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SECTION ONE – ENACTMENT

1.1 TITLE

This BYLAW is entitled the Mackenzie COUNTY Land Use BYLAW.

1.2 PURPOSE

The purpose of this BYLAW is to regulate the use and DEVELOPMENT of land and buildings within the boundaries of the COUNTY to achieve the orderly and economic DEVELOPMENT of land.

1.3 APPLICATION

The provisions of this BYLAW apply to all lands and buildings within the boundaries of the COUNTY, pursuant to Division 3 of Part 17 of the *Municipal Government Act*.

1.4 EFFECTIVE DATE

- (a) This BYLAW comes into force and takes effect upon the date of its third reading.
- (b) Land Use BYLAW No. 462/04 as amended is hereby repealed and replaced.

1.5 CONFORMITY WITH THE BYLAW

- (a) No person shall commence any DEVELOPMENT within the COUNTY except in conformity with this BYLAW.
- (b) Compliance with the requirements of this BYLAW does not exempt any person or entity from the requirements of any adopted statutory plan or Federal or Provincial regulation.

1.6 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

- (a) Nothing in this BYLAW affects the duty or obligation of a person to obtain a DEVELOPMENT PERMIT as required by this BYLAW or to obtain any other permit, license or other authorization required by this or any other BYLAW.
- (b) In addition to the requirements of this BYLAW, an applicant must comply with all federal, provincial and other municipal legislation.

1.7 TRANSITION

An application for a subdivision, DEVELOPMENT PERMIT or amendment to the Land Use BYLAW commenced prior to the coming into force of this BYLAW shall be evaluated under the provisions of the COUNTY's Land Use BYLAW No. 462/04 as amended.

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SECTION TWO – BYLAW ADMINISTRATION AND PROCEDURES

2.1 BYLAW AMENDMENTS

- (a) A BYLAW amendment application shall be made to the DEVELOPMENT OFFICER on the prescribed form and shall be signed by the applicant or his agent.
- (b) All applications to amend this BYLAW shall be accompanied by a statement of the reasons for the amendment.
- (c) If the amendment involves the re-designation of land to a different LAND USE DISTRICT, the application shall be accompanied by
 - i) a certificate of title for the subject property;
 - ii) where the applicant is not the owner of the land affected by the application, written consent of the registered landowner
 - iii) a statement indicating the proposed use of the site;
 - iv) a properly dimensioned map describing the affected site to the satisfaction of the Development Authority;
 - v) such additional information as the DEVELOPMENT OFFICER may require to evaluate the application, including but not limited to aerial photography, environmental impact assessment, ENVIRONMENTAL AUDIT, soil tests, hydro-geological analysis, and geotechnical reports; and
 - vi) an AREA STRUCTURE PLAN where required by the Development Authority.
- (d) The COUNTY may at any time initiate an amendment to this BYLAW.
- (e) Where an application for an amendment to this BYLAW has been refused, the submission of another application to amend this BYLAW for the same parcel and same or similar amendment may not be made by the same or any other applicant for at least six (6) months after the date of the BYLAW being defeated by COUNCIL.
- (f) Advertisement and notification of proposed amendments to this BYLAW shall be conducted in accordance with the Act.
- (g) In order to ensure a firm commitment for DEVELOPMENT has been received the following are requirements for the rezoning application:
 - i) an AREA STRUCTURE PLAN for multi-lot subdivisions,
 - ii) A minimum of 10 parcels per rezoning application, or where the total area to be rezoned is less than 20.2 hectares (50 acres), the total developable area must be subdivided. Where the lands contain proven waterbody/wetlands and/or topographical challenges that prevent the minimum of 10 lots from being created, the minimum number of lots may be decreased. **(Bylaw 838-11)**
 - iii) The subdivision must have legal access that meets COUNTY standards, and
 - iv) Where the existing municipal road is not up to the standard required for the parcel, a road request or upgrade must be part of the subdivision application

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SECTION THREE – DEFINITIONS AND INTERPRETATION

3.1 INTERPRETATION

- (a) The terms defined in this Section have specific, broader or different meanings than the usage and interpretation commonly found in the English dictionary, and thus, give rise to the need of this Section. The meanings of all terms and vocabularies used in this BYLAW shall be interpreted in accordance with:
- (i) the *Municipal Government Act* and the Statutes of Alberta to which this BYLAW refers,
 - (ii) the following Definitions, and
 - (iii) the common English dictionary in the event the above mentioned Section of Definitions is silent.
- (b) Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words have the same meaning whether they are capitalized or not.
- (c) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the *Municipal Government Act* of this BYLAW.
- (d) All other words and expressions have the meaning respectively assigned to them in accordance with the *Municipal Government Act* and any other applicable Statutes of Alberta. Where such words are not defined in this BYLAW, or in the *Municipal Government Act*, the Development Authority shall make the interpretation.

3.2 IMPERIAL/ METRIC MEASUREMENTS

Imperial measurements used within the BYLAW shall take precedence over all Metric values. Metric measurements, shown in brackets are for reference purposes only.

3.3 DEFINITIONS

“**ABATTOIR**” means a use or a building/facility used for slaughtering animals (LIVESTOCK or poultry) and may include processing, packing, treating, storing and the sale of meat produced.

“**ABANDONED FARMSTEAD**” means a farmyard which was once established and which currently contains any or all of the following;

- 1) An abandoned DWELLING UNIT,
- 2) A developed potable water source,
- 3) An established sewage collection system,
- 4) An existing shelter belt, or
- 5) Any other features, which would at the discretion of the Development Authority,

indicate a previous developed FARMSTEAD.

“**ACT**” means the *Municipal Government Act* and subsequent amendments thereto.

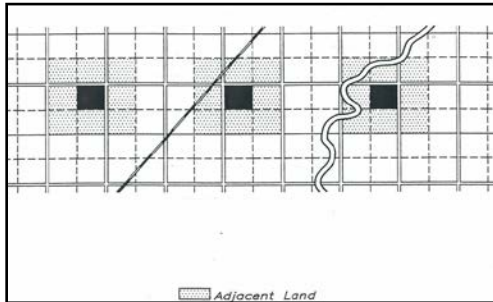
“**ABUTTING**” means immediately adjacent to or physically touching, and when used with respect to a LOT or site, means that the LOT or site physically touches upon another LOT, site, or piece of land, and shares a property line or boundary line with it.

“**ACCESSORY**” means a building, structure or use that is subordinate to, exclusively devoted to, and located on the same site as the PRINCIPAL BUILDING or use. Where a structure is attached to a PRINCIPAL

SECTION THREE – DEFINITIONS AND INTERPRETATION

BUILDING on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below **GRADE** allowing access between the building and the structure, it is considered part of the **PRINCIPAL BUILDING**.

"ADJACENT LAND" means land or a portion thereof that shares a common boundary with another parcel of land that is subject to a **DEVELOPMENT PERMIT** application, a subdivision application, or a **LAND USE re-DISTRICTING** application, including land that would be adjacent, if not for a public roadway, railway, river, or stream.



"ADULT ENTERTAINMENT BUSINESS" means a business operation lawfully permitted, which principally caters to the provision of erotic entertainment for persons 18 years of age or older and which is operated either as a principal or ancillary use. **ADULT ENTERTAINMENT BUSINESS** includes but is not limited to the following: an establishment for exotic dancing, escort services, adult video/book/magazine stores, retail sex shops selling sexual aids, clothing and accessories, "topless" bars and **RESTAURANTS**, and similar uses.

"AGRICULTURAL INDUSTRY/OPERATION" means an agricultural activity conducted on agricultural land or in buildings for gain or reward or in the hope or expectation of gain or reward and includes, but is not limited to, the following:

- 1) land cultivation;
- 2) raising poultry and **LIVESTOCK**, including game-production animals

- within the meaning of the **LIVESTOCK Industry Diversification Act**;
- 3) raising fur-bearing animals, exotic **LIVESTOCK**, birds or fish;
 - 4) production of agricultural field crops, fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
 - 5) production of eggs, milk, and honey;
 - 6) operation of agricultural machinery and equipment, including irrigation pumps;
 - 7) collection, transportation, storage, application, use, transfer and disposal of manure;
 - 8) abandonment and reclamation of **CONFINED FEEDING OPERATIONS** and manure storage facilities; and
 - 9) application of fertilizers, manure, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying for agricultural purposes.

"AGRICULTURAL MACHINERY SALES AND SERVICE" means a business operation designed for selling and servicing farm implements and supplying parts.

"AGRICULTURAL SUPPLY DEPOT" means a facility that specializes in bulk storage and sale of agricultural products or other farm supplies, but does not include the sale and storage of solid and liquid fertilizers.

"AIRPORT" see **MUNICIPAL AIRPORT**.

"AMUSEMENT FACILITY" means a commercial facility that is intended to be used for entertainment, recreation or leisure, and includes a pool hall, video arcade and other similar facilities whether operated as a principal or ancillary use.

"ANCILLARY BUILDING/SHED" means a building which is separate from the

SECTION THREE – DEFINITIONS AND INTERPRETATION

PRINCIPAL BUILDING on the parcel of land where both are located, and which is normally subordinate to, and the use of which is incidental to that of, the **PRINCIPAL BUILDING**. This does not include a **GARAGE - DETACHED**. An **ANCILLARY BUILDING/SHED** is not used for human habitation.

"ANIMALS - NON-DOMESTIC" means animals that are not normally kept as pets.

"APARTMENT" see **DWELLING - APARTMENT**.

"AREA STRUCTURE PLAN" means a statutory plan, prepared and adopted pursuant to the Act, which addresses the future **DEVELOPMENT** of large areas of land at a conceptual level of detail.

"AUCTION MART" means a building or public place where property or items of merchandise are offered for sale to persons who bid in competition with each other.

"AUTO SALVAGE" means a use where the primary activity is the storage, disassembly, dismantling, junking or keeping of more than three unlicensed vehicles or parts thereof, usually for parts or scrap metal re-sale.

"AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES " means **DEVELOPMENT** used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of automobiles, trucks, trailers, motorcycles, snowmobiles, boats and recreation vehicles. Uses would also include transmission shops, muffler shops, auto body paint and repair facilities, highway service stations and fleet services involving vehicles for the delivery of people, goods and services.

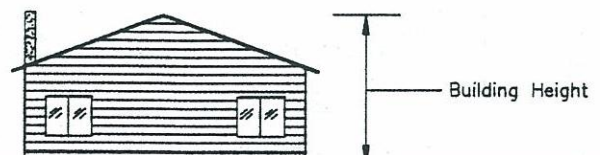
"BASEMENT" means that portion of a building that is located wholly or partially below **GRADE**, the ceiling of which does not extend more than 1.8 m (6 feet) above finished **GRADE**.

"BED AND BREAKFAST BUSINESS" means a commercial business **ACCESSORY** to the residential uses of a dwelling which the occupant rents or leases a room or suites of rooms on a temporary basis, and which may include the provision of meals as part of or in addition to the fee paid for the room or suite of rooms. This does not include a **MOTEL**, **HOTEL**, **SECONDARY SUITE** or **RESTAURANT**.

"BOAT WHARF" means a place where boats can dock.

"BUFFER/SCREENING" means an area where trees, shrubs, hedges, berms, architectural devices, walls, fences or other landscaping features are provided for the purpose of reducing adverse effects of the use(s) of land, buildings or activities on an adjacent area, property or use.

"BUILDING HEIGHT" means the vertical distance between the **GRADE** and the highest point of a building, except those parts that are not essential to the structure of the building, such as a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall, flagpole, or other similar elements.



"BUILDING - MOVED IN" means a residential, commercial, industrial, or **ANCILLARY BUILDING/SHED**, constructed and situated on a previous site, to be relocated from the old site to the new site.

"BULK FERTILIZER STORAGE AND/OR SALES" means a business operation that sells chemicals, in bulk, used for increasing the productivity of farm operations.

"BULK FUEL/PROPANE SALES" means a business operation used for bulk storage and sale of gasoline, propane, and similar petroleum products.

SECTION THREE – DEFINITIONS AND INTERPRETATION

"BUNKHOUSE" means a mobile residential building that provides basic living facilities and is used on a seasonal basis.

"BUS DEPOT" means a building and associated facilities that provides passengers with facilities to embark/disembark on/from buses, and/or for the parking and storage of buses and related equipment.

"BYLAW" means the Land Use BYLAW for Mackenzie COUNTY that regulates the use of land and buildings within the COUNTY.

"CABIN" means a small, roughly built house, or hut used on a seasonal basis which does not exceed 46.45 sq m (500 square feet).

"CAMPGROUND" means an area of land purposely designed for temporary use by tourists, vacationers, or campers as their parking, camping, sleeping or recreational areas, or for accommodating CABINs; and may include a RECREATIONAL VEHICLE PARK.

"CAR WASH ESTABLISHMENT" see **"VEHICLE WASH ESTABLISHMENT"**.

"CARDLOCK" means a commercial fuel storage and dispensing facility that has a computerized system that accepts a card and pin number before the vehicle may be fuelled, where below or above ground tanks are used to store the fuel.

"CARETAKER'S RESIDENCE/SECURITY SUITE" means a dwelling that is secondary or ACCESSORY to the principal industrial, commercial or recreational use on the same LOT and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of the principal use on the LOT. This unit is limited to a MANUFACTURED HOME - SINGLE or MANUFACTURED HOME - DOUBLE WIDE or a self-contained/BUNKHOUSE unit.

"CEMETERY" means a parcel of land that is used as burial grounds, excluding CREMATORIUM, and is licensed by the appropriate Provincial Departments or Agencies.

"CHANGE OF USE" means changing a County approved use of a building or lands to any other use. **Also see DEVELOPMENT.**

"CHURCH" means a building or place used as a place of worship and may include related ACCESSORY facilities such as a CHURCH hall, or Sunday SCHOOL.

"CLUB HOUSE" means a building or portion thereof, used by a recreational or social club.

"COMMUNICATION TOWER" means a structure and associated equipment that is used to convey communication, radio or television signals, and may include ancillary structures.

"COMMUNITY PASTURE" means the shared use of land for grazing animals.

"CONCRETE PRODUCTS MANUFACTURING" means a business operation that manufactures concrete and provides related facilities for the storage of materials and equipment required for the operation of such business.

"CONDOMINIUM UNIT" means:

- 1) in the case of a building, a space that is situated within a building and described as a unit in a condominium plan by reference to floors, walls and ceilings within the building, and
- 2) in the case other than that of a building, land that is situated within a LOT described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provisions of the *Surveys Act* respecting subdivision surveys.

"CONFINED FEEDING OPERATION" means fenced or enclosed land or buildings

SECTION THREE – DEFINITIONS AND INTERPRETATION

where LIVESTOCK are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, LIVESTOCK seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds. The *Agricultural Operation Practices Act* shall define the minimum size and number of a CONFINED FEEDING OPERATION.

"CONTRACTOR'S BUSINESS/YARD" means a DEVELOPMENT used for commercial and industrial service support and construction. Typical uses may include oilfield support services, cleaning and maintenance contractors, building construction, surveying, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor. Any sales, display, office or technical support service areas are ACCESSORY to the principal use.

"CONTRACTOR'S SERVICE" means a business operation from a mobile vehicle that provides trades services, excluding a contractor's yard for the storing of construction materials, vehicles and equipment.

"CONVENIENCE STORE" means a retail operation that sells merchandise to meet daily needs such as groceries, soft drinks and other similar goods.

"COTTAGE" means a stick built detached dwelling which is either moved-in or constructed on site, and is no more than two (2) stories in height or 186 sq m (2,002 square feet) in area.

"COUNCIL" means Mackenzie COUNTY COUNCIL.

"COUNTY" means Mackenzie COUNTY.

"COUNTRY RESIDENTIAL" means the use of land in a rural area intended primarily for residential purposes.

"CREMATORIUM" means a building used for the cremation of deceased persons or animals.

"DAY CARE FACILITY" means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, for children in accordance with relevant legislation, nursery SCHOOLS for children under the minimum age for education in public SCHOOLS, playgroups for pre-SCHOOL children, and programs covering after-SCHOOL care for SCHOOL children. Typical uses are day care centers and nursery SCHOOLS but do not include a private babysitting facility.

"DECK" means an unenclosed amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised DECK is greater than 0.6 m (2 feet) measured from the finished GRADE to the underside of the supporting structure. A raised DECK is deemed ACCESSORY to the PRINCIPAL BUILDING.

"DEVELOPMENT" means:

- 1) an excavation or stockpile of earth and creation of either of them, or
- 2) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land, or
- 3) 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 (**also see CHANGE OF USE**)
- 4) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

SECTION THREE – DEFINITIONS AND INTERPRETATION

"DEVELOPMENT OFFICER" means a person or persons appointed by the COUNTY pursuant to the Act to administer the provisions of this BYLAW.

"DEVELOPMENT PERMIT" means a document permitting a DEVELOPMENT, issued by the COUNTY pursuant to this BYLAW.

"DISCRETIONARY USE" means the use of land or buildings where a DEVELOPMENT PERMIT may or may not be issued for certain purpose that is permitted by the Development Authority according to his/her discretionary judgment based upon the merits of the application.

"DISMANTLED/WRECKED VEHICLE" means a vehicle that is no longer licensed or in use and is unfit for operation by virtue of its exterior or mechanical condition.

"DUGOUT" means the excavation of lands resulting in manmade features that entrap water and includes excavations for a water supply and borrow pits.

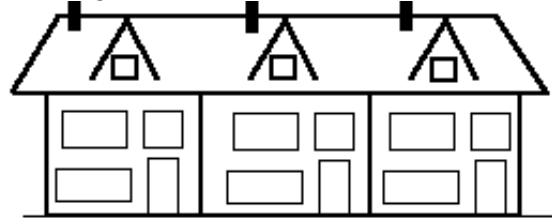
"DWELLING - APARTMENT" means a residential building, containing individual suites on multiple stories, consisting of four DWELLING UNITS or more, having a shared entrance or their own independent access.

