

**BYLAW 1371/16**  
**AMENDMENT TO THE LAND USE BYLAW 819/96**  
**STURGEON COUNTY, MORINVILLE, ALBERTA**

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BYLAW 1371/16 BEING A BYLAW OF STURGEON COUNTY, MORINVILLE, ALBERTA FOR THE PURPOSE OF AMENDING THE LAND USE BYLAW 819/96.

WHEREAS, the Municipal Government Act, R.S.A. 2000 C.M-26, and amendments thereto authorize Council to establish and amend the Land Use Bylaw 819/96.

AND WHEREAS, the Council of Sturgeon has deemed it desirable to amend the Land Use Bylaw 819/96.

NOW THEREFORE BE IT RESOLVED, that the Council of Sturgeon County, hereby enacts that Land Use Bylaw 819/96 is hereby amended as follows:

1. That Part 9.0 of Bylaw 819/96 be amended as follows:
  - a) That Part 9.0, Land Use District Map covering Lot 1, Block 1, Plan 0226804 be amended to redistrict from “Intermunicipal Fringe District - A” to “Specific – Development Control District - Fifteen” as shown on Schedule A.

2. That Part 8.0 of Bylaw 819/96 be amended as follows:
  - a) Add the following under 8.22 Specific Development Control District:

8.22 O S-DC-15 Specific Development Control District - Fifteen  
(Block 1, Lot 1, Plan 022 6804)

**.1 Purpose**

To establish a Specific Development Control District that enables expansion associated with existing rail-related industrial operations located adjacent to the Duagh station lands along the Canadian National Coronado Subdivision. Only industrial uses are to be allowed that maintain the role of the rail-related operations as a Non-Residential Type 3 development contemplated by the Integrated Regional Growth Strategy within the County’s Municipal Development Plan.

**.2 District Boundaries**

That portion of the southeast quarter of Section 5, Township 55, Range 23, West of the Fourth Meridian described as Lot 1, Block 1, Plan 022 6804.

**.3 Uses – Municipal Planning Commission**

Accessory Buildings and Uses  
Agricultural Industrial Use  
Gas Processing Plant  
General Industrial Use  
Industrial Storage (excluding Noxious Uses)  
Rail Equipment and Vehicle Rentals/Sales Agency  
Railway Track Extension  
Surveillance Suite  
Temporary Storage  
Warehousing

**.4 Development Regulations**

- (a) Parcel size shall be at the discretion of the Development Authority, based on the specific needs of the proposed use, but in no case shall it be less than 0.2 ha (0.5 ac).
- (b) Front Yard, Rear Yard, and Side Yard setbacks shall be a minimum of 6 m (20 ft).
- (c) Site coverage shall not exceed 50 percent for the combined area of all principal and accessory buildings.
- (d) All developments shall adhere to the applicable requirements of Part 6.0: General Regulations.
- (e) One surveillance suite may be permitted per industrial parcel.

#### **.5 Additional Regulations**

- (a) Development permits for proposed rural industrial development shall not be approved unless the Development Authority is satisfied that:
  - i. there is adequate legal and physical access to appropriate transportation facilities;
  - ii. there will be no significant negative impacts on the road systems and traffic generation;
  - iii. the site is suitable for on-site sewage disposal and water supply;
  - iv. there would be no substantial conflicts with existing *adjacent* land uses;
  - v. consideration for on-site hazards and other environmental issues has been taken; and
  - vi. any other factors, which the *Development Authority* may consider necessary, have been met.
- (b) No application to rezone the subject site to a conventional land use district can be supported unless *Council* has first adopted an area structure plan or unless it is accompanied with an associated application to adopt an area structure plan.
- (c) No application to subdivide the subject site to create one or more new lots can be supported unless *Council* has first adopted an area structure plan or unless it is accompanied with an associated application to adopt an area structure plan. Lot line adjustment subdivision applications are exempt from this regulation.
- (d) No operation or activity shall emit air and water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the *Environmental Protection and Enhancement Act*.
- (e) Prior to rendering a decision on a subdivision application or a development permit application for any use, the applicant shall submit an associated Roadside Development Permit from Alberta Transportation and, if requested by the County and/or Alberta Transportation, a current traffic impact assessment.

#### **.6 Definitions**

For the purpose of this District the following definitions shall apply:

**Accessory Building or Use** means a building, structure or use, normally incidental, subordinate and located on the same lot as the principal building or use, but does not include a building or structure used for human habitation.

**Agricultural Industrial Use** means an industry providing products or services directly related to the agricultural industry. Without restricting the generality of the foregoing, this shall include: grain elevators, feed mills, livestock processing operation (slaughterhouse), bulk fertilizer distribution plants, bulk fuel plants, farm implement dealerships, crop spraying, outlets for the goods produced or stored as part of the principal use on the same lot.

**Gas Processing Plant** means a plant for the extraction from gas of hydrogen sulfide, helium, natural gas liquids or other substances, but does not include a wellhead separator, treater or dehydrator.

**General Industrial Use** means an industrial activity which does not create an adverse environmental impact beyond its immediate site, does not produce significant toxic or noxious by-products, is compatible with other industrial and commercial uses in a concentrated setting and involves the storage, manufacturing, distribution, wholesaling, testing, repairing or salvaging of goods and materials. For the site subject to this Specific Development Control District only, General Industrial Use also includes transloading facilities used for the process of transferring product from one form of transport (e.g. truck) to another form of transport (e.g. rail).

**Industrial Storage (excluding Noxious Uses)** means warehousing or storage of non-noxious material and equipment. This would include but is not restricted to, outdoor storage and handling of pipe and drilling equipment, outdoor storage and handling of trucks, recreation vehicles and construction equipment, outdoor storage and handling of bulk building materials, and any servicing and repair operations reasonably incidental to the principal use.

**Rail Equipment and Vehicle Rentals/Sales Agency** means the retail sale or rental of new or used rail/transloading equipment or rail/transloading vehicles, together with incidental maintenance services, sales of parts and accessories.

**Rail-Related** means any activity, building or structure that is related to the operation or maintenance of a railway, railyard and associated infrastructure, or requires access to railway infrastructure for transport.

**Railway Track Extension** means development of a new, or an extension of an existing, single railway track siding or spur for the purpose of additional rail service and access. Development shall be in accordance with Alberta Transportation requirements and the Railway (Alberta) Act and Regulations.

**Surveillance Suite** means a single residential unit contained or detached from the principal building, occupied by the owner or the owner's employee, for the protection of the business with a maximum area of 33% of the total area of the principal building.

**Temporary Storage** means outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land.

**Warehousing** means the use of a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles thereof, or any waste material.

All other words, expressions and uses shall have the meanings assigned them in accordance with Section 10.0 Definitions of this Bylaw (819/96).

That this Bylaw shall come into force and take effect upon the date of third reading and signing in accordance with Section 213 of the Municipal Government Act, R.S.A. 2000 C.M-26, and amendments thereto.

Read a first time this 8th day of November 2016.

Read a second time this \_\_\_ day of \_\_\_\_\_ 2017.

Read a third time this \_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNTY COMMISSIONER

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.