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PART 1 ADMINISTRATION

1.1 TITLE

This Bylaw is the Sturgeon County Land Use Bylaw, and is referred to throughout as “this Bylaw”.

1.2 PURPOSE

- .1 The purpose of this Bylaw is to regulate and control the *use* and *development* of land and *buildings* within Sturgeon County. This Bylaw:
 - (a) divides Sturgeon County into districts;
 - (b) prescribes in each district the *uses* that are *permitted* and *discretionary*;
 - (c) describes purposes for which land and *buildings* may be *used* within each district;
 - (d) establishes the number of *dwelling* units permitted on a *parcel* of land;
 - (e) establishes the duties of the *Development Authority*;
 - (f) establishes a method of making decisions on applications for *development permits* including the issuance of *development permits*; and
 - (g) identifies the manner in which notice of the issuance of a *development permit* is to be given.
- .2 The Bylaw shall be applied in a manner that serves to implement *statutory plans* which have been adopted by the County, as well as the *Municipal Government Act*, the Subdivision and Development Regulation and provincial land *use* policies.

1.3 COMPLIANCE WITH OTHER LEGISLATION

Nothing contained within this Bylaw and no approval, permit or agreement issued hereunder relieves any person from the requirement to comply with the provisions of any other applicable federal, provincial or municipal law nor the provisions of any caveat, *easement* or other instrument affecting a *building* or land.

1.4 ENACTMENT

- .1 The provisions of this Bylaw come into effect upon receiving third reading by Council and the repeal of Land Use Bylaw 819/96, as amended (hereafter referred to as the “effective date”).
- .2 No provision of any other Bylaw with respect to districting, *development* control, *development* schemes and land *use* classifications shall hereafter apply to any parts of the County described in this Bylaw, except as specifically provided for in this Bylaw.
- .3 Subject only to the provisions in the *Municipal Government Act* regarding *non-conforming uses* and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the effective date onward. In particular, no application for a *development permit* shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the effective date of this Bylaw, even if the application was received before the effective date.

1.5 MEASUREMENTS AND INTERPRETATION

- .1 Measurements listed shall adhere and comply to the stated Metric measurements. Imperial measurements are included for reference only. If a discrepancy exists within this Bylaw between the two measurements, the Metric measurements shall be referenced and adhered to.
- .2 Any measurement greater than the exact prescribed regulation shall be considered in excess of the requirement and shall not be rounded down.

.3 Internal references in this Bylaw shall be interpreted in accordance with the following numbering convention:

1 Part

1.1 Section

1.1.1 Subsection

1.1.1(a) Paragraph

1.1.1(a)(i) Subparagraph

1.1.1(a)(i)(A) Clause

.4 Notwithstanding the definitions in Subsection 1.5.12 and Part 18, the *Municipal Government Act* as amended, takes precedence in the case of a dispute on the meaning of any words or clauses herein.

.5 The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the *Municipal Government Act* or this Bylaw.

.6 The word “should” advises compliance or adherence (discretionary).

.7 The word “may” means recommended for best practice.

.8 Words, phrases and terms not defined in this part may be given their definition in the *Municipal Government Act* or the *Safety Codes Act*. Other words shall be given their usual and customary meaning.

.9 The terms “municipality” or “County” in this Bylaw shall refer to the municipal corporation of Sturgeon County in the Province of Alberta, unless otherwise noted.

.10 The term “Council” in this Bylaw shall refer to the Council of the municipal corporation of Sturgeon County in the Province of Alberta, unless otherwise noted.

.11 In a case where more than one *overlay* applies to a *parcel*, the regulations in the most restrictive *overlay* shall take precedence.

.12 Terminology

The following terms are defined for the purposes of interpreting the provisions of this Bylaw. (Definitions for uses are located in Part 18 of this Bylaw):

Abut means immediately contiguous to or physically touching, and when used with respect to a *parcel* or *development* area, means that the *development* area or *parcel* physically touches upon another *development* area or *parcel*, and shares a *parcel* boundary with it.



Figure 1.1: Abut

Adjacent means contiguous or would be contiguous if not for a river, stream, railway, road or utility *right-of-way* or reserve land and any other land identified in this Bylaw as *adjacent* land for the purpose of notifications.

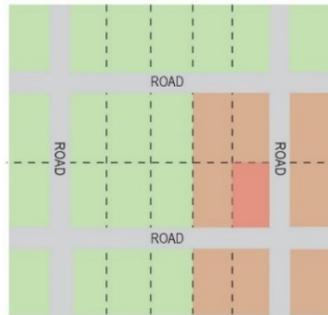


Figure 1.2: Adjacent

Agricultural use means the growing, raising, managing and/or sale of livestock, crops, food, horticulture and agri-food related value-added enterprises including education, motivated either by profit or lifestyle.

Aerodrome see *airport*.

Airport means any area of land, water (including the frozen surface thereof) or other supporting surface *used*, designed, prepared, equipped or set apart for *use* either in whole or in part for the commercial arrival, departure, movement or servicing of aircraft thereon or associated therewith.

Amenity area means a space which is provided for active or passive recreation and enjoyment of the occupants of a *development*. Such an area may be for either private or communal *use* and may be under individual or common ownership.

Balcony means a covered or uncovered *deck* attached to a *principal building*, more than 0.6m (2ft) above *grade* and does not have direct access to the ground.

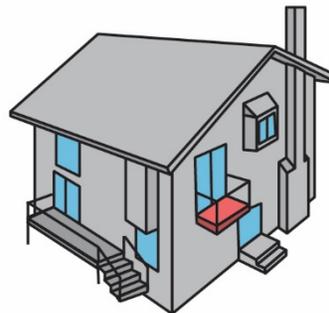


Figure 1.3: Balcony

Bare land unit means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act*, RSA 2000, c.S-26, respecting *subdivision*.

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

Buffer means an area that prevents or mitigates the impact of incompatible *uses* with one another, and may include but is not limited to a row of trees, shrubs, earth berm or *fencing*.

[Bylaw enforcement officer](#) means a person appointed by the County to enforce bylaws.

Campsite means a delineated area or site within a *campground* intended for occupancy by tents and *recreational vehicles* on a limited temporary basis.

Commencement means the alteration of a parcel to further construction of the proposed development.

Commercial trailer means a non-motorized vehicle towed by a motorized vehicle. It is commonly used for the transport of goods and materials related to the operation of a *home-based business*.

Common amenity area means an indoor or outdoor space designed for active or passive recreational uses provided for the use of all occupants of a *development*.

Concept plan means a scaled drawing providing a two-dimensional layout of what is planned to be constructed on a *parcel* and how it will be serviced. A *concept plan* is not a *planning document*.

Council Resolution means a formal decision made after voting by Council.

Crushing means the operation of an industrial crusher designed to process raw aggregate into finer materials.

Deck means an unenclosed platform or series of platforms with direct access to the ground.

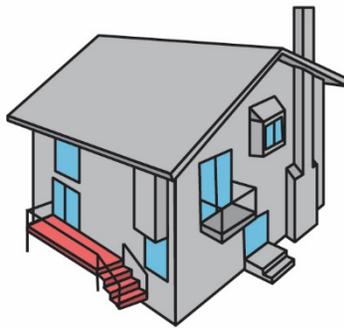


Figure 1.4: Deck

Deck, covered means a platform or series of platforms with a roof attached to and forming part of the same *building*, with direct access to the ground. A *covered deck* may be enclosed by glass or other *screening*.

Density means a form of measurement representing the ratio of *dwelling* units or *parcels* per net hectare.

Designated Officer means the ~~Chief Administrative Officer~~ County Commissioner of the County and those delegated by the ~~Chief Administrative Officer~~ County Commissioner, and incorporates the powers, duties and functions as established by the *Municipal Government Act* and the associated bylaws enacted by Council.

Developer means a person or agency required to obtain a permit or approval, or one that has possession of a valid permit or approval.

Development means:

- (a) An *excavation* or *stockpile* and the creation of either of them; or
- (b) A *building*, addition to a *building*, replacement or 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*.

Development Agreement means a contract between a municipality and a land *developer* establishing an agreement over the *development* of land. These agreements can include provisions for the servicing of lands, payment of off-site levies and security and are required as a condition of *development permit* or *subdivision* approval.

Development Authority means the Development Officer or the Municipal Planning Commission of the County, or both as the case may be, with the responsibility of receiving, considering and deciding on applications for *development* under this Bylaw.

Development permit means a document that is issued under this Bylaw and authorizes *development*. A *development permit* is separate and distinct from a *safety codes permit*.

Discretionary use means a *use* of land or *buildings* described in the district regulations of this Bylaw for which a *development permit* may be issued with or without conditions, and which conforms to this Bylaw.

Dwelling means a self-contained living quarter containing one *dwelling unit*;

Dwelling unit means a complete *building* or self-contained portion of a *building*, containing kitchen, living, sleeping and sanitary facilities intended as a permanent residence and having an independent entrance either from the outside of the *building* or through a common area inside the *building*.

Easement means a registered right to *use* land, generally for access to another *parcel* or as a *right-of-way* for a *public utility* minor or major.

Elevation means a drawing made in *projection* on a vertical plane to show a *building* façade or, is a geographic location referencing its height above or below a fixed reference point.

Encroachment means any *development* or *landscaping* improvement which crosses over a *parcel* line, *easement* or a *setback*.

Environmentally significant lands means, as defined in the Municipal Development Plan, all lands in the County that are:

- (a) a swamp;
- (b) a gully, ravine or coulee;
- (c) an escarpment;
- (d) a natural drainage course;
- (e) riparian lands *adjacent* to the beds and shores of rivers, streams, creeks, watercourses and natural drainage courses;
- (f) wetlands;
- (g) lands subject to flooding, including flood risk areas, floodways and flood fringes;
- (h) *hazardous lands*;
- (i) *natural areas* including forest, woodlands, meadows and prairies; or
- (j) contaminated lands.

Excavation means any breaking of ground, except common household gardening.

Extraction means the *stripping* and *stockpiling* of soil, overburden and aggregate materials and the transport of said materials.

Farmstead means the developed portion of an agricultural *parcel* which is generally comprised of a *dwelling* and various improvements related to the raising or production of crops or livestock. A *farmstead* may include *accessory buildings*, ~~accessory agricultural buildings~~ ~~agricultural accessory buildings~~ and *shelterbelts*.

Fence means a vertical physical barrier constructed for the purposes of marking a boundary, limiting visual intrusion, preventing unauthorized access or sound abatement.

Floor area means the sum of the areas of all floors of a *building* measured to the outside surface of exterior walls and the centre line of fire walls but not including the *floor areas* of basements, attached garages, sheds, open porches or breezeways.

Foundation means the lower portion of a *building*, usually concrete or masonry, including the footings which transfer the weight of the *building* to the ground.

Frontage means the length of a *parcel adjacent* to a *road* boundary measured along the front *parcel* line, or upon a specified *parcel* line determined by the *Development Authority* where a *parcel* does not *abut* a *road*.

Full municipal servicing means the provision of both a municipal waterline and a municipal sanitary line to a *parcel* or *development*. This does not include the provision of such services by private or co-op means, nor does it include the provision of only one of these municipal services.

Garage suite means a *secondary suite* located above a detached garage (above *grade*); or a single-storey *secondary suite* attached to the side or rear of a detached garage (at *grade*). A *garage suite* is *accessory* to a *building* in which the *principal use* is *single detached dwelling*. A *garage suite* has cooking facilities and sleeping and sanitary facilities which are separate from those of the principal *dwelling* located on the *parcel*. A *garage suite* has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.

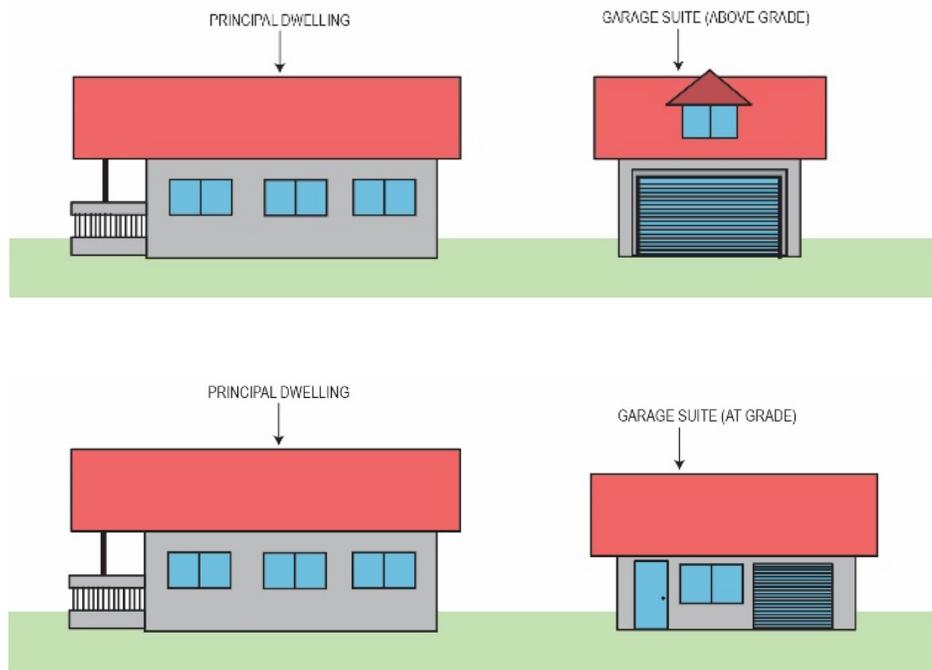


Figure 1.5: Garage Suite

Garden suite means a single-storey *secondary suite developed at grade* which is located in a *building* separate from the *principal use* which is a *single detached dwelling*. A *garden suite* has cooking, sleeping and sanitary facilities which are separate from those of the principal *dwelling* located on the *parcel*.

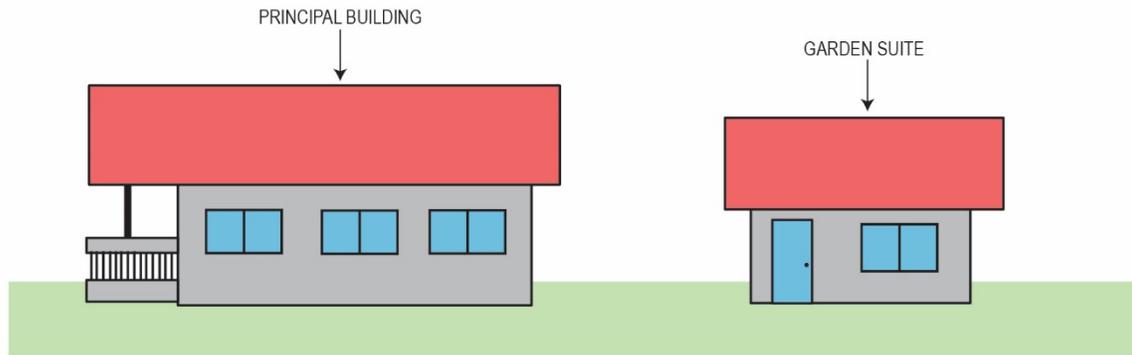


Figure 1.6: Garden Suite

Golf course means an outdoor facility designated primarily for the game of golf. *Accessory uses* may include office, *retail sales*, golf driving range or practice facility or both, food and beverage service and other commercial uses typically associated with a clubhouse facility.

Grade means the final ground *elevations* for controlling the flow of surface water on a lot upon completion of topsoil, *landscaping* and/or vegetation.

Grading plan means a plan or drawing prepared by a practicing professional engineer showing contours and *grade elevations* for the existing topography, and providing the proposed ground surface *elevations* at a given site on a *parcel* to demonstrate positive major drainage away from any *buildings*, structure or *adjacent parcels*.

Hard surface means a durable surface which may be constructed of concrete, asphalt, compacted gravel, or other durable rigid materials suitable for all-weather pedestrian or vehicular traffic.

Hauling means the transport of materials *off-site* through the local or provincial *road* network.

Hazardous lands mean lands that are, or may be, inappropriate for *subdivision* or *development* due to inherent or natural environmental hazards, such as susceptibility to flooding, erosion, poor drainage, organic soils, steep slopes or any physical condition or limitation that, if developed, may lead to the deterioration or degradation of the environment, cause property damage or loss of life. Additional hazards may include but are not limited to surface and subsurface features, such as active and abandoned gas/oil well, mines, unstable slopes, areas exhibiting subsidence and other natural or man-made features.

Height see Section 5.11

Highway means land that is authorized by a *highway* authority to be *used* or surveyed for *use* as a public *highway* and includes a bridge forming part of a public *highway* and any structure incidental to the public *highway*.

Infill subdivision means the further *subdivision* of an existing subdivided *parcel* within a location where the *subdivision* pattern is already established, for the purposes of increasing *density* or *development* activity.

Land fragmentation means when a natural or man-made boundary, such as a stream or river, transportation network or registered drainage course, physically divides the landscape. Lands identified as riparian zones or intermittent (unregistered) natural or man-made drainage ways do not constitute grounds for fragmentation.

Landowner means:

- (a) In the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada, the Minister of the Crown having the administration of the land.
- (b) In the case of any other land:

- (i) the purchaser of the fee simple estate in the land under an agreement for sale that is subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or
- (ii) in the absence of a person described in (i) above, the person registered under the *Land Titles Act*, RSA 2000, c.L-4 as the owner of the fee simple estate in the land.

Landscaping means the added features to a site or *development* through the use of:

- (a) natural elements consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover, and
- (b) hard elements consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.

Lane means a *road* that is primarily intended to give access to the rear of *buildings* and *parcels*.

Loading space means an *on-site parking stall* reserved for temporary parking for the purpose of loading or unloading goods and materials.

Lot see *parcel*

Manager means the manager of the County department appointed by the [GAO-County Commissioner](#) that is responsible for administering this Bylaw, or their delegate(s).

Municipal Government Act means the *Municipal Government Act*, RSA 2000, c.M-26, as amended and its associated regulations.

Municipal improvements mean all improvements within publicly owned lands and *rights-of-way*. This includes, but is not limited to *roads*, sidewalks, water, sanitary, stormwater connections and lateral lines, ditches, utilities, municipal reserves and traffic signage.

Municipal violation tag means a County-issued notice or ticket that alleges a Bylaw offence and provides a person with the opportunity to pay an amount to the County in lieu of prosecution for the offence.

Natural area means a geographic area having a physical or cultural individuality developed through natural growth, rather than design or planning and is destined for conservation, preservation or restoration of natural features, biodiversity, ecological processes, and/or for cultural significance.

Net residential hectare means the land required for residential purposes within a residential neighbourhood. This excludes Environmental and Municipal Reserve, *roads* (including *local*, *collector* and *arterial*), *public utilities*, stormwater management facilities, and commercial, industrial, and institutional lands.

Non-conforming building means, as defined in the *Municipal Government Act*, a *building* that:

- (a) is lawfully constructed or lawfully under construction on the date that this Bylaw or any amendment thereof affecting the *building* or land on which the *building* is situated becomes effective; and
- (b) on the date this Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with this Bylaw.

Non-conforming use means, as defined in the *Municipal Government Act*, a lawful specific use:

- (a) being made of land or a *building* or intended to be made of a *building* lawfully under construction, at the date this Bylaw or any amendment thereof affecting the land or *building* becomes effective; and
- (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or in the case of a *building* under construction will not, comply with this Bylaw.

Off-site means a location other than the *parcel* which is the subject of a *development*.

On-site means a location on the *parcel* which is the subject of a *development*.

Overlay means a regulatory tool within the Land Use Bylaw applied to a geographic area to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Districts, in order to achieve the local planning objectives in specially designated areas as determined by the Municipal Development Plan, other statutory plan or study adopted by Council.

Parcel means a *lot* as shown on an official plan as defined in the *Surveys Act* that is filed in the Land Titles Office.

Parcel area means the total land area of a *parcel*.

Parcel, corner means a *parcel* at the intersection of two or more *roads* other than *alleys* or *lanes*.

Parcel coverage means the total percentage of the *parcel area* covered by all *buildings* or structures which are located higher than 0.6m (2ft) above *grade*.

[*Parcel depth* means the distance between the front and rear *parcel lines* as measured perpendicularly or radially from the mid-point of the front *parcel line*.](#)

Parcel line or boundary means a boundary delineating the edge of the *parcel*.

Parcel width, in the case of a rectangular parcel means the distance measured between the two side lot lines where it *abuts* the *road*. In the case of an irregularly shaped *lot* such as a pie-shaped *parcel*, the width shall be the horizontal distance between the side *parcel lines* at 9m (29.5ft) from the front *parcel line*. For reverse pie-shaped *parcels*, the *parcel width* is the horizontal distance between the side *parcel lines* measured 22m (72.2ft) from the front *parcel line*. For other *parcels* where the *parcel width* cannot be reasonably calculated by these methods, a Development Officer shall determine the mean parcel width having regard to access, shape and buildable area of the *parcel*, and the mean parcel width and location of *buildings* on *abutting parcels*.

Parking stall means a space delineated and set aside for the parking of one vehicle.

[*Peace Officer* means a person as defined in the *Peace Officer Act, S.A. 2006, c. P-35*.](#)

Permitted use means a *use* of land or *building* or structures described in the district regulations of this Bylaw which conform to all applicable regulations of this Bylaw, for which a *development permit* shall be issued by the *Development Authority* with or without conditions.

Planning document means a tool used to provide long-range or current land *use* planning direction, in accordance with the Municipal Development Plan. It can refer to either a *regional* or *local planning document*.

Planning document, local means, as established by the Municipal Development Plan, a planning tool that provides detailed information on a site-specific *parcel* regarding the current land *use*, *subdivision* or *development*. The document builds upon and supports the *regional planning document* and provides additional details regarding the implementation of the plan.

Planning document, regional means, in accordance with the Municipal Development Plan, a planning tool that provides general information about land *use* planning and investment for a large spatial area in the County (or Neighbourhood). Examples include, but are not limited to Intermunicipal Development Plans, Area Structure Plans and Area Redevelopment Plans.

Principal building means a *building* which constitutes the primary purpose for which the *parcel* is *used* and is the main *building* among one or more *buildings* on the site. The *principal building* shall be determined by the *Development Authority*.

Principal use means the primary purpose for which a *building*, *development area* or *parcel* is *used* in the opinion of the *Development Authority*. There shall be no more than one *principal use* on a *parcel*, except where indicated by this Bylaw.

Private property means a property that is not defined as *public property*.

Projection means that portion of a *building* which extends horizontally beyond the *foundation* of a *building*, but is not constructed on the *foundations*, and may include, but is not limited to eaves, balconies, canopies, awnings, and uncovered *decks*. An *accessory building* is not considered a *projection*.

Provincial violation ticket means a "violation ticket" as defined in the *Provincial Offences Procedures Act*, RSA 2000, c.P-34.

Public property means, except for *highways*, any property owned, held or controlled by the County or other public authority.

Quarter section means a parcel of land equaling 64.7 ha (160 ac) more or less.

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.

Reclamation means the restoration of a *parcel* or *development* area in a manner that will accommodate future land use and *development*.

Recreational vehicle means a wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical examples are travel trailers, motor homes, truck campers and tent trailers. A *recreational vehicle* is not a *dwelling*.

Retaining wall means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock or similar materials, but does not include a *foundation* wall.

Right-of-way means an area of land required to accommodate a utility alignment or public *road* and includes:

- (a) a statutory *road* allowance;
- (b) a utility corridor or public *road* created by dedication;
- (c) a utility corridor or public *road* created by a *subdivision* plan or survey plan; or
- (d) a public *road* created by *easement* or other similar agreement allowing public traffic.

Road means a *road right-of-way* designed and constructed for public vehicular traffic. This does not include an alley or *lane*.

Road, arterial means a public *road* designed to accommodate medium to high traffic volumes for local and regional trips.

Road, collector means a public *road* that is designed to accommodate medium traffic volumes which connects *local* and *arterial roads* and also provides direct property access.

Road, local means a public *road* that is designed to accommodate low traffic volumes which provides direct access to rural and urban *development* such as country residential and estate areas, hamlets and industrial areas.

Road surface means that portion within the *road right-of-way* referred to as the carriage way which is intended for motor vehicle passage.

Road use agreement means an agreement between the County and a *developer* that determines the restrictions and procedures for *road use* by individuals or companies with extensive or continuous haul projects.

Safety code permit means a building, gas, plumbing, private sewage or electrical permit issued in accordance with the *Safety Codes Act*, R.S.A. 2000, c. S-1.

Screening means a *fence*, berm or natural *landscaping* or combination of these used to visually and physically separate areas.

Self-supported means supported by one or more columns, uprights, or braces in or upon the ground that are not attached to, and do not form part of a *building*.

Setback means the perpendicular distance that a *development* shall be set back from the front, side and rear *parcel* boundaries or *rights-of-way* as specified in the particular district in which the *development* is located. The minimum horizontal distance is measured perpendicularly from the nearest point of *development* or specified portion thereof, to the *parcel* boundary, excluding corner cuts.

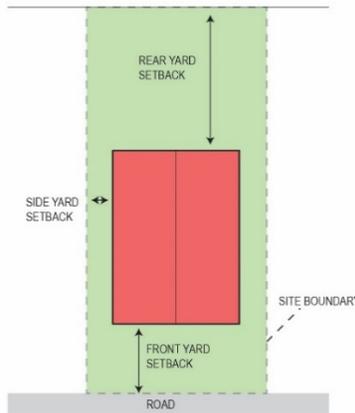


Figure 1.7: Setback

Site grading means any work, operation or activity resulting in a disturbance of the earth. This includes but is not limited to the removal of topsoil or borrow, the *stockpiling*, excavating, trenching, backfilling, filling, land leveling, recontouring and grading other than for the purpose of an approved *development*. This does not include tree clearing, *dugouts* or the installation or removal of any *landscaping*.

Shelterbelt means an established row(s) of mature trees which are intentionally planted and/or arranged by nature in a manner that has historically protected a property or *development* from the wind.

Solar collector means a device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy for personal use. A *solar collector* is not a *renewable energy facility*.

Statutory plan means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted pursuant to the *Municipal Government Act*.

Stockpiling means a pile of topsoil, subsoil or overburden that is temporarily stored on a *parcel*.

Storey means that portion of a *building* which is situated between the top of any floor and the top of the floor above it, or the ceiling if there is no floor above. If the top of the floor directly above a basement is more than 1.8m (5.9ft) above *grade*, the basement shall be considered a *storey*.

Storey, half means the living space contained under a peaked roof.

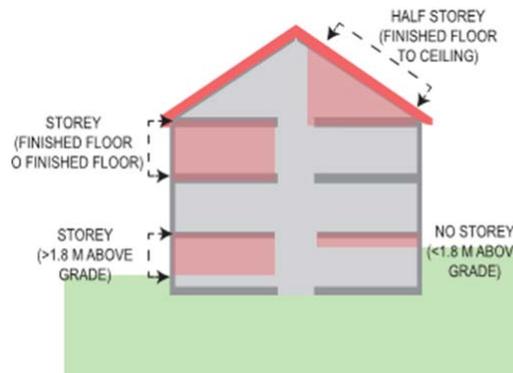


Figure 1.8: Storey and Storey, Half

Stripping means any activity that removes or significantly disturbs vegetated or otherwise stabilized soil surfaces, including clearing and grubbing operations.

Structural alteration means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams and girders.

Subdivision means the division of a *parcel* of land by an instrument, as per the *Municipal Government Act*.

Subdivision and Development Appeal Board means a group of members appointed by Council pursuant to the *Subdivision and Development Appeal Board Act*.

Substantial completion means a stage of a construction or *building* project including the completion of exterior features (i.e. siding, roofing, windows, steps and landings, and *decks/railings*).

Use means the purpose or function of land or *building* as determined by the *Development Authority*.

Vehicle, commercial means a unit which includes a multi-axle vehicle or trailer, used in relation to a *home-based business*. *Commercial vehicles* are those considered to require a Class 1, 2, 3 or 4 driver's license.

Vehicle, passenger means a vehicle which is considered to require a Class 5 driver's license.

Washing or Wash plant means a structure incidental to *secondary processing* which is *used* to clean and remove sediments from aggregate materials.

Work camp means a residential complex used to house camp workers by various contracting firms on a temporary basis. Without restricting the generality of the foregoing, 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 *parcel* from time to time.

Yard means the required open space unoccupied by any *building*, unless otherwise permitted in this Bylaw. (Figure 5.1)

Yard, front flanking means that portion of a *parcel* on a corner *parcel* abutting the *front flanking parcel* line extending from the *front yard* to the *rear yard*. The *front flanking yard* is situated between the *front flanking parcel* line and the nearest wall of the *principal building*. (Figure 5.1)

Yard, front means a *yard* extending across the full width of a *parcel* from the *front parcel line* to the front wall of the main *building* situated on the *parcel*. (Figure 5.1)

Yard, rear means a *yard* extending across the full width of a *parcel* from the *rear parcel line* to the rear wall of the main *building* situated on the *parcel*. (Figure 5.1)

Yard, side means a *yard* extending across the full length of the *parcel* from the *side parcel line* to the sidewall of the main *building* situated on the *parcel*. (Figure 5.1)

1.6 NON-CONFORMING USES AND BUILDINGS

- .1 The *Municipal Government Act* shall apply in the case of *non-conforming uses* and *buildings*.
- .2 If a *development permit* has been issued on or before the day on which this Bylaw or an amendment of this Bylaw comes into force in the County and this Bylaw would make the *development* in respect of which the *development permit* was issued a *non-conforming use* or *non-conforming building*, the *development permit* continues in effect in spite of the coming into force of this Bylaw.
- .3 A *non-conforming use* of land or a *building* may be continued but if that *use* is discontinued for a period of six consecutive months or more, any future *use* of the land or *building* shall conform with this Bylaw.
- .4 A *non-conforming use* of part of a *building* may be extended throughout the *building* but the *building*, whether or not it is a *non-conforming building*, may not be enlarged or added to and no *structural alterations* shall be made to it or in it.

- .5 A *non-conforming use* of part of a *parcel* may not be extended or transferred in whole or in part to any other part of the *parcel* and no additional *buildings* may be constructed on the *parcel* while the *non-conforming use* continues.
- .6 A *non-conforming building* may continue to be *used*, but the *building* may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming *building*;
 - (b) as the *Development Authority* considers necessary for the routine maintenance of the *building*; or
 - (c) in accordance with the variance powers of the *Development Authority* provided for in Section 2.8 of this Bylaw.
- .7 If a *non-conforming building* is damaged or destroyed by more than 75 percent of the value of the *building* above its *foundation*, the *building* may not be repaired or rebuilt except in accordance with this Bylaw.
- .8 The *land use* or the *use* of a *building* is not affected by a change of ownership or tenancy of the land or *building* unless otherwise stated in this Bylaw or as a condition of a *development permit*.
- .9 If a *building* becomes non-conforming solely due to a change in a *parcel boundary* as required by the County for the purpose of *road widening* and the *building* no longer meets the required *setback*, the *building* will be considered to be compliant with this Bylaw.
- .10 A temporary *dwelling* that was approved under Land Use Bylaw 819/96 may be allowed to remain pursuant to this Bylaw, forgoing the renewal of a *development permit* that was valid on the date of the passing of this Bylaw and shall be considered a *non-conforming building*. Should a temporary *dwelling* comply with the regulations of a *secondary dwelling* under Section 6.23 and the definition of a *single detached dwelling*, a *development permit* application to change the *use* may be applied for.

1.7 DEVELOPMENT AUTHORITY

- .1 The *Development Authority* is the Authority created by the establishment of a *Development Authority* Bylaw.
- .2 A Development Officer, acting as the *Development Authority*:
 - (a) shall receive and review *development permit* applications to determine if they are complete;
 - (b) may refer for comments, a *development permit* application to any municipal, federal, or provincial department or any other agency, body or individual deemed appropriate;
 - (c) may consider and make a decision on any application for a *permitted* or *discretionary use*;
 - (d) may, at its discretion, refer to the Municipal Planning Commission for a decision on any application for a *permitted* or *discretionary use* or variance, in which case the Municipal Planning Commission shall consider and decide upon the application;
 - (e) shall keep and maintain, for inspection by the public, during normal office hours, a copy of this Bylaw, as amended; a register of all *development permit* applications and the decisions; and shall ensure that copies of this Bylaw and amendments are available to the public at the fee prescribed by Council;
 - (f) shall perform other such duties as described elsewhere in this Bylaw;
 - (g) shall perform such duties as are established under this Bylaw to enforce this Bylaw in conformance with the *Municipal Government Act*, the Subdivision and Development Regulations and the provincial *land use* policies; and

- (h) with respect to DC districts, consider and make a decision on an application where Council has delegated the decision-making authority with direction that it considers appropriate.
- .3 The Municipal Planning Commission, as *Development Authority* shall:
 - (a) decide upon all *development permit* applications referred to it by a Development Officer;
 - (b) with respect to DC districts, consider and decide on an application where Council has delegated the decision-making authority with direction that it considers appropriate, and
 - (c) perform other such duties as described in this Bylaw or as may be assigned to it by Council.
- .4 *Subdivision and Development Appeal Board*

The *Subdivision and Development Appeal Board* shall perform such duties as are specified in the Subdivision and Development Appeal Board Bylaw as amended or repealed and replaced from time to time, and Part 2 of this Bylaw.

1.8 DIRECT CONTROL DISTRICTS

.1 General Purpose

These districts are intended to enable Council to exercise control over the use and development of parcels or buildings. These districts provide for developments that, due to their unique characteristics, innovative design or unusual site constraints, require specific regulation unavailable in other districts.

.2 General Application

(a) There are two means of application for DC districts:

- (i) with regulations – The owner of a site may apply to amend this Bylaw to add a new DC district that would apply to an area or parcel. As part of the Bylaw amendment, a district would be created which would detail uses, requirements and provisions that would apply to the subdivision and/or development of the parcel or area; or
- (ii) without regulations – The owner of a site may apply to redistrict a site to DC, without the creation of parcel or area specific uses, requirements, or regulations. In this case, an application for a development permit will be considered based upon the merits of the respective proposal that is brought forward by the owner of the site, and would rely on the guidance and policies of any applicable planning document.

(b) DC districts shall only be applied where the following conditions are met:

- (i) the development is, in the opinion of Council, considered appropriate for the site, having regard to the policies and objectives of any plan, statutory or otherwise, this Bylaw and compatibility with the scale and character of surrounding development;
- (ii) the use of any other district to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding development, should the full development potential of such a district be utilized; and
- (iii) the development is of a unique form or nature not contemplated or reasonably regulated by another district.

.3 Statutory Plans

A decision on any development permit application under a DC district shall have regard for any statutory plan affecting the lands the DC district applies to.

.4 Appeals

- (a) ~~On a decision for *development permit* applications made by ~~where~~ Council, ~~is the Development Authority~~ there is no appeal. ~~to the Subdivision and Development Appeal Board or~~~~
 - (b) ~~Where the decision of a *development permit* application is under the authority of the ~~Municipal Planning Commission~~ *Development Authority*, the ability to appeal is available subject to Section 641(4)(b) of the *Municipal Government Act*.~~
- .5 Decisions can be rendered on *development permit* applications for *signs* by the *manager* in accordance with Part 7 of this Bylaw.

PART 2 DEVELOPMENT APPLICATION PROCESS

2.1 CONTROL OF DEVELOPMENT

- .1 Except as otherwise provided in this Bylaw or in the *Municipal Government Act*:
- (a) no *development* shall be undertaken within the County unless a *development permit* has been issued; and
 - (b) no person shall carry out or continue a *development* except in accordance with the terms and conditions of a *development permit*.

2.2 PERMIT FEES

A schedule of the current permit fees shall be established by *Council resolution* and will be applicable to applications contemplated under this Bylaw.

