

LAND USE BYLAW



*Prepared by the County of Stettler No. 6 Council and Planning and Development Services
Bylaw No. 1443-10 adopted March 9, 2011*

Office Consolidation current as of March 13, 2024

County of Stettler No. 6 LAND USE BYLAW No. 1443-10, as amended

Amending Bylaws:

Bylaw 1481-12 adopted June 12, 2013

Bylaw 1519-14 adopted July 23, 2014

Bylaw 1560-16 as adopted July 13, 2016

Bylaw 1533-14 adopted August 10, 2016

Bylaws 1559-16, 1567-16, 1569-16 and 1571-16 as adopted September 14, 2016

Bylaw 1590-18 as adopted March 14, 2018

Bylaw 1597-18 as adopted September 12, 2018

Bylaw 1602-18 as adopted November 13, 2018

Bylaw 1611-19 as adopted November 6, 2019

Bylaw 1624-19 as adopted December 11, 2019

Bylaw 1631-20 as adopted April 22, 2020

Bylaw 1634-20 as adopted May 13, 2020

Bylaw 1644-20 as adopted December 9, 2020

Bylaw 1654-21 as adopted March 10, 2021

Bylaw 1656-21 as adopted May 12, 2021

Bylaw 1657-21 as adopted May 12, 2021

Bylaw 1658-21 as adopted May 12, 2021

Bylaw 1659-21 as adopted May 12, 2021

Bylaw 1661-21 as adopted June 9, 2021

Bylaw 1664-21 as adopted September 8, 2021

Bylaw 1665-21 as adopted September 8, 2021

Bylaw 1670-21 as adopted January 12, 2022

Bylaw 1677-22 as adopted May 11, 2022

Bylaw 1693-23 as adopted May 10, 2023

Bylaw 1694-23 as adopted May 10, 2023

Bylaw 1699-23 as adopted July 12, 2023

Bylaw 1705-23 as adopted August 9, 2023

Bylaw 1707-23 as adopted September 13, 2023

Bylaw 1709-23 as adopted November 15, 2023

Bylaw 1712-23 as adopted January 10, 2024

Bylaw 1719-24 as adopted March 13, 2024

Bylaw 1720-24 as adopted March 13, 2024

TABLE OF CONTENTS

To facilitate convenient updating of this document, page numbering is being omitted. Please search by Section numbers. The content of Part Six has been arranged alphabetically by heading.

PART ONE: INTRODUCTION

- 1 SHORT TITLE
- 2 EFFECTIVE DATE
- 3 PURPOSE
- 4 APPLICATION OF THIS BYLAW
- 5 OTHER LEGISLATIVE REQUIREMENTS
- 6 UNITS OF MEASUREMENT
- 7 RULES OF INTERPRETATION
- 8 LAND USE AND BUILDING DEFINITIONS
- 9 INTERPRETIVE DEFINITIONS

PART TWO: PLANNING AUTHORITIES

- 10 DEVELOPMENT AUTHORITY
- 11 DEVELOPMENT OFFICER
- 12 MUNICIPAL PLANNING COMMISSION
- 13 SUBDIVISION AUTHORITY
- 14 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

PART THREE: DEVELOPMENT PERMITS

- 15 CONTROL OF DEVELOPMENT
- 16 DEVELOPMENT DEEMED APPROVED
- 17 DEVELOPMENT PERMIT APPLICATION - PLANS AND INFORMATION REQUIRED
- 18 DEMOLITION OF EXISTING DEVELOPMENT
- 19 FEES
- 20 RIGHT OF ENTRY
- 21 REFERRAL OF DEVELOPMENT PERMIT APPLICATIONS
- 22 DECISION ON DEVELOPMENT PERMIT APPLICATIONS
- 23 VARIANCE AUTHORITY
- 24 DEVELOPMENT PERMIT CONDITIONS
- 25 TEMPORARY DEVELOPMENT PERMITS
- 26 NON-CONFORMING BUILDINGS AND USES
- 27 NOTIFICATION OF DECISION
- 28 APPLICATION DEEMED REFUSED
- 29 SUBSEQUENT APPLICATIONS
- 30 COMPLIANCE WITH DEVELOPMENT PERMIT CONDITIONS
- 31 VALIDITY OF A DEVELOPMENT PERMIT
- 32 SUSPENSION OR REVOCATION OF A DEVELOPMENT PERMIT
- 33 RIGHT OF APPEAL
- 34 THE APPEAL PROCESS

PART FOUR: PROCEDURE FOR BYLAW AMENDMENTS

- 35 APPLICATION TO AMEND THE LAND USE BYLAW

PART FIVE: BYLAW ENFORCEMENT

- 36 CONTRAVENTION
- 37 STOP ORDER AND ORDERS OF COMPLIANCE
- 38 PENALTIES AND FINES

PART SIX: GENERAL LAND USE REGULATIONS

- 39 APPLICABILITY
- 40 ACCESS TO A PARCEL OF LAND
- 41 AGRICULTURE PREVAILS IN THE AGRICULTURAL DISTRICT
- 42 AIRPORT VICINITY OVERLAY DISTRICT
- 43 ANCILLARY BUILDING AND FARM BUILDING
- 44 ATTACHING A DWELLING UNIT TO AN ANCILLARY BUILDING OR A FARM BUILDING
- 45 BED AND BREAKFAST ESTABLISHMENT AND GUEST RANCH
- 46 BOARDING HOUSE
- 47 BUILDING PERMIT MUST BE CONSISTENT WITH DEVELOPMENT PERMIT
- 48 CANNABIS RETAIL SALES AND CANNABIS PRODUCTION
- 49 CANVAS COVERED STRUCTURE
- 50 CHANGE OF USE OR INTENSITY OF USE
- 51 COMMERCIAL AND INDUSTRIAL DESIGN GUIDELINES
- 52 COMMUNICATION ANTENNA AND STRUCTURE
- 53 COMPLIANCE WITH OTHER LEGISLATION
- 54 CONCERT SITE (SPECIAL EVENT)
- 55 CONTRACTOR'S BUSINESS – HOME BASED OR NOT HOME BASED
- 56 DECK
- 57 DEMOLITION OF BUILDINGS AND STRUCTURES
- 58 DEVELOPMENT SETBACKS, BUFFERING AND COMPATIBLE DEVELOPMENT
- 59 EASEMENTS
- 60 EXCAVATION, GRADING, ALTERING OVERLAND DRAINAGE AND WETLANDS, SURFACE MINERAL EXTRACTION, CONSTRUCTION SITE PREPARATION AND REMOVAL OF TOPSOIL
- 61 FENCING
- 62 GARDEN SUITE
- 63 HOME BUSINESS
- 64 KENNEL
- 65 LAND RECLAMATION
- 66 LANDSCAPING
- 67 MANUFACTURED HOME
- 68 MOVED-IN / RELOCATED BUILDING
- 69 NUMBER OF DWELLING UNITS ON A PARCEL OF LAND
- 70 NUMBER OF PRINCIPAL AND ANCILLARY BUILDINGS AND USES ON A PARCEL OF LAND
- 71 OBJECTS PROHIBITED OR RESTRICTED IN YARDS
- 72 OUTDOOR LIGHTING
- 73 PARKING AND LOADING STANDARDS
- 74 PERMITTED ENCROACHMENTS
- 75 RECREATIONAL VEHICLE STORAGE
- 76 RECREATIONAL VEHICLE AS A DWELLING UNIT ON A PARCEL OF LAND THAT IS NOT A RECREATIONAL VEHICLE PARK OR A CAMPGROUND
- 77 RECREATIONAL VEHICLE PARK AND/OR CAMPGROUND

- 78 SALVAGE AND RECYCLING FACILITY
- 79 SATELLITE DISH ANTENNA
- 80 SCREENING, BUFFERING
- 81 SEA-CAN
- 82 SECONDARY SUITE
- 83 SECURITY/OPERATOR DWELLING UNIT
- 84 SIGNS AND ADVERTISING
- 85 SITE DESIGN, BUILDING DESIGN, CHARACTER AND APPEARANCE
- 86 TEMPORARY BUILDINGS, STRUCTURES AND USES
- 87 TRADING IN MOTOR VEHICLES
- 88 WORK CAMP

PART SEVEN: LAND USE DISTRICTS AND REGULATIONS

- 89 ESTABLISHMENT OF LAND USE DISTRICTS
- 90 BOUNDARIES OF LAND USE DISTRICTS
- 91 APPLICATION OF DISTRICTS AND DISTRICT REGULATIONS
- 92 AGRICULTURAL DISTRICT (A)
- 93 AIRPORT DISTRICT (AD)
- 94 COMMERCIAL DISTRICT (C)
- 95 COUNTRY RESIDENCE DISTRICT (CR)
- 96 COUNTRY RESIDENCE AGRICULTURAL DISTRICT (CR-A)
- 97 COUNTRY RESIDENCE EQUESTRIAN DISTRICT (CR-E)
- 98 COUNTRY RESIDENCE RECREATIONAL DISTRICT (CRR)
- 99 COUNTRY RESIDENCE – SMALL LOT DISTRICT (CR-SL)
- 100 HAMLET COMMERCIAL DISTRICT (HC)
- 101 HAMLET INDUSTRIAL DISTRICT (HI)
- 102 HAMLET RESIDENTIAL DISTRICT (HR)
- 103 HIGHWAY COMMERCIAL DISTRICT (HWY-C)
- 104 HIGHWAY MIXED USE DISTRICT (HWY-MU)
- 105 INDUSTRIAL DISTRICT (IND)
- 106 MANUFACTURED HOME PARK DISTRICT (MHP)
- 107 PUBLIC SERVICES DISTRICT (PS)
- 108 RECREATIONAL FACILITY DISTRICT (RF)
- 109 RESORT RESIDENTIAL DISTRICT (RR)
- 110 RESORT RESIDENTIAL - COMMUNALLY SERVICED DISTRICT (RR-CS)
- 111 RESORT RESIDENTIAL - RECREATIONAL DISTRICT (RR-REC)
- 112 DIRECT CONTROL - SAND, GRAVEL AND SURFACE MINERAL DISTRICT (DC - SGSM)

LIST OF SCHEDULES

Schedule 'A' - Town and County of Stettler Airport Vicinity Overlay District

Schedule 'B' - Gateway Commercial and Industrial Design Guidelines

Schedule 'C' – Zoning Map and Record of Decisions Pursuant to Section 90.5

PART ONE
INTRODUCTION

1. SHORT TITLE

1.1 This Bylaw may be cited as the "County of Stettler No. 6 Land Use Bylaw".

2. EFFECTIVE DATE

2.1 This Bylaw comes into force and takes effect upon the date of its third reading.

3. PURPOSE

3.1 The purpose of this Bylaw is to regulate the use and development of land and buildings in the County of Stettler No. 6 and to establish the authorities required to exercise the related powers, functions and duties on behalf of the County, pursuant to Part 17 of the Municipal Government Act.

4. APPLICATION OF THIS BYLAW

4.1 The provisions of this Bylaw apply to all lands and buildings within the boundaries of the County, pursuant to Part 17 of the Municipal Government Act.

4.2 No person shall commence any development within the County except in compliance with this Bylaw.

5. OTHER LEGISLATIVE REQUIREMENTS

5.1 Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any statutory plan, easement, covenant, agreement or contract affecting the development.

5.2 Nothing in this Bylaw exempts a person to obtain a development permit as required by this Bylaw or to obtain any other permit, license or other authorization required by this or any other Bylaw.

5.3 In addition to the requirements of this Bylaw, a person is required to comply with all federal, provincial and other municipal legislation.

6. UNITS OF MEASUREMENT

6.1 All measurements in this Bylaw are metric. Approximate imperial measures are shown as information only.

7. RULES OF INTERPRETATION

7.1 Words, phrases, and terms not defined in this part may be given their definition in existing legislation and regulations, such as the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.

8. LAND USE AND BUILDING DEFINITIONS

8.1 In this Land Use Bylaw, unless the context requires otherwise the following land use and building definitions shall apply. Where a land use or building is not defined here, the definition shall be found in the County's Municipal Development Plan or, failing that, the general meaning of the land use or building shall apply:

"Agricultural Operation" means either an extensive or intensive primary and bona fide agricultural activity (other than a confined feeding operation) conducted on land located in the County of Stettler No. 6 and designated either in the Agricultural District or the Country Residence Agricultural District of the Land Use Bylaw and classified as farm land for property tax assessment purposes, for gain or reward or in the hope of gain or reward, and includes:

- a) a farm building,
- b) the cultivation of land including the clearing of natural vegetation for the purpose of cultivation or ranging,
- c) harvesting and haying,
- d) the raising of livestock, including game-production animals within the meaning of the Livestock Industry Diversification Act and poultry,
- e) the raising of fur-bearing animals, fowl, game birds or fish,
- f) the production of agricultural field crops,
- g) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- h) the production of eggs or milk,
- i) the production of honey,
- j) handling and cleaning of grain, seeds and feeds by one or more bona fide producers,
- k) the operation of agricultural machinery, equipment and irrigation pumps, including the handling of fuels, lubricants and parts required to do so, and
- l) the application of fertilizers, manure, insecticides, pesticides, fungicides and

herbicides, including application by ground and aerial spraying, for agricultural purposes.

An agricultural operation may include farm buildings and other structures incidental to primary farming activity as well as farm related uses, but does not include a dwelling unit, an ancillary building or a secondary farming activity. Also see the definition of 'Farm Building' and 'Farming' in Section 9.

An agricultural operation can be extensive or intensive. An extensive agricultural operation typically is a system of tillage or ranging which depends upon large areas of land for the raising of crops or animals. An intensive agricultural operation is an animal or horticultural operation of significant investment and permanence that represents a more intensive use of the land than what is typical of an extensive agricultural operation. Typical uses in an intensive agricultural operation may include, but are not limited to, a greenhouse, nursery, market garden, specialized livestock operation (excluding a confined feeding operation), a fish farm, a sod farm, bee keeping (apiary), a tree farm, horse holding area including an associated riding arena directly related and specifically devoted to the raising and breeding of horses, and fur farm. An intensive agricultural operation is also referred to as a small agricultural operation or small agricultural holding.

"Agricultural Supply Depot" means a facility for the purpose of supplying goods, products, materials, and/or services that support agricultural uses, whether retail, wholesale, or in bulk. This shall include such goods and services as the handling, storage and sale of grain, seeds and feeds by a third party who is not a bona fide producer, fertilizers, chemical products, fuels, lubricants, parts or the rental, sale, repair and servicing of agricultural machinery and equipment but does not include the processing, buying or selling of farm produce or animals, except that it does include seed and grain milling, cleaning and drying.

"Airport" means an area of land, or other supporting surface used or designed, prepared, equipped or set apart for use

either in whole or in part for the arrival and departure, movement, sale/rental, fueling or servicing of aircraft and includes any buildings (including hangars), installations and equipment in connection therewith, and for which an airport license has been issued by the Federal Ministry of Transport. It includes the sale and/or rental of aircraft but does not include an Ancillary Building, a farm building or a shop.

"Ancillary Building or Ancillary Use including references to 'residential' and 'industrial or non-residential' Ancillary Buildings" means a building or use which:

- (a) is incidental and exclusively devoted to the principal building or principal use;
- (b) is subordinate in purpose to the principal building or principal use served;
- (c) contributes to the livelihood, comfort, convenience, safety or necessity of occupants of the principal building or principal use; and
- (d) is located on the same site as the principal building or principal use.

Therefore a development permit for an Ancillary Building or Use cannot be issued prior to a development permit for the principal use having been issued or being issued simultaneously. Ancillary building or use does not include a farm building, an airport hangar or a shop. The distinction between 'residential' and 'industrial or non-residential' Ancillary Building applies in those land use districts where provision is made for an Ancillary Building that is associated with a principal use that is 'non-residential' (e.g. a Contractors Business – Home Based or Not Home Based in the Agricultural District or a Manufacturing, Processing or Assembly Facility in the Industrial District).

"Assisted Living Facility" means a building, or a portion of a building operated for the purpose of providing live-in accommodation for six or more persons with chronic or declining conditions requiring

professional care or supervision or ongoing medical care, nursing or homemaking services or for persons generally requiring specialized care.

"Auction Mart – No Livestock" means a building or lands or portion thereof used for the storage and auctioning of goods that are to be sold on the premises by auction on a regular basis, but excluding livestock.

"Auction Mart – Livestock" means a building or lands or portion thereof used for the storage and auctioning of livestock.

"Automotive and Minor Recreational Vehicle Sales/Rentals" means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, boats, Recreational Vehicles or crafts, together with incidental maintenance services and sale of parts. Typical uses include, but are not limited to, automobile dealerships, car rental agencies and motorcycle dealerships. This use does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4,000 kg (8,800 lbs) or greater, or the sale of motor homes with a gross vehicle weight rating greater than 6,000 kg (13,000 lbs) or a length of more than 6.7 m (22 ft).

"Automotive Gas Bar" means a facility where vehicle fuels or lubricants are offered for sale but where no provision is made for the repair or maintenance of vehicles. An Automotive Gas Bar may include an ancillary convenience store directly associated with and occupying the same building as the Automotive Gas Bar.

"Automotive Repair - Major" means a facility where major automotive repairs, rebuilding or reconditioning of engines, general repair and replacement services are provided, including minor automotive repair services to vehicles above the capacity restrictions of "Automotive Repair – Minor". Typical uses include, but are not limited to, collision and body repair services, frame straightening, body painting, upholstery, tractor-trailer tire installation shops, vehicle steam cleaning, and undercoating.

“Automotive Repair - Minor” means a facility where minor automotive and small engine repairs, the incidental replacement of parts, maintenance, and minor automotive service to passenger vehicles and light trucks - trucks under 1,000 kg (2,200 lbs) capacity - are provided. Typical uses include, but are not limited to, muffler shops, lubrication shops, brake repair shops, car washes, tire installation shops, windshield replacement facilities.

“Automotive Service Station” means a facility where automotive fuels, oil, grease, batteries, tires, and automotive accessories may be supplied and/or installed, and where general automotive maintenance such as oil changes, tune ups, brake repairs, etc. may be undertaken.

“Bed and Breakfast Establishment” means a commercial use wherein short term accommodation (i.e. less than 15 days in any consecutive 30 day period) with at least a breakfast meal is provided within a detached dwelling or duplex where these uses are provided for in the land use district. A bed and breakfast establishment is secondary to the primary residential use of a parcel. It cannot be operated from a ‘Garden Suite’ or ‘Clustered Farm Dwellings and Associated Uses’ and does not include a hotel, motel, boarding house or guest ranch. Due to the fact that a bed and breakfast establishment provides a personal service to the general public that may require an appropriate level of privacy and enjoyment, an important consideration in its location is sufficient separation from potential rural nuisance effects, including but not limited to confined feeding operations or gravel pits. Therefore, proponents of a Bed and Breakfast Establishment should acknowledge the existence of such factors in the Agricultural District and plan appropriately for it.

“Boarding House” means development within a single detached dwelling where three or more sleeping rooms without cooking facilities are provided with or without meals for compensation.

“Campground” means a planned

development for the short-term use of Recreational Vehicles, tents and/or cabins with a limited level of service compared to what is typically provided in a Recreational Vehicle Park (i.e. the stalls/sites in a Campground are typically not serviced with individual or communal water and sewage disposal systems, but the Campground may have common washrooms and a sewage dumping station). A Campground is not used as storage or permanent accommodation for residential use. A Campground is typically developed in association with related recreational and/or institutional activities; such as hiking or riding trails, picnic grounds, boating facilities, and playgrounds, and may include centralized facilities such as a sewage dumping station, water, wash facilities, structures for assembly purposes, central cooking facilities, as well as a camp store. The units in a Campground can be of condominium ownership or rental units. Also see the definition for Recreational Vehicle Park.

“Cannabis Retail Sales” means a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend at the premises. This use is subject to the development standards in Section 48 of this Land Use Bylaw.

“Cemetery” means land that is set apart or land that is use for the burial of human or animal remains. Typical uses are memorial parks and burial grounds.

“Clustered Farm Dwellings and Associated Uses” means one or more detached dwellings, duplexes or multiple family dwellings and such other structures and uses which are associated with the day-to-day operation of a religious colony, including farm buildings as part of an agricultural operation, Home Business, Contractor’s Business – Home Based, churches and schools, and which are located on a contiguous farm unit of at least 640 acre (256 hectare) in size on which an Agricultural Operation as defined in this Bylaw or a Confined Feeding Operation approved by the Natural Resources Conservation Board

under the Agricultural Operation Practices Act, is actively undertaken. This use includes 'Contractor's Business – Home Based but does not include 'Contractor's Business – Not Home Based'.

“Communication Antenna and Structure” means a tower and the associated antennae that are required to transmit or receive signals for cell phone, television, radio and other similar devices. This includes antennae for amateur radio (ham radio) and citizen band radio, but does not include a satellite dish antenna.

“Community Facility” means the use of land or a building or both by public, quasi-public or private groups of people to assemble for purposes of religion, instruction, culture, non-commercial recreation, or other community activity. Typical uses include, but are not limited to, a museum, a school, a church, a library, YMCA, a playground, and a public or private club.

"Concert Site" means the use of land for music festivals, dance festivals, "rock" festivals, or similar musical activity and ancillary facilities likely to attract 1,000 people or more in any one twenty-four (24) hour period, at which music is provided by paid or amateur performers, or by pre-recorded means, and to which members of the public are invited or admitted for a charge, or free of cost. Concert site is listed as a discretionary use in specific land use districts and does not include private events such as a wedding or birthday party, a farm auction, a funeral, and other similar private events.

"Contractor's Business" means a light industrial or service-oriented operation for commercial and/or industrial service support and construction, and the building in which a Contractor's Business is being operated from shall be deemed to be approved as a 'shop' when the development permit for the Contractor's Business is issued. Typical uses include, but are not limited to, oilfield support services, laboratories, cleaning and maintenance, building and construction, surveying, landscaping, concrete, electrical,

excavation, drilling, heating, plumbing, paving, road construction, sewage disposal or similar services which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use. Contractor's Business does not include any other use that is defined in this Section, such as Sand, Gravel and Surface Mineral Extraction, Auction Mart, Value-added Agricultural Industry, etcetera.

"Contractor's Business – Home Based or Not Home Based" means the same as "Contractor's Business" except that it shall comply with the regulations of Section 55.

“Crematorium” means a development fitted with equipment for the purposes of the cremation of human or animal/pet remains and may include associated facilities for the preparation of the dead body for internment or cremation and facilities associated with conducting funeral services.

“Data Processing Centre” means a building, dedicated space within a building, or a group of buildings used to house computer systems and associated infrastructure and components for the digital transactions required for processing data. This includes, but is not limited to cryptocurrency, digital currency processing, non-fungible tokens, and blockchain transactions.

“Day Care Facility” means a facility that provides care and supervision for seven (7) or more children for more than three (3) but less than twenty-four (24) consecutive hours in each day that the facility is operating, and is intended to be operated for at least twelve (12) consecutive weeks per year. [1631-20]

"Detached Dwelling" means an Alberta Building Code compliant building containing only one dwelling unit as the principal use of the building. The structure must have a minimum dimension of 7.3m (24ft) measured on the shortest side of the unit, with an eaves

overhang of at least 46 cm (18 in) measured perpendicularly from the vertical exterior wall. This housing type includes a 'Ready-to-Move (RTM)' home as defined in this bylaw, but does not include a Special Dwelling Unit Type, a Manufactured Home, a Recreational Vehicle, a Recreational Vehicle – Park Model Recreational Unit as defined in this land use bylaw, or a relocatable industrial accommodation unit. A detached dwelling is detached from other dwelling units (except a secondary suite) but may be attached to an accessory building such as a garage or to another principal building such as a riding arena.

"Duplex" means a building containing two dwelling units and each above grade and having a separate exterior entrance, but does not include a secondary suite.

"Emergency Service" means a public facility used by fire protection, police, ambulance, correctional or other such services as a base of operations.

"Farm Stall" means a building or a use intended for the direct sale to the public of agricultural products produced on the subject farm or another parcel that is owned by the applicant. It includes such uses as a roadside fresh produce kiosk or a pick-your-own berry farm. The sale of products that are unrelated to the products produced on the farm or that are not produced on the subject farm or another parcel that is owned by the applicant is not allowed.

"Financial Institution" means a trust company, chartered bank, credit union or Province of Alberta Treasury Branch.

"Food and Beverage Service Facility" means development used for eating and drinking where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the site. It may be a fully licensed drinking establishment. Typical uses include, but are not limited to, pubs, restaurants, cafes, drive through fast food outlets, and catering establishments.

"Funeral Home" means a development used for the purpose of furnishing funeral

supplies and services to the public and includes facilities for the preparation of the dead human body for internment. This use does not include a crematorium.

"Garden Suite" means a dwelling unit used as a temporary additional dwelling for sole occupancy by dependent or partly dependent parents, grandparents, or handicapped adult children of the occupants of the primary dwelling on that parcel.

"Government Service" means a development providing Crown Corporation, or municipal, provincial or federal government services directly to the public. Typical uses include, but are not limited to, a taxation office, municipal office, courthouse, postal station, manpower and employment office, and social service office.

"Guest Ranch" means a working farm or ranch that offers tourists and visitors temporary overnight accommodation, with or without meals, for payment of a fee and may include an on-site program that allows guests to participate in a range of farming or ranching activities. A guest ranch does not include a hotel, motel, Bed and Breakfast Establishment, boarding house or any form of accommodation that requires visitors to have an ownership or financial interest therein.

"Heavy Equipment Sales/Rental" means the sale or rental of new or used machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production, together with incidental maintenance services and sale of parts.

"Heavy Equipment Service and Repair" means development used for the service, cleaning or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production, with no sales/rental of heavy equipment.

"Home Business" means the secondary use of a principal dwelling unit by the

permanent resident(s) of that dwelling unit without the help of outside employees to conduct a business activity, trade, craft or occupation. A home business does not include a Bed and Breakfast Establishment.

“Hotel” means a development used for the provision of rooms or suites for short-term tourist (i.e. business or recreational) accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory food and beverage service facilities, meeting rooms, personal service shops, and general retail shops.

“Industrial/Commercial Training Facility” means a development that provides for technical instruction to students and/or the training of personnel in commercial businesses and/or industrial operations.

“Kennel” means any development where four or more dogs and/or cats over six months of age are maintained, boarded, bred, trained and/or cared for in return for remuneration or kept for purposes of sale.

“Land Reclamation” means the process of returning of a disturbed site to a land capability equivalent to that of the pre-disturbance land capability. The establishment of ecosystems that can sustain cropland, pastureland, wildlife habitat, or an ecosystem similar to what existed prior to disturbance.

“Lease Bay Building” means a building designed to accommodate multiple businesses each occupying one or more bays in a condominium or leasehold tenure arrangement. Once a permit has been issued for a lease bay building, the occupant of each bay must apply for an individual development permit to allow their intended use pursuant to the permitted and discretionary uses listed in the applicable land use district.

“Manufactured Home” means a prefabricated, transportable dwelling unit fully completed in the factory in compliance with the Alberta Building Code. A manufactured home typically has a dimension of less than 7.3m (24ft) measured

on the shortest side of the unit, and an eaves overhang of less than 46 cm (18 in) measured perpendicularly from the vertical exterior wall. A manufactured home is ready for residential occupancy upon completion of on-site set-up in accordance with the Alberta Building Code and/or factory recommended installation instructions. A manufactured home may be placed on a permanent foundation. A manufactured home is not a detached dwelling, an RTM home, a Special Dwelling Unit Type, a Recreational Vehicle, or a Recreational Vehicle – Park Model Recreational Unit as defined in this land use bylaw, or a relocatable industrial accommodation unit. A manufactured home is sometimes referred to as a modular home.

“Manufactured Home Park” means a parcel of land which has been planned and improved to provide sites, services and/or amenities for the placement and occupation for non-transient residential purposes for 3 or more manufactured homes in exchange for the payment of a fee or rental to the owner.

“Manufacturing, Processing or Assembly Facility” means the manufacturing or assembly of goods, products or equipment and/or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods and equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the principal use. The production of cannabis is deemed to be included in this land use definition however, where a facility produces cannabis, the sale of cannabis from that facility is prohibited and the operator of the facility would be required to obtain a separate development permit for “Cannabis Retail Sales”, provided the Land Use District in which the subject property is located, included that use.

“Motel” means a development for the provision of rooms or suites for short-term tourist (i.e. business or recreational) lodging or light housekeeping, where each room or suite has its own exterior access. It may include accessory food and beverage service facilities.

“Multi-attached Dwelling” means a residential building consisting of three or more dwelling units separated by common walls and located either on a single site or each unit on a separate individual lot, each dwelling unit having at least one separate at-grade entrance. This definition applies to forms of housing that include, but are not limited to, stacked townhouses, rowhouses, triplexes and fourplexes, but does not include a multiple family dwelling.

"Multiple Family Dwelling" means a residential building consisting of three or more dwelling units that are contained on a single lot within a building in which the dwelling units are arranged in a horizontal or vertical configuration which share a common access, hall way and ancillary facilities, but does not include a multi-attached dwelling.

“Office” means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include, but are not limited to, the offices of lawyers, accountants, travel agents, real estate and insurance firms, surveyors, planners and other professional consultants, dentists, doctors, clerical services and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, veterinary clinic, and the manufacture or handling of a product.

Oilfield Service or Supply Business - Major means development used for the sale, rental, service, manufacturing, assembly or repair of heavy vehicles, machinery or mechanical equipment typically used in pipeline, oil field and mining operations. This does not include truck sales/rentals. The development may include the use and/or storage of toxic, explosive or radioactive materials (e.g. a tank farm or a magazine or the reclamation of contaminated soil).

Oilfield Service or Supply Business - Minor means a business that provides limited support services to pipeline, oil field and mining operations. The business is contained within an enclosed development, the outdoor storage of any materials, heavy

vehicles, equipment and/or pipes is restricted to 20 % of the total parcel size, and such outdoor storage must be screened to the satisfaction of the development authority. This use does not include the use and/or storage of toxic, explosive or radioactive materials (e.g. a tank farm, a magazine or the reclamation of contaminated soil), except that it does include those toxic, explosive or radioactive materials that are contained within an instrument or tool and further provided that the storage and handling of such energetic materials must meet Natural Resources Canada Explosives Act and Regulation. Typical services in this use include, but are not limited to, well conditioning, well logging, x-ray and diagnostic, cathodic protection or wireline services.

Outdoor Storage means either the accessory storage of equipment, goods, and materials, specifically related to the business activity conducted on the subject parcel, in the open air where such storage of goods and materials does not involve the erection of permanent structures for storage, and where outdoor storage is stated or implied in the land use definition of the use and/or included in the development permit conditions. Outdoor storage may also mean a land use specifically listed as such in a land use district, and for which a separate development permit for ‘Outdoor Storage’ is required. Typical uses include, but are not limited to, pipe yards, lumber yards or vehicle or heavy equipment storage compounds.

“Personal Service Facility” means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. Typical uses include, but are not limited to, hairdressers, spas and massage services, tanning salons, shoe repair shops, dry cleaning establishments, but does not include medical offices, health services, general retail businesses or adult entertainment facilities.

“Private Storage of Boat Lifts and Docks” means the temporary outdoor storage of

boat lifts and docks, but excluding boats, boat houses, sheds or any other item or structure, in a specified location on Reserve Land in the Public Services District, where approved by a development permit consistent with this definition and issued to either a community association or an individual landowner, on Reserve Lands that have been designated by bylaw for this purpose pursuant to Section 676 of the Act. The development permit shall be issued subject to a license agreement being entered into and kept in good standing, such agreement having an initial term of no longer than three years. The agreement shall include indemnification to the County and written proof of comprehensive third-party liability insurance coverage. The development permit for this use shall terminate if the individual landowner ceases to own the land described in the license agreement or if the license agreement expires or is terminated. Such agreement may not be assigned.

“Public or Private Road and Utility” means a development used to provide one or more of the following for public or private consumption, benefit, convenience or use:

- (a) water; waste water or storm water;
- (b) a road, railway line, thoroughfare or bridge for the purpose of transportation, but excluding for storage purposes (e.g. railway yard or terminal facilities);
- (c) television reception through a satellite dish antenna or other means;
- (d) telephone;
- (e) drainage ditch;
- (f) natural gas;
- (g) electric power; or,
- (h) heat.

Public or Private Road and Utility includes electric power and heat utilities generated by wind, solar or other alternative technologies, as well as the buildings required to operate the Public or Private Road and Utility. A stand-alone solar panel means that it is not attached to the roof of a building. Public or Private Road and Utility does not include a Waste Management Facility.

“Recreation Facility – Indoor” means a primarily indoor recreation facility in which the patronizing public participates or views the participation of others in recreational, entertainment, amusement or sporting activity and, without limiting the generality of the foregoing, may include but not be limited to an amusement arcade, a billiard or pool hall, a bowling alley, a paintball facility, a racquet court, an indoor shooting range, a commercial stable or riding arena, a gymnasium, swimming pools, hockey and skating rinks, an arena, a tourist information centre, tennis courts or a multi-purpose facility.

“Recreation Facility – Outdoor” means a primarily outdoor recreation facility in which the patronizing public participates or views the participation of others in recreational, entertainment, amusement or sporting activity and, without limiting the generality of the foregoing, may include but not be limited to an amusement park, a go-cart track, a golf course, a ski resort, a riding stable, a water slide, tennis courts, an equestrian centre, a marina, a boat launch, a stadium, a public park, a playground, a sports field, a zoo, fair/exhibition/rodeo grounds, the use of trails (e.g. for walking, cross-country skiing, cycling, motorcycling, equestrian, all-terrain vehicles, snowmobiles, etc.), professional hunting and outfitting, or an outdoor shooting range. This definition specifically excludes campsites, cabins or lodges or any other similar uses. However it does include other ancillary buildings (e.g. rest rooms) specifically for the use of patrons who are actively or passively engaging in the recreational activity.

"Recreational Vehicle" means a portable structure designed and built to be carried on a vehicle or to be transported/motorized on its own wheels, and which is intended to provide temporary living accommodation for travel and recreational purposes and which does not need any special license or permit to travel on the public road systems other than a usual trailer or vehicle license and, without limiting the generality of the foregoing, includes such vehicles as a motorhome, a fifth-wheel, a camper, a travel

trailer, a Recreational Vehicle that conforms to the CSA Z-240 Standard for Recreational Vehicles (i.e. a Recreational Vehicle - Park Model Trailer), a tent trailer or a boat, but does not include any vehicle or trailer over 2.6 m (8 ft 6 in.) in transit mode width, a Manufactured Home or a Recreational Vehicle – Park Model Recreational Unit.

"Recreational Vehicle – Park Model Recreational Unit" (or 'Cottage Model') means a Recreational Vehicle conforming to the CSA Z-241 Standard for Park Model Recreational Vehicles, or the equivalent, built on a single chassis mounted on wheels which may be removed. The unit is designed to facilitate occasional relocation using a special tow vehicle and requiring a highway movement permit to tow the unit. It has living quarters for a temporary residence or seasonal use, and must be connected to those public or private utilities necessary for the operation of installed fixtures and appliances, with a maximum CSA approved 50 amp interior electric panel. The transit mode width of this unit exceeds 2.6 m (8 ft 6 in). It does not include a Manufactured Home or a Recreational Vehicle. The maximum size of a Recreational Vehicle - Park Model Recreational Unit is 55 m² (600 ft²). A Recreational Vehicle – Park Model Recreational Unit is not allowed to be placed on a basement or other permanent foundation.

"Recreational Vehicle Park" means a planned development for the short-term use of Recreational Vehicles, tents and/or cabins with a higher level of service provided than in a Campground (i.e. the stalls in a Recreational Vehicle Park are typically serviced with communal water and sewage disposal systems). A Recreational Vehicle Park shall not be used as storage, or permanent accommodation for residential use. A Recreational Vehicle Park may be developed in association with related recreational activities; such as hiking or riding trails, picnic grounds, boating facilities and playgrounds. Also see the definition of Campground.

"Repair Services" means the restoration

and maintenance of objects, which is compatible with other uses in the District. [1631-20]

"Retail Store - Major" means a development used for the retail sale of consumer goods from within an enclosed building exceeding 186 m² (2,000 ft²) on a site which exceeds 4,047 m² (1.0 acre), and which includes limited, seasonal outdoor storage and/or sales to support that store's operations.

"Retail Store - Minor" means a development used for the retail sale of consumer goods frequently required by area residents in an enclosed building not exceeding 186 m² (2,000 ft²) on a site which does not exceed 4,047 m² (1.0 acre), and which does not include any outdoor storage and/or sales. Typical uses include, but are not limited to, small food stores, drug stores, video sales and rentals, and liquor stores.

"Rural Convenience Store" means a development used for the retail sale of consumer goods frequently required by area residents in an enclosed building not exceeding 186 m² (2,000 ft²) and which does not include any outdoor storage and/or sales.

"Rural Restaurant" means an establishment for the preparation and consumption of food for commercial gain and may include takeout food service and entertainment, excluding adult entertainment, as ancillary uses. Establishments of this type are to be independently owned and operated and may not exceed an approximate size of 1,500 ft². A rural restaurant may include premises for which a "Class A" liquor license has been issued and minors are not prohibited by the terms of the license. 'Rural Restaurant' does not include a food and beverage service facility. Due to the fact that a rural restaurant provides a personal service to the general public that may require an appropriate level of privacy and enjoyment, an important consideration in its location is sufficient separation from potential rural nuisance effects, including but not limited to confined feeding operations or gravel pits. Therefore, proponents of a rural restaurant should acknowledge the existence of such factors in the Agricultural District and plan

appropriately for it.

“Salvage and Recycling Facility” means the transportation, storage, disassembling, salvaging, crushing, processing, recycling and retailing and/or wholesaling/industrial selling of disabled appliances, automotive vehicles, machinery, equipment, and associated vehicle bodies, and other discarded materials and related scrap steel and parts. This includes an office/retail outlet, which may be combined with one or more main storage buildings, ancillary buildings and a fenced yard. It does not include auto body or engine repair.

“Sand, Gravel and Surface Mineral Extraction” means the extraction of aggregate materials found on or under the subject site and may include the processing (i.e. crushing, washing, cleaning, sifting, sorting, combining with other aggregates, stockpiling, and/or packaging in preparation for hauling) of aggregate materials extracted from the subject site. This use includes the loading and hauling of aggregates off-site as well as the reclamation of the site. Typical uses include, but are not limited to, gravel pits, sand pits, clay pits, coal mining, and stripping of topsoil.

“Sand, Gravel and Surface Mineral Processing” means the processing (i.e. crushing, washing, cleaning, sifting, sorting, combining with other aggregates, stockpiling, and/or packaging in preparation of hauling or sales) of aggregate materials. This use includes the loading and hauling of aggregates off-site as well as the on-site sales of aggregate material. This use does not include aggregate extraction.

“Secondary Suite” means a self-contained dwelling unit located in a single detached dwelling or an ancillary building. A secondary suite shall include, but not be limited to, a food preparation area which may be counter space, sink, refrigerator, stove or provision of 220 volt wiring, a sleeping area which may be separate from the living area and toilet/bathing facilities. It also has an entrance separate from the entrance to the principal building, either from a common indoor landing or directly from the exterior of the structure.

“Second Detached Dwelling or Manufactured Home” means the same as, respectively, ‘Detached Dwelling’ and ‘Manufactured Home’ and is subject to the provisions of Section 69.2.

“Security/Operator Dwelling Unit” means a secondary building or portion of a principal building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a commercial or industrial establishment, or for the on-duty security personnel (e.g. at a storage facility). No more than one security/operator dwelling unit is permitted on a site. A security/operator dwelling unit shall not be used for general residential use similar to that of a private title.

“Special Dwelling Unit Type” means a yurt or similar type and quality of canvas covered structure or other specialized structure that is not a Detached Dwelling, a Duplex, a Manufactured Home, a Recreational Vehicle, a Recreational Vehicle – Park Model Recreational Unit or any other dwelling unit type listed elsewhere in this bylaw. A Special Dwelling Unit Type shall comply with all the applicable development regulations listed in this bylaw. It is the responsibility of the landowner to ensure that the special dwelling unit type complies with the Alberta Safety Codes Act.

“Temporary Asphalt Plant” means a structure used to make asphalt from aggregate materials that is operated for a limited period of time and is typically associated with a road construction project.

“Third or Additional Detached Dwelling or Manufactured Home” means the same as, respectively, ‘Detached Dwelling’ and ‘Manufactured Home’ and is subject to the provisions of Section 69.2.

“Truck and Manufactured Home Sales/Rentals” means development used for the sale or rental of new or used trucks, motorhomes and manufactured homes together with incidental maintenance services and the sale of parts and accessories. Typical uses include, but are not limited to, truck dealerships, Recreational Vehicle sales and Manufactured Home

dealerships.

“Value-added Agricultural Industry” means a secondary agricultural activity or development that can clearly demonstrate it adds value to a primary agricultural activity or product, and includes agricultural product manufacturing, food-processing activities, and non-food-processing activities. Typical uses include, but are not limited to milling, separating, grading, cleaning, processing, and packaging agricultural produce, making food products from produce such as jams and cheese, and producing fibreboard from hemp or straw. A sales outlet directly to the public as an ancillary and sub-ordinate use [approximately 100 m² (1,076 ft²) in total floor area] is considered to be incidental to a value-added agricultural industry. Agri-tourism, organic farming, storage, distribution, and transportation are not considered to be value-added agricultural activities. The production of cannabis is deemed to be included in this land use definition however, where an industry produces cannabis, the sale of cannabis from that industry is prohibited and the operator of the industry would be required to obtain a separate development permit for “Cannabis Retail Sales”, provided the Land Use District in which the subject property is located, included that use.

“Veterinary Clinic” means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation. The use of the facility as a kennel shall be limited to short time boarding while the animals are awaiting treatment or are recovering from treatment and shall be incidental to the hospital use.

“Warehousing and Storage” means the use of a building and/or site primarily for the keeping of trucks, containers, rail cars, goods and merchandise, excluding dangerous or hazardous materials, derelict/dilapidated motor vehicles or parts thereof, or any waste material. It includes a moving company, a trucking terminal, an inter-modal transfer area, a railway yard/rail car storage, the storage of Recreational Vehicles (indoor or outdoor, including boats and ATV's) and a self-storage facility.

“Warehouse Sales” means a building at least 950m² used for the wholesale or retail sale of a consumer goods.

“Waste Management Facility” means a sanitary landfill, modified sanitary landfill, solid waste transfer station, hazardous waste management facility including a facility for the reclamation of contaminated soil, or dry waste site including municipal garbage bins, approved or registered pursuant to the Environmental Protection and Enhancement Act for the processing, treatment, storing, recycling or land filling of municipal, industrial, household waste and hazardous waste, but does not include an automobile wrecker.

Work Camp means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. Federal, Provincial or municipal work camps are exempt.

9. INTERPRETIVE DEFINITIONS

9.1 For the purposes of this Land Use Bylaw, unless the context requires otherwise, the following general interpretive definitions shall apply. Where a word or a term is not defined here, the definition of that word or term shall be found in the County's Municipal Development Plan or, failing that, the general meaning of the word shall apply:

"Act" means the Municipal Government Act, R.S.A. 2000, C. M - 26, and amendments thereto and regulations thereunder, as amended from time to time.

"Adjacent Land" means land that is contiguous to the parcel of land that is the subject of an Application and includes land that would be contiguous if not for a highway, road, alley, railway, utility right-of-way, publicly owned lot or reserve, waterbody, river, or stream and, in the opinion of the Development Authority, any other land; and adjacent landowner means a person holding title to adjacent land.

"Aggregate" means gravel, sand, clay, earth, shale, marl, peat, stone, or other non-mineral natural resources.

"Aisle" means that portion of a parking lot or structure that accommodates the circulation of vehicles.

"Alley" means an alley as defined in the Highway Traffic Safety Act.

"Amateur Radio Antenna" means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by federally licensed amateur radio operators.

"Application" means an application under this Bylaw or the Municipal Development Plan for a plan, a rezoning, a subdivision or a development permit, and a subdivision or

development appeal, that is deemed by the Development Authority to be a complete application pursuant to the provisions of this Bylaw.

"Applicant" means the person, company or corporation that makes an application under this Bylaw or the Municipal Development Plan. If the applicant is not the landowner the applicant must obtain the written consent of the landowner.

"Balcony" means a platform, attached to and projecting from the face of a building with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing and used as an outdoor porch or sundeck with access only from within the building.

"Bare Land Condominium Unit" means a unit in a bare land condominium development as described in the Condominium Property Act.

"Basement" means that portion of an above grade building that is located wholly or partially below grade, the ceiling of which does not extend more than 50% of the height of the basement structure above grade. Basement does not mean an earth sheltered home.

"Bona Fide Producer" or bona fide agricultural operation and other similar terms mean a person or a corporation who holds or leases land located in the County of Stettler No. 6 and designated either in the Agricultural District or the Country Residence Agricultural District of the Land Use Bylaw and classified as farm land for property tax assessment purposes, and provided that the land is used to produce at least one agricultural product, either for personal consumption or for commercial use.

"Building" means anything constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road.

"Building Height" means, in reference to a building or other structure, the maximum

vertical distance measured from the top of average finished grade to the highest point of the building or structure that is not a roof or part of a roof, a roof stairway entrance, an elevator housing, a ventilating fan, skylight, steeple, chimney, smoke stack, firewall, parapet wall, flag pole, roof sign, or similar feature or device not structurally essential to the building.

“Cabin” means a structure designed and used for short-term recreational use as part of a Campground or a Recreational Vehicle Park.

“Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time.

“Cannabis Accessory” means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.

“Canvas Covered Structure” means a steel-framed, canvas/fabric membrane pre-engineered building for temporary and permanent industrial, commercial, residential ancillary or agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas and event centers. The owner of the land on which a canvas covered structure is located is responsible to ensure that the appropriate building permits are obtained to ensure all aspects of the development is in accordance with the Alberta Safety Codes Act including appropriate foundation construction and building anchoring.

“Carport” means a structure designed and used for the storage of private motor vehicles consisting of a roof supported on posts or columns and not enclosed on two or more sides either attached to or separate from the principal building on a site.

“Collectively or Communally Serviced” means a system of pipes designed, constructed, or installed as a collective or

communal means of water supply or sewage disposal, where final sewage disposal is off site, and to which two or more properties are connected.

“Condominium” means a building containing units or a parcel of land containing bare land units or other units as defined in the Condominium Property Act.

“Council” means the Council of the County of Stettler No. 6.

“County” means the County of Stettler No. 6.

“County Road” means a road forming part of the County Grid Road System and includes any diversions and additions thereto, but excludes a highway. It also includes the public roads within a multi-lot subdivision.

“Deck, Ground Level” means a covered or uncovered and enclosed or unenclosed amenity area of concrete, brick, wood or other material that is constructed at grade or attached to a dwelling. The height of a ground level deck does not exceed 0.61 m (2 ft) measured at any point on the deck from finished grade to the surface height of the deck.

“Deck, Raised” means a covered or uncovered and enclosed or unenclosed amenity area of concrete, brick, wood or other material that may be attached to a dwelling. The height of a raised deck is greater than 0.61 m (2 ft) measured at any point on the deck from finished grade to the surface height of the deck.

“Developable Land” means lands within the subject parcel which:

- (a) have slopes not exceeding a grade of 15 percent;
- (b) are not subject to erosion or subsidence;
- (c) are not subject to flooding or seasonal surface standing water;
- (d) have sufficient depth to the water table to accommodate suitable building foundations and an access road;
- (e) can support a private sewage disposal

system in which there is minimal, long-term risk that it will malfunction and contaminate surface water or groundwater; and

- (f) has an adequate long-term supply of potable water where water is to be supplied by a private well.

"Development" means:

- (a) an excavation or stockpile and the creation of either of them, or
- (b) a building or an addition to, or replacement or major repair of a building and the construction or placing in, on, over, or under land of any of them, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

and a development permit is required for any development, provided that a development permit is not required for those developments listed under Section 16.

"Development Authority" means the Municipal Planning Commission and the person or persons appointed as Development Officer pursuant to this Bylaw, or both, as the case may be.

"Development Authority Bylaw" means the bylaw, and any amendments thereto or replacements thereof, passed by Council to establish the development authority for the County.

"Development Officer" means a person authorized to exercise the responsibilities and duties of a Development Officer under the Development Authority Bylaw.

"Development Permit" means a document authorizing a development pursuant to the provisions of this Bylaw.

"Discretionary Use" means the use of land or of a building that is listed in the column captioned *'Discretionary Uses'* in a table of uses for a land use district in this Bylaw, and for which, subject to the provisions of this Bylaw, a Development Permit **may** be issued upon an Application having been made.

"District" or **"Land Use District"** means an area of the County established as a land use district by this Bylaw.

