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October 22, 2024



COUNTY OF  
**WETASKIWIN**

*Shaping Your Community*

**LAND USE BYLAW**

Date Adopted: XXXX

Draft October 22, 2024

# BYLAW PAGE

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# SUMMARY OF AMENDMENTS

Revision #	Date	Bylaw #	Description

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# TABLE OF CONTENTS

<b>1</b>	<b>ENACTMENT.....</b>	<b>3</b>
1.1	Title .....	3
1.2	Purpose.....	3
1.3	Application of this Bylaw.....	3
1.4	Previous Bylaws .....	4
1.5	Effective Date .....	4
1.6	Applications in Progress.....	4
1.7	Compliance with Other Legislation .....	4
1.8	Interpretation of this Bylaw .....	4
<b>2</b>	<b>APPROVING AUTHORITIES.....</b>	<b>10</b>
2.1	Development Authority and Subdivision Authority .....	10
2.2	Authorities.....	10
2.3	Subdivision and Development Appeal Board .....	11
<b>3</b>	<b>EXEMPTIONS AND NON-CONFORMING .....</b>	<b>14</b>
3.1	Control of Development.....	14
3.2	Development Not Requiring a Development Permit .....	14
3.3	Non-Conforming Uses and Buildings.....	17
<b>4</b>	<b>ESTABLISHMENT OF LAND USE DISTRICTS .....</b>	<b>20</b>
4.1	Districts.....	20
4.2	Overlays.....	20
4.3	Establishing Land Use Districts .....	21
4.4	Summary Table of Uses in each District .....	22
<b>5</b>	<b>DISTRICTS .....</b>	<b>28</b>
5.1	Agricultural District (AG).....	28
5.2	Country Residential District (CR) .....	31
5.3	Residential Recreation District (RR).....	33
5.4	Hamlet Residential District (HR).....	35
5.5	General Commercial District (GC) .....	38
5.6	Rural Residential Conservation District (RRC).....	41
5.7	Public Services District (PS).....	43



5.8	Industrial District (IN).....	45
5.9	Municipal Reserve District (MR).....	47
5.10	Environmental Reserve District (ER).....	48
5.11	Direct Control District (DC).....	49
5.12	Direct Control District – Plan 7922894 Lot C.....	51
5.13	Direct Control District – NW 20-46-24-W4.....	52
<b>6</b>	<b>OVERLAYS.....</b>	<b>56</b>
6.1	Intermunicipal Development Plan Overlay District (IDPO).....	56
6.2	Waste Management Overlay District (WMO).....	56
<b>7</b>	<b>GENERAL REGULATIONS.....</b>	<b>60</b>
7.1	Applicability.....	60
7.2	Site Suitability.....	60
7.3	Accesses and Approaches.....	61
7.4	Outhouses.....	63
7.5	Drainage and Grading.....	63
7.6	Lighting Standards.....	63
7.7	Fencing.....	63
7.8	Development on Slopes.....	63
7.9	Development near Waterbodies.....	65
7.10	Permitted Projections into Setbacks.....	66
7.11	Parking and Loading.....	67
7.12	Loading Requirements.....	69
7.13	Drive-through Queuing.....	70
<b>8</b>	<b>SIGN REGULATIONS.....</b>	<b>74</b>
8.1	Applicability.....	74
8.2	Regulations.....	74
<b>9</b>	<b>SPECIFIC USE REGULATIONS AND INFORMATION REQUIREMENTS.....</b>	<b>78</b>
9.1	Accessory Buildings or Structures.....	78
9.2	Auto Salvage and Wrecking Yard.....	78
9.3	Bed & Breakfast.....	78
9.4	Campgrounds and Recreational Unit Parks.....	79
9.5	Cannabis Retail Store.....	79
9.6	Dwellings.....	80

9.7	Event Facilities .....	80
9.8	Equestrian Centers .....	81
9.9	Funeral Services.....	81
9.10	Golf Courses.....	81
9.11	Home Occupation .....	82
9.12	Kennel.....	83
9.13	Recreational, Extensive .....	84
9.14	Recreational, Commercial.....	85
9.15	Recreational Unit, Commercial Storage .....	86
9.16	Recreational Unit, Personal Use & Storage .....	86
9.17	Resource Extraction and Resource Processing Operation.....	87
9.18	Work Camp.....	88
<b>10</b>	<b>PROCEDURE FOR DEVELOPMENT .....</b>	<b>94</b>
10.1	Development Permit Applications.....	94
10.2	Development Permit Application Contents.....	94
10.3	Complete Applications.....	95
10.4	Application Review and Decision Process .....	96
10.5	Application Referrals .....	96
10.6	Discretionary Use Assessment Criteria .....	97
10.7	Variance Assessment.....	106
10.8	Development Permit Decisions.....	107
10.9	Notice of Decision.....	108
10.10	Development Permit Extensions .....	108
10.11	Development Permit Revisions .....	108
10.12	Cancellation, Suspension or Modification of Development Permit.....	109
<b>11</b>	<b>SUBDIVISION APPLICATIONS .....</b>	<b>114</b>
11.1	Subdivision Applications .....	114
<b>12</b>	<b>DEVELOPMENT AND SUBDIVISION APPEALS .....</b>	<b>118</b>
12.1	Development Permit, Subdivision, and Stop Order Appeals.....	118
<b>13</b>	<b>ENFORCEMENT.....</b>	<b>122</b>
13.1	Contravention.....	122
13.2	Prohibitions.....	122
13.3	Compliance Process .....	122

13.4	Offences and Fines.....	124
<b>14</b>	<b>BYLAW AMENDMENTS.....</b>	<b>128</b>
14.1	Amending this Bylaw .....	128
14.2	Bylaw Amendment Application .....	128
14.3	Bylaw Amendment Process .....	129
14.4	Bylaw Amendment Decision .....	129
<b>15</b>	<b>TERMS AND WORDS.....</b>	<b>132</b>
15.1	Definitions .....	132
<b>16</b>	<b>SCHEDULES.....</b>	<b>156</b>
16.1	District Maps.....	156
16.2	Overlay Maps .....	156

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# SECTION ONE | ENACTMENT

# 1 ENACTMENT

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## 1.1 Title

1.1.1. The title of this Bylaw is the County of Wetaskiwin Land Use Bylaw and is referred to as “this Bylaw”.

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## 1.2 Purpose

1.2.1. The purpose of this Bylaw is to:

- a. provide direction for the orderly, economical, and beneficial development, use of land and patterns of human settlement in the County of Wetaskiwin, and
- b. regulate and control development or, where necessary, prohibit development without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

1.2.2. This Bylaw:

- a. is a tool to help implement the policies of the County’s Municipal Development Plan and other Statutory Plans;
- b. divides the County into land use districts;
- c. outlines permitted and discretionary uses for each land use district;
- d. prescribes the subdivision and development regulations for each land use district, generally and specifically;
- e. establishes the number of dwelling units permitted on a parcel of land;
- f. establishes criteria for the Development Authority to make decisions on applications for development permits, including the issuing of development permits;
- g. sets out the method to appeal a decision made by the Development Authority in regard to this Bylaw;
- h. identifies the manner that the notice of the issuance of a development permit is given and to whom; and
- i. describes the procedure to make amendments to this Bylaw.

1.2.3. This Bylaw shall be applied in a manner that is consistent with the County’s adopted Statutory Plans and provincial legislation such as the County’s Municipal Development Plan, the *Matters Related to Subdivision and Development Regulation*, and provincial land use policies.

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## 1.3 Application of this Bylaw

1.3.1. Except as otherwise provided for in this Bylaw, no person shall commence a development unless a development permit for that development has been issued and the appeal period has expired.

1.3.2. If one or more provisions of this Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

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## 1.4 Previous Bylaws

- 1.4.1. The County of Wetaskiwin Land Use Bylaw No. 2017/48 signed on the 12th day of April 2018, and amendments thereto, are hereby repealed.

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## 1.5 Effective Date

- 1.5.1. This Bylaw comes into force upon the date of final reading.

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## 1.6 Applications in Progress

- 1.6.1. A development permit application or a subdivision application received and deemed complete prior to the effective date of this Bylaw shall be processed in accordance with Bylaw No. 2017/48.

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## 1.7 Compliance with Other Legislation

- 1.7.1. A person applying for, or in possession of, a subdivision approval or development permit is not relieved from the responsibility of determining and complying with, or carrying out development in accordance with:
- a. County Statutory Plans;
  - b. other County Bylaws;
  - c. the *Municipal Government Act*;
  - d. the *Safety Codes Act*;
  - e. the *Environmental Protection and Enhancement Act*;
  - f. the *Natural Resources and Conservation Board Act*;
  - g. any other applicable federal, provincial, or other municipal legislation; and
  - h. the conditions of any caveat, restrictive covenant, easement, or other instrument affecting a building or land.
- 1.7.2. Nothing in this Bylaw affects the duty or obligation of a person:
- a. to obtain any other permit, license or other authorization required by any act or regulation, or under any other Bylaw; or
  - b. to comply with the conditions of any easement, covenant, or agreement affecting the building or land.

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## 1.8 Interpretation of this Bylaw

- 1.8.1. In this Bylaw, the term "use" or "to use" refers to any activity carried out directly or indirectly on any land, building, or structure by the owner or occupant, or by someone authorized by the owner or occupant (such as a trustee, tenant, servant, or agent) for the purpose of utilizing the land, building, or structure, unless the context suggests otherwise.

### WORDS

- 1.8.2. The words "**shall**", "**will**" and "**must**" indicate that the action is mandatory.
- 1.8.3. The word "**should**" indicates direction to strive to achieve the outlined action but is not mandatory and at the discretion of the Development Authority.



- 1.8.4. The word “**may**” indicates the action is discretionary, meaning the action can be implemented if the County chooses to do so.
- 1.8.5. Any reference to “**the MGA**” or “**the Act**” in this Bylaw shall mean the *Municipal Government Act*.
- 1.8.6. Any reference to “**the Regulation**” in this Bylaw shall mean the *Matters Related to Subdivision and Development Regulation*.
- 1.8.7. Any reference to “**the MDP**” in this Bylaw shall mean the County’s current Municipal Development Plan.
- 1.8.8. Any reference to the “**municipality**” or “**the County**” in this Bylaw shall mean the County of Wetaskiwin, unless otherwise noted.
- 1.8.9. The term “**Council**” in this Bylaw shall mean the Council of the County of Wetaskiwin in the Province of Alberta, unless otherwise noted.
- 1.8.10. Any reference to the “**Development Authority**” in this Bylaw shall mean the Development Officer, or other person(s) as appointed by Council.
- 1.8.11. Any reference to the “**Development Officer**” in this Bylaw shall mean a person or persons appointed to the office of development officer by Council or by the Director of Planning and Development, with the authority as established in this Bylaw.
- 1.8.12. Words, phrases, and terms not defined in this Bylaw may be given their definition in the MGA, the *Alberta Safety Codes Act*, or the *Interpretation Act*. Other words shall be defined by their usual and customary meaning, or as outlined in Section 15 Terms and Words.

## MEASUREMENTS

- 1.8.13. Measurements listed shall adhere and comply with the stated Metric measurements. Imperial measurements are included in this Bylaw for reference only. If there is a discrepancy in this Bylaw between the two measurements, the Metric measurements shall be referenced and adhered to.
- 1.8.14. Any measurement greater than the exact regulation prescribed in this Bylaw shall be considered in excess of the requirement and shall not be rounded down.
- 1.8.15. The following notations may be used in place of whole words within this Bylaw:
- |   |  |
|---|--|
| a. “ <b>m</b> ” shall mean metre(s);                    | f. “ <b>ft<sup>2</sup></b> ” shall mean square feet; |
| b. “ <b>m<sup>2</sup></b> ” shall mean square metre(s); | g. “ <b>ha</b> ” shall mean hectare(s);              |
| c. “ <b>km</b> ” shall mean kilometre(s);               | h. “ <b>ac</b> ” shall mean acre(s);                 |
| d. “ <b>mi</b> ” shall mean mile(s);                    | i. “ <b>lbs</b> ” shall mean pounds; and             |
| e. “ <b>ft</b> ” shall mean feet;                       | j. “ <b>kg</b> ” shall mean kilogram(s).             |

## ILLUSTRATIONS

- 1.8.16. Drawings and graphic illustrations used in this Bylaw are for context and to aid in interpreting and understanding the intent of regulations and provisions. If there is conflict or inconsistency between a drawing or graphic illustration and the text of this Bylaw, the text shall prevail.

**BOUNDARIES**

- 1.8.17. The boundaries of the Land Use District maps, shall be interpreted as follows:
- a. where the boundary of a district follows a public roadway or a public right-of-way it follows the centre line, unless otherwise indicated;
  - b. where the boundary of a district abuts a provincial or federal property, railway right-of-way, pipeline, or utility right-of-way it follows the boundary line;
  - c. where the boundary of a district is shown as approximately following the County boundary, it follows the County boundary;
  - d. where the boundary of a district is shown as approximately following the edge of any waterbody, including rivers, lakes, creek, streams, etc., it follows the bank of the body of water as described in the *Surveys Act*;
  - e. where a boundary of a district is shown as approximately following a lot or parcel line, it follows the lot or parcel line; and
  - f. where a land use district boundary is not located in conformity to the preceding provisions and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly from that Map.
  - g. When an area of land has been redistricted prior to subdivision, the redistricting shall be interpreted as following the boundaries of the subdivided lot, even if the area of the lot and the area set out in the redistricting Bylaw are not identical; and
  - h. When the boundary of a lot is changed through subdivision, the land use classification follows the new boundary.
- 1.8.18. If the application of the above interpretations does not result in the exact location of a district boundary, the Development Authority shall determine the exact location of the boundary in doubt or in dispute in a manner consistent with the regulations and provisions of this Bylaw, to the degree of detail that the circumstance requires.
- 1.8.19. After the Development Authority has determined the exact location of a district boundary, that portion of the location of the boundary shall not be altered, except through an amendment to this Bylaw.
- 1.8.20. The Development Authority shall maintain a record of all district boundary decisions.





An aerial photograph of a rural landscape. A dirt road winds through a field of tall grasses and scattered trees. In the background, there are more fields and a line of trees under a cloudy sky. The image is overlaid with a dark green semi-circular shape on the right side, which contains the text.

# **SECTION TWO |** APPROVING AUTHORITIES

**Draft October 22, 2024**



## 2 APPROVING AUTHORITIES

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### 2.1 Development Authority and Subdivision Authority

- 2.1.1. The position of the Development Authority is hereby established in accordance with the MGA.
- a. The Director of Planning and Development shall constitute the Development Authority for the County and shall perform the duties in accordance with the MGA, the *Regulation*, and this Bylaw.
- 2.1.2. For administration of this Bylaw, the Director of Planning and Development may delegate responsibility to:
- a. Any County employee designated as the Development Officer; or,
  - b. Any other person specifically delegated in writing the authority to decide on development permit applications, and
  - c. Any other person specifically delegated in writing the authority to enforce this bylaw.
- 2.1.3. For the purposes of this Bylaw, Council shall solely be responsible for decisions regarding Direct Control (DC) Districts except where Council has delegated decision making authority in the Direct Control District.
- 2.1.4. In accordance with MGA, the Subdivision Authority for the County is established through the County's Subdivision Authority Bylaw.
- 

### 2.2 Authorities

- 2.2.1. The Development Authority:
- a. shall receive, consider, and decide on all development permit applications;
  - b. shall collect fees according to the County's Fees & Charges Bylaw as established by Council and amended from time to time;
  - c. shall be declared the designated officer for the purposes of carrying out inspections and enforcement in accordance with the MGA;
  - d. may sign any order, decision, approval, notice, or other thing made or given by them relating to this Bylaw;
  - e. assist and advise the Council and the public with respect to the requirements of this Bylaw and other pertinent legislation to the best of their ability;
  - f. keep and maintain for the inspection of the public during office hours and on the County's website a copy of this Bylaw and any adopted statutory plans and all subsequent amendments, and ensure that copies of the same are available to the public at a reasonable charge as set by Council, amended from time to time;
  - g. keep on file in their office and make available for inspection by the general public during office hours a register of all development permit applications, including the decisions made on those applications.
  - h. approve all applications which constitute a "Permitted Use" in a Land Use District and complies with all the applicable regulations in this Bylaw. The application shall be approved, with or without conditions subject to meeting the regulations of this Bylaw;

- i. consider and decide on all applications which constitute a “Discretionary Use” in a Land Use District. The application will be evaluated for conformance with the applicable regulations of this Bylaw and in consideration of the discretionary use criteria in Section 10.6. The application may:
    - i. be approved, without conditions, with conditions necessary to ensure compliance, or with such conditions that are more restrictive than those in this Bylaw; or,
    - ii. be refused despite otherwise complying with this Bylaw.
  - j. consider and decide on renewal of time limited permits which complies with the conditions of the original permit. If in the opinion of the Development Officer the development does not meet the conditions of the original permit, then it shall be treated as a new application, unless an extension is approved by the Development Officer;
  - k. refuse all other applications, unless in the Development Officer’s opinion there is justification for an application to be approved pursuant to subsection 2.2.2;
  - l. refer to the Councils of incorporated municipalities, copies of all applications for Discretionary Uses within their respective Intermunicipal Development Plan (IDP) area as identified in the applicable IDP in accordance with Section 6.1; and
  - m. refer any application for Development Permits to any agency or person for comments as required by the *Regulation* or when deemed appropriate.
- 2.2.2. The Development Officer may consider and approve an application which does not comply with the regulations of this bylaw, after consideration of the variance criteria in Section 10.7, if in the opinion of the Development Officer, the proposed development:
- a. would not unduly interfere with the amenities of the neighbourhood;
  - b. would not materially interfere with or affect the use, enjoyment, or value or neighbouring properties;
  - c. conforms with the use prescribed for that land or building in this Bylaw; and
  - d. complies with any adopted statutory plans.

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## 2.3 Subdivision and Development Appeal Board

- 2.3.1. The powers, duties and responsibilities of this board are established in the Subdivision and Development Appeal Board Bylaw, as amended from time to time.







# **SECTION THREE |** EXEMPTIONS AND NON-CONFORMING



## 3 EXEMPTIONS AND NON-CONFORMING

### 3.1 Control of Development

- 3.1.1. No development, other than those outlined in subsection 3.2 or exempt by federal or provincial legislation, shall be undertaken in the County unless a development permit application for it has been approved and a development permit has been issued.

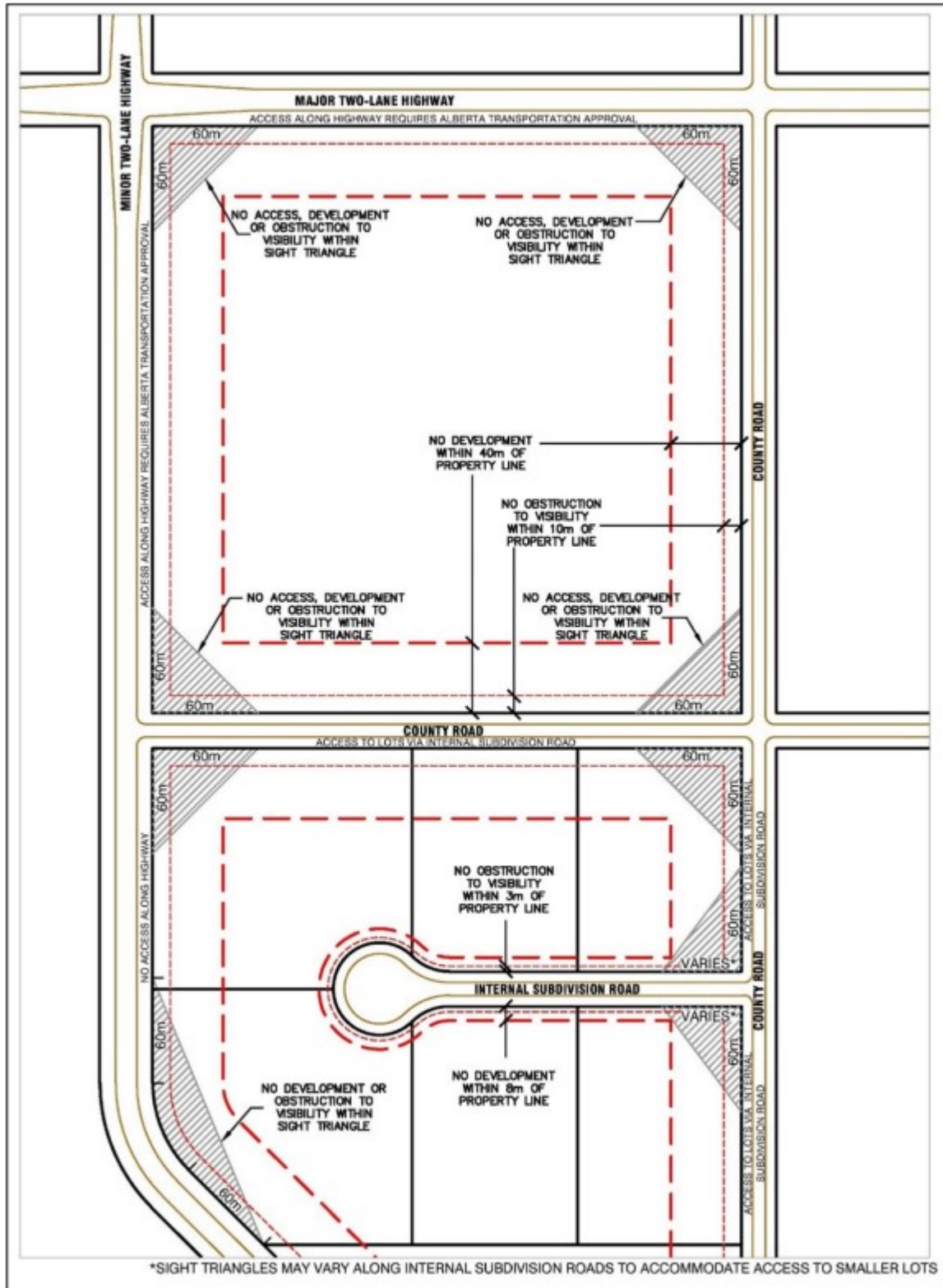
### 3.2 Development Not Requiring a Development Permit

- 3.2.1. Except for lands in the Agricultural District under the Intermunicipal Development Plan Overlay, a development permit is not required for the following types of development so long as they conform to all other relevant provisions of this Bylaw including setbacks, site coverage, height, etc.:
- a. **Agriculture and accessory agricultural buildings;**
  - b. **Home occupation, minor;**
  - c. Day homes;
  - d. An accessory building, moveable or not, less than 14 m<sup>2</sup> (150.7 ft<sup>2</sup>) in size and meets the development standards of the district including setbacks, lot coverage and height;
  - e. Minor renovations to a building that does not change the use, size or shape of the building;
  - f. A deck 0.6 m (2 ft) or less in height above grade;
  - g. Construction, maintenance, improvement or placement of gates, fences, golf netting, walls or other means of enclosure except where the object will be:
    - i. over 1.8 m (6 ft) in height;
    - ii. within the shaded areas of Figure 1.
  - h. Landscaping improvements such as flag poles, paving stones/hard surfacing, retaining walls, raised flower beds, water fountains, decorative rocks and family signs except where the object will be:
    - i. located on a property line (except hard surfacing);
    - ii. a retaining wall above 0.91 m (3 ft) in height and/or within 5 m (16.4 ft) of a property line;
    - iii. a family sign larger than 0.91 m x 1.21 m (3 ft x 4ft);
    - iv. within the shaded triangle areas shown on Figure 1;
    - v. significantly affecting the existing lot drainage and natural drainage pattern and will create off-site impacts; or
    - vi. a hazard to persons, property or traffic, in the opinion of the Development Officer.
  - i. Lot grading except where grading will:
    - i. significantly affect the existing lot drainage and natural drainage pattern and will create off-site impacts; or
    - ii. be in contravention of a previous study or approval such as a Storm Water Management Plan or Area Structure Plan.