"DWELLING - DUPLEX" means a building that is divided vertically into two DWELLING UNITS side by side and separated from each other by a common wall extending from foundation to roof and not attached to any other residential buildings.



"DWELLING - GROUP HOME" means a facility that provides special care for

individuals who are in need of adult supervision, and that is licensed by the appropriate public authority. A group home located within a residential type LAND USE DISTRICT or which is adjacent to a residential LAND USE DISTRICT shall be limited to six (6) persons excluding staff and shall be located in a building designed as a dwelling.



"DWELLING - MULTIPLE" means a residential building containing at least three or more DWELLING UNITS, separated by common walls and located either on a single site or each unit on a separate individual LOT, each DWELLING UNIT having at least one separate entrance. This definition applies to forms of housing that include, but is not limited to, a triplex, a fourplex, a sixplex, condominiums and townhouses.

"DWELLING - ROW" means a minimum of three DWELLING UNITS constructed in a row and divided vertically by common walls, and each of which has a separate entrance at ground level.

"DWELLING - SINGLE FAMILY" means a DEVELOPMENT consisting of only one DWELLING UNIT which is separate from any other DWELLING UNIT or building, and which is supported on a permanent foundation or BASEMENT, and which meets the requirements for a residence as specified within the *Alberta Building Code*.

"DWELLING – SHOW HOME" means a DEVELOPMENT consisting of only one future DWELLING UNIT which is separate from any other DWELLING UNIT or building, and which is supported on a permanent foundation or BASEMENT, and which meets the requirements for a residence as specified within the *Alberta*

SECTION THREE – DEFINITIONS AND INTERPRETATION

Building Code, and which is intended to be used for marketing purposes, only. A DWELLING – SHOW HOME may not be occupied for any residential purpose. A DWELLING – SHOW HOME may be converted to a DWELLING – SINGLE FAMILY upon the issuance of a Development Permit therefore, in which case the conversion shall be, notwithstanding anything else in this Bylaw contained, a DISCRETIONARY USE.

"DWELLING UNIT" means any building or structure used principally for human habitation.

"ENVIRONMENTAL AUDIT" means a comprehensive site analysis to determine:

- 1) if there are any hazardous substances above, on, or below the surface of the subject property, that may pose a threat to the environment and/or health of humans, wildlife, and/or vegetation.
- 2) if there are any breaches of federal, provincial and/or municipal environmental standards;
- 3) the level of risk that a contaminated site poses to the environment and/or health of humans, wildlife, and/or vegetation; and
- 4) what remedial actions may be required to reduce the risk of contamination to an acceptable level.

"ENVIRONMENTAL AUDIT REPORT" means a written document containing the result of an ENVIRONMENTAL AUDIT.

- i) a history of the subject property's ownership and use;
- ii) a description of the natural environment and social environment surrounding the subject property, which may be sensitive to contamination;
- iii) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;
- iv) a documentation of the existence, location and use of above and under-

ground storage tanks and other related facilities;

- v) a history of environmental regulatory activity affecting the subject property;
- vi) a review of the condition and use of adjoining properties;
- vii) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
- viii) a determination of the extent of contamination; and
- ix) a comprehensive site and areas maps noting the locations of natural and built features and other elements of the site audit as noted above.

"ENVIRONMENTAL IMPACT

ASSESSMENT" means a comprehensive site analysis to determine:

- 1) the potential impact of the proposed DEVELOPMENT site;
- 2) the potential environmental impact of the proposed DEVELOPMENT upon the adjacent properties or land uses; and
- 3) the potential environmental impact of the proposed DEVELOPMENT upon the future land use potential of property.

"ENVIRONMENTAL IMPACT

ASSESSMENT REPORT" means a written document containing the result of an ENVIRONMENTAL IMPACT ASSESSMENT.

"ENVIRONMENTALLY SENSITIVE AREAS" means areas that fall in one or more of the following categories:

- 1) areas having exceedingly steep or unstable slopes;
- 2) river valleys and lands, or those situated close to lakes, watercourses, and other types of water body, and land subject to flooding;
- 3) areas classified as having a high water table, or situated on sensitive aquifers;
- 4) areas having soils subject to erosion, slippage, or subsidence of similar hazards;
- 5) wetlands, unique wildlife, or fisheries habitat, or those areas having high

SECTION THREE – DEFINITIONS AND INTERPRETATION

levels of peat contents, or land incapable of meeting percolation requirements;

- 6) areas having stands of unique or mature nature vegetation or land features; and
- 7) other ENVIRONMENTALLY SENSITIVE AREAS identified by Alberta Environment or by a study undertaken or commissioned by Mackenzie COUNTY.

"ENVIRO - TANK" means a self contained tank designed for temporary storage of fuel which may include gasoline or diesel. An ENVIRO - TANK does not include PRESSURE VESSEL STORAGE.

"EQUIPMENT RENTALS FACILITY" means a commercial establishment principally involved in the renting of equipment.

"EXHIBITION GROUNDS 1" means areas that are used for the public display of art objects, industrial achievements, agricultural products, merchandise, articles, skills, innovations, or information, within a facility.

"EXHIBITION GROUNDS 2" means areas that are used for rodeos, amusement rides, jamborees, and other similar uses in outdoor open areas.

"EXTENSIVE AGRICULTURE" means those agricultural operations producing crops or LIVESTOCK that require large tracts of land but does not include a CONFINED FEEDING OPERATION.

"EXTENSIVE RECREATIONAL USE" means the use of land for recreational activities that require large tracts of land in a rural setting, having natural physical features, conducive to hunting, trail riding, all terrain vehicle exercises, hiking and other similar activities.

"FARM BUILDING" means any building, excluding a DWELLING UNIT, SHOP – FARM or buildings intended for use in a CONFINED FEEDING OPERATION,

intended to be used directly for agricultural use.

"FARM SUBSIDIARY BUSINESS" means a business carried out on a farm by the operator of the same farm as a business, but subordinate to the farming operation.

"FARMSTEAD" means a parcel of land containing a developed residence and related improvements, such as barns, granaries, corrals, shops, etc., which are normally associated with a farm operation and has existed for a minimum of ten years.

"FENCE, SCREENING" means a vertical physical barrier constructed out of typical building materials used for purposes of containment or to prevent unauthorized access, which serves as a visual screen.

"FIRE HALL OR FACILITY" means a facility where fire trucks and equipment are located, and fire-fighting personnel may be accommodated, and may also include a fire suppression building or camp.

"FLOOR AREA" means the total FLOOR AREA of every room and passageway contained in a building but excluding the FLOOR AREA of BASEMENTS, GARAGE - ATTACHED, ANCILLARY BUILDING/SHED, open porches, patios, open DECKs, verandas, or breeze ways.

"FOREST BASED INDUSTRY" means an industrial operation that manufactures wood products, and that may include lumber re-manufacturing facilities, oriented strand board plants, pulp mills, saw mills, or a small WOODLOT MANAGEMENT.

"FORESTRY BUILDING" means a structure used for the management of forest land.

"FORESTRY LOOKOUT TOWER" means a structure used to observe forested territory.

SECTION THREE – DEFINITIONS AND INTERPRETATION

"FRAGMENTED PARCEL" means a parcel of land that is separated from the balance of a quarter section or from a river LOT by:

- 1) a natural watercourse;
- 2) a railway;
- 3) a graded public roadway or HIGHWAY;
- 4) an embankment; or
- 5) other physical features, rendering that parcel of land impractical, in the opinion of the COUNTY, for farming or grazing independently, or as part of a large operation in conjunction with its neighbouring land.

"FUNERAL HOME" means a place where funerals are held and/or deceased persons are kept or prepared for release for burial or cremation.

"GARAGE" means either an ANCILLARY BUILDING/SHED or portion of the PRINCIPAL BUILDING, including a carport, used in conjunction with a dwelling principally for the private parking or storage of motor vehicles for personal transportation and recreation. A GARAGE is not a DWELLING UNIT and is not a SHOP.

"GARAGE - ATTACHED" means a GARAGE attached to a PRINCIPAL BUILDING.

"GARAGE - DETACHED" means a GARAGE that is not a part of the PRINCIPAL BUILDING. A detached GARAGE shall not exceed 100 sq m (1076 square feet) with a maximum interior ceiling height of 3.7 m (12 feet) and a maximum height of one storey.

"GARDEN SUITE" means a secondary DWELLING UNIT on a parcel of land on which there is already a principal DWELLING UNIT and it is ACCESSORY to that principal DWELLING UNIT.

"GENERAL SERVICES ESTABLISHMENT" means a business establishment that provides services for the maintenance and enhancement of the well-being of individuals, such as cleaning and

repair of clothing, hair salon, tanning salon, dressmaker, shoe repair, pedicure, manicure, massage and electrolysis, or similar services but shall not include an ADULT ENTERTAINMENT BUSINESS. **"GRADE"** (used to determine BUILDING HEIGHT) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except those localized, depressed areas designed for accommodating vehicle or pedestrian entrances.

"GRAIN ELEVATOR" means a structure that is used for storing grain and is usually located in such a manner to take advantage of a rail or truck loading facility.

"HAMLET" means an area declared, by BYLAW, by the COUNTY or designated by the Minister of Municipal Affairs as a HAMLET.

"HANDICRAFT BUSINESS" means a business operation that produces and sells handicrafts for profit.

"HARDWARE STORE OR HOME IMPROVEMENT CENTRE" see **"RETAIL STORE"**

"HANGARS AND TERMINAL FACILITIES" means a development, which provides services to aircraft, aircraft passengers and air freight usually located adjacent to the runway. Services provided within these facilities may include but not be limited to airport operations and administration, food and personal services, freight and baggage handling, as well as aircraft maintenance and repair.

"HIGHWAY" means a primary or secondary HIGHWAY or proposed HIGHWAY that is under the direction, control and management of the Provincial Government pursuant to the *Public Highways Development Act*.

SECTION THREE – DEFINITIONS AND INTERPRETATION

"HIGHWAY MAINTENANCE YARD"

means a facility that is used for the storage and maintenance of trucks and other vehicles used by the road authority.

"HOME BASED BUSINESS" means an occupation, trade, profession or craft carried on by an occupant of a DWELLING UNIT on the site that is ACCESSORY to the residential or agricultural use of the property, and does not change the character thereof. The DWELLING UNIT shall not be used as a workplace for non-residential employees of the business and shall not exceed an area of 18.6 sq m (200 square feet). There shall be no outdoor business activity or storage of materials allowed on site.

"HOSPITAL" means an institutional DEVELOPMENT used to provide in-patient and out-patient health care to the public. Typical DEVELOPMENTs include community health centers and full service HOSPITALs.

"HOTEL" means the provision of rooms or suites in a commercial DEVELOPMENT for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. HOTELS may include ACCESSORY food services, meeting rooms, and general service establishments.

"INDUSTRIAL CAMP" means a residential complex used to house camp workers on a temporary basis, and may include mobile residential units and eating, recreational, and other basic, supportive facilities, and that meets the approval of all applicable agencies.

"INDUSTRIAL, GENERAL" means the following activities:

- 1) processing raw or finished materials;
- 2) manufacturing or assembly of goods, products, or equipment;
- 3) the cleaning, servicing, repairing, or testing of materials, goods and equipment normally associated with industrial or commercial businesses, or

the cleaning, servicing, and repair of goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial LAND USE DISTRICTS;

- 4) storage or shipping of materials, goods and equipment;
- 5) operation of industrial machines used to manufacture or repair products; or
- 6) training personnel in general industrial operations.

This use may include any outdoor display, office, technical or administrative support areas or any sales operation ACCESSORY to the general uses.

"INDUSTRIAL PLANT" means a plant that is used for producing goods through an industrial process.

"INSTITUTIONAL USE" means a use for the purpose of assembly, education, instruction, culture, recreation, community activity, public administration or service, and those facilities for interpretive environmental, educational and scientific study, or any other community activities, community center/hall as determined by the Development Authority and may include a public recreation center.

"INTENSIVE AGRICULTURE 1" means a commercial agricultural operation other than a CONFINED FEEDING OPERATION that may require large tracts of land. Without restricting the generality of the foregoing, this use includes greenhouses, market gardens, sod farms, and WOODLOT MANAGEMENT, but shall not include a DWELLING UNIT.

"INTENSIVE AGRICULTURE 2" means a system of tillage and animal husbandry from which one may gain livelihood from proportionately small areas of land by the concentrated raising of crops or the concentrated rearing or keeping of LIVESTOCK, or other products for market at densities lower than that defined for LIVESTOCK under Schedule 2 *Agricultural*

SECTION THREE – DEFINITIONS AND INTERPRETATION

Operations Practices Act, Agricultural Operations Part 2 Matters Regulations.

"INTENSIVE RECREATIONAL USE"

means a high-density use of recreational land or facilities, such as CAMPGROUNDS, picnic grounds, fishing lodges, beach areas, MARINAS, riding stables, sports fields, curling rinks, arenas, CABINS, skating rinks, swimming pools, bowling alleys, golf courses or golf driving ranges and race track.

"INTER-MUNICIPAL DEVELOPMENT PLAN"

means a statutory planning document that is prepared and adopted, pursuant to the Act, by COUNCIL of Mackenzie COUNTY and The Town of High Level or other municipality with which a boundary or boundaries are shared.

"INTER-MUNICIPAL PLANNING COMMISSION"

means the Mackenzie COUNTY and Town of High Level, or other municipality with which a boundary or boundaries are shared joint MUNICIPAL PLANNING COMMISSION appointed pursuant to the Act.

"INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD"

means a joint board of individuals appointed pursuant to the Act that hears subdivision and DEVELOPMENT appeals, within the INTER-MUNICIPAL DEVELOPMENT PLAN area.

"INTERNAL SUBDIVISION ROAD" means a municipal road that is developed solely to provide legal and physical access to a multi-LOT subdivision.

"KENNEL" means a premise where a number of dogs and/or cats are maintained, boarded, bred, trained, or cared for in return for remuneration or kept for purposes of sale.

"LAND USE DISTRICT" means a zoning District described in the text of this BYLAW and delineated on one or more LAND USE DISTRICT schedules, in which only certain

land uses may be allowed as either permitted or DISCRETIONARY USES and in which specific requirements must be satisfied before DEVELOPMENT may proceed.

"LANE" means public rights-of-way, which provides a secondary means of access to an area that is registered in Alberta Land Titles. **Also see PUBLIC UTILITY LOT.**

"LAUNDROMAT" means a commercial establishment equipped with washing machines and dryers, and accessible to the general public.

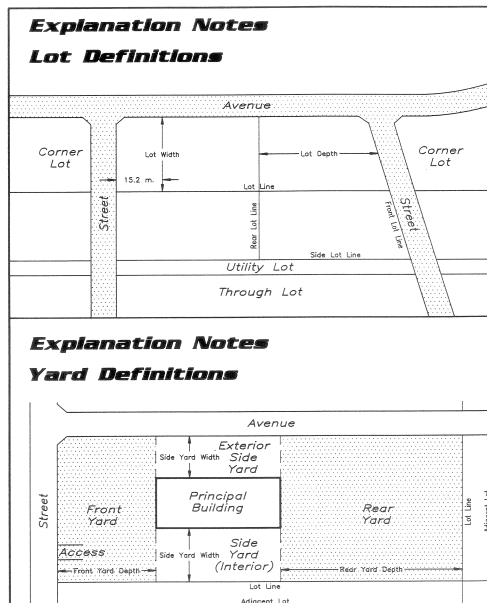
"LIQUOR STORE" means a store that sells alcoholic beverages and products for public consumption outside the store premises.

"LIVESTOCK" means poultry, bees, donkeys, mules, oxen, birds, horses, cattle, sheep, swine, goats, bison, specialty LIVESTOCK, and/or fur bearing animals raised in captivity, sheep elk, deer, wild boar, turkeys, ducks, geese and game production animals within the meaning of the *LIVESTOCK Industry Diversification Act*.

"LOT" means:

- 1) a quarter section of land;
- 2) a river LOT or settlement LOT shown on an official plan, that is referred to in the *Survey's Act*, and is lodged in Alberta Land Titles;
- 3) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision; or
- 4) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

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"LOT - CORNER" means a LOT that abuts two or more public roads which intersect at an angle not exceeding 135 degrees and creates two or more frontages.

"LOT COVERAGE" means the percentage of a LOT area that is covered by all buildings on the same LOT; excluding the area covered by balconies, canopies, DECKs and the like.

"LOT DEPTH" means the length of a straight-line that joins the middle of the front LOT LINE with the middle of the rear LOT LINE.

"LOT - INTERIOR" means any LOT other than a corner LOT.

"LOT LINE" means a legally defined property line of a LOT.

"LOT LINE - FRONT" means the boundary dividing the lot from an abutting public roadway. In the case of a corner lot the shorter lot line shall be the front lot line.

"LOT LINE - REAR" means the LOT LINE that is opposite to the front LOT LINE.

"LOT LINE - SIDE" means the LOT LINE other than a front or rear LOT LINE.

"LOT - THROUGH" means a LOT, other than a corner LOT, having access to two streets.

"LOT WIDTH" means the average horizontal measurement between the LOT LINE - SIDE as determined by the Development Authority.

"LUMBER YARD" means a building and/or yard used for the storage and selling of wood-related products.

"MACHINE SHOP" means the use of a building for the operation of industrial machines used to manufacture or repair products.

"MANUFACTURING FIRM" means a plant or facility for uses such as machining, welding, fabricating, assembly, or bottling.

"MANUFACTURED HOME - SINGLE WIDE" means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. This does not include a DWELLING - SINGLE FAMILY, MANUFACTURED HOME - MODULAR, MANUFACTURED HOME - DOUBLE WIDE, or RECREATIONAL VEHICLE.

"MANUFACTURED HOME - DOUBLE WIDE" means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts being moved from one point to another individually and put together on a parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. This does not include a DWELLING - SINGLE FAMILY, MANUFACTURED HOME - MODULAR, MANUFACTURED

SECTION THREE – DEFINITIONS AND INTERPRETATION

HOME - SINGLE WIDE or
RECREATIONAL VEHICLE.