"Disturbance Area" means the area involved in a sand, gravel and surface mineral extraction use or sand, gravel and surface mineral processing use and includes any excavation areas or pits, stockpiles of aggregate, stockpiles of topsoil, stockpiles of overburden, stockpiles of reject material, areas occupied or intended to be occupied by equipment, access routes, buffers and setbacks required under the Code of Practice for Pits, and associated onsite infrastructure.

"Driveway" means a private road that provides vehicle access from an individual lot or site to a public road.

"Dwelling Unit" means a complete building or self-contained portion of a building used by not more than one household, and containing sleeping, cooking and sanitary facilities intended as a residence and having an independent entrance either directly from the outside of the building or through a common area inside the building. In addition to those buildings that are normally considered to be a dwelling unit, for the purpose of this Bylaw, a Recreational Vehicle, a Recreational Vehicle – Park Model Recreational Unit, a Special Dwelling Unit Type and a cabin are deemed to be a dwelling unit.

"Enclosed" when used in reference to a deck does not include a 3.0 ft (0.91 m) high guard rail.

"Farm Building" means any building that:

- (a) does not contain a residential occupancy;
- (b) is located on land used as a farm or is

zoned for agricultural use and directly supports the primary agricultural operation;

- (c) has a low occupant load; and
- (d) is not used or occupied by, or expected to be used or occupied by, the public or persons **other than** the farmer or farmers that own the building, their immediate family, and/or their employees that may be in the building from time to time;

and the building is used for:

- (a) housing livestock;
- (b) storing, sorting, grading or bulk packaging primary agricultural products, or
- (c) housing, storing or maintaining machinery associated with the operation of the farm on which the building is located.

A farm building includes a structure, excavation or stockpile that is located on land that is used for farming and that is essential to and is used expressly and only in connection with an agricultural operation as defined in Section 8 that is directly associated with the farm on which the farm building is located. This may include, but is not limited to, a farm equipment/machinery shed, a workshop, a warehouse, a granary, a hayshed, a quonset, a barn, the establishment of a shelterbelt or a haystack or the excavation of a dugout or silage pit. 'Farm Building' does not include 'Clustered Farm Dwellings and Associated Uses', a Detached Dwelling or Manufactured Home, a Home Business, a Contractor's Business – Home Based or Not Home Based, a Guest Ranch, an Ancillary Building, a shop or any other use, building, structure, excavation or stockpile that is used for a secondary farming activity or for an activity not directly and expressly related to farming.

Although a farm building does not include a residential occupancy it may be attached to a Detached Dwelling when a development permit requesting this has been approved.

"Farming" means the use of land or buildings for the purpose of an agricultural operation as defined in Section 8.

"Farmstead" means a dwelling unit and other improvements used in connection with farming operations and situated on land that is contained on the same title as land used in connection with such farming operations.

"Flood Plain" means the area of land along a river, stream, creek or other water body that is potentially at risk of flooding from time to time.

"Floor Area, Gross (GFA)" means the total floor area of every room, passageway and covered deck contained within the exterior walls or attached to a building, including any above grade floor areas devoted exclusively to storage or mechanical or electrical equipment servicing the building, but does not include the floor area of a basement (including any basement floor areas devoted exclusively to storage or mechanical or electrical equipment servicing the building), a loft space, a cellar, an attached or detached ancillary building, any portion of the building that is not covered by a roof or enclosed by walls on two or more sides, such as an open porch, patio, verandah, or breezeway.

"Floor Area Ratio (FAR)" means the numerical value obtained by dividing the total Gross Floor Area of all permanent buildings on a site by the total area of the site.

"Garage" means an ancillary building that is separate from or attached to the principal building and which is designed and used primarily for the storage of non-commercial motor vehicles.

"Golf Course" means land and accessory buildings and uses related to the playing of the game of golf and without restricting the generality of the foregoing includes pro shop, club house, restaurant, licensed dining area or lounge, driving range and picnic area.

"Grade" means the highest level of finished ground elevation adjoining a building at any

exterior wall.

“Greenhouse” means development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, household and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products.

“Gross Vehicle Weight (GVW)” means the total weight of a vehicle and its maximum allowable load.

“Guest House” means an ancillary building which has sleeping accommodation and sanitary facilities, but which does not have cooking facilities and is not intended to be used as a self-contained dwelling unit.

“Habitable” means, in the case of a residential building, a building that contains a fully functional and serviceable dwelling unit, and in the case of all other buildings intended for human occupation, means that a building contains one or more washrooms as may be required by the Safety Codes Act. Also see “Uninhabitable”.

“Hard surfacing” means asphalt, concrete, soil cement, paving stone, turf pavers or similar material or treatment, including a variety of dust control measures, satisfactory to the Development Authority that is used in the construction of a road, driveway or parking area.

“Hazard Lands” means lands with steep slopes (greater than 15 percent) or lands susceptible to flooding, erosion, or subsidence.

“Highway” means a numbered road as defined in the Act and that is designated as a controlled highway in accordance with the Public Highways Development Act. Pursuant to the Act a highway is not considered a road and pursuant to the Public Highways development Act direct physical access to or frontage onto a controlled highway is not considered legal access for the purpose of the Subdivision and Development Regulation (Alberta Regulation 43/2002).

“Hospital” means an institutional development used to provide in-patient and out-patient health care to the public. Typical developments include a community health centre and a full service hospital.

“Hostel” means an establishment providing short-term accommodation for remuneration. It may include recreational facilities but not additional services such as room service. It does not include a hotel or motel.

“Internal Road” means a County road registered to provide access to a multi-lot subdivision off of the County Township Roads and Range Roads.

“Landowner” means the person(s) or other parties shown as the owner of land on the County’s Assessment Roll prepared pursuant to the Municipal Government Act or the person(s) registered on the land title under the Land Titles Act as the owner.

“Landscaping” means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) Soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (b) Hard landscaping consisting of non-vegetative materials such as brick, stone, washed rock, mulched media, concrete, tile, and wood, but excluding monolithic concrete and asphalt. It may include structures (e.g. a ground level deck) which are not more than two feet above grade.

“Land Titles Office” means an Alberta Land Title Registries office.

“Livestock” means the raising and production of animals such as poultry, horses, cattle, bison, sheep, swine, goats, bees, llamas, fur bearing animals raised in captivity and domestic cervids, as defined in the Livestock Industry Diversification Act / the Livestock and Livestock Products Act, including avi-culture, api-culture, and aquiculture.

“Loading Space” means a space provided on a site to accommodate a commercial

vehicle on a temporary basis for loading or unloading of goods and materials.

“Lot Area” means the area of a lot or a bare land condominium unit as defined in the Condominium Property Act expressed in metric or imperial measure.

“Lot, Corner” means a lot having frontage on two or more road rights-of-way, other than alleys, at their intersection or a bare land condominium unit having two contiguous property lines abutting common property used as road access.

“Lot Depth” means the horizontal distance between the Front and Rear Lot Lines of a site.

“Lot, Interior” means any lot or bare land condominium unit, other than a corner lot.

“Lot Line” means the legally defined boundary of any lot or bare land condominium unit, or property line. See definitions for lot line front, lot line rear and lot line side below.

“Lot Line, Front” means the property line separating a lot from an abutting public roadway other than an alley, or the line separating a bare land condominium unit from common property used as road access, except as follows:

For a Corner Lot:

- (a) In the case of a Corner Lot smaller than one acre in size, the Front Lot Line is the shorter of the property lines abutting a public roadway, other than an alley, except if the property lines abutting a public roadway, other than an alley, are of equal length, in which case the Front Lot Line is the property line abutting the public roadway, other than an alley, from which the parcel takes access by an approach;
- (b) In the case of a Corner Lot larger than one acre in size, the Front Lot Line is the property line abutting the public roadway, other than an alley, from which the parcel takes access by an approach; and

- (c) In the case of a Corner Lot formed by a curved corner, the Front Lot Line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line.

or

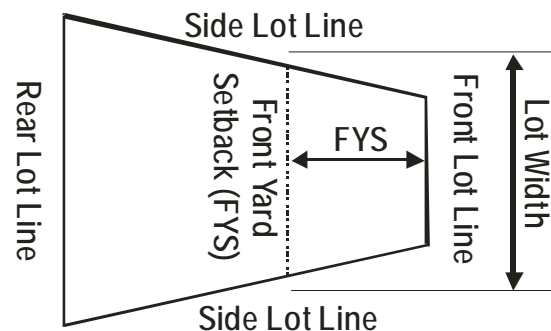
For a Double Frontage Lot:

- (d) In the case of a lot that has frontage onto a public roadway, other than an alley, on two opposing sides, the Front Lot Line is the property line abutting the public roadway, other than an alley, from which the parcel takes access by an approach.

“Lot Line, Rear” means either the property line of a lot or a bare land condominium unit which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any property lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line.

“Lot Line, Side” means the property line of a lot or a bare land condominium unit other than a Front Lot Line or Rear Lot Line.

“Lot Width” means the horizontal distance between the Side Lot Lines of a site measured at a distance from the Front Lot Line equal to the minimum required Front Yard Setback (FYS) for the applicable Land Use District (see sketch).



“Market Garden” means the growing of vegetables or fruit for commercial purposes and includes an area for the display and sale of goods or produce grown or raised on site.

“May” means that the ensuing action is

discretionary.

“Moved-in Building” means a building that has been assembled at and previously occupied or used on a site other than the site it is proposed to be moved-in to, and which is to be moved more or less whole to the proposed location. A moved-in building may be any type of building that is listed as a permitted or discretionary use in any land use district, except a Manufactured Home, Recreational Vehicle, Recreational Vehicle – Park Model Recreational Unit or **new** ‘Ready-to-Move’ RTM Home.

“Municipal Planning Commission” means the County of Stettler No. 6 Municipal Planning Commission appointed by Council pursuant to the Municipal Government Act.

“Municipality” means the County of Stettler No. 6.

“Parcel of Land” or **“Lot”** means:

- (a) where there has been a subdivision, any parcel of land or block shown on a Plan of Subdivision that has been registered in a Land Titles Office;
 - (b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on two (2) or more parcels of land or blocks shown on a Plan of Subdivision that has been registered in a Land Titles Office, all those parcels of land or blocks;
 - (c) a quarter section of land according to the system of surveys under the Surveys Act or any other area of land described on a Certificate of Title; and
- for the purposes of this Bylaw the use of the terms “Lot” and “Parcel” and “Site” shall be interchangeable within the context of the Bylaw.

“Park” means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

“Parking Lot” means an area of land

providing for the parking of motor vehicles.

“Parking Stall” means that portion of a parking lot or structure that accommodates a parked vehicle.

“Permanent Building or Structure” means that the building or structure is affixed to a permanent foundation or slab or to posts planted in the ground below the frost zone or is not movable without demolishing or dismantling it.

“Permitted Use” means the use of land or of a building, which is listed in the column captioned *‘Permitted Uses’* in a table of uses for a land use district in this Bylaw, and for which, subject to the provisions of this Bylaw, a Development Permit ***shall*** be issued, with or without conditions, upon an Application having been made.

“Planning and Subdivision Guidelines” means Administrative Policy 1.27, which deals with the preparation of area structure plans, outline plans and subdivision applications.

“Porch” means an entrance structure typically attached to the front or sides of a residential building at the ground floor level, consisting of a roof and floor, where the front and sides of the structure may be enclosed by solid walls or windows or unenclosed where the front and/or sides remain open to the elements.

“Principal Building or Use” means the building or use of land that, in the opinion of the Development Authority, constitutes the dominant purpose for which the building or parcel of land is ordinarily used within the context of the general purpose statement of the land use district in which the parcel of land is situated.

“Public Road” means the right-of-way for a highway, street, or alley that is registered at the Land Titles Office and is used or intended to be used to accommodate vehicular traffic.

“Prohibited Use” means the use of land or of a building, which is listed in the column

captioned *'Prohibited Uses'* in a table of uses for a land use district in this Bylaw, and for which, subject to the provisions of this Bylaw, a Development Permit ***shall not*** be issued, with or without conditions, under any circumstances.

"Ready-to-Move (RTM) Home" means a prefabricated, transportable frame or shell of a partially completed dwelling unit built in a factory in compliance with the Alberta Building Code. It leaves the factory as an incomplete dwelling unit that is transported in sections to the building site and completed in-situ to form one or more complete dwelling units. An RTM home shall be placed on a permanent foundation or a basement. An RTM home has no chassis, running gear, or wheels. An RTM home, once assembled on-site, may be a detached dwelling, a multi-attached dwelling or a multiple family dwelling as defined in this land use bylaw. A single RTM home is a detached dwelling when it has a minimum dimension of 7.3m (24ft) measured on the shortest side of the unit, with an eaves overhang of at least 46 cm (18 in) measured perpendicularly from the vertical exterior wall. For the purposes of this land use bylaw a single RTM home that qualifies as a detached dwelling does not include a Manufactured Home, a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit as defined in this bylaw. An RTM home is sometimes referred to as a modular home.

"Recreational Vehicle – Park Model Trailer" means a Recreational Vehicle designed to be towed by a heavy duty tow vehicle but is of a restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8 ft 6 in). This type of recreational vehicle is designed for infrequent relocation, and is not fitted with a 12 volt system for fixtures and appliances. Once on a site in the set-up mode, it must be connected to public or private utilities. The Park Model Trailer is built on a single chassis mounted on wheels and has one or more slide-outs, and conforms to the CSA Z-241 Standard for Recreational Vehicles, or the equivalent. It does not include a

Manufactured Home or a Recreational Vehicle – Park Model Recreational Unit. A Recreational Vehicle – Park Model Trailer is not allowed to be placed on a basement or other permanent foundation.

"Religious Assembly" means a development including any meeting halls used for spiritual worship and related religious, charitable, educational or social activities. Typical accessory uses include, but are not limited to, administrative offices, accessory manses, rectories or parish houses.

"Residential Building" means a building that is designed, constructed, equipped and serviced to accommodate one or more dwelling units.

"Road" means land:

- (a) shown as a road on a Plan of Survey that has been filed or registered in a Land Titles Office, or
 - (b) used as a public road,
- and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a Highway.

"Satellite Dish Antenna" means:

- (a) an antenna the purpose of which is to receive signals from orbiting satellites;
- (b) a low noise amplifier (LNA) situated at the focal point of the receiving component the purpose of which is to magnify and transfer signals;
- (c) a cable the purpose of which is to transmit signals; and,
- (d) other associated components.

"Screening" means a fence, berm or vegetative buffer used to visually separate areas, land uses or functions.

"Sea-can" means an inter-modal cargo container for marine, rail, and truck transport.

"Secondary Road" means a road designated as a Secondary Road pursuant to the Public Highways Development Act, and amendments thereto.

"Setback" means the distance that a development must be set back from a lot line

or any other feature of a site as specified by this Bylaw. A setback is not a yard.

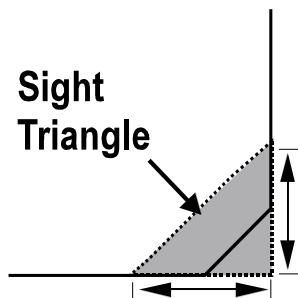
"**Shall**" means that the ensuing action is mandatory.

"**Shop**" means a stand-alone building associated with a commercial or industrial use for the operation of a single business including the storage of materials and equipment associated with that business. A shop is not an ancillary building or a farm building.

"**Should**" means that the ensuing action is recommended but not mandatory.

"**Sight Triangle**" – see next page.

"**Sight Triangle**" means that triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect (see sketch).



"**Sign**" means any structure, device, light or fixture, or any part thereof, used to identify, advertise or attract attention to any person, object, product, event, place, organization, institution, development, business, group, profession, enterprise or industry and is intended to be seen from on or off the site where the sign is located. The various types of signs are further defined in this Bylaw.

"**Site**" means an area of land consisting of one or more abutting lots under single ownership or control.

"**Site Coverage**" means the total horizontal area of all buildings or structures on a site expressed as a percentage of the total site area. Only buildings and structures that are located at or above grade are included in site coverage calculation, including accessory buildings or structures. Excluded from the

site coverage calculation are steps, eaves, cornices, and other similar projections, driveways, aisles or parking lots [unless they are part of a parking garage which extends 0.9 m (3 ft) or more above grade], unenclosed inner and outer courts or terraces and patios which are less than 0.9 m (3 ft) above grade.

"**Site Plan**" – means a plan submitted in support of a development permit application, the approval of which may require a development servicing agreement, including matters such as engineering drawings for sewage disposal, storm drainage, water, roads, etc.

"**Statutory Plan**" means a Municipal Development Plan, an Inter-municipal Development Plan, an Area Structure Plan, and an Area Redevelopment Plan adopted by a Bylaw of the Municipality, or any one or more of them.

"**Storey**" means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of a floor and the ceiling above it. A basement (including a raised basement, or a loft space is deemed not to be a storey.

"**Structure**" means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground not including pavements, curbs, walks, open air surfaced areas and movable vehicles.

"**Structural Alteration**" means any change to the roof, foundation or exterior walls of a structure that results in the expansion of the usable floor area of a structure, or reduces existing setback distances.

"**Subdivision**" means the division of one parcel of land into two or more smaller parcels by a plan of subdivision or other instrument.

Subdivision Plan – means a plan submitted for preliminary or conditional subdivision

approval for a single or a multi-lot subdivision, the approval of which may require a subdivision servicing agreement, including matters such as engineering drawings for sewage disposal, storm drainage, water, roads, etc.

"Subdivision and Development Appeal Board" means the Board established by Council pursuant to the Municipal Government Act.

"Subdivision and Development Regulation" means the Subdivision and Development Regulation (Alberta Regulation 43/2002), as amended.

"Uninhabitable" means, when used in reference to a dwelling unit, that a structure has been constructed or altered to such an extent that it is not suitable for permanent residential occupancy, to the satisfaction of the Development Authority. Typically this means that the cooking facilities (i.e. electric stove) and associated electrical wiring have been removed or rendered inoperative by a qualified electrician and written proof from that electrician is provided. Also see "Habitable".

"Variance" means an alteration or change to a development standard prescribed by this Bylaw that is authorized by the Development Authority, the Subdivision Authority or the Subdivision and Development Appeal Board.

"Vehicle Oriented Use" means a land use that predominantly caters services to automotive traffic. Vehicle oriented uses include but are not limited to gas bars, service stations, drive-through financial institutions, drive-in food services, drive-through vehicle services, car washes, and similar developments providing drive-in services in which patrons generally remain within their vehicles.

"Veranda" means an entrance structure typically located at the front or sides of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open

to the outside elements.

"Yard" means a part of a parcel of land upon or over which no building or structure other than a boundary fence is permitted to be erected, except for specifically permitted encroachments and accessory buildings pursuant to the provisions of this Bylaw. See definitions for yard front, yard rear and yard side below.

"Yard, Front" means a yard that extends across the full width of a parcel of land and is measured perpendicularly from the front lot line where it abuts a road to the nearest exterior front wall of the principal building. See definition for lot line.

"Yard, Rear" means a yard extending across the full width of a parcel of land and measured perpendicularly from the rear lot line to the nearest exterior rear wall of the principal building and/or the nearest exterior rear wall of a detached ancillary building. See definition for lot line.

"Yard, Side" means a yard extending from the front yard to the rear yard and measured perpendicularly from a side lot line to the nearest exterior side wall of the principal building and/or the nearest exterior side wall of a detached ancillary building. See definition for lot line.

PART TWO
PLANNING AUTHORITIES

10. DEVELOPMENT AUTHORITY

10.1 The Development Authority is established by this Bylaw pursuant to the Municipal Government Act.

10.2 The Development Authority shall consist of:
(a) the Municipal Planning Commission; and
(b) the Development Officer; and
(c) Council;
and each of these shall exercise the powers and duties assigned in this Bylaw on behalf of the County.

11. DEVELOPMENT OFFICER

11.1 The office of Development Officer is hereby established and shall be filled by a person or persons authorized under the Development Authority Bylaw.

11.2 The Development Officer shall:

- (a) be a Development Authority for all purposes of the Act and this Bylaw except where authority is given to the Municipal Planning Commission or to Council.
- (b) assist and advise the Municipal Planning Commission, Council and the public with respect to the requirements of this Bylaw and other pertinent legislation and policies, and in regard to the planning of orderly and economical development within the County.
- (c) keep and maintain, for the inspection of the public during regular office hours, a copy of this Bylaw and any adopted Statutory Plans and all amendments thereto and ensure that copies of the same are available to the public at a reasonable charge set by Council from time to time.
- (d) keep and maintain and make available for inspection by the public during regular office hours a register for all Development Permit applications and the decisions made thereon, for a minimum period of three years.
- (e) receive and process all Development Permit applications.
- (f) approve, with or without conditions as authorized by this Bylaw and the Act, and issue any Development Permit application for a permitted use in any land use district, including any Districts that delegates the approval of permitted uses to the Development Officer, that complies in all respects with the regulations and/or standards of the applicable district or which does not comply with the regulations and/or standards of the applicable district but of which the variance does not exceed the variance authority of the Development Officer pursuant to Section 23.3;
- (g) refer, with recommendations, to the Municipal Planning Commission any Development Permit application for a permitted use in any land use district that does not comply with the regulations and/or standards of the applicable district and of which the variance exceeds the variance authority of the Development Officer pursuant to Section 23.3;
- (h) refer, with recommendations, to the Municipal Planning Commission any

Development Permit application for a discretionary use in any land use district, including any District that delegates the approval of discretionary uses to the Municipal Planning Commission.

- (i) refer all Development Permit applications in any District to Council, except when the District regulations delegate Council's authority to the Development Authority, in which case the Development Officer shall refer the application to the Municipal Planning Commission.
- (j) prepare and maintain such forms and notices as he or she may deem necessary.
- (k) notify the applicant, adjacent landowners and the public of decisions made on Development Permit applications.
- (l) issue a Development Permit where an approval has been granted by the Municipal Planning Commission.
- (m) prepare the agenda for the regular meetings of the Municipal Planning Commission and keep and maintain the minutes of those meetings.

11.3 The Development Officer may:

- (a) approve, with or without conditions as authorized by this Bylaw and the Act, any Development Permit application for a permitted use in any land use district, including any District that delegates the approval of permitted uses to the Development Officer, and which does not comply in all respects with the regulations and/or standards of the applicable district, provided that the required variance does not exceed the restrictions on variance powers of the Development Officer set out in this Bylaw.
- (b) refer any Development Permit application to the Municipal Planning Commission which in his/her opinion should be decided by the Municipal Planning Commission.
- (c) refer any planning or development matter to the Municipal Planning Commission for its review, support or advice.

12. MUNICIPAL PLANNING COMMISSION

12.1 The Municipal Planning Commission is hereby established pursuant to the Act.

12.2 The Municipal Planning Commission shall:

- (a) be a Development Authority for all purposes of the Act and this Bylaw except where authority is given to the Development Officer or to Council.
- (b) The Commission shall hold meetings and undertake such actions as are necessary to fulfill the powers and duties of the Commission.
- (c) consider and either approve, with or without conditions as authorized by this Bylaw and the Act, or refuse any Development Permit application referred to it by the Development Officer.
- (d) consider and state terms and conditions on any other planning or development matter referred to it by the Development Officer or with respect to which it has jurisdiction under this Bylaw.

- (e) in making its decisions, seek to achieve orderly, economical and beneficial development, use of land and patterns of settlement; and to maintain and improve the quality of the physical environment.
 - (f) exercise any other powers and duties assigned to it by bylaw of the County Council.
- 12.3 The Municipal Planning Commission shall, by default, consist of all members of County Council.
- 12.4 A member of the Municipal Planning Commission shall not at the same time be:
- (a) a County Development Officer; or
 - (b) a member of the County Subdivision and Development Appeal Board.
- 12.5 The Chairman and Vice-Chairman of the Municipal Planning Commission shall be appointed annually by resolution of Council.
- 12.6 In the event that both the Chairman and Vice-Chairman are absent from a meeting, the members present, in constituting a quorum, shall elect one of its members to act as the Chairman for that meeting.
- 12.7 A meeting of the Commission is duly convened if a quorum of its members is present. A quorum of the Commission shall consist of a majority of the members.
- 12.8 Only those members of the Commission present at a duly convened meeting of the Commission shall be able to vote on a matter at the meeting.
- 12.9 A decision of the majority of members present at a duly convened meeting of the Commission shall be deemed to be the decision of the whole Commission.
- 12.10 In the event of a tie vote the matter before the Commission shall be deemed to be denied.
- 12.11 A member of the Commission that has direct pecuniary interest in a matter before the Commission, or is aware of any reason which may lead to a possible bias on the matter, shall declare an interest or likelihood of bias to the Commission and shall abstain from discussion and voting on the matter, and such abstention shall be recorded in the minutes.
- 12.12 The Development Officer shall prepare agendas and minutes of Commission meetings and further is hereby authorized to sign on behalf of the Commission any order, notice of decision, development permit or other thing made, given, or issued by the Commission through its minutes, except the approved minutes themselves.
- 12.13 The Chairman or Vice-Chairman of the Commission must sign the minutes of the previous Commission meeting only if they were approved at a duly convened meeting of the Commission.
- 12.14 The Municipal Planning Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with this Bylaw and the Act.

13. SUBDIVISION AUTHORITY

Deleted

14. SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 14.1 The Subdivision and Development Appeal Board is established pursuant to the Regional SDAB Bylaw.

PART THREE
DEVELOPMENT PERMITS

15. CONTROL OF DEVELOPMENT

- 15.1 Except as otherwise provided for in Section 16 of this Bylaw, no development or use shall be commenced, undertaken or conducted within the County unless the person commencing, undertaking or conducting the development or use and/or the landowner on whose property the development or use is to be commenced, undertaken or conducted has applied for a Development Permit in respect of the development and the Development Authority has issued a Development Permit pursuant to this Bylaw; and further unless the development or use is commenced, undertaken or conducted and completed in accordance with the terms and conditions of the development permit.
- 15.2 The provisions and regulations of this Bylaw do not apply retro-actively to an existing legal development and shall not be imposed on an existing legal development unless the existing legal development is on a parcel of land that is the subject of a new development permit application or a new subdivision application.

16. DEVELOPMENT DEEMED APPROVED

- 16.1 A Development Permit is not required if the development or use is restricted exclusively to the following, provided that the development shall otherwise comply with all applicable provisions and regulations of this Bylaw:
- (a) any use or development exempted from the provisions of Part 17 of the Act;
 - (b) altering, renovating, upgrading, maintaining or repairing any existing building (except a non-conforming building), provided that the work does not change the use or intensity of use of the building or adds to or changes the footprint of the existing building;
 - (c) an 'Agricultural Operation' on a parcel where it is listed as a use in a land use district under Part 7 of this Bylaw and the parcel size is larger than ten acres (4.04 hectares) and is not a part of or within one mile (1.6 kms) of a multi-lot subdivision or hamlet. Where an 'Agricultural Operation' does not comply with the provisions of this Bylaw (e.g. setback requirements) a development permit is required. Where a farm building that was intended to be used as part of an Agricultural Operation is used for a Home Business, Contractor's Business – Home Based or Not Home Based or other commercial or industrial operations, a development permit is required;
 - (d) a farm stall on skids and having a floor area of 100 ft² maximum;
 - (e) the use of a Recreational Vehicle as a dwelling unit pursuant to Section 76;
 - (f) the placement of a Recreational Vehicle in an approved Recreational Vehicle Park or Campground in those Districts where this use is allowed;
 - (g) the construction, installation, maintenance and repair of private roads and utilities, including a satellite dish antenna 1.0 m (3.0 ft) or less in diameter, on a single parcel in any land use district where such use or development is listed as a permitted use;
 - (h) the gravelling or hard surfacing of any area on private land for the purpose of providing vehicular or pedestrian access or parking, that is part of a development for which a Development Permit has been issued, or, if the gravelling or hard surfacing is not part of a development for which a Development Permit has been issued, where such access or the parking area does not drain onto adjacent properties (County approval is still required for access onto a municipal road);
 - (i) the construction, installation, maintenance and repair of public roads and utilities in any land use district by or on behalf of a federal, provincial or municipal government agency or authority and where such use or development is listed as a permitted use;
 - (j) the temporary use of land or a building, for a period not exceeding six months, by or on behalf of a federal, provincial or municipal government agency or authority; any

- development carried out by or on behalf of a federal, provincial or municipal government agency or authority, other than those stated in Sections 16.1(i) and (j) above, excluding any use that is listed as a discretionary use in any land use district or the installation of communication antennae and structures [other than those stated in Section 16.1(s)], the extraction or processing of sand, gravel and surface minerals, a waste management facility, a wastewater treatment facility or any other development that is reasonably considered a nuisance or of a noxious nature or that requires a setback distance or a referral pursuant to the Subdivision and Development Regulation under the Municipal Government Act;
- (k) the temporary use of land or a building or part thereof as a polling station, a candidate's campaign office, or any other official temporary use in connection with a federal, provincial or municipal election or referendum or census;
 - (l) the construction or maintenance of gates, fences, walls or other means of enclosure) not more than 6.0 feet (1.83 meter) in height, except where corner lot restrictions apply;
 - (m) the placement of an outdoor advertisement or sign subject to Section 84 of this Bylaw; the temporary erection, installation or use of machinery, equipment, structures or buildings (such as a construction trailer) that is incidental to the implementation of development for which a Development Permit has been issued under this Bylaw, and which will be removed once construction has been completed. This does not include a real estate sales office, show home or similar use or building;
 - (n) the demolition of a building or structure that is assessed by the County for tax purposes, where a Development Permit has been issued for a new development or structure on the same site, and the demolition of the existing building or structure is implicit in that permit;
 - (o) the construction or placement of an Ancillary Building that does not exceed 17.85 m² (192 ft²) in area and is not permanently attached to the ground (i.e. it is built on skids) provided that no portion of the building is located within the required yard setbacks;
 - (p) development within an existing basement which does not change or add to the intensity of uses within an existing building;
 - (q) the construction of:
 - (i) an uncovered and unenclosed ground level deck located in a rear or side yard in any District; and
 - (ii) an uncovered and unenclosed raised deck that is located in a rear or side yard in any District and is not closer than 30 metre to any property line;
 - (r) a concession booth selling food, beverage and equipment or gifts related to the principle use, as an accessory use in any principle building or use that involves public gatherings as part of its usual operations;
 - (s) the erection of a communication antenna and structure not exceeding 9.14 m (30 ft) in height from the finished grade;
 - (t) landscaping where the proposed finished grades are such that overland drainage or slope stability of the subject land or adjacent properties will not be adversely affected, except where a Development Permit allows for such landscaping; and
 - (u) the placement of a sea-can or a canvas covered structure as an 'Ancillary Building' or an 'Agricultural Operation' on a parcel in any land use district where these uses are listed but only if the parcel is located outside of and not adjacent to a hamlet or multi-lot subdivision, subject to Section 49 and Section 81.

17. DEVELOPMENT PERMIT APPLICATION - PLANS AND INFORMATION REQUIRED

- 17.1 An Application for a Development Permit shall be made to the Development Officer in writing on the prescribed form.
- 17.2 Before the Development Officer will accept and/or process an application for a Development Permit affecting land adjacent to a provincial highway, the Applicant shall obtain a roadside development permit from Alberta Transportation. See Section 58.24.
- 17.3 Before the Development Officer will accept and/or process an application for a Development Permit for a building larger than 47 m² (506 ft²) or for an addition to an existing building that will, as a result of the addition, become larger than 47 m² (506 ft²), affecting land on which an abandoned oil or gas well may be present, the Applicant shall obtain abandoned well information from the Energy Resources Conservation Board and provide same to the Development Officer. The information regarding abandoned wells is available on the ERCB's Abandoned Well Viewer on their website at www.ercb.ca. If it appears that a potential conflict between abandoned well locations and the proposed surface development may exist, the Applicant must contact the licensee of record for the abandoned well(s) for any additional information that may be required or to physically locate the abandoned well. If the proponent is unable to contact the licensee of record using the information provided on the ERCB's Abandoned Well Viewer, the ERCB may be able to assist with additional contact information (telephone 1-855-297-8311 or email Inquiries@ercb.ca). Also refer to Section 58.15. The County will assist applicants with this process where possible.
- 17.4 In addition to the completed application form, the following are required in order to complete an application:
- (a) One (1) site plan at a scale of 1:100, unless otherwise acceptable to the Development Officer, plus one (1) copy of the site plan reduced to standard page size, plus, when digitally produced, one digital PDF format of the site plan, showing the following, subject to the discretion of the Development Officer:
 - (i) north arrow and scale of plan;
 - (ii) legal description of property;
 - (iii) municipal address;
 - (iv) lot lines shown with dimensions;
 - (v) proposed front, side and rear yards shown with dimensions;
 - (vi) site topography, drainage patterns, grades and special conditions;
 - (vii) location of existing/proposed buildings or structures (dimensioned to property lines);
 - (viii) development density, site coverage calculations, height and number of storeys according to the definitions of this Bylaw;
 - (ix) location of existing/proposed on-site water and sewage disposal services;
 - (x) location of all registered utility easements and rights-of-way;
 - (xi) location of existing and proposed vegetation, landscaping, retaining walls and other physical features on a site, and an indication of which existing features will be retained/removed in the course of developing the project;
 - (xii) dimension layout of existing and proposed off-street parking and loading areas, entrances, exits and abutting roads (labelled); and
 - (xiii) existing and proposed use of the existing and proposed building and/or property;
 - (b) a copy of the Certificate of Title indicating ownership or the payment of an amount as determined from time to time by bylaw of Council, to the County for obtaining this information on the applicant's behalf;
 - (c) if the applicant is an agent of the landowner, a letter from the landowner verifying

- the agent's authority to make the application;
 - (d) the estimated commencement and completion dates;
 - (e) the estimated value of the project; and
 - (f) the applicable development permit fee.
- 17.5 In addition to the requirements of Section 17.4, the Development Authority may require any of the following:
 - (a) plans showing elevations, floor plan and the perspective of the proposed development including a description of the exterior finishing materials, colours and signs;
 - (b) a map showing the designated land use of the project site and of all properties located within 92 m (300 ft) of the boundaries of the site;
 - (c) engineering plans or a statement of intent respecting the provision of water and sewage disposal services, and franchise utilities to the site, and the location of all services and utilities;
 - (d) a lot grading plan;
 - (e) a landscaping plan;
 - (f) photographic prints or slides showing the site in its existing state;
 - (g) a Plan of Survey or a Real Property Report prepared by an Alberta Land Surveyor showing the site to be developed;
 - (h) a geotechnical or floodplain study prepared by a qualified engineer recognized by APEGA if in the opinion of the Development Authority the site is potentially hazardous or unstable;
 - (i) a reclamation plan for aggregate extraction or other major surface disturbance;
 - (j) a Phase 1 Environmental Site Assessment, conducted according to Canadian Standards Association (CSA) guidelines, to determine potential contamination and mitigation;
 - (k) an Environmental Impact Review prepared by a qualified professional if the proposed development may, in the opinion of the Development Authority, result in potentially significant environmental effects;
 - (l) detailed studies regarding the potential impact and approach to dealing with traffic, utilities and storm drainage prepared by a qualified engineer or engineering technologist recognized by APEGGA;
 - (m) elevations of any signs proposed for the development; and
 - (n) such other information that is deemed necessary by the Development Authority.
- 17.6 The Development Authority may deal with an application without any or all of the information required by Sections 17.4 or 17.5 if, in the opinion of the Development Authority, a decision can be properly made on the application without that information.
- 17.7 The Development Officer or the Municipal Planning Commission, as the case may be, may refuse to accept an Application for a Development Permit where the information required by Section 17.4 and 17.5 has not been supplied or if in their opinion the quality of the material supplied is inadequate to properly evaluate the Application.
- 17.8 "Where an applicant is required to submit a report or study that is required to be prepared or reviewed by an expert or professional, including, but not limited to, a professional engineer, architect, arborist or Alberta Land Surveyor, the Development Authority or Subdivision Authority may, in their sole opinion, determine whether the expert or professional is properly qualified or whether the information submitted by the expert or professional is sufficient for the intended purpose and may reject information on either basis. The Development Authority or Subdivision Authority may require that the individual who prepared or reviewed the report or study to supply proof of their credentials and

qualifications for this purpose.”

18. DEMOLITION OF EXISTING DEVELOPMENT

- 18.1 In addition to the requirements of Sections 17.4 and 17.5, an application for a development permit for the demolition of a building shall include the following information:
- (a) the value of the building;
 - (b) the alternatives to demolition if the building is of historic or architectural value;
 - (c) the purpose for the building demolition and the type of structure to replace the demolished building;
 - (d) a work schedule of the demolition and site cleanup;
 - (e) the destination of debris materials; and
 - (f) the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development.

19. FEES

- 19.1 The fees to be charged by the County on all applications and other matters arising under this Bylaw are set forth in the County’s Fee Bylaw.

20. RIGHT OF ENTRY

- 20.1 By applying for and accepting the issuance of any approval from the County the applicant and/or landowner or the owner of an approval issued by the County is deemed to have consented to a person designated by the County to enter upon the subject land during the processing of an application and/or subsequent to the issuance of an approval for the purpose of inspection and ensuring compliance with conditions of approval or otherwise compliance with the Land Use Bylaw. Such inspections shall occur at any reasonable time during County office hours from Monday to Friday, excluding statutory holidays.

21. REFERRAL OF DEVELOPMENT PERMIT APPLICATIONS

- 21.1 Prior to making a decision on any development permit application the Development Authority:
- (a) may refer any development permit application to any County department and/or an adjacent Municipality or any other agency, board, adjacent landowner or other person which in his/her opinion may provide relevant comments or advice respecting the Application; and
 - (b) shall refer any development permit application to those government agencies as required by the Subdivision and Development Regulation (Alberta Regulation 43/2002) as amended from time to time.

- 21.2 After 30 days from the date of referral to any County department, any external agency or any adjacent landowner, the Development Authority may deal with the application whether or not comments have been provided, except if such comment is required by this bylaw.

22. DECISION ON DEVELOPMENT PERMIT APPLICATIONS

- 22.1 In making a decision on a Development Permit application for a Permitted Use, the Development Authority:
- (a) shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw; or
 - (b) shall refuse the application if the proposed development does not conform to this

Bylaw.

- 22.2 In making a decision on a Development Permit application for a Discretionary Use, the Development Authority:
- (a) may approve the application if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application; or
 - (b) may refuse the application even though it meets the requirements of this Bylaw; or
 - (c) shall refuse the application if the proposed development does not conform to this Bylaw.
- 22.3 In reviewing a development permit application for a Discretionary Use, the Development Authority shall have regard to the circumstances and merits of the application, including but not limited to the following:
- (a) the impact on properties in the vicinity of such nuisance effects as smoke, airborne emissions, earthborne vibrations, odours and noise;
 - (b) the design, character and appearance of the proposed development and in particular whether it is compatible with the surrounding properties;
 - (c) any or all of the matters listed in Sections 24.1 and 24.2, but not necessarily limited to those considerations;
 - (d) the servicing and access requirements for the proposed development.
- 22.4 Subject to Section 23.2 the Development Authority shall refuse a development permit for a use or development that is not listed as a Permitted or Discretionary Use, or that is listed as a Prohibited Use, or require that the applicant apply to amend the Land Use Bylaw or rezone the property to an appropriate land use district.

23. VARIANCE AUTHORITY

- 23.1 Notwithstanding Sections 22.1(b) and 22.2(c) the Development Authority may decide on a development permit application even though the proposed development does not comply with this Bylaw or is a non-conforming building or use if, in the opinion of the Municipal Planning Commission:
- (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood; or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
- and
- (b) the proposed development conforms to the use prescribed for the land in this Bylaw.
- 23.2 Notwithstanding Sections 22.4 and 23.1(b) the list of discretionary uses for any land use district shall be deemed to include any use that is, in the opinion of the Development Authority, consistent with the overall intent of the land use district and similar in nature and purpose to a listed permitted or discretionary use, and which conforms to the general purpose of the district.
- 23.3 Pursuant to Section 23.1 and subject to Sections 23.7 and 23.8 the Development Officer may allow a variance of any minimum or maximum development standard in this Bylaw of up to a maximum of 10% of the stated standard.
- 23.4 Pursuant to Section 23.1 and subject to Sections 23.7 and 23.8 the Municipal Planning Commission may:
- (a) allow a variance of any rear yard or side yard setback requirement in this Bylaw in order to correct an omission, error or other defect or to address site specific conditions, any of which, in the opinion of the Development Authority, cause unreasonable hardship and would not unduly interfere with the amenities of the

neighbourhood or materially interfere with or affect the use, enjoyment or value of adjacent parcels of land; and

- (b) allow a variance of any other minimum or maximum development standard in this Bylaw.

Also refer to Sections 13.6, 13.7, 23.7, 23.8 and 67.8.

- 23.5 Pursuant to Section 23.1 and subject to Section 23.8 and notwithstanding Section 43.12, the Municipal Planning Commission may allow a variance to locate an ancillary building in the front yard of a parcel.
- 23.6 Notwithstanding Section 23.4 and pursuant to Section 23.1 and subject to Sections 23.7 and 23.8 the Municipal Planning Commission may allow a variance of any minimum or maximum development standard in this Bylaw as may be necessary in its sole discretion to allow a legal non-conforming building or substandard parcel that existed on or was approved before the effective date of this Bylaw to be brought into conformance with the provisions of this Bylaw.
- 23.7 Notwithstanding the variance powers granted in Sections 23.3, 23.4 and 23.6, for the purpose of fire protection the Development Authority shall not approve a variance to the maximum building height for any building, except Agricultural Supply Depot, Farm Building and Public or Private Road and Utility, in any District that would result in the wall height at the eaves of a pitched roof or at the parapet of a flat roof exceeding 22 ft (6.7 m), unless the Regional Fire Chief recommends the variance.
- 23.8 In considering a variance, the Development Authority shall:
 - (a) not grant a variance if granting the variance results in a development that does not comply with the requirements of the Municipal Government Act and the Subdivision and Development Regulation;
 - (b) not grant a variance which would infringe on any airport vicinity regulations or on any railway right-of-way;
 - (c) grant a variance only in case of hardship or practical difficulty peculiar to the use, character or situation of the land or building and which is not generally common to other land in the district; and
 - (d) have regard to the purpose and intent of the district and the nature of developments on adjacent properties.
- 23.9 If a variance is granted, the Development Authority shall specify its nature in the development permit approval.
- 23.10 Any variance which the Development Authority approves is subject to the provisions of Section 33.
- 23.11 Notwithstanding anything in this Bylaw, the Development Authority may not allow a variance in regard to the use of land or a building.

24. DEVELOPMENT PERMIT CONDITIONS

- 24.1 The Development Authority may impose conditions it considers appropriate to a development permit for either a permitted or a discretionary use, including but not limited to the following considerations:
 - (a) that the Applicant enter into an Agreement with the Municipality, pursuant to the Municipal Government Act, to do all or any of the following;
 - (i) to construct or pay for the construction or the upgrading of any road to give access to the development;

- (ii) to construct, install or pay for the installation of any local improvements or utilities which are needed to serve the development;
- (iii) to repair or reinstate, to original condition, any ditch, municipal landscaping or vegetation which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
- (iv) to give security to ensure that the terms of the Agreement under this Section are carried out or that the conditions of any development permit are complied with;
- (v) to pay to the Municipality the costs paid by the Municipality to any Engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal costs and expenses to which the Municipality is put in connection with the Development Agreement and the Agreement relates; and;
- (vi) to attend to all other matters the Development Authority considers appropriate;
- (b) landscaping;
- (c) the attenuation or timing of noise, odour, smoke, dust, steam, radio waves or other nuisances;
- (d) conformance to recommendations from any professional studies required as part of the permit application, relating to matters such as slope stability, traffic, etc.;
- (e) the compatibility of proposed traffic patterns and characteristics with those existing in the affected neighbourhood;
- (f) the removal or retention of natural vegetation;
- (g) environmental contamination;
- (h) public safety;
- (i) existing structures;
- (j) the timing of the completion of any part of the proposed development;
- (k) parking;
- (l) the size, location, orientation, appearance and character of a site, a building or other structure;
- (m) hours of operation;
- (n) the duration or expiry of a development permit;
- (o) site grading;
- (p) the subdivision or consolidation of parcels;
- (q) completion of detailed plans and construction drawings illustrating access, site layout, landscaping, parking, building elevations, signs, storm water management and/or utility servicing;
- (r) the posting of a security deposit to ensure that the development is completed in a timely fashion and in accordance with the approval;
- (s) to ensure that the design, character, and appearance of a building, including its height, are compatible with and complementary to the surrounding area;
- (t) dust control on County roads due to increased traffic as a result of the proposed development;
- (u) to ensure that a development does not encroach upon the boundary of a Municipal Reserve, an Environmental Reserve or an Environmental Reserve Easement;
- (v) to require that any person who applies to the provincial Safety Codes Council or other accredited agency for a Building Permit under the Safety Codes Act in respect of constructing a building on a property pursuant to a Development Permit previously issued by the County must demonstrate to the County that the Building Permit application submitted to and the Building Permit issued by the Safety Codes Council or other accredited agency are consistent with the Development Permit issued by the County. Refer to Section 47;
- (w) any provision, condition or requirement stated elsewhere in this Bylaw;
- (x) any other condition to ensure the proposed development is compatible with

- surrounding land uses; and
 - (y) any condition deemed necessary to ensure that the development complies with the Municipal Government Act, any regulation or standard stated in this Bylaw, and any applicable statutory plan.
- 24.2 Where this Bylaw requires a minimum standard, the Development Authority may impose a condition to a development permit requiring a higher standard where it is deemed by the Development Authority that adherence to the minimum standard may result in conditions that unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties or the general appearance of a development from a public road or highway.
- 24.3 Where an application for a development permit involves a consolidation of legal parcels, the Development Authority may withhold a permit until the consolidation of the parcels has been registered.
- 24.4 A development agreement signed pursuant to Section 24.1(a) may be registered in the Land Titles Office in the form of a Caveat against the Certificate of Title for the land that is the subject of the Development Agreement, and shall be discharged upon the completion of all the requirements, conditions and terms of the Agreement.

25. TEMPORARY DEVELOPMENT PERMITS

- 25.1 When the Development Authority imposes a condition restricting the duration of a development permit pursuant to Section 24.1(n):
- (a) the Development Authority shall:
 - (i) specify the length of time that the development permit remains in effect;
 - (ii) require that the use be stopped and/or any improvements be removed once the development permit expires;
 - (iii) impose a condition that the County is not liable for any costs incurred in removing any improvements at the expiry of the development permit;
- and
- (b) the Development Authority may require that the applicant enter into an agreement with the County guaranteeing the removal of any improvements when the use is changed or discontinued. The agreement may require the applicant to post a security guaranteeing the removal of any improvements.
- 25.2 Upon expiry of a development permit issued on a temporary basis, a new application is required. Such application shall be considered as a first application and the Development Officer is not obliged to approve it on the basis that a previous development permit was issued.

26. NON-CONFORMING BUILDINGS AND USES

- 26.1 Except as provided for in Section 23.6, a development which is deemed to be a non-conforming building or use shall be dealt with as provided for under the Municipal Government Act.

27. NOTIFICATION OF DECISION

- 27.1 Where a decision has been made to approve a Development Permit application, the Development Authority:
- (a) within seven (7) days of a decision being made on any Development Permit shall

provide a Notice of the decision to the applicant in writing by regular mail and place a Notice of the decision on the bulletin board in the County Office;

- (b) within seven (7) days of a decision being made may, in the case of a Permitted Use, and shall, in the case of a variance or a Discretionary Use, publish a notice in the newspaper circulating in the County stating the legal description, municipal address, the nature of the development, and the right of appeal; and/or
- (c) within seven (7) days of a decision being made in the case of a variance or a Discretionary Use, may send a notice by regular mail to all adjacent landowners advising of the decision and the right of appeal and may post a Notice of the decision conspicuously on the property for which the Application has been made.

27.2 Where an Application for a Development Permit is refused, the Development Authority shall notify the Applicant of the decision in writing by regular mail within seven (7) days of the decision being made, including the reasons for the refusal.

27.3 *Deleted*

27.4 Any development or part of a development that is started or undertaken prior to the expiration of the appeal period or, if appealed, the outcome of the appeal process shall be entirely at the risk of the Applicant and with the understanding that the Applicant is liable for any costs which may be incurred in returning the parcel of land to the state it was in prior to development.

28. APPLICATION DEEMED REFUSED

28.1 If an Application for a Development Permit is refused or if a decision is not made within forty (40) days from the date of receipt of the completed Application, or within such longer period as the Applicant may approve in writing, the Application shall be deemed to be refused and the Applicant may appeal to the Subdivision and Development Appeal Board pursuant to Section 34.