2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- .1 The following *developments* do not require a *development permit* provided that the proposed *development* is in conformance with the applicable regulations of this Bylaw and shall be carried out or performed in accordance with all other applicable legislation, regulations and bylaws:
- (a) the maintenance or repair of a *building* if the work, including interior alterations;
 - (b) the completion of a *development* which was under construction in accordance with a lawful *development permit* issued before the effective date of this Bylaw, provided that the *development* is completed within a period of twelve months from the date this Bylaw comes into effect, unless an extension to this period has been granted by the *Development Authority*;
 - (c) *municipal improvements* that have been approved as part of a *Development Agreement*, such as, but not limited to: reservoir, lift station, pump house, entrance feature or gate, sound attenuation wall;
 - (d) trail improvements and *accessory uses* (included but not limited to benches, bike-racks, garbage bins or lighting);
 - (e) a private play structure;
 - (f) a *temporary building* or structure on a *parcel* where:
 - (i) the *temporary building* or structure is on the same *parcel* as the *principal building* under construction;
 - (ii) the *temporary building* or structure is not located on any *road* or utility *right-of-way*;
 - (iii) the *temporary building* or structure conforms to the *setbacks* of the applicable district; and
 - (iv) the *temporary building* or structure is removed within 30 days of *substantial completion* of the approved *development* and at the discretion of the *Development Authority*.
 - (g) the placement of *shipping containers* in accordance with Section 6.26 of this Bylaw;
 - (h) the erection of a *fence* or other enclosure which is no higher than 1.8m (5.9ft) in *height*;
 - (i) *extensive agriculture*;
 - (j) *extensive livestock*;
 - (k) *confined feeding operation*;

- (l) the erection of freestanding flagpoles, lightning rods and other poles not exceeding 4.5m (14.8ft) in *height* from *grade*;
 - (m) the *use* of a *building* or part thereof as a temporary voting station, a candidate's campaign office or any other official *temporary use* in connection with a federal, provincial, municipal or school board election or referendum;
 - (n) uncovered *decks* that project into the *rear* and/or *side yard*, and are less than 0.6m (2ft) above *grade*;
 - (o) *stripping, site grading, stockpiling* or *excavating* that is part of a *development* for which a *development permit* has been issued;
 - (p) in all districts, construction of an *accessory building* that is less than 10m² (107.6ft²) in *floor area*, if the *development* complies with the provisions of this Bylaw;
 - (q) *solar collectors* for micro generation mounted on a wall or roof of a *building*;
 - (r) those *uses* and *developments* exempted under the *Municipal Government Act* and regulations thereto;
 - (s) above and underground petroleum tanks as registered by the Petroleum Tank Management Association of Alberta;
 - (t) above-ground swimming pools and above-ground hot tubs subject to meeting the applicable *setbacks* of the district;
 - (u) a *telecommunication tower and antenna system*;
 - (v) a *sport court*, except for in the R1, R2, R3 and R4 districts in accordance with Section 6.30 of this Bylaw;
 - ~~(w) the storage of one recreational vehicle in accordance with Section 6.20 of this Bylaw in the R2, R3, R4 and REC districts;~~
 - ~~(x) the storage of up to three recreational vehicles in the AG – Residential and R1 districts; and~~
 - ~~(w) the storage of up to five recreational vehicles in the AG – Major and AG – Minor district;~~
 - ~~(x) utility, minor, and~~
 - (y) an accessory, agricultural building.-
- .2 The following *developments* do not require a *development permit* provided that the proposed *development* is in conformance with applicable regulations of this Bylaw, but may require a *safety code permit*;
- (a) The repair or replacement of a *building* that is destroyed by a natural disaster or fire providing:
 - (i) the original *building* was not a *non-conforming use*;
 - (ii) the original *building* was *permitted*;
 - (iii) the replacement *building* will be located in the same location as the original;
 - (iv) the replacement *building* will be of the same size and footprint as the original; and
 - (v) the replacement *building* will be *used* for the same purpose(s) as the original.

2.4 APPLICATION FOR DEVELOPMENT PERMIT

- .1 An application for a *development permit* shall be made to the *Development Authority* on the proper application form. All *development permit* applications shall adhere to the minimum requirements outlined within the latest version of Sturgeon County's General Municipal Servicing Standards and include the following:
- (a) a completed application form with the signature of the *landowner(s)* or an agent authorized by the *landowner(s)* to make application;
 - (b) a statement of the proposed *use* of all parts of the land and *buildings*;
 - (c) a copy of the Certificate of Title for the subject property, issued within 30 calendar days prior to the application date;
 - (d) a minimum of three copies of a site plan at a size and scale satisfactory to the *Development Authority*, showing all of the following as required:
 - (i) the legal land description;
 - (ii) *front, rear* and *side yard setbacks*;
 - (iii) north arrow;
 - (iv) the exact location of existing and proposed *buildings*,
 - (v) outlines of roof overhangs and dimensions;
 - (vi) provision for *on-site* loading and vehicle parking;
 - (vii) location of, and dimensions of access and egress points to the site;
 - (viii) hard surfacing, *landscaping* and identification of surface treatment for all areas;
 - (ix) existing and proposed *fencing*;
 - (x) existing and proposed *sign* locations;
 - (xi) all *right-of-ways* and *easements* within or *abutting* the subject property; and
 - (xii) location of lighting and lighting standards, hydrants and utility fixtures;
 - (e) a minimum of three copies of the *foundation* plans, floor plans and *elevations*;
 - (f) the estimated project value of the proposed *development*, excluding land;
 - (g) identification of existing and abandoned well and battery sites;
 - (g)(h) - and a Roadside Development Permit from Alberta Transportation when required;
 - (h)(i) such fee and deposit as is prescribed by *Council Resolution* from time to time, and
 - (i)(j) the estimated commencement and completion dates;
- .2 In addition to the above, the *Development Authority* may require an application for a *development permit* to include on the site plan the following:
- (a) all *adjacent roads* and *highways*;
 - (b) any existing and proposed municipal services;
 - (c) existing and proposed site *grades* and drainage patterns;

- (d) the location and boundaries of the bed and shore of any permanent stream or waterbody that is contained on or bounds the property as defined by an Alberta Land Surveyor;
 - (e) *landscaping* information, including the vegetation that is to be retained and removed being clearly identified and detailed planting plan with general type, size, number, spacing and *height* of plantings; and
 - (f) related proposed *development* such as sidewalks, patios, playgrounds and other similar features.
- .3 Other information may be required by the *Development Authority* to determine how a proposed *development* may impact land *uses* in the vicinity. Additional information shall be prepared by a practicing professional and may include, but is not limited to:
- (a) agricultural impact assessment;
 - (b) biophysical assessment;
 - (c) business plan;
 - (d) emergency response plan;
 - (e) environmental impact assessment;
 - (f) environmental site assessment;
 - (g) erosion ~~or~~ and sediment control plan;
 - (h) farm verification;
 - (i) fiscal impact assessment;
 - (j) flood hazard mapping study;
 - (k) geotechnical report;
 - (l) groundwater report;
 - (m) historical resources impact assessment;
 - (n) landscape plan;
 - (o) noise attenuation study;
 - (p) parking assessment;
 - (q) real property report;
 - (r) reclamation plan;
 - (s) risk assessment report;
 - (t) site grading or drainage plan;
 - (u) site servicing plan;
 - (v) slope stability report;
 - (w) traffic impact assessment;
 - (x) tree preservation plan;
 - (y) topographical survey;
 - (z) wetland conservation plan; and

- (aa) any other report, study, plan or information.

2.5 COMPLETE APPLICATIONS

The *Development Authority* shall review each application for a *development permit* to ascertain whether it is complete in accordance with the information requirements of this Bylaw.

2.6 INCOMPLETE APPLICATIONS

- .1 An application for a *development permit* shall not be considered complete and received by the County until such time as the requirements of Section 2.4 have been met to the satisfaction of the *Development Authority*.
- .2 If an application for a *development permit* does not contain all the necessary information or does not contain sufficient details to complete an evaluation of the application and to make a proper decision, the *Development Authority* shall deem the application to be incomplete and
 - (a) may return the application form and all submissions to the applicant; and
 - (b) the application shall be deemed not to have been submitted until all required information and details have been submitted to the *Development Authority*.
- .3 An application for a *development permit* shall not be deemed to be complete until all applicable fees have been paid in full to the County.

2.7 REFERRALS

- .1 *Development permit* applications for *discretionary uses* which are located within 1.6km (1mi) of an *adjacent* municipality shall be referred to the said municipality for comments.
- .2 *Development permit* applications for *discretionary uses* which are located within 800m (0.5mi) of Canadian Forces Base (CFB) Edmonton shall be referred to CFB Edmonton for comments.
- .3 All *development permit* applications which are located within 1.6km (1mi) of the boundary of a *parcel* districted AP, shall be referred to the relevant provincial or federal authority managing the license for the airport (e.g. Edmonton Airports, Transport Canada) for comments.
- .4 The *Development Authority* shall provide notification of a *development permit* application for heavy industrial use to affected *landowners* within a minimum of 1.6km (1mi) of the subject *parcel* to allow opportunities for public consultation prior to the *Development Authority* rendering its decision.

2.8 DECISION PROCESS

- .1 A complete application for a *development permit* will be considered by the *Development Authority* who:
 - (a) shall approve with or without conditions an application for a *permitted use* where the proposed *development* conforms to this Bylaw;
 - (b) may approve with or without conditions an application for a *discretionary use*, where the proposed *development* conforms to this Bylaw;
 - (c) may refuse an application for a *discretionary use*, where the proposed *development* does not conform to this Bylaw; or
 - (d) shall not accept an application for a *use* which is not a listed *permitted use* or *discretionary use* in the applicable district.

- .2 Notwithstanding Paragraph 2.8.1(c), the *Development Authority* may consider an application for a *development* that does not conform with this Bylaw, if in its opinion:
 - (a) the proposed *development* conforms with the *use* prescribed for the land or *building* in this Bylaw; and
 - (b) 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 properties.
- .3 Unless otherwise prescribed elsewhere in this Bylaw, all development permit applications for a variance shall be referred to the Municipal Planning Commission for a decision.
- .4 In exercising their discretion under Subsection 2.8.2, the *Development Authority* shall consider the general purpose and intent of the appropriate district and the following requirements:
 - (i) except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing *dwelling unit density* or *parcel coverage*;
 - (ii) a variance from the provisions in this Bylaw shall not be granted when the variance will knowingly cause a *building* or *use* to not comply with federal, provincial, or other municipal regulations, including the *Safety Codes Act*; and
 - (iii) variance requests to *height*, *setbacks*, and other regulations that may affect the conformance of a structure with municipal, provincial, or federal regulations shall be circulated to affected departments for review and comment prior to a decision on the application for the *development permit*.
- .5 A variance request shall include justification as to why the regulation cannot be adhered to.
- .6 The *Development Authority* may issue a variance in accordance with Table 2.1:

Table 2.1: Variances

District	Percentage of variance that may be granted by a Development Officer	Percentage of variance that may be granted by the Municipal Planning Commission
AG – Agriculture	0.1 – 29.9%	30.0 – 50%
R1 – Country Residential	0.1 – 19.9%	20.0 – 40%
R2 – Country Estate Residential	0.1 – 19.9%	20.0 – 40%
R3 – Hamlet Unserviced	0.1 – 19.9%	20.0 – 40%
R4 – Hamlet Serviced	0.1 – 19.9%	20.0 – 40%
R5 – Multi-Family	0.1 – 9.9%	10.0 – 25%
HR – Hamlet Reserve	0.1 – 9.9%	10.0 – 25%
C1 – Highway Commercial	0.1 – 9.9%	10.0 – 25%
C2 – Local Hamlet Commercial	0.1 – 9.9%	10.0 – 25%
C3 – Neighbourhood Commercial	0.1 – 9.9%	10.0 – 25%
I1 – Rural Industry Support	0.1 – 29.9%	30.0 – 50%
I2 – Local Industrial	0.1 – 29.9%	30.0 – 50%
I3 – Medium Industrial Unserviced	0.1 – 29.9%	30.0 – 50%
I4 – Medium Industrial Serviced	0.1 – 29.9%	30.0 – 50%
IR – Industrial Reserve	0.1 – 29.9%	30.0 – 50%
AP – Airport Support	0.1 – 9.9%	10.0 – 25%
EP – Environmental Preservation	0.1 – 9.9%	10.0 – 25%
INS – Institutional	0.1 – 9.9%	10.0 – 25%
POS – Public Open Space	0.1 – 9.9%	10.0 – 25%
PU – Public Utility	0.1 – 9.9%	10.0 – 25%
REC – Recreational	0.1 – 9.9%	10.0 – 25%

(b) Variances for the districts listed above in excess of what is prescribed in the third column of Table 2.1 shall be refused by the *Development Authority*.

2.9 DEVELOPMENT PERMIT CONDITIONS

- .1 In making a decision, the *Development Authority* may impose such conditions appropriate and as are specifically required by this Bylaw, permanently or for a limited time period.
- .2 As a condition of a *development permit* approval, the *Development Authority* may require that the applicant enter into a *Development Agreement* with the municipality to do any or all of the following:
 - (a) construct or pay for the construction of:
 - (i) a *road(s)* or upgrades to a *road(s)* required to give access to the *development*;
 - (ii) a pedestrian walkway system to serve the *development* or to give access to an *adjacent development*; or
 - (iii) *on-site* or other *parking facilities* and loading and unloading facilities.
 - (b) enter into a *Development Agreement* with the municipality to construct, install or pay for any *municipal improvements* and/or utilities which will be needed to serve the *development*;
 - (c) pay an *off-site* levy or redevelopment levy imposed by bylaw; and

- (d) provide an auto-renewable and irrevocable letter of credit or cash to secure performance of the conditions of the approval.
- .3 To ensure compliance with a *Development Agreement*, the County may register a caveat under the *Land Titles Act* against the Certificate of Title of the property being developed. This caveat shall be discharged when the obligations to be assumed by the applicant under the agreement have been fulfilled.
- .4 While not limiting the generality of the *Development Authority's* discretion as outlined herein, in making a decision regarding *primary processing* or *secondary processing* the *Development Authority* may require the following conditions:
 - (a) adherence to a groundwater monitoring and groundwater protection program;
 - (b) adherence to an *extraction* and operations plan;
 - (c) adherence to a *reclamation* and end use plan, including surface drainage plan;
 - (d) adherence to proposed mitigation measures for dust and visual impacts;
 - (e) adherence to noise monitoring and mitigation plan;
 - (f) adherence to a haul *road* plan;
 - (g) adherence to a community benefits plan;
 - (h) adherence to community and neighbourhood consultation;
 - (i) adherence to an emergency response plan;
 - (j) adherence to a groundwater mitigation and preparedness plan;
 - (k) adherence to provincial and federal regulatory compliance;
 - (l) adherence to specified hours, days, months or years of operation;
 - (m) adherence to a light pollution mitigation plan;
 - (n) appropriate traffic and safety signage on the subject site and *road* accesses;
 - (o) an end date by which a development or any part of it is to be completed;
 - (p) limiting the time that a development permit may continue in effect;
 - (q) compliance with applicable *statutory plans*; and
 - (r) any such other conditions as may be reasonably required.

.5 [The payment of deposits as per the County's Fees and Charges Schedule.](#)

- ~~.5.6~~ Notwithstanding any provision or requirements of this Bylaw, the *Development Authority* may establish a more stringent standard for a *discretionary use* when the *Development Authority* deems it necessary to do so.

2.10 NOTICE OF DECISION

- .1 The decision of the *Development Authority* on an application for a *development permit* shall be given to the applicant in the form of a Notice of Decision.
- .2 Where a *development permit* has been issued for a *discretionary use* and, where applicable, for a *development permit* issued in a DC district or a *development permit* for a variance to a regulation, the *Development Authority* shall send a notice to the applicant, *adjacent landowners* and municipalities as per Section 2.7.

- .3 At the discretion of the *Development Authority*, notification may be expanded beyond the criteria identified in Section 2.7.
- .4 The notices referred to in Subsections 2.10.2 and 2.10.3 shall indicate:
 - (a) the date the decision was made;
 - (b) the location and *use* of the subject site;
 - (c) the decision of the *Development Authority*;
 - (d) that a *development permit* does not come into effect until after the 14-day appeal period has ended and no appeals have been submitted;
 - (e) that a *development permit* appeal to the *Subdivision and Development Appeal Board* may be made by any person affected by the issuance of a *development permit* for *discretionary use* or the granting of a variance, or the refusal of a *development permit*, pursuant to the provisions of the *Municipal Government Act*; and
 - (f) the address where a copy of the *development permit* may be viewed or obtained.
- .5 Where an appeal has been made on a *development permit*, the *development permit* shall not come into effect until a decision allowing the *development* has been made by the *Subdivision and Development Appeal Board*.
- .6 When the *Development Authority* refuses an application for a *development permit*, the decision shall outline the specific reasons for the refusal and the time periods during which the applicant can make an appeal and to whom.

2.11 ISSUANCE OF DEVELOPMENT PERMIT

- .1 The *Development Authority* shall issue a *development permit* after completion of the following:
 - (a) approval or conditional approval of the application;
 - (b) the delivery of an irrevocable letter of guarantee or letter of credit, if required;
 - (c) the execution and delivery of a *Development Agreement* pursuant to Subsection 2.9.2 if applicable;
 - (d) the payment of the *development permit* fee,
 - (e) the payment of any costs associated with a third-party review of the application, and
 - (f) the payment of any applicable securities or deposits.
- .2 The date of approval of a *development permit* shall be:
 - (a) the date upon which the *Development Authority* approves the *development permit* application;
 - (b) in case of an appeal to the *Subdivision and Development Appeal Board*, the date upon which the *Subdivision and Development Appeal Board* renders a written decision approving the *development permit*; or
 - (c) in the case of an appeal or leave to appeal to the Court of Appeal, the date that the Alberta Court issues its decision and any appeal to the Supreme Court of Canada from the determination of the Alberta Court of Appeal has been finally determined.
- .3 If the *development* authorized by a permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the *development permit* approval ceases and the *development permit* is deemed to be void, unless an extension to this period has previously been granted by the *Development Authority*.

- .4 Where a *development permit* is issued for a site where any other *development permit* has been approved, all previous *development permits* shall be invalid if the physical aspects of the *development* conflict with each other, or both could not occur simultaneously on the site in conformity with the regulations of this Bylaw.

2.12 CANCELLATION OF A DEVELOPMENT PERMIT

- .1 The *Development Authority* or Council may cancel or suspend a *development permit*, by written notice in accordance with Part 4 of this Bylaw to the *development permit* holder in the case of the following:
 - (a) the application for the *development permit* contains a misrepresentation;
 - (b) the application for *development permit* was incomplete, in that relevant facts were omitted;
 - (c) the conditions of the *development permit* are not fulfilled or are not in the process of being fulfilled;
 - (d) the proposed *development* has deviated from the approved drawings;
 - (e) the applicant fails to comply with a Stop Order as per the *Municipal Government Act*; or
 - (f) the *development permit* was issued in error.
- .2 Notwithstanding Subsection 2.12.1, the *Development Authority* shall not cancel a *development permit* that has been approved by the *Subdivision and Development Appeal Board*, the Alberta Court of Queen's Bench or the Alberta Court of Appeal.
- .3 Notice of the *Development Authority's* decision to cancel the *development permit* shall be provided in writing by ordinary mail to the *landowner* and to the applicant of the *development permit* and such notice shall state the reasons for the cancellation of the *development permit*.
- .4 Any person who undertakes *development*, or causes or allows any *development* after a *development permit* has been cancelled, shall discontinue such *development* forthwith and shall not resume such *development* until a new *development permit* has been approved by the *Development Authority* and is valid pursuant to Section 2.11 of this Bylaw.

2.13 DEVELOPMENT PERMIT DEEMED REFUSED

An application for a *development permit* is, at the option of the applicant, deemed to be refused if the decision of the *Development Authority* is not made within 40 days after the application has been deemed complete, unless the applicant has entered into an agreement with the *Development Authority* to extend the 40 day period.

2.14 RE-APPLICATION

Where an application for a *development permit* has been refused, another application for a *development permit* on the same site for the same or similar *use* of land may not be submitted by the same or any other applicant until at least six months after the date of the refusal or such lesser time period as determined by the *Development Authority*.

2.15 APPEAL

- .1 An appeal may be made to the *Subdivision and Development Appeal Board* where the *Development Authority*:
 - (a) refuses an application for a *development permit*;
 - (b) fails to issue a decision in accordance with Section 2.13 of this Bylaw and the *development permit* is deemed refused;

- (c) issues a *development permit* subject to conditions;
- (d) grants or refuses to grant a variance; or
- (e) issues an order under Part 4 of this Bylaw.

2.16 SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

- .1 Pursuant to Section 686(2) of the *Municipal Government Act*, the *Subdivision and Development Appeal Board* must hold an appeal hearing within 30 days of the receipt of a notice of appeal.
- .2 The *Subdivision and Development Appeal Board* must give at least five days' notice in writing of the hearing:
 - (a) to the appellant;
 - (b) to the *Development Authority* whose order, decision or *development permit* is the subject of the appeal; and
 - (c) to those required to be notified pursuant to Subsection 2.10.3 of this Bylaw and any other person that the *Subdivision and Development Appeal Board* considers to be affected by the appeal and should be notified.
- .3 The *Subdivision and Development Appeal Board* must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:
 - (a) the application for the *development permit*, the decision and the notice of appeal; or
 - (b) the order under Part 4 of this Bylaw.

2.17 PERSONS TO BE HEARD AT THE HEARING

- .1 At the hearing the *Subdivision and Development Appeal Board* must hear:
 - (a) the appellant or any person acting on behalf of the appellant;
 - (b) a municipality or any of those to whom the application was referred under Section 2.7;
 - (c) the *Development Authority* from whose order, decision or *development permit* the appeal is made, or the person acting on his/her behalf, and
 - (d) any other person who claims to be affected and that the *Subdivision and Development Appeal Board* agrees to hear or someone acting on that person's behalf.

2.18 DECISION OF THE BOARD

- .1 In determining an appeal, the *Subdivision and Development Appeal Board*:
 - (a) shall comply with the provincial land use policies, and subject to Paragraph 2.18.1(d) of this Bylaw;
 - (b) must have regard for but is not bound by *statutory plans* and the Subdivision and Development Regulations;
 - (c) may confirm, revoke or vary the order, decision or *development permit* or any condition attached to it or may make or substitute an order, decision or *development permit* of its own;
 - (d) may make an order or decision or issue or confirm the issuance of a *development permit* even though the proposed *development* does not comply with this Bylaw if, in its opinion, the proposed *development* conforms with the prescribed *use* for the land or *building* as defined in this Bylaw, and would not:

- (i) unduly interfere with or affect the *use*, enjoyment or value of neighbouring properties; and
 - (ii) materially interfere with or affect the *use*, enjoyment or value of neighbouring properties.
- .2 The *Subdivision and Development Appeal Board* must give its decision in writing together with reasons for the decision within fifteen days of concluding the hearing.

2.19 COURT OF APPEAL

- .1 Pursuant to Section 688 of the *Municipal Government Act*, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:
- (a) a decision of the *Subdivision and Development Appeal Board*; or
 - (b) the Municipal Government Board on a decision of an appeal under Section 619 of the *Municipal Government Act*, an intermunicipal dispute under Division 11 of the *Municipal Government Act* or a *subdivision* appeal.
- .2 An application for permission to appeal pursuant to Subsection 2.19.1 must be filed and served within 30 days after the issuance of the decision sought to be appealed, and notice of the application must be given to:
- (a) the County;
 - (b) the Municipal Government Board or the *Subdivision and Development Appeal Board*; and
 - (c) any other person(s) that the judge directs.

PART 3 BYLAW AMENDMENT PROCESS

3.1 AMENDMENTS OF BYLAW

- .1 Any amendment to this Bylaw shall be made by an amending bylaw pursuant to Section 692 of the *Municipal Government Act*, following a public hearing in accordance with Section 230 of the *Municipal Government Act*.
- .2 At the discretion of the *manager*, an applicant may be required to submit documentation in support of a proposed amendment prior to First Reading of the amendment to this Bylaw.
- .3 If the proposed amendment to this Bylaw is contradictory to an adopted *statutory plan(s)* or *planning document*, the *manager* shall advise the applicant that an amendment must be made to the *statutory plan(s)* or *planning document* prior to, or concurrently with, the amendment to this Bylaw.
- .4 If deemed necessary, and in accordance with the provisions of the *Municipal Government Act*, Council may initiate an amendment to this Bylaw affecting any *parcel* of land without the *landowner's* consent.
- .5 Where an application to amend this Bylaw is refused, another application with respect to the same *parcel* or site for a change in land *use* designation shall not be accepted until at least six months after the date of refusal, unless:
 - (a) otherwise directed by Council; or
 - (b) new information related to the amendment is submitted by the applicant and is deemed to be substantially different by the *Development Authority*.

3.2 AMENDMENT APPLICATIONS

- .1 All applications for amendment to this Bylaw shall be made to the *manager* in writing and shall, unless initiated by Council, be signed by the *landowner* or the *landowner's* agent authorized in writing.
- .2 An application to redistrict a *parcel* of land shall include, but is not limited to, the following:
 - (a) the name, physical and email address and phone number of the applicant and the *landowner* of the subject *parcel* and a notice of who will act as the contact person for the application;
 - (b) a letter of authorization signed by all *landowner(s)*, their agent, or other persons having legal or equitable interest in the land, unless the application is initiated by Council;
 - (c) if applicable, the municipal address(es) of the subject *parcel* of land(s);
 - (d) a copy of the Certificate of Title for the subject *parcel(s)*, issued within thirty days prior to the application date;
 - (e) copy of any restrictive covenant(s) or caveats registered on the Certificate of Title;
 - (f) a written statement from the applicant explaining the reasons for the proposed amendment and how the amendment conforms with any relevant *statutory plan(s)* or *planning document(s)*;
 - (g) a properly dimensioned map of an appropriate scale indicating the *parcel* of land(s) to be amended, its relationship to existing land *uses* within a 1km (0.6mi) radius of the boundaries of the *parcel* of land(s) and including any prominent geographic or natural features;
 - (h) the appropriate fee as amended from time to time by *Council Resolution*;
 - (i) any other information as established by this Bylaw; and
 - (j) any other information or documents required by the *manager* or Council.

- .3 An application for a text amendment to this Bylaw shall include the following:
 - (a) a written statement from the applicant explaining the reasons for the proposed Bylaw amendment and how the amendment conforms with relevant *statutory plan(s)* or *planning document(s)*;
 - (b) the exact content of the proposed text amendment;
 - (c) the appropriate fee as amended from time to time by *Council Resolution*;
 - (d) a description of how the proposed text amendment may affect properties or *developments* of a similar nature;
 - (e) any other information as established by this Bylaw; and
 - (f) any other information deemed necessary by the *manager*, Council, or established by this Bylaw.
- .4 Notwithstanding Subsection 3.2.3 of this Bylaw, an application shall not be accepted which proposes a text amendment affecting a *use* or regulation on a particular *parcel* only. In such instances, the applicant shall instead be requested to either alter the application so that the proposed text amendment would be applicable to all properties or *developments* of a similar nature, or apply to redistrict the particular *parcel* to a more appropriate district.
- .5 The *manager* or Council may refuse to accept an application to amend this Bylaw if the required information has not been supplied or if the information is of inadequate quality to properly evaluate the application.

3.3 ADVERTISING REQUIREMENTS

- .1 In accordance with the *Municipal Government Act*, upon receipt of a complete application for amendment to this Bylaw, and prior to second reading of the amending bylaw, the *manager* shall cause to be published once a week in two consecutive issues of a newspaper or other publication circulating in the County, a notice containing:
 - (a) the purpose of the proposed amending bylaw and the purpose of the public hearing;
 - (b) the address where the proposed amending bylaw may be inspected by the public;
 - (c) an outline of the procedure to be followed by anyone wishing to file an input or petition in respect of it, and
 - (d) the time, date and place of the public hearing, which date shall not be less than five days following the second newspaper publication date.
- .2 The *manager* shall provide written notice containing information described in Subsection 3.3.1 to:
 - (a) *adjacent landowners* and *adjacent* municipalities in accordance with Section 2.7; and
 - (b) such other *landowners* determined by *manager* to be affected.
- .3 The *manager* may require that the applicant hold at least one public meeting prior to the public hearing.
- .4 Notwithstanding Sections 3.3.1 and 3.3.2, this Bylaw may be amended without giving notice or holding a public hearing, if the amendment constitutes a clerical (which can include mapping), technical, grammatical or typographical error or does not materially affect this Bylaw in principle or substance, pursuant of Section 692(6) of the *Municipal Government Act*.

3.4 PUBLIC HEARING

- .1 Pursuant to the *Municipal Government Act*, during a public hearing, Council:

- (a) must hear any person, group of persons or person representing them, who claims to be affected by the proposed amendment and who has complied with the procedures outlined by Council; and
 - (b) may hear any other person who wishes to make representations and whom Council agrees to hear.
- .2 After considering the representations made to it and any other matter it considers appropriate, Council may:
- (a) give another reading to the amendment bylaw;
 - (b) defer the amendment application for more information;
 - (c) make an amendment to the amending bylaw and proceed to pass it without further advertisement or hearing(s); or
 - (d) defeat the amendment bylaw.

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PART 4 ENFORCEMENT

4.1 GENERAL PROVISIONS

The *Municipal Government Act* shall apply in the case of Stop Orders issued where this Bylaw is contravened.

4.2 CONTRAVENTION

- .1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw, commits an offence. Each calendar day that a violation is permitted to exist shall constitute a separate offence.
- .2 No person shall authorize or undertake any *development* that is not consistent with the description, specifications or plans that were the basis for issuing a *development permit* under this Bylaw.
- .3 No person shall contravene or fail to comply with a condition of a *development permit* issued under this Bylaw or a *Development Agreement* entered pursuant to a *development permit* or a *subdivision* approval.

4.3 RIGHT OF ENTRY

- .1 Pursuant to Section 542 of the *Municipal Government Act*, a *Designated Officer* may enter into or upon any land or structure within the County for the purpose of ensuring compliance with this Bylaw or the *Municipal Government Act* and the regulations thereunder.
- .2 After reasonable notice (~~generally taken to mean 48 hours~~) to the *landowner* or occupant in accordance with the *Municipal Government Act*, a *Designated Officer* may enter the property at reasonable times (generally taken to mean between 7:30 a.m. to 10:00 p.m.) to ascertain if the requirements of this Bylaw are being met.
- .3 A person shall not prevent or obstruct a *Designated Officer* from carrying out any official duty under this Bylaw. If consent is not given, the County may apply for an authorizing order (e.g. Order of Court of Queen's Bench).

4.4 STOP ORDERS

- .1 A Stop Order may be issued in circumstances where *development*, *land use* or *use of a building* is not in accordance with:
 - (a) this Bylaw;
 - (b) Part 17 of the *Municipal Government Act*;
 - (c) the Subdivision and Development Regulation;
 - (d) a *development permit*;
 - (e) a *Development Agreement*; or
 - (f) a *subdivision* approval.
- .2 A Stop Order will be ~~prepared~~issued by the *Development Authority* or a *Designated Officer* and delivered to the appropriate recipient by a ~~*Designated Officer*~~*Peace Officer* or *Bylaw Enforcement Officer* or via registered mail.

- .3 A Stop Order shall be made by written order directed to the *landowner*, the person in possession of the land or *buildings* or the person responsible for the contravention, or all of the above to conduct the following as specified:
 - (a) stop the *development* or *use* of the land or *building* in whole or in part;
 - (b) demolish, remove or replace the *development*; and/or
 - (c) take other measures as specified in the Stop Order to bring the *development*, *use* or activity into compliance with the pertinent regulations.
- .4 A Stop Order shall include the following information:
 - (a) the text of the regulation being violated;
 - (b) a timeline of when the order must be carried out;
 - (c) the actions that must take place to bring the lands or activity into compliance, if possible and
 - (d) the recipients right to appeal the order.
- .5 If the Stop Order is not complied with, ~~a Designated Officer~~the County, in accordance with the *Municipal Government Act*, may enter upon the land or *building* and take such action as is necessary to carry out the Stop Order, or may apply to the Court of Queen's Bench to pursue a Court Order to achieve compliance.
- .6 The County's costs of carrying out any actions required for compliance with the Stop Order may be added to the tax roll of the land subject to the order.
- .7 The County may register a caveat with respect to a Stop Order in the Land Titles Office, provided that the caveat is discharged when the order has been complied with.
- .8 In a DC district, Council may delegate its authority to a *Designated Officer* to undertake enforcement actions.

4.5 PENALTIES AND FINES

- .1 A person who violates or contravenes the provisions of this Bylaw or permits a violation of this Bylaw, is guilty of an offence, and is liable for the penalty/fine set out in Table 4.1, or if no penalty/fine is specified in Table 4.1 for the particular offence for a fine upon conviction of not less than \$250.00 and not more than \$10,000 and, in addition, an additional fine for every calendar day the offence continues.
- ~~.2 A notice or form commonly called a *municipal violation tag* having printed wording approved by the County may be issued by a *Designated Officer* to any person alleged to have breached any provision of this Bylaw. The said notice shall specify the alleged offence and require the payment within 14 days to the County in the amount specified in Table 4.1. The specified penalty indicated in a *municipal violation tag* may be paid in lieu of prosecution.~~
- ~~.3 A *Peace officer or Bylaw Enforcement Officer*Designated Officer may issue, with respect to an offence under this Bylaw, a *provincial violation ticket*;~~
- ~~.4 specifying the fine; or~~
- ~~.5.2 requiring an appearance in court without the option of making a voluntary payment.~~
- ~~.6.3 Where a *provincial violation ticket* specifies a fine amount in accordance with Table 4.1, a voluntary payment equal to the specified fine amount may be made.~~

Table 4.1: Fines

Bylaw Reference	General Description of Offence	Minimum Penalty
Section 2.1	Developing prior to issuance of <i>development permit</i>	Double the usual fee for a <i>development permit</i>
Sections 2.1 and 4.2	Contravening approved <i>development permit</i> or conditions of approved <i>development permit</i>	\$300
Section 2.12	Developing with expired <i>development permit</i> or continuing <i>development</i> after <i>development permit</i> revocation or suspension	\$1,000

7.4 The penalties and offences indicated in Table 4.1 are supplementary to the *Municipal Government Act*, under which any person who commences a *development* and fails to obtain a *development permit* or comply with a condition of a *development permit* is guilty of an offence.

8.5 With respect to a *sign* placed or erected in contravention of this Bylaw on a public *parcel* that is not subject to a lease or license of occupation, the appearance of the name of an individual, business or organization on the *sign*, whether for the purpose of declaring ownership of the *sign* or advertising thereon, is at first sight proof that the individual, business or organization caused or permitted the *sign* to be placed on the *parcel*, and that individual, business or organization shall be deemed responsible for the referenced contravention.

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PART 5 GENERAL REGULATIONS

The regulations included in this Part are in addition to those in Section 2.4 and shall apply to all districts, unless the district regulations state otherwise, in which case the district regulations shall prevail.

5.1 ACCESS TO A PARCEL

- .1 The *Development Authority* shall not approve a development permit unless provision for access is included with the application for a development permit, to the satisfaction of Engineering Services.
- .2 The *Development Authority* may impose a condition of the development permit, requiring the applicant to enter into a development agreement with the County to construct or pay for the construction or upgrading of a road necessary to serve the development.

5-15.2 BARE LAND CONDOMINIUMS

- .1 A *bare land unit* shall comply with all the general regulations of this Bylaw and with the regulations applicable to the district within which the *bare land unit* is located as if the unit were a *parcel*.
- .2 With the exception of common property lines on semi-detached or attached units, no *building* on a *bare land unit* may encroach on any property line, utility *easement* or *right-of-way*.
- .3 A bare land condominium plan shall be treated in all respects as though it were a plan of *subdivision* and shall comply with all requirements for a *subdivision*, including but not limited to:
 - (a) adequate pedestrian and vehicle access;
 - (b) provision of supply of water, electrical power, gas and sanitary sewer and storm drainage; and
 - (c) sequencing and timing of construction of all *buildings* and servicing.

5-25.3 CORNER PARCELS

- .1 A *parcel abutting* two or more *roads* shall have one *front yard* and one *front flanking yard*, as determined by the *Development Authority*.
- .2 The *front yard* property line of a *parcel* is the shortest *parcel line* or *boundary* that *abuts* a *road*.