“MANUFACTURED HOME - MODULAR” means a DWELLING UNIT which is prefabricated or factory built, and which is assembled on the parcel in sections, but such sections or units have neither chassis, running gear, not its own wheels, and the sections may be stacked vertically, or placed side-by-side and is similar in appearance and profile to a conventional home. This does not include a DWELLING - SINGLE FAMILY, MANUFACTURED HOME - SINGLE WIDE, MANUFACTURED HOME - DOUBLE WIDE or RECREATIONAL VEHICLE.

"MANUFACTURED HOME COMMUNITY" means a parcel of land, under a single ownership for accommodating manufactured homes on LOTS, which are rented by the PARK operator to individuals and may include a common laundry facility and indoor/outdoor storage area as well as the park manager's residence.

"MANUFACTURED HOME COMMUNITY OFFICE" means an office responsible for the management, provisions of utilities, improvements of facilities, and maintenance of amenities of a MANUFACTURED HOME COMMUNITY.

"MANUFACTURED HOME SALES AND SERVICE" means a business operation for selling and servicing manufactured homes.

"MANUFACTURED HOME SUBDIVISION" means a registered subdivision where manufactured homes are permitted on LOTS owned by individuals, and where the responsibility of property maintenance rests with individual LOT owners.

"MARINA" means a facility that is constructed in close proximity to a lake, river, or other types of water bodies for the purpose of selling, renting, storing, or repairing boats and related equipment.

"MEDICAL FACILITY" means a building for the provision of human health services without overnight accommodation for patients, and may include other ANCILLARY BUILDING/SHED, such as a DWELLING UNIT in association with the MEDICAL FACILITY.

"MOTEL" means a DEVELOPMENT divided into self-contained sleeping or DWELLING UNITS, each with a separate exterior entrance and convenient access to on-site parking. MOTELS may include food services, meeting rooms, and GENERAL SERVICES ESTABLISHMENTS.

“MULTI - LOT COUNTRY RESIDENTIAL” means the use of land for two or more adjacent residential LOTS in a rural area.

"MUNICIPAL AIRPORT" means:

- 1) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure and servicing of aircrafts; and
- 2) includes any building, installation or equipment in connection therewith, operated by the Department of National Defence or for which an airport license has been issued by Transport Canada.

For the purpose of this BYLAW, MUNICIPAL AIRPORT also means the airport facilities known as the High Level Airport, Fort Vermilion Airport, La Crete Airport, and Zama Airport.

"MUNICIPAL DEVELOPMENT PLAN" means a statutory planning document that is prepared and adopted pursuant to the Act.

"MUNICIPAL PLANNING COMMISSION" means Mackenzie COUNTY's MUNICIPAL PLANNING COMMISSION appointed pursuant to the ACT.

“MUNICIPALITY” means Mackenzie County.

"MUSEUM" means a place or building in which works of artistic, historical,

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archaeological, and scientific value are cared for and exhibited.

"NATURAL RESOURCE EXTRACTION INDUSTRY" means an industry engaged in the extraction of natural resources such as timber, clay, sand and gravel, limestone, shale, coal and other minerals. This includes all petroleum and natural gas related activities and may include primary treatment into a marketable form of the resource, including sawmills and excluding CONCRETE PRODUCTS MANUFACTURING.

"NATURAL WATER COURSE" means a river, stream, lake, creek, swamp, marsh or other natural body of water marked by the shore whether it contains or conveys water continuously or intermittently. A NATURAL WATER COURSE does not include a canal, reservoir or other manmade surface feature intended to contain water for a specified use.

"NON-CONFORMING BUILDING OR USE" means a building or use which exists but not permitted in the zone in which the said building or use is situated, or for which a DEVELOPMENT PERMIT has not been approved.

"OIL FIELD SERVICE" means a service or business operation provided to support the exploration or extraction of fossil fuels.

"OIL AND GAS FACILITIES" means the facilities used for the extraction, processing or manufactured of oil and gas products.

"OWNER/OPERATOR BUSINESS 1" means a business owned and operated by the legal landowner residing on the site which may consist of a maximum of two pieces of equipment such as a log truck, gravel truck, loader, excavator, skid steer, and the equipment required to haul it. A maximum of one tractor/trailer unit per owner/operator business is allowed.

"OWNER/OPERATOR BUSINESS 2" means a business owned and operated by

the legal landowner residing on the site which may consist of an office attached to the principal dwelling or within the principal dwelling or within a shop. Commercial vehicles shall be restricted to no larger than 2 tonnes. No large commercial equipment such as log trucks, loaders, excavators, bulldozers or tractor/trailer units shall be allowed.

"PARCEL DENSITY" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

"PARK OR PLAYGROUND" means an area of land that is used for sports, leisure, play, exercise, or other recreational activities on a non-commercial basis.

"PARSONAGE" means a DWELLING UNIT intended to house clergy and may be permitted on the same parcel of land as the CHURCH.

"PAWN SHOP" means a shop that lends money at interest in exchange for goods.

"PERMANENT FOUNDATION" means a structure constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground with a foundational system or arrangement composed of, but not limited to footing, raft, or pole, and may include walls, light standards, fences and SIGNS, and renders the structure fixed and immovable.

"PERMITTED USE" means the use of land or building, which is listed in the column, captioned PERMITTED USE in most LAND USE DISTRICTS appearing in this BYLAW and for which a DEVELOPMENT PERMIT shall be issued upon an application having conformed to the provisions of this BYLAW. In addition, a DEVELOPMENT PERMIT application shall be approved if the conditions of approval ensure that the DEVELOPMENT would conform to the provisions of this BYLAW.

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"PETROLEUM FACILITY" means petroleum infrastructure such as oil/gas pipelines, gas plants, refinery, well battery, and compressor station.

"PRESSURE VESSEL STORAGE" means a closed container designed to store gases or liquids at a pressure different from the ambient pressure.

"PRINCIPAL BUILDING" means a building where the main or principal use of the site is conducted.

"PROFESSIONAL OFFICE" means a building(s) or part thereof that accommodates professional services provided by a medical doctor, lawyer, accountant, architect, engineer, planner or another similar profession.

"PUBLIC UTILITY LOT" means a lot registered with Alberta Land Titles as a PUBLIC UTILITY LOT and intended for the purpose of utility installation. **Also see LANE.**

"PUBLIC USE" means the use of land or building by government agencies, non-profit organizations for the purpose of providing public services to the community and includes administration buildings, fire halls, PARKs, publicly funded SCHOOLS, post offices, and similar uses.

"PULP MILL" means a forestry-related industry whereby forest products are used as production inputs for manufacturing pulp and paper.

"RAILROAD YARD" means a facility used to store, maintain or produce railroad-related equipment, buildings, and accessories.

"RANGER CABIN AND STATION", see **"FORESTRY BUILDING"**.

"RECREATIONAL CENTRE OR LODGE" means a building, where temporary/seasonal accommodation, RESTAURANT, dining lounge, swimming

pool, and related facilities are provided, that is used as a base to support and complement the primary recreational activities.

"RECREATIONAL VEHICLE" means a portable structure or vehicle designed as a temporary accommodation for travel, vacation, or recreation, including motor home, fold down camping trailer, truck camper, or fifth wheel travel trailer but does not include a MANUFACTURED HOME.

"RECREATIONAL VEHICLE PARK" means a facility for the overnight and short term stay of recreation vehicles and may include related ACCESSORY facilities, including but not limited to, recreational centre or lodge and laundry facilities.

"RECYCLING FACILITY" means a DEVELOPMENT used for the buying and/or handling and temporary storage of bottles, cans, tetra-packs, newspapers and other similar household goods for reuse, where all storage is contained within an enclosed building or containment unit.

"REGIONAL LANDFILL" means a site used and owned or operated by two or more municipalities for solid waste disposal.

"REGISTERED OWNER" means:

- 1) the Minister responsible for the administration of land, in the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada; or
- 2) the purchaser of a fee simple estate, registered against the certificate of title in the land, or any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
- 3) the person registered under the *Province of Alberta Land Titles Act* as the owner of the fee simple estate in the land, in the absence of a person described in (b) above.

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"RENOVATIONS - MAJOR" means any STRUCTURAL ALTERATION to an existing building which includes enlarging or adding to the building and the enlargement of windows and/or doors.

"RENOVATIONS - MINOR" means any changes to an existing building such as changing non-weight bearing walls and routine maintenance which includes shingles, siding and the replacement of same sized windows and/or doors.

"RESTAURANT" means a public eating place where foods are prepared and sold for immediate consumption on or off the premises.

"RETAIL STORE" means a DEVELOPMENT for the retail sale of any one or all of the following: groceries, beverages, household goods, furniture and appliances, confectioneries, pharmaceuticals and personal care units, automotive parts and accessories, office equipment, stationery and similar goods. Minor services oriented facilities such as postal services and film processing depots shall be allowed as ACCESSORY uses. This use includes clothing store, grocery store, department store, hardware store, rental shop, video store, but shall not include an ADULT ENTERTAINMENT BUSINESS, LIQUOR STORE or CONVENIENCE STORE.

"RIDING STABLE" means a facility that is used for horse riding activities and may include stables or other associated facilities.

"RIFLE/SKEET RANGE" means an area or building where the controlled use of firearms is permitted for the purpose of target practice.

"ROAD" means land shown as a road on a plan of survey that has been registered at Alberta Land Titles, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a HIGHWAY.

"RURAL INDUSTRY" means an industry, unrelated directly to agriculture, involving one or several of the following business operations:

- 1) warehousing or storage of materials, goods and equipment;
- 2) manufacturing or processing of a finished product from raw materials;
- 3) provision of large-scale transportation facilities for freight or passengers; or
- 4) industrial operations, which due to noise, inherent safety hazards or noxious or toxic emissions, require large tracts of land or a rural location away from concentration of people.

"SALVAGE YARD" means a facility for the storage, processing, or trans-shipment of derelict vehicles, machinery, scrap metal, and similar materials for sales.

"SATELLITE DISH AND ANTENNAE" means a device that is designed for receiving communications or other signals from orbiting satellites and/or an amplifier designed for receiving, magnifying and transferring signals.

"SCHOOL" means a learning institution used, together with supportive facilities, for instruction and learning.

"SEA CAN" means a steel shipping container for use accessory to the principal building/use.



"SECONDARY SUITE" means one additional ACCESSORY DWELLING UNIT which includes cooking facilities and is created in the DWELLING UNIT or GARAGE – DETACHED and intended for temporary or long term residency by a

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tenant. A SECONDARY SUITE shall have a separate entrance directly from the outside or through a common area inside, or both.

"SENIOR CITIZEN HOUSING" means an institution primarily for elderly persons where housing accommodation is provided and medical or supervisory care may be provided.

"SERVICE STATION" means a building, LOT or part thereof used for retail sales of vehicular fuels, tires, batteries and similar accessories, and includes minor servicing of vehicles. This use may include a CONVENIENCE STORE, vehicle towing services and VEHICLE WASH ESTABLISHMENT as ACCESSORY uses.

"SEWAGE LAGOON" means the use of land for the purpose of collection and treatment of sewage in accordance with the Act and the *Alberta Private Sewage Systems Standard of Practice 2009*.

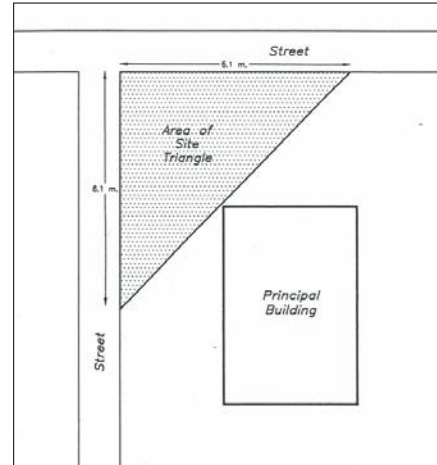
"SEWAGE TREATMENT PLANT" means a facility used for the collection, treatment and disposal of sewage in accordance with the Act and the *Alberta Private Sewage Systems Standard of Practice 2009*.

"SHOP" means a structure intended for the use of commercial or industrial type DEVELOPMENT but does not include a SHOP - FARM.

"SHOP - FARM" means a structure intended to store or maintain farm equipment but does not include a DWELLING UNIT, FARM BUILDING, GARAGE - DETACHED, SHOP or buildings for use in CONFINED FEEDING OPERATIONS or a barn. This does not include commercial or industrial uses.

"SIGN" means an object, structure or device used for the purpose of identification or advertising or to call attention to any person, matter, thing or event or to give direction.

"SITE TRIANGLE" means the triangle formed by a straight line drawn between two points, one located along a front LOT LINE and the second along a side LOT LINE at a distance of 7.6 m (25 feet) from the point where the LOT LINES intersect.



"STORAGE YARD" means an open area, used in a commercial or industrial operation, for storing goods, products or equipment, vehicles or machinery. This does not include the STORAGE YARD listed in the MANUFACTURED HOME COMMUNITY.

"STRUCTURAL ALTERATION" means the construction or reconstruction of supporting elements of a building or other structure.

"SUBDIVISION" means the division of a parcel of land into one or more smaller parcels by a plan of subdivision registered with Alberta Land Titles.

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" means a board of individuals appointed pursuant to the Act that hears subdivision and DEVELOPMENT appeals and renders a decision.

"TEMPORARY" means a use or building which occurs from the date of the DEVELOPMENT PERMIT approval for a length of time as specified in the permit approval by the Development Authority.

"TEMPORARY/PORTABLE UNIT" means non-permanent structure which may include portable classrooms and wellsite units.

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"TOPSOIL" means the surface layer of soil which is usually organic.

"TOURIST INFORMATION FACILITY" means a facility whose primary function is to provide information on roads, directions, attractions, accommodations, or other tourist-related materials.

"TRADESMEN'S BUSINESS" means a business operation carried out by trade-person, such as plumbing, electrical, carpentry, and mechanical repair of small engines and/or appliances, or similar trades.

"TRUCK STOP" means a SERVICE STATION that caters to large commercial vehicles such as semi-trucks and trailers as well as intermediate sized vehicles and passenger vehicles. This use may include a RESTAURANT, CARDLOCK, RETAIL STORE, vehicle towing services, MOTEL, HOTEL and similar uses provided that these are ACCESSORY to the operation of the truck stop.

"UNSIGHTLY CONDITION" means:

- 1) a structure whose exterior shows signs of significant physical deterioration;
- 2) land that, in the opinion of the Development Authority, shows signs of serious disregard for general maintenance or upkeep; and
- 3) any other definition pursuant to the Unsightly Premises BYLAW as updated from time to time.

"UNSUBDIVIDED LAND" means a quarter section, lake LOT, river LOT or settlement LOT that has not been subdivided except for PUBLIC USE or FRAGMENTED PARCEL.

"VEHICLE WASH ESTABLISHMENT" means a use, building or structure where facilities are specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand. This may

be used in conjunction with a SERVICE STATION.

"VETERINARY CLINIC" means a business establishment where medical care and treatment of animals are provided by licensed veterinarian and other supportive staff, and may include a KENNEL and/or compound.

"WAREHOUSE" means the use of a building for storage of merchandise or commodities, and may include an office space and ancillary retail sales.

"WASTE TRANSFER STATION" means a place where specified waste is temporarily stored and later transported to other location for disposal in a REGIONAL LANDFILL.

"WATER BODY" means a natural or man-made feature such as a river, lake, marsh, or pond that contains water throughout the year.

"WATER RESERVOIR STRUCTURE" means a structure where water is collected, stored, and distributed for consumption.

"WATER AND/OR SEWAGE STORAGE TANK" means a holding unit used for storing either water or sewage.

"WATER TREATMENT FACILITY" means a facility for the collection and treatment of water.

"WELDING SHOP" means a building or part thereof that is primarily used for commercial welding activity.

"WOODLOT MANAGEMENT" means the activities related to the management of wooded areas that are purposely designated and restricted for growing and harvesting trees for commercial use.

"YARD" means the part of a parcel of land not covered by buildings, excluding land used for agricultural use.

SECTION THREE – DEFINITIONS AND INTERPRETATION

“YARD SETBACK” means the required distance from the property line to the nearest point of an exterior wall of the building.

"YARD - FRONT" means a yard extending across the full width of a LOT, and situated between the front LOT LINE and the nearest exterior wall of the PRINCIPAL BUILDING. The minimum front yard depth is the shortest horizontal distance permitted between the front LOT LINE of such LOT and the nearest part of the PRINCIPAL BUILDING.

"YARD - EXTERIOR SIDE" means a side yard immediately adjoining a public roadway.

"YARD - INTERIOR SIDE" means a side yard other than an exterior side yard.

"YARD - REAR" means a yard extending across the full width of a LOT and situated between the rear LOT LINE and nearest exterior wall of the PRINCIPAL BUILDING. The minimum rear yard is the shortest distance permitted between the rear LOT LINE of such LOT and the nearest part of the PRINCIPAL BUILDING.

"YARD SITE DEVELOPMENT" means the DEVELOPMENT of a site with the intention of preparing it for a residence and may include the installation of power, phone, private sewer system, water supply and landscaping.

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SECTION FOUR – SUBDIVISION AND DEVELOPMENT AUTHORITIES

4.1. DEVELOPMENT AUTHORITIES

- (a) The Development Authority is established by BYLAW pursuant to the Act.
- (b) The Development Authority shall exercise DEVELOPMENT powers and duties on behalf of the COUNTY.
- (c) The Development Authority shall be the DEVELOPMENT OFFICER or, where the context of this BYLAW permits, the MUNICIPAL PLANNING COMMISSION, the INTER-MUNICIPAL PLANNING COMMISSION or COUNTY COUNCIL.