29. SUBSEQUENT APPLICATIONS

29.1 Where an Application for Development Permit is withdrawn by the Applicant or refused by the Development Authority or where an appeal is refused by the Subdivision and Development Appeal Board, the Development Authority shall not accept another Application for a Development Permit on the same parcel of land and for the same or similar use of land by the same or any other Applicant for a period of three (3) months after the date of withdrawal or final refusal unless, in the opinion of the Development Authority, the reasons for the refusal have been adequately addressed or the circumstances of the Application have changed significantly.

30. COMPLIANCE WITH DEVELOPMENT PERMIT CONDITIONS

30.1 On receipt of an issued Development Permit, a person may develop land for the purposes approved subject to meeting any conditions imposed and shall not develop land otherwise.

31. VALIDITY OF A DEVELOPMENT PERMIT

31.1 A Development Permit shall automatically become null and void if the development authorized by the Development Permit is not commenced within twelve (12) months and the exterior finishing, site grading, paving, curbing and/or landscaping are not completed within twenty-four (24) months from the date of the issuance of the Permit, unless an extension to the Permit has been applied for by the applicant and granted by the Development Authority prior to the expiry date. Any application for the extension of the

validity of a Development Permit must be considered by the Municipal Planning Commission.

- 31.2 If a development has been commenced but the Development Permit is subsequently deemed null and void pursuant to Section 31.1, the Development Authority may require that all work cease until a new Permit is applied for and issued, and if necessary issue a stop work order pursuant to the Act.
- 31.3 A development, once begun, shall not be abandoned, or left for an extended period of time in what the Development Officer considers to be an unsightly or unsafe condition.

32. SUSPENSION OR REVOCATION OF A DEVELOPMENT PERMIT

- 32.1 The Development Authority may suspend or revoke a development permit if:
- (a) facts concerning the Application or the development were not disclosed which should have been disclosed at the time the Application was considered and have subsequently become known;
 - (b) the development for which the permit has been issued is not being carried out or completed to the extent or in the manner originally approved;
 - (c) there is a contravention of any condition under which such permit was issued;
 - (d) the permit was issued in error; or
 - (e) the Permit Application contained a serious misrepresentation or the permit was otherwise issued on the basis of incorrect information.

33. RIGHT OF APPEAL

- 33.1 The applicant for a Development Permit may appeal to the Subdivision and Development Appeal Board if the Development Authority:
- (a) refuses a development permit application; or
 - (b) approves a development permit application subject to conditions; or
 - (c) refuses a development permit application as an incomplete application; or fails to notify the applicant that a development permit application has been deemed incomplete within twenty days of submitting the application pursuant to the Municipal Government Act (s. 683.1)
 - (d) fails to make a decision on a development permit within 40 days of receipt of a completed application or within such extended period as the applicant may approve in writing.
- 33.2 Subject to Section 33.5, in addition to the applicant any other person affected by a decision of the Development Authority to approve a Development Permit application may appeal to the Subdivision and Development Appeal Board.
- 33.3 A person whose Development Permit is suspended, revoked or cancelled under Section 32 may appeal to the Subdivision and Development Appeal Board.
- 33.4 A landowner or the holder of a Development Permit may appeal to the Subdivision and Development Appeal Board if the Development Authority issues an Order under Section 37 of this Bylaw.
- 33.5 Notwithstanding Sections 33.1 and 33.2, no appeal lies in respect of the issuance of a Development Permit for a Permitted Use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted in that Development Permit.

34. THE APPEAL PROCESS

- 34.1 An appeal to the Subdivision and Development Appeal Board shall be commenced by serving written Notice of the Appeal on the Subdivision and Development Appeal Board within twenty-one (21) days after:
- (a) in the case of an appeal made by a person referred to in Section 33.1, the date on which:
 - (i) the person is notified of the decision, or
 - (ii) if no decision is made with respect to the Application for a Development Permit, the expiry of the forty- (40) day period, and any extension thereto, referred to in Section 33.1(d);
 - (b) in the case of an appeal made by a person referred to in Sections 33.2, 33.3 or 33.4, the date on which the person is notified of the decision or order.
- 34.2 If a notice of appeal of a decision on a Development Permit application is served on the Secretary of the Subdivision and Development Appeal Board, the Development Permit shall not be effective until:
- (a) the decision to approve the permit is upheld by the Subdivision and Development Appeal Board; or
 - (b) the Secretary of the Subdivision and Development Appeal Board receives written notice from the appellant withdrawing the appeal.
- 34.3 If a decision to approve a Development Permit is reversed by the Subdivision and Development Appeal Board, the Development Permit shall be null and void.
- 34.4 If a decision to refuse a Development Permit application is reversed by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 34.5 If a decision to approve a Development Permit application is varied by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 34.6 The decision of the Subdivision and Development Appeal Board is binding except on a question of jurisdiction or law, in which case the appellant may appeal to the Court of Appeal as provided in the Act.

PART FOUR

PROCEDURE FOR BYLAW AMENDMENTS

35. APPLICATION TO AMEND THE LAND USE BYLAW

35.1 Council on its own initiative may adopt a Bylaw to amend this Land Use Bylaw pursuant to the provisions of the Municipal Government Act. If deemed necessary, the County may initiate an amendment to this Bylaw without the landowner's consent.

Filing an Application

35.2 Any person may make Application to the Development Officer for an amendment to this Land Use Bylaw pursuant to the provisions of the Municipal Government Act. The Application shall include:

- (a) a statement of the specific amendment requested;
- (b) the purpose and reasons for the Application;
- (c) if the Application is for a change of District of a specific parcel of land:
 - (i) the legal description of the lands or a plan showing the location and dimensions of the lands;
 - (ii) a properly dimensioned map indicating the affected site and its relationship to existing land uses on adjacent properties;
 - (iii) a recent copy of the Certificate of Title for the lands or any other documentation satisfactory to the Development Authority verifying that the applicant has a legal interest in the land; and
 - (iv) the registered owner's authorization for the proposed amendment, if the Applicant is not the registered owner;
- (d) such additional information as the Development Officer may require to properly evaluate the proposed amendments and to make recommendations to Council concerning the proposed amendment; and
- (e) the required application fee pursuant to the County's Fee Bylaw.

35.3 If the amendment is for a change of District of a specific parcel of land, the Development Officer may require that the applicant prepare an Area Structure Plan or Outline Plan for the area to be rezoned, to the level of detail specified by the Development Officer or pay for the preparation of such a plan by the County.

35.4 Upon receipt of an Application to amend this Bylaw, the Development Officer shall place the Application before Council for consideration of first reading within sixty (60) days of its receipt.

35.5 The amendment application may be referred by the Development Officer to:

- (a) any County Department for review and comment;
- (b) any external agency for comment and advice;
- (c) the Municipal Planning Commission for consideration and recommendation to Council; and/or
- (d) Council for first reading and to establish a date for a public hearing to be held prior to second reading.

Council's Consideration of an Application

35.6 Council, in considering an Application to amend this Bylaw:

- (a) shall pass first reading with or without conditions if the amendment is to change the District of a parcel of land; and
- (b) may, at its sole discretion, for all other applications:
 - (i) refuse the Application;
 - (ii) refer the Application for further information;

- (iii) pass first reading to a Bylaw to amend this Land Use Bylaw, with or without amendments;
- (iv) defeat first reading of a Bylaw to amend this Land Use Bylaw; or
- (v) pass first reading of an alternative amendment to this Land Use Bylaw with or without amendments.

Advertising and Notification of Public Hearing

- 35.7 Upon giving first reading to an amending Bylaw, Council shall:
- (a) establish the date, time, and place for a Public Hearing on the proposed Bylaw; and,
 - (b) if a Bylaw to establish procedures for Public Hearings has not been passed:
 - (i) outline the procedures to be followed by any person, group of persons, or person representing them who wish to be heard at the Public Hearing; and
 - (ii) outline the procedure for conducting the Public Hearing.
- 35.8 Notwithstanding Section 35.7, the Land Use Bylaw may be amended without giving Notice or holding a Public Hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- 35.9 Following first reading of an amending Bylaw to change the District of a parcel of land, the Development Officer must give written notice of the proposed bylaw and the Public Hearing to the assessed owner of the parcel of land and to each owner of adjacent land, in accordance with Section 692 of the Act.
- 35.10 Following first reading of an amending Bylaw for all amendments other than those mentioned in Section 35.8 the Development Officer must advertise or give notice of the Public Hearing according to Section 606 of the Act.

Public Hearing

- 35.11 In the Public Hearing, the Council:
- (a) must hear any person, group of persons, or person representing them who claims to be affected by the proposed Bylaw and who has complied with the procedures outlined in this Bylaw; and
 - (b) may hear any other person whom the Council agrees to hear.
- 35.12 After considering the representations made to it about the proposed Bylaw at the Public Hearing and after considering any other matter it considers appropriate, Council may:
- (a) pass the Bylaw;
 - (b) make any amendment to the Bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
 - (c) defeat the Bylaw.
- 35.13 Prior to granting third reading of a proposed Bylaw to amend the Land Use Bylaw, Council may require the Applicant to apply for subdivision approval and/or for a Development Permit and negotiate a Development Agreement in respect of the proposal which initiated the Application for Amendment, and to complete, register or execute any approvals resulting therefrom.
- 35.14 After third reading of a proposed Bylaw, the Development Officer shall send a copy of it to:

- (a) the Applicant;
- (b) the Registered Owner of the lands if it is not the Applicant;
- (c) an adjoining Municipality if it received Notice of the proposed Bylaw pursuant to Section 692 of the Act.

Subsequent Applications

35.15 The Development Officer shall not accept an Application for an amendment to this Bylaw which is identical or similar to an Application which was refused by Council, for a period of three (3) months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the Application have changed significantly.

PART FIVE
BYLAW ENFORCEMENT

36. CONTRAVENTION

- 36.1 No person shall contravene this Bylaw by commencing or undertaking a development, use, or sign that is not permitted under this Bylaw.
- 36.2 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for issuing a development permit under this Bylaw.
- 36.3 No person shall contravene a condition of a permit issued under this Bylaw.
- 36.4 A Bylaw Enforcement Officer or the Development Authority may enforce the provisions of this Bylaw, the Municipal Government Act and its regulations, or the conditions of a development permit or a subdivision approval.
- 36.5 Notwithstanding anything to the contrary in this Bylaw the Development Authority may enforce compliance with this Bylaw if the contravention amounts to the non-compliance with a condition of a development permit or a subdivision approval or if, in response to a public complaint, it is determined upon inspection that an unsafe condition exists, being a condition which could endanger the life, limb or health of any person authorized or expected to be on the premises.

37. STOP ORDER AND ORDERS OF COMPLIANCE

- 37.1 If the Development Authority, a Peace Officer or a Bylaw Enforcement Officer finds that a development, land use, or use of a building or structure is in contravention of or not in conformity with the Land Use Bylaw, the Municipal Government Act, the Subdivision and Development Regulation, a Development Permit or a Subdivision Approval, the Development Authority may, by written Order pursuant to the Municipal Government Act, direct the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:
- (a) stop the development or use of the land or building or structure in whole or in part as directed by the Order;
 - (b) demolish, remove, or replace the development, use, building or structure; or
 - (c) carry out other actions required by the Order so that the development or use of the land or building or structure is remedied to comply with the Land Use Bylaw, the Municipal Government Act, the Subdivision and Development Regulation, a Development Permit, or a Subdivision Approval;
- and in such Order establish a time for compliance with such Order, acting reasonably.
- 37.2 A person who receives an Order to Remedy a Contravention may by written notice request the County Council to review the Order, and a person who receives a Stop Order may appeal to the Subdivision and Development Appeal Board.
- 37.3 If a person fails or refuses to comply with an Order under Section 37.1 or, subsequent to review or appeal wherein the Order is upheld, an Order of the County Council or the Subdivision and Development Appeal Board, the Municipality may enter on the land or building and take any action necessary to carry out the Order.
- 37.4 The Municipality may register a Caveat under the Land Titles Act in respect of an Order referred to in Section 37.1 against the Certificate of Title for the land that is the subject of the Order, but if it does so the Municipality must discharge the Caveat when the Order has been complied with.

37.5 If the County takes action to carry out an Order to remedy a Contravention or a Stop Order, the County shall cause the costs and expenses incurred in doing so to be placed on the tax roll of the property concerned.

38. PENALTIES AND FINES

38.1 A person:

- (a) who contravenes or does not comply with:
 - (i) the Land Use Bylaw;
 - (ii) the Municipal Government Act;
 - (iii) the Subdivision and Development Regulation;
 - (iv) an Order under Section 37.1 of this Bylaw;
 - (v) a Development Permit or Subdivision Approval, or a condition therein;
 - (vi) a decision of the Subdivision and Development Appeal Board;

and/or

- (b) who commences a development without the prior issuance of a Development Permit or a Subdivision Approval;

and/or

- (c) who obstructs or hinders any person in the exercise or performance of his/her powers or duties under this Land Use Bylaw;

is, pursuant to the Municipal Government Act, guilty of an offence and may be liable to a fine or penalty as provided for in the County's Fee Bylaw, prosecution, or both.

38.2 Where the Development Officer, a Peace Officer or a Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision pursuant to Section 38.1 of this bylaw, (s)he may serve upon such person an offence ticket requiring the payment of a fine or penalty specified in the County's Fee Bylaw in lieu of prosecution for the offence.

PART SIX

GENERAL LAND USE REGULATIONS

39. APPLICABILITY

39.1 This Part shall apply to all Land Use Districts and Development Permits under this Bylaw.

40. ACCESS TO A PARCEL OF LAND

40.1 Any access location and/or ditch/curb crossing from a municipal road onto a parcel of land may, at the discretion of the Development Officer, require the approval of the Development Authority.

40.2 All developments except detached dwellings and duplexes and individual parking stalls accessing an alley shall be designed so that backing maneuvers necessary to access a driveway, a parking stall, a loading door, a drive-through or any other area where vehicles operate, take place wholly on the subject parcel of land.

41. AGRICULTURE PREVAILS IN THE AGRICULTURAL DISTRICT

41.1 Where a residential Development Permit is issued in the Agricultural District, the applicant shall be notified that the purpose of the Agricultural District is to provide landowners with the right to farm and that all agricultural activities have precedence in the Agricultural District.

42. AIRPORT VICINITY OVERLAY DISTRICT

42.1 In making a decision on any development permit application on land that is located within the airport noise contour map in the vicinity of the Town of Stettler and County of Stettler No. 6 Airport, the Development Authority shall have regard for Schedule 'A', being the Town and County of Stettler Airport Vicinity Overlay District.

43. ANCILLARY BUILDING AND FARM BUILDING

General

43.1 A farm building is part of an Agricultural Operation (therefore it is not an Ancillary Building) and is exempted from the requirement of a development permit, subject to Section 16.1. Refer to the definitions of Agricultural Operation in Section 8 and Farm Building in Section 9.

43.2 An Ancillary Building may be attached to a principal building or it may be a structure that is detached from the principal building. When an Ancillary Building is attached to a principal building the setback requirements and other regulations that apply to the principal building shall also apply to the Ancillary Building.

43.3 In a multi-lot subdivision or a hamlet a development permit for an Ancillary Building shall not be issued and an Ancillary Building shall not be developed unless a development permit for the principal building or principal use on that lot has been issued previously or is being issued at the same time as the development permit for the Ancillary Building.

43.4 The Development Authority may approve one or more development permits for an Ancillary Building on a parcel of land.

A Detached Ancillary Building shall not be used for Living Accommodation without a valid Development Permit

- 43.5 Subject to Section 43.6 a detached Ancillary Building shall not be used as a dwelling unit as defined in Section 9 however, only if a Detached Dwelling exists on the same parcel of land, portions or the whole of the detached Ancillary Building may be used as a guest unit that contains bedroom(s) or recreational room(s) and/or sanitary facilities.
- 43.6 Notwithstanding Section 43.5 and subject to Section 82 and Section 43.14, a Secondary Suite may be developed in a detached Ancillary Building in those Districts where Secondary Suite is listed as a permitted or discretionary use, provided that the originally intended use of the Ancillary Building is not compromised to the extent that it is discontinued over more than 50% of its ground floor area; for example a secondary suite may be developed in the loft space of a garage leaving 100% of the ground floor area to be used as a garage, or it may be developed in a portion of the ground floor of a garage leaving not less than 50% of the ground floor area to be used as a garage. The reason for this regulation is to avoid a scenario where the Ancillary Building is developed as a second Detached Dwelling which would be contrary to Section 69 of this Bylaw.

Exterior Finishing of and Additions to an Ancillary Building

- 43.7 The exterior finishing of an Ancillary Building on a site in a multi-lot subdivision shall be, in the opinion of the Development Authority, similar to, and shall complement, the principal building in exterior material, colour and appearance.
- 43.8 Decks, balconies, sunrooms and the like shall not be constructed as part of a detached Ancillary Building, and if an Ancillary Building is attached to a Detached Dwelling additions to the said Ancillary Building shall comply with the required setbacks for the principal building in that district.

Height Restrictions

- 43.9 Subject to Section 23.7 the maximum height of a detached Ancillary Building is:
- (a) 16.0 feet (4.88 meter) in the Country Residence, Country Residence Recreational District, Country Residence Equestrian District, Hamlet Residential District, Resort Residential District, Resort Residential - Communally Serviced District and Resort Residential - Recreational District;
 - (b) Notwithstanding Section 43.9(a) and the definition of height in Section 9, the maximum height of an ancillary building in the Hamlet of Botha shall be 7.5 m (24.6 ft.) or the height of the principal building, whichever is less, and height shall be measured to the highest peak of the roof; [1631-20]
 - (c) 25 feet (7.62 metres) in the Agricultural District and Country Residence Agricultural District; and
 - (d) in all other Districts, the maximum height of a detached Ancillary Building is the same as that of the principal building, except if the District states otherwise; and further
 - (e) notwithstanding Sections 43.9(a), (c) and (d):
 - (i) where a detached Ancillary Building in a non-residential District is located on a site which abuts a site in any residential District, the maximum height of the detached Ancillary Building in the non-residential District shall not exceed the maximum height permitted for a detached Ancillary Building in the abutting residential district;
 - (ii) the maximum height of a detached Ancillary Building that is ancillary to a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit

- shall not exceed the height of the Recreational Vehicle or Recreational Vehicle - Park Model Recreational Unit located on the site; and
- (iii) when a secondary suite is located in the loft space of a detached Ancillary Building pursuant to Section 43.6, the maximum height of the detached Ancillary Building shall be 26 feet (7.92 meter) unless the District regulations allow for a greater height, and further provided that the eaves or parapet does not exceed 22 feet above the average grade.

Ground Floor Area Restrictions

- 43.10 On any parcel of land in the Agricultural District and the Country Residence Agricultural District or any of the various residential and resort districts, including any residential Districts:
- a) the maximum ground floor area of a permitted use Ancillary Building (residential) – Standard Size is 1,500 ft² (139.35 m²) and
 - b) the maximum ground floor area of a discretionary use Ancillary Building (residential) – Oversized is 3,000 ft² (278 m²) .
- 43.11 On any parcel of land in the Agricultural District the ground floor area of an Ancillary Building (industrial or non-residential) is not restricted to a specific area and the size shall be determined at the discretion of the Development Authority.

Setbacks

- 43.12 On a lot in a multi-lot subdivision, a detached Ancillary Building or any portion thereof shall not be placed within the front yard (as defined in Section 9 of this Bylaw) of a parcel of land, subject to Section 58.25 (also see Section 23.5).
- 43.13 Subject to Section 43.14, a Farm Building and an Ancillary Building shall be set back at least 3.0 feet (0.91 meter) from the side and rear boundaries of the parcel of land, unless it is:
- (a) attached to a principal building, in which case the side and rear yard setbacks of the Ancillary Building shall be the same as those required for the principal building;
 - (b) in the case of an Ancillary Building, a mutual garage erected on common property line and the common wall is a firewall;
 - (c) in the case of an Ancillary Building, a detached garage with its vehicle door facing the alley in which case a rear yard setback of either 6.0 m (20 ft) or 0.5 m (1.6 ft) is required; and further, in the event that a utility right-of-way or easement exists along the rear property line, the minimum setback for the ancillary building is 0.5 m (1.6 ft) from the utility right-of-way or easement;
 - (d) an Ancillary Building on a corner parcel of land, in which case, subject to Section 58.31, it shall not be situated closer to the road than the minimum required setbacks of the principal building;
 - (e) a portable/moveable farm building on a parcel of land in the Agricultural District that is bounded on all sides by a parcel that is located in the Agricultural District and which is not part of a multi-lot subdivision, in which case the farm building may be located on the property line.
- 43.14 The required side yard setback for an Ancillary Building
- (a) shall be increased by 1.0 m (3.28 ft) for each 3.05 m (10 ft) in Ancillary Building height above the first 4.88 m (16 ft); and
 - (b) that is not yet constructed and within which a Secondary Suite is proposed to be developed shall be the same as the required side yard setback for a Detached Dwelling in that District.

43.15 Notwithstanding any setback regulation in Section 43.13 a Farm Building and an Ancillary Building shall not be located on an easement or utility right-of-way.

43.16 A detached Farm Building or an Ancillary Building shall be located a minimum of 3.0 m (10 ft) from a principal building on a lot.

44. ATTACHING A DWELLING UNIT TO AN ANCILLARY BUILDING OR A FARM BUILDING

44.1 Except in the case of an Ancillary Building that, in the opinion of the Development Authority, is reasonably described as a typical garage for residential use, the Development Officer shall refer to the Municipal Planning Commission for their consideration any development permit application that proposes to encompass or attach a dwelling unit to an Ancillary Building or to a Farm Building.

45. BED AND BREAKFAST ESTABLISHMENT AND GUEST RANCH

45.1 A bed and breakfast establishment or a guest ranch is subordinate and ancillary to a principal residential use.

45.2 The Development Authority may permit a bed and breakfast establishment or guest ranch only if, in the opinion of the Development Authority, it complies with the following regulations:

- (a) the privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times;
- (b) interior or exterior alterations, additions or renovations to accommodate a bed and breakfast or guest ranch may be allowed provided such alterations, additions or renovations maintain the principal residential appearance or character of the dwelling and comply with this Bylaw and any other County bylaws;
- (c) accessory dormitory structures such as cabins, tents or tipis may be permitted to accommodate guests;
- (d) a bed and breakfast or guest ranch shall be operated only by the occupant(s) of the principal or secondary dwelling and four (4) non-resident employees on site;
- (e) one on-site parking stall shall be provided for each guestroom that is being provided for compensation; and
- (f) a bed and breakfast or guest ranch shall meet the signage requirements of this bylaw.

46. BOARDING HOUSE

46.1 A boarding facility may only be permitted in a single detached dwelling.

46.2 One on-site parking stall shall be provided for each bedroom provided for compensation.

47. BUILDING PERMIT MUST BE CONSISTENT WITH DEVELOPMENT PERMIT

47.1 When (and only when) any person applies to the provincial Safety Codes Council, through an accredited agency, for a Building Permit under the Safety Codes Act in respect of constructing a building on a property pursuant to a Development Permit previously issued by the County, the applicant for the Building Permit must provide to the County a copy of the Building Permit application submitted to the Safety Codes Council or other accredited agency, including application form, floor plan and site plan, and a copy of the Building Permit immediately upon being issued by the Safety Codes Council or other accredited agency, including the issued Building Permit, the floor plan and the site plan.

- 47.2 The requirement to provide the information required in Section 47.1 shall be added as a condition to every Development Permit issued by the Development Authority.
- 47.3 Failure to provide the information required in Section 47.1 constitutes a contravention under Section 36 and the Development Authority may issue a Stop Order.
- 47.4 The purpose of Section 47 is to provide the County with an opportunity to verify consistency between the Building Permit submitted to/issued by the Safety Codes Council and the Development Permit issued by the County in matters that include but are not limited to the following: the use for which the Development Permit was issued, compliance with conditions attached to the Development Permit, compliance with regulations and standards contained in the applicable land use district such as minimum or maximum floor area of a building, maximum building height, and rear, front and side yard setbacks, and compliance with any variance to regulations approved by the Development Authority.
- 47.5 Nothing stated in Section 24.1 (v) or Section 47 must be interpreted as an attempt by the County to enforce the Safety Codes Act.

48. CANNABIS RETAIL SALES AND CANNABIS PRODUCTION

- 48.1 Notwithstanding any other provision in this Land Use Bylaw, the following regulations apply to all Cannabis Retail Sales and the production of Cannabis:
- (a) Where any definition, regulation, standard or anything else in this Land Use Bylaw includes or authorizes the sale of any retail or wholesale product including food and beverages, such sale shall be deemed to exclude Cannabis Retail Sales;
 - (b) Cannabis Retail Sales shall be a prohibited use in any Land Use District where Cannabis Retail Sales is not expressly listed as a discretionary use;
 - (c) Cannabis Retail Sales shall not be co-located with any business premises other than that which is intended expressly and solely for the sale of cannabis and cannabis accessories. A cannabis store can occur as a stand-alone use with its own dedicated separate entrance in a multi-tenant building or as part of a mixed-use development;
 - (d) All functions of a Cannabis Retail Sales use shall be fully enclosed within the building;
 - (e) No Outdoor Storage shall be allowed on the site;
 - (f) All garbage containers, waste material and loading facilities shall be fully enclosed within the building;
 - (g) The use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
 - (h) The use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent sites or the surrounding area;
 - (i) Products in the store shall not be visible from outside the premise;
 - (j) Drive-through windows are prohibited;
 - (k) The business name is to be prominently displayed in signage at all public access points of the Cannabis Retail Sales use;
 - (l) Hours of operation for Cannabis Retail Sales shall be limited to between 10:00 a.m. and 10:00 p.m. only;

- (m) The following separation distances, measured in a straight line from the closest point to/from the following specified uses shall be met, regardless of which use is approved first:
 - (i) 400 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use;
 - (ii) 400 metres from the property boundary of all schools (as defined in the School Act), training facilities and other educational premises to the occupied floor area of a Cannabis Retail Sales;
 - (iii) 400 metres from the occupied floor area of a Day Care Facility to the occupied floor area of a Cannabis Retail Sales use;
 - (iv) 400 metres from the property boundary of a recreation facility, a playground, a community centre, a church or a public park, to the occupied floor area of a Cannabis Retail Sales.

48.2 The production of cannabis is included in the land use definitions of “Manufacturing, Processing or Assembly Facility” and “Value Added Agricultural Industry” however, where a facility or industry produces cannabis, the sale of cannabis from that facility or industry is prohibited and the operator of the facility or industry would be required to obtain a separate development permit for “Cannabis Retail Sales”, provided the Land Use District in which the subject property is located, included that use.

48.3 In addition to the requirements of this Bylaw, a person who obtains a Development Permit for Cannabis Retail Sales or for cannabis production is required to comply with all federal, provincial and other municipal legislation. The issuance of a Development Permit for Cannabis Retail Sales or for cannabis production indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of this Land Use Bylaw respecting land use and development standards, including those respecting the location of premises described in a cannabis license and distances between those premises and other premises. The issuance of a Development Permit for Cannabis Retail Sales or for cannabis production does not in any way relieve or excuse the Development Permit holder from obtaining and complying with any other permit (including safety codes permits e.g. building, electrical, gas, plumbing, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the County, or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. It remains the Development Permit holder’s responsibility to ensure compliance with such other legislation, including the provincial and federal legislation regarding Cannabis. The Development Authority does not administer or enforce such other legislation.

49. CANVAS COVERED STRUCTURE

49.1 Notwithstanding the provisions of any land use district the development of a canvas covered structure as either a principal building or an ancillary building on any parcel of land adjacent to or within a multi-lot subdivision, a hamlet, a village or a town shall be a discretionary use and the Municipal Planning Commission, in its sole discretion, may approve a development permit application for a canvas covered structure on a temporary basis pursuant to Section 25.

50. CHANGE OF USE OR INTENSITY OF USE

50.1 A development permit is required where the following occurs:

- (a) a change of use of land or of an existing building or an act done in relation to land or to an existing building that results in or is likely to result in a change in the use of the

- land or the existing building, or
- (b) a change in the intensity of use of land or of an existing building or an act done in relation to land or to an existing building that results in or is likely to result in a change in the intensity of use of the land or the existing building.

51. **COMMERCIAL AND INDUSTRIAL DESIGN GUIDELINES**

- 51.1 In making a decision on any commercial or industrial type development permit application in any land use district that allows these types of developments on land that is designated as a County growth area in the County of Stettler No. 6 and Town of Stettler Inter-municipal Development Plan, the Development Authority shall have regard for Schedule 'B', being the Gateway Commercial and Industrial Design Guidelines.

52. **COMMUNICATION ANTENNA AND STRUCTURE**

Note: Industry Canada is responsible for regulating radio communications in Canada and for authorizing the location of radio communication facilities, including communication antennas and structures. In making its decision regarding a proposed communication antenna and structure and related facilities, Industry Canada may consider the following:

- (a) *the input provided by the land-use authority;*
- (b) *compliance with Transport Canada's painting and lighting requirements for aeronautical safety;*
- (c) *Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and,*
- (d) *an environmental assessment may be required in order to comply with the Canadian Environmental Assessment Act.*



The participation or otherwise of the County in the consultation process does not transfer any federal decision-making authority, nor does it confer a right of veto in the location of the radio communication facility.

- 52.1 Pursuant to Section 16.1(s) a development permit for a communication antenna and structure is required only when it exceeds 9.14 m (30 ft) in height from finished grade.
- 52.2 An application for a development permit for a communication antenna and structure shall include a co-location assessment pursuant to Section 52.3, a site plan drawn to scale and identifying the site boundary, the tower, the location of guy wire anchors, existing and proposed structures, vehicular parking and access, existing vegetation to be retained, removed, or replaced, and uses and structures on the site and abutting properties.
- 52.3 Unless demonstrated to be impractical, a communication antenna shall be mounted on an existing structure (including a building or a tower) or within a transportation or utility corridor. An application for a new tower must include an assessment of other towers in operation/constructed or of other tower sites for which a development permit have been issued within a five mile radius of the subject site. The assessment must demonstrate to the satisfaction of the Development Authority that co-location of the proposed Communication Antenna on any existing tower or structure is not a viable alternative to a new structure (due to, for example, site line issues).
- 52.4 Subject to Section 52.5, the tower base shall be set back from the property lines by a distance of 20 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.

- 52.5 Guy wire anchors shall be set back at least 1.0 m (3 ft) from the side and rear property lines and shall follow the front yard setback requirements of Section 58.25.
- 52.6 Any equipment or maintenance shelter must meet the yard setback requirements for an Ancillary Building in the district in which the parcel is located.
- 52.7 A Communication Antenna and Structure must have the least practical adverse visual effect on the environment. This may be accomplished by using landscaping, fencing or tower design, including the imitation of natural features such as a tree.
- 52.8 The Communication Antenna and Structure shall be fenced with suitable protective anti-climb fencing to the satisfaction of the Development Authority.
- 52.9 The Communication Antenna and Structure shall not be illuminated unless required by Transport Canada regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.
- 52.10 A communication antenna and structure intended for amateur radio shall be located on the same site as the intended signal user.

Note: The County encourages applicants to consult with residents adjacent to the application site prior to making an application for a development permit. Upon a decision made by the Development Authority to approve a development permit application for a communication antenna or structure the County will notify the occupants of all dwelling units within one mile of the site and provide them an opportunity to appeal it.

53. COMPLIANCE WITH OTHER LEGISLATION

- 53.1 The issuing of a Development Permit in any Land Use District shall indicate that the development to which the Development Permit relates is authorized only in accordance with the provisions of this Bylaw and shall in no way affect the duty or obligation of a person:
 - (a) to obtain any other permit, license, or other authorization required by any federal or provincial Act or Regulation of any other jurisdiction or by any other Bylaw of the County; or
 - (b) to comply with the conditions of any easement, restrictive covenant, caveat, agreement or other instrument affecting the building or land.

54. CONCERT SITE (SPECIAL EVENT)

- 54.1 Concert Site is listed as a discretionary use in specific land use districts and a development permit for a concert site or special event site may only be issued by the Development Authority subject to Bylaw 806-92.

55. CONTRACTOR'S BUSINESS – HOME BASED OR NOT HOME BASED

- 55.1 Where the Development Authority approves a development permit application for a Contractor's Business – Home Based or Not Home Based, it shall require that the development complies with the following regulations:
 - (a) **Home Based:** when the site of the proposed Contractor's Business – Home Based or Not Home Based is located within one mile from any existing residence that is located either in the County or in an adjacent municipality:
 - (i) the use shall only be allowed in conjunction with a habitable dwelling unit located on the subject parcel that is maintained and occupied by the operator of the Contractor's Business – Home Based for the lifetime of the business;
 - (ii) the business shall not employ more than three persons who are not part of the household living on the property; and

- (iii) the development permit shall be issued for 'Contractor's Business – Home Based' subject to the conditions listed above as well as those listed in Section 55.1(c), (d) and (e) below.
- (b) **Not Home Based:** when the site of the proposed Contractor's Business – Home Based or Not Home Based is located one and a half miles or more away from any existing residence that is located either in the County or in an adjacent municipality:
 - (i) the use shall be allowed either in conjunction with a dwelling unit located on the subject parcel or without such a dwelling unit, and
 - (ii) the development permit shall be issued for 'Contractor's Business – Not Home Based' subject to the conditions listed in Section 55.1(c), (d) and (e) below.
- (c) The business shall not create a nuisance beyond the property boundary by way of dust, noise, vibration, odors, or smoke;
- (d) The outside storage of any materials, goods, or equipment shall be subject to the approval of the Municipal Planning Commission; and
- (e) Any on-site retail sales shall be ancillary to the industrial or service aspect of the business.

55.A Data Processing Centre

- (i) The period of time for which a development permit for a Data Processing Centre is valid shall be at the discretion of the Development Authority. Within the Agricultural District (A), this period of time shall not exceed five (5) years.
- (ii) The exterior finish of the building (s) shall be to the satisfaction of the Development Authority.
- (iii) Screening of the development in the form of landscaping, fencing or other suitable screening materials may be required by the Development Authority.
- (iv) A noise impact assessment may be required by the Development Authority. If deemed necessary by the Development Authority, noise mitigation measures including a noise monitoring system may be required as part of the conditions of approval.
- (v) A Data Processing Centre operating in conjunction with an onsite power generation facility (plant) shall provide written notice from the Alberta Utilities Commission (AUC) that the power generation facility meets all AUC requirements. If the facility is deemed exempt from AUC regulations, a written letter of confirmation from AUC indicating that the facility is exempt must be provided by the applicant at the time the application is made.
- (vi) A Data Processing Centre operating in conjunction with an onsite power generation facility (plant) shall be setback a minimum distance of 1,200 m from the exterior wall of any existing dwelling unit(s).
- (vii) Notwithstanding the above, the setback distance may be reduced if a noise impact assessment and/or noise mitigation plan and/or the design of the development is deemed sufficient to mitigate the impact of noise on other lands and uses in proximity to the development to the satisfaction of the Development Authority.

- (viii) A mitigation plan shall be provided at the time of development permit application addressing any potential nuisance factors including excessive noise, odour, traffic, dust, emissions, heat and other impacts to the satisfaction of the Development Authority.

56. DECK

56.1 A deck:

- (a) if it is a ground level deck, may be located next to a side or rear property line and may encroach up to 6 feet (1.83 metres) into a required front yard as defined in Section 9 of this Land Use Bylaw;
- (b) if it is a raised deck, shall be located a minimum of 3.0 m (10 ft) from a side or rear property line and shall not encroach into a required front yard as defined in Section 9 of this Land Use Bylaw;
- (c) whether it is a ground level deck or a raised deck, must be located at least 3.0 m (10 ft) from the side property line on the street side of a corner lot; and
- (d) pursuant to Sections 58.28, 58.29 and 58.30, shall not be located within the corner visibility triangle.

56.2 When a deck is proposed to become covered or enclosed, it shall be considered an addition to the principal building, its floor area shall be included in the calculation of floor area and site coverage, it shall be required to meet the setback requirements for the principal building, and it shall be subject to a development permit application.

56.3 Notwithstanding Section 56.1, in the Hamlet of Botha decks may extend or project into any minimum required yard provided that the projection does not exceed;

- (a) one half of the minimum required side yard, unless the side yard provides access to a detached garage or carport in a rear yard in which case no projection is allowed into the minimum required yard,
- (b) 1.5 m (4.9 ft.) over the minimum front yard, and
- (c) 3.0m (9.8 ft.) over the minimum rear yard. [1631-20]

57. DEMOLITION OF BUILDINGS AND STRUCTURES

57.1 An existing building or structure that is assessed by the County for tax purposes shall not be demolished or moved off of a property without approval from the County, subject to Section 16.1(n). Debris from a demolished structure(s) shall be disposed at a licensed landfill site only.

58. DEVELOPMENT SETBACKS, BUFFERING AND COMPATIBLE DEVELOPMENT

Yard Setbacks

58.1 Minimum setback requirements from property lines or center of roads for front, rear and side yards are provided in each land use district in Part Seven of this bylaw.

Municipal Reserve and Environmental Reserve

58.2 Private development or private use (including group use) of municipal reserve and/or environmental reserve is strictly prohibited, unless prior approval is obtained from the Development Authority, which may require the closure of the reserve by bylaw of Council and a `save harmless agreement` or license of occupation to relieve the County of any liability. Private development and private use includes any alterations (e.g. clearing of

vegetation) and any structures (e.g. the placing of a fire pit, a boat lift, a shed).

Existing Rural Residential Development

58.3 An area structure plan or outline plan, rezoning, subdivision or development permit application for proposed development on land that is adjacent to existing rural, country or resort residential development shall be designed to be compatible to the existing rural, country or resort residential development by matching the lot size, lot dimensions, development density and character of the existing residential development for at least one row of new lots.

Agricultural Fringe

58.4 Non-agricultural land uses on the fringe (i.e. within 300 metres) of the Agricultural District shall, to the satisfaction of the Development Authority, respect and not be allowed to limit the activities associated with any existing or new [agricultural operation](#) within the Agricultural District, including but not limited to its hours of operation, noises, odours and traffic movements. Subject to Section 58.5, any fringe development of non-agricultural uses shall demonstrate, to the satisfaction of the Development Authority, design measures that will be implemented to comply with this regulation. Examples of design measures include:

- (a) buffering on the development-side along the edge of the Agricultural District through spatial separation, retention of existing and/or planting of new vegetation and installation of fencing, subject to the following:
 - (i) spatial separation must be a minimum of 30 metres wide;
 - (ii) the vegetative buffer must be a minimum of 15 metres wide within the minimum 30 metres spatial setback;
 - (iii) the vegetative buffer must consist of mixed deciduous/coniferous species with foliage from base to crown, the crown density being not less than 50% and not more than 75% to allow air circulation;
 - (iv) at maturity the vegetation must reach a minimum height of 6 metres and must not be closer than 2 metres to the Agricultural District to allow for improved functioning in the Agricultural District;
 - (v) fencing must be of a type that is appropriate to prevent trespassing, litter and crop damage;

and/or

- (b) the placing of compatible land uses along the edge of the Agricultural District; and/or
- (c) the clustering of buildings to maximize buffering effect; and/or



- (d) densities; and/or
 - (e) road patterns; and/or
 - (f) backing lots onto the Agricultural District; and/or
 - (g) agricultural awareness signage; and/or
 - (h) consideration of prevailing wind direction relative to noise, dust chemical spraying and light; and/or
 - (i) consideration of land forms and natural drainage relative to storm water management and erosion and sediment control; and/or
 - (j) retention of permeable surfaces upland of the Agricultural District to reduce/avoid soil accelerated erosion, siltation and sedimentation, and flooding.
- 58.5 The design measures to be employed shall include consideration of the maintenance thereof to ensure its full effect over the long term.

1:100 Year Floodplain

- 58.6 No permanent structures are permitted within the definable 1:100 year floodplain of any river, stream or other water body, unless the applicant demonstrates to the satisfaction of the Development Authority that proper flood proofing techniques (preventative engineering and construction methods) recommended by a qualified professional are applied as part of a development permit application.
- 58.7 Pursuant to Section 58.6, the Development Authority may require that the applicant for the development permit post a security deposit to the County to ensure that development is carried out in conformity with the approved engineering and construction measures to make the site suitable for the specific development, and the Development Authority may require the applicant for the specific development permit to enter into a save harmless agreement with the County, relieving the County of responsibility for any damage or loss caused through flooding or subsidence, and the County may register a restrictive covenant on the title of the property to ensure that the agreement remains in place.

Riparian Zone

- 58.8 On any parcel of land where [environmental reserve](#) adjacent to the bed and shore of a water body to which the Crown claims ownership and/or which the County deems to present existing or future potential as a public amenity has not previously been dedicated, a minimum building setback of 30 metre (100 feet) is required, measured from the bed and shore of the water body or from an associated water management right-of-way to the proposed building, subject to the discretion of the Development Authority. The purpose of this building setback is to protect the water body and its associated riparian zones as well as the existing and future public access and amenity potential of the water body, regardless of size. Variations in the width of the 30 metre building setback may be accepted based on the recommendations of a qualified professional. As well, a building setback of a lesser width may be considered for minor water features such as unnamed creeks or sloughs.
- 58.9 If the width of a riparian zone continues beyond the 30 metre building setback or beyond an existing [environmental reserve](#) adjacent to the bed and shore of a water body to which the Crown claims ownership and/or which the County deems to present existing or future potential as a public amenity, development that may result in any of the following conditions are not permitted within the remaining width of the riparian zone:
- (a) excessive removal or tree cover and natural vegetation;
 - (b) restricted public access to the water unless safety factors require this;

- (c) deterioration of the water quality or a hindrance of the flow of water;
- (d) adverse effects on the recreation potential of an area;
- (e) adverse effects on fish and wildlife habitat;
- (f) adverse affects on the riparian zones associated with a water body; or
- (g) adverse effects on the natural amenity or visual quality of an area.

58.10 No vegetation shall be cleared within 30 m (100 ft) of any water body or water course where the removal could have a negative impact on the water body or water course, except if it is done for the purpose of an extensive agricultural operation, public safety or for public road construction.

Public Safety and Nuisance

58.11 The Development Authority may require the setback, buffering and/or screening of a road or a railway corridor or a waste management facility or of any other development that, in the opinion of the Development Authority, has the potential to be reasonably considered a nuisance or of a noxious nature or to be susceptible to adverse impacts from nuisances or noxious land uses as a means to enhance public safety or convenience or to mitigate noise or other annoyances.

58.12 Any new industrial or commercial development or any other development that is deemed by the Development Authority to be a [nuisance or of a noxious nature](#) must be located at a distance acceptable to the County from the nearest residence or place of public assembly, unless mitigating measures will be implemented to reduce adverse impacts on such uses.

58.13 A development permit for a use that is deemed by the Development Authority to be incompatible with proposed or existing commercial or industrial development may not be issued and will be directed to a location that does not encroach upon those commercial or industrial developments.

58.14 No subdivision or development will be allowed within the setback distances from a sour gas facility, a gas or oil well, a wastewater treatment facility, a landfill, a hazardous waste management facility or a waste storage site as prescribed in the Subdivision and Development Regulation (Alberta Regulation 43/2002) as amended from time to time, unless the applicant demonstrates to the satisfaction of the Subdivision Authority or the Development Authority with a report from a qualified professional that a lesser setback is warranted, and either the Energy Resources Conservation Board gives its approval in writing to a lesser setback or the Deputy Minister of Environment provides written consent to the Development Authority or the Subdivision Authority to vary the applicable setback.

58.15 The Development Authority shall not approve a development permit for a new building larger than 47 m² (506 ft²) or for an addition to an existing building that will, as a result of the addition, become larger than 47 m² (506 ft²), affecting land on which an abandoned oil or gas well may be present, that does not comply with the setback distances described in ERCB Directive 079: Surface Development in Proximity to Abandoned Wells. The Development Authority may approve an addition to an existing building as described above that encroaches upon the setback distances of ERCB Directive 079 only if the well licensee of record recommends and supports a lesser setback distance and provided the development does not further encroach on the abandoned well. Refer to Section 17.3.

- 58.16 The Subdivision Authority shall not approve a subdivision application affecting land on which an abandoned oil or gas well may be present that does not comply with the setback distances described in ERCB Directive 079: Surface Development in Proximity to Abandoned Wells. An application for a boundary adjustment is exempted from this restriction. Refer to Section 17.3.
- 58.17 No building or series of buildings that are located on the same parcel of land and that individually or collectively cover a ground area of greater than 31 m² (334 ft²) or have a total floor area of greater than 31 m² (334 ft²) shall be permitted within 30 m (100 ft) of the crest or toe of any slope that exceeds 15% and has a height greater than 3 m (9.8 ft).
- 58.17A The 30 m (100 ft) setback from the crest or toe of a slope that exceeds 15% and has a height greater than 3 m (9.8 ft) described in Section 58.17 may be increased where deemed necessary by the Development Authority by a distance deemed necessary by the Development Authority. The decision to increase the setback shall include consideration of known issues of slope instability, the presence of a water body or water course at or close to the slope, and the recommendations from any slope stability evaluation or assessment that has been completed for the slope involved in the development application.
- 58.17B The 30 m (100 ft) setback from the crest or toe of a slope that exceeds 15% and has a height greater than 3 m (9.8 ft) described in Section 58.17 may be decreased by the Development Authority provided a slope stability assessment has been prepared by a geotechnical engineer indicating that a sufficient factor of safety is present or can be achieved with suitable site and foundation design and construction.
- 58.18 When the Development Authority determines that a slope stability assessment is required, the Development Authority may require:
- (a) a preliminary slope stability evaluation; and/or
 - (b) a slope stability assessment report.
- 58.18A A preliminary slope stability evaluation intended to inform a decision to reduce or increase the 30 m (100 ft) setback from the crest or toe of a slope that exceeds 15% and has a height greater than 3 m (9.8 ft) described in Section 58.17 must indicate, in the opinion of the geotechnical engineer preparing the evaluation, that:
- (a) the site is suitable for the proposed development;
 - (b) the development would not be at risk from slope failure or contribute to slope failure in the future; and
 - (c) further assessment is not required.
- 58.18B A slope stability assessment report intended to inform a decision to reduce or increase the 30 m (100 ft) setback from the crest or toe of a slope that exceeds 15% and has a height greater than 3 m (9.8 ft) described in Section 58.17 must indicate, in the opinion of the geotechnical engineer preparing the evaluation, that:
- (a) the site is suitable for the proposed development;
 - (b) the development would not be at risk from slope failure or contribute to slope failure in the future; and
 - (c) a factor of safety of 1.5 can be achieved through building setback, suitable design and construction, or a combination of setback and appropriate construction as proposed by the geotechnical engineer.
- 58.18C Any preliminary slope stability evaluation or slope stability assessment report prepared

for the use of the Development Authority shall bear the seal, signature and valid permit to practice of a professional engineer registered in the Province of Alberta and recognized by the Association of Professional Engineers and Geoscientists of Alberta as a geotechnical engineer.

- 58.18D Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Section 58.17, where the application is for development on lands that are or may be subject to subsidence, the Development Authority may require the applicant to demonstrate, by means of an engineering report bearing the seal, signature and valid permit to practice of a professional engineer registered in the Province of Alberta and recognized by the Association of Professional Engineers and Geoscientists of Alberta as a geotechnical engineer, that preventative engineering and construction measures can be instituted to ensure suitability of the development for the site conditions.
- 58.18E The Development Authority may require that the development site and buildings within 30 m (100 ft) of the crest or toe of any slope that exceeds 15% and has a height greater than 3 m (9.8 ft) be designed by a professional engineer registered in the Province of Alberta.
- 58.19 Development permit applications for any open, enclosed, attached or detached swimming and wading pool, any water fountain and/or water sculpture, any water reservoirs and water tanks, any ornamental ponds and lakes, and any water retaining excavation structure or vessel that could alter sub-soil adhesion characteristics on sites abutting or adjacent the crest of a slope that exceeds 15% and has a height greater than 3 m (9.8 ft) shall be accompanied by a report prepared by a qualified, registered professional engineer detailing the structural components of the proposal which will mitigate risks to slope stability.
- 58.20 Pursuant to Sections 58.17 and 58.18 an applicant for a development permit may be required to submit a slope stability assessment report completed by a qualified professional.
- 58.21 No vegetation shall be cleared within 30 m (100 ft) of the crest or toe of a slope that is greater than 15% where the removal could have a negative impact on slope stability, except if it is done for the purpose of public safety or for public road construction.
- 58.22 The Development Authority may require that the applicant for the development permit post a security deposit to the County to ensure that development is carried out in conformity with any recommendations contained in an assessment report regarding engineering and construction measures to make the site suitable for the specific development, and the Development Authority may require the applicant for the specific development permit to enter into a save harmless agreement with the County, relieving the County of responsibility for any damage or loss caused through flooding or subsidence, and further, the County may register a restrictive covenant on the title of the property to ensure that the agreement remains in place.