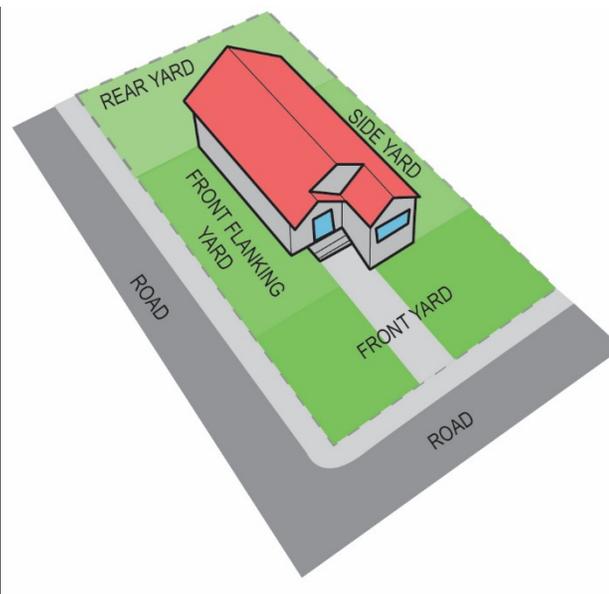


Figure 5.1: Location of Development on Corner Parcels

5.35.4 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

- .1 The quality of the exterior treatment and design of all *buildings* shall be to the satisfaction of the *Development Authority* and shall be compatible with other *buildings* in the vicinity, unless the *building* is intended to set an improved standard of design, character or appearance.
- .2 The exterior finish of a *building* shall be completed within two years of the date of the *development permit* is issued unless otherwise stipulated by the *development permit*.

5.45.5 DWELLING UNITS ON A PARCEL

In all districts which allow a *dwelling*, only one *dwelling* shall be *permitted* per *parcel* unless otherwise specified in Section 6.23 and 6.24 and Parts 10 through 17 of this Bylaw.

5.55.6 EASEMENTS, RIGHTS-OF-WAY AND ABANDONED WELLS

- .1 No *development* shall encroach on or be erected on an *easement* or *right-of-way* unless the owner of the encroaching structure has obtained written consent from the owner or licensee to which the *easement* or *right-of-way* has been granted.
- .2 *Setbacks* from abandoned well, *pipeline* and sour gas facilities shall be in compliance with provincial and federal requirements.

5.65.7 EXTERIOR STORAGE AND DISPLAY

- .1 Exterior storage of goods and materials associated with an approved *development permit*, shall be kept in a clean and orderly manner at all times and shall be screened from *roads* and *adjacent residential uses* to the satisfaction of the *Development Authority*.
- .2 Exterior storage is not permitted within the required *front yard* or *flanking front yard setback* of a *parcel*.
- .3 Exterior display of goods and materials shall normally be temporary and shall be arranged and maintained in a clean and orderly manner. The location of an exterior display shall be to the satisfaction of the *Development Authority*.
- .4 Any exterior storage or display shall not unduly interfere with the amenities of the neighbourhood or materially interfere with the *use*, enjoyment or value of neighbouring *parcels*.
- .5 Any exterior storage or display shall not interfere with pedestrian or vehicular circulation or occupy any required *parking stalls*.

5.75.8 FENCES AND SCREENING

- .1 *Screening* in the form of *fences*, hedges, *landscaped berms* or other means is required for commercial and industrial *parcels* along the *parcel lines abutting* a residential land use. Such *screening* shall be at least 1.8m (5.9ft) in *height*. Length and width of the *screening* shall be at the discretion of the *Development Authority*.
- .2 No *fence*, wall or *screening* shall:
 - (a) in any residential district, exceed 1.8m (5.9ft) in *height* in a *rear yard* or *side yard* not *abutting* a public *road* without an approved *development permit*;
 - (b) in any residential district, except for the AG and R1 districts, exceed 1m (3.3ft) in *height* in a *front yard* or *flanking front yard abutting* a public *road* without an approved *development permit*;
 - (c) in any AG district, for extensive livestock purposes, exceed 2.4m (7.9ft) in *height*;
 - (d) in any commercial or industrial district, exceed 2.4m (7.9ft) in *height*;

- (e) in any district, exceed the sight triangle requirements as specified in Section 5.17; or
 - (f) in any residential district, include any barbed wire.
- .3 The *Development Authority*, in considering an application, may impose conditions requiring the retention of trees, or additional plantings, or other *screening* of such a type and extent that is considered necessary.

5-85.9 FUNCTIONAL PLANNING STUDIES FOR ROADS

Notwithstanding the *setback* provisions identified in any particular district, the *Development Authority* and any Appeal Board shall require a minimum *front, flanking front, side or rear yard setback* be increased to protect the *right-of-way* identified for *roads* for which the County has prepared and accepted a Functional Planning Study or which have been incorporated into the County's Transportation Master Plan.

5-95.10 GRADING, STRIPPING AND STOCKPILING

- .1 A *development permit* application is required to strip, excavate, *stockpile* or *grade* land as a *permitted use* within a district if the project involves any of the following:
- (a) the infill of a *dugout*;
 - (b) the *parcel* is located within a flood risk area;
 - (c) the proposed recontouring of land changes the *grade* by more than 0.75m (2.5ft), including *stockpiling* or removal of soil;
 - (d) the project may impede or interfere with the natural flow of surface water onto *adjacent* lands or in public ditches; or
 - (e) the *excavation* or infill of land is located within 20m (65.6ft) of a *parcel line* or *road* allowance.
- .2 In addition to the application requirements for a *development permit*, an applicant may also be required to provide additional information including but not limited to:
- (a) a *pre-development* site survey;
 - (b) site plan showing the dimensions of the disturbed area with set backs to *parcel* lines,
 - (c) the source and amount of fill to be removed from or brought onto the site;
 - (d) a fill *stockpile* location plan; and
 - (e) a detailed description of the operation or *development* with proposed start and end date of the project.
- .3 If topsoil is to be removed from the site, a separate permit may be required.
- .4 The *Development Authority* shall consider every application to strip, excavate, *stockpile* or *grade* land as a *permitted use* within the designated district of this Bylaw provided said *stripping, excavation, stockpiling* or *grading* is compliant with Section 5.9 or is required in addition to a *development* for which a *development permit* has been issued.
- .5 Drainage measures undertaken as part of a *development* shall not negatively impact *adjacent parcels* by way of flooding or inundation through the redirection of surface water. In the event that the drainage of a *development* is found to affect *adjacent parcels*, all mitigating measures required to remedy the problem including drainage structures, drainage *easements* and *retaining walls* shall be at the sole expense of the *landowner* of the *parcel* where the mitigating measures are required.

5.105.11 HAZARDOUS LANDS

- .1 Where a *parcel abuts* or contains a natural slope, coulee, ravine or valley, with or without a waterbody present, the *setbacks* from the top of bank of the natural slope, coulee, ravine or valley shall be determined by a slope stability report in accordance with Section 4.3 of the Municipal Development Plan.
- .2 For the purpose of determining the *setback* required under Subsection 5.10.1, the valley depth is the vertical distance measured between the top of bank and the toe of the slope. For valleys that are composed of one or more benches, the valley depth is the vertical distance measured between the top of bank of the bench on which the *development* is to be located and the top of bank of the lower bench as illustrated in Figure 5.2.
- .3 Notwithstanding any district regulation to the contrary, no development shall be allowed within 15m (49.2ft) of the toe or crest of any slope of 15% or greater, unless a lesser or greater amount is identified as acceptable in a slope stability report prepared by a practicing professional engineer.

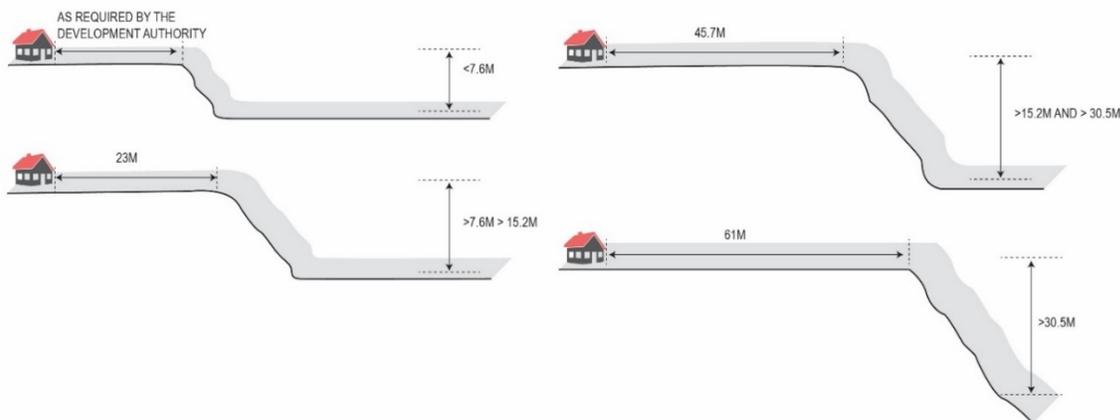


Figure 5.2: Setback Measurement

- .4 The *Development Authority* may require that the top of bank or toe of slope be identified by survey completed by an Alberta Land Surveyor.
- .5 Notwithstanding that a proposed *development* conforms in all respects with this Bylaw, where the application is for *development* on *parcels* that are or may be subject to flooding or subsidence, the *Development Authority* shall refuse a *development permit* application unless confirmation is provided from a practicing professional engineer demonstrating that the *development* can be made suitable for the *building* area.

5.115.12 HEIGHT

- .1 The *height* of a *building* shall be determined by calculating the vertical distance between the *grade* at the exterior wall (or design *grade* for *development* that is not built) and the highest point of the *building*.
- .2 On sloping ground, *height* shall be considered the average of the *height* at the highest and lowest *grade*.
- .3 In determining the highest point of a *building*, elements that are not essential to the structure of the *building* shall not be considered, including but not limited to the following:
 - (a) elevator housing;
 - (b) mechanical housing;

- (c) roof entrances;
- (d) ventilation fans;
- (e) skylights;
- (f) *solar collectors*;
- (g) *wind energy systems*;
- (h) steeples;
- (i) antennas;
- (j) smokestacks or chimneys;
- (k) fire walls;
- (l) parapet walls; and
- (m) flagpoles.

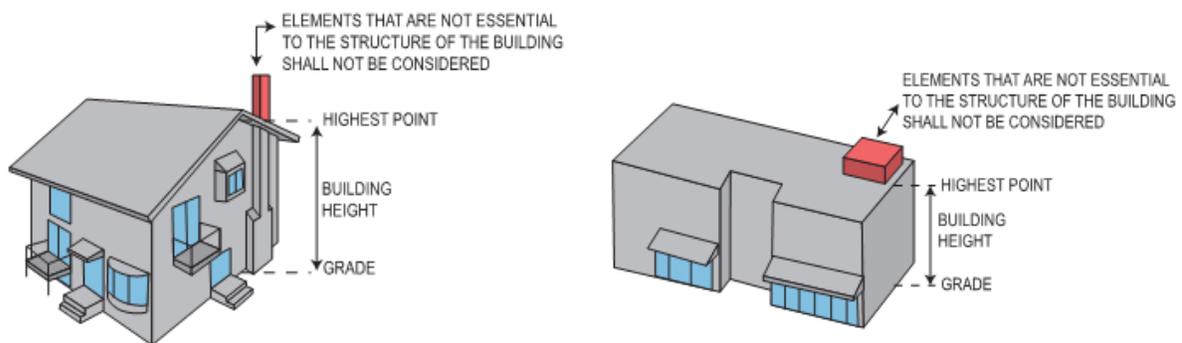


Figure 5.3: Elements Not Included in the Measurement of Height

5.425.13 INDUSTRIAL USES

- .1 In addition to the requirements of Subsections 2.4.1 and 2.4.2, the *Development Authority* may require the applicant for a *development permit* within an industrial district to provide the following information in addition to the general requirements of the application for a *development permit*:
- (a) type of industry;
 - (b) size of *building*;
 - (c) number of employees;
 - (d) estimated water demand and proposed source;
 - (e) type of effluent and method of treatment,
 - (f) transportation routes to be used;
 - (g) the need for any ancillary work (*pipelines, rail spurs, roads, etc.*); and
 - (h) any additional information required by the *Development Authority*.

5.135.14 LIGHTING

- .1 Any outdoor lighting for any *development* shall be located and arranged so that:
 - (a) no direct rays of light are directed at any *adjacent parcels*;
 - (b) indirect rays of light do not adversely affect any *adjacent parcels*; and
 - (c) direct and indirect rays of light do not interfere with the effectiveness of any traffic control devices.

5.145.15 PARCEL COVERAGE

- .1 *Parcel coverage* shall be calculated as a percentage by dividing the total amount of *building footprint* on a *parcel* by the total *parcel area*.
- .2 For the purposes of calculating *parcel coverage*, the *building footprint* shall not include *hard surfacing* (such as driveways).
- .3 For the purposes of calculating *parcel coverage*, the *building footprint* shall include:
 - (a) the *principal building*;
 - (b) any *accessory building* or carport;
 - (c) any porch or veranda;
 - (d) any *floor area* of an upper *storey* that projects beyond the perimeter of the ground floor; and
 - (e) any *deck* 0.6m (2ft) or more above grade.

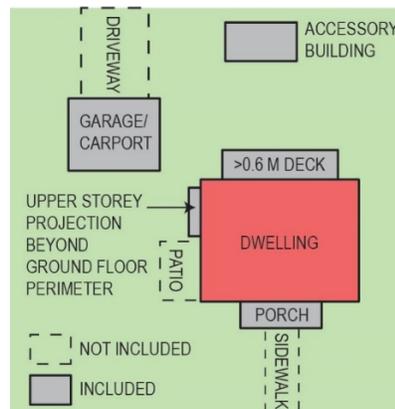


Figure 5.4: Elements Included in the Calculation of Parcel Coverage

5.155.16 PERMITTED YARD ENCROACHMENTS

- .1 An eave, canopy, bay window, a cantilevered wall section or chimney may project over or onto a required *yard setback* to a maximum of 0.6m (2ft).
- .2 *Decks* which are less than 0.6m (2ft) in *height* or steps of a porch may project over a required *rear yard setback* to a maximum of 1.5m (4.9ft).

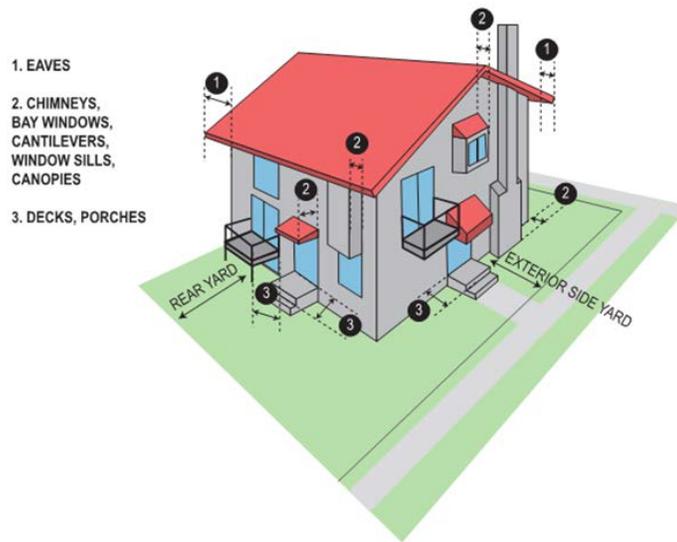


Figure 5.5: Permitted Yard Encroachments

5.465.17 RELOCATION OF BUILDINGS

- .1 A *development permit* is required when a *building* is moved to a new location, either within a *parcel*, or from one *parcel* to another.
- .2 Any *foundation* remaining on a *parcel* that is not demolished subsequent to the removal of a *building* shall be secured by *fencing* or other means in order to ensure public safety.

5.475.18 SIGHT TRIANGLES

- .1 No *buildings*, *fences*, *signs*, *trees*, *shelterbelts*, *haystacks* or other similar obstructions to visibility which are more than 1 m (3.3ft) above *road grade* shall be located within the sight triangle along the intersection of roads as specified in the Sturgeon County General Municipal Servicing Standards and as illustrated in Figure 5.6.
- .2 Notwithstanding Subsection 5.17.1, corner *parcel* restrictions for *development abutting* provincial *highways* shall be determined by Alberta Transportation.



1.0 M MAX. HEIGHT FOR FENCES,
WALLS, TREES, HEDGES, DECKS AND STRUCTURES

Figure 5.6: Corner Parcel Restrictions

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PART 6 SPECIAL REGULATIONS

The regulations included in this Part are in addition to those in Section 2.4 and apply to all districts, unless the district regulations state otherwise, in which case the district regulations shall prevail.

6.1 ACCESSORY USE AND BUILDING AND ACCESSORY AGRICULTURAL BUILDING

- .1 Unless otherwise indicated in a district, *accessory uses* and *buildings* are:
 - (a) *permitted* in all districts where the *principal use* is a *permitted use* in that same district and for which a *development permit* has been issued; and
 - (b) *discretionary* in all districts where the *principal use* is a *discretionary use* in that same district and for which a *development permit* has been issued.
- .2 An *accessory building* or an *accessory agricultural building* shall not be used as a *dwelling* unless approved as a *secondary dwelling* under Section 6.23, a *secondary suite* under Section 6.24 or a *surveillance suite* under Section 6.31.
- .3 Where an *accessory building* is attached to a *principal building* by a roof, an open or enclosed structure above *grade* or a floor or *foundation* which is above *grade*, it is to be considered part of the *principal building* and not as an *accessory building* and shall adhere to the appropriate *principal building setback* regulations.
- .4 Except as otherwise provided for in this Section, for any district, an *accessory building* or *use* is not *permitted* on a *parcel* without a *principal building* or *use* being previously developed on the *parcel*.
- .5 ~~An *accessory agricultural building* shall comply with the prescribed setbacks for an *accessory building* in the applicable district. An *agricultural accessory building* may be constructed prior to a *principal building* on an *AG parcel* which is larger than 3ha (7.4ac) containing an *agricultural, extensive livestock or extensive agricultural use*.~~
- .6 An *accessory building* or *accessory agricultural building* shall be set back a minimum of 1.9m (6.2ft) from the *principal building*.
- .7 In any residential district, an *accessory building* shall not be located in a *front yard* or *flanking front yard*. However, in the R1 and R2 district, and the R3 and R4 districts where the parcel size is 1ha (2.47ac) or greater, this regulation may be varied at the discretion of the *Development Authority* if insufficient yard exists to place a *building* in the *rear yard* or *side yard*. In no case, however, shall the *building* encroach within the *front yard* or *flanking front yard setback*.

6.2 ~~AGRI-BUSINESS~~

- ~~.1 A *development permit* application for *agri-business* shall include but is not limited to the following:~~
 - ~~(a) a statement detailing the proposed operation, the current *agricultural use* of the land, items for retail sale, activities being offered, hours of operation, anticipated number of visitors daily and per week during 'average' and 'peak' seasons, serviceability of the land addressing impacts to adjacent parcels and noise mitigation; and~~
 - ~~(b) a site plan of the *development area* which shall include:~~
 - ~~(i) access and egress in accordance with Sturgeon County's General Municipal Servicing Standards;~~
 - ~~(ii) emergency access;~~
 - ~~(iii) location of the internal roads and their widths;~~
 - ~~(iv) parking stalls pursuant to Part 9 of this Bylaw;~~

- ~~(v) existing and proposed buildings and their uses;~~
- ~~(vi) washroom areas;~~
- ~~(vii) lighted areas; and~~
- ~~(viii) signs pursuant to Part 7 of the Bylaw.~~
- ~~.2 All access and egress points shall be designed to accommodate two-way traffic to control entry and departure of vehicles and to minimize interference with neighboring uses and traffic flow.~~
- ~~.3 Roads leading to the proposed development may be required, as a condition of a development permit, to be upgraded as necessary to sustain the volume and type of traffic to be generated by the proposed development in accordance with Sturgeon County's General Municipal Servicing Standards or provincial requirements.~~
- ~~.4 Any lighting shall be provided in accordance with Section 5.13.~~
- ~~.5 Hours of operation shall be specified by the Development Authority. The Development Authority shall have regard to, but is not bound by, the following guidelines:
 - ~~(a) 8:00a.m. to 6:00p.m. Monday to Friday~~
 - ~~(b) 8:00a.m. to 8:00p.m. Saturday to Sunday and Statutory Holidays~~~~
- ~~.6 This use shall not include provisions for overnight accommodations.~~
- ~~.7 Events being held at the parcel with an expected attendance of over 500 people shall be subject to the Special Events Bylaw as amended from time to time.~~

6.36.2 BED AND BREAKFAST AND GUEST RANCH

- .1 *Bed and breakfast developments* shall:
 - (a) be an accessory use in the dwelling;
 - (b) have a maximum of four guest rooms in the AG district and two guest rooms in all residential districts;
 - (c) not alter the external appearance of the dwelling in any manner which, in the opinion of the Development Authority, is inconsistent with the existing character of the neighbourhood; and
 - (d) not include a kitchen or food preparation facilities within the guest rooms.
- .2 *Guest ranch developments* shall:
 - (a) be an accessory use to the dwelling;
 - (b) have a maximum of ~~fifteen~~nine guest rooms; and
 - (c) not include kitchen or food preparation facilities within the guest rooms.

6.46.3 CAMPGROUND

- .1 A concept plan satisfactory to the Development Authority shall be submitted with the development permit application. The concept plan shall:
 - (a) identify and address public safety concerns, incompatible land use issues, environmentally significant lands, development constraints and the topography of the site;
 - (b) include a plan for the development area, including the number of stalls and sequence of the development proposed, including the preliminary layout of campsites and the general location of the transportation networks, land use, public utilities and reserve land. Road widths, parcel

access and egress, emergency access, parking areas, storage areas, washroom and laundry areas and recreational areas shall also be addressed;

- .2 *Roads* leading to a proposed *campground* may be required, as a condition of *development* approval, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed *campground* in accordance with Sturgeon County's General Municipal Servicing Standards.
- .3 *Campsite* Requirements:
 - (a) Minimum stall size:
 - (i) width - 6m (19.7ft);
 - (ii) length - 16m (52.5ft).
 - (b) Minimum natural or *landscaped buffer* between stalls: 4.6m (15ft).
- .4 *Vehicle Access and Road* Requirements
 - (a) The location and number of access points to a *campground* from a *road* shall be in accordance with Sturgeon County's General Municipal Servicing Standards.
 - (b) All access points shall be designed to accommodate two-way traffic.
 - (c) All *campsites* shall be accessible by means of an internal *road* with a minimum width of 3m (9.8ft) for one-way traffic, or 6m (19.7ft) for two-way traffic.
- .5 *Amenity and Recreation Areas*:
 - (a) A minimum of 5% of the total area of a *campground* shall be set aside as *amenity/recreation* spaces and placed in suitable locations.
 - (b) Pedestrian circulation routes to public facilities and major recreational activity areas shall be provided.
 - (c) Recreational areas shall not be located where it would intrude on the privacy of *adjacent* campers.
- .6 *Utility Services Requirements*:
 - (a) Sewage disposal, water supply and electrical servicing shall meet all relevant provincial and federal regulations.
 - (b) Utility and telecommunication services shall be located below ground.
 - (c) A sewage disposal facility (dump station) that is easily accessible and separated from *campsites* and *amenity* spaces shall be provided.
 - (d) Washroom facilities shall be provided in centralized locations.
- .7 *Post Development*

An as-built *grading plan* shall be provided within three months of completion of final *grading* to ensure that the *campground* was constructed in accordance with the approved plans for which the *development permit* was issued.

6-56.4 CAR WASH

- .1 The *Development Authority* shall consider the location of *on-site* activities such as vehicle queuing and vacuum cleaning that may adversely affect *adjacent* properties, and may require additional *screening* or *yard setbacks*.

- .2 A minimum of four in-bound queuing spaces shall be provided and one outbound queuing space for each entrance into a *car wash* facility. The *Development Authority* may require a greater number of inbound spaces. A variance may be issued to the minimum required queuing spaces where the design of the *development* and number of entries warrants a reduction.

6.66.5 CHILD CARE FACILITY

- .1 A *child care facility* shall comply with the provisions of the Provincial Day Care Regulations concerning site requirements, *development* standards and licensing.
- .2 When submitting an application for a *child care facility*, the applicant shall address the following to the satisfaction of the *Development Authority*:
 - (a) on-site staff parking and drop-off requirements associated with the proposed *development* pursuant to Part 9 of this Bylaw;
 - (b) existing land *uses* in the area, and
 - (c) techniques proposed by the applicant to *buffer* any impact on existing *adjacent* land *uses*, if required.
- .3 No portion of a *parcel* used for a *child care facility*, including the *building* and, where provided, outdoor play space, shall be located within 50m (164ft) of a *service station* or a gas bar. This distance shall be measured from the pump island, fill pipes, vent pipes or *service station* or gas bar *building*, depending on whichever is closest to the *child care facility*.
- .4 *On-site* outdoor play spaces shall be securely *fenced*.
- .5 In a residential district, outdoor play space may be allowed in any *yard*, providing it is designed to limit any interference with other *uses* or the peaceful enjoyment of *adjacent* residential *parcels* through *fencing*, *landscaping*, *buffering* and the location of fixed play equipment.
- .6 In any non-residential district, the outdoor play space shall not be located in any *yard* that *abuts* a *road* or rail unless the design, size and other characteristics of the proposed play space mitigate the potential impact from the *road* or rail traffic upon children using the play space.
- .7 All *development permit* applications for *child care facilities* shall include:
 - (a) plans that show all *building elevations*;
 - (b) floor plans that show indoor play and rest areas, including the location of windows; and
 - (c) a plan for the *development* area that shows the required *on-site* parking, drop-off facilities and, where provided, *on-site* outdoor play areas, including the location and type of fixed play equipment, *fencing*, *landscaping* and any *buffering* to be provided.

6.76.6 CONTRACTOR SERVICE MAJOR AND MINOR

- .1 The conditions of the *development permit* for a *contractor service*, *major* or *minor* may include, but are not limited to the following:
 - (a) the hours of operation;
 - (b) the amount and placement of exterior storage; and
 - (c) additional *landscaping* regulations above those proposed in Part 8 of this Bylaw.

6-86.7 DECK

- .1 An unenclosed *deck*, at a *height* greater than 0.6m (2ft) above *grade*, shall:
 - (a) require a *development permit*;
 - (b) meet the *setback* requirements for a *principal building* in the applicable district; and
 - (c) be included in the calculation of *parcel coverage*.
- .2 A *covered deck* shall:
 - (a) be considered an addition to the *principal building* and require a *development permit*;
 - (b) be included in the calculation of *parcel coverage* according to the applicable district; and
 - (c) meet the *setback* requirements for a *principal building* in the applicable district.

6-96.8 DRIVE-THROUGH RESTAURANT

- .1 A *drive-through restaurant* shall not be located on a *parcel* which in the opinion of the *Development Authority* cannot safely accommodate vehicle circulation and access.
- .2 The *Development Authority* may require greater *setbacks* than those established in the applicable district taking into consideration *adjacent* land uses and vehicle circulation and access.
- .3 A minimum of six on-site queuing spaces shall be provided from the order window (first window to serve customers).
- .4 Queuing spaces shall be a minimum of 6m (19.7ft) long and 2.8m (9.2ft) wide.
- .5 The queuing space shall not overlap with any *parking stalls* or drive aisles.
- .6 Drive aisles shall have a sufficient turning radius to accommodate vehicle entrance to the drive-through aisle.
- .7 No pedestrian access into the premises shall cross the drive-through aisle.
- .8 Where the drive through aisle is *adjacent* to a residential district, *screening* shall be provided in accordance to Section 5.7 of this Bylaw.
- .9 Garbage bins shall be enclosed to the satisfaction of the *Development Authority*.

6-106.9 DUGOUT

- .1 The minimum *setback* distance that shall be maintained between a new *dugout* and a *parcel line* is as follows:
 - (a) *front yard*: 40m (131.2ft);
 - (b) *side yard*: 15m (49.2ft) or 40m (131.2ft) if *abutting* a public road; and
 - (c) *rear yard*: 15m (49.2ft).
- .2 Notwithstanding Subsection 6.10.1, where a dugout that existed prior to the passing of this bylaw, the dugout will not be subject to the prescribed setbacks.

6-116.10 DUPLEX

- .1 ~~A Duplex dwelling~~ shall have *full municipal servicing* available before a *development permit* will be issued.

- .2 Each *dwelling* shall have separate, individual and direct access to *grade*.
- .3 A duplex ~~*dwelling*~~ shall not contain a *secondary suite*.
- .4 A duplex ~~*dwelling*~~ shall not contain a *home-based business* level 2 or level 3.

6.126.11 EQUESTRIAN FACILITY

- .1 Where limited overnight stays (during events only) are proposed, it may be considered as an *accessory use*.
- .2 A proposed *equestrian facility* that *abuts* an existing R1 land use district shall:
 - (a) maintain a 20m (65.6ft) *setback* from the *abutting* property line to any *accessory building* used for the *equestrian facility*;
 - (b) maintain a 20m (65.6ft) *setback* from the *abutting* property line to any proposed overnight stay area to the discretion of the Development Officer; and
 - (c) provide *screening* along those areas *abutting* the property line, to the satisfaction of the Development Officer.

6.136.12 EXPLOSIVES STORAGE, DISTRIBUTION, DETONATION AND DISPOSAL

- .1 All storage, handling and distribution of explosive materials shall be in accordance with federal legislation and regulations, including the *Explosives Act*, RSC 1985, c.E-17.
- .2 All explosives storage sites shall be *fenced* with security type *fencing* to the satisfaction of the *Development Authority* and so designed as to restrict entrance by unauthorized persons.
- .3 All *setbacks* from *adjacent uses* shall be in accordance with federal legislation and regulations, including the *Explosives Act*.
- .4 The *Development Authority* may require any or all of the following with a *development permit* application for storage, handling, distribution, detonation and/or disposal of explosives:
 - (a) an environmental impact assessment;
 - (b) a copy of any federal applications and evidence of federal approvals;
 - (c) an emergency response plan and risk assessment;
 - (d) identification of truck haul routes;
 - (e) details of security measures to be undertaken; and
 - (f) any other information required by the *Development Authority*.

6.146.13 FAMILY DAY HOME

- .1 A *family day home*:
 - (a) shall not be located in a *dwelling* containing a *home-based business* level 2 or level 3 or a *secondary suite*, and
 - (b) may require privacy *screening* for outdoor play areas;
- .2 In evaluating an application for a *family day home development*, the *Development Authority* shall consider:
 - (a) on-site staff parking and drop-off requirements associated with the proposed *development* pursuant to Part 9 of this Bylaw;

- (b) existing land uses in the area; and
- (c) techniques proposed by the applicant to *buffer* the impact on existing *adjacent uses*, if required.

6-156.14 GROUP HOME MAJOR AND MINOR

A *parcel* containing a *group home, major or minor* shall not contain a *secondary suite* or a *home-based business* level 2 or 3.

6.15 HANGARS

- .1 A development permit application is required to construct a hangar as a permitted use in any district.
- .2 In evaluating an application for a hangar development, the Development Authority shall only consider the setback requirements in the applicable district.
- .3 All hangars are subject to the Safety Codes Act.

6.16 HOME-BASED BUSINESS

- .1 All *home-based businesses* shall require a *development permit*.
- .2 Where a new *dwelling* is being constructed, a *home-based business development permit* application will not be accepted by the *Development Authority* until verification that the *dwelling* is suitable for occupancy has been obtained.
- .3 A *development permit* application for a *home-based business* shall include a description of the proposed business, an estimate of the anticipated number of business visits daily and per week during ‘average’ and ‘peak’ seasons, location and area of equipment and/or material storage associated with the proposed business and details respecting the provision of parking and deliveries.
- .4 No more than one level 2 or 3 *home-based businesses* shall be allowed on one *parcel*.
- .5 *Home-based businesses* shall comply with the requirements provided in Table 6.1:

Table 6.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> • 10% of the gross floor area of the dwelling 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • Area of accessory building(s) at the discretion of the Development Authority 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • 100% of the gross floor area of accessory building(s) at the discretion of the Development Authority
Equipment and/or material storage	<ul style="list-style-type: none"> • Shall be located within the dwelling 	<ul style="list-style-type: none"> • No exterior storage. Any storage shall be located within the dwelling or accessory building(s). 	<ul style="list-style-type: none"> • Exterior storage shall not exceed 1% of the parcel size in accordance with Section 5.6
Client traffic generation (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Eight vehicle visits per 24-hour period in the AG district • Four vehicle visits per 24-hour period in all other districts 	<ul style="list-style-type: none"> • Ten vehicle visits per 24-hour period
Non-resident employees	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Two 	<ul style="list-style-type: none"> • Four

	Level 1	Level 2	Level 3
on site (maximum)			
Commercial vehicles (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Two
Hours of operation	<ul style="list-style-type: none"> No limit 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> 7:00a.m. to 8:00 p.m.
Additional on-site parking stall requirements	In accordance with Part 9		
Signage	In accordance with Part 7		

- .6 An application for a *home-based business* level 2 or 3 shall include measures to mitigate impacts to *adjacent parcels*.
- .7 The *home-based business* shall not generate noise, smoke, steam, odour, dust, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the *Development Authority*. At all times, the privacy of the *adjacent residential dwelling(s)* shall be preserved and shall not, in the opinion of the *Development Authority*, unduly interfere with or affect the use, enjoyment or value of neighbouring or *adjacent parcels*.
- .8 A development permit issued to the applicant is non-transferable. Should the applicant move or sell the business, the permit will become void.

6.17 KENNEL AND ANIMAL BOARDING

- .1 *Kennel and animal boarding* shall not be located within 300m (984.3ft) from a *dwelling* on an *adjacent parcel*.
- .2 The maximum number of animals to be kept *on-site* shall be at the discretion of the *Development Authority*.
- .3 *Kennel and animal boarding* facilities shall:
 - (a) be adequately designed and located to reduce impact of noise on *adjacent parcels*;
 - (b) not allow animals to be outdoors between the hours of 10:00p.m. and 7:00a.m.; and
 - (c) require any outside enclosures, pens, runs or exercise areas to be *fenced* and which shall:
 - (i) not be located within a *front* or *flanking front yard*;
 - (ii) be visually and acoustically *screened* to the satisfaction of the *Development Authority*; and
 - (iii) not be allowed if, in the opinion of the *Development Authority*, the existence of outdoor pens, runs or exercise areas is incompatible with the use of *adjacent parcels*.

6.18 MIXED USE DEVELOPMENT

- .1 In *mixed use developments*:
- (a) residential entrances shall be designed separate from commercial or institutional entrances; and
 - (b) *buildings* shall be designed and oriented to face all public *roads*, other than a *lane*.

6.19 OUTDOOR STORAGE

The following additional regulations shall apply:

- (a) *yard* and storage areas shall be *hard surfaced*;
- (b) all storage shall be *screened*; and
- (c) *encroachment* of storage areas into *setbacks* shall be at the discretion of the *Development Authority*.

6.20 RECREATIONAL VEHICLES

- .1 The storage of *recreational vehicles* does not require a *development permit* if they comply with the provisions in Table 6.2 and the provisions of this Section:

Table 6.2: Maximum number of *recreational vehicles* allowed

<u>District</u>	<u>Maximum number of recreational vehicles allowed on a parcel without a development permit</u>
<u>AG – Major</u>	<u>5</u>
<u>AG – Minor</u>	<u>5</u>
<u>AG – Residential</u>	<u>3</u>
<u>RE – Resource Extraction</u>	<u>0</u>
<u>R1 – Country Residential</u>	<u>3</u>
<u>R2 – Country Estate Residential</u>	<u>1</u>
<u>R3 – Hamlet Unserviced</u>	<u>1</u>
<u>R4 – Hamlet Serviced</u>	<u>1</u>
<u>R5 – Multi-Family</u>	<u>0</u>
<u>HR – Hamlet Reserve</u>	<u>0</u>
<u>C1 – Highway Commercial</u>	<u>0</u>
<u>C2 – Local Commercial</u>	<u>0</u>
<u>C3 – Neighbourhood Commercial</u>	<u>0</u>
<u>I1 – Rural Industry Support</u>	<u>0</u>
<u>I2 – Local Industrial</u>	<u>0</u>
<u>I3 – Medium Industrial Unserviced</u>	<u>0</u>
<u>I4 – Medium Industrial Serviced</u>	<u>0</u>
<u>I5 – Heavy Industrial</u>	<u>0</u>
<u>IR – Industrial Reserve</u>	<u>0</u>
<u>AP – Airport Support</u>	<u>0</u>
<u>EP – Environmental Preservation</u>	<u>0</u>

District	Maximum number of recreational vehicles allowed on a parcel without a development permit
INS – Institutional	<u>0</u>
POS – Public Open Space	<u>0</u>
PU – Public Utility	<u>0</u>
REC – Recreational	<u>0</u>

.2 The storage of *recreational vehicles* in excess of the maximum amount for a district as listed in Table 6.2, shall be considered a *recreational vehicle storage facility* and will require a *development permit*.

