FLAGSTAFF COUNTY

LAND USE BYLAW

BYLAW 09/18

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GUIDE TO USING THE LAND USE BYLAW

The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved in) in Flagstaff County. Regulations vary depending on the location and types of development. Other bylaws or regulations of the County, Provincial Government, or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the County into various Land Use Districts. Secondly, the text of the Land Use Bylaw details the uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain uses or certain Districts. The following steps may assist the user:

Locate the subject property on the Land Use District maps. These maps divide the County into various Land Use Districts. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations. PLEASE NOTE: Land Use Districts are often referred to as "Zones" or "Zoning." In order to conform to the language of the *Municipal Government Act*, this document uses the terms "District" and "Districting."

Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed starting in Section 9. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in Section 1 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

Review the TABLE OF CONTENTS to see if there are any general regulations that apply to the situation or use in question. For example, Section 5 describes the Enforcement Procedure. Section 7 contains general regulations about Corner & Double Fronting Lots and Site Grading & Drainage, just to name a few.

Discuss your proposal or concern with Planning and Development staff. County staff are well trained and eager to assist you with your development, subdivision or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW.

1 GENERAL ADMINISTRATIVE PROCEDURES

1.1 TITLE

The title of this Bylaw shall be Flagstaff County Land Use Bylaw.

1.2 PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land and for that purpose, among other things:

1 to divide the municipality into districts;

2 to prescribe and regulate for each district the purposes for which land and buildings may be used;

3 to establish a method of making decisions on applications for development including the issuance of development permits; and

4 to prescribe a procedure to notify owners of land likely to be affected by the issuance of a development permit.

1.3 INTERPRETATION

In this bylaw:

1 "abandoned farmstead" means a farmyard which was once established and which contains two (2) or more of the following: an abandoned residence, a developed potable water source, an established and legal sewage collection system, gas service, power service, existing shelterbelts, an access from an adjacent road or any other feature which would indicate a previously developed farmstead. An abandoned farmstead is, for the purposes of this bylaw, considered developed;

2 "abattoir" means a premise where livestock or game is slaughtered and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution;

3 "abut" or "abutting" means immediately contiguous or physically touching and when used with respect to a lot or site, means:

a. that the lot or site physically touches upon another lot or site; and

b. shares a property line or boundary line with it;

4 "accessory building" means a building separate from and subordinate to the main building, the use of which is incidental to that of the main building and which is located on the same lot;

5 "accessory use" means a use customarily incidental and subordinate to the main use or building and which is located on the same lot with such main use or building. Accessory uses to dwellings shall include home occupations;

6 "*Act*" means the *Municipal Government Act*, R.S.A. 2000;

7 **"adjacent land"** means land that is contiguous to a particular lot and includes:

a. land that would be contiguous if not for a highway, road, river or stream; and

b. any other land identified in this Bylaw as adjacent for the purpose of satisfying **Section 3.9.4(b)** of this Bylaw;

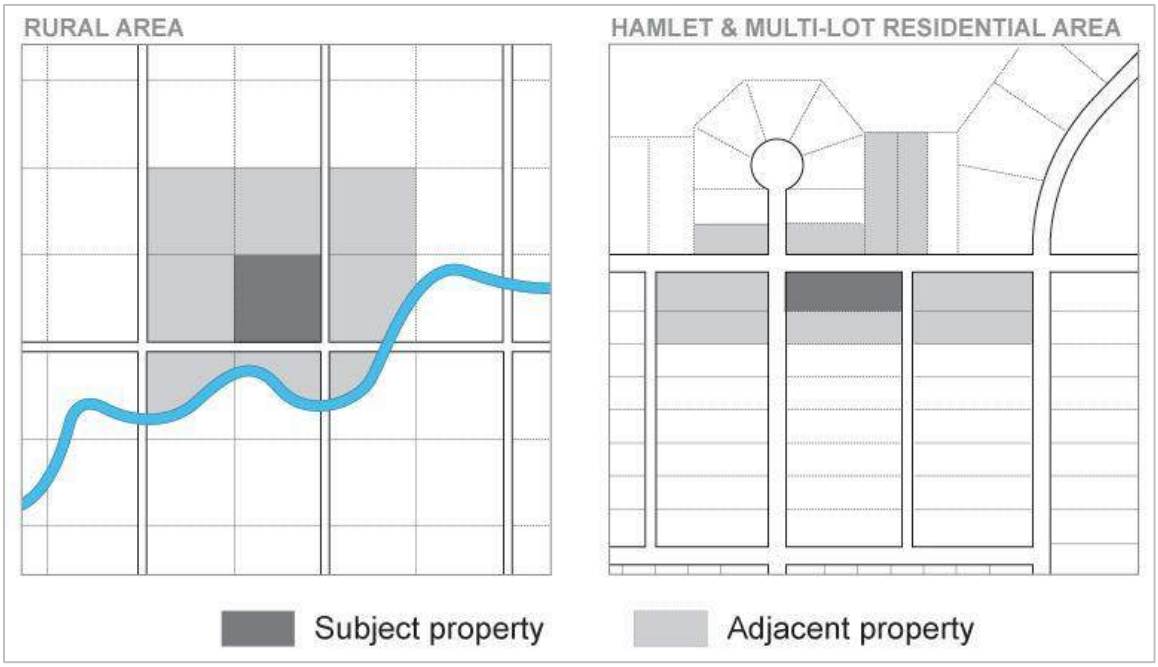


FIGURE 1: ADJACENT LAND

8 **"adult entertainment"** means an establishment which provides live entertainment for its patrons, which includes the display of nudity;

9 **"adult exclusive use"** means any of the following: Adult Bookstore, Adult Motion Picture Theatre, Adult Paraphernalia Store, Adult Video Store and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition, an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premises' gross floor area or 18.6 m^2 (200 ft^2), whichever is greater, devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement;

10 **"agricultural districts"** see "districts, agricultural";

11 **"agricultural operation"** means an agricultural operation as defined in the *Agricultural Operation Practices Act* (or subsequent legislation);

12 **"agricultural production"** means the production of an agricultural operation. It shall also mean the agricultural product storage, service facilities and farmsteads which relate to the individual farm unit;

13 **“agricultural support service”** means the use of land, buildings and structures for the purposes of supply of goods, materials or services directly and primarily to the agricultural industry and which may include, but is not limited to, the sale and storage of seed, feed, fertilizer and chemical products;

14 **"agriculture, extensive"** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation which requires large tracts of land (usually in the order of 32.4 ha (80.0 ac) or greater in area), but not including intensive agriculture, confined feeding operations or licensed cannabis production and distribution;

15 **"agriculture, intensive"** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes, silviculture and sod farms, but does not include confined feeding operations or licensed cannabis production and distribution;

16 **"agri-industry"** means an industrial activity involving the processing, cleaning, packing or storage of the results from agricultural production. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants and grain elevators, but does not include the manufacture of processed foods resulting from agricultural production or abattoirs;

17 **"agri-tourism"** means a range of tourist activities associated with working extensive agricultural operations that may involve agricultural tours, special promotional events related to agricultural operations but does not include on-site tourist accommodation;

18 **"airport"** means any lot, part of which is used or intended to be used, either in whole or in part, for the arrival and departure or servicing of aircraft and includes any building or equipment for which an airport license has been issued by appropriate provincial or federal government agencies;

19 **"alcohol retail sales"** means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods. This does not include cannabis retail sales establishments;

20 **"amateur radio communication"** see **“small radio communications facility”**;

21 **"amusement establishment"** means a development providing recreational facilities inside an - enclosed building or outdoors with table games and/or electronic games played by patrons for entertainment. Amusement establishments include amusement parks, billiard parlours, electronic games arcades, bowling alleys, go-cart tracks and miniature golf courses;

22 **"animal services facility"** means development for the purposes of treatment of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, animal hospitals, impounding and quarantining facilities, but does not include the sale of animals;

23 **"apartment building"** see **"dwelling, apartment"**;

24 **“apiary”** means a place where beehives are kept. For the purposes of this Bylaw the location of the apiary will be determined by the location of the beehives rather than the legal boundaries of the parcel of land accommodating the hives;

25 **"applicant"** means a person who is lawfully entitled to make (and makes) an application for any document, approval, permit or other thing that may be issued, made or done under the authority

of this Bylaw. This includes the registered owner(s) of a property or their representative(s) or agent(s) authorized as such;

26 **"auctioneering facility"** means development intended for the use of auctioning livestock, goods and equipment including the temporary storage of such livestock, goods and equipment, but does not include flea markets;

27 **"auto wrecking site"** means an area outside of an enclosed building where twelve (12) or more motor vehicles are disassembled, dismantled or junked or where twelve (12) or more vehicles not in operable condition or used parts of motor vehicles, are stored;

28 **"automotive and equipment maintenance, repair and sales, light"** means a development where new or used automobiles, motorcycles, snowmobiles and similar vehicles are sold, rented, serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Light automotive and equipment maintenance and repair shops include: upholstery shops, (but not body repair or paint shops) and provide services to vehicles and equipment with a gross vehicle weight rating **less than** 4,000 kg (8,818.5 lbs.) or a length **less than** 6.7 m (22.0 ft);

29 **"automotive and recreational vehicles sales/rental establishment, heavy"** means a development where new or used automobiles or recreational vehicles are sold or rented together with incidental maintenance services and sale of parts. Heavy automotive and recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and dealerships for the sale of trucks with a gross vehicle weight rating **equal to or greater than** 4,000.0 kg (8,818.5 lbs.). This use also includes the sale of recreational vehicles with either a gross vehicle weight rating **equal to or greater than** 6,000.0 kg (13,227.7 lbs.) or a length equal to or greater than 6.7 m (22.0 ft);

30 **"bed and breakfast establishment"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided to members of the public for remuneration;

31 **"berm"** means a landscaped earthen mound that is utilized to attenuate the noise and visual effects of adjacent land uses and/or direct ground water flows as part of an engineered storm water management system;

32 **"buffer"** means berms, fencing and/or planting for the purpose of screening noise, views, dust, sprays and uses between properties where off-site impacts may occur;

33 **"building"** includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road;

34 **"building area"** means the greatest horizontal area of a building above grade within the glass line of exterior walls or within the glass line of exterior walls and the centreline of fire walls;

35 **"building height"** means the vertical distance between the grade and the highest point of a building; excluding an elevator housing, a mechanical skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building;

36 **"building permit"** means a permit authorizing construction and issued under the *Safety Codes Act*;

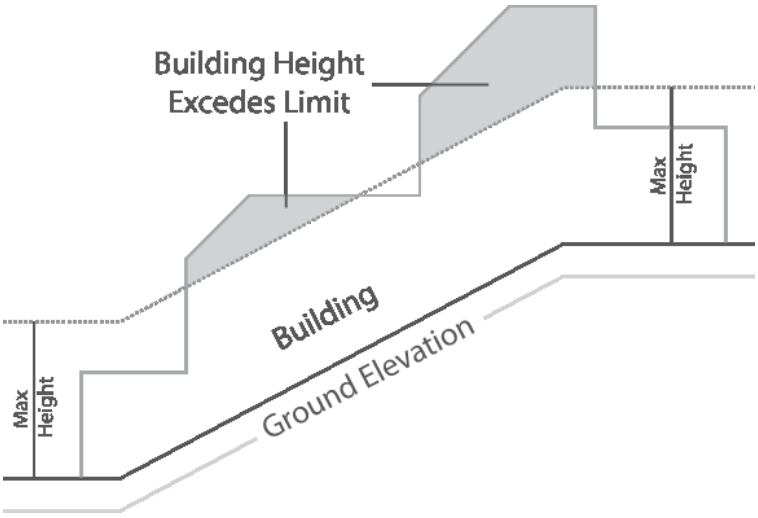


FIGURE 2: BUILDING HEIGHT

37 **"building site certificate"** means a plan prepared and certified by an Alberta Land Surveyor, in good standing, which identifies the dimensions of the boundaries of a lot and the improvements thereon;

38 **"bulk fuel storage and sales"** means lands, buildings and structures for the storage and distribution of fuels and oils including retail sales and key lock operations;

39 **"bus depot"** means a development where scheduled intermunicipal buses drop off or pick up either passengers or cargo but does not include staging areas;

40 **"business support services establishment"** means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include: printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments;

41 **"campground, recreational vehicle"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, for not more than twenty (20) days in a year and may include sites for the erection of tents for similar time frames;

42 **"campground, recreational vehicle workcamp"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, used to house camp workers by various contracting firms on a temporary basis. The recreational vehicles may be dismantled and removed from the site from time to time;

43 **"campground, seasonal recreational vehicle"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, normally for no longer than an entire season operating between April to October;

44 **"cannabis"** means cannabis as defined in the *Cannabis Act, the Controlled Drugs and Substances Act*, or other relevant federal legislation (see **Figure 3**).

a. Cannabis includes:

FIGURE 3: CANNABIS

i. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;

ii. Any substance or mixture of substances that contains or has on it any part of such a plant;

iii. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

b. Cannabis does not include:

i. A non-viable seed of a cannabis plant;

ii. A mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;

iii. The root or any part of the root of a cannabis plant;

45 **"cannabis lounge"** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include licensed cannabis production and distribution;

46 **"cannabis, medical"** means cannabis that is obtained for medical purposes in accordance with applicable federal law;

47 **"cannabis retail sales"** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This use may include retail sales of cannabis accessories, as defined in the *Cannabis Act*. This use does not include licensed cannabis production and distribution (see **Figure 4**);

FIGURE 4: CANNABIS RETAIL SALES

48 **"carport"** means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed;

49 **"carrier"** means a company or applicant that provides wireless commercial or essential institutional communications services;

50 **"cemetery"** means land that is set apart or used as the place for the burial or internment of deceased human or animal remains, or buildings in which deceased human bodies, animals or other human remains are interned;

51 **"child care facility"** means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by

persons unrelated to the children by blood or marriage and does not include overnight accommodation. Child care facilities include: day care centres, day nurseries, kindergartens, nursery school and play schools and after-school or baby-sitting programs which satisfy this definition. The maximum number of children allowed within a licenced child care facility shall be determined by the province based on current provincial evaluation criteria. Child care facilities shall not include a day home, a group care facility or a school operated by a School Division;

52 **"co-location"** means locating on a site and tower with other Wireless Communications Operators;

53 **"commercial districts"** see **"districts, commercial"**;

54 **"commercial storage"** see **"storage, commercial"**;

55 **"confined feeding operation"** means a confined feeding operation as defined in the *Agricultural Operation Practices Act* (or subsequent legislation);

56 **"conservation easement"** refers to a voluntary agreement that landowners may enter into to protect the natural values of all or a part of their land. Conservation easements may be granted for the following purposes:

a. the protection, conservation and enhancement of the environment including without limitation, the protection, conservation and enhancement of biological diversity;

b. the protection, conservation and enhancement of natural scenic or aesthetic values;

c. providing for any or all of the following uses of the land that are consistent with purposes set out in clause (a) or (b):

d. recreational use;

e. open space use;

f. environmental education use; or

g. use for research and scientific studies of natural ecosystems.

Under the provincial legislation, a Conservation Easement may be required by the subdivision approving authority where said easement will address an issue of concern that otherwise would be regarded as sufficient grounds to refuse a discretionary subdivision application.

At the discretion of the subdivision approving authority, the use of a Conservation Easement may be considered as an alternative to traditional environmental reserve during the subdivision process;

57 **"contractor service, general"** means a development where: building, concrete, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road, oil field, pipeline or similar services of a construction or service nature are provided, which have on-site storage of materials, construction equipment or vehicles normally associated with the contractor service, and which is not a limited contractor service. Any sales, display, office or technical support service areas shall be accessory to the main use only;

58 **"contractor service, limited"** means a development where electrical, plumbing, heating, painting and similar contractor services are provided primarily to individual households and where goods

normally associated with the contractor service may be stored and sold, where all materials are kept within an enclosed building and where there are no accessory manufacturing activities, parking or storage of more than four (4) vehicles;

59 **"corner site"** means a site with boundary lines on two separate roads which intersect at an angle of less than one hundred and thirty five (135) degrees or a single road that curves such that the arc of the inside boundary of the road is less than 45.0 m (147.6 ft) in radius over an angle of more than one hundred and thirty-five (135) degrees at the subject site. For the purposes of this definition, a road shall not include a lane;

60 **"Council"** means the Council of Flagstaff County;

61 **"coverage"** means the sum of the ground floor areas of all buildings on a lot divided by the area of the lot;

62 **"crematorium"** means an establishment with one or more cremation chamber used only for the reduction of the human body or animal carcasses to ashes by heat and where funeral services will not be permitted to be conducted;

63 **"curb cut"** means the angled cut in the edge of a curb that permits vehicular access from the street to a driveway, garage, parking lot or loading dock (see **Figure 5**);

FIGURE 5: CURB CUT

64 **"dangerous or hazardous goods"** means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act*, RSA 2000, c. D-4, as amended or replaced;

65 **"date of issue"** means the date on which the notice of a decision of the Development Authority is published or five (5) working days after such a notice is mailed;

66 **"day home"** means a provincially licensed child care facility operated from a dwelling or a foster home supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated and shall meet all fire regulations and health regulations;

67 **"deck"** means any open structure attached to the main dwelling having a height greater than 0.6 m (2 ft) above ground level and thereby requiring stairs and railings as outlined in regulations approved under the *Safety Codes Act*. A deck shall not have walls higher than 1.25 m (4.1 ft) or a roof;

68 **"developer"** means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

69 **"development"** means:

a. an excavation or stockpile and the creation of either of them;

b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;

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;

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;

e. the demolition or removal of a building;

f. the placement of an already constructed or a partially constructed building on a lot; or

g. shelterbelts and landscaping;

70 **"Development Authority"** means the Development Authority established by the County's Development Authority Bylaw and appointed by Council;

71 **"Development Officer"** means the Development Officer established by this Bylaw and appointed by Council;

72 **"development permit"** means a document authorizing a development issued pursuant to this Bylaw;

73 **"discontinued"** means the time at which, in the opinion of the Development Authority, substantial construction activity or use has ceased;

74 **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued, upon an application having been made, at the discretion of the Development Authority, with or without conditions;

75 **"district"** means Land Use District as per **Section 9** of this Bylaw;

76 **"districts, agricultural"** means the Agricultural (A) District and the Agricultural (A1) Small Holdings Districts;

77 **"districts, commercial"** means the Highway Commercial (HC) District and sometimes the Hamlet General (HG) District;

78 **"districts, industrial"** means the Industrial (I) District, the Rural Industrial (RI) District and the Hamlet Industrial (HI) District;

79 **"districts, institutional"** means the Hamlet Public (HP) District;

80 **"domestic pet"** means a small animal which normally can reside in the interior of a dwelling, such as: a dog, a cat, a parrot or similar animals. This definition shall not include a horse or any other livestock or fowl;

81 "***Drainage Districts Act***" means legislation established to regulate drainage works in the Province through the creation of Drainage Districts. Districts are established, changed and dissolved by an order of the Minister of Environment. Each district is run by a Board of Trustees, which is a corporation with the name "BOARD OF TRUSTEES OF THE DAYSLAND DRAINAGE DISTRICT" or "BOARD OF TRUSTEES OF THE HOLDEN DRAINAGE DISTRICT." Once land is part of a drainage district, there is no restriction on transferring it. However, it is subject to drainage rates and can be encumbered with respect to the amount owing;

82 **"drinking establishment"** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs and where liquor is the primary source of business. **This use does not include cannabis lounges**;

83 **"drive-in business"** means a development which serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include: service stations, drive-in restaurants and carwashes **but does not include cannabis retail sales**;

84 **"drive-in restaurant"** means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive through food pickup services or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;

85 **"driveway"** means a vehicle access route between the carriageway of a public road and a development on a site;

86 **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base. This definition shall include single family dwellings, duplexes, other multiple family dwellings, lodging and boarding houses and manufactured homes;

87 **"dwelling, apartment"** means a dwelling containing three or more dwelling units, but shall not mean row housing (see **Figure 6**);

88 **"dwelling, duplex"** means a dwelling containing two (2) dwelling units which share a common wall and which are located either side by side or one above the other (see **Figure 6**);

89 **"dwelling, fourplex"** means an arrangement of four attached dwelling units, other than row housing, intended to be occupied by separate households with separate exterior access to grade;

90 **"dwelling, manufactured home"** means a structure that is designed and manufactured to be moved from one point to another by being towed or carried on its own wheels or by other means and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year-round use as dwelling accommodation for one or more persons. This definition shall include a building that would otherwise be considered to be a single detached dwelling if the roof pitch were greater than 1:4, if the depth of eaves were greater than 30.4 cm (12.0 in.) or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (12.0 in.) or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home;

91 **"dwelling, modular home"** means a dwelling conforming to the Canadian Standards Association A-277 Series certified standards (as amended or replaced) at the time of development permit application, that is designed to be transported to the building site in one piece or in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a manufactured home;

92 **"dwelling, multi-unit (colony)"** means multi-unit dwelling(s) and associated facilities which may be contained within one building or within multiple buildings and are directly associated with a colony. Multi-unit dwellings (colony) are designed to provide living accommodations to colony members

and their families who are directly involved in the day-to-day function of the agricultural operation owned and operated by the colony;

93 **"dwelling, row housing"** means a building consisting of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean apartment (see **Figure 6**);

94 **"dwelling, single detached"** means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. Single detached dwellings do not include modular home units or manufactured homes. (see **Figure 6**);

95 **"dwelling unit"** means a complete dwelling or self-contained portion of a dwelling or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use and used or intended to be used permanently or semi-permanently as a residence for one or more individuals living as a single housekeeping unit and which is not separated from direct access to the outside by another separate dwelling unit;

FIGURE 6: DWELLING TYPES

96 **"easement"** means a right to use land; generally for access to other property; or as a right of way for public utility;

97 **"eating and drinking establishment"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants, which shall be considered to be drive-in businesses;

98 **"encroachment agreement"** means an agreement under which a public or private landowner permits, by way of an agreement registered on the title of all affected properties, an intrusion onto property(s) that are under their direction, control and management;

99 **"end unit"** means a dwelling unit which is connected to another dwelling unit on only one side;

100 **"entertainment establishment"** means a development where persons may be entertained by music, theatre or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit. An adult entertainment establishment is not considered an entertainment establishment for the purposes of this Bylaw;

101 **"established grade"** means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both cases of any artificial embankment or entrenchment (see **Figure 7**);

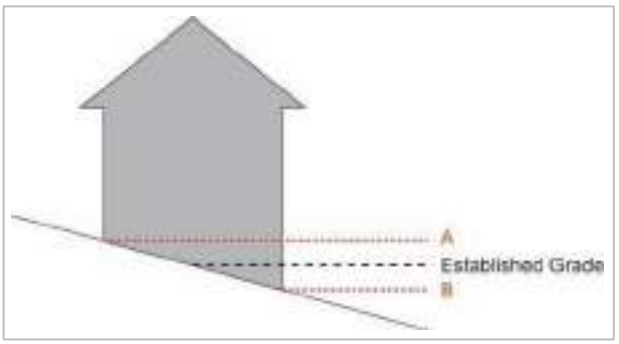


FIGURE 7: ESTABLISHED GRADE

102 **"equipment rental establishment"** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items are rented and/or serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented and/or serviced;

103 **"excavation"** means any breaking of ground, except common household gardening and ground care;

104 **"extensive agriculture"** see **"agriculture, extensive"**;

105 **"exterior wall"** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft);

106 **"farmstead"** means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such farming operations. A farmstead's dwelling may be a single detached dwelling, duplex or a manufactured or modular home unit. In exceptional circumstances, at the discretion of the Subdivision Authority, a farmstead may be the former site of a dwelling;

107 **"fence"** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;

108 **"floor area"** means the total of the floor areas of every room and passageway contained in a building, but not including the floor areas of basements, attached garages, sheds or open porches or decks or breezeways;

109 **"fragmented parcel"** means a parcel of land that is separated from the balance of the remainder of the parcel of land by a natural barrier such as a river, a permanent naturally-occurring water body, a railroad or a road, but not an undeveloped road on a Road Plan or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gulley or small, possibly intermittent, watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority;

110 **"front line"** see **"line, front"**;

111 **"front yard"** means a yard extending across the full width of a lot from the front line to the leading wall of the main building situated on the lot. In the case of a curved front line, the front yard will also form a curve;

112 **"frontage"** means the length of all site lines adjacent to roads;

113 **"funeral service establishment"** means a development where the dead are prepared for burial or cremation and where funeral services may be held. Funeral service establishments include funeral homes and undertaking establishments;

114 **"garage"** means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles;

115 **"garage suite"** see **"suite, garage"**;

116 **"garden suite"** see **"suite, guest house"**;

117 **"general retail establishment"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationery, second-hand goods and similar goods are bought, rented and/or sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments include: convenience retail stores but does not include: warehouse sales establishments or developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;

118 **"government services"** means a development where municipal, provincial or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices;

119 **"grade"** means the ground level adjacent to the exterior walls of a building. If the ground is not entirely level, the grade shall be the average of the elevation of the ground around the perimeter of the building;

120 **"greenhouse and plant nursery"** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment and fertilizers and garden care products. **This use does not include cannabis retail sales or licensed cannabis production and distribution**;

121 **"gross floor area"** means the total floor area of all floors, excluding the basement, of a non-residential building or structure;

122 **"group care facility"** means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals are: handicapped, aged or disabled and undergoing rehabilitation and are provided services to meet their needs. This category includes supervised uses such as group homes (all ages), halfway houses, resident schools and resident facilities;

123 **"guest farm or ranch"** means an owner-occupied agricultural development that, as a secondary use, provides an agricultural vacation experience to tourists on a fee basis and may include sleeping facilities or a bed and breakfast operation. This use includes but is not limited to: vineyards, distilleries, communal farms, trail riding establishments and dude ranches;

124 **"hamlet"** means any settlement declared to be a hamlet by an order of the Minister of Municipal Affairs or designated as a hamlet by Council pursuant to the *Act*;

125 **"hard surfaced"** means the treatment of a roadway or trail with compaction and asphalt, gravel or other hard surfacing material;

126 **"head shop"** means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales or licensed cannabis production and distribution;

127 **"health services"** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Health services include medical, chiropractic and dental offices, health clinics, medical cannabis clinics and counselling services;

128 **"heavy industrial use"** see **"industrial use, heavy"**;

129 **"heavy petrochemical industrial uses"** see **"industrial use, heavy petrochemical"**;

130 **"height"** see **"building height"**;

131 **"higher capability agricultural land"** means a quarter section consisting of at least 20.2 ha (50.0 ac) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, at least 60% of its land area rated and Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture;

132 **"highway"** means a highway or proposed highway that is designated as a highway pursuant to the *Public Highways Development Act* or subsequent legislation;

133 **"highway commercial use"** means a development through which products or services are available to the motoring public and includes, but is not limited to, service stations or gas bars and motels. This use does not include a cannabis retail sales establishment;

134 **"home occupation, major"** any business, occupation, trade, profession or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling and which increases traffic circulation in the neighbourhood in which it is located. A major home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in **Section 8.27** of this Bylaw. A major home occupation does not include: adult entertainment services, day homes, bed and breakfast establishments, dating or escort services, veterinary services or cannabis retail sales or cannabis production and distribution;

135 **"home occupation, minor"** means any business, occupation, trade, profession or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling and which does not increase traffic circulation in the neighbourhood in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior

evidence of secondary use other than a small sign as provided for Section 8.27 of this Bylaw. A minor home occupation does not include: adult entertainment services, day homes, bed and breakfast establishments, dating or escort services, veterinary services or cannabis retail sales or cannabis production and distribution;

136 **"horticultural development"** means the intensive growing of specialized crops, either enclosed or not and without restricting the generality of the above, may include:

a. Greenhouses;

b. Plant nurseries;

c. Tree farms;

d. Market gardens; and

e. Other similar uses.

Horticultural development does not include a Licensed Cannabis Production Facility;

137 **"hotel"** means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, meeting rooms, personal services shops, convenience retail stores and alcohol retail sales, but shall not include any entertainment establishment where there is a dance floor larger than 5 m^2 (53 ft^2) unless specifically approved by the Development Authority;

138 **"household repair services"** means a development where goods, equipment and appliances normally found within the home may be repaired. Household repair services include radio, television and appliance repair shops and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage;

139 **"indoor recreation services"** means development whose principal use is to offer equipment, instruction in or programs for physical fitness and recreation and may include the supplementary retail sale of associated products. An eating and drinking establishment may be incorporated as an accessory use. Such uses may include dance studios, fitness centres, gyms, martial arts clubs and yoga or cross-fit studios;

140 **"industrial districts"** see **"districts, industrial"**;

141 **"industrial hemp"** means "the plants and plant parts of the genera Cannabis, the leaves and flowering heads of which do not contain more than 0.3% THC w/w and includes the derivatives of such plants and plant parts," as defined in *Industrial Hemp Regulations* (SOR/2018-145), as amended or replaced;

142 **"industrial park"** means an area designed and districted for the purpose of accommodating a planned cluster of more than two industrial developments;

143 **"industrial use, heavy"** means a development which would be considered to be a medium industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the heavy industrial use; the

potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants; and natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive and licensed cannabis or hemp production and distribution facilities (operating pursuant to applicable provincial and federal legislation). Heavy industrial uses do not include heavy petrochemical industrial uses;

144 "industrial use, heavy petrochemical" means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc. and which may not be compatible with the surrounding land use;

145 "industrial use, light" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industrial uses often require only a small amount of raw materials, area and power.

For further clarification, light industrial uses include developments where:

a. raw materials are processed;

b. semi-finished or finished goods, products or equipment are manufactured and/or assembled;

c. materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged and/or tested;

d. goods and equipment associated with personal or household use are cleaned, serviced and/or repaired;

e. materials, goods, and equipment are stored and/or transhipped (including airports and airport hangers);

f. materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers; and/or

g. personnel are trained in all industrial and/or aeronautic operations;

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact (noise, smoke, odours, dust or vibration) is not created beyond the immediate site of the light industrial use, which does not produce significant toxic or noxious by-products and that is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body and paint shops and licensed cannabis or hemp production and distribution facilities (operating pursuant to applicable provincial and federal legislation);

146 "industrial use, medium" means development which involves the manufacturing, processing, fabrication, storage, transportation, distribution or wholesaling of goods and services, where minimal adverse environmental impact (noise, smoke, odours, dust or vibration) may take place

beyond the boundaries of the lot on which the medium industry is located. For the purpose of this bylaw, dust refers to that which is produced as a result of the land use of the lot, rather than that which is produced as a result of travelling to and from the lot. Medium industrial uses include licensed cannabis or hemp production and distribution facilities (operating pursuant to applicable provincial and federal legislation);

147 **"industrial use, rural"** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Rural Industrial uses include but are not restricted to: seed cleaning and/or processing plants, licensed cannabis or hemp production and distribution facilities (operating pursuant to applicable provincial and federal legislation), grain elevators and the manufacture of processed foods from agricultural products or abattoirs;

148 **"industrial vehicle and equipment sales/rental establishment"** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling, processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments;

149 **"in-law suite"** see **"suite, in-law"**;

150 **"institutional districts"** see **"districts, institutional"**;

151 **"institutional use"** includes, but is not limited to: health services, hospitals, medical cannabis clinics, educational facilities, libraries and senior citizen housing;

152 **"intensive agriculture"** see **"agriculture, intensive"**;

153 **"kennel"** means any building in which more than three (3) dogs over the age of six (6) months are boarded, bred, trained, cared for or kept for purposes of sale;

154 **"*Land Titles Act*"** means the *Land Titles Act*, R.S.A. 2000, c. L-5, as amended or replaced;

155 **"landfill"** means a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards. A landfill shall be owned by either a municipal corporation or by a municipally-owned corporation;

156 **"landscaped area"** means an area of land made attractive by the use of hard or soft landscaping materials; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

157 **"landscaping"** means lawns, trees, shrubs, ornamental plantings, fences, walks or other structures and materials used in modern landscape architecture;

158 **"lane"** means a registered road normally 6.1 m (20.0 ft) or less in width;

159 **"leading wall"** means the outermost part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.;

160 **"libraries and cultural exhibit"** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected

and distributed for public use, viewing or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits may include museums and art galleries;

161 **"licensed cannabis production and distribution"** means a development used principally for one or more of the following activities relating to cannabis:

a. The production, cultivation, and growth of cannabis;

b. The processing of raw materials;

c. The making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;

FIGURE 8: LICENSED CANNABIS PRODUCTION AND DISTRIBUTION

d. The storage or shipping of materials, goods, or products, or;

e. The distribution and sales of materials, goods, and products to cannabis retail sales stores or to individual customers;

162 **"licensed industrial hemp production facility"** means the use of land, buildings or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the *Industrial Hemp Regulations* (SOR/2018-145), as amended or replaced. This does not include cannabis retail sales establishments, licensed cannabis production and distribution or the cultivation of industrial hemp;

163 **"light industrial uses"** see **"industrial use, light"**;

164 **"line, front"** means the boundary line of a lot lying adjacent to a highway or road. In the case of a lot at the intersection of two roads or highways or a highway and a road, the shorter of the two boundary lines adjacent to the highways or roads shall be considered the front line;

165 **"line, rear"** means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road;

166 **"line, side"** means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a lot adjacent to two roads or highways or a road and a highway, the longer of the two boundary lines adjacent to the highways or roads shall be considered a side line;

167 **"livestock"** means livestock as defined in the *Agricultural Operation Practices Act*;

168 **"livestock sales yard"** means any enclosed area of land, with or without accessory buildings or structures, upon which livestock is collected for sale or for market distribution;

169 **"living quarters"** means the developed area within a dwelling, but does not include basement, garage, carport, patio or atrium;

170 **"loading space"** means an off-street space for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded which is located on the same site as the building or group of buildings the loading space is intended to serve;

171 **"lot"** means:

a. a quarter section;

b. a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision; or

c. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

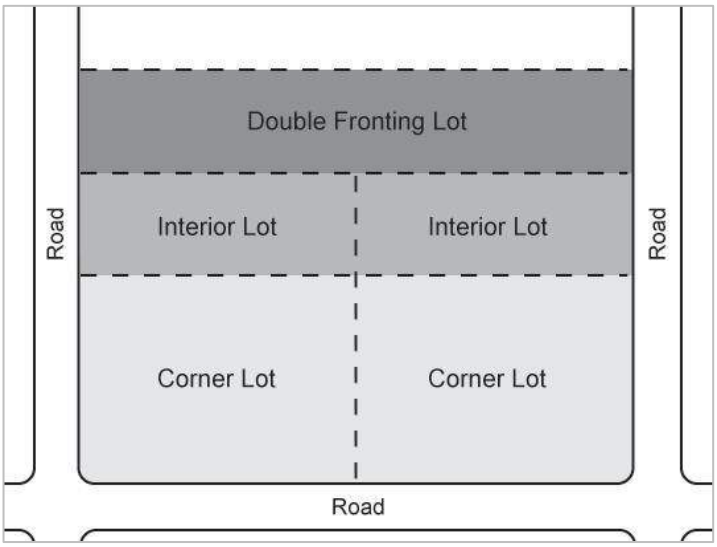


FIGURE 9: LOT TYPE DEFINITIONS

172 **"lot, corner"** means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane **(see Figure 9)**;

173 **"lot coverage"** means the percentage of a lot covered by all the buildings on the lot;

174 **"lot, double fronting"** means a lot which abuts two roads (except alleys as defined in the *Traffic Safety Act*, R.S.A. 2000, as amended or replaced), which are parallel or nearly parallel where abutting the lot, but does not include a Corner Lot **(see Figure 9)**;

175 **"lot, interior"** means a lot which abuts a road only on the front line **(see Figure 9)**;

176 **"lot width"** means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard;

177 **"lower capability agricultural land"** means a quarter section consisting of less than 20.2 ha (50.0 ac) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, less than 60% of its land area rated and Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture;

178 **"main building"** means a building in which is conducted the main or principle use of the lot on which it is erected;

179 **"main use"** means the principle use of the lot on which it occurs;

180 **"maintenance"** means the upkeep of the physical form of any building, in which the upkeep does not require a permit pursuant to the *Safety Codes Act*. Maintenance will include painting, replacing flooring, replacing roofing materials and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;

181 **"manufactured home"** see **"dwelling, manufactured home"**;

182 **"manufactured home park"** means any lot on which three (3) or more occupied manufactured home units are harboured or are allowed to be harboured without regard to whether a fee or charge is paid or made and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks;

183 **"manufactured home park office"** means a facility providing for the administration, management or direction of the manufactured home park and may include supplementary retail convenience sales that specifically service the manufactured home park;

184 **"manufactured home subdivision"** means the planned division of a parcel of land into one or more smaller parcels, each of which is individually registered with the Alberta Land Titles Office, for the sole purpose of placing a manufactured home and accessory structures on each separately registered parcel;

185 **"manufacturing/processing facility"** means a facility in which the fabrication, processing or assembly of goods and materials is conducted to produce items of enhanced value and may include other accessory uses related to or supportive of, the manufacturing/processing operation such as offices, indoor and outdoor storage area and display areas;

186 **"manure storage facility"** means a manure storage facility as defined in the *Agricultural Operation Practices Act*;

187 **"marijuana"** see **"cannabis"**;

188 **"may"** is an operative word meaning a choice is available with no particular direction or guidance intended;

189 **"medical cannabis clinic"** means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;

190 **"modular home"** see **"dwelling, modular home"**;

191 **"motel"** means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units and where access to each of the rentable units is individually available either at grade or via stairways or escalator. A motel may include eating and drinking establishments and convenience retail stores, but shall not include alcohol retail sales or an entertainment establishment;

192 **"multi-lot country residential development"** means any subdivision which would result in five (5) or more country residential parcels on a quarter section;

193 **"Municipal Development Plan"** means a plan adopted by the Council as a Municipal Development Plan pursuant to the *Municipal Government Act*;

194 **"municipality"** means Flagstaff County;

195 **"must"** is an operative word, which means, similarly to the word shall, that an action is imperative or mandatory;

196 **"natural environment preserve"** means an environmentally sensitive or locally significant natural area which is undeveloped except for trails and associated minor recreation facilities;

197 **"natural resource extraction industry"** means the surface or sub-surface mining of metallic or non-metallic minerals;

198 **"non-conforming building"** means a building:

a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective; and

b. that on the date the land use bylaw becomes effective does not or when constructed will not, comply with the land use bylaw;

199 **"non-conforming use"** means 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 a land use Bylaw affecting the land or building becomes effective; and

b. that on the date the land use Bylaw becomes effective does not or in the case of a building under construction will not, comply with the land use Bylaw;

200 **"nuisance"** means anything that interferes with the use or enjoyment of property, endangers personal health or safety or is offensive to the senses;

201 **"obnoxious"** see “offensive or objectionable”;

202 **"occupancy"** means the use or intended use of a building or part thereof for the shelter or support of persons or property;

203 **"occupant"** means any person occupying or having control over the condition of any property and the activities conducted on the property and includes the owner, lessee, tenant or agent of the owner;

204 **"offensive or objectionable"** means, when used with reference to a development, a use which by its nature or from the manner of carrying on the same, creates or is liable to create by reason of:

a. noise, vibration, smoke, dust or other particulate matter;

b. odour;

c. toxic or non-toxic matter;

d. radiation, fire or explosive hazard;

e. heat, humidity, glare; and/or

f. unsightly storage of goods, materials, salvage, junk, waste or other materials;

a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land or building;

205 **"off-highway vehicles"** means any motorized mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp land or other natural terrain and when designed for such travel and without limiting the generality of the foregoing includes:

a. 4-wheeled vehicles;

b. low pressure tire vehicles;

c. motorcycles and related 2-wheeled vehicles;

d. amphibious machines;

e. all-terrain vehicles;

f. miniature motor vehicles;

g. snow vehicles;

h. mini-bikes; and

i. any other means of transportation that is propelled by any power other than muscular power or wind; but does not include: motor boats or any other vehicle exempt from being on off-highway vehicle by regulation;

206 **"office use"** means a development where professional, management, administrative, consulting, health and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, health professionals and realtors. Office uses also include insurance firms, clerical, secretarial, employment and telephone answering and similar office support services, banks, credit unions, loan offices and similar financial institutions, the offices of governmental and public agencies, printing establishments, film processing establishments, janitorial firms and business equipment repair shops;

207 **"off-street"** means, when used as an adjective, that the defined thing is not located on a road or highway, but rather is located on a lot and further, that it is not directly accessory to the particular use or development on a lot;

208 **"off-street parking lot"** means a parking area which is located on a parcel of land;

209 **"oilfield support"** means a development that provides cleaning, repairing, servicing or testing of goods, materials and equipment normally associated with the oil and gas industry and may include the storage and transhipping of such materials, goods and equipment, excluding petrochemical products and supplies. This definition applies to oil and gas support operations, including but not limited to seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations;

210 **"open space"** means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;

211 **"owner"** 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; or

b. in the case of any other land, the person shown as the owner of the lot on the municipality's assessment roll;

212 **"parcel of land"** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

213 **"park model"** means a temporary or recreational unit. There are two types of park models which are recognized by the industry. They are:

a. Park Model Trailer 102, which is a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft). These units are designed for infrequent towing and are not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities.