Infrastructure

- 58.23 Development shall be set back from a railway corridor, an airport, or a regional utility or energy utility such distance to ensure to the satisfaction of the Development Authority that it does not interfere with the safe operation or future upgrading of this infrastructure.

Roads

58.24 Permission from Alberta Transportation is required for any development affecting land within 1,000 feet (304.8 meter) of the right-of-way of a highway or within 0.5 mile (800 meter) of the intersection of two highways. See Section 17.2.

58.25 Unless otherwise stated in this Bylaw or otherwise approved by the Development Authority, a shelterbelt and other vegetation, a building and/or structure on a slab or on permanent foundations, a windbreak and a dugout shall be set back as follows:

(a) From the <u>boundary</u> of a County road plan or County road allowance that forms part of a hamlet or a multi-lot subdivision:	
Shelterbelt/other vegetation: none	All buildings: refer to the front, side and rear yard setbacks stated in each Land Use District
(b) From the <u>centerline</u> of a County road plan or County road allowance outside of a hamlet or multi-lot subdivision boundary:	
Shelterbelt/other vegetation: 75 ft (22.9 m) (Council directed to keep this regulation)	All buildings, including farm buildings (dugouts) and ancillary buildings: 125 ft (38.1 m), except moveable buildings and structures with a floor area of 100 ft ² maximum, which shall be set back the distance from the centre line to the property boundary plus one foot.
(c) From a Highway:	
Shelterbelt/other vegetation: contact Alberta Transportation	All buildings, including farm buildings (dugouts) and ancillary buildings: contact Alberta Transportation

58.26 Unless otherwise approved by the Development Authority, no vegetation, development or access or egress to a County Township Road or Range Road shall be permitted where it would be:

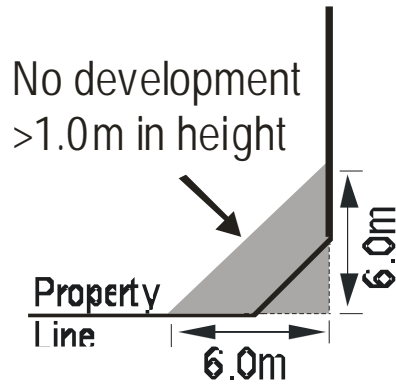
- (d) less than 152 m (500 ft) from an existing access or egress on the same side of the road;
- (e) less than 152 m (500 ft) from a bridge; or
- (f) less than 152 m (500 ft) from an at-grade railway crossing.

58.27 Access points adjacent to blind curves or corners, hills, ridges, railway crossings, and any other obstructions shall be positioned so as to provide a reasonable unobstructed view in either direction of 500 feet (152.4 meter) on Highways or Secondary Roads and 350 feet (106.7 meter) on a road not designated as a Secondary Road.

Corner Visibility Triangle

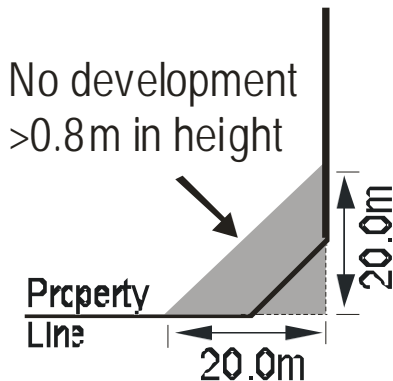
58.28 On a corner lot within any Hamlet or multi-lot subdivision no opaque fence, wall, shrub, tree, hedge or any other structure more than 3.0 feet (0.91 meter) in height above the centreline grades of the intersecting streets shall be permitted within the visibility triangular area created by the two property lines that form the corner of the property and a straight line connecting two points 20.0 feet (6.10 meter) back along the two property lines measured from their intersection (illustrated in Sketch A below).

Sketch A



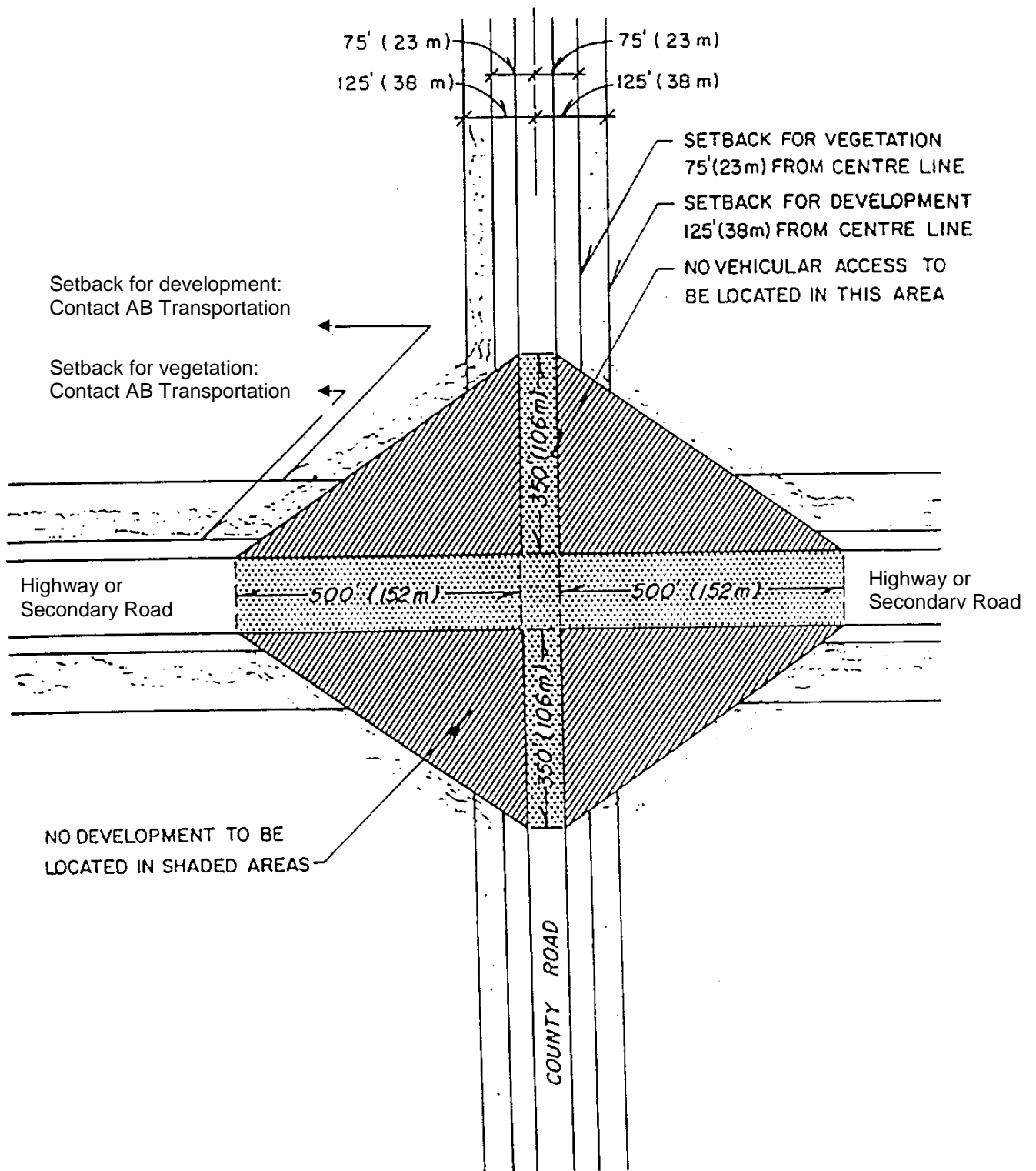
58.29 On a corner lot outside of any Hamlet or multi-lot subdivision, but excluding Township Roads or Range Roads, which are subject to Section 58.30, no opaque fence, wall, shrub, tree, hedge or any other structure exceeding 3.0 feet (0.91 m) in height above the centerline grades of the intersecting streets shall be permitted within the visibility triangular area created by the two property lines that form the corner of the property and a straight line connecting two points 66 feet (20 metres) back along the two property lines measured from their intersection (illustrated in Sketch B below).

Sketch B



58.30 On a parcel of land located at the intersection of a Highway and/or a Township Road and/or a Range Road, no access or egress or any development, such as a building, a structure, an opaque fence, a wall or any vegetation, that exceeds 3.0 feet (0.91 m) in height above the centerline grades of the intersecting streets shall be permitted within the visibility triangular area created by the two property lines that form the corner of the property and a straight line connecting two points, on County Roads 350 feet (106.7 meter) and on highways 500 feet (152 meter), back along the two property lines measured from their intersection (illustrated in the sketch below or on the next page).

DEVELOPMENT AND ACCESS RESTRICTIONS AT INTERSECTIONS



Minimum Driveway and/or Parking Pad Length

58.31 Notwithstanding any other setback standard stated in this Bylaw any building with a driveway or parking pad in front of it onto which a vehicle may enter, shall be set back at least 20.0 feet (6.1 meter) from the property line which it faces, except where the driveway to a garage enters an alley, where Section 43.13(c) shall apply.

Aggregate Resources

58.32 Development shall be set back from existing or known non-renewable resource utilization such distance to ensure to the satisfaction of the Development Authority that it does not render such resources inaccessible or make extraction more dangerous or costly.

Sensitive Environmental Features and Regionally Significant Recreation Resources

58.33 Development shall be set back from a sensitive environmental feature or regionally significant recreation resource as identified in any Statutory Plan such distance to ensure to the satisfaction of the Development Authority that it:

- (a) is compatible with the natural characteristics of the area;
- (b) retains these characteristics to the greatest degree possible; and
- (c) does not cause undue stress to the environment.

58.34 In addition to the general requirements of Section 58.33, development shall be set back from an Environmentally Significant Area as identified in *Environmentally Significant Areas of the Counties of Lacombe and Stettler (1988)* (the 'Study') such distance to ensure to the satisfaction of the Development Authority that it is managed in accordance with the principles and considerations identified in that Study.

59. EASEMENTS

59.1 Any building or structure shall be set back from an easement at least 0.5 m (1.6 ft).

59.2 Notwithstanding Section 59.1, a development permit shall not be issued for a development that encroaches in or over a utility easement or right-of-way without the written consent of the person whom the easement is registered to or the person whose utility line is located in the easement.

60. EXCAVATION, GRADING, ALTERING OVERLAND DRAINAGE AND WETLANDS, SURFACE MINERAL EXTRACTION, CONSTRUCTION SITE PREPARATION AND REMOVAL OF TOPSOIL

General

60.1 This Section deals with activities, excluding agricultural operations that do not require a development permit, that may affect topsoil, natural overland drainage, the grading of a site, groundwater or wetlands, that may include but are not limited to the following activities:

- (a) constructing an artificial water body (e.g. a fish pond);
- (b) extracting sand, gravel and other surface minerals;
- (c) preparing a construction site prior to the issuance of a development permit or a subdivision approval, including stockpiling, site grading and pre-loading; and
- (d) stripping topsoil.

Lot Grading, Stormwater Drainage and Wetlands including for the Purposes of All of What Follows in this Section

- 60.2 Lots or parcels contained within a subdivision area for which an accepted stormwater management plan and/or subdivision grading plan exist, must be constructed and maintained according to the accepted plans. A landowner may not allow storm water runoff to drain from their lot onto an adjacent lot under separate title except under the following conditions:
- (a) A current and accepted storm water management plan and/or grading plan to the satisfaction of the Development Authority is in place detailing the overland drainage paths consistent with the proposed grading; and
 - (b) Notwithstanding regulations under the Water Act or other regulatory requirements, the stormwater runoff follows natural overland drainage paths with a “Net Zero” impact on adjacent parcels. This generally applies to existing development areas that have not been subject to an overall grading and stormwater management plan or larger parcels subject to small grading areas that achieve positive drainage away from buildings, driveways or parking areas.
- 60.3 The Development Authority may require as a condition of a development permit that the applicant submit a lot grading and drainage plan to the County for acceptance. Depending on the circumstance, the submitted plans may require a topographic survey, stormwater and grading design and confirmation of compliance post construction to said design provided by an individual or corporate entity licensed to practice Engineering in Alberta.
- 60.4 Lot grading that is associated with a proposed development or with a multi-lot subdivision shall conform to the grading plan accepted by the County.
- 60.5 If a person alters the approved lot drainage on a site so that overland stormwater drains onto adjacent parcels in contravention of the accepted plans, that person and/or the current landowner shall be responsible for corrective measures.
- 60.6 Any retaining wall over 0.91 m (3.0 ft) in height shall be designed and inspected to confirm compliance of post construction to said design by an individual or corporate entity licensed to practice Engineering in Alberta, at no cost to the County.
- 60.7 Notwithstanding regulations under the Water Act or other regulatory requirements or permissions, a landowner may not detain or retain stormwater runoff or drain water from naturally occurring wetlands without approval of the County and other regulatory bodies. Generally, assessment, design and licensing of facilities that detain or retain stormwater runoff or cause to drain natural wetlands require an engineered design that may include stormwater analysis, grading design and wetland compensation measures along with approvals under the Water Act and other statutory documents.

Extraction and Processing of Sand, Gravel and Other Surface Minerals

- 60.8 (1) In addition to the completed application form and the plans and information required by Section 17 of this Bylaw, a development permit application for a Sand, Gravel, and Surface Mineral Extraction use and/or a Sand, Gravel and Surface Mineral Processing use shall include:
- (a) a detailed, scalable map showing the location of the disturbance area and key components such as excavation areas, stockpiles, infrastructure, signage, on-site

- sales areas, access routes and on-site circulation routes, parking areas and loading areas;
- (b) a scalable drawing superimposed over a recent aerial photo of the site, with indication of the date of the aerial photography, showing the boundaries of the disturbance area and the parcel boundaries;
 - (c) the size of any existing disturbance area in hectares and the size of any proposed expansion or new disturbance area in hectares;
 - (d) a description of the aggregate resource to be extracted and/or processed, the estimated volume of the proposed extraction/processing, and the estimated life of the project;
 - (e) the volume and area of each existing topsoil, subsoil, overburden, and aggregate stockpile;
 - (f) a drawing showing the existing topography and drainage conditions indicating both present and future contours above and below water level;
 - (g) cross-section scaled drawings of the disturbance area in at least two directions that include:
 - (i) slopes,
 - (ii) topsoil depth,
 - (iii) subsoil depth,
 - (iv) overburden depth,
 - (v) aggregate depth, and
 - (vi) depth to groundwater;
 - (h) a description of the activities proposed to take place in the disturbance area that, at a minimum, addresses the following:
 - (i) wet pit excavation,
 - (ii) concrete production,
 - (iii) mixing of salt with aggregate,
 - (iv) mixing of asphalt with aggregate,
 - (v) spraying truck box liners with fluids containing hydrocarbons, and
 - (vi) aggregate washing;
 - (i) a phasing diagram demonstrating the sequential plans for site development and operation;
 - (j) line-of-sight data from the disturbance area to all residences within a minimum distance of 400 m (1312 ft), or as otherwise determined by the Development Officer, to assess the view of the disturbance area from each residence;
 - (k) expert reports on air quality and noise and the resultant impacts of the development on existing residences within 400 m (1312 ft) of the disturbance area or as otherwise determined by the Development Officer;
 - (l) an operating plan which shall include:
 - (i) days of the week and hours of the day of operation;
 - (ii) types and amount of equipment and vehicles to be used on-site;
 - (iii) haul routes both on-site and off-site;
 - (iv) a description of the conditions that would make the release of pit water which, for clarity, is any water that accumulates in the pit, is extracted from the pit, or is used at the pit but does not include domestic wastewater, necessary, and the techniques that will be used to release pit water, including a description of any discharge points from which pit water will be released;

- (v) plan to mitigate dust, noise, visual blight, light pollution, and offsite contamination (tracking of mud on public roads, for example);
 - (vi) a description of techniques that will be used to prevent wind and water erosion, to limit the movement of dust from the disturbance area and to manage weeds;
 - (vii) screening, fencing, signage, and security plan;
 - (viii) customer safety measures that will be implemented to facilitate the sale of aggregate materials on-site if applicable; and
 - (ix) a contact person or persons and their contact details, whom the County can contact in regards to any issues arising from the development;
- (m) a plan for the reclamation of the site, prepared by a qualified professional, which, at a minimum, shall include:
- (i) a phasing diagram showing the phasing scheme for the reclamation including the time frame when reclamation will be completed;
 - (ii) a topographic map with a minimum contour index of 1.0 m, showing the predicted contours and drainage of the site after completion of the reclamation;
 - (iii) the potential end land use and details relating to any land uses that may be affected as a result of the project;
 - (iv) details related to subsoil and topsoil replacement and compaction;
 - (v) the re-vegetation to be used on the reclaimed site; and
 - (vi) the estimated cost for reclamation, including the estimated costs for each phase.

(2) The Development Officer may process an application without any or all of the information required by Section 60.8(1) if, in the opinion of the Development Officer, a decision can be properly made on the application without that information.

(3) If necessary, in the opinion of the Development Officer, the following assessments and studies shall be provided:

- (i) an Environmental Impact Assessment;
- (ii) a Traffic Impact Assessment;
- (iii) a Wetland Assessment;
- (iv) an overview and assessment of the historical resources of the site or written confirmation of a Historical Resources Act clearance;
- (v) written proof of approval by Alberta Environment and Protected Areas including registration number if applicable;
- (vi) copies of any other information, details, or studies that were required by other regulatory approval agencies with jurisdiction over an aggregate extraction use; and
- (vii) any other additional information the Development Officer deems necessary in order for the application to be considered complete.

(4) The Development Officer may refuse to accept an application for a development permit as complete where the information required by Sections 60.8(1) and 60.8(3) has not been supplied or, in their opinion, the quality of the material supplied is inadequate to properly evaluate the application.

60.9 All areas that are the subject of the development permit shall be kept in a clean and tidy condition free of rubbish and non-aggregate debris.

60.10 For a development permit for a Sand, Gravel, and Surface Mineral Extraction use or a Sand, Gravel, and Surface Mineral Processing use, the Development Authority may, in addition to any other provisions of this Bylaw, impose a condition requiring a Road Use

Agreement, to the satisfaction of the County.

- 60.11 In addition to development permit approval, a Sand, Gravel, and Surface Mineral Extraction use that is 5.0 hectares or greater in size will require Provincial permits and approvals. In this case, the Development Authority may, in addition to any other provisions of this Bylaw, impose a development permit condition requiring:
- (a) written proof of approval by Alberta Environment and Parks including the registration number as issued by the Director of Alberta Environment and Parks to be supplied to the Development Officer prior to the commencement of any activities or operations associated with the authorized use and to maintain a valid registration number for the lifetime of the development; and
 - (b) security in a form and amount acceptable to the Development Authority, in the Development Authority's sole discretion, for the reclamation of the lands, or proof of security provided to Alberta Environment and Protected Areas, or both, prior to the commencement of any activities or operations associated with the authorized use. Any security that is provided shall be reduced or released in the sole discretion of the Development Authority.
- 60.12 A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland), to the satisfaction of the Development Authority.
- 60.13 For a Sand, Gravel and Surface Mineral Extraction use with a disturbance area less than 5.0 hectares in size, the Development Authority may, in addition to any other provisions of this Bylaw, impose a development permit condition requiring
- (a) that the disturbance area be reclaimed in accordance with the approved reclamation plan; and
 - (b) that a security, in an amount and form acceptable to the Development Authority, be provided.
- Any security required pursuant to this section shall not be released until the reclamation is complete in accordance with the reclamation plan approved pursuant to the development permit.
- 60.14 For land within the Agricultural District or the Industrial District, a development permit approving a Sand, Gravel, and Surface Mineral Extraction use shall expire five years from the date the decision on the development permit application is made. Reclamation of the disturbance area must be completed within one year from the expiry of the development permit or as otherwise determined by the Development Authority in the development permit.
- 60.15 For land within the Agricultural District or the Industrial District, a development permit approving a Sand, Gravel, and Surface Mineral Processing use shall expire five years from the date the decision on the development permit application is made. Reclamation of the disturbance area must be completed within one year from the expiry of the development permit or as otherwise determined by the Development Authority in the development permit.

Construction Site Preparation

60.16 Excavation for the purpose of construction site preparation does not include the digging of a building foundation or the installation of piling;

60.17 Excavation for the purpose of construction site preparation as part of a proposed development or multi-lot subdivision on the same land, but prior to the issuance of a development permit or a subdivision approval, does not itself require a development permit, provided the following conditions are met:

- (a) The applicant must have a subdivision or development permit application for the subject site submitted to the County for processing;
- (b) The applicant shall provide to the County the following information prior to commencing site preparation:
 - (i) The legal land location and the area of the site where excavation will take place, including the location and approximate volume of topsoil stockpiles;
 - (ii) The nature of the excavation that will be carried out;
 - (iii) The existing site conditions, including location and type of vegetation;
 - (iv) A grading plan or storm water drainage plan prepared by an individual or corporate entity licensed to practice Engineering in Alberta to the satisfaction of the Development Authority, which could comprise a grading plan or storm water drainage plan has been previously prepared as part of accepted construction drawings where applicable.

- (c) Construction site preparation prior to the issuance of a development permit or the approval of a subdivision application is undertaken at the applicant or landowner's risk, with no guarantee that a development permit or subdivision approval or any other approvals will be granted for the project;



- (d) No excavation other than what was identified in the development permit or subdivision application shall be carried out. Activity shall be limited to the lands identified for the excavation;
- (e) Any vegetation or natural features that are identified for preservation in an adopted County plan, environmental inventory or other County document shall not be altered. Such areas shall be identified on the site plans and a written plan prepared that prescribes measures to be undertaken to protect the features to the satisfaction of the development Authority;
- (f) Topsoil and subsoil must be stockpiled on the subject property in separate piles, unless the applicant enters into an agreement with another landowner for stockpiling on other lands;
- (g) Topsoil and subsoil stockpiles must be limited to the volume required for finishing the grade of the site subsequent to construction completion;
- (h) It is the responsibility of the applicant to ensure the excavation meets all of the requirements of the County Land Use Bylaw and other provincial and federal requirements;
- (i) Any dust control measures must be carried out in conformance with the County's dust abatement policies at no cost to the County;
- (j) The applicant is responsible for ensuring all development is outside active utility right of ways;
- (k) Any contamination of the environment deemed by the Development Authority to be

a result of the applicant's excavation activities, either directly or indirectly, shall be remediated at no cost to the County;

- (l) Failure to comply with the aforementioned conditions will be deemed a contravention of this Bylaw.

Topsoil and Subsoil Removal including for the Purposes of All of the Above

- 60.18 Except as noted above, a Development Permit is required before the commencement or continuation of the removal of topsoil and subsoil from any parcel of land, and such Development Permit shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. The Development Authority may refer any application for removal of topsoil and subsoil to the Agricultural Service Board for comments.
- 60.19 Where, in the process of development, areas require leveling, filling or grading, the topsoil shall be removed before work commences, and shall be stockpiled and replaced post construction.
- 60.20 Where the proposed excavation is extensive and or ongoing, topsoil and subsoil stockpiles will be used as part of the progressive reclamation of the site as outlined by the reclamation plan accepted at the time of application.
- 60.21 All topsoil and subsoil stockpiles shall be seeded immediately after completion or within one week of placement to reduce loss of topsoil and subsoil through wind erosion. All piles shall be maintained free of noxious weeds. The applicant shall include a written plan indicating seeding and weed control details.
- 60.22 Surplus topsoil and subsoil post construction shall be handled as may be required and/or permitted under provincial legislation.

61 FENCING

- 61.1 Within a multi-lot subdivision and a hamlet fences shall complement the character and quality of the principal building.
- 61.2 Fences on commercial and industrial property may be subject to the provisions of Section 51.
- 61.3 The maximum height of a fence as measured from grade shall be 1.83 m (6 ft) subject to the specifications for corner lots pursuant to Sections 58.28, 58.29 and 58.30.
- 61.4 Notwithstanding Section 61.3 and subject to Section 23, the Development Authority may approve a development permit with a variance to allow a higher fence or a fence with barbed or other security features for public safety, security, privacy or buffering purposes.

62 GARDEN SUITE

- 62.1 A Garden Suite shall be allowed only in those Districts in which it is listed as a Permitted or Discretionary Use.
- 62.2 A Garden Suite shall be situated so that the exterior walls are at least 8 feet (2.5 meter) from other dwellings and any Ancillary Buildings on the parcel.
- 62.3 In any District where it is allowed a Garden Suite shall not be placed in the front yard of a

parcel.

- 62.4 A Garden Suite shall be situated so that the exterior walls are at least:
- (a) in a Hamlet Residential District:
 - (i) 5 feet (1.5 meter) from the side parcel boundary or, on a corner parcel, not closer to the flanking street or avenue than the primary dwelling;
 - (ii) 5 feet (1.5 meter) from the rear parcel boundary when there is a blank wall facing that boundary or 10 feet (3.0 meter) from the rear parcel boundary when there is a window opening in the wall facing that boundary.
 - (b) in any other District where it is allowed, in accordance with the minimum yard requirements of the District to which the parcel is designated.
- 62.5 A Garden Suite shall not be more than 16 feet (4.88 meter) in height and shall not exceed the height of the primary dwelling.
- 62.6 A Garden Suite shall not be more than 55 m² (591.8 ft²) in floor area and shall not exceed the floor area of the primary dwelling.
- 62.7 A Garden Suite shall be placed on prepared cribbings or piers and shall be skirted within thirty (30) days of its placement on the parcel.
- 62.8 A Garden Suite shall be serviced from the utilities servicing the primary dwelling and shall not be serviced independently.
- 62.9 There shall not be more than one Garden Suite on any parcel and a Garden Suite shall not be placed on any parcel which contains three (3) or more dwellings that are permanent.
- 62.10 The design and appearance of the Garden Suite shall be acceptable to the Development Authority.
- 62.11 Prior to deciding upon an Application for a Development Permit for a Garden Suite, the Development Authority shall notify, in writing, all adjacent landowners and such other people it considers may be affected by the development, of the receipt of the Application and provide them with an opportunity to comment thereon.
- 62.12 A Garden Suite shall be removed from a parcel within 60 days of:
- (a) the death or permanent departure of the occupants; or
 - (b) the sale of the primary dwelling; or
 - (c) the movement of the occupiers out of the primary dwelling.

63 HOME BUSINESS

- 63.1 A Home Business requires a discretionary use development permit that shall not be approved unless the Home Business complies with the following regulations:
- (a) The Home Business is to be operated as a secondary use to the principal residential use;
 - (b) No persons other than permanent residents of the property shall be engaged in the Home Business;
 - (c) A Home Business shall not interfere with the rights of adjacent landowners to the quiet and private enjoyment of their property and the Home Business shall not adversely affect the amenities of the surrounding area;
 - (d) A Home Business shall not produce nuisances such as noise, vibration, smoke, dust, odour, glare, heat or electrical or radio disturbance, detectable beyond the property

boundary, or excessive traffic or anything dangerous or of an objectionable nature, in the opinion of the Development Authority.

- (e) A Home Business shall not generate additional vehicle traffic that is uncharacteristic of the neighbourhood;
- (f) Except for emergency situations home business traffic shall be restricted to:
 - (i) Monday to Saturday between the hours of 7:00 AM and 10:00 PM; and
 - (ii) Sundays and Statutory Holidays between the hours of 10:00 AM to 6:00 PM;
- (g) Any interior or exterior alterations, additions or renovations to accommodate a Home Business, or to accommodate some other residential function in the principal dwelling so that some of the existing space may be used for the Home Business, may be allowed as long as such alterations, additions, or renovations comply with this Bylaw and do not change the external appearance of the dwelling unit or the residential character of the parcel of land;
- (h) A Home Business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of ancillary structures;
- (i) No display of products shall be allowed on the property; and further, the Development Authority, if it deems appropriate, may allow materials, goods, or equipment to be stored on the site provided the storage of such is contained entirely within the dwelling unit or an Ancillary Building or otherwise screened to the satisfaction of the Development Authority and does not present a fire or health hazard;
- (j) In addition to the required number of residential parking spaces, a Home Business shall provide one (1) additional parking space if the business involves customer visits and a parking space for every approved commercial vehicle involved in the Home Business. Parking spaces shall be provided on-site. Any permitted heavy vehicles shall be parked indoors or outdoors in a location that is not generally visible from a public road or adjacent property;
- (k) Only one commercial vehicle shall be allowed in connection with a Home Business. A commercial vehicle to be parked or maintained on the property shall be subject to the Development Authority's approval in terms of size and appearance;
- (l) A Home Business shall not have any exterior



advertisement sign greater than 4.0 ft² (0.37 m²) unless an Application for this purpose has been approved and a Development Permit issued pursuant to Section 84 of this Bylaw; and

(m) A Home Business shall not adversely affect traffic safety.

63.2 All Home Businesses shall be in strict compliance with the provisions of this Bylaw and the conditions imposed on a development permit. A development permit issued for a Home Business may be revoked at any time if in the opinion of the Development Authority the operator of a Home Business has violated any conditions of this Bylaw or the Development Permit issued.

64 KENNEL

64.1 All buildings, cages and/or outdoor exercise areas shall be to the satisfaction of the Development Authority and shall comply with the following regulations:

- (a) No building or outdoor exercise area shall be located within 300 m (1000 ft) of any dwelling located on an adjacent parcel;
- (b) Where applicable, all facilities, including buildings and outdoor exercise areas, shall be located behind the principal building;
- (c) All facilities, including buildings and outdoor exercise areas, shall be screened from any existing dwellings on an adjacent parcel;
- (d) All facilities shall be cleaned on a daily basis;
- (e) Exercise areas for animals shall be fenced to the satisfaction of the Development Authority; and
- (f) No animals shall be allowed outdoors between the hours of 10:00 pm and 7:00 am.



64.2 A kennel shall not unduly interfere with the use and enjoyment of adjacent properties.

64.3 An application for a kennel that meets the regulations set forth in Sections 64.1 and 64.2 may be approved by the Development Officer.

65 LAND RECLAMATION

65.1 In addition to the completed application form and the plans and information required by section 17 of this Bylaw, if a development permit application is for Land Reclamation, the following plans and information are also required to be submitted as part of the application:

A description of the project that includes, but is not limited to:

- a) a detailed map showing the location of the “disturbance area” consisting of the excavation and any associated works such as stockpiles, infrastructure and parking and loading areas;
- b) the size of the “disturbance area” in hectares;

An operating plan which shall include the proposed:

- a) days of the week and hours of the day of operation;
- b) types and amount of equipment and vehicles to be used on-site;
- c) haul routes both on-site and off-site;
- d) plans respecting pit water which, for clarity, is any water that accumulates in the pit, is extracted from the pit, or is used at the pit but does not include domestic wastewater;
- e) plan to mitigate dust, noise, visual blight, light pollution, and offsite contamination (tracking of mud on public roads, for example);
- f) plan for weed, vegetation, and erosion management;
- g) screening, fencing, signage, and security plan;
- h) a contact person or persons and their contact details, whom the County can contact in regards to any issues arising from the development;

A plan for the reclamation of the site, prepared by a qualified professional, which at a minimum shall include:

- a) a phasing diagram showing the phasing scheme for the reclamation including the time frame when reclamation will be completed;
- b) a topographic map with a minimum contour index of 1.0 m showing the predicted contours and drainage of the site after completion of the reclamation;
- c) the potential end land use and details relating to any land uses that may be effected as a result of the project;
- d) details related to the subsoil and topsoil replacement and compaction;
- e) the re-vegetation to be used on the reclaimed site; and
- f) the estimated cost for reclamation, including the estimated costs for each phase; and

If necessary, in the opinion of the Development Authority, the following assessments and studies shall also be provided:

- an Environmental Impact Assessment;
- a Traffic Impact Assessment;
- a Wetland Assessment;
- an overview and assessment of the historical resources of the site;
- copies of any other information, details, or studies that were required by other regulatory approval agencies with jurisdiction over the site;
- stormwater management plan; and
- any other additional information the Development Authority deems necessary in order for the application to be considered complete.

65.2 A disturbed area must be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland), to the satisfaction of the Development Authority.

65.3 The Development Authority may, in addition to any other provisions of this Bylaw, impose a condition requiring that the applicant must ensure compliance with the approved operating plan and the approved reclamation plan to the satisfaction of the Development Authority for the lifetime of the development.

65.4 The applicant shall keep the subject area in a clean and tidy condition free of rubbish and debris.

65.5 The Development Authority may, in addition to any other provisions of this Bylaw, impose a condition requiring an applicant to enter into a Haul Route Agreement, to the satisfaction

of the County.

- 65.6 The Development Authority may, in addition to any other provisions of this Bylaw, impose a condition requiring that the applicant must provide security in a form and amount acceptable to the Development Authority, in the Development Authority's sole discretion. Any security required pursuant to this section shall not be released until the reclamation is complete in accordance with the reclamation plan approved pursuant to the development permit.
- 65.7 Notwithstanding Section 31.1, to allow for the establishment of vegetation, a development permit issued for Land Reclamation shall expire five years from the date the development permit is issued or as otherwise determined by the Development Authority.
- 65.8 The Applicant shall be solely responsible for all costs associated with the reclamation of the lands.
- 65.9 The Applicant is responsible for ensuring all activities undertaken pursuant to Land Reclamation are in accordance with all other applicable Provincial and Federal rules and regulations.
- 65.10 Any vegetation or natural features that are identified for preservation in an adopted County plan, environmental inventory or other County document shall not be altered. Such areas shall be identified on the site plans and a written plan prepared that prescribe measures to be undertaken to protect the features to the satisfaction of the Development Authority.
- 65.11 Any dust control measures must be carried out in conformance with the County's dust abatement policies at no cost to the County.
- 65.12 Any contamination of the environment deemed by the Development Authority to be a result of the applicants reclamation activities, either directly or indirectly, shall be the responsibility of the applicant, at no cost to the County.
- 65.13 If and when the applicant, the landowner or their successor in title applies for a reclamation certificate pursuant to regulations required by Alberta Environment and Parks in respect of a development permit for Land Reclamation issued by the County of Stettler, that person must submit a copy of the reclamation certificate application (including all applicable documentation) and a copy of the reclamation certificate upon being issued by Alberta Environment and Parks to the Development Authority to demonstrate compliance with the development permit.

66 LANDSCAPING STANDARDS

General

- 66.1 The Development Authority may prohibit the removal or destruction of any vegetation adjacent to an environmentally sensitive area.
- 66.2 The Development Authority may impose landscaping requirements on any development permit application if, in its opinion, doing so would serve to improve the quality or compatibility of the development. Exempted from this requirement are a Detached Dwelling, a Duplex, a Manufactured Home, an Ancillary Building that is less than 17.85 m² (192 ft²), a Home Business or any other development that the Development Authority deems appropriate, such as for example a development in the Agricultural District where existing natural vegetation/landscaping is deemed by the Development Authority as sufficient.

- 66.3 Where a development permit was issued for a use, building or development prior to this Bylaw taking effect, such use, building or development shall be deemed conforming to the Landscaping Regulations. The Development Authority may require that any subsequent extension, enlargement or addition of uses, buildings or developments shall conform to these regulations.
- 66.4 Pursuant to Section 66.2, if landscaping is required by the Development Authority, a development permit application shall be accompanied by a landscaping plan completed by a Landscape Architect or a person qualified and approved by the Development Officer to perform such work. A development permit shall not be issued prior to the approval of the required landscaping plan.
- 66.5 The landscaping plan shall, to the satisfaction of the Development Authority, include the following:
- (a) name of the project and/or applicant;
 - (b) name and/or endorsement stamp of the landscape architect or the County approved landscape professional;
 - (c) north arrow, plan scale and legal description/lot, block and plan number of the lot;
 - (d) a site plan showing lot boundaries, lot dimensions and lot area measured in hectare and/or acre, and the location of proposed landscaping and related landscaping features (e.g. planting beds, boulders, etc.) in relation to all existing and proposed buildings, signs, outdoor storage areas, parking areas, display areas, approaches, driveways, fences, storm water utility areas, and utility rights-of-way;
 - (e) location of existing vegetation that the applicant proposes to retain;
 - (f) new plant materials shall be accurately scaled to mature size;
 - (g) location of planting beds and identification of bedding material;
 - (h) minimum site area required to be landscaped pursuant to the requirements of this Section;
 - (i) site area proposed to be landscaped, as well as the percentage of the lot area;
 - (j) minimum number of trees and shrubs, in the required coniferous/deciduous ratio, required to be provided pursuant to the requirements of this Section;
 - (k) total number of trees and shrubs proposed to be provided, and the proposed coniferous/deciduous ratio;
 - (l) a list of proposed variances from the minimum requirements;
 - (m) plant material list identifying the species/type of trees or shrubs and their planted size, as well as their typical mature size;
 - (n) if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping within the right-of-way;
 - (o) any other relevant notes that identify site specific conditions;
 - (p) all other physical features, existing or proposed; including berms, walls, fences, outdoor furniture and decorative paving; and
 - (q) a location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties and all adjacent road allowances and municipal reserves;

and

In addition to the above, the landscaping plan should include the following:

- (a) photographs illustrating the proposed plant species; and
- (b) the rendering of landscape elevations as viewed from adjacent streets to illustrate unique site features, e.g. screening effect relative to outdoor storage.

- 66.6 Landscaping, including location, design, extent of plantings and other landscaping treatments provided, shall be subject to approval of the Development Authority, taking into consideration, in its sole discretion, the following criteria:
- (a) A minimum of 40 percent of the total landscaping required shall be placed within the front yard of the property.
 - (b) Notwithstanding any other standards in Section 65, where a lot has more than one street, road or highway frontage, the Development Officer may require that the required yards along all such frontages be landscaped to the satisfaction of the Development Officer.
 - (c) If any side of the property that faces a street, road or highway is to be fenced the amount of landscaping that is to be provided outside of the fence shall be at the discretion of the Development Authority. Such landscaping shall be provided within the subject property, with the fence located inside the property boundary.
 - (d) Landscaping must be clustered in planting beds to represent a natural arrangement on the site. Each individual planting bed must contain an odd number of trees and shrubs in approximately the required deciduous and coniferous mixture in a mulched medium such as bark chips, rocks or similar materials. At a minimum a planting bed shall contain three coniferous trees, two ornamental deciduous trees and a complementary number of shrubs.
 - (e) Landscaping is to be provided so as create a year-round colour effect and interest;
 - (f) Landscaping provided for screening purposes shall comply with all other applicable requirements of this Section, and shall include a minimum of two rows of trees evenly placed at regular intervals and the two rows offset to achieve a screening effect to the satisfaction of the Development Authority.
 - (g) Landscaping as approved on the landscaping plan shall be maintained for the duration of the development permit.
 - (h) Landscaping shall include native and drought resistant plant materials and landscaping design practices, for example hard landscaping like rock, mulch or shale (but not as a substitute for plant materials except grass), and/or the use of storm water run-off or grey water to irrigate landscaped areas.
 - (i) The use of landscaping is required adjacent to large exterior building walls greater than 3.0 m (10 ft) in height and 9.0 m (30 ft) in length that are visible from adjacent public roads, other than lands in the Agricultural District, to minimize the perceived mass of the building and to create visual interest.
 - (j) Notwithstanding any regulation in this Section, landscaping shall include a mixture of trees and shrubs to the satisfaction of the Development Authority.
 - (k) As required by the Development Authority, all required yards and all open spaces on the site, excluding driveways and service areas, shall be landscaped in accordance with the approved landscaping plan.
 - (l) As required by the Development Authority, any undeveloped portion of a site must be graded, contoured and seeded, or left to recover to its natural condition.
 - (m) Landscaped islands shall be required within at-grade parking areas with a capacity of twenty-five (25) or more vehicles. Landscaping islands shall be provided in such an arrangement to provide visual relief and to break up large areas of parking into smaller areas, to the satisfaction of the Development Authority. Landscaping islands shall be landscaped in accordance with the landscaping standards set out in this Bylaw.
 - (n) The parking of vehicles, the outdoor display or sale of goods and outdoor storage are prohibited on any portion of a site that has been approved for landscaping (including the natural display of grass, plants or other landscaping features) unless approved by the Development Authority.
 - (o) Landscaping shall be completed in accordance with the provisions of this Bylaw and the approved landscaping plan by the end of one full growing season in the year

following the year in which the permit was issued, unless otherwise stated in the development permit.

- (p) On the advice of a Landscape Architect or Arborist, planting standards may be altered to suit unique site topography or soils or micro-climatic conditions.
- (q) Where the landscaping plan proposes to retain natural vegetation, those shall be incorporated into the landscaping plan as an integral part thereof.
- (r) Where the Development Authority requires that an area be naturalized or a natural area be enhanced, a landscaping plan prepared by a Landscape Architect or a person qualified to perform such work shall be submitted with the application for development to the satisfaction of the Development Authority.

66.7 The owner of the property, or his/her successor or assignees, shall be responsible for landscaping and proper maintenance. As a condition of a development permit, an irrevocable letter of credit may be required, up to a value equal to the estimated cost of the proposed landscaping/planting, to ensure that such landscaping/planting is carried out with reasonable diligence. The conditions of the security being that:

- (a) if the landscaping is not completed in accordance with this Section, then the municipality shall use the security to complete the approved landscape development;
- (b) if the landscaping does not survive a two (2) year maintenance period, the applicant must replace it to the satisfaction of the Development Officer or forfeit the portion of the amount fixed equal to the cost of replacing the affected landscaping materials; and
- (c) the letter of credit will be released when the landscaping and other improvements have been completed to the satisfaction of the Development Authority and the two-year maintenance period has expired.

Minimum Plant Sizes

66.8 Landscaping shall consist of the following minimum plant sizes:

- (a) deciduous trees - minimum calliper 60.0 millimetres measured 450.0 millimetres from ground level;
- (b) coniferous trees - 2.5 m (8 ft) height;
- (c) deciduous shrubs - minimum #2 container class;
- (d) coniferous shrubs - minimum #2 container class.

Planting Density and Minimum Landscaping Area

Adjacent to a Highway, Multi-lot Subdivision, Hamlet, Village or Town

66.9 Subject to Sections 66.2 and 66.11 all development on lands located adjacent to or that are visible from a highway and/or a County road (Township Road, Range Road or internal subdivision road) within 500 m (1,650 ft) of a multi-lot subdivision, Hamlet, Village or Town or within an identified commercial and/or industrial business park shall be subject to the following Landscaping Standards, which shall be applied in conjunction with other applicable provisions of this Bylaw, provided however that where the provisions of this Section conflict with any other applicable provisions of this Bylaw, the more restrictive provisions shall take precedence:

- (a) Minimum landscaping area:
 - (i) On lots smaller than 1.0 ha (2.5 ac) a minimum of 15 percent, or as otherwise required by the Development Authority, of the site area shall be landscaped. For lots with multiple street frontages the area to be landscaped shall be to the discretion of the Development Authority; and
 - (ii) On lots larger than 1.0 ha (2.5 ac) a minimum of 80 percent, or as otherwise required by the Development Officer, of the required front yard setback of the

site shall be landscaped. For lots with multiple street frontages the area to be landscaped shall be to the discretion of the Development Officer.

- (b) Planting density:
 - (i) One tree for every 40 m² (430 ft²) of landscaped area at a proportion of approximately 1:1 of deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with Section 66.8 may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final grades are not significantly changed; plus
 - (ii) One shrub for every 20 m² (215 ft²) of landscaped area at a proportion of approximately 2:1 of deciduous and coniferous shrubs; plus
 - (iii) One tree for each 25 m² (270 ft²) and one shrub for every 10 m² (108 ft²) of required parking area islands. In no case shall there be less than one tree per required parking area island;
 - (iv) Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be round up to the next whole number;
- (c) Minimum landscaping requirement:
 - (i) Notwithstanding the above standards, the minimum landscaping requirement is four (4) trees at the ratio of 1:1 deciduous and coniferous and six shrubs at the ratio 2:1 deciduous and coniferous.

All other Areas

66.10 Subject to Sections 66.2, 66.11 and Section 80 all lands other than those described in Section 66.9 shall be subject to the following Landscaping Standards, which shall be applied in conjunction with other applicable provisions of this Bylaw, provided however, that where the provisions of this Section conflict with any other applicable provisions of this Bylaw, the following Landscaping Standards shall take precedence:

- (a) Minimum landscaping area:
 - (i) On lots smaller than 1.0 ha (2.5 ac) a minimum of 10 percent, or as otherwise required by the Development Authority, of the site area shall be landscaped;
 - (ii) On lots larger than 1.0 ha (2.5 ac) a minimum of 60 percent, or as otherwise required by the Development Authority, of the required front yard setback of the site shall be landscaped.
- (b) Planting density:
 - (i) One tree for every 50 m² (540 ft²) of landscaped area at a proportion of approximately 1:1 of deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with Section 66.8 may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final grades are not significantly changed; plus
 - (ii) One shrub for every 60 m² (625 ft²) of landscaped area at a proportion of approximately 2:1 of deciduous and coniferous shrubs;
 - (iii) One tree for each 25 m² (270 ft²) and one shrub for every 10 m² (108 ft²) of required parking area islands. In no case shall there be less than one tree per required parking area island;
 - (iv) Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be round up to the next whole number;
- (c) Minimum landscaping requirement:
 - (i) Notwithstanding the above standards the minimum landscaping requirement is

four trees at the ratio of 1:1 deciduous and coniferous and six shrubs at the ratio 2:1 deciduous and coniferous.

Redevelopment of Existing Non-compliant Developed Lots

- 66.11 Proposed redevelopment of an existing developed lot that does not and, in the opinion of the Development Authority cannot meet the minimum landscaping area and planting density requirements in Sections 66.9 or 66.10 due to unreasonable hardship, shall meet the following requirements to the satisfaction of the Development Authority:
- (a) Minimum landscaping area:
 - (i) 50% of the requirements in Section 66.9(a) or Section 66.10(a) as may be applicable.
 - (b) Planting density:
 - (i) 66% of the requirements in Section 66.9(b) or Section 66.10(b) as may be applicable.
 - (c) Minimum landscaping requirement:
 - (i) 100% of the requirements in Section 66.9(c) and Section 66.10(c) as may be applicable.

67 MANUFACTURED HOME

- 67.1 To assist in the review of the compatibility of a Manufactured Home with surrounding development, and in addition to the requirements of Section 17.4 and pursuant to Section 17.5, a development permit application for a Manufactured Home that is older than ten years at the date of the application for a development permit shall include:
- (a) recent color photographs of the building or structure showing all sides thereof; and
 - (b) a statement of the age, size and structural condition of the building; and
 - (c) a statement of any proposed improvements to the building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a description of proposed landscaped areas;
- and the Development Authority may seek the opinions, in writing, of adjacent property owners.
- 67.2 Skirting of a Manufactured Home, including finishing, to the satisfaction of the Development Authority, must be completed within thirty (30) days of the date a manufactured home is placed on the site.
- 67.3 The appearance, design, and construction of any ancillary structures, such as patios, porches, additions, and skirting, shall complement the design of the Manufactured Home.
- 67.4 Where a Development Permit application has been approved for a Manufactured Home, any renovations or improvements required to ensure that the Manufactured Home complies with this bylaw shall be listed as conditions of the development permit.
- 67.5 Notwithstanding Section 31.1, all renovations that are set out as conditions of the approval of a development permit for a Manufactured Home shall be completed within one (1) year of the issuance of the Development Permit.
- 67.6 The Development Authority may require the applicant to provide a security deposit of an amount deemed sufficient to ensure completion of any renovations that are required pursuant to Sections 67.4 and 67.5.
- 67.7 Where a development permit application is approved pursuant to Section 67, the Development Authority may, as a condition of the development permit, require the applicant to provide a security deposit for any maintenance, repairs or improvements associated with the building relocation, or for the repair of damage to roads, sidewalks or boulevards that may be caused by the transportation of the manufactured home to the

site.

- 67.8 When a Manufactured Home is placed on a lot on blocks or on its wheels, a development permit that allows the structure to have a zero lot line side yard setback or to straddle the side property line may be approved if the two parcels are in the same ownership.