6.206.21 RECREATIONAL VEHICLE STORAGE FACILITY

- .1 A *recreational vehicle storage facility* shall require a *development permit* in accordance with the appropriate district regulations and shall comply with the following to the satisfaction of the *Development Authority*:
 - (a) access and egress to the facility should be provided via a *local* or *collector road*. Access and egress via a *highway* or an *arterial road* is discouraged;
 - (b) the facility shall be designed such that all vehicles shall enter and exit the facility in a forward direction;
 - (c) vehicular access to the *parcel* and internal vehicular circulation shall be *hard surfaced*;
 - (d) upgrades to accesses or *roads* shall be in accordance with Sturgeon County's General Municipal Servicing Standards for commercial land uses; and
 - (e) perimeter *fencing* and *landscaping* to screen storage areas from the *abutting road* and *adjacent parcels* shall be provided.
- .2 A *development permit* application for a *recreational vehicle storage facility* shall include a detailed proposed plan for the *development* area that includes but is not limited to:
 - (a) *parcel* layout, including the location and dimensions of storage areas and drive aisles;
 - (b) the number of *recreational vehicles* and storage equipment to be stored *on-site*;
 - (c) security and lighting;
 - (d) location, dimensions and surfacing of *parcel* access and egress;
 - (e) proposed hours of operation; and
 - (f) site drainage demonstrating that the proposed *use* and site design does not interfere with *site grading* or drainage onto any *road* or *adjacent parcel*.
- .3 A security deposit as determined by the *Development Authority* shall be required and held by the County until such time that the applicant completes the conditions of approval.
- .4 An as-built *grading plan* shall be provided within three months of completion of final *grading* to ensure that the *development* was constructed in accordance with the approved plans for which the *development permit* was issued.

6.246.22 RENEWABLE ENERGY FACILITY

- .1 The applicant shall obtain and demonstrate compliance with all relevant Alberta Utility Commission and other provincial and federal permits, approvals and licenses.
- .2 An environmental impact assessment and/or noise impact assessment may be required by the *Development Authority*.
- .3 The *Development Authority* may require additional *landscaping* in addition to the regulations described in Part 8 of this Bylaw.
- .4 The *Development Authority* may require the *development permit* application to include a proposal for the reclamation of the *parcel* prepared by a ~~qualified professional~~ practicing professional.

6.226.23 SALES CENTRE

- .1 *Parcels* containing residential *sales centres* shall be located and developed such that their impacts on surrounding *roads* and residential *development* are minimized. In deciding upon an application, the *Development Authority* shall take into consideration the scale of the *sales centre* and its proximity to existing *development*.
- .2 The applicant shall demonstrate that sufficient parking is available on or *adjacent* to the *parcel*.
- .3 The siting and *development* of *sales centre buildings* shall comply with the regulations of the district applicable to the *parcel*.
- .4 A *sales centre* shall not operate for a period greater than twenty-four months unless a new *development permit* is obtained and shall be removed from the *parcel* to the satisfaction of the *Development Authority* once this period lapses.
- .5 A *sales centre* shall have *hard surface* access for pedestrians.

6.236.24 SECONDARY DWELLING

- .1 A *secondary dwelling* shall not be considered on AG *parcels* smaller than 32.4ha (80ac) in area.
- .2 Notwithstanding Subsection 6.23.1, a *secondary dwelling* may be *permitted* on a *parcel* that qualifies for *subdivision* in accordance with Paragraph 11.1.5(c) and where it meets the intent of *parcel density* as described in Policy 2.3.16 of the Municipal Development Plan.
- .3 Notwithstanding Subsection 6.23.1, the number of *secondary dwellings* allowed on a *parcel* shall not exceed one.

6.246.25 SECONDARY SUITE

- .1 A *parcel* for a proposed *secondary suite* shall have, and be connected to *full municipal servicing*
- .2 A *secondary suite* shall be considered accessory to a *dwelling* only.
- .3 A maximum of one *secondary suite* shall be considered on a *parcel*.
- .4 *Secondary suites* shall not be separated from the *dwelling* by a condominium conversion.
- .5 The minimum *floor area* for a *secondary suite* ~~shall be as per the Safety Codes Act and the floor area (excluding the area covered by stairways)~~ shall not exceed the *floor area* of the main *storey* of the *dwelling*.
- .6 In the case of a *secondary suite* developed within the *dwelling* and completely or partially above *grade*, the *floor area* (excluding the area covered by stairways) shall not exceed 40% of the total *floor area* above *grade* of the *dwelling*.

- .7 A *garage suite* shall have an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.
- .8 The minimum distance between a detached garage containing a *garage suite* or *garden suite* and the *principal building* on the same *parcel* shall be 4m (13.1ft).
- .9 Except for a *garage suite* and a *garden suite*, a *secondary suite* shall be developed in such a manner that the exterior of the *dwelling* containing the *secondary suite* shall appear as a single *dwelling*.
- .10 A *secondary suite* shall not be allowed on the same *parcel* containing a *group home*, *major or minor, day care facility*, *family day home*, *bed and breakfast* or *home-based business* (level 2 or 3).
- .11 A *garage suite* shall not be allowed in the R4 district.

6.256.26 SEMI-DETACHED DWELLING

- .1 A *parcel* for a proposed *semi-detached dwelling* shall have, and be connected to *full municipal servicing*.
- .2 A *parcel* containing a *semi-detached dwelling* shall not contain a *secondary suite*.
- .3 A *semi-detached dwelling* shall not contain a *home-based business* level 2 or level 3.

6.266.27 SHIPPING CONTAINER

- .1 *Shipping containers* do not require a *development permit* if they comply with the provisions in Table 6.3 and the provisions of this Section:

Table 6.2: Table 6.3: Maximum Number of Shipping Containers
Permitted on a Parcel

District	Maximum number of shipping containers allowed permitted on a parcel without a development permit
AG – Major	5
AG – Minor	3
AG – Residential	1
RE – Resource Extraction	5
R1 – Country Residential	1
R2 – Country Estate Residential	0
R3 – Hamlet Unserviced	0
R4 – Hamlet Serviced	0
R5 – Multi-Family	0
HR – Hamlet Reserve	1
C1 – Highway Commercial	3
C2 – Local Commercial	1
C3 – Neighbourhood Commercial	3
I1 – Rural Industry Support	5
I2 – Local Industrial	3
I3 – Medium Industrial Unserviced	5
I4 – Medium Industrial Serviced	5
I5 – Heavy Industrial-District	5
IR – Industrial Reserve	5

District	Maximum number of shipping containers allowed permitted on a parcel without a development permit
AP – Airport Support	3
EP – Environmental Preservation	0
INS – Institutional	1
POS – Public Open Space	1
PU – Public Utility	1
REC – Recreational	2

- .2 *Shipping containers* shall be *screened* from view to the satisfaction of the *Development Authority*.
- .3 Notwithstanding Subsection 6.26.1, one *shipping container* may be stored *on-site* if required for temporary storage associated with the construction or *development* of a *parcel* and shall be further regulated through the *development permit* conditions.
- .4 All *shipping containers* shall meet the minimum *setbacks* for *accessory buildings* of the applicable district, unless otherwise indicated by the *Development Authority*.
- .5 *Shipping containers* shall be used for storage purposes only, and shall not be used to store dangerous or hazardous materials or as a *dwelling*.
- .6 The storage of *shipping containers* in excess of the maximum amount for a district as listed in Table 6.3, shall be considered *outdoor storage* and will require a *development permit*.
- .7 Altered or modified *shipping containers* shall require an applicable *development permit*.
- .8 Shipping containers shall not be stacked except for in the AP, I2, I3, I4 and I5 land use districts.

6.276.28 SHOOTING RANGE

- .1 Prior to submitting an application for a *development permit*, an applicant shall obtain, provide and demonstrate ongoing compliance with all relevant provincial and federal permits and licenses.
- .2 The term of the *development permit* shall be equivalent to the expiry of the official *shooting range* approval provided by the Chief Firearms Officer of Alberta.
- .3 The *Development Authority* may require mitigation measures to address noise generated by the shooting range. This may include, but is not limited to, *landscaping, screening, fencing* and *berming*.
- .4 The hours of operation shall be determined by the *Development Authority* but those hours shall require all gun fire to cease at sunset at an outdoor shooting range.
- .5 Appropriate signage to alert the surrounding community of the location of the *shooting range* shall be erected along the *parcel boundaries* to the satisfaction of the *Development Authority*. The signage shall contain the business name and contact information.
- .6 The applicant shall provide a *reclamation* plan to the satisfaction of the *Development Authority* as part of an application for a *development permit*.

6.286.29 SHOW HOME

- .1 The conditions of the *development permit* for a *show home* may include but are not limited to the following:
 - (a) restricting any public viewing of the *show home* until the *road* to the *show home* is *hard surfaced* to municipal standards; and

- (b) limiting the operation of the *show home* for a period in excess of 24 months unless the *development permit* is renewed at the discretion of the *Development Authority*.
- .2 When a *show home* use ceases to operate, a *development permit* is required to convert the *development* to a *dwelling* for residential occupancy.
- .3 *Development permits* may be issued prior to the registration of a phase of a subdivision providing that the phase has received approval by the Subdivision Authority, there is a *Development Agreement* in place and there is a *hardsurfaced road* constructed from the municipal *road* to the *show home* in accordance with the *Development Agreement*. The *developer* shall also enter into a *show home* agreement with the County.

6.296.30 SOLAR COLLECTOR

- .1 A freestanding *solar collector* will be considered an *accessory building* and shall require a *development permit* and shall meet the *development* regulations of the applicable district.
- .2 A *solar collector* located on a roof or wall of a *building* does not require a *development permit* in accordance with Section 2.3 of this Bylaw.

6.306.31 SPORT COURT

- .1 Subject to Subsection 6.30.2, a *development permit* is not required for a *sport court* in accordance with Section 2.3 of this Bylaw if the *sport court* complies with the following:
 - (a) a *sport court* shall not be located in the *front yard* or *flanking front yard* of a property and shall at minimum meet the *side* and *rear yard setbacks* applicable to the relevant district;
 - (b) any lighting fixtures shall be installed with light directed into the *sport court*. Any light shall be deflected away from public *roads*, surrounding *buildings* and/or *adjacent parcels*;
 - (c) the *use* of a *sport court* shall not be organized for profit; and
 - (d) the *use* of a *sport court* shall not be for public use.
- .2 A *development permit* for a *sport court* is required if any of the following are applicable:
 - (a) the total *parcel coverage* (including the *sport court* and all *buildings*) exceed 25% of the *parcel area*;
 - (b) the total area of the *sport court* exceeds 200m² (2,152.8ft²);
 - (c) any light poles exceed 3m (9.8ft) in *height*; or
 - (d) any rink boards or fences exceed 1.8m (5.9ft) in *height*.
- .3 As part of a *development permit* application, the *Development Authority* may require the following:
 - (a) the location of the *sport court* and relevant measurements and coverage;
 - (b) *landscaping* and *fencing* measures to *screen* the *sport court* from surrounding properties;
 - (c) location, type and *height* of boards (if any);
 - (d) location, type and *height* of light poles (if any);
 - (e) a drainage plan for the disposal of water (from rink in spring or when rink is no longer in use); and
 - (f) any other information required by the *Development Authority*.

6-346.32 SURVEILLANCE SUITE

- .1 The maximum number of *surveillance suites* per *parcel* shall be one.
- .2 A *development permit* for a *surveillance suite* is considered void if the *use* or *development* with which the *surveillance suite* is associated ceases or is removed.
- .3 The maximum *floor area* of a *surveillance suite* shall be 70m² (753.5ft²).
- .4 Where a *surveillance suite* is attached to the *principal building* on a *parcel* by a roof, an open or enclosed structure, a floor or a *foundation*, it is to be considered a part of the *principal building*.

6-326.33 TELECOMMUNICATION TOWER AND ANTENNA SYSTEM

All *telecommunication tower and antenna systems* which include masts, towers and other supporting structures (telecommunication facilities) are federally regulated and are exempt from obtaining a *development permit*. However, depending on the height of the tower, an applicant may need to obtain a Letter of Concurrence from the manager in accordance with the [Radiocommunication Act, RSC 1985 c R-2](#).

6-336.34 TEMPORARY ASPHALT PLANT AND TEMPORARY CONCRETE BATCH PLANT

- .1 The period for a *development permit* for the operation of a *temporary asphalt plant* or *temporary concrete batch plant* shall be at the discretion of the *Development Authority* based on the scope of the project.
- .2 A *temporary asphalt plant* or *temporary concrete batch plant* shall not be located within 400m (1,312.3ft) of a *dwelling*.
- .3 Notwithstanding Subsection 6.33.2, a *temporary asphalt plant* or *temporary concrete batch plant* may be permitted within 400m (1,312.3ft) of a *dwelling* as agreed to in writing by the resident(s) of the existing *dwelling*.

6-346.35 TOPSOIL SCREENING

- .1 A development permit application shall include but is not limited to the following:
 - (a) A detailed description of the operation with proposed start and end date of the project, anticipated number of visitors daily and per week during 'average' and 'peak' season, hours of operation, the source and amount of material to be removed or brought onto the *parcel* and techniques proposed to mitigate any noise or dust generated from the *use* that may impact *adjacent land uses*;
 - (b) a site plan of the *development area* which shall include:
 - (i) access and egress designed to accommodate two-way traffic to control entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow in accordance with Sturgeon County's General Municipal Servicing Standards;
 - (ii) location of internal roads;
 - (iii) the proposed location of the screening equipment;
 - (iv) the proposed location and dimensions of any *stockpile* or berm; and
 - (v) any existing *buildings* and their *uses*; and
 - (c) A *grading plan* shall be required if the *development* impedes or interferes with the natural flow of surface water onto *adjacent lands* or public *road rights-of-ways*.
- .2 All *setbacks* shall be at the discretion of the *Development Authority*.

- .3 Any lighting shall be provided in accordance with Section 5.13.
- .4 The hours of operation for *topsoil screening* shall take place only within the hours specified by the *Development Authority*. The *Development Authority* shall have regard to but is not bound by the following guidelines:
 - (a) 8:00a.m. to 6:00p.m. Monday to Friday; and
 - (b) 8:00a.m. to 8:00p.m. Saturday to Sunday and Statutory Holidays.

6.356.36 TOWN HOUSE

The maximum number of *dwelling units* that can be consecutively attached is six.

6.366.37 VETERINARY CLINIC

- .1 A *veterinary clinic* shall comply with the following regulations:
 - (a) all animals being kept overnight shall be within a *building*; and
 - (b) any enclosures, runs or outdoor pens shall be located on the *parcel* in such a manner that the keeping of animals does not interfere with the *use* and enjoyment of *adjacent* properties.

6.376.38 WIND ENERGY SYSTEM

- .1 A *wind energy system* is an *accessory building* and requires a *development permit*.
- .2 In addition to the requirements of Section 2.4 of this Bylaw, *development permit* applications for *wind energy system* shall follow Alberta's Micro-generation regulation.
- .3 The *total height* of a *wind energy system* may exceed the maximum allowable *height* of the applied district by a maximum of 2m (6.6ft).
- .4 A *wind energy system* shall comply with the following:
 - (a) there shall be a limit of one *wind energy system* per *parcel*;
 - (b) *setbacks* from *buildings* and *parcel* lines shall be at the discretion of the *Development Authority*;
 - (c) a *wind energy system* shall have a minimum *blade* clearance of 7.6m (24.9ft) from *grade*.

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PART 7 SIGN REGULATIONS

7.1 PURPOSE

- .1 The purpose of these regulations is to ensure that *signs*:
- (a) do not disrupt the orderly and safe flow of vehicle and pedestrian traffic;
 - (b) do not unduly interfere with the amenities of the district in which they are located;
 - (c) do not materially interfere with or affect the *use*, enjoyment or value of neighbouring *parcels*; and
 - (d) do not create visual or aesthetic blight.

7.2 APPLICABILITY

- .1 The regulations contained within this Part shall apply to all *signs* that are posted, placed or erected on both *private property* and *public property*.
- .2 Unless otherwise indicated herein, the County Bylaw 1127/07 regulates signage that is posted, placed or erected on County *road rights-of-way*.
- .3 Notwithstanding Subsection 7.2.1 and 7.2.2 regulations do not apply to *municipal signs* or *signs* that are posted, placed or erected in accordance with a contractual arrangement between the County and another party.

7.3 DEFINITIONS

In this Bylaw, the definitions set out in the following Section shall be used in addition to those established in Subsection 1.5.12 and Part 18 of this Bylaw.

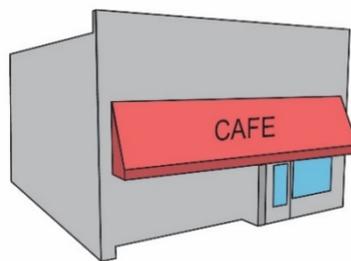
A-board sign means an A-shaped, *temporary sign* with no external supporting structure that is set upon, but not attached to, the ground.

Animated or digital sign means a *sign* that uses movement, video or changing/flashing of lighting or text.

Awning or canopy sign means a *sign* incorporated upon or within an awning.



A-board Sign



Awning Sign



Billboard

Figure 7.1: Sign Types

Banner sign means a *temporary sign* constructed from a non-rigid fabric in a banner style which is attached to a pole or other structure.

Billboard means a *sign* displaying only *third party advertising*, primarily self-supporting and may be permanently affixed to the ground.

Community notice board means a structure erected by the County for the purpose of posting temporary community notices.

Construction site identification sign means a *temporary sign* erected on a construction site for the purpose of advertising or providing information related to the referenced construction project.

Developer marketing sign means a *temporary sign* promoting vacant properties or *show homes* within a subdivision.

Development directional sign means a *temporary sign* placed or erected for the purpose of guiding or directing pedestrian or vehicular traffic to new subdivisions, new home areas, or *show homes*.

Directional sign means a private *sign* directing pedestrian or vehicular traffic, including ingress and egress *signs* and parking *signs*.

Election sign means a temporary federal, provincial, municipal or *school election sign* or any other *temporary sign* connected with the holding of an election conducted in accordance with federal, provincial or municipal law. For the purposes of this Bylaw, a *sign* connected with a scheduled vote of the electorate (a process referred to by the *Local Authorities Election Act*, RSA 2000, c.L-21) shall be considered an *election sign*.

Fascia sign means a *sign* attached, etched or painted on a *building*. A wall mural shall not be considered a *fascia sign*.

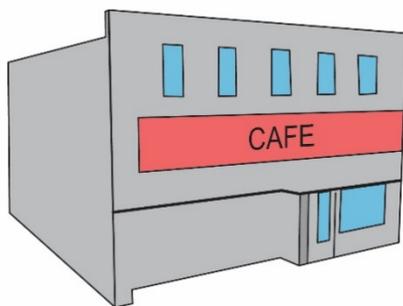
Flag sign means a *sign* constructed of fabric hung from a pole.

Freestanding sign means a *sign* anchored into the ground on a standard base or column permanently affixed to the ground and not attached to any *building* or other structure, and may display signage for a single or multiple tenants of the *parcel*.

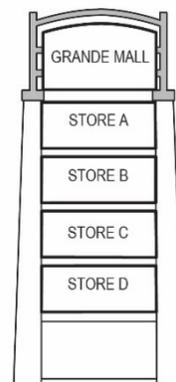
Illumination means the lighting of any *sign* by artificial means.

Low profile sign means a *freestanding sign* not exceeding 2m (6.6ft) in *height* that incorporates a design and *building* material accentuating the architectural theme of the *building* or *buildings adjacent* to its location.

Motor vehicle sign means a *sign* placed on, placed within or attached to the exterior of a motor vehicle, which advertises or promotes the business for which the motor vehicle is being used, or the sale of that motor vehicle, in the form of a "for sale" *sign*, provided that the motor vehicle is parked entirely on a private property or entirely on the property of an approved *vehicle sale and rental use*.



Fascia Sign



Freestanding Sign



Portable Sign



Projecting Sign

Figure 7.2: Sign Types

Municipal sign means a *sign* erected or placed by or on behalf of a municipality.

Neighbourhood identification sign means a *sign* that displays the name of a County neighbourhood or business park.

Pedestrian-oriented sign means designed, scaled and located in such a way that the primary purpose of the *sign* is to provide information to pedestrians and cyclists.

Portable sign means a *temporary sign*, with changeable copy, designed to be readily relocated.

Projecting sign means a *sign* that is attached to, supported by, and extends at least 0.5m (1.6ft) outward from, a *building*. Neither a *canopy sign* nor an *awning sign* shall be considered a *projecting sign*.

Real estate sign means a *temporary sign* erected or placed for the purpose of advertising real property for sale, lease or rent.

Roof sign means a *sign* attached to the roof of a *building* or parapet of a *building*.

Self-supported means supported by one or more columns, uprights, or braces in or upon the ground that are not attached to, and do not form part of a *building*.

Sign means a device or structure erected or placed for the purpose of providing direction or providing information on such things as a development, business, product, service, location, event or person.

Sign area means the areas of a *sign* that are available for copy (excluding the main support structure). The *sign area* of a multiple faced *sign* is the area of all faces.

Sign height means the vertical distance measured at right angles from the highest point of the *sign* or *sign* structure to the finished *grade* directly below.

Temporary sign means a *sign*, not permanently installed or in a fixed position for a limited period of time.

Third party advertising means advertising of a product or activity that is conducted, sold or offered elsewhere than on the *parcel* upon which the *sign* is located.

Traffic control device means any *sign*, signal, marking or device placed, marked or erected by the County for the purpose of regulating, warning or guiding traffic.

Window sign means a *sign* placed on or inside a window that faces outward and is intended to be seen from the outside.

7.4 GENERAL REGULATIONS

- .1 Notwithstanding any other regulations of this Bylaw:
 - (a) *signs* shall not be constructed or located such that they may be confused with or detract from a *traffic control device*, *municipal sign* or other municipal device;
 - (b) *signs* shall not be constructed or located such that they interfere with the safe or orderly movement of pedestrians, cyclists or motor vehicles or the sight lines required under this or any other bylaw;
 - (c) a *sign* displaying a neighbourhood name shall be consistent with any County neighbourhood naming policy;
 - (d) a *sign height* shall not exceed the maximum *building height* allowed in the applicable district;
 - (e) the *illumination* of a *sign* shall not negatively affect, nor pose a safety hazard to, an *adjacent property* or area;
 - (f) wiring and conduits for electrified *signs* shall be concealed from view;
 - (g) *signs* shall be designed and constructed to ensure:
 - (i) the durability of the *sign* (taking into account whether it is a permanent or *temporary sign*);
 - (ii) the compatibility of the *sign* with *adjacent development*; and
 - (iii) the compatibility of the *sign* with the architecture of the *building frontage* on the property;
 - (h) if a *sign* fits within two or more *sign* categories then:
 - (i) it shall be a *permitted use* if it is a *permitted use* under each *sign* category;
 - (ii) it shall be a *discretionary use* if it is a *discretionary use* under at least one applicable *sign* category; and
 - (iii) it shall comply with all regulations applicable to each category of *sign*;
 - (i) *signs* on *public property* in a residential district shall:
 - (i) not exceed 1.5m² (16.1ft²) in *sign area*, unless otherwise authorized under this Bylaw;
 - (ii) not exceed 3m (9.8ft) in *sign height*, unless otherwise authorized under this Bylaw; and
 - (iii) be *self-supported* or *wall-mounted signs*, unless otherwise authorized under this Bylaw; and
 - (j) ~~with the exception of motor vehicle signs, all signs~~ displaying third party advertising ~~ed on or within trailers, passenger vehicles, commercial vehicles, and shipping containers~~ are prohibited in all districts.
- .2 Unless otherwise stated hereunder, all *signs* shall have a *development permit* in compliance with this Bylaw.
- .3 Quality, aesthetic character and finishing of *sign* construction shall be to the satisfaction of the *Development Authority*.
- .4 *Signs* shall not be permitted within 0.8km (0.5mi) of a *highway* unless prior approval from Alberta Transportation has been obtained.

7.5 APPLICATION FOR SIGN PERMITS

- .1 No person shall place, replace, erect or use any *sign* without first obtaining a *development permit*, except as provided in Section 7.6, or where stated otherwise in this Bylaw.
- .2 The *Development Authority* may issue a *development permit* if the *sign* complies with the provisions of this Bylaw.
- .3 In addition to the requirement of Section 2.4 of this Bylaw, an application for a *development permit* to erect a *sign* shall include the following:
 - (a) the name and address of:
 - (i) the *sign* company responsible for the *sign*;
 - (ii) the owner of the *sign*; and
 - (iii) the *landowner* of the *parcel* or premises upon which the *sign* is to be erected;
 - (b) a site plan designating the following location details:
 - (i) location of the proposed signage;
 - (ii) the distance to a public *road surface*; and
 - (iii) the distance to aerial power lines from *freestanding signs*;
 - (c) a plan showing the following construction details:
 - (i) the overall dimensions of the *sign* and the total *sign area*;
 - (ii) the *height* of the top and the bottom of *sign* above the average ground level at the face of the *building* or *sign*;
 - (iii) the method of *illumination*; and
 - (iv) such other information as the *Development Authority* may require; and
 - (d) whenever the conditions of installation require unusual structural provisions, the *Development Authority* may require that a structural drawing be prepared by and bear the seal of a practicing professional engineer.

7.6 REGULATIONS FOR SPECIFIC TYPES OF SIGNS

- .1 *A-board sign*
 - (a) An *A-board sign* is a *permitted use* in industrial or commercial districts and no *development permit* is required provided the *sign*:
 - (i) does not exceed 0.8m² (8.6ft²) in *sign area*;
 - (ii) does not exceed 1m (3.3ft) in *sign height*;
 - (iii) is not located on a public utility *lot*; and
 - (iv) maintains a separation distance of 10m (32.8ft) from another *A-board sign*.
- .2 *Animated or digital sign*
 - (a) An *animated* or *digital sign* is a *discretionary use* in all industrial, all commercial and the INS district subject to the issuance of a *development permit*.

.3 *Awning and canopy sign*

- (a) *Awning and canopy signs* shall be considered a *permitted use* subject to the issuance of a *development permit*, and:
 - (i) may be located in commercial, and industrial, districts; and
 - (ii) may be located in a residential district which allows for multiple *dwelling* provided that such *signs* are limited to *on-site* name and address identification.
- (b) An *awning or canopy sign* shall:
 - (i) not exceed a maximum vertical dimension of 1.5m (4.9ft), unless otherwise stated;
 - (ii) on a one *storey building*, not extend more than 30cm (11.8in) above the roof or parapet;
 - (iii) on a *building* with more than one *storey*, not extend more than 75cm (29.5in) above the floor of the second *storey* (and in any event, shall not extend over the bottom of any second *storey* windowsill);
 - (iv) provide a minimum vertical clearance of 2.5m (8.2ft) from finished *grade* to the bottom of the *sign*; and
 - (v) not extend beyond the width of the *building frontage* except where the *sign* is wrapped around a corner, in which case it shall extend for a distance that is equal to the width of the *sign*.

.4 *Banner sign*

- (a) A *banner sign* is a *permitted use* in the all commercial, all industrial, the AG and INS districts and no *development permit* is required provided the *sign* is placed on a *parcel* for a period not exceeding 48 total hours in a calendar month.
- (b) Notwithstanding Paragraph 7.6.4(a) upon the issuance of a *development permit* and at the discretion of the *Development Authority*, a *banner sign* may be placed for more than 48 hours in the INS district provided the *sign* is used to advertise a non-profit or charity event. The *development permit* shall state the period of time (up to 30 consecutive days) that the *banner sign* may be erected.
- (c) A *banner sign* is a *discretionary use* in residential districts and requires a *development permit*.
- (d) A *development permit* for a *banner sign* is valid for a maximum of 30 consecutive days. Following the expiration of the *development permit*, the *parcel* shall remain free of *banner signs* for a minimum of 30 consecutive days. *Banner signs* can be displayed on a property for a maximum of 90 days in a calendar year.
- (e) A *banner sign* that is attached to the side of a *building* shall comply with the dimensional regulations for *fascia signs*.

.5 *Billboard*

- (a) As a *discretionary use* subject to the issuance of a *development permit*, a *billboard* may be located in the AG, industrial, and commercial districts.
- (b) A *billboard* shall:
 - (i) be a *self-supported* or *wall-mounted sign*;
 - (ii) not exceed 30m² (322.9ft²) in *sign area*;
 - (iii) not exceed 8m (26.2ft) in *sign height*;

- (iv) be located a minimum of 30.5m (100ft) from a *road surface* intersection;
- (v) be located a minimum of 100m (328.1ft) from a residential district;
- (vi) be located a minimum of 400m (1,312.3ft) from another *billboard*;
- (vii) be located a minimum of 25m (82ft) from any *freestanding sign*;
- (viii) subject to Subparagraph 7.6.5(b)(iv), be located a minimum of 3m (9.8ft) from all *parcel lines*; and
- (ix) not project beyond the boundary of a *parcel* upon which the *billboard* is located.

.6 *Construction site identification sign*

- (a) A *construction site identification sign* is a *permitted use* in all districts and no *development permit* is required provided that the *sign*:
 - (i) is a *self-supported* or *wall-mounted sign*;
 - (ii) does not exceed 3.5m (11.5ft) in *sign height*;
 - (iii) does not exceed 5m² (53.8ft²) in *sign area*; and
 - (iv) is not erected for a period longer than 12 months from the issuance of a *safety code permit* relating to the construction project.

.7 *Development directional sign*

- (a) A *development directional sign* is a *permitted use* in a residential district and no *development permit* is required provided that the *sign*:
 - (i) be a *self-supported sign*;
 - (ii) not exceed 1.5m² (16.1ft²) in *sign area*;
 - (iii) not exceed 3m (9.8ft) in *sign height*;
 - (iv) be located a minimum of 30.5m (100ft) from a *road surface* intersection;
 - (v) is not erected for a period longer than 36 months; and
 - (vi) is included in a *Development Agreement* which addresses the placement of a *development directional sign*.

.8 *Developer marketing sign*

- (a) A *developer marketing sign* shall be allowed only as part of a *Development Agreement*.
- (b) A *developer marketing sign* is a *permitted use* in a residential district, and no *development permit* is required provided that the *sign*:
 - (i) is a *self-supported sign*;
 - (ii) is not *illuminated*;
 - (iii) is located in a subdivision or *development* that is subject to a *Development Agreement* which addresses the placement of a *developer marketing sign*;
 - (iv) does not exceed 3m² (32.3ft²) in *sign area*;
 - (v) does not exceed 3m (9.8ft) in *sign height*; and
 - (vi) is not erected for a period longer than 36 months.

.9 *Directional sign*

- (a) A *directional sign* is a *permitted use* and subject to the issuance of a *development permit*, may be located in the commercial, industrial, AG and INS districts.
- (b) A *directional sign* shall:
 - (i) be a *self-supported* or *wall-mounted sign*;
 - (ii) not exceed 3m² (32.3ft²) in *sign area*;
 - (iii) not exceed 2.5m (8.2ft) in *sign height*; and
 - (iv) be located a minimum of 30.5m (100ft) from a *road surface* intersection.
- (c) A *directional sign* shall not include advertising copy, with the exception of a logo.

.10 *Election sign*

- (a) *Election signs* are *permitted uses* in all districts and no *development permits* are required provided that:
 - (i) such *signs* are removed within three days after the election;
 - (ii) the consent of the *landowner* or occupant is obtained;
 - (iii) such *signs* are not attached to *fences*, trees or utility poles; and
 - (iv) the *sign* indicates the name of the sponsor.

.11 *Fascia sign*

- (a) A *fascia sign* is a *permitted use* in the commercial, industrial, AG and INS districts and no *development permit* is required provided that the *sign* does not exceed 0.5m² (5.4ft²) in *sign area*.
- (b) Subject to the issuance of a *development permit*, a *fascia sign* in excess of 0.5m² (5.4ft²) in *sign area* may be located in the all commercial, all industrial, the AG and INS districts.
- (c) A *fascia sign*:
 - (i) shall have a minimum vertical clearance of 2.5m (8.2ft) from finished *grade* to the bottom of the *sign*;
 - (ii) shall not extend more than 30cm (11.8in) in *height* above a *building* or parapet; and
 - (iii) shall not extend more than 40cm (15.7in) outward from the supporting *building's frontage*.

.12 *Flag sign*

- (a) A *flag sign* is a *permitted use* in all districts and no *development permits* are required provided that the *sign*:
 - (i) be decorative; or
 - (ii) promotes the buying or selling of a product, or the supply of services that are available on the *parcel* on which the *flag sign* is located.
- (b) A *flag sign* shall:
 - (i) have a minimum clearance of 3.5m (11.5ft) from the bottom edge of the flag to *grade*;
 - (ii) be set back a minimum of 1m (3.3ft) from any *property line*;

- (iii) have a separation distance of 5m (16.4ft) from any other *sign on-site*, other than another *flag sign*;
- (iv) be limited to a maximum of:
 - A. one flag on a parcel less than 0.25 ha (0.6 ac) and with a frontage of 30m (98.4ft) or less;
 - B. three flags on a parcel less than 0.25 ha (0.6 ac) and with a frontage greater than 30.0m (98ft);
 - C. four flags on a parcel greater than 0.25ha (0.6ac) but less than 1ha (2.47ac); and
 - D. six flags on a parcel greater than 1ha (2.47ac);
- (v) be *freestanding* and not attached to any other *sign* or structure;
- (vi) have a maximum *height* of 5m (16.4ft);
- (vii) have a maximum *sign area* of 2.8m² (30.1ft²); and
- (viii) be removed:
 - A. upon completion of the subdivision for which it is advertising;
 - B. upon removal of a temporary sales office for which it is advertising;
 - C. upon residential occupancy of a show home for which it is advertising;
 - D. within 36 months from the date of approval of a development permit for a residential sales centre; or
 - E. whichever comes first.

.13 *Freestanding sign*

- (a) A *freestanding sign* is a *permitted use* and requires a *development permit* in:
 - (i) commercial and industrial districts;
 - (ii) AG and INS districts; and
 - (iii) residential districts which allow for multiple *dwellings* provided that the *sign* is for name and address identification only.
- (b) A *freestanding sign* shall:
 - (i) not exceed 7.5m² (80.7ft²) in *sign area* unless the *parcel* upon which the *sign* is located has a *frontage* wider than 30m (98.4ft) (in which case the *sign* may be up to 1m² (10.8ft²) larger for each additional 15m (49.2ft) of *frontage*);
 - (ii) not exceed 10m (32.8ft) in *sign height*;
 - (iii) be located a minimum of 3m (9.8ft) from all *parcel lines abutting a road*; and
 - (iv) not project beyond the boundary of the *parcel* upon which it is located.
- (c) notwithstanding Subparagraph 7.6.13(b)(i), the maximum *sign area* for a low-profile *freestanding sign* shall be 2.5m² (26.9ft²);
- (d) In a commercial district, a *freestanding sign* shall be separated by a minimum of 25m (82ft) from any other *freestanding sign* or a *billboard*.

- (e) No more than one *freestanding sign* is allowed per *parcel*.
- (f) Notwithstanding Paragraph 7.6.13(d), in all commercial and all industrial districts where there are multiple tenants on one *parcel*, the *Development Authority* may issue a *development permit* for one additional *freestanding sign*.

.14 *Home-based business and bed and breakfast sign*

(a) *Development permits are not required and are a condition of a development permit for a home-based business and bed and breakfast sign.*

~~(a)~~(b) Signage associated with a *home-based business* or *bed and breakfast* shall be regulated in accordance with the following requirements:

- (i) one *on-site*, commercially produced *sign* to identify the business;
- (ii) *sign* dimensions shall be a maximum of 1m (3.3ft) in length and 0.6m (2ft) in *height*;
- (iii) the *sign* shall, displayed as a *window sign*; be affixed to the *building* or be located in the *front yard adjacent* to the front *parcel boundary* and either be *self-supporting* or attached to existing *fencing*; and
- (iv) no *off-site* signage associated with a *home-based business* is permitted.