This style of recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 m^2 (400.0 ft^2). It conforms to the CSA Z-240 Standard for recreational vehicles.

b. Park Model Recreational Unit, which is built on a single chassis mounted on wheels that may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use and must be connected to those utilities necessary for the operation of installed fixtures and appliances.

It has a gross floor area, including lofts, not exceeding 50.0 m^2 (538.2 ft^2) in the set-up mode and has a width greater than 2.6 m (8.5 ft) in the transit mode.

Park Model Recreational Units always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft). It conforms to the CSA Z-241 Standard for recreational vehicles;

214 **"parking space or parking stall"** means an area set aside for the parking of one (1) vehicle;

215 **"patio"** means any developed surface adjacent to the principal dwelling on a site which is less than 0.6 m (2.0 ft) above ground level;

216 **"permanent foundation"** means any foundation that meets the requirements of the *Alberta Building Code*;

217 "permitted use" means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made if the proposal satisfies the regulations of this Bylaw or provides the requirements as established by the Development Authority where, in this Bylaw, the Development Authority is given the authority and responsibility to establish requirements or regulations;

218 "personal service shop" means a development where personal services related to the care and appearance of the body or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundromats, but not clinics;

219 "place of worship" means a development owned by a registered religious organization used for worship and related religious, philanthropic or social activities including rectories, manses, churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;

220 "principal building" means a building in which is conducted the main or principal use of the site on which it is erected;

221 "principal use" means the primary purpose or purposes for which a building or site is used;

222 "private camp" means social or recreational activities of members of a religious, philanthropic, athletic, business or non-profit organization or their guests, with or without on-site campsites or dwelling units, but generally with an outdoor emphasis. Private camps may include facilities for eating, drinking and assembly purposes associated with the camp;

223 "private club or lodge" means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site dwellings or hotel or motel rentable units. Private clubs and lodges may include eating and drinking establishments and rooms for assembly. This use does not include cannabis lounges;

224 "protective and emergency services" means a development where the administration of the protection of persons and property from injury, harm or damage takes place and where the equipment necessary for such activities is stored, maintained and supplied. Protective and emergency services include police stations, detention centres, fire stations and ancillary training facilities and accommodation facilities associated therewith;

225 "public education facility" means a development where educational training or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools and private academies or “charter schools” and their administrative offices and maintenance facilities;

226 "public or quasi-public building" means a building which is owned or leased by a department or agency of the federal or provincial government, the Municipality or a community group for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment or for community activities;

227 **"public or quasi-public use"** means a use which is for the purposes of public administration and services and shall also include uses for the purposes of public assembly, instruction, culture, enlightenment, community activities, provision of utilities and also includes cemeteries and public utilities, as defined in the *Act*;

228 **"public park"** means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches and similar outdoor sports fields;

229 **"public utility"** means a public utility, as defined in the *Act*;

230 **"public utility building"** means a building in which the proprietor of the public utility maintains it office or offices and/or maintains or houses any equipment used in conjunction with the public utility;

231 **"Real Property Report"** means a plan prepared and certified by an Alberta Land Surveyor, in good standing, which establishes dimensions of the boundaries of a parcel or lot and the location of the improvements thereon;

232 **"rear line"** see **"line, rear"**;

233 **"rear yard"** see **"yard, rear"**;

234 **"recreation, indoor"** means facilities within an enclosed building for sports, active recreation and performing and cultural arts where patrons are predominantly participants;

235 **"recreation, outdoor"** means lands used for recreational activities, for profit or not, which are predominantly conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include cross-country ski trails, walking or cycling paths, ski hills, sports fields, motorbike, snowmobile and/or motor vehicle race courses, boating facilities, drive-in movie theatres, motor raceways and playgrounds. A golf course is a separate use;

236 **"recreational equipment"** means any building or structure which is intended to be used for either active or passive recreational activities. Certain types of sidewalk furniture may be considered to be recreational equipment at the discretion of the Development Authority;

237 **"recreational lodge or hunting lodge"** means an owner occupied country recreational centre which provides for the short-term or occasional lodging and boarding of patrons and may include a central services building with or without guest cottages and including accessory facilities or other services operated incidentally only as a service to the prime or principal use and intended for patrons of the recreational development but excluding: guest farms and ranches, campgrounds, motels, hotels or the use of lodging facilities for permanent habitation or residence other than owner/caretaker purposes;

238 **"recreational use"** means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the

structures incidental thereto. This includes: ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, community halls, skating and curling rinks, drop-in centres, sports ground and similar uses and may further include a refreshment stand incidental to the primary use;

239 **"recreational vehicle"** means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted or drawn by another vehicle. The base entities are travel trailer, camping trailer, truck camper and motor home;

240 **"recreational vehicle campground"** see **"campground, recreational vehicle"**;

241 **"recycling depot"** means a development where: bottles, cans, newspapers and similar household goods are: bought, sold and temporarily stored for reuse and where all storage is contained within an enclosed building;

242 **"recycling facility"** means a 'facility used to recycle', as defined in the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, as amended or replaced, and excludes the processing of hazardous recyclables as that term is defined in the *Waste Control Regulation*;

243 **"registered owner"** 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; or

b. in the case of any other land:

i. the purchaser of the fee simple estate in the land under the agreement for sale that is the 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

c. in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land;

244 **"relocated building"** means a building that was constructed off site in one piece or in pieces and relocated to another site but does not include manufactured homes or modular homes;

245 **"renovation"** means an addition to, deletion from or change to any building which does not require a permit pursuant to the *Safety Codes Act* other than a plumbing permit or an electrical permit;

246 **"rentable unit"** means a separate unit within a hotel or motel used or intended to be used for the temporary accommodation of one or more persons;

247 **"residential use"** includes the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis;

248 **"road"** means a right-of-way on which motorized vehicles are normally allowed to operate or a road as defined in the *Act*, but does not include a controlled highway or lane;

249 **"roof"** means the top of any enclosure, above or within the vertical walls of a building;

250 **"rural commercial use"** means an establishment which retails or distributes goods or services relating to farming or other agricultural activities, but which does not include the processing of raw materials or operation of an industry;

251 **"rural industries"** see **"industrial use, rural"**;

252 **"satellite dish"** means a dish shaped apparatus used for the reception of satellite transmitted television or radio waves. If it is free standing, it is considered an accessory structure. If it is attached to a principal building, it is considered part of that structure;

253 **"screen or screening"** means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites;

254 **"sea can"** means a prebuilt metal container or structure originally designed and/or constructed for the purpose of storing or transporting cargo (see **Figure 10**);

FIGURE 10: SEA CAN

255 **"secondary suite"** see **"suite, secondary"**;

256 **"service station/gas bar"** means any development used or intended to be used for the servicing and repairing of motor vehicles and for the sale of fuel, oils and accessories for motor vehicles;

257 **"setback"** means the minimum horizontal distance between a lot boundary and the nearest point on the exterior wall of a building on the lot (see **Figure 11**);

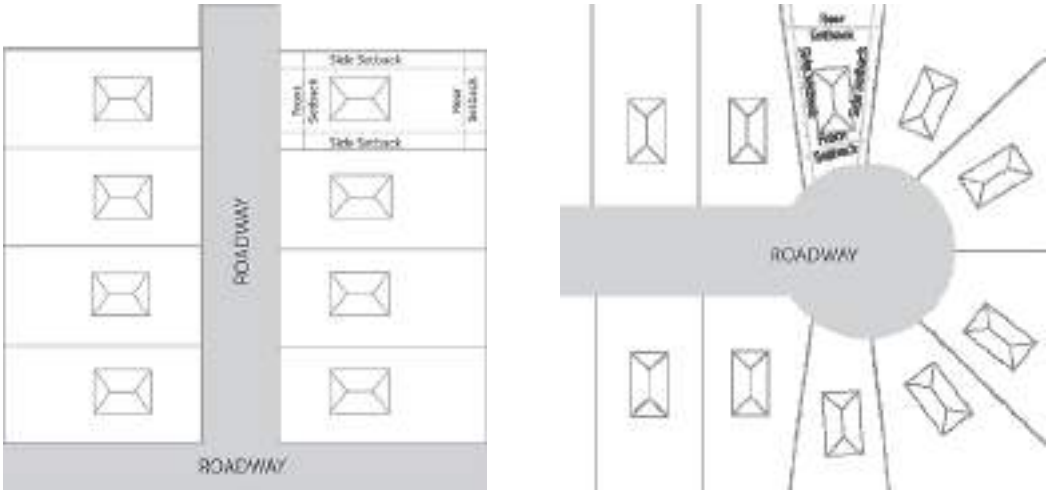


FIGURE 11: SETBACK EXAMPLES

258 **"shall"** is an operative word, which means the action is obligatory;

259 **"should"** means that in order to achieve local goals and objectives it is strongly advised that action be taken;

260 **"side line"** see **"line, side"**;

261 **"side yard"** see **"yard, side"**;

262 **"sign"** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards and painted messages, but not national flags, interior window displays of merchandise or signs painted on or attached to a motor vehicle intended for use on a public roadway;

263 **"sign area"** means the total area within the outer periphery of a sign and in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of the area of a sign;

264 **"sign, a-frame"** means a type of sign commonly referred to as "sandwich boards", composed of two hinged or otherwise joined boards which leans on the ground (see **Figure 12**);

265 **"sign, billboard"** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located (see **Figure 12**);

266 **"sign, canopy"** means a sign which is part of or attached to a canopy (see **Figure 12**);

FIGURE 12: TYPES OF SIGNS

267 **"sign, free-standing"** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building (see **Figure 12**);

268 **"sign, inflatable"** means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions (see **Figure 12**);

269 **"sign, off-site"** means a sign that advertises goods, products, services or facilities located on a site which is in a different location from where the sign is located or which directs persons to a different site (see **Figure 12**);

270 **"sign, projecting"** means a sign which is attached to a building so that part of the sign projects more than 0.3 m (1.0 ft) from the face of the building (see **Figure 12**);

271 **"sign, roof"** means any sign placed on or over a roof (see **Figure 12**);

272 **"sign, temporary/portable"** means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually (see **Figure 12**);

273 **"sign, under-canopy"** means a sign which is attached to the bottom surface or edge of a canopy (see **Figure 12**);

274 **"sign, wall"** means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m (1.0 ft) from the building (see **Figure 12**);

275 **"significant"** means a use which in the opinion of the Subdivision Authority or the Development Authority may impact regional or sub-regional servicing or infrastructure;

276 **"similar use"** means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;

277 **"single family dwelling"** see **"dwelling, single-detached"**;

278 **"site"** means a lot, a part of a lot or a number of lots located adjacent to one another, which are considered for a single use or a mixture of uses, which is owned or managed as a single unit;

279 **"small radio communications facility"** means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems or private communications systems. Typical small radio communications facilities are usually no more than 3 m (9.8 ft) taller than the adjacent buildings;

280 **"solar array"** means multiple solar panels used in conjunction to produce electricity;

281 **"solar energy collection system"** means a system of one or more buildings or appurtenances to buildings designed to convert solar energy into mechanical or electrical energy and includes solar array, solar panels, free standing, ground and roof mounted;

282 **"solar farm"** means any solar energy collection system that is designed exclusively to provide for the commercial distribution of electricity to a utility or other intermediary through connection to the electrical grid or that occupies greater than 162.5 m^2 (1,750 ft^2) of surface area;

283 **"solar panel, free standing"** means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support;

284 **"stall"** means an area of land upon which a manufactured home unit is to be located, which is reserved for the exclusive use of the residents of that particular manufactured home unit, located within a manufactured home park;

285 **"storage, commercial"** 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. This use does not include outdoor storage;

286 **"storage, indoor"** means a self-contained building or group of buildings available for the storage of goods. This use includes: mini-storage and private storage facilities but does not include: warehouse sales establishments;

287 **"storage, outdoor"** means a site or a portion of a site designed for the storage of goods, materials and/or equipment or the display and sale of goods and materials, including vehicles for hire and sale, located outside permanent buildings or structures on the site. This use includes lumber storage and lumber yard;

288 **"street"** see **"road"**;

289 **"structural alterations"** means the addition to, deletion from or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the *Safety Codes Act* (as amended or replaced);

290 **"Subdivision and Development Appeal Board"** means the Flagstaff Regional Subdivision and Development Appeal Board established by Council in accordance with the Flagstaff Regional Subdivision and Development Appeal Board Bylaw adopted pursuant to the *Act*;

291 **"Subdivision Authority"** means the Subdivision Authority established by the Council in accordance with the County's Subdivision Authority Bylaw adopted pursuant to the *Act*;

292 **"suite, garage"** means a self-contained dwelling unit located above a detached garage which is located in a rear yard and which is accessory to a single detached dwelling or modular home. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building (see **Figure 13**);

293 **"suite, guest house"** means a temporary, subordinate, portable detached dwelling unit, located on a lot containing an existing single detached dwelling, modular home or manufactured home (see **Figure 13**);

294 **"suite, in-law"** means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. The floor area of the in-law suite shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80.0 m^2 (861.1 ft^2) in floor area on a residential lot, whichever is the lesser;

295 **"suite, secondary"** means a subordinate self-contained dwelling unit, located within a dwelling which has separate cooking, sleeping and bathing facilities. Secondary suites must have a separate entrance from the dwelling, either from a common indoor landing or directly from the exterior of the dwelling. They include the conversion of basement space to a dwelling or the addition of new floor space to an existing single detached dwelling or modular home. Guest house suites, garage suites and in-law suites are not considered secondary suites (see **Figure 13**);

FIGURE 13: SUITE EXAMPLES

296 **"suite, surveillance"** means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development (see **Figure 13**);

297 **"temporary building"** means a building or structure, normally not located on a permanent foundation or basement, intended for removal or demolition within a prescribed time as set out in the development permit;

298 **"temporary use"** means a use that has been allowed to be located and/or operated for a limited time only, as established by the Development Authority;

299 **"transloading facility"** means a facility used for the process of transferring crude oil from one form of transport (i.e. truck or pipeline) to another form of transport (i.e. rail or truck). Short term temporary storage of the crude oil shall only be allowed if there are approved storage tanks on site;

300 **"trucking and cartage establishment"** means a development where goods shipped by truck are transferred from one truck to another or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include: dispatch offices or storage compounds for the temporary storage of goods and moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9 lbs.);

301 **"two family dwelling"** see **"dwelling, duplex"**;

302 **"undeveloped lot"** means a lot which does not contain a residence, building or structure;

303 **"unsubdivided quarter section"** means a quarter section which has had no lands removed from it other than for road or railroad purposes;

304 **"use"** means the purpose or activity for which a site, a parcel of land or a lot and any buildings located on it are designed, arranged, developed or intended or for which it is occupied or maintained;

305 **"vacant parcel"** means a parcel of land either subdivided or to be subdivided for residential purposes on which, unlike a farmstead or an abandoned farmstead, no significant improvements are currently situated. A vacant parcel may be on farmed land or land that is not farmed;

306 **"vehicle washing establishment"** means a facility used for the cleaning of motor vehicles, such as passenger cars, trucks and motorcycles. A heavy vehicle wash is a separate use;

307 **"warehouse sales establishment"** means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include: furniture stores, carpet stores, major appliance stores and building materials stores;

308 **"wind energy conversion system, commercial"** means a collection of two or more wind energy conversion systems (and all associated structures and accessory buildings required to convert wind to mechanical or electrical energy) that are connected together and supplying the Alberta Electrical Grid, and is approved under a single development permit, or in phases under a single development permit;

309 **"wind energy conversion system, large"** means one or more buildings designed to convert wind energy into mechanical or electrical energy, including a wind energy conversion system (WECS) consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of more than 300 kW;

310 **"wind energy conversion system, micro"** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of less than 0.5 kW. Micro wind energy conversion systems are small in height and diameter and may be installed on the roof of a building;

311 **"wind energy conversion system, small"** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of not more than 300 kW and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;

312 **"wind farm"** see **"wind energy conversion system, commercial"**;

313 **"wind turbine tower"** refers to the guyed or freestanding structure that supports a wind turbine generator;

314 **"wireless communications facility"** means a facility that provides communication service using RF technology to transmit and receive voice, picture, text and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna de-icing equipment, antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems;

315 **"work camp"** means a temporary residential complex used to house camp workers for a contracting firm or project on a temporary basis of equal to or more than twenty-eight (28) days and less than one (1) year. 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;

316 "work camp – short term" means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of less than twenty-eight (28) days and without restricting the generality of the above, the camp is usually made up of mobile units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities. The units may be dismantled and removed from the site from time to time;

317 "yard" means a part of a lot upon or over which no main building is erected; and all other words and expressions have the meanings respectively assigned to them in the *Act* or in other Acts of the Legislature or in common law;

318 "yard, front" means that portion of the site extending across the full width of the site and lying between the front lot line and the exterior wall(s) of the main building situated on the site;

319 "yard, rear" means that portion of the site extending across the full width of the site and lying between the rear lot line and the exterior wall(s) of the main building situated on the site;

320 "yard, side" means that portion of the site extending from the front yard to the rear yard and lying between the side lot line and the nearest portion of the exterior wall(s) of the principal building;

Likewise, all personal pronouns (him, her, it, his, hers, etc.) are to be considered mutually applicable, as required bearing in mind the context of the pronoun.

1.4 METRIC & IMPERIAL MEASUREMENTS

1 Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate and are provided only for information and in order to provide some comparison for persons who are unfamiliar with Metric measures.

1.5 COMPLIANCE WITH OTHER LEGISLATION

1 In addition to the requirements of this Bylaw, an applicant must comply with any Federal, Provincial or Municipal legislation including requirements of a Development Permit or Agreement.

2 The applicant/landowner must also comply with the conditions of any easement or covenant which affects the development or subdivision.

1.6 SEVERABILITY CLAUSE

1 The invalidity or unenforceability of any provisions of this Land Use Bylaw shall not affect the validity or enforceability of any other provision of this Bylaw, which shall remain in full force and effect.

2 Where federal or provincial legislation and/or regulations are sited in this Bylaw the reference shall continue to apply to the legislation and/or regulations as amended or replaced.

2 AGENCIES

2.1 DEVELOPMENT AUTHORITY

1 For the purposes of this Bylaw, the Development Authority shall be the person or persons appointed to be the Development Authority pursuant to the municipality's Development Authority Bylaw, with their duties and responsibilities specified in PART 3 of this Bylaw.

2 For the purposes of Section 542 of the *Act*, the Development Authority is hereby declared to be the designated officer. Council may appoint other persons as designated officer for the purposes of Section 542 of the *Act* as they see fit.

2.2 DEVELOPMENT OFFICER

1 The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Officer is hereby established.

2 The Development Officer shall be appointed by resolution of the Council.

3 The powers, duties and functions of the Development Officer shall be those described in this Bylaw.

4 The Development Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Officer.

5 The Development Officer shall:

a. keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available at a reasonable charge; and

b. make available for inspection by the public during all reasonable hours, a register of all applications for development permits, including the decisions thereon.

6 In addition to his/her other duties, the Development Officer shall be a designated officer for the purposes of inspection, remedy, enforcement or action pursuant to Section 542 of the *Act*.

7 In addition, the Development Officer may have other duties as directed by Council.

2.3 SUBDIVISION AUTHORITY

1 The Subdivision Authority of Flagstaff County shall be as established by the municipality's Subdivision Authority Bylaw to act on behalf of Council in those matters delegated to it by this Bylaw and the Subdivision Authority Bylaw.

2 The Subdivision Authority shall be appointed by resolution of Council.

2.4 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

1 The Subdivision and Development Appeal Board established by the Flagstaff Regional Subdivision and Development Appeal Board Bylaw shall, in addition to the duties indicated in that Bylaw, undertake the activities that are specified in Section 4 of this Bylaw.

3 DEVELOPMENT PERMITS, RULES & PROCEDURES

3.1 CONTROL OF DEVELOPMENT

1 No development other than that designated in Section 3.5 Development Not Requiring a Development Permit shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 APPLICATION FOR DEVELOPMENT

1 Only the owner of a lot or their agent may make an application for a development permit.

2 Each application for a development permit shall be accompanied by a fee as established by Council.

3 An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority and shall be accompanied by:

a. a statement of the proposed uses;

b. a statement of ownership of the land and the interest of the applicant therein; and

c. a copy of a title search for the subject site.

4 The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:

In the case of NEW DEVELOPMENTS:

a. a site plan showing the legal description; the front, rear and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;

b. floor plans, elevations and sections of any proposed buildings;

c. grading and landscaping plans;

d. location of existing and proposed municipal and/or private sanitary sewer and water services;

e. the identification of all right-of-ways and easements within or abutting the subject property;

f. the estimated commencement and completion dates;

g. the estimated cost of the project or contract price;

h. wetland assessment;

i. any additional information as the Development Authority deems necessary; and

j. a site plan detailing how vegetation, topography disturbance or erosion is to be minimized may be required by the Development Authority.

In the case of REDEVELOPMENTS or RELOCATION OF EXISTING STRUCTURES:

In addition to the requirements listed above, in the case of the placement of an already constructed or a partially constructed building on a parcel of land:

a. information such as pictures of the building relating to the age and condition of the building and its compatibility with the District in which it is to be located; and

b. any other information as may be reasonably required by the Development Authority.

5 Industrial Use Application Requirements

a. In addition to the information requirements indicated in Section 3.2.3 and Section 3.2.4, each application for industrial development shall be accompanied by the following information:

i. type of industry;

ii. estimated number of employees;

iii. estimated water demand and anticipated source;

iv. type of effluent and method of treatment;

v. a stormwater management plan prepared by a qualified engineer;

vi. transportation routes to be used (rail and road);

vii. reason for specific location;

viii. means of solid waste disposal;

ix. any accessory works required (pipeline, railway spurs, power lines, etc.);

x. anticipated residence location of employees;

xi. physical suitability of site with respect to soils, slopes and drainage;

xii. the size and number of parcels or units and proposed phasing (if any);

xiii. servicing requirements and provisions for meeting them;

xiv. costs associated with providing new or upgraded municipal services associated with the development; and

xv. any other information as may be reasonably required by the Development Authority.

b. In addition to the information requirements indicated in Section 3.2.5 above, the Development Authority may require an application for a proposed industrial development to include an environmental assessment and a risk assessment, prepared by a qualified professional, to assist the County in assessing the effect of the proposed development in relation to the natural and human environments and indicate how negative impacts will

be mitigated by the proponent during construction, operation and reclamation stages of the development.

6 Commercial or Recreational Use Application Requirements

In addition to any or all of the information required under Section 3.2.3 and Section 3.2.4 of this Bylaw, each application for a commercial or recreational development may be required to be accompanied by the following information:

a. physical suitability of site with respect to soils, slopes and drainage;

b. the size and number of parcels and proposed phasing (if any);

c. estimated number of employees;

d. servicing requirements and provisions for meeting them;

e. costs associated with providing new or upgraded municipal services associated with the development;

f. proposed means of solid waste disposal;

g. the requirements and provisions for employee and customer parking and for site access;

h. a landscaping plan;

i. a stormwater management plan prepared by a qualified engineer;

j. cross-sections and elevations for each building; and

k. a list of proposed uses.

7 Natural Resource Extraction Use Application Requirements

In addition to the information requirements indicated in Section 3.2.3 and Section 3.2.4, the Development Authority may require, where not required to do so by the Province, that each application for a development permit for a natural resource extraction industry be accompanied by the following information:

a. A reclamation plan and a statement indicating the projected final use of the site. In those cases where the proponent is required to do so by the Province, the proponent shall submit a copy of the reclamation plan to the County;

b. For Class I Pits on Private Land equal to or greater than 5 ha (12.5 ac) in area: proof of approval from Alberta Environment and Parks (*Code of Practice for Pits*);

c. For Class II Pits on Private Land under 5 ha (12.5 ac) in area: a reclamation deposit in the amount of $2,000 per acre for each acre of working pit;

d. All required federal and provincial permits, approvals, and/or licences. A development permit will not be issued until all required permits, approvals, and licenses have been received by the County;

e. Proof of receipt of required provincial approvals/permits and licences which may include but not be limited to approvals from Alberta Environment and Parks and Alberta Transportation, a development permit will not be issued until all required provincial approval/permits and licences have been issued and copies provided to the Development Authority;

f. A stormwater management plan prepared by a qualified engineer;

g. A statement indicating the number of years the pit is proposed to be in operation;

h. A survey prepared by a qualified professional that identifies the total working area of an extraction site. If the site is (taking into consideration expansions to the preliminary working area boundary) or would be equal to or larger than 5 ha (12.5 ac), the applicant must comply with the requirements for the provincial approval of a Class I pit;

i. The number of vehicles that will be used in the hauling of materials and the proposed hauling route to and from the site;

j. Proof of current Alberta Sand and Gravel Association Membership for all aggregate resource haulers who will operate from the site if the development is to be used for commercial purposes;

k. The type and number of equipment and structures to be used for all activities to be carried out on the site;

l. Access locations to and from the site, including approaches onto roads and highways and the anticipated traffic generation on each of the roads and highways resulting from the development on a daily, weekly and monthly basis;

m. Dust control measures to be implemented, including the suppressant materials or methods to be used on the pit floor and on stockpiles as well as the proposed frequency of application. Dust control measures must ensure compliance with the *Environmental Protection and Enhancement Act* (as amended or replaced) regarding dust and air quality;

n. Provisions for loading and parking;

o. Descriptions of noxious, toxic, radioactive, flammable or explosive materials to be stored or used on the site;

p. The location of garbage and storage areas and proposed fencing and screening for the same, as well as the proposed method for disposing of garbage;

q. A written security plan that identifies potential dangerous situations, area and typical procedures to be used for monitoring the site during periods of activity and also when activity on the site is suspended;

r. Proposed methods to be used to restrict public access, protect wildlife, neighbouring livestock and domestic animals;

s. Quality and quantity of well water and soil tests for the water systems that may be used in conjunction with the proposed development;

t. The amount of water required for the proposed development on a daily, weekly or monthly basis and the proposed water source;

u. Engineering studies which demonstrate the suitability of the proposed method of water supply;

v. Engineering studies which demonstrate the suitability of the proposed method of effluent disposal;

w. Engineering studies which demonstrate the suitability of the proposed method of surface water management;

x. Method proposed for controlling noise from the site during the operation;

y. Profiles and cross sections showing the original ground level, the proposed depth of any excavation, the finished grade elevation, the depth of the overburden and water table elevations;

z. The method intended to be used for excavation of the materials contained within the land, backfilling, terracing, compacting, levelling, and reclaiming the site and equipment to be used in connection therewith;

aa. The method to be used for supporting pit walls;

bb. Size, number and location of stockpiles of topsoil, overburden and gravel;

cc. Proposed days and hours of operation for each activity and any known or regularly anticipated periods of inactivity;

dd. If the proposal is located within the heritage overlay area, a Historic Resources Impact Assessment and/or clearance from Alberta Culture and Tourism;

ee. Site plans submitted with the application must include and identify:

i. a 10.0 m (33.0 ft) "no disturbance area" on all permitted boundaries;

ii. the slope of the pit after processing (which cannot exceed 3:1); and

ff. the setback of the proposed pit from adjacent public roadways. Note that no new aggregate extraction or expansion of an existing operation shall be located within 20.1 m (66 ft) of a public roadway unless otherwise approved by the Development Authority who may require additional buffering/screening measures within the setback area.

8 Excavation, Stripping or Grading Application Requirements

In addition to the information requirements indicated in Section 3.2.3 and Section 3.2.4, an application for a development permit for the excavation, stripping or grading of land that is proposed without any other development on the same land, may be required to include with the application, the following information:

a. location and area of the site where the excavation is to take place;

b. the type and dimensions including average depth of the excavation to be done and the potential, if any, to affect existing drainage patterns on and off the site;

c. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;

d. identification of potential for outdoor noise and the discharge of substances into the air;

e. a stormwater management plan prepared by a qualified engineer;

f. the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected and for preventing, controlling or lessening erosion or dust from the site; and

g. an indication of all municipal servicing costs associated with the development.

9 Wind Energy Conversion System Application Requirements (Excluding Commercial Wind Energy Conversion Systems)

In addition to the information requirements indicated in Section 3.2.3 and Section 3.2.4, all applications for a development permit for a wind energy conversion system (excluding commercial wind energy conversion systems) may be accompanied by:

a. a fully dimensioned, scaled site plan showing and labelling the information including the location of overhead utilities on or abutting the subject site, contours of the land and access roads;

b. a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour and the landscape;

c. the manufacturer's specifications for the wind energy conversion system, including:

   i. the system's rated output in kilowatts;

   ii. safety features and sound characteristics; and

   iii. type of material used in tower, blade and/or rotor construction;

d. an analysis of the potential for noise at:

   i. the site of the installation;

   ii. the boundary of the lot containing the development; and

   iii. any habitable dwelling within 2.0 km (1.2 mi) of the subject site;

e. a report regarding any public information meetings or other processes conducted by the developer;

f. any impacts to the local road system including required approaches from public roads having regard to County standards;

g. a preliminary reclamation/decommissioning plan; and

h. appropriate reports and/or approvals from government agencies.

10 Commercial Wind Energy Conversion System Application Requirements

In addition to the information requirements indicated in **Section 3.2.3 and Section 3.2.4**, the Development Authority shall require an applicant for a commercial wind energy conversion system to provide the following information:

a. fully dimensioned, scaled site plan showing and labelling all information including the location of each existing and proposed wind turbine on the site. The site plan must identify:

   i. setbacks from property boundaries and turbines at the base and at the rotor;

   ii. all associated substations, collection and transmission systems on or abutting the subject lot;

   iii. contours of the land; and

   iv. access roads for the complete commercial wind energy conversion system.

b. a visual representation (photographs or renderings), from no further than 8 km away, including scale elevations, and/or digital information of the proposed commercial wind energy conversion system showing total height, tower height, rotor diameter, colour and the landscape;

c. detailed information on the type of energy and water or wastewater services that may be required;

d. setbacks to structures or buildings on adjacent parcels;

e. drawings and/or information on a wind conversion system tower foundation;

f. a phasing plan if the development is to be developed in stages;

g. a plan showing ingress and egress from the property or parcel detailing any impacts to the local road system including required approaches;

h. information on above ground transmission lines (if proposed);

i. information on the status of the Alberta Utilities Commission's application and applicable Federal and Provincial circulations and approvals from the following:

   i. Alberta Culture and Tourism;

   ii. Alberta Environment and Parks;

   iii. Alberta Transportation;

   iv. NAV Canada;

   v. Transport Canada; and

j. drawings/information that address anchor design, the location of any guy wire anchors, and how the tower is to be secured from trespass and unauthorized use;

k. the manufacturer's specification for the wind turbine including:

   i. the wind turbine rated output in kilowatts;

ii. safety features and sound characteristics, as available; and

iii. the type of material used in the tower, blade and/or rotor construction;

l. a copy of the noise impact assessment report submitted to the Alberta Utilities Commission (AUC);

m. a report regarding any public information meetings or other consultation processes conducted by the developer;

n. ground utilities, and disturbed landscape, as per Alberta Utilities Commission requirements; and

o. any other approvals or requirements as determined by the Development Authority.

11 Licensed Cannabis Production and Distribution Use And Licensed Industrial Hemp Production Facilities Requirements

The Development Authority may require an applicant for a subdivision or development permit for a licensed cannabis production and distribution development to have any or all of the following information be prepared by a qualified professional and have it included with the application:

a. Waste Management Plan

b. Environmental Assessment

c. Traffic Impact Assessment

d. Water/Wastewater Report

e. Storm Water Management Plan

f. Any additional study or assessment necessary to address specific concerns at the discretion of the Subdivision or Development Authority.

12 Additional Application Requirements

a. The Development Authority may require a Real Property Report or a Building Site Certificate relating to the site that is the subject of a development permit application.

b. When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may return the application to the applicant for further details. The application so returned shall be deemed to not have been submitted until all required details have been provided.

3.3 VARIANCE PROVISIONS

1 The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw or if the development is to be a rebuilding, an enlargement, an addition or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:

a. the proposed development would not:

   i. unduly interfere with the amenities of the neighbourhood; or

   ii. materially interfere with or affect the use, enjoyment or value of neighbouring lots; and

b. the proposed development conforms with the use prescribed for that land or building in this Bylaw.

3.4 REFERRAL OF APPLICATIONS

1 The Development Authority may refer applications for development permits to any and all provincial or local agencies they see fit for professional or expert comment or input into the decision-making process.

2 Historical Resources

a. Historical or archaeological sites identified pursuant to the *Alberta Historical Resources Act* (as amended or replaced) shall be protected in accordance with Provincial legislation and regulations; and

b. In addition to any sites identified in (a) above, an application for development permit which may impact on any historical or archaeological site identified pursuant to (a) above within the County should be submitted to Alberta Culture & Tourism for comment prior to a development permit being issued.

3 Alberta Transportation

Referrals shall be made to Alberta Transportation for:

a. Subdivision applications within 1.6 km (1 mi) of a Provincial Highway;

b. Development Permit applications within 300.0 m (984 ft) of a Provincial Highway; and

c. Development Permit applications within 800.0 m (2624 ft) of a Provincial Highway Intersection.

4 Adjacent Municipalities

a. All subdivision proposals and all applications for discretionary development permits within 3.2 km (2.0 mi) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.

3.5 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit, provided that the development complies with all regulations in this Bylaw:

1 The carrying out of maintenance or repair to any building, provided that such works do not include structural alterations or major renovation that would require a building permit.

2 The completion of a building which was lawfully under construction at the date of the first publication of the notice required by Section 606 of the *Act*, provided:

   a. that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted; and

   b. that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice.

3 The erection, construction or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure in the Agricultural (A), Agricultural Small Holdings (A1), Multi-lot Country Residential (MCR), Highway Commercial (HC), Industrial (I) and Rural Industrial (RI) Districts, except for the following, which do require a permit:

   a. those which, in the opinion of the Development Authority, may constitute a hazard to persons, property or traffic; and

   b. those exceeding 2.0 m (6.6 ft) in height.

4 A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under this Bylaw.

5 The use of any such buildings as referred to in Subsection 3.5.2 for the purpose for which construction was commenced.

6 The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.

7 Signs identified in Subsection 8.27 of this Bylaw.

8 A building or structure with a gross floor area of under 10.0 m^2 (108.0 ft^2) which is not on a permanent foundation that meets the minimum required yard and setback requirements indicated in this Bylaw, but not including a wind energy conversion system unless the system is specifically related to only one (1) dugout.

9 An unenclosed patio or deck that meets the minimum distance requirements outlined in this Bylaw.

10 Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft) in width.

11 Development within a basement which does not change or add to the uses within a dwelling.

12 Micro wind energy conversion systems.

13 Solar energy collectors located on the roof of a building.

14 Apiaries on lots in the agricultural, commercial, and industrial districts.

15 The demolition or removal of any building or structure for which the erection of a development permit would not be required pursuant to Subsections 3.5.1 through 3.5.14, both inclusive.

16 A minor home occupation.

17 Wireless Communications Facilities. However, the development of a Wireless Communications Facility must be consistent with County policy.

18 The construction and maintenance of a railway line.

19 Those uses of land or a building which are exempt under Section 618 or 619 of the *Act* or under regulations pursuant to those sections.

3.6 NON-CONFORMING BUILDINGS AND USES

1 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.

2 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 may be made thereto or therein.

3 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.

4 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. for the routine maintenance of the building, if the Development Authority considers it necessary; or

c. in accordance with the powers possessed by the Development Authority pursuant to the *Act* and Section 3.3 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.

5 If a non-conforming building is damaged or destroyed to the extent of 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.

