity of the Fort Vermilion (Wop May Memorial) and La Crete airports, as shown in Figures 28 and 29.

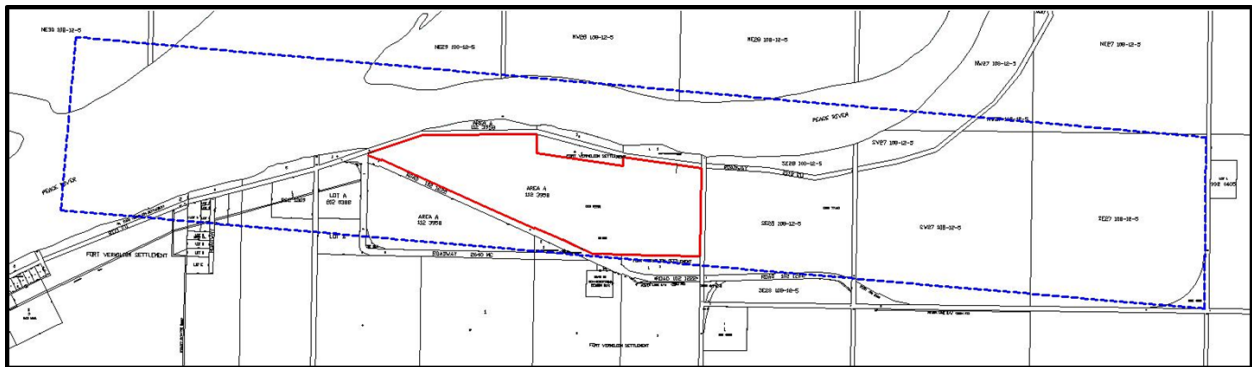


Figure 28. Fort Vermilion (Wop May Memorial) Airport Vicinity

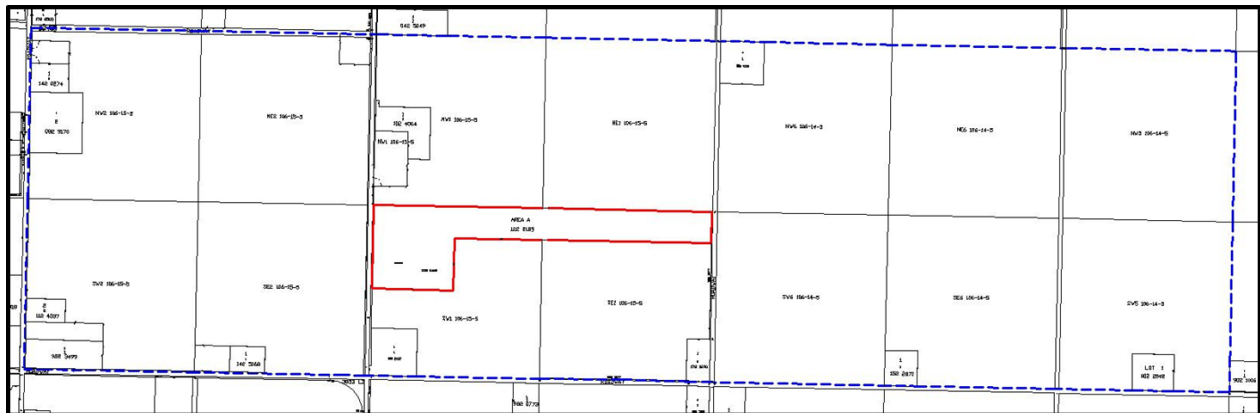


Figure 29. La Crete Airport Vicinity

8.70.2 Those PERMITTED and DISCRETIONARY uses outlined in the specific land use district apply to the subjects lands. However, if those land uses create conflicts such that they may attract birds, create electrical disturbances, create dust or smoke, or are in any other way deemed to be incompatible with the safe operations of the subject airport, they may be REFUSED.

8.70.3 Notwithstanding Section 5.2 of this BYLAW, no DEVELOPMENT may take place unless a DEVELOPMENT PERMIT has been issued, with exception of the following:

- a. The carrying out of works of maintenance or repair to any existing building if those works do not include structural alterations or major works of renovation;
- b. A building referred to in this subsection that is used for the purposes for which construction was commenced;
- c. The erection or construction of gates, fences, walls, or other means of enclosure less than 1.8 metres in height;
- d. A temporary building, the sole purpose of which is incidental to the erection of a building for which a PERMIT has been issued under the provisions of this BYLAW;
- e. The maintenance and repair of public works, services, and utilities carried out or on behalf of federal, provincial, or municipal public authorities and land, which is publically owned or controlled.

8.70.4 Approval of a DEVELOPMENT shall be at the discretion of the DEVELOPMENT AUTHORITY. The impact of the proposed DEVELOPMENT on the operations of the airport, and the impact of the airport operations on the proposed DEVELOPMENT shall be the primary

consideration of the DEVELOPMENT AUTHORITY.

8.70.6 The DEVELOPMENT AUTHORITY shall review all DEVELOPMENT PERMIT APPLICATIONS for their potential to attract birds or create dust, smoke, or electronic interference with aviation related installations and determine if the impacts are significant and should preclude the APPROVAL of the DEVELOPMENT.

8.70.7 In addition to Section 5.5 of this BYLAW, the DEVELOPMENT AUTHORITY may provide additional conditions of approval to any DEVELOPMENT PERMIT for any location within the AIRPORT VICINITY, including but not limited to;

- a. The maximum height for any object, structure, or natural object shall be in accordance with the most current Airport Vicinity Protection Area (AVPA) bylaw;
- b. That a caveat be registered on title with respect to maintaining tree heights at an acceptable level;
- c. Any other conditions which are similarly designed to ensure nothing on the land interferes with airport safety or operations.

8.70.8 The DEVELOPMENT AUTHORITY reserves the right to REFUSE any DEVELOPMENT which may be particularly sensitive to noise.

2. That Mackenzie County Land Use Bylaw Section 9.1 Agricultural (A) Additional Regulations be amended with the following addition:

9.1.12 In addition, Section 8.70 of this BYLAW relates to any properties within the vicinity of the Fort Vermilion (Wop May Memorial) Airport or La Crete airport.

READ a first time this 25th day of November, 2020.

Public Hearing held this 27th day of January, 2021.

READ a second time this 27th day of January, 2021.

READ a third time and finally passed this 09th day of February, 2021.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Lenard Racher
Chief Administrative Officer