.15 *Neighbourhood identification sign*

Neighbourhood identification signs are subject to a *Development Agreement*, may be located in all districts and do not require a *development permit*.

.16 *Portable sign*

- (a) A *portable sign* is a *permitted use* in the all commercial, all industrial, the AG, INS and POS districts and requires a *development permit*.
- (b) *Portable signs* shall not be located in residential districts.
- (c) *Portable signs* shall:
 - (i) not exceed 5m² (53.8ft²) in *sign area*;
 - (ii) not exceed 2.5m (8.2ft) in *sign height*;
 - (iii) be located no less than 1.5m (4.9ft) from any *parcel line*; and
 - (iv) maintain a separation distance of 30m (98.4ft) from another *portable sign*.
- (d) In the INS and AG districts, *portable signs* are limited to a maximum of one *sign* per *parcel*.
- (e) In industrial and commercial districts, *portable signs* are limited to a maximum of one *sign* per 90m (295.3ft) of *parcel frontage*.
- (f) A *development permit* for a *portable sign* is valid for a maximum of 90 days.

.17 *Projecting sign*

- (a) A *projecting sign* is a *permitted use* in commercial and industrial districts and requires a *development permit*.
- (b) A *projecting sign* shall:
 - (i) not exceed 0.5m² (5.4ft²) in *sign area*;

- (ii) be placed so that the distance between the nearest edge of the *sign* and the *building* to which it is attached does not exceed 0.3m (1ft);
- (iii) provide a minimum vertical clearance of 2.5m (8.2ft) from finished *grade* to the bottom of the *sign*;
- (iv) have clearance from any electrical power lines or other utilities and provide for safe pedestrian movement or any other activities or *use* underneath the *projecting sign*;
- (v) except for corner *parcels*, be located at right angles to the *building facade*;
- (vi) complement the architecture and coordinate with other streetscape improvements and *development*;
- (vii) on a one-storey *building*, not extend more than 0.3m (1ft) above the roof or parapet; and
- (viii) on a *building* with more than one *storey*, not extend more than 0.75m (2.5ft) above the floor of the second *storey* (and in any event, shall not extend over the bottom of any second *storey* windowsill).

.18 *Real estate sign*

- (a) A *real estate sign* is a *permitted use* in all districts, and no *development permit* is required, provided:
 - (i) that the *sign* is a *self-supported* or *wall-mounted sign*;
 - (ii) in a residential district:
 - A. have a maximum *sign area* of 1.5m² (16.1ft²); and
 - B. have a maximum *height* of 1.8m (5.9ft);
 - (iii) in a commercial, industrial, INS or AG district:
 - A. have a maximum *sign area* of 6m² (64.6ft²); and
 - B. have a maximum *height* of 4m (13.1ft);
 - (iv) the *sign* is located a minimum of 1.5m (4.9ft) from all *parcel lines*; and
 - (v) that the *sign* advertises only the *parcel* upon which the *sign* is located.
- (b) No more than two *real estate signs* are allowed per *parcel*.

.19 *Roof sign*

- (a) A *roof sign* is a *permitted use* in all industrial and all commercial districts and requires a *development permit*.
- (b) A *roof sign* shall not exceed 8m² (86.1ft²) in *sign area*.
- (c) The maximum vertical dimension of a *roof sign* is 3m (9.8ft), however the vertical dimension of the *sign* plus the *building height* shall not exceed the maximum *height* allowances in the district.
- (d) No more than one *roof sign* is allowed per *building*.
- (e) A *roof sign* shall not overhang a *building*.
- (f) A *roof sign* may be *illuminated*.

.20 *Other signs*

- (a) Subject to any other applicable provision of this Section, a *development permit* is not required for:
 - (i) *signs* posted or exhibited inside a *building*;
 - (ii) *window signs*;
 - (iii) *motor vehicle signs*, provided the vehicle is not temporarily or permanently parked for the purpose of displaying the *sign*;
 - (iv) *signs* located on a *community notice board*;
 - (v) *signs* erected pursuant to a *Development Agreement*;
 - (vi) emergency or warning *signs* placed on a public *building, parcel* or utility *right-of-way*; and
 - (vii) the erection/placement of signage in accordance with the following requirements or situations:
 - A. a sign, signboard, billboard or advertising material within a highway right-of-way, provided a permit has been issued by Alberta Transportation;
 - B. official notices, signs, placards or bulletins required or permitted to be placed pursuant to the provisions of federal, provincial or municipal legislation;
 - C. municipal address numbers or letters displayed on parcel to which they refer; and
 - D. signs or advertisements related to the functions or work of the municipality or other public authority.

.21 Owner's Responsibility

- (a) Neither the granting of a *development permit* for a *sign* nor the approval of the plans nor any inspections made by the *Development Authority* shall in any way relieve the owner from full compliance with this Bylaw or other applicable legislation.
- (b) All *signs* shall be kept in a safe, clean and tidy condition and may be required to be renovated or removed if not properly maintained.
- (c) The owner of a *sign* shall permit the *Designated Officer* to enter the *landowner's parcel* at any reasonable time for the purpose of inspecting the *sign* or administering or enforcing this Bylaw.
- (d) Unless otherwise allowed in this Bylaw, no person shall attach anything to an existing *permitted sign* for which a *development permit* has been issued unless a new *development permit* is issued for such addition.

.22 Enforcement

- (a) In addition to the enforcement regulations established by Part 4 of this Bylaw, the subsequent regulations shall apply to *signs* within the County.
- (b) The *Development Authority* may, by notice in writing:
 - (i) direct the owner to correct the condition of any *sign* or remove any *sign* within thirty days of receipt of the notice where, in the opinion of the *Development Authority*, that condition or *sign* constitutes a violation of this Bylaw or any *development permit* hereunder, has become unsightly or is unsafe;
 - (ii) order the owner to stop work on a *sign* if it is proceeding in contravention of this Bylaw; and/or
 - (iii) order the owner to stop work on a *sign* if a *development permit* has not been issued.

- (c) Removal and Impoundment of *Signs*
- (i) In addition to pursuing any other remedy referenced under this Section, a *Designated Officer* may cause to be immediately removed and/or impounded any *sign*:
 - A. placed in contravention of a provision of this Bylaw;
 - B. where, in his or her opinion, the sign is in a state of extensive disrepair; or
 - C. where safety concerns or emergency conditions may justify such removal.
 - (ii) A *sign* removed under Paragraph 7.6.22(c) shall be delivered to a *storage facility* where it will remain impounded until claimed by an individual, business or organization referenced on the *sign*.
 - (iii) If an impounded *sign* is not reclaimed within 30 days of the individual, business, or organization being notified (either verbally or in writing) of the *sign's* removal, the County may dispose of the *sign* in any manner it deems appropriate.

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PART 8 LANDSCAPING REGULATIONS

The regulations included in this Part apply to all districts, unless the district regulations state otherwise.

8.1 GENERAL LANDSCAPING REGULATIONS

- .1 The *Development Authority* may require that site *landscaping* be provided in conjunction with, and addressed as part of, any *development permit* for multi-family, industrial, commercial and institutional uses.
- .2 *Landscaping* may be required as a condition of a *development permit* involving existing *development* if the proposed *development* enlarges or increases the intensity of *use* as determined by the *Development Authority*.
- .3 As a condition of the *development permit* where a *landscaping* plan is required, the *Development Authority* shall require all *landscaping* to be completed within two years of the issuance of *development permit* approval. This includes paving required for a commercial business operation and if necessary, *landscaping* in accordance with a landscape plan approved as part of the *development permit* consistent with Section 8.2 to the satisfaction of the *Development Authority*. The *landowner*, *developer* and/or successor or assignees shall be solely responsible for the necessary *landscaping* and proper maintenance of the *development parcel*.
- .4 The provision of site *landscaping* is a continuing obligation of a *development permit* and shall be installed and maintained in accordance with accepted horticultural practices and consistent with the approved landscape plan, if it is required as a condition of the *development permit*.
- .5 Any *retaining wall* exceeding 1.2m (3.9ft) in *height* shall be designed by a practicing professional engineer and inspected after construction by a practicing professional engineer. The *landowner* shall provide to the County the design and inspection report, both bearing the seal and signature of a practicing professional engineer. If such *retaining wall* was not approved as part of the *development permit* for the *principal use* on the *parcel*, a separate *development permit* for the *retaining wall* and *grading* must be obtained.

8.2 LANDSCAPE PLAN

- .1 At the discretion of the *Development Authority*, a landscape plan may be required as part of the application for a *development permit* and the plan shall be prepared by a landscape architect or a person qualified to perform such work.
- .2 Where a landscape plan is required it will be added as a condition of the *development permit* and shall be deemed approved for construction only upon approval of the overarching development permit.
- .3 The landscape plan shall include information for the proposed site as well as all adjacent boulevards and existing property, drawn at a size and/or scale satisfactory to the *Development Authority* and clearly indicates and accurately identifies the following:
 - (a) name of the project and/or applicant;
 - (b) site area in hectares proposed to be landscaped, as well as the percentage of the *parcel area*;
 - (c) north arrow, the *parcel* lines, dimensions of the subject site and identification of adjacent land uses;
 - (d) location of all existing and proposed utilities and easements, including storm sewers, catch basins for site drainage and overhead utilities;
 - (e) location of all existing and proposed *buildings*, parking areas, driveways and entrances;
 - (f) location of all existing plant materials to be retained on the subject site;

- (g) location of all new plant materials being proposed for the subject site;
 - (h) proposed trees, shrubs, flower beds and ground covers labeled with a key to a cross-referenced plant list identifying the common and botanical names, quantity, size and method of planting, grass mix for sod and/or seed;
 - (i) vegetation planting details for installation;
 - (j) location of all proposed landscape furniture and/or landscape amenities for the subject site including height of fencing and screen walls; and
 - (k) all other physical features, existing or proposed, including berms, walls, fences, outdoor furniture, lighting and decorative paving.
- .4 Any changes to an approved landscape plan require a new approval of the Development Authority prior to the landscaping being installed.
- .5 The Development Authority may consider an application for a development permit that does not provide all the information required by Subsection 8.2.3 if, in the opinion of the Development Authority, the information provided is sufficient to show that the landscaping provisions of the Bylaw can be met.

8.3 LANDSCAPE APPROVAL

- .1 *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) *landscaping* shall be clustered in planting beds to represent a natural arrangement on the site;
 - (b) as required by the *Development Authority*, any undeveloped portion of site may be required to be *graded*, contoured and seeded, or left to recover to its natural condition;
 - (c) all plant material shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock" by the Canadian Nursery Trade Association; and
 - (d) all tree/shrub planting required pursuant to Sections 8.5, 8.6 and 8.7 shall be suitable to Edmonton region plant hardiness zones.

8.4 SECURITIES FOR LANDSCAPING

- .1 The *Development Authority* may require as a condition of a *development permit* approval, a guaranteed security from the property *developer* or *landowner* in a form acceptable by the *Development Authority*.
- .2 The amount of the required security shall be based upon projected cost of the *landscaping* shall be calculated by the *developer* or *landowner* and shall be based on information provided in the approved landscape plan. If in the reasonable opinion of the *Development Authority*, these projected costs are inadequate, the *Development Authority* may establish a higher *landscaping* cost for the purposes of determining the amount of the *landscaping* security.
- .3 Where *development* on a site is approved in phases, the *landscaping* security need only be provided on that portion of the site approved in each phase plus the amount required to minimally landscape the balance of the site should future *development* not proceed in a timely fashion. The *landscaping* security shall be required in subsequent phases on the remainder of the site at the time these phases are approved for *development*.
- .4 In the event that the *developer* or *landowner* does not complete the required *landscaping* or fails to maintain the *landscaping* in a healthy condition and the proceeds from the security are insufficient for the County to complete the required work, should it elect to do so, then the *developer* or *landowner*

shall pay such deficiency to the County immediately upon being invoiced. The County shall provide an accounting to the *developer* or *landowner* indicating how the proceeds of the security were applied, within 60 days of completing or maintaining the *landscaping*.

- .5 Upon receipt of a written request from the parties involved in the *development*, including but not limited to the property *developer* or *landowner*, condominium association or the issuer of the security, an inspection of the finished *landscaping* may be scheduled by the *Development Authority*.
- .6 *Landscaping* inspections shall comply with the following:
 - (a) inspections shall be conducted only during the normal growing season, approximately May 1st through November 1st;
 - (b) the *Development Authority* shall perform the *landscaping* inspection within 30 days of receipt of the inspection request subject to Paragraph 8.4.6(a); and
 - (c) upon approval of the *landscaping* by the *Development Authority*, the security, unless otherwise drawn upon, shall be fully released.

8.5 COMMERCIAL AND INSTITUTIONAL LANDSCAPING REQUIREMENTS

- .1 Notwithstanding the remainder of this Section, all *development* on lands designated C1, C2, C3 and INS shall be subject to the following landscape standards:

Table 8.1: Commercial and Institutional Landscape Standards

Planting	Standard
Minimum Landscaping Area for Sites	On sites smaller than 1ha (2.47ac), a minimum of 10%, or as otherwise required by the <i>Development Authority</i> , of the site area shall be landscaped. On sites larger than 1ha (2.47ac), a minimum of 60%, or as otherwise required by the <i>Development Authority</i> , of the required <i>front</i> and <i>side yard setbacks</i> of the site shall be landscaped.
Trees	One tree for every 40m ² (430.6ft ²) of landscaped area, to a minimum of four trees, 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 the minimum tree sizes can be used.
Shrubs	One shrub for every 60m ² (645.8ft ²) of landscaped area shall be provided.
Minimum Tree Sizes	Deciduous trees shall be a minimum 63.5mm (2.5in) caliper measured 457.2mm (18in) from ground level. Coniferous trees shall be 2.4m (7.9ft) in <i>height</i> .

Note: Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be rounded up to the next whole number.

8.6 INDUSTRIAL LANDSCAPING REQUIREMENTS

- .1 Notwithstanding the remainder of this Section, all *development* on lands designated I2, I3 and I4 shall be subject to the following landscape standards:

Table 8.2: Industrial Landscape Standards

Planting	Standard
Minimum Landscaping Area for Sites	A minimum uninterrupted landscaped <i>yard</i> of 3m (9.8ft) in width shall be required <i>adjacent</i> to any public <i>road</i> . This includes <i>yards adjacent</i> to public lands or reserve lands that are <i>adjacent</i> to <i>collector, arterial roads</i> and <i>highways</i> .
Trees	One tree for every 40m ² (430.6ft ²) of landscaped area, to a minimum of four trees, 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 the minimum tree sizes can be used.
Shrubs	One shrub for every 60m ² (645.8ft ²) of landscaped area shall be provided, to a minimum of six shrubs.
Minimum Tree Sizes	Deciduous trees shall be a minimum 63.5mm (2.5in) caliper measured 457.2mm (18in) from ground level. Coniferous trees shall be a minimum 2.4m (7.9ft) in <i>height</i> .

Note: Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be rounded up to the next whole number.

- .2 Notwithstanding the remainder of this Section, all *development* on lands designated I5 shall be subject to the following landscape standards:

Table 8.3: Heavy Industrial Landscape Standards

Planting	Standard
Minimum Landscaping Area for Sites	At the discretion of the <i>Development Authority</i> .
Trees	One tree for every 60m ² (645.8ft ²) of landscaped area, to a minimum of four trees, 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 the minimum tree sizes can be used.
Shrubs	One shrub for every 80m ² (861.1ft ²) of landscaped area shall be provided, to a minimum of six shrubs.
Minimum Tree Sizes	Deciduous trees shall be a minimum caliper 63.5mm (2.5in) measured 457.2mm (18in) from ground level. Coniferous trees shall be a minimum 2.4m (7.9ft) in <i>height</i> .

Note: Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be rounded up to the next whole number.

8.7 RESIDENTIAL LANDSCAPING REQUIREMENTS

- .1 Notwithstanding the remainder of this Section, all *development* on lands within the R5 district that incorporates *town house* and/or *apartment uses* on a single *parcel* may be subject to the following landscape standards, at the discretion of the *Development Authority*:
 - (a) a minimum of 20% of the *parcel area* should be landscaped, including all areas of the *parcel* not covered by *buildings* or parking; and
 - (b) including one deciduous or coniferous tree and four shrubs for each *dwelling unit* on the *parcel*.

8.8 LANDSCAPING VARIANCES

The *Development Authority* may, where the *Development Authority* considers it appropriate, vary any or all of the *landscaping* regulations of this Bylaw. Before granting a variance to the *landscaping* standards of this Bylaw, the Development Officer may require the applicant to submit a report from a qualified landscape professional, such as a horticulturist or landscape architect, explaining and justifying the variance.

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PART 9 PARKING REGULATIONS

9.1 ACCESS TO PARKING FACILITIES

Parcel access and egress areas shall be *hard surfaced* and in accordance with Sturgeon County's General Municipal Servicing Standards.

9.2 ON-SITE PARKING FACILITIES

- .1 All required *on-site parking facilities* shall only be *used* for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the *building* or *use* for which the *parking facilities* are provided, unless otherwise approved by the *Development Authority*. *On-site parking facilities* shall not be *used* for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.
- .2 All *on-site parking facilities* shall be so constructed that:
 - (a) every *on-site parking stall* provided, shall be *hard surfaced* if the access is from a *road* or *lane* which is *hard surfaced*; parking areas shall be paved or of a gravel mixture in accordance with the Sturgeon County's General Municipal Servicing Standards; and
 - (b) each parking area shall be so *graded* and drained as to dispose of all stormwater runoff. In no case shall drainage be allowed to cross a sidewalk or *parcel boundary* unless otherwise approved by the *Development Authority*.
- .3 Employee parking is encouraged to be provided at the side or rear of *principal buildings*.
- .4 *On-site parking facilities* shall have adequate lighting for the entire *parking facility*. Such lighting shall be directed away from *adjacent parcels* and where, in the opinion of the *Development Authority*, they would have adverse effects.

9.3 OFF-SITE PARKING FACILITIES

- .1 *Off-site parking facilities* shall only be *used* for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the *building* or *use* for which the *off-site parking facilities* are provided, unless otherwise approved by the *Development Authority*. *Off-site parking facilities* shall not be *used* for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.
- .2 All *off-site parking facilities* shall be so constructed that:
 - (a) every *off-site parking stall* provided shall be *hard surfaced* if the access is from a *road* or *lane* which is *hard surfaced*; parking areas shall be paved or of a gravel mixture in accordance with the Sturgeon County's General Municipal Servicing Standards; and
 - (b) each parking area shall be so *graded* and drained as to dispose of all stormwater runoff. In no case shall drainage be allowed to cross a sidewalk or *parcel boundary* unless otherwise approved by the *Development Authority*.
- .3 *Off-site parking facilities* shall have adequate lighting for the entire *parking facility*. Such lighting shall be directed away from *adjacent properties*, and where, in the opinion of the *Development Authority*, they would have adverse effects.
- .4 At the discretion of the *Development Authority*, the *developer* may be required to implement *off-site* improvements determined necessary to ensure the safe and efficient movement of pedestrians destined between the *off-site parking facility* and the *building* or *use* for which the *off-site parking facility* is provided. Such *off-site* improvements may include (but are not limited to) crosswalks, sidewalks, signage, lighting and *landscaping*.

9.4 PARKING STALL REQUIREMENTS

- .1 The minimum dimensions of maneuvering aisles and *parking stalls* shall be in accordance with the regulations identified in Table 9.1.

Table 9.1: Minimum Parking Standards

Parking Angle in Degrees (see A in diagram)	Width of Stall in Metres (see B in diagram)	Depth of Stall Perpendicular to Maneuvering Aisle in Metres (see C in diagram)	Width of Stall Parallel to Maneuvering Aisle in Metres (see D in diagram)	Overall Depth in Metres (see E in diagram)	Width of Manoeuvring Aisle in Metres (one-way) (see F in diagram)
0	2.7 (8.9ft)	2.7 (8.9ft)	7.0 (23ft)	9.1 (29.9ft)	3.6 (11.8ft)
30	2.7 (8.9ft)	5.2 (17.1ft)	5.5 (18ft)	14.0 (45.9ft)	3.6 (11.8ft)
45	2.7 (8.9ft)	5.8 (19ft)	4.0 (13.1ft)	15.2 (49.9ft)	3.6 (11.8ft)
60	2.7 (8.9ft)	6.1 (20ft)	3.1 (10.2ft)	18.2 (59.7ft)	6.0 (19.7ft)
90	2.7 (8.9ft)	6.1 (20ft)	2.7 (8.9ft)	19.5 (64ft)	7.3 (24ft)

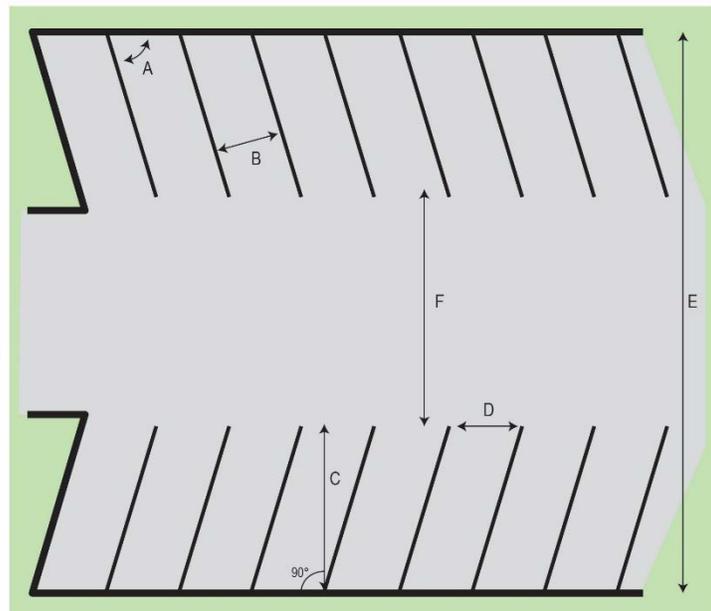


Figure 9.1: Parking Stall Standards

- .2 The minimum number of *on-site parking stalls* required for each *building* or *use* shall be as identified in Table 9.2. To seek a reduction in the minimum number of *on-site parking stalls* the applicant shall provide a traffic/parking study prepared by a practicing transportation planning or engineering professional which endorses a reduction in the minimum number.
- .3 In the case of a *use* not specifically listed in Table 9.2, the minimum required number of *on-site parking stalls* shall be the same as for a similar *use* as determined by the *Development Authority*, unless an alternative recommendation is endorsed by a traffic and/or parking study prepared by a practicing transportation planning or engineering professional. Where the *development* falls within

more than one *use*, the minimum required number of spaces shall be the sum of the requirements for each of the *uses*. In order to seek a reduction in the minimum number of on-site parking stalls the applicant shall provide a parking assessment prepared by a practicing transportation planning or engineering professional which endorses a reduction in the minimum number required.

- .4 For the purposes of ensuring adequate parking supply, the parking requirements listed in Table 9.2 shall apply to both *on-site* and *off-site parking facilities*.

Table 9.2: Minimum On-Site Parking Stall Requirements

Residential	Minimum parking stall requirements
<i>Apartment</i> <i>Town house</i>	1 per bachelor or 1-bedroom unit, plus 1.5 per 2-bedroom unit, plus 2 per 3-bedroom unit, plus 1 visitor stall per 7 <i>dwelling units</i>
<i>Family day home</i> <i>Group home, major and minor</i>	2 per 5 clients
<i>Home-based business, level 2 and 3</i>	1 per non-resident employee, <u>client parking will be at the discretion of the Development Authority</u> 0.2 for every anticipated client visit over a 24-hour period , and 1 per <i>commercial vehicle</i> .
<i>Duplex</i> <i>Secondary dwelling</i> <i>Semi-detached dwelling</i> <i>Single detached dwelling</i>	2 per <i>dwelling unit</i>
<i>Secondary suite</i>	1 per bedroom

Commercial	Minimum number of parking stalls
<i>Agri-business</i>	At the discretion of the Development Authority in consideration of a parking assessment.
<i>Bed and breakfast</i>	1 per guest room (in addition to the requirements for a <i>single detached dwelling</i>)
<i>Bulk fuel sale</i>	1 per fueling station, plus 4 for staff
<i>Car wash</i> <i>Service station</i>	3 per 100m ² (1,076.4ft ²) of gross <i>floor area of building</i> only, plus 1 per gas pump
<i>Child care facility</i>	1 per 4 children
<i>Commercial school</i>	0.8 stalls per student based on projected maximum capacity
<i>Drive-through restaurant</i> <i>Eating and drinking establishment</i>	1 per 4 seating spaces, plus 4 for staff
<i>Equestrian facility</i>	At the discretion of the <i>Development Authority</i> in consideration of a parking assessment
<i>Equipment sale, service and rental</i> <i>Vehicle sale and rental</i>	2 per 100m ² (1,076.4ft ²) of gross <i>floor area</i>
<i>Funeral home</i>	1 per 4 seats
<i>Government service</i> <i>Professional, office and business service</i>	3.4 per 100.0m ² (1,076.4ft ²) of gross <i>floor area</i>

Commercial	Minimum number of parking stalls
<i>Guest ranch</i>	1 per guest room
<i>Hotel Motel</i>	1 per guest room, plus 1 per 3 staff on maximum shift
<i>Integrated highway facility</i>	At the discretion of the <i>Development Authority</i> in consideration of proposed <i>uses</i> and in consideration of a parking assessment if deemed required
<i>Retail sale Retail sale, liquor</i>	3 per 100m ² (1,076.4ft ²) gross <i>floor area</i> , up to 2,000m ² (21,527.8ft ²); then an addition 4 stalls for every additional 100m ² gross <i>floor area</i>
<i>Storage facility</i>	1 per 93m ² (1,001 ft ²) gross <i>floor area</i>
<i>Vehicle sale and rental</i>	2 per 100m ² (1,076.4ft ²) gross <i>floor area</i>
<i>Veterinary clinic</i>	2 per examination table, plus 4 for staff

Industrial	Minimum parking stall requirements
<i>Administrative building</i>	1 per 50m ² (538.2ft ²) gross <i>floor area</i>
<i>Asphalt plant Fleet service Gas processing plant Heavy industrial Rail spur Rail yard Renewable energy facility Transloading facility</i>	At the discretion of the <i>Development Authority</i> in consideration of the parking assessment
<i>Auctioneering establishment</i>	1 per 93m ² (1,001 ft ²)
<i>Surveillance suite</i>	1 per unit
Any industrial use not listed separately in this Section	1 stall per 100m ² (1,076.4ft ²) gross <i>floor area</i> for the first 2,000m ² (21,527.8ft ²), then 1 stall per 500m ² ; or 1 stall per 3 employees, or at the discretion of the <i>Development Authority</i> in consideration of a parking assessment

Institutional	Minimum parking stall requirements
<i>Community building</i>	1 per 3 seating capacity
<i>School (elementary and junior high)</i>	1 per 20 students based on projected maximum capacity, plus 1 per employee
<i>School (senior high)</i>	1 per 4 students based on project maximum capacity, plus 1 per employee
<i>Protective and emergency service</i>	1 per 40m ² (430.6ft ²) of gross <i>floor area</i>
<i>Public library and cultural facility</i>	1 per 40m ² (430.6ft ²) of gross <i>floor area</i>
<i>Recreation facility, indoor Recreation facility, outdoor</i>	At the discretion of the <i>Development Authority</i> in consideration of a parking assessment
<i>Religious assembly</i>	1 per 3 seating capacity
<i>Residential care facility</i>	2 for every 5 beds

- .5 Permission to share *parking stalls* may only be granted by the *Development Authority* in the following circumstances:
 - (a) the *developments* are in close proximity to each other and within 200m (656.2ft) of the *parcel* on which the *parking stalls* are located;
 - (b) the primary operational natures of the *developments* result in peak parking demand that does not occur simultaneously, thereby minimizing the likelihood of an undersupply of parking spaces; and
 - (c) the *Development Authority* is satisfied, as the third signee of the agreement, that the agreement between the *landowners* of the *parcels/developments* for the sharing of *parking stalls* is to be permanent (and registered on the Certificate of Title) unless an alternative permanent arrangement is made that is satisfactory to the *Development Authority*.
- .6 Where a *building* is enlarged, or altered, or a change in the *use* occurs in such a manner as to cause a more intensive *use* of that *building*, provisions shall be made for the additional *parking stalls* in accordance with this Section. The calculations shall be based on the number of additional *parking stalls* required as a result of the enlargement, alteration or change in the *use* of the *building*, in addition to *parking stalls* that may have been removed due to the enlargement or alteration.

9.5 ACCESSIBLE PARKING STALLS

- .1 Accessible *parking stalls* shall:
 - (a) be provided in accordance with the ~~Alberta Building Code Safety Codes Act~~ in effect at the time of the *development permit* application, for which no discretion exists;
 - (b) be included, by the *Development Authority*, in the calculation of the applicable minimum *parking stall* requirements, and
 - (c) be identified as parking spaces for the disabled through the use of appropriate signage, in accordance with provincial standards.
- .2 Accessible *parking stalls* shall be located in close proximity to the *building* entrance on a level surface.
- .3 Accessible *parking stalls* shall be arranged in a way that users of wheelchairs are not required to pass behind parked vehicles.
- .4 In the case of a *building* with multiple public entrances, a minimum of one accessible *parking stall* shall be located near each entrance.
- .5 Accessible *parking stalls* shall be designed in accordance with "Barrier-Free Design Guidelines" of the ~~Alberta Building Code Safety Codes Act~~.

9.6 ON-SITE LOADING REQUIREMENTS

- .1 A *loading space* shall be designed and located so that all vehicles using that space can be parked and manoeuvred entirely within the bounds of the site before moving onto *adjacent roads*. Vehicles cannot back from public *roads* onto the site. All movements crossing the *parcel line* shall be forward. The *Development Authority* may require turning movement diagrams to ensure satisfactory maneuverability criteria.
- .2 A *loading space* situated within a *setback* distance from a *road* or *lane* shall not be counted for the purposes of this Section. Loading zones shall not be located in the *front yard* of a site that fronts a public *road* with less than a 6m (19.7ft) *setback*.
- .3 A *loading space* shall be a minimum width of 3m (9.8ft) and a minimum depth of 9.2m (30.2ft) and maintain a minimum overhead clearance of 4.3m (14.1ft).

- .4 Minimum *loading space* dimensions may be changed by the *Development Authority* having regard to the types of vehicles that are likely to use the *loading spaces*.
- .5 *Loading space* shall be *hard surfaced* in accordance with Sturgeon County's General Municipal Servicing Standards.
- .6 *Loading spaces* shall be so *graded* and drained as to dispose of all stormwater runoff. In no case shall drainage be allowed to cross a sidewalk or *parcel boundary* unless otherwise approved by the *Development Authority*.
- .7 *Loading space* requirements for *uses* other than those set out in this Section shall be determined by the *Development Authority*, having regard to similar *uses* for which specific loading facility requirements are set.
- .8 Unless otherwise allowed by the *Development Authority*, the required *on-site loading space* for any *use* shall be as follows:
 - (a) a minimum of one loading zone space per *apartment/semi-detached dwelling* in excess of twenty *dwelling units*; an additional *loading space* shall be required for each additional forty units. The *loading spaces* shall be located within 20m (65.6ft) of *building* entry doors.

9.7 BICYCLE PARKING

In addition to the required vehicular parking, bicycle parking may be provided at the discretion of the *Development Authority*.

PART 10 LAND USE DISTRICTS

10.1 ESTABLISHMENT OF LAND USE DISTRICTS

- .1 Land *use* districts and the associated district provisions are established for the County in accordance with Parts 10 through 17 of this Bylaw.
- .2 The land *use* districts map, which forms Schedule 1 of this Bylaw, divides the County into districts and specify the district provisions applicable to particular lands.
- .3 Provisions listed in Parts 5 through 9 comprises all general and specific *development* regulations, signage, *landscaping* and parking and shall govern any *permitted* and *discretionary uses* listed within all land *use* districts.

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PART 11 PRIMARY INDUSTRY DISTRICTS

11.1 AG – AGRICULTURE DISTRICT

.1 General Purpose

This district accommodates traditional agricultural operations and the supportive services that are essential to grow and sustain the agricultural industry. This district regulates *uses* based on the size of the *parcel* and is divided into three subsections; major, minor and residential.

.2 Agriculture – Major

(a) Intent

Ensuring lands are in place for the continued viability of the industry of agriculture, the land uses in Paragraph 11.1.2(b) provides direction for tracts of land 16ha (39.5ac) or larger in size, identifying *uses* that are vital to agricultural production, and *uses* deemed compatible with agricultural operations.

(b) Uses

Permitted Uses	Discretionary Uses
Accessory, agricultural building*	Accessory, building *
Accessory, building*	Accessory, use*
Accessory, use*	Agri-business
Bed and breakfast	Auctioneering establishment
Dugout	Community garden
Dwelling, single detached	Equestrian facility
Family day home	Group home, major
Group home, minor	Guest ranch
Home-based business, level 1 (office)	Home-based business, level 3
Home-based business, level 2	Kennel and animal boarding
Intensive agriculture	Public utility
	Secondary dwelling
	Temporary asphalt plant
	Temporary concrete batch plant
	Topsoil screening
	Veterinary clinic

*Please refer to Section 6.1 for further clarification.

(c) Development Regulations

<u>Minimum F</u> ront yard and flanking front yard setbacks	Dwelling	35m (114.8ft)
	Accessory building or accessory, agricultural building	20m (65.6ft)
<u>Minimum S</u> ide yard and rear yard setbacks	Dwelling	6m (19.7ft)
	Accessory building or accessory, agricultural building	3m (9.8ft)

.3 Agriculture – Minor

(a) Intent

Supporting smaller agricultural operations and support thereto, these *parcels* are between 4ha and 15.9ha (9.8ac and 39.3ac). Many *parcels* of this size were created prior to the adoption of this Bylaw using former subdivision regulations. Future *parcels* of this size shall only be created through *land fragmentation*, a *subdivision* to encompass an existing *farmstead*, or when a *local planning document* supports their creation. The *uses* listed in Paragraph 11.1.3(b) reflects a combination of those *uses* within the AG – Major and AG – Residential components that influence this size of *parcel*.

(b) Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, agricultural building*	Accessory, use*
Accessory, use*	Agri-business
Bed and breakfast	Community garden
Dugout	Equestrian facility
Dwelling, single detached	Group home, major
Family day home	Guest ranch
Group home, minor	Home-based business, level 2
Home-based business, level 1 (office)	Home-based business, level 3
Intensive agriculture	Kennel and animal boarding
	Topsoil screening
	Veterinary clinic

*Please refer to Section 6.1 for further clarification.

(c) Development Regulations

Minimum F front yard and flanking front yard setbacks	Dwelling	35m (114.8ft)
	Accessory building	20m (65.6ft)
Minimum S side yard and rear yard setbacks	Dwelling	6m (19.7ft)
	Accessory building	3m (9.8ft)
Maximum floor area	Accessory building	465m ² (5,005.2ft ²)
Maximum parcel coverage	15%	

.4 Agriculture – Residential

(a) Intent

These *parcels* are smaller than 4ha (9.8ac) subdivided from an AG – Major parcel for residential purposes; therefore, the listed *uses* in Paragraph 11.1.4(b) reflect the residential nature of the *parcel while having regard for the agricultural land uses surrounding them*.

(b) Uses

Permitted Uses	Discretionary Uses
Accessory, agricultural building*	Accessory, building*
Accessory, building*	Accessory, use*
Accessory, use*	Dugout
Bed and breakfast	Group home, major
Dwelling, single detached	Home-based business, level 2
Family day home	Home-based business, level 3
Group home, minor	Kennel and animal boarding
Home-based business, level 1 (office)	

*Please refer to Section 6.1 for further clarification.