- j. Driveways except where the driveway will:
  - i. significantly affect the existing lot drainage and natural pattern and will create off-site impacts.
- k. Recreational Unit, Personal Use & Storage except on parcels with no approved dwelling on site in the Residential Recreation District;
- l. Recreational Unit, Personal Use & Storage (Accessory to a Dwelling);
- m. A building, the use of which is incidental for the construction or renovation of a building for which a development permit has been issued;
- n. The development, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly owned or controlled;
- o. Work Camps established in support of federal, provincial or municipal works;
- p. Buildings and land uses which are exempt from municipal control under the MGA; and
- q. Any other development exempt from a development permit as noted in this Bylaw.

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▼ Figure 1: Development Setbacks



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### 3.3 Non-Conforming Uses and Buildings

- 3.3.1. If a development permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force, and this Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of this Bylaw.
- 3.3.2. A non-conforming use of land or a non-conforming use of 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 shall conform with the provisions of this Bylaw.
- 3.3.3. 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, shall not be enlarged or added to and no structural alterations shall be made to or in it.
- 3.3.4. A non-conforming use of part of a lot shall not be extended or transferred in whole, or in part to any other part of the lot and no additional buildings shall be erected on the lot while the non-conforming use continues.
- 3.3.5. A non-conforming building may continue to be used, but the building shall 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. where a development application has been submitted and the non-conformity is considered in accordance with the variance provisions of Section 10.7 by a Development Officer.
- 3.3.6. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.
- 3.3.7. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.







**SECTION FOUR |**  
ESTABLISHMENT OF  
LAND USE DISTRICTS

Draft October 22, 2024



## 4 ESTABLISHMENT OF LAND USE DISTRICTS

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### 4.1 Districts

- 4.1.1. Land use districts and the associated district provisions are hereby established in accordance with the Schedules of this Bylaw.
  - 4.1.2. Schedule 16.1: Land Use District Maps divides the County into districts and specifies the district provisions applicable to each parcel of land in the County.
- 

### 4.2 Overlays

- 4.2.1. Overlays are included in this Bylaw to provide additional development regulations for specific areas in the County. If there is a conflict between the overlay and the underlying district, the provisions and regulations in the overlay shall take precedence and effect.
- 4.2.2. The Intermunicipal Development Plan Overlay applies to all districts in the County within those areas shown in Schedule 16.2: Overlay.
- 4.2.3. The Waste Management Overlay applies to all districts in the County within those areas shown in Schedule 16.2: Overlay.

### 4.3 Establishing Land Use Districts

4.3.1. For the purpose of this Bylaw, the County is divided into the following land use districts:

LAND USE DISTRICT	DISTRICT PURPOSE
<b>AG</b> <b>Agricultural</b>	The purpose of the Agricultural District (AG) is to support land use and development consistent with the agricultural and rural development goals and objectives of the Municipal Development Plan.
<b>CR</b> <b>Country Residential</b>	The purpose of the Country Residential District (CR) is to support multi-lot residential land use and development in a rural setting.
<b>RR</b> <b>Residential Recreation</b>	The purpose of the Residential Recreation District (RR) is to allow for the subdivision and development of parcels for exclusively personal and private residential and/or recreational use in locations close to lakes and other recreation amenities such as golf courses, etc.
<b>HR</b> <b>Hamlet Residential</b>	The purpose of the Hamlet Residential District (HR) is to support residential development in established hamlets.
<b>GC</b> <b>General Commercial</b>	The purpose of the General Commercial District (GC) is to support commercial and institutional development throughout the County.
<b>C</b> <b>Conservation</b>	The purpose of the Conservation District (C) is to protect the integrity of lakes and watersheds through the preservation of existing tree cover and supporting environmentally sensitive residential, recreational, and agricultural development.
<b>PS</b> <b>Public Services</b>	The purpose of the Public Services District (PS) is to support public uses serving the educational, health, social, and recreation needs of the rural community.
<b>IN</b> <b>Industrial</b>	The purpose of the Industrial District (IN) is to allow for the development of industrial land uses in the County where there is a minimal impact on the social and physical environment.
<b>MR</b> <b>Municipal Reserve</b>	The purpose of the Municipal Reserve District (MR) is to allow for the designation and use of reserve land for parks and schools, in accordance with the MGA, that supports the educational and recreational needs of the community.
<b>ER</b> <b>Environmental Reserve</b>	The purpose of the Environmental Reserve District (ER) is to preserve natural features and prevent development on unsuitable lands. These lands typically include swamps, gullies, ravines, floodplains, or areas adjacent to water bodies.
<b>DC</b> <b>Direct Control</b>	The purpose of the Direct Control District (DC) is to enable Council to exercise particular control over the use and development of land and buildings in any such manner as Council may consider necessary.

### 4.4 Summary Table of Uses in each District

4.4.1. This Land Use Summary Table provides an overview of the uses permitted and discretionary in each district. Where the uses listed below are not shown as permitted or discretionary they are not permitted. Please refer to Section 3 Exemptions and Non-Conforming to determine if the use is exempt from requiring an approved development permit.

LAND USE SUMMARY TABLE – Not included are the Direct Control (DC) Districts (NOTE: district acronyms are identified in subsection 4.3.1)										
Use	AG	CR	RR	HR	GC	C	PS	IN	MR	ER
Abattoir	D							D		
Accessory Building or Structure	P	P	P	P	P	P	P	P	P	
Adult Entertainment Facility								D		
Agriculture	P					P	P	P		
Agriculture, Processing	P				D			P		
Animal Grooming Facility or Dog Training	D				P			P		
Apiary	P				D	P		P		
Auction Facility	P				D			P		
Auto Salvage and Wrecking Yard	D							D		
Bed and Breakfast	P	D	D	P	P	P				
Breweries, Wineries, and Distilleries	D				P	D		P		
Bulk Fuel Depot								D		
Bulk Fuel Dealer					D			P		
Business Service					P			P		
Campground					D	D	D			
Cannabis Production Facility	D							D		
Cannabis Retail Store					D					
Cannabis Storage and Distribution Facility	D							D		
Casino					D					
Cemetery					D		P			
Commercial Greenhouse	P				P	D		P		
Commercial Storage					P			P		

LAND USE SUMMARY TABLE – Not included are the Direct Control (DC) Districts (NOTE: district acronyms are identified in subsection 4.3.1)										
Use	AG	CR	RR	HR	GC	C	PS	IN	MR	ER
Community Hall					P		P			
Day Care			D	D	P		P			
Day Home	P	P	P	P		P				
Drive-In Food Service					D					
Dwelling	P	P	P	P	P	P	D	D		
Dwelling, Communal	D									
Dwelling, Greater than 3 on parcels 16.18 ha (40ac) or greater	D									
Dwelling, Multiple				P	D					
Education Facility	P				P		P		P	
Equestrian Center	D				D					
Event Facility	D				D	D				
Farm Supply and Services Dealer					D				P	
Funeral Service					D				D	
General Contractor					D				P	
Golf Course					D					
Group Home	D	D	D	D		D			D	
Health Facility					P				P	
Heliport							D		D	
Home Occupation, Major	P	D	D	D		D				
Home Occupation, Minor	P	P	P	P		P				
Horticulture	P									
Hotel					P					
Institutional Use(s)	P				P		P		P	
Kennel	D				D	D			P	
Lumber Yard	D								D	
Manufacturing and/or Processing Plant									D	
Marina					D		D			

LAND USE SUMMARY TABLE – Not included are the Direct Control (DC) Districts (NOTE: district acronyms are identified in subsection 4.3.1)										
Use	AG	CR	RR	HR	GC	C	PS	IN	MR	ER
Market Garden	P				P	D				
Motel					P					
Pawn Shop					D			D		
Personal Medical Cannabis Production	D									
Personal Service Business					P					
Place of Worship	P				P	D	D			
Public Park							P		P	P
Public Utility	P	P	P	P	P	P	P	P	P	P
Recreational, Commercial					D					
Recreational, Extensive	D				D	D	P		P	
Recreational Unit, Commercial Storage	D				D			P		
Recreational Unit, Park					D	D				
Recreational Unit, Personal Use & Storage	P		P			P				
Recreational Unit, Personal Use & Storage (Accessory to a Dwelling)		P		P						
Recreational Unit Dealer					D			P		
Recycling Depot					D			P		
Resource Extraction Operation Type A	D									
Resource Extraction Operation Type B	D									
Resource Processing Operation	D							D		
Restaurant					P			P		
Retail Liquor Store					P			D		
Retail Store					P			D		

LAND USE SUMMARY TABLE – Not included are the Direct Control (DC) Districts (NOTE: district acronyms are identified in subsection 4.3.1)										
Use	AG	CR	RR	HR	GC	C	PS	IN	MR	ER
Seniors and/or Supportive Living Complex				P	P		P			
Service Station					P			P		
Show Home		D	D	D		D				
Spectator Sport Facility					D		D	D		
Vehicle Repair Business	D				D			P		
Vehicles Sales, Motor					P			P		
Vehicle, Truck/Large Business					D			P		
Veterinary Clinic	P				P	P		P		
Warehouse	D				P			P		
Work Camp	D							D		

Note: Where a use does not fall within the definitions of uses listed above but is consistent with the uses in the District and purpose of the District as determined by the Development Authority shall be considered as a Discretionary use.







# **SECTION FIVE | LAND USE DISTRICTS**

**Draft October 22, 2024**

## 5 DISTRICTS

### 5.1 Agricultural District (AG)

The purpose of the Agricultural District (AG) is to support land use and development consistent with the agricultural and rural development goals and objectives of the Municipal Development Plan.

Note: All farm buildings as defined by the Alberta Building Code are exempt subject to meeting the setback requirements of this Bylaw.

5.1.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Agriculture, Processing</li> <li>• Apiary</li> <li>• Auction Facility</li> <li>• Bed and Breakfast</li> <li>• Commercial Greenhouse</li> <li>• Day Home</li> <li>• Dwelling</li> <li>• Education Facility</li> <li>• Home Occupation, Major</li> <li>• Home Occupation, Minor</li> <li>• Horticulture</li> <li>• Institutional Use(s)</li> <li>• Market Garden</li> <li>• Place of Worship</li> <li>• Public Utility</li> <li>• Recreational Unit, Personal Use &amp; Storage</li> <li>• Veterinary Clinic</li> <li>• Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>• Abattoir</li> <li>• Animal Grooming Facility or Dog Training</li> <li>• Auto Salvage and Wrecking Yard</li> <li>• Breweries, Wineries, and Distilleries</li> <li>• Cannabis Production Facility</li> <li>• Cannabis Storage and Distribution Facilities</li> <li>• Dwelling, Communal</li> <li>• Dwelling, Greater than 3 on parcels 16.18 ha (40ac) or greater</li> <li>• Equestrian Center</li> <li>• Event Facility</li> <li>• Group Home</li> <li>• Kennel</li> <li>• Lumber Yard</li> <li>• Personal Medical Cannabis Production</li> <li>• Recreational, Extensive</li> <li>• Recreational Unit, Commercial Storage</li> <li>• Resource Extraction Operation Type A</li> <li>• Resource Extraction Operation Type B</li> <li>• Resource Processing Operation</li> <li>• Vehicle Repair Business</li> <li>• Warehouse</li> <li>• Work Camp</li> </ul>



5.1.2. Development regulations for development in the Agricultural District (AG):

	REGULATION	PROVISION
5.1.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	
	<i>On parcels less than 16.18 ha (40ac)</i>	2 dwelling units
	<i>On parcels 16.18 ha (40ac) or greater</i>	3 dwelling units
		Additional dwellings may be considered as discretionary use.
b.	Recreational Unit Density (maximum)	
	<i>On parcels less than 16.18 ha (40ac)</i>	3 recreational units
	<i>On parcels 16.18 ha (40ac) or greater</i>	4 recreational units
c.	Multiple Dwelling locations	Multiple dwellings on a lot should be clustered together on poor agricultural land with a farmland assessment rating of less than 30%, in order to preserve agricultural land, and must be able to maintain direct access to a public road.  Any additional dwelling should not create a driveway/access through productive agricultural land.
5.1.2.2	ALL BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
d.	Building Height (maximum)	
	<i>only on parcels 0.40 ha (1 ac) or less</i>	10.0 m (32.8 ft)
5.1.2.3	LOTS 0.40 HA (1 AC) OR LESS	
a.	Total Site Coverage of all Buildings (maximum)	
	<i>only on parcels 0.40 ha (1 ac) or less</i>	40%
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

**SUBDIVISION STANDARDS**

- 5.1.3. Refer to the East and West Agricultural Policy Areas subdivision provisions in the Municipal Development Plan.

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## 5.2 Country Residential District (CR)

The purpose of the Country Residential District (CR) is to support multi-lot residential land use and development in a rural setting.

5.2.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>Day Home</li> <li>Dwelling</li> <li>Home Occupation, Minor</li> <li>Public Utility</li> <li>Recreational Unit, Personal Use &amp; Storage (Accessory to a Dwelling)</li> <li>Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>Bed and Breakfast</li> <li>Day Care</li> <li>Group Home</li> <li>Home Occupation, Major</li> <li>Show Home</li> </ul>

5.2.2. Development regulations for development in the Country Residential District (CR):

	REGULATION	PROVISION
5.2.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	2 dwelling units
b.	Recreational Unit, Personal Use & Storage (Accessory to a Dwelling) Density (maximum)	2 recreational units only when accessory to a dwelling.
c.	Site Coverage (maximum for all buildings)	40%
5.2.2.2	PRINCIPAL BUILDING (DWELLING)	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
5.2.2.3	ACCESSORY BUILDINGS OR STRUCTURES	
a.	Combined Area of all Accessory Buildings (maximum)	Up to 557.4 m <sup>2</sup> (6,000 ft <sup>2</sup> ). No individual accessory building or structure to exceed 371.6 m <sup>2</sup> (4,000 ft <sup>2</sup> ).
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

**SUBDIVISION STANDARDS**

5.2.3. Regulations for subdivision in the County Residential District (CR):

5.2.3.1	REGULATION	PROVISION
a.	Parcel Area (minimum)	0.4 ha (1.0 ac)
b.	Parcel Area (maximum)	2.02 ha (5.0 ac)

5.2.4. New multi-lot subdivisions shall be consistent with an approved Area Structure Plan.

5.2.5. The subdivision of existing Country Residential parcels shall be in accordance with the re-subdivision provisions of the Municipal Development Plan Section 15.3.3.

### 5.3 Residential Recreation District (RR)

The purpose of the Residential Recreation District (RR) is to allow for the subdivision and development of parcels for exclusively personal and private residential and/or recreational use in locations close to lakes and other recreation amenities such as golf courses, etc.

5.3.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>Day Home</li> <li>Dwelling</li> <li>Home Occupation, Minor</li> <li>Public Utility</li> <li>Recreational Unit, Personal Use &amp; Storage</li> <li>Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>Bed and Breakfast</li> <li>Day Care</li> <li>Group Home</li> <li>Home Occupation, Major</li> <li>Show Home</li> </ul>

5.3.2. Development regulations for development in Residential Recreation (RR) district:

	REGULATION	PROVISION
5.3.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	2 dwelling units
b.	Recreational Unit Density (maximum)	2 recreational units
c.	Site Coverage (maximum for all buildings)	40%
5.3.2.2	PRINCIPAL BUILDING	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	6.0 m (19.7 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	2.4 m (7.9 ft)
c.	Rear Yard Setback (minimum)	6.0 m (19.7 ft)
d.	Building Height (maximum)	10.0 m (33 ft)
5.3.2.3	ACCESSORY BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	6.0 m (19.7 ft)
	<i>from property line abutting County grid road</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	1.5 m (4.9 ft)

	REGULATION	PROVISION
c.	Rear Yard Setback (minimum)	1.5 m (4.9 ft)
	<i>from property line for garages where vehicle access faces a lane</i>	6.0 m (19.7 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
e.	Combined Area of all Accessory Buildings (maximum)	Up to 557.4 m <sup>2</sup> (6,000 ft <sup>2</sup> ). No individual accessory building or structure to exceed 371.6 m <sup>2</sup> (4,000 ft <sup>2</sup> ).
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

5.3.3. Regulations for subdivision in the Residential Recreation District (RR):

5.3.3.1	REGULATION	PROVISION
a.	Parcel Area (minimum)	
	<i>unserved</i>	1858.0 m <sup>2</sup> (20,000 ft <sup>2</sup> )
	<i>if there is either municipally or communal supplied water or wastewater service</i>	929.0 m <sup>2</sup> (10,000 ft <sup>2</sup> )
	<i>if there is municipally or communal supplied water and wastewater service</i>	450.0 m <sup>2</sup> (4843.8 ft <sup>2</sup> )
b.	Parcel Width (minimum)	
	<i>unserved</i>	30.0 m (98.4 ft)
	<i>if there is either municipally or communal supplied water or wastewater service</i>	21.3 m (70.0 ft)
	<i>if there is municipally or communal supplied water and wastewater service</i>	15.2 m (50.0 ft)

5.3.4. New multi-lot subdivisions shall be consistent with an approved Area Structure Plan.

## 5.4 Hamlet Residential District (HR)

The purpose of the Hamlet Residential District (HR) is to support residential development in established hamlets.

5.4.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Bed and Breakfast</li> <li>• Day Home</li> <li>• Dwelling</li> <li>• Dwelling, Multiple</li> <li>• Home Occupation, Minor</li> <li>• Public Utility</li> <li>• Recreational Unit, Personal Use &amp; Storage (Accessory to a Dwelling)</li> <li>• Seniors and/or Supportive Living Complex</li> <li>• Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>• Day Care</li> <li>• Group Home</li> <li>• Home Occupation, Major</li> <li>• Show Home</li> </ul>

5.4.2. Development regulations for development in the Hamlet Residential District (HR):

	REGULATION	PROVISION
5.4.2.1	<b>DEVELOPMENT STANDARDS</b>	
a.	Dwelling Density (maximum)	2 dwelling units
b.	Dwelling, Multiple and Seniors and/or Supportive Living Complex Density (maximum)	75 dwelling units/ha (30 du/ac)
c.	Recreational Unit, Personal Use & Storage (Accessory to a Dwelling) Density (maximum)	2 recreational units only when accessory to a dwelling.
d.	Site Coverage (maximum for all buildings)	40%
5.4.2.2	<b>PRINCIPAL BUILDING (DWELLING)</b>	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	6.0 m (19.7 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	2.4 m (7.9 ft)
	<i>if there is no developed rear access and the dwelling does not include a front garage (applies to at least one side yard)</i>	4.0 m (13.1 ft)
c.	Rear Yard Setback (minimum)	10.0 m (32.8 ft)



	REGULATION	PROVISION
d.	Building Height (maximum)	10.0 m (32.8 ft)
5.4.2.3	<b>PRINCIPAL BUILDING (MULTIPLE DWELLING AND SENIORS AND/OR SUPPORTIVE LIVING COMPLEX))</b>	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	10.0 m (32.8 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	10.0 m (32.8 ft)
d.	Building Height (maximum)	14.0 m (45.9 ft)
5.4.2.4	<b>ACCESSORY BUILDINGS OR STRUCTURES</b>	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	6.0 m (19.7 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	1.0 m (3.3 ft)
c.	Rear Yard Setback (minimum)	1.0 m (3.3 ft)
	<i>from property line for garages where vehicle access faces a lane</i>	6.0 m (19.7 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
e.	Combined Area of all Accessory Buildings (maximum)	Up to 557.4 m <sup>2</sup> (6,000 ft <sup>2</sup> ). No individual accessory building or structure to exceed 371.6 m <sup>2</sup> (4,000 ft <sup>2</sup> ).
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

5.4.3. Regulations for subdivision in the Hamlet Residential District (HR):

	REGULATION	PROVISION
5.4.3.1	<b>SITE DEVELOPMENT</b>	
a.	Parcel Area (minimum)	
	<i>unserviced</i>	1,858.0 m <sup>2</sup> (20,000 ft <sup>2</sup> )
	<i>if there is either municipally supplied water or wastewater service</i>	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )

	REGULATION	PROVISION
	<i>if there is municipally supplied water and wastewater service</i>	450.0 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )
b.	Parcel Width (minimum)	
	<i>unserved</i>	30.0 m (98.4 ft)
	<i>if there is either municipally supplied water or wastewater service</i>	21.3 m (70.0 ft)
	<i>if there is municipally supplied water and wastewater service</i>	15.2 m (50.0 ft)

5.4.4. New subdivision and development within the Growth Hamlet Areas shall be consistent with an approved Area Structure Plan.

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## 5.5 General Commercial District (GC)

The purpose of the General Commercial District (GC) is to support commercial and institutional development throughout the County.

5.5.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>Animal Grooming Facility or Dog Training</li> <li>Bed and Breakfast</li> <li>Breweries, Wineries, and Distilleries</li> <li>Business Service</li> <li>Commercial Greenhouse</li> <li>Commercial Storage</li> <li>Community Hall</li> <li>Day Care</li> <li>Dwelling</li> <li>Education Facility</li> <li>Health Facility</li> <li>Hotel</li> <li>Institutional Use(s)</li> <li>Market Garden</li> <li>Motel</li> <li>Personal Service Business</li> <li>Place of Worship</li> <li>Public Utility</li> <li>Restaurant</li> <li>Retail Liquor Store</li> <li>Retail Store</li> <li>Seniors and/or Supportive Living Complex</li> <li>Service Station</li> <li>Vehicle Sales, Motor</li> <li>Veterinary Clinic</li> <li>Warehouse</li> <li>Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>Agriculture, Processing</li> <li>Apiary</li> <li>Auction Facility</li> <li>Bulk Fuel Dealer</li> <li>Campground</li> <li>Cannabis Retail Store</li> <li>Casino</li> <li>Cemetery</li> <li>Drive-In Food Service</li> <li>Dwelling, Multiple</li> <li>Equestrian Center</li> <li>Event Facility</li> <li>Farm Supply and Services Dealer</li> <li>Funeral Service</li> <li>General Contractor</li> <li>Golf Course</li> <li>Kennel</li> <li>Marina</li> <li>Pawn Shop</li> <li>Recreational, Commercial</li> <li>Recreational, Extensive</li> <li>Recreational Unit, Commercial Storage</li> <li>Recreational Unit Park</li> <li>Recreational Unit Dealer</li> <li>Recycling Depot</li> <li>Spectator Sport Facility</li> <li>Vehicle Repair Business</li> <li>Vehicle, Truck/Large Business</li> </ul>

## 5.5.2. Development regulations for development in the General Commercial District (GC):

	REGULATION	PROVISION
5.5.2.1	DEVELOPMENT STANDARDS	
a.	Site Coverage (maximum for all buildings)	50%
b.	Dwelling Density (maximum)	1 dwelling unit subordinate to the principal use for the purposes of housing on site management and/or security of the premises.
5.5.2.2	PRINCIPAL BUILDINGS	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting a County local road (hamlet streets, internal subdivision roads) or if parking is proposed in the front yard</i>	10.0 m (32.8 ft)
	<i>from property line if parking is proposed in the side or rear yard and is within a hamlet</i>	2.4 m (7.9 ft)
	<i>from property line abutting a County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	
	<i>if parking is proposed in the front yard or rear yard adjacent to a lane and is within a hamlet</i>	2.4 m (7.9 ft)
	<i>if parking or driveway is proposed in the side yard and is within a hamlet</i>	10.0 m (32.8 ft)
	<i>if the property does not reside within a hamlet</i>	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	
	<i>if the property is within a hamlet</i>	10.0 m (32.8 ft)
	<i>if a building abuts a lane and is within a hamlet</i>	1.2 m (3.9 ft)
	<i>if garage doors face the lane and is within a hamlet</i>	6.0 m (19.7 ft)
	<i>if the property does not reside within a hamlet</i>	5.0 m (16.4 ft)
d.	Building Height (maximum)	14.0 m (45.9 ft)
5.5.2.3	ACCESSORY BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	5.0 m (16.4 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)

	REGULATION	PROVISION
b.	Side Yard Setback (minimum)	
	<i>if the property is within a hamlet</i>	1.2 m (3.9 ft)
	<i>if the property does not reside within a hamlet</i>	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	
	<i>if the property is within a hamlet</i>	1.2 m (3.9 ft)
	<i>if the property does not reside within a hamlet</i>	5.0 m (16.4 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

5.5.3. Regulations for subdivision in the General Commercial District (GC):

	REGULATION	PROVISION
5.5.3.1	SITE DEVELOPMENT	
a.	Parcel Area (minimum)	
	<i>unserviced</i>	1,858.0 m <sup>2</sup> (20,000 ft <sup>2</sup> )
	<i>if there is either municipally supplied water or wastewater service</i>	929.0 m <sup>2</sup> (10,000 ft <sup>2</sup> )
	<i>if there is municipally supplied water and wastewater service</i>	450.0 m <sup>2</sup> (4843.8 ft <sup>2</sup> )
b.	Parcel Width (minimum)	
	<i>unserviced</i>	30.0 m (98.4 ft)
	<i>if there is either municipally supplied water or wastewater service</i>	21.3 m (70 ft)
	<i>if there is municipally supplied water and wastewater service</i>	15.2 m (50 ft)

5.5.4. New subdivision and development within the Growth Hamlet Areas identified in the MDP shall be consistent with an approved Area Structure Plan.