4.2. DEVELOPMENT OFFICERS

- (a) Pursuant to the Act, the DEVELOPMENT OFFICER is hereby established by this BYLAW as a Development Authority.
- (b) The Chief Administrative Officer shall appoint the person to fill the position of DEVELOPMENT OFFICER.
- (c) The DEVELOPMENT OFFICER is hereby designated to be an authorized person of the COUNTY to exercise DEVELOPMENT powers on behalf of the COUNTY.

4.3. DEVELOPMENT OFFICER DUTIES AND RESPONSIBILITIES

The DEVELOPMENT OFFICER shall:

- (a) Receive and process all DEVELOPMENT PERMIT applications;
- (b) Keep and maintain for inspection by the public during office hours, a copy of this BYLAW, as amended and ensure that copies are available to the public at a reasonable charge;
- (c) Keep a register of all DEVELOPMENT PERMIT applications, decisions thereon and the reasons therefore;
- (d) Make decisions on all PERMITTED USE DEVELOPMENT PERMIT applications;
- (e) Refer all DISCRETIONARY USE DEVELOPMENT PERMIT applications to the MUNICIPAL PLANNING COMMISSION for decision;
- (f) Issue decisions on all DEVELOPMENT PERMIT applications and state terms and conditions, as authorized by this BYLAW or the Act; and
- (g) Refer all DEVELOPMENT PERMIT applications in a Direct Control District to COUNCIL unless COUNCIL has specifically delegated approval authority to the Development Authority.

4.4. MUNICIPAL PLANNING COMMISSION DUTIES AND RESPONSIBILITIES

- (a) As a Development Authority, the MUNICIPAL PLANNING COMMISSION shall issue decisions on all applications for DISCRETIONARY USES, and any applications for PERMITTED USES referred to it by the DEVELOPMENT OFFICER.

SECTION FOUR – SUBDIVISION AND DEVELOPMENT AUTHORITIES

- (b) For the purpose of this section, an INTER-MUNICIPAL PLANNING COMMISSION has the same roles and responsibilities as the MUNICIPAL PLANNING COMMISSION.

4.5 COUNCIL

COUNCIL shall serve as the Development Authority for all applications in a Direct Control District.

4.6 SUBDIVISION AUTHORITIES

- (a) The Subdivision Authority is established by BYLAW pursuant to the Act.
- (b) The Subdivision Authority shall exercise Subdivision powers and duties on behalf of the COUNTY.
- (c) The Subdivision Authority shall be the, where the context of this BYLAW permits, the MUNICIPAL PLANNING COMMISSION, the INTER-MUNICIPAL PLANNING COMMISSION or COUNTY COUNCIL.
- (d) The Subdivision Authority may also be, where appointed by Bylaw, an external subdivision agency.

4.7 SUBDIVISION AND DEVELOPMENT APPEAL BOARD DUTIES AND RESPONSIBILITIES

- (a) The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by separate BYLAW.
- (b) The Board shall carry out the duties and responsibilities pursuant to the Act, and in accordance with the BYLAW that creates it.
- (c) In the case of a SUBDIVISION AND DEVELOPMENT APPEAL BOARD, Councillors may not form the majority of the board or committee hearing an appeal.

4.8 INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD DUTIES AND RESPONSIBILITIES

- (a) The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by separate BYLAW.
- (b) The Board shall carry out the duties and responsibilities pursuant to the Act, and in accordance with the BYLAW that creates it.
- (c) In the case of an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD, the Councillors from a single municipality may not form the majority of the board or committee hearing an appeal.

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

5.1 NEED FOR DEVELOPMENT PERMIT

Except as provided in Section 5.2, no person shall commence a DEVELOPMENT in the COUNTY unless a DEVELOPMENT PERMIT has first been issued pursuant to this BYLAW and the DEVELOPMENT is in accordance with the terms and conditions of the DEVELOPMENT PERMIT.

5.2 PERMITS NOT REQUIRED

The following DEVELOPMENTS shall not require a DEVELOPMENT PERMIT, but must otherwise comply with all other provisions of this BYLAW. If there is any doubt as to whether or not a DEVELOPMENT PERMIT is required, the Development Authority shall require a DEVELOPMENT PERMIT.

- (a) The carrying out of MINOR RENOVATIONS to an existing building provided that the use of the building and the number of DWELLING UNITS within the building or on the site does not increase and that such works do not include MAJOR RENOVATIONS. This excludes DECK construction.
- (b) Completing a building, and continuing the use thereof, that has lawfully been under construction at the time of the passing of this BYLAW, and that will be completed, in accordance with the terms of issuing the DEVELOPMENT PERMIT for that purpose, within twelve months from the date of the passing this BYLAW.
- (c) Pursuant to Section 7.13, the construction or maintenance of gates, fences, walls, or other means of enclosure 1.2 m (4 feet) or less in height in the front yard and 1.8 m (6 feet) or less in the side and rear yards
- (d) Any works carried out by, or on behalf of, the federal, provincial, and/or municipal government authorities on publicly owned land.
- (e) Satellite dishes and antennas that are located in rural areas, or are less than 0.9 m (3 feet) in diameter and located in HAMLET residential areas.
- (f) Construction, renovation, or relocation of a FARM BUILDING as defined in this BYLAW, excluding the farm DWELLING UNIT, SHOP - FARM, GARAGE - ATTACHED and GARAGE - DETACHED.
- (g) Stripping of topsoil for agricultural purposes, but not including the removal or stockpile of topsoil for non-agricultural purposes.
- (h) Constructing or using a temporary building for fire prevention or suppression.
- (i) Up to two (2) ANCILLARY BUILDING/SHED, each having a floor space not more than 19 sq m (204.5 square feet) and not permanently attached to the ground. All other provisions in this BYLAW shall be met, such as maximum lot coverage and height restrictions.
- (j) Constructing or installing street furniture, tennis courts, playgrounds, public landscaping features, or municipal recreation equipment.
- (k) Erecting temporary SIGNS which will be removed from the premises within 30 days.

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- (l) Relocating a portable industrial accommodation, provided that such relocated accommodation is not used for more than 28 days, and is removed from the site within two weeks thereafter.
- (m) In residential LAND USE DISTRICTS, construction of a patio, a fire pit, or an unenclosed DECK located not more than 0.6 m (2 feet) above finished GRADE.
- (n) Use of part of a residential building for hosting a home party for catalogue sales or for the presentation and promotion of product sales other than the vendor's residence.
- (o) Trapper's CABINS for use with a licensed trap line.
- (p) Fishing CABINS for use with a commercial fishing license.

5.3 NON-CONFORMING BUILDINGS AND USES

- (a) DEVELOPMENTS that are considered as a non-conforming building or use shall be dealt with as provided in this BYLAW. For convenience, the following extracts are provided:
 - i) A non-conforming use of either land and/or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land and/or building shall conform to the provisions of this BYLAW.
 - ii) A non-conforming use of part of a building may be extended throughout the building whether or not it is a non-conforming building. non-conforming building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
 - iii) 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 upon the parcel while the non-conforming use continues.
 - iv) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - (1) As may be necessary to make it a conforming building, or
 - (2) As the DEVELOPMENT OFFICER considers necessary for the routine maintenance of the building.
 - v) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this BYLAW.

5.4 COMPLIANCE CERTIFICATES

- (a) A request for a Compliance Certificate shall include a Real Property Report provided by the applicant and prepared by a certified legal land surveyor, at no cost to the County.
- (b) The DEVELOPMENT OFFICER may issue a Compliance Certificate, when in his/her opinion:
 - i) The buildings shown in the Real Property Report are located on the site in accordance with the setback regulations of this Bylaw, or
 - ii) The buildings shown in the Real Property Report are located on the site in accordance with the setback regulations specified in any DEVELOPMENT PERMIT that has been issued for the site.
- (c) The Compliance Certificate shall only address those buildings, or parts thereof, shown on the Real Property Report.
- (d) When a Real Property Report is older than 6 months and no changes have been made on the property, the DEVELOPMENT OFFICER may allow an affidavit to be submitted in conjunction with the Real Property Report for Compliance Certificate consideration.
- (e) Any Real Property Reports being one (1) year or older will not be accepted for Compliance Certificate consideration.
- (f) The DEVELOPMENT OFFICER may refuse to issue a Compliance Certificate when the Real Property Report does not contain sufficient information to determine if the buildings as shown are in accordance with regulations of this BYLAW or any DEVELOPMENT PERMIT issued.
- (g) The DEVELOPMENT OFFICER may refuse to issue a Compliance Certificate when:
 - i) In his/her opinion, the Real Property Report does not indicate or accurately depict all DEVELOPMENTS that are located on the LOT;
 - ii) DEVELOPMENTS on the LOT were constructed without the required DEVELOPMENT PERMITS; and
 - iii) there are outstanding infractions with this or any other BYLAW.
- (h) The DEVELOPMENT OFFICER shall not complete site inspections to verify the data contained within the Real Property Report or any affidavit in support of a Real Property Report.

5.5 DEVELOPMENT PERMIT ADMINISTRATION**5.5.1 APPLICATION FOR DEVELOPMENT PERMIT**

- (a) A DEVELOPMENT PERMIT application shall be made to the DEVELOPMENT OFFICER on the prescribed form and shall be signed by the applicant or his agent.
- (b) In addition to the completed application the following are required:
 - i) a legal description of the subject property;
 - ii) municipal address, if applicable;

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- iii) a site plan of the proposed DEVELOPMENT drawn accurately and providing sufficient information to determine conformity with this BYLAW. Such site plans shall indicate building locations, access, parking areas and stalls, on-site circulation, off street loading, landscaping, screening, grading, or similar details of the DEVELOPMENT proposal. Architectural renderings and elevations may also be required where appropriate. The DEVELOPMENT OFFICER, may at his/her discretion, require a Real Property Report completed by a registered surveyor;
 - iv) Certificate of Title or proof of ownership of the subject property or the authorization of the landowner, at the discretion of the DEVELOPMENT OFFICER;
 - v) a description of the proposed use;
 - vi) the anticipated commencement and completion dates;
 - vii) the estimated cost of the project;
 - viii) an accurate sketch plan or a plot plan prepared by a registered surveyor at the discretion of the DEVELOPMENT OFFICER; and
 - ix) a floor plan, building elevations, and cross sections of the proposed DEVELOPMENT.
- (c) The DEVELOPMENT OFFICER may also require:
- i) a site plan showing the existing treed and landscaped areas, and those trees or vegetation that are to be preserved and removed, and
 - ii) studies of projected traffic volumes, utilities, landscaping, urban design, parking, social and economic effects, an ENVIRONMENTAL IMPACT ASSESSMENT, an ENVIRONMENTAL AUDIT, slope, soil, flood plain, sun and wind impact studies or any other information as required by the Development Authority. The associated costs of such studies are to be borne by the applicant.
- (d) When, in the opinion of the Development Authority, a proposed DEVELOPMENT will be used to service a large number of people, the Development Authority may also require:
- i) a statement of the maximum number of persons anticipated to be on the site during peak use periods;
 - ii) a site plan of the proposed DEVELOPMENT at a scale not less than 1:1000, including a contour interval of not more than 5 m (16.4 feet), and a document showing/describing:
 - (1) vehicular access, on-site circulation, parking and loading facilities, camping areas, and emergency routes;
 - (2) provisions of utilities, including water and sewage facilities;
 - (3) the location and distance to property lines of all existing and proposed buildings;
 - (4) the provisions for landscaping, screening, and buffering; and
 - (5) any other information as required by the Development Authority, including but not limited to the following:
 - (a) a plan showing the proposed provisions of sewage, water, and other utilities during the peak-use periods;
 - (b) a plan showing the proposed provisions of on-street and off-street parking and loading facilities during the peak-use periods;

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- (c) a statement of the potential impacts of the proposed DEVELOPMENT on ADJACENT LANDS, and the proposed measures designed to minimize such adverse impacts; and
- (d) a statement of measures, facilities and equipment available for fire prevention and fire fighting.

(6) A DEVELOPMENT PERMIT application is deemed accepted when all information needed by the Development Authority to render a decision has been received. In the event that the Development Authority considers an application as incomplete or containing insufficient information, the Development Authority may return the application to the applicant for further submission.

5.5.2 FEES

- (a) All DEVELOPMENT PERMIT applications and BYLAW amendment applications shall be accompanied by a fee established by COUNCIL.
- (b) The DEVELOPMENT OFFICER may waive or reduce the DEVELOPMENT PERMIT application fee if:
 - i) the applicant is a non-profit organization and the proposed DEVELOPMENT is intended to promote the general welfare of the residents of the COUNTY, or
 - ii) a waiver is authorized by motion of COUNCIL

5.5.3 DISCRETION

- (a) In making a decision on a DEVELOPMENT PERMIT application for a PERMITTED USE, the Development Authority:
 - i) shall approve, with or without conditions, the application if the proposed DEVELOPMENT conforms with this BYLAW; or
 - ii) shall refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.
- (b) In making a decision on a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority:
 - i) may approve the application if it meets the requirements of this BYLAW, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or,
 - ii) may refuse the application even though it meets the requirements of this BYLAW; or
 - iii) shall refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.
- (c) In reviewing a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority shall have regard to:
 - i) the circumstances and merits of the application, including but not limited to:
 - (1) the impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - (2) the design, character and appearance of the proposed DEVELOPMENT and in particular whether it is compatible with and complementary to the

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- surrounding properties; and,
- (3) the servicing requirements for the proposed DEVELOPMENT.
- ii) the purpose and intent of any statutory plan adopted by the COUNTY; and
- iii) the purpose and intent of any non-statutory plan and pertinent policy adopted by the COUNTY.
- (d) A DEVELOPMENT PERMIT may be issued on a temporary basis for a period specified by the Development Authority.
- (e) Notwithstanding any provisions or requirements of this BYLAW, the Development Authority may establish a more stringent standard for a DISCRETIONARY USE when the Development Authority deems it necessary to do so.
- (f) Only one DEVELOPMENT PERMIT shall be allowed for any one use on a site at any one time.
- (g) No DEVELOPMENT, except for yard site preparation, shall be permitted on any property until the COUNTY has approved an access to the property from a ROAD.

5.5.4 PERMIT VALIDITY

- (a) A DEVELOPMENT PERMIT issued for a PERMITTED USE comes into effect upon the issuance of the permit. PERMITTED USE permits are intended to be issued within 14 days of the acceptance of the DEVELOPMENT PERMIT application.
- (b) A DEVELOPMENT PERMIT issued for a PERMITTED USE requiring a variance, or a DISCRETIONARY USE does not come into effect until fourteen (14) days after a notice of its issuance appears in a local newspaper and provided that no appeal has been received against the DEVELOPMENT.
- (c) A DEVELOPMENT PERMIT is valid for twelve (12) months from the date of its issuance, after which it becomes expired and void if construction has not commenced.
- (d) If the DEVELOPMENT, authorized by the Development Authority, is not commenced prior to its expiry date, the Development Authority may grant an extension to the approval of the DEVELOPMENT PERMIT.

5.5.5 REFERRALS

- (a) The DEVELOPMENT OFFICER may refer any DEVELOPMENT PERMIT application to:
 - i) the MUNICIPAL PLANNING COMMISSION or INTER-MUNICIPAL PLANNING COMMISSION for a decision, support, or advice, and/or
 - ii) refer it to other agencies having jurisdiction for comments.A DEVELOPMENT PERMIT application may be forwarded to the Operational Services Department for review and comment within five (5) business days. Any conditions deemed necessary by the Operational Services Department shall be included in the DEVELOPMENT PERMIT conditions. **Also see Section 7.4**

5.5.6 VARIANCE AUTHORITY

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- (a) The Development Authority may approve a variance that is no more than 25% difference for any urban LAND USE DISTRICT and 50% difference for any rural LAND USE DISTRICT from the requirements of setback, DEVELOPMENT area, or FLOOR AREA as stipulated in this BYLAW.
- (b) A variance may only be granted if, in the opinion of the Development Authority the subject site:
 - i) Conforms to the use prescribed in this BYLAW,
 - ii) Does not unduly interfere with the amenities of the neighbourhood,
 - iii) Does not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed DEVELOPMENT conforms with the use prescribed for that in this BYLAW, and/or
 - iv) has irregular LOT LINES or shape which creates difficulties in positioning a structure within the required setbacks, in which case the Development Authority may permit the DEVELOPMENT and vary the setback or average the setbacks, such that the proposed variance would not result in a contravention of the above conditions and would not result in a DEVELOPMENT that will:
 - (1) restrict access for emergency response, and
 - (2) restrict the safe passage for pedestrians and vehicles on adjoining sidewalks and roadways.
- (b) Notwithstanding Subsection (c), the Development Authority may refuse a DEVELOPMENT PERMIT for a use or DEVELOPMENT that is not listed as a PERMITTED USE or DISCRETIONARY USE.

5.5.7 PERMIT CONDITIONS

- (a) The DEVELOPMENT AUTHORITY, may issue a DEVELOPMENT PERMIT set out in Section 650 of the ACT requiring that the applicant enter into a Development Agreement with any or all the following conditions:
 - i) to construct or pay for the construction of a road required to give access to the development;
 - ii) to construct or pay for the construction of:
 - (1) a pedestrian walkway system to serve the development, or
 - (2) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;or both;
 - iii) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the DEVELOPMENT;
 - iv) to construct or pay for the construction of:
 - (1) off-street or other parking facilities, and
 - (2) loading and unloading facilities;
 - v) to pay an off-site levy or redevelopment levy;

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- vi) to give security to ensure that the terms of the agreement under this section are carried out.
- (b) The COUNTY may register a caveat in respect of a Development Agreement made under this section for the land that is the subject of DEVELOPMENT. The Development Agreement will be discharged when all conditions contained therein have been fulfilled to the satisfaction of the Development Authority.
- (c) Subject to this BYLAW, any statutory plan and the Act, the Development Authority may attach whatever conditions he/she considers appropriate to a DEVELOPMENT PERMIT for either a DISCRETIONARY USE or PERMITTED USE, including but not limited to the following:
 - i) landscaping requirements;
 - ii) noise attenuation;
 - iii) special parking provisions;
 - iv) location, appearance, and character of a building;
 - v) grading of a site to protect adjacent properties;
 - vi) and ensuring the proposed DEVELOPMENT is compatible with the surrounding land uses;
 - vii) repair, reinstate, or pay for the repair or reinstatement to original condition of, any street furniture, curbing, sidewalk, boulevard, tree or other landscaping features, that may be damaged or otherwise affected by the DEVELOPMENT;
- (d) No DEVELOPMENT, except for yard site preparation, shall be permitted on any property until the COUNTY has approved an access to the property from a ROAD.