(c) Development Regulations

<u>Minimum F</u> ront yard and flanking front yard setbacks	Dwelling	35m (114.8ft)
	Accessory building and accessory, agricultural building	20m (65.6ft)
<u>Minimum S</u> ide yard and rear yard setbacks	Dwelling	6m (19.7ft)
	Accessory building and accessory, agricultural building	3m (9.8ft)
<u>Maximum H</u> eight	Principal building	12m (39.4ft)
	Accessory building and accessory, agricultural building	8m (26.2ft)
Maximum floor area	Accessory building and accessory, agricultural building	230m ² (2,475.7ft ²)
Maximum <i>parcel coverage</i>	15%	

.5 Subdivision Regulations

- (a) Unless otherwise indicated within a *planning document*, a *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of:
- (i) two AG – Major *parcels* of approximately 32.4ha (80ac) each or alternative sizes necessary due to *land fragmentation*; and
 - (ii) two AG – Residential *parcels* (one of which may be subdivided from each AG – Major *parcel* having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.5(e) of this Bylaw).
- (b) The Subdivision Authority shall not consider the subdivision of a second AG – Residential or AG – Minor parcel from the same 32.4ha (80ac) AG – Major parcel pursuant to Policy 2.2.2 of the Municipal Development Plan.

- (c) Where an AG – Major *parcel* is either smaller or larger than the conventional 64.7ha (160ac) and/or 32.4ha (80ac) *parcel* size (e.g. due to the presence of a redistricted *parcel(s)*, or surveying anomalies due to river lots or *land fragmentation*), the *subdivision* regulations are as follows:
 - (i) AG – Major *parcels* between 16ha (39.5ac) and 47.9ha (118.4ac) shall be considered equivalent to a 32.4ha (80ac) AG *parcel* (i.e. half a *quarter section*); and
 - (ii) AG – Major *parcels* between 48ha (118.5ac) and 79.9ha (197.5ac) shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*).
 - (iii) AG – Major *parcels* of 80ha (197.6ac) or larger shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*) plus any additional *subdivision* potential beyond 64.7ha (160ac) in accordance with the proportions referenced in Subparagraph 11.1.5(c)(i), (ii) or (iii).
 - (d) AG – Minor *parcels* shall be considered equivalent to an AG – Residential *parcel* and therefore have no further *subdivision* potential.
 - (e) The maximum size of an AG – Residential *parcel* shall be 1ha (2.47ac), unless a larger area is essential to:
 - (i) encompass mature *shelterbelts*, existing *buildings* or any other related features associated with an existing *farmstead* (however, additional farmland will not be compromised to accommodate a septic system, the *setback* distances associated with a septic system, a *dugout* or an extensive area of *fencing*); and/or
 - (ii) mitigate any site constraints which could otherwise significantly limit the *development* potential of a 1ha (2.47ac) *parcel* or create land *use* conflicts – such as but not limited to *setback* distances from pipelines, low-lying or steep topography, inaccessible portions of land or *land fragmentation* (however, additional farmland will not be compromised when a site constraint could equally be addressed by modifying the location and/or dimensions of the proposed 1ha (2.47ac) *parcel*).
- .6 Additional Development Regulations
- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
 - (b) Notwithstanding the variance provisions in Section 2.8 of this Bylaw, the *Development Authority* shall not accept a variance to the *uses* within this district based on *parcel* size.

11.2 RE – RESOURCE EXTRACTION DISTRICT



.1 General Purpose

This district provides for the *extraction*, processing and *stockpiling* of *on-site* natural resources on lands. Once the *reclamation* process is complete, redistricting to the appropriate *use* is required.

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Temporary asphalt plant
Accessory, use*	Temporary concrete batch plant
Processing, primary	
Processing, secondary	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum parcel area shall be determined by the Subdivision Authority.

.4 Development Regulations

- (a) *Development* regulations for this district are at the discretion of the *Development Authority* in consideration of all application information.
- (b) Resource *extraction* activities having a disturbance area of less than 5.1ha (12.6ac) on a *parcel* at any time, including any associated infrastructure, *stockpiles* connected with the pit shall not be permitted.
- (c) The operating area of a *primary* and *secondary processing use* shall not be located less than:
 - (i) 400m (1,312.3ft) from the outside wall of an existing *dwelling* to the nearest edge of the operating area of a *primary* and *secondary processing use*.
 - (ii) Notwithstanding Subparagraph 11.2.4(c)(i), *primary* and *secondary processing* may be permitted within 400.0m of an existing *dwelling* where provision is made regarding site-specific mitigation of noise, dust, visual, traffic, lighting and other effects of the sand and gravel operation as agreed to in writing by the resident(s) of the existing *dwelling*.
 - (iii) 800.0m from the district boundary of a multi-lot subdivision, hamlet, or area subject to an approved *planning document* that includes residential *development*.

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) The *Development Authority*, may require that specific *signs* be placed on the *parcel* and/or the *road right-of-way* to warn of dangerous conditions.

.6 Approval Timelines

- (a) *Development permits* for the purpose of *primary* and *secondary processing* in the County are issued for five years require a new permit (renewal) every five years thereafter until a final *reclamation* certificate is received from the provincial government.
 - (i) An updated activities plan prepared by a practicing professional shall be submitted with a *development permit* application for renewal.

- (b) With respect to aggregate pits that currently hold a valid *development permit* as of the date of adoption of this Bylaw, these pits are allowed to continue. However, existing aggregate pits for which a time-limited *development permit* has been issued or where an amendment to the operation is proposed, require a new *development permit* and shall be subject to the provisions of this Bylaw.
- (c) Where lands are identified within the Calahoo/Villeneuve Sand and Gravel Extraction Area Structure Plan as Quick Extraction Area, the approval period shall reflect the time frames prescribed within the Area Structure Plan.

.7 *Landscaping Regulations*

- (a) The *primary* and *secondary processing* operation shall be landscaped in such a manner as to mitigate nuisance produced by the *development* and operations, which may include features such as, but not limited to, the installation of a berm and/or *fence* around the perimeter of the *excavation* area.
- (b) At the discretion of the *Development Authority*, *landscaping* or *screening* may be required along the *front, rear, or side yard parcel boundaries adjacent* to public, residential or other land uses.
- (c) Restricted and noxious weeds are to be controlled by the *developer* to prevent the spread of weeds to neighbouring lands in accordance with provincial regulations.

.8 *Site Access and Traffic Regulations*

In addition to the Parking Regulations contained in Part 9 of this Bylaw, the following regulations shall apply to all *development* in this district:

- (a) At the discretion of the *Development Authority*, a traffic impact assessment may be required with a *development permit* application.
- (b) All access to the *primary* and *secondary processing development* area shall be approved by the Development Authority. Access to processing areas shall be developed in a manner that ensures safe and efficient truck movement and adequate site drainage. All access to processing areas and/or *off-site* improvements are at the sole expense of the *developer*.
- (c) For processing areas located within 0.8km (0.5mi) of a *highway*, the *developer* shall provide the *Development Authority* with an approved permit obtained from Alberta Transportation.
- (d) A *road use agreement*, between the County and the *developer* of the *primary* and *secondary processing* shall be required as a *development permit* condition incorporating, but not limited to, haul routes, maintenance, dust control, security, signage, participation in the Alberta Sand and Gravel Association Central Truck Registry numbering system and other related clauses.

.9 *Stripping*

Topsoil shall be stripped and *stockpiled* on-site for future reclamation prior to commencing operations.

.10 *Reclamation:*

- (a) A proposal to reclaim the *primary* or *secondary processing* area shall be included in the *development permit* application.
- (b) A *reclamation* plan shall be prepared by a practicing professional and shall include, but not necessarily be limited to:
 - (i) a description of the operational plan for the site;
 - (ii) the location of all improvements, such as *stockpiles*, equipment, access, signage, pits and berms and end pit lakes;

- (iii) a topographical map at a minimum of 1:5,000 scale with a minimum contour index of 1m (3.3ft);
- (iv) a topographical map showing the predicted contours of the site after completion of the *reclamation*;
- (v) a diagram showing the phasing scheme for the pit;
- (vi) the estimated life span of the pit;
- (vii) the estimated cost for *reclamation* of each phase;
- (viii) a description of the current surface drainage patterns on the *parcel* and the anticipated drainage patterns once the *reclamation* is complete;
- (ix) an analysis of the potential for impact on surface and groundwater aquifers and water wells as a result of the *extraction* and *reclamation*; and
- (x) description of measures to be taken to minimize noise, dust, and other disturbances to *adjacent parcels*.

.11 Operational Hours

- (a) *Primary processing* may operate 24 hours a day, seven days a week.
- (b) *Secondary processing*:
 - (i) All operations should be considered to operate on a 12-hour/day shift Monday to Friday basis unless site or operational conditions warrant consideration of extended operational hours.
 - (ii) Where extended hours are being considered (less than 24hrs/day 7 days per week), the hours may be based upon consideration of site characteristics, results of noise-modelling analysis, feedback from *landowners* within the minimum separation distance, and *on-site* noise suppression applications.

.12 Hours for *Hauling*

- (a) The removal of natural resources from the pit location (*hauling*) shall take place only within the hours specified by the *Development Authority*. The *Development Authority* shall have regard to, but is not bound by, the following guidelines:
 - (i) 6:00a.m. to 6:00p.m. Monday to Friday; and
 - (ii) 8:00a.m. to 4:00p.m. Saturday to Sunday and Statutory Holidays.

.13 Dust and Noise

- (a) The *developer* shall:
 - (i) Prevent noise from becoming an annoyance to *adjacent landowners* at the request of and to the satisfaction of the *Development Authority*. Required prevention may include, but not be limited to, locating *stockpiles* and berms to act as sound barriers and using methods of minimizing or reducing noise created by machinery and equipment. Installation of noise monitors may be required as a condition of a *development permit*.
 - (ii) Ensure compliance with provincial legislation regarding dust and air quality.

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PART 12 RESIDENTIAL DISTRICTS

12.1 R1 – COUNTRY RESIDENTIAL DISTRICT



.1 General Purpose

To provide for multi-*lot* residential subdivisions in rural areas where *parcel* size is determined through limited servicing availability and associated regulations. *Parcels* in this district are generally larger than ones found in the R2 district and accommodate *uses* in a residential context.

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, agricultural building*	Accessory, building*
Accessory, building*	Accessory, use*
Accessory, use*	Bed and breakfast
Dwelling, single detached	Dugout
Group home, minor	Family day home
Home-based business, level 1 (office)	Group home, major
	Home-based business, level 2
	Sales centre
	Show home

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

Minimum <i>parcel area</i>	0.8ha (2ac), if connected to a municipal sanitary line 1ha (2.47ac), if no municipal sanitary line
<i>Parcel density</i>	Maximum 50 <i>parcels</i> per 64.7ha (160ac)
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> shall be subject to the recommendations of an approved <i>local planning document</i> .

.4 Development Regulations

Minimum <i>front yard setback</i>	<i>Abutting a local road</i>	12m (39.4ft)
	<i>Abutting collector road</i>	35m (114.8ft)
	<i>Flanking front yard</i>	10m (32.8ft)
Minimum <i>side yard setback</i>	<i>Principal building</i>	6m (19.7ft) or 10% of the <i>parcel width</i> , whichever is lesser, not to be less than 2.5m (8.2ft)
	<i>Accessory building and accessory, agricultural building</i>	3m (9.8ft)
Minimum <i>rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building and accessory, agricultural building</i>	3m (9.8ft)
Maximum <i>height</i>	<i>Principal building</i>	12m (39.4ft)

	<i>Accessory building and accessory, agricultural building</i>	8m (26.2ft)
Maximum <i>floor area</i>	<i>Accessory building and accessory, agricultural building</i>	230m ² (2,475.7ft ²)
Maximum <i>parcel coverage</i>	15%	

.5 *Additional Development Regulations*

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Access to residential *parcels* shall in all cases be from a *local* or *collector road* constructed for the subdivision.

12.2 R2 – COUNTRY ESTATE RESIDENTIAL DISTRICT



.1 General Purpose

This district accommodates multi-*lot* estate residential subdivisions with the provision of both municipal water and sanitary services. *Parcels* in this district are generally smaller than ones found in the R1 district and provides for *uses* in a residential context.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Dwelling, single detached</i>	<i>Bed and breakfast</i>
<i>Group home, minor</i>	<i>Family day home</i>
<i>Home-based business, level 1 (office)</i>	<i>Group home, major</i>
	<i>Home-based business, level 2</i>
	<i>Sales centre</i>
	<i>Secondary suite</i>
	<i>Show home</i>

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

<i>Minimum parcel area</i>	0.2ha (0.5ac)
<i>Minimum parcel width</i>	25m (82ft)
<i>Parcel density</i>	Maximum 5 <i>parcels</i> per hectare
	Minimum 2 <i>parcels</i> per hectare
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> shall be subject to the recommendations of an approved <i>local planning document</i>

.4 Development Regulations

<i>Minimum front yard setback</i>	<i>Abutting a local road</i>	12m (39.4ft)
	<i>Flanking front yard</i>	10m (32.8ft)
<i>Minimum side yard setback</i>	<i>Principal building</i>	3m (9.8ft), or 10% of <i>parcel width</i> , whichever is the lesser, but shall not be less than 2.5m (8.2ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<i>Minimum rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<i>Maximum height</i>	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	8m (26.2ft)
<i>Minimum floor area</i>	<i>Principal building</i>	<u>100m² (1,076.4ft²)</u>

<u>Maximum floor area</u>	<u>Accessory building</u>	<u>140m² (1,506.9ft²)</u>
Maximum parcel coverage	35%	

.5 Additional Development Regulations

~~(a) — All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.~~

~~(b) — The *minimum floor area of a single detached dwelling* shall be 100m² (1,076.4ft²).~~

~~The *maximum floor area of an accessory building* shall be 140m² (1,506.9ft²).~~

12.3 R3 – HAMLET UNSERVICED DISTRICT



.1 General Purpose

This district accommodates residential *development* within traditional County hamlets that have municipal servicing constraints and are limited to private or communal sources, only partial municipal servicing or areas of the hamlet where provision of servicing cannot be accommodated. [These hamlets include Alcomdale, Calahoo, Carbondale, Lamoureux, Mearns, Pine Sands and Namao.](#)

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Dwelling, single detached</i>	<i>Bed and breakfast</i>
<i>Home-based business, level 1 (office)</i>	<i>Family day home</i>
	<i>Group home, minor</i>
	<i>Home-based business, level 2</i>
	<i>Parking facility</i>
	<i>Sales centre</i>
	<i>Show home</i>

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

<i>Minimum parcel area</i>	0.8ha (2ac), unless: <ul style="list-style-type: none"> • a smaller size would be more compatible with the average size of neighbouring <i>parcels</i> within the hamlet; and • the applicant can demonstrate that private sewage disposal requirements can be accommodated; and • the <i>parcel</i> is no less than 0.2ha (0.5ac).
<i>Parcel density</i>	Maximum of 5 <i>parcels</i> per hectare
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> shall be subject to the recommendations of an approved <i>local planning document</i> .

.4 Development Regulations

<i>Minimum front yard setback</i>	<i>Abutting a local or collector road</i>	5.5m (18ft)
	<i>Flanking front yard</i>	4.5m (14.8ft)
<i>Minimum side yard setback</i>	2.5m (8.2ft)	
<i>Minimum rear yard setback</i>	2.5m (8.2ft)	
<i>Maximum height</i>	<i>Dwelling</i>	12m (39.4ft)
	<i>Accessory building</i>	6m (19.7ft)
<i>Maximum floor area</i>	<i>Accessory building</i>	<u>140m² (1,506.9ft²)</u>
<i>Maximum parcel coverage</i>	35%	

.5 Additional Development Regulations

~~(a) — All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.~~

~~(b) — The maximum *floor area of an accessory building* shall be 140m² (1,506.9ft²).~~

12.4 R4 – HAMLET SERVICED DISTRICT



.1 General Purpose

This district accommodates residential *development* within traditional County hamlets that have *full municipal servicing* available, ~~such as Cardiff, Riviere Qui Barre and Villeneuve.~~

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Duplex</i>	<i>Bed and breakfast</i>
<i>Dwelling, semi-detached</i>	<i>Family day home</i>
<i>Dwelling, single detached</i>	<i>Group home, major</i>
<i>Group home, minor</i>	<i>Home-based business, level 2</i>
<i>Home-based business, level 1 (office)</i>	<i>Parking facility</i>
	<i>Sales centre</i>
	<i>Secondary suite**</i>
	<i>Show home</i>

*Please refer to Section 6.1 for further clarification.

**Please refer to Subsection 6.24.11 for further clarification.

.3 Subdivision Regulations

<i>Minimum parcel area</i>	0.055ha (0.14ac)
<i>Minimum parcel width</i>	18m (59.1ft1)
<i>Parcel density</i>	No more than 15 <i>lots</i> per hectare.
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> shall be subject to the recommendations of an approved <i>local planning document</i> .

.4 Development Regulations

<i>Minimum front yard setback</i>	<i>Abutting a local or collector road</i>	5.5m (18ft)
	<i>Flanking front yard</i>	4.5m (14.8ft)
<i>Minimum side yard setback</i>	2.5m (8.2ft)	
	Zero <i>lot</i> line where common wall is present	
<i>Minimum rear yard setback</i>	2.5m (8.2ft)	
<i>Maximum height</i>	<i>Dwelling</i>	12m (39.4ft)
	<i>Accessory building</i>	6m (19.7ft)
<i>Maximum parcel coverage</i>	35%	

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) The maximum *floor area* of an *accessory building* shall be 140m² (1,506.9ft²).

12.5 R5 – MULTI-FAMILY DISTRICT



.1 General Purpose

This district will accommodate a range of residential *development* forms including a *semi-detached dwelling, duplex, and/or town house*. This district can be applied in hamlets where *full municipal servicing* is available.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Duplex</i>	<i>Apartment</i>
<i>Dwelling, semi-detached</i>	<i>Family day home</i>
<i>Home-based business, level 1 (office)</i>	<i>Mixed use development</i>
<i>Town house</i>	<i>Parking facility</i>
	<i>Sales centre</i>
	<i>Show home</i>

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations for *Duplex*

	Interior Parcel	Exterior Parcel
Minimum <i>parcel area</i>	0.055ha (0.14ac)	
Minimum <i>parcel width</i>	9m (29.5ft)	12m (39.4ft)

.4 Subdivision Regulations for *Semi-Detached Dwelling*

	Interior Parcel	Exterior Parcel
Minimum <i>parcel area</i>	0.025ha (0.06ac)	0.036ha (0.09ac)
Minimum <i>parcel width</i>	7.5m (24.6ft)	12m (39.4ft)

.5 Subdivision Regulations for *Town House*

	Interior Parcel	Exterior Parcel
Minimum <i>parcel area</i>	0.2ha (0.5ac)	0.28ha (0.69ac)
Minimum <i>parcel width</i>	6m (19.7ft)	8.5m (27.9ft)

.6 Subdivision Regulations for *Apartment*

Minimum <i>parcel area</i>	0.2ha (0.5ac)
Maximum <i>density</i>	35 units per net hectare

.7 Development Regulations

Minimum <i>front yard setback</i>	<i>Front yard</i>	5.5m (18ft)
	<i>Flanking front yard</i>	4.5m (14.8ft)
Minimum <i>rear yard setback</i>	<i>Accessory building</i>	2.5m (8.2ft)
	<i>Principal building</i>	6m (19.7ft)
Minimum <i>side yard setback</i>	<i>Apartment</i>	3m (9.8ft)
	<i>Town house, semi-detached dwelling</i>	Zero <i>lot</i> line where common wall is present
		2.4m (7.9ft) from end units
	<i>Flanking front yard</i>	4.5m (14.8ft)
All other <i>uses</i>	1.5m (4.9ft), or 10% of <i>parcel width</i> , whichever is the greater	
Maximum <i>height</i>	<i>Apartment</i>	14.5m (47.6ft)
	<i>Accessory buildings</i>	4.6m (15.1ft)
	All other <i>uses</i>	12m (39.4ft)
Maximum <i>parcel coverage</i>	All <i>uses</i>	55%
<i>Common amenity area, outdoor</i>	<i>Apartment, residential care facility</i>	7.5m ² (80.7ft ²) per <i>dwelling unit</i>

.8 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) No outdoor parking, trash collection or *outdoor storage* areas shall be developed within 3.0m (9.8ft) of any *parcel line* that *abuts* a *parcel* districted to allow a *single detached dwelling* as a *permitted use*.
- (c) A solid screen *fence* with a minimum *height* of 1.8m (5.9ft) shall be installed along all side and rear *parcel* boundaries that *abut* a site districted to allow a *single detached dwelling* as a *permitted use*.
- (d) A chain link *fence* may be provided in lieu of Paragraph 12.5.8(c) provided that a landscaped *buffer* with a minimum width of 1.5m (4.9ft) is provided to the satisfaction of the *Development Authority*.
- (e) *Mixed use development* shall only include *uses* that are listed as *permitted* and *discretionary*.

.9 *Common amenity area*

- (a) The *common amenity area* may consist of a single, distinct area or be divided into multiple areas. The *amenity area* shall include outdoor open space that provides adequate area for unstructured passive or active recreation to the satisfaction of the *Development Authority*, as well as two or more of the following:
 - (i) playground equipment;
 - (ii) benches, picnic tables, or other seating;
 - (iii) gazebo or other shelter;
 - (iv) patio or courtyard;

- (v) gardens, or
- (vi) other recreational or amenity *uses* that would meet the needs of the residents for the specific *development* under consideration.

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12.6 HR – HAMLET RESERVE DISTRICT



.1 General Purpose

This district reserves lands *adjacent* to existing County hamlets by permitting limited temporary land use and *extensive agricultural uses* that will not limit or compromise the hamlet's ability to accommodate future growth. This district shall be implemented in conjunction with a *local planning document* being established for the associated hamlet.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Dugout</i>	<i>Accessory, building*</i>
<i>Dwelling, single detached**</i>	<i>Accessory, use*</i>
<i>Public utility</i>	<i>Community garden</i>
	<i>Home-based business, level 1 (office)**</i>
	<i>Home-based business, level 2 **</i>
	<i>Recreational vehicle storage facility</i>

*Please refer to Section 6.1 for further clarification.

**Only where an approved *dwelling* is existing prior to this district coming into effect.

.3 Subdivision Regulations

The Subdivision Authority shall not consider the premature *subdivision* of lands within this district until such time as a *planning document* is approved by Council that identifies the future *development* pattern for the lands within this district.

.4 Development Regulations

All *development* regulations shall be at the discretion of the *Development Authority* having regard to the Municipal Development Plan, and the future expansion of growth in the *adjacent* hamlet.

.5 Additional Development Regulations

All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

PART 13 COMMERCIAL DISTRICTS

13.1 C1 – HIGHWAY COMMERCIAL DISTRICT



.1 General Purpose

This district will accommodate commercial and retail uses largely intended to service the travelling public to be found in close proximity to the convergence of regionally significant roads. Developments in this district are standalone that require significant setbacks and are not compatible with residential development.

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Bulk fuel sale	Car wash
Drive-through restaurant	Hotel
Eating and drinking establishment	Motel
Integrated highway facility	Park and ride
Retail sale	Surveillance suite
Retail sale, liquor	Temporary asphalt plant
Service station	Temporary concrete batch plant

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum parcel area shall be determined by the Subdivision Authority.

.4 Development Regulations

Minimum front yard setback	15m (49.2ft)
Minimum flanking front yard setback	15m (49.2ft)
Minimum side yard setback	6m (19.7ft)
Minimum rear yard setback	6m (19.7ft)
Maximum height	15m (49.2ft)

.5 Additional Development Regulations

All development in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

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13.2 C2 – LOCAL COMMERCIAL DISTRICT



.1 General Purpose

This district will accommodate a range of low intensity retail and commercial services within hamlets, Sturgeon Valley and industrial parks. Where applicable *development* shall consider the impact to surrounding residential *uses* and address any utility servicing constraints.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Child care facility</i>	<i>Car wash</i>
<i>Contractor service, minor</i>	<i>Drive-through restaurant</i>
<i>Equipment sale, service and rental, minor</i>	<i>Eating and drinking establishment</i>
<i>Government service</i>	<i>Mixed use development</i>
<i>Professional, office and business service</i>	<i>Service station</i>
<i>Recreation facility, indoor</i>	<i>Veterinary clinic</i>
<i>Retail sale</i>	
<i>Retail sale, liquor</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

	Interior Parcel	Exterior Parcel
<i>Minimum parcel area</i>	0.1ha (0.25ac)	0.2ha (0.5ac)
<i>Maximum parcel area</i>	1ha (2.47ac)	1.5ha (3.7ac)

.4 Development Regulations

<i>All yard setbacks</i>	At the discretion of the <i>Development Authority</i> , having regard to the character of the <i>parcel</i> , and surrounding <i>development</i> .
<i>Maximum height</i>	12m (39.4ft)
<i>Maximum density</i>	3 <i>dwelling units</i> in a <i>mixed use development</i>

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Wherever feasible, vehicular access should be from the *flanking road*, or *lane*.

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13.3 C3 – NEIGHBOURHOOD COMMERCIAL DISTRICT



.1 General Purpose

This district will accommodate commercial *uses* and may provide a combination of shops, services, offices, entertainment, accommodation, and *government services* located on the same *parcel*. The types of *developments* within this district are of moderate intensity, primarily serving the needs of a community and are designed to ensure pedestrian-friendly parking areas with *landscaping* components.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Car wash</i>	<i>Contractor service, minor</i>
<i>Child care facility</i>	<i>Funeral home</i>
<i>Commercial school</i>	<i>Hotel</i>
<i>Drive-through restaurant</i>	<i>Integrated highway facility</i>
<i>Eating and drinking establishment</i>	<i>Mixed use development</i>
<i>Equipment sale, service and rental, minor</i>	<i>Motel</i>
<i>Government service</i>	<i>Storage facility</i>
<i>Professional, office and business service</i>	<i>Vehicle sale and rental</i>
<i>Recreation facility, indoor</i>	<i>Veterinary clinic</i>
<i>Retail sale</i>	
<i>Retail sale, liquor</i>	
<i>Service station</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be 0.5ha (1.2ac).

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	5m (16.4ft)	
Minimum <i>side yard setback</i>	<i>Abutting</i> a residential district	8m (26.2ft)
	All other cases	6m (19.7ft)
Minimum <i>rear yard setback</i>	6m (19.7ft)	
Maximum <i>height</i>	12m (39.4ft)	
Maximum <i>parcel coverage</i>	50%	

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) *Cross-lot access easement* agreements shall be required in cases where multiple *buildings* share a single *parcel*, or where a single *development* area consists of multiple *parcels*.
- (c) In cases where multiple *buildings* share a single *development* site, all *buildings* shall be considered *principal buildings*.
- (d) All pedestrian walkway systems shall be linked between *building* entrances, *roads*, sidewalks and parking areas.
- (e) In multi-*building* complexes, a consistent architectural concept shall be maintained through the use of complementary *building* design, articulation, material and colours.
- (f) *On-site* parking, loading and unloading shall be *hard surfaced*.
- (g) Loading and unloading areas shall be located only at the side or rear of the *principal building*, and *screened* from view from any public *road*.
- (h) Access to individual *parcels* shall in all cases be from a *local* or *collector road* constructed to Sturgeon County's General Municipal Servicing Standards.
- (i) *Adjacent* parking areas on *adjacent parcels* may connect to one another in order to facilitate off *road* vehicular movement from one *development* to the next.
- (j) Vacant, undeveloped or unused portions of a *parcel* shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (k) No redistricting to this district, *development* within this district or *subdivision* of a *parcel* within this district, shall be approved without the adoption of a *local planning document* for the area by Council.

PART 14 INDUSTRIAL DISTRICTS

14.1 I1 – RURAL INDUSTRY SUPPORT DISTRICT



.1 General Purpose

This district is intended to provide for land uses of a rural context that support the County’s primary industries by providing value-added activities through the processing or distribution of materials derived from the agriculture or natural resource sectors. This district is applied to parcels outside of the County’s designated industrial parks and when the location is vital to the success of primary industry operations. ~~Examples of uses which due to unique setting or infrastructure support may make this district appropriate and include pipelines, rail spurs or primary and secondary processing.~~

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Administrative building	Auctioneering establishment
Agri-business	Equipment sale, service and rental, major
Agriculture support service	General industrial
Dugout	Outdoor storage
Gas processing plant	Rail yard
Intensive agriculture	Surveillance suite
Rail spur	Temporary asphalt plant
Veterinary clinic	Temporary concrete batch plant
	Topsoil screening
	Transloading facility
	Warehousing

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

Parcel area to be provided in accordance with an approved local planning document.

~~.4~~ Development Regulations

All yard setbacks and heights	At the discretion of the Development Authority
Maximum parcel coverage	50%

~~.4~~

~~(a) All setbacks and heights shall be at the discretion of the Development Authority.~~

~~(b) The maximum parcel coverage shall be 50%.~~

.5 Additional Development Regulations

(a) All development in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

- (b) The *Development Authority* may require an emergency response plan as a condition of a *development permit* to ensure that emergency services requirements for fire, rescue and ambulance can be met.
- (c) Any *development* shall mitigate all *off-site* nuisance factors including excessive noise, vibration, odour, traffic, unsightliness, liquid or gaseous emanations, reflection, dust and the harbouring of restricted or noxious weeds to the satisfaction of the *Development Authority*.

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14.2 I2 – LOCAL INDUSTRIAL DISTRICT



.1 General Purpose

This district accommodates a range of lower intensity industrial *uses* near areas of residential *development*. These *uses* shall incorporate mitigation measures in order to reduce their impact to the surrounding community. *Permitted* and *discretionary uses* reflect municipal utility servicing capacity and safety considerations.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Agricultural support service</i>
<i>Car wash</i>	<i>Crematorium</i>
<i>Commercial school</i>	<i>Equipment sale, service and rental, major</i>
<i>Contractor service, minor</i>	<i>Fleet service</i>
<i>Equipment sale, service and rental, minor</i>	<i>General industrial</i>
<i>Funeral home</i>	<i>Service station</i>
<i>Kennel and animal boarding</i>	<i>Surveillance suite</i>
<i>Recreational vehicle storage facility</i>	
<i>Storage facility</i>	
<i>Vehicle sale and rental</i>	
<i>Veterinary clinic</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The maximum *parcel area* shall be 0.4ha (1ac).

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	<i>Local road</i>	12m (39.4ft)
	<i>Collector road</i>	20m (65.6ft)
Minimum <i>side yard setback</i>	6m (19.7ft)	
Minimum <i>rear yard setback</i>	6m (19.7ft)	
Maximum <i>height</i>	12m (39.4ft)	
Maximum <i>parcel coverage</i>	60%	

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) *On-site* parking, loading and unloading shall be *hard surfaced*.

- (c) Loading and unloading areas shall be located only at the side or rear of the *principal building*, and *screened* from view from any public *road*.
- (d) Access to individual *parcels* shall in all cases be from a *local* or *collector road* constructed to County standards.
- (e) *Adjacent* parking areas on *adjacent parcels* may connect to one another in order to facilitate off-*road* vehicular movement from one *development* to the next.
- (f) Vacant, undeveloped or unused portions of a *parcel* shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (g) A *development* shall operate such that no nuisance factor is created or apparent outside the boundaries of the *parcel*. Nuisance factors include excessive noise, vibration, odour, traffic, unsightliness, liquid or gaseous emanations, reflection, dust and the harbouring of restricted or noxious weeds.

14.3 I3 – MEDIUM INDUSTRIAL UNSERVICED DISTRICT



.1 General Purpose

This district provides for low and medium intensity industrial *uses* on *parcels* with limited servicing located within a planned industrial park. Any nuisance factor should be limited beyond the boundaries of the *parcel*.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Dugout</i>
<i>Agricultural support service</i>	<i>Equipment sale, service and rental, major</i>
<i>Auctioneering establishment</i>	<i>General industrial</i>
<i>Commercial school</i>	<i>Rail spur</i>
<i>Contractor service, major</i>	<i>Salvage yard</i>
<i>Contractor service, minor</i>	<i>Surveillance suite</i>
<i>Equipment sale, service and rental, minor</i>	<i>Transloading facility</i>
<i>Fleet service</i>	<i>Vehicle sale and rental</i>
<i>Kennel and animal boarding</i>	
<i>Medical marijuana production facility</i>	
<i>Outdoor storage</i>	
<i>Recreational vehicle storage facility</i>	
<i>Storage facility</i>	
<i>Topsoil screening</i>	
<i>Warehousing</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be 0.6ha (1.5ac).

.4 Development Regulations

<i>Minimum front yard and flanking front yard setbacks</i>	6m (19.7ft)
<i>Minimum side yard setback</i>	5m (16.4ft)
	Zero <i>lot</i> line where common wall is present
<i>Minimum rear yard setback</i>	5m (16.4ft)
<i>Maximum height</i>	At the discretion of the <i>Development Authority</i>
<i>Maximum parcel coverage</i>	50%

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Notwithstanding the *setbacks* in Subsection 14.3.4, *rail spur* may be permitted within the *development setback* at the discretion of the *Development Authority*.
- (c) Access to individual *parcels* should be from a *local road* and may be considered from a *collector road* as per County standards.
- (d) Vacant, undeveloped or unused portions of a *parcel* shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (e) A *development* shall carry out its operations such that limited nuisance factors are created or are apparent outside the boundaries of the industrial park. Nuisance factors include excessive noise, vibration, odour, traffic, unsightliness, liquid or gaseous emanations, reflection, dust and the harbouring of restricted or noxious weeds.

14.4 I4 – MEDIUM INDUSTRIAL SERVICED DISTRICT



.1 General Purpose

This district provides for a broad range of compatible medium intensity industrial *uses* on fully serviced *parcels* within planned industrial park locations. These *uses* may require appropriate exterior storage or exterior manufacturing and processing activities which shall be considered *accessory* to a *principal use* on a *parcel*. Any nuisance factor should be of limited impact beyond the boundaries of the *parcel*.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Dugout</i>
<i>Agricultural support service</i>	<i>Equipment sale, service and rental, minor</i>
<i>Auctioneering establishment</i>	<i>Outdoor storage</i>
<i>Bulk fuel sale</i>	<i>Rail yard</i>
<i>Commercial school</i>	<i>Sales centre</i>
<i>Contractor service, major</i>	<i>Salvage yard</i>
<i>Contractor service, minor</i>	<i>Temporary asphalt plant</i>
<i>Crematorium</i>	<i>Temporary concrete batch plant</i>
<i>Equipment sale, service and rental, major</i>	<i>Vehicle sale and rental</i>
<i>Fleet service</i>	
<i>Gas processing plant</i>	
<i>General industrial</i>	
<i>Kennel and animal boarding</i>	
<i>Medical marijuana production facility</i>	
<i>Rail spur</i>	
<i>Recreational vehicle storage facility</i>	
<i>Storage facility</i>	
<i>Topsoil screening</i>	
<i>Transloading facility</i>	
<i>Warehousing</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be 0.4ha (1 ac).

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	6m (19.7ft)
Minimum <i>side yard setback</i>	5m (16.4ft)
	Zero <i>lot</i> line where common wall is present

Minimum <i>rear yard setback</i>	5m (16.4ft)
Maximum <i>height</i>	At the discretion of the <i>Development Authority</i>
Maximum <i>parcel coverage</i>	70%

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Notwithstanding the *setbacks* in Subsection 14.4.4, *rail yard* or *rail spur* may be permitted within the *development setback* at the discretion of the *Development Authority*.
- (c) Access to individual *parcels* shall in all cases be from a *local road* and may be considered from a *collector road* as per County standards.
- (d) Vacant, undeveloped, or unused portions of a *parcel* shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (e) A *development* shall operate such that any nuisance factors that are created or are apparent outside the boundaries of the industrial park is of limited impact. Nuisance factors include excessive noise, vibration, odour, traffic, unsightliness, liquid or gaseous emanations, reflection, dust and the harbouring of restricted or noxious weeds.

14.5 I5 – HEAVY INDUSTRIAL DISTRICT



.1 General Purpose

This district provides opportunity for major industrial *uses*, as identified within the Sturgeon County Municipal Development Plan and the Alberta’s Industrial Heartland Area Structure Plan. The *uses* have significant impact on other non-industrial *uses* and, due to their appearance, noise, odour, risk of toxic emissions or fire and explosion hazards, are incompatible with residential and other land *uses*. No future residential *development* is contemplated within this district.