## 5.6 Conservation District (C)

The purpose of the Conservation District (C) is to protect the integrity of lakes and watersheds through the preservation of existing tree cover and supporting environmentally sensitive residential, recreational, and agricultural development.

5.6.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Apiary</li> <li>• Bed and Breakfast</li> <li>• Day Home</li> <li>• Dwelling</li> <li>• Home Occupation, Minor</li> <li>• Public Utility</li> <li>• Recreational Unit, Personal Use &amp; Storage</li> <li>• Veterinary Clinic</li> <li>• Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>• Breweries, Wineries, and Distilleries</li> <li>• Campground</li> <li>• Commercial Greenhouse</li> <li>• Event Facility</li> <li>• Group Home</li> <li>• Home Occupation, Major</li> <li>• Kennel</li> <li>• Market Garden</li> <li>• Place of Worship</li> <li>• Recreational, Extensive</li> <li>• Recreational Unit Park</li> <li>• Show Home</li> </ul>

5.6.2. Development regulations for development in the Conservation District (C):

	REGULATION	PROVISION
5.6.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	2 dwelling units
b.	Recreational Unit Density (maximum)	2 recreational units
5.6.2.2	ALL BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
5.6.2.3	ACCESSORY BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	

	REGULATION	PROVISION
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
d.	Building Height (maximum)	10.0 m (32.8 ft)
e.	Combined Area of all Accessory Buildings (maximum)	Up to 557.4 m <sup>2</sup> (6,000 ft <sup>2</sup> ). No individual accessory building or structure to exceed 371.6 m <sup>2</sup> (4,000 ft <sup>2</sup> ).
<b>5.6.2.4 MAINTENANCE OF TREE COVER</b>		
Removal of tree cover shall be limited to an area required to establish a development on the parcel. In this regard, the maximum development area cleared of trees within the area that is tree covered shall be as follows:		
a.	Agriculture	50% of lot area
b.	Dwelling and Recreational Unit Temporary Accommodation	0.4 ha (1 ac)
c.	Veterinary Clinic and Kennel	0.8 ha (2 ac)
d.	Apiary, Greenhouse, and Market Garden	2.02 ha (5 ac)
e.	Recreational, Extensive and Campground and Recreational Unit, Park	Camping sites, access road and amenities shall not encroach more than 10% within the existing tree cover on the parcel.
f.	Bed and Breakfast, Home Occupations, Recreational Unit personal use and storage, and Accessory Buildings	No additional area beyond principal use.
g.	Notwithstanding 5.6.2.4.a to f above, no trees shall be cleared from within 30.0 m (98.4 ft) of the top of bank of a water feature.	Except to provide physical access to the water feature and only to a maximum of 10% of the frontage.
h.	Where there is one or more uses as listed above on the parcel the maximum shall not exceed the total of either b. to g. Item a. Agricultural shall be excluded from the overall calculation.	
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

5.6.3. Regulations for subdivision in the Conservation District (C):

5.6.3.1	REGULATION	PROVISION
a.	Parcel Area (minimum)	4.0 ha (10.0 ac)

5.6.4. New multi-lot subdivisions shall be consistent with an approved Area Structure Plan.

## 5.7 Public Services District (PS)

The purpose of the Public Services District (PS) is to support public uses serving the educational, health, social, and recreation needs of the rural community.

5.7.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Cemetery</li> <li>• Community Hall</li> <li>• Day Care</li> <li>• Education Facility</li> <li>• Institutional Use(s)</li> <li>• Public Park</li> <li>• Public Utility</li> <li>• Recreational, Extensive</li> <li>• Seniors and/or Supportive Living Complex</li> <li>• Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>• Campground</li> <li>• Dwelling</li> <li>• Heliport</li> <li>• Marina</li> <li>• Place of Worship</li> <li>• Spectator Sport Facility</li> </ul>

5.7.2. Development regulations for development in the Public Services District (PS):

	REGULATION	PROVISION
5.7.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	1 dwelling unit per parcel  The development of a dwelling on a lot shall be subordinate to the principal use for the purposes of housing on-site management and/or security.
c.	Site Coverage (maximum for all buildings)	70%
5.7.2.2	PRINCIPAL BUILDING	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
5.7.2.3	ACCESSORY BUILDINGS OR STRUCTURES	

	REGULATION	PROVISION
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

5.7.3. Regulations for subdivision in the Public Services District (PS):

5.7.3.1	REGULATION	PROVISION
a.	Parcel Area (minimum)	Dependent on the level of servicing and development standards related to the proposed use.

## 5.8 Industrial District (IN)

The purpose of the Industrial District (IN) is to allow for the development of industrial land uses in the County where there is a minimal impact on the social and physical environment.

5.8.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Agriculture, Processing</li> <li>• Animal Grooming Facility or Dog Training</li> <li>• Apiary</li> <li>• Auction Facility</li> <li>• Breweries, Wineries, and Distilleries</li> <li>• Bulk Fuel Dealer</li> <li>• Business Service</li> <li>• Commercial Greenhouse</li> <li>• Commercial Storage</li> <li>• Farm Supply and Services Dealer</li> <li>• General Contractor</li> <li>• Health Facility</li> <li>• Institutional Use(s)</li> <li>• Kennel</li> <li>• Public Utility</li> <li>• Recreational, Commercial</li> <li>• Recreational Unit, Commercial Storage</li> <li>• Recreational Unit Dealer</li> <li>• Recycling Depot</li> <li>• Restaurant</li> <li>• Service Station</li> <li>• Vehicle Repair Business</li> <li>• Vehicles Sales, Motor</li> <li>• Vehicle, Truck/Large Business</li> <li>• Veterinary Clinic</li> <li>• Warehouse</li> <li>• Accessory Building or Structure</li> </ul>	<ul style="list-style-type: none"> <li>• Abattoir</li> <li>• Adult Entertainment Facility</li> <li>• Auto Salvage and Wrecking Yard</li> <li>• Bulk Fuel Depot</li> <li>• Cannabis Production Facility</li> <li>• Cannabis Storage and Distribution Facility</li> <li>• Dwelling</li> <li>• Funeral Service</li> <li>• Group Home</li> <li>• Heliport</li> <li>• Lumber Yard</li> <li>• Manufacturing and/or Processing Plant</li> <li>• Pawn Shop</li> <li>• Resource Processing Operation</li> <li>• Retail Liquor Store</li> <li>• Retail Store</li> <li>• Spectator Sport Facility</li> <li>• Work Camp</li> </ul>



## 5.8.2. Development regulations for development in the Industrial District (IN):

	REGULATION	PROVISION
5.8.2.1	DEVELOPMENT STANDARDS	
a.	Dwelling Density (maximum)	1 dwelling unit subordinate to the principal use for the purposes of housing on site management and/or security of the premises.
5.8.2.2	PRINCIPAL BUILDINGS	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from front property line of lane</i>	5.0 m (16.4 ft)
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	10.0 m (32.8 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	10.0 m (32.8 ft)
	<i>if the property is adjacent with a non-industrial districted parcel</i>	20.0 m (65.6 ft)
c.	Rear Yard Setback (minimum)	10.0 m (32.8 ft)
	<i>if the property is adjacent with a non-industrial districted parcel</i>	20.0 m (65.6 ft)
d.	Yard Setback adjacent to Rail	May be reduced to 0 m (0 ft) at the discretion of the Development Authority.
5.8.2.3	ACCESSORY BUILDINGS OR STRUCTURES	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	10.0 m (32.8 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	3.0 m (9.8 ft)
c.	Rear Yard Setback (minimum)	3.0 m (9.8 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

**SUBDIVISION STANDARDS**

5.8.3. The lot area is as required based on the level of servicing and site standards related to the proposed use or as outlined in an applicable Area Structure Plan.

## 5.9 Municipal Reserve District (MR)

The purpose of the Municipal Reserve District (MR) is to allow for the designation and use of reserve land for parks and schools, in accordance with the MGA, that supports the educational and recreational needs of the community.

- 5.9.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>• Education Facility</li> <li>• Public Park</li> <li>• Public Utility</li> <li>• Recreational, Extensive</li> <li>• Accessory Building or Structure</li> </ul>	

- 5.9.2. Development regulations for development in the Municipal Reserve District (MR):

	REGULATION	PROVISION
5.9.2.2	PRINCIPAL & ACCESSORY BUILDINGS	
a.	Front and Flanking Yard Setback (minimum)	
	<i>from property line abutting County local road (hamlet streets, internal subdivision roads)</i>	8.0 m (26.2 ft)
	<i>from property line abutting County grid road (Township Road, Range Road)</i>	20.0 m (65.6 ft)
	<i>from property line abutting Highway</i>	40.0 m (131.2 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	5.0 m (16.4 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### SUBDIVISION STANDARDS

- 5.9.3. Regulations for subdivision in the Municipal Reserve District (MR):

5.9.3.1	REGULATION	PROVISION
a.	Parcel Area (minimum)	As required by municipal reserve dedication provisions of the MDP, Section 17.2.3.

## 5.10 Environmental Reserve District (ER)

The purpose of the Environmental Reserve District (ER) is to allow for the designation of reserve land to be left in its natural state or for park purposes, in accordance with the *MGA*, that supports the environmental goals of the community.

- 5.10.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>Public Park</li> <li>Public Utility</li> </ul>	

- 5.10.2. Development regulations for development in the Environmental Reserve District (ER) shall be in accordance with the Act and Municipal Development Plan.

## 5.11 Direct Control District (DC)

The purpose of the Direct Control District (DC) is to enable Council to exercise particular control over the specific use and development of land and buildings that are unique and do not fit within any other standard District in any such manner as Council may consider necessary.

- 5.11.1. In those areas shown as Direct Control on the Land Use District Maps, Council may, subject to any statutory plan, regulate and control the use or development of land or buildings in any manner it considers necessary.
- 5.11.2. The Direct Control Districts shall only be applied to an area or parcel to regulate a specific proposed development under the following circumstances:
- a. The proposed development exceeds the development provisions of the closest equivalent conventional district;
  - b. The proposed development requires specific comprehensive regulations to ensure land use conflicts with surrounding properties are minimized;
  - c. The site for the proposed development has unique characteristics that require specific regulations; or
  - d. The ongoing operation of the proposed development requires specific regulations.

### LAND USE REDISTRICTING APPLICATIONS AND STANDARDS

- 5.11.3. The applicant shall submit a site plan and a written description explaining why the Direct Control District is warranted. The site plan shall be appended to the Direct Control Bylaw, and development shall generally conform to the Plan.
- 5.11.4. A public hearing on the application will be held in accordance with the MGA to receive input from the applicant and affected landowners. The public hearing shall be advertised at least two (2) weeks prior to the hearing date.
- 5.11.5. All provisions and regulations of this Bylaw shall apply to the Direct Control District unless such regulations are specifically excluded or modified by Council.
- 5.11.6. Uses allowed shall be at the discretion of Council.
- 5.11.7. All development regulations shall be at the discretion of Council.
- 5.11.8. This District should not be used in substitution for any other District that could be used to achieve the same objective either with or without variances or relaxations of this Bylaw or to regulate matters typically addressed through Subdivision or Development Permit approval conditions.

### DEVELOPMENT APPLICATION REVIEW AND DECISIONS

- 5.11.9. All development applications within a Direct Control District shall be referred to Council for a decision unless otherwise stated in the District.
- 5.11.10. The Council may impose any conditions which may be deemed necessary in order to minimize conflicts with neighboring properties.

Land Use Bylaw XXXX/XX

- 5.11.11. The Development Authority shall issue a development permit in accordance with the Council decision as if it were a Permitted Use.
- 5.11.12. There is no appeal of a development permit within a Direct Control District unless the permit was issued in error.

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## 5.12 Direct Control District – Plan 7922894 Lot C

The purpose of this Direct Control District is to allow for rural residential uses and the secondary storage of a limited amount of oilfield construction vehicles and equipment on Lot C Plan 78922894, SE 13-46-23-W4.

- 5.12.1. The Development Authority shall consider and decide upon development permit applications for the following permitted uses and Council shall consider and decide upon development permit applications for the following discretionary uses:

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> <li>Dwelling, Detached</li> <li>Dwelling, Mobile – New</li> <li>Dwelling, Modular – New</li> <li>Buildings and uses accessory to the above</li> </ul>	<ul style="list-style-type: none"> <li>Dwelling, Mobile - Used</li> <li>Dwelling, Modular - Used</li> <li>Dwelling, Moved-in</li> <li>Dwelling, Secondary Suite</li> <li>Storage Facility</li> <li>Buildings and uses accessory to the above</li> </ul>

- 5.12.2. Development regulations for development in the Direct Control District – Plan 7922894 Lot C:

	REGULATION	PROVISION
5.12.2.1	DWELLINGS AND RESIDENTIAL ACCESSORY BUILDING	
a.	Front Yard Setback (minimum)	40m (131 ft)
b.	Side Yard Setback (minimum)	5.0 m (16.4 ft)
c.	Rear Yard Setback (minimum)	10.0 m (32.8 ft)
d.	Height (maximum)	10.0 m (32.8 ft)
5.12.2.2	STORAGE FACILITY INCLUDING OILFIELD CONSTRUCTION VEHICLES AND EQUIPMENT, AND ACCESSORY BUILDINGS AND USES THERETO	
a.	Front Yard Setback (minimum)	40m (131 ft)
b.	Side Yard Setback (minimum)	10.0 m (32.8 ft)
c.	Rear Yard Setback (minimum)	10.0 m (32.8 ft)
d.	Height (maximum)	6.0 m (19.7 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

### ENFORCEMENT

- 5.12.3. Offences and fines are outlined in Section 13 Enforcement of this Bylaw.

### 5.13 Direct Control District – NW 20-46-24-W4

The purpose of this Direct Control District is to allow for the development of a racetrack on the 4.37 ha (10.81 ac) lot in the northeast corner of NW 20-46-24-W4.

5.13.1. The Development Authority shall consider and decide upon development permit applications for the following permitted uses and Council shall consider and decide upon development permit applications for the following uses:

PERMITTED USES
<ul style="list-style-type: none"> <li>• Racetrack</li> <li>• Spectator Sport</li> <li>• Buildings and uses accessory to the above</li> </ul>

5.13.2. Development regulations for development in the Direct Control District – NW 20-46-24-W4:

	REGULATION	PROVISION
5.13.2.1		
a.	Setbacks	10.0 m (32.8 ft)
b.	Height (maximum)	12.0 m (39.4 ft)
<b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>		

#### DEVELOPMENT PERMIT APPLICATIONS

5.13.3. Council shall consider and decide upon development permit applications for all uses, buildings, and structures in this district, except:

- a. temporary tent structures erected for events, which do not require a development permit so long as they conform to all other relevant provisions of this Bylaw. Notwithstanding that a development permit is not required, this in no way exempts the structures from complying with the provisions or regulations of any other municipal, provincial, or federal statute, such as the *Safety Codes Act*.

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# SECTION SIX | OVERLAYS



## 6 OVERLAYS

### 6.1 Intermunicipal Development Plan Overlay District (IDPO)

The purpose of the Intermunicipal Development Plan Overlay District is to manage the subdivision and development of lands within proximity to neighbouring urban centres in the County.

#### REGULATIONS

- 6.1.1. The regulations of this Bylaw shall be modified to the extent required by the applicable Intermunicipal Development Plan regarding subdivision and development within the Overlay.

#### REFERRALS

- 6.1.2. Any land use redistricting, subdivision, or discretionary development permit application must be referred to the relevant neighbouring municipality within the area shown on Schedule 16.2 – Intermunicipal Development Plan Area for review and comment.

### 6.2 Waste Management Overlay District (WMO)

- 6.2.1. The purpose of the Waste Management Overlay District is to manage off-site impacts from existing and former waste management facilities in the County.

- 6.2.2. All uses in the underlying land use district shall be prohibited except for Public Utility in the Waste Management Overlay District

#### REGULATIONS

- 6.2.3. The Waste Management Overlay District regulations shall supersede any land use regulations as detailed above.

- 6.2.4. Development within the lands districted Waste Management Overlay shall be subject to the distance from wastewater treatment, landfill, and waste sites requirements outlined in the *Regulation* and all applicable Provincial legislation.

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# **SECTION SEVEN |** GENERAL REGULATIONS

Draft October 22, 2024

# 7 GENERAL REGULATIONS

## 7.1 Applicability

- 7.1.1. The general regulations shall apply to all development within the County. Where there appears to be a conflict between this Section and other Sections of this Bylaw, the regulations in other sections of the Bylaw prevail.

## 7.2 Site Suitability

- 7.2.1. Notwithstanding that the use of land may be permitted or discretionary in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot, or the Development Authority may refuse to issue a development permit, if, in the Authority's opinion, the site of the proposed building or use is not safe, or suitable for the proposed building or use.
- 7.2.2. Where the Development Authority or Subdivision Authority must determine whether or not a site is suitable for the intended use, the following criteria shall assist with the determination of a suitable site.

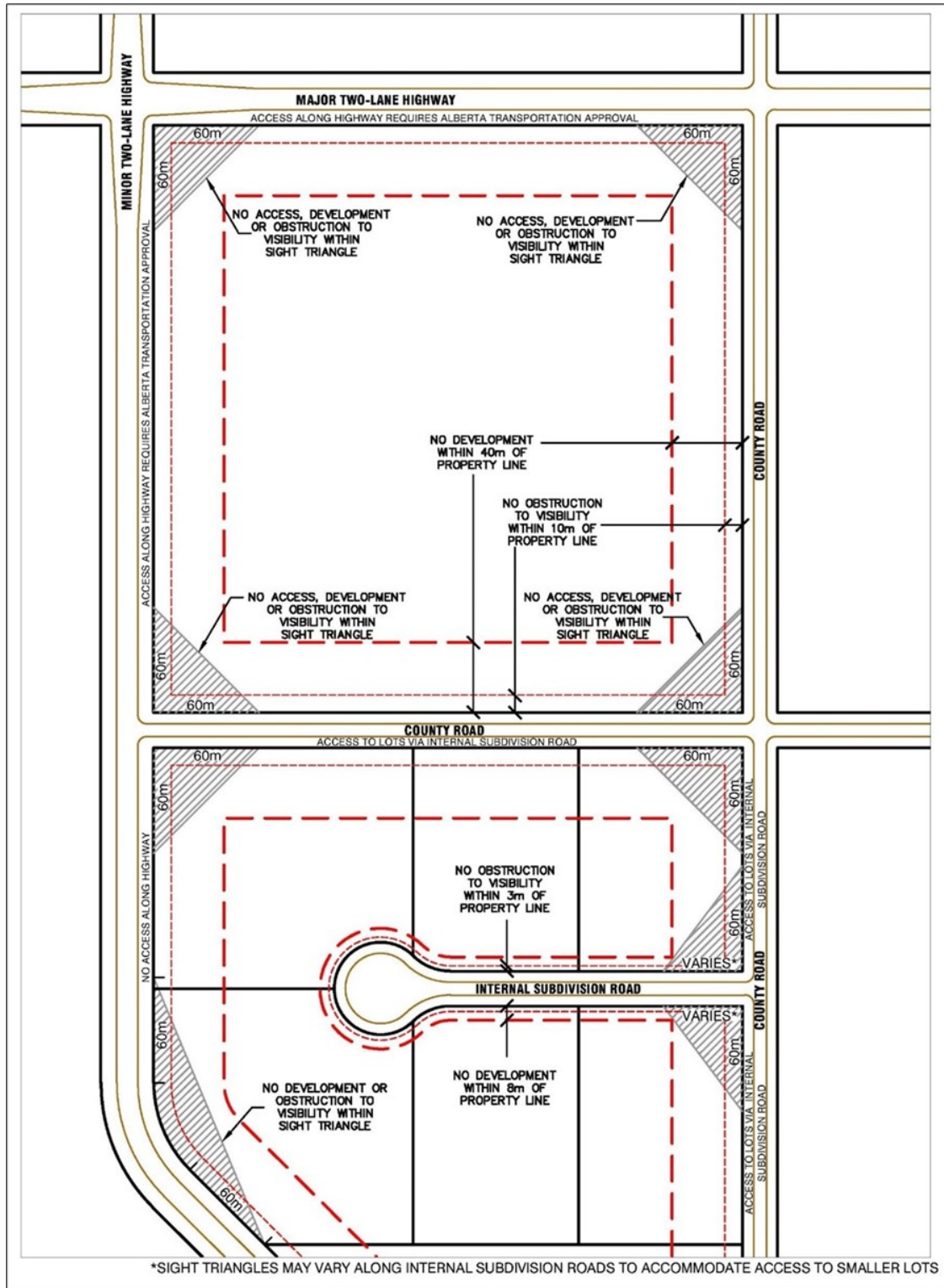
CRITERIA	REGULATION
a) Access	The Site must have legal and physical access to a public road.
b) Flooding	The Site is not subject to more than a 1% annual risk of flooding, using methods acceptable to Alberta Environmental Protection.
c) Water Table	The Site has suitable soil and groundwater conditions, including avoidance of any areas with a high water table. A high water table is typically where the water table is within 1.0 metre of an existing or proposed foundation or crawl space.  Where the applicant can demonstrate that suitable mitigation measures prepared by a qualified professional can be implemented to avoid ground water affecting the building, the Development Authority may permit the development subject to conditions on mitigation measures.
d) Slope	The Site has suitable slopes for the proposed development as identified through a Geotechnical Report completed by a qualified professional.
e) Contaminated Lands	The Site is free from contamination as identified in a report completed by a qualified professional.
f) Confined Feeding Operations (CFO)	Sites for schools, food establishments and residential developments must be located greater than the Minimum Distance Separation (MDS) from a Confined Feeding Operation as set out by <i>Agriculture Operations Practice Act</i> (AOPA).
g) Provincial Setbacks	The Site is outside any required setbacks from provincially regulated land use (e.g. oil/gas well or pipeline, sour gas facility, waste management facilities).



## 7.3 Accesses and Approaches

- 7.3.1. Any proposed parcel or parcels of land that is, or are, the subject of a subdivision application or a development permit application shall have legal and physical access to a County road or provincial highway to the satisfaction of the County before a development permit is approved or a subdivision application is endorsed.
- 7.3.2. In addition to any other applicable County policies or guidelines, Accesses and Approaches shall meet the following regulations:
- a. The parcel shall have legal access to a public road.
  - b. An easement to cross another legal parcel for accessing a public road shall be discouraged.
  - c. The number of accesses per parcel shall be in accordance with the following:
    - i. For parcels within the Agricultural District, all accesses shall be in accordance with the County's Approach Installation Policy.
    - ii. For parcels not within the Agricultural District, all accesses shall have a maximum of one (1) access per road frontage on a parcel and be in accordance with the County's Approach Installation Policy.
  - d. All direct access to a provincial road shall require the approval of the Province.
- 7.3.3. In accordance with Figure 2, no development shall be located within the following corner visibility triangle distances:
- a. 60 m (197 ft) for any road with a speed limit 80km/hr or greater; or
  - b. 6.0 m (19.7 ft) for any road with a speed limit less than 80km/hr.

▼ Figure 2: Corner Sight Triangle High Speed Roads



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## 7.4 Outhouses

- 7.4.1. Outhouses (earthen pit privies) are prohibited on any parcel.
- 7.4.2. Where an Outhouse is permitted, only privies with an approved tank acceptable under the *Alberta Private Sewage Systems Standard of Practice* will be allowed, subject to all other applicable bylaws and regulations.