5.5.8 PERMIT APPROVAL AND NOTIFICATIONS

- (a) All decisions on DEVELOPMENT PERMITS shall be in writing and sent to the applicant.
- (b) When the Development Authority refuses an application for a DEVELOPMENT PERMIT, or refuses to grant an extension to the approval of a DEVELOPMENT PERMIT, the reasons for such refusal shall be contained in the decision.
- (c) When a DEVELOPMENT PERMIT has been approved for a PERMITTED USE, the Development Authority shall send a copy of the decision to the applicant by regular mail.
- (d) When a DEVELOPMENT PERMIT has been approved for a PERMITTED USE involving a variance, the Development Authority may, in addition to the requirements of Sections (c & e); send a notice in writing to all ADJACENT landowners when it is deemed that amenities, use or enjoyment of ADJACENT lands may be affected.
- (e) When a DEVELOPMENT PERMIT has been approved for a DISCRETIONARY USE, the Development Authority shall immediately publish a notice in a newspaper circulating in the COUNTY stating the location of the property for which the application has been made and the use approved, and may post a notice on the subject property;

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- (f) Notwithstanding any other provision of this BYLAW, the granting of a DEVELOPMENT PERMIT shall:
 - i) indicate that the DEVELOPMENT to which the DEVELOPMENT PERMIT relates is authorized in accordance with the provisions of this BYLAW, and shall not relieve or excuse any person from complying with this or any other BYLAWS or Regulations that affect the proposed DEVELOPMENT; and
 - ii) not deprive the Development Authority's right of refusing the issuance of a permit or approval that may be required by this or other BYLAWS, regarding other DEVELOPMENT on the same property.
- (g) In the case where an application for a DEVELOPMENT PERMIT has been refused pursuant to this BYLAW, by the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or the INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or the Alberta Court of Appeal, the submission of another application for a DEVELOPMENT PERMIT on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the DEVELOPMENT OFFICER for at least six months after the date of the previous refusal.
- (h) An application for a DEVELOPMENT PERMIT may be deemed to have been refused if no decision is made by the Development Authority within forty (40) days, from the date of receipt of the completed application, unless the applicant has agreed to extend the forty (40) day period.
- (i) Notwithstanding anything contained herein to the contrary, the granting of a DEVELOPMENT PERMIT shall be without prejudice to the Development Authority's rights to refuse or approve any other permit as may be required with respect to this or any other BYLAW regarding other DEVELOPMENT on the same property.

5.5.9 DEVELOPMENT PERMIT APPEALS

- (a) The applicant for a DEVELOPMENT PERMIT may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD if the Development Authority:
 - i) refuses or fails to make a decision on a DEVELOPMENT PERMIT within 40 days of receipt of a completed application; or
 - ii) issues a DEVELOPMENT PERMIT subject to conditions.
- (b) In addition to the applicant, any person affected by a DEVELOPMENT PERMIT or the decision on it, may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.
- (c) Notwithstanding Sections (a) and (b), no appeal lies in respect of the issuance of a DEVELOPMENT PERMIT for a PERMITTED USE unless the provisions of this BYLAW are relaxed, varied, or misinterpreted.
- (d) A DEVELOPMENT appeal to a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD is to be commenced by filing a notice of the appeal, containing reasons, to the Secretary of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or

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INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD within fourteen (14) days:

- i) in the case of an appeal by the applicant, after:
 - (1) the date the applicant is notified of the decision; or,
 - (2) if no decision is made on the DEVELOPMENT PERMIT application within 40 days of the application being made or the date that period of any extension of it expires.
- ii) in the case of an appeal by a person affected, after the date on which the COUNTY publishes notice of the DEVELOPMENT PERMIT decision in a newspaper circulating in the COUNTY.
- (c) The SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD must hold a public hearing within thirty (30) days after receipt of a notice of appeal.
- (d) Where an appeal is lodged against a DEVELOPMENT, the DEVELOPMENT PERMIT that has been granted shall not come into effect until the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD has rendered a decision.
- (e) There is no appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD in the case of a COUNCIL decision on a DEVELOPMENT PERMIT application in a Direct Control District.

5.5.10 ENFORCEMENT

- (a) Commencing DEVELOPMENT prior to the approval of a DEVELOPMENT PERMIT may be subject to legal action by the COUNTY as outlined in Sections 645 and 646 of the ACT.
- (b) Unless otherwise outlined in Section 645 and 646 of the ACT, no DEVELOPMENT shall take place prior to effective date of a DEVELOPMENT PERMIT, and if done so is carried out at the applicant's own risk. The COUNTY accepts no responsibility for costs incurred for action taken prior to the permit coming into effect.
- (c) Contravention has occurred when the Development Authority deems that a DEVELOPMENT or use of land or buildings is in contravention with:
 - i) the ACT or its regulations;
 - ii) the conditions as stipulated in a DEVELOPMENT PERMIT;
 - iii) an order or decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD; or
 - iv) any provisions of this BYLAW.
- (d) The DEVELOPMENT OFFICER may, in accordance with the provisions described in the ACT, give written notice (Stop Order) to the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention of all or any of them to:

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- i) stop the DEVELOPMENT or use of the land or buildings in whole or in part as directed in the notice;
- ii) demolish, remove or replace the DEVELOPMENT;
- iii) take other measures as specified in this BYLAW, so that the DEVELOPMENT or use of the land or buildings is in accordance with the ACT and regulations thereto, DEVELOPMENT PERMIT, order or decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD, or this BYLAW within the time specified in the notice; or
- iv) the COUNTY may exercise whatever other remedies it has available at law with respect to contravention.

A person who receives a notice pursuant to this Section, may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

- (e) Where a person fails or refuses to comply with an order pursuant to this BYLAW, COUNCIL may:
 - i) apply to the Alberta Court of Queen's Bench to enter upon the land or building and take such action as is necessary to effect such works as are required by the order and all of the costs incurred in so doing may be placed on the tax roll against the property concerned and shall be collected in the same manner as property taxes;
 - ii) instruct the Development Authority to have an application made to the Alberta Court of Appeal for an injunction to cease the non-compliance; and/or
 - iii) apply to the Provincial Court of Alberta to have a charge laid for an offence under this BYLAW.
- (f) In accordance with the ACT, any person who contravenes or fails to comply with any provision of this BYLAW is guilty of an offence and is liable upon conviction to a fine not exceeding \$10,000 or to imprisonment not exceeding one year, or to both a fine and imprisonment.

SECTION SIX – SUBDIVISION ADMINISTRATION AND PROCEDURES

6.1 SUBDIVISION APPLICATION PROCEDURES

- (a) Subdivision applications shall be submitted to the DEVELOPMENT OFFICER on the prescribed form signed by the landowner or agent.
- (b) After having received the subdivision application, the DEVELOPMENT OFFICER shall refer it to other agencies, as listed in Section 6.2.
- (c) The Subdivision Authority may approve an application for subdivision only if it meets the requirements of the ACT, Subdivision and Development Regulations, other plans and/or BYLAWS and including this BYLAW.
- (d) When reviewing an application for subdivision the Development Authority may consider the following:
 - i) access to the subject property and the construction standards for roads to be built;
 - ii) the provision, operation and maintenance of water and sewer facilities;
 - iii) water supply for firefighting purposes;
 - iv) site drainage;
 - v) development of parks and recreation areas; and
 - vi) connection to the municipal water and sewer system.

6.2 REFERRALS

See Section 7.42

6.3 SUBDIVISION DECISION

- (a) A Notice of Decision of a Subdivision Authority must state whether an appeal lies to a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or to the Municipal Government Board, and if an application for subdivision approval is refused, the reasons for the refusal.
- (b) Once approval has been granted, the developer shall have a period of one (1) year, or as required by the Development Authority, to develop the subdivision including, but not limited to, the installation of utilities, roads and plan registration.

6.4 SUBDIVISION APPEALS

- (a) After a decision on the proposed subdivision has been made, the parties outlined in Section 678(1) of the ACT may appeal the decision to the appropriate appeal board, as listed below, within 14 days after receipt of the written decision:
 - i) appeals are filed with the Municipal Government Board if the land that is the subject of the application is within the Green Area, as classified by the Minister responsible for the Public Lands Act, or is within the distance of a HIGHWAY, a body of water or a sewage treatment or waste management facility set out in the Subdivision and Development Regulations, or

SECTION SIX – SUBDIVISION ADMINISTRATION AND PROCEDURES

- ii) in all other cases, with the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT BOARD;
- (b) An appeal lies to the Court of Appeal on a question of law or jurisdiction with respect to a decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT BOARD, or the Municipal Government Board on a decision on an appeal under Section 619 of the ACT, an inter-municipal dispute under Division 11 of the Act or a subdivision appeal under Section 688 of the Act.

6.5 DEVELOPMENT AGREEMENT

- (a) All subdivisions, except those completed by the COUNTY, require the developer to enter into and comply with a Development Agreement.
- (b) The Development Agreement will contain, but is not limited to, the conditions as listed in the subdivision decision.

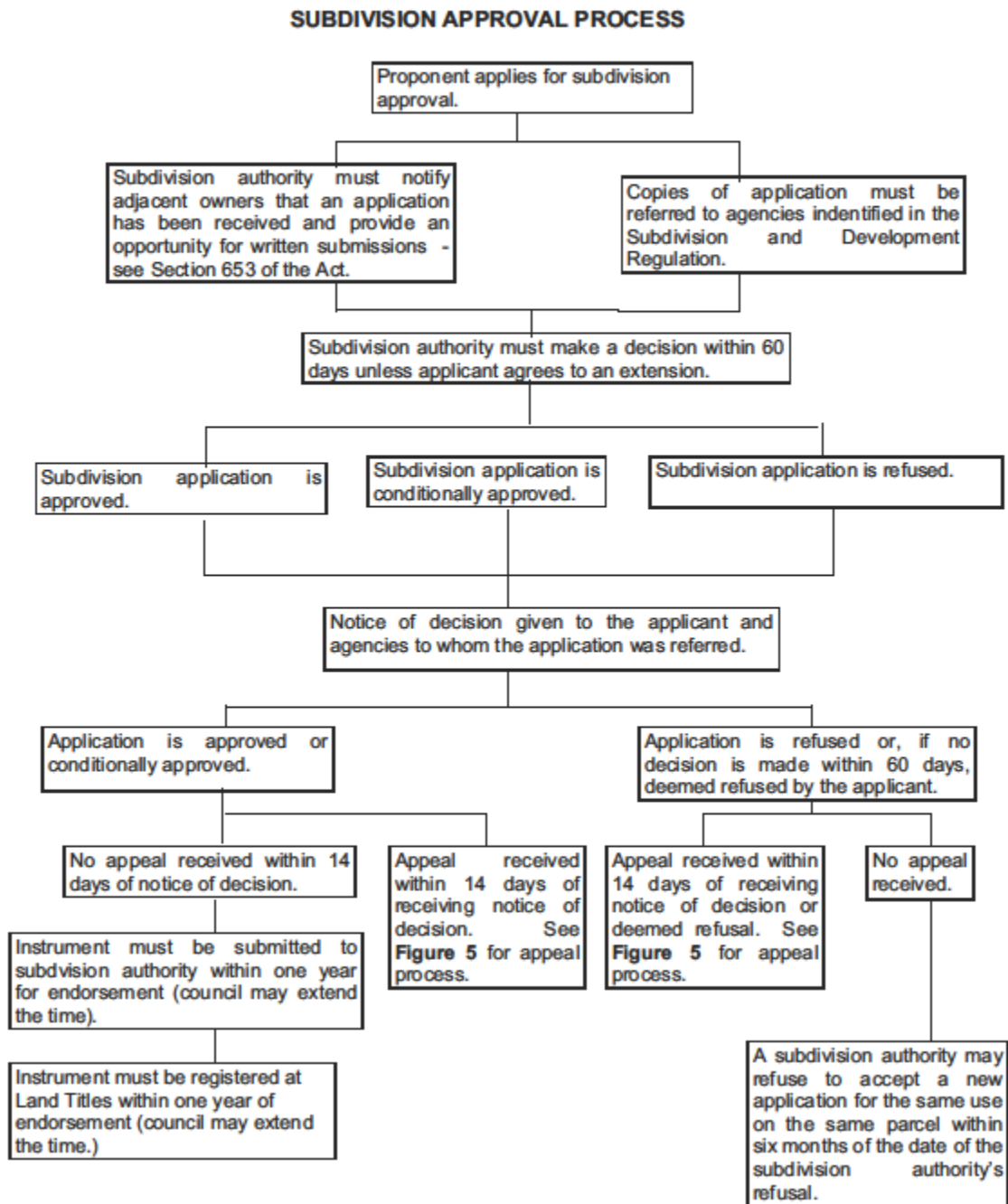
6.6 SECURITIES

- a) Security for multi-lot/urban subdivisions shall be in the form and amount as required in Multi-Lot/Urban Subdivision Construction and Registration Policy DEV003.
- (a) Security, in the form of a performance bond, will not be accepted.

6.7 REGISTRATION

- a) Subdivision registration of all multi-lot/urban subdivisions shall be completed in accordance with the COUNTY'S Multi-Lot/Urban Subdivision Construction and Registration Policy DEV003.
- b) Subdivision registration of rural single lot subdivisions will be endorsed by the COUNTY and submitted to the surveyor for submission to Alberta Land Titles once the COUNTY is satisfied that all the conditions in the subdivision decision and Development Agreement have been fulfilled.

6.8 SUBDIVISION APPROVAL PROCESS



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SECTION SEVEN – GENERAL REGULATIONS

7.1 ACCESS AND DRAINAGE

- (a) As per Section 9 of the *Subdivision and Development Regulations*, every proposed SUBDIVISION must provide to each lot a direct access to a ROAD.
- (b) No DEVELOPMENT PERMIT with the exception of section 5.5.3 (g) shall be issued without a direct access to a ROAD.
- (c) All accesses shall be constructed to the General Municipal Improvements Standards or replacing standards and/or policy.
- (d) The total site area (LOT) of any development shall have a positive surface drainage that does not adversely affect the neighbouring properties.

7.2 APPLICABILITY

The general DEVELOPMENT regulations of this Section apply in all LAND USE DISTRICTS. In the event of a conflict the LAND USE DISTRICT regulations shall take precedence.

7.3 ANIMALS

- (a) No person shall keep, or permit to be kept, in any part of any HAMLET with the exception of lands within the URBAN FRINGE (UF) LAND USE DISTRICT:
 - i) LIVESTOCK, with the exception of dogs, cats, and such other usual domestic pets as are kept, providing that these pets are kept under the condition that they do not act as a nuisance or reduce the amenities of the area; and
 - ii) any pets or domestic animals on a commercial basis, except for an approved pet store or KENNEL.
- (b) Within the URBAN FRINGE (UF) LAND USE DISTRICT in which LIVESTOCK is allowed, the following shall apply:
 - i) LIVESTOCK shall be limited to no more than one (1) animal unit per 3.24 ha (8 acres) or part thereof, to a maximum of six (6) animal units as defined in the following table:

Type of LIVESTOCK	Number of Animals Equivalent to One Animal Unit
Horses and Other Equine Animals	1

- ii) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of LIVESTOCK and to reduce the impact of noise, odour or visual presence on surrounding properties.
- iii) Adequate measures, if required by Alberta Agriculture, Food and Rural Development and/or the local Health Authority, for the disposal of animal wastes shall be provided to the satisfaction of the Development Authority.

SECTION SEVEN – GENERAL REGULATIONS

- (b) In any RURAL COUNTRY RESIDENTIAL LAND USE DISTRICT in which LIVESTOCK is allowed, the following shall apply:
- i) LIVESTOCK shall be limited to no more than one (1) animal unit per 0.40 ha (1 acre) or part thereof, to a maximum of three (3) animal units as defined in the following table:

Type of LIVESTOCK	Number of Animals Equivalent to One Animal Unit
Cow (Plus calf under 6 months)	1
Horses and Other Equine Animals	1
Sheep/Goats	2
Pigs	2
Fowl	12

- ii) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of LIVESTOCK and to reduce the impact of noise, odour or visual presence on surrounding properties.
- iii) Adequate measures, if required by Alberta Agriculture, Food and Rural Development and/or the local Health Authority, for the disposal of animal wastes shall be provided to the satisfaction of the Development Authority.

7.4 BATHROOM FACILITIES

All commercial/industrial/public/institutional uses are required to provide bathroom facilities in accordance with the Safety Codes Act. When a DEVELOPMENT PERMIT application is received for an expansion to an existing use or building and/or the addition of users to the building, proof of conformance with the minimum bathroom requirements of the Safety Codes Act is required to be submitted prior to the acceptance or approval of such application.

7.5 BUILDING – ANCILLARY

- (a) No ANCILLARY BUILDING/SHED or any portion thereof shall be erected or placed within the front yard of any parcel with the exception of FARM BUILDINGS where approved by the Development Authority.
- (b) An ANCILLARY BUILDING/SHED in a HAMLET residential LAND USE DISTRICT shall be no more than 4.6 m (15 feet) in height.
- (c) An ANCILLARY BUILDING/SHED erected on a site shall not be used as a DWELLING UNIT.
- (d) When a building is attached to the PRINCIPAL BUILDING on a site by a roof, an open or enclosed structure, a floor, or a foundation; it is to be considered a part of the PRINCIPAL BUILDING and not an ANCILLARY BUILDING/SHED.
- (e) The combined area of all ANCILLARY BUILDINGS/SHEDS on a LOT in a HAMLET residential LAND USE DISTRICT shall not exceed 50% of the total area of the PRINCIPAL BUILDING.