68 MOVED-IN / RELOCATED BUILDING

- 68.1 Except as otherwise provided for in this Bylaw, no person shall relocate an existing building or structure, or portion thereof, onto a site without first obtaining a development permit for the moved-in building or structure. The moved-in building or structure shall comply with the applicable land use district regulations.
- 68.2 To assist in the assessment of the compatibility of a moved-in building with surrounding development, and in addition to the requirements of Section 17.4 and pursuant to Section 17.5, a development permit application for a relocated building shall include::
- (a) recent color photographs of the building or structure showing all sides thereof; and
 - (b) a statement of the age, size and structural condition of the building; and
 - (c) a statement of any proposed improvements to the building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a description of proposed landscaped areas.
- 68.3 In considering an Application to relocate a building, the Development Authority may seek the opinions, in writing, of adjacent property owners.
- 68.4 Where a Development Permit application has been approved for the relocation of a building, any renovations or improvements required to ensure that the relocated building or structure complies with this bylaw shall be listed as conditions of the development permit.
- 68.5 Notwithstanding Section 31.1, all renovations that are set out as conditions of the approval of a development permit for a relocated building shall be completed within one (1) year of the issuance of the Development Permit.
- 68.6 The Development Authority may require the applicant to provide a security deposit of an amount deemed sufficient to ensure completion of any renovations that are required pursuant to Sections 68.4 and 68.5.
- 68.7 Where a development permit application is approved pursuant to Section 68.1, the Development Authority may, as a condition of the development permit, require the applicant to provide a security deposit for any maintenance, repairs or improvements associated with the building relocation, or for the repair of damage to roads, sidewalks or boulevards that may be caused by the relocation.

69 NUMBER OF DWELLING UNITS ON A PARCEL OF LAND

- 69.1 No person shall construct or place or cause to be constructed or placed more than one dwelling unit on a parcel of land except where:
- (a) in the opinion of the Development Authority, either:
 - (i) the additional dwelling unit(s) is contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which includes secondary suites, duplexes, multi-attached dwellings or multiple family dwellings; or

- (ii) the additional dwelling unit(s) is part of a 'Clustered Farm Dwellings and Associated Uses' development in a District where this is listed as a use; or
- (iii) the additional dwelling(s) is a building as defined in the Condominium Property Act that is the subject of an approved condominium plan registered with Alberta Registries; or
- (iv) the parcel of land is within a land use district in which a second or additional Detached Dwelling or Manufactured Home is listed as a permitted or discretionary use, and the proposed development complies with the provisions of Section 69.2;

and

- (b) the Development Authority has issued a Development Permit for the use.

69.2 Pursuant to Section 69.1(a)(iv), the Development Authority may issue a Development Permit to construct or place a Second Detached Dwelling or Manufactured Home or a Third or Additional Detached Dwelling or Manufactured Home on a parcel of land as follows:

- (a) in the Agricultural District, a permitted use development permit for a Second Detached Dwelling or Manufactured Home if the parcel of land contains at least 80 acre (32.38 hectare);
- (b) in the Agricultural District, a discretionary use development permit for a Second Detached Dwelling or Manufactured Home if the parcel of land contains less than 80 acre (32.38 hectare);
- (c) in the Agricultural District, a discretionary use development permit for a Third or Additional Detached Dwelling or Manufactured Home, if the parcel of land contains at least 80 acre (32.38 hectare) in the Country Residence Agricultural District, except in a multi-lot subdivision, a discretionary use development permit for a Second Detached Dwelling or Manufactured Home.
- (d) in all of the above, the second, third or additional Detached Dwelling or Manufactured Home is located within and forms part of an existing yard site, which means that the additional dwelling shares the same access and, where practical, the same water supply system and/or sewage disposal system and/or other utilities as those used and intended for the principal dwelling.

69.3 A second, third or additional Detached Dwelling or Manufactured Home that exists on a parcel of land on the effective date of this Land Use Bylaw shall be handled as follows:

- (a) A second, third or additional Detached Dwelling or Manufactured Home in existence on the date that this Bylaw becomes effective shall be grandfathered in; and
- (b) After the date that this Bylaw becomes effective a development permit must be obtained in accordance with this Bylaw prior to the placing or construction of a second, third or additional Detached Dwelling or Manufactured Home on a parcel of land.

70 NUMBER OF PRINCIPAL AND ANCILLARY BUILDINGS AND USES ON A PARCEL OF LAND

70.1 Except for those dwelling units that are contemplated in Section 69.1, the Development Authority shall not approve more than one development permit application for a principal building on a fee-simple or condominium parcel unless an overall site plan that provides for one or more groups of buildings and addresses storm water management, pedestrian and vehicle traffic movement and any other matters that the Development Authority deems

necessary, has been approved by the Development Authority.

- 70.2 The Development Authority shall not approve more than one development permit application for a use of land or a building on a site if the same or a similar use or building already exists on the site at any time, except if the removal of the existing use or building is a condition of the development permit or if the use or building is an Ancillary Building or for uses in a Lease Bay Building.

71 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- 71.1 Subject to Sections 71.2, 71.3 and 80, in all land use districts the outdoor storage of goods, materials and equipment shall require a development permit unless the Development Authority has deemed that the storage is integral to another use that has been approved under a development permit or that does not require a development permit.
- 71.2 In all land use districts, no person shall keep or permit to be kept in any yard, as may be specified below, any object or chattel which, in the opinion of the Development Authority:
- (a) is unsafe, unsightly or tends to adversely affect the amenities of the district. This includes but is not limited to a partly or wholly dismantled, wrecked or derelict/dilapidated motor vehicle, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, toxic chemicals, and diesel fuel and gasoline products unless it is suitably housed or screened to the satisfaction of the Development Authority.
 - (b) constitutes the outdoor storage of construction materials and equipment without a valid development permit for a proposed development that is to be constructed on the land and, if such a development permit does exist, beyond the period which, in the opinion of the Development Authority, is necessary for the completion of the particular stage of construction work.
 - (c) constitutes the outdoor storage of materials, products, equipment or machinery in the required front yard of any district, unless required in any commercial district as part of the sale, promotion or display of merchandise in the sole discretion of the Development Authority, in which case such outdoor storage shall not impede pedestrian or vehicular traffic. In the side and rear yard of any commercial district and in any yard of all other districts, the outdoor storage of vehicles, equipment, or products shall be screened from public view to the satisfaction of the Development Authority.
 - (d) constitutes the unsightly outdoor storage of more than two Recreational Vehicles, boats or other watercraft, all-terrain vehicles, snowmobiles or utility trailers, or a combination of any of these, in a side yard or a front yard that is visible from a public road, except if it is part of a development permit that provides for the storage or sales of such vehicles (also See Section 75).
- 71.3 In any residential Land Use District in a hamlet or a multi-lot subdivision a motor vehicle, recreational vehicle, boat, all-terrain vehicle or utility trailer shall not be parked in a front yard, except on a driveway or parking pad that has a prepared surface other than grass.

72 OUTDOOR LIGHTING

- 72.1 Commercial and industrial outdoor lighting standards and fixtures shall be of consistent design and complement the architectural theme of the buildings located on the site.
- 72.2 Commercial and industrial outdoor lighting shall be located so that rays of light:
- (a) are not directed at an adjacent site or skyward;
 - (b) do not adversely affect an adjacent site; and
 - (c) do not adversely affect traffic safety.

73 PARKING AND LOADING STANDARDS

73.1 General Regulations

- (a) The requirements shall apply to all parking and loading facilities required by this Bylaw. Notwithstanding the requirements of this part, specific rules that may be contained in any land use district shall govern the parking and loading requirements for that district.
- (b) If vehicles entering onto public roadways exceed 9.1 m (30 ft) in length the applicant may be required to provide evidence, in the form of diagrams, to determine appropriate entrance geometrics.
- (c) If a building which requires parking or loading spaces is to be erected, the owner of the building shall provide the required parking or loading spaces in a finished condition as required in this Bylaw, at or before the time of occupancy of the building.
- (d) In the event seasonal conditions prohibit the completion of lot surfacing, the lot shall be compacted and maintained in a manner to allow emergency vehicle access and all hard surfacing shall be completed prior to July 1 of the following year.
- (e) The applicant may be required to provide an irrevocable Letter of Credit or other form of security acceptable to the Development Authority to guarantee completion of the lot surfacing.
- (f) To ensure compliance, and if the Development Authority deems it appropriate, the County may register a caveat under the Land Titles Act against the property being developed. This caveat shall be discharged when the Development Authority accepts the paving as complete.
- (g) Parking areas which are intended for public use shall only be used for the temporary parking of motor vehicles and shall not be used for extended storage of motor vehicles, and without restricting the generality of the foregoing, no person shall permit a motor vehicle to be parked in a public parking area for a period in excess of 72 hours.
- (h) Parking areas and loading spaces shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system and adjacent public roadways.
- (i) To facilitate the determination of parking and loading requirements, a parking and loading assessment prepared to a professional standard acceptable to the Development Authority may be required to document the parking and loading demand and supply characteristics associated with a proposed development. The Development Authority shall not be bound by any recommendations of such a parking or loading assessment, but may consider such recommendations in exercising discretion to establish the parking requirement for a specific development or to allow a reduction of the minimum number of spaces specified in this Bylaw.
- (j) The Development Authority may refuse to grant a development permit to an applicant not fully complying with parking or loading requirements.

73.2 Residential Uses

- (a) All residential parking stalls and loading spaces required by this Bylaw shall be located on the same site as the use requiring them, subject to setback and yard requirements.
- (b) The parking or loading stalls required for all residential uses shall be hard surfaced as defined in this bylaw, except for single detached dwellings and duplexes in the A, R1 and R2 Districts.
- (c) Parking or loading spaces for an apartment building shall not be located in the front yard of a site or between the front of a building and the boundary of the street on which the building faces unless otherwise approved by the Development Authority.

73.3 Non-residential Uses

- (a) The parking or loading stalls required for all non-residential uses shall be hard surfaced as defined in this bylaw, except for agricultural uses in the Agricultural District, unless otherwise approved by the Development Authority.
- (b) The location of on-site parking or loading spaces on a school site shall be to the satisfaction of the Development Authority. Senior high schools, colleges, universities, commercial and trade schools, and other similar institutions shall provide sufficient parking or loading spaces in respect of any gymnasium if it is open to the public.
- (c) Non-residential parking or loading spaces shall not be located in the front yard of a site or between the front of a building and the boundary of the street on which the building faces unless otherwise approved by the Development Authority.
- (d) If a non-residential parking or loading area is located on a site immediately adjacent to a Residential District, the parking or loading lot shall be designed as required for residential uses.

73.4 Parking and Loading Requirements

- (a) This Section is subject to Sections 73.1, 73.2 and 73.3.
- (b) All parking spaces, loading spaces, maneuvering aisles and driveways shall be surfaced and maintained to the satisfaction of the Development Authority.
- (c) All parking spaces, loading spaces, maneuvering aisles and driveways shall be demarcated to the satisfaction of the Development Authority.
- (d) The parking or loading layout of all developments shall be designed, located and constructed to meet the following standards to the satisfaction of the Development Authority:
 - (i) Each parking aisle shall have a curbed island at each end, measuring a minimum of 1.0 m in width;
 - (ii) Any residential and commercial parking lot containing more than 100 parking spaces and in which a parking space intended for resident, visitor or customer use is further than 50 metres from the entrance to any destination building on the site, shall provide one or more pedestrian walkways of a minimum of 1.2 m in width, oriented to ensure safe and efficient pedestrian traffic flow, and incorporated into any adjoining trail system;
 - (iii) Parking or loading lot design shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic flow on-site and on public roads are not adversely affected in any way;
 - (iv) The parking or loading lot must be accessible to and appropriate for types of motor vehicles using it and the frequency of use; and
 - (v) The parking or loading lot must be appropriately surfaced and drained as required by the Development Authority.

73.5 Parking spaces shall be provided in accordance with the following minimum standards:

USE	MINIMUM PARKING SPACE REQUIREMENT
(a) Residential	
(i) Multiple Family Dwellings	2 spaces per dwelling unit or 1.5 spaces per dwelling unit where 5 or more dwelling units occur
(ii) Garden Suites	1 space per suite
(iii) All Other Residential Uses	2 spaces per dwelling unit
(b) Office	2.5 spaces per 100 m ² (1,076 ft ²) of gross floor area

USE	MINIMUM PARKING SPACE REQUIREMENT
(c) Retail Store	3.4 stalls/100 m ² (1,076 ft ²) GFA plus 1.0 stall/staff with a minimum of two staff stalls
(d) Hotel, Motel	1 space per guestroom plus 3 spaces for staff
(e) Food and Beverage Service Facility	
(i) Lounge and Tavern	3 spaces per 10 m ² (108 ft ²) of seating area plus 3 spaces for staff
(ii) Family restaurant	2 spaces per 10 m ² (108 ft ²) of seating area plus 3 spaces for staff
(iii) Fast food restaurant	4 spaces per 10 m ² (108 ft ²) of seating area plus 3 spaces for staff
(f) Industrial	1 space per employee
(g) Recreation Facility, Indoor	10 stalls/100 m ² (1,076 ft ²) GFA
(h) Place of Public Assembly (Hall, Church)	5 stalls/100 m ² (1,076 ft ²) of assembly area, which number may include parking stalls which in the opinion of the Development Officer are available, to the congregation, on neighbouring commercial or industrial sites
(i) School	
(i) Elementary and Junior High	The greater of 1.15 stalls per staff or 1.0 stall per 5.0 m ² (54 ft ²) of gymnasium area
(ii) Senior High	0.5 stalls/student (design capacity) and 1.0 stall/staff and 1.0 stall/ 5.0 m ² (54 ft ²) of gymnasium area
(iii) Industrial/Commercial Training Facility	0.7 stalls/student plus 1.0 stall/ staff
(j) For all other uses	Pursuant to Section 73.1(i), the number of parking spaces required shall be determined by the Development Authority, having regard for similar uses listed above and the estimated traffic generation and attraction of the proposed use.

73.6 All retail, commercial and industrial uses are required to provide loading space. The applicant shall demonstrate to the satisfaction of the Development Authority the number of loading spaces required.

73.7 All retail, commercial and industrial uses are required to provide parking stalls for physically disabled persons in accordance with the Alberta Building Code or another best practice that the applicant can demonstrate to the Development Authority's satisfaction.

73.8 Where a building is enlarged or the use of the land or building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirements of the original building or use and that of the modified building or use.

73.9 Each parking space shall have dimensions of not less than 9 feet (2.74 meter) by 18 feet (5.49 meter).

73.10 Off-site parking and sharing of parking facilities:

- (a) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Development Authority pursuant to Section 73.10(c), the spaces may be located on another parcel on the condition that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (b) Where two adjacent developments can demonstrate to the satisfaction of the Development Authority that opportunities to share parking facilities exist, the Development Authority may consider an appropriate relaxation of the number of vehicle parking stalls on the application site subject to Section 73.10(c).
- (c) The following considerations shall be taken into account when parking is proposed to be located off-site or shared with another development:
 - (i) The Development Authority may allow two or more developments to share parking spaces. Up to 20% of the required parking may be combined or shared parking.
 - (ii) Permission to share parking spaces may only be granted by the Development Authority in the following circumstances:
 - the developments are in close proximity to each other and within 100 m (330 ft) of the site on which the parking spaces are located;
 - the demand for parking spaces for each development is not likely to occur at the same time;
 - the Development Authority is satisfied that the arrangement between the owners of the developments for the sharing of parking spaces is to be permanent unless an alternative permanent arrangement is made that is satisfactory to the Development Authority;
 - the full complement of parking spaces required for any of the developments completed on any of the lots proposing to share parking must be made available simultaneously with the completion of each development involved in the sharing or parking spaces; and
 - an agreement acceptable to the Development Authority is provided.

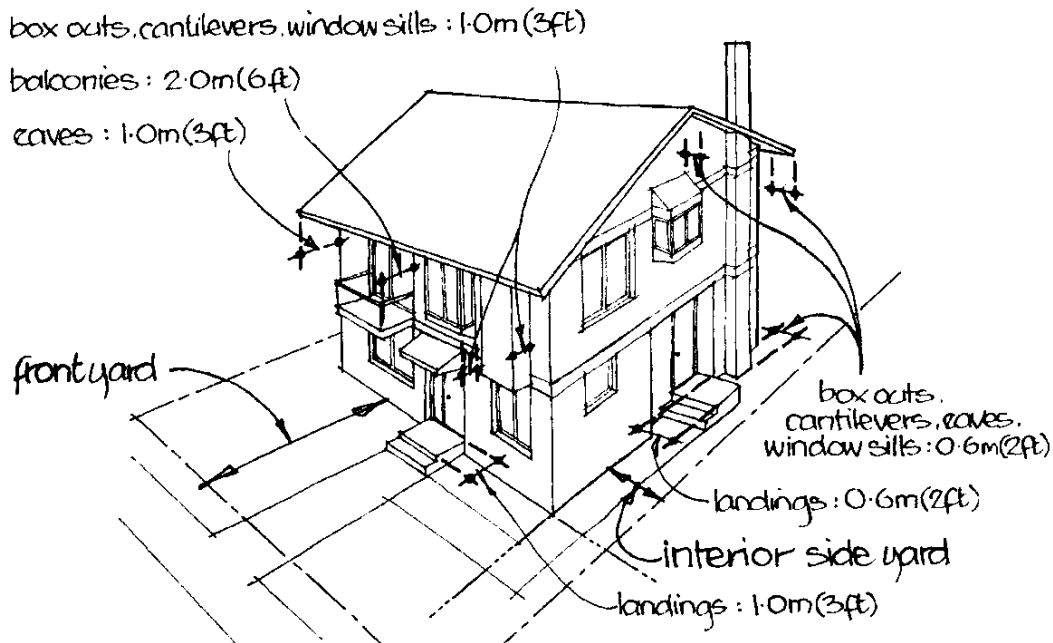
74 PERMITTED ENCROACHMENTS

74.1 The following encroachments into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, cantilevers, chimneys, gutters, sills, steps/stairs and associated landings (but excluding decks):

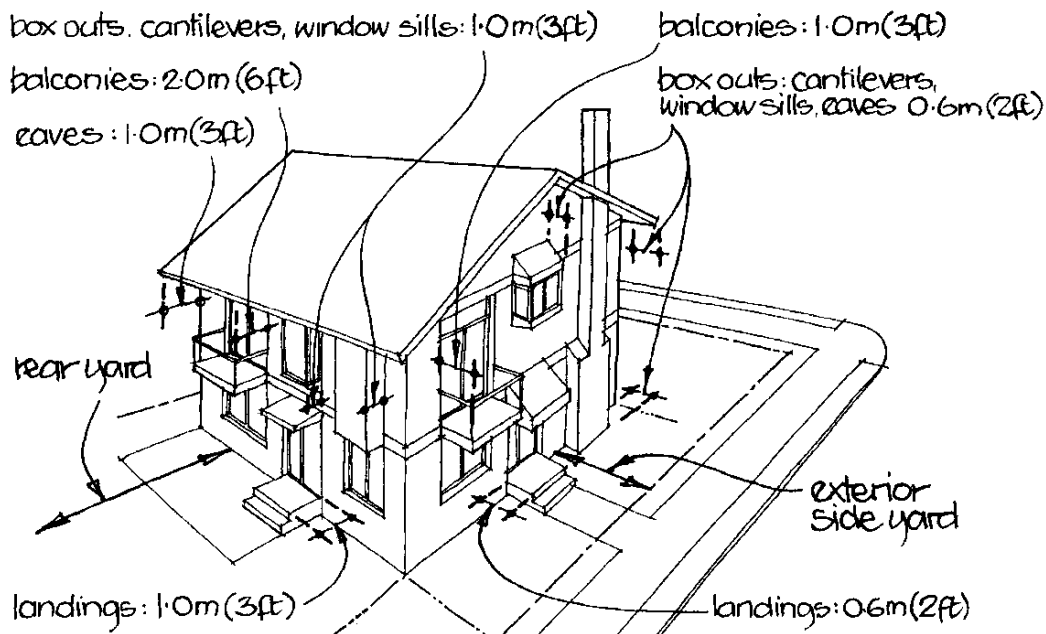
- (a) front yard:
 - (i) 2.0 m (6 ft) for balconies
 - (ii) 1.0 m (3 ft) for box-outs, cantilevers, eaves, gutters, landings (e.g. to basement side entries) and window sills
- (b) rear yard:
 - (i) 2.0 m (6 ft) for balconies
 - (ii) 1.0 m (3 ft) for box-outs, cantilevers, eaves, gutters, landings (e.g. to basement side entries) and window sills
- (c) side yard (interior lot):
 - (i) zero meters (0 ft) for balconies
 - (ii) 0.6 m (2 ft) for box-outs, cantilevers, eaves, gutters, landings (e.g. to basement side entries) and window sills
- (d) side yard (exterior lot – i.e. corner lot flanking a street):
 - (i) 1 m (3 ft) for balconies
 - (ii) 0.6 m (2 ft) for box-outs, cantilevers, eaves, gutters, landings (e.g. to basement side entries) and window sills

- 74.2 For multi-attached dwellings, balconies may be extended to the side lot line or common wall.
- 74.3 No encroachment will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- 74.4 No encroachments will be permitted into the 2.7 m (9 ft) side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m (10 ft) from finished grade to the lowest point of the projection encroachment is maintained.
- 74.5 The encroachment length limitations are as follows:
- (a) The individual encroachment maximum length shall not exceed 3.0 m (10 ft); and
 - (b) The sum of all encroachments maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

Permitted Encroachments - Front and Interior Side Yard Setbacks



Permitted Encroachments - Rear and Exterior Side Yard Setbacks



75 RECREATIONAL VEHICLE STORAGE

- 75.1 In any Land Use District, no Recreational Vehicle(s) shall be parked, placed or stored for **commercial purposes** unless 'Warehousing and Storage' is listed as a use in the Land Use District and the Development Authority has issued a corresponding development permit.
- 75.2 Except as provided for in Section 76, in any Land Use District a Recreational Vehicle shall not be parked, placed or stored for **private storage purposes** unless the use or building generally deemed to be the principal use or principal building in the District into which the parcel is designated is being actively undertaken or has been constructed on the parcel. This means that in a residential district, for example, the parcel must be developed with a dwelling unit of any type listed as a use in that District in order to park, place or store a Recreational Vehicle for private purposes. Also refer to Sections 71.2(d) and 71.3.

76 RECREATIONAL VEHICLE AS A DWELLING UNIT ON A PARCEL OF LAND THAT IS NOT A RECREATIONAL VEHICLE PARK OR A CAMPGROUND

- 76.1 On any lot (developed or vacant) in any Land Use District a Recreational Vehicle, including one that is parked or stored on a developed lot pursuant to Section 75.2 may be used as a dwelling unit for a period **not exceeding** twenty one (21) consecutive days, at the expiry of which it must be removed from the property for a minimum of five consecutive days; pursuant to Section 25.1 a temporary development permit is required for such use. This includes a Recreational Vehicle owned and/or used by short-term guests of the landowner or dwelling unit occupant (e.g. long weekend guests), subject to parking for any and all towing unit(s) and any associated trailers (e.g. for a boat, ATV, Ski-doo, etc.) being accommodated on the subject parcel of land.
- 76.2 A maximum of two (2) Recreational Vehicles may be used pursuant to Section 76.1 upon issuance of a temporary development permit. Additional Recreational vehicles may be used for this purpose for a maximum of five consecutive days and only with the Issuance of a temporary

development permit. For each additional Recreational Vehicle, a temporary permit and tag for placement in the Recreational Vehicle in a location visible from the street stating the dates that it will be parked on the lot must be obtained from the Development Officer.

- 76.3 The use of a Recreational Vehicle as a dwelling unit for a period **exceeding** twenty-one (21) consecutive days is allowed **only if** 'Recreational Vehicle' is listed as a use in the Land Use District for the subject parcel and a development permit for such use has been issued by the Development Authority pursuant to the regulations of that District.
- 76.4 In addition to the regulations for Recreational Vehicles in a specific Land Use District the following regulations apply to the use of a Recreational Vehicle as a dwelling unit pursuant to Section 76.3:
- (a) Development Authority shall be satisfied that the design, finish and appearance of a building, including a Recreational Vehicle, are compatible with the amenities and character of existing development in the surrounding area.
 - (b) A Recreational Vehicle shall be no more than fifteen years old at the time of applying for a development permit to use it as a dwelling unit. If the Recreational Vehicle is older than fifteen years, photographs of the Recreational Vehicle to be placed on the lot shall be submitted with the development permit application to the Development Officer's satisfaction, and the application may be denied or a condition imposed to require its upgrading if the condition of the Recreational Vehicle is not to the satisfaction of the Development Authority.
 - (c) Only one Recreational Vehicle per lot may be used as a dwelling unit pursuant to Section 75.3 except in Buffalo Lake Meadows (Plan 0521511 and Plan 0620721) where, despite anything to the contrary in this Land Use Bylaw, a maximum of two Recreational Vehicles per lot may be allowed at the discretion of the Development Authority. Further, subject to Section 68, only one development permit may be issued for a principal building that is a dwelling unit (i.e. either for a Recreational Vehicle or for a detached dwelling).
 - (d) Pursuant to Section 8 a Recreational Vehicle includes a Recreational Vehicle - Park Model Trailer but does not include a Recreational Vehicle - Park Model Recreational Unit (also called a "Cottage Model").
 - (e) Pursuant to Section 9 a Recreational Vehicle used as a dwelling unit is a building and all regulations specified in this District for a building also apply to a Recreational Vehicle, unless stated otherwise.
 - (f) In the Rochon Sands Heights, Scenic Sands [on lots specified in Section 108.15 (c) (ii)] and Buffalo Lake Meadows subdivisions, additions to a Recreational Vehicle shall be limited to a ground level deck.
 - (g) Although being a discretionary use in Rochon Sands Heights, Scenic Sands [on lots specified in Section 108.15 (c) (ii) and Buffalo Lake Meadows subdivisions, notwithstanding anything to the contrary in this Bylaw the Development Officer may issue a development permit for the use of a Recreational Vehicle as a dwelling unit, but shall refer the application to the Municipal Planning Commission if the Development Officer recommends refusal of the development permit or for any other reason that the Development Officer deems it necessary.
 - (h) When the Development Officer issues a development permit for the use of a Recreational Vehicle as a dwelling unit, an appeal period for affected landowners shall apply pursuant to Section 33.2.
 - (i) The landowner of a parcel of land on which a Recreational Vehicle is illegally stored (refer

to Section 74) or is placed to be used as a dwelling unit without the benefit of a development permit or on which a Recreational Vehicle was legally placed to be used as a dwelling unit with the benefit of a time limited development permit which has expired, may be liable to a fine or penalty pursuant to Section 38.1 provided for in the County's Fee Bylaw

77 RECREATIONAL VEHICLE PARK AND/OR CAMPGROUND

- 77.1 When 'Campground' and 'Recreational Vehicle Park' are both listed as uses in a District, then a single Development Permit may be issued for a facility that includes both a Campground (un-serviced sites) and a Recreational Vehicle Park (serviced sites).
- 77.2 Any development permit application for a Recreational Vehicle Park or Campground, regardless of whether the stalls are rented or under condominium ownership, shall include a site plan to the satisfaction of the Development Authority that shows the location, design standards and site requirements of individual stalls, group areas, access roads and cabins, and any common accessory uses and services such as washrooms, laundromat, recreational building, retail store, food concession, fire pits, fire wood storage, lighting, water supply, sewage disposal facilities, solid waste collection facilities and any other similar uses or services that may be associated with or required within a Recreational Vehicle Park or Campground. For a Recreational Vehicle Park or Campground where the stalls are rented and the number of stalls does not exceed twenty or the land area does not exceed 5 acres, whichever is the least, the Development Authority may, at its discretion, use the design standards cited in Section 77.3 or any other standards to its satisfaction, as a guideline in evaluating the permit application.
- 77.3 When a Recreational Vehicle Park or Campground is intended to be under condominium ownership, the Development Authority shall use the following regulations as minimum standards in evaluating the permit application and the design of the Recreational Vehicle Park or Campground site plan:
- (a) in a Recreational Vehicle Park or Campground only a Recreational Vehicle, Recreational Vehicle - Park Model Recreational Unit, tents and cabins are allowed as temporary overnight accommodation;
 - (b) a condominium Recreational Vehicle Park or a condominium Campground pursuant to the Condominium Property Act shall require subdivision approval, and shall be subject to any related County policies regarding water supply and sewage disposal servicing and road construction or road improvements;
 - (c) for a rental park or campground a minimum of 10% and for a condominium project a minimum of 20% of the gross development area shall be set aside in a location suitable to the Development Authority as a common open space recreation area;
 - (d) each stall shall be accessed by an internal road;
 - (e) the road system shall be sensitively designed to the topography and environmental characteristics of the site;
 - (f) roads shall be hard surfaced or surfaced to the satisfaction of the Development Authority and shall be:
 - (i) 3.0 m (10 ft) in width for one-way traffic and
 - (ii) 6.0 m (20 ft) in width for two-way traffic;
 - (g) the road system shall be properly signed for users and for emergency response



- vehicles;
- (h) walkways with a minimum width of 1.2 m (4 ft) surfaced to the satisfaction of the Development Authority shall be provided from all stalls to all service buildings and facilities, refuse areas and recreation areas;
- (i) fires will be permitted only in designated fire pits or other such facilities;
- (j) all utility services and all utility wires and conduits shall be provided as required by the Development Authority and the franchise utility companies;
- (k) potable water and sewage disposal facilities are required to the satisfaction of the Development Authority;
- (l) fences shall be allowed within the Recreational Vehicle Park only if they are erected and maintained by the park operator to a uniform standard throughout the park;
- (m) all stall boundaries shall be clearly defined on the ground by permanent flush stakes, or markers, with a stall number or other identification system;
- (n) minimum Recreational Vehicle or Campground stall size shall be:
 - (i) 6.0 m (20 ft) in width;
 - (ii) 18 m (59 ft) in depth; and
 - (iii) 108 m² (1,200 ft²) in area for rental stalls, with a minimum unit size of 200 m² (2,153 ft²) for condominium units;
- (o) minimum distance between Recreational Vehicle or Campground stalls shall be 3.0 m (10 ft), except if suitable buffers are provided to the satisfaction of the Development Authority;
- (p) minimum Recreational Vehicle Park or Campground front, side and rear yards shall be 3.0 m (10 ft) from all site boundaries and no stalls or other development are permitted within any yard;
- (q) a maximum of one Recreational Vehicle or Recreational Vehicle - Park Model Recreational Unit and one tent shall be allowed per stall;
- (r) each stall shall accommodate at least one vehicle parking space other than a Recreational Vehicle;
- (s) visitor parking shall be provided in a common area to the satisfaction of the Development Authority; and
- (t) a landscaping plan that retains natural vegetation shall be provided to the satisfaction of the Development Authority.
- (u) only one Recreational Vehicle, Recreational Vehicle - Park Model Recreational Unit or cabin plus one Ancillary Building are allowed per condominium unit;
- (v) the maximum coverage per unit or stall is 40%;
- (w) the maximum height of a Recreational Vehicle, Recreational Vehicle - Park Model Recreational Unit or cabin is 18 ft (5.50 m);
- (x) a common area for the storage of ATV's, motor cycles and boats or other recreational crafts shall be provided at a minimum rate of 10 m² ;
- (y) no permanent foundation, pilings, basement or base extending below the frost level is allowed to be developed on a condominium unit that is intended for a Recreational Vehicle or Recreational Vehicle - Park Model Recreational Unit;
- (z) each condominium unit shall be designed to accommodate a minimum of two vehicle parking spaces;
- (aa) a common area for the parking of additional vehicles or visitor vehicles shall be provided at a rate of one vehicle per every five condominium units;
- (bb) no Ancillary Building shall be used for sleeping accommodation; and
- (cc) an Ancillary Building shall be similar to, and complement, the Recreational Vehicle in exterior materials, colour and appearance.

77.4 One on-site security/operator dwelling unit may be approved subject to Section 83.

78 SALVAGE AND RECYCLING FACILITY

- 78.1 Prior to approving a development permit the Development Authority shall be satisfied that the design, finish and maintenance/upkeep of a 'Salvage and Recycling Facility' including advertising signs, throughout the lifetime of the facility, are compatible with the amenities and character of existing development in the surrounding area, specifically if the facility is located in a prominently visible location.
- 78.2 The keeping of any object or chattel in a location that is visible to the travelling public and which in the opinion of the Development Authority is unsightly or adversely affects the amenities of the area is prohibited.
- 78.3 The premises shall be fenced along any and all property boundaries visible from any highway or public road, to the satisfaction of the Development Authority. This shall be a screening fence.
- 78.4 The screening fence shall be of a durable finish that incorporates and complements any buildings and shall include architectural design in the form of colour variation or other method of accentuation to break up monotony and size/height/length of the fence.
- 78.5 The use of true primary and secondary colours in fencing and building materials is not permitted as the main field colour and must only be used as accent colouring. All colours are to be approved by the Development Authority by the submission of true colour samples.
- 78.6 At no time shall any auto bodies or other recycling components be visible from any location along a highway or any other public road, except when being loaded/off-loaded.
- 78.7 Landscaping shall be provided and maintained to the satisfaction of the Development Authority.
- 78.8 Notwithstanding Section 84 of this Bylaw, the location and design of any advertising signs shall be to the satisfaction of the Development Authority.

79 SATELLITE DISH ANTENNA

- 79.1 A satellite dish antenna shall be located on the same site as the intended signal user.
- 79.2 Pursuant to Section 16.1(g), a satellite dish antenna that conforms to all other provisions of the Land Use Bylaw does not require a development permit.
- 79.3 A satellite dish antenna shall not be located in, or encroach onto, a front or side yard in any residential district.
- 79.4 A satellite dish antenna larger than 1.0 m (3 ft) in diameter shall not be located on a roof top except for apartment buildings three storeys or greater in height and buildings in non-residential districts.
- 79.5 Where any portion of a satellite dish antenna is more than 3.0 m (10 ft) above grade, it shall be screened and located to the satisfaction of the Development Authority.
- 79.6 Location restrictions for satellite dish antennas may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority that compliance would interfere with signal reception.

80 SCREENING, BUFFERING AND OUTDOOR STORAGE

- 80.1 Some land use districts list 'Outdoor Storage' as a land use and/or contain outdoor storage regulations specific to those districts. In these situations a development permit must be obtained for 'Outdoor Storage'.
- 80.2 Outdoor storage of goods, materials, or equipment outside of a building in a land use district where 'Outdoor Storage' is not listed as a use may be allowed if outdoor storage is implied in the land use definition of the particular use and if the development permit application states the intent to have outdoor storage.
- 80.3 In all other situations outdoor storage shall be subject to the provisions of Section 71.
- 80.4 In addition to any other provisions of this Bylaw, for a landfill site, a Sand, Gravel and Surface Mineral Extraction use or a Sand, Gravel and Surface Mineral Processing use, a sewage lagoon, a sewage treatment plant, an industrial or bulk storage yard, including but not limited to auto wrecking, lumber yard, pipe storage and similar uses and for any other similar forms of development, the Development Authority may require such development to be screened from public view by a vegetated buffer strip or some other landscaping feature to the satisfaction of the Development Authority. Where, because of the stacked height of materials stored, a screen planting would not be sufficient, the Development Authority may require a fence, an earth berm or combination thereof to its satisfaction.
- 80.4 Outdoor storage of vehicles, equipment, or products shall be screened from public view to the satisfaction of the Development Authority, unless the outdoor storage is required as part of the sale, promotion or display of the vehicle, equipment or product, in which case the manner of outdoor storage shall be to the satisfaction of the Development Authority.
- 80.5 Screening in the form of fences, hedges, landscaped berms or other means is required along the property lines of all commercial and industrial lots where such lines are coterminous with a residential property line or are adjacent to an alley that abuts a neighbouring residential property. Such screening shall be at least 1.8 m (6 ft) high. Other features of the screening shall be at the discretion of the Development Authority.

81 SEA-CAN

- 81.1 Notwithstanding the provisions of any land use district the placement and use of a sea-can as an ancillary building on any parcel of land adjacent to or within a multi-lot subdivision, a hamlet, a village or a town shall be a discretionary use, and the Municipal Planning Commission may, in its sole discretion, approve a development permit application for a sea-can on a temporary basis pursuant to Section 25.

82 SECONDARY SUITE

- 82.1 One secondary suite may be allowed in a Detached Dwelling that constitutes the principal building on a parcel of land or, subject to Section 43.6, in a detached Ancillary Building if a principal Detached Dwelling exists on the parcel of land, in those Districts where secondary suite is listed as a permitted or discretionary use.
- 82.2 A secondary suite located in a detached Ancillary Building shall be a discretionary use since it may require that the building height is varied from the typical 16 feet to 26 feet.
- 82.3 A secondary suite is not a Duplex or a second Detached Dwelling therefore, subject to Section 23.4, a secondary suite within a Detached Dwelling shall not exceed 25% of the

total floor area of the Detached Dwelling, including upper floors and basement combined, and a secondary suite in a detached Ancillary Building shall not exceed 50% of the ground floor area of the building or, in either case, 90.0 m² (approximately 969 ft²), whichever is less; and further, the secondary suite shall not be smaller than 38.0 m² (approximately 400 ft²).

- 82.4 A separate entrance door to a secondary suite shall not be located on the front elevation of a Detached Dwelling. Notwithstanding this, a single entry door providing access to an enclosed, shared landing area from which both the main dwelling unit and the secondary suite take access, may be located on the front elevation of a Detached Dwelling. When a secondary suite is located in an ancillary building the location of the entrance door is not regulated.
- 82.5 At least one on-site parking space shall be provided for a secondary suite in addition to the parking requirements for the principal dwelling pursuant to Section 73 of this Bylaw.
- 82.6 A principal building containing a secondary suite may not be converted into condominiums; ownership of a property containing a secondary suite must be an undivided fee simple.

83 SECURITY/OPERATOR DWELLING UNIT

- 83.1 A security/operator dwelling unit is a discretionary use in those districts where it is allowed, and any development permit issued for a security/operator dwelling unit shall be conditional upon the permit becoming null and void when the principal use requiring the security/operator dwelling unit ceases to operate.
- 83.2 Only one (1) development permit for a security/operator dwelling unit may be issued on a site.
- 83.3 In addition to the number of parking stalls required for the principal use under Section 73 of this Bylaw, one additional parking stall shall be provided for the security/operator dwelling unit.
- 83.4 A minimum of 6.0 m² (65 ft²) of private amenity space shall be provided for the security/operator dwelling unit.

84 SIGNS AND ADVERTISING

- 84.1 Signs and Advertising shall be a permitted use in every land use district if it meets the regulations of Section 84 and shall be a discretionary use in every land use district if it does not meet the regulations of Section 84.
- 84.2 No sign or advertisement of a commercial, directional or informative nature shall be placed on land or affixed to any exterior surface of any building or structure unless an Application for this purpose has been approved and a Development Permit issued.
- 84.3 Notwithstanding Section 84.2, except as may be otherwise required in this Bylaw (e.g. in a Land Use District), the following signs, provided they comply with the restrictions listed below, may be placed on land or affixed to the exterior surface of a building or structure without Application for a Development Permit provided the landowner has granted written consent:

TYPE OF SIGN	RESTRICTIONS
<p>(a) Miscellaneous signs, including:</p> <p>(i) signs to be displayed as a means of identification, direction, or warning;</p> <p>(ii) signs advertising the fact that a person, partnership, or company is carrying on a profession, business, or trade at the premises; and</p> <p>(iii) signs relating to a religious, educational, cultural, recreational, or similar institution, or a hotel, motel, apartment block, club, or boarding house.</p>	<p>Sign not to exceed 12.0 ft² (1.1m²) and must be limited to one sign per parcel of land. In the case of a Home Business the sign shall not exceed 4.0 ft² (0.37 m²). Also see Sections 84.4 to 84.8.</p>
<p>(b) Temporary signs, such as:</p> <p>(i) signs advertising that land or premises are for sale or lease;</p> <p>(ii) signs announcing the sale of goods or livestock on land or premises which are not normally used for commercial purposes;</p> <p>(iii) signs relating to the carrying out of building, engineering, or construction works; and</p> <p>(iv) signs intended to advertise any local event being held for charitable purposes, which may be religious, educational, cultural, political, social, or recreational, but not for any commercial purpose.</p>	<p>Sign not to exceed 20.0 ft² (1.86 m²) and must be removed by the advertiser within 15 days of completion of the event or works to which the advertisements relate. Also see Sections 84.4 to 84.8.</p>
<p>(c) Functional signs needed by public bodies such as local authorities and utility companies to give information or directions about the services they provide.</p>	<p>No size restrictions. Also see Sections 84.4 to 84.8</p>

- 84.4 No sign or advertisement shall be placed or permitted within 1,000 feet (304.8 meter) of a Highway right-of-way or within 2,625 ft (800 metres) from the centre point of an intersecting highway or other public roadway, unless the prior written approval of Alberta Transportation has been obtained.
- 84.5 The person installing and displaying a sign must have written permission from the landowner(s).
- 84.6 Signs shall not be illuminated (provide details, ie. impact traffic safety) or provisions to allow illumination in specific circumstances.
- 84.7 No sign or advertisement shall obstruct the view of or be liable to be confused with any traffic sign or signal, or otherwise pose a potential hazard to traffic.
- 84.8 The Development Authority may require the removal or renovation of any sign that is not kept in a safe, clean, and tidy condition.

85 SITE DESIGN, BUILDING DESIGN, CHARACTER AND APPEARANCE

- 85.1 Unless otherwise required by architectural/design guidelines in an Area Structure Plan or in Section 51 of this Bylaw, all buildings in any residential, industrial or commercial district shall comply with the following regulations, except as otherwise approved by the Development Authority:
- (a) The design, character, siting, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures shall be to the satisfaction of the Development Authority.
 - (b) Exterior finish shall be wood, prefabricated materials, stone, brick, architecturally finished block or concrete, stucco or other durable aesthetically pleasing material that is appropriate to the development style and to the satisfaction of the Development Authority.
 - (c) All sides of a building exposed to a highway or public road shall be treated as a principal façade and finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
 - (d) Roof lines and building facades shall be articulated and varied to reduce perceived mass and linear appearance of large buildings.
 - (e) Except in the Agricultural District and all industrial districts, mechanical equipment shall be screened or incorporated into the roof envelope.
 - (f) The undercarriage of a manufactured home shall be screened from view by skirting or such other means satisfactory to the Development Authority.
 - (g) The appearance and finishing of all accessory structures to a manufactured home, such as patios porches, additions, garages, skirting and storage facilities, shall complement the manufactured home to the satisfaction of the Development Authority.
 - (h) The finish and appearance of all the buildings on the lot, including accessory buildings, should complement the other structures located on the same lot.
 - (i) The design of development shall respect, complement and work with the natural features of the development site to the satisfaction of the Development Authority.
- 85.2 The exterior finish of any building and the site works such as paving, curbing, landscaping, etc. shall be completed within twenty-four months from the date of the issuance of the development permit unless otherwise stipulated elsewhere in this Land Use Bylaw or in the development permit, or unless an extension of time is obtained from the Development Officer pursuant to Section 31.1.
- 85.3 Vehicular entrances and exits, as well as on site and off site traffic and pedestrian routes shall be located and designed in a manner that provides a clearly defined, efficient and convenient on-site and off-site vehicular traffic and pedestrian circulation pattern.
- 85.4 Loading bays shall be located in such a manner as to not impede the efficient flow of on-site traffic and pedestrian movement and to minimize impacts on adjacent land uses.
- 85.5 Development on adjoining lots shall be integrated by direct on-site access connections to provide for convenient and free flowing traffic movements between lots where such integration is advantageous and feasible, in the opinion of the Development Authority.

86 TEMPORARY BUILDINGS, STRUCTURES AND USES

- 86.1 The Development Authority may approve a development permit for a temporary building, structure or use only if the proposed building, structure or use conforms to the Permitted or Discretionary Uses prescribed in the District for which the site is designated.

87 TRADING IN MOTOR VEHICLES AND/OR MOTOR VEHICLE REPAIRS

87.1 In order to ensure that the County complies with Chapter 2 of the Fair Trading Act, any development permit issued for a proposed development that involves the buying, selling, leasing, salvaging, recycling or dismantling, or installation of parts or equipment in, repairing or servicing of motor vehicles must include a condition that the applicant shall provide written proof, within 30 days of the issuance of the development permit, that the applicant holds an appropriate license from the Alberta Motor Vehicle Industry Council.

88 WORK CAMP

88.1 Federal, Provincial or municipal work camps do not require a development permit.

88.2 A development permit for a temporary work camp may be issued for up to one (1) year, at which time an application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.

88.3 An application for a development permit for a work camp must provide the following information:

- (a) the location, type and purpose of the camp;
- (b) adjacent land uses;
- (c) the method of supplying water, and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Alberta Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and be to the satisfaction of the Regional Health Authority;
- (d) the number of persons proposed to live in the camp;
- (e) the MLL (miscellaneous lease) number issued by Alberta Environment if applicable;
- (f) the start date for development, date of occupancy by residents, and removal date for the camp; and
- (g) reclamation measures once the camp is no longer needed.

PART SEVEN

LAND USE DISTRICTS AND REGULATIONS

89 ESTABLISHMENT OF LAND USE DISTRICTS

- 89.1 For the purpose of this Bylaw, the County of Stettler No. 6 is divided into the following Districts:
- Agricultural District A
 - Airport District AD
 - Commercial District C
 - Country Residence District CR
 - Country Residence Agricultural District CRA
 - Country Residence Equestrian District CR-EQ
 - Country Residence Recreation District CRR
 - Country Residence Small Lot District CR-SL
 - Hamlet Commercial District HC
 - Hamlet Industrial District HI
 - Hamlet Residential District HR
 - Highway Commercial District HWY-C
 - Highway Mixed Use District HWY-MU
 - Industrial District IND
 - Manufactured Home Park District MHP
 - Public Services District PS
 - Recreational Facility District RF
 - Resort Residential District RR
 - Resort Residential - Communally Serviced District RR-CS
 - Resort Residential - Recreational District RR-REC

90 BOUNDARIES OF LAND USE DISTRICTS

- 90.1 Boundaries of the Districts listed in Section 89.1, and amendments thereto approved by Council, are as delineated on the Land Use District Maps being Schedule 'C' of this Bylaw.
- 90.2 Where uncertainty exists as to the exact location of the boundary of a Land Use District as shown on a Land Use District Map, the following rules shall apply:
- (a) a land use district boundary shown as approximately following the boundary of a parcel of land shall be deemed to follow that parcel of land boundary;
 - (b) a land use district boundary shown as following a street, alley, railway or creek, shall be deemed to follow the centre line thereof;
 - (c) a land use district boundary which does not approximately follow the boundary of a parcel of land shall be deemed to follow the boundary of a corresponding designation in an applicable statutory plan, and if there is no applicable statutory plan, any written historical records that the County may hold relative to the parcel of land or the land use district boundary may be used to determine the boundary of the District.
- 90.3 If the Application of the rules referred to in Section 90.2 do not satisfactorily determine the exact location of the boundary of a District, Council either on its own motion or upon written Application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require.
- 90.4 After Council has fixed a District boundary pursuant to Section 90.3, the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.

- 90.5 In Schedule 'C' of this Bylaw the Development Officer shall maintain a record of Council's decisions with respect to the establishment and revision of land use district boundaries or portions thereof and text amendments.

91 APPLICATION OF DISTRICTS AND DISTRICT REGULATIONS

- 91.1 Development permit applications in any land use district may be subject to the provisions of Section 42 and Section 51 of this Bylaw.
- 91.2 If a greater distance is required by the Alberta Building Code than any distance shown in this Bylaw, that Code's requirements shall prevail.
- 91.3 All railway rights-of-way, roads, alleys and other public thoroughfares are exempted from the Land Use Districts and the District standards and regulations established under this Bylaw; however, when a railway right-of-way, road, alley or other public thoroughfare is closed it shall automatically revert to the Agricultural District or, in the case where its land title is consolidated with the land title of an adjacent parcel of land, to the District for which that parcel of land is already designated.
- 91.4 All regulations stated in this Bylaw relative to distances, sizes, areas, heights, etc. are minimum standards, unless otherwise noted in the regulation.

92 **AGRICULTURAL DISTRICT (A)**

PURPOSE

- 92.1 To support and promote an evolving agricultural industry as a fundamentally important part of the County's identity and of its economy and to accommodate associated rural lifestyles and agriculture related businesses to supplement farm income.