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## 7.5 Drainage and Grading

- 7.5.1. Any altering of natural grades or drainage shall comply with any County Policy relating to drainage.
- 7.5.2. Where natural grades and/or drainage patterns are intentionally changed on a parcel, it shall be designed so that the release rate from the property will be no greater than pre-development flows.
- 7.5.3. Within Hamlets and multi-lot subdivisions with lots less than 0.2 ha (0.5 ac) in area, unless directed otherwise by the Development Authority, all parcels shall be graded in such a manner that all surface water will drain from building sites to a back lane and/or front street and shall not be redirected to cross an adjoining parcel of land without prior approval of the adjacent landowner.
- 7.5.4. The owner of a parcel shall be responsible to ensure that grading is maintained over time to provide effective drainage without adversely impacting buildings or amenity areas of neighbouring properties.

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## 7.6 Lighting Standards

- 7.6.1. Outdoor lighting shall be located so that light:
- is not directly pointed at an adjacent site or directly towards the sky;
  - does not adversely affect or generate light spill into or onto the neighbouring parcel; and,
  - does not adversely affect traffic safety.

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## 7.7 Fencing

- 7.7.1. Fences up to 1.8 m (6 ft) in height do not require a development permit. However, if a proposed fence exceeds the 1.8 m (6 ft), a development permit application with a variance is required.
- 7.7.2. Notwithstanding 7.7.1, fencing in the Agricultural District or for agriculture purposes does not require a development permit.
- 7.7.3. Fences on corner parcels must comply with all requirements in Section 7.3 – Accesses and Approaches.

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## 7.8 Development on Slopes

- 7.8.1. Slope Stability
- The following regulations pertain to development in and around topographical features, including hills, escarpments, slopes, and valleys.
- 7.8.2. Minimum Setback Requirements

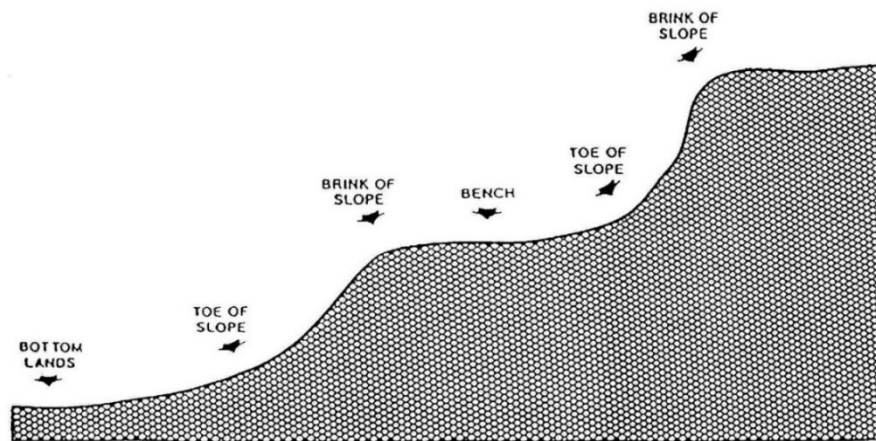
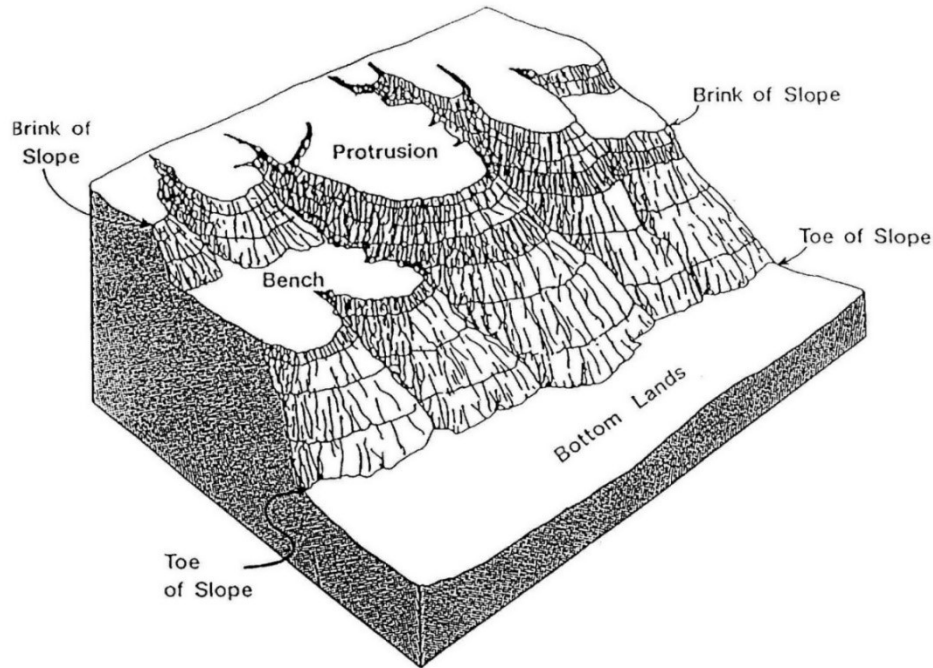
- a. No part of any building or any form of development shall be within the following minimum setbacks of a slope 15% or greater, unless otherwise determined by the Development Authority in alignment with a technical report provided from a qualified professional.

7.8.3. Setbacks from the brink (top) or toe (bottom) of a slope shall be:

- a. 1/3 of the slope height, or
- b. as required in a report prepared by a qualified professional.

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▼ Figure 3: Topographic Features



## 7.9 Development near Waterbodies

- 7.9.1. Residential development shall not result in the removal or clearing of trees or vegetation within 6.0 m (19.7 ft) of the top of bank of a waterbody, as determined by a legal surveyor and confirmed by the Development Authority, including creeks, streams, lakes, and wetlands, except to provide pedestrian access up to the edge of the water feature and only to a maximum of 2.0 m (6.5 ft) in width.
- 7.9.2. The Development Authority shall consider the potential risk of groundwater contamination when reviewing proposed developments. The Development Authority may require the developer to have a water study undertaken to determine the potential risk of groundwater contamination.

Note: The above does not apply to the Agricultural District (AG).

## 7.10 Permitted Projections into Setbacks

7.10.1. In all districts, the minimum yard setbacks do not apply to:

- a. construction wholly beneath the surface of the ground;
- b. driveways, curbs, sidewalks, and parking stalls and parking areas;
- c. concrete ground-level patios or other similar hard surfacing less than 0.6 m in height;
- d. mailboxes, flagpoles, family signs or farm name signs, raised flower beds;
- e. fences and retaining walls; and
- f. landscaping, including water fountains, decorative rocks or similar features.

7.10.2. Ramps for accessibility purposes (e.g. wheelchair) may project into any yard setback at the discretion of the Development Authority.

7.10.3. Side yard setbacks do not apply to a party wall (e.g. duplexes or townhouses).

7.10.4. Building features may project into a required yard setback in accordance with:

FEATURE	REQUIRED SETBACK	MAXIMUM PROJECTION ALLOWED
<ul style="list-style-type: none"> <li>• Unenclosed steps or stairs</li> </ul>	Any setback less than 4.0 m (13.1 ft)	0.6 m (2 ft)
<ul style="list-style-type: none"> <li>• Porches</li> <li>• Landings</li> </ul>	Any setback 4.0 m (13.1 ft) to 7.5 m (24.6 ft)	1.8 m (6 ft.)
<ul style="list-style-type: none"> <li>• Uncovered balconies</li> <li>• Terraces</li> <li>• Verandas</li> <li>• Unenclosed Decks</li> </ul>	Any setback greater than 7.5 m (24.6 ft)	3.05 m (10 ft)
<ul style="list-style-type: none"> <li>• Windowsills</li> <li>• Roof overhangs</li> <li>• Eaves</li> <li>• Gutters</li> <li>• Shade projections</li> <li>• Bay windows</li> <li>• Chimneys</li> </ul>	All setbacks	0.6 m provided it does not encroach onto an easement or utility right-of-way
<ul style="list-style-type: none"> <li>• Cantilever (which provides interior space)</li> </ul>	All setbacks	0.6 m provided there is a minimum setback of 1.2 m to the property line.
<ul style="list-style-type: none"> <li>• Cooling / air conditioning units</li> </ul>	All setbacks	0.91 m (3 ft)



## 7.11 Parking and Loading

- 7.11.1. On-site parking stalls shall be provided in accordance with Table 3: On-site Parking Requirements shall only apply to the districts below.

Table 3 - On-site Parking Requirements

DISTRICT	MINIMUM NUMBER OF PARKING STALLS
General Commercial District (GC)	3.0 per 1000 ft <sup>2</sup> of Gross Floor Area
Industrial District (IN)	3.0 per 1000 ft <sup>2</sup> of Gross Floor Area
Hamlet Residential District (HR)	1.0 per dwelling unit

Note: These are minimum standards, and a variance can be sought if an application warrants deviation from these established guidelines.

- 7.11.2. Parking stalls shall be provided for all developments in accordance with Table 3: On-site Parking Requirements; and:
- the total number of required parking stalls includes accessible parking stalls;
  - where the calculation of the required number of parking stalls results in a fractional number, the requirements shall be rounded up to the nearest full stall; and
  - where the parking stall requirements of a development are not specified in this Bylaw, the Development Authority shall be guided by the standards for similar uses, or a parking study completed by a qualified professional.
- 7.11.3. The Development Authority may reduce or waive parking requirements where:
- sufficient on-street parking is available within 100 metres of the site without causing congestion;
  - there are available public parking lots;
  - there is available private on-site parking that can be shared, and the Development Authority is provided a legal agreement regarding the shared parking arrangement; or
  - a parking study completed by a qualified professional determines that less parking would not result in negative impacts to adjacent lots or the surrounding neighbourhood.

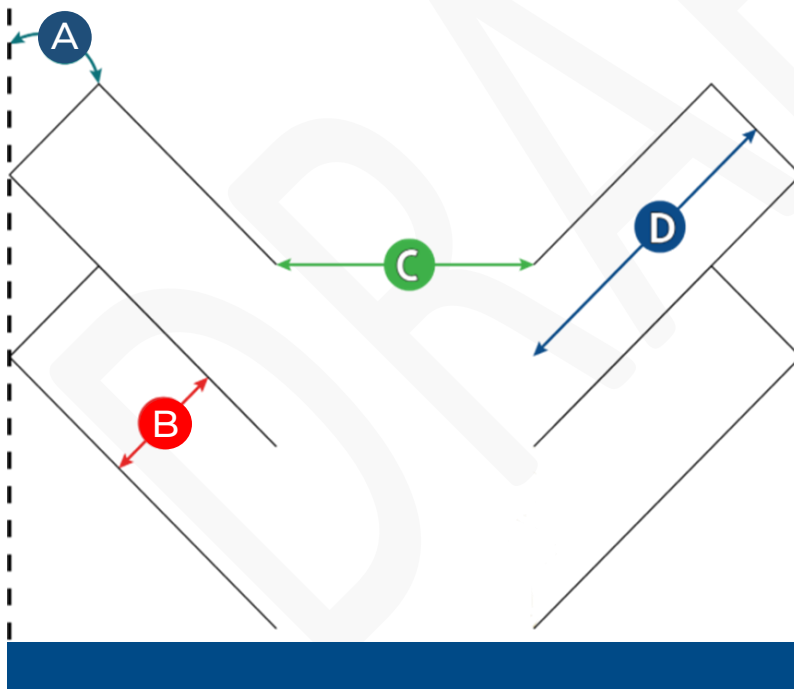
**PARKING DIMENSIONS**

7.11.4. Each required parking stall shall comply with this table and Figure 5:



**TABLE - PARKING STALL DESIGN STANDARDS**

A	B	C	D
Angle of Parking (degrees)	Min. Width of Stall (metres)	Min. Width of Aisle (metres)	Min. Depth of Stall (metres)
90	3.0	7.0	5.5
60	3.0	5.5	5.5
PARALLEL	3.0	3.6	7.0

▼ Figure 5: Parking Stall Design Standards Diagram



**TABLE - OTHER MINIMUM PARKING STALL DESIGN STANDARDS**

Type of Stall	Min. Width of Stall (metres)	Min. Length of Stall (metres)	Other Requirements
 Accessible Stalls	3.9m	-	Shall conform to accessible parking stall standards, including ramps and location to building entrance
 RV Unit Stalls	3.3	7.0	

- 7.11.5. All parking stalls and loading stalls shall have direct access to a public road or maneuvering aisle with adequate access to a public road.
- 7.11.6. Parking stalls and loading stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.
- 7.11.7. Parking Areas for a Dwelling, Multiple use (i.e. apartment building) shall not be located in the front yard setback.

**7.12 Loading Requirements**

- 7.12.1. All new non-residential development (e.g. commercial, industrial, institutional) or an expansion of an existing development shall provide and maintain off-street loading and unloading spaces in accordance with the following:
  - a. A minimum of one (1) loading stall shall be required per non-residential building, unless it can be otherwise demonstrated to the Development Authority that loading can reasonably take place on the parcel without a dedicated loading stall, or that it can be shared amongst multiple developments and/or tenants to minimize the number of loading stalls required;
  - b. Every loading stall shall not be less than 3.5m (10 ft) wide and shall provide no less than 4.3 m (14 ft) overhead clearance;
  - c. The loading stall shall be hard surfaced if the access is from a public street or lane which is hard surfaced;
  - d. All loading stalls shall have direct access to a public road or maneuvering aisle with adequate access to a public road; and
  - e. Access to the loading stall shall be such that no parking, backing or turning movements of vehicles cause interference with traffic on the abutting public streets or lanes.

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### 7.13 Drive-through Queuing

7.13.1. All developments with a drive-through facility shall have space for six (6) vehicles in the drive-through. Each space shall be a minimum of 7 m (23 ft) in length.

7.13.2. Queuing spaces:

- a. shall not be located in any yard setback;
- b. shall not be accessed from a lane; and
- c. may requiring screening from residential properties.

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Draft October 22, 2024





# **SECTION EIGHT |** SIGNS

Draft October 22, 2024

## 8 SIGN REGULATIONS

### 8.1 Applicability

- 8.1.1. The purpose of the sign regulations is to manage signs on sites that are intended to be readily viewed from off the site. In this regard, signs giving directions, information, and/or advertising within a site and are not readily visible/readable from off the site are not subject to this Bylaw.

### 8.2 Regulations

- 8.2.1. Development permits are required for signs except for:
- a. one (1) sign located on residential lot for property identification to a maximum of 1.11 m<sup>2</sup> (12 ft<sup>2</sup>);
  - b. signs for an election campaign posted sixty (60) days before and five (5) days after the relevant federal, provincial or municipal election date;
  - c. signs posted for a community event or auction posted fourteen (14) days before the date of the event or auction occurs and removed on the day after the event or auction occurs;
  - d. signs offering for sale or rent of the lot or parcel on which the sign(s) is posted to a maximum of 1.11 m<sup>2</sup> (12 ft<sup>2</sup>);
  - e. signs identifying a home business such as a home occupation or bed and breakfast, and has a valid development permit to maximum of 1.11 m<sup>2</sup> (12 ft<sup>2</sup>); and
  - f. signs for municipal, municipal public works, emergency, or provincial highway purposes.
- 8.2.2. Notwithstanding 8.2.1, all signs within 300.0 m (984 ft) of a provincial highway or 800.0 m (1/2 mi) of an intersection with a provincial highway may require approval from the Province.
- 8.2.3. All signs for which a development permit is required shall be a discretionary use.
- 8.2.4. A maximum of one (1) sign per lot is permitted, however, additional signs may be considered in accordance with the Discretionary Criteria in Section 10.6.
- 8.2.5. The maximum size of a sign that is not within a commercial or industrial district shall be no greater than 8.9 m<sup>2</sup> (96 ft<sup>2</sup>).
- 8.2.6. The maximum size of a sign within a commercial or industrial district shall be no greater than 12.0 m<sup>2</sup> (130 ft<sup>2</sup>).
- 8.2.7. Notwithstanding the yard setbacks of the district in which the sign is located, the minimum setback of any part of a sign is 0.6 m (2 ft) from a property line.
- 8.2.8. Applications for illuminated or animated signs will be considered on a case-by-case basis. A permit may be granted, provided that:
- a. the sign conforms to all other regulations in this Bylaw; and
  - b. the illumination or animation will not cause safety hazards or interfere with the use or enjoyment of any adjacent properties, as per the discretion of the Development Officer.

- 8.2.9. The Development Officer may consult with adjacent landowners, adjacent municipalities, and any other external agencies including Provincial departments and other regulatory authorities, before making a decision on an application for a development permit for a sign.
- 8.2.10. The Development Officer will not approve a development permit for a commercial sign within 3.0 km (1.8 mi) of the boundary of the City of Wetaskiwin unless the proposed sign has all other relevant approvals, including provincial approval where the sign is proposed next to a highway.
- 8.2.11. The use of Tractor Trailer signs shall not be permitted as an acceptable method of advertising or displaying signs. Only Tractor Trailer signs which have valid approval from the Province and the County prior to adoption of this Bylaw may remain at their current location.
- 8.2.12. All signs shall be kept in a safe, clean and proper condition, and may be required to be renovated or removed if not properly maintained.
- 8.2.13. Removal, replacement or reconstruction of any sign requires approval by the County. The existence of a sign at a location does not entitle the automatic continued approval of a sign at that location when the original sign is to be removed, replaced or reconstructed.
- 8.2.14. All signs shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw and the current Safety Code Act, as applicable.
- 8.2.15. Every sign owner shall permit the Development Authority to inspect the owner's premises at any reasonable time for the purpose of administering or enforcing this Bylaw.
- 8.2.16. A sign that is a danger to public safety, traffic or property that does not conform to Section 7.3 shall be removed immediately at the sign owner's expense. If the person responsible for the sign cannot be identified, the Development Officer may remove the sign.
- 8.2.17. No additions to any existing permitted sign are allowed, unless a new permit is issued for such addition.









# **SECTION NINE |** SPECIFIC USE REGULATIONS

Draft October 22, 2024

## 9 SPECIFIC USE REGULATIONS AND INFORMATION REQUIREMENTS

### 9.1 Accessory Buildings or Structures

The following regulations apply only to the Country Residential District, Residential Recreation District, Hamlet Residential District, and Rural Residential Conservation District:

- 9.1.1. No accessory building, structure or use shall be allowed without a principal building, structure, or use, first being established in accordance with this Bylaw, unless the following conditions are met:
- a. The building is screened from view;
  - b. The building footprint is not more than 50% of the stated maximum within the District;
  - c. The building is accessory to a permitted or discretionary use that is existing at that time, or a future use that is planned for the site; and
  - d. The building otherwise conforms to this Bylaw.
- 9.1.2. A structure which is attached to the principal building by a roof or floor is considered part of the principal building and shall comply with all requirements applicable to the principal building.

### 9.2 Auto Salvage and Wrecking Yard

- 9.2.1. In addition to the development permit application requirements of Section 10, an application for an Auto Salvage and Wrecking Yard shall include:
- a. the method of disposal of unusable waste from dismantling vehicles and equipment;
  - b. an Environmental Site Assessment; and
  - c. an Emergency Management Plan.
- 9.2.2. Screening or fencing a minimum of 1.83 m (6 ft) shall be required to mitigate the visual impact on surrounding lands and public roadways. Alternative methods to mitigate the visual impact could include installing a berm and/or landscaping.
- 9.2.3. Notwithstanding land use district yard setbacks, the working area and storage area for an Auto Salvage and Wrecking Yard shall be setback a minimum of 30 m (98.4 ft) from all property lines abutting parcels that are not of the same land use district.

### 9.3 Bed & Breakfast

- 9.3.1. A Bed & Breakfast shall:
- a. only be operated by the residents of the property;
  - b. have no more than six (6) guest rooms;
  - c. maintain the residential character of the dwelling;
  - d. comply with public health regulations and be kept in a manner satisfactory to the health authority; and



- e. only post signage in accordance with Section 8: Sign Regulations.

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## 9.4 Campgrounds and Recreational Unit Parks

- 9.4.1. For the purpose of this section a recreational unit park shall be referred to as a campground.
- 9.4.2. The development of a campground shall be guided by an approved Area Structure Plan.
- 9.4.3. In addition to the application requirements of Section 10, an application for a Campground shall include:
  - a. a detailed master site plan, based on the approved ASP concept plan, that includes:
    - i. site location and context;
    - ii. design standards;
    - iii. identification of the internal road network, trails, buildings, utility services, campsites, cabins and outdoor use areas, including but not limited to washrooms, laundry facilities, recreational buildings, retail stores and food concessions, fire pits, firewood storage, lighting, water supply, sewage disposal facilities, and solid waste collection facilities; and
    - iv. a map of the internal addressing system.
  - b. potable water supply report; and
  - c. a transportation impact assessment where more than 50 campsites are proposed.
- 9.4.4. All campgrounds must provide potable water facilities and communal washroom facilities for users in compliance with provincial and federal regulations.
- 9.4.5. No campground shall be occupied on a year-round basis unless supported year-round by approved potable water and wastewater systems.
- 9.4.6. Campgrounds without year-round potable water and wastewater services shall only be occupied between March 1st through to October 31st.
- 9.4.7. All campgrounds shall post a map at the entrance to the site that includes the internal addressing systems.
- 9.4.8. The internal road network shall be properly mapped and signed for users and for emergency response vehicles.

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## 9.5 Cannabis Retail Store

- 9.5.1. In addition to the development permit application requirements of Section 10, an application for a Cannabis Retail Store shall include:
  - a. a plan of adjacent land uses within 200 m (656 ft) of the proposed store.
- 9.5.2. Cannabis Retail Stores may not have any part of an exterior wall that is located within 100 m (328 ft) of:
  - a. A provincial health care facility or a boundary of the parcel of land on which the facility is located;

- b. A building containing a school or a boundary of a parcel of land on which the building is located; or
- c. A boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*.

9.5.3. Reciprocally, a provincial health care facility, school or a boundary of a parcel of land that is designated as a school or municipal reserve shall not be located within 100 m (328 ft) of an existing Cannabis Retail Store.

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## 9.6 Dwellings

9.6.1. For the purposes of this section, completely enclosed and finished means:

- a. No visible cracks, holes, peeling paint, missing shingles or siding, etc. on exterior of dwelling;
- b. Roofing and exterior finishing (brick, stucco, vinyl siding, etc.) are completed. In this regard, insulation, sheathing, house wrap, etc. are not visible;
- c. Windows and doors are installed and undamaged; and
- d. Soffit and fascia are complete.

9.6.2. All new dwellings must be completely enclosed and finished within two (2) years of development permit issuance. Dwellings not completed at the end of two (2) years may require the submission of a new development permit application.

9.6.3. In addition to 9.6.1 and 9.6.2, the following shall apply to proposed Modular, Mobile and Moved in Dwellings:

- a. The dwelling shall be secured to the ground on a foundation with footings, or an engineered slab foundation or screw piles with methods that comply with the Alberta Building Code.
- b. The underside of the dwelling shall not be open or visible from any side of the dwelling (i.e., skirting matching exterior required for structures placed only on piles).
- c. For previously used/occupied dwellings, security in the amount of \$5000 shall be submitted to the County as security ensuring the above requirements have been completed to the satisfaction of the Development Authority.
- d. Previously used/occupied dwellings that are subject to CSA certification shall be brought into conformance with the latest CSA standard for the type of dwelling. Confirmation of conformance shall be provided prior to the dwelling being relocated.

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## 9.7 Event Facilities

9.7.1. In addition to the development permit application requirements of Section 10, an application for an Event Facility shall include:

- a. a site plan showing all the buildings and outdoor areas used for events proposed to be used as part of the facility and the setbacks from each property line, and parking areas;
- b. a map showing the approximate distance from the facility to neighbouring dwellings within 800 m (2,625 ft) of the property.
- c. a description of the types of events proposed on site;
- d. the hours of operation for events;
- e. the maximum number of attendees to the site for any event(s);
- f. the number of staff (including volunteers) to be employed on-site;

- g. a signage plan;
  - h. a noise impact assessment where any part of the facility is located within 400 m (1,312 ft) of a dwelling on an adjacent parcel prepared by a qualified professional.
  - i. a traffic impact assessment for proposals with a proposed capacity of 100 persons or more.
  - j. provision of water and wastewater services and their capacity to service the maximum number of attendees at any one time.
- 9.7.2. The Event Facility shall not generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. Based on the nature of the event a technical report may be required to complete the assessment to understand the potential impact on adjoining residents. At all times the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use and enjoyment of neighbouring or adjacent dwellings and outdoor living spaces.
- 9.7.3. The Development Authority may require, as a condition of approval, that dust control be applied to County gravel roads where the level of traffic generated by the event is greater than normal levels of traffic and results in generating more dust that impacts nearby residents.