6 The use of land or the use of a building is not affected by a change of ownership, tenancy or occupancy of the land or building.

3.7 SPECIAL PROVISIONS

1 Where the development of land involves a multi-lot subdivision of land, the Development Authority shall refuse to issue a development permit for land affected by the subdivision until they receive

written evidence that the necessary subdivision has been approved by the County's Subdivision Authority.

2 Where certain works or conditions are operative against a lot due to a decision of the County's Subdivision Authority, no development permit shall be issued until the works or conditions have been complied with or until an agreement for specific performance is in existence between the developer or land owner and the County.

3.8 DECISION PROCESS

1 The Development Authority shall:

a. receive all applications for development permits; and

b. consider and decide on all applications for a development permit pursuant to this section.

2 In making a decision, the Development Authority may:

a. approve the application unconditionally;

b. approve the application subject to those conditions considered appropriate;

c. approve the application permanently or for a limited or temporary period of time; or

d. refuse the application.

Notice of Complete or Incomplete Application

3 The Development Authority shall within 20 days of the receipt of an application for a development permit, determine whether the application is complete.

4 The time period referred to in Subsection 3.8.3 may be extended by an agreement in writing between the applicant and the Development Authority or, if applicable, in accordance with a land use bylaw made pursuant to Section 640.1(a) of the *Act*.

5 An application is complete if, in the opinion of the Development Authority, the application contains the documents and other information necessary to review the application.

6 If the Development Authority determines that the application is complete, the development authority shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.

7 If the Development Authority determines that the application is incomplete, the Development Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Development Authority in order for the application to be considered complete.

8 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Subsection 3.8.7, the Development Authority must deem the application to be refused.

9 Despite that the Development Authority has issued an acknowledgment under Subsection 3.8.6 or 3.8.7, in the course of reviewing the application, the Development Authority may request additional

information or documentation from the applicant that the Development Authority considers necessary to review the application.

10 Conditions

a. The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the County to:

i. construct or pay for the construction of roads required to give access to the development;

ii. construct or pay for the construction of pedestrian walkways which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development;

iii. install or pay for the installation of municipal infrastructure or public utilities necessary to serve the development;

iv. construct or pay for the construction of parking and loading and unloading facilities;

v. pay an off-site levy; and

vi. provide security to ensure that the terms of the agreement noted herein are carried out.

b. The Development Authority may also require as a condition of issuing a development permit, that once the development is completed and all the conditions of approval have been met, including any conditions articulated within the agreement noted in Section 3.8.4, the applicant provide certification, in a form acceptable to the Development Authority that the development has been completed and that all the conditions of approval have been met. Further, the Development Authority may establish as a condition of approval of a development permit that this certification be provided within a certain period of time.

c. In making a decision on an industrial use, the Development Authority may require that, as a condition of issuing a development permit, the applicant undertake any mitigating actions indicated in the assessment described in Section 3.2.5(b).

11 In the case where an application for a development permit has been refused pursuant to this section, or ultimately after appeal pursuant to Section 4 of this Bylaw, at their discretion, the Development Authority may not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.

12 In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that District in Section 9.

13 The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with the regulations of this Bylaw in accordance with the variance provisions identified within Section 3.3 of the Land Use Bylaw.

14 An application for a development permit shall be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after the application is deemed complete by the Development Authority unless an extension of this forty (40) day period is agreed to by the applicant and the Development Authority. The person claiming to be affected may appeal in writing as provided for in Section 4 of this Bylaw as though they have received a refusal at the end of the forty (40) day period or extension thereof specified in this subsection.

15 The Development Authority may suspend or revoke a development permit by notice in writing, to the holder of it:

a. if, in the opinion of the Development Authority, the application for that development permit is found to have contained incorrect or misleading information;

b. if the conditions of the approval of the development permit have not been complied with or cease to be complied with; or

c. if the development permit was issued in error.

3.9 DEVELOPMENT PERMITS AND NOTICES

1 A permit granted pursuant to this section does not come into effect until twenty-one (21) days after the date that notice of an order, decision or development permit is issued as described in Subsection 3.9.3 in this section. For the purposes of this Bylaw, notice is deemed to be received on the seventh day after the date of the issuance of the order, decision or permit. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

2 Where an appeal is made pursuant to Section 4 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.

3 When a development permit has been issued for a permitted use, for a development which complies with all of the regulations of this Bylaw, the Development Authority shall immediately post a notice of the decision conspicuously in the municipal office for a period of twenty-one (21) days.

4 When a development permit has been issued for a discretionary use, or for a permitted use which has been approved with a variance pursuant to Section 3.3 of this Bylaw, the Development Authority shall immediately:

a. post a notice of the decision conspicuously on the property for which the application has been made; and/or

b. mail a notice in writing to all owners of land within 60 m (200 ft) of the subject site, and to those other owners of land who, in the sole opinion of the Development Authority, may be affected; and/or

c. publish a notice of the decision in a newspaper circulating in the municipality.

5 The notice shall state the location of the property for which the application has been made and the use approved.

6 If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit and completed within twenty-four (24) months from the date of commencement, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.

7 The decision of the Development Authority on an application for a development permit shall be given in writing to the applicant and a copy shall be sent to the landowner(s) if different from the applicant.

8 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

9 When a permit expires, a new application is required. Such application shall be dealt with as a first application and there shall be no obligation to approve it on the basis that a previous permit had been issued.

10 A Development Authority may suspend or revoke a permit when:

a. the permit was issued on the basis of incorrect information or misrepresentation by the applicant;

b. the permit was issued in error;

c. requested by the applicant; or

d. the development has not been completed within the required time period.

Validity of a Permit

11 When a development permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.

12 When the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.

13 If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit except where a license, permit, approval or other authorization has been granted by an authorized government agency to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved by and authorized government agency, shall validate, amend or revoke, as the case may be, a suspended development permit.

4 APPEALS

4.1 DEVELOPMENT APPEAL PROCEDURE

1 An appeal may be made to the Subdivision and Development Appeal Board (the Board):

a. where a Development Authority refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application or the extension to this period referred to in Subsection 3.8.14;

b. where a Development Authority issues a development permit subject to conditions;

c. where a Development Authority issues an order under Section 5.1 of this Bylaw;

d. where the Development Authority has not issued a letter deeming an application complete; or

e. where the applicant has failed to submit all the outstanding information and documents on or before the date referred to in Subsection 3.8.7 and the Development Authority has deemed the application refused.

2 Notwithstanding Subsection 4.1.1 above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.

3 The person applying for the permit or affected by the order, under Subsection 4.1.1 above or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Board.

4 An appeal shall be made by serving a written notice of appeal, together with reasons and with the appropriate development appeal fee as established by Council, to the Clerk of the Board within twenty-one (21) days after:

a. the date the order, decision or permit issued by the Development Authority was publicized in accordance with this Bylaw; or

b. the forty (40) day period referred to in Subsection 4.1.1(a) has expired.

4.2 SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

1 Within thirty (30) days of receipt of a notice of appeal, the Board shall hold a Subdivision and Development Appeal Board hearing respecting the appeal.

2 The Board shall give at least five (5) days' notice in writing of the Subdivision and Development Appeal Board hearing to:

a. the appellant;

b. the Development Authority from whose order, decision or development permit the appeal is made;

c. those adjacent land owners who were notified of the development permit decision pursuant to this Bylaw and any other person who, in the opinion of the Board, are affected by the order, decision or permit; and

d. such other persons as the Board specifies.

3 The Board shall make available for public inspection before the commencement of the Subdivision and Development Appeal Board hearing all relevant documents and materials respecting the appeal including:

a. the application for the development permit, the decision of the Development Authority on the development permit and the notice of appeal there from; or

b. the order of the Development Authority,

as the case may be.

4 At the Subdivision and Development Appeal Board hearing referred to in Subsection 4.2.1, the Board shall hear:

a. the appellant or any other person acting on their behalf;

b. the Development Authority from whose order, decision or development permit the appeal is made or a person designated to act on behalf of the Development Authority;

c. any other person who was served with notice of the hearing and who wishes to be heard or a person acting on their behalf; and

d. any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on their behalf.

4.3 DECISION

1 The Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.

2 In determining a subdivision appeal, the Board hearing the appeal:

a. must act in accordance with any applicable *Alberta Land Stewardship Act* (ALSA) regional plan;

b. must have regard to any statutory plan;

c. must conform with the uses of land referred to in a land use bylaw;

d. must have regard to but is not bound by the Subdivision and Development Regulations;

e. may confirm, revoke or vary the approval or decision or any condition imposed by the Subdivision Authority or make or substitute an approval, decision or condition of its own; and

f. may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to Section 680 of the *Act* or the regulations or bylaws under Section 680.

3 In determining a **development appeal**, the Board hearing the appeal:

a. must act in accordance with any applicable *Alberta Land Stewardship Act* (ALSA) regional plan;

b. must comply with any applicable land use policies;

c. subject to Section 638 of the *Act*, must **comply with** any applicable statutory plans;

d. subject to clause (g), must comply with any land use bylaw in effect;

e. must have regard to but is not bound by the Subdivision and Development Regulations;

f. may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

g. 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 the Land Use Bylaw if, in its opinion,

i. the proposed development would not:

1. unduly interfere with the amenities of the neighbourhood; or

2. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and

ii. the proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.

4 A decision made under this section of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the *Act*. An application for leave to the Court of Appeal shall be made:

a. to a judge of the Court of Appeal; and

b. within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

5 A notice of an application for leave to the Court of Appeal shall be given to:

a. the Subdivision and Development Appeal Board; and

b. any other persons that the judge of the Court of Appeal directs.

5 ENFORCEMENT

5.1 CONTRAVENTION

1 Where a Development Authority finds that a development or use of land or buildings is not in accordance with:

a. the *Act* or the regulations made thereunder; or,

b. a development permit or subdivision approval; or

c. this Bylaw,

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:

a. stop the development or use of the land or buildings in whole or in part as directed by the notice;

b. demolish, remove or replace the development; and/or

c. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the *Act*, the regulations made thereunder, a development permit, subdivision approval or this Bylaw,

as the case may be, within the time specified by the notice.

2 A person who receives a notice pursuant to Subsection 5.1.1 may appeal that notice and order to the Subdivision and Development Appeal Board in accordance with Section 4.1 of this Bylaw.

3 Where a person fails or refuses to comply with an order directed to him under Subsection 5.1.1 or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the *Act*, enter upon the land or building and take such action as is necessary to carry out the order.

4 A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine of not more than $10,000.00 or to imprisonment for not more than one year or to both fine and imprisonment, pursuant to Section 566 of the *Act*.

5 Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

6 The municipality may register a Caveat under the *Land Titles Act* (or subsequent legislation) pursuant to the order against the certificate of title that is subject to the order in accordance with Section 646(2) of the *Act*.

7 Violation Tickets

a. The Development Authority or any other person identified as a designated officer by the Council for the purposes of this section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.

b. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the County.

c. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of $100.00 for a first offence and $150.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.

d. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

e. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.

f. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than $200.00, plus court costs, for each offence.

6 BYLAW AMENDMENT PROCESS

6.1 APPLICATION TO AMEND THE LAND USE BYLAW

1 A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 6.1.3.

2 Council may at any time initiate an amendment to this Bylaw by directing the Development Authority initiate an application therefore.

3 All applications for amendment to this Bylaw shall be made to the Council on the form provided by the municipality and shall be accompanied by:

a. an application fee as established by Council for each application; and

b. a current title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in said land; and

c. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and

d. any other information deemed necessary by the Development Authority or by Council.

4 In order to prepare the proposed Bylaw amendment for Council, the Development Authority may refer the application to such agencies as he/she considers necessary for comment.

5 During consideration and deliberation of the proposed Bylaw amendment, Council may refer the application to such agencies as it considers necessary for comment.

6 Council may request such information as it considers necessary in order to reach a decision on the proposed amendment.

6.2 PUBLIC HEARING

1 All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the *Act* regarding the notification and holding of a public hearing.

6.3 RE-APPLICATION

1 In the case where an application for a land use bylaw amendment has been defeated by Council, at their discretion, the Development Authority may not accept the submission of another application to amend the Land Use Bylaw, affecting the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date the bylaw was defeated.

7 GENERAL LAND USE PROVISIONS

7.1 BUILDING EXTERIORS

1 The design, character, location, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures, shall be to the satisfaction of the Development Authority.

2 The exterior finish on all buildings shall be of a permanent material and be of a character and quality satisfactory to the Development Authority.

3 The design, character and appearance of all buildings shall:

a. be compatible with other buildings in the vicinity unless the building is setting a new standard for the District in which it is located;

b. be suited to the purpose of the District in which it is located; and

c. comply with the provision of any statutory plan applicable to the design, character or appearance of the building.

7.2 CONDOMINIUMS & MULTIPLE OWNERSHIP

1 The density of development and of population in a condominium shall be no greater than would be allowed for a similar land use which was being developed through the normal subdivision procedure.

2 Condominiums shall only be allowed on lots out of which roads and Reserves have been dedicated through the normal subdivision procedure.

3 Development in condominiums and on property owned in common by a number of people must be laid out in such a way that, should subdivision be undertaken at some future date, individual owners can obtain title to lots which meet the requirements of the *Act* and this Bylaw for separate titles and individual lots, but this clause shall not apply to Hutterite colonies or other co-operative agricultural enterprises.

7.3 CONFINED FEEDING OPERATIONS

1 Confined feeding operations and manure storage facilities for which an approval or a registration is required pursuant to the *Agricultural Operations Practices Act* are not regulated by this Bylaw. Please refer to the *Agricultural Operations Practices Act* and the regulations under the *Agricultural Operations Practices Act* (as amended or replaced) for these developments.

7.4 CONFORMITY WITH PUBLIC HIGHWAYS DEVELOPMENT ACT

1 No development permit shall be issued for development within the controlled distance of a Provincial Highway until a permit, under regulations made in accordance with the *Public Highways Development Act* (as amended or replaced) has been issued.

7.5 CORNER & DOUBLE FRONTING LOTS

1 Within the Multi-lot Country Residential (MCR) and Hamlet General (HG) Districts, the following regulations shall apply:

a. In the case of double fronting lots, the front yard shall be that portion of the lot abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard (see Figure 14).

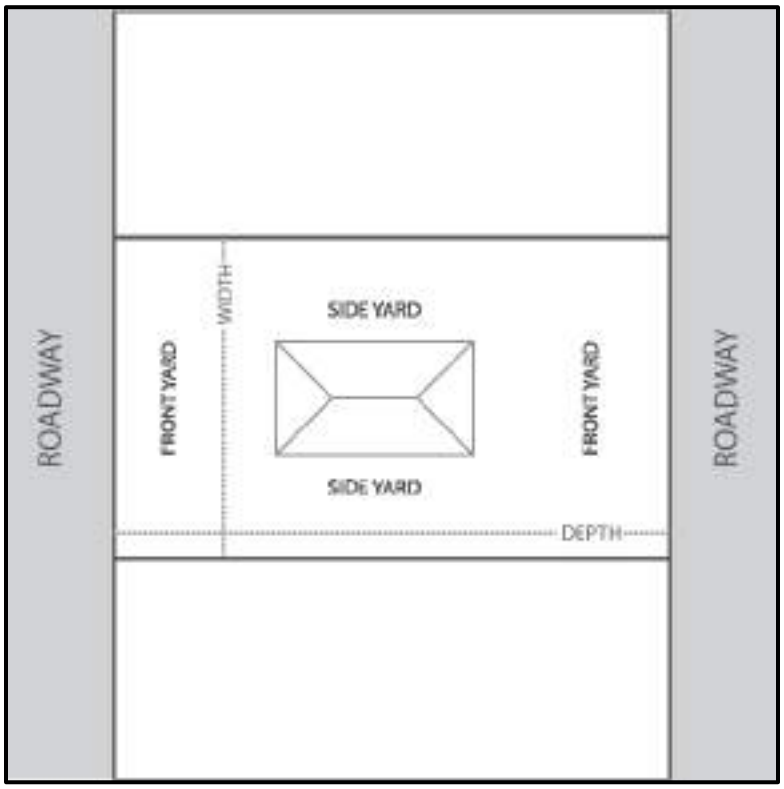


FIGURE 14: FRONT YARD ON A DOUBLE FRONTING LOT

b. Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner lot or on a double fronting lot provide two (2) minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.

c. Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner lot, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft).

d. Notwithstanding Subsection 7.5.1(c), features under 0.5 m (1.6 ft) in height may project to the side line where a second minimum front yard is not required on a corner lot (see Figures 15 & 16.

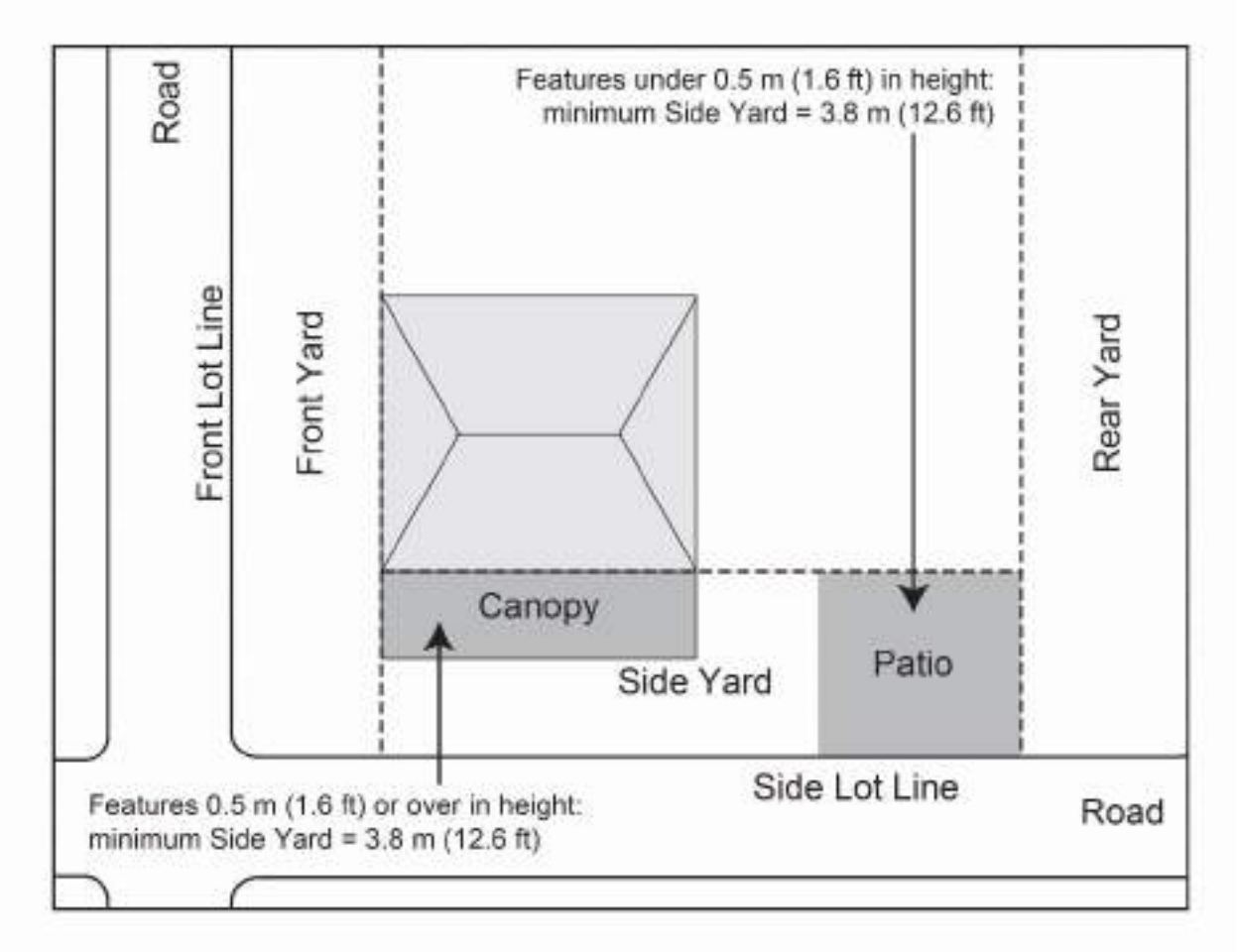


FIGURE 15: SIDE YARD PROJECTIONS ON CORNER LOTS

7.6 CORNER SITE & SITE LINE PROTECTION IN THE RESIDENTIAL DISTRICTS

1 On corner sites in the residential districts no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) and a straight line joining points on the road right-of-way lines 6.0 m (19.7 ft) from their intersection (See Figure 16).

2 At the intersection of roads and lanes and at the intersection of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft) in height shall be erected, placed or

maintained within the triangular area formed by the intersecting road and lane right-of-way lines on the road or lane right-of-way lines 3.0 m (9.8 ft) from their intersection (See Figure 16).

3 Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located in any district, within the areas defined in Subsections 7.6.1 & 7.6.2 such that any part of the sign face is located between the heights of 1.0 m (3.3 ft) and 3.0 m (9.8 ft) above grade.

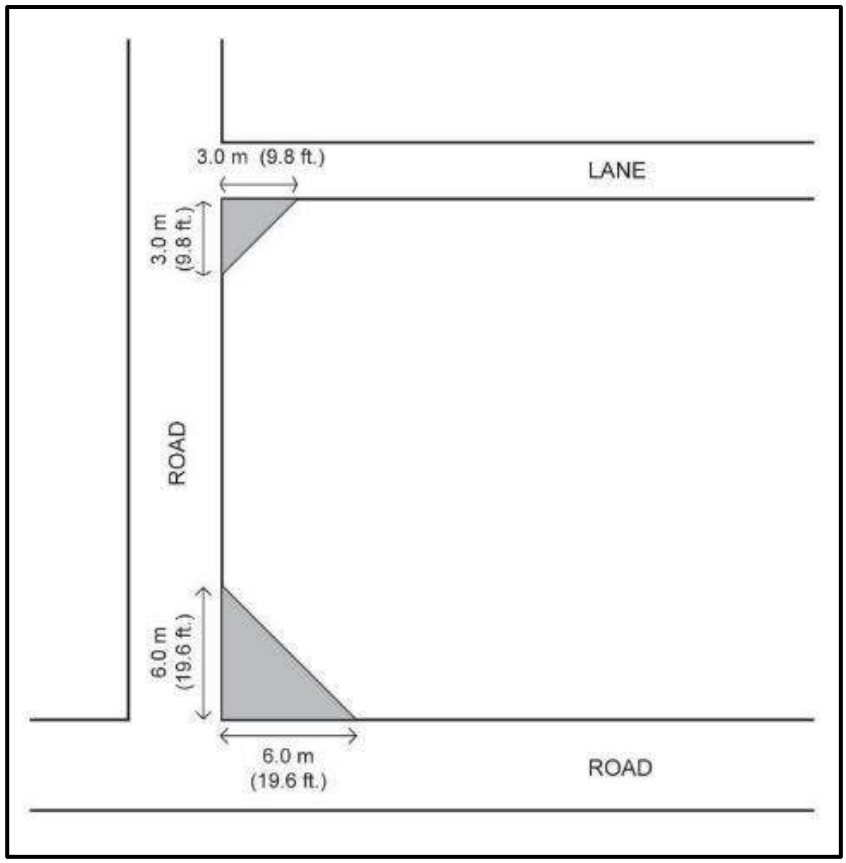


FIGURE 16: CORNER SITE SETBACKS

7.7 DEVELOPER'S RESPONSIBILITY

1 The applicant/landowner to whom a development permit has been issued shall obtain from the appropriate Provincial Authority, where applicable, permits relating to building, plumbing, gas, sewer and water mains, electricity and highways and all other Provincial permits required in connection with the proposed development.

7.8 DWELLING UNITS ON A PARCEL WITHIN THE HAMLET GENERAL (HG) AND MULTI-LOT COUNTRY RESIDENTIAL (MCR) DISTRICTS

1 The number of dwelling units allowed on any parcel of land within the Hamlet General (HG) and Multi-Lot Country Residential Districts shall not exceed one (1).

2 Notwithstanding Subsection 7.8.1, the Development Authority may issue a development permit for the construction or location of additional dwelling units on a parcel if the additional dwelling units are listed as permitted or discretionary within the applicable land use district and the dwelling unit(s):

a. are contained in a building that or in buildings each of which are designed for or divided into two (2) or more dwelling units; or

b. is a garage suite, guest suite, in-law suite, secondary suite, as defined in this Bylaw and meets the requirements for such development as established in Sections 8.31 through 8.34, respectively.

7.9 DWELLING UNITS ON A PARCEL WITHIN THE AGRICULTURAL (A), AGRICULTURAL SMALL HOLDINGS (A1), & HIGHWAY COMMERCIAL (HC) DISTRICTS

1 The number of single family dwellings, modular homes or manufactured homes allowed on any parcel of land 4.05 ha (10.0 ac) or larger shall not exceed one (1), except that a second dwelling may be allowed on a parcel of land if the second dwelling or dwelling unit would not:

a. materially interfere with the amenities or change the character of the area;

b. materially interfere with or affect the use and enjoyment of adjacent properties;

c. adversely impact the environment;

d. result in excessive demand on municipal services, utilities and road access;

e. the second dwelling on the parcel shall be sited so that there is a 10.0 m (32.8 ft) separation between the second dwelling and all structures on the site.

2 Notwithstanding any other provision of this Bylaw to the contrary, additional dwelling units may be allowed at the sole discretion of the Development Authority if the dwellings are in a building that is the subject of a condominium plan registered in a *Land Titles Office* under the *Condominium Property Act* (as amended or replaced).

3 If approving a development permit under the circumstances described in Subsection 7.9.1, then all the other regulations of this Bylaw together with all requirements regarding the provision of water supply and the disposal of sanitary sewage must be met by the development.

4 The number of single family dwellings, modular home or manufactured homes allowed on any parcel of land smaller than 4.05 ha (10.0 ac) shall not exceed one (1) except that a second dwelling may be allowed on a parcel of land if the second dwelling or dwelling unit would not:

a. materially interfere with the amenities or change the character of the area;

b. materially interfere with or affect the use and enjoyment of adjacent properties;

c. adversely impact the environment; and

d. result in excessive demand on municipal services, utilities and road access

and further, if the second dwelling or dwelling unit is a temporary dwelling or on a temporary foundation.

5 Notwithstanding any other provision of this Bylaw to the contrary, one (1) additional dwelling unit may be allowed on a parcel of land at the sole discretion of the Development Authority if the dwelling is a garage suite, in-law suite, garden suite, secondary suite or a seasonal cottage and the use is provided for in the applicable Land Use Bylaw District.

6 Notwithstanding any other provision of this Bylaw to the contrary, additional dwelling units in the form of multi-unit residential uses may be allowed by the Development Authority where provided for in the Bylaw.

7.10 EASEMENTS

1 A development permit shall not be issued for a development, other than a fence or landscaping, that encroaches in or over a utility easement or right-of-way without the written consent from the person to whom the easement is registered or the person whose utility is located in the easement and the Development Officer.

7.11 ENVIRONMENTAL SCREENING

1 Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to applicable provincial requirements and/or guidelines prior to a development permit being issued. If the Phase 1 Assessment indicates that a Phase 2 Assessment should be undertaken, the Development Authority may require a Phase 2 Assessment be conducted and submitted prior to consideration of the development permit application. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

7.12 EXISTING UNDERSIZED LOTS

1 Development on existing lots which does not satisfy the minimum lot size requirement of this Bylaw will be considered at the sole discretion of the Development Authority. Compliance with any Provincial regulations regarding the disposal of sewage will be required. Development on these lots will comply with the regulations of the District in which the lot is located unless a variance has been granted by the Development Authority.

7.13 FENCES, WALLS, & HEDGES WITHIN HAMLETS AND THE MULTI-LOT COUNTRY RESIDENTIAL (MCR) DISTRICT

1 Notwithstanding any regulation respecting required yards to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a lot.

2 In any District, other than a residential district, the maximum height of a fence or screen as measured from grade shall be 2.0 m (6.6 ft).

3 No fence, wall or hedge in any Residential District shall be:

a. Higher than 2.0 m (6.6 ft) in side yards and rear yards, such height to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this Bylaw; or

b. Higher than 1.0 m (3.3 ft) in front yards, except in the case of a corner lot, the side yard adjacent to the road shall be deemed to be a front yard for the purpose of this Subsection; or

c. Higher than 1.0 m (3.3 ft) within 3.0 m (9.8 ft) of the intersection of lanes, roads or any combination of them.

4 Notwithstanding Subsection 7.13.2, the Development Authority may approve a higher fence having regard to the location of fences in the surrounding area and the requirement for screening.

5 Notwithstanding Subsection 7.13.3, all apartment or row housing developments shall provide, to the satisfaction of the Development Authority, a wall, hedge or solid fence or landscaped berm of not less than 1.2 m (4.0 ft) nor more than 2.0 m (6.6 ft) in height, along any side or rear lines adjacent to any residential use.

6 The Development Authority may require screening in the form of fences, hedges, landscaped berms or other means along the property lines of all commercial and industrial parcels which are adjacent to any residential property line or are adjacent to lanes or roads which abut a neighbouring residential parcel. Such screening shall be at least 2.0 m (6.6 ft) in height and developed in a manner which adequately blocks the view of the commercial or industrial use parcel to the satisfaction of the Development Authority.

7 For outdoor storage yards located adjacent to a non-industrial District, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses and where because of the height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof, with sufficient height to substantially block the view of the stored materials to the satisfaction of the Development Authority shall be required.

8 Barbed wire fences or partially barbed wire fences are not permitted in any residential district. The Development Authority may approve barbed wire fences around areas of storage located in commercial and industrial districts that meet the following requirements:

a. In the opinion of the Development Authority, the barbed wire fence is required for security purposes;

b. The barbed wire fence consists of a maximum of three (3) strands located on the top of a chain link or a board fence with a minimum height of 2.4 m (7.9 ft) measured below the lowest strand of barbed wire; and

c. The entire fence and barbed wire are completely contained within the property lines of the parcel being fenced.

9 Razor wire shall not be used in the municipality without a development permit having been issued to allow its use.

10 The electrification of fences shall not be allowed on any lot within the residential district or on the property boundary of a lot adjacent to a lot in a residential district.

7.14 HAZARDOUS MATERIALS

1 No anhydrous ammonia storage shall be allowed within the hamlets.

2 All developments that store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics will comply with Provincial and Federal legislation and regulations.

3 All commercial or industrial developments within the Hamlets involving the following hazardous materials shall submit a written description of the materials and operations being undertaken on the site to the Development Authority for review prior to development approval at the time of development permit application or at the time the operation begins using the material:

a. poisonous and infectious agents;

b. pesticides;

c. corrosives and explosives;

d. flammable and combustible liquids;

e. manures; and

f. radiation.

4 No development shall discharge air or water contaminants or toxic or noxious materials:

a. across the boundaries of a site;

b. through infiltration into the soil;

c. into the municipal sewage disposal system;

d. into the air; or

e. into a water body, any surface water channel or any below surface water course.

7.15 HISTORICAL AND ARCHAEOLOGICAL SITES

1 Historical sites or archaeological sites identified pursuant to the *Alberta Historical Resources Act* (as amended or replaced) shall be protected in accordance with the guidelines and regulations established by *Alberta Culture & Tourism*.

7.16 LANDSCAPING IN HAMLETS & MULTI-LOT COUNTRY RESIDENTIAL (MCR) DISTRICT

1 Landscaping in all developments within the hamlets and the Multi-lot Country Residential (MCR) District shall be to the satisfaction of the Development Authority. Where a landscaping plan is

required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.

2 Landscaping plans shall include the following information which adheres to the following standards:

a. the final grading of the area and the placing and spreading of topsoil (see Section 7.28 - Site Grading and Drainage). In particular:

i. all areas to be landscaped shall be graded to drain to the road or lane, into catch basins or into adjacent drainage easements. Under no circumstances shall an area be designed, built or landscaped to drain onto adjacent property without appropriate easements;

3 Boulevards, buffer strips, drainage easements, retention and detention ponds, walkways and playgrounds shall be landscaped to the satisfaction of the Development Authority.

4 When the implementation of landscaping plans is a condition of the approval of a development permit, all such landscaping and planting must be carried out, to the satisfaction of the Development Authority, within one (1) year from the time the development is available for the occupancy or the commencement of operation of the proposed development.

5 The developer shall be responsible for proper maintenance of the landscaping on public lands associated with the development. If plant material does not survive a two (2) year maintenance period, commencing when the Development Authority determines that the landscaping has been completed in accordance with approved plans, it must be replaced with plant material of similar type and size, at no cost to the municipality.

6 When a commercial or industrial use is proposed adjacent to a residential district, a landscaped buffer shall be provided and maintained on the site of the commercial or industrial land user between the commercial or industrial use and the Residential District. The buffer may be comprised of any or all of the following: landscaped green space, closed or privacy fencing, trees and/or earth berming. All details of the buffer, including its size, width and components, shall be to the satisfaction of the Development Authority.

7 Trees shall be planted on all buffers unless otherwise specified by the Development Authority.

8 Landscaping must be located so that it will not have a negative impact on, above or below ground utilities.

7.17 LIGHTING

1 Outdoor lighting shall be located so that rays of light:

a. Are not directed at an adjacent site or skyward; and

b. Do not adversely affect an adjacent site or do not adversely affect traffic safety.

7.18 LOCATION OF BUILDINGS & IMPROVEMENTS

1 Required yard setbacks adjacent to a highway will be at the discretion of Alberta Transportation.

2 On a parcel of land located at the junction of two (2) roads or highways or a road and a highway, no building or obstruction higher than 1.0 m (3.3 ft) above grade shall be erected within the area shown on Figure 17.

3 No vehicle access shall be permitted onto any road within 100.0 m (330.0 ft) of an intersection of two (2) roads or highways or a road and a highway or of a curve of greater than twenty (20) degrees curvature.

4 Prior to any new approach being developed along a municipal road, the landowner or authorized person acting on the owner's behalf shall require approach approval with the County.

7.19 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1 No person shall keep or allow in any Multi-lot Country Residential (MCR) District, Hamlet General (HG) District or on any lot in the Agricultural (A) District or residential use lot in the Highway Commercial (HC) District which is equal to or less than 4.0 ha (10.0 ac) in area:

a. any dismantled, unregistered or wrecked vehicle in a yard for more than thirty (30) successive days; or

b. any object or chattel which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the District; or

c. any excavation storage or piling up of materials required during the construction stage unless:

i. all necessary safety measures are undertaken; and

ii. the owner of such material or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; and

iii. a development permit for that use is issued by the Development Authority.

Such permits will only be issued if, in the opinion of the Development Authority, such development will not unduly interfere with the amenities of the area in which the development is located or materially negatively interfere with or affect the use, enjoyment or value of neighbouring lots.

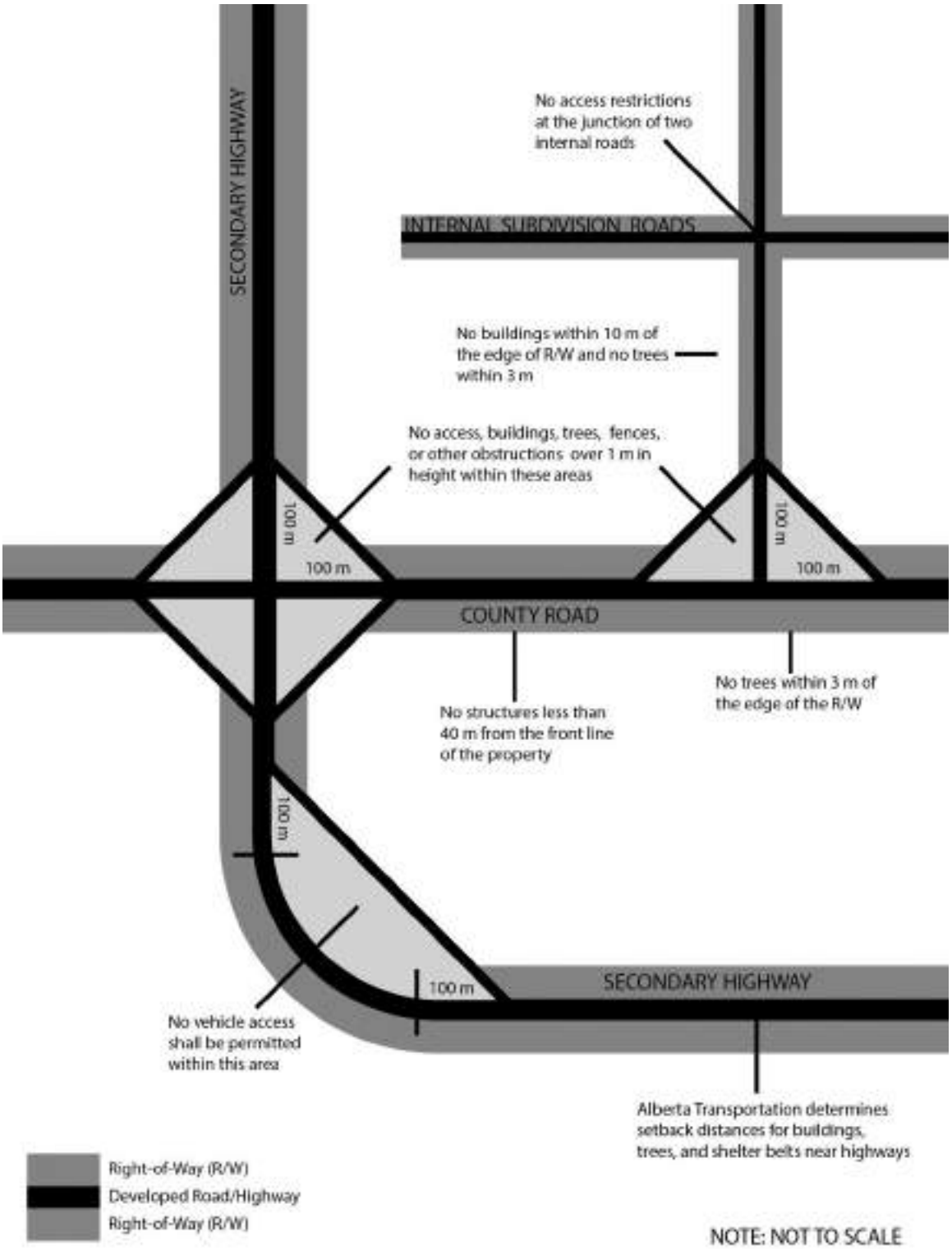


FIGURE 17: LOCATION OF BUILDINGS & TREES ADJACENT TO ROADS & HIGHWAYS

7.20 ON-SITE & OFF-SITE IMPROVEMENTS

1 Where any on-site services or improvements or any off-site local improvements are required to service a proposed development, a developer shall not begin the excavation for the foundation nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken. In order to satisfy the Development Authority, the developer may be required to enter into a development agreement with the municipality as a condition of development permit approval.