LAND USES

92.2 Permitted Uses

- Agricultural Operation
- Ancillary Building or Ancillary Use (Residential) – standard size, subject to Section 43.10
- Ancillary Building or Ancillary Use (Industrial or non-residential) – size shall be determined at the discretion of the Development Authority, subject to Sections 92.10 and 92.11
- Detached Dwelling
- Garden Suite
- Government Service
- Manufactured Home not older than ten years
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle or Recreational Vehicle – Park Model Recreational Unit, if the parcel of land has an area of at least 80 acre (32.38 hectare), and subject to Section 92.22
- Second Detached Dwelling or Manufactured Home (not older than ten years) if the parcel of land has an area of at least 80 acre (32.38 hectare)
- Secondary Suite inside a Detached Dwelling

92.3 Discretionary Uses

- Agricultural Supply Depot
- Ancillary Building or Ancillary Use (Residential) – oversized, subject to Section 43.10
- Assisted Living Facility
- Auction Mart - Livestock, subject to Section 92.13
- Bed and Breakfast Establishment
- Cemetery
- Clustered Farm Dwellings and Associated Uses
- Communication Antenna and Structure
- Community Facility
- Concert site, subject to Section 53
- Contractor's Business – Home Based or Not Home Based, subject to Section 92.12
- Crematorium
- Data Processing Centre
- Duplex
- Farm Stall
- Guest Ranch – ancillary accommodation is limited to a maximum of 20 units/stalls/sites or an area of maximum 5 acres, whichever is less
- Home Business
- Kennel, subject to Section 64
- Land Reclamation
- Manufactured Home older than ten years
- Oilfield Service or Supply Business - Minor
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision

92.3 Discretionary Uses

- Recreation Facility – Indoor – ancillary accommodation is limited to a maximum of 20 units/stalls/sites or an area of maximum 5 acres, whichever is less
- Recreation Facility – Outdoor – ancillary accommodation is limited to a maximum of 20 units/stalls/sites or an area of maximum 5 acres, whichever is less
- Recreational Vehicle or Recreational Vehicle – Park Model Recreational Unit, if the parcel of land has an area of less than 80 acre (32.38 hectare), and subject to Section 92.22
- Recreational Vehicle Park and/or Campground – limited to a maximum of 20 units/stalls/sites or an area of maximum 5 acres, whichever is less, and subject to Section 92.16
- Rural Convenience Store
- Rural Restaurant
- Sand, Gravel and Surface Mineral Extraction for a period of five (5) years or less and has a disturbance area that is less than five (5) hectares
- Sand, Gravel and Surface Mineral Processing for a period of five (5) years or less and has a disturbance area that is less than five (5) hectares
- Second Detached Dwelling or Manufactured Home if the parcel of land has an area of less than 80 acre (32.38 hectare)
- Secondary Suite inside a detached Ancillary Building
- Security/Operator Dwelling Unit, for agricultural purposes only
- Third or Additional Detached Dwelling or Manufactured Home, subject to Section 69.2(c)
- Value-added Agricultural Industry
- Veterinary clinic
- Warehousing and Storage – limited to the storage of a maximum of 20 Recreational Vehicles and 20 self-storage units
- Waste Management Facility
- Work Camp

SITE REGULATIONS

92.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	3.0 acre (1.21 ha)
Lot Width	100 m (328 ft)
Lot Depth	120 m (394 ft)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard
Side Yard	<ul style="list-style-type: none"> • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 25 feet (7.62 meters) - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<ul style="list-style-type: none"> • Farm Building and Agricultural Supply Depot: 82 ft (25 m) • Subject to Section 23.7: <ul style="list-style-type: none"> - All other buildings, except Ancillary Building: 32.8 ft (10 m) - Ancillary Building: refer to Section 43.9 and further - All buildings, except Farm Building: <ol style="list-style-type: none"> a. pitched roof – 22 ft (6.7 m) wall height at eaves b. flat roof – 22 ft (6.7 m) wall height at parapet

Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

92.5 Development standards for uses not specified in Section 92.4 shall be determined by the Development Authority.

92.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

92.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

92.8 Landowners and residents within this District must be aware that agricultural operations take precedence in this District. Therefore they should plan and develop their properties in such a manner and at their own cost that agricultural nuisances are reduced.

Subdivision Density for Private Titles

92.9 In this District the maximum density is three private titles per quarter section; with the provision that the Subdivision Authority may approve additional private titles as provided for in the Municipal Development Plan.

Ancillary Building (Industrial or Non-residential)

92.10 The ground floor area of an Ancillary Building that is associated with an industrial or other non-residential use is subject to Section 43.11.

92.11 The Development Officer shall not issue a Development Permit for an Ancillary Building (Industrial or Non-residential) unless the Applicant holds a Development Permit for any one of the following discretionary uses:

- a) Agricultural Supply Depot;
- b) Auction Mart – Livestock;
- c) Contractor’s Business – Home Based or Not Home Based;
- d) Oilfield Service or Supply Business – Minor;
- e) Sand, Gravel and Surface Mineral Extraction;
- f) Sand, Gravel and Surface Mineral Processing; or
- g) Value-added Agricultural Industry

and the Development Officer may refer any application under this section to the Municipal Planning Commission pursuant to Section 11.3(b).

Contractor’s Business – Home Based or Not Home Based

- 92.12 The approval of a development permit for a Contractor's Business – Home Based or Not Home Based is subject to compliance with the conditions listed in Section 55

Auction Mart - Livestock

- 92.13 Auction Mart - Livestock shall not be permitted within 1,500 feet (457.2 meter) of a residence unless the residence is associated with the operation.

Confined Feeding Operations

- 92.14 The County supports the location of Confined Feeding Operations in this District that comply with the relevant policies identified in the Municipal Development Plan, specifically relevant to CFO Exclusion Zones identified in inter-municipal development plans and around approved area structure plans, concept plans and outline plans.

- 92.15 In approving rezoning and/or subdivision applications for single parcel residential acreages and multi-lot residential subdivisions in locations that could be incompatible with an existing CFO in this District, the County will recommend that the applicants familiarize themselves with existing CFO locations and the applicable minimum separation distances and consider the potential impact on their proposed subdivision however, the County will not require reciprocal setback distances. Further, the County will require that an area structure plan or outline plan for multi-lot residential development must incorporate the buffering techniques for non-agricultural development in the agricultural fringe as referenced in the relevant section of the Land Use Bylaw.

Campground and Recreational Vehicle Park

- 92.16 The design of any Campground or Recreational Vehicle Park is subject to the provisions of Section 77.

MINIMUM SERVICING REQUIREMENTS

- 92.17 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

- 92.18 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

- 92.19 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

- 92.20 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

- 92.21 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 92.22 A development permit for a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit may be issued subject to Section 69 and shall include a condition that the dwelling unit is connected to a certified public or private sewage disposal system while being placed on a site; and further, the use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 0.
- 92.23 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 92.24 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

93 AIRPORT DISTRICT (AD)

PURPOSE

93.1 To recognize the importance of the airport as a necessary air transportation and emergency medical service facility. The District allows for aviation-related uses on the Town of Stettler and County of Stettler No. 6 Airport.

LAND USES

<p>93.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Airport • Agricultural Operation • Ancillary Building or Ancillary Use • Emergency Service • Government Service • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

<p>93.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Communication Antenna and Structure • Land Reclamation • Lease Bay Building • Office • Outdoor Storage • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Security/Operator Dwelling Unit • Warehousing and Storage
--

SITE REGULATIONS

93.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	N/A
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot:
Side Yard	<ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 25 feet (7.62 meters) - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code’s requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Any application for the use and development of land within this District shall be subject to Section 42 of this Bylaw and further, subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building and Farm Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9

	<ul style="list-style-type: none"> • Farm Building: 82 ft (25 m) and further: • All buildings, except Farm Building: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet whichever is less.
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

93.5 Development standards for uses not specified in Section 93.4 shall be determined by the Development Authority.

93.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

93.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Restrictions on Approving a Development Permit

93.8 In making a decision on any development permit application within the Airport District, the Development Authority:

- a) shall not approve any development permit application unless the application is supported by the Stettler Airport Board. Notwithstanding this, support of an application by the Board does not guarantee approval by the Development Authority;
- b) except in the case of an Agricultural Operation, shall not approve any development permit application unless the applicant demonstrates to the satisfaction of the Development Authority a direct need to locate the proposed development within the Airport District for airport related uses only;
- c) shall not approve any development permit application that may, in the opinion of the Development Authority, cause any objectionable or dangerous conditions that would interfere with the safe and efficient operation of the airport; and
- d) shall consider the safety of flight operations as the highest priority.

MINIMUM SERVICING REQUIREMENTS

93.9 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

93.10 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

- 93.11 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.
- 93.12 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 93.13 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 93.14 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 93.15 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

94 **COMMERCIAL DISTRICT (C)**

PURPOSE

94.1 To provide for a diversity of retail and service commercial uses in typically highly accessible locations and that display a high standard of appearance within the rural area.

LAND USES

94.2 **Permitted Uses**

- Ancillary Building or Ancillary Use
- Automotive Gas Bar
- Automotive Repair - Minor
- Automotive Service Station
- Financial Institution
- Food and Beverage Service Facility
- Funeral Home
- Government Service
- Hotel
- Motel
- Office
- Personal Service Facility
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Recreation Facility - Indoor
- Retail Store - Minor

94.3 **Discretionary Uses**

- Agricultural Supply Depot – limited to sales and service of agricultural machinery and equipment
- Automotive and Minor Recreational Vehicle Sales/Rentals
- Cannabis Retail Sales, subject to Section 48
- Communication Antenna and Structure
- Community Facility
- Data Processing Centre
- Land Reclamation
- Lease Bay Building
- Manufacturing, Processing or Assembly Facility – no nuisance, no outdoor storage, with a retail outlet
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Retail Store - Major
- Security/Operator Dwelling Unit
- Warehouse Sales
- Warehousing and Storage – limited to self-storage facility
- Any other suitable commercial use as determined by the Development Authority

SITE REGULATIONS

94.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	5,000 ft ² (464.5 m ²)
Lot Width	100 ft (30.48 m)
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 ft (7.62 m) except 32.81 ft (10 m) where abutting a residential district, and the required yard shall be increased by 1.0 m (3 ft) for each 3.0 metre in commercial building height above the first 3.0 metre. - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 20 ft (6.10 m) except 27.81 ft (8.5 m) where abutting a residential district, and the required yard shall be increased by 1.0 m (3 ft) for each 3.0 metre in commercial building height above the first 3.0 metre. - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	Subject to Section 23.7: <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 and further: <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	2.0

94.5 Development standards for uses not specified in Section 94.4 shall be determined by the Development Authority.

94.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

94.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

94.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Design, Character and Appearance of Buildings and Sites

94.9 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

94.10 All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.

94.11 All outside storage and garbage containers shall be screened from roads to the satisfaction of the Development Authority.

MINIMUM SERVICING REQUIREMENTS

94.12 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

94.13 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

94.14 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

94.15 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

94.16 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

94.17 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

94.18 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

95 COUNTRY RESIDENCE DISTRICT (CR)

PURPOSE

95.1 To provide for the development of country residences in a rural setting. This District does not apply to stand-alone parcels and must be developed as a serviced or un-serviced multi-lot subdivision. The maximum parcel size discourages the keeping of livestock or other agricultural pursuits, and these are not allowed in this District.

LAND USES

95.2 Permitted Uses

- Ancillary Building or Ancillary Use – standard size, subject to Section 43.10
- Detached Dwelling
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

95.3 Discretionary Uses

- Ancillary Building or Ancillary Use – oversized, subject to Section 43.10
- Assisted Living Facility
- Bed and Breakfast Establishment
- Communication Antenna and Structure
- Community Facility
- Duplex
- Garden Suite
- Home Business
- Land Reclamation
- Manufactured Home
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Secondary Suite

SITE REGULATIONS

95.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<ul style="list-style-type: none"> • Minimum: 1.0 acre (0.4047 hectare) • Maximum: 3.0 acre (1.21 ha) • Developable land: 1.0 acre (0.4047 ha)
Lot Width	164 ft (50 m)
Lot Depth	266 ft (81 m)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard
Side Yard	<ul style="list-style-type: none"> • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	

Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	Detached Dwelling or Manufactured Home: ground floor area of 900 ft ² (83.6 m ²)
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

95.5 Development standards for uses not specified in Section 95.4 shall be determined by the Development Authority.

95.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

95.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

95.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Agricultural Operations

95.9 The keeping of livestock and other agricultural pursuits are prohibited in this District.

MINIMUM SERVICING REQUIREMENTS

95.10 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

95.11 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

95.12 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of

Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

- 95.13 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 95.14 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 95.15 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 95.16 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

96 COUNTRY RESIDENCE AGRICULTURAL DISTRICT (CR-A)

PURPOSE

96.1 To provide for the development of country residences in a rural setting either on stand-alone parcels or in a serviced or un-serviced multi-lot subdivision. The range in parcel size accommodates the keeping of livestock and other minor agricultural pursuits.

LAND USES

<p>96.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Agricultural Operation , subject to Section 96.8 • Ancillary Building or Ancillary Use – standard size, subject to Section 43.10 • Detached Dwelling • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
--

<p>96.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Agricultural Operation, subject to Section 96.9 • Ancillary Building or Ancillary Use – oversized, subject to Section 43.10 • Assisted Living Facility • Bed and Breakfast Establishment • Communication Antenna and Structure • Community Facility • Contractor’s Business – Home Based • Duplex • Garden Suite • Home Business • Land Reclamation • Manufactured Home • Recreational Vehicle or Recreational Vehicle – Park Model Recreational Unit, if the parcel of land has an area of less than 80 acre (32.38 hectare), and subject to Section 96.18 • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Second Detached Dwelling or Manufactured Home, except in a multi-lot subdivision • Secondary Suite • Value Added Agricultural Operation
--

SITE REGULATIONS

96.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<ul style="list-style-type: none"> • Minimum: 3 acre (1.21 ha) • Maximum: 10 acre (4.05 ha) • Developable land: 1.0 acre (0.4047 ha)
Lot Width	122 m (397 ft)
Lot Depth	100 m (328 ft)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard

Side Yard	<ul style="list-style-type: none"> • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 25 feet (7.62 meters) - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<ul style="list-style-type: none"> • Farm Building: 35 ft (10.7 m) • Subject to Section 23.7: <ul style="list-style-type: none"> - All other buildings, except Ancillary Building: 32.8 ft (10 m) - Ancillary Building: refer to Section 43.9 and further - All buildings, except Farm Building: <ol style="list-style-type: none"> a. pitched roof – 22 ft (6.7 m) wall height at eaves b. flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	Detached Dwelling or Manufactured Home: ground floor area of 700 ft ² (65 m ²)
Site Coverage (maximum)	50%
Floor Area Ratio (maximum)	N/A

96.5 Development standards for uses not specified in Section 96.4 shall be determined by the Development Authority.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

96.6 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

96.7 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Agricultural Operation

96.8 Agricultural Operation as a permitted use in this District is limited to a livestock operation subject to Section 96.10 and the growing and harvesting of crops and hay.

96.9 Agricultural Operation as a discretionary use in this District is limited to a livestock operation subject to Section 96.12, a greenhouse, a nursery, a market garden, a fish farm, a sod farm, bee keeping (apiary), a tree farm, a horse holding area including an associated riding arena directly related and specifically devoted to the raising and breeding of horses, and a fur farm.

96.10 The keeping of livestock pursuant to Section 96.8 and within the meaning of Section 96.11 is restricted as follows:

- (a) livestock is prohibited on a parcel of land less than 3.0 acre;

- (b) the maximum allowable animal density is one livestock unit per usable acre of land that is fenced and dedicated to the keeping of livestock; and
- (c) any shelter, other containment, feeding, handling and associated facilities shall be set back a minimum of 75 m (246 feet) away from any residence, unless the residence is associated with the operation.

96.11 For the purposes of Section 96.10, one (1) livestock unit shall mean:

- (a) One horse, pony, donkey, mule, ass, llama, alpaca, guanaco or cow; or
- (b) Seven sheep or goats; or
- (c) Two swine (excluding wild boar); or
- (d) Twenty chickens; or
- (e) Ten ducks, turkeys, pheasants, geese or similar fowl; or
- (f) Twenty rabbits or similar species;

and livestock under six months of age, being the offspring of animals kept on the subject property pursuant to the regulations of Section 96, shall not be counted toward the allowable livestock limit; and further the Development Authority shall determine the number of animals that constitute one (1) livestock unit for any other types of animals not mentioned above.

96.12 Notwithstanding the restrictions stipulated in Sections 96.10 and 96.11, the Development Authority may approve a discretionary use development permit application for the keeping of livestock with lesser restrictions if it is of the opinion that:

- a) the parcel size and location is suitable for the proposed use or development; and
- b) the proposed use or development will not detrimentally affect the amenities of neighboring properties.

MINIMUM SERVICING REQUIREMENTS

96.13 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

96.14 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

96.15 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

96.16 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

96.17 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for

a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

96.18 A development permit for a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit may be issued subject to Section 69 and shall include a condition that the dwelling unit is connected to a certified public or private sewage disposal system while being placed on a site; and further, the use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 0.

96.19 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

96.20 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

97 COUNTRY RESIDENCE EQUESTRIAN DISTRICT (CR-E)

PURPOSE

97.1 To accommodate a multi-lot Country Residential development on the N ½ 35-38-20-W4 that reflects the unique characteristics of the site and provides for the restricted keeping of horses pursuant to the policies in the Fix (Carlisle Estates) Area Structure Plan.

LAND USES

<p>97.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Agricultural Operation, subject to Section 97.9 • Ancillary Building or Ancillary Use – maximum size of 1500 ft² (223.5 m²) • Detached Dwelling • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

<p>97.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use – maximum size of 3000 ft² (278.70m²) • Communication Antenna and Structure • Garden Suite • Home Business • Land Reclamation • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision

SITE REGULATIONS

97.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<ul style="list-style-type: none"> • Minimum: 0.61 ha (1.5 acre) • Maximum: 2.0 ha (5 acre)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard
Side Yard	<ul style="list-style-type: none"> • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
<p>If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.</p>	
Building Height (maximum)	<p>Subject to Section 23.7, the lesser of:</p> <p>A. Height limitations of Figure 1:</p> <ul style="list-style-type: none"> (i) Any application for the use and development of land within this District shall be subject to the height limitations as indicated on Figure 1 forming part of this District. (ii) The height limitation indicated on Figure 1 and the height of a proposed use will both be measured from the elevation of 2,686 ft (819.17 m) above sea level which is deemed to be the airport's elevation.

	<p>(iii) A development permit shall not be issued for any use which exceeds the height limitations shown on Figure 1.</p> <p>or</p> <p>B. General height limitations:</p> <p>(i) All buildings, except Ancillary Building: 32.8 ft (10 m)</p> <p>(ii) Ancillary Building: refer to Section 43.9 and further:</p> <p>(iii) All buildings:</p> <p>a. pitched roof – 22 ft (6.7 m) wall height at eaves</p> <p>b. flat roof – 22 ft (6.7 m) wall height at parapet</p>
Floor Area	Detached Dwelling: ground floor area of 1,100 ft ² (102.2 m ²)
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

97.5 Development standards for uses not specified in Section 97.4 shall be determined by the Development Authority.

97.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

97.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

97.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Agricultural Operation

97.9 Each 3.0 acre (1.22 ha) or larger parcel in this District is permitted to keep a total of two (2) horses. No other livestock, poultry or other Agricultural Operation shall be permitted in this District.

MINIMUM SERVICING REQUIREMENTS

97.10 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

97.11 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

97.12 Where a municipal sewage disposal system is not available, it is the landowner or

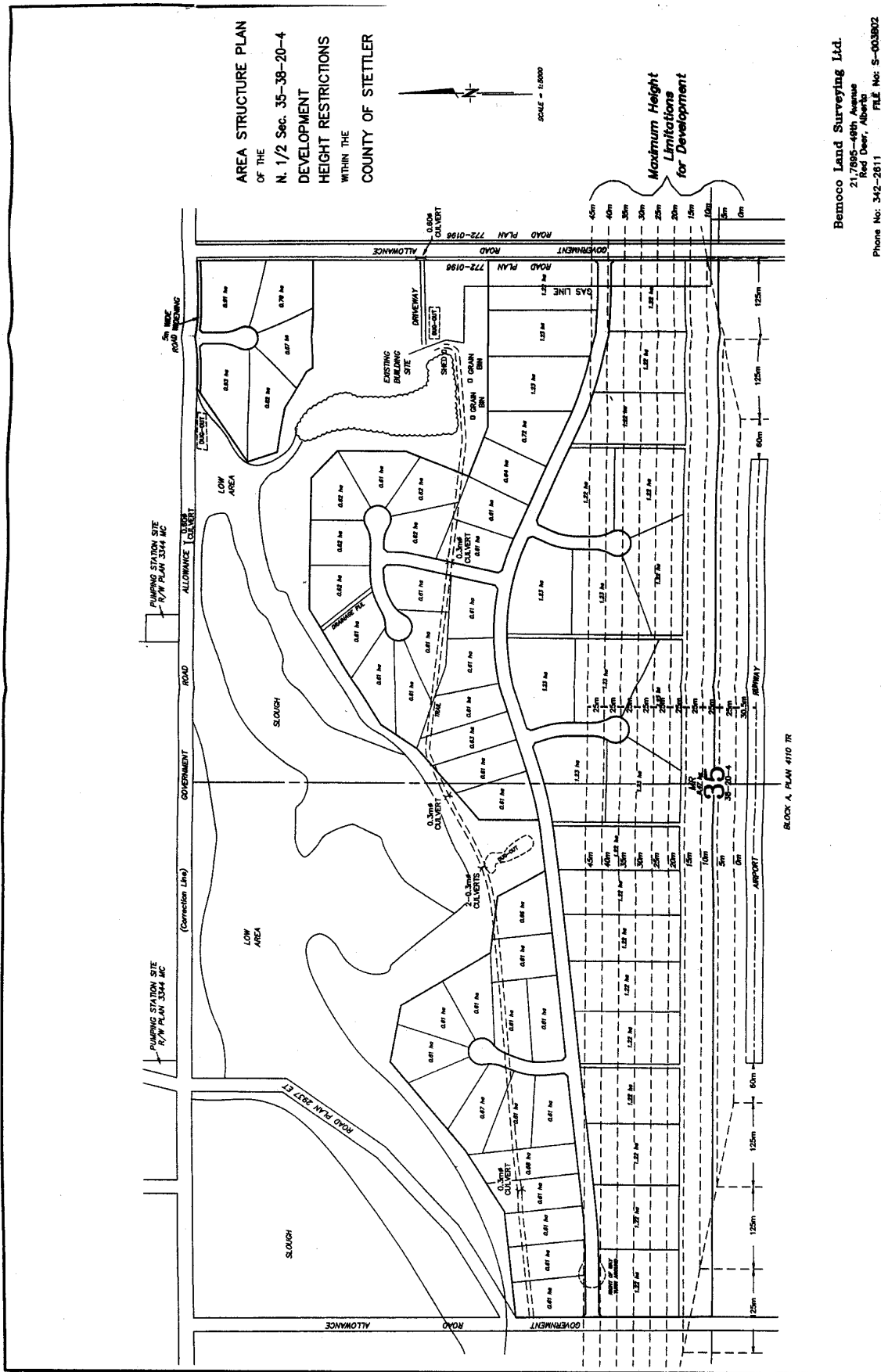
applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

- 97.13 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 97.14 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 97.15 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 97.16 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

FIGURE 1



98 COUNTRY RESIDENCE RECREATIONAL DISTRICT (CRR)

PURPOSE

98.1 To provide for the development of country residences in the vicinity of recreational amenities. This District does not apply to stand-alone parcels and must be developed as a serviced or un-serviced multi-lot subdivision. The maximum parcel size discourages the keeping of livestock or other agricultural pursuits, and these are not allowed in this District.

LAND USES

<p>98.2 Permitted Uses</p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use – standard size, subject to Section 43.10 • Detached Dwelling • Recreational Vehicle, subject to Section 98.14 • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

<p>98.3 Discretionary Uses</p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use – oversized, subject to Section 43.10 • Communication Antenna and Structure • Garden Suite • Home Business • Land Reclamation • Manufactured Home • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Recreational Vehicle – Park Model Recreational Unit subject to Section 98.14

SITE REGULATIONS

98.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<ul style="list-style-type: none"> • Minimum: 1 acre (0.4047 ha) • Maximum: 3.0 acre (1.21 ha) • Developable land: 1.0 acre (0.4047 ha)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard
Side Yard	<ul style="list-style-type: none"> • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code’s requirements shall be the minimum yard distance.	
Building Height (maximum)	Subject to Section 23.7: <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 26.25 ft (8 m)

	<ul style="list-style-type: none"> • Ancillary Building: refer to Section 43.9 and further: • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	Detached Dwelling or Manufactured Home: ground floor area of 900 ft ² (83.6 m ²)
Site Coverage (maximum)	30%
Floor Area Ratio (maximum)	N/A

98.5 Development standards for uses not specified in Section 98.4 shall be determined by the Development Authority.

98.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

98.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

98.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

MINIMUM SERVICING REQUIREMENTS

98.9 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

98.10 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

98.11 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

98.12 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application

for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

98.13 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

98.14 A development permit for a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit may be issued subject to Section 69 and shall include a condition that the dwelling unit is connected to a certified public or private sewage disposal system while being placed on a site; and further, the use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 0.

98.15 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

98.16 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

99 COUNTRY RESIDENCE – SMALL LOT DISTRICT (CR-SL)

PURPOSE

99.1 To provide for small lot residential development outside of hamlets, for example on land adjacent to a Village.

LAND USES

<p>99.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use – standard size, subject to Section 43.10 • Detached Dwelling • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
--

<p>99.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use – oversized, subject to Section 43.10 • Bed and Breakfast Establishment • Boarding house • Community Facility • Duplex • Garden Suite • Home Business • Land Reclamation • Manufactured Home • Multi-attached Dwelling • Multiple Family Dwelling • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Secondary Suite
--

SITE REGULATIONS

99.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	5,000 ft ² (464.5 m ²)
Lot Width	50 ft (15.24 m)
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 ft (7.62 m) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 5 ft (1.52 m) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code’s requirements shall be the minimum yard distance.	
Building Height	Subject to Section 23.7

(maximum)	<ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 and further: <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	<ul style="list-style-type: none"> • Detached Dwelling or Manufactured Home: ground floor area of 700 ft² (65 m²)
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

99.5 Development standards for uses not specified in Section 99.4 shall be determined by the Development Authority.

99.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

99.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

99.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

MINIMUM SERVICING REQUIREMENTS

99.9 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

99.10 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

99.11 Where a municipal sewage disposal system is not available, it is the landowner or applicant’s responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

99.12 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined

through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

99.13 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

99.14 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

99.15 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways.

100 **HAMLET COMMERCIAL DISTRICT (HC)**

PURPOSE

100.1 To allow for commercial development within hamlets and for discretionary residential development where considered appropriate.

LAND USES

100.2 **Permitted Uses**

- Ancillary Building or Ancillary Use
 - Automotive Gas Bar
 - Financial Institution
 - Food and Beverage Service Facility
 - Funeral Home
 - Government Service
 - Hotel
 - Motel
 - Office
 - Personal Service Facility
 - Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
 - Recreation Facility - Indoor
 - Repair Services
 - Retail Store - Minor
- [1631-20]

100.3 **Discretionary Uses**

- Agricultural Supply Depot – limited to sales and service of agricultural machinery and equipment
 - Assisted Living Facility
 - Automotive and Minor Recreational Vehicle Sales/Rentals
 - Automotive Repair - Minor
 - Automotive Service Station
 - Campground
 - Cannabis Retail Sales, subject to Section 48
 - Communication Antenna and Structure
 - Community Facility
 - Day Care Facility
 - Land Reclamation
 - Lease Bay Building
 - Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
 - Retail Store - Major
 - Any other suitable commercial use as determined by the Development Authority
 - Any suitable dwelling unit as determined by the Development Authority, provided that such use is listed as a permitted use or a discretionary use in the Hamlet Residential District, and subject to Section 100.9.
- [1631-20]

SITE REGULATIONS

100.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	5,000 ft ² (464.5 m ²)
Lot Width	50 ft (15.24 m), except in the Hamlet of Gadsby, minimum lot width: 25 ft. (7.62 m)
Lot Depth	N/A

Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary - Dwelling Unit: 25 ft (7.62 m) - All other buildings: zero • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: See Front Yard, except in the Hamlet of Botha and the Hamlet of Gadsby where the minimum side yard requirement where it abuts a road or street shall be NIL, unless otherwise required by the Alberta Building Code [1631-20] • Internal lot: <ul style="list-style-type: none"> - Dwelling Unit: 5 ft (1.52 m) - All other buildings except Ancillary Building: zero, except 10 ft (3.05 m) where abutting a residential district, and the required yard shall be increased by 1.0 m in depth for each 3.0 metre of commercial building height above the first 3.0 metre. - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9, notwithstanding Section 43.9(a) and the definition of height in Section 9, the maximum height of an ancillary building in the Hamlet of Botha shall be 7.5 m (24.6 ft.) or the height of the principal building, whichever is less, and height shall be measured to the highest peak of the roof [1631-20] <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	2.0

100.5 Development standards for uses not specified in Section 100.4 shall be determined by the Development Authority.

100.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

100.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

100.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Residential Development

100.9 Residential development in this District shall follow the site regulations, development standards and additional regulations for the corresponding type of residential development in the Hamlet Residential District.

Design, Character and Appearance of Buildings and Sites

100.10 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

100.11 All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.

MINIMUM SERVICING REQUIREMENTS

100.12 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

100.13 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

100.14 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

100.15 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

100.16 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support

additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

100.17 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

100.18 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

101 **HAMLET INDUSTRIAL DISTRICT (HI)**

PURPOSE

101.1 To allow for light industrial development within hamlets that may carry out a portion of their operation outdoors but generally are required to screen such areas. Any nuisance associated with such uses should generally not extend outside an enclosed building.

LAND USES

101.2 **Permitted Uses**

- Agricultural Supply Depot limited to farm equipment sales and services
- Ancillary Building or Ancillary Use
- Auction Mart – No Livestock
- Automotive and Minor Recreational Vehicle Sales/Rentals
- Contractor's Business
- Government Service
- Industrial/Commercial Training Facility
- Office
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Repair Services
- Veterinary Clinic
- Warehousing and Storage – excluding trucking and freight terminal

101.3 **Discretionary Uses**

- Agricultural Operation
- Agricultural Supply Depot
- Automotive Repair - Minor
- Automotive Repair - Major
- Automotive Service Station
- Cannabis Retail Sales, subject to Section 48
- Communication Antenna and Structure
- Crematorium
- Food and Beverage Service Facility
- Heavy Equipment Sales/Rental
- Heavy Equipment Service and Repair
- Kennel
- Land Reclamation
- Lease Bay Building
- Manufacturing, Processing or Assembly Facility
- Oilfield Service or Supply Business - Minor
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreation Facility – Indoor
- Recreation Facility - Outdoor
- Retail Store - Minor
- Security/Operator Residential Unit
- Truck and Manufactured Home Sales/Rentals
- Warehouse Sales
- Warehousing and Storage
- Waste Management Facility
- Any other suitable industrial use as determined by the Development Authority

SITE REGULATIONS

101.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	1.0 acre (0.4047 ha), except in the Hamlet of Gadsby: minimum parcel area: 4.843 ft ² (450 m ²), parcel frontage: 49.2 ft. (15.0 m)
Lot Width	98.4 ft (30 m)
Lot Depth	114.8 ft (35 m)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25 • Notwithstanding the above, in the Hamlet of Gadsby front yard: 21.3 ft (6.5 m)
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 ft. (3.05 m), except 25 ft (7.62 m) where abutting a residential district - Ancillary Building: see Section 43 - Notwithstanding the above, in the Hamlet of Gadsby rear yard: Nil except for 19.7 ft. (6.0 m) where adjacent to a residential district or abutting a public road other than a lane or abutting railway right of way
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: zero, except 10 ft (3.05 m) where abutting a residential district, and the required yard shall be increased by 1.0 m in depth for each 3.0 metre of commercial building height above the first 3.0 metre. - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet - Notwithstanding the above, in the Hamlet of Gadsby all buildings 32.8 ft. (10 m)
Floor Area	N/A
Site Coverage (maximum)	40%
Floor Area Ratio (maximum)	N/A

101.5 Development standards for uses not specified in Section 101.4 shall be determined by the Development Authority.

101.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

101.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Design, Character and Appearance of Buildings and Sites

101.8 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

101.9 All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.

101.10 No operation or activity associated with any use in this District shall be permitted which would create a nuisance effect from noise, odour, earthborne vibrations, heat, intense light sources or dust, outside an enclosed building.

101.11 All loading, service, garbage collection and outdoor storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than an alley, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.

Safety and Environmental Impact

101.12 Safety and environmental assessment are integral components of the industrial development review process. Where there are potential effects associated with a proposed development, a Development Authority may require an applicant to retain a qualified professional acceptable to the Development Authority to provide an environmental impact assessment report of the proposed development, in determining whether the proposed development is to be approved, approved with conditions, or refused.

MINIMUM SERVICING REQUIREMENTS

101.13 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

101.14 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

101.15 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

101.16 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application

for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

101.17 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

101.18 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

101.19 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

101.20 A license, permit approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization may prevail over this bylaw or a development decision by a development officer, and/or Subdivision and Development Appeal board pursuant to Federal or Provincial Legislation. When an application is received by the County for a Land Use Bylaw amendment or development permit and the application is consistent with a license, permit, approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization, the County must approve the application to the extent that it complies with the license, permit, approval or other authorization granted.

102 **HAMLET RESIDENTIAL DISTRICT (HR)**

PURPOSE

102.1 To provide for residential development within hamlets.

LAND USES

102.2 **Permitted Uses**

- Ancillary Building or Ancillary Use – standard size, subject to Section 43.10
- Detached Dwelling
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

102.3 **Discretionary Uses**

- Assisted Living Facility
- Ancillary Building or Ancillary Use – oversized, subject to Section 43.10
- Bed and Breakfast Establishment
- Boarding house
- Community Facility
- Duplex
- Garden Suite
- Home Business
- Land Reclamation
- Manufactured Home; subject to Section 102.9
- Multi-attached Dwelling
- Multiple Family Dwelling
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Secondary Suite
- Special Dwelling Unit Type as defined in Section 9

SITE REGULATIONS

102.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<p>5,000 ft² (464.5 m²)</p> <p>Notwithstanding the above, in the Hamlet of Botha the following minimum lot areas shall also apply:</p> <ul style="list-style-type: none"> • Duplex 280 m² (3552 ft²) per unit • Multi-attached Dwelling 185 m² (1991 ft²) per unit <p>In the Hamlet of Gadsby the following minimum lot area shall also apply:</p> <ul style="list-style-type: none"> • Duplex & Multi Family 250 m² (2690 ft²)
Lot Width	<p>50 ft. (15.24 m)</p> <p>Notwithstanding the above, in the Hamlet of Botha and the Hamlet of Gadsby the following minimum lot widths shall apply:</p> <ul style="list-style-type: none"> • Detached dwelling, manufactured/modular homes 12.8 m (42.0 ft.) • Duplex 7.5 m (24.6 ft.) per unit for interior lots, and 10.5 m (34.5 ft.) per unit for corner lots • Multi-Attached: Fourplex 15.25 m (50 ft.) for interior lots, and 18.25 m (60 ft.) for corner lots

	<ul style="list-style-type: none"> Multi-Attached: Row housing 6.0 m (19.7 ft.) per unit for interior units, 7.5 m (24.6 ft.) per unit for end units, and 9.0m (29.5 ft.) per unit for corner lots
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft. (7.62 m), except in the Hamlet of Botha and the Hamlet of Gadsby where the minimum front yard requirement is 6.0 m (19.7 ft.) [1631-20] County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> Road frontage: see Front Yard Internal lot: <ul style="list-style-type: none"> All buildings except Ancillary Building: 25 ft. (7.62 m) Ancillary Building: see Section 43 Notwithstanding the above, in the Hamlet of Gadsby the following minimum rear yard setback shall apply: All buildings except Ancillary Buildings: 24 ft. (7.5 m)
Side Yard	<ul style="list-style-type: none"> Road frontage: see Front Yard, except in the Hamlet of Botha where the minimum side yard requirement where it abuts a road or street is 3.0m (9.8ft.) or 6.0m (19.7 ft.) for Multiple Family Dwellings [1631-20] Internal lot: <ul style="list-style-type: none"> All buildings except Ancillary Building: 5 ft (1.52 m), except in the Hamlet of Botha where the minimum side yard requirement for Multiple Family Dwellings shall be 3.0 m (9.8 ft.) [1631-20] Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7, notwithstanding Section 43.9(a) and the definition of height in Section 9, height shall be measured to the highest peak of the roof within the Hamlet Residential District: [1631-20]</p> <ul style="list-style-type: none"> All buildings, except Ancillary Building: 32.8 ft (10 m) Ancillary Building: refer to Section 43.9, notwithstanding Section 43.9(a), the maximum height of an ancillary building in the Hamlet of Botha shall be 7.5 m (24.6 ft.) or the height of the principal building, whichever is less. [1631-20] <p>and further:</p> <ul style="list-style-type: none"> All buildings: <ul style="list-style-type: none"> pitched roof – 22 ft (6.7 m) wall height at eaves flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	<ul style="list-style-type: none"> Detached Dwelling or Manufactured Home: ground floor area of 700 ft² (65 m²)
Site Coverage (maximum)	N/A, except in the Hamlet of Botha and the Hamlet of Gadsby where maximum site coverage is 55% and the calculation excludes patios and decks.
Floor Area Ratio (maximum)	N/A

102.5 Development standards for uses not specified in Section 102.4 shall be determined by the Development Authority.

102.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

102.7 The permitted and discretionary uses and the standards and regulations of this District are

subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

102.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Manufactured Home Prohibited

102.9 The development of a Manufactured Home is prohibited on the following properties in the Hamlet of Erskine: Lots 1 to 6, Block 2, Plan 1623372 and Lots 1 to 5, Block 3, Plan 1623372.

MINIMUM SERVICING REQUIREMENTS

102.10 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

102.11 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

102.12 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

102.13 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

102.14 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

102.15 For any development in this District, except those developments that are deemed

approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

102.16 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

103 **HIGHWAY COMMERCIAL DISTRICT (HWY-C)**

PURPOSE

103.1 To provide for a diversity of commercial, recreational and tourist type activities which require large areas for display, client parking or both in prominent highway locations and uses that may be required by the public traveling on adjacent highways.

LAND USES

103.2 **Permitted Uses**

- Ancillary Building or Ancillary Use
- Automotive Gas Bar
- Automotive Repair - Minor
- Automotive Service Station
- Food and Beverage Service Facility
- Government Service
- Hotel
- Motel
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Retail Store - Minor

103.3 **Discretionary Uses**

- Agricultural Supply Depot
- Automotive and Minor Recreational Vehicle Sales/Rentals
- Cannabis Retail Sales, subject to Section 48
- Communication Antenna and Structure
- Heavy Equipment Sales/Rentals
- Land Reclamation
- Lease Bay Building
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreation Facility - Indoor
- Recreational Vehicle Park, subject to Section 103.12
- Retail Store - Major
- Security/Operator Dwelling Unit
- Truck and Manufactured Home Sales/Rentals
- Warehousing and Storage – limited to self-storage
- Any other suitable commercial use as determined by the Development Authority

SITE REGULATIONS

103.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	5,000 ft ² (464.5 m ²)
Lot Width	<ul style="list-style-type: none"> • 100 ft (30.48 m) adjacent to a service or local road • 147.6 ft (45 m) adjacent to a highway without a service or local road
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot:

	<ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 ft (3.05 m) on one side and zero on the other, except 10 ft (3.05 m) where abutting a residential district, and the required yard shall be increased by 1.0 m in depth for each 3.0 metre of commercial building height above the first 3.0 metre. - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	2.0

103.5 Development standards for uses not specified in Section 103.4 shall be determined by the Development Authority.

103.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

103.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

103.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Design, Character and Appearance of Buildings and Sites

103.9 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

103.10 All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved

with finishing materials that maintain an appearance which is characteristic of surrounding development.

103.11 All outside storage and garbage containers shall be screened from roads to the satisfaction of the Development Authority.

Recreational Vehicle Park

103.12 The design of any Recreational Vehicle Park shall comply with the provisions of Section 77.

MINIMUM SERVICING REQUIREMENTS

103.13 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

103.14 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

103.15 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

103.16 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

103.17 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

103.18 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

103.19 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

104 **HIGHWAY MIXED USE DISTRICT (HWY-MU)**

PURPOSE

104.1 The purpose of this district is to provide a regulatory framework to control industrial, commercial and other development on the following properties:

- 1) Lot 1A, Block 1, Plan 1621077
- 2) Lot 2A, Block 1, Plan 1621077
- 3) Lot 4A and Lot 5A, Block 1, Plan 1621077
- 4) Lot 1 Block 1 Plan 0621945
- 5) Lot 2 Block 1 Plan 1324821
- 6) Remainder Lot 3 Block 1 Plan 1124110
- 7) Lot C Plan 6011NY
- 8) Lot R and Lots 1 - 6 Plan 3966MC
- 9) Lot 9, Block 1, Plan 1423672, Lots 11, 12, 13, 14, 15 and 16, Block 1, Plan 1525245 and Lots 1 to 5, Block 2, Plan 1420412 (Heartland Business Park)
- 10) Lot 1, Block 1, Plan 1622546 (NW-30-38-16-W4M).

The intent is to allow existing development to continue, to facilitate the development of new mixed use developments that comply with the Commercial and Industrial Design Guidelines and to control, buffer and screen potentially noxious industrial activities.

LAND USES

104.2 **Permitted Uses**

- Agricultural Operation, subject to Section 104.9
- Ancillary Building or Ancillary Use (Residential) – standard size, subject to Section 43.10
- Detached Dwelling, subject to Section 104.10
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

104.3 **Discretionary Uses, subject to Section 104.11**

- Agricultural Supply Depot
- Ancillary Building or Ancillary Use (Industrial or non-residential) – size shall be determined at the discretion of the Development Authority
- Ancillary Building or Ancillary Use (Residential) – oversized, subject to Section 43.10
- Communication Antenna and Structure
- Contractor's Business
- Contractor's Business – Home Based, subject to Section 104.12
- Land Reclamation
- Lease Bay Building
- Manufacturing, Processing or Assembly Facility
- Office
- Oilfield Service or Supply Business – Minor
- Oilfield Service or Supply Business – Major
- Outdoor Storage, subject to Section 104.14(d)
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Security/Operator Dwelling Unit

104.4 **Discretionary Uses for Highway Commercial, subject to Section 104.13**

- Automotive and Minor Recreational Vehicle Sales/Rentals
- Automotive Gas Bar
- Automotive Repair - Major

104.4 Discretionary Uses for Highway Commercial, subject to Section 104.13

- Automotive Repair – Minor
- Automotive Service Station
- Cannabis Retail Sales, subject to Section 48
- Food and Beverage Service Facility
- Heavy Equipment Sales/Rentals
- Hotel
- Land Reclamation
- Motel
- Personal Service Facility on Lot 1, Block 2, Plan 142 0412
- Personal Service Facility on Lot 2, Block 2, Plan 062 0139
- Recreation Facility - Indoor
- Retail Store – Major
- Retail Store – Minor
- Truck & Manufactured Home Sales/Rentals
- Warehousing and Storage – limited to self-storage
- Any other suitable commercial use as determined by the Development Authority

SITE REGULATIONS

104.5 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	1 acre (0.4047 ha)
Lot Width	98.4 ft (30 m)
Lot Depth	114.8 ft (35 m)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district - Ancillary Building and Farm Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district, and the required yard shall be increased by 1.0 m in depth for each 3.0 metre of commercial building height above the first 3.0 metre. - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	Subject to Section 23.7: <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: 25 feet (7.62 m) and further: <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	50%

Floor Area Ratio (maximum)	N/A
-----------------------------------	-----

104.6 Development standards for uses not specified in Section 104.5 shall be determined by the Development Authority.

104.7 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

104.8 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Agricultural Operation

104.9 Agricultural Operation in this District is allowed on Lots 1 to 6 Plan 3966MC, Lot C Plan 6011NY, Lot 5A, Block 1, Plan 1621077 and Lot 1, Block 1, Plan 1622546 (NW 30-38-16-W4M) only. On Lots 1 to 6 Plan 3966MC Agricultural Operation shall comply with the regulations for Agricultural Operation as prescribed for permitted and discretionary uses under the Country Residence – Agricultural District. On Lot C Plan 6011NY, Lot 5A, Block 1, Plan 1621077 and Lot 1, Block 1, Plan 1622546 (NW 30-38-16-W4M) Agricultural Operation shall have the same meaning as and shall comply with the regulations for Agricultural Operation under the Agricultural District.

Detached Dwelling

104.10 Detached Dwelling in this District is allowed on Lots 1-6 Plan 3966MC, Lot C Plan 6011NY, Lot 5A, Block 1, Plan 1621077 and Lot 1, Block 1, Plan 1622546 (NW 30-38-16-W4M) only.

Discretionary Uses On Lots 1 – 6 Plan 3966MC, Lot C Plan 6011NY and Lot 5A, Block 1, Plan 1621077

104.11 Discretionary uses on Lots 1 to 6 Plan 3966MC, Lot C Plan 6011NY and Lot 5A, Block 1, Plan 1621077 are limited to 'Ancillary Building or Ancillary Use (Residential) – oversized, subject to Section 43.10', 'Contractor's Business – Home Based' subject to Section 55, 'Ancillary Building or Ancillary Use (Industrial or Non-residential) only if a Contractor's Business – Home Based is in operation and 'Public or Private Road and Utility, windmill and stand-alone solar panel only'.

Contractor's Business – Home Based

104.12 Contractor's Business – Home Based is allowed on Lots 1 to 6 Plan 3966MC, Lot C Plan 6011NY and Lot 5A, Block 1, Plan 1621077 only, subject to Section 55. The floor area and height restrictions of a building containing a Contractor's Business – Home Based and of an associated 'Ancillary Building or Ancillary Use (Industrial or Non-residential) shall be subject to Section 43.10.

Highway Commercial Uses

104.13 In addition to those discretionary uses listed under Section 104.3, the discretionary uses listed in Section 104.4 shall apply only to Lot 2 Block 1 Plan 1324821, Remainder Lot 3 Block 1 Plan 1124110 as well as Lot 9, Block 1, Plan 1423672, Lots 11, 12, 13, 14, 15 and 16, Block 1, Plan 1525245 and Lots 1 to 5, Block 2, Plan 1420412 (Heartland Business Park).

Design, Character and Appearance of Buildings and Sites

104.14 Existing development will be permitted to continue unchanged by the Development Authority issuing a new development permit to each existing use immediately upon the adoption of this bylaw. Subsequent to the adoption of this bylaw and the issuing of the new development permits, any new or additional industrial or commercial type development for which a development permit is required shall be required to comply with the following regulations:

- (a) New buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission. All new buildings shall be constructed and finished with durable materials and shall comply with Section 51 – Commercial & Industrial Guidelines. The Development Authority may require that the appearance of metal, and/or concrete block is improved with finishing materials that maintain an appearance which is characteristic of surrounding development.
- (b) All development shall be undertaken in accordance with the plans and specifications submitted with and approved pursuant to a development permit and any other approvals pertaining to the Lands, to the satisfaction of the Development Authority.
- (c) The keeping of any object or chattel in a location that is visible to the travelling public and which in the opinion of the Development Authority is unsightly or adversely affects the amenities of the area, is prohibited.
- (d) When issuing a Development Permit for new development that occurs after the adoption this bylaw or when the boundaries of a parcel are adjusted, the Development Authority may, as a condition of the new Development Permit or as an amendment to a previously issued Development Permit, prohibit outdoor storage in the front yard and/or require that the premises shall be fenced along any and all property boundaries where outdoor storage is visible from any highway or public road and/or that landscaping shall be provided and maintained, to the satisfaction of the Development Authority, which may include considerations for the screening fence to be of a durable finish that incorporates and complements any buildings and shall include architectural design in the form of colour variation or other method of accentuation to break up monotony and size/height/length of the fence.
- (e) Prior to approving a development permit the Development Authority shall be satisfied that the design, finish and maintenance/upkeep of a development including advertising signs, throughout the lifetime of the facility, are compatible with the amenities and character of existing development in the surrounding area, specifically considering the fact that this facility is located in a prominent location.
- (f) New development has to comply with Section 51 Commercial and Industrial Design Guidelines.

Industrial Safety and Environmental Impact

104.15 Safety and environmental assessment are integral components of the industrial development review process. Where there are potential effects associated with a proposed development, a Development Authority may require an applicant to retain a

qualified professional acceptable to the Development Authority to provide an environmental impact assessment report of the proposed development, in determining whether the proposed development is to be approved, approved with conditions, or refused.

104.16 No operation or activity with any use in this District shall be permitted which would create a nuisance effect from noise, odour, earthborne vibrations, heat, intense light sources or dust beyond the boundaries of the site.

Time Limitation

104.17 All existing industrial developments and Contractor's Businesses – Home Based will be issued a new development permit at the time of adoption of this Bylaw. Any industrial or Contractor's Business – Home Based development permit issued in this District following the adoption of this Bylaw shall be a time limited permit and the period of time for which the permit remains valid shall coincide with the period of time for which the development permit owner is the occupant or operator of the buildings or use approved under that development permit.