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Administrative building	Agriculture support service
Bulk fuel sale	Auctioneering establishment
Dugout	Commercial school
Gas processing plant	Contractor service, major
General industrial	Dwelling, single detached – subject to Paragraph 14.5.5(b) of this Bylaw
Heavy industrial	Equipment sale, service and rental, major
Home-based business, level 1 (office) – subject to Paragraph 14.5.5(b) of this Bylaw	Home-based business, level 3 – subject to Paragraph 14.5.5(b) of this Bylaw
Home-based business, level 2 – subject to Paragraph 14.5.5(b) of this Bylaw	Processing, primary
Intensive agriculture	Processing, secondary
Medical marijuana production facility	Recreational vehicle storage facility
Outdoor storage	Renewable energy facility
Rail spur	
Rail yard	
Temporary asphalt plant	
Temporary concrete batch plant	
Topsoil screening	
Transloading facility	
Utility, major	
Warehousing	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

At the discretion of the *Subdivision Authority*.

.4 Development Regulations

At the discretion of the *Development Authority*.

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Where a *single detached dwelling* existed prior to the passing of Bylaw 1118/07 (June 26, 2007), it may be upgraded, expanded or rebuilt. If such a building is to be rebuilt and when necessary, the location of the proposed replacement *building* will be subject to the approval of the Municipal Planning Commission.
- (c) Where a *development* or *use* is to occur on two or more *parcels* of land, the *Development Authority* may require as a condition of *development permit* that all *parcels* be consolidated.
- (d) The *Development Authority* may require an emergency response plan to be submitted as part of a *development permit* to ensure that emergency services requirements for fire, rescue, and ambulance are met.
- (e) The maximum non-residential *density* is four *parcels* for every 64.7 ha (160 ac). Subsequent *density* increases require an amendment to the Alberta's Industrial Heartland Area Structure Plan, and the submission of a *local planning document*.
- (f) All *development permit* applications for *heavy industrial uses* may include proposed measures to mitigate impacts on surrounding non-industrial properties to the satisfaction of the *Development Authority*. Such measures include solid *fencing*, berming, *landscaping*, retention of natural vegetation *buffers*, or a combination thereof.
- (g) Notwithstanding Part 8 of this Bylaw, vacant, undeveloped, or unused portions of a site shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (h) *On-site* parking areas shall be *hard surfaced*.
- (i) *Primary* or *secondary processing* in this district shall follow the regulations provided in Section 11.2.

14.6 IR – INDUSTRIAL RESERVE DISTRICT



.1 General Purpose

This district protects lands *adjacent* to or within planned industrial parks for future industrial use by permitting limited interim or temporary land *uses* that do not compromise the future growth of the associated industrial park. This district should be implemented in conjunction with a *local planning document* being established for the associated industrial park.

.2 Uses

Permitted Uses	Discretionary Uses
Dugout	Accessory, building*
Public utility	Accessory, use*
Recreational vehicle storage facility	Home-based business, level 1 (office) **
	Home-based business, level 2 **
	Outdoor storage
	Parking facility
	Rail spur
	Temporary asphalt plant
	Temporary concrete batch plant

*Please refer to Section 6.1 for further clarification

**Only where an approved *dwelling unit* is existing prior to this district coming into effect.

.3 Subdivision Regulations

The Subdivision Authority shall not consider the premature *subdivision* of lands within this district until such time as a *planning document* is approved by Council, that identifies the future *development* pattern for the lands within this district.

Development Regulations

All *development* regulations shall be at the discretion of the *Development Authority* having regard to the Municipal Development Plan, and the future expansion and growth within or *adjacent* to the *industrial parks*.

.4 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) All existing approved *dwelling* are considered *non-conforming* in terms of Section 1.6. No new residential *development* shall be allowed in this district.

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PART 15 OTHER DISTRICTS

15.1 AJ – ALTERNATIVE JURISDICTION DISTRICT



.1 General Purpose

This district is to provide for lands that do not require a *development permit* when falling under the jurisdiction of federal or provincial legislation.

.2 Uses

Permitted Uses	Discretionary Uses
Any <i>use</i> that is consistent with those <i>uses</i> , activities and operations prescribed in the appropriate superior legislation.	

.3 Development Regulations

- (a) A *development permit* is not required under this district if the *development* is exempted from this *Bylaw* by reason of provisions in federal or provincial legislation or the developer being the crown, a crown agency or a federal industry.
- (b) If development of the lands within this district no longer satisfies the requirement of Paragraph 15.1.3(a), a development permit is required and/or the lands redistricted to an appropriate land use district. If for any reason (including a change in *use*, ownership or legislation) lands to which this district originally applies but subsequently become subject to the County's jurisdiction, the most restrictive district on the *adjacent parcels* shall apply.

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15.2 AP – AIRPORT SUPPORT DISTRICT 

.1 General Purpose

This district is intended to regulate *development* which is not federally regulated at airports or helipads. The *uses* support and are compatible with the operations of the airport or heliport.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Aircraft sale and service</i>	<i>Bulk fuel sale</i>
<i>Hangar</i>	<i>Commercial school</i>
<i>Protective and emergency service</i>	<i>Contractor service, minor</i>
<i>Warehousing</i>	<i>Eating and drinking establishment</i>
	<i>Equipment sale, service and rental, major</i>
	<i>Fleet service</i>
	<i>General industrial</i>
	<i>Government service</i>
	<i>Hotel</i>
	<i>Motel</i>
	<i>Outdoor storage</i>
	<i>Parking facility</i>
	<i>Professional, office and business service</i>
	<i>Public library and cultural facility</i>
	<i>Public utility</i>
	<i>Retail sale</i>
	<i>Sales centre</i>
	<i>Service station</i>
	<i>Storage facility</i>
	<i>Surveillance suite</i>
	<i>Temporary asphalt plant</i>
	<i>Temporary concrete batch plant</i>

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The *parcel area* shall be determined by the Subdivision Authority.

.4 Development Regulations

<i>Minimum front yard and flanking front yard setbacks</i>	1m (3.3ft)
<i>Minimum rear yard setback</i>	5m (16.4ft)
<i>Minimum side yard setback</i>	3m (9.8ft)

	Zero <i>lot</i> line where common wall is present
Maximum <i>height</i>	As determined by federal or provincial legislation

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) A Facility Alteration Permit approval shall be submitted with an application for a *development permit* for land located within the Villeneuve Airport.
- (c) In addition to the requirements of Section 2.4 of this Bylaw, all *development permit* applications shall include a site plan that identifies the boundaries of any lease areas subject to the *development permit* application.
- (d) For the purposes of determining and regulating *development*, within this district, the lease boundaries of the area subject to the *development permit* shall be interpreted as the boundaries of a *parcel*.
- (e) In cases where a *development abuts* a residential district, a solid *fence* with a minimum *height* of 1.8m (5.9ft) shall be provided on the affected *parcel line*.
- (f) The *use* or operation of a *development* on any land situated within the AP district shall not cause any objectionable or dangerous condition that would interfere with the safe and efficient operation of the *airport* and without restricting the generality of the foregoing, the *development* shall not cause excessive:
 - (i) smoke, dust, steam or other emissions;
 - (ii) toxic and noxious matters;
 - (iii) radiation, fire and explosive hazards, or
 - (iv) attraction of bird life.

15.3 EP – ENVIRONMENTAL PRESERVATION DISTRICT 

.1 General Purpose

This district is intended to protect and preserve *environmentally significant lands* recognized as such by the County and/or Province and includes Crown lands and lands designated as Environmental Reserve through the *Municipal Government Act*.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Public park</i>	<i>Accessory, building*</i>
	<i>Accessory, use*</i>
	<i>Parking facility</i>
	<i>Public utility</i>

*Please refer to Section 6.1 for further clarification.

.3 Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) All lands designated or to be designated as Environmental Reserve as defined by the *Municipal Government Act* shall be districted accordingly under this Section.
- (c) Any *development* in this district requires an assessment of *environmentally significant lands* to be completed in accordance with the Municipal Development Plan and to the satisfaction of the *Development Authority*.

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15.4 INS – INSTITUTIONAL DISTRICT 

.1 General Purpose

This district will accommodate the *development* of *buildings* and *uses* for the delivery of education, health, government and other institutional services.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Cemetery</i>
<i>Child care facility</i>	<i>Community garden</i>
<i>Community building</i>	<i>Correctional institution</i>
<i>Funeral home</i>	<i>Crematorium</i>
<i>Government service</i>	<i>Eating and drinking establishment</i>
<i>Hospital</i>	<i>Parking facility</i>
<i>Protective and emergency service</i>	<i>Private camp or club</i>
<i>Public library and cultural facility</i>	<i>Recreation facility, indoor</i>
<i>Religious assembly</i>	<i>Recreation facility, outdoor</i>
<i>Residential care facility</i>	
<i>School</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority having regard for the surrounding land *uses* and the scale of the proposed development.

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	<i>Abutting a local road</i>	6m (19.7ft)
	<i>Abutting a collector or arterial road</i>	35m (114.8ft)
Minimum <i>side yard setback</i>	<i>Abutting a local road</i>	4.5m (14.7ft)
	<i>Abutting a collector or arterial road</i>	20m (65.6ft)
Minimum <i>rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<u>Maximum Height</u>	At the discretion of the <i>Development Authority</i>	

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

- (b) The *Development Authority* shall consider the configuration, location and *adjacent* land uses of the *development* area when reviewing and evaluating *parcel* access and egress, drop-off areas and staff and visitor parking areas.
- (c) The minimum *setback* for an *outdoor recreation facility* is the distance as determined by the *Development Authority* in order to prevent the sport or recreation activity from interfering with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

15.5 POS – PUBLIC OPEN SPACE DISTRICT



.1 General Purpose

This district is intended to accommodate the *development* of public spaces on lands dedicated as Municipal Reserve, School Reserve or Community Services Reserve to provide for recreational and cultural activities that enhance the quality of life within communities.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Campground</i>
<i>Accessory, use*</i>	<i>Public library and cultural facility</i>
<i>Community building</i>	<i>School</i>
<i>Community garden</i>	
<i>Parking facility</i>	
<i>Public park</i>	
<i>Public utility</i>	
<i>Recreation facility, indoor</i>	
<i>Recreation facility, outdoor</i>	

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority.

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setback</i>	<i>Abutting a local road</i>	6m (19.7ft)
	<i>Abutting a collector or arterial road</i>	35m (114.8ft)
Minimum <i>side yard setback</i>	<i>Abutting a local road</i>	4.5m (14.8ft)
	<i>Abutting a collector or arterial road</i>	20m (65.6ft)
Minimum <i>rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<u>Maximum Height</u>	At the discretion of the <i>Development Authority</i>	

.5 Additional Development Regulations

- (a) All development in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) The minimum *setback* for an *outdoor recreation facility* is the distance as determined by the *Development Authority* in order to prevent the sport or recreation activity from interfering with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

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15.6 PU – PUBLIC UTILITY DISTRICT



.1 General Purpose

This district provides for *development* associated with a system or works that is used to provide for [private and public services](#) and may incorporate land designated as public utility lots (PUL). *Development* may include, but is not limited to, pump stations, transformer stations, municipal storage facilities (*yards*), stormwater facilities and *rights-of-way* areas.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Government service</i>	<i>Rail spur</i>
<i>Public utility-Utility, major</i>	<i>Renewable energy facility</i>

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

Shall be determined by the Subdivision Authority.

.4 Development Regulations

At the discretion of the *Development Authority*.

.5 Additional Development Regulations

All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

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15.7 REC – RECREATIONAL DISTRICT



.1 General Purpose

This district accommodates *development* intended to provide commercial indoor and outdoor recreational facilities and related land uses. These uses are larger in scale and may have greater on-site and off-site impacts.

.2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Administrative building	Dwelling, single detached
Campground	Eating and drinking establishment - subject to Paragraph 15.7.5(b) of this Bylaw
Community building	Hotel
Community garden	Motel
Equestrian facility	Parking facility
Guest ranch	Recreation, outdoor motorized vehicle facility
Recreation facility, indoor	Resort
Recreation facility, outdoor	Retail sale – subject to Paragraph 15.7.5(b) of this Bylaw
	Shooting range
	Surveillance suite

*Please refer to Section 6.1 for further clarification.

.3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority.

.4 Development Regulations

Minimum front yard and flanking front yard setbacks	Abutting a local road	6m (19.7ft)
	Abutting a collector or arterial road	35m (114.8ft)
Minimum side yard setback	Abutting a local road	4.5m (14.8ft)
	Abutting a collector or arterial road	20m (65.6ft)
Minimum rear yard setback	Principal building	6m (19.7ft)
	Accessory building	2.5m (8.2ft)
Maximum Height	At the discretion of the Development Authority	

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) *Eating and drinking establishment*, and *retail sale uses* shall only be allowed as *accessory* to a *principal use*.
- (c) The minimum *setback* for an *outdoor recreation facility* is the distance as determined by the *Development Authority* in order to prevent the sport or recreation activity from interfering with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

PART 16 DIRECT CONTROL DISTRICTS

~~.1 General Purpose~~

~~These districts are intended to enable Council to exercise control over the use and development of parcels or buildings. These districts provide for developments that, due to their unique characteristics, innovative design or unusual site constraints, require specific regulation unavailable in other districts.~~

~~.2 General Application~~

~~(a) There are two means of application for DC districts:~~

~~(i) With regulations — The owner of a site may apply to amend this Bylaw to add a new DC district that would apply to an area or parcel. As part of the Bylaw amendment, a district would be created which would detail uses, requirements and provisions that would apply to the subdivision and/or development of the parcel or area; or~~

~~(ii) Without regulations — The owner of a site may apply to redistrict a site to DC, without the creation of parcel or area specific uses, requirements, or regulations. In this case, an application for a development permit will be considered based upon the merits of the respective proposal that is brought forward by the owner of the site, and would rely on the guidance and policies of any applicable planning document.~~

~~(b) These districts shall only be applied where the following conditions are met:~~

~~(i) The development is, in the opinion of Council, considered appropriate for the site, having regard to the policies and objectives of any plan, statutory or otherwise, this Bylaw and compatibility with the scale and character of surrounding development;~~

~~(ii) The use of any other district to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding development, should the full development potential of such a district be utilized; and~~

~~(iii) The development is of a unique form or nature not contemplated or reasonably regulated by another district.~~

~~.3 Statutory Plans~~

~~A decision on any development permit application under a DC district shall have regard for any statutory plan affecting the lands the DC district applies to.~~

~~.4 Appeals~~

~~(a) On decision for development permit applications where Council is the Development Authority this is no appeal to the Subdivision and Development Appeal Board; or~~

~~(b) Where the decision of a development permit application is under the authority of the Municipal Planning Commission, the ability to appeal is available subject to Section 641(4)(b) of the Municipal Government Act.~~

~~.5.1 Decisions can be rendered on development permit applications for signs by the manager in accordance with Part 7 of this Bylaw.~~

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16.1 DC1 – DIRECT CONTROL DISTRICT 1 – GENERAL 

.1 General Purpose

~~The purpose of this district is to provide for developments that, due to their unique characteristics and/or site conditions, require specific direction unavailable in conventional land use districts. This district is not intended to be used in substitution for any other land use district in this Bylaw that could be used to achieve the same result.~~

~~The general purpose of this district is to provide for controlled use, development, siting and design of buildings and disturbance of land where this is necessary to establish, preserve or enhance:~~

~~(a) areas or sites of unique character or special environmental concern;~~

~~(b) areas or sites identified as requiring sensitive or special consideration by a statutory plan; and~~

~~(c)(a) areas or sites of special historical, cultural, paleontological, archaeological, prehistorical, natural, scientific or aesthetic interest, as designated under the *Historical Resources Act*, RSA 2000 c H-9.~~

.2 Decision-Making Authority

In this district the Decision-Making Authority is Council.

.3 District Boundaries

Any *parcel* or portion thereof which Council wishes to assign direct control over as approved through the defined amendment process in Part 3 of this Bylaw.

.4 Uses

Any use deemed appropriate by Council.

.5 General Requirements

(a) In evaluating a proposed land use or development in a DC1 district, Council shall have regard for, but not be limited to:

(i) the existing use of the lands;

(ii) the general and special regulations as contained elsewhere in this Bylaw;

(iii) the land use Regulations of adjoining districts;

(iv) shall comply with the *Municipal Government Act*, Subdivision and Development Regulations, Municipal Development Plan and any *statutory plan* or Outline Plan in effect specifically for the purpose of directing the implementation and administration of this district; and

(v) all *parcel* regulations shall be as determined by Council, who, in determining such regulations, shall consider all information it obtains pursuant to the provisions of this Section and comply with any applicable provisions of any *statutory plan* in effect. This district shall not be used for lands which require *subdivision* as there are no underlying uses in this district.

(b) The design, external finish, architectural appearance, siting, *landscaping*, *screening* and *buffering* of any *building* or structure shall be to the satisfaction of Council so that there shall be general conformity in such matters with respect to *adjacent buildings*, adequate protection afforded to the amenities of the *adjacent* residential properties and any objectionable aspects or potential incompatibility with other uses and developments in *adjacent* districts is or can be minimized.

- (c) Notwithstanding any *development permit* application requirements to the contrary in the Bylaw, and in addition to any requirements of the specified *subdivision* and *development* regulation or any policies of the County, Council may specify the following additional application requirements in the case of an application within a DC1 district:
- (i) to determine if the lands in question are suitable for and can physically support the *use* or *development* in question, Council may require, before accepting an application as complete, geotechnical analysis or any other engineering, environmental or technical assessment and information it considers necessary to properly evaluate the application. Council will require that the information required is prepared or substantiated by ~~qualified persons licensed to practice in the Province of Alberta~~ a practicing professional;
 - (ii) to the level of detail determined by Council, applicants shall fully disclose the precise nature and extent of the proposed *use* or *development*, including intended hours of operation, so that applications can be thoroughly evaluated; and
 - (iii) to assist in the comprehensive evaluation of a DC district application, Council may undertake, or require that the applicant undertake in a manner satisfactory to Council, a polling of the ~~adjacent residential and other properties~~ and/or affected landowners.

.6 Application Process and Decision

- ~~(a)~~ Upon receipt of a completed *development permit* application in the DC1 district, Council, prior to a decision being made, may refer the application to any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the *building* that is the subject of the *development permit* application.
- ~~(b)~~(a) Prior to deciding upon a *development permit* application before it, Council ~~shall~~ may provide public notice, through means and to whom it considers necessary, that a decision on a *development permit* pursuant to a DC1 district is to be made and ~~the~~ Council will afford an opportunity to any interested person to make representations on the application and may take into account any such representations made when giving final consideration to the application.
- ~~(c)~~(b) Council may approve, without or with any conditions deemed suitable, or refuse the application.
- ~~(d)~~(c) Council may also impose such conditions as Council finds appropriate to regulate the proposed *development* including:
- (i) as a condition of approval, require that the applicant enter into a *Development Agreement* with the County pursuant to the *Municipal Government Act* and this Bylaw. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County;
 - (ii) set a time period for which the *Development Agreement* is to remain in effect;
 - (iii) as a condition of approval, require financial guarantees from the applicant, in a form and amount acceptable to the County, to secure performance of any of the conditions of the approval;
 - (iv) revoke an approval in the case where satisfactory arrangements have not been made by a *developer* for the supply of water, sewer, stormwater and *road* access, or any of them, including payment of the costs of installing or constructing any such utility by the *developer*; or
 - (v) in the case of new construction, Council may require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the *building* that is the subject of the *development permit* application, be submitted by the *landowner* or *developer* upon completion of the *building foundation*, or

siting in the case of mobile or portable units on permanent *foundations*, and prior to commencement of framing or further structural construction to ensure that the *building* is sited according to the provisions of the *development permit* and this Bylaw.

- ~~(e)~~(d) Council may stipulate the times of day or week during which an approved *use* or *development* may operate as well as the length of time its approval remains in effect.
- ~~(f)~~(e) As a condition of approval, Council may require, to their satisfaction, that an approved *use* or *development* be *screened* from public thoroughfares and *adjacent* residential *uses* by a solid wall, *fence* or other means.
- ~~(g)~~(f) When part of the site is to be *used* for outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner.
- ~~(h)~~(g) Council may approve a temporary *development permit* where Council is of the opinion that the proposed *use* is of a temporary nature.
- ~~(i)~~(h) If at any time, in the opinion of Council, any of the provisions of this Bylaw have not been complied with, ~~the~~ Council or the *Development Authority* may utilize the enforcement mechanisms available under the *Municipal Government Act* and this Bylaw.

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16.2 DC2 – DIRECT CONTROL DISTRICT 2 – OIL COLLECTION AND STORAGE 

.1 General Purpose

To establish a DC district to accommodate an Environmental Collection and Storage Facility for used oil as defined and regulated by the Alberta *Public Health Act*, RSA 2000, c.P-37, Petroleum Tank Management Association of Alberta and Alberta Environment and Parks guidelines.

.2 District Boundaries

This district applies to that portion of the Southeast Quarter of Section 25, Township 56, Range 26, and West of the Fourth Meridian described as follows:

The northerly 122.5m (402ft) in perpendicular width of the westerly 161.1m (528.6ft) in perpendicular width, containing 4.87 acres (1.97 ha) more or less ~~as~~.

.3 Decision-Making Authority

In this district the Decision-Making Authority is Council.

.4 Uses

<p><u>Accessory, building</u></p>
<p><u>Accessory, use</u></p>
<p>Oil Recycling and Storage Facility as defined in the <i>Public Health Act</i>, (Alberta Regulation 250/85) Waste Management Regulation and Alberta <i>Environmental Protection and Enhancement Act</i>, RSA 2000, c.E-12, and as governed by Petroleum Tank Management Association</p>

.5 Development Regulations

- (a) All *development* shall comply with the requirements of Alberta Environment and the Petroleum Tank Management Association.
- (b) More than 100,000 litres of used oil storage and/or filters on site shall be the responsibility of the *landowner* or applicant to provide maintenance and dust control for municipal *roads* as required by the County.
- (c) No permanent *buildings* shall be constructed in this district unless the structure can be utilized for agricultural purposes.
- (d) The district applicable to the lands described in Subparagraph 16.2.2(a)(i) should be redistricted to an appropriate district if and once the oil recycling and/or storage facility stops operating.

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16.3 DC3 – DIRECT CONTROL DISTRICT 3 – ROSERIDGE 

.1 General Purpose

To establish a DC district that allows for the continued operation of a provincially-approved regional *waste management facility* within the County as defined and regulated by the *Environmental Protection and Enhancement Act*, RSA 2000 c.E-12(EPEA) and the applicable regulations under that Act.

.2 District Boundaries

This district applies to the entire southwest quarter and a portion of the northwest quarter of Section 36, Township 55, Range 25, West of the Fourth Meridian described as Block 1, Lot 5, Plan 042 6533, Block A, Plan 782 3089, and Lot 1 Plan 002 2509.

.3 Decision-Making Authority

In this district the Decision-Making Authority is the Municipal Planning Commission.

.4 Uses

Accessory, building
Accessory, use
Class II landfill
Class II compost facility
Closure or transitional use
Hazardous waste collection centre
Incineration
Recycling collection centre
Recycling processing centre
Soil treatment
Utility, major

.5 Development Regulations

- (a) All *development permit* applications for ~~discretionary~~ uses shall be reviewed and a decision shall be rendered by the Municipal Planning Commission.
- (b) All *development* shall comply with the requirements of applicable provincial legislation and regulations.
- (c) ~~Permitted and discretionary~~ All uses to adhere with the standards set out in the latest editions of the Alberta Code of Practice for Landfills, Standards for Landfills in Alberta, the Alberta Code of Practice for Compost Facilities, and the Alberta Code of Practice for the Land Treatment and Disposal of Soil Containing Hydrocarbons, as amended or replaced from time to time.
- (d) All site structures and *buildings* to adhere to the ~~Alberta Building Code Safety Codes Act and Alberta Fire Code~~.
- (e) All above-ground and underground storage tanks, along with associated piping, is to adhere to the ~~Alberta Fire Code~~ Safety Codes Act and the Petroleum Tank Management Association of Alberta.

(f) None of the listed ~~discretionary~~ uses shall be approved without prior evidence of site suitability to the satisfaction of the Municipal Planning Commission. |

(g) Any other standards and design requirements specified by the Development Officer.

.6 Additional Development Regulations

(a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

(b) Processing, storage, and disposal of any waste not provided for under an approval or license issued by Alberta Environment is prohibited within the DC3 district.

(c) No application for a *development permit* under the DC3 district shall be considered complete unless the applicant has provided the following minimum information in support of the application:

(i) confirmation of conformity with the existing EPEA approval or license;

(ii) limitations and environmental concerns of the proposed *development*;

(iii) detailed site plan including *setback* or *buffer* distances between *on-site* and *off-site developments*;

(iv) availability or provisions of necessary site servicing and utilities;

(v) additional provincial regulatory approvals required;

(vi) anticipated traffic/*road* implications; and

(vii) any other matters that ~~a Development Officer or~~ the Municipal Planning Commission deems necessary. |

(d) The Municipal Planning Commission ~~or a Development Officer,~~ may require that additional application information be submitted with any *development permit* application; for the purpose of assessing the suitability of the proposed *development* and considering the compatibility with the County's planning objectives, the site-specific conditions and the surrounding land *use*. |

16.4 DC4 – DIRECT CONTROL DISTRICT 4 – MERIDIAN CROSSING



.1 General Purpose

To establish a DC district to accommodate appropriate retail commercial and service uses, within the context of Highway Commercial, at the intersection of major transportation corridors, to serve the surrounding industrial business parks and/or the travelling public.

.2 District Boundaries

This district applies to a portion of the northwest quarter of Section 36, Township 54, Range 23, West of the Fourth Meridian.

.3 Decision-Making Authority

In this district the Decision-Making Authority is the Municipal Planning Commission.

.4 Uses

<u>Accessory, building</u>	
<u>Accessory, use</u>	
Car wash	
Drive-through restaurant	
Eating and drinking establishment	
Integrated highway facility	
Retail sale	
Retail sale, liquor	
Service station	
Sign	

.5 Subdivision Regulations

Minimum <i>parcel area</i> for a local commercial use <i>parcel</i>	1ha (2.47ac)
<i>Density</i>	A maximum of 4 <i>parcels</i> will be permitted to be <i>subdivided</i> within the area subject to this specific DC district.

.6 Development Regulations

Minimum <i>Front yard setback</i>	15m (49.2ft) where the <i>front parcel line</i> forms the boundary of a service road <i>right-of-way</i> . 45m (147.6ft) where the <i>front parcel line</i> forms the boundary of a <i>highway</i> or other public road.
Minimum <i>Side yard setback</i>	15m (49.2ft) where the <i>side parcel line</i> forms the boundary of a <i>highway</i> , service road or other public road. 6m (19.7ft) from a <i>side parcel line</i> not <i>abutting</i> a public road or 10% of the <i>mean parcel width</i> , whichever is lesser
Minimum <i>Rear yard setback</i>	15m (49.2ft) where the <i>rear parcel line</i> forms the boundary of a <i>highway</i> , service road or other public road.

	6m (19.7ft) from the <i>rear parcel line</i> not <i>abutting</i> a public road.
Maximum <i>height</i> of <i>accessory buildings</i> and minimum construction standards	No <i>accessory building</i> shall exceed two full <i>storeys</i> in <i>height</i> (to a maximum of 12m (39.4ft) or as required by the <i>Development Authority</i>).
	All other site regulations and requirements shall be based upon the non- residential type 3 commercial <i>development</i> proposed and shall be at the discretion of the <i>Development Authority</i> .
<i>Landscaping</i> requirements	Each <i>parcel</i> shall include a minimum 10% of the net developable land area covered by <i>landscaping</i> . A landscape plan shall be submitted with an application for a <i>development permit</i> for consideration within the decision process.

.7 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) *Development* shall be in accordance with the requirements of a Roadside Development Permit which will be required to be issued by Alberta Transportation prior to a *development permit* being issued by the County.
- ~~(c) — The procedure for any appeal associated with DC4 shall be in accordance with Section 641(4) of the Municipal Government Act.~~
- ~~(d)~~(c) Alberta Transportation, the City of Edmonton and the City of Fort Saskatchewan shall be notified of any proposed *subdivision* or *development permit* application.

16.5 DC5 – DIRECT CONTROL DISTRICT 5 – COUNTY CAMPUS



.1 General Purpose

The purpose of this district is to provide for *development* on municipally-owned land of a wide range of indoor and outdoor sport, recreational, social gathering, cultural, community activities and *government services* serving the local and regional population.

.2 District Boundaries

This district applies to Pt. SW-2-56-25-W4 containing 31.1ha (76.9ac), owned by the Town of Morinville, and Lot 1, Block 1, Plan 162 1450 containing 20.2ha (49.9ac), owned by the County.

.3 Decision-Making Authority

Decisions on *development permit* applications in this district shall be made by the Development Officer, acting as the *Development Authority*.

.4 Decisions on *subdivision* applications in this district shall be made by the Municipal Planning Commission, acting as the Subdivision Authority.

.5 Uses

<i>Accessory, building</i>
<i>Accessory, use</i>
<i>Child care facility</i>
<i>Commercial school</i>
<i>Government service</i>
<i>Recreation facility, indoor</i>
<i>Recreation facility, outdoor</i>
<i>Public utility</i>

.6 Subdivision Regulations

Further *subdivision* may be considered at the discretion of the Subdivision Authority for public and service *uses* (e.g. public utility lot) and shall be allowed with a minimum site area sufficient to accommodate the proposed *use*.

.7 Development Regulations

	Development Standard
<i>Front, side and rear yard setback</i>	At the discretion of the <i>Development Authority</i> who shall take into account the general purpose and intent of this district, the location and <i>setbacks</i> of <i>adjacent buildings</i> , the safe and efficient movement of pedestrians and motor vehicles and parking requirements. <i>Setbacks</i> from Highway 642 <u>will be</u> as defined by Alberta Transportation.
Maximum <i>building height</i>	The <i>height</i> of a <i>building</i> shall be at the discretion of the <i>Development Authority</i> who shall take the following into consideration: a) The topography of the <i>parcel</i> upon which the <i>building</i> is or is to be situated as well

	<p>as the topography of immediately <i>adjacent parcels</i> and the surrounding area.</p> <p>b) The <i>height</i> of a <i>building</i> shall be in in keeping with the surrounding area.</p> <p>c) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel. 15m (49.2ft) where the side parcel line forms the boundary of a highway, service road or other public road.</p>
Design, character and appearance	The design, siting, external finish, architectural appearance and <i>landscaping</i> generally, of all <i>buildings</i> , including any <i>accessory buildings</i> or structures and <i>signs</i> shall all be to the satisfaction of the <i>Development Authority</i> . The <i>Development Authority</i> shall ensure an attractive presentation of the site toward Highway 642.
On-site parking requirements	At the discretion of the <i>Development Authority</i> who shall take into account the nature of the <i>use(s)/development(s)</i> and the individual components that may comprise them. As a guide, the <i>Development Authority</i> may consider the provision of 1 space per 5 seats for areas with fixed seating; plus 1 space per 10 m ² of gross <i>floor area</i> for all other gross floor areas .
Pedestrian connectivity	At the discretion of the <i>Development Authority</i> who shall ensure adequate pedestrian (non-motorized) connectivity between the subject properties and to the Town of Morinville.

.8 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Until full *development* of the subject lands occurs, agricultural and horticultural production for the production of cereal grains, oil seeds, trees, shrubs, etc. are *permitted* as an interim *use* exempt from *development permit* approval.

.9 Application Procedures

- (a) Upon receipt of a completed *development permit* application pursuant to this district, the *Development Authority* may, prior to making a decision, refer the application to any municipal department or any other external agency for comment.
- (b) The *Development Authority*, in considering a *development permit* application referred pursuant to Paragraph 16.5.8(a) will consider, but shall not be bound by the comments it receives pursuant to a referral under Paragraph 16.5.8(a).

16.6 DC6 – DIRECT CONTROL DISTRICT 6 – ON-TRACK 

.1 General 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 Decision-Making Authority

In this district the Decision-Making Authority is the Municipal Planning Commission.

.4 Uses

<i>Accessory building</i>
<i>Accessory use</i>
<i>Agricultural support service</i>
<i>Gas processing plant</i>
<i>General industrial</i>
<i>Outdoor storage</i>
<i>Rail equipment and vehicle rentals/sales agency</i>
<i>Rail spur</i>
<i>Surveillance suite</i>
<i>Transloading facility</i>
<i>Warehousing</i>

.5 Subdivision

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).

.6 Development Regulations

	Development Standard
<i>Front, side and rear yard setback</i>	Minimum of 6m (20-19.7 ft)
Site Coverage	Maximum 50% for the combined area of all principal and accessory buildings.

.7 Additional Development Regulations

(a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

~~(b) One surveillance suite may be permitted per industrial parcel.~~

~~(c)~~(b) 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~~will 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.

~~(d)~~(c) No application to redistrict 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.

~~(e)~~(d) 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.

~~(f)~~(e) 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*.

~~(g)~~(f) 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.

~~(h)~~(g) *Industrial* Uses within this Direct Control District shall be limited to those uses associated with *Rail-Related* uses.

16.7 DC7 – DIRECT CONTROL DISTRICT 7 – PLAN 8021495; BLOCK A



.1 General Purpose

To establish a Specific Development Control District that provides for the limited residential use provided for herein, and for the storage, repair, servicing, processing and manufacturing uses on site using existing services, and serves agricultural and industrial customers. Any nuisance factor shall not extend beyond the boundaries of the site. Only non-residential Type 3 development contemplated by the Integrated Regional Growth Strategy within the County Municipal Development Plan are allowed.

.2 Decision-Making Authority

In this district the Decision-Making Authority is the Municipal Planning Commission.

.3 Uses

<u>Accessory, building*</u>
<u>Agricultural support service</u>
<u>Dugout</u>
<u>Dwelling, single detached, that existed prior to Bylaw 1372/16 coming into effect</u>
<u>General industrial</u>
<u>Home Based Business Level 3</u>
<u>Surveillance suite</u>

*Please refer to Section 6.1 for further clarification.

.4 Subdivision

No further subdivision of the site shall be permitted.

.5 Development Regulations

<u>Minimum front yard setback</u>	<u>20m (65.6ft)</u>
<u>Minimum side yard setback</u>	<u>6m (19.7ft)</u>
<u>Minimum rear yard setback</u>	<u>6m (19.7ft)</u>
<u>Maximum parcel coverage</u>	<u>At the Discretion of the Decision-Making Authority</u>

.6 Additional Development Regulations

- (a) All development in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) All applications for development permits for the site shall be accompanied by a Traffic Impact Assessment, which shall be submitted to and reviewed by Sturgeon County and Alberta Transportation. No development shall commence on the site until Alberta Transportation has issued a Roadside development permit.
- (c) Any outdoor storage on site shall not cover more than 20% of the total area of the site.
- (d) All outdoor storage shall be screened to the satisfaction of the development authority.
- (e) No structure shall exceed 557.42 m² (6000 ft²) in floor area.

- (f) No operation or action shall emit air or water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the *Environmental Protection and Enhancement Act*.
- (g) Surveillance suites shall comply with the provisions of Section 6.31 of the Land Use Bylaw. One (1) surveillance suite may be permitted on this site.
- (h) Uses on site approved by the Municipal Planning Commission shall comply with Municipal Development Plan policies.

16.8 DC8 – DIRECT CONTROL DISTRICT 8 – PT. RIVER LOT 57



.1 General Purpose

To establish a DC district to foster housing diversity within estate residential communities on fully serviced residential parcels in the form of semi-detached dwellings at rural densities.

.2 District Boundaries

This district comprises all the land in Sturgeon County described as follows: A portion of the River Lot 57.

.3 Decision-Making Authority

In this district the Decision-Making Authority is the Development Officer for permitted uses and the Municipal Planning Commission for discretionary uses.