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## 9.8 Equestrian Centers

- 9.8.1. In addition to the development permit application requirements in Section 10, an application for an Equestrian Center shall include:
- a. a description of any special events proposed on-site;
  - b. the maximum number of horses to be maintained on-site at any one time; and
  - c. a manure management plan.
- 9.8.2. In addition to the conditions listed in Section 10, in approving an application for an Equestrian Center, the Development Authority may apply any of the following conditions to mitigate impacts to surrounding properties:
- a. limit the total number of vehicle trips per day;
  - b. limit the total number of special events per year;
  - c. limit the size and number of facilities or structures on the site; and
  - d. limit the total number of horses or other animals to manage manure.

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## 9.9 Funeral Services

- 9.9.1. Where a Funeral Service includes a crematorium, the crematorium building shall not be located within 200.0 m (656.2 ft) of a dwelling, school, or food establishment when measured from the exterior of the building.

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## 9.10 Golf Courses

- 9.10.1. In addition to the development permit application requirements in Section 10, an application for a Golf Course shall include:
- a. Description of the golf course operation, including clubhouse, restaurant, facility rentals, campground, or any other additional use.

- b. Site Layout of course holes, netting, facilities, driving range, clubhouse, campground and parking and any other additional uses;
- c. Landscape plan showing proposed grading, tree removal, and other site landscaping;
- d. Location, height and details of protective netting; and
- e. Biophysical Impact Assessment prepared by a qualified professional.

9.10.2. Construction, maintenance, improvement or placement of golf netting shall:

- a. be allowed to build up to but does not exceed 6 m (19.7 ft);
- b. be constructed out of a fine netting material with squares not exceeding 22 mm in size;
- c. be either black or dark green in colour; and
- d. only be installed along the property lines of parcels directly adjacent to a golf course; and/ or
  - i. at the discretion of the Development Authority, along the side yards of the parcel perpendicular to the golf course.

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## 9.11 Home Occupation

9.11.1. All Home Occupations shall be subject to the following regulations:

- a. All signage shall be in accordance with Section 8 – Sign Regulations;
- b. If providing food services, must pass all required inspections by the health authority and/or fire authority; and
- c. Shall not discharge or emit beyond the parcel boundaries in excess of what would be typical from a residential premises including duration:
  - i. odorous, noxious or toxic matter, or vapour;
  - ii. smoke, fumes, glare, radiation;
  - iii. recurring noise, ground vibration;
  - iv. fire hazard, electrical interference; or
  - v. otherwise interfere with the use and enjoyment of neighbouring properties.

9.11.2. In addition to Section 9.11.1, a **Home Occupation, Minor** shall comply with the following:

- a. on-premise sales or customer visits that total 10 or less per day;
- b. on-site storage of a maximum of one (1) commercial vehicle, not weighing more than 5,500 kg;
- c. indoor on-site storage of up to 800 sq ft;
- d. a maximum of three (3) employees that do not live on the property.
- e. no outdoor storage; and
- f. customer visits shall be restricted to the hours of 7:00am to 9:00pm.

9.11.3. In addition to Section 9.10.1, a **Home Occupation, Major** shall comply with the following:

- a. on-premise sales or customer visits that total 20 or less per day;
- b. on-site storage of a maximum of two (2) commercial vehicles.
- c. indoor on-site storage of up to 3,000 sq ft;
- d. a maximum of five (5) employees that do not live on the property.
- e. outdoor storage is permitted to a maximum of 1% of the parcel area (with possible screening requirements); and
- f. customer visits shall be restricted to the hours of 7:00am to 9:00pm.

- 9.11.4. To mitigate impacts to neighbouring properties, the Development Authority may place conditions on a development permit for a Home Occupation, including but not limited to:
- a. the location, scale and visibility of outdoor storage areas to ensure the residential and/or rural character of the area is maintained, and the proposed development does not negatively impact neighbouring properties;
  - b. the hours of operation of the business;
  - c. the number of off-site employees;
  - d. the size and location of parking areas;
  - e. on-site advertising; and
  - f. the number, size, location, and visibility of commercial vehicles allowed to be stored on-site.

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## 9.12 Kennel

- 9.12.1. In addition to the development permit application requirements of Section 10, an application for a Kennel shall include:
- a. Written disclosure of any previous kennel operated by the owner(s) whether within the County or another location;
  - b. Manure management plan; and,
  - c. A noise impact assessment where any part of the kennel operation is located within 400 m (1,312 ft) of a dwelling on an adjacent parcel.
- 9.12.2. A development permit for a kennel is not transferrable, and a new development permit application is required any time there is a change in ownership or change in operation including an increase in the number of dogs.
- 9.12.3. A kennel building used to house the dogs and/or exterior exercise areas shall not be located closer than 400 m (1,312 ft) from the boundary of a multi-lot residential subdivision.
- 9.12.4. The Development Authority may require that any buildings or exterior exercise area used to accommodate dogs are not located within 30 m (98.4 ft) of any property line of the lot on which the kennel is located to mitigate potential impacts on surrounding properties.
- 9.12.5. All kennel buildings and exterior exercise areas may be required to have soundproofing and screening to the satisfaction of the Development Authority, or as required as a part of the recommendations of a noise impact assessment.
- 9.12.6. All exterior exercise areas shall be enclosed with a fence acceptable to the Development Authority.
- 9.12.7. The Development Authority may place a restriction on the number of dogs over six (6) months of age, based on location, proximity to neighbouring properties, size of parcel, and other factors deemed appropriate by the Development Authority.
- 9.12.8. In order to reduce potential off-site impacts due to proximity of kennel buildings, the Development Authority may apply conditions regarding the hours the dogs will be allowed to be outside.
- 9.12.9. Kennel buildings, at the discretion of the Development Authority, shall be built in accordance with any applicable requirements as outlined within the latest edition of the *Canadian Veterinary Medical Association's Code of Practice for Canadian Kennel Operations*.



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## 9.13 Personal Medical Cannabis Production

- 9.13.1. In addition to the development permit application requirements of Section 10, an application for Person Medical Cannabis Production shall include:
- a. copy of the federal license, registration certificate, or document authorizing the production of cannabis for personal medical use.
  - b. The location of vents and type of venting/air filtration on production building.
  - c. Technical odour analysis completed by a qualified professional.
  - d. A noise impact assessment where any part of the plant growing production is located within 400 m (1,312 ft) of a dwelling on an adjacent parcel.
- 9.13.2. Compliance with conditions and requirements of federal license.
- 9.13.3. No more than one (1) federal license registration per parcel of land.
- 9.13.4. Production shall be contained in a non-residential permanent building or structure. In this regard, there shall be no exterior production.
- 9.13.5. The production building shall be located a minimum of 100 m (328 ft) from:
- a. The boundary of a parcel of land on which an existing school is located;
  - b. The boundary of parcel of land on which a daycare facility is located; or
  - c. The boundary of any land that is designated as Municipal Reserve under the *Municipal Government Act* as measured from the exterior wall of said building.
- 9.13.6. Production shall not be visible to anyone from outside the building or structure in which the production is occurring.
- 9.13.7. Odour and noise mitigation strategies will be required to the satisfaction of the Development Authority in accordance with the recommendations of the Technical Odours Analysis and the Noise Impact Assessment.
- 9.13.8. A Development Permit for Personal Medical Cannabis Production is non-transferable and a new Development Permit is required any time there is a change in ownership, licensee, or operation.

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## 9.14 Recreational, Extensive

- 9.14.1. In addition to the development permit application requirements of Section 10, an application for a Recreational, Extensive use shall include:
- a. The nature of recreational use proposed on site (i.e. hiking trails, cross country skiing, mountain biking, fishing, retreat, etc.)
  - b. A site plan showing all the buildings and outdoor areas used for activities that are part of the operation, the setbacks to each property line, and parking areas;
  - c. Hours of operation;
  - d. The maximum number of attendees to the site at any time;
  - e. The number of staff to be employed on-site;
  - f. Signage plan;

- g. Traffic Impact Assessment prepared by a qualified professional for proposals with a proposed capacity of 100 persons or more;
- h. Provision of water and wastewater services and their capacity to service the proposed number of attendees;
- i. Any additional information specific to the nature of the Recreational, Extensive use, such as hazard assessments, emergency preparedness plan, etc., which, in the opinion of the Development Authority, is necessary to assess the proposal.

9.14.2. Any accommodation, except a dwelling associated with managing the Recreational, Extensive use, shall be considered under the Campground regulations under Section 9.4.

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## 9.15 Recreational, Commercial

- 9.15.1. In addition to the development permit application requirements of Section 10, an application for a Recreational, Commercial shall include:
- a. The nature of the recreational use proposed on site (i.e. shooting range, racetrack, sports arena, skiing, climbing, etc.)
  - b. A site plan showing all the buildings and outdoor areas used for events and part of the operation and the setbacks from each property line, and parking areas;
  - c. Plan showing the approximate distance from the operation to neighbouring dwellings within 800 m (2,625 ft) of the property.
  - d. Hours of operation;
  - e. The maximum number of attendees to the site;
  - f. The number of staff (including volunteers) to be employed on-site;
  - g. Signage plan;
  - h. Noise impact assessment where any part of the facility is located within 400 m (1,312 ft) of a dwelling on an adjacent parcel;
  - i. Traffic impact assessment for proposals with a proposed capacity of 100 persons or more;
  - j. Provision of water and wastewater services and their capacity to service the proposed number of attendees;
  - k. Any additional information specific to the nature of the Recreational, Commercial use, such as hazard assessments, emergency preparedness plan, etc., which, in the opinion of the Development Authority, is necessary to assess the proposal.
- 9.15.2. The Recreational, Commercial use shall not adversely impact and generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use and enjoyment of neighbouring or adjacent parcels.
- 9.15.3. The Development Authority may require as a condition of approval that dust control be applied to adjacent County gravel roads.
- 9.15.4. The following uses shall be processed as Recreation, Commercial and be subject to the following requirements and/or regulations.

## 9.15.5. Racetrack

- a. In addition to the development permit application requirements in Section 10, an application for a Racetrack that includes motor sport racing shall include a noise impact assessment and recommendations for mitigation measures of potential impacts.
- b. As a condition of approval, the Development Officer may require noise mitigation measures be established in accordance with the recommendations of the noise impact assessment.

## 9.15.6. Shooting Range

- a. In addition to the development permit application requirements in Section 10, an application for a shooting range shall include:
  - i. a noise impact assessment and recommendations mitigation measures of potential impacts; and
  - ii. proof of compliance with operating licenses required by federal and/or provincial laws.
- b. As a condition of approval, the Development Officer may require noise mitigation measures be established in accordance with the recommendations of the noise impact assessment.

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## 9.16 Recreational Unit, Commercial Storage

- 9.16.1. Vehicle entrances, exits and onsite circulation routes shall be designed in a manner that provides a safe and clearly defined entrance/exit and circulation pattern.
- 9.16.2. Exterior lighting shall only be directed within the development and shall not be directed or generate light spill onto an adjoining property.
- 9.16.3. The storage area shall be developed in a manner that does not alter the natural drainage pattern or interfere with the grading or drainage onto any adjacent road or property.
- 9.16.4. The storage facility shall not include storage for the salvage of, or for derelict recreational units.
- 9.16.5. Screening, fencing minimum of 1.83 m (6 ft) shall be required to mitigate the visual impact on surrounding lands and public roadways. Alternative methods to mitigate the visual impact could include installing a berm and/or landscaping.
- 9.16.6. No Recreational Unit shall be used for overnight accommodation when stored on site.

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## 9.17 Recreational Unit, Personal Use & Storage

- 9.17.1. In addition to the development permit application requirements of Section 10, where an application is required for a Recreational Unit, Personal Use & Storage, it shall include:
  - a. Pictures of the recreational unit(s).
  - b. Site plan showing the location of the recreational unit(s) and the setbacks from property lines.
  - c. Method of wastewater treatment.
- 9.17.2. The number of Recreational Unit, Personal Use & Storage allowed on a lot shall be per the density in the land use district.

- 9.17.3. Recreational Unit, Personal Use & Storage shall be subject to the same yard setbacks of the land use district as a dwelling.
- 9.17.4. A Recreational Unit, Personal Use & Storage shall not be augmented by an attached canopy, deck, lean-to or any other attachment.
- 9.17.5. The use of a Recreational Unit, Personal Use & Storage for temporary accommodation shall not be occupied year-round unless the parcel is served by municipal or communal water or wastewater services.
- 9.17.6. The Development Officer may include the following conditions on approval of a Recreational Unit, Personal Use & Storage:
- a. Require on-site wastewater treatment or connection to municipal wastewater services.
  - b. Require security for the installation/connection to wastewater services.
- 9.17.7. To accommodate family functions, reunions, weddings, and other similar family functions that exceed the maximum density for recreational units in a land use district, an application may be submitted in accordance with the County's Recreational Units During Family Functions policy.

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## 9.18 Resource Extraction and Resource Processing Operation

- 9.18.1. In addition to the development permit application requirements of Section 10, an application for a Resource Extraction and/or Processing Operation may be required to include:
- a. A Traffic Impact Assessment (TIA) prepared by a qualified professional;
  - b. The proposed haul route and an analysis of municipal infrastructure that will be impacted by the operation and recommendations for mitigation;
  - c. Information on proposed measures to control dust;
  - d. A Safety Plan, including signage along the haul route and safety measures incorporated into site operations, a Code of Conduct for truck operators, etc.
  - e. Hours of operation including general pit, hauling, dewatering and crushing operations, including times of year when trucking will be occurring, along with info on road bans, operation on weekends & holidays, etc.
  - f. A Noise Impact Assessment prepared by a qualified professional;
  - g. Impacts on water quantity as it shall affect adjacent users over the course of the life of the operation;
  - h. A plan for solid waste, on site wastewater, and if required, areas for cleaning and maintenance of equipment and any necessary measures to reduce environmental impacts;
  - i. A public engagement plan;
  - j. Maps showing the development area and proposed phasing of the operation. The maps shall include, at a minimum:
    - i. Proposed phasing of development area, including phasing of reclamation.
    - ii. Access points and direction of traffic flow.
    - iii. Haul route including all properties adjacent to the haul route with location of residences.
    - iv. Details on infrastructure located on haul route (roads, bridges, etc.)
    - v. Any facilities, storage area, or other major features of the development area.

- 9.18.2. Resource Extraction Setbacks:
- a. Resource extraction operation types A and B shall have no required side yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.
  - b. Resource extraction operation types A and B shall abide by the front yard setback requirements of the applicable land use district for stock piling and mining in cases where there is a developed road within the road allowance and where the mining will occur at an elevation of 1 m (3.2 ft) or less above the bottom and the adjoining County ditch system. Where adjacent to a provincial highway, the setback shall be determined by Alberta Transportation.
  - c. Where there is an undeveloped road allowance, mining and stockpiling may occur up to and within the road allowance but shall be at the discretion of the Development Authority as well as Alberta Transportation. Further, it may be requested that reclamation of the mined road allowance not contain a future waterbody.
- 9.18.3. In addition to the standard approval conditions in Section 10, the Development Authority may require the applicant enter into a road use agreement, which may require the following roadways be dustproofed in accordance with County engineering standards:
- a. All haul roads located on the same site as the resource extraction and/or processing operation that are within 800 m (2625 ft) of a Residential District or Residential Dwelling;
  - b. all vehicle access points onto a public road; and
  - c. any County roadway used as a haul road that is within 150 m (500 ft) of an existing dwelling or recreational development, shall be dust proofed for a minimum distance of 300 m (1,000 ft) on either side of the development.

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## 9.19 Work Camp

- 9.19.1. Work Camps established in support of federal, provincial or municipal works do not require a development permit.
- 9.19.2. A Work Camp shall be:
- a. directly associated with an industrial or commercial development; and
  - b. located in close proximity to the associated development.
  - c. A temporary Work Camp may be issued a development permit valid for up to one (1) year. A continuation of the Work Camp for a further year will be at the discretion of the Development Authority and conditional upon:
    - i. the work camp operating in accordance with all the conditions of the permit; and
    - ii. pending review of complaints being received by the Development Authority regarding the Work Camp.
- 9.19.3. Once completed, a Work Camp site must be:
- a. reclaimed to its original condition in accordance with a remediation plan prepared by a qualified professional; or



- b. reclaimed to a state where sediment and dust are controlled, and the aesthetics are returned to a condition deemed acceptable to the Development Authority.

9.19.4. In addition to the requirements in Section 10, an application for a Work Camp shall include:

- a. purpose of the camp;
- b. proposed duration of the development;
- c. anticipated number of camp residents and dwelling units;
- d. a map of land uses within 800 m of the camp;
- e. reclamation plan; and
- f. haul route for heavy trucks and equipment.
- g. Based on the size and scale of the Work Camp the applicant may be required to undertake any of the following:
- h. enter into a road use agreement with the County;
- i. enter into development agreement with the County; and
- j. provide securities to ensure the development is carried out in accordance with any conditions or agreements.

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# **SECTION TEN |** PROCEDURE FOR DEVELOPMENT

Draft October 22, 2024



# 10 PROCEDURE FOR DEVELOPMENT

## 10.1 Development Permit Applications

- 10.1.1. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain any other applicable permits, approvals or licenses required from federal, provincial, or municipal regulatory departments or agencies such as Alberta Safety Codes related permits.
- 10.1.2. Development permit applications shall be completed and submitted to the Development Authority in writing or electronically for any proposed development, using the development permit form, except where a development permit is not required as outlined in Section 3 Exemptions and Non-Conforming.

## 10.2 Development Permit Application Contents

- 10.2.1. The Development Authority may require any or all of the following as part of a development permit application:

### ITEMS TO INCLUDE IN AN APPLICATION

- a. a complete development permit application form with the signature of the landowner(s) or an agent authorized by the landowner(s) to prepare and submit the application
- b. application fees in accordance with the County's Fees & Charges Bylaw
- c. a statement outlining the proposed use of the land and building(s)
- d. where an application is a Discretionary Use or a variance is being sought, additional information may be required to support the use or variance, refer to Section 10.6 and 10.7
- e. floor plans, elevations and sections of any proposed buildings
- f. a Real Property Report to confirm the location of existing buildings or structures on a site
- g. landscaping plan, including the location of vegetation that is proposed to be retained and removed with general type, size, number, spacing and height of plantings
- h. supporting technical studies as required by the Development Authority
- i. where a variance is proposed, a statement regarding the need for the variance and accompanying assessment in accordance with Section 10.7
- j. a grading plan showing how stormwater will be managed
- k. the estimated project value of the proposed development, excluding the land
- l. the estimated start and completion dates
- m. any additional information required by the Development Authority to confirm compliance with this Bylaw

- 10.2.2. In addition to 10.2.1, a site plan shall be included in an application, at a size and scale satisfactory to the Development Authority, showing the following information:

#### ITEMS TO INCLUDE IN A SITE PLAN

- a. north arrow and scale
- b. the legal land description
- c. front, rear, and side yard setbacks from the property lines to all buildings and structures, including existing, proposed, future, and temporary during construction
- d. adjacent roads and highways
- e. exact location and dimensions of existing and proposed buildings and structures
- f. outlines of roof overhangs and dimensions
- g. location, dimensions, and number of on-site loading, vehicle parking, and storage areas, if applicable
- h. location and dimensions of access and egress points to the site
- i. hard surfacing, landscaping, and identification of surface treatment for all areas, if applicable
- j. existing and proposed fencing, if applicable
- k. existing and proposed sign locations, if applicable
- l. all rights-of-way and easements within or abutting the subject property
- m. location of lighting, lighting standards, hydrants, and utility fixtures, where applicable
- n. location of existing and/or abandoned well and battery sites, if applicable
- o. related proposed development such as sidewalks, patios, driveways, playgrounds, and other enclosures, if applicable
- p. location of existing and proposed infrastructure, if applicable
- q. any buildings or structures that are to be removed, demolished, or re-located to accommodate the proposed development
- r. existing and proposed site grades and drainage patterns, if applicable
- s. adjacent land uses and locations of buildings and/or structures, if applicable
- t. setback distances from existing developments that contain cannabis related facilities, sewage lagoons, landfills, hazardous lands, etc., if applicable
- u. notwithstanding the above, the Development Authority may require the site plan be prepared by a qualified professional such as an Alberta Land Surveyor, where a parcel has significant development constraints, including but not limited to steep slopes, irregular lot shape, limited development pocket, etc.

## 10.3 Complete Applications

- 10.3.1. The Development Authority shall receive all development permit applications, determine application completeness, and notify applicants in accordance with the MGA.
- 10.3.2. A development permit application shall not be considered complete by the County until the requirements in Section 10.2 have been submitted to the satisfaction of the Development Authority.

10.3.3. If an application for a development permit does not contain all the necessary information, does not include the applicable fees, or does not contain sufficient details to complete an evaluation of the application to make an informed decision, the Development Authority shall not accept the application and return the application to the applicant, except as required by the MGA.

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## 10.4 Application Review and Decision Process

10.4.1. The Development Officer shall review all development permit applications for compliance with this Bylaw except development permit applications in Direct Control Districts which shall be in accordance with Section 5.11.

10.4.2. Permitted Uses

- a. The Development Officer shall approve, with or without conditions, an application for a permitted use that complies with this Bylaw.
- b. The Development Officer may approve, with or without conditions, an application for a permitted use that does not comply with this Bylaw in accordance with the variance provisions of Section 10.7.
- c. The Development Officer may refuse an application for a permitted use that does not comply with this Bylaw.

10.4.3. Discretionary Uses

- a. The Development Officer shall refer an application for a discretionary use in accordance with the requirements of Section 10.5.
- b. The Development Officer shall review and assess an application for a discretionary use in accordance with the discretionary use criteria in Section 10.6.
- c. The Development Officer may approve, with or without conditions, an application for a discretionary use that complies with this Bylaw or does not comply with this Bylaw in accordance with the variance provisions of Section 10.7.
- d. The Development Officer may refuse an application for a discretionary use which otherwise complies or does not comply with this Bylaw.

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## 10.5 Application Referrals

10.5.1. The Development Authority or Subdivision Authority shall refer any development permit application, subdivision application, redistricting application or Land Use Bylaw text amendment in accordance with any applicable Provincial legislation (MGA, Regulation) or Statutory Plan (IDP, MDP, ARP) for comment on the proposed application. Where referrals are not covered by the above the following shall apply:

APPLICATION	REFERRAL ENTITY	COMMENT PERIOD
LAND USE BYLAW TEXT AMENDMENT	<ul style="list-style-type: none"> <li>• All adjacent municipalities and First Nation communities</li> <li>• Applicable Federal or Provincial government departments</li> <li>• Any other external agency the Development Authority deems appropriate</li> <li>• Any other person considered appropriate by the Development Authority</li> </ul>	21 days

APPLICATION	REFERRAL ENTITY	COMMENT PERIOD
LAND USE REDISTRICTINGS (REZONINGS)	<ul style="list-style-type: none"> <li>• Adjacent municipalities and First Nation communities within 1.6 km (1 mile) of the subject land being redistricted</li> <li>• Applicable Federal or Provincial government departments</li> <li>• Any other external agency the Development Authority deems appropriate</li> <li>• Any other person considered appropriate by the Development Authority</li> </ul>	21 days
DEVELOPMENT PERMIT APPLICATION FOR A DISCRETIONARY USE	<ul style="list-style-type: none"> <li>• Adjacent municipalities and First Nation communities within 800 m (½ mile) of the land on which the Discretionary Use is proposed</li> <li>• Applicable Federal or Provincial government departments</li> <li>• Any other external agency the Development Authority deems appropriate</li> <li>• Any other person considered appropriate by the Development Authority</li> </ul>	14 days
SUBDIVISION APPLICATION	<ul style="list-style-type: none"> <li>• Adjacent municipalities and First Nation communities within 1.6 km (1 mile) of the subject land being subdivided</li> <li>• Applicable Federal or Provincial government departments</li> <li>• Any other external agency the Development Authority deems appropriate</li> <li>• Any other person considered appropriate by the Development Authority</li> <li>• All adjacent landowners</li> </ul>	21 days

10.5.2. Comments received during the referral process may inform a recommendation to Council regarding a Land Use Bylaw Text Amendment or Land Use Redistricting, the Development Officer’s decision on a development permit application, or the decision by the Subdivision Authority to approve a subdivision.