MINIMUM SERVICING REQUIREMENTS

104.18 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

104.19 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

104.20 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

104.21 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

104.22 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline

available at the following website: <http://environment.alberta.ca/01326.html>.

104.23 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

104.24 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act, the Water Act, the Environmental Protection and Enhancement Act and/or the Public Highways Development Act.

104.25 A license, permit approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization may prevail over this bylaw or a development decision by a development officer, and/or Subdivision and Development Appeal board pursuant to Federal or Provincial Legislation. When an application is received by the County for a Land Use Bylaw amendment or development permit and the application is consistent with a license, permit, approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization, the County must approve the application to the extent that it complies with the license, permit, approval or other authorization granted.

105 **INDUSTRIAL DISTRICT (IND)**

PURPOSE

105.1 To permit a range of industrial uses that may carry out a portion of their operation outdoors or require outdoor storage areas. Any nuisance associated with such uses should generally not extend beyond the boundaries of the site.

LAND USES

105.2 **Permitted Uses**

- Agricultural Operation
- Agricultural Supply Depot – limited to farm equipment sales and service
- Ancillary Building or Ancillary Use
- Auction Mart – No Livestock
- Auction Mart – Livestock
- Automotive and Minor Recreational Vehicle Sales/Rentals
- Contractor's Business
- Crematorium
- Government Service
- Industrial/Commercial Training Facility
- Office
- Oilfield Service or Supply Business - Minor
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Truck and Manufactured Home Sales/Rentals
- Veterinary Clinic
- Warehousing and Storage

105.3 **Discretionary Uses**

- Agricultural Supply Depot
- Automotive Service Station
- Automotive Repair - Major
- Automotive Repair – Minor
- Cannabis Retail Sales, subject to Section 48
- Communication Antenna and Structure
- Data Processing Centre
- Heavy Equipment Sales/Rentals
- Heavy Equipment Service and Repair
- Kennel
- Land Reclamation
- Lease Bay Building
- Manufacturing, Processing or Assembly Facility
- Oilfield Service or Supply Business - Major
- Outdoor Storage
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Salvage and Recycling Facility
- Sand, Gravel and Surface Mineral Extraction for a period of five (5) years or less and has a disturbance area that is less than five (5) hectares
- Sand, Gravel and Surface Mineral Processing for a period of five (5) years or less and has a disturbance area that is less than five (5) hectares
- Security/Operator Dwelling Unit
- Value-added Agricultural Industry
- Waste Management Facility

105.3 Discretionary Uses

- Work Camp

SITE REGULATIONS

105.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	1 acre (0.4047 ha)
Lot Width	98.4 ft (30 m)
Lot Depth	114.8 ft (35 m)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district - Ancillary Building and Farm Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district, and the required yard shall be increased by 1.0 m in depth for each 3.0 metre of commercial building height above the first 3.0 metre. - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	Subject to Section 23.7: <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 and further: <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	50%
Floor Area Ratio (maximum)	N/A

105.5 Development standards for uses not specified in Section 105.4 shall be determined by the Development Authority.

105.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

105.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Design, Character and Appearance of Buildings and Sites

105.8 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

105.9 All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.

105.10 No operation or activity associated with any use in this District shall be permitted which would create a nuisance effect from noise, odour, earthborne vibrations, heat, intense light sources or dust beyond the boundaries of the site.

Safety and Environmental Impact

105.11 Safety and environmental assessment are integral components of the industrial development review process. Where there are potential effects associated with a proposed development, a Development Authority may require an applicant to retain a qualified professional acceptable to the Development Authority to provide an environmental impact assessment report of the proposed development, in determining whether the proposed development is to be approved, approved with conditions, or refused.

MINIMUM SERVICING REQUIREMENTS

105.12 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

105.13 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

105.14 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

105.15 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline

available at the following website: <http://environment.alberta.ca/01326.html>.

105.16 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

105.17 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

105.18 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

105.19 A license, permit approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization may prevail over this bylaw or a development decision by a development officer, and/or Subdivision and Development Appeal board pursuant to Federal or Provincial Legislation. When an application is received by the County for a Land Use Bylaw amendment or development permit and the application is consistent with a license, permit, approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization, the County must approve the application to the extent that it complies with the license, permit, approval or other authorization granted.

106 **MANUFACTURED HOME PARK DISTRICT (MHP)**

PURPOSE

106.1 To provide for a comprehensively designed manufactured home park that may include recreation facilities for the use and enjoyment of park residents.

LAND USES

<p>106.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use • Home Business - Minor • Manufactured Home • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
--

<p>106.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Land Reclamation • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Recreation Facility – Indoor (private only) • Recreation Facility – Outdoor (private only)
--

SITE REGULATIONS

106.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Density (maximum)	20 dwelling units per hectare (8 dwelling units per acre)
Park Area (minimum)	0.50 ha (1.3 ac)
Lot Area	360 m ² (3,875 ft ²) per manufactured home stall
Lot Width	12 m (39 ft) per manufactured home stall
Lot Depth	30 m (98 ft) per manufactured home stall
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25 • Private road or parking area internal to the manufactured home park – all buildings 12 ft (3.66 m) from the manufactured home stall boundaries.
Rear Yard	<p>For the manufactured home park:</p> <ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: the minimum side yard or rear yard setback for all buildings from the manufactured home park boundaries is 25 feet (7.62 meters).
and	
Side Yard	<p>For each individual manufactured home stall within the park, subject to Section 106.9(d):</p> <ul style="list-style-type: none"> • Internal manufactured home stall <u>with</u> a detached garage or <u>with</u> a minimum of two front yard parking stalls or <u>with</u> rear lanes: <ul style="list-style-type: none"> - All buildings except Ancillary Building, Recreation Facility – Indoor and Security/Operator Office: 5 feet (1.5 meters) from the manufactured home stall boundaries.

<p>Continue - Rear Yard and Side Yard</p>	<ul style="list-style-type: none"> - Ancillary Building: 3 feet (0.91 meters) from the manufactured home stall boundaries. - Recreation Facility – Indoor and Security/Operator Office: 25 ft (7.62 m) measured from the manufactured home park boundaries. • Internal manufactured home stall <u>without</u> a detached garage or <u>with less than</u> two front yard parking stalls or in a <u>laneless</u> manufactured home park: <ul style="list-style-type: none"> - All buildings except Ancillary Building, Recreation Facility – Indoor and Security/Operator Office: 5 feet (1.5 meters) rear yard and one side yard in each manufactured home stall shall be 10 feet (3.05 meters) wide measured from the manufactured home stall boundaries, to provide vehicle access to the rear yard, while the other side yard may be a zero meter setback, i.e. minimum 0.5 feet (0.15 meters) wide measured from the manufactured home stall boundaries. - Ancillary Building: 3 feet (0.91 meters) from the manufactured home stall boundaries. - Recreation Facility – Indoor and Security/Operator Office: 25 ft (7.62 m) measured from the manufactured home park boundaries.
<p>If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.</p>	
<p>Building Height (maximum)</p>	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building and Recreation Facility – Indoor: standard manufactured home height when placed on blocks. • Ancillary Building: refer to Section 43.9 • Recreation Facility – Indoor: 32.8 ft (10 m) <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
<p>Floor Area</p>	<p>N/A</p>
<p>Site Coverage (maximum)</p>	<p>N/A</p>
<p>Floor Area Ratio (maximum)</p>	<p>N/A</p>

106.5 Development standards for uses not specified in Section 107.4 shall be determined by the Development Authority.

106.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

106.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

106.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Comprehensive Siting Plan

106.9 A comprehensive siting plan approved by the Development Authority is required prior to

the issuance of a development permit for the development of land located in this district, and all development shall conform to the comprehensive siting plan. Compliance with the site plan will be a continuing condition of the development permit when it is issued and may be enforced by a stop order. The proposed plan must include the following information to the satisfaction of the Development Authority:

- (a) access, road system, walkway system and site pattern showing dimensions and structures;
- (b) provision for on-site containerized garbage collection facilities;
- (c) open space, to a maximum of 10% of the park, designated for recreational and playground use, and shall not include any required buffer strip;
- (d) provision of a landscaped buffer of 4.6 m (15 ft) or greater between any manufactured home wall and the lot line bounding the manufactured home park;
- (e) provisions for outdoor lighting;
- (f) identification and directional signs;
- (g) location of parking aprons (prepared gravel pad or hard surfaced) for every proposed manufactured home stall and visitor parking;
- (h) proposed location of a manufactured home for every stall, showing the required yard setbacks pursuant to Section 106.4;
- (i) proposed landscaping of the individual manufactured home stalls and throughout the park pursuant to Section 65 of this Bylaw;
- (j) screened storage compound for trucks, trailers, campers, snowmobiles, boats, etc.;
- (k) guidelines and standards satisfactory to the Development Authority governing design and materials of carports, patios, storage buildings, skirting, fences, supply facilities and other attached or detached structures; and
- (l) such other information as deemed necessary by the Development Authority.

106.10 Standard manufactured home placements and zero lot line placements pursuant to the rear yard and side yard setback requirements under Section 106.4 shall not be allowed in the same block of stalls.

106.11 Within the manufactured home park no manufactured homes, including attached structures, shall be within 13 m (44 ft) from any manufactured home, including any attached structures or permanent park structures that are located directly on the opposite side of a park street.

106.12 All manufactured homes shall have CSA and Alberta Building Standards (ABS) label numbers.

106.13 The manufactured homes shall be finished from the floor level to the ground level (i.e. skirted) within 30 days of being placed on a stall in the park. All finish materials shall either be parging, factory fabricated or, of equivalent quality, and be pre-finished or painted so that the design and construction complements the manufactured home, to the satisfaction of the Development Authority.

106.14 Equipment used for transportation of a manufactured home shall be removed from the stall and the park and finishing shall be installed and completed within 30 days of placing the manufactured home on the stall in the park.

106.15 All manufactured homes shall be placed on a CSA Z240.10.1 standard foundation, an engineer approved foundation, or a basement.

106.16 All attached or detached Ancillary Buildings, such as a garage or garden shed, and all additions to a manufactured home, such as room additions, porches or sun rooms, shall be factory pre-fabricated units or of an equivalent quality and shall be pre-finished or pre-painted so that the design and construction complements the manufactured home.

106.17 The roof line of any addition shall not exceed the height of the dwelling.

- 106.18 A stall within a manufactured home park may be used for the siting of only one manufactured home.
- 106.19 All roads in a manufactured home park shall be of sufficient width to accommodate the passage of emergency vehicles and shall be hard-surfaced where deemed necessary by the County, to the satisfaction of the Development Authority. If roads are less than 7.6 m (25 ft) in width, on-street parking shall not be permitted.
- 106.20 Designated visitor parking areas shall be evenly distributed throughout the park, and each visitor parking shall include a minimum of three parking stalls.
- 106.21 A second access from a public road shall be provided into the manufactured home park for emergency vehicle access if the park consists of more than 70 manufactured homes.
- 106.22 Internal pedestrian walkways, where provided, shall have a minimum hard-surfaced width of 1.2 m (4 ft) and be constructed to the satisfaction of the Development Authority.
- 106.23 Pursuant to the Municipal Government Act, the owner or agent of a manufactured home community in the County shall notify the assessor of the County in writing of:
- (a) Any manufactured homes locating in the park, or moving to a different site within the park, within 10 days of the changes with the following information:
 - (i) name and address of the owner of the manufactured home;
 - (ii) make and serial number of the manufactured home, and
 - (iii) site location of the unit within the park;and
 - (b) Any change of ownership or any removal of a manufactured home from the park 10 days prior to change or removal.
- 106.24 The outdoor storage of vehicles, motorcycles, recreational vehicles, water craft, all-terrain vehicles, snowmobiles, materials, products, equipment or machinery that cannot be accommodated on a manufactured home stall to the satisfaction of the Development Officer shall not be permitted in this district except in a designated and enclosed or screened communal storage area, and such storage area shall be provided at a minimum ratio of 19 m² (204 ft²) of storage area per manufactured home stall in the park.
- 106.25 The communal storage area shall be enclosed or screened by trees, landscape features or fences or a combination thereof to the satisfaction of the Development Authority.
- 106.26 No vehicle over 4,536 kilograms (10,000 pounds) shall be parked on a manufactured home stall or manufactured home park street for longer than is reasonably required to load or unload such vehicle.
- 106.27 No vehicle greater than 7.6 m (25 ft) in length may be parked on a manufactured home stall within a manufactured home park.

MINIMUM SERVICING REQUIREMENTS

- 106.28 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.
- 106.29 Manufactured home parks shall be fully serviced with an approved communal water distribution system and an approved communal sewage collection system.
- 106.30 All utility lines shall be placed underground or as may be stipulated in a development agreement.
- 106.31 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities

shall not be allowed.

- 106.32 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.
- 106.33 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 106.34 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 106.35 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 106.36 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.
- 106.37 A license, permit approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization may prevail over this bylaw or a development decision by a development officer, and/or Subdivision and Development Appeal board pursuant to Federal or Provincial Legislation. When an application is received by the County for a Land Use Bylaw amendment or development permit and the application is consistent with a license, permit, approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization, the County must approve the application to the extent that it complies with the license, permit, approval or other authorization granted.

107 **PUBLIC SERVICES DISTRICT (PS)**

PURPOSE

107.1 To provide for uses and facilities on land owned by a federal, provincial or municipal government and by a quasi-government or semi-public not-for-profit organization (e.g. a cemetery association or a recreation society or agricultural society) that are used, subject to the Municipal Government Act, by the general public for public or semi-public purposes, including parks, recreation, education, health, government, and other institutional facilities and services, including public utility services.

LAND USES

<p>107.2 <u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Ancillary Building or Ancillary Use • Community Facility • Emergency Service • Government Service • Park [1631-20] • Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision • Recreation Facility - Indoor • Recreation Facility - Outdoor
--

<p>107.3 <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> • Cemetery • Communication Antenna and Structure • Concert site, subject to Section 53 • Land Reclamation • Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision • Recreational Vehicle Park and/or Campground, subject to Section 107.12 • Private Storage of Boat Lifts and Docks, subject to Section 107.15 • Waste Management Facility
--

SITE REGULATIONS

107.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	N/A
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m), except in the Hamlet of Botha where the minimum front yard shall be Nil [1631-20] • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard, except in the Hamlet of Botha where the minimum rear yard and side yard shall be Nil [1631-20]
Side Yard	<ul style="list-style-type: none"> • Internal lot:

	<ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters), except in the Hamlet of Botha where the minimum side yard shall be Nil, unless otherwise required by the Alberta Building Code [1631-20] - Ancillary Building: see Section 43
<p>If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.</p>	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9, notwithstanding Section 43.9(a) and the definition of height in Section 9, the maximum height of a detached ancillary building in the Hamlet of Botha shall be 7.5 m (24.6 ft.) or the height of the principal building, whichever is less, and height shall be measured to the highest peak of the roof [1631-20] <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

107.5 Development standards for uses not specified in Section 107.4 shall be determined by the Development Authority.

107.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

107.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

107.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Use of Reserve Land

107.9 Notwithstanding the list of permitted and discretionary uses in Sections 107.2 and 107.3, any parcel with an 'R', 'MR' or 'ER' contained in its legal description shall be used only for those purposes provided for in the Municipal Government Act.

107.10 The private development or use of municipal and environmental reserve land is strictly prohibited, unless prior approval is received from the Development Authority.

107.11 No alterations, including the removal or clearing of vegetation, or other changes to municipal and environmental reserve land may be made without prior written consent from

the Development Authority, which may approve alterations and changes only if satisfied the changes will not detrimentally impact the environment or restrict public access to reserve land and the use by the public of the reserve land.

Campground and Recreational Vehicle Park

107.12 The design of any Campground or Recreational Vehicle Park is subject to the provisions of Section 77.

Removal of Trees and/or Shrubs

107.13 The removal of trees and/or shrubs on any parcel of land without a development permit is prohibited.

107.14 The Development Authority may prohibit the removal of trees and/or shrubs adjacent to an environmentally sensitive area.

107.15 A development permit for the private storage of boat lifts and docks shall be restricted to a specific site and shall be subject to a license agreement being entered into and kept in good standing that shall include an indemnification clause in favour of the County and shall require the written proof from the applicant of comprehensive third-party liability insurance coverage of the applicant and the County in a minimum amount of \$2,000,000. The license agreement shall be for an initial term of no longer than three years. The development permit shall be a temporary development permit pursuant to Section 25, and the duration of the temporary development permit shall coincide with the initial term of the license agreement and thereafter with any extension or renewal thereof.

MINIMUM SERVICING REQUIREMENTS

107.16 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

107.17 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

107.18 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

107.19 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

107.20 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support

additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

107.21 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

107.22 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

107.23 A license, permit approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization may prevail over this bylaw or a development decision by a development officer, and/or Subdivision and Development Appeal board pursuant to Federal or Provincial Legislation. When an application is received by the County for a Land Use Bylaw amendment or development permit and the application is consistent with a license, permit, approval or other authorization granted by a Federal or Provincial agency or Crown-controlled organization, the County must approve the application to the extent that it complies with the license, permit, approval or other authorization granted.

108 **RECREATIONAL FACILITY DISTRICT (RF)**

PURPOSE

108.1 To provide for a range of recreational activities and developments which are compatible with the natural environment and surrounding land use.

LAND USES

108.2 **Permitted Uses**

- Government Service
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

108.3 **Discretionary Uses**

- Ancillary buildings and uses
- Communication Antenna and Structure
- Concert site, subject to Section 53
- Detached Dwelling
- Duplex
- Food and Beverage Service Facility
- Guest ranch
- Hotel
- Land Reclamation
- Motel
- Multi-attached Dwelling
- Multiple Family Dwelling
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreation Facility - Indoor
- Recreation Facility - Outdoor
- Recreational Vehicle Park and/or Campground, subject to Section 108.10
- Retail Store - Minor
- Rural Convenience Store
- Rural Restaurant
- Security/Operator Dwelling Unit
- Special Dwelling Unit Type

SITE REGULATIONS

108.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	0.8 ha (2.0 ac) except that the lot area for Detached Dwelling, Duplex, Multi-attached Dwelling and Multiple Family Dwelling shall comply with the standards set out for these uses in the Hamlet Residential District
Lot Width	30 m (100 ft) except that the lot width for Detached Dwelling, Duplex, Multi-attached Dwelling and Multiple Family Dwelling shall comply with the standards set out for these uses in the Hamlet Residential District
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25

	<ul style="list-style-type: none"> • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 20 feet (6.10 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	The ground floor area for Detached Dwelling, Duplex, Multi-attached Dwelling and Multiple Family Dwelling shall comply with the standards set out for these uses in the Hamlet Residential District
Site Coverage (maximum)	45%
Floor Area Ratio (maximum)	1.0, except that the maximum FAR for Detached Dwelling, Duplex, Multi-attached Dwelling and Multiple Family Dwelling shall comply with the standards set out for these uses in the Hamlet Residential District

108.5 Development standards for uses not specified in Section 108.4 shall be determined by the Development Authority.

108.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

108.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

108.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Plans Required

108.9 Detailed plans must be submitted for any recreational development, which shall be compatible with the environment and the surrounding land uses.

Campground and Recreational Vehicle Park

108.10 The design of any Campground or Recreational Vehicle Park is subject to the provisions of Section 77.

Removal of Trees and/or Shrubs

108.11 The removal of trees and/or shrubs on any parcel of land without a development permit is prohibited.

108.12 The Development Authority may prohibit the removal of trees and/or shrubs adjacent to an environmentally sensitive area.

MINIMUM SERVICING REQUIREMENTS

108.13 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

108.14 Where a municipal water supply and/or sewage disposal system is available to service a property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

108.15 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

108.16 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a)]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

108.17 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

108.18 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

108.19 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

109 **RESORT RESIDENTIAL DISTRICT (RR)**

PURPOSE

109.1 To provide for the development of residences in the vicinity of recreational amenities; the keeping of livestock is not permitted in this District.

LAND USES

109.2 **Permitted Uses**

- Ancillary Building or Ancillary Use – standard size, subject to Section 43.10 and Section 109.14(a)
- Detached Dwelling
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision

109.3 **Discretionary Uses**

- Ancillary Building or Ancillary Use – oversized, subject to Section 43.10 and Section 109.14(a)
- Community Facility
- Home Business
- Land Reclamation
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle for use as a dwelling unit, subject to Sections 109.15 and 109.23

SITE REGULATIONS

109.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	1.0 acre Developable land: 0.5 acre (0.2024 ha)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters), subject to Section 109.13(d) - Ancillary Building: see Section 43
Side Yard	<p>Scenic Sands (Plan 8222364 and Plan 8922504):</p> <ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10% of the width of the lot - Ancillary Building: see Section 43 <p>All other subdivisions in this District:</p> <ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43

<p>If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.</p>	
<p>Building Height (maximum)</p>	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • In Scenic Sands Plan 8222364 and Plan 8922504: <ul style="list-style-type: none"> - Detached Dwelling: maximum 25 ft (7.62 m) - Ancillary Building: refer to Section 43.9 • In all other subdivisions in this District: <ul style="list-style-type: none"> - Lake front lot: All buildings, except Ancillary Building and Recreational Vehicle: 26.25 ft (8 m) - Back lot: All buildings, except Ancillary Building and Recreational Vehicle: 32.8 ft (10 m) - All lots: Ancillary Building: refer to Section 43.9 - All lots: Recreational Vehicle: 16.5 ft (5 m) measured from the highest level of finished ground elevation adjoining the building at any exterior wall, and any attachment or add-on shall not be higher than the Recreational Vehicle. <p>and further:</p> <ul style="list-style-type: none"> • All buildings on all lots in all subdivisions: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
<p>Floor Area</p>	<ul style="list-style-type: none"> • Buffalo Lake Meadows (Plan 052 1511 and Plan 0620721) - Detached Dwelling: ground floor area: 900 ft² (83.6 m²) • Scenic Sands (Plan 8222364 and Plan 8922504) - Detached Dwelling: ground floor area: 750 ft² (69.67 m²)
<p>Site Coverage (maximum)</p>	<p>N/A</p>
<p>Floor Area Ratio (maximum)</p>	<p>N/A</p>

109.5 Development standards for uses not specified in Section 109.4 shall be determined by the Development Authority.

109.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

109.7 All development standards in this District may be subject to a restrictive covenant on the land title.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

109.8 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

109.9 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Removal of Trees and/or Shrubs

109.10 The removal of live trees and/or shrubs on any parcel of land without a development permit

is prohibited.

109.11 The Development Authority may prohibit the removal of live trees and/or shrubs adjacent to an environmentally sensitive area.

109.12 In Scenic Sands (Plan 8222364 and Plan 8922504) the Development Authority shall not approve a development permit that proposes to remove more than 50% of the existing live tree and/or shrub coverage on any lot.

Design, Character and Appearance of Buildings and Sites

109.13 In Buffalo Lake Meadows (Plan 0521511 and Plan 0620721):

- (a) Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.
- (b) No sign, or advertising matter of any kind, except the ordinary signs offering the land or buildings on them for sale or rent, shall be placed on the lands, or on the buildings, fences or trees on the lands.
- (c) No industrial or agricultural equipment shall be parked or placed on the lands, except for the equipment reasonably necessary to maintain the said lands and provided any such equipment so required shall be parked or placed in a garage erected on the lands when not in use.
- (d) No residence, garage or other accessory building (excluding moveable sheds without foundations) whatsoever shall be permitted within 10.0 metre of the rear lot line of any and all lots created adjacent to any environmental reserve parcel adjacent to Buffalo Lake, and no development upon such lots shall be permitted to proceed beyond the foundation stage unless and until a survey certificate evidencing the 10.0 metre setback has been submitted to and approved by the Development Authority.
- (e) All additional regulations in this District may be subject to a restrictive covenant on the land title, which shall be the responsibility of the developer/landowners to enforce.

109.14 In Scenic Sands (Plan 8222364 and Plan 8922504):

- (a) Any detached ancillary building, other than one ancillary building that is used for a garage, shall not exceed 400 ft².
- (b) No excavations, other than for the purpose of erecting a structure or installing a private sewage disposal system, water well or swimming pool shall be made on any lot.
- (c) No soil, sand or gravel shall be removed from any lot, except as part of excavation pursuant to Section 109.14(b), and such soil, sand or gravel shall not be placed on any land other than the subject lot.
- (d) No advertising sign of a business or commercial nature shall be erected. A sign may be erected to identify a property.
- (e) Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.
- (f) All additional regulations in this District may be subject to a restrictive covenant on the land title, which shall be the responsibility of the developer/landowners to enforce.

Recreational Vehicles

109.15 The following regulations apply to Recreational Vehicles in this District:

- (a) On any lot in this District a Recreational Vehicle may be stored or parked only pursuant and subject to Section 76.1, and may be used as a temporary dwelling unit subject to Sections 76.1 and 76.2.
- (b) In Buffalo Lake Meadows (Plan 0521511 and Plan 0620721):
 - (i) A discretionary use development permit to use a Recreational Vehicle as a dwelling unit pursuant to Section 76.2 may be issued only as a time limited permit, subject to Section 25, for a period not exceeding five (5) years. The development permit may continue to be re-applied for and re-issued upon its expiry indefinitely, each time as a time limited permit for not longer than a five year period; and
 - (ii) The use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 76.4
- (c) In Scenic Sands (Plan 8222364 and Plan 8922504):
 - (i) Subject to Section 109.15(c)(ii) a discretionary use development permit to use a Recreational Vehicle as a dwelling unit pursuant to Section 76.2 may be issued only as a time limited permit, subject to Section 25, and the period of time for which the permit remains valid shall coincide with the period of time required to construct a Detached Dwelling, at the end of which the development permit to use the Recreational Vehicle as a dwelling unit shall expire.
 - (ii) Notwithstanding Section 109.15(c) (i) and only until December 31, 2022 on Lots 39 and 59, Block 1 Plan 8222364 and Lots 11 and 14, Block 3, Plan 8222364 a discretionary use development permit to use a Recreational Vehicle as a dwelling unit pursuant to Section 76.2 may be issued only as a time limited permit, subject to Section 25, for a period not exceeding three (3) years, without the requirement of Section 109.15(c)(i). The exemption applies to the Recreational Vehicle Identification Numbers (VIN) provided with the application only. The “grandfathering” clause is valid until the sale/transfer of land at which time the lots will revert to the discretionary use of a Recreational Vehicle as a dwelling unit only during construction of a permanent dwelling. For those lots where a development permit has not been applied for by December 31, 2019 or at the expiry of the three year period (for those listed lots where a development permit has been applied for and obtained by December 31, 2019 or if the property title is transferred to a new owner, the use of a Recreational Vehicle shall be restricted to what is provided for in Section 109.15(a);and
 - (iii) The use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 76.4

MINIMUM SERVICING REQUIREMENTS

109.16 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

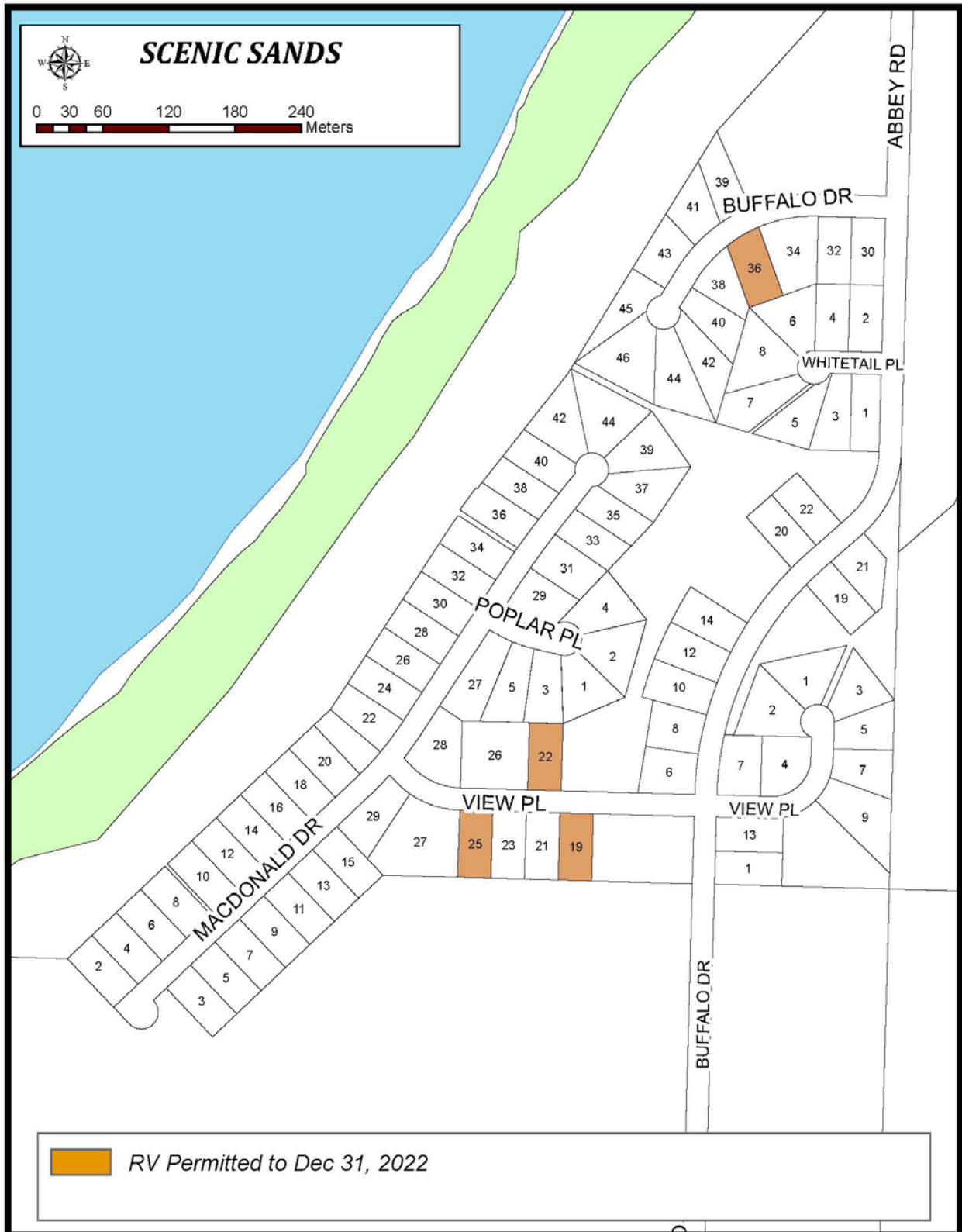
109.17 Where a municipal water supply and/or sewage disposal system is available to service a

property located within a hamlet or multi-lot subdivision in this District, new private utilities shall not be allowed.

- 109.18 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.
- 109.19 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 109.20 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.
- 109.21 Notwithstanding Sections 109.18, 109.19 and 109.20, in Buffalo Lake Meadows (Plan 052 1511 and Plan 0620721) the drilling, use and operation of a private well is prohibited. A communal water system or individual cisterns must service all lots and every lot must contain its own sewage and use a self-contained sewage holding tank for this purpose.
- 109.22 In Scenic Sands (Plan 8222364 and Plan 8922504) and Buffalo Lake Meadows (Plan 0521511 and Plan 0620721) approval shall be obtained from all regulating authorities prior to the construction of a private sewage disposal system or water well, as may be applicable.
- 109.23 In both Buffalo Lake Meadows (Plan 052 1511 and Plan 0620721) and Scenic Sands (Plan 8222364 and Plan 8922504) a development permit issued for the use of a Recreational Vehicle as a dwelling unit shall include a condition that the dwelling unit is connected to a certified private sewage disposal system for the duration that it is used as such, except when the development permit is issued pursuant to Section 76 of this Land Use Bylaw.
- 109.24 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

- 109.25 It is the landowner or applicant's responsibility to comply with any other relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.



110 **RESORT RESIDENTIAL - COMMUNALLY SERVICED DISTRICT (RR-CS)**

PURPOSE

110.1 To provide for the development of Detached Dwellings and Recreational Vehicles on smaller lots that are communally serviced with a water distribution system and a sewage collection system, in the vicinity of lakes and other recreation amenities.

LAND USES

110.2 **Permitted Uses**

- Ancillary Building or Ancillary Use – standard size, subject to Section 43.10
- Detached Dwelling
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle for use as a dwelling unit, subject to Sections 110.14 (b) and 110.18

110.3 **Discretionary Uses**

- Ancillary Building or Ancillary Use – oversized, subject to Section 43.10
- Community Facility
- Home Business
- Land Reclamation
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle for use as a dwelling unit, subject to Section 110.14 (c) and 110.18

SITE REGULATIONS

110.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

Lot Area	<ul style="list-style-type: none"> • Rochon Sands Heights: Detached Dwelling: 8,723 ft² (810.31 m²) • Buffalo Sands: <ul style="list-style-type: none"> - minimum 5,000 ft² (464.5 m²) - maximum 10,765 ft² (1,000 m²)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43

If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.

Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • Lake front lot: All buildings, except Recreational Vehicle and Ancillary Building: 26.25 ft (8 m) • Back lot: All buildings, except Recreational Vehicle and Ancillary Building: 32.8 ft (10 m) • All lots: <ul style="list-style-type: none"> - Recreational Vehicle: 16.5 ft (5 m) measured from the highest level of finished ground elevation adjoining the building at any exterior wall, and any attachment or add-on shall not be higher than the Recreational Vehicle - Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings on all lots: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	<p>Detached Dwelling: Rochon Sands Heights - ground floor area of 640 ft² (59.45 m²) Buffalo Sands - ground floor area of 800 ft² (74.35 m²)</p>
Site Coverage (maximum)	<p>Detached Dwelling: 30%</p>
Floor Area Ratio (maximum)	<p>N/A</p>

110.5 Development standards for uses not specified in Section 110.4 shall be determined by the Development Authority.

110.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

110.7 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

110.8 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

Design, Character and Appearance of Buildings and Sites

110.9 Buildings shall be of new construction unless otherwise approved by the Municipal Planning Commission.

110.10 The Development Authority shall be satisfied that the design, finish and appearance of a building, including a Recreational Vehicle, are compatible with the amenities and character of existing development in the surrounding area.

110.11 No person shall keep in their yard:

- (a) any dismantled, wrecked or derelict/dilapidated motor vehicle, unless it is suitably housed or screened from view to the satisfaction of the Development Authority.

- (b) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the area; or
- (c) building materials or supplies other than what the Development Authority considers is necessary for the completion of construction work on the site.

Removal of Trees and/or Shrubs

110.12 The removal of live trees and/or shrubs on any parcel of land without a development permit is prohibited.

110.13 The Development Authority may prohibit the removal of live trees and/or shrubs adjacent to an environmentally sensitive area.

Recreational Vehicles

110.14 The following regulations apply to Recreational Vehicles in this District:

- (a) On any lot in this District a Recreational Vehicle may be stored or parked only pursuant and subject to Section 76.1, and may be used as a temporary dwelling unit subject to Sections 76.1 and 76.2.
- (b) In Buffalo Sands (Plan 052 2242, Plan 062 5288 and Plan 062 5289):
 - (i) A permitted use development permit to use a Recreational Vehicle as a dwelling unit pursuant to Section 76.3. may be issued only on those lots identified for this purpose in Figure 1 which forms part of this District. Once a development permit has been issued for a Recreational Vehicle it is not necessary to apply for its renewal.
 - (ii) A development permit for using a Recreational Vehicle as a dwelling unit pursuant to Section 76.3 shall be a time limited permit and the period of time for which the permit remains valid shall coincide with the year in which the Recreational Vehicle turns fifteen years old, at which time and subject to a complaint being received from the community about the condition of the Recreational Vehicle, the Development Officer may require the placement of a newer model Recreational Vehicle and if the landowner does not comply with the request, the Development Officer may revoke the development permit; and
 - (iii) The use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 76.4.
- (c) In Rochon Sands Heights (Plan 0620307 and Plan 0720960):
 - (i) A discretionary use development permit to use a Recreational Vehicle as a dwelling unit pursuant to Section 76.3 may be issued only as a time limited permit, subject to Section 25, for a period not exceeding two (2) years. The development permit may continue to be re-applied for and re-issued upon its expiry indefinitely, each time as a time limited permit for not longer than a two year period; and
 - (ii) The use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 76.4.

MINIMUM SERVICING REQUIREMENTS

- 110.15 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.
- 110.16 The Development shall be serviced by a communal water distribution system, designed and built in accordance with Provincial standards and licensed by the Province, and designed to connect to a regional water distribution system upon availability.
- 110.17 The Development shall be serviced by a communal sewage collection system, designed and built in accordance with Provincial standards and licensed by the Province, and designed to connect to a regional sewage collection system upon availability.
- 110.18 A development permit for a Recreational Vehicle may be issued subject to Section 69 and shall include a condition that the dwelling unit is connected to the communal water distribution and sewage disposal systems.
- 110.19 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

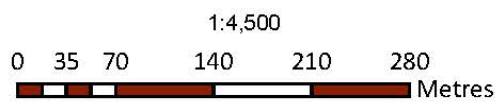
- 110.20 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.



Figure 1: Dwelling Unit Types in
Buffalo Sands Subdivision
SE-23-40-21-W4



-  Agricultural Use Only
-  Detached Dwelling Only
-  Recreational Vehicle or Detached Dwelling



111 RESORT RESIDENTIAL - RECREATIONAL DISTRICT (RR-REC)

PURPOSE

111.1 To provide for a communally serviced multi-lot/multi-unit resort residential/recreational development on part of the NE 36–39–20–W4M pursuant to the Pheasantback Estates Area Structure Plan, having a specific combination of residential and recreational land uses and development regulations.

LAND USES

111.2 <u>Permitted Uses</u>
CELL A
<ul style="list-style-type: none"> • Ancillary Building or Ancillary Use, subject to Section 111.4 • Public or Private Road and Utility, except windmill and stand-alone solar panel • Recreational Vehicle from May 1 to October 31 only (has to be moved off-site outside of this period) • Recreational Vehicle - Park Model Recreational Unit
CELL B
<ul style="list-style-type: none"> • Ancillary Building or Ancillary Use, subject to Section 111.4 • Detached Dwelling • Public or Private Road and Utility, except windmill and stand-alone solar panel
CELL C
<ul style="list-style-type: none"> • Public or Private Road and Utility, except windmill and stand-alone solar panel
CELL D
<ul style="list-style-type: none"> • Ancillary Building or Ancillary Use, subject to Section 111.4 • Detached Dwelling • Duplex • Public or Private Road and Utility, except windmill and stand-alone solar panel

111.3 <u>Discretionary Uses</u>
CELL A
<ul style="list-style-type: none"> • Community Facility • Home Business • Land Reclamation • Public or Private Road and Utility, windmill and stand-alone solar panel only • Recreation Facility - Indoor • Recreation Facility - Outdoor
CELL B
<ul style="list-style-type: none"> • Community Facility • Home Business • Land Reclamation • Public or Private Road and Utility, windmill and stand-alone solar panel only • Recreation Facility - Indoor • Recreation Facility – Outdoor
CELL C
<ul style="list-style-type: none"> • Ancillary Building or Ancillary Use, subject to Section 111.4 • Duplex • Land Reclamation • Multi-attached Dwelling

111.3 Discretionary Uses
<ul style="list-style-type: none"> Multiple Family Dwelling Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
CELL D
<ul style="list-style-type: none"> Home Business Land Reclamation Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision

SITE REGULATIONS

111.4 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District:

CELL A	
Lot Area	<ul style="list-style-type: none"> Minimum: 2,691 ft² (250 m²) Maximum: 3,229 ft² (300 m²)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> County road inside a hamlet or multi-lot subdivision boundary – all buildings 12 ft (3.66 m) County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> Road frontage: see Front Yard Internal lot:
Side Yard	<ul style="list-style-type: none"> All buildings except Ancillary Building: 5 ft (1.5 m) Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> Recreational Vehicle or Recreational Vehicle - Park Model Recreational Unit: 16.5 ft (5 m) measured from the highest level of finished ground elevation adjoining the building at any exterior wall. Ancillary Building: refer to Section 43.9 and further: All buildings: <ul style="list-style-type: none"> pitched roof – 22 ft (6.7 m) wall height at eaves flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	Ancillary buildings: maximum 100 ft ² (9.0 m ²)
Site Coverage (maximum)	50%, including all tip-outs, push-outs, pull-outs, structurally attached additions, covered and enclosed decks, patios, porches, verandas and ancillary buildings
Floor Area Ratio (maximum)	N/A
CELL B	
Lot Area	<ul style="list-style-type: none"> Minimum: 6,300 ft² (585 m²) Maximum: 16,147 ft² (1,500 m²)
Lot Width	N/A
Lot Depth	N/A

Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • Detached Dwelling: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	<ul style="list-style-type: none"> • Detached Dwelling: ground floor area of 1,200 ft² (111.5 m²) • Ancillary Building or Ancillary Use: 1,200 ft² (111.5 m²) maximum
Site Coverage (maximum)	50%
Floor Area Ratio (maximum)	N/A
CELL C	
Lot Area	Maximum: 1.0 acre (4,047 m ²)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • Duplex: 32.8 ft (10 m) • Multi-attached Dwelling: 32.8 ft (10 m) • Multiple Family Dwelling: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A

Site Coverage (maximum)	50%
Floor Area Ratio (maximum)	N/A
CELL D	
Lot Area	Maximum: 10,765 ft ² (1,000 m ²)
Lot Width	N/A
Lot Depth	N/A
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m) • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 25 feet (7.62 meters) - Ancillary Building: see Section 43
Side Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot: <ul style="list-style-type: none"> - All buildings except Ancillary Building: 10 feet (3.05 meters) - Ancillary Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<p>Subject to Section 23.7:</p> <ul style="list-style-type: none"> • All buildings, except Ancillary Building: 32.8 ft (10 m) • Ancillary Building: refer to Section 43.9 <p>and further:</p> <ul style="list-style-type: none"> • All buildings: <ul style="list-style-type: none"> - pitched roof – 22 ft (6.7 m) wall height at eaves - flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	Ancillary Building or Ancillary Use: maximum 1,200 ft ² (111.5 m ²)
Site Coverage (maximum)	50%
Floor Area Ratio (maximum)	N/A

111.5 Development standards for uses not specified in Section 111.4 shall be determined by the Development Authority.

111.6 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

ADDITIONAL REGULATIONS

CELL A

Restriction on the Issuance of a Development Permit

111.7 A development permit may be issued for either a Recreational Vehicle or a Recreational Vehicle - Park Model Recreational Unit on a condominium unit (i.e. lot), but not for both.

Restrictive Covenant

111.8 A Restrictive Covenant prohibiting the storage, parking (other than on its trailer) or operation of any off-road vehicle (e.g. a quad, snowmobile, dirt bike or any other ATV), with the exception of a golf cart, in Cell A shall be registered against the land by way of a Caveat in favour of the County of Stettler No. 6 pursuant to the Municipal Government Act. The Restrictive Covenant shall be registered at the time of subdivision and would then be carried forward to each unit title of the bareland condominium development.

Design, Character and Appearance of Buildings and Sites

111.9 The addition of a basement to a Recreational Vehicle - Park Model Recreational Unit is not permitted.

111.10 No enclosed structural additions to a Recreational Vehicle or a Recreational Vehicle - Park Model Recreational Unit are permitted.

111.11 Decks may be open or covered with a roof. No enclosures higher than 3.0 ft. (1.0 m) around any part of the structure is permitted.

111.12 The Development Authority shall be satisfied that the condition, design, finish and character of a Recreational Vehicle and Recreational Vehicle - Park Model Recreational Unit are compatible with the amenities and character of existing development in the surrounding area.

CELL D

Restriction on the Issuance of a Development Permit

111.13 A development permit may be issued for either a Detached Dwelling or a Duplex on a condominium unit (i.e. lot), but not for both.

ALL CELLS

Statutory Plans Take Precedence

111.14 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

111.15 This land use district is subject to the Pheasantback Estates Area Structure Plan and specifically Figure 7 of that plan, the latter which is attached to and forms a part of this land use district.

Awareness of Agriculture

111.16 Landowners and residents within this District must be aware that the Agricultural District is often adjacent to this District, and that agricultural operations take precedence. Therefore they should plan and develop their lots in such a manner and at their own cost that agricultural nuisances are reduced.

General

111.17 For the purpose of this Bylaw and Land Use District, the boundaries of the Lands and the Development Cells shall be more or less as indicated on the map attached to this District (Figure 7) and forming part hereof, except as otherwise approved by Council.

111.18 The final shape of the Development Cells will be determined at the Subdivision stage, to the satisfaction of the municipality.

111.19 All development upon the Lands shall be in accordance with all plans and specifications

submitted pursuant to this Bylaw and all licenses, permits and approvals pertaining to the Lands.

Design, Character and Appearance of Buildings and Sites

111.20 Landscaping shall be to the satisfaction of the Development Authority.

111.21 No person shall keep in their yard:

- (a) any dismantled, wrecked or derelict/dilapidated motor vehicle, unless it is suitably housed or screened from view to the satisfaction of the Development Authority;
- (b) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the area; or
- (c) building and landscaping materials or supplies other than what the Development Authority considers is necessary for the completion of construction work on the site.

Additional Recreational Vehicles (Guests)

111.22 A maximum of one additional Recreational Vehicle occupied by guests may be temporarily located on any individual lot in Cells B, C or D. Additional Recreational Vehicles for guests are not permitted in Cell A. For the purpose of this regulation 'Temporarily' means such a time period as would normally be considered reasonable for the purpose of visiting family or friends.

Moved-in Buildings

111.23 Moved-in buildings shall not be permitted in this district, unless approved by the Condominium Association.

MINIMUM SERVICING REQUIREMENTS

ALL CELLS

111.24 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

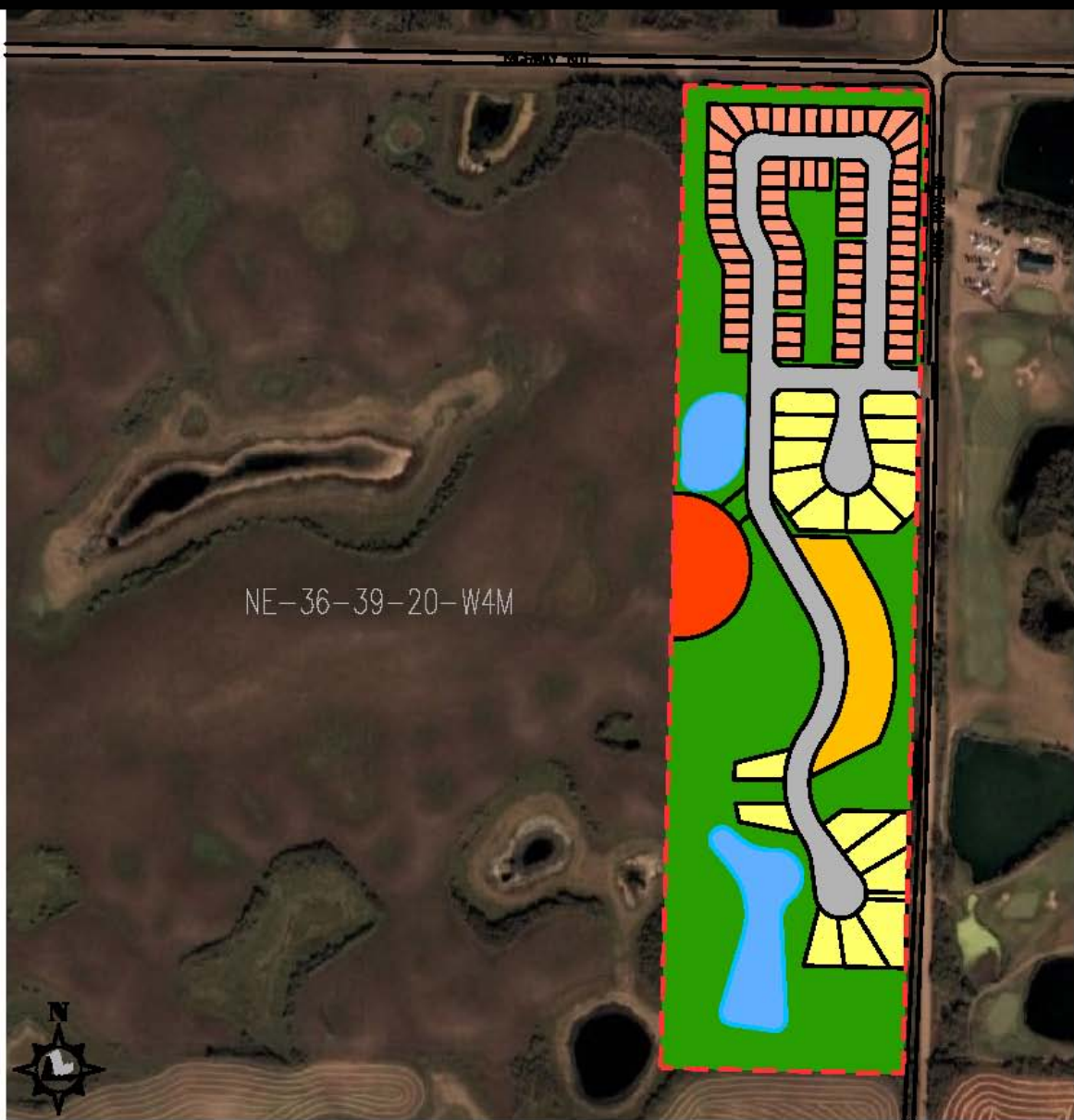
111.25 The Development shall be serviced by a communal water distribution system, designed and built in accordance with Provincial standards and licensed by the Province, and designed to connect to a regional water distribution system upon availability.