2 All future development areas must be serviced to the satisfaction of the Development Authority and the County's Public Works Department. Servicing shall be consistent with the municipality's Municipal Development Plan, applicable Intermunicipal Development Plan(s) and Intermunicipal Collaboration Frameworks(s).

7.21 PARKING & LOADING

1 Parking Requirements

Residential Development Type	Minimum number of Stalls
Dwelling, Single Detached (including modular and manufactured homes)	2 per dwelling
Add per in-law or rental suite	1 per bedroom
Duplex, Triplex, Fourplex or Row Housing	2 per dwelling
Apartment	1.5 per suite
A stall for residential use may be inside a garage or outside the building but entirely on the lot and may include a driveway.	
Non-Residential Development Type	**Minimum number of Stalls**
Retail Stores	1 per 100 m^2 (1080 ft^2) retail space
Offices and Financial Institutions	1 per 100 m^2 (1080 ft^2) retail space
Hotels & Motels	1 per room, plus 1 for every employee on duty
Eating and Drinking Establishments	1 per 10 seats
Churches & Halls	1 per 10 seats
Industrial Developments	1 per employee at maximum shift

2 Every non-residential building shall have an off-street loading space of sufficient size that vehicles loading or unloading need not park on a street or lane.

3 This requirement may be waived by the Development Authority if in their sole opinion parking on the street or lane will not unreasonably disrupt traffic flow.

7.22 PERMITTED LOT PROJECTIONS

1 Balconies and decks may project into yards by the following distances:

a. 1.5 m (4.9 ft) into the front and rear yard setbacks; and

b. 0.6 m (2.0 ft) into the side yard setback.

2 Other features attached to a building such as bay windows, chimneys, eaves, open steps and sills may project into the yards by the following distances:

a. 0.6 m (2.0 ft) into the front and rear yard setback; and

b. 0.45 m (1.5 ft) into the side yard setback.

7.23 PERSONAL PROTECTION AROUND PIPELINES

1 No development shall be permitted within a pipeline right-of-way or the required setback area from active wells, batteries, processing plants or pipelines as recommended by the licensee and/or identified within the *Subdivision and Development Regulation*.

2 Further, all development near abandoned wells shall occur in accordance with the *Subdivision and Development Regulation, AER Directive 079, Surface Development in Proximity to Abandoned Wells,* and any other applicable federal or provincial legislation and/or regulation(s).

3 Additionally, all new residential development will be discouraged from locating within 30.0 m (98.0 ft) of a sour gas facility and/or major pipeline or utility corridor.

7.24 POLLUTION CONTROL

1 In any District, no discretionary use or development may be undertaken which, in the opinion of the Development Authority, constitutes a danger or annoyance to persons on the site, on public property or on any other sites, by reason of the generation of:

a. noise, vibration, smoke, odour;

b. dust and other particulate matter;

c. toxic and noxious matter;

d. radiation hazards;

e. fire and explosive hazards;

f. heat, humidity and glare;

g. waste and refuse matter; or

h. water or steam.

2 Sites and buildings in all Districts shall be maintained in a clean and tidy condition, free from all rubbish and debris.

7.25 RELOCATION OF BUILDINGS

1 The relocation of an already constructed building or a partially constructed building on a new site requires approval from the Development Authority.

2 In making its decision on a development permit application to relocate an already constructed or partially constructed building, the Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located and may refuse a development permit if the building, in their opinion, is or will be incompatible with the neighbourhood.

7.26 SEPARATION FROM NUISANCE AND/OR PUBLIC HEALTH HAZARDS

1 Notwithstanding any other provision of this Bylaw:

a. An application for a development permit for a dwelling within 800.0 m (0.5 mi) of a sanitary landfill, sewage treatment lagoon or other potential nuisance or health hazard shall be referred for comments to the Public Health Authority, any appropriate provincial agency and the operator of the facility.

b. The Development Authority shall ask the Health Authority and the provincial agency for a recommended separation distance between the proposed dwelling and the potential nuisance or health hazard.

c. If the proposed dwelling is proposed to be closer to the potential nuisance or health hazard than the distance recommended by the Health Authority or the provincial agency, the Development Authority may:

i. require that the proposed dwelling be located beyond the recommended separation distance;

ii. require that the proposed dwelling be located at the maximum feasible distance from the potential nuisance or health hazard; or

iii. refuse to issue a development permit.

7.27 SITE CONDITIONS

1 The Development Authority may prescribe setback and/or buffering requirements for uses, which may be physically or visually incompatible with nearby land uses.

2 The Development Authority may require or approve screening for uses, which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar materials.

3 The Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary.

4 The Development Authority shall require a minimum building setback of 50.0 m (164.0 ft) from the top of the bank of the Battle River and 22.9 m (75.0 ft) from the top of the bank of any other river, creek or watercourse. No buildings of any kind shall be allowed within this setback area. If a development permit application provides for a lesser setback, the Development Authority may require the applicant to submit with the development permit application an assessment by a

registered professional engineer practicing in Alberta indicating the stability of the soils and slopes for the development proposed and how sufficient stability for the development can be ensured. If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the developer constructs those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.

5 All subdivision and development must be consistent with the requirements of the Alberta Wetland Policy. In order to ensure consistency with this policy a proponent may be required at time of subdivision, development, area structure plan development or Land Use Bylaw amendment to provide the County with a wetland assessment, prepared by a certified wetland professional, which delineates and classifies all wetlands within the proposed development area. Development that would cause the permanent destruction of permanent wetlands will be discouraged and will not be permitted without the consent of Alberta Environment and Parks.

6 If any development is damaged or threatened with damage from flooding from a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.

7 If any development is damaged or threatened with damage from erosion or the effects of erosion or from flooding or the effects of flooding, whether or not a development permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.

8 The Subdivision Authority or Development Authority may require development or subdivision proponent to provide an assessment of the subsurface characteristics of the land that is proposed to be subdivided or developed including but not limited to: susceptibility to slumping or subsidence, depth to water table and suitability for any proposed on-site sewage disposal system in order to demonstrate the suitability of the site for the use which is being proposed.

9 Further, if a proposed subdivision is not to be serviced by a municipal wastewater collection system, the Subdivision Authority may require the proponent to provide information, supported by the report of a person qualified to make it, respecting the intended method of providing sewage disposal facilities to each lot in the proposed subdivision, including the suitability and viability of that method as a condition of subdivision approval.

7.28 SITE GRADING & DRAINAGE

1 Site grades shall prevent drainage from one site to adjacent sites except where drainage conforms to an acceptable local standard or a subdivision drainage plan.

2 The Development Authority may require, as a condition of a development permit, that a developer submit a lot grading plan, supported by the report of a person qualified to make it, to the County for approval.

3 Any development, located within an established Drainage District, which may contribute significantly to drainage shall be referred to the local drainage district for comment prior to the issuance of a development permit.

4 All landscaping, topographic reconstruction, retaining walls or site grading shall be confined to the property and shall not encroach onto any adjoining property including road and lane rights-of-way,

utility easements or rights-of-way, environmental or municipal reserves or any other public or private lands excepting only where such encroachments, are expressly approved, by means of written consent, by the person to whom the easement is registered or the person whose utility is located in the easement and the Development Authority.

5 If a person alters the approved lot drainage on a site so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.

6 Any retaining wall over 1.0 m (3.3 ft) in height must be designed and inspected after construction by a professional engineer. The land owner shall provide to the municipality the design and inspection report, both bearing the seal and signature of a professional engineer.

7 A temporary fence shall be erected around all excavations which in the opinion of the Development Officer may be hazardous to the public.

7.29 SUBDIVISION REGISTRATION

1 All subdivisions must be registered by Plan of Survey.

7.30 TOPSOIL REMOVAL, SHELTERBELTS & OTHER TREE STANDS

1 A development permit for the removal of topsoil shall be granted only where it is shown to the satisfaction of the Development Authority that the land will not be made derelict by removal. The Development Authority may refer any such development permit application for removal of topsoil to appropriate provincial agencies for consideration under the *Soil Conservation Act* (as amended or replaced).

2 All shelterbelts shall be set back from property lines a minimum of:

a. 30.0 m (98.4 ft) if adjacent to a Highway and

b. 3.0 m (9.84 ft) if adjacent to a municipal road right-of-way.

3 In addition to the provisions in this section the provisions within Section 7.18 of this Bylaw apply to all shelterbelts.

4 The required setback distances identified in Section 7.18 other than that distance required adjacent to a Highway, may be reduced by the Development Authority. In determining such a relaxation, the Development Authority will consider such matters as the topography, species and estimated height of the proposed shelterbelt, the orientation of the proposed tree cover to the road and other factors they consider necessary in order to protect the safety of the motoring public.

5 No trees, brush or native wetland vegetation shall be cleared from any land within 30.0 m (98.4 ft) of any spring, creek, wetland, river or lake, except:

a. to construct a road, trail or fence; or

b. in connection with a recreational development for which a development permit has been granted.

6 The Development Authority may refuse a development for the removal of trees or topsoil if, in their opinion, the proposed land clearance would have a deleterious effect on watercourses, slope stability or wildlife habitat.

7.31 WATER SUPPLY/SANITARY SERVICES

1 All buildings to be used for a residential, commercial, industrial or recreational purpose shall be provided with water supply and sanitary facilities that meet Provincial regulations.

2 A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are or will be made available to support the proposed development.

8 SPECIAL LAND USE PROVISIONS

8.1 ACCESSORY BUILDINGS IN NON-RESIDENTIAL DISTRICTS

1 Accessory buildings may be allowed in the Agricultural (A) District where there is no main use or main building solely at the discretion of the Development Authority. The Development Authority shall only approve the development of an accessory building where there is no main use or main building if, in their sole opinion, the accessory building would become accessory to a main use or a main building in the future should such main use or main building ever be developed.

2 In all other districts the site requirements for accessory buildings shall be as required by the Development Authority.

8.2 ACCESSORY BUILDINGS IN MULTI-LOT COUNTRY RESIDENTIAL (MCR) & HAMLET GENERAL (HG) DISTRICTS

1 This section shall only apply within the Multi-lot Country Residential (MCR) and the Hamlet General (HG) Districts.

2 An accessory building shall not be used as a dwelling.

3 The siting of a detached garage or other accessory building shall be in accordance with Figure 18.

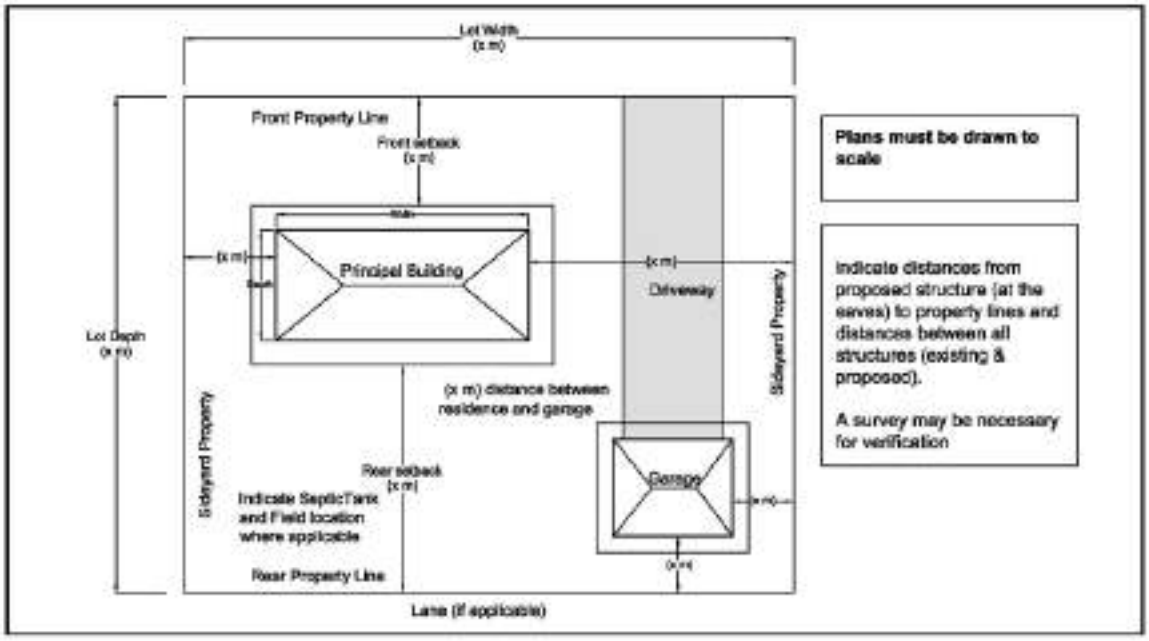


FIGURE 18: SITING OF ACCESSORY BUILDINGS

4 The siting of an accessory building on an irregularly shaped parcel may be as approved by the Development Authority.

5 An accessory building may be located in the front yard at the discretion of the Development Authority.

6 An accessory building shall not be located closer than 2.1 m (7.0 ft) to a main building.

7 The height of an accessory building on a residential use lot shall not exceed 5.0 m (16.0 ft) unless a development permit for a garage suite has been approved.

8 In the Hamlet General (HG) District, on a lot where the main use is a commercial use, the maximum height of an accessory building will be at the discretion of the Development Authority.

9 Where a structure is attached to the main building by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the main building and is not an accessory building.

10 Accessory buildings shall only be allowed in the Multi-lot Country Residential (MCR) and Hamlet General (HG) Districts where a main use or building is already established on the site.

8.3 ANIMAL SERVICE FACILITIES

1 Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.

2 All development permit applications may be referred to the local Health Authority or animal control agency for comment.

3 No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.0 m (19.69 ft) of any property line adjacent to a dwelling or residential property.

4 All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.

5 All dog facilities, including buildings shall be sited to the satisfaction of the Development Authority.

6 The Development Authority may regulate the hours that dogs are allowed outdoors.

7 Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.

8 A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

8.4 AUTO WRECKING SITES

1 Auto wrecking sites may be allowed to locate along County roads at least 1 km (0.6 mi) from any lots within the Multi-lot Country Residential (MCR) District and Hamlet General (HG) District.

2 The site of an auto wrecking development shall:

a. have a maximum area of 2.0 ha (5.0 ac) for use and storage; and

b. must be fenced by non-transparent material or of other approved design that is satisfactory to the Development Authority, to a minimum height of 2.0 m (6.6 ft).

3 All vehicles must be stored within the enclosure. The Development Authority shall exercise discretion as to the required site maintenance.

8.5 BED AND BREAKFAST ESTABLISHMENTS, GUEST FARMS OR RANCHES AND RECREATIONAL/HUNTING LODGES

1 A bed and breakfast establishment or a guest farm or ranch, which shall be considered to be a major home occupation, shall, in addition to the regulations for major home occupations, comply with the following regulations:

a. A bed and breakfast establishment, guest farm or guest ranch shall not change the principal character or external appearance of the dwelling involved and shall have a maximum of four (4) sleeping units;

b. Cooking facilities shall not be located within the sleeping units. All facilities shall meet Public Health regulations;

c. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit; and

d. A bed and breakfast establishment and a guest farm or ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

2 A recreational or hunting lodge shall be considered to be a major home occupation and shall, in addition to the regulations for major home occupations, comply with the following regulations:

a. The maximum number of sleeping units for a recreational or hunting lodge shall be at the discretion of the Development Authority who shall have regard for the adjacent land uses and the impact of increased traffic generated from the use on municipal, provincial and regional infrastructure;

b. Cooking facilities shall not be located within the sleeping units. All facilities shall meet Public Health regulations;

c. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit; and

d. A recreational or hunting lodge shall be operated by a live-in owner(s) or caretaker and shall not change the character of the surrounding area.

8.6 CANNABIS RETAIL SALES ESTABLISHMENTS

Regulations within this section apply to the retail sale of cannabis.

1 No cannabis retail sale establishment may be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

2 Cannabis retail sale establishments shall comply with all Land Use Bylaw and policy requirements as well as all applicable Federal and Provincial regulations including:

   a. the production of cannabis in accordance with the Access to Cannabis for Medical Purposes Regulations, SOR 2016-230, as amended or replaced;

   b. any subsequent legislation or regulations that may be enacted.

3 Any cannabis retail sale development must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

   a. a cannabis retail sales development must meet all applicable requirements of the identified district, which allows for the use;

   b. only facilities licensed by the provincial or federal governments will be permitted;

   c. a copy of the license(s) for the cannabis retail sales establishment as issued by the provincial government shall be provided to the Development Authority.

4 Cannabis retail sales establishments must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw and meet all servicing standards of the municipality.

5 The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

6 Cannabis retail sales establishments shall meet security and premises requirements as required under provincial and federal legislation.

7 The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

8 No outdoor storage of goods, material, or supplies shall be permitted.

9 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

10 Hours of operation shall be restricted as a condition of the development permit issued by the Development Authority.

11 A cannabis retail sales establishment's exterior lighting and noise levels shall satisfy the following requirements:

   a. The illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under provincial and federal regulations.

12 Cannabis retail sales establishments as defined in this Bylaw shall be setback from locating near the following sensitive uses:

a. within 100.0 m (328.1 ft) of a public education facility, a provincial health care facility, or a public park;

13 A public education facility or public park constructed or created after the approval of a cannabis retail sales establishment shall not retroactively impact the cannabis retail sales establishment.

14 The separation distance between the cannabis retail sales establishment and the uses listed in 8.6(12) shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the sensitive use.

15 A site, building or structure established, operated, or maintained as a cannabis retail sales establishment shall comply with the provisions made for in any applicable Municipal, Provincial, and Federal regulations as per this Bylaw.

16 Applications for subdivision of land for this use shall include the information required by the Development Authority in Section 3.2.10.

This is not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.7 COMMERCIAL DEVELOPMENT IN THE AGRICULTURAL (A) DISTRICT

1 A development permit for a commercial use within the Agricultural (A) District may only be issued if, in the opinion of the Development Authority:

a. it is located on lower capability agricultural land; and/or

b. it directly serves the agricultural community; and/or

c. it will not conflict with surrounding land uses.

2 All site regulations and development requirements, including any requirements for buffers, shall be based upon the type of development proposed and shall be at the discretion of the Development Authority.

8.8 DAY USE & PICNIC AREAS

1 A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers of such facilities shall be at the discretion of the Development Authority.

2 Day use and picnic facilities shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.

3 Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.

4 Parking areas should be physically separated from the rest of the day use or picnic areas by landscaping or natural vegetation buffers.

8.9 DRIVE-IN BUSINESSES

1 Location

a. A drive-in business may be located only where it can be shown, to the satisfaction of the Development Authority, that the development would not:

i. impede safe traffic movement entering and exiting the site;

ii. interfere with the functioning of surrounding roads or the enjoyment of any neighbouring residential uses; and

iii. create unsafe traffic circulation on the site.

2 Site Area and Coverage

a. The minimum site area shall be 600.0 m^2 (6,458.0 ft^2), the minimum frontage shall be 30.0 m (98.4 ft).

3 Curb Cuts

a. The minimum distance between a property line and a curb cut on an adjacent road shall be not less than 8.0 m (26.2 ft).

b. The maximum width of a curb cut shall be 10.0 m (32.8 ft).

c. The minimum distance between curb cuts on the same property line shall be 6.0 m (19.7 ft). The Development Authority may increase this minimum distance for situations where, in their opinion, public safety or convenience would be improved.

4 Queuing Space

a. Queuing space and traffic circulation shall be provided in accordance with the following:

Queuing Space Requirements for Drive-in Businesses

TYPE OF BUSINESS	INBOUND QUEUING SPACE REQUIREMENTS	OUTBOUND QUEUING SPACE REQUIREMENTS
Those that Serve People	3 per service window	1 per service window
Those that Service Vehicles	4 per service bay	1 per service bay
Full Service Car Washes	4 per service bay or any such number as required by the Development Authority taking into consideration the number of wash bays	1 per service bay or any such number as required by the Development Authority taking into consideration the number of wash bays

All other Drive-in Businesses	3 per service point	1 per service point

b. Queuing spaces must allow for vehicle turning and manoeuvring.

c. Pump islands must be located to allow a through traffic lane with a minimum width of 6.0 m (19.7 ft).

d. With the exception of a drive-through restaurant, a queuing space does not include any space occupied by a motor vehicle during the provision of service.

5 Site and Building Requirements

a. All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.

b. The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.

c. Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.

d. A minimum of ten percent (10%) of the site area of a drive-in business shall be landscaped to the satisfaction of the Development Authority.

e. In addition to the fencing, landscaping and environmental protection requirements indicated in Section 7.16 of this Bylaw, a berm and/or fence shall be erected and maintained by the developer of a drive-in business along any property lines abutting or across a lane or walkway from a Residential District.

f. If a drive-in business is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

8.10 GROUP CARE FACILITIES, DAY HOMES & CHILD CARE FACILITIES

1 All group care facilities, day homes and child care facilities shall conform to regulations under the *Safety Codes Act* (as amended or replaced) and any other relevant Provincial legislation and regulations.

2 In making a decision on a development permit for a group care facility, a day home or a child care facility, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents and consistency in terms of intensity of use with other development in the area.

3 In addition to all other regulations of this Bylaw, a group care facility development shall comply with the following regulations:

a. The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group care facility and the density of the District in which it is located.

b. The group care facility shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.

4 In addition to all other regulations of this Bylaw, a child care facility development and a day home development shall comply with the following regulations:

a. The maximum number of children for which care may be provided in a child care facility shall be established by the Development Authority who shall have regard for:

i. the nature of the facility;

ii. the density of the District in which it is located;

iii. potential increases in traffic; and

iv. the location of the use;

in relation to other uses in the area of the development.

b. The maximum number of children for which care may be provided in a day home shall be established by the Development Authority who shall have regard for the nature of the day home, the density of the District in which it is located, potential increases in traffic and the location of the use in relation to other uses in the area of the development.

c. Notwithstanding Subsection 8.10.4(b) above, the number of children within a day home established within a dwelling unit in any Residential District shall not exceed six (6), including the children who reside at the residence.

d. A child care facility shall not normally be the principal use of a building within any Residential District.

e. A child care facility in any non-residential District shall be in a separate facility, either within the principal building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

8.11 HOME OCCUPATIONS

1 All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.

2 All home occupations shall comply with the following requirements:

a. In addition to a development permit application, each application for a home occupation shall be accompanied by:

i. a description of the business to be undertaken in the dwelling;

ii. an indication of the anticipated number of business visits per week; and

iii. details for the provision of parking;

along with other pertinent details of the business operation.

b. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

c. Home occupations shall not involve:

i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or

ii. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties.

d. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance, detectable beyond the boundary of the lot on which the minor home occupation is located, shall be produced by the home occupation.

e. Notwithstanding Subsection 8.27.2(a), in the residential districts there shall be no exterior signage, display or advertisement other than a business identification sign exceeding 1.0 m^2 (10.8 ft^2) in area unless otherwise granted in a separate development permit.

f. In the Multi-lot Country Residential (MCR) and Hamlet General (HG) Districts, no more than one (1) commercial vehicle, up to the size of a tandem truck, to be used in conjunction with the home occupation, shall be parked or maintained on the site. The parking space of the commercial vehicle shall be either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority.

g. In the Agricultural (A), Agricultural (A1) Small Holdings and Highway Commercial (HC) Districts, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on the site.

3 In addition to the requirements of Section 8.11.2 above, a minor home occupation shall comply with the following regulations:

a. A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling.

b. Except in the Agricultural (A), Agricultural (A1) Small Holdings and Highway Commercial (HC) Districts, there shall be no outdoor business activity or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.

c. Up to a maximum of two (2) business visits per day are allowed.

d. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.

e. A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.

4 In addition to the requirements of Section 8.11.2 above, a major home occupation shall comply with the following regulations:

a. The number of non-resident employees working on-site shall not exceed two (2).

b. Up to 8 business visits per day are allowed.

c. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the *Alberta Safety Codes Act* (as amended or replaced) and the regulations made thereunder.

5 A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit.

8.12 INDUSTRIAL DEVELOPMENT

1 The Development Authority may request advisory comment from various departments within the Provincial Government and/or from the Health Authority when considering an application for the establishment of a rural industry or an industry in the Highway Commercial (HC) District, Rural Industrial (RI) District, Hamlet Industrial (HI) District or the Industrial (I) District.

2 All site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.

3 A development permit for an industrial use in the Hamlet Industrial (HI) District may only be issued if, in the opinion of the Development Authority:

a. the applicant has demonstrated to the satisfaction of the Development Authority that:

i. the development conforms with the requirements in Section 7.24;

ii. the development conforms with municipal and regional servicing requirements; and

iii. all costs associated with providing new or upgraded municipal services associated with the development are covered by the development proponent.

8.13 LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY

1 No licensed industrial hemp production facility shall be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

2 A licensed industrial hemp production facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

a. Only facilities licensed by Health Canada under the Industrial Hemp Regulations *(IHR)* (SOR/2018-145), or as amended or replaced, will be permitted.

b. A copy of the current license for the licensed industrial hemp production facility as issued by Health Canada shall be provided to the Development Authority before a permit can be issued.

c. A licensed industrial hemp production facility shall be the primary use of the lot(s) or parcel(s).

d. A licensed industrial hemp production facility must not operate in conjunction with another use on the lot(s) or parcel(s).

3 The proposed development shall meet all requirements for said facilities (such as, but not limited to security and premises) as listed under the Industrial Hemp Regulations *(IHR)* (SOR/98-156), as amended or replaced. The development shall be consistent with the characteristics and appearance of the neighbourhood.

4 The development shall be designed and located to minimize any impacts on the natural environment.

5 The development shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

6 There shall be no outdoor storage of goods, material, or supplies.

7 Solid waste material must be disposed of in accordance with the *Controlled Drugs and Substances Act* (S.C. 1996, c. 19) and Industrial Hemp Regulations (SOR/2018-145), as amended or replaced.

8 All activities related to the licensed industrial hemp production facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.

9 The illumination of parking areas, walkways, signs, and other structures associated with licensed industrial hemp production facilities shall be arranged to meet any requirements of the Land Use Bylaw or any other bylaw and/or policy approved by the County and any requirements under the Industrial Hemp Regulations *(IHR)* (SOR/2018-145), as amended or replaced.

10 A licensed industrial hemp production facility Site, for the purposes of this section, means the lot(s) on which the licensed industrial hemp production facility is located or is proposed to be located.

11 The minimum setback from any watercourse or water body shall be 30.0 m (98.0 ft).

12 The maximum lot coverage shall be at the discretion of the Development Authority.

13 The maximum height shall be 10.0 m (32.8 ft) for the principal building.

14 The minimum front setback shall be 45.0 m (147.0 ft) from any property line next to a road right of way, notwithstanding the regulations of this bylaw.

15 A building or structure used for security purposes for a licensed industrial hemp production facility may be located in the front yard and must comply with the required minimum setbacks:

a. Minimum side setback: 6.0 m (20.0 ft) from lot line.

b. Minimum rear setback: 6.0 m (2.00 ft) from lot line.

16 The Minimum landscaping buffer width shall be as required by the Development Authority excluding those developments proposed adjacent to a provincial highway which are subject to Alberta Transportation regulations.

17 Buffers shall be required for all licensed industrial hemp production facilities. Buffers may combine: setbacks, landscaping, and fencing to mitigate the impacts on farming and adjacent activities.

18 Parking and loading requirements for a licensed industrial hemp production facility shall be provided based on this regulation in Section 7.21 of this Bylaw and any applicable requirements and regulations under the Industrial Hemp Regulations (SOR/2018-145), as amended or replaced.

The regulations in this section are not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.14 LICENSED CANNABIS PRODUCTION AND DISTRIBUTION FACILITY

Regulations within this section apply to the production and development of licensed cannabis for medical and non-medical purposes.

1 No licensed cannabis production and distribution facility shall be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

2 Licensed cannabis production and distribution facility shall comply with all Land Use Bylaw and policy requirements as well as all applicable Federal and Provincial regulations including:

3 The production of cannabis in accordance with the *Access to Cannabis for Medical Purposes Regulations*, as amended or replaced.

4 Any licensed cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

a. A licensed cannabis production and distribution facility must meet all applicable requirements of the identified district, which allows for the use.

b. A copy of the current license(s) for the cannabis production and distribution development as issued by the provincial and/or federal government shall be provided to the Development Authority with the application or as a condition of development permit approval.

5 Licensed cannabis production and distribution facility shall meet security and premises requirements as required under provincial and federal legislation.

6 The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

7 The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

8 No outdoor storage of goods, material, or supplies shall be permitted.

9 Garbage containers and waste material shall be contained within an enclosed and locked building.

10 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

11 All activities related to the cannabis production and distribution facility shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.

12 Hours of operation shall be restricted as a condition of the development permit issued by the Development Authority.

13 A Licensed Cannabis Production and Distribution Facility's exterior lighting and noise levels shall satisfy the following requirements:

a. The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under provincial and federal regulations.

b. Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and the requirements under provincial and federal regulations.

14 Minimum lot size shall be at the discretion of the Development Authority.

15 Minimum setback from any watercourse or water body shall be 30.0 m (98.0 ft).

16 Maximum lot coverage shall be at the discretion of the Development Authority.

17 Maximum height of the principle building shall be 10.0 m (32.8 ft).

18 A building or structure used for security purposes for a Licensed Cannabis Production and Distribution Facility may be located in the front yard and must comply with the required minimum setbacks.

19 On site buffering measures shall be required for all licensed cannabis production and distribution facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.

20 Parking and loading requirements for licensed cannabis production and distribution facilities shall be provided based on this regulation in Section 7.21 of this Bylaw and any applicable requirements in provincial and federal regulations, as amended or replaced.

The regulations in this section are not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.15 MANUFACTURED HOME PARKS

1 Manufactured home stalls shall be located a minimum of 7.6 m (25.0 ft) from a boundary of a road and 4.57 m (15 ft) from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.

2 The minimum size for a manufactured home stall shall be 464.5 m^2 (5000.0 ft^2).

3 All roads shall be constructed and maintained to the satisfaction of the Development Authority. The minimum road right-of-way width shall be 15.2 m (50.0 ft).

4 There shall be safe, convenient, all-season pedestrian access of not less than 0.9 m (3.0 ft) in width for the intended use between individual manufactured homes, the park streets and all community facilities provided for park residents.

5 Visitor parking spaces shall:

a. be provided at a ratio of at least one (1) space for every two (2) manufactured homes;

b. be located at convenient locations throughout the manufactured home park; and

c. not be used for the storage of boats, recreational vehicles, trailers, etc.

6 Two (2) off-street parking spaces shall be provided on or adjacent to each recreational space as required by the Development Authority.

7 The design of manufactured home parks shall be to the satisfaction of the Development Authority.

8 All manufactured home parks must be connected to municipal services and all utilities shall be provided underground to stalls.

9 A minimum of 5% of the gross site area shall be devoted to recreational use or recreational space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined.

10 All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.

11 No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park resident and for the management and maintenance of the park.

12 Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

13 Street lighting shall be to the same standard as that in a conventional residential neighbourhood.

14 Only one main, free-standing identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving

the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority and otherwise conform to this Bylaw.

15 Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

16 Manufactured homes shall be separated from each other by at least 6.1 m (20.0 ft) side-to-side and at least 3.0 m (9.8 ft) from either front or rear stall line, provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirement shall be 3.0 m (9.8 ft).

17 The minimum site area shall be 2.02 ha (5.0 ac).

18 The maximum permissible density shall be fifteen (15) manufactured home spaces per gross developable hectare (6.25 units per acre) of the area actually being developed at each stage of the development.

8.16 MANUFACTURED HOMES

1 Manufactured homes shall have Canadian Standards Association Certification to the Z240 standard or equivalent industry standard.

2 Manufactured homes are to be factory-built or equivalent, with suitable exterior finish as required by the Development Authority.

3 All accessory structures, such as patios, porches, additions and skirtings shall:

a. be factory-prefabricated units or the equivalent thereof and so designed and erected as to harmonize with the manufactured home units;

b. be considered as part of the main building;

c. be erected only after obtaining a development permit; and

d. not exceed in area, the floor area of the manufactured home.

4 Manufactured homes shall be skirted from the floor level to the ground level. The skirting should match the existing external finish of the manufactured home unit.

5 The following regulations apply to all manufactured homes:

a. the hitch and wheels should be removed from the manufactured home unit;

b. all manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached in accordance with the regulations under the *Safety Codes Act* (as amended or replaced).

8.17 MOTELS & HOTELS

1 A person applying to develop a site as a motel or hotel, where permitted under this Bylaw, shall comply with the following provisions of this section:

a. Site Requirements for Motels & Hotels

MINIMUM SITE AREA	YARDS	MINIMUM FLOOR AREA/UNIT
One Storey		
139.3 m^2 (1,500 ft^2)	Front: 7.6 m (25.0 ft) Side: 3.0 m (9.8 ft) Rear: 3.0 m (9.8 ft)	26.4 m^2 (285 ft^2)
Two Storey		
186 m^2 (2000 ft^2) per floor	Front: 7.6 m (25.0 ft) Side: 3.0 m (9.8 ft) Rear: 3.0 m (9.8 ft)	26.4 m^2 (285 ft^2)

2 Space Between Buildings Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.66 m (12.0 ft) of clear and unoccupied space shall be provided between each rentable unit and any other building on the site.

3 Driveways Each rentable unit shall face onto or abut a driveway not less than 6.1 m (20 ft) in width and shall have unobstructed access thereto.

4 Entrances and Exits Not more than one (1) motor vehicle entrance and one motor vehicle exit to a road or highway, each a minimum width of 7.62 m (25.0 ft) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.14 m (30.0 ft) in width.

5 Maintenance of Site and Buildings and Business The owner, tenant, operator or person in charge of a motel or hotel shall at all times:

a. Maintain the site and the buildings, structure and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris.

b. Maintain refuse and/or incineration facilities to the satisfaction of the Development Authority.

c. Maintain an appropriate fence where required, no less than 2.0 m (6.6 ft) in height around the boundaries of the site and shall landscape and keep the site landscaped, to the satisfaction of the Development Authority.

8.18 MOVED-IN BUILDINGS

1 Except as otherwise provided for in this Bylaw, no person shall relocate a building or structure or portion thereof, onto a site without first obtaining a development permit for the moved-in building or structure. The moved-in building or structure shall comply with the appropriate district regulations.

2 Excepting a new manufactured home, a new modular home or a portable accessory building, such as a grain bin, a moved-in building or structure shall be considered a Discretionary Use in all districts.

3 To assist in the assessment of the compatibility of a moved-in building with surrounding development and in addition to the requirements of Section 3.2 of the Land Use Bylaw, a development permit application for a relocated building shall include:

a. recent colour photographs showing all sides of the building;

b. a statement of the age, size and structural condition of the building; and

c. a statement of any proposed improvements to the building, including a description of:

i. the colour, texture and/or finish applied to exterior surfaces; and

ii. a description of proposed landscaped areas.

4 Any renovations or improvements required to ensure that the relocated building or structure complies with this bylaw shall be listed as conditions of the development permit and such conditions shall be completed to the satisfaction of the Development Authority within one year of the date issuance of the permit.

5 Where a development permit has been granted for a moved-in building, the Development Authority may require the applicant to provide a letter of credit or some other form of security, of such amount to ensure completion of any renovations or site improvements set out as a condition of approval of a development permit.

6 Where a development permit has been issued pursuant to Section 3, the Development Authority may, as a condition of the development permit, require the developer to provide a security deposit for any maintenance, repairs or improvements associated with the building relocation or for repair of roads, sidewalks or boulevards that may be caused by the relocation.

8.19 NATURAL RESOURCE EXTRACTION INDUSTRIES

1 A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or a mineral extraction operation until:

a. any necessary reclamation plan and permit/license is approved by the Provincial Government including (where required) *Water Act* (as amended or replaced) approvals and approvals from Alberta Transportation; and

b. clearance has been given from Alberta Culture and Tourism Historic Resources Branch.

2 The proponent for commercial natural resource extraction development shall be required to submit to the County a survey prepared by a qualified professional that identifies the total working area of an extraction site. If the site (taking into consideration expansions to the preliminary working area boundary) is or would be larger than 5.0 ha (12.3 ac), the applicant must comply with the requirements for the provincial approval of a Class I pit.

3 Resource processing shall be handled as a form of industrial development and be subject to the appropriate industrial regulations within this Bylaw.

4 In considering whether or not to approve a natural resource extraction development the Development Authority shall have due regard for:

a. the general purpose of the district;

b. the future use of the site as proposed in a reclamation plan;

c. the provisions of the Municipal Development Plan and any relevant statutory plan;

d. the proximity of residential uses and impact on the community;

e. hours of operation;

f. considerations of operation and approval from Alberta Environment and Parks;

g. conservation and replacement of topsoil for future agricultural use, planting of desirable plant species to suppress invasive plant species and the proposed weed management plan for the disturbed area;

h. conservation of historic resources;

i. conservation of trees and maintenance of habitat;

j. conservation of environmentally significant areas;

k. conservation of watercourses, waterbodies and wetlands; and/or

l. potential impacts (if applicable) on adjacent municipalities.

5 Where not required to do so by the Province, the proponent of a natural resource extraction industry may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed.

6 A disturbed area shall be reclaimed to:

a. at least its former capability for agriculture; or

b. any other use which, in the opinion of the Development Authority, will be beneficial to the County.

7 The following conditions of approval shall be included when processing an application for a natural resource extraction industry:

a. enter into a Multi Load Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;

b. payment of a Community Aggregate Payment Levy as outlined by bylaw;

c. limitation of hours of operation;

d. limitation of hours for hauling; and

e. post signage to alert to the possible danger from open pits, etc. Signs must include the company name and emergency contact phone numbers.

8 The following conditions of approval may be included when processing an application for a natural resource extraction industry:

a. that the proponent enter into and comply with a development agreement which shall be registered against the title of the effected lot (where applicable);

b. posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers; and

c. methods of minimizing noise in relation to the activities of the operation.

9 No new aggregate extraction or expansion of an existing operation shall be located within 20.1 m (66.9 ft) of a public road unless a variance to this setback has been granted by the Development Authority.