## 10.6 Discretionary Use Assessment Criteria

10.6.1. The following outlines the potential impacts that could be assessed and the information the County may require to form part of an application.

### IMPACT: VISUAL APPEARANCE

Sometimes, buildings and structures are designed where they do not fit with the surrounding form or landscape and become unappealing or diminish the surrounding community. Regulating the design of buildings can be challenging in balancing an individual’s freedoms and being part of a community. To balance this challenge, applications may be required to provide information to understand how a building will fit within its surrounding neighbourhood.

#### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?

- » Elevation drawings.

Land Use Bylaw XXXX/XX

- » Exterior material information, including colours.
- » Pictures of the properties surrounding the site.
- » Distance to public spaces, including a public road.
- » Proposed mitigation measures to limit the potential impacts on the surrounding community.

#### VISUAL APPEARANCE REQUIREMENTS

Elevations of commercial buildings that face a public road or public space shall, at a minimum:

- » Not consist of blank walls;
- » Use trim around all doors and windows with variations in colour, material and/or depth to make the façade visually interesting;
- » Be broken up through the use of variations in depth of the façade, use of trim and use of colours/tactile materials; and
- » Elevations facing a public road or public space should consist of at least 10% windows disbursed over the façade.

#### HOW WILL THE COUNTY ASSESS THE IMPACT THE VISUAL APPEARANCE HAS ON THE COMMUNITY?

- » How the scale of the building fits into the overall community.
- » How the façade of the building interfaces with the public realm.
- » How the building elements are used to break up the form and bulk of the structure.

#### IMPACT: TRAFFIC/ACCESS

Regardless of the type or form of development, any development will inevitably result in an increase in traffic and may impact safety and the existing road infrastructure. An increase in traffic has two main consequences; first, it has impacts on the movement of goods, services and people, and second, it can impact roadway design (and subsequent cost) if the roads predominantly used weren't built to a standard to handle the increase in, or vehicle type, of traffic.

Owners also have a responsibility to provide safe loading to occur on-site to avoid stopping or slowing the flow of traffic along a public road. Access to a site is also important to avoid conflicts between traffic and functional movement of vehicles and pedestrians between varying spaces. It is important to balance the site specific and broader potential impacts related to how access is provided to a site.

#### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?



- » Intensity of the proposed development (i.e. number of on-site employees, frequency and number of visitors, frequency and number of deliveries, the types of vehicles being used, etc.).
- » Information on access locations and widths to assess the safety of vehicular movement to and from the site in relation to the road and neighbouring properties.
- » A plan showing the location and layout of on-site parking and/or loading area in context to buildings on adjacent properties.
- » The material used for parking surfaces.
- » A Traffic Impact Assessment (TIA) prepared by a qualified professional that identifies the impact traffic has on the service level of the road network, and the design of access and safety of egress and ingress to and from a site where the traffic is being generated.

### TRAFFIC REQUIREMENTS

- » The increase in traffic shall not cause significant safety concerns to the surrounding community.
- » The increase in traffic should not significantly impact the overall road function based on the design level of service.
- » The increase of traffic should not unduly undermine the structure and/or integrity of existing bridges, culverts, and roads.

### HOW WILL THE COUNTY ASSESS THE IMPACT TRAFFIC HAS ON THE COMMUNITY?

- » Disruption to existing traffic patterns and the scale of parking in relationship to established residential dwellings.
- » Based on the recommendations regarding safety and capacity of the road network in the TIA.
- » Potential long-term impacts on the structural integrity of the overall road infrastructure.

### IMPACT: NOISE

Various land uses can generate noise that can be of nuisance to adjacent lands or even extend into the wider community beyond what might be anticipated. Example 1: A 24/7 industrial operation next to a campground. The industrial operation is very noisy, and campers quickly catch on resulting in fewer visitors. Example 2: in a country residential community, a neighbour is a semi-truck driver. On very cold evenings, the truck needs to run throughout the night, resulting in neighbours having an interrupted sleep.

### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?

- » Noise Assessment (acoustical analysis).

### NOISE REQUIREMENTS

- » Any noise generated shall not cause significant safety concerns to the surrounding community.
- » Any noise generated shall not cause people's sleep to be disrupted on a continuous basis.

**HOW WILL THE COUNTY ASSESS THE IMPACT NOISE HAS ON THE COMMUNITY?**

- » Measurement of noise generated by a potential use when measured from a dwelling on an adjoining property.
- » As a guideline the following noise levels should not be exceeded when measured from the exterior to a residential dwelling, hospital or school:

HOURS OF OPERATION	DECIBEL LEVELS (DBA)
7am – 7pm	65 dBA
7pm – 7am	50 dBA

**IMPACT: ODOUR**

Land uses that generate toxic odours, such as landfills and confined feeding lots, are often regulated by provincial bodies - and aren't managed through a Land Use Bylaw. However, unassuming uses, such as waste receptacles areas, breweries, or even restaurants can generate undesirable odours. While not overly concerning for those passing by, it can be of nuisance for adjacent landowners, especially if the odour is consistent.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

- » Information regarding venting location and type of venting/ air filtration to address potential odours.
- » Demonstration of how they will limit or eliminate odours on the surrounding community.
- » An odour/ volatile organic compounds (VOC) analysis

**ODOUR CONTROL REQUIREMENTS**

- » Exterior air vents should be placed in areas that do not immediately face buildings or amenity areas on adjacent lands.
- » Proximity to residential dwellings, outdoor recreational spaces, and other populated areas.
- » Nature of enclosures to mitigate odours.

**HOW WILL THE COUNTY ASSESS THE IMPACT ODOUR HAS ON THE COMMUNITY?**

- » Through reviewing case studies and where possible visiting other uses to understand the nature of the odour to assist in determining the impact on adjoining properties.
- » Recommendations arising from a technical odour analysis completed by a qualified professional in the field of odours should such a study be required.

**IMPACT: LIGHT**

Light pollution is a consequence of human-made sources of light - whether it be from a building, a vehicle, streetlights, etc. - that can have a disruptive effect on the surrounding environment. This could impact residential homes, change the natural landscape or affect the ability to view the stars.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

- » Illumination plan showing the location and direction of exterior lights, including showing the lux levels of the lighting.
- » The time of day and duration that the exterior lighting is anticipated to be illuminated.
- » Information on the lighting product type.

**LIGHTING REQUIREMENTS**

- » Exterior lighting shall not have an adverse impact on adjacent lands. Applicants are required to outline proposed mitigation methods used to limit the impact on adjacent lands and the wider County community.

**HOW WILL THE COUNTY ASSESS THE IMPACT LIGHTING HAS ON THE COMMUNITY?**

- » The impact lighting spill has or glow within the context of the wider community where the illumination is established based on the lux levels.
- » Impact of light spill on adjoining properties based on the lux levels.
- » The scale of the area being illuminated in relationship to the overall community.

**IMPACT: DUST**

In rural municipalities most driveways, parking areas and some municipal roads are unpaved. During summer/dry periods, vehicles driving on unpaved roads can generate dust that can be a nuisance to homeowners, businesses and the general public. Front yard setbacks in rural areas are often larger than in urban areas to reduce the impact dust has on a dwelling.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

- » The location of unpaved or non-vegetated areas in relationship to neighbouring residential areas.
- » Any materials that may be placed on the ungravelled or non-vegetated areas, if any.
- » Potential traffic volumes.
- » Direction of prevailing winds.
- » Methods to control dust e.g. watering during dry periods.

**DUST REQUIREMENTS**

- » Dust generated by a proposed use should not have an adverse impact on adjacent lands that would be greater than what is permitted under the district. Applicants are required to outline proposed mitigation methods used to limit the impact on adjacent lands and the wider County community.

**HOW WILL THE COUNTY ASSESS THE IMPACT DUST HAS ON THE COMMUNITY?**

- » Identify the potential location where dust could be generated and where it may travel and its affect on adjoining properties.

**IMPACT: VIBRATION**

Some industrial operations can cause ground vibration that can be felt kilometres away. Apart from feeling like the world is constantly rumbling, vibrations can have detrimental effects that can cause foundations to crack on buildings and infrastructure, which typically have a costly price tag to fix. Heavy trucks can create vibration, which depending on the community in which it occurs, can have an impact on the community and their infrastructure. Vibration can also have an impact on the natural environment that can affect wildlife, and their habitats.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

A Vibration Analysis prepared by a qualified professional to gauge the potential impact on the following:

- » Infrastructure within the vicinity of the vibration (roads, water, power, telecommunications, oil and gas pipelines, etc.).
- » Foundations and the structural integrity of any buildings within the vicinity of the vibration.
- » The level of vibration that may be experienced by a residential dwelling within proximity to the use.
- » The potential impact on the natural landscape, such as slopes within the vicinity of the vibration.

**VIBRATION REQUIREMENTS**

- » Vibrations generated by a proposed use shall not have an adverse impact on adjacent lands or on the wider County community. Applicants are required to outline proposed mitigation methods to limit the impact of vibration.

**HOW WILL THE COUNTY ASSESS THE IMPACT VIBRATION HAS ON THE COMMUNITY?**

- » Based on the recommendations of a technical report prepared by a qualified professional.

**IMPACT: ENVIRONMENTAL**

It is widely understood that land uses and development of various types and forms can have an impact on the natural environment. Understanding what that impact is, and its magnitude is critical when weighing the impact against the economic and social benefits.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

- » Biophysical and Wetland Assessment.
- » Hydrological Analysis.

- » Geotechnical Analysis.
- » Slope Analysis.
- » Flood Plain Analysis.
- » Water Catchment Analysis.
- » Environmental Impact Assessment – Phase 1, 2, 3 and/or 4, if applicable.

### ENVIRONMENTAL REQUIREMENTS

- » A proposed use should not have an adverse impact on the environment. Applicants are required to outline proposed mitigation methods to limit impacts on the environment.

### HOW WILL THE COUNTY ASSESS THE ENVIRONMENTAL IMPACT?

- » The site characteristics and nature of the development occurring will determine what level of technical report could be required. It is important to carry out a pre-application meeting with municipal administration to establish what would be expected.
- » Based on the recommendations of technical reports and analysis mentioned above carried out by a qualified professional.

### IMPACT: MUNICIPAL INFRASTRUCTURE

New/ additional development may trigger an influx of pressure on existing municipal services (water, sewer/sanitary, roads and storm), that could require infrastructure upgrades, or even expansions. Similarly, new/ additional development may trigger the creation of new roadways or the upgrading of existing roadways.

### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?

- » Stormwater Analysis.
- » Water Analysis.
- » Sanitary Analysis.
- » Traffic Impact Assessment that includes a concept plan showing the layout of public or private roadways, with dimensions and connections to the surrounding road network and the nature of vehicles and number being used for the development/use.

### MUNICIPAL INFRASTRUCTURE REQUIREMENTS

- » A proposed use should not have an adverse impact on the municipal infrastructure servicing the site and neighbouring properties. Applicants are required to outline proposed mitigation methods that limit the impact the proposed use has on municipal infrastructure.

**HOW WILL THE COUNTY ASSESS THE IMPACT ON MUNICIPAL INFRASTRUCTURE?**

- » Capacity of system to accommodate the increase, taking account of other planning development that the infrastructure was planned to accommodate.
- » Meeting the engineering design standards/requirements.
- » Determining what fiscal costs may be required to compensate for the impact on the infrastructure.

**IMPACT: FISCAL**

Residential development is typically subsidized, on average, of 3 to 1 by the non-residential tax base (industrial and commercial development). Understanding where tax dollars are invested and who they are servicing is a part of the development “go-or-no-go” equation. If a new development requires a significant amount of municipal dollars to service, but only yields a minimal tax return, is it money well spent?

The municipality has a responsibility in managing services in a responsibly fiscal manner. In some circumstances an applicant may need to carry out a fiscal impact assessment for the County to understand the impact services they inherit from the development and their fiscal capacity to maintain, operate and eventually replace in context to the tax rates generated by the development.

**WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?**

- » Fiscal Impact Assessment that assesses the fiscal impact on the municipality and its taxpayers.

**FISCAL REQUIREMENTS**

- » A proposed use should not have an adverse impact on the municipal servicing infrastructure.
- » Applicants are required to outline proposed mitigation methods that limit the impact the proposed use has on municipal infrastructure.

**HOW WILL THE COUNTY ASSESS THE FISCAL IMPACT IT HAS ON THE SURROUNDING COMMUNITY?**

- » Based on the recommendations of an assessment to determine the impact to the taxes and operating costs of the overall development carried out by a qualified professional experienced with fiscal impacts assessments.

**IMPACT: CUMULATIVE**

The cumulative impact is the incremental increase over time of uses that when combined have a significant impact on a community.

**HOW WILL THE COUNTY ASSESS THE CUMULATIVE IMPACT HAS ON THE SURROUNDING COMMUNITY?**

- » When assessing an application, the County shall take into account how the use/development, when combined with other same or similar use(s)/development(s), may be generating an overall significant impact on the community. This may result in the application being declined and subsequent amendment to the Land Use Bylaw and Municipal Development Plan to potentially prohibit the use in



certain areas of the County.

### IMPACT: SAFETY

How a development is designed may affect people's safety and increase the risk of personal injury of those in the wider community. The design of any development will need to consider ways to mitigate the risk of injury arising from the nature of the use and the design/layout of the development.

#### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?

- » Plans showing the design and site layout of the use, including accesses.
- » Information on the nature, scale and intensity of the use.

#### SAFETY REQUIREMENTS

- » Identifying where potential safety risks are, and how they are being remedied, avoided or mitigated.

#### HOW WILL THE COUNTY ASSESS THE IMPACT SAFETY HAS ON THE SURROUNDING COMMUNITY?

- » When assessing the application, the County shall identify potential areas of risk and how they are being managed to avoid the risk from occurring.

### IMPACT: COMPATABILITY WITH ADJACENT LAND USES

While there is an intent to provide flexibility in uses, there are circumstances where the nature of the use is not compatible with an existing use. This could be the result of the scale or nature of the operation in relationship to the proximity to existing or future uses of an adjoining property/ District.

#### WHAT INFORMATION MIGHT THE COUNTY REQUEST FROM APPLICANTS?

- » Description of the nature and scale of the use.
- » Proximity of the activity to neighbouring properties.
- » Nature of uses within the neighbouring areas.
- » Concept plan showing the layout of the use and in context to neighbouring properties.

#### HOW WILL THE COUNTY ASSESS THE IMPACT COMPATABILITY HAS ON THE SURROUNDING COMMUNITY?

When assessing the application, the County shall:

- » Determine if there is a significant conflict with the surrounding community.
- » The level of external impacts that may arise from the development.
- » How the use may impact the ability to develop on lands Districted for a specific use in the surrounding area.

## 10.7 Variance Assessment

10.7.1. Where a development proposal is located on a site that has development constraints such as steep slopes, irregular lot shape, limited development pocket, etc., or the uniqueness of the development merits the relaxation of a specific regulation to make an otherwise compliant development viable, a Development Officer may consider a variance of the development regulations in this Bylaw. Notwithstanding the above, a Development Officer shall not vary the following:

- a. Dwelling or Recreational Unit, Personal Use & Storage Density;
- b. Yard setback for a new dwelling less than 2.4 m (7.9 ft) from a property line;
- c. Cannabis related separation distances;
- d. Pipeline and waste management setbacks in the *Regulation*;
- e. Any provincial or federal legislated provision.

10.7.2. Fundamentally, and in accordance with the MGA, the Development Authority shall assess a variance and consider granting the variance if the proposed development:

- a. would not unduly interfere with the amenities of the neighbourhood;
- b. would not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- c. conforms with the use prescribed for that land or building in the land use Bylaw.

10.7.3. Further to Subsection 10.7.2, the Development Authority shall consider the following when assessing a development permit application or subdivision approval application that includes a variance:

### VARIANCE APPLICATION CONSIDERATIONS

- a. whether the variance contradicts the MDP or any other Statutory Plan or policy
- b. whether the change significantly impacts the character of the surrounding built form
- c. whether the change significantly impacts the safety and enjoyment that may be expected by an adjoining land owner(s)
- d. whether the variance is essential to enabling the development to proceed
- e. whether the variance undermines the intent of the control
- f. whether the variance results in an impact on municipal infrastructure
- g. whether there are natural or man-made physical factors unique to the site connecting the ability to comply with the regulations

10.7.4. Should a variance be approved, the Development Authority may place conditions on the approval to mitigate the effects of the variance on adjacent properties.

## 10.8 Development Permit Decisions

10.8.1. The Development Authority shall make a decision on development permit applications within forty (40) days of when the application has been deemed complete in accordance with Section 10.3. If the Development Authority does not make a decision within forty (40) days, the development permit application is deemed refused, unless an extension has been agreed to in writing by both the applicant and the Development Authority.

10.8.2. Conditions of Approval

- a. The Development Authority may impose conditions to the approval of a permitted use only to ensure compliance with this Bylaw.
- b. The Development Authority may impose such conditions as deemed appropriate for the approval of a discretionary use or where a variance has been granted to mitigate a related impact.
- c. The Development Authority may require a guaranteed security to ensure the terms of a condition of approval are carried out.
- d. The Development Authority may require that the applicant enters into a development agreement:

### DEVELOPMENT AGREEMENT CONDITIONS

- i. construct or pay for the construction of roads, pedestrian walkways or parking areas that serve the development, or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development
- ii. install or pay for the installation of municipal servicing infrastructure
- iii. pay an off-site levy or any other cost contribution fee or levy
- iv. provide security to ensure that the terms of the agreement noted are carried out
- v. outline hours of operations
- vi. requirements to comply with plans that have been submitted as part of the application
- vii. requirements for monitoring the development
- viii. to carry out the recommendations of any supporting technical reports relating to the application
- ix. conditions related to mitigating the impacts identified through the assessment process

10.8.3. Applicants shall have twelve (12) months to start the development and two (2) years to complete the development, from the date the development permit was issued. Failure to meet these timeframes will result in the development permit being void unless the Development Authority grants an extension in accordance with Section 10.10.

10.8.4. If the development permit application is refused, the Development Authority will not accept the same development permit application for at least six (6) months following the decision, unless the proposal complies with all requirements of this Bylaw.

## 10.9 Notice of Decision

10.9.1. A Notice of Decision shall be provided in accordance with the following:

DEVELOPMENT PERMIT APPLICATION	FORM OF NOTICE
Approved Permitted Use	<ul style="list-style-type: none"> <li>▪ Notice of Decision immediately sent to the applicant through regular or electronic mail, whichever the applicant indicates on their application</li> </ul>
Approved Permitted Use with a variance	<ul style="list-style-type: none"> <li>▪ Notice of Decision immediately sent to the applicant through regular or electronic mail, whichever the applicant indicates on their application</li> <li>▪ Surrounding landowners are sent Notice of Decision and provided a twenty-one (21) day appeal period</li> </ul>
Approved Discretionary Use with or without variance	<ul style="list-style-type: none"> <li>▪ Notice of the Decision immediately sent to the applicant through regular or electronic mail, whichever the applicant indicates on their application</li> <li>▪ Surrounding landowners are sent Notice of Decision</li> <li>▪ Notice of Decision is posted on the County's website in accordance with Advertising Bylaw</li> <li>▪ All notices include Twenty-one (21) day appeal period</li> </ul>
Refused Application	<ul style="list-style-type: none"> <li>▪ Notice of the Decision including reasons for refusal immediately sent to the applicant through regular or electronic mail, whichever the applicant indicates on their application</li> </ul>

10.9.2. A copy of the Notice of Decision shall be sent to any authority, agency or person consulted in accordance with Section 10.5.

## 10.10 Development Permit Extensions

10.10.1. The Development Authority may extend periods of time related to development permit approvals as follows:

- a. development permit approval for a use or building which has not commenced within the first year of approval, and continues to conform to this Bylaw, may be extended for one (1) year;
- b. an additional extension may be granted after the second year of approval, but prior to the third year, provided the development has shown substantial progress or completion of the majority of the conditions;
- c. if a development has not been completed before the end of the second year of extension, a new development permit application will be required; and
- d. notwithstanding the above, a development permit approval where the use that would result from the development conflicts with adjacent land uses or which no longer conforms to the Bylaw must not be extended.

## 10.11 Development Permit Revisions

10.11.1. Applicants may revise their development permit applications at any time prior to the Development Authority referring the application to the appropriate authorities for comments. If the applicant requests revisions to the application after it has been referred, the Development Authority shall

determine if the application must be resent to the appropriate authorities in order to provide the opportunity to comment on the revision prior to a decision being made.

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## 10.12 Cancellation, Suspension or Modification of Development Permit

- 10.12.1. The Development Authority may cancel, suspend, revoke, or modify a development permit by written notice to the permit holder if, after a development permit has been approved and/or issued, the Development Authority becomes aware that:
- a. the development application contains a misrepresentation;
  - b. facts concerning the application, or the development were not disclosed which should have been disclosed at the time the application was considered;
  - c. the development permit was issued in error;
  - d. the applicant withdrew the application by way of written notice; or
  - e. the development permit or the condition(s) imposed in the development permit have not been complied with.
- 10.12.2. Modification of a permit after issuance may require the submission of a new development permit application.
- 10.12.3. A person whose development permit is cancelled, suspended, or modified, or a person who received a written notice for a subdivision or development permit contravention, may appeal to the Appeal Authority in accordance with Section 12 - Development and Subdivision Appeals.

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# **SECTION ELEVEN |** PROCEDURE FOR SUBDIVISION

Draft October 22, 2024

# 11 SUBDIVISION APPLICATIONS

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## 11.1 Subdivision Applications

- 11.1.1. Subdivision applications shall be completed, submitted to, and processed by the Subdivision Authority in accordance with the Subdivision Authority Bylaw, the MGA and the *Matters Related to Subdivision and Development Regulation*.

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Draft October 22, 2024





**SECTION TWELVE |**  
DEVELOPMENT AND  
SUBDIVISION APPEAL  
PROCESS

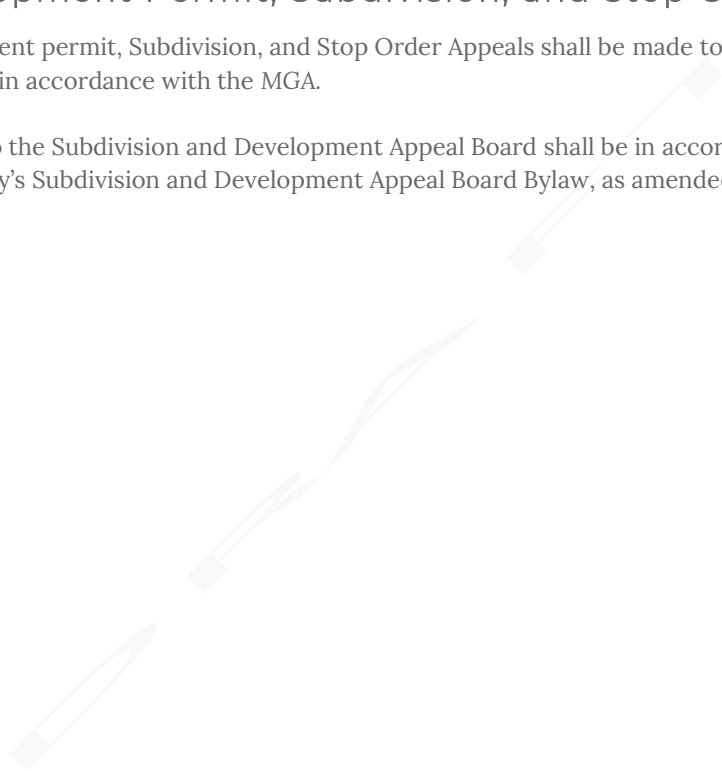
Draft October 22, 2024

# 12 DEVELOPMENT AND SUBDIVISION APPEALS

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## 12.1 Development Permit, Subdivision, and Stop Order Appeals

- 12.1.1. Development permit, Subdivision, and Stop Order Appeals shall be made to the appropriate Appeal Authority in accordance with the MGA.
- 12.1.2. Appeals to the Subdivision and Development Appeal Board shall be in accordance with the MGA and the County's Subdivision and Development Appeal Board Bylaw, as amended from time to time.