SECTION SEVEN – GENERAL REGULATIONS

- (f) The combined area of all ANCILLARY BUILDINGS/SHEDS on a LOT in a commercial or industrial LAND USE DISTRICT shall not exceed the total area of the PRINCIPAL BUILDING.
- (g) Subject to the provisions of other Sections of this BYLAW, the Development Authority may regulate the maximum size of an ANCILLARY BUILDING/SHED on a site for DEVELOPMENT where a DEVELOPMENT PERMIT is required based on size of YARD, size of PRINCIPAL BUILDING on the site, aesthetics and other reasons deemed necessary by the Development Authority.

7.6 BUILDING – HEIGHT

Subject to the provisions of other sections of this BYLAW, the Development Authority may regulate the height of buildings on a site for a DEVELOPMENT where a DEVELOPMENT PERMIT is required based on fire fighting capabilities, aesthetics, and/or other reasons deemed necessary by the Development Authority.

7.7 BUILDING – PLACEMENT

Unless otherwise provided for by this BYLAW, all buildings erected or placed on a site shall meet the minimum yard requirements of the LAND USE DISTRICT in which the site lies, with the exception of:

- (a) In the case of a DWELLING - DUPLEX or DWELLING - ROW, no side yard is required if each DWELLING UNIT is located on a separate LOT and the common wall follows a property line;
- (b) Where the DWELLING UNITS of a DWELLING - ROW are to be contained in separate parcels or titles, no side yards shall be required on either side in the case of an internal DWELLING UNIT and no side yard shall be required on the interior side of the end DWELLING UNIT; and
- (c) where the end of a DWELLING - ROW has no doors, windows or other openings, the side yard shall be at the discretion of the Development Authority.

7.8 BUILDING - MOVED-IN

- a) Any building to be moved in or placed within any LAND USE DISTRICT established by this BYLAW, other than a FARM BUILDING in an agricultural LAND USE DISTRICT, shall require approval by the Development Authority.
- b) An application to move in a building may include:
 - i) a coloured photograph of the building;
 - ii) a statement of the present location of the building;
 - iii) a notification of the relocation route for buildings over 6.1 m (20 feet) wide;
 - iv) a complete site plan showing all buildings currently located or to be located on the LOT; and
 - v) a list of all proposed renovations.
- c) Any residential buildings to be moved to a residential LOT may be required to enter into a Development Agreement.
- d) Any residential buildings to be moved onto a residential LOT within a HAMLET are required to be renovated prior to the acceptance and issuance of a DEVELOPMENT PERMIT. Renovations may include, but are not limited to:

SECTION SEVEN – GENERAL REGULATIONS

- i) new siding,
- ii) new windows,
- iii) new doors,
- iv) new roof, and/or
- v) new shingles

All required renovations shall be completed to the satisfaction and discretion of the Development Authority.

- e) Any commercial/industrial buildings to be moved into a HAMLET may be required to provide guaranteed security to ensure completion of any renovations set as a condition of approval of a DEVELOPMENT PERMIT.
- f) The Development Authority may require that a notice in writing be forwarded to all ADJACENT landowners.
- g) The Development Authority may require notification of the relocation route for buildings over 6.1 m (20 feet) wide to be provided to the COUNTY'S Emergency Services Department;
- h) Any building receiving approval to be relocated shall meet all existing standards, ordinances, rules, regulations, and BYLAWS, including the *Alberta Safety Codes Act*.
- i) When reviewing DEVELOPMENT PERMIT applications for a BUILDING – MOVED IN, the Development Authority shall consider the impact of the proposed building on the aesthetics and value of adjoining properties.

7.9 BUSINESSES – DRIVE-THROUGH

- (a) A restaurant may include a take-out/drive-through component as an accessory development,
- (b) A loading facility is required to be designed and located so that all vehicles using that space can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets. The loading space is required to be a minimum of 3 m (9.84 feet) wide by 9 m (29.53 feet) deep with overhead clearance of 4.3 m (14.11 feet). This space may be changed by the Development Authority to reflect the type of vehicle that are intended to use the space,
- (c) That any additional parking requirements necessitated by a change in use of an existing building may be waived by the Development Authority if deemed that lack of required stalls would not adversely affect traffic or surrounding properties,
- (d) Hardsurfaced parking lots are required for commercial development if the lot accesses onto a hardsurfaced street,
- (e) That a drive-through business is required to have entrances and exits approved by the Development Authority that provide a means of circulation within the lot and are adequately signed,
- (f) The minimum site area for a drive-through restaurant is 930 sq m (0.23 acres).

7.10 BUSINESSES – FARM SUBSIDIARY

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- (a) FARM SUBSIDIARY BUSINESSES shall be no more than supplementary to the use of a parcel of land for agricultural purposes and shall not:
 - i) employ any full time employees who do not reside on-site,
 - ii) store or maintain any goods, materials, or equipment not directly related to the operation, and/or
 - iii) create a nuisance by way of dust, noise, odour, smoke, or traffic generation.
- (b) Signage for a FARM SUBSIDIARY BUSINESS shall be limited to one (1) SIGN not exceeding 3 sq m (32 sq feet) in area. Signage must conform to all other provisions of the SIGN regulation contained in Section 7.41 of this BYLAW.
- (c) Agricultural equipment used for the owner's land and contracted out to other landowners shall not be considered a FARM SUBSIDIARY BUSINESS.

7.11 BUSINESSES - HOME BASED

- (a) HOME BASED BUSINESSES shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. HOME BASED BUSINESSES shall not be a primary use of the residential building and shall not:
 - i) involve the storage of goods in the public view, a change in appearance of the residence or its ANCILLARY BUILDING/SHED, unless approved by the Development Authority, and
 - ii) require alterations to the building unless the alterations are approved by the Development Authority.
- (b) Signage for a HOME BASED BUSINESS shall be limited to one (1) SIGN not exceeding 1.1 sq m (12 sq feet).in area. Signage must conform to all other provisions of the SIGN regulation contained in Section 8 of this BYLAW.
- (c) All permits for HOME BASED BUSINESSES shall be subject to the condition that the permit may be revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental or otherwise incompatible with the amenities of the neighbourhood.
- (d) A HOME BASED BUSINESS is subject to all parking requirements and restrictions described in this BYLAW in Section 7.31.
- (e) At all times, the privacy of the adjacent dwellings shall be preserved and shall not unduly offend the surrounding residents by way of, but not limited to: excessive lighting, noise, traffic, congestion, late visitations by clients.

7.12 CAMPS – INDUSTRIAL CAMP AND BUNKHOUSE

- (a) A DEVELOPMENT PERMIT shall be required for the construction of an industrial camp.
- (b) When reviewing an application under this section, the Development Authority shall consider the following:
 - i) the location, type, and purpose of the camp,

SECTION SEVEN – GENERAL REGULATIONS

- ii) access to the camp,
 - iii) the provision of services to the camp, and/or
 - iv) ADJACENT LAND uses.
- (c) The minimum setbacks shall be provided in accordance with the applicable land use district.
- (d) If a camp Development Permit is temporary and the INDUSTRIAL CAMP needs to remain on location past the expiry date, a time extension may be applied for at the COUNTY.
- (e) All camps located on Crown lands shall be subject to conditions of an approved lease applicable to the location from Alberta Sustainable Resource Development.
- (f) The DEVELOPMENT of a camp shall conform to the *Alberta Safety Codes Act*.
- (g) All parking must be provided on-site and parking areas, where required, shall be developed to the satisfaction of the Development Authority.
- (h) Provision of access shall be provided to the satisfaction of the County.

7.13 CARETAKERS RESIDENCE/SECURITY SUITE

Shall be a non-permanent structure placed on a non-permanent foundation.

7.14 CORNER LOTS

No person shall place or maintain in or upon that portion of a LOT or site within a SIGHT TRIANGLE, a fence, wall, tree, hedge, SIGN or other structure/object over 1.2 m (4 feet) in height, if such objects or structures, in the opinion of the Development Authority, would interfere with traffic safety.

7.15 CROWN LAND TRANSFERRED TO PRIVATE OWNERSHIP

Land which is transferred from the Crown of Alberta to private ownership shall be immediately considered to be Agricultural District (A) unless otherwise zoned by the COUNTY, and not require a formal amendment to this BYLAW provided that the DEVELOPMENT on the subject property or proposed DEVELOPMENT meets the spirit and intent of the Agricultural LAND USE DISTRICT.

7.16 DANGEROUS GOODS

Any DEVELOPMENT that includes Dangerous Goods shall be considered a DISCRETIONARY USE. Dangerous Goods shall not be allowed in any residential, school or hospital areas.

7.16.5 DWELLING – SHOW HOME

- (a) On-site parking shall be provided at a rate of parking spaces per 100 m² of Floor Area of the DWELLING - SHOW HOME, and all curb crossings and access points shall be designed and located so as to minimize on-site and off-site traffic impacts, to the satisfaction of the DEVELOPMENT AUTHORITY.

SECTION SEVEN – GENERAL REGULATIONS

- (b) The siting and development of a DWELLING - SHOW HOME shall be in compliance with the regulations of the Land Use Zone intended to be applied to the site to accommodate future residential development; provided that the DEVELOPMENT OFFICER may attach additional conditions to minimize adverse impacts on adjacent development, including the construction of roadways or temporary turnarounds, in accordance with Mackenzie County's Design Standards.
- (c) Excluding advertising copy, the colours and materials employed for the exterior finishes, whether permanent or temporary, shall be compatible with those commonly found in Residential Zones.
- (d) Any exterior lighting shall be designed and located such that no light is directed at adjoining properties and such that the effectiveness of any traffic control devices is not impaired.
- (e) A DEVELOPMENT PERMIT application for a DWELLING - SHOW HOME shall be accompanied by the following information in addition to the information required by subsection 5.5.1 of this Bylaw:
 - i.) a context plan identifying the nature of the land uses and development within a 60.0 m radius of the proposed Site;
 - ii.) a description of the exterior finish materials and colours for any structure including any proposed hoardings or false fronts;
 - iii.) drawings showing the location, area, Height, construction material, colour and method of support for any proposed on-site identification and advertising Signs, including any advertising or supergraphics that shall be displayed on a hoarding or false front;
 - iv.) drawings showing the area, Height, construction materials and method of support for any proposed off-site Directional Signs, and a description of the proposed location for the Signs; and
 - v.) the security required by section (v), below.
- (f) A DEVELOPMENT PERMIT for a DWELLING - SHOW HOME shall be valid for such a period of time as specified by the DEVELOPMENT AUTHORITY having regard for the amount of land or development being marketed, but in no case shall the time period exceed two years.
- (g) Prior to the commencement of any clearing, excavation or other work in respect of the construction of the DWELLING - SHOW HOME, the Permit Holder shall:
 - i.) contact an Alberta Land Surveyor to survey the Proposed Lots in accordance with the Plan of Subdivision;
 - ii.) provide access to the DWELLING - SHOW HOME such that the total unobstructed distance from a fire hydrant/firepond/other to the principal entrance of each DWELLING - SHOW HOME is not more than ninety (90) metres or such distance as approved by Fire Rescue Operations. An access road(s) shall be constructed to County standards suitable for fire truck use; and

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- iii.) have erected on the site a sign bearing the words: *"This Show Home has been approved for the sole purpose of marketing homes in this area. Be advised that this Show Home cannot be sold or occupied as a residential dwellings until such time that it has been approved for occupancy by Mackenzie County. For more information call "Insert Developer Name and Phone Number".*
- (h) A DWELLING - SHOW HOME may not be used for occasional or permanent residential accommodation purposes.
- (i) Where full services are not available to the site, a DWELLING – SHOW HOME shall be provided with a sanitary privy which meets the standards of all applicable health and safety legislation.
- (j) In the event either:
 - i.) the owner of the site on which a DWELLING – SHOW HOME is located fails to enter into an Development Agreement with the County within one (1) year next following the issuance of a DEVELOPMENT PERMIT for the DWELLING – SHOW HOME; or
 - ii.) the owner of the site on which a DWELLING – SHOW HOME is located fails to register a Plan of Subdivision for the subject lands in accordance with the an approval granted by the Subdivision Authority within one (1) year next following the issuance of a DEVELOPMENT PERMIT for the DWELLING – SHOW HOME; or
 - iii.) the DWELLING - SHOW HOME is found not to meet the requirements of the DEVELOPMENT PERMIT issued therefore or otherwise fails to meet the requirements of this Bylaw; or
 - iv.) the owner of the site on which a DWELLING – SHOW HOME is located fails to adhere to the requirements of any Residential Servicing Agreement entered into with the County respecting the subject lands; or
 - v.) the DEVELOPMENT PERMIT for a DWELLING – SHOW HOME expires without a replacement having been issued,

then the owner of the site on which a DWELLING – SHOW HOME is located shall forthwith remove the DWELLING - SHOW HOME from the site, fill in any excavations thereon and shall return the site and the surrounding lands to substantially the same condition in which the same were prior to the to the commencement of excavation for the DWELLING - SHOW HOME. The owner of the site on which a DWELLING – SHOW HOME is to be located shall deposit and shall maintain with the County, by way of cash or Letter of Credit to the satisfaction of the Chief Administrative Officer, security in the amount of TEN THOUSAND (\$10,000.00) against the requirements of this section. The said security, or so much thereof is then remaining, shall be returned, without liability for interest, upon either:
 - vi.) the work outlined herein having been completed to the satisfaction of the DEVELOPMENT AUTHORITY; or

SECTION SEVEN – GENERAL REGULATIONS

- vii.) a DEVELOPMENT PERMIT for the conversion of the DWELLING – SHOW HOME to a DWELLING – SINGLE FAMILY having been issued in accordance with this Bylaw.
- (k) The owner of the site on which a DWELLING – SHOW HOME is located shall, within two (2) weeks or otherwise determined by the DEVELOPEMENT AUTHORITY following the placement of BASEMENT or foundation walls, provide to the DEVELOPMENT OFFICER a Real Property Report confirming the location of the same on the site.
- (l) A DEVELOPMENT PERMIT converting a DWELLING – SHOW HOME to a DWELLING – SINGLE FAMILY may not be issued unless and until Construction Completion Certificate has been issued, respecting all municipal services to the site in accordance with a Development Agreement made with the County.
- (m) Upon the issuance of a DEVELOPMENT PERMIT for a DWELLING – SHOW HOME, the County may register a caveat against the title to the subject lands advising prospective purchasers that the said lands have not been approved for residential occupancy. Any such caveat registered by the County shall be discharged up the earlier of:
 - i.) the removal of the DWELLING – SHOW HOME in accordance with the requirements of section (v), above; and
 - ii.) the issuance of a DEVELOPMENT PERMIT for the conversion of the DWELLING – SHOW HOME to a DWELLING – SINGLE FAMILY in accordance with this Bylaw.

7.17 DWELLING UNITS PER PARCEL

- (a) No person shall construct, locate or cause to be constructed more than one DWELLING UNIT on a LOT within a HAMLET unless provided for in this BYLAW.
- (b) Notwithstanding subsection (a), a second or additional DWELLING UNIT on a parcel may be permitted if such DWELLING UNIT is:
 - i) contained in a building designed for, or divided into, two or more DWELLING UNITS and is located in a LAND USE DISTRICT which permits multiple units,
 - ii) a MANUFACTURED HOME forming part of a MANUFACTURED HOME COMMUNITY for which a DEVELOPMENT PERMIT has been issued,
 - iii) a building as defined in the *Condominium Property Act* that is the subject of an approved condominium plan registered in the Land Titles Office,
 - iv) a caretakers residence/security suite pursuant to Section 7.13, and/or
 - v) a GARDEN SUITE or SECONDARY SUITE.

7.18 EASEMENTS/RIGHTS-OF-WAY

Without a written consent given by the easement/right-of-way owner (or that whose utility line is found in the easement), the Development Authority may not issue a permit for DEVELOPMENT (except for the erection of a fence or construction of an access) that encroaches into or over a utility easement or right-or-way, even though the proposed DEVELOPMENT conforms to the provisions of this BYLAW.

7.19 ENGINEERING GUIDELINES

SECTION SEVEN – GENERAL REGULATIONS

All subdivision and DEVELOPMENT is required to follow the minimum standards of the current Municipal Improvement Standards.

7.20 ENVIRONMENTAL AUDITS AND ENVIRONMENTAL IMPACT ASSESSMENTS

- (a) The Development Authority may require an applicant to submit a report summarizing an ENVIRONMENTAL AUDIT or an ENVIRONMENTAL IMPACT ASSESSMENT, as part of a DEVELOPMENT PERMIT application, an application to amend this BYLAW, an application for subdivision approval, or an application to amend a statutory plan.
- (b) The ENVIRONMENTAL AUDIT REPORT shall contain:
 - i) a history of the subject property's ownership and use;
 - ii) a description of the natural environment and social environment surrounding the subject property, which may be sensitive to contamination;
 - iii) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;
 - iv) a documentation of the existence, location and use of above and under-ground storage tanks and other related facilities;
 - v) a history of environmental regulatory activity affecting the subject property;
 - vi) a review of the condition and use of adjoining properties;
 - vii) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
 - viii) a determination of the extent of contamination; and
 - ix) a comprehensive site and areas maps noting the locations of natural and built features and other elements of the site audit as noted above.
- (c) The ENVIRONMENTAL AUDIT or ENVIRONMENTAL IMPACT ASSESSMENT REPORT shall be referred to Alberta Environment for comment and recommendations.
- (d) The COUNTY may use the recommendations of the ENVIRONMENTAL AUDIT or ENVIRONMENTAL IMPACT ASSESSMENT REPORT as grounds for:
 - i) issuing a DEVELOPMENT PERMIT with or without conditions,
 - ii) refusing a DEVELOPMENT PERMIT application,
 - iii) amending this BYLAW,
 - iv) refusing an application for amending this BYLAW,
 - v) approving a subdivision application with or without conditions,
 - vi) refusing a subdivision application, and
 - vii) approving or refusing an application to adopt or amend a statutory plan.