10 Aggregate extraction developments shall include a 10.0 m (32.8 ft) "no disturbance area" on all perimeter boundaries.

11 Aggregate extraction developments shall maintain existing stands of trees and shrubbery on the periphery of the development area for environmental and sound attenuation purposes.

12 Aggregate extraction developments shall be securely gated and locked when not in use.

13 Aggregate extraction developments shall institute and maintain weed control measures for the duration of the development. The applicant shall consult with Flagstaff County's Agricultural Services to develop and implement an active weed control program for the aggregate development site.

14 Aggregate extraction developments shall provide onsite parking to the satisfaction of the Development Authority.

15 The development area shall be kept in a clean, tidy and orderly fashion, free from rubbish and non-aggregate debris to the satisfaction of the Development Authority;

16 Excavation pits associated with aggregate extraction developments shall maintain a 3:1 slope after processing.

17 The removal and transportation of aggregate resources from an aggregate development location shall only take place within the hours specified within the conditions of the development permit.

18 The hours of operation for the aggregate development, including excavation, reclamation and processing of materials, may be established by the Development Authority as a condition of approval. In establishing hours of operation, the Development Authority will have regard for adjacent land uses, developments and impacts on local area residents.

19 Buffering measures shall be required to ensure that dust and noise are prevented from becoming an annoyance to neighbouring landowners as a result of on-site activity or hauling activities.

20 All resource extraction developments shall ensure compliance with *Environmental Protection & Enhancement Act* (as amended or replaced) requirements including those requirements to control dust and air quality.

21 The County will discourage residential, commercial or industrial development within known commercial deposits of sand and gravel or other mineral resources if that development will prevent the future extraction of the resource.

8.20 PET KEEPING, LIVESTOCK AND KENNELS

1 A maximum of three (3) adult dogs shall be allowed per dwelling unit.

2 The total number of domestic pets per dwelling unit in the hamlets shall not exceed four (4), of which not more than three (3) shall be adult dogs.

3 The total number of domestic pets per dwelling unit in the Multi-Lot Country Residential (MCR) district shall not exceed five (5), of which not more than three (3) shall be adult dogs.

4 In determining the number of dogs, pups less than six (6) months of age shall not be included.

5 An exercise area shall be provided for each dog as follows:

a. breeds weighing 16 kg (35 lbs.) or less - at least 2.3 m^2 (24.8 ft^2) per dog; and

b. breeds weighing more than 16 kg (35 lbs.) - at least 4.6 m^2 (49.1 ft^2) per dog.

6 No building or exterior exercise area to be used to accommodate the dogs shall be allowed within 25.0 m (82.0 ft) of any lot line of the lot for which an application is made.

7 All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.8 m (6.0 ft).

8 All dogs in kennels shall be kept within buildings or a fenced area at all times when not leashed.

9 All dog facilities shall be cleaned on a daily basis and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.

10 Pens, rooms, exercise runs and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.

11 A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.

12 All facilities and kennel operations shall be in compliance with the applicable Provincial regulations.

13 Within the residential districts the following regulations shall apply:

a. No livestock shall be kept on a lot less than 1.0 ha (2.5 ac) in area.

b. Notwithstanding Subsection (a), the Development Authority may, at their discretion, allow reasonable numbers of livestock on a lot of less than 1.0 ha (2.5 ac) where this use is compatible with the surrounding land uses.

c. For the purposes of this section, “one livestock animal unit” means the following:

i. 1 horse, donkey, mule or ass (over one year old);

ii. 2 colts up to one year old;

iii. 1 llama, alpaca;

iv. 2 ostrich, emu or other ratite;

v. 1 cow or steer (over one year old); or

vi. 2 calves up to one year old;

vii. 3 pigs;

viii. 15 chickens or ducks, turkeys, pheasants, geese or other similar fowl;

ix. 3 sheep or goats; or

x. 20 rabbits or other similar rodents

d. On parcels equal to or greater than 1.0 ha (2.5 ac) in area, the following livestock animal units shall be allowed in addition to domestic pets in accordance to the following chart:

PARCEL SIZE		ALLOWABLE # OF ANIMAL UNITS
1.0 – 1.21 ha	2.5 – 2.99 ac	1
1.22 – 1.61 ha	3.0 – 3.99 ac	2
1.62 – 2.02 ha	4.0 – 4.99 ac	3
2.03 – 2.42 ha	5.0 – 5.99 ac	4
2.43 – 4.04 ha	6.0 – 9.99 ac	5
4.05 ha or greater	10.0 ac or greater	5*

*plus - the number of animal units permitted for that portion of the parcel in excess of 4.05 ha (10.0 ac). Example: 5.26 ha (13.0 ac) = 5+2=7 total animal units.

e. On parcels smaller than 1.0 ha (2.5 ac) in size, no livestock shall be allowed.

f. The keeping of additional animals shall only be allowed upon development permit approval, in those circumstances considered exceptional or unique by the Development Authority.

g. Offspring dependent on their mothers for nursing are exempt from the regulations of this section. However, if upon weaning the number of animals exceeds the figures provided in the animal/livestock regulations of this district, a development permit for the increase shall be made to the Development Authority. The Development Authority may, at its discretion, allow the additional livestock, giving due regard to the adjoining land uses.

h. The Development Authority will have the absolute authority to determine the number of animal units applicable to any animals not listed in Subsection 8.20.13(c) above.

8.21 RECREATIONAL USES

1 Recreational development may only be allowed to locate on lower capability agricultural land. This restriction may be waived if the Development Authority feels the benefits of the development to the surrounding community justify the use of higher capability agricultural land.

2 Recreational development shall be required to:

a. maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and

b. install, when necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

8.22 RECREATIONAL VEHICLES & PARK MODELS

1 Recreational vehicles are not considered as dwellings.

2 The year-round placement or storage of one (1) recreational vehicle on a parcel in the Multi-Lot Country Residential (MCR) and Hamlet General (HG) Districts may be allowed on a developed lot without a development permit.

3 The year-round placement of a maximum of three (3) recreational vehicles on a parcel in the Agricultural (A), Agricultural Small Holdings (A1), Highway Commercial (HC), Industrial (I), and Rural Industrial (RI) Districts shall be allowed without a development permit.

4 Notwithstanding Subsections 8.22.1 & 8.22.2 above, a development permit may be approved, at the discretion of the Development Authority, for up to one (1) additional recreational vehicle on a lot an annual basis.

5 Additional recreational vehicles shall be permitted within the Agricultural (A), Agricultural Small Holdings (A1), Highway Commercial (HC), Industrial (I) and Rural Industrial (RI) Districts for a maximum of fourteen (14) consecutive days.

6 No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply, or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle campground.

7 No recreational vehicles shall be located on a lot in the Multi-lot Country Residential (MCR) and Hamlet General (HG) Districts until a habitable dwelling has been constructed on site.

8 Notwithstanding Subsection 8.22.6 the Development Authority may issue a temporary development permit for the storage of one recreational vehicle on a lot in the Multi-Lot Country Residential (MCR) and Hamlet General (HG) Districts for a period not to exceed one year if a development permit has previously been issued for a single detached dwelling on the lot and the singe detached dwelling is under construction.

9 Notwithstanding any other provision in this section, in the Agricultural (A) District, Agricultural Small Holdings (A1), and Highway Commercial Districts tent trailers and truck campers stored on a lot shall be allowed without a development permit and shall not be included in the maximum RV density calculation.

10 Notwithstanding Subsection 8.22.1, if a park model meets *Alberta Building Code* (ABC) standards for a single detached dwelling then it will be considered a single detached dwelling and not a park model and Section 8.22 (this section) shall not apply.

8.23 RECREATIONAL VEHICLE CAMPGROUNDS

1 All recreational vehicle campgrounds (lots with four (4) or more recreational vehicles not including recreational vehicle storage facilities) shall satisfy the following requirements:

a. Development of roads, facilities and recreational vehicle sites shall occupy no more than two-thirds of the proposed site, leaving a minimum of one third of the site in its natural state (or landscaping one-third to the satisfaction of the Development Authority).

b. Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

c. Where the campground directly adjoins a residential area, adequate screening or fencing shall be provided, to the satisfaction of the Development Authority.

d. A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.

e. An adequate potable water supply and sewage disposal facilities shall be provided, in accordance with Provincial regulations and/or the *Safety Codes Act*, as applicable.

f. A portion of the campsites should be serviced by electrical, water or sewage disposal hook-ups.

g. On recreational vehicle campgrounds located next to a lake, if boat launching and swimming facilities are not provided, alternative locations for same should be indicated on a map or sign on the site.

h. The entire site design shall be at the discretion of the Development Authority.

2 No recreational vehicle, whether located within a recreational vehicle campground or on a lot, may have associated with it any more than two (2) accessory structures, buildings or other paraphernalia, in addition to fences, benches, fire pits and picnic tables. A small shed with a maximum size of 18.58 m^2 (200 ft^2) and a screened or roofed patio around or beside the recreational vehicle is permitted.

3 Except for a recreational vehicle on a lot, the total gross floor area or ground area covered by all accessory structures, buildings or other paraphernalia other than those indicated in Subsection 8.23.2 shall not exceed 50% of the area of the lot.

8.24 RESIDENTIAL USES

1 Unless otherwise specified in an Area Structure Plan, multi-lot country residential development within 1.6 km (1 mi) of a water body shall comply with the following requirements:

a. residential development shall not be allowed within 30.0 m (98.0 ft) of the top of the bank of a lake or river;

b. the required development setback from the flood fringe of a wetland shall be determined by the development authority based on the information provided in the wetland assessment that shall be submitted with the application for development permit approval;

c. the clearing of vegetation and disturbance of riparian areas shall be minimized; and

d. pit toilets shall not be allowed.

2 In multi-lot country residential developments, the developer shall:

a. clear and post walkways;

b. construct satisfactory boat launching facilities (where applicable); and

c. ensure the provision of potable water;

3 In all districts where residential uses are permitted or discretionary, residential development shall not be allowed on land having critical development constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal and permanent residential development. Residential uses shall not be permitted:

a. on slopes in excess of 15%, except where a geotechnical report prepared by a certified engineer which identifies any slope stability issues and mitigation requirements is provided to the satisfaction of the Development Authority;

b. within the 1 to 100-year flood plain of any watercourse of waterbody;

c. within 1.6 km (1 mi) from the boundary of a parcel of land containing resource extraction operation, industry, a sewage lagoon, nuisance ground or other activities potentially detrimental to a residential development; or

d. within 0.8 km (0.5 mi) of a rail line unless a physical barrier, natural or manmade, is located or constructed between the proposed residential site and rail line.

4 Subdivision for multi-lot country residential purposes shall be prohibited:

a. on sites where adequate year-round access is not available by either a paved or gravelled all-weather road in good condition;

b. the proposal is located on lower capability agricultural land and/or the applicant has demonstrated that efforts, the satisfaction of the Subdivision Authority, have been made to minimize and mitigate negative impacts on the agricultural capability of the adjacent lands resulting from the subdivision;

c. on sites where necessary services are not provided at the sole expense of the developer; and

d. within 30.0 m (100.0 ft) of a lake or river and/or the identified floodplain of the lake or river (whichever is greater). If the developer disputes the required setback then the developer may provide the Subdivision Authority with a slope stability assessment or geotechnical study which identifies: the 1-100-year flood levels, flood fringe areas and factors of slope stability and safety (where required). If the study indicates that an alternative setback area is appropriate for the subject site, then the Subdivision Authority will carefully consider the additional information and make a determination regarding the most appropriate setback area for the site.

5 Development permits for residential uses within the Multi-Lot Country Residential (MCR) district shall not be issued unless:

a. a plan of survey affecting the site has been registered at Land Titles;

b. the proposal has access to an all-weather loose surface road within 1.6 km (1 mi) and/or a paved road within 8 km (5 mi) of the proposal;

c. the site has an adequate supply of on-site potable water;

d. the slope, soil drainage and water table conditions are suitable for on-site disposal;

e. a suitable building site for a dwelling on a permanent foundation exists.

6 All development shall be located on lots large enough to support on-site water supply and sewage disposal systems. All developments shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.

7 Any proposed facilities such as: change houses, sewage disposal systems, garbage disposal facilities and on-site water supply and distribution systems shall be required to have approval from authorities having jurisdiction and shall be sufficient in size and quality to handle the anticipated use.

8 The clearing of vegetation shall be minimized.

9 Any person who proposes to alter the bed or shoreline of a water body or water course must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high-water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high-water level of a lake will generally not be permitted.

10 Where there is an approved Area Structure Plan or Intermunicipal Development Plan, policies in that Plan shall apply.

8.25 SEA CANS

1 The permanent placement of a sea can or shipping container shall not be allowed on a lot within the Multi-Lot Country Residential (MCR) District or on a residential use lot in the Hamlet General (HG) District.

2 Notwithstanding Subsection 8.25.1, the placement of a maximum of one (1) sea can may be allowed temporarily on a lot within the Multi-Lot Country Residential (MCR) District or on a residential use lot in the Hamlet General (HG) District, at the discretion of the Development Authority, during the construction phase of a permitted or discretionary use for which an approved development permit has been issued, with the condition that within 30 days of:

a. the completion of construction; and/or

b. occupancy being permitted within the new development; and/or

c. the temporary permit expiring;

the sea can must be removed from the site to the satisfaction of the Development Authority.

3 The maximum number of sea cans allowed on an agricultural, commercial, institutional or industrial use parcel shall be at the sole discretion of the Development Authority.

4 Sea cans cannot be stacked. The maximum height for a sea can allowed on any parcel is 3.0 m (9.8 ft).

5 No human or animal habitation shall be allowed within a sea can.

6 Sea cans or shipping containers shall not be placed on any lot without a development permit.

7 Sea cans or shipping containers shall only be allowed in the Hamlet General (HG) for commercial uses only, and Hamlet Industrial (HI) Districts where there is an existing main use or building on the site.

8 The exterior finish of a sea can or shipping container in the Hamlet General (HG) district for commercial use must be consistent with the finish of the primary building on the lot.

8.26 SERVICE STATIONS (INCLUDING GAS BARS)

1 Service stations or gas bars shall be developed in such a manner that:

a. no entrance or exit thereto for motor vehicles shall be located within 60.0 m (197.0 ft) of an entrance to or exit from a school, playground, church or other similar public or quasi-public institutions,

b. no part of any building or any pump or other accessory building, structure or use shall be located within 6.1 m (20 ft) of a side or rear line,

c. there shall be a front yard of not less than 60.0 m (197.0 ft), provided, however, that gasoline pumps may be located as little as 35.0 m (115.0 ft) from the front line,

d. all fuel storage tanks shall be set back from adjacent buildings in accordance with regulations passed pursuant to the Alberta Fire Code,

e. all developments adjacent to a Highway conform to Sections 7.4 and 7.18 of this Bylaw.

f. Site Area and Coverage

i. The minimum site area shall be 743.2 m^2 (8,000.0 ft^2) and the maximum building coverage shall be 25% of the site area. For service stations or gas bars that include a car wash, the minimum site area shall be 1,114.8 m^2 (12,000.0 ft^2).

ii. Where a service station or gas bar forms part of a shopping centre or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

g. Site and Building Requirements

i. All parts of the site to which vehicles may have access shall have the surface completed to the satisfaction of the Development Authority.

ii. No activity may be carried on which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.

iii. The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

8.27 SIGNS

1 No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.

2 Notwithstanding the generality of Subsection 8.27.1 above, the following signs may be erected on land or affixed to the exterior surface of a building or structure without a development permit provided that no such sign shall be illuminated and further provided that any necessary permits have been obtained in accordance with the *Highway Development Control Regulations*:

a. signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade or relating to an institution of a religious, educational, cultural, recreational or similar character or to a residential hotel, apartment block, club or similar institution, not exceeding 1.5 m^2 (16.0 ft^2) and shall be limited to one (1) sign per parcel of land;

b. temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political or similar character not exceeding 3.0 m^2 (32.0 ft^2) provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisement relates;

c. advertisements or signs in relation to the function of Local Authorities, Utility Boards or other public or quasi-public bodies.

3 No signs or advertising structures other than those specified above shall be allowed in the Multi-Lot Country Residential (MCR) District or on residential use lots in the Hamlet General (HG) District other than those signs provided for in Section 8.11.

4 No sign shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.

5 All signs must be maintained in a satisfactory manner or notice will be served to perform necessary repairs or remove the sign(s) within thirty (30) days.

8.28 SMALL RADIO COMMUNICATIONS FACILITIES

1 A Small Radio Communications Facility, where allowed under this Bylaw, shall require an application for a development permit and may be approved provided that the structure and apparatus:

a. be camouflaged and as far as possible, have the appearance and aesthetic of other buildings permitted in the District;

b. meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Authority;

c. be limited to a maximum height of 15.0 m (49.2 ft) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;

d. be a free-standing, ground-mounted unit;

e. notwithstanding (e) above, a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 15.0 m (49.2 ft) from the typical ground surface to its highest point;

f. be located in a rear yard only;

g. not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device; and

h. be landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Authority may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Authority, such measures would reduce potential negative visual impact of the structure on adjacent properties.

2 All Small Radio Communications Facilities shall have landscaping that reflects the typical landscaping in the District.

3 The development of all Small Radio Communications Facilities shall follow the regulations of Industry Canada including public consultation as required.

8.29 SOLAR ENERGY COLLECTION SYSTEMS & SOLAR FARMS

1 No development permit shall be issued for any development on a residential lot which would significantly reduce the amount of sunlight falling on any solar radiation collector system which forms part of a building and which is complete or under construction at the time of application for the permit.

2 Ground mounted solar collectors in Hamlet General (HG) District shall be located in a side or rear yard only. This provision does not apply to solar farms which may not have a main building associated with the installation.

3 Large scale commercial solar farms shall require buffering and screening to the satisfaction of the Development Authority.

4 For the purposes of setbacks, any large scale solar farm structure will be treated the same as a main building in the County's Agricultural (A) District regulations in the LUB.

8.30 SOUR GAS FACILITIES

1 The Subdivision Authority shall send a copy of a subdivision application and the Development Authority shall send a copy of a development application for a development that results in a permanent dwelling, public facility or unrestricted country residential development, as defined by the AER, to the AER if any of the land that is subject to the application is within 1.5 km (0.93 mi) of a sour gas facility or a lesser distance agreed to, in writing, by the AER and the Subdivision Authority.

2 Setbacks from sour gas facilities shall be in accordance with Provincial legislation and regulations.

8.31 SUITES, GARAGE

1 A garage suite shall be restricted to a lot occupied by a single detached dwelling or manufactured home.

2 Notwithstanding any other provision in this section, a garage suite may be allowed prior to the construction of a single detached dwelling or placement of a manufactured home on parcels within the Agricultural (A), Agricultural Small Holdings (A1) and Highway Commercial (HC) Districts.

3 A garage suite shall not be constructed on a lot with a Duplex, Row housing or Apartment housing.

4 A maximum of one (1) garage suite, guest house, in-law suite, secondary suite or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.

5 A garage suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m^2 (860.0 ft^2).

6 The minimum floor area for an at-grade garage suite is 30.0 m^2 (322.9 ft^2).

7 The minimum floor area for an above-grade garage suite is 30.0 m^2 (322.9 ft^2).

8 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.

9 A garage suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220-volt wiring and toilet and bathing facilities.

10 A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.

11 The maximum height of a garage suite shall not exceed 10.7 m (35.0 ft) provided that the maximum height is not higher than the height of the main dwelling.

12 A minimum of three (3) on-site parking spaces shall be required for lots with approved garage suite developments. This includes 2 parking stalls for the primary dwelling and one for the suite). Tandem parking may be permitted at the discretion of the Development Authority.

13 No additional approach will be permitted to provide access or egress to the suite.

8.32 SUITES, GUEST HOUSE

1 A maximum of one (1) garage suite, guest house, in-law suite, secondary suite or surveillance suite may be situated on a lot in districts where the use is provided for as permitted or discretionary.

2 A guest house shall only be allowed on a lot occupied by a single detached dwelling.

3 A guest house shall not be constructed on a lot with a duplex, fourplex, row housing or apartment.

4 If a permit for a guest house is approved by the Development Authority then no additional garage suite, in-law suite or secondary suite shall be allowed on the same lot.

5 Notwithstanding any other provisions in this Bylaw, a guest house shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.

6 The exterior finish of a guest house must be well maintained and consistent with the finish of the primary building.

7 A guest house includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220-volt wiring) and toilet with bathing facilities.

8 The minimum floor area for a guest house shall be 30.0 m^2 (322.9 ft^2).

9 A guest house shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m^2 (860.0 ft^2) in floor area.

10 Guest houses shall not exceed a maximum height of one story or 4.3 m (14.1 ft).

11 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.

12 A minimum of three (3) on-site parking spaces shall be required for lots with approved guest house developments. This includes 2 parking stalls for the primary dwelling and one for the house). Tandem parking may be permitted at the discretion of the Development Authority.

13 Windows contained within a guest house shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:

   a. off-setting window placement to limit direct views of abutting rear or side yard amenity areas or direct view into a guest house window on an abutting site;

   b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

   c. placing larger windows such as living room windows, to face a lane, a flanking street or the larger of any side yard abutting another property.

14 A guest house shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

15 No additional approach will be permitted to provide access or egress to the guest house.

8.33 SUITES, IN-LAW

1 An in-law suite shall be restricted to a site occupied by a single detached dwelling or a duplex.

2 An in-law suite is prohibited from being constructed within a multi-attached dwelling or apartment.

3 A maximum of one (1) garage suite, guest house, in-law suite, secondary suite or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.

4 An in-law suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m^2 (860.0 ft^2).

5 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.

6 An in-law suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220-volt wiring and toilet with bathing facilities.

7 An in-law suite does not have an entrance separate from the entrance to the main dwelling.

8 The minimum floor area for an in-law suite is 30.0 m^2 (322.9 ft^2).

9 The minimum lot width requirement for in-law suites is 12.2 m (40.0 ft).

10 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.

11 A minimum of three (3) on-site parking spaces shall be required for lots with approved in-law suite developments. This includes 2 parking stalls for the primary dwelling and one for the suite). Tandem parking may be permitted at the discretion of the Development Authority.

12 No additional approach will be permitted to provide access or egress to the suite.

8.34 SUITES, SECONDARY

1 A secondary suite shall be restricted to a site occupied by a single detached dwelling or a duplex.

2 A secondary suite shall not be constructed within Row housing or Apartment housing.

3 A maximum of one (1) garage suite, guest house, in-law suite, secondary suite or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.

4 A secondary suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m^2 (860.1 ft^2).

5 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.

6 A secondary suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220-volt wiring and toilet with bathing facilities.

7 A secondary suite has an entrance separate from the entrance to the main dwelling, either from a common indoor landing or directly from the exterior of the structure.

8 A secondary suite may include the conversion of a portion of existing space in the main dwelling or the addition of new floor space to an existing dwelling.

9 The minimum parcel size for a secondary suite is 360.0 m^2 (3875.0 ft^2).

10 The minimum lot width requirement for secondary suites is 12.2 m (40.0 ft).

11 The minimum floor area for a secondary suite is 30.0 m^2 (322.9 ft^2).

12 A secondary suite cannot exceed the maximum height of the main dwelling.

13 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.

14 A minimum of three (3) on-site parking spaces shall be required for lots with approved secondary suite developments. This includes 2 parking stalls for the primary dwelling and one for the suite). Tandem parking may be permitted at the discretion of the Development Authority.

15 No additional approach will be permitted to provide access or egress to the suite.

8.35 SUITES, SURVEILLANCE

1 The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:

a. A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the main use of the subject parcel. Moreover, in the opinion of the Development Authority, the placement of a surveillance suite shall be compatible with all existing, main development/land uses on adjacent properties and shall not interfere with future main development/land uses of adjacent properties.

b. Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one surveillance suite per associated development or parcel.

c. Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district within which the subject parcel is located or in accordance with the following requirements, whichever are greater:

i. a minimum of 1.8 m (6.0 ft) from any buildings; and

ii. a minimum of 1.8 m (6.0 ft) from the rear and side property lines; and

iii. no closer than the front line of the main building to the front property line.

d. The maximum floor area of any surveillance suite, as defined in this Bylaw, shall be 46.6 m^2 (500.0 ft^2).

e. The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

8.36 VEHICLE WASHING ESTABLISHMENT

1 A person applying to develop a site as a car washing establishment where allowed under this Bylaw shall comply with the following provisions of this section.

2 Site Location

a. In addition to those Districts where vehicle washing establishments are permitted or discretionary, a vehicle washing establishment may be allowed as a discretionary use as part of a shopping centre if the Development Officer is satisfied that it will not adversely affect an adjoining land use or the function for the shopping centre in relation to traffic circulation.

3 Site Area

a. The minimum site area shall be 557.4 m^2 (6,000.0 ft^2) and shall contain storage space for ten (10) vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes, a minimum site area shall be 111.5 m^2 (12,000.0 ft^2).

4 Site and Building Requirements

a. All site and building requirements shall be to the satisfaction of the Development Authority.

8.37 WIND ENERGY CONVERSION SYSTEMS, COMMERCIAL

1 When considering an application for a commercial wind energy conversion system, the Development Authority must have regard for:

a. comments received from an adjacent municipality, should the proposed development be located within 2.0 km (1.2 mi) of the municipality;

b. comments received from landowners within 2.0 km (1.2 mi) of the proposed development;

c. the total number of proposed wind conversion system towers;

d. the overall density of the commercial wind energy conversion system and/or site specific densities if density varies within the commercial wind energy conversion system;

e. the proximity of the proposed wind conversion system towers to all adjacent land uses;

f. the findings and results of public consultation program(s); and

g. a review and evaluation of the way in which the proposed wind conversion system towers in a commercial wind energy conversion system will relate to adjacent and other land uses in the area to determine the overall compatibility of the proposed commercial wind energy

conversion system, and if deemed necessary by the Development Authority, the compatibility of individual wind conversion system towers within the proposed commercial wind energy conversion system.

2 Should a developer propose an alteration, re-tooling or re-powering of an existing commercial wind energy conversion system where the equipment has materially changed from the original approval, the developer shall apply for a new development permit.

3 The applicant shall be required to undertake community consultation within 2.0 km (1.2 mi) of the subject property, including the proposed designated haul route for initial construction prior to and submitted as part of the Development Permit, to the satisfaction of the Development Authority.

4 Design and Appearance

a. The maximum density of wind conversion system towers in a commercial wind energy conversion system shall be eight (8) per section of land, or two (2) towers per quarter section of land. A commercial wind energy conversion system that requires a higher density will be required to apply for an amendment to the Bylaw to achieve a higher standard.

b. The Development Authority may approve a development permit application that clusters the allowed density on one quarter section or parcel of land, providing the maximum density allowed is not exceeded.

The Development Authority may do this to meet the developer's needs with respect to the topography of the subject lands and the optimum location of the wind conversion system towers with respect to the prevailing winds and/or to address the concerns of adjacent land uses, if identified through the public consultation process.

c. Subject to any federal and/or provincial regulatory requirements, the wind conversion system shall have a non-reflective matte finish in a non-obtrusive and/or neutral colour, to the satisfaction of the Development Authority.

d. A wind turbine tower may not contain any commercial advertising. The turbine may display only the name or logo of the manufacturer, owner, and/or operator, and then only upon the approval and at the sole discretion of the Development Authority.

e. All power lines installed on the wind energy conversion system site to transfer wind energy converted to power to be transferred to the grid shall be installed below grade, unless otherwise approved by the Development Authority.

f. The maximum decibel A-weighting (dBA) from outside any receptor building at any wind speed shall not exceed 35 dBA.

g. A wind turbine should not be provided with artificial lighting except for lighting that is required to meet federal or provincial regulations, and to provide safe operating conditions for maintenance and repair work. Onsite lighting shall be shielded from adjacent parcels.

h. The total turbine height must not exceed the height recommended by the manufacturer, distributor or a qualified engineer.

i. Onsite signage will be limited to those that identify the wind power facility, locate access points, and provide safety and operational information.

j. There will be no storage or maintenance on site of any goods, materials, or equipment not directly related to the proposed wind turbine after construction completion.

5 Access and Security

a. To avoid improper access and use, and to ensure public safety, the Development Authority will require for each commercial wind energy conversion system approved under a development permit:

i. a secure fence not less than 1.8 m (5.9 ft) in height with a lockable gate surrounding a wind conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;

ii. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft) from grade;

iii. a locked device be installed on the tower to preclude access to the top of the tower; and

iv. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate. That all equipment necessary for monitoring and operating a commercial wind turbine be contained within the tubular tower.

6 Siting and Setbacks

REQUIREMENTS	DISTANCE
Minimum setback from a property line	Blade length plus 30 m (98.4 ft)
Minimum setback from a waterbody	30 m (98.4 ft), or as identified by Alberta Environment
Minimum setback from a road right-of-way	Blade length plus 30 m (98.4 ft)
Minimum setback from a Provincial Highway	Per Alberta Transportation
Minimum setback from an adjacent wind turbine	Blade length plus 10 m (32.8 ft)
Minimum blade clearance above grade	7.4 m (24.6 ft)
Minimum setback from a habitable building	750 m (2460 ft)
Minimum setback from a non-habitable building	At the discretion of the Development Authority

7 Decommissioning and Reclamation

a. Upon abandonment or termination of the use, the entire development shall be removed and the site shall be decommissioned and reclaimed to its predevelopment condition as per the Alberta Utility Commission's requirements, and as stated in the Development Permit.

b. Should a large wind energy conversion system discontinue producing power for a minimum of three (3) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that

the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw and subject to the enforcement provisions of this Bylaw.

8.38 WIND ENERGY CONVERSION SYSTEMS, LARGE

1 Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:

a. any adjacent municipality should the proposed development be located within 2.0 km (1.2 mi) of the municipality; and

b. landowners within 2.0 km (1.2 mi) of the proposed development.

2 When making an application for a development permit for a Large Wind Energy Conversion System, the developer shall provide to the Development Authority appropriate reports and/or approvals from the following:

a. Transport Canada

b. Nav Canada

c. Alberta Culture and Tourism

d. Alberta Environment and Parks

e. Alberta Transportation

3 Should a large wind energy conversion system discontinue producing power for a minimum of three (3) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw and subject to the enforcement provisions of this Bylaw.

4 A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.

5 Where, in the opinion of the Development Authority, the setbacks referred to in Section 8.38.6 are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.

6 The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.

7 The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

8 To ensure public safety, the Development Authority may require that:

a. a secure fence not less than 1.8 m (5.9 ft) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;

b. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft) from grade;

c. a locked device be installed on the tower to preclude access to the top of the tower; and

d. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

9 All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

10 Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.

11 No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.

12 The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:

a. information provided in the application;

b. the proximity of the proposed development to other land uses;

c. the cumulative effect of all wind energy conversion systems approved or proposed in the area;

d. underlying utilities; and

e. information received from the circulation of the application and from the public.

13 Large wind energy conversion systems must comply with applicable air traffic safety regulations. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process.

8.39 WIND ENERGY CONVERSION SYSTEMS, MICRO

1 Notwithstanding any other provision in this Land Use Bylaw, micro wind energy conversion systems, which are systems which have a rated capacity of less than 0.5 kW, may only be roof-mounted or ground-mounted within a side or rear yard.

2 Micro wind energy conversion systems shall be required to conform to setback requirements for accessory buildings.

3 Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.

4 One micro wind energy conversion system is allowed per lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

8.40 WIND ENERGY CONVERSION SYSTEMS, SMALL

1 Small wind energy conversion systems shall only be allowed as accessory developments.

2 For property sizes between 0.1 ha (0.25 ac) and 0.2 ha (0.5 ac) the wind turbine tower height shall be limited to 25.0 m (82.0 ft). For property sizes of 0.2 ha (0.5 ac) or more, there is no limitation on wind turbine tower height, subject to the set-back requirements below and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

3 The turbine base shall be no closer to the property line than the height of the wind turbine tower and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

4 The mean value of the sound pressure level from small wind energy conversion systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except during short-term events such as utility outages and/or severe wind storms.

5 Development permit applications for small wind energy conversion systems shall be accompanied by standard drawings (to scale) of the wind turbine structure, including the tower, base, footings, and anchoring method. An engineering analysis of the wind turbine tower showing compliance with the *Alberta Building Code* and certified by a licensed professional mechanical, structural or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.

6 Small wind energy conversion systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Nav Canada.

7 No small wind energy conversion system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not

capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

8 One small wind energy conversion system is allowed per single detached dwelling on a lot.

8.41 WIRELESS COMMUNICATIONS FACILITIES

1 Wireless communications facilities area not regulated within the Flagstaff County Land Use Bylaw. The approval process for a wireless communications facility is outlined in the County's *Wireless Communications Facility Policy.*

8.42 WORKCAMPS

1 All workcamps shall be considered temporary developments.

2 All workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.

3 No development permit for a workcamp shall be approved unless:

a. it is for a temporary period of time as specified by the Development Authority;

b. all required access provisions are provided to the satisfaction of the Development Authority and Alberta Transportation (where required) at the sole cost to the developer;

c. the developer provides undertakings and guarantees acceptable to the Development Authority that the workcamp will be removed and the subject site remediated to its pre-development state with landscaping to the satisfaction of the Development Authority; and

d. the workcamp is accessory to an approved industrial or commercial development for construction employees and located on the site of the approved industrial or commercial development.

4 The Development Authority may establish whatever conditions for the approval of a work camp or a temporary work camp that, at its sole discretion, deems reasonable to ensure that the workcamp will be a temporary development.

5 Workcamps shall not be allowed in close proximity to residential developments.

6 All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority.

7 The maximum parcel coverage shall be at the discretion of the Development Authority. Site design must ensure sufficient areas to accommodate:

a. required parking, loading and vehicle circulation;

b. the applicable required development setbacks; and

c. required landscaping and buffering as determined by the Development Authority.

8 Adjacent buildings within work camp developments shall be located a sufficient distance from each other as required for fire protection purposes as determined by the *Alberta Safety Codes Act* (as amended or replaced) and by the Development Officer.

9 Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

9 LAND USE DISTRICT USES & REGULATIONS

9.1 ESTABLISHMENT OF DISTRICTS

1 For the purpose of this Bylaw, Flagstaff County is divided into the following Land Use Districts:

DISTRICT NAME	LABEL
Agricultural District	A
Agricultural Small Holdings District	A1
Multi-Lot Country Residential District	MCR
Highway Commercial District	HC
Industrial District	I
Rural Industrial District	RI
Hamlet General District	HG
Hamlet Industrial District	HI
Hamlet Public District	HP

2 The boundaries of the districts listed in Section 9.1 are as delineated in Section 12 - Land Use District Maps, which is adopted as part of this Bylaw and which may be amended in the same manner as any other part of this Bylaw.

3 Where there is doubt as to the exact boundaries of Districts as shown on the Land Use District Maps, the question shall be decided by Council and a record shall be kept of such decisions.

9.2 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

1 Land Use District regulations shall be as set forth in Section 9 – Land Use District Uses and Regulations.

9.3 AGRICULTURAL (A) DISTRICT

9.3.1 Purpose

The purpose of this District is to allow activities associated with agriculture and to conserve large tracts of agricultural land for agricultural use. Other uses will be considered in this District based on their compatibility with surrounding agricultural operations.

9.3.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Agricultural support service	Abattoir
Agriculture, extensive	Additional Single Detached Dwelling or Manufactured Home in accordance with this Bylaw
Agriculture, intensive	Agri-industry
Apiary*	Agri-tourism
Building and use accessory to permitted use	Airport
Day home	Animal services facility
Dwelling, manufactured home (new)	Auctioneering facility
Dwelling, modular home (new)	Auto wrecking site
Dwelling, single detached	Automotive and equipment maintenance, repair & sales, light
Home occupation, minor*	Bed and breakfast establishment
Horticultural development	Building and use accessory to discretionary use
Public or quasi-public building and use	Campground, recreational vehicle
Public park	Campground, recreational vehicle workcamp
Public utility	Cemetery
Public utility building	Child care facility
Sea can (maximum of 3)	Commercial use that is secondary to an agricultural operation
Small radio communications facility	Contractor service, general
Solar energy collection system	Contractor service, limited
Suite, in-law	Crematorium
Suite, secondary	Dwelling, manufactured home (used)
Wind energy conversion system, micro*	Dwelling, modular home (used)
Wind energy conversion system, small	Dwelling, multi-unit (colony)
	Group care facility
	Guest farm or ranch
	Home occupation, major
	Household repair service (secondary use)
	Indoor recreation services
	Institutional use
	Kennel
	Landfill

	Livestock sales yard
	Natural resource extraction industry
	Place of worship
	Private camp, club or lodge
	Protective and emergency services
	Public education facility
	Recreational lodge or hunting lodge
	Recreational use
	Sea can (4 or more)
	Sign
	Solar farm
	Suite, garage
	Suite, guest house
	Win energy conversion system, commercial
	Wind energy conversion system, large
	Workcamp
	Workcamp, short term
	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

*****Does not require a Development Permit in this district.

9.3.3 Subdivision and Development Regulations

3.1 MINIMUM AND MAXIMUM AREA FOR AGRICULTURAL USE PARCELS	1	Minimum lot area – 32.4 ha (80.0 ac) The parcel size may be reduced to less than 32.4 ha (80.0 ac) under the following circumstances: a. where a subdivision of land has been approved; b. where the original quarter section or the original quarter section less any road widenings or forced roads is less than 64.7 ha (160.0 ac);
	2	Where a parcel has been subdivided from the original quarter section, the minimum area may be not less than 26.3 ha (65.0 ac).
	3	The maximum area for an agricultural use parcel shall be at the discretion of the Subdivision Authority.
3.2 MAXIMUM AREA AND DENSITY OF VACANT COUNTRY RESIDENTIAL USE PARCELS	1	A maximum of one (1) vacant parcel for country residential use will be allowed per quarter section.
	2	The minimum area of a vacant country residential use parcel shall be 0.4 ha (1.0 ac).