111.26 The Development shall be serviced by a communal sewage collection system, designed and built in accordance with Provincial standards and licensed by the Province, and designed to connect to a regional sewage collection system upon availability.








111.27 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

111.28 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.



 Pheasantback Estates

-  CELL A (Rec Vehicle)
-  CELL D (Duplex/Detached Dwellings)
-  POND
-  CELL B (Detached Dwellings)
-  Private Open Space
-  CELL C (High Density)
-  ROAD



**A. D. Williams
Engineering Inc.**
Consulting Engineers

EDMONTON • YELLOWKNIFE • CALGARY • WINNIPEG • RED DEER

RED DEER 8210 7240 Johnstone Drive Buz: (403) 765-2386
Red Deer, AB T4P 3Y8 Fax: (403) 765-4040
www.adwilliams.com corp. office: 1-800-263-2383 Info@adwilliams.com
Multi-Disciplined Consulting Engineering Services

JOB. TITLE:

Pheasantback Estates

DWG. TITLE:

**Future Land Use Concept
FIGURE 7**

DWN. BY:

DES. BY:

PROJ. MGR.:

SS

DC

DC

PEER REVIEW:

DATE: (YY-MM-DD)

SCALE:

JK

2008.06.21

1:5000

CLIENT PROJ. #

ADWE PROJ. #

DF

REV #

12671.00

DWG #

12671.00-ASP-01

112 DIRECT CONTROL - SAND, GRAVEL AND SURFACE MINERAL DISTRICT **(DC - SGSM)**

PURPOSE

112.1 To enable Council to regulate and control the use and development of land and buildings for sand, gravel and surface mineral extraction and/or processing in any such manner as Council may consider necessary.

LAND USES

112.2 Uses Decided by Council

- Sand, Gravel and Surface Mineral Extraction
- Sand, Gravel and Surface Mineral Processing
- Temporary Asphalt Plant

112.3 Uses Decided by Development Officer (Permitted Uses)

- Agricultural Operation
- Ancillary Building or Ancillary Use (Residential) – standard size, subject to Section 43.10
- Ancillary Building or Ancillary Use (Industrial or non-residential) – size shall be determined at the discretion of the Development Authority, subject to Sections 112.19 and 112.20
- Detached Dwelling
- Garden Suite
- Manufactured Home not older than ten years
- Public or Private Road and Utility, except windmill and stand-alone solar panel in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle or Recreational Vehicle – Park Model Recreational Unit, if the parcel of land has an area of at least 80 acre (32.38 hectare), and subject to Section 112.28
- Second Detached Dwelling or Manufactured Home (not older than ten years) if the parcel of land has an area of at least 80 acre (32.38 hectare)
- Secondary Suite inside a Detached Dwelling

112.4 Uses Decided by Municipal Planning Commission (Discretionary Uses)

- Ancillary Building or Ancillary Use (Residential) – oversized, subject to Section 43.10
- Communication Antenna and Structure
- Contractor's Business – Home Based or Not Home Based, subject to Section 112.21
- Data Processing Centre
- Duplex
- Farm Stall
- Home Business
- Kennel, subject to Section 64
- Land Reclamation
- Manufactured Home older than ten years
- Public or Private Road and Utility, windmill and stand-alone solar panel only in or adjacent to a hamlet or multi-lot subdivision
- Recreational Vehicle or Recreational Vehicle – Park Model Recreational Unit, if the parcel of land has an area of less than 80 acre (32.38 hectare), and subject to Section 112.28
- Second Detached Dwelling or Manufactured Home if the parcel of land has an area of less than 80 acre (32.38 hectare)

112.4 Uses Decided by Municipal Planning Commission (Discretionary Uses)

- Secondary Suite inside a detached Ancillary Building
- Security/Operator Dwelling Unit
- Third or Additional Detached Dwelling or Manufactured Home, subject to Section 69.2(c)

DECISION MAKING AUTHORITY

112.5 Council shall decide on applications for all uses listed as “Uses Decided by Council” in Section 112.2.

112.6 The Development Officer may decide on applications for any uses listed as “Uses Decided by the Development Officer” in Section 112.3. These applications shall be processed as a Permitted Use under this Bylaw.

112.7 The Municipal Planning Commission may decide on applications for any uses listed as “Uses Decided by the Municipal Planning Commission” in Section 112.4 and applications for any use listed in Section 112.3 that are referred to the Municipal Planning Commission by the Development Officer. These applications shall be processed as a Discretionary Use under this Bylaw.

112.8 All subdivision applications in this District for any use shall be decided by the Subdivision Authority.

DEVELOPMENT PERMIT CONDITIONS

112.9 Council or the Development Authority may impose any conditions it considers appropriate to a development permit in accordance with Section 24 and any other relevant section of this Bylaw.

112.10 Council shall set the duration or expiry of a development permit for a Sand, Gravel and Surface Mineral Extraction or a Sand, Gravel and Surface Mineral Processing use for the length of time deemed appropriate by Council.

REDISTRICTING TO DIRECT CONTROL

112.11 An application to redistrict a parcel of land to this Direct Control District shall be accompanied by all the information required under Section 60.8.

SITE REGULATIONS

112.12 In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the following regulations apply to every development in this District that is decided by the Development Officer or the Municipal Planning Commission:

Lot Area	3.0 acre (1.21 ha)
Lot Width	100 m (328 ft)
Lot Depth	120 m (394 ft)
Front Yard	<ul style="list-style-type: none"> • County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m)

	<ul style="list-style-type: none"> • County road outside of a hamlet or multi-lot subdivision boundary – see Section 58.25 • Highways and Secondary Roads – see Section 58.25
Rear Yard	<ul style="list-style-type: none"> • Road frontage: see Front Yard • Internal lot:
Side Yard	<ul style="list-style-type: none"> - All buildings except Ancillary Building and Farm Building: 25 feet (7.62 meters) - Ancillary Building and Farm Building: see Section 43
If a greater yard setback distance is required by the Alberta Building Code, that Code's requirements shall be the minimum yard distance.	
Building Height (maximum)	<ul style="list-style-type: none"> • Farm Building and Agricultural Supply Depot: 82 ft (25 m) • Subject to Section 23.7: - All other buildings, except Ancillary Building: 32.8 ft (10 m) - Ancillary Building: refer to Section 43.9 and further - All buildings, except Farm Building: <ul style="list-style-type: none"> c. pitched roof – 22 ft (6.7 m) wall height at eaves d. flat roof – 22 ft (6.7 m) wall height at parapet
Floor Area	N/A
Site Coverage (maximum)	N/A
Floor Area Ratio (maximum)	N/A

112.13 Development standards for uses not specified in Section 112.12 shall be determined by the Development Authority.

112.14 Any site development standard or additional regulation may be increased by the Development Authority as a condition of development permit approval, pursuant to Section 24.2.

112.15 Development standards for “Uses Decided by Council” shall be determined by Council.

ADDITIONAL REGULATIONS

Statutory Plans Take Precedence

112.16 The permitted and discretionary uses and the standards and regulations of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

Awareness of Agriculture

112.17 Landowners and residents within this District must be aware that agricultural operations take precedence in this District. Therefore, they should plan and develop their properties in such a manner and at their own cost that agricultural nuisances are reduced.

Subdivision Density for Private Titles

112.18 In this District the maximum density is three private titles per quarter section.

Ancillary Building (Industrial or Non-residential)

112.19 The ground floor area of an Ancillary Building that is associated with an industrial or other non-residential use is subject to Section 43.11.

112.20 The Development Officer shall not issue a Development Permit for an Ancillary Building (Industrial or Non-residential) unless the Applicant holds a Development Permit for any one of the following uses:

- a) Contractor's Business – Home Based or Not Home Based;
- b) Sand, Gravel and Surface Mineral Extraction; or
- c) Sand, Gravel and Surface Mineral Processing.

Contractor's Business – Home Based or Not Home Based

112.21 The approval of a development permit for a Contractor's Business – Home Based or Not Home Based is subject to compliance with the conditions listed in Section 55.

Confined Feeding Operations

112.22 The County supports the location of Confined Feeding Operations in this District that comply with the relevant policies identified in the Municipal Development Plan, specifically relevant to CFO Exclusion Zones identified in inter-municipal development plans and around approved area structure plans, concept plans and outline plans.

112.23 In approving rezoning and/or subdivision applications for single parcel residential acreages and multi-lot residential subdivisions in locations that could be incompatible with an existing CFO in this District, the County will recommend that the applicants familiarize themselves with existing CFO locations and the applicable minimum separation distances and consider the potential impact on their proposed subdivision however, the County will not require reciprocal setback distances. Further, the County will require that an area structure plan or outline plan for multi-lot residential development must incorporate the buffering techniques for non-agricultural development in the agricultural fringe as referenced in the relevant section of the Land Use Bylaw.

MINIMUM SERVICING REQUIREMENTS

112.24 The minimum servicing requirements of this District are subject to the relevant provisions of the Municipal Development Plan and any applicable inter-municipal development plan or area structure plan.

112.25 Where a municipal sewage disposal system is not available, it is the landowner or applicant's responsibility to comply with the Private Sewage Disposal Systems Regulation (Alberta Regulations 229/1997) and the Alberta Private Sewage Systems Standard of Practice under the Safety Codes Act relative to the servicing of any development in this District by means of a private sewage disposal system.

112.26 The applicant for a subdivision in this District shall comply with the Water Act [Section 23(3) and related Water (Ministerial) Regulation (Section 9(1))] relative to the servicing of lots in the proposed subdivision by means of any private water source, namely to submit a professional groundwater or surface water assessment report as part of the application for subdivision [WA (Sec 23(3)(a))]. Where the Subdivision Authority has determined through the assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed subdivision by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

112.27 Where a hamlet or multi-lot subdivision of six or more lots per quarter section existed prior to January 1, 1999 without a groundwater or surface water assessment, the applicant for

a development permit in this District shall demonstrate to the Development Authority's satisfaction the sufficiency of a private water supply source for the proposed development. Where the Development Authority has determined through a professional groundwater or surface water assessment report that the water source may be insufficient to support additional water use from the source, it may prohibit the servicing of the proposed development by means of that water source. The professional assessment for any groundwater source shall follow Alberta Environment's Groundwater Evaluation Guideline available at the following website: <http://environment.alberta.ca/01326.html>.

112.28 A development permit for a Recreational Vehicle or a Recreational Vehicle – Park Model Recreational Unit may be issued subject to Section 69 and shall include a condition that the dwelling unit is connected to a certified public or private sewage disposal system while being placed on a site; and further, the use of a Recreational Vehicle as a dwelling unit shall comply with the regulations in Section 76.

112.29 For any development in this District, except those developments that are deemed approved pursuant to Section 16, storm water management facilities may be required to the satisfaction of the Development Authority.

COMPLIANCE WITH RELEVANT LEGISLATION

112.30 It is the landowner or applicant's responsibility to comply with relevant federal and provincial legislation such as the Safety Codes Act and/or the Public Highways Development Act.

***SCHEDULE 'A': TOWN AND COUNTY OF STETTLER
AIRPORT VICINITY OVERLAY DISTRICT (AVO)***

Schedule 'A'

TOWN AND COUNTY OF STETTLER AIRPORT VICINITY OVERLAY DISTRICT (AVO)

PURPOSE

1. To maintain the safety and effectiveness of the Town of Stettler and County of Stettler No. 6 Airport by imposing controls over adjacent lands in addition to the controls and standards already in place in the underlying land use districts of these adjacent lands. The Overlay District applies to those lands shown within the airport noise contours in Figures 1 and 2. It applies to any land use district underlying the lands that are subject to the Airport Overlay District, and allows for agricultural and non-agricultural uses within these areas at locations and design criteria which do not interfere with airport operations.

LAND USES

2. **Permitted Uses**

Those listed in the underlying land use district, subject to Section 4 of this Schedule

3. **Discretionary Uses**

Those listed in the underlying land use district, subject to Section 4 of this Schedule

4. The following list of land uses takes precedence over the list of permitted and/or discretionary land uses in any underlying district (refer to the explanation of symbols in Section 5 of this Schedule):

DEVELOPMENT OR USE	NOISE EXPOSURE PROJECTION AREAS				
	Less than 25	Between 25-30	Between 30-35	Between 35-40	Over 40
Agricultural Supply Depot	A	A	B2	NA	NA
Salvage and Recycling Facility	A	A	A	A	A
Agricultural Operation (bee keeping)	A	A	A	A	A
Confined Feeding Operation	A	NA	NA	NA	NA
Community Facility	A	B2	NA	NA	NA
Contractor's Business	A	A	B2	B2	NA
Recreation Facility - Outdoor	A	A	NA	NA	NA
Agricultural Operation (extensive)	A	A	A	A	A
Home Business	A	B2	B2	B2	NA
Kennel	A	A	B2/B3	NA	NA
Auction mart - Livestock	A	NA	NA	NA	NA

DEVELOPMENT OR USE	NOISE EXPOSURE PROJECTION AREAS				
	Less than 25	Between 25-30	Between 30-35	Between 35-40	Over 40
Manufacturing, Processing or Assembly Facility	A	A	B2	B2	NA
Agricultural Operation (Market Garden, Greenhouse and/or Plant Nursery)	A	A	A	A	NA
Oilfield Service or Supply Business	A	A	A	NA	NA
Detached Dwelling	A	B1	NA	NA	NA
Recreation Facility – Outdoor	A	A	A	NA	NA
Confined Feeding Operation (Poultry)	A	B3	B3	B3	NA
Community Facility	A	B2	NA	NA	NA
Public or Private Road and Utility (Communications Tower)	A	A	A	NA	NA
Recreation Facility - Outdoor	A	A	A	NA	NA
Agricultural Operation (Sod Farm)	A	A	A	A	NA
Veterinary Clinic	A	A	B2/B3	NA	NA

5. Explanation to the land use table in Section 4 of this Schedule:

- (a) In the case of a development permit application for a use listed in an underlying land use district that is not listed in the land use table in Section 4 of this Schedule, the Development Authority shall determine the land use category into which the use falls, pursuant to Section 23.2 of the Land Use Bylaw.
- (b) Symbols in the land use table in Section 4 of this Schedule have the following meaning:
 - A means the use may be approved with or without conditions.
 - B1 means the use may be approved with or without conditions; however, it is recommended that construction of the building conform to Canada Mortgage and Housing Corporation standards for sound insulation as detailed in the CMHC publication New Housing and Airport Noise - N.H.A. 5185, as may be amended or replaced hereafter as revised from time to time.
 - B2 means the use may be approved with or without conditions; however, it is recommended that the building's construction in office areas, reception areas, conference rooms, and general work areas conforms to Canada Mortgage and Housing Corporation standards for sound insulation, unless the building area experiences noise levels equal to or greater than the exterior noise levels created by aircraft, or the building is non-winterized.
 - B3 means the use may be approved with or without conditions providing the use is completely enclosed.
 - NA means the use is not allowed and shall not be issued a Development Permit.

SITE REGULATIONS

6. In addition to the General Land Use Regulations contained in Part Six of this Bylaw, the site regulations listed in the applicable underlying land use district apply to every development in this Overlay District.
7. The following specific height limitations take precedence over any height restrictions stated in any land use district:
 - (a) Any development permit application on land within the Airport Vicinity Overlay District shall be subject to the height limitations indicated on Figure 2 forming part of this District.
 - (b) The Development Authority shall not approve a development permit application for any development which exceeds the height limitations shown on Figure 2.
 - (c) The height limitations indicated on Figure 2, and the height of a proposed use will both be measured from the elevation 2,673.7 feet (818 meter) above sea level which is deemed to be the airport's elevation.
 - (d) The height of all railway development shall be considered 19.7 feet (6.00 meter) higher than the actual elevation of the rails, and the height of all roadway development shall be considered 13.1 feet (4.00 meter) higher than the elevation of the highest point of the travelled portion of the roadway.

ADDITIONAL REGULATIONS

8. Any additional regulations listed in the applicable underlying land use district apply to every development in this Overlay District.
9. The Development Authority shall not approve a development permit application on lands within the Airport Vicinity Overlay District which would adversely affect the safe and efficient operation of the Airport.
10. In considering a development permit application for any of the following land uses:
 - (a) a plant for the manufacturing of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, stone, clay or glass products, cement or lime products, fertilizers or animal by-products;
 - (b) a plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacturing of asphalt or ready-mixed concrete, gravel crushing, or meat packing;
 - (c) a public incinerator;
 - (d) a sewage treatment plant or feed mill plant, sewage disposal plant, sewage lagoon, or water reservoir;
 - (e) seed cleaning plant or feed mill;
 - (f) a thermal electric power generating plant or a steam generating plant;
 - (g) anything that includes an electronic device, apparatus, equipment or other thing that:
 - (i) is operated for industrial, scientific, medical or similar purposes, or
 - (ii) produces and utilizes radio frequency energy in its operations but is not used for radio communication;

or

 - (h) anything that will or will likely result in:
 - (i) emissions of steam or smoke or other particles which may impair vision;
 - (ii) outdoor storage of large quantities of any material or waste, edible or attractive

- to birds, or
- (iii) the use of extensive exterior lighting;

the Development Authority shall consult with Transport Canada as to whether the proposal would jeopardize the safe and efficient operation of the airport. If the Development Authority is satisfied that the proposal will not have any adverse effects, the application may be approved with or without conditions.

FIGURE MEASUREMENTS

11. Measurements on Figures 1 and 2 in the Airport Vicinity District are shown in meter. A conversion table for imperial measurements is included with each Figure.

FIGURE 1

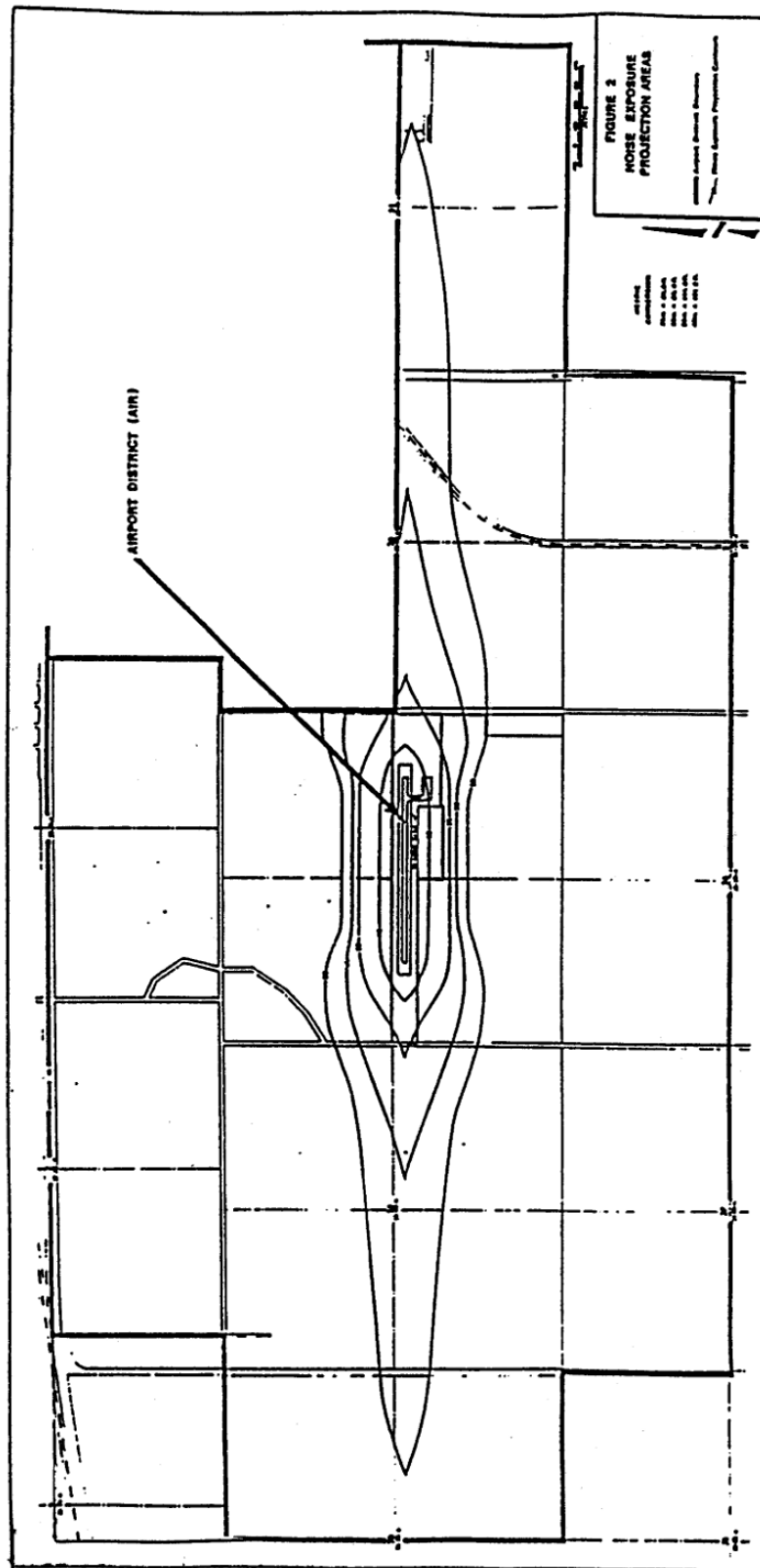
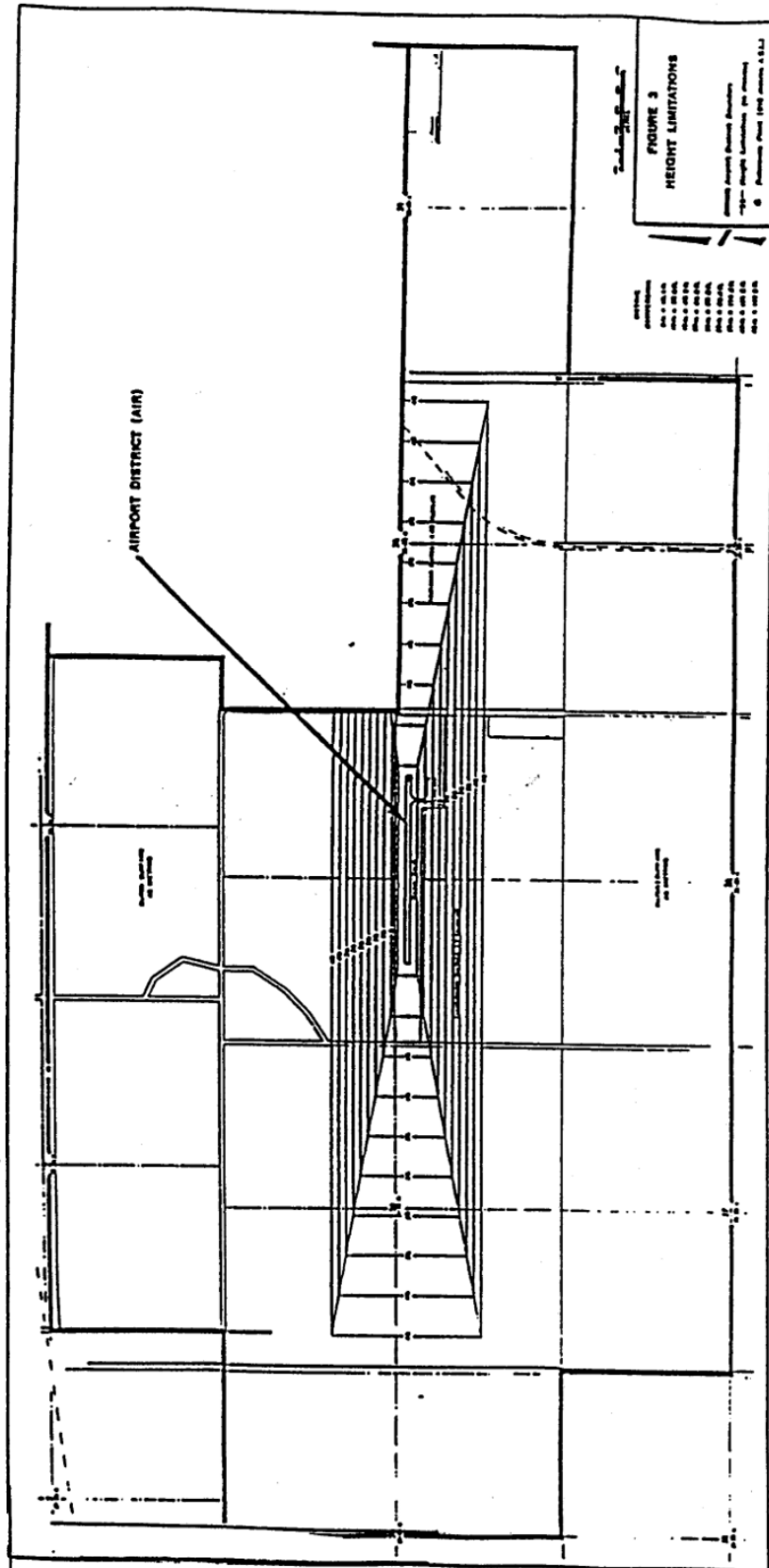


FIGURE 2



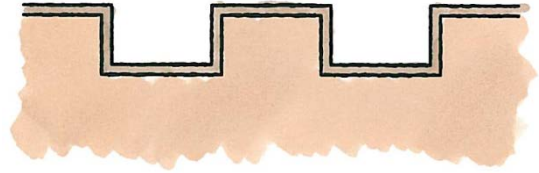
***SCHEDULE 'B': GATEWAY COMMERCIAL AND
INDUSTRIAL DESIGN GUIDELINES***

Schedule 'B' Gateway Commercial and Industrial Design Guidelines

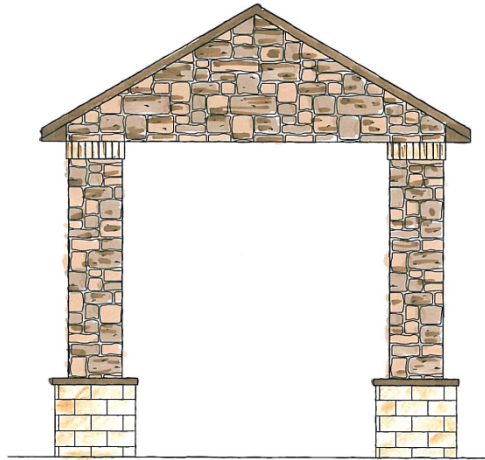
1.0 Definition of Terms

- 1) Building Mass means the appearance of heaviness of a building.
- 2) Crenellations

Crenellations is the name for the distinctive pattern that frames the tops of the walls. Crenellation most commonly takes the form of multiple, regular, rectangular spaces cut out of the top of the wall.



- 3) Floating Hard Materials means products which are not visually anchored to the ground.



Brick, stone and hard materials must be grounded

- 4) Glazing

Glazing is a [transparent](#) part of a [wall](#), usually made of [glass](#) or [plastic](#) ([acrylic](#) and [polycarbonate](#)). Common types of glazing used in architectural applications include clear and tinted [float glass](#), [tempered glass](#), and laminated glass as well as a variety of coated glasses, all of which can be glazed singly or as [double, or even triple](#), glazing units.

- 5) Human Scale

Human scale means that buildings have been designed explicitly with the needs, constraints and perceptive ability of humans in mind; humans are typically between three and seven feet tall and will climb a few sets of stairs at a time, etc. In the physical construction of human scale architecture it is possible to build buildings that are more desirable to be lived/worked in, which are more maintainable, can be evolved and turned into different uses over time.

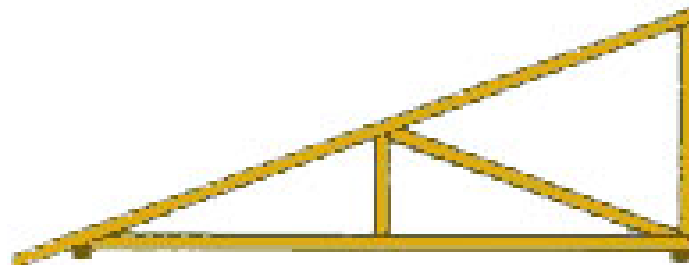
6) Major Cladding Materials

Major cladding materials can be Stone, Brick, Stucco, Pre-finished metal sheets which can be used to differentiate as two major cladding materials.



7) Mono slope roof truss

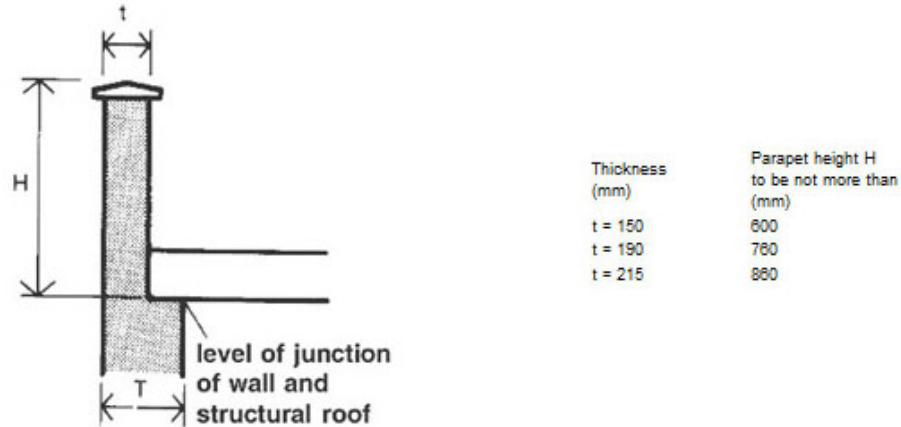
Steel framed mono-slope buildings are used either as a lean to on an existing building; or for very small buildings (less than 15m span) or for locations where wide openings are needed in the side of a long, but thin building. A steel spine truss will go the length of the opening, and the roof will slope up to this spine. Aircraft hangars, port buildings and warehouses are often built as mono-slopes.



Aircraft hangars, port buildings and warehouses are often built as mono-slopes.

8) Parapet

A **building parapet** consists of a dwarf [wall](#) along the edge of a roof, or around a lead flat, [terrace](#) walk, etc., to prevent people from falling over the edge. Parapets are either plain, [embattled](#), perforated or panelled. The last two are found in all styles except the [Romanesque](#). Plain parapets are simply portions of the wall generally overhanging a



Note: t should be less than or equal to T

Note, the above guidance relates only to structural aspects of parapet wall design. Further advice should be obtained with regard to moisture penetration.

little, with a [coping](#) at the top and [corbel](#) table below. Embattled parapets are sometimes panelled, but more often pierced. Perforated parapets are pierced in various devices as [circles](#), [trefoils](#), [quatrefoils](#) and other designs so that the light is seen through. Panelled parapets are those [ornamented](#) by a series of panels, either [oblong](#) or square and more or less enriched, but not perforated. These are common in the [Decorated](#) and [Perpendicular](#) periods.

9) Primary Colours

Primary colors are sets of [colors](#) that can be combined to make a useful range ([gamut](#)) of colors. For human applications, three are often used; for additive combination of colors, as in overlapping projected lights or in [CRT](#) displays, the primary colors normally used are [red](#), [yellow](#), and [blue](#).

10) Secondary Colours

A **secondary color** is a [color](#) made by mixing two [primary colors](#) in a given [color space](#), the secondary colors normally used are [orange](#), [green](#), and [purple](#).

2.0 Introduction

The County of Stettler No. 6 and the Town of Stettler Inter-municipal Development Plan identifies designated growth areas for each municipality, and requires that the two municipalities develop and apply a joint design guideline for development of land in the mixed business areas at the gateway locations. The site and building design guidelines set out in this *Guidelines* document describe the exterior design requirements for commercial and industrial buildings within the designated gateways as identified in the Inter-municipal Development Plan.

The *Guidelines* must be read in conjunction with the approving municipality's Land Use Bylaw, which deals with land use and site development regulations such as setbacks, signage and landscaping. The intent of these *Guidelines* is to provide landowners, developers, designers and potential investors with the direction of design approach that is intended for various developments.

These design *Guidelines* concern the position of buildings and utility areas on sites, the proportion, scale and massing of building forms, the application of materials and colours to exterior walls and roofs, the choice and location of windows and doors and the role of landscaping in all of these considerations.

3.0 Application of the Guidelines

These *Guidelines* apply to any commercial or industrial type development permit application in any land use district that allows these types of developments on land that is located within a designated County growth area in the County of Stettler No. 6 and Town of Stettler Inter-municipal Development Plan.

All commercial and industrial development projects located as described above must comply with these *Guidelines*. More specifically, those developments located adjacent to or prominently visible from a highway, as determined by the approving municipality's Development Authority, must meet all the listed requirements. Those developments not adjacent to or prominently visible from a highway may have the guidelines reduced as per discussions with the Development Authority. The approving municipality's Development Authority will review development permit applications for compliance with these *Guidelines* and may approve a development permit with variances from these *Guidelines*, subject to the referral policies of the Inter-municipal Development Plan.

The design *Guidelines* for commercial buildings apply to the use of the building, not the land use district, and therefore may apply to projects in industrial land use districts, for example an office building, a food and beverage service facility or a commercial recreation building that is located on industrial premises. Prior to designing the project the developer must determine from the approving municipality whether the proposed development is deemed to be a commercial or industrial building.

The approving municipality's Land Use Bylaw prescribes the format and content of the development permit application and the landscaping plan.

It is highly recommended that all new projects are reviewed with the principles of CPTED (Crime Prevention Through Environmental Design) in mind, to ensure that all new projects are developed in a safe and respectful manner. The approving municipality's Development Authority will review project designs for CPTED compliance.

It is further required that all developments that are subject to these *Guidelines* comply with the latest edition of the Alberta or National Building Code for site accessibility standards, as well as the latest edition of The Canadian Standards Association "Accessible design for the built environment".

4.0 **Commercial Site and Building Design Guidelines**

4.1 **Site planning**

Intent: To ensure that any development is located on a site in such a manner as to enhance the overall development and provide a unified connection to the surrounding buildings.

4.1.1 Except when a development along Highway 12 or Highway 56 backs onto the highway, the main entry of the building must face the main access road and be prominently visible upon entering the site. The main entry is not permitted to be visually blocked by the storage or display of sale products.

4.1.2 When a development along Highway 12 or Highway 56 backs onto the highway, the main entry of the building must face the highway and be prominently visible to the public travelling along the highway. The main entry is not permitted to be visually blocked by the storage or display of sale products.



4.1.3 Buildings must be sited in such a location to provide open space between the building and adjacent streets and/or on-site parking lots for the purpose of landscaping. This open space area is to be equal to or exceeding the minimum required setback for the development as prescribed in the approving municipality's Land Use Bylaw. This landscaped area is not to be used for the display of sale products or for waste disposal or other utility areas, unless these are screened pursuant to Section 4.1.5.

- 4.1.4 Provision for on-site parking and loading must meet the requirements of the approving municipality's Land Use Bylaw.
 - 4.1.4.1 On-site parking lots and loading areas when visible from an adjacent street or when used by clients should be effectively landscaped or strategically screened to break up the view and mass of them.
 - 4.1.4.2 Curbing should be used to separate all on-site parking lots and loading areas from landscaped areas.
- 4.1.5 All utility areas (e.g. outdoor storage, waste disposal, building equipment such as heating and cooling, etc.) visible from an adjacent street or an on-site client parking lot must be enclosed with screening, or be otherwise designed or treated to the satisfaction of the approving municipality's Development Authority, to match the overall design of the development.
- 4.1.6 All on-site lighting, including those in on-site parking lots, must be down lighting; the use of fixtures projecting light upwards is not permitted.

4.2 **Site Landscaping and Fencing**

Intent: To ensure that any development provides landscaping compliant with the approving municipality's Land Use Bylaw in a manner that enhances the overall appearance of a project.



- 4.2.1 All landscaping must comply with the approving municipality's Land Use Bylaw.
- 4.2.2 Landscaping must be used to contribute to the overall theme of a project, provide interest and ensure a pleasant inviting atmosphere is obtained.
- 4.2.3 Landscaping must play a prominent role in the site design on all sides adjacent to a street or an on-site client parking lot.

- 4.2.4 Where existing natural landscaping is present every effort must be made to preserve it and incorporate it into the overall landscaping plan.
- 4.2.5 Dry landscaping (e.g. mulch and/or washed rock) instead of grass, and the use of native plant species that can withstand drought are encouraged.
- 4.2.6 In order to address the issues related to potential wildland fires and their interface with development, any development proposal adjacent to a naturally vegetated area or agricultural lands shall incorporate the FireSmart guidelines advocated by Alberta Sustainable Resource Development to the satisfaction of the approving municipality's Development Authority.
(<http://www.srd.gov.ab.ca/wildfires/firesmart/>)
- 4.2.7 Where landscaping is proposed within a utility right-of-way the agencies that have permission to provide services within the utility right-of-way must endorse the proposed landscaping plan prior to it being submitted to the approving municipality for review.
- 4.2.8 Landscaping along any street frontage must be provided outside of the perimeter fence.
- 4.2.9 Chain link fencing shall not be visible from an adjacent street or on-site client parking lot. Landscaping may be used to screen a chain link fence.
- 4.2.10 Fencing of any nature shall not extend beyond the front façade of the principal building.
- 4.2.11 A landscaped buffer zone of at least 0.91 metres (3'-0") between the building and an on-site parking lot or sidewalks must be provided along the base of all buildings where public access is permitted.



- 4.2.12 Landscaping areas should not be used for the display of sale products, unless their display has been properly integrated into the landscaping design and approved by the approving municipality's Development Authority.

4.3 **Building Design**

Intent: To provide guidelines that enhance project developments and promote the use of materials that complement adjacent buildings to create a unified development. A variety of materials and colours are always encouraged.

- 4.3.1 The proportion, scale and mass of the building must incorporate design elements that break the overall scale of building and create a human scale around all entries to the building and elevations that are visible from an adjacent street or on-site client parking lot. This can be accomplished by varying materials, colours, elevation heights, or architectural accents.
- 4.3.2 Each building elevation facing an adjacent street or an on-site client parking lot shall be finished to the same level of architectural treatment.
- 4.3.2.1 A minimum of two major exterior cladding materials are required for any elevation of a principal or an accessory building facing an adjacent street or an on-site client parking lot, the proportions of which must be sensitively designed. Major exterior cladding materials must be perceived as occupying a significant proportion of any wall.



4.3.6 Whenever possible the design of the building should reflect the intended interior usage.

4.3.7 The base of all buildings on sides requiring architectural treatment pursuant to these *Guidelines* must be clearly defined and provide a visual anchor to the building.

4.3.7.1 Permitted ways to define the base include but are not limited to the following; block, stone, brick, a change in exterior material or a change in exterior colour or a change in the direction of exterior material. The painting of the exterior material is not permitted.



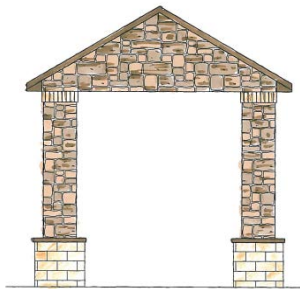
4.3.7.2 The ideal ratio for defining the base height is 4:1. For example, if the building height is 12'-0" the base should be 3'-0".

4.3.7.3 All base definition must return around the corners a minimum of 18" (450mm), except along any building elevation that is visible from an

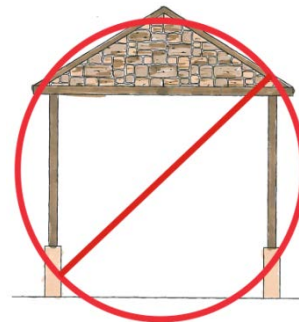


adjacent street or an on-site client parking lot, in which case the base definition shall follow along the entire length of the elevation.

- 4.3.8 Building rooflines must be clearly defined through a change in material, colour, or elevation change.
 - 4.3.8.1 Permitted ways to create this definition include creating a distinct wall colour band, a change in the direction of exterior siding, the addition of crenellations to break up a single level roof line, or variations in the building parapet elevation.
 - 4.3.8.2 The ideal ratio for defining the roofline is 8:1. For example, if the building height is 12'-0" the roofline should be 1'-6".
 - 4.3.8.3 The painting of the exterior siding is not permitted to define the roofline.
 - 4.3.8.4 Mono slope roof trusses are not permitted.
- 4.3.9 All exterior columns must be properly proportioned and have a defined base, middle and capital.
 - 4.3.9.1 The height of a column is measured in terms of a ratio between the diameter of the shaft at its base compared to the height of the column.
 - 4.3.9.2 All round columns must be a minimum of eleven diameters; therefore, a round column must be equal to at least 1" (25mm) minimum in diameter for every 11" (280mm) in height. [Example; a round column that is 22' (6.705m) in height must be a minimum of 2' (610mm) in diameter].
 - 4.3.9.3 All square columns must be equal to at least 1" (25mm) minimum in width for every 12" (305mm) in height. [Example; a square column that is 22' (6.705m) in height must be a minimum of 22" (559mm) in width].
- 4.3.10 Floating brick, stone or hard materials are not permitted on any project. All accent materials must be continued to the ground.



Required grounding of brick, stone & hard material



Not permitted

- 4.3.11 Building signage and other on-site signage must comply with the approving municipality's Land Use Bylaw. Building signage (including business signs, usage signs and directional signs) must be integrated with the building façade.
 - 4.3.11.1 The use of surface mounted back lit signage boxes are discouraged.

4.3.11.2 Signage painted directly onto the building is not permitted, except as may be allowed in the approving municipality's Land Use Bylaw.

4.3.12 The use of true primary and secondary colours is not permitted as the main field colour or roofing colour and must only be used as accent colouring.

4.3.12.1 All colours are to be approved by the approving municipality's Development Authority. It is recommended to submit true colour samples for approval to the Development Authority.

5.0 Industrial Site and Building Design Guidelines

5.1 Site planning

Intent: To ensure that any development is located on a site in such a manner as to enhance the overall development and provide a unified connection to the surrounding buildings.

5.1.1 The main entry of the building must face the main access road and be prominently visible upon entering the site. The main entry is not permitted to be visually blocked by the storage or display of sale products.

5.1.2 Buildings must be sited in such a location to provide open space between the building and adjacent streets and/or on-site parking lots for the purpose of landscaping. This open space area is to be equal to or exceeding the minimum required setback for the development as prescribed in the approving municipality's Land Use Bylaw. This landscaped area is not to be used for the display of sale products or for waste disposal or other utility areas, unless these are screened pursuant to Section 5.1.4.

5.1.3 Provision for on-site parking and loading must meet the requirements of the approving municipality's Land Use Bylaw.

5.1.3.1 On-site parking lots and loading areas when visible from an adjacent street or when used by clients should be effectively landscaped or strategically screened to break up the view and mass of them.

5.1.4 All utility areas (e.g. outdoor storage, waste disposal, building equipment such as heating and cooling, etc.) visible from an adjacent street or an on-site client parking lot must be enclosed with screening or be otherwise designed or treated to the satisfaction of the approving municipality's Development Authority, to match the overall design of the development.

5.1.5 All on-site lighting, including those in on-site parking lots, must be down lighting; the use of fixtures projecting light upwards is not permitted.

5.2 Site Landscaping and Fencing

Intent: To ensure that any development provides landscaping compliant with the approving municipality's Land Use Bylaw in a manner that enhances the overall appearance of a project.

- 5.2.1 All landscaping must comply with the approving municipality's Land Use Bylaw.
 - 5.2.2 Landscaping must be used to contribute to the overall theme of a project, provide interest and ensure a pleasant inviting atmosphere is obtained.
 - 5.2.3 Landscaping must play a prominent role in the site design on all sides adjacent to a street or an on-site client parking lot.
 - 5.2.4 Where existing natural landscaping is present every effort must be made to preserve it and incorporate it into the overall landscaping plan.
 - 5.2.5 Dry landscaping (e.g. mulch and/or washed rock) instead of grass, and the use of native plant species that can withstand drought are encouraged.
 - 5.2.6 In order to address the issues related to potential wildland fires and their interface with development, any development proposal adjacent to a naturally vegetated area or agricultural lands shall incorporate the FireSmart guidelines advocated by Alberta Sustainable Resource Development to the satisfaction of the approving municipality's Development Authority.
(<http://www.srd.gov.ab.ca/wildfires/firesmart/>)
 - 5.2.7 Where landscaping is proposed within a utility right-of-way the agencies that have permission to provide services within the utility right-of-way must endorse the proposed landscaping plan prior to it being submitted to the approving municipality for review.
 - 5.2.8 Landscaping along any street frontage must be provided outside of the perimeter fence.
 - 5.2.9 Landscaping areas should not be used for the storage of equipment or materials or for the display of sale products, unless their storage and/or display has been properly integrated into the landscaping design and approved by the approving municipality's Development Authority.
- 5.3 Building Design**

Intent: To provide guidelines that enhance project developments and promote the use of materials that complement adjacent buildings to create a unified development. A variety of materials and colours are always encouraged.

- 5.3.1 The proportion, scale and mass of the building must incorporate design elements that break the overall scale of building and create a human scale around all entries to the building and elevations that are visible from an adjacent street or on-site client parking lot. This can be accomplished by varying materials, colours, elevation heights, or architectural accents.
(see picture below or on next page)



- 5.3.2 Each building elevation facing an adjacent street or an on-site client parking lot shall be finished to the same level of architectural treatment.
- 5.3.3 A variety of exterior materials and/or colours is encouraged to prevent the creation of monotonous streetscapes.
- 5.3.4 The main entry of the building must be prominent and clearly visible upon entering the site.
- 5.3.5 The base of all buildings on sides requiring architectural treatment pursuant to these *Guidelines* must be clearly defined and provide a visual anchor to the building.
 - 5.3.5.1 Permitted ways to define the base include but are not limited to the following; block, stone, brick, a change in exterior material or a change in exterior colour or a change in the direction of exterior material. The painting of the exterior material is not permitted.
 - 5.3.5.2 The ideal ratio for defining the base height is 4:1. For example, if the building height is 12'-0" the base should be 3'-0".
- 5.3.6 Building rooflines must be clearly defined through a change in material, colour, or elevation change.
 - 5.3.6.1 Permitted ways to create this definition include creating a distinct colour band, a change in the direction of exterior siding, the addition of crenellations to break up a single level roof line, or variations in the building parapet elevation.
 - 5.3.6.2 The ideal ratio for defining the roofline is 8:1. For example, if the building height is 12'-0" the roofline should be 1'-6".
 - 5.3.6.3 The painting of the exterior siding is not permitted to define the roofline.
 - 5.3.6.4 Mono slope roof trusses are discouraged.



- 5.3.7 Floating brick, stone or hard materials are not permitted on any project. All accent materials must be continued to the ground (see Section 4.3.10 for diagrams).
- 5.3.8 All exterior columns must be properly proportioned and have a defined base, middle and capital.
 - 5.3.8.1 The height of a column is measured in terms of a ratio between the diameter of the shaft at its base compared to the height of the column.
 - 5.3.8.2 All round columns must be a minimum of eleven diameters; therefore, a round column must be equal to at least 1" (25mm) minimum in diameter for every 11" (280mm) in height. [Example; a round column that is 22' (6.705m) in height must be a minimum of 2' (610mm) in diameter].
 - 5.3.8.3 All square columns must be equal to at least 1" (25mm) minimum in width for every 12" (305mm) in height. [Example; a square column that is 22' (6.705m) in height must be a minimum of 22" (559mm) in width].
- 5.3.9 Building signage and other on-site signage must comply with the approving municipality's Land Use Bylaw. Building signage (including business signs, usage signs and directional signs) must be integrated with the building façade.
- 5.3.10 The use of true primary and secondary colours is not permitted as the main field colour or roofing colour and must only be used as accent colouring.
 - 5.3.10.1 All colours are to be approved by the approving municipality's Development Authority. It is recommended to submit true colour samples for approval to the Development Authority.

***SCHEDULE 'C': ZONING MAP AND RECORD OF
DECISIONS PURSUANT TO SECTION 90.5***

The Zoning Map book and record of decisions pursuant to Section 90.5 are maintained by the Development Officer and kept separately from this document.