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# SECTION THIRTEEN | ENFORCEMENT

Draft October 22, 2024



## 13 ENFORCEMENT

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### 13.1 Contravention

13.1.1. In accordance with the *Municipal Government Act (MGA)*, the Development Authority may enforce provisions of the Act and the *Regulation*, the conditions of a Development Permit or Subdivision Approval, and this Bylaw. Enforcement may be made by written Notice of Contravention, written Warning Notice, written Stop Order, or any other authorized action to ensure compliance.

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### 13.2 Prohibitions

- 13.2.1. No person shall contravene or permit a contravention of this Bylaw on property they own or occupy.
- 13.2.2. No person shall commence or undertake a development, subdivision, use, or sign that is not allowed by this Bylaw.
- 13.2.3. No person shall contravene a condition of a Permit or Approval issued under this Bylaw, or an Agreement required as a condition of approval.
- 13.2.4. No person shall authorize or pursue any development that varies with the description, specifications, or plans that were the basis for the issuance of a Development Permit or Subdivision Approval.
- 13.2.5. Any person who contravenes any of the provisions of this bylaw by doing any act or thing which the person is prohibited from doing is guilty of an offence.
- 

### 13.3 Compliance Process

- 13.3.1. If the Development Authority finds that a development, use of land, or use of a building, is not in accordance with this Bylaw, a Development Permit, a Subdivision Approval, the *Regulation*, or the MGA, the Development Authority may commence compliance proceedings against the landowner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them in accordance with the following.
- 13.3.2. Notice of Contravention
- a. The Development Authority may, by written Notice, advise the Registered Owner, the person in possession of the land or buildings, or the person responsible for the contravention or all or any of them to:
    - i. stop the development or use of the land or buildings in whole or in part as directed by the Notice;
    - ii. demolish, remove, or replace the development; and/or
    - iii. 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 MGA, a Development Permit, Subdivision Approval, or this Bylaw as the case may be;

within the time specified by the Notice.

## 13.3.3. Warning Notice

- a. The Development Authority may, by written Warning Notice, warn the Registered Owner, the person in possession of the land or buildings, or the person responsible for the contravention or all or any of them to:
- i. stop the development or use of the land or buildings in whole or in part as directed by the Warning Notice;
  - ii. demolish, remove, or replace the development; and/or
  - iii. take such other measures as are specified in the Warning Notice so that the development or use of the land or buildings is in accordance with the MGA, a Development Permit, Subdivision Approval, or this Bylaw as the case may be;

within the time specified by the warning notice and require any resulting Development Permit Application Fee to be increased in accordance with the Fees and Charges Bylaw.

## 13.3.4. Issuance of a Notice of Contravention or Warning Notice is not required before commencing any other enforcement action under this Bylaw, the MGA, or at all.

## 13.3.5. Stop Order

- a. The Development Authority may, by written Stop Order, order the Registered Owner, the person in possession of the land or buildings, or the person responsible for the contravention or all or any of them to:
- i. stop the development or use of the land or buildings in whole or in part as directed by the stop order;
  - ii. demolish, remove, or replace the development; and/or
  - iii. take such other measures as are specified in the Stop Order so that the development or use of the land or buildings is in accordance with the MGA, a Development Permit, Subdivision Approval, or this Bylaw as the case may be;

within the time specified by the stop order and require any resulting Development Permit Application Fee to be increased in accordance with the Fees and Charges Bylaw.

- b. The Development Authority must state whether an appeal of the Stop Order lies to the Subdivision and Development Appeal Board or to the Land and Property Rights Tribunal.
- c. Pursuant to the MGA, a person who receives a Stop Order, or any person affected by the Stop Order, may appeal the Order. The appeal must be submitted to the appeal body stated in the Stop Order.
- d. If a person fails or refuses to comply with a stop order or an order of an appeal board, the County may:
  - i. pursuant to the MGA, enter on the land or building and take any action necessary to carry out the order;
  - ii. register a caveat under the *Land Titles Act* in respect of a stop order against the certificate of title for the land that is the subject of the order; and
  - iii. issue fines in accordance with Section 13.4.

- e. A caveat registered under 13.3.5.d.ii., must be discharged when the Stop Order has been complied with.
- f. The County's costs of carrying out any actions required for compliance may be added to the Tax Roll of the land subject to the Stop Order.

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## 13.4 Offences and Fines

13.4.1. Any person who contravenes or fails to comply with any provision of this Bylaw, a Development Permit or Subdivision Approval, or contravenes a Stop Order, is guilty of an offence and subject to a specified penalty of:

- a. \$500.00 penalty for the first offence;
- b. \$1,000.00 penalty for the second offence; and
- c. \$5,000.00 for a third and subsequent offences;

within 365 days of committing the first offence.

13.4.2. Any person delegated the authority to enforce this Bylaw is hereby authorized and empowered to issue a violation ticket to any person whom the enforcement officer has reasonable and probable grounds to believe has contravened or violated any provision of this Bylaw, pursuant to the *Provincial Offences Procedures Act* and amendments thereto, with respect to offences under this Bylaw.

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# SECTION FOURTEEN | BYLAW AMENDMENTS

## 14 BYLAW AMENDMENTS

### 14.1 Amending this Bylaw

- 14.1.1. All amendments to this Bylaw shall be made by Council by Bylaw and in accordance with the MGA.
- 14.1.2. Council may, at any time, initiate an amendment to this Bylaw in accordance with the MGA.
- 14.1.3. Any person may apply to amend the text of this Bylaw or to redistrict (rezone) land by submitting an application to the Development Authority in writing, with the required supporting documentation and by paying the appropriate fee in accordance with the Fees and Charges Bylaw.
- 14.1.4. If the proposed amendment to this Bylaw is contradictory to an adopted Statutory Plan(s) or planning document, the Development Authority shall advise the applicant that an amendment must be made to the Statutory Plan(s) or planning document prior to, or concurrently with, the amendment to this Bylaw.
- 14.1.5. Upon receipt of a complete application to amend this Bylaw, the Development Authority shall determine when the application will be placed before Council and shall give at least fourteen (14) days notice to the applicant advising that they may appear before Council to speak to the application. An application to amend this Bylaw shall be placed before Council on a date to be determined by the Development Authority upon receiving the application and deeming it complete as outlined in Section 14.2.
- 14.1.6. The Development Authority shall assess a proposed redistricting (rezoning) by considering the potential impact any of the uses of the district may have on the existing community and prepare a recommendation to Council in accordance with its assessment. If there is a potential of significant impacts arising from one of the uses and/or the redistricting conflicts with the MDP and/or other Statutory Plans, the recommendation shall be to decline the application.

### 14.2 Bylaw Amendment Application

- 14.2.1. The Development Authority may refuse to accept an application to amend this Bylaw if the required information has not been supplied or if the information is of inadequate quality to properly evaluate the application.

#### REDISTRICTING

- 14.2.2. All applications to amend districting within this Bylaw shall use the appropriate application form, and shall include at least the following:
- a. completed Land Use Bylaw Amendment application form;
  - b. the application fee, as set in the Fees & Charges Bylaw, as amended;
  - c. a written statement from the applicant explaining the reasons for the proposed amendment and how the amendment conforms with any relevant County Statutory Plan(s) or planning document(s);
  - d. a properly dimensioned map of an appropriate scale indicating the parcel of land(s) to be redistricted; and
  - e. any other information or documents deemed necessary by the Development Authority to assess the application.

**TEXT AMENDMENTS**

- 14.2.3. An application for a text amendment to this Bylaw shall include the following:
- a. completed Land Use Bylaw Amendment application form;
  - b. the application fee, as set in the Fees & Charges Bylaw, as amended;
  - c. the exact wording of the proposed text amendment(s);
  - d. a written statement from the applicant explaining the reasons for the proposed amendment and how the amendment conforms with any relevant County Statutory Plan(s) or planning document(s), and a description of how the proposed text amendment may affect properties or developments of a similar nature;
  - e. any other information or documents deemed necessary by the Development Authority to assess the application.

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**14.3 Bylaw Amendment Process**

- 14.3.1. The Development Authority shall refer any proposal for redistricting or Land Use Bylaw text amendment in accordance with Section 10.5.
- 14.3.2. Following the referral period, the Development Authority shall set a Council public hearing date for the Bylaw Amendment. Notice of the public hearing shall be in accordance with the MGA and County's Public Notification and Advertising Bylaw.
- 14.3.3. Notwithstanding Subsection 14.3.2, this Bylaw may be amended without giving notice or holding a public hearing, if the amendment constitutes a clerical (including mapping), technical, grammatical, or typographical error or does not materially affect this Bylaw in principle or substance.

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**14.4 Bylaw Amendment Decision**

- 14.4.1. After considering the Bylaw Amendment, Council may:
- a. approve the proposed Bylaw as it is;
  - b. amend the proposed Bylaw and then approve it;
  - c. refer the proposed Bylaw back to administration for further review and/or changes, and reschedule the application for further consideration;
  - d. amend the proposed Bylaw and then refuse it; or
  - e. refuse the proposed Bylaw as it is.
- 14.4.2. If Council defeats an amendment application for this Bylaw, another application for the same, or substantially the same amendment shall not be considered within six (6) months of the date of defeat, unless Council directs otherwise.









# SECTION FIFTEEN | TERMS AND WORDS

Draft October 22, 2024



# 15 TERMS AND WORDS

## 15.1 Definitions

15.1.1. All illustrations are for clarification and convenience only and do not form part of this Bylaw.

15.1.2. Terms and words in this Bylaw defined in the Act have the same meaning expressed in the *Municipal Government Act* and include any amendment thereto. Any provincial ministry, agency, regulation or act is referenced to the designation at the time of adoption of the Bylaw and shall be applicable to any name change, successor or amendment thereto. Other terms and words, unless the context otherwise requires, are defined as follows:

TERM	DEFINITION
<b>Abattoir</b>	means a lot or a building where livestock are slaughtered and butchered and may include the packing, treating, storing and sale of the products.
<b>Abut or abutting</b>	means immediately contiguous to or physically touching, and when used with respect to a parcel property line means that the parcel physically touches upon another parcel or right of way and shares a property line with it.
<b>Access</b>	means an access, approach, and/or egress for vehicles to a parcel which conforms to the Municipality's Policy on rural approaches, as amended from time to time.
<b>Act (MGA)</b>	means the <i>Municipal Government Act, 2000, Chapter M-26</i> , as amended from time to time.
<b>Accessory Building or Structure</b>	means a building or structure separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land but does not include a building or structure permanently used for human habitation. Typical structures may include detached garages, sheds, sea-cans, swimming pools, frame and fabric structures, non-commercial wind turbines and solar panel arrays.
<b>Adjacent</b>	means land that is contiguous to a parcel of land that is the subject of a development or subdivision application and includes land that would be contiguous if not for a road, public walkway, railway, river, stream, pipeline, powerline, utility lot, reserve land, or similar feature.
<b>Adult Entertainment Facility</b>	means the provision of live performances, motion pictures, videos, books or other reproductions for the amusement of patrons, the central feature of which is generally deemed unsuitable for minors.
<b>Agricultural Land, Productive</b>	means land with any one or more of the following characteristics: <ol style="list-style-type: none"> <li>a. Land in production with a farmland assessment value of 30% or more;</li> <li>b. Grey-wooded soil producing hay, forage or other crops; and</li> </ol>

c. Land currently used for grazing.

<b>Agriculture</b>	means agricultural uses including but not limited to cultivation of grains, oilseeds, forage, pasture and/or grazing of cattle or other animals.
<b>Agriculture, Processing</b>	means the use of land or a building for the processing of agricultural and food products for distribution or sale but does not include an abattoir.
<b>Animal Grooming Facility or Dog Training</b>	means a development that provides a service for the training or care and appearance of animals but does not include kennel, or the overnight boarding of such animals.
<b>AOPA</b>	means the <i>Agricultural Operations Practices Act</i> .
<b>Apartment, Dwelling</b>	see Dwelling, Multiple.
<b>Apiary</b>	means land and buildings used for the production of honey, including facilities for the maintenance of hives and bees and the extraction, processing, and packaging of raw honey.
<b>Applicant</b>	means the registered owner of land or persons authorized by the registered owner to act as the representative, or agent.
<b>Auction Facility</b>	means a development intended for the auctioning of goods, equipment and livestock. These developments may include the temporary storage for items included in the auction.
<b>Auto Salvage and Wrecking Yard</b>	means land or building used in whole or in part for the collection of damaged or aged vehicles for the purpose of salvaging and recycling automotive parts which are sold for re-use or storing and processing parts and other materials. This may include a crusher.
<b>Bareland Condominium</b>	means a condominium development with bareland units as defined in the <i>Condominium Property Act, RSA 2000, (C-22)</i> .
<b>Bathroom</b>	means a sink, toilet, shower, bathtub or a combination thereof.
<b>Bed and Breakfast</b>	means an accessory use of a dwelling to provide commercial accommodation in guestrooms and where breakfast may be provided to registered guests in a common room. This use shall be subordinate to the principal use of the dwelling and does not include a hotel, motel or guest house.
<b>Bench</b>	means a plateau or level (slope, typically between 1% and 15%) occurring between the brink of one slope and the toe of another.
<b>Breweries, Wineries, and Distilleries</b>	means the manufacturing, packaging, bottling, canning of beer, wine, spirits or other alcoholic beverages for on-site or off-site consumption. These

developments may include the preparation and sale of food for on-site or off-site consumption.

**Brink of Slope** means the point where a slope begins to fall off steeper than 15%.

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

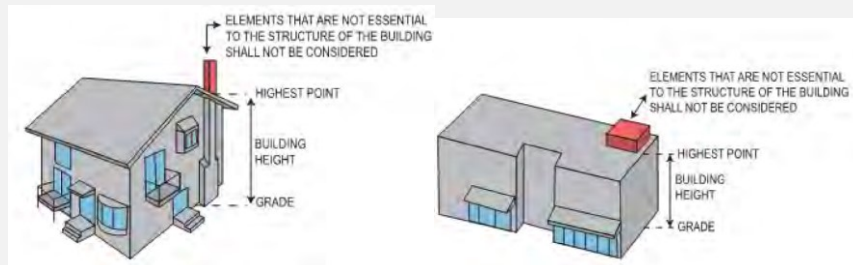
**Building Height** means the highest point of the building. The height of a building shall be determined by calculating the vertical distance between the grade at the exterior wall (or design grade for development that is not built) and the highest point of the building.

On sloping ground, height shall be considered the average of the height at the highest and lowest grade.

In determining the highest point of a building, elements that are not essential to the structure of the building should not be considered including but not limited to the following:

- a. elevator housing;
- b. mechanical housing;
- c. roof entrances;
- d. ventilation fans;
- e. skylights;
- f. solar collectors;
- g. steeples;
- h. antennas;
- i. smokestacks or chimneys;
- j. fire walls;
- k. parapet walls; and
- l. flagpoles;

provided they do not create an unsightly condition.



**Bulk Fuel Depot** means lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include Service Stations.

<b>Bulk Fuel Dealer</b>	means a development for the purposes of storing fuel oil and other hydrocarbons for sale and distribution.
<b>Business Service</b>	means services which include, but are not limited to, printing; photographic processing; the provision of office maintenance; custodial services; office security; the sale, rental, repair or servicing of business equipment, furniture, supplies and machines, computers, cellular telephones, and fax machines.
<b>Campground</b>	means the development of planned campsites with limited service for the short-term seasonal use of recreational units, campers, guest cabins, tent trailers and tents. The subject property shall not be used for year-round accommodation for residential use. A campground is typically developed in association with related recreational activities such as hiking or riding trails, picnic grounds, boating facilities, as well as playgrounds and may include centralized facilities or structures for assembly purposes, showers and laundry facilities, picnic grounds as well as a camp store.
<b>Campsite</b>	means a delineated site located within a Campground or Recreational Unit Park and intended for occupancy by tents, tent trailers, holiday trailers, campers, or Recreational Units on a limited short-term basis.
<b>Cannabis</b>	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seed and any other substance defined as cannabis in the <i>Cannabis Act</i> (Canada) and its regulations, as amended from time to time.
<b>Cannabis Accessory</b>	means Cannabis accessory as defined in the <i>Cannabis Act</i> (Canada) and its regulations, as amended from time to time and includes, but is not limited to; rolling papers or wraps, holders, pipes, water pipes, bongs, vaporizers, or anything that is deemed to be used in the consumption of Cannabis.
<b>Cannabis Accessory Store</b>	means a retail store unlicensed by the Province of Alberta where Cannabis Accessories are sold at the premises and does not include the sale of any Cannabis.
<b>Cannabis Production Facility</b>	means an enclosed building, licensed by the Federal Government, where Cannabis is grown for distribution (for medical or private retail purposes), and typically includes the cultivating, propagating and/or harvesting of the Cannabis plant. Other processes may include the packaging, shipping, testing and storage of Cannabis and Cannabis related products. Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings.
<b>Cannabis Retail Store</b>	means the use of a building or a portion of a building that has all necessary Provincial licenses and approvals in place, where all types of Cannabis and its derivative Cannabis products, as defined by the <i>Alberta Gaming Liquor and Cannabis Act</i> are stored and often for sale at retail prices and includes storage of Cannabis products within the premises in quantities sufficient only to

	service the store. This does not include Cannabis Accessory Stores, Cannabis Storage and Distribution Facilities or Cannabis Production Facilities.
<b>Cannabis Storage and Distribution Facilities</b>	means an enclosed building, licensed by the Provincial Government, where Cannabis is stored, but not grown (for medical or private retail purposes), and may include processes such as the packaging, shipping, storage and distribution of Cannabis and Cannabis related products.  Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings.
<b>Casino</b>	(gambling establishment) means a facility licensed by <i>Alberta Gaming and Liquor Commission</i> , where the principal activity is gaming with the chance of monetary loss or gain through playing such games. Types of gaming may include card or other table games, video lottery terminal, slot machines, or other electronic or mechanical gambling devices. Development may include restaurants, drinking establishments, commercial, retail service and bingo halls.
<b>Cemetery</b>	means a site used for the entombment of deceased persons. It includes but is not limited to memorial parks, burial grounds, and gardens of remembrance, and may include crematories and mausoleums.
<b>Certificate of Title</b>	means a certificate issued by the Province of Alberta Land Titles Office identifying the owner(s) of a particular parcel of land.
<b>Commercial Greenhouse</b>	means a commercial development for the indoor growing, acclimating, propagating, harvesting, displaying, and selling of fruits, vegetables, bedding, household, and ornamental plants directly to the consumer, and may include accessory uses related to the storing, displaying, and selling of gardening, nursery, and related products. The green house and plant nursery use does not include a cannabis facility.
<b>Commercial Storage</b>	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.
<b>Community Hall</b>	means a building, which is available to the public for the purposes of assembly for community, cultural, political or social events.
<b>Condominium Unit</b>	means a condominium unit as defined by the <i>Condominium Property Act</i> , RSA 2000, (C-22).
<b>Corner Lot</b>	means a lot located at the intersection of two public roads, other than lanes.
<b>Council</b>	means the Council of the County of Wetaskiwin No. 10.
<b>County</b>	means the County of Wetaskiwin No. 10.



<b>County Grid Road</b>	means a developed or undeveloped road allowance or road on a plan of survey identified as a Township or Range Road and is under the care and control of the County. A County Grid Road right-of-way also includes any adjacent parallel service road or road dedication.
<b>County Local Road</b>	means a road internal to a multi-lot subdivision or hamlet and is under the care and control of the County.
<b>County Road</b>	means either a County Grid Road or County Local Road. Where it is unclear if a road is a Grid Road or Local Road, the Development Authority shall establish the type of road only for the purposes of this Bylaw.
<b>Crest of Slope</b>	means the point at the top of a slope where the slope ends and is no longer greater than 15%.
<b>CSA</b>	means the <i>Canadian Standards Association</i> .
<b>Day Care</b>	means a facility providing group day care, family daycare, nursing school, child minding, out of school care, or specialized daycare for more than six (6) non-resident children between the ages of 0 and 12. All childcare facilities must be licensed and operate in accordance with the provincial <i>Childcare Licensing Act</i> .
<b>Day Home</b>	means a childcare service operated from a private residence for up to and including six (6) non-resident children between the ages of 0 and 12 and complies with the <i>Alberta Family Day Home Standards</i> .
<b>Deck</b>	means a platform structure, typically attached to a dwelling, without a roof or walls, except for railings, which is designed and intended for use as an outdoor amenity area.
<b>Deemed Complete</b>	means an application for a development or subdivision application or amendment to this Bylaw is in order such that it may be processed.
<b>Deemed Incomplete</b>	means a decision to refuse a development or subdivision application because the applicant has provided insufficient information to process the application, or where the applicant indicates in writing that they no longer wish to continue with the application.
<b>Density</b>	means the ratio of the number of dwelling units or other use (i.e. Recreational Units) to a parcel or the maximum number of dwelling units per developable hectare or lot.
<b>Designated Officer</b>	means a Development Authority or any other official appointed by the Chief Administrative Officer (CAO) to enforce the provisions of this Bylaw.
<b>Designated Person</b>	means a person designated pursuant to the <i>Cannabis Regulations</i> .
<b>Development</b>	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; or
- d) a change in the intensity of use of land or a building or 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.

<b>Development Permit</b>	means a document or permit which may include attachments and/or conditions issued pursuant to this Bylaw authorizing a development.
<b>Development, Temporary</b>	means a development for which a development permit has been issued for a limited time only at the discretion of the Development Authority.
<b>Discretionary Use</b>	means the use of land or a building for which a development permit may or may not be issued, at the discretion of the Development Authority. Discretionary uses are listed in the districts in which they may be considered.
<b>Drive-In Food Service</b>	means a development or part of a development that can include a restaurant, designed to serve customers remaining in their vehicles.
<b>Driveway</b>	means a privately developed roadway on private land that provides access to a specific development or area. Private driveways (excluding the approaches within County Road Allowances) are not subject to being developed to any predetermined County standard except as required in this Bylaw.
<b>Dwelling</b>	means a detached dwelling, mobile dwelling, modular dwelling or moved in dwelling. Dwelling also includes a side-by-side dwelling and a vertical dwelling in a land use district that supports more than one dwelling on a lot. Dwelling does not include Recreational Units or detached temporary accommodation (i.e. guest cabins, yurts, etc.) in a campground.
<b>Dwelling, Communal</b>	means a dwelling that is an arrangement of buildings that are an integral part of an agricultural, educational, recreational or religious facility, operated by a recognized communal organization such as a Hutterite colony. Accessory buildings may include a communal kitchen, dining room or both.
<b>Dwelling, Detached</b>	means a dwelling that is built on a foundation or base extending below grade. The building is constructed on-site using conventional construction methods and materials and, is separate from other buildings on all sides. Detached dwelling excludes modular dwelling.
<b>Dwelling, Mobile</b>	means a dwelling unit designed to be transported on a heavy chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the unit. The building must have CSA-A277 certification as a 'Mobile' and must be constructed in accordance with

the CSA-Z240 standards for foundations such as blocking and steel piles with an enclosed and insulated joist space. A mobile dwelling includes manufactured homes but does not include park models, recreational units, modular dwellings, detached dwellings, or moved in dwellings.