	3	The maximum area of a vacant country residential use parcel shall normally be 4.04 ha (10.0 ac).
	4	Where environmental features would make a portion of the proposed vacant residential use parcel unsuitable for development the maximum parcel area may be larger than 4.04 ha (10.0 ac) to include: a. features which, in the opinion of the Subdivision Authority are of marginal agricultural value; b. features that, if excluded may result in the fragmentation of a portion of the proposed remainder parcel; or c. environmentally sensitive lands or conservation lands identified by the County.
3.3 MAXIMUM DENSITY FOR ALL COUNTRY RESIDENTIAL & AGRICULTURAL USE PARCELS	1	A maximum of four (4) parcels may be allowed per quarter section for country residential and agricultural use. These parcels may include the following: a. fragmented parcels; and /or b. a quarter section split, provided that each resultant parcel has a minimum area of 32.4 ha (80.0 ac) less any approved subdivisions; and/or, c. farmstead or developed acreage separations; and/or, d. up to a maximum of one (1) vacant parcel for residential use.
	2	The maximum number of country residential parcels permitted per quarter section shall be dependent on the number of agricultural parcels and fragmented parcels on the subject quarter section. Conversely, the number of allowable agricultural and fragmented parcels shall be dependent on the number of residential parcels on the subject quarter section.
	3	The table and diagram on the following pages presents possible scenarios for achieving the maximum number of allowable agricultural or residential parcels per quarter section.

MAXIMUM # OF FRAGMENTED PARCELS	MAXIMUM # OF AGRICULTURAL USE PARCELS	MAXIMUM # OF RESIDENTIAL USE PARCELS	MAXIMUM # OF PARCELS PER QUARTER SECTION
0	1	3	4
0	2	2	4
1	0	3	4
1	1	2	4
1	2	1	4
2	0	2	4
2	1	1	4
2	2	0	4
3	0	1	4
3	1	0	4
4	0	0	4
0	1	1 parcel greater than 6.06 ha (15.0 ac) in area	2

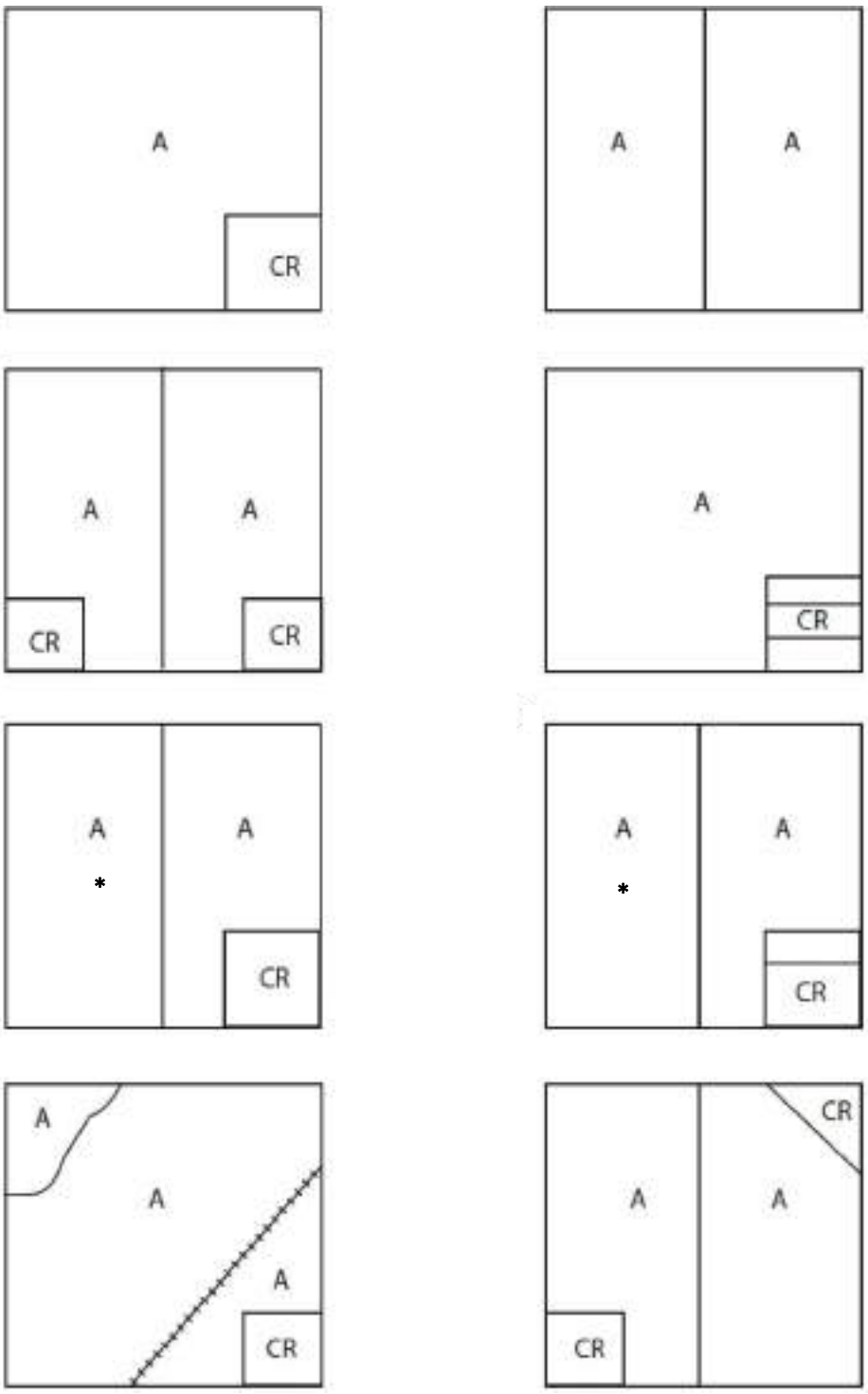


FIGURE 19: COUNTRY RESIDENTIAL & AGRICULTURAL USE SUBDIVISIONS IN THE AGRICULTURAL (A) DISTRICT

* This type of CR use subdivision can only occur if the quarter section has not previously been subdivided into two agricultural parcels.

3.4 MAXIMUM COMBINED AREA OF COUNTRY RESIDENTIAL USE PARCELS PER QUARTER SECTION	1	The total combined area of all country residential use parcels per quarter section shall not exceed 6.1 ha (15.0 ac) in total area per quarter section.
3.5 MINIMUM AND MAXIMUM LOT AREA OF FARMSTEAD SEPARATION SUBDIVISIONS	1	The subdivision of a farmstead or abandoned farmstead for residential purposes shall not be allowed unless the proposed parcel is a minimum of 0.4 ha (1.0 ac) and a maximum of 6.1 ha (15.0 ac) in area.
	2	Notwithstanding Subsections (1) above, where the subdivision is to separate an existing or abandoned farmstead the maximum parcel size may be larger than 6.1 ha (15.0 ac) if it can be demonstrated by the applicant that the additional area is required to include: a. existing shelterbelts; b. wetlands; c. farm buildings; d. private sewage disposal system(s); e. other features which, in the opinion of the Subdivision Authority are of marginal value; f. features that, if excluded may result in the fragmentation of a portion of the proposed remainder parcel; or g. environmentally sensitive lands that are not suitable for development.
	3	For all residential use subdivisions where: a. the site includes an existing private sewage disposal system; or b. the proposed parcel is larger than 6.06 ha (15.0 ac) in area The applicant must submit a Real Property Report or Building Site Certificate at time of subdivision which provides information identified in Subsection 2 to demonstrate to the Subdivision Authority that the site is appropriately sized to accommodate the specific site features.
	4	If a country residential use parcel larger than 6.1 ha (15.0 ac) is subdivided from a quarter section then no further subdivision will be allowed within the quarter section without amendment to the LUB.

3.6 RESIDENTIAL SUBDIVISIONS WITHIN A QUARTER SECTION WITH 2 AG. USE PARCELS	1	If two (2) residential parcels are to be subdivided from a quarter section which has previously been subdivided into two (2) agricultural parcels, then no more than one residential parcel may be subdivided from each agricultural parcel.
3.7 MAXIMUM RESIDENTIAL DENSITY IN A FRAGMENTED PARCEL	1	No more than one (1) parcel for residential use may be subdivided from a fragmented parcel if the fragmentation exceeds 16.2 ha (40.0 ac) in size, in which case only one (1) parcel for residential use may be subdivided from the balance of the quarter section.
	2	The subdivision of a fragmented parcel shall only be allowed if: a. both the balance and fragment have physical access to an improved road; and b. both the balance and fragment contain at least 0.4 ha (1.0 ac) and have a suitable building site.
	3	Where the fragmenting feature is a natural or manmade water course the water course shall remain a part of the larger parcel.
3.8 MAXIMUM DENSITY FOR ALL OTHER USES	1	The maximum density for all other uses shall be at the discretion of the Subdivision Authority who shall have due regard for: a. the amenities of the area; b. anticipated impacts on local, regional and provincial infrastructure; c. potential impacts on the surrounding agricultural area; and d. existing adjacent land uses.
3.9 RESERVES	1	Where the *Act* allows for the provision of Reserves, environmentally sensitive lands that are included in parcels for residential purposes will be taken as Environmental Reserve or Environmental Reserve Easement Lands.
3.10 MINIMUM AREA (ALL OTHER USES)	1	The minimum area for other uses shall be as provided for elsewhere in this Bylaw, in the County's Municipal Development Plan, in any relevant Area Structure Plan or as required by the Development Authority.
3.11 MAXIMUM AREA (OTHER USES)	1	The maximum area for other uses shall be as provided for elsewhere in this Bylaw or in any applicable Area Structure Plan, Intermunicipal Development Plan or as required by the Development Authority.

3.12 MINIMUM YARDS	1	Adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.
	2	Notwithstanding the minimum front, rear and side yards regulations of this District, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figure 17** of this Bylaw shall apply.
3.13 MINIMUM FRONT YARDS	1	From Municipal Road: a. Structures – 40.0 m (131.2 ft) from the front line of the property. b. Shelterbelts – 3.0 m (9.8 ft) from the front line of the property.
	2	Adjacent to a Provincial Highway a. At the discretion of Alberta Transportation
3.14 MINIMUM REAR YARDS	1	Structures – 5.0 m (16.4 ft) or as required by the Development Authority.
	2	Shelterbelts – 3.0 m (9.8 ft) or as required by the Development Authority.
	3	Dugouts – 9.0 m (29.5 ft) or as required by the Development Authority.
3.15 MINIMUM SIDE YARDS	1	Structures – 5.0 m (16.4 ft) or as required by the Development Authority.
	2	Shelterbelts – 3.0 m (9.8 ft) or as required by the Development Authority.
	3	Dugouts – 9.0 m (29.5 ft) or as required by the Development Authority.

9.3.4 Other Regulations

4.1 SITING CONSIDERATIONS FOR RESIDENTIAL PARCELS	1	Residential parcels in the Agricultural District should not be allowed on lands situated closer than: a. such distances from the boundary of land containing an extractive industry, potentially noxious industry and other developments or uses detrimental to residential development as deemed necessary by the County; b. the distances from the boundary of parcels containing a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority; c. the minimum distance separation from the facilities of an approved or proposed confined feeding operation which requires a registration or an approval under the *Agricultural Operation Practices Act*; and d. in the case of sour gas wells, pipelines and ancillary facilities, a distance in conformity with residential

		subdivision restrictions of the Alberta Energy and Utilities Board.
	2	Residential parcels in the Agricultural District shall not normally be allowed: a. within an area likely to be subject to high levels of noise from industry, transportation facilities or other sources; b. in close proximity to a resource extraction operation; c. within a 1 in 100-year flood plain; or d. adjacent to river banks, unless: i. the banks are determined to be stable through a geotechnical analysis of the slope stability by a registered professional engineer; and ii. the landowner/developer takes all responsibility for undertaking any works designed to ensure or enhance stability during the construction period and occupation of the land.
	3	The minimum distance separation figures provided in the regulations approved under the *Agricultural Operation Practices Act* shall be considered in reviewing development permit and subdivision proposals for one family dwellings and manufactured homes within the vicinity of a confined feeding operation.
	4	No development shall be permitted between the banks of any river, stream or natural watercourse.
	5	No development permit for a dwelling shall be issued until all conditions for the provision of roads, ditches, culverts, private sewage disposal and other services which have been imposed by the County or the Subdivision Authority have been fulfilled.

9.4 AGRICULTURAL (A1) SMALL HOLDINGS DISTRICT

9.4.1 Purpose

The general purpose of this District is to provide for agricultural business pursuits that do not require extensive land area in order to reduce the further fragmentation of the County's land base while providing opportunities for a variety of agricultural operations.

9.4.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Agricultural support service	Abattoir
Agriculture, extensive	Additional single detached dwelling, manufactured or modular home in accordance with this Bylaw
Agriculture, intensive	Agri-industry
Apiary*	Agri-tourism
Building and use accessory to permitted use	Airport
Day home	Animal services facility
Dwelling, manufactured home (new)	Auctioneering facility
Dwelling, modular home (new)	Bed and breakfast establishment
Dwelling, single detached	Building and use accessory to discretionary use
Home occupation, minor*	Campground, recreational vehicle
Horticultural development	Cemetery
Public park	Child care facility
Public utility	Commercial use that is secondary to an agricultural operation
Public utility building	Contractor service, general
Sea can (maximum of 3)	Contractor service, limited
Small radio communications facility	Crematorium
Solar energy collection system	Dwelling, manufactured home (used)
Suite, in-law	Dwelling, modular home (used)
Suite, secondary	Dwelling, multi-unit (colony)
Wind energy conversion system, micro*	Group care facility
Wind energy conversion system, small	Guest farm or ranch
	Home occupation, major
	Household repair services
	Institutional use
	Kennel
	Landfill
	Libraries and cultural exhibit
	Livestock sales yard
	Natural resource extraction industry
	Place of worship
	Private camp, club, or lodge
	Protective and emergency services

	Public or quasi-public building and use
	Public education facility
	Recreational use
	Sea can (4 or more)
	Sign
	Solar farm
	Suite, garage
	Suite, guest house
	Wind energy conversion system, large
	Workcamp
	Workcamp, short term
	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

*****Does not require a Development Permit in this District.

9.4.3 Subdivision and Development Regulations

3.1 LOT DENSITY & SUBDIVISION	1	A maximum of two (2) lots may normally be allowed per quarter section. This may include the subdivision of one (1) lot for extensive or intensive agricultural use.
	2	The subdivision of an agricultural use lot shall not be allowed unless the proposed lot is a minimum of 8.1 ha (20.0 ac) and a maximum of 16.2 ha (40.0 ac) in size.
3.2 MIN & MAX LOT AREA (EXTENSIVE & INTENSIVE AGRICULTURE)	1	Maximum size – 16.2 ha (40.0 ac)
	2	Minimum size – 8.1 ha (20.0 ac)
3.3 MIN & MAX LOT AREA (OTHER USES)	1	The minimum lot size for other uses shall be as provided for elsewhere in this Bylaw or in any applicable Area Structure Plan, Intermunicipal Development Plan or as required by the Development Authority.
3.4 MINIMUM YARDS	1	Adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.
	2	Notwithstanding the minimum front, rear and side yards regulations of this District, where there is an intersection or sharp curve, the minimum yard requirements shown on Figure 17 of this Bylaw shall apply.
3.5 MINIMUM FRONT YARDS	1	From Municipal Road a. Structures – 40.0 m (131.2 ft) from the front line of the property. b. Shelterbelts – 3.0 m (9.8 ft) from the front line of the property.
	1	Structures – 5.0 m (16.4 ft) or as required by the Development Authority.

3.6 MINIMUM REAR YARDS	2	Shelterbelts – 3.0 m (9.8 ft) or as required by the Development Authority.
	3	Dugouts – 9.0 m (29.5 ft) or as required by the Development Authority.
3.7 MINIMUM SIDE YARDS	1	Structures – 5.0 m (16.4 ft) or as required by the Development Authority.
	2	Shelterbelts – 3.0 m (9.8 ft) or as required by the Development Authority.
	3	Dugouts – 9.0 m (29.5 ft) or as required by the Development Authority.

9.4.4 Other Regulations

4.1 DEVELOPMENT RESTRICTIONS	1	Lots in the Agricultural (A-1) Small Holdings District should not be allowed on lands situated closer than: a. such distances from the boundary of land containing an extractive industry, potentially noxious industry and other developments or uses detrimental to residential development as deemed necessary by the County; b. the distances from the boundary of lots containing a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority; c. the minimum distance separation from the facilities of an approved or proposed confined feeding operation which requires a registration or an approval under the *Agricultural Operation Practices Act*; and d. in the case of sour gas wells, pipelines and ancillary facilities, a distance in conformity with residential subdivision restrictions of the Alberta Energy and Utilities Board.
	2	As well, lots in the Agricultural (A-1) Small Holdings District shall not normally be allowed: a. within an area likely to be subject to high levels of noise from industry, transportation facilities or other sources; b. in close proximity to a resource extraction operation; c. within a 1 in 100-year flood plain; or d. adjacent to river banks, unless i. the banks are determined to be stable through a geotechnical analysis of the slope stability by a registered professional engineer; and ii. the landowner/developer takes all responsibility for undertaking any works designed to ensure or enhance stability during the construction period and occupation of the land.

4.2 APPLICATION REQUIREMENTS FOR LAND USE RE-DESIGNATION	1 An application for a Land Use Re-designation to the Agricultural (A-1) Small Holdings District shall provide, in addition to other requirements, a Development Concept Plan which includes: a. details of the proposed agricultural business operation (Business Plan) including a detailed site plan of the operation, required land area, expansion possibilities, possible effects on adjacent landowners and land uses, traffic generated, potential nuisance factors and any mitigation measures to reduce the nuisance factors; b. a detailed Site Assessment which indicates the location, character and lot coverage percentage of environmentally sensitive areas and or heritage features; c. the applicable fee established by Council.

9.5 HIGHWAY COMMERCIAL (HC) DISTRICT

9.5.1 Purpose

The purpose of the Highway Commercial (HC) District is to provide a location adjacent to some highways for services to the traveling public.

9.5.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Agricultural support service	Abattoir
Agriculture, extensive	Airport
Agriculture, intensive	Alcohol retail sales
Agri-industry	Amusement establishment
Agri-tourism	Auctioneering facility
Animal services facility	Auto wrecking site
Apiary*	Automotive and recreational vehicles sales/rental establishment, heavy
Automotive and equipment maintenance, repair and sales, light	Bus depot
Bed and breakfast establishment	Buildings or uses accessory to discretionary uses
Building or use accessory to permitted use	Campground, recreational vehicle
Bulk fuel storage and sales	Campground, recreational vehicle workcamp
Business support services establishment	Campground, seasonal recreational vehicle
Cemetery	Cannabis retail sales
Contractor service, general	Child care facility
Contractor service, limited	Drinking establishment
Crematorium	Drive-in business
Day home	Dwelling, manufactured home (new and used)
Funeral service establishment	Dwelling, modular home (new and used)
General retail establishment	Dwelling, single detached
Government services	Eating and drinking establishment
Highway commercial use	Entertainment establishment
Home occupation, major	Equipment rental establishment
Home occupation, minor*	Group care facility
Horticultural development	Guest farm or ranch
Household repair services	Hotel
Indoor recreation services	Industrial use, rural
Libraries and cultural exhibit	Industrial vehicle and equipment sales/rental establishment
Motel	Institutional use
Office use	Kennel
Oilfield support	Livestock sales yard
Personal service shop	Natural resource extraction industry
Place of worship	Private camp, club, or lodge
Protective and emergency services	Public education facility

Public or quasi-public building or use	Recycling depot
Public park	Sea can (4 or more)
Public utility or building	Service station/gas bar
Recreational use	Sign
Rural commercial use	Storage, commercial
Sea can (maximum 3)	Storage, outdoor
Small radio communications facility	Suite, garage
Solar energy collection system	Suite, guest house
Storage, indoor	Suite, surveillance
Suite, in-law	Trucking and cartage establishment
Suite, secondary	Vehicle washing establishment
Wind energy conversion system, micro*	Warehouse sales establishment
Wind energy conversion system, small	Work camp
	Work camp – short term
	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

*Does not require a Development Permit in this District.

9.5.3 Subdivision and Development Regulations

3.1 LOT DENSITY & SUBDIVISION	1	Single Detached Dwellings – shall be the same as in the Agricultural District
	2	For all other uses – shall be as required by the Development Authority
3.2 MINIMUM YARDS	1	As required within Section 7.18 of this Bylaw, unless more is required by any affected provincial agency.
3.3 ACCESS	1	As required by the County's Development Officer and any affected provincial agency.
3.4 APPROVAL PROCESS	1	All applications for a development permit shall be referred to appropriate provincial agencies for comment respecting access to and/or visibility from the nearby or adjacent Highway. The Development Authority shall be bound by the comments of the provincial agencies in accordance with their jurisdiction. The Subdivision and Development Appeal Board shall have regard to the comments of the provincial agencies, but shall not be bound by them.

9.5.4 Other Regulations

4.1 DEVELOPMENT NEAR WATER	1	No development shall be permitted between the banks of any river, stream or natural watercourse.
4.2 DEVELOPMENT PERMIT CONDITIONS	1	No development permit for a dwelling shall be issued until all conditions for the provision of roads, ditches, culverts, private sewage disposal and other services which have been imposed by the County or the Subdivision Authority have been fulfilled.

9.6 MULTI-LOT COUNTRY RESIDENTIAL (MCR) DISTRICT

9.6.1 Purpose

The general purpose of this District is to provide opportunities for the development of multi-lot country residential subdivisions in appropriate locations.

9.6.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Building and use accessory to permitted use	Apiary
Day home	Bed and breakfast establishment
Dwelling, manufactured home (new)	Building and use accessory to discretionary use
Dwelling, modular home (new)	Child care facility
Dwelling, single detached	Dwelling, duplex
Home occupation, minor*	Dwelling, manufactured home (used)
Public park	Dwelling, modular home (used)
Public utility or building	Group care facility
Sign	Home occupation, major
Solar energy collection system	Household repair services
Suite, in-law	Institutional use
Suite, secondary	Kennel
Wind energy conversion system, micro*	Place of worship
	Protective and emergency services
	Public or quasi-public building and use
	Recreational use
	Small radio communications facility
	Suite, garage
	Suite, guest house
	Wind energy conversion system, small
	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

*Does not require a Development Permit in this District

9.6.3 Subdivision and Development Regulations

3.1 MINIMUM LOT AREA	1	Single family dwellings and manufactured home units – 0.4 ha (1. ac) of developable land.
	2	All other uses - as required by the Development Authority.
3.2 MAXIMUM LOT AREA	1	Single family dwellings and manufactured home units – 2.0 ha (5.0 ac) of developable land.
3.3 MINIMUM FLOOR AREA	1	Single-Detached Dwellings a. One storey and bi-levels - 74.3 m^2 (800.0 ft^2) or as required by the Development Authority

		b. One and one-half or two storey – 92.9 m^2 (1,000.0 ft^2) or as required by the Development Authority c. All other uses - as required by the Development Authority
3.4 MINIMUM YARDS	1	Adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.
3.5 MINIMUM FRONT YARDS	1	Single detached dwellings, modular homes and manufactured homes, from internal subdivision roads – 7.6 m (25.0 ft).
3.6 MINIMUM REAR YARDS	1	Single detached dwellings, modular homes and manufactured homes, from internal subdivision roads – 7.6 m (25.0 ft).
3.7 MINIMUM SIDE YARDS	1	Single detached dwellings, modular homes and manufactured homes`, from internal subdivision roads – 6.1 m (20.0 ft).

9.6.4 Other Regulations

4.1 DEVELOPMENT NEAR WATER	1	No development shall be permitted between the banks of any river, stream or natural watercourse.
4.2 DEVELOPMENT PERMIT CONDITIONS	1	No development permit for a dwelling shall be issued until all conditions for the provision of roads, ditches, culverts, private sewage disposal and other services which have been imposed by the County or the Subdivision Authority have been fulfilled.
4.3 KEEPING OF ANIMALS AND LIVESTOCK	1	The keeping of animals and livestock shall be as per the regulations in **Section 8.19 – Pet Keeping, Livestock, and Kennels** in this bylaw.
4.4 MINIMUM SERVICING STANDARDS	1	All development must be provided with sanitary facilities pursuant to the appropriate Provincial regulations.

9.7 INDUSTRIAL (I) DISTRICT

9.7.1 Purpose

The general purpose of this District is to regulate the development of industrial developments which may require large tracts of land. No industrial use shall be allowed in this District if the Development Authority considers it to possess objectionable, dangerous or potentially hazardous conditions.

9.7.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Abattoir	Airport
Agricultural support service	Alcohol retail sales
Agriculture, extensive	Auto wrecking site
Agriculture, intensive	Automotive and recreational vehicles sales/rental establishment, heavy
Animal services facility	Buildings and uses that are accessory to discretionary uses
Apiary*	Bulk fuel storage and sales
Auctioneering facility	Cannabis retail sales
Automotive and equipment maintenance, repair and sales, light	Drinking establishment
Building and use that are accessory to permitted use	Drive-in business
Bus depot	Eating and drinking establishment
Business support services establishment	Entertainment establishment
Contractor service, general	Highway commercial use
Contractor service, limited	Household repair service
Crematorium	Industrial use, heavy
Equipment rental establishment	Industrial use, heavy petrochemical
Funeral service establishment	Kennel
General retail establishment	Landfill
Government services	Libraries and cultural exhibit
Horticultural development	Livestock sales yard
Indoor recreation services	Manufacturing/processing facility
Industrial park	Natural resource extraction industry
Industrial use, light	Recreational use
Industrial use, medium	Rural commercial use
Industrial use, rural	Solar farm
Industrial vehicle and equipment sales/rental establishment	Transloading facility
Office use	Trucking and cartage establishment
Oilfield support	Vehicle washing establishment
Place of worship	Wind energy conversion system, commercial
Protective and emergency services	Wind energy conversion system, large
Public or quasi-public building or use	Work camp

Public park	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
Public utility or building	
Recycling depot	
Recycling facility	
Sea can (maximum 3)	
Service station/gas bar	
Sign	
Small radio communications facility	
Solar energy collection system	
Storage, commercial	
Storage, indoor	
Storage, outdoor	
Suite, surveillance	
Warehouse sales establishment	
Wind energy conversion system, micro*	
Wind energy conversion system, small	
Work camp – short term	

*Does not require a Development Permit in this District.

9.7.3 Subdivision and Development Regulations

3.1 MINIMUM LOT SIZE	1	As determined by the Development Authority.
3.2 MINIMUM YARDS	1	Adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.
	2	In the case of an internal road system, the minimum yard dimensions shall be as established by the Development Authority.
	3	Notwithstanding the Minimum Front, Rear and Side Yards regulations of this District, where there is an intersection or sharp curve, the minimum yard requirements shown within Section 7.18 of this Bylaw shall apply.
3.3 MINIMUM FRONT YARDS	1	From municipal roads – 40.0 m (131.2 ft) from the front line of the property.
3.4 MINIMUM REAR YARDS	1	18.3 m (60.0 ft) or as required by the Development Authority.
3.5 MINIMUM SIDE YARDS	1	18.3 m (60.0 ft) or as required by the Development Authority.

9.7.4 Other Regulations

4.1 LANDSCAPING	1	Landscaping shall be provided to the satisfaction of the Development Authority and may consist of: fences, berms, vegetation or any other buffering material which is deemed reasonable, between any development in this District and any adjacent residential development.

9.8 RURAL INDUSTRIAL (RI) DISTRICT

9.8.1 Purpose

The purpose of the Rural Industrial (RI) District is to provide land for industry in locations which can be serviced efficiently and which will not conflict with agriculture or residential land uses.

9.8.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Abattoir	Airport
Agri-industry	Alcohol retail sales
Agricultural support service	Auto wrecking site
Agriculture, extensive	Buildings and uses that are accessory to discretionary uses
Agriculture, intensive	Bulk fuel storage and sales
Animal services facility	Cannabis retail sales
Apiary*	Storage, commercial
Auctioneering facility	Equipment rental establishment
Automotive and equipment maintenance, repair and sales, light	Highway commercial use
Building and use that are accessory to permitted use	Household repair services
Business support services establishment	Industrial park
Contractor service, general	Industrial use, medium
Contractor service, limited	Kennel
Crematorium	Libraries and cultural exhibit
Funeral service establishment	Livestock sales yard
General retail establishment	Natural resource extraction industry
Government services	Place of worship
Horticultural development	Recycling depot
Indoor recreation services	Recycling facility
Industrial use, light	Rural commercial use
Industrial use, rural	Sea can (4 or more)
Office use	Solar farm
Oilfield support	Suite, surveillance
Protective and emergency services	Transloading facility
Public or quasi-public building or use	Trucking and cartage establishment
Public park	Vehicle washing establishment
Public utility and building	Wind energy conversion system, large
Sea can (maximum 3)	Work camp
Sign	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
Small radio communications facility	
Solar energy collection system	
Storage, indoor	

Storage, outdoor	
Warehouse sales establishment	
Wind energy conversion system, micro*	
Wind energy conversion system, small	
Work camp – short term	

*Does not require a Development Permit in this District.

9.8.3 Subdivision and Development Regulations

3.1 MINIMUM LOT SIZE	1	2.0 ha (5.0 ac) or as required by the Development Authority
3.2 MINIMUM FRONT YARDS	1	40.0 m (131.2 ft) from the front line of the property.
	2	Open storage of goods in the front yard shall be limited to the orderly display of sample goods offered for sale within the premises
3.3 MINIMUM REAR YARDS	1	10.0 m (32.8 ft) on all sides
3.4 MINIMUM SIDE YARDS	1	10.0 m (32.8 ft) on all sides

9.8.4 Other Regulations

4.1 BUFFERING	1	The Development Authority may require, as a condition of granting a development permit, that open areas intended for open storage of goods (other than those covered by Subsection 9.8.3.2(1) above) shall be adequately fenced.
4.2 LOADING SPACE REQUIREMENTS	1	Each main building shall be provided with one (1) loading space for every 1,000.0 m^2 (10,764.0 ft^2) of covered floor area or part thereof. Each loading space shall be accessible from within the site and shall not require the loading or unloading of vehicles from a public road.
4.3 PARKING REQUIREMENTS	1	Off-street parking shall be provided to the amount of one (1) stall for every employee. Each stall shall be levelled and gravelled and shall have a minimum width of 3.0 m (9.8 ft) and a minimum depth of 6.1 m (20.0 ft) exclusive of access lanes.
4.4 TRAFFIC SAFETY	1	As a condition of issuing a development permit, the Development Authority may impose such conditions that will maintain traffic safety and protect the value of nearby property.

9.9 HAMLET GENERAL (HG) DISTRICT

9.9.1 Purpose

The purpose of this District is to allow a wider variety of urban-type uses generally within the hamlets of Galahad and Strome, as shown on the Land Use District Maps – Section 12.

9.9.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Agriculture, extensive	Agri-tourism
Building and use accessory to permitted use	Alcohol retail sales
Day home	Amusement establishment
Dwelling, duplex	Animal services facility
Dwelling, manufactured home (new)	Apiary
Dwelling, modular home (new)	Auctioneering facility
Dwelling, single detached	Automotive & equipment repair and sales, light
Government services	Bed and breakfast establishment
Home occupation, minor*	Business support services establishment
Public park	Building and use accessory to discretionary use
Public utility and building	Campground, recreational vehicle
Solar energy collection system	Cannabis retail sales
Suite, in-law	Cemetery
Suite, secondary	Child care facility
Wind energy conversion systems, micro*	Contractor service, limited
	Crematorium
	Drinking establishment
	Drive-in business
	Dwelling, apartment
	Dwelling, fourplex
	Dwelling, manufactured home (used)
	Dwelling, modular home (used)
	Dwelling, row housing
	Eating & drinking establishment
	Entertainment establishment
	Equipment rental establishment
	Funeral service establishment
	General retail establishment
	Group care facility
	Home occupation, major
	Horticultural development
	Hotel
	Household repair services
	Indoor recreation services
	Institutional use
	Kennel

	Libraries and cultural exhibit
	Manufactured home park
	Manufactured home park office
	Motel
	Office use
	Personal service shop
	Place of worship
	Private camp, club or lodge
	Protective and emergency services
	Public and quasi-public building or use
	Public education facility
	Recreation, indoor
	Recreational, use
	Rural commercial use
	Sea can (associated with commercial use, maximum 3)
	Service station/gas bar
	Sign
	Small radio communications facility
	Suite, garage
	Suite, guest house
	Suite, surveillance (associated with commercial use, maximum 3)
	Vehicle washing establishment
	Wind energy conversion system, small
	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

*****Does not require a Development Permit in this District.

9.9.3 Subdivision and Development Regulations

3.1 MINIMUM LOT SIZE				
USE	**WIDTH (M)**	**WIDTH (FT)**	**AREA (M^2)**	**AREA (FT^2)**
Single Detached Dwellings	15.0	49.2	500.0	5,382.0
Duplexes	15.0	49.2	250.0	2,690.0
All Other Uses	as required by the Development Authority			

3.2 MINIMUM FLOOR AREA FOR ALL DWELLINGS	1 46.5 m^2 (500.0 ft^2)
3.3 MAXIMUM SITE COVERAGE	1 Residential Uses – 40%

	2	All Other Uses – As required by the Development Authority
3.4 MAXIMUM BUILDING HEIGHT	1	Residential Uses – 10.7 m (35.0 ft)
	2	All Other Uses – As required by the Development Authority
3.5 YARDS	1	Adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.
3.6 MINIMUM FRONT YARDS	1	Residential Uses – 6.0 m (19.7 ft)
	2	All Other Uses – As required by the Development Authority
3.7 MINIMUM REAR YARDS	1	Residential Uses – 6.0 m (19.7 ft)
	2	Accessory Buildings – 1.0 m (3.3 ft)
	3	All Other Uses – As required by the Development Authority
3.8 MINIMUM SIDE YARDS	1	Residential Uses – 1.5 m (4.9 ft)
	2	All Other Uses – As required by the Development Authority

9.9.4 Other Regulations

4.1 PARKING AND OUTDOOR STORAGE	1	Garages shall be situated so that there is a parking stall at least 6.0 m in length between the vehicle doors and the road or lane used for vehicular access.
	2	Outdoor storage shall be prohibited in front yards. In all other yards outdoor storage areas shall be screened and buffered to the satisfaction of the Development Authority.

9.10 HAMLET INDUSTRIAL (HI) DISTRICT

9.10.1 Purpose

The purpose of this District is to provide an area for planned light industrial business areas containing clean industrial uses with compatible commercial areas, within the hamlets of Galahad and Strome, as shown on the Land Use District Maps in Section 12.

9.10.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Abattoir	Alcohol retail sales
Agricultural support service	Building and use accessory to discretionary use
Agriculture, extensive	Bulk fuel storage and sales
Agriculture, intensive	Cannabis retail sales
Animal services facility	Drinking establishment
Apiary*	Drive-in business
Auctioneering facility	Eating and drinking establishment
Automotive and equipment maintenance, repair and sales, light	Entertainment establishment
Automotive and recreational vehicle sales/rental establishment, heavy	Highway commercial use
Building and use accessory to permitted uses	Household repair service
Bus depot	Industrial use, medium
Business support service establishment	Industrial use, rural
Contractor services, general	Kennel
Contractor services, limited	Libraries and cultural exhibit
Crematorium	Manufacturing/processing facility
Equipment rental establishment	Recreational use
Funeral service establishment	Rural commercial use
General retail establishment	Suites, surveillance
Government services	Transloading facility
Horticultural development	Trucking and cartage establishment
Indoor recreation services	Vehicle washing establishment
Industrial park	
Industrial use, light	
Industrial vehicle and equipment sales/rental establishment	
Office use	
Oilfield support	
Place of worship	
Protective and emergency services	
Public or quasi-public building or use	
Public park	
Recycling depot	
Sea can (maximum 3)	

Service station/gas bar	
Sign	
Small radio communications facility	
Solar energy collection system	
Storage, commercial	
Storage, indoor	
Storage, outdoor	
Warehouse sales establishment	
Wind energy conversion system, micro*	
Wind energy conversion system, small	

*Does not require a Development Permit in this District.

9.10.3 Subdivision and Development Regulations

3.1 LOT WIDTH	1	Except as noted below, all lots shall have a width of at least 15.0 m (49.2 ft). No minimum lot width is required for unattended public utilities.
3.2 SITE COVERAGE	1	All buildings combined shall not cover more than 75% of the area of the lot.
3.3 MAXIMUM BUILDING HEIGHT	1	The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the *Alberta Building Code* and the recommendations of the fire department.
3.4 MINIMUM FRONT YARDS	1	All buildings shall be set back at least 6.0 m (19.7 ft) from the front property line.
3.5 MINIMUM REAR YARDS	1	Where a lot backs on to a lot classified as commercial or industrial, no rear yard setback is required.
	2	In all other cases, all buildings must be set back at least 6.0 m (19.7 ft) from the rear property line.
3.6 MINIMUM SIDE YARDS	1	Where a lot is adjacent to a lot classified as commercial or industrial, no side yard is required.
	2	In all other cases, all buildings must be set back at least 2.5 m (8.2 ft) from the side property line.

9.10.4 Other Regulations

4.1 FLAMMABLE MATERIALS	1	Where flammable or explosive materials are stored on site, the Development Authority shall consult the fire department who may, at their discretion, increase the required lot size, building setbacks or other requirements to minimize the danger to the public.
4.2 SCREENING	1	The Development Authority may require a lot to be fenced or landscaped if in their sole opinion a fence is required to protect the property values, use and enjoyment of adjacent properties.

9.11 HAMLET PUBLIC (HP) DISTRICT

9.11.1 Purpose

The purpose of this District is to provide land for parks, schools, hospitals and other community service facilities, both government and privately owned, within the hamlets of Galahad and Strome, as shown on the Land Use District Maps in Section 12 of this Bylaw.

9.11.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
Building and use accessory to permitted use	Apiary
Cemetery	Building and use accessory to discretionary use
Child care facility	Horticultural development
Day home	Private camp, club, or lodge
Government services	Protective and emergency services
Group care facility	Recycling depot
Institutional use	Sea can
Libraries and cultural exhibit	Small radio communications facility
Place of worship	Other uses that, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
Public education facility	
Public and quasi-public building and use	
Public park	
Public utility & building	
Solar energy collection system	
Wind energy conversion system, micro*	
Wind energy conversion system, small	

*Does not require a Development Permit in this District.

9.11.3 Subdivision and Development Regulations

3.1 MAXIMUM BUILDING HEIGHT	1	The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the *Alberta Building Code* and the recommendations of the fire department.
3.2 MINIMUM FRONT YARDS	1	All buildings shall be set back at least 6.0 m (19.7 ft) from the front property line.