7.21 ENVIRONMENTALLY SENSITIVE LANDS

- (a) DEVELOPMENT on lands, which are designated or deemed by the COUNTY to be environmentally sensitive, shall be discouraged.
- (b) When reviewing an application for DEVELOPMENT on ENVIRONMENTALLY SENSITIVE AREAS, the Development Authority shall consider the following:

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- i) the impact of the proposed DEVELOPMENT on the subject property and surrounding area,
 - ii) the soil and slope conditions of the area surrounding the subject property,
 - iii) any information on the past history of the subject property and surrounding area from a geo-technical perspective, and
 - iv) comments and recommendations from Alberta Environment.
- (c) As part of the DEVELOPMENT PERMIT application, the Development Authority may require a geotechnical study, prepared by a qualified geotechnical engineer, addressing the proposed DEVELOPMENT. The geotechnical study will establish building setbacks from property lines based upon the land characteristics of the subject property.
- (d) The Development Authority may require any or all of the following as a condition of approval for a DEVELOPMENT PERMIT application on land which is considered environmentally sensitive:
- i) a certificate from a qualified professional geotechnical engineer certifying that the design of the proposed DEVELOPMENT was undertaken with full knowledge of the soil and slope conditions of the subject property,
 - ii) a certificate from a qualified professional geo-technical engineer when the proposed DEVELOPMENT includes cut and/or fill sections on slopes, and/or including the addition of fill to the subject property,
 - iii) that measures be taken to ensure that infiltration into area slopes, the subject property, and ADJACENT LANDS are minimized,
 - iv) the registration of a restrictive covenant against the certificate of title for the subject property related to the approved DEVELOPMENT, and
 - v) the registration of an easement against the certificate of title for the subject property entitling the COUNTY, or an agent on behalf of the COUNTY, the right to enter the subject property to carry out such improvements and repairs as are required to maintain the stability of adjacent properties which, if not corrected, could adversely affect surrounding lands.

7.22 FENCES

In a HAMLET, no fence shall exceed 1.8 m (6 feet) in height, with exception as approved by the Development Authority.

7.23 FIRE CODE SETBACKS

The Fire Code setbacks are:

- (a) 3.1 m (10 feet) from a building and or property line for gas line,
- (b) 1.5 m (5 feet) from a building and/or property line for diesel line, or
- (c) in accordance with the current Provincial as amended from time to time Fire Code, whichever is the greater.

7.24 FLOOD PRONE LANDS

- (a) DEVELOPMENT on land which may be subject to flooding shall not be permitted on lands that are within the 1:100 year flood plain, unless otherwise permitted in this BYLAW. See Schedule "A", Map "D".

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- (b) DEVELOPMENT on lands which have been designated as a two-zone (floodway/flood-fringe) flood area¹, shall be restricted to the following land uses:
- i) In floodway areas, new DEVELOPMENT shall not be allowed except for the following:
 - (1) non-obstructing agricultural uses;
 - (2) recreational uses;
 - (3) flood control measures; and
 - (4) public works facilities.
 - ii) In flood-fringe areas, new DEVELOPMENT shall not be allowed except for otherwise approved land uses which comply with all applicable flood-proofing measures as are required by the Development Authority and/or Canada Mortgage and Housing Corporation.
- (d) Notwithstanding subsection (b), and at the discretion of the Development Authority, infill DEVELOPMENT may be allowed on lands within the 1:100 year flood-fringe area.
- (e) Any DEVELOPMENT PERMIT issued for DEVELOPMENT within the 1:100 year flood plain shall have, as a condition of approval, a restrictive covenant registered against the title of the subject property related to the approved DEVELOPMENT.
- (f) Reviewing a DEVELOPMENT PERMIT application for a DEVELOPMENT on a site which the COUNTY determines may be subject to flooding or is located in a designated flood plain, the Development Authority shall consider flood damage reduction measures and may approve the proposed DEVELOPMENT subject to any or all of the following:
- i) the usage of fill, piles, posts, or piers to raise the DEVELOPMENT above the 1:100 year flood level;
 - ii) flood-proofing standards which allow BASEMENTS to be flooded without significant damage to the structure;
 - iii) other flood reduction measures as approved by Canada Mortgage and Housing Corporation;
 - iv) diking of the watercourse by an approved agency;
 - v) increased DEVELOPMENT setbacks from the watercourse;
 - vi) specification of specific DEVELOPMENT locations and/or orientations;
 - vii) the usage of back-flow prevention valves (stop valves);
 - viii) any other flood abatement measures deemed necessary by the Development Authority;
 - ix) a certificate from a qualified professional engineer certifying that the design for the proposed DEVELOPMENT was undertaken with full knowledge of the potential for flooding on the subject property; and
 - x) comments and recommendations from Alberta Environment.

7.25 GARAGES

¹ Note: Important flood zone information can be found through the Alberta Flood Risk Information System (<http://www.environment.alberta.ca/129.html>)

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- (a) Unless otherwise specified in this BYLAW, a residential GARAGE-DETACHED within any HAMLET shall be limited to one per LOT.
- (b) In addition to complying with the other subsections of this section, any private GARAGE located in a HAMLET shall be positioned so that the vehicle entrance doors shall be no closer than 7.6 m (25 feet) to the property boundary upon which they open. No private GARAGE shall be located with the vehicle entrance doors facing the public utility lot and/or lane.
- (c) The vehicle entrance door in a HAMLET residential GARAGE shall not exceed 3.7 m (12 feet) in height.

7.26 HAZARDOUS SITES

DEVELOPMENT within the proximity of WASTE TRANSFER STATION or wastewater stabilization pond and/or any other hazardous site shall be in accordance with the *Subdivision and Development Regulation*.

7.27 ILLUMINATION

Illumination from commercial or industrial uses shall be shielded away from residential LAND USE DISTRICTS and streets.

7.28 LANDSCAPING, SCREENING OR SOUND BARRIERS

- (a) The native vegetation found on a site shall be maintained where possible to the satisfaction of the Development Authority.
- (b) Any area required to be landscaped may, at the discretion of the Development Authority, be loamed and planted with grass, trees, shrubs, and/or flowers, or similar materials or a combination thereof, which will enhance the appearance of the site and complement the DEVELOPMENT on the site.
- (c) Rural industrial parks may require screening around the outside perimeter of the park at the discretion of the Development Authority.
- (d) Screening materials shall be satisfactory to the Development Authority and may consist of landscaping, trees, berms, hedges, opaque fencing, decorative walls, architectural features, similar techniques or any combination thereof.
- (e) Where landscaped strips are required they shall be a minimum of 3.1 m (10 feet) in width and consist of a combination of grass, shrubs, and trees or as directed by the Development Authority. Decorative paving materials may be used instead of landscaping at the discretion of the Development Authority.
- (f) Screening techniques and/or sound barriers may be used where a commercial or industrial use abuts a Residential zone, or where a DWELLING - MULTIPLE abuts a residential LAND USE DISTRICT where DEVELOPMENT is limited to DWELLING - SINGLE FAMILY or DWELLING - DUPLEX. The Development Authority may require additional setbacks as a means of minimizing conflicts between conflicting land uses, including but not limited to, incompatible uses that abut a railway line.
- (g) Truck parking areas shall be located on a commercial or industrial site to reduce noise impacts upon residential areas.

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- (h) Sound barriers may be required where truck parking areas abut a residential use or LAND USE DISTRICT.
- (i) The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.

7.29 LOT AREA

- (a) No new LOTS shall be created that do not meet the applicable LAND USE DISTRICT specification.
- (b) Existing LOTS that do not meet the specified minimum lot size of the respective LAND USE DISTRICT shall be considered “grandfathered” and development on the LOT may be considered provided that the proposed development meets setback requirements.

7.30 MANUFACTURED HOMES

- (a) MANUFACTURED HOMES shall be of sound construction and appearance at the discretion of the Development Authority.
- (b) Any exterior renovation requirements imposed by the Development Authority to a MANUFACTURED HOME shall be completed prior to the placement of the building on the site.
- (c) The undercarriage of a MANUFACTURED HOME shall be screened from view by the foundation or skirting or other means satisfactory to the Development Authority.
- (d) All ACCESSORY structures, additions, porches, and skirting shall be of a quality and appearance equivalent to the MANUFACTURED HOME and reflect with the standard of the neighbourhood to the satisfaction of the Development Authority.
- (e) All connections to municipal water and sewer systems shall be adequately insulated.

7.31 PARKING

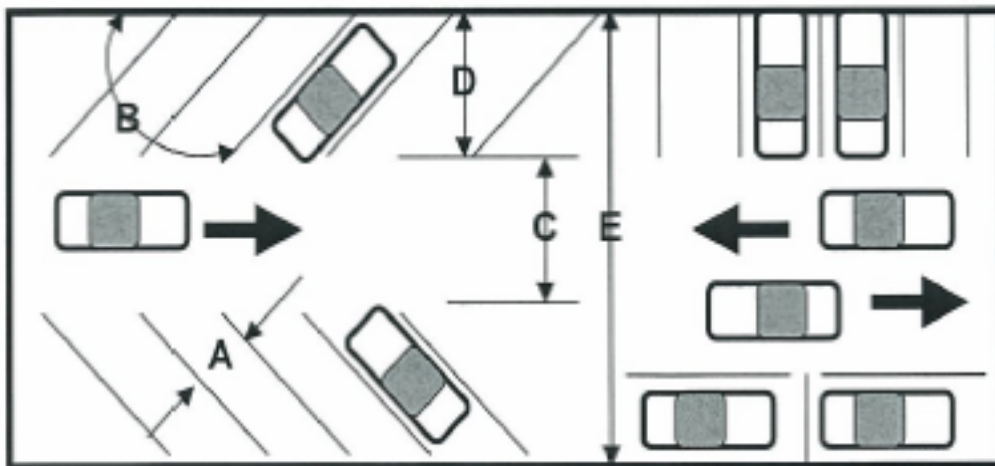
- (a) The following requirements shall apply to all parking facilities required by this BYLAW. Notwithstanding the requirements of this part, specific rules contained in any LAND USE DISTRICT shall govern the parking and loading requirements for that LAND USE DISTRICT.
- (b) Where handicap parking stalls are provided, such stalls shall be marked by signs on posts or on the wall of the building in a manner that they remain visible year round. Signage may also be painted onto the parking lot surface however shall be done in addition to the signs on posts or wall of the building.
- (c) Where the parking lot is designed with specific entry and exit, signage shall be placed on posts clearly marking the entry and exit. Such signs shall be placed in accordance with standard sign requirements and to the satisfaction of the Development Authority.

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(d) Unless otherwise allowed by the Development Authority, the minimum dimensions for the design of parking facilities shall be as set out in Table A – Parking Standard Dimensions.

Table A – Parking Standard Dimensions

A	B	C	D	E
Stall Width	Parking Angle (Degrees)	Aisle Width	Stall Depth Perpendicular to Aisle	Parking Unit Depth
23 feet (7.0 m)	0° Parallel	One Way 11.5 feet (3.5 m)	9.5 feet (2.9 m)	One Way 21 feet (6.4 m)
		Two Way 23 feet (7.0 m)		Two Way 42 feet (12.8 m)
10 feet (3.1 m)	45°	13. feet (4.0 m)	20 feet (6.1 m)	52.5 feet (16.0 m)
10 feet (3.1 m)	60°	18. feet (5.5 m)	21 feet (6.4 m)	60 feet (18.3 m)
10 feet (3.1 m)	90°	24 feet (7.3 m)	19 feet (5.8 m)	62 feet (18.9 m)



(e) Where a drive through facility, a VEHICLE WASH ESTABLISHMENT, quick lube, or similar facility is required, sufficient vehicle stacking shall be provided on the site for a minimum of five (5) passenger vehicles or three (3) large trucks. This requirement is in addition to the parking standards as outlined in Table B – Minimum Parking Standards.

(f) Unless otherwise specified by the Development Authority, the parking standards outlined in Table B – Minimum Parking Standards shall apply to all LAND USE DISTRICTS.

(g) All commercial and/or industrial uses shall provide 1 parking stall per full time employee and 1 parking stall per 2 part time employees unless otherwise specified in Table B - Minimum Parking Standards.

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Table B – Minimum Parking Standards

Use	Minimum Parking Requirements
AUCTION MART	Indoor: 1 stall per 45 sq m (484 sq ft) of gross FLOOR AREA Outdoor: 30 parking stalls per acre of the ground area used for auction sales
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES	1 stall per 45 sq m (484 sq ft) of gross FLOOR AREA
BED AND BREAKFAST BUSINESS	1 stall per vehicle owned, plus 1 stall for each guest room
CHURCHES	1 stall per 4 seating spaces
DWELLING – APARTMENT	1 stall per 1 bedroom unit; 1.5 stalls per 2 bedroom unit; 2 stalls per 3 bedroom unit; 1 stall per 3 DWELLING UNITS for visitors
DWELLING – DUPLEX	6 stalls
DWELLING - MULTIPLE	2 stalls per DWELLING UNIT plus 1 stall per 3 DWELLING UNITS for visitor parking
DWELLING - SINGLE FAMILY	1 stall per vehicle owned, plus 1 additional stall
GENERAL SERVICES ESTABLISHMENT	1 stall per 30 sq m (323 sq ft) of gross FLOOR AREA
HANGARS AND TERMINAL FACILITIES	1 stall per 162.6 sq m (1,750 sq ft) of gross FLOOR AREA plus 1 parking stall per full time employee and 1 parking stall per 2 part time employees.
HOSPITAL	1 stall per 4 patients or resident beds plus, 1.5 stalls per employee required during the maximum work shift
HOTEL/MOTEL/Open INDUSTRIAL CAMP	1 stall per guest room, plus additional stalls in accordance with the parking requirement of this section for any other use that forms part of the HOTEL/MOTEL/Open INDUSTRIAL CAMP
MANUFACTURED HOME COMMUNITY	2 stalls per LOT plus 1 stall per 5 LOTS for visitor parking
Medical Offices	1 stall per 30 sq m (323 sq ft) of gross FLOOR AREA
PROFESSIONAL OFFICES	1 stall per 45 sq m (484 sq ft) of gross FLOOR AREA
Recreational Facility	1 stall per 30 sq m (323 sq ft) of gross FLOOR AREA or as required by the Development Authority
RESTAURANT and/or Drinking Establishment	1 stall per 3 seats
RETAIL STORES	1 stall per 30 sq m (323 sq ft) of gross FLOOR AREA
SCHOOL - Elementary and Junior High	1 stall per 20 students based on the projected design capacity
SCHOOL - Senior High	4 stalls per 20 students based on the projected design capacity
Shopping Centre	1 stall per 30 sq m (323 sq ft) of gross FLOOR AREA
Theatre and Cinemas	1 stall per 3 seats
Warehouse, Outdoor Storage	1 stall per 50 sq m (538 sq ft) of gross FLOOR AREA, plus 1 stall for every 3 employees required during the maximum working shift
Any Other Use	1 space per 37.2 sq m (400 sq ft) of gross FLOOR AREA

All minimum parking standards may be subject to revision at the discretion of the Development Authority on a “case by case basis”.

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7.32 **OBJECTS PROHIBITED OR RESTRICTED IN YARDS**

- (a) No more than one (1) RECREATIONAL VEHICLE shall be allowed to be stored or parked on a parcel (registered property) within any residential LAND USE DISTRICT. Where approved by the Development Authority, additional RECREATIONAL VEHICLES may be stored or parked in an agricultural LAND USE DISTRICT or a LAND USE DISTRICT that permits storage.
- (b) No trucks, trailers, or tankers with a gross vehicle weight (G.V.W.) rating in excess of 4,082 kg (9,000 pounds) shall be allowed in a hamlet residential LAND USE DISTRICT for longer than is reasonably required to load or unload such a vehicle.
- (c) No dismantled or wrecked vehicles may be located in any HAMLET residential LAND USE DISTRICT.
- (d) No farm/industrial/commercial equipment shall be allowed or stored in hamlet residential LAND USE DISTRICTS.

7.33 **OILFIELD FACILITIES**

Any SUBDIVISION or DEVELOPMENT PERMIT application within 1.5 km (0.93 miles), or as specified by the *Subdivision and Development Regulation*, of a Sour Gas Facility, Gas and/or Oil Well, shall be referred to the *Alberta Energy Resources Conservation Board* (ERCB), for comments and approval prior to a decision being made by the Subdivision or Development Authority.

7.34 **PRESSURE VESSEL STORAGE FACILITIES**

Residential:

No pressurized vessels over 45.36 kg (100 pounds) shall be allowed within the HAMLETS for residential purposes. Temporary use of pressurized vessels may be allowed at the Development Authority's discretion during winter conditions.

Pressurized vessels for the purpose of providing primary heat to any residential building within the Hamlet shall not be permitted where natural gas is available. Where natural gas servicing is not available, pressurized vessels shall be considered DISCRETIONARY USES and may be allowed at the discretion of the Development Authority to a maximum tank size of 125 gallons.