<b>Dwelling, Modular</b>	means a dwelling unit manufactured in a factory comprised of a single or multiple section structure and is assembled on or transported to a building site. The structure must have CSA-A277 certification as a ‘Modular’ and cannot be built to CSA-Z240 standards and must be set on a subgrade foundation, such as a grade beam, with a heated crawl space or basement. Modular Dwellings include Ready to Move Homes (R.T.M) but shall not include detached dwellings, mobile dwellings, or moved in dwellings.
<b>Dwelling, Moved in</b>	means a previously occupied detached or modular dwelling that is transported in whole or in parts to a new building site. Moved in dwellings do not include recreational units, park models, new modular homes, or mobile homes.
<b>Dwelling, Multiple</b>	means a building containing three (3) or more dwelling units which may include an apartment, row house, or adult living complex.
<b>Dwelling, Side by Side (Duplex, side by side)</b>	means a building containing two (2) dwelling units with individual and separate entrances where the units are situated beside each other and may be subdivided onto separate lots.
<b>Dwelling, Vertical (Duplex, Vertical)</b>	means a building containing two (2) dwelling units situated one on top of the other in whole or in part with an individual and separate entrance to each dwelling unit.
<b>Dugout</b>	means a site excavation of earth, rock, concrete or other natural material designed to capture and retain water for agricultural, commercial, industrial or fire prevention uses, but does not include a lagoon for the purpose of processing wastewater.
<b>Education Facility</b>	means a development developed for instruction, training, and education purposes, and may include administration offices, dormitories, and accessory uses/structures.
<b>Equestrian Center</b>	means the use of a site, building or structure for equestrian related activities and intended primarily for public or group use with the majority of participants coming from offsite to participate in activities such as training of horses and riders, horse shows, and equestrian competitions.
<b>Escarpment</b>	means a river valley wall, typically up to 90 metres (300 ft.) high.
<b>Escarpment Protrusion</b>	means the projection of the brink of an escarpment slope by at least 30 metres (100 ft.) into a valley.

<b>Event Facility</b>	means a commercial facility or site intended to host limited term events, that may include entertainment, food and beverage services, such as (but not limited to) weddings, meetings, seminars, retreats, and trade fairs. An accessory outdoor area may be utilized for activities directly related to the event but is not to be utilized as a Campground or Recreational Unit Park.
<b>Farm Supply and Services Dealer</b>	means a development where farm vehicles, equipment, supplies and services are stored, offered or kept for sale at retail prices and includes storage within the premises of supplies necessary only to service the business.
<b>Fence</b>	means a vertical structure used to prevent visual intrusions, unauthorized access or to provide sound abatement.
<b>Floodplain</b>	means land lying within the 1% flood risk (1 in 100-year flood event) area of a water feature as calculated using methods acceptable to Alberta Environment.
<b>Funeral Service</b>	means a facility used for the preparation of a corpse for burial, the purification and the reduction of the human body (corpse) by heat, and the keeping of bodies other than in a cemetery and the holding of associated services. Typical use includes funeral home.
<b>General Contractor</b>	means the use of land and/or building(s) for a business which provides construction, repairing and storing services including but not limited to road construction, oilfield maintenance, pipeline construction, sand and gravel hauling, and water and sewer projects. Buildings for sales office or residential use may also be included as accessory uses to the principal use.
<b>Golf Course</b>	means land developed for golfing purposes including, a driving range, fairways and greens, and may include a professional shop, clubhouse with a lounge, and/or restaurant.
<b>Golf Netting</b>	is an essential piece of equipment to ensure that properties adjacent to golf courses remain safe from damages associated with stray golf balls.
<b>Grade, Drainage</b>	means the ground elevation established in a lot drainage plan attached to an application for a development permit for the purpose of controlling the flow of surface water on the parcel.
<b>Gross Floor Area (GFA)</b>	means the total area of all floors of all buildings, including accessory buildings, located on a parcel.
<b>Group Home</b>	means a dwelling that is recognized, authorized, licensed or certified as a social care facility by a public authority to provide room and board for foster children, disabled persons, or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision.

<b>Guest Cabin</b>	means a separate full or partial dwelling unit typically smaller than conventional dwelling unit and used for temporary overnight accommodation in a commercial operation such as a resort, motel complex or campground.
<b>Hamlet</b>	means an unincorporated community.
<b>Health Facility</b>	means a public use development providing room, board and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences, and includes but is not limited to clinics, hospitals, psychiatric hospitals, nursing homes, convalescent homes, isolation facilities and detoxification facilities.
<b>Height of Slope</b>	means the distance between the toe and crest of the slope.
<b>Heliport</b>	means a lot or lots used or intended for the use of helicopters landing or taking off as regulated by Transport Canada or their successors.
<b>Highway, Provincial</b>	means a highway as defined in the <i>Highways Development and Protection Act</i> and is subject to direction, control and management by the Province.
<b>Highway</b>	means a road right-of-way that is designated as a provincial highway. Within the County, such highways include the following: Highway 2, 2A, 13, 20, 22, 611, 616, 761, 771, 795, 814, and 822. A highway right-of-way also includes any adjacent parallel service road or road dedication.
<b>Home Occupation</b>	means an occupation or profession carried out in a Dwelling Unit, or a building accessory to a Dwelling Unit, primarily by a permanent resident of the Dwelling Unit, where such occupation or profession is Accessory to the Residential Use of the Dwelling Unit.
<b>Horticulture</b>	means one or more low intensity activities of a gainful nature demanding a skilled trade or craft or related to an agricultural operation on a parcel. Typical horticulture requiring skilled trade may include workshops or storefronts selling custom made products or offering related services. Typical agriculture and horticulture related uses may include growing, packing and sale of food products, small-scale wineries, and breweries, and minor food establishments including cafes and diners.
<b>Hotel</b>	means a commercial development which provides rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor(s) and may be equipped with individual kitchen facilities, and may also include accessory eating and drinking establishments, conference facilities, meeting rooms and personal service businesses.
<b>Institutional Use(s)</b>	means a use or building which is owned or leased by a department or agency of the federal, provincial or municipal government for the purposes of public administration and services, or for the purposes of assembly. This use includes fire hall, health facility and schools, rest areas or post office.



<b>Kennel</b>	means any development that accommodates between four (4) or more dogs over six (6) months of age that are maintained, boarded, bred, trained, or cared for in return for remuneration or kept for purposes of sale.
<b>Land and Property Rights Tribunal</b>	means the <i>Land and Property Rights Tribunal</i> established under the <i>Land and Property Rights Tribunal Act</i> , tasked with adjudicating on appeals related to municipal subdivision and development decisions, as determined in the <i>Municipal Government Act</i> .
<b>Lane</b>	means a road in a hamlet that is primarily intended to give secondary access to a parcel, typically abutting the rear yard property line.
<b>Legal Access</b>	means an access and/or egress for vehicles from/or to a site or parcel and to/from a road located on land dedicated as a road (for example, a road allowance, internal subdivision road) and constructed to meet the County standard, or otherwise deemed at law to be, a public road, that serves as a motor vehicle access route.
<b>Lot</b>	<p>means</p> <ul style="list-style-type: none"> <li>a) a quarter section;</li> <li>b) a river lot shown on an official plan referred to in <i>the Surveys Act</i> that is filed or lodged in a Land Titles office;</li> <li>c) a settlement lot shown on an official plan referred to in <i>the Surveys Act</i> that is filed or lodged in a Land Titles office;</li> <li>d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or</li> <li>e) a part of a parcel 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.</li> </ul> <p>Note: An individual campground lot, site or unit that is not defined above is not considered a Lot, however, it may be considered part of a broader group of campground lots, sites or units within a Lot.</p>
<b>Lot Grading</b>	means the addition or removal of soil (or other material) on a parcel of land that alters its natural topography to promote the drainage of water and/or to create an aesthetically appealing area. (Excludes any drainage associated with agricultural operations).
<b>Lumber Yard</b>	means Warehouse use of a lot and/or building where bulk supplies of lumber and other building materials are stored for retail sale.
<b>Manufacturing and/or Processing Plant</b>	means a use which may involve outdoor storage of raw materials, storage and/or processing of hazardous goods, the movement of heavy vehicles to

	and from the site, and/or irregular operating hours, and which may create smoke, noise, dust and odours.
<b>Marina</b>	means a development adjacent to or near the shore of a waterbody at which the mooring of sailboats, yachts and power-craft is the primary use. Accessory uses at a marina may include but are not limited to fuel and bait sales and mechanical repair shop.
<b>Market Garden</b>	means a use where plants, such as flowers, herbs, fruit, vegetables or a combination thereof, are cultivated in a commercial greenhouse, fruit farm or outdoor garden plot or plots and sold on-site to the general public.
<b>Mobile Dwelling</b>	see Dwelling, Mobile.
<b>Modular Dwelling</b>	see Dwelling, Modular.
<b>Motel</b>	means a commercial development on a site providing sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking spaces designed and operated for the purpose of providing temporary accommodation to the travelling public. A motel may include laundry facilities, restaurant, meeting rooms, personal services businesses, liquor and retail stores.
<b>Moved-in Dwelling</b>	see Dwelling, Moved-in.
<b>Multi-lot Residential Subdivision</b>	means a subdivision of land, registered by plan of survey or descriptive plan, that creates more than three (3) lots out of a quarter section and have been created for, or are being principally used for, residential purposes.
<b>Multiple Dwelling</b>	see Dwelling, Multiple.
<b>Municipality</b>	means the County of Wetaskiwin No. 10.
<b>Municipal Government Act</b>	Means the <i>Municipal Government Act</i> , RSA 2000, Chapter M-26, as amended from time to time.
<b>Municipal Service</b>	means a municipally owned and operated system of works for the provision of water, sewer or other services.
<b>Named Responsible Adult</b>	means a person named pursuant to the <i>Cannabis Regulations</i> .
<b>Owner</b>	means <ul style="list-style-type: none"> <li>a) in respect of unpatented land, the Crown;</li> <li>b) in respect of other land, the person who is registered under the <i>Land Titles Act</i> as the owner of the fee simple estate in the land; and</li> </ul>

- c) in respect of any property other than land, the person in lawful possession of it.

<b>Parcel</b>	means the aggregate of 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.
<b>Parking Stall</b>	means a space set aside for the parking of one motor vehicle.
<b>Pawn Shop</b>	means a property used for a business that engages in the businesses of granting credit to individuals who takes in consumer goods by taking possession of them, or who purchases consumer goods under agreements or undertakings, express or implied, that the goods may be repurchased by the sellers.
<b>Permitted Use</b>	means a use of land or of a building allowed under this Bylaw for which a development permit must be issued with or without conditions, provided that the proposed development complies with the regulations of this Bylaw.
<b>Personal Medical Cannabis Production</b>	means the growing of cannabis for medical purposes by a registered person, designated person or named responsible adult who is registered with <i>Health Canada</i> to grow cannabis for their own medical purposes, by their designated person or their responsible adult, and complies with the <i>Cannabis Regulations</i> , specifically Part 14. Medical Cannabis Production shall not include Cannabis Production Facility.
<b>Personal Service Business</b>	means a building or part of a building used to provide services related to the care and appearance of the body or to the cleaning and repair of personal effects, which includes, but is not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, laundromats and dry cleaners.
<b>Physical Access</b>	means a direct built access to a road or highway which conforms to the <i>County Approach Installation Policy</i> , as amended from time to time.
<b>Place of Worship</b>	means a facility operated by a recognized religious organization for worship and related religions, and/ or in which philanthropic or social activities occur, and which may include but is not limited, to accessory rectories, manse, meetings rooms, classrooms, dormitories, gymnasiums, and other buildings. Typical facilities include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.
<b>Principal Building</b>	means a building which, in the opinion of the Development Authority: <ul style="list-style-type: none"> <li>a) is the primary or main building among one or more buildings situated on the site;</li> <li>b) constitutes by reason of its use the primary purpose for which the site is used; and/or</li> </ul>

	c) occupies the majority area of a site.
<b>Principal Use</b>	means the primary purpose, in the opinion of the Development Authority, for which a building or site is used.
<b>Prohibited Use</b>	means a use listed in a district for which a Development Authority shall not approve a development permit.
<b>Province</b>	means the Province of Alberta and includes all Ministries and Departments within the Government of Alberta.
<b>Public Park</b>	means a publicly owned area of land and or development specifically designed or reserved for the general public for active or passive recreational use. This use includes such facilities and buildings that are consistent with a public park whether publicly operated or operated by other organizations under agreement with the public authority, and includes but is not limited to picnic grounds, walking paths, playgrounds, and playing fields for soccer, baseball and other sports.
<b>Public Utility</b>	means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use: <ul style="list-style-type: none"> <li>a) water or steam;</li> <li>b) sewage disposal;</li> <li>c) irrigation;</li> <li>d) drainage;</li> <li>e) fuel;</li> <li>f) electric power;</li> <li>g) heat;</li> <li>h) waste management;</li> <li>i) telecommunications, excluding private telecommunication towers;</li> <li>j) Government owned or managed Resource Extraction and Stockpile;</li> <li>k) and includes the thing that is provided for public consumption, benefit, convenience or use.</li> </ul>
<b>Public Utility Lot (PUL)</b>	means land required to be used for public utility purposes.
<b>Qualified Professional</b>	means an individual who possesses the necessary education, training, certification, and/or experience required to perform specific tasks or roles within a particular field or industry.
<b>Race Track</b>	means an area of land used for racing events involving horses, bicycles or motor-powered vehicles (including but not limited to automobiles and motorcycles).

<b>Real Property Report (RPR)</b>	means a plan prepared by an Alberta Land Surveyor to the standards of the <i>Alberta Land Surveyors Act</i> which shows property lines, the location of development relative to property lines, other features such as wells and sewer systems, and encroachments (if any).
<b>Recreational, Commercial</b>	means a use or building where patrons participate in a recreational activity, which, due to the nature of the activity or required equipment, requires a substantial area for each participant, and in which there is minimal provisions for spectators. This use includes, but is not limited to, go-cart tracks, paintball operations and snowmobile rentals.
<b>Recreational, Extensive</b>	means a recreational land use located in a rural area to take advantage of a natural setting for dispersed, low impact activities including, but not limited to, walking, hiking, cross-country skiing, riding horses and bird watching. Temporary accommodation associated with an extensive recreational use shall be considered under a campground, motel, or other applicable use in the Bylaw.
<b>Recreational Unit</b>	means a mobile unit meant for use as temporary accommodation and includes, but is not limited to, holiday trailers, tents, tent trailers, fifth-wheel trailers, truck campers, motor homes, park model trailers, yurts, geodomes, and recreational units that do not meet <i>Part 9 of the Alberta Building Code (ABC)</i> .
<b>Recreational Unit Park</b>	means an area of land with sewer, water and power services used for the short-term accommodation of Recreational Units on a private land title lease or rental basis and includes a sanitary pump out site for the disposal of wastes from the Recreational Units. This may include Recreational Units oriented Bareland condominium unit developments, subject to all infrastructure including roads, utilities, water and sewer which would normally be municipal or local improvements being constructed to minimum County standards.
<b>Recreational Unit, Personal Use &amp; Storage</b>	means the use of a residential site for the personal use and/or storage of Recreational Units and not for commercial purposes.
<b>Recreational Unit, Commercial Storage</b>	means the commercial storage, outside or inside a permanent structure, of Recreational Units or other motorized recreational vehicles such as boats, ATVs, personal watercraft, snowmobiles, and trailers used to transport the vehicles.
<b>Recreational Unit Dealer</b>	means a development used for the retail sale or rental of new or used recreational or off-road vehicles and for providing maintenance services and parts sales. This could include sales of other motorized equipment.
<b>Recycling Depot</b>	means a development used for the buying and temporary storage of beverage containers, newsprint, and similar domestic materials for reuse where all storage is contained within an enclosed building.



<b>Registered Person</b>	means a person registered pursuant to the <i>Cannabis Regulations</i> .
<b>Regulation</b>	means the <i>Matters Related to Subdivision and Development Regulation</i> , as amended.
<b>Resource Extraction Operation Type A</b>	means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type A pits shall have an overall development area of more than 5.0 ha (12.5 ac) in total scope excluding any access road as determined by the Development Authority.
<b>Resource Extraction Operation Type B</b>	means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type B pits shall have an overall development area of less than or equal to 5.0 ha (12.5 ac) in total scope excluding any access road as determined by the Development Authority.
<b>Resource Processing Operation</b>	means a development at which a primary resource product, including but not limited to sand, gravel or clay, is processed or converted for further use and may include an asphalt plant.
<b>Restaurant</b>	means a development where beverages and food is prepared on-site and are offered for sale to the public for consumption on or off the premises.
<b>Retail Liquor Store</b>	means the use of a building or a portion of a building where all types of alcoholic spirits or beverages, as defined by the <i>Alberta Liquor Control Act</i> , are stored and offered for sale at retail prices and includes storage of liquor products within the premises in quantities sufficient only to service the store.
<b>Retail Store</b>	means the use of a building or a portion of one where goods, including food prepared off-site, and merchandise are stored and offered for sale at retail prices and includes storage of these items within the premises in quantities sufficient only to service the store. This use includes Post Office but does not include Retail Liquor Store or Cannabis Retail Store.
<b>Road</b>	means a statutory road allowance and/or land shown as a road on a plan of survey that has been filed or registered in a Land Titles office or used as a public road, and that includes a bridge forming part of a public road and any structure incidental to a public road.
<b>Safety Codes Act</b>	Means the <i>Safety Codes Act, 2000, Chapter S-1</i> , as amended from time to time, and including any related regulations and standards of practice.
<b>School</b>	means a development for the purposes of educational instruction including assembly for educational, training, or instructional purposes and may include administration offices, dormitory and accessory buildings. This use includes public, separate, private, commercial school or college. Typical facilities may include seminaries, community colleges and universities, technical and

	vocational facilities. This use does not include home businesses or private educational services.
<b>Screening</b>	may include, but may not be limited to, a fence, earth berm, hedge, shelterbelt, or exterior finish used to visually and/or physically separate areas of function as determined by the Development Authority.
<b>Seniors and/or Supportive Living Complex</b>	means a multi-unit development designed and built specifically for senior citizens or adults for residential use operated solely to meet the housing needs of said persons or those requiring supportive housing due to physical limitations. The facility operator may also provide supportive services to the residents which may include, but are not limited to, meals, housekeeping services, linen and laundry services, hair salon services, and recreational services in accordance with Provincial regulations.
<b>Service Station</b>	means a development for the service and repair of motor vehicles and trucks, the sale of gasoline and other hydrocarbons, lubricating oils and accessories for motor vehicles, and which may provide towing services and/or a car wash. A service station may also sell those goods commonly found in convenience stores and may contain a restaurant.
<b>Setback</b>	means the perpendicular distance to a development/building or structure, from a property line or any other adjacent natural or manmade feature. A setback is not a yard.
<b>Severance, Legal</b>	means an interest in land, such as a railway, which constitutes an intervening ownership and is either shown as an exception off title or is an exception to indefeasibility pursuant to the <i>Land Titles Act</i> .
<b>Short Term</b>	means less than one year (365 days).
<b>Show Home</b>	means a structure constructed as a dwelling type listed as a permitted or discretionary use in the district, for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area but is not used as a dwelling. Show homes may contain offices for the purpose of the sale of other dwellings in the area and may be required to have parking within the same lot. Show homes may be used as a dwelling if applied strictly as a dwelling by a new development permit application when the structure ceases to be a show home.
<b>Sign</b>	means any object or device intended for the purpose of advertising or calling attention to any good, service, business, product, person, matter, thing or idea, from off a site.
<b>Site</b>	means an area of land consisting of one or more adjacent lots or parcels, or to describe an area of developed land such as the immediate area surrounding a dwelling that is used for residential purposes on a large parcel.

<b>Site Coverage</b>	means the percentage of the site covered by a building or buildings, structures (including Recreational Units), or a combination thereof, over .91 m (3 ft) in height.
<b>Spectator Sport Facility</b>	means development to accommodate public or sports events including race tracks.
<b>Storage Facility</b>	means the accessory storage of equipment, goods, and materials in the open air when such storage of goods and materials does not involve the use of structures or the material alteration of the land and excludes natural material storage.
<b>Subdivision</b>	means the division of a parcel of land by an instrument; including a condominium plan and, the consolidation of, or boundary change to, two or more adjoining parcels; and "subdivide" has a corresponding meaning.
<b>Subdivision and Development Appeal Board</b>	means an independent quasi-judicial body tasked with adjudicating on appeals related to municipal subdivision and development decisions, as defined in the <i>Municipal Government Act</i> .
<b>Telecommunication Tower</b>	means an exterior transmitting device used to receive and/or transmit radio-frequency signals, microwave signals or other federally licensed communications energy transmitted from, or to be received by, other antennas. May include amateur radio towers, a supporting tower, mast or other supporting structure, a station and an equipment shelter.
<b>Toe of Slope</b>	means the point at the bottom, or baseline section, of a slope where the slope ends and is no longer greater than 15%.
<b>Tree Covered Land</b>	means land which has not been cleared and broken for an agricultural use on which the dominant vegetative cover is trees.
<b>Uninhabitable Dwelling</b>	means a building or structure that is no longer used as a dwelling and has had all cooking facilities, washroom and bathroom facilities, and sleeping quarters removed or permanently disabled to the satisfaction of the Development Authority to enable the building to be utilized exclusively as an accessory building.
<b>Use</b>	means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is or may be occupied and maintained.
<b>Vehicle Repair Business</b>	means a development for the servicing, maintenance and repair of automobiles, trucks, recreational and off-road vehicles, and may include the sale, installation or servicing of related accessories and parts, and includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and auto finishing and upholstery shops.

<b>Vehicles Sales, Motor</b>	means a use where new or used vehicles are sold at retail prices to allow the general public (consumers) access to motor vehicles displayed for sale or lease; where each vehicle is a gross vehicle weight equal to or less than 4,500 kilograms; does not provide repair or maintenance services, new or used parts sales, dismantled vehicles sales, or installation of parts or equipment.
<b>Vehicle, Truck/Large Business</b>	means a development where trucks and/or large vehicles are stored, offered or kept for sale at retail prices and includes storage within the premises of trucks and/or large vehicles necessary only to service the business.
<b>Veterinary Clinic</b>	means development used for the care and treatment of animals where the veterinary services primarily involve outpatient care and minor medical procedures involving care for fewer than four (4) days. All animals shall be kept within an enclosed building. This use class includes pet clinics, animal veterinary clinics, and veterinary offices. This use class does not include animal hospitals and shelters.
<b>Warehouse</b>	means the storage of bulky, large or heavy goods within an enclosed building where the size and nature of the goods may require large floor areas for storage and large areas for vehicle use for the trans-shipment of the goods. This use includes lumber yards, grain elevators and other similar uses.
<b>Washroom</b>	means facilities for toilet and hand washing only and must exclude bathing and/or showering facilities.
<b>Work Camp</b>	means one or more buildings, including sleeping and eating quarters, established to accommodate persons who are employed in the agricultural, mining, lumbering, construction, drilling, resource exploration, utility installation or any similar industry, and includes the land on which the building or buildings are situated. The Development Authority may issue a development permit for a Work Camp for a maximum of one year after which a re-application must be made. Consideration to approve any application is subject to a review of the compatibility of the Industry Work Camp with the neighbouring land uses and all other conditions including transportation, water and sewer services. The decision on such application is at the discretion of the Development Authority.
<b>Yard</b>	means the area between a lot line and the nearest part of any building, structure, development or use on a lot.
<b>Yard, Flanking</b>	means the side yard of a corner or double fronting lot that abuts the property line of the longer extent of the two public roadways adjacent to the lot.
<b>Yard, Front</b>	means a yard extending across the full width of parcel and measured, as to depth, horizontally to the nearest building, structure or development use to the property line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the property line separating the lot from the road not including a corner rounding or corner cut; or in the case of a yard (flanking), the front of the lot shall be determined

by a Development Authority based on the location of permitted access and the orientation of other development on the block. In the case of a lot abutting a watercourse, the front property line is the property line abutting the road.

**Yard, Rear** means a yard extending across the full width of parcel and measured, as to depth, horizontally to the nearest building, structure or development use to the property line opposite to, and most distant from, the front property line, or where there is no such property line, the point of intersection of any property lines other than a front property line which is furthest from an opposite point from the front property line.

**Yard, Side** means a yard extending the length of a parcel that is not a front or rear yard.





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# **SECTION SIXTEEN |** SCHEDULES

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# 16 SCHEDULES

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16.1 District Maps

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16.2 Overlay Maps

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COUNTY OF  
**WETASKIWIN**

Draft October 22, 2024