3.3 MINIMUM REAR YARDS	1	All buildings shall be set back at least 6.0 m (19.7 ft) from the rear property line.
3.4 MINIMUM SIDE YARDS	1	All buildings must be set back at least 2.5 m (8.2 ft) from the side property line.

10 OVERLAYS

10.1 AIRPORT PROTECTION OVERLAY

1 PURPOSE

a. The Airport Protection Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw. The airport protection overlay areas are shown in Section 13 – Overlay Maps.

2 APPLICABILITY

a. Within the Airport Protection Overlay areas identified on the Land Use District Map, (included in this document as Section 13 – Overlay Maps), the regulations of this section apply in addition to the other regulations of this Bylaw.

3 USES

a. Within the Airport Protection Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

b. Notwithstanding any other section of this Bylaw, no building or structure shall be erected within the Airport Protection Overlay identified in Section 13 – Overlay Maps, which

i. obstructs visibility of the airport from the air;

ii. attracts birds;

iii. is a fire, explosive or radioactivity hazard; or

iv. produces electromagnetic radiation likely to interfere with radio or radar signals.

4 HEIGHT LIMITATIONS

a. Notwithstanding any other section of this Bylaw, a development permit shall not be issued for a development within the Airport Protection Overlay areas if the height of the proposed development is not to the satisfaction of the Development Authority

b. For the purposes of this subsection.

i. if the proposed development is a railway, the highest point of the development shall be deemed to be 6.0 m (20.0 ft) higher than the actual height of the rails;

ii. if the development is a highway or road, the highest point of the development shall be deemed to be 4.6 m (15.0 ft) higher than the actual height of the highest part of the travelled portion of the highway or road; and

iii. for all other developments the height of the development cannot exceed the height of the building with the greatest height that is currently developed within the overlay area.

10.2 ENVIRONMENTALLY SIGNIFICANT AREAS OVERLAY

1 PURPOSE

a. The Environmentally Significant Areas Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

b. The Purpose of the Environmentally Significant Areas overlay is to identify areas in the County where either:

i. the physical characteristics of the land may make development difficult or unfeasible; or

ii. the land has been designated as environmentally sensitive or significant.

c. Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.

2 APPLICABILITY

a. Within the Environmentally Significant Areas Overlay identified in Section 13 – Overlay Maps the regulations of this section apply in addition to the other regulations of this Bylaw.

3 USES

a. Within the Environmentally Significant Areas Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

4 ADDITIONAL APPLICATION REQUIREMENTS

a. The Subdivision Authority and/or Development Authority may require that any proposal for development within the Environmentally Significant Areas Overlay area be accompanied by:

i. a flood susceptibility analysis prepared by a registered professional engineer; and/or

ii. a bank stability analysis prepared by a registered professional engineer

that provide information about the suitability of the subject site and the proposed development in relation to flood susceptibility and/or bank stability.

b. Further, if a subdivision or development is approved after such an analysis is provided, the Subdivision Authority or Development Authority may require that any recommendations within the accompanying study be implemented by the landowner/developer and registered against the title of the subject lands to provide notice to future landowners of the engineering requirements for development on the site.

10.3 HISTORICALLY SIGNIFICANT AREAS OVERLAY

1 PURPOSE

a. The Historically Significant Areas Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

b. The Purpose of the Historically Significant Areas overlay is to identify areas in the County where either:

   i. the physical characteristics of the land suggest that the site may contain significant archaeological or palaeontological historic resources; or

   ii. where the Province of Alberta has identified known or potential paleontological, archaeological or historical assets that may require protection or special care when other land uses or developments are proposed nearby.

Development in these areas shall require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.

2 APPLICABILITY

a. Within the Historically Significant Areas Overlay identified in Section 13 – Overlay Maps the regulations of this section apply in addition to the other regulations of this Bylaw.

3 USES

a. Within the Historically Significant Areas Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

4 ADDITIONAL REQUIREMENTS

a. Paleontological, archaeological or historical sites identified pursuant to the *Alberta Historical Resources Act* (as amended or replaced) shall be protected in accordance with Provincial legislation and regulations.

b. The Subdivision Authority and/or Development Authority may require that any proposal for subdivision or development within the Historically Significant Areas Overlay area be accompanied by:

   i. A Historic Resource Impact Assessment and clearance from Alberta Culture and Community Spirit; or

   ii. A letter from Alberta Culture and Community Spirit waiving the requirement for a Historic Resource Impact Assessment and providing clearance for the development.

c. Further, if a subdivision or development is approved after such an assessment and clearance have been provided, the Subdivision Authority or Development Authority may require that any recommendations within the accompanying assessment and clearance letter be undertaken prior to development of the site in order to ensure conformity with the *Alberta Historical Resources Act* (as amended or replaced).

d. The Subdivision Authority and/or Development Authority will circulate all subdivision and/or development permit applications within the Historic Resources Overlay area to the appropriate Provincial department or ministry for comment prior to issuing a development permit.

10.4 STATUTORY PLAN OVERLAY

1 PURPOSE

a. The Statutory Plan overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

b. The Purpose of the Statutory Plan overlay is to identify areas in the County where:

i. an intermunicipal development plan; or

ii. an area structure plan; or

iii. an area redevelopment plan.

are in effect.

2 APPLICABILITY

a. Within the Statutory Plan overlay identified in Section 13 – Overlay Maps the regulations of this section apply in addition to the other regulations of this Bylaw.

3 USES

a. Within the Statutory Plan overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw unless otherwise noted in an applicable, approved statutory plan.

4 ADDITIONAL REQUIREMENTS

a. The Subdivision Authority and/or Development Authority may require that any proposal for subdivision or development within the Statutory Plan overlay, that is affected by an intermunicipal development plan be circulated to the partnering municipality(s) for comment prior to issuing a subdivision decision or a development permit as per the requirements in the applicable statutory plan.

b. In the event of a conflict or inconsistency between an intermunicipal development plan, a municipal development plan, an area structure plan or an area redevelopment plan in respect of the development of the land to which the statutory plans apply, the intermunicipal development prevails to the extent of the conflict or inconsistency.

11 ADMINISTRATION

11.1 REPEALING EXISTING CONTROLS

Flagstaff County Land Use Bylaw No. 06/12, Galahad Land Use Bylaw No. 04-12, Strome Land Use Bylaw No. 754-09, as amended, are hereby repealed.

11.2 DATE OF COMMENCEMENT

This bylaw comes into effect upon the date of it finally being passed.

Read a first time in Council this _____ day of _____, A.D. 20_____.

_____ _____

Reeve Chief Administrative Officer

Read a second time in Council this _____ day of _____, A.D. 20_____.

_____ _____

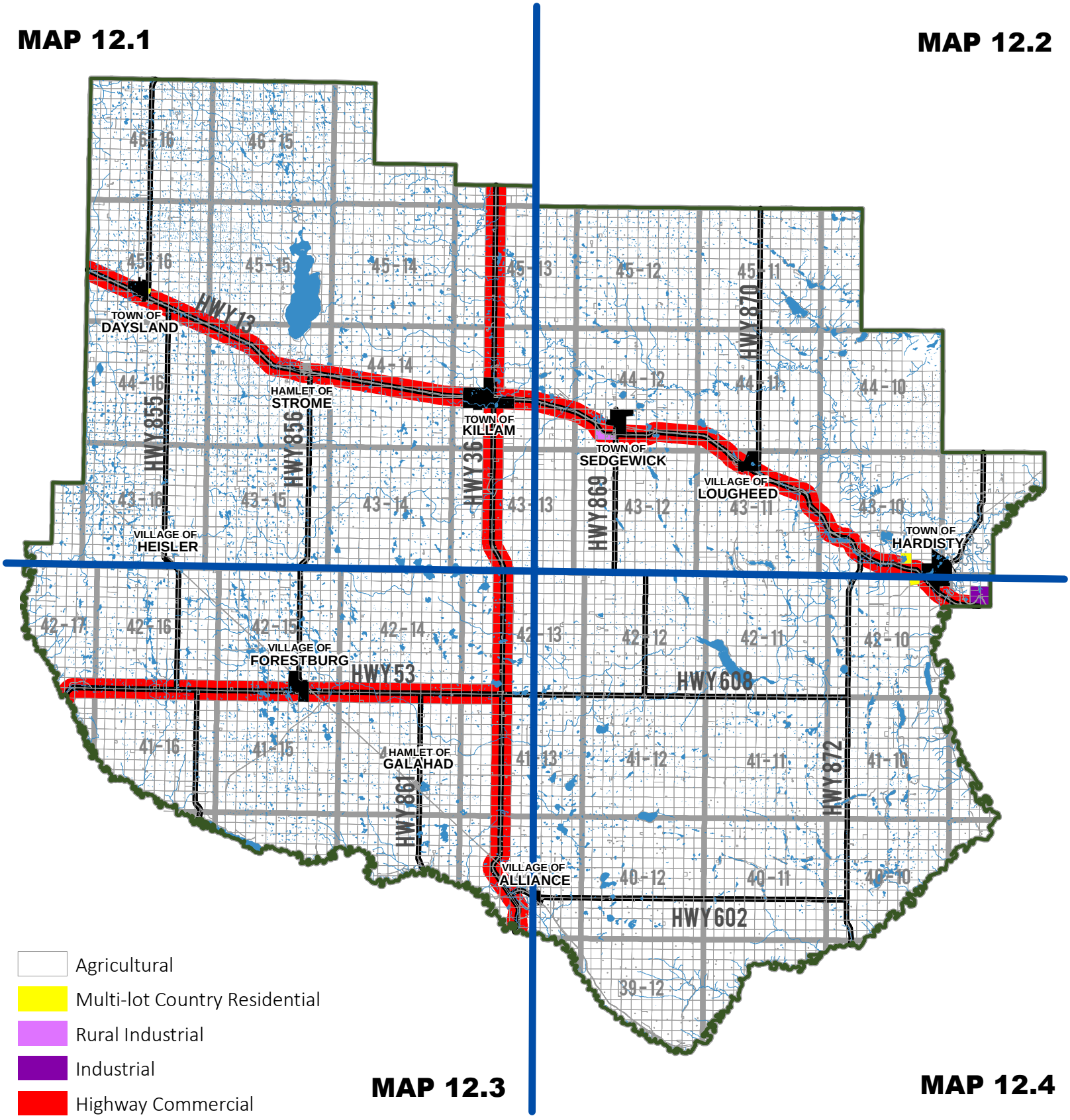
Reeve Chief Administrative Officer

Read a third time in Council this _____ day of _____, A.D. 20_____.

_____ _____

Reeve Chief Administrative Officer

12 LAND USE DISTRICT MAPS



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 15 KM

NORTH

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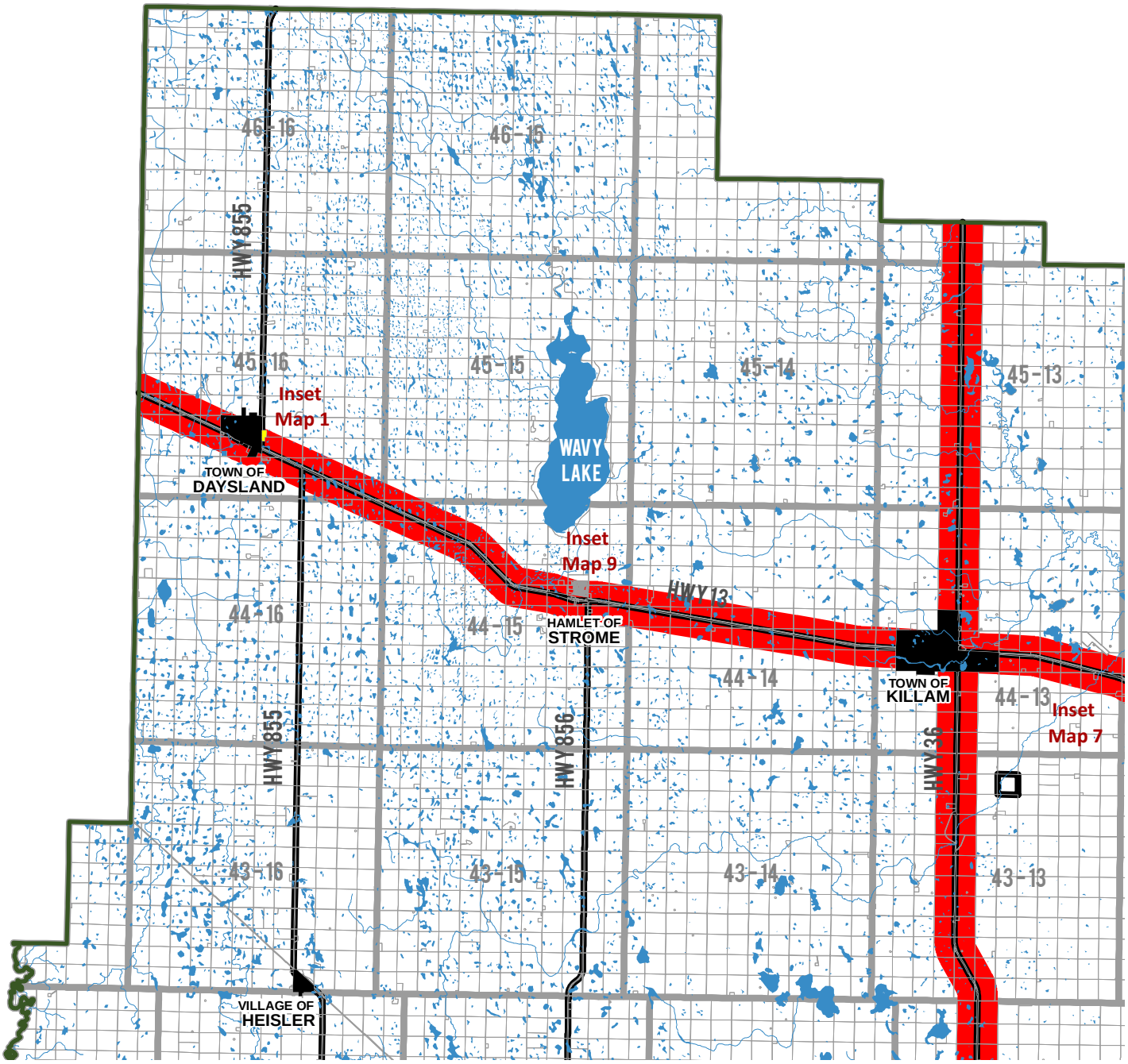
MAP 12.1

- Agricultural
- Multi-lot Country Residential
- Rural Industrial
- Industrial
- Highway Commercial



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 KM

NORTH

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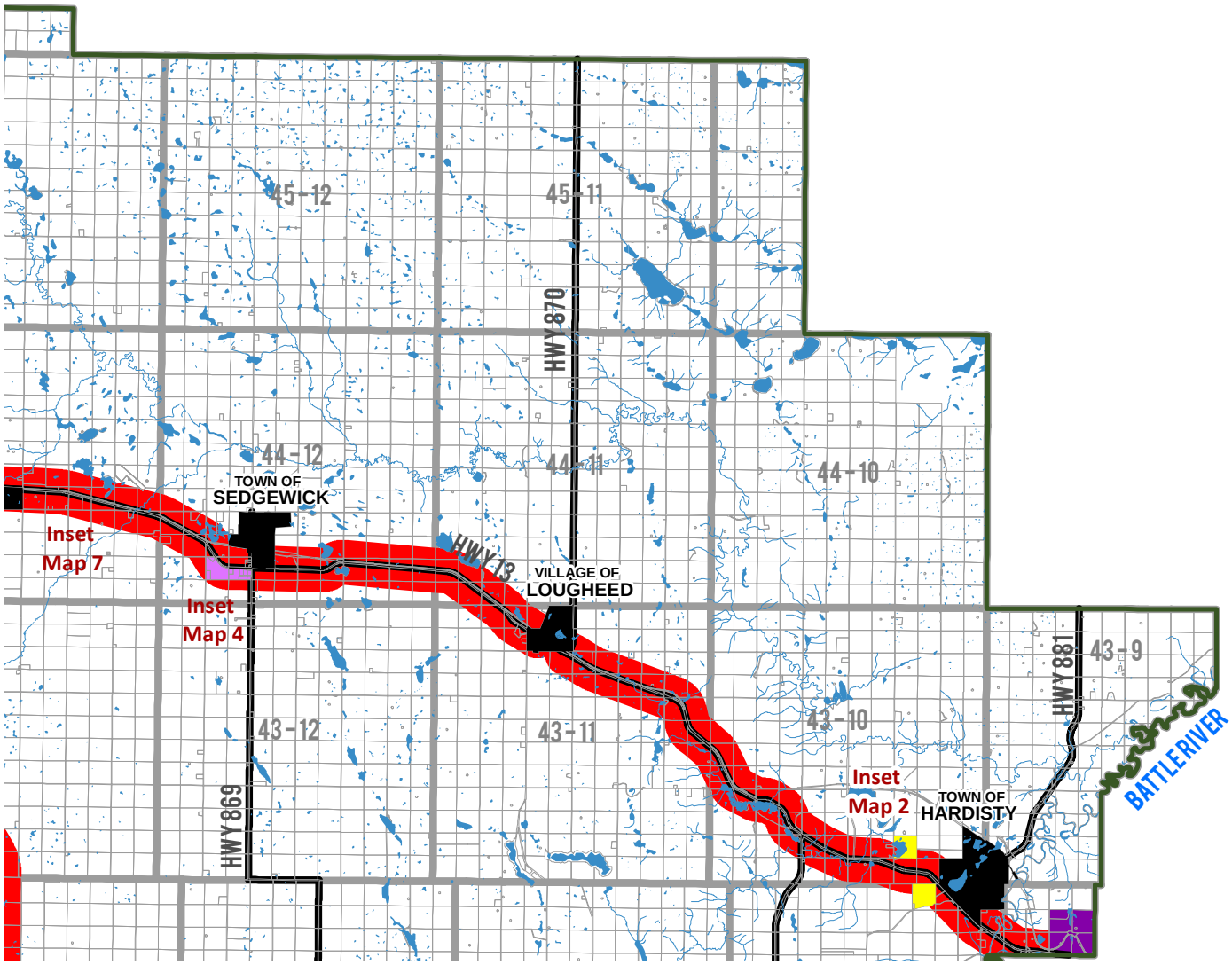
MAP 12.2

- Agricultural
- Multi-lot Country Residential
- Rural Industrial
- Industrial
- Highway Commercial



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 KM

NORTH

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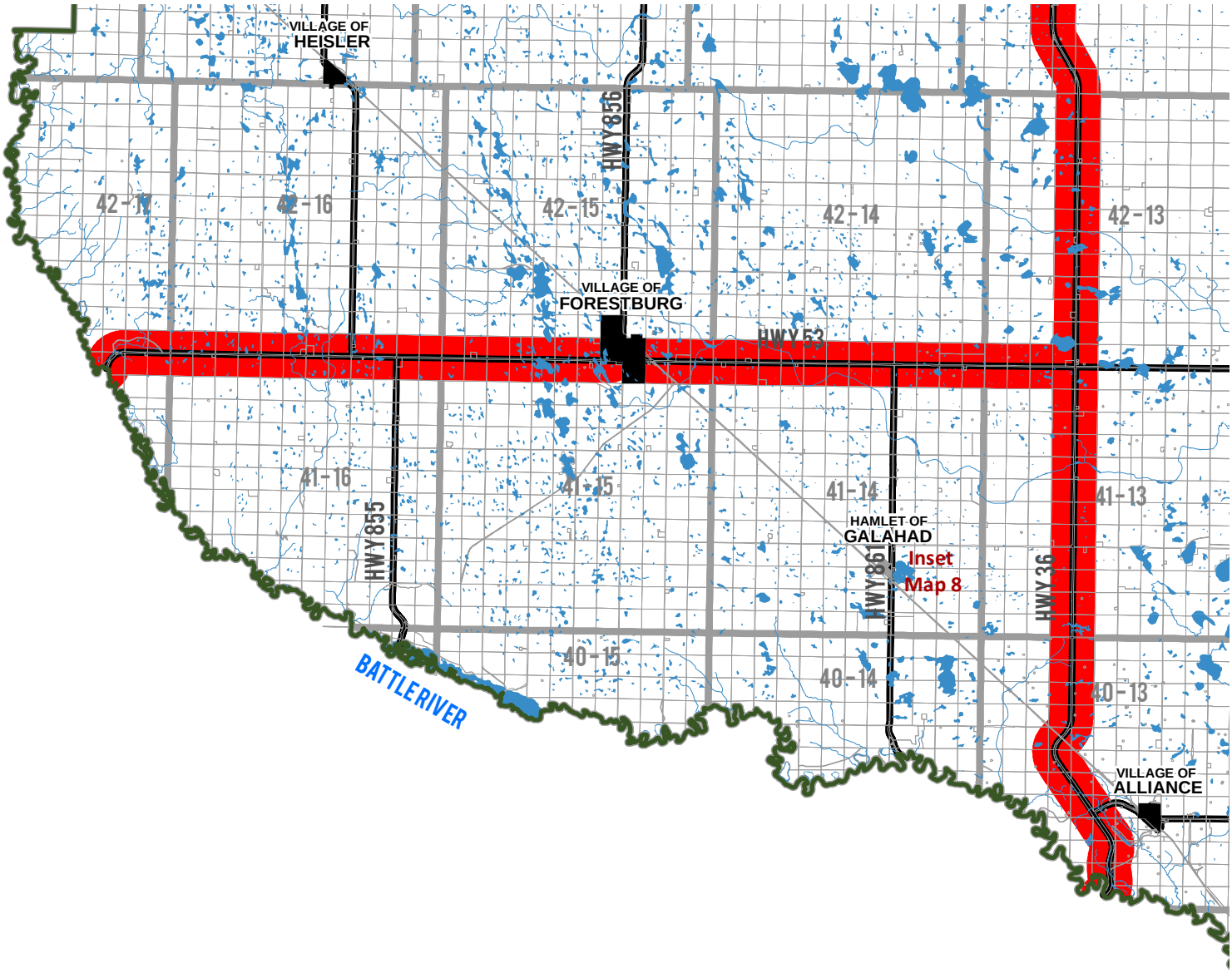
MUNICIPAL PLANNING SERVICES LTD.



Agricultural

Multi-lot Country Residential

Rural Industrial

Industrial

Highway Commercial

MAP 12.3

LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 KM

NORTH

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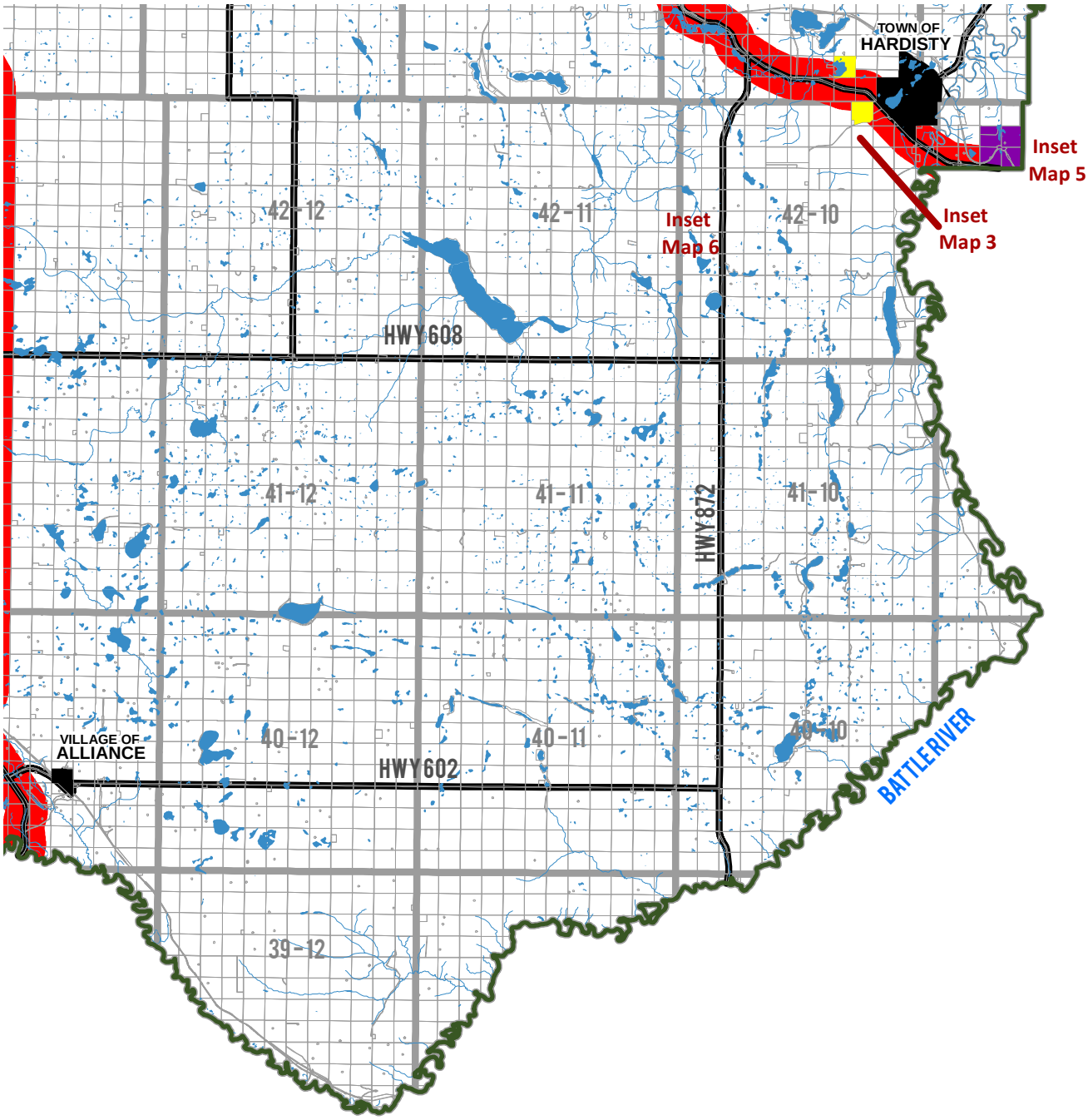

Agricultural
Multi-lot Country Residential
Rural Industrial
Industrial
Highway Commercial

MAP 12.4

LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 KM

NORTH

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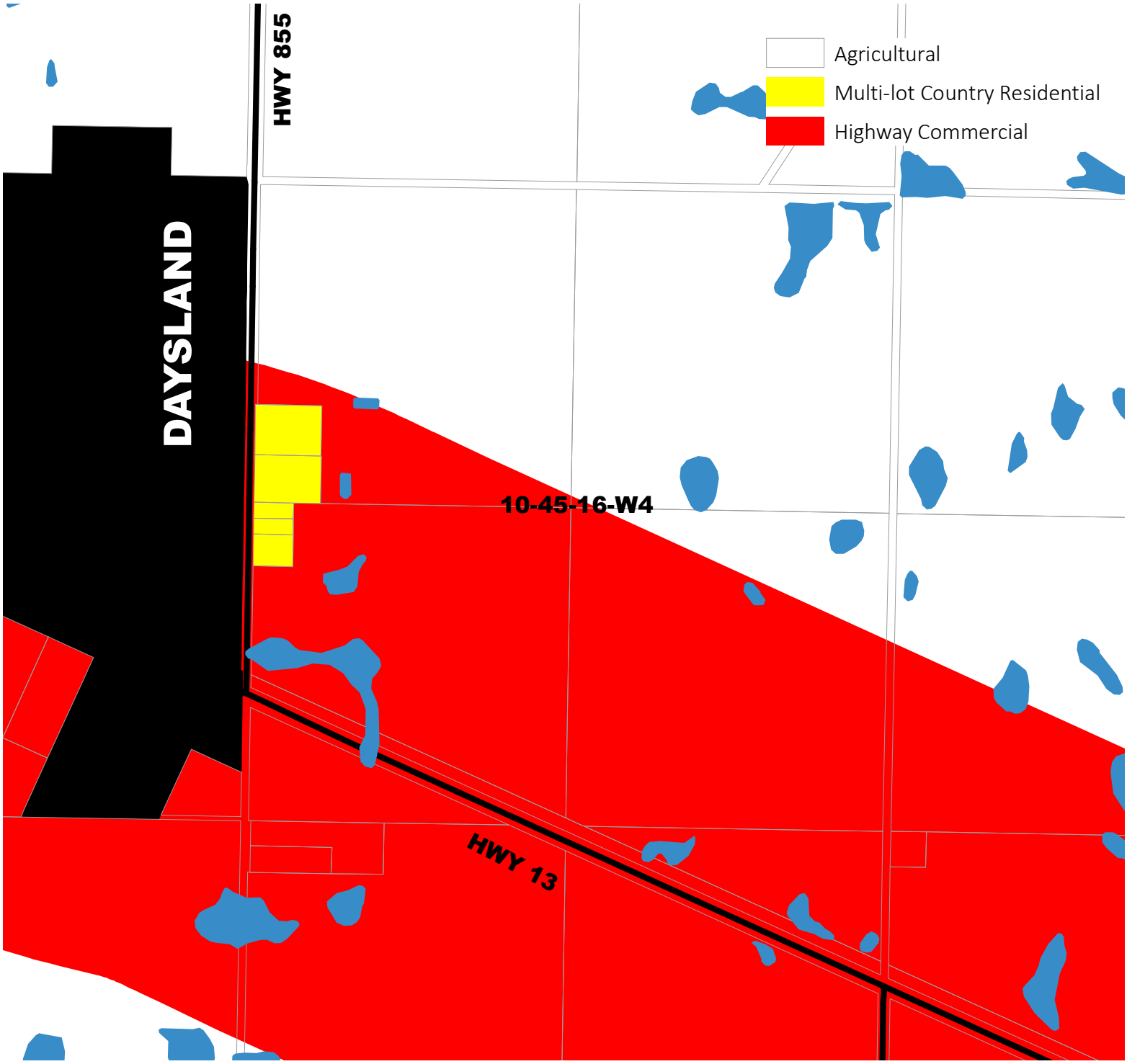
INSET MAP 1 - Pt. W1/2 10-45-16-W4



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 250 500 M

NORTH

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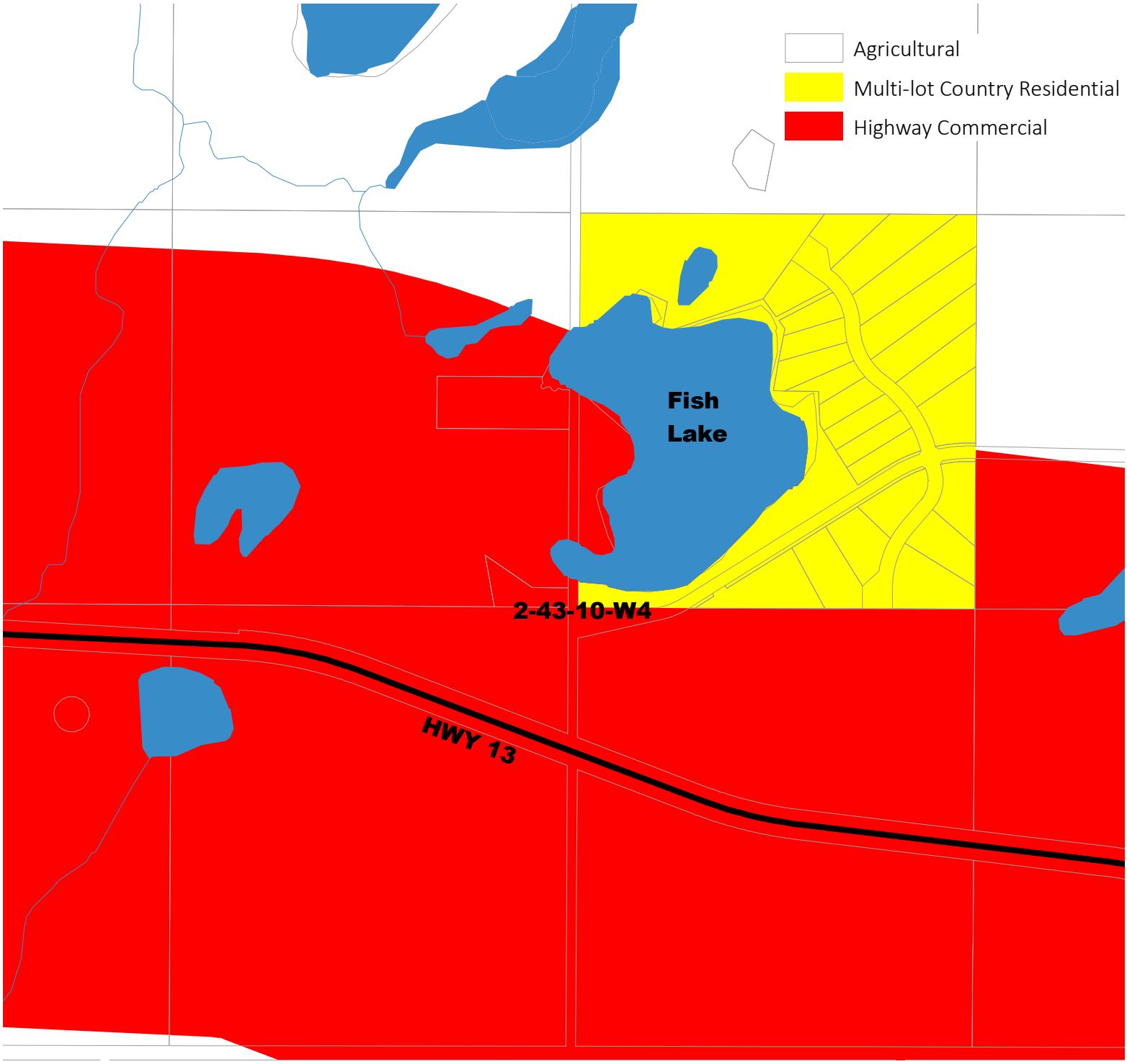
INSET MAP 2 - Pt. NW 2-43-10-W4



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

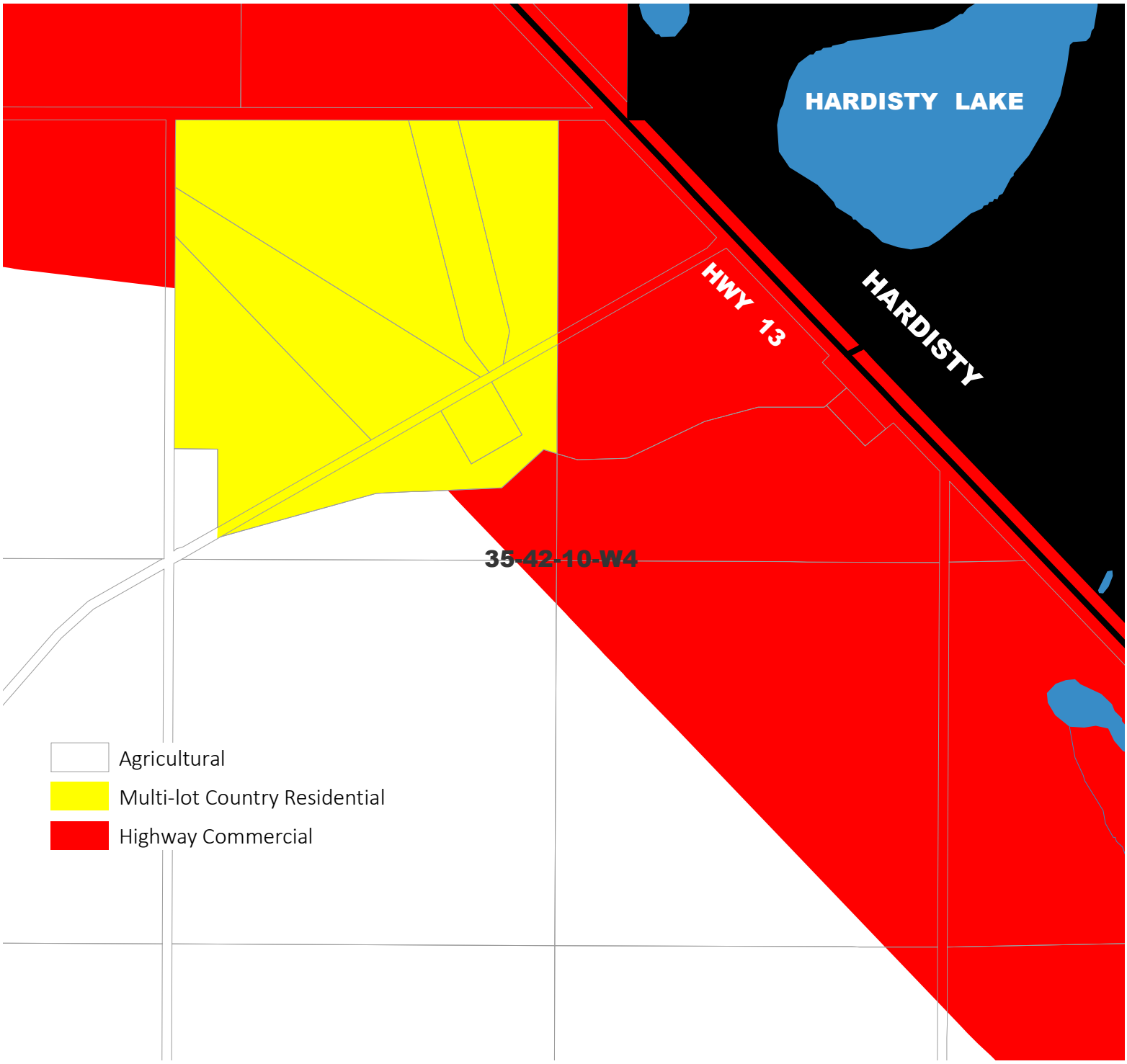
Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 250 500 M