.4 Uses

<u>Permitted Uses</u>	<u>Discretionary Uses</u>
<u>Accessory, building*</u>	<u>Accessory, building*</u>
<u>Accessory, use*</u>	<u>Accessory, use*</u>
<u>Home-based Business, level 1 (office)</u>	<u>Family day home</u>
<u>Semi-detached dwelling</u>	<u>Group home</u>
	<u>Home-based Business, level 2</u>
	<u>Show home</u>

.5 Subdivision Regulations

<u>Minimum parcel width</u>	<u>15m (49.2ft)</u>
<u>Minimum parcel depth</u>	<u>50m (164ft)</u>
<u>Minimum parcel area</u>	<u>1,000m² (0.25ac)</u>

.6 Development Regulations

<u>Minimum front yard setback</u>	<u>Abutting a local road</u>	<u>8m (26.2ft)</u>
	<u>Flanking front yard</u>	<u>8m (26.2ft)</u>
<u>Minimum side yard setback</u>	<u>Principal building</u>	<u>3m (10ft)</u>
	<u>Accessory building</u>	<u>2.5m (8.2ft)</u>
	<u>Zero lot line where common wall is present</u>	
<u>Minimum rear yard setback</u>	<u>Principal building</u>	<u>6m (19.7ft)</u>
	<u>Accessory building</u>	<u>3m (10ft)</u>
<u>Maximum height</u>	<u>Principal building</u>	<u>12m (39.4ft)</u>
	<u>Accessory building</u>	<u>4.6m (15ft)</u>
<u>Maximum parcel coverage</u>	<u>40%</u>	

.7 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) No *accessory building* shall exceed 21m² (225ft²) in *floor area*.
- (c) *Accessory buildings* are to be of a compatible architectural style and finish as the dwelling unit.
- (d) All parcels are required to be *serviced* by a sewage collection system and water distribution system satisfactory in design and standard to the *Development Approving Authority*.
- (e) Access to individual lots shall in all cases be from an internal local or collector road constructed for the subdivision.

PART 17 OVERLAYS

17.1 DCO – DEVELOPMENT CONSTRAINT OVERLAY



.1 General Purpose

This *overlay* applies additional regulations to lands where there is a high potential for a significant impact on *environmentally significant lands*, lands to be *reclaimed* and *hazardous lands*

.2 Uses

All *uses* specified in the underlying districts are deemed *discretionary*, subject to the regulations concerning *land use*, as specified in this *overlay*.

.3 Application

This *overlay* applies to all lands identified in Schedule 2.

.4 Subdivision Regulations

Pursuant to Paragraph 17.1.5(b), in instances where lands are not suitable for development or for features that are identified as environmentally significant, the Subdivision Authority may require these lands to be dedicated as Environmental Reserve, including the redistricting thereof to EP, or in an Environmental Reserve Easement.

.5 Development Regulations

(a) The regulations provided in the DCO shall be in addition to the specified regulations of the underlying district. Where there appears to be a conflict between the provisions of the *overlay* and those of the underlying district, the provisions of the *overlay* shall take precedence and effect.

(b) *Hazardous lands, environmentally significant lands* and Aquatic Resources

In addition to the requirements of Subsections 2.4.1, 2.4.2 and 2.4.3 of this Bylaw, when considering an application for a *development* on lands that may include *environmentally significant lands*, the *Development Authority* ~~shall~~ should require the submission of studies, assessments and information prepared by a ~~qualified practicing~~ professional in accordance with Section 4.3 of the Municipal Development Plan.

(c) Environmental Site Assessment

In addition to the requirements of Subsections 2.4.1, 2.4.2 and 2.4.3 of this Bylaw, where the potential for prior contamination of a site exists, the County ~~may~~ should require the submission of a completed Phase I and II environmental site assessment in accordance with the Canadian Standards Association to assess potential contamination and mitigation of a site.

(d) Pursuant to Paragraph 17.1.5(b), in instances where lands are not suitable for *development* or for features that are identified as environmentally significant and where public access is not required, the *Development Authority* may require these lands to be dedicated in an Environmental Reserve Easement.

(e) Through consideration of the environmental review completed by a ~~qualified practicing~~ professional, the *Development Authority* may require additional *setbacks* for all *developments adjacent* to or *abutting environmentally significant lands*.

(f) Through consideration of the environmental review completed by a ~~qualified practicing~~ professional, the *Development Authority* may require additional *development* regulations including, but not limited to, *landscaping* and low impact design principles for *development* of lands *adjacent* to or *abutting environmentally significant lands*.

17.2 HIO – HEAVY INDUSTRIAL OVERLAY



.1 General Purpose

This *overlay* provides additional direction to lands in proximity to *heavy industrial development* in accordance with the Alberta's Industrial Heartland Area Structure Plan. It ~~will restrict~~restricts future *development* of residential or assembly *uses* and therefore limits the risks to public safety and minimize nuisance associated with *heavy industrial development*.

.2 Uses

- (a) The *permitted uses* specified in the underlying districts are *permitted* and the *discretionary uses* specified in the underlying districts are *discretionary*, subject to the regulations concerning land use, as specified in this *overlay*.
- (b) Notwithstanding Paragraph 17.2.2(a), the following *uses* shall be prohibited within the area defined by Paragraphs 17.2.4(b) below:
 - (i) *Child care facility*;
 - (ii) *Family day home*;
 - (iii) *Group home, major*;
 - (iv) *Group home, minor*;
 - (v) *Guest ranch*;
 - (vi) *Secondary dwelling*; and
 - (vii) ~~Any-any~~ other use that encourages the assembly of people.

.3 Application

This *overlay* applies to all lands identified in Schedule 3.

.4 Development Regulations

- (a) The regulations provided in the HIO shall be in addition to the specified regulations of the underlying district. Where there appears to be a conflict between the provisions of the *overlay* and those of the underlying district, the provisions of the *overlay* shall take precedence and effect.
- (b) A minimum separation distance of 457m (1499.3ft) shall be maintained between the wall or edge of the nearest *heavy industrial use*, to the outside wall or edge of a *dwelling*. This distance is subject to further increase, based on the outcome of a risk assessment as per Section 2.4 of this Bylaw.

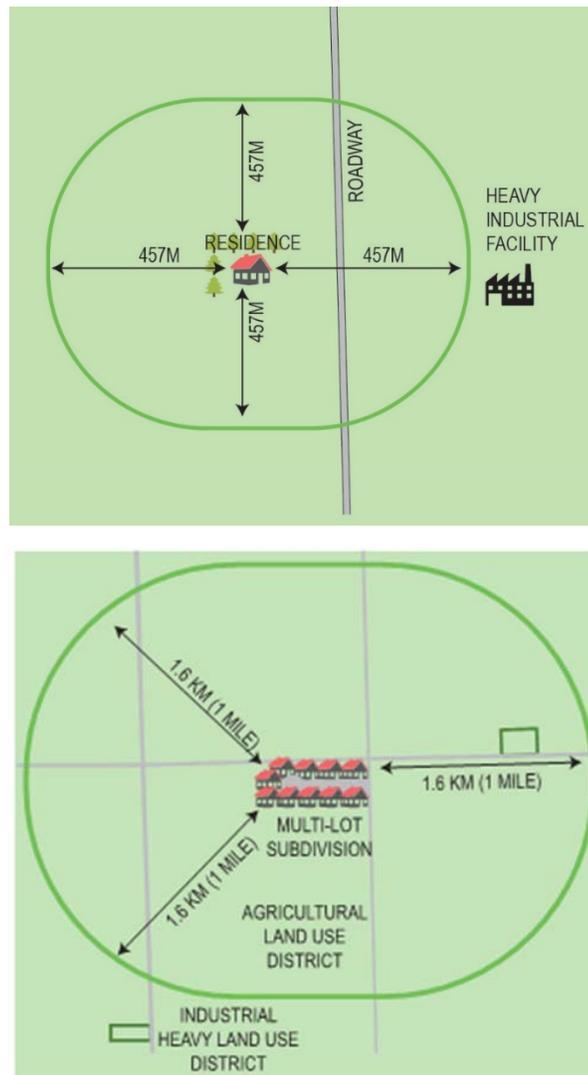


Figure 17.1: Minimum Separation Distances for Heavy Industrial Facilities

- (c) A minimum 1.6km (1mi) reciprocal separation distance shall be maintained between the boundary of a multi-lot subdivision, educational facilities, *hospitals* and other institutional land uses and the boundary of the ~~14-15~~ district. Figure 17.1 generally illustrates the minimum reciprocal separation distance. This distance is subject to further increase, based on the outcome of a risk assessment as per Section 2.4 of this Bylaw.
- (d) A condition of *development* or *subdivision* approval for residential land uses shall include a restrictive covenant to be registered on each title of the subject *parcel* notifying the *landowner* that the *dwelling* could potentially be located near an incompatible use (i.e. *heavy industrial*).
- (e) Where a *dwelling* is located within the minimum separation distance, existed prior to the date of passing this Bylaw, the *dwelling* may be upgraded, expanded or rebuilt. The location of the replacement *building* shall be subject to the approval of the Municipal Planning Commission, considering all prescribed *setbacks* and separations distance requirements as prescribed by this Bylaw and applicable risk assessment.

17.3 REO – RESOURCE EXTRACTION OVERLAY



.1 General Purpose

This *overlay* provides additional direction for the *development* of lands where there is a potential for future *primary* or *secondary processing* activity and to ensure that *uses* which are not related to *extraction* activities are maintained and land use conflicts are limited. It will apply additional regulations to lands within a specific geographic area.

.2 Uses

The *permitted uses* specified in the underlying districts are *permitted* and the *discretionary uses* specified in the underlying districts are *discretionary*, subject to the regulations concerning land use, as specified in this *overlay*.

.3 Application

This *overlay* applies to all lands identified in Schedule 4.

.4 Development Regulations

- (a) The regulations provided in the REO shall be in addition to the specified regulations of the underlying district. Where there appears to be a conflict between the provisions of the *overlay* and those of the underlying district, the provisions of the *overlay* shall take precedence and effect.
- (b) All *primary* and *secondary processing* is subject to the RE district within this Bylaw.
- (c) New residential *development* is subject to the following *setbacks*:
 - (i) No new *subdivision* or *development* for residential purposes shall be permitted within 400m (1,312.3ft) from the edge of a possible *primary* or *secondary processing* area.
 - (ii) No new multi-*lot* subdivision, hamlet, or urban centre, or plan area subject to a *planning document* that includes residential *development* shall be permitted within 800m (2,624.7ft) from the edge of a *primary* or *secondary processing* area.

.5 Notwithstanding Paragraph 17.3.4(c), where new residential *development* is proposed on *parcel(s)* subject to this *overlay*, the applicant shall demonstrate the residential activity shall not encumber *primary* or *secondary processing* activity in accordance with Policy 5.3.6 of the Municipal Development Plan.

.6 Notwithstanding Paragraph 17.3.4(a) and (c), where the resources have been extracted from a parcel subject to this *overlay* and a Reclamation Certificate has been issued by the Province, the provisions of the underlying district shall take precedence and effect.

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PART 18 DEFINITIONS FOR USES

The following terms define the *uses permitted* or *discretionary* set out in Parts 10 through 17 of this Bylaw.

Accessory, building means a *building* or structure that is incidental, subordinate and located on the same *parcel* as the *principal building*, but does not include a *building* or structure *used* for human habitation and does not include *shipping containers*.

Accessory, agricultural building means a *building* associated with the operation of an *agricultural use* on the *parcel* on which it is located, *used* for the housing of livestock, storage of farm produce or livestock feed, or for the storage or maintenance of agricultural machinery. Such structures shall include grain bins or silos for the storage of on-farm produced crop products, hay shelters, animal housing facilities and machine storage sheds. This *use* does not include a detached garage or shop if the *building* is partially *used* for personal or residential *use*.

Accessory, use means the *use* of a *building* or land which is incidental and subordinate to the *principal use* of the *parcel* on which it is located.

Administrative building means a standalone *building* for the purpose of providing office support to an on-site *use*. An *administrative building* is not *government services, professional, office and business services* or *surveillance suite*.

~~*Agri-business* means a *use, accessory to the principal agricultural use, that brings additional visitors to an agricultural parcel over and above the site visits generated by the principal agricultural activity(ies). This use is seasonal in nature and includes facilities for the retail sales of agricultural products on the same site as where the product is produced and/or, the use of features or facilities located on the parcel (e.g. corn mazes, market gardens, nurseries, petting zoos, fruit picking and wedding reception services). This use does not include agriculture product processing, an abattoir, bed and breakfast, an eating and drinking establishment, home-based business or intensive agriculture.*~~

Agricultural support service means the *use* of land, *buildings* and structures for the purposes of supplying [and selling of](#) goods, materials, services or processing (e.g. an abattoir) directly related to the agricultural industry. This may include ~~*ancillary accessory*~~ *uses*, including, but not limited to, office, sales, technical, administrative support, storage or warehousing.

Aircraft sale and service means a premise *used* for the sale, charter or rental of aircraft together with incidental maintenance services and the sale of parts and of accessories.

Apartment means a *building* designed to accommodate three or more *dwelling units* that have a principle common entrance and in which the *dwelling units* are arranged in a horizontal or vertical configuration.

Auctioneering establishment means *buildings*, land or both for the auctioning of goods and equipment including the temporary storage of such goods and equipment. This does not include flea markets, pawnshops and retail second-hand stores.

Bed and breakfast means an owner-occupied *dwelling* where four or fewer guest rooms are rented for periods of fourteen days or less with one meal provided on a daily basis to registered guests where such meals are prepared in a residential kitchen.

Bulk fuel sale means a *development* that provides petroleum products and other motor vehicle fluids in large quantities, primarily to commercial or industrial vehicles and fleets. The *development* may include facilities for cleaning, blending, or packaging of bulk oil, fuel or chemicals for redistribution or sale, but does not include the manufacturing of these products.

Campground means a *development* intended for cabins, tents, trailers, or *recreational vehicles* used for temporary overnight accommodation. A *campground* may include related *accessory buildings*, including, but not limited to, administrative offices, eating and cooking shelters, washroom and shower facilities, playgrounds, food

concessions, laundry facilities, fire pits, firewood storage, lighting, water supply, sewage disposal facilities, waste collection and recycling facilities. A *campground* is not a *work camp* or *private camp* or *club*.

Car wash means a *development* used for the purpose of washing motor vehicles.

Cemetery means, pursuant to the *Cemeteries Act*, RSA 2000, c.C-3, land that is set apart or *used* as a place for the burial of dead human bodies or other human remains, or in which dead human bodies or other human remains are buried.

Child care facility means a *development* used to provide care and supervision, but not overnight accommodation, to seven or more children under the age of thirteen. Typical *uses* are day care centres, before and after *school* care and pre-schools.

Class II landfill means a 'Class II landfill' as defined in the Waste Control Regulation, and further excludes the processing of hazardous waste or hazardous recyclables as those terms are defined in the Waste Control Regulation. Without limiting the foregoing, a *class II landfill* may include all, or some of, the following:

- (a) *Buildings* and *roads* necessary for the operation and maintenance of, or customary incidental and subordinate to, a *class II landfill* approved by Alberta Environment and Parks.
- (b) Any other structures, storage facilities, material handling facilities, trenches, *roads*, berms, monitoring wells and other installations that is being used, or has been used, or held in connection with, the disposal or storage of waste at the *waste management facility*.

Class II compost facility means an operation or facility that processes, transfers or stores compostable materials and feedstocks. Operational processes may include but are not limited to *screening*, blending, addition of moisture, chipping and grinding.

Closure or transitional use means the construction of a final cover for a landfill cell (including placement of barrier layer, subsoil and topsoil) and the *development* or *use* of lands for a closed landfill cell or other disturbed lands (including the restriction, stabilization, contouring, maintenance, conditioning and reconstruction).

Commercial school means a *development* used for training and instruction in a specific trade, skill or service operated by an individual or company.

Community building means a *building* used for recreational, social, arts, or multi-purpose *use* without fixed seats and primarily intended for local community purposes. Typical *uses* include community halls, community centres, and community league *buildings*.

Community garden means the cultivation and harvesting of plant and animal products where the primary purpose is supportive of community, educational, recreational, rehabilitative or social programming. *Accessory uses* may include exterior storage, composting, and *buildings* for the operation of the site and the extension of the growing season. This does not include ~~agri-business~~, *agriculture support services* or *intensive agriculture*.

Confined feeding operation means *development* defined and regulated through the Agricultural Operations and Protection Act (AOPA), including *fenced* or enclosed land or *buildings* where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other *building* or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stable, auction markets, race tracks or exhibition grounds.

Contractor service, major means a premise *used* for the provision of *building* and construction services including *landscaping*, concrete, electrical, *excavation*, drilling, heating and plumbing or similar services of a construction nature which require exterior storage and warehouse space and may include manufacturing activities.

Contractor service, minor means a premise *used* for the provision of electrical, plumbing, heating, painting, carpentry and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed *building*, and there are no accessory manufacturing activities.

Correctional institution means a detention or remand facility operated by or for the Government of Alberta to detain arrested, charged or convicted persons pursuant to a law in force in Alberta.

Crematorium means a facility fitted with proper appliances for the purposes of cremation of human remains.

Drive-through restaurant means an *eating and drinking establishment* which includes drive-through food and beverage pick-up services.

Dugout means an *excavation* of earth, rock, concrete or other material designed to retain water for household, *landscaping*, stormwater management or general *agricultural uses* but does not include a lagoon for the purpose of processing wastewater. A *dugout* includes a borrow pit.

Duplex means a single *building* containing two *dwelling units* on the same site, with one placed over the other in whole or in part with individual and separate entrances to each *dwelling unit* directly to the outdoors.



Figure 18.1: Duplex Dwelling

Dwelling, semi-detached means a *dwelling unit* containing not more than two *dwelling units* sharing a common vertical wall, with no *dwelling unit* being placed over another in whole or in part, and with each *dwelling unit* located on a separate titled *parcel*. Each *dwelling unit* shall have a separate and individual entrance at *grade* [and conforms to the Safety Codes Act](#).

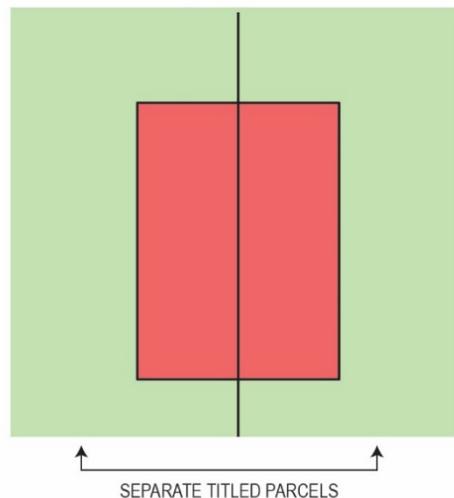


Figure 18.2: Semi-Detached Dwelling

Dwelling, single detached means a *building* containing one *dwelling unit* which is separate from any other *dwelling unit* or *building* [and that conforms to the Safety Codes Act](#). This excludes *recreational vehicles* and park models.

Eating and drinking establishment means an establishment where the primary purpose is the sale of prepared food and beverages to the public for consumption on or off the premises, and may be licensed by the Alberta Liquor and Gaming Commission. Such facilities may include live entertainment.

~~*Encroachment* means any development or landscaping improvement which crosses over a parcel line, easement or a setback.~~

Equestrian facility means a facility used for the training of riders or horses and may include the boarding of horses.

Equipment sale, service and rental, major means *development* where equipment including farm equipment and other large commercial and industrial vehicles is kept for sale, lease service or rental to the public.

Equipment sale, service and rental, minor means *development* where equipment is kept for sale, lease, service or rental to the public. The equipment may include items such as lawn and garden tools, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools, power tools and other similar products, but does not include the rental of motor vehicles or *heavy industrial* equipment.

Explosives detonation and disposal means the burning and/or detonation of a maximum of 10 pounds of explosives at one time, in accordance with all other applicable municipal, provincial and federal requirements.

Explosives storage and distribution means a *development* or *use* designed for the storage and/or distribution of explosives as defined in the *Explosives Act* RSC 1985, c.E-17. This *use* is not considered a *storage facility* or *outdoor storage*.

Extensive agriculture means an *agricultural use* including a system of tillage, which depends upon large areas of land for the raising of crops. *Extensive agriculture* does not include a *medical marijuana production facility*.

Extensive livestock means an *agricultural use* involving the rearing of livestock either in conjunction with or separate from an *extensive agricultural use*, where the density of animals on the subject site is less than specified in the *confined feeding operation* regulation.

Family day home means *development* accessory to a *dwelling* used to provide care and supervision, but not overnight accommodation, for up to six children including the applicant's own children.

Fleet service means *development* using a fleet of vehicles for the delivery of people, goods or services where such vehicles are not available for sale or long term lease. This *use* includes ambulance services, taxi services, bus lines, messenger and courier services. This *use* does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000kg.

Funeral home means a *development* designed for the arrangement of funeral services and supplies to the public and includes facilities intended for the preparation of dead human bodies for interment or cremation. This *use* does not include a *crematorium*.

Gas processing plant means a plant for the *extraction* from gas of hydrogen sulfide, helium, natural gas liquids or other substances.

General industrial means an industrial activity which does not create an adverse environmental impact or nuisance beyond its immediate site, is compatible with other industrial and commercial *uses* in a concentrated setting and involves the storage, manufacturing, distribution, wholesaling, testing, repairing, processing or salvaging of goods and materials.

Government service means *development* providing offices and facilities for, or services by, the municipal, provincial or federal government. This does not include emergency service facilities.

Group home, major means the *use* of a *dwelling* as a facility which is authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for five or more residents, exclusive of staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioral challenges, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision.

Group home, minor means the *use* of a *dwelling* as a facility which is authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for up to four residents, exclusive of staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioral challenges, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. [This use does not include homes or half-way houses for persons under jurisdiction of the federal or provincial justice systems or services.](#)

Guest ranch means a private owner-occupied ~~ranch house~~ *single family dwelling*, including sleeping facilities, which are rented on a daily basis to registered guests, and meals are prepared in a residential kitchen. A *guest ranch* does not include a *hotel* or *motel*.

Hangar means a *building used* to store or repair aircraft.

Hazardous waste collection centre means a facility *used* to collect and store hazardous recyclables such as but not limited to waste oils, paints, agricultural chemicals, pesticides, batteries and general household hazardous wastes. The hazardous recyclables may be temporarily stored onsite for eventual transfer and processing at an approved facility.

Heavy industrial means a large-scale manufacturing or processing facility that may have impacts that extend beyond the boundaries of the site, such as high volumes of heavy vehicle movement, or nuisance as a result of noise, smoke, odour, dust, fumes, glare or humidity or hazard arising from fire explosion, radiation or contamination.

Home-based business means the *accessory use* of a *dwelling*, *accessory buildings* and *parcel* for an occupation, trade, profession or craft to be operated by the permanent residents of the *dwelling*.

Hospital means an institutional *development used* to provide full service in-patient and out-patient health care to the public.

Hotel means *development used* for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor(s). *Hotels* may include accessory food and beverage facilities, meeting and convention rooms and *retail sales*.

Incineration means a thermal waste treatment technology that involves converting waste into ash and heat, which is to be used to generate electric power.

Integrated highway facility means a *service station* that caters to large commercial vehicles, such as semi-trailer trucks, as well as intermediate-sized vehicles and passenger vehicles. This *use* may include an accompanying *eating and drinking establishment*, retail store, a card lock or key lock motor vehicle fuel dispensing facility, as well as a rest area for truck drivers including seating areas and shower and laundry facilities.

Intensive agriculture means a commercial agricultural operation other than a *confined feeding operation* or a *medical marijuana production facility*. Without restricting the generality of the foregoing, this may include nurseries, greenhouses, market gardens, tree farms, fur, fish and stud farms and sod farms. This *use* does not accommodate site visits to an agricultural *parcel* over and above the site visits generated by the principal agricultural activity(ies).

Kennel and animal boarding means a *development used* for the treatment, breeding, boarding or training of four or more animals which are not owned by the resident of the *dwelling unit* on the *parcel*.

Laydown yard see *outdoor storage*.

Medical marijuana production facility means a *use* where a federally licensed facility is used for cultivation, processing, testing, destruction, packaging or shipping of marijuana used for medical purposes as permitted under the federal government's regulations or any subsequent legislation which may be enacted in substitution.

Mixed use development means a single multi-storey *building* designed for more than one type of land *use* on the same site. The composition of *uses* will typically be retail or offices on the ground floor, with residential units above.

Motel means the provision of rooms or suites for temporary lodging or housekeeping, where each room or suite has its own exterior access. *Motels* may include accessory *eating and drinking establishments, retail sales* or *professional, office and business service*.

Outdoor storage means the storage of equipment, goods and materials in the open air. This includes the storage of items accessory to the *principal use* of a *development*, as well as *laydown yards*, vehicle or heavy equipment storage compounds, storage of construction material or storage unrelated to the *principal use* of the *parcel* or site. This does not include a *recreational vehicle storage facility*.

Park and ride means the *use* of a *parking facility* for public or private transport connections that allow commuters to leave their vehicles and transfer to a bus or rail system, or carpool for the remainder of the journey. The vehicle is left at the *parking facility* and retrieved when the owner returns.

Parking facility means a *development* designed for the parking and storage of vehicles. This does not include a *recreational vehicle storage facility*.

Private camp or club means a premise or land for the social or recreational activities of members of a non-profit, religious, philanthropic organization or athletic group for educational training or instructional purposes generally with an outdoor emphasis, with or without *on-site* campsites or cabins. A *private camp or club* may include facilities for sleeping, eating, drinking and assembly purposes. A *private camp or club* is not a work camp or campground.

Processing, primary means the quarrying, removal and *off-site* sale of raw materials including sand, gravel, clay, marl, earth or mineralized rock found on or under the site. Typical *uses* include but are not limited to quarries, borrow areas and gravel pits. This does not include processing of raw materials transported to the site or *secondary processing*.

Processing, secondary means activities following the removal of raw materials from an *excavation* to prepare it for market, including but not limited to, *crushing*, washing and sorting.

Professional, office and business service means a *development used* for the provision of professional, management, personal care, administrative, consulting and financial services. Typical *uses* include offices for lawyers, accountants, engineers, architects, real estate agents, medical, health, and dental offices and clinics, insurance brokers, office support services, banks, loan offices, printing establishments, janitorial firms, professional services related to cleaning and repair of personal effects including barbershops, hairdressers, tattoo studios, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundromats. This does not include *contractor service, major and minor*.

Protective and emergency service means a public facility *used* by fire protection, police, ambulance or other such services as a base of operations. This includes ancillary training facilities.

Public library and cultural facility means *development* for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public *use*; or a *development* for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical *uses* include libraries, museums and art galleries.

Public park means *development* of public land specifically designed or reserved for the public for active or passive recreational *uses* or for educational, cultural or aesthetic purposes, and includes all *natural areas* and landscaped areas. This includes but is not limited to playing fields, playgrounds, picnic grounds, trails, *natural areas*, water features and related *accessory buildings*.

~~*Public utility* means a system or works used to provide utility services for public consumption, benefit convenience or use. This includes, but is not limited to, water, sewage disposal, cogeneration plants and substations, drainage and waste management. This use also includes accessory offices associated with provision of the public utility.~~

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 spur means a secondary track used by railroads to allow customers at a location to store, load and unload railcars without interfering with other railroad operations.

Rail yard means a series of railroad tracks for storing, sorting, or loading/unloading, railroad cars and/or locomotives.

Recreation facility, indoor means a facility in which the public participates in recreational activities within a *building*. Typical *uses* include amusement arcades, billiard or pool halls, bowling alleys, racquet courts, swimming pools, gymnasiums, simulated golf facilities, and arenas. This may include *retail sales* and *eating and drinking establishments* as an *accessory use*.

Recreation facility, outdoor means *development* providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical *uses* include *golf courses*, driving ranges, clubhouses, go-cart tracks, sports fields, tennis courts, unenclosed ice surfaces or rinks, rodeo grounds, athletic fields, boating facilities, swimming pools, bowling greens, riding stable and fitness trails. This *use* does not include a *public park* or *shooting range*.

Recreation, outdoor motorized vehicle facility means a facility for vehicular or motorized sports activities or both conducted outdoors. This includes but is not limited to sport recreation facilities such as off highway vehicle and motor vehicle race courses and boating facilities.

Recreational vehicle storage facility means a principal or *accessory use* where *recreational vehicles* as well as boats and all off-highway vehicles are stored outdoors on a *parcel* on a commercial basis when they are not in *use*. This *use* does not include a *campground* or *outdoor storage*.

Recycling collection centre means a drop-off point or facility for temporary storage of recoverable resources, such as but not limited to newspapers, glassware, plastics and metal cans. This does not include the processing of hazardous recyclables.

Recycling processing centre means an operation or facility in which recoverable resources such as but not limited to newspapers, glassware, plastics and metal cans are conveyed through both automated and traditional sorting processes, stored and/or prepared for transfer *off-site*.

Religious assembly means a *development used* for religious worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, parish house, classrooms, dormitories and other *buildings*. Typical *uses* include churches, mosques, temples, synagogues, convents and monasteries.

Renewable energy facility means a facility that generates, stores energy from a source that is naturally occurring and replenishes after use for commercial distribution. Sources of renewable energy include wind, solar, hydro, geothermal and biomass.

Residential care facility means a *development* consisting of a *building* that provides home-like accommodation, meals, professional care and supervision for the elderly, and/or persons with physical or mental developmental disabilities. This *use* does not include a *hospital* or a *correctional institution*.

Resort means a commercial *development* which offers guest and staff accommodation as well as complementary recreational opportunities. The *resort* may include ~~dining and beverage facilities~~ *eating and drinking establishments*, concessions and picnic areas.

Retail sale means *development* used for the sale of consumer goods in an enclosed *building*, including such items as groceries, confectionary, electronics, furniture and appliances. *Retail sale* does not include *retail sale, liquor or vehicle sale or rental*.

Retail sale, liquor means *development used* for the sale of alcoholic beverages to the public and licensed by the province. Typical *uses* include wine and beer stores.

Sales centre means a *temporary building* erected or moved onto a *parcel* to provide information about the type of *development* occurring on the *parcel* or in other parts of a *development* area.

Salvage yard means any place where vehicles or other machinery is broken up and the parts saved and processed for resale.

School means a publicly or privately supported *development used* for education and includes its administrative offices. Typical *uses* include an elementary, secondary or post-secondary *school*.

Secondary dwelling means a *development* comprised of a second *single detached dwelling* on a *parcel*. A *secondary dwelling* is not a *secondary suite*.

Secondary suite means a self-contained *dwelling unit* that [conforms to the Safety Codes Act and](#) is located within the principal *single detached dwelling*. A secondary suite can also include a *garden suite* and a *garage suite* located on the same *parcel* as the principal *single detached dwelling*. A *secondary suite* is not a *secondary dwelling*.

Service station means a *development used* for the sale of fuels and other automotive fluids and accessories for motor vehicles and may include the servicing or repairing of motor vehicles or towing service dispatch and convenience store as *accessory uses*.

Shipping container means a vessel previously used to transport goods now used for storage purposes. *Shipping containers* are also commonly known as sea cans or intermodal *shipping containers*.

Shooting range means an area provided with targets for the controlled practice of shooting. For the purpose of this Bylaw, a *shooting range* is a recreational *use* and can be developed indoor or outdoor, in accordance with provincial and federal regulations.

Show home means a permanent, unoccupied, residential *dwelling* which is constructed for the *temporary use* of displaying to the public the type or character of *dwelling* to be constructed in other parts of the same *development* area. *Show homes* may contain offices for the sale of other *parcels* or *dwelling* in the *development* area.

Sign see Part 7, Sign Regulations.

Soil treatment means a stationary facility designed, constructed or utilized and permitted by the *waste management facility* to handle, store and treat or process contaminated soil, for the purpose of enabling treated soils to be reused or disposed of within a *class II landfill*.

Solar collector means any device used to collect sunlight that is part of a private system used to convert radiant energy from the sun into thermal or electrical energy for onsite *use*. This *use* does not include *renewable energy facility*.

Sport court means an outdoor permanent structure, located on the same *parcel* as, and incidental to, the *dwelling* and is intended for recreational purposes of the residents of the *dwelling*. Typical *uses* include, but are not limited to, hockey rinks, skating rinks, basketball courts and tennis courts. This *use* does not include a swimming pool or a *recreation facility, outdoor*.

Storage facility means a self-contained *building* or group of *buildings*, containing lockers available for rent for the storage of personal goods or a *facility used* exclusively to store bulk goods of a non-hazardous nature. All storage shall be entirely contained within a *building*.

Surveillance suite means a secondary *building* or portion of a *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 for a use that is permitted in the district.

Telecommunication tower and antenna system means an exterior transmitting device used to receive and/or transmit radio-frequency signals, microwave signals or other federally licensed communications energy transmitted from, or to be received by, other antennas. Antenna systems include the antenna and may include amateur radio towers, a supporting tower, mast or other supporting structure, a station and an equipment shelter.

Temporary asphalt plant means a structure which is *used* to make asphalt from aggregate materials for a limited period of time and is typically associated with a *road* construction project.

Temporary building means a *development* that is incidental to the erection of a *building* or structure for which a *development permit* has been issued under this Bylaw. A *temporary building* is not a *dwelling*.

Temporary concrete batch plant means a structure used to make concrete from aggregate materials and cement for a limited period of time and is typically associated with facility or infrastructure construction.

Topsoil screening means a process using equipment to separate finer soil particles from larger pieces of debris such as clay, twigs, rocks or stones and large plant roots.

Town house means three or more *dwelling units* joined in whole or in part at the side only, with no *dwelling unit* being placed over another in whole or in part. This *use* does not include *apartments*.

Transloading facility means a facility *used* for the process of transferring product from one form of transport (e.g. truck or pipeline) to another form of transport (e.g. rail or truck).

Utility, major means development for public or private utility infrastructure purposes which is likely to have a major impact on the environment or adjacent land uses by virtue of their emissions, effect or appearance. Typical facilities would include sewage and/or water treatment plants, sewage lagoons, power generating stations, cooling plants and incinerators.

Utility, minor means development for public or private utility infrastructure purposes which is both basic and common to the development of a municipality and has relatively minor impact on the environment or adjacent land uses by virtue of their emissions, effect or appearance. Typical facilities would include natural gas lines and regulating stations, telephone lines, water and sewer lines, public roadways, drainage ditches, local electrical transmission and distribution facilities and television cable lines.

Vehicle sale and rental means the sale or rental of new or used automobiles, off highway vehicles, recreational vehicles or boats. This *use* may also include accessory maintenance services, sales of parts and accessories or *service centre*. This *use* does not include *equipment sale, service and rental, major or minor*.

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-term boarding while the animals are awaiting treatment or are recovering from treatment, and shall be accessory to the *veterinary clinic use*.

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.

Waste management facility means a *parcel used* primarily for the storage, processing, treatment and disposal of solid and/or liquid wastes, which may have adverse environmental impact on *adjacent* site by virtue of potential emissions and/or appearance. Typical *uses* include sanitary landfills, garbage transfer and compacting stations, recycling facilities, incinerators, sewage lagoons, wrecking and scrap metal *yards* and similar *uses*. A *waste management facility* includes a dry waste site, which may be used for the storage or disposal of waste concrete, non-noxious scrap *building* materials and similar non-hazardous wastes.

Wind energy system means a micro wind energy conversion system consisting of a wind turbine, a tower or vertical axis turbines designed to capture updrafts, and associated control or conversion electronics and which is designed to collect and distribute energy for personal *use*. This *use* is not a *renewable energy facility*.

PART 19 MAPS

19.1 LAND USE DISTRICT MAP INTERPRETATION

- .1 Land *use* districts specified in Parts 10 through 17 of this Bylaw are described by their short form on the Land *Use* District map Schedule 1 of this Bylaw.
- .2 District boundaries are delineated on the Land *Use* District map. When uncertainty arises regarding the precise location of the boundary of a district, the following rules shall apply:
 - (a) district boundaries shall follow *parcel* boundaries; and
 - (b) district boundaries shall follow the municipal boundaries.
- .3 Any district boundaries not referenced specifically above shall be determined based on the scale of the Land *Use* District map.
- .4 Where land *use* districts have been established to reflect a *subdivision* of land, the district(s) shall conform to the Certificate of Title or plan of survey as registered in a land titles office.
- .5 District regulations do not apply to *highways, roads, or any other public road right-of-way*.
- .6 Notwithstanding Subsection 19.1.5, should an application to close a portion of any public *road right-of-way* be approved by Council and registered at Alberta Land Titles, the districts applicable to the *adjacent parcels* shall apply to the registered *road* closure area, and if those districts applicable to the *adjacent parcels* are not the same, each such district shall apply to the centre line of the road closure area.

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19.2 SCHEDULE 1 – LAND USE DISTRICT MAP

19.3 SCHEDULE 2 - DEVELOPMENT CONSTRAINT OVERLAY MAP

19.4 SCHEDULE 3 – HEAVY INDUSTRIAL OVERLAY MAP

19.5 SCHEDULE 4 – RESOURCE EXTRACTION OVERLAY MAP