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

INSET MAP 3 - Pt. NW 35-42-10-W4



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 250 500 M

NORTH

MPS
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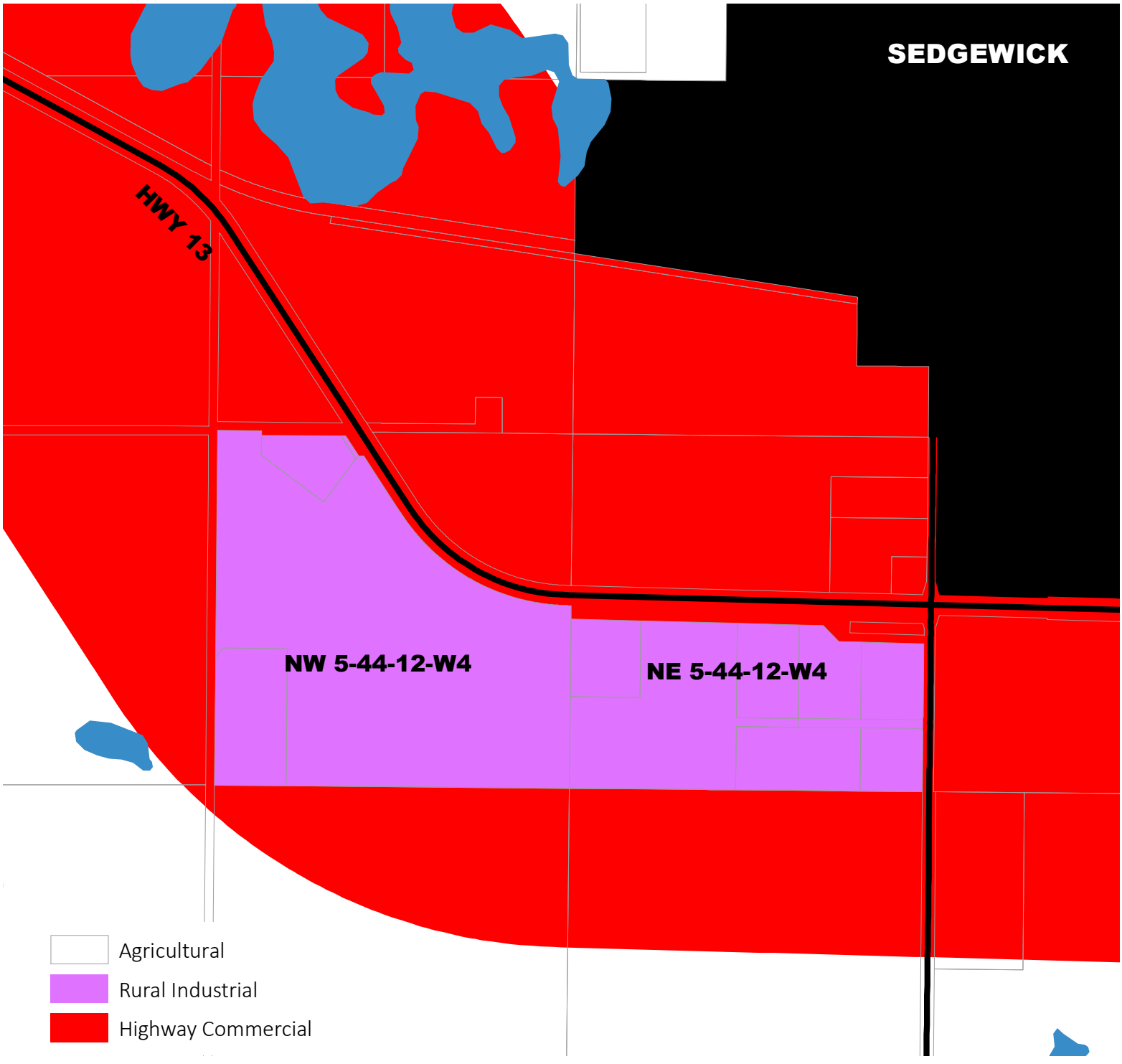
INSET MAP 4 - Pt. N1/2 5-44-12-W4



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 250 500 M

NORTH

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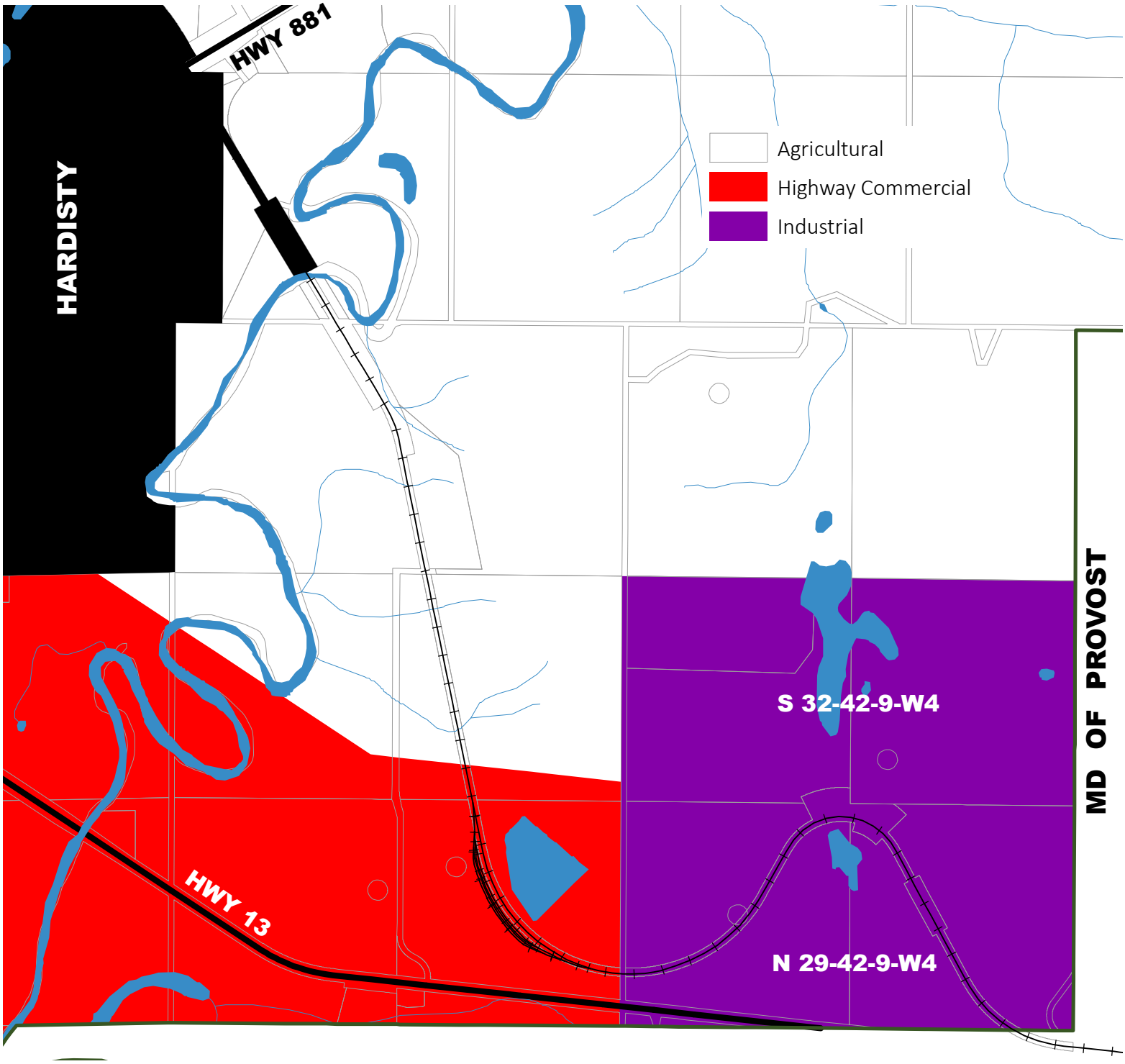
INSET MAP 5 - S1/2 32-42-9-W4 & N1/2 29-42-9-W4



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 250 500 750 M

NORTH

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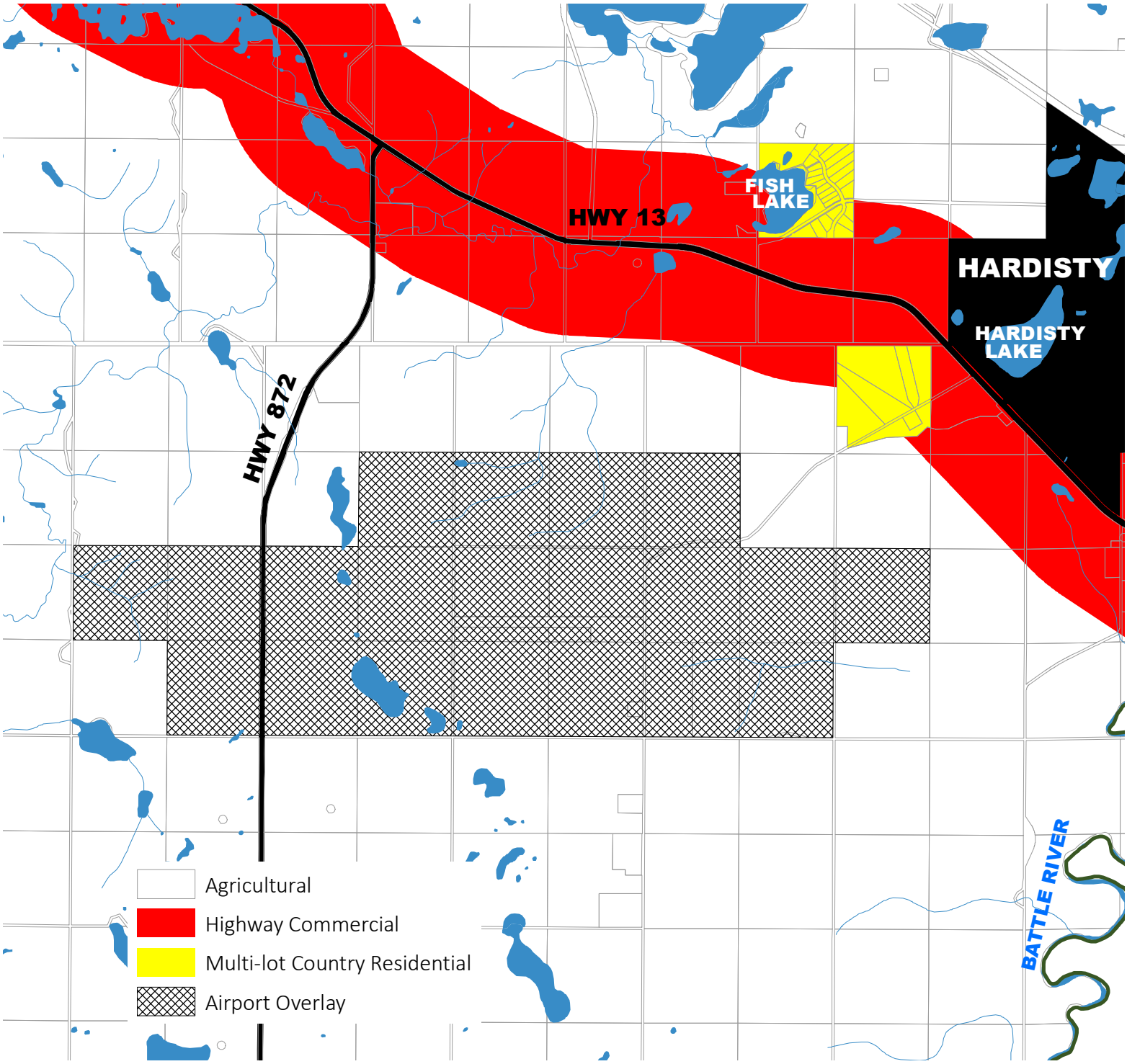
INSET MAP 6 - HARDISTY AIRPORT



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

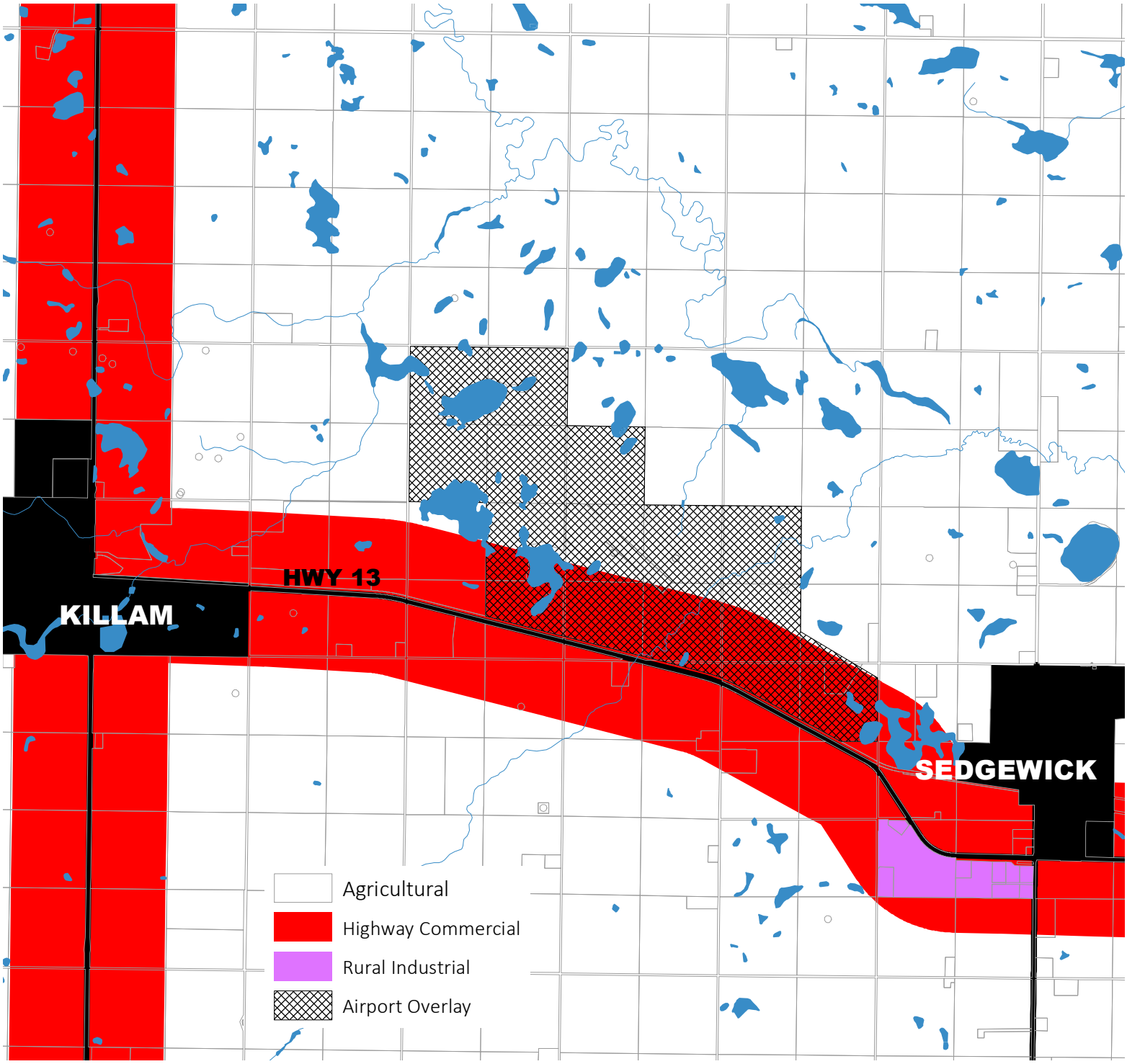
Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 1 2 KM

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

INSET MAP 7 - FLAGSTAFF REGIONAL AIRPORT



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

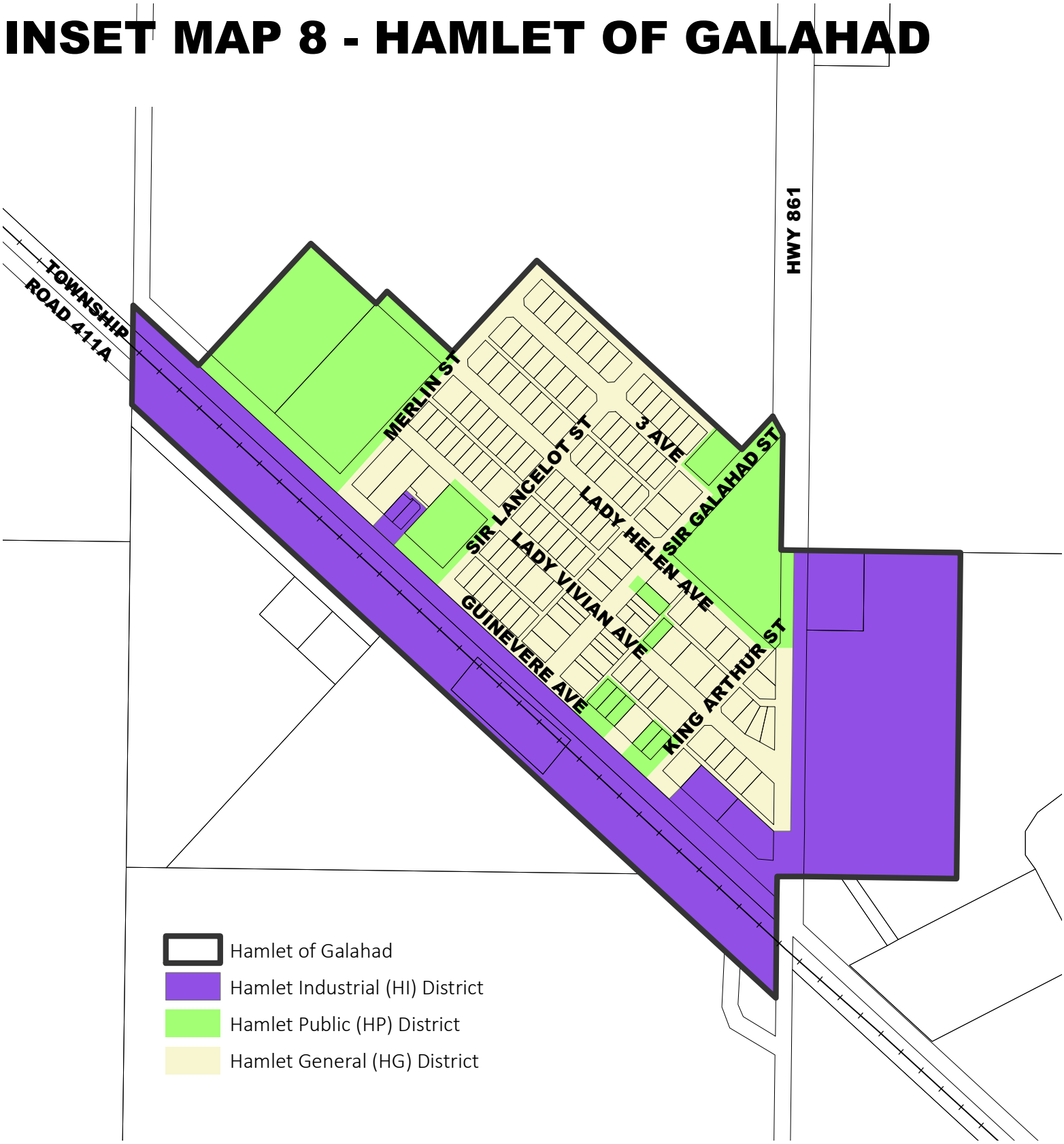
Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 1 2 KM

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

INSET MAP 8 - HAMLET OF GALAHAD



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

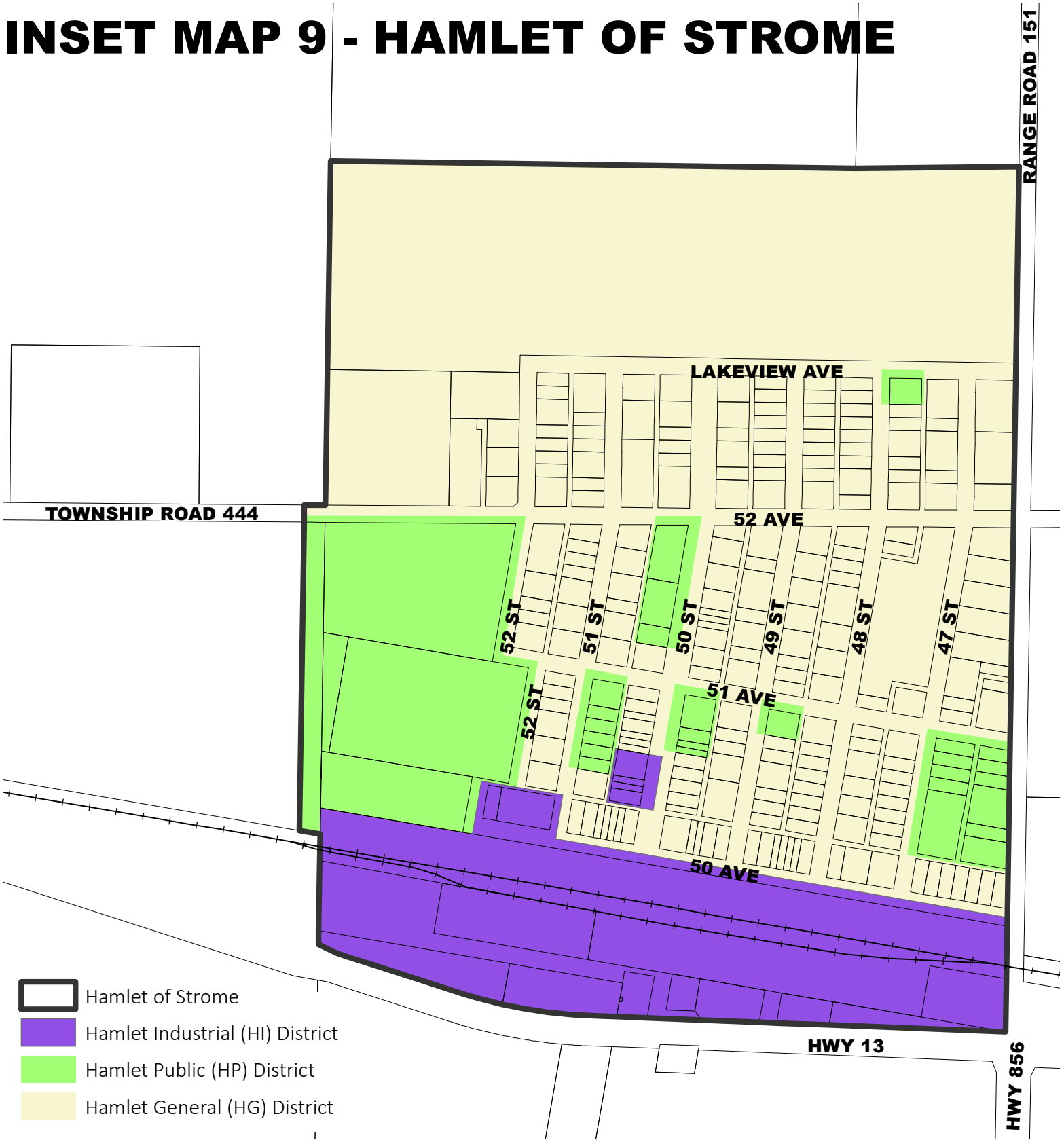
Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 100 200 M

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

INSET MAP 9 - HAMLET OF STROME



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

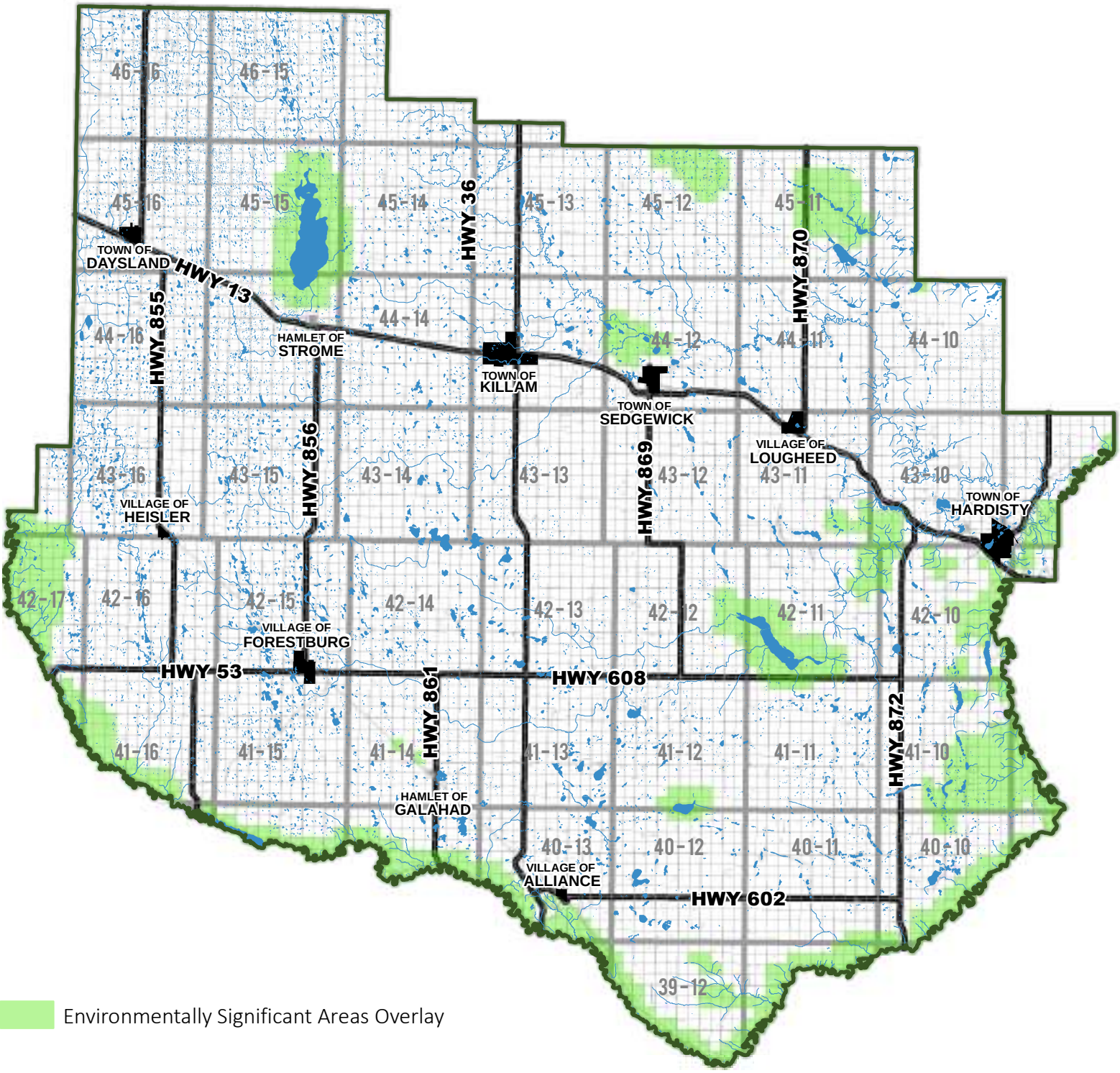
0 100 200 M

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

13 OVERLAY MAPS

MAP 13.1 - ENVIRONMENTALLY SIGNIFICANT AREAS OVERLAY



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

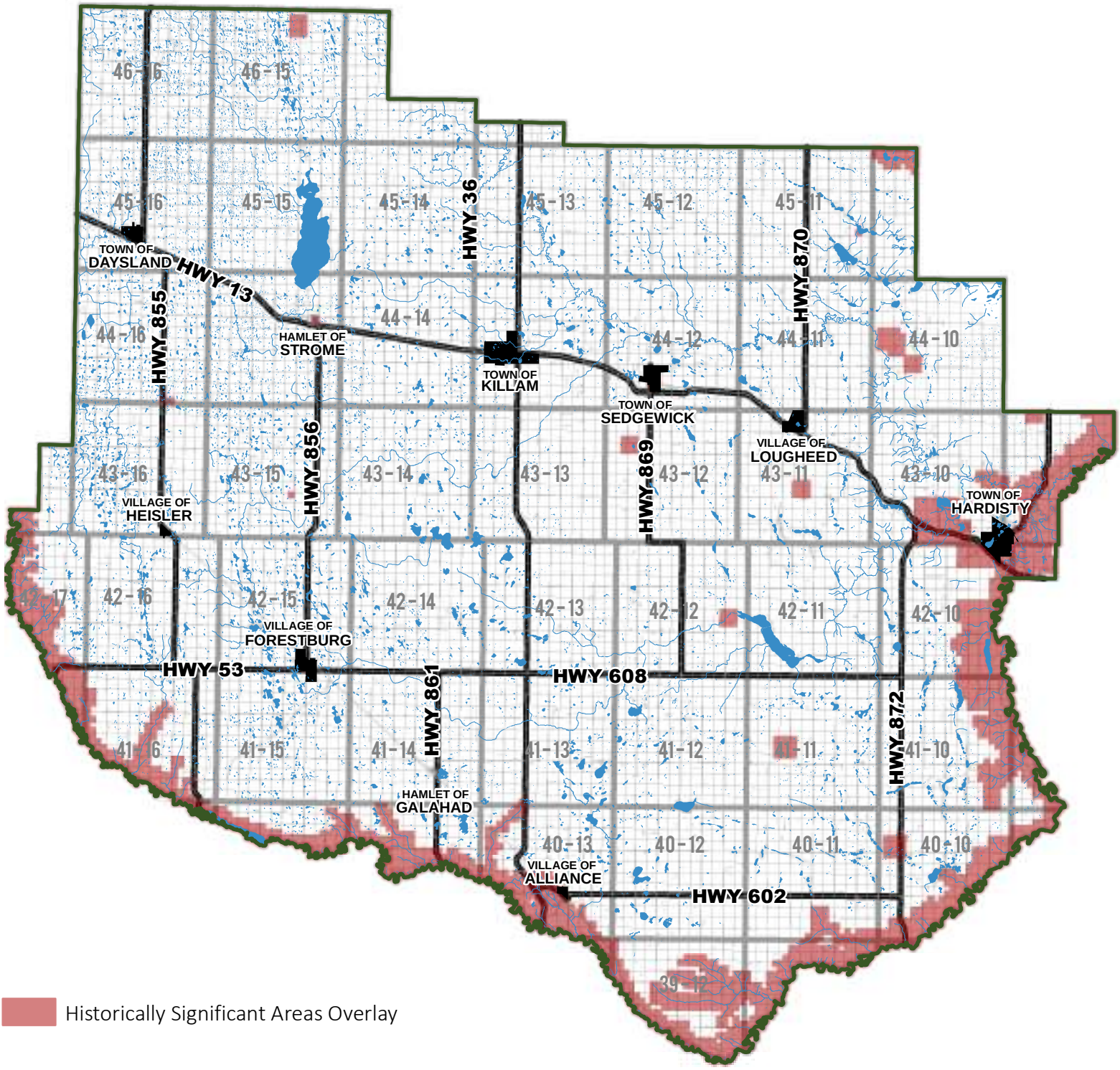
Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

KM
0 5 10 15

NORTH

MPS
MUNICIPAL PLANNING SERVICES LTD.

MAP 13.2 - HISTORICALLY SIGNIFICANT AREAS OVERLAY



Historically Significant Areas Overlay

LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 10 15 KM

NORTH

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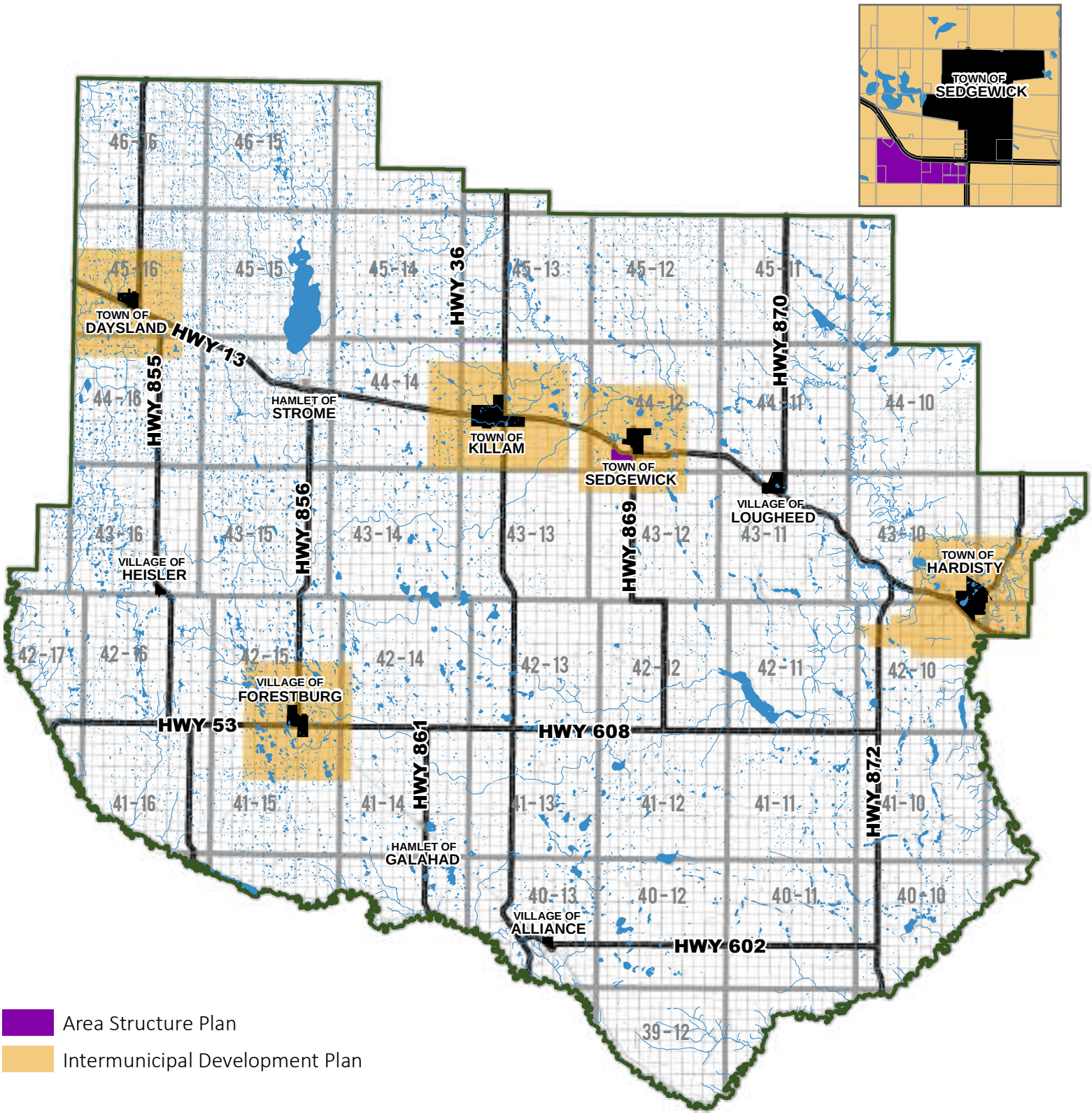
MAP 13.3 - STATUTORY PLAN OVERLAY



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

KM
0 5 10 15

NORTH

MPS
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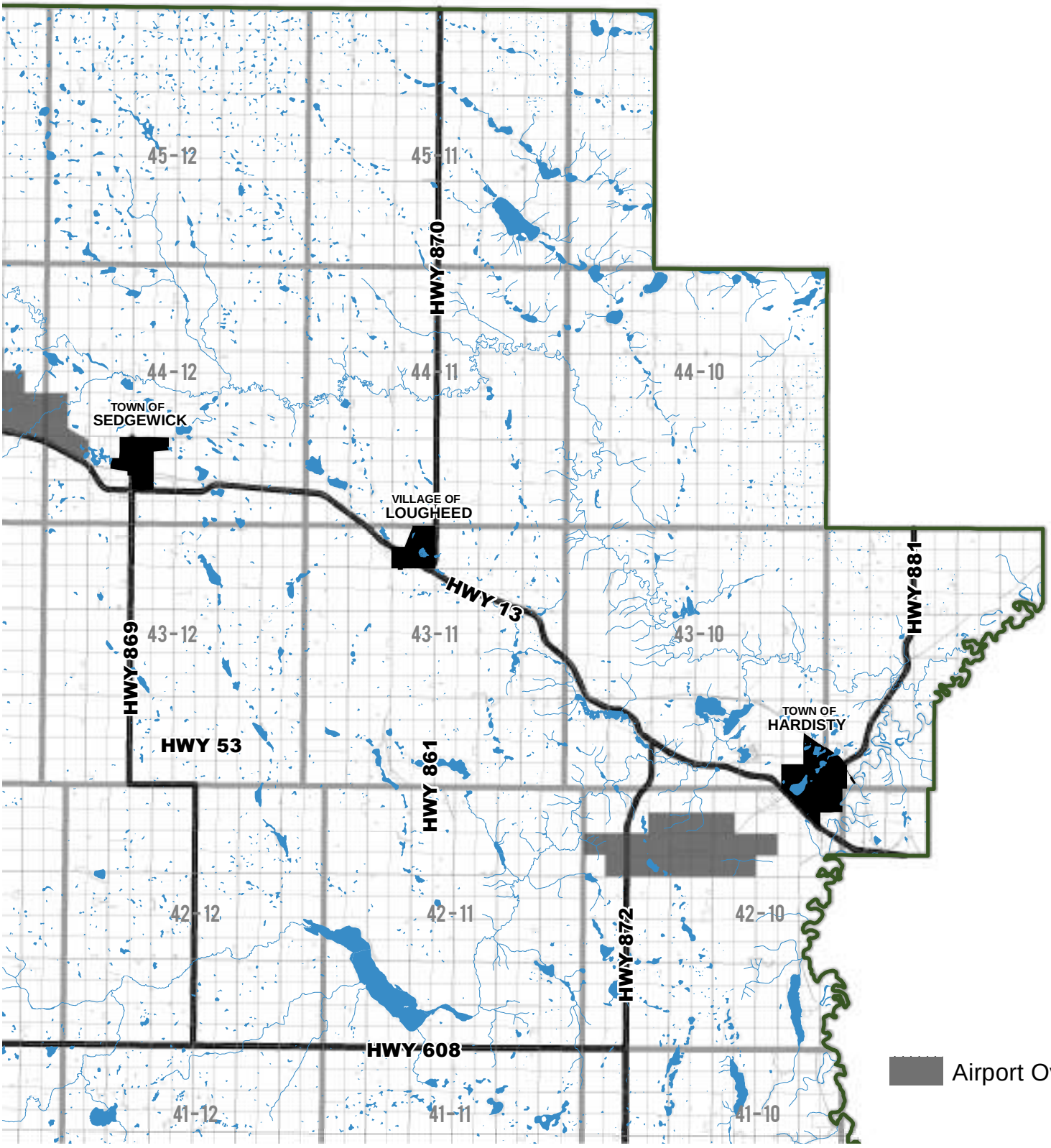
MAP 13.4 - AIRPORT OVERLAY



LAND USE DISTRICT MAP

FLAGSTAFF COUNTY LAND USE BYLAW

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

0 5 KM

NORTH

MPS
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