Commercial/Industrial/Agricultural:

- (a) PRESSURE VESSEL STORAGE facilities for materials, including but not limited to anhydrous ammonia, propane, and oxygen, with a liquid volume/capacity exceeding 45,460 L (10,000 gallons) shall not be allowed in the following areas:
 - i) inside and within a 3.2 km (2 mile) radius of the designated boundaries of any Settlement, HAMLET or Town;
 - ii) within a 1 mile (1.6 km) radius of any public or private SCHOOL sites; or
 - iii) within a distance of 450 m (1,476 feet) from any existing residence.
- (b) Upon receipt of a DEVELOPMENT PERMIT application for a DEVELOPMENT which includes a pressure vessel container with a liquid volume/capacity exceeding 4,546 L (1,000 gallons), the DEVELOPMENT OFFICER may require the applicant to include:
 - i) a site plan detailing the location of each pressure vessel;

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- ii) an approved emergency response plan detailing procedures in the event of a pressure vessel rupture or explosion; and
 - iii) where applicable, a contact person and the location of the nearest emergency response team provided by the product vendor.
- (e) Upon receipt of an application for a DEVELOPMENT PERMIT which includes a pressure vessel with a liquid volume/capacity in excess of 4,546 L (1,000 gallons), the DEVELOPMENT OFFICER shall refer the DEVELOPMENT proposal to the applicable fire department fire chief for his/her comments and recommendations.
- (f) Notwithstanding other provisions of this BYLAW, no residential DEVELOPMENT shall be allowed within 450 m (1,476 feet) of existing PRESSURE VESSEL STORAGE with a liquid volume/capacity exceeding 5,460 L (10,000 gallons).
- (g) When reviewing DEVELOPMENT proposals for the placement of commercial pressure vessels with a liquid volume/capacity less than 4,546 L (1,000 gallons) within a HAMLET, the Development Authority shall consider:
- i) material to be stored in the pressure vessel;
 - ii) the orientation of the pressure vessel to buildings in the surrounding neighbourhood, especially those which are used for residential use or public assembly;
 - iii) the ability of the local fire department to respond to an accident involving the proposed DEVELOPMENT as specified by the Fire Chief of the responding Fire Department; and
 - iv) the truck route through the community which will be used to service the proposed DEVELOPMENT.

General Provisions:

All PRESSURE VESSEL STORAGE containers shall be constructed, located, and inspected in accordance with the provisions of the *Alberta Safety Codes Act and/or Petroleum Tank Management Association of Alberta (PTMAA)*, and its regulations.

7.35 PRIVATE SEWAGE TREATMENT SYSTEMS

- (a) All private sewage treatment systems shall conform to the *Alberta Private Sewage Systems Standard of Practice 2009*.
- (b) The installation of a holding tank must receive written permission from the Development Authority prior to the approval of the Private Sewage Treatment permit. Written permission from the COUNTY is not required for the Hutch Lake Recreation District.
- (c) The applicant of a holding tank shall submit proof to the COUNTY that the site conditions on the property are not able to support a self sustained private sewage system. This shall be obtained by a site evaluation as outlined in the *Alberta Private Sewage Systems Standard of Practice 2009*.

7.36 PROJECTION OVER YARDS

The portions of any attachments to a main building which may project over a minimum yard setback are:

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- (a) a cornice or a canopy of eaves which do not project more than one-half of the minimum side yard setbacks required for the site, but not less than 0.91 m (3 feet) from the side yard setback for maintenance and access purposes. This is for a cornice or a canopy of eaves on a site in a hamlet residential LAND USE DISTRICT;
- (b) a chimney which projects 0.6 m (2 feet) or less provided that in each case it is not less than 0.9 m (3 feet) from the side boundary of the site; and
- (c) unenclosed steps with or without a landing and less than 0.61 m (2 feet) above the surface of the yard if they do not project more than 2.4 m (8 feet) over a minimum front yard or rear yard or more than 0.9 m (3 feet) in a side yard.

7.37 RECREATIONAL USES

When deciding a DEVELOPMENT PERMIT application for a recreational use in any LAND USE DISTRICT, the Development Authority shall consider the following:

(a) Special Requirements:

- i) The recreational DEVELOPMENT shall be architecturally designed to be compatible with the surrounding area; and
- ii) A RECREATION CENTRE OR LODGE may have ACCESSORY buildings available for the lodging of its patrons. In no way shall a RECREATION CENTRE OR LODGE be organized to provide any form of permanent habitation of the rooms by its patrons.

(b) Noise Attenuation:

Where the DEVELOPMENT will generate significant noise, the developer shall take steps to reduce the level of noise and its impact on existing and/or future DEVELOPMENT in the area to the satisfaction of the DEVELOPMENT OFFICER.

(c) Environment:

Recreational DEVELOPMENT shall be compatible with the surrounding environment and in the opinion of the DEVELOPMENT OFFICER, have no adverse effect on the water table and water bodies or water courses; or the aesthetic value of the area.

7.38 ROADS AND HIGHWAYS

- (a) All ROADS and accesses shall be constructed to a width and standard as specified in the General Municipal Improvement Standards, or replacing standard and/or policy. The subdivision of land for any purpose will not be allowed unless the minimum ROAD standard has been met.
- (b) All applications for SUBDIVISION or DEVELOPMENT on lands adjacent to a HIGHWAY shall be referred to Alberta Transportation for comments and approval.

7.39 SECONDARY SUITES

- (a) SECONDARY SUITES may be allowed by the DEVELOPMENT AUTHORITY in LAND USE DISTRICTS where listed as a DISCRETIONARY USE provided that all other applicable provisions of this BYLAW are met.

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(b) SECONDARY SUITES shall be limited to one per lot/residence.

7.40 SETBACKS FROM RAILWAY LINES

- (a) The minimum setback from railway rights-of-way and station grounds for buildings shall be as follows:
- i) 15.2 m (50 feet) for all residential, commercial, PUBLIC USE, and recreational DEVELOPMENTS that are not deemed compatible with railway operations; and
 - ii) at the discretion of the Development Authority, for manufacturing and other land uses that are deemed compatible with railway operations.
- (b) If, in the opinion of the Development Authority, a DEVELOPMENT or SUBDIVISION proposal may be affected by railway operations, the Development Authority may refer the DEVELOPMENT or SUBDIVISION proposal to the Railway Authority for its review and comment.

7.41 SIGNS

7.41.1 GENERAL PROVISIONS

- (a) All SIGNS shall be considered a DISCRETIONARY USE in all zoning districts.
- (b) No SIGN of advertising, directional or information nature that is attached to the ground or to any exterior surface of a building or structure shall be installed unless the Development Authority has approved a DEVELOPMENT application for this purpose.
- (c) No SIGNS shall be erected on or affixed to private and/or public property without the prior consent of the property owner.

7.41.2 SIGN REVIEW AND PROCESS

- (a) SIGNS shall only be approved when, in the opinion of the Development Authority, the SIGN or SIGNS;
- i) do not obstruct the orderly and safe flow of vehicular or pedestrian traffic, or obstruct the “corner sight” regulations as required under this BYLAW;
 - ii) do not unduly interfere with the amenities of the LAND USE DISTRICT and/or ROAD/HIGHWAY Corridor in which they are located and/or adjacent to;
 - iii) do not affect the use, enjoyment or materially interfere with the value of neighbouring properties; and
 - iv) do not create visual or aesthetic decline.
- (b) In considering of a DEVELOPMENT PERMIT application for SIGNS, billboards, or advertising material, the Development Authority may consider such factors as:
- i) Location of the proposed signage;
 - ii) Distance from roadway;
 - iii) Size;
 - iv) Height;
 - v) Method of illumination;
 - vi) Such other considerations as the Development Authority may deem to be relevant.

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- (c) The Development Authority shall attach, as conditions of the DEVELOPMENT PERMIT approval, those conditions he/she feels are necessary to resolve any DEVELOPMENT concerns or issues as identified in subsection (b).
- (d) The quality, aesthetic character and finishing of SIGN construction shall be to the satisfaction of the Development Authority.

7.41.3 GENERAL SIGN REGULATIONS

- (a) Flashing, animated or interior illuminated SIGNS shall not be permitted in DEVELOPMENTS where they might, in the opinion of the Development Authority, affect residents in adjacent housing or residential areas; or interfere with the interpretation of traffic SIGNS or controls, or vehicular safety.
- (b) All SIGNS shall be kept in a safe, clean, and tidy condition, and may be required to be renovated or removed if not properly maintained.
- (c) A SIGN height must not exceed the maximum BUILDING HEIGHT allowed in the LAND USE DISTRICT or the height of the PRINCIPAL BUILDING on the subject property.
- (d) No SIGN shall be illuminated unless the source of light is suitably shielded and must not pose a safety hazard to an adjacent site or road.
- (e) Wiring and conduits for electrified SIGNS must be concealed from view.
- (f) Temporary SIGNS that are not attached to the ground, a building, or structure, and are portable, such as A-board SIGNS, construction site identification SIGNS, changeable copy portable SIGNS, election candidate SIGNS, temporary community event SIGNS and real estate SIGNS, do not require DEVELOPMENT PERMITS but must contact the Municipal office and conform to the requirements of this BYLAW.

7.41.4 SIGNS IN RURAL AREAS

- (a) In a rural area, the SIGN shall be located a minimum of:
 - i) 200 m (656 feet) from regulatory SIGNS, and
 - ii) 3.1 m (10 feet) from the outer edge of the road or not less than 1.5 m (5 feet) from the property line if on private property.
- (b) The SIGN shall be a minimum of 1.5 m (5 feet) to a maximum of 2.5 m (8 feet) in height above the shoulder of the road.

7.41.5 SIGNS IN HAMLETS

A SIGN in a HAMLET shall be located a minimum of:

- (a) 20 m (66 feet) from regulatory SIGN, and
- (b) Not less than 1.5 m (5 feet) from the curb/sidewalk.

The bottom of any SIGN shall be a minimum of 2 m (6.56 feet) above the curb/sidewalk.

7.41.6 SIGN ENFORCEMENT

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- (a) Where the Development Authority finds a SIGN that contravenes the provisions of this BYLAW, is abandoned, or in bad repair, they may by notice in writing, served personally or by registered mail, order the registered owner, person in possession of the land or building, or the person responsible for the SIGN to:
 - i) remove the SIGN within ten (10) days after receipt of the notice; or
 - ii) take such measures as are specified in the notice to alter the SIGN so it complies with the provisions of this BYLAW; or
- (b) take such measures as are specified in the notice to refurbish or alter the SIGN.
- (c) For temporary SIGNS, the Development Authority or Enforcement Officer may remove SIGNS that do not conform to the BYLAW, is abandoned, or in bad repair. All costs associated with the removal of the SIGN may be charged back to the owner of the SIGN with a minimum charge of \$50.00.

7.42 SUBDIVISION AND DEVELOPMENT REFERRALS

7.42.1 ALBERTA CULTURAL AND COMMUNITY SPIRIT

When reviewing SUBDIVISION applications for proposed land uses which may impact a historical site, the DEVELOPMENT OFFICER shall:

- (a) Shall refer, to Alberta Cultural and Community Spirit and Historical Resources Division for review and comment, all DEVELOPMENT PERMIT applications that include:
 - i) the structural renovation and relocation of, or addition to, an identified historical building, and
 - ii) the disturbance or excavation of soil more than 0.31 m (1 foot) below the natural surface of a property containing a historical site for land uses, such as BASEMENTS, water reservoirs, swimming pools or the installation of ROADS and utilities.
- (b) May refer to Alberta Community Development, Cultural Facilities, and Historical Resources Division for review and comment, a DEVELOPMENT PERMIT application that:
 - i) includes the disturbance or excavation of soil more than 0.31 m (1 foot) below the natural surface of a site that is adjacent to, and situated less than 199.95 m (656 feet) from, an identified historic site, or
 - ii) in the opinion of the Development Authority, may have an adverse impact on an identified historical site.

7.42.2 ALBERTA TRANSPORTATION

- (a) When the COUNTY receives an application for subdivision or a DEVELOPMENT PERMIT regarding a property that is located within 0.8 km (0.5 miles) of a HIGHWAY or that may impact on a HIGHWAY, airport, bridge, ferry, or other DEVELOPMENT administered by Alberta Transportation, a copy of the application shall be forwarded to Alberta Transportation for comments and recommendations.
- (b) Referrals are required for the following site locations:

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- i) Subdivision applications within 0.8 km (0.5 miles) of a HIGHWAY.
- ii) A DEVELOPMENT PERMIT application within 300 m (984 feet) of a HIGHWAY.
- iii) A DEVELOPMENT PERMIT application within 0.8 km (0.5 miles) of a HIGHWAY intersection.

7.42.3 CRITICAL WILDLIFE, VEGETATION, AND NATURAL ENVIRONMENTS

In order to ensure the preservation of land which is identified or deemed by the COUNTY to be a critical wildlife habitat, vegetative area, and/or sensitive natural environment, the COUNTY may refer any DEVELOPMENT PERMIT application which may adversely affect the subject or adjacent property to Alberta Environment for comments and recommendations.

7.42.4 CROWN LAND DEVELOPMENT

When the COUNTY receives an application for subdivision or a DEVELOPMENT PERMIT regarding a property located on Crown owned land, a copy of the application shall be forwarded to Alberta Environment and/or Alberta Agriculture, Food and Rural Development for comments and recommendations.

7.42.5 RAILWAY AUTHORITIES

When the COUNTY receives an application for subdivision or a DEVELOPMENT PERMIT regarding a property situated within 300 m (984 feet) of railway tracks, a copy of the application shall be forwarded to the Railway Authority for comments and recommendations.

7.42.6 OTHER REFERRAL AGENCIES

- (a) As required by the provisions of an adopted INTER-MUNICIPAL DEVELOPMENT PLAN, the DEVELOPMENT OFFICER shall forward copies of all DEVELOPMENT proposals that are located within an approved Inter-municipal Planning Area to the appropriate municipality for their review and comment.
- (b) All subdivision applications received by the COUNTY are referred to ATCO Electric, Northern Lights Gas Co-op, TELUS, and Mackenzie County Operational Services Department for their review and comments/requirements.
- (c) The Subdivision Authority may use its discretion to refer an application to any other agency for comments, as they deem necessary or appropriate to the application in question.

7.43 TOPSOIL REMOVAL

- (a) A DEVELOPMENT PERMIT is required for the removal or stockpile of topsoil for non-agricultural purposes.
- (b) A DEVELOPMENT PERMIT shall only be granted to an application on land (property) in LAND USE DISTRICTS where the commercial sale of topsoil is allowed, and where it is shown to the satisfaction of the Development Authority that the land or ADJACENT LAND will not be adversely affected by the removal of the topsoil.

SECTION SEVEN – GENERAL REGULATIONS

- (c) An application for the removal of topsoil may be referred to Alberta Environment for advice.

7.44 UNSIGHTLY PROPERTY

The owner of property that is in an unsightly condition as a result of neglect and/or the stockpiling of materials may be required by the Development Authority to:

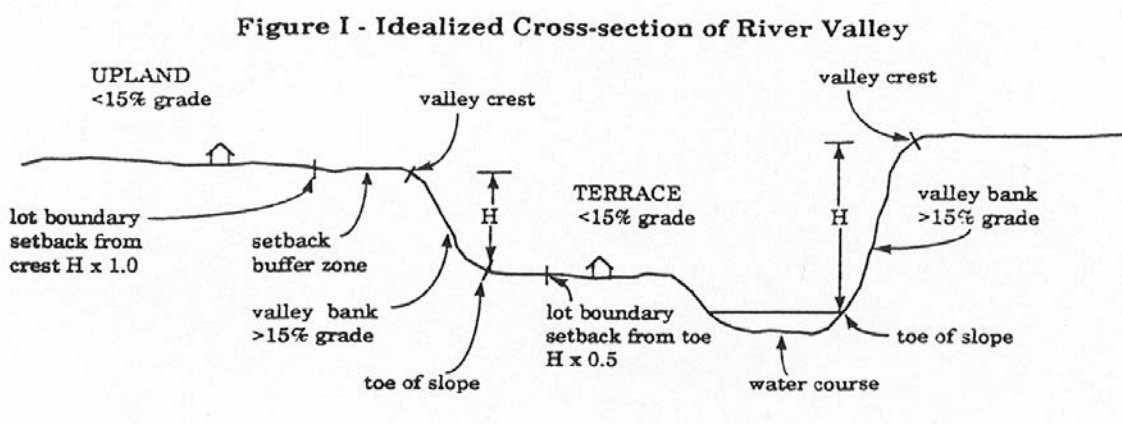
- (a) improve the appearance of the property in the manner specified; or
- (b) if the property is a structure, remove or demolish the structure and level the site; and
- (c) make any other changes in accordance with the COUNTY’S Unsightly Premises BYLAW.

7.45 WATERBODIES AND WATERCOURSES

- (a) Where a parcel of land borders on or contains a coulee, ravine, or valley, with or without a watercourse, the following minimum building or structure setbacks, from the top of the bank of the coulee, ravine, or valley, shall apply:

DEPTH OF RAVINE, COULEE OR VALLEY WITHOUT WATER	MINIMUM SETBACK
Less than 7.6 m (25 feet)	22.9 m (75 feet) or at the discretion of the Development Authority
Greater than 7.6 m (25 feet) but less than 15.2 m (50 feet)	22.9 m (75 feet)
Greater than 15.2 m (50 feet) but less than 30.5 m (100 feet)	45.7 m (150 feet)
Greater than 30.5 m (100 feet)	61 m (200 feet)

- i) For banks with a smooth and uninterrupted GRADE, the depth will be considered to be the vertical distance from the valley crest to the toe of the slope (refer to Figure I);
- ii) For banks which fall in a series of benches, the depth of the bank will be considered as the vertical distance between the valley crest to the toe of the slope of the next adjacent bench;



SECTION SEVEN – GENERAL REGULATIONS

- iii) Where DEVELOPMENT is proposed to locate on a bench below the bank top, the DEVELOPMENT will be required to meet the setback requirement from both the upper and lower benches.
- (b) Notwithstanding the above, the Development Authority may increase the building or structure setbacks where deemed necessary.
- (c) A setback from the top of the bank of a coulee, ravine, or valley being more than 7.6 m (25 feet) in depth may only be relaxed if it can be shown through an acceptable geotechnical analysis that the proposed DEVELOPMENT site is suitable for the proposed DEVELOPMENT.
- (d) Where a parcel of land borders on or contains a water body the building setback from the top of the bank of the water body shall not be less than 30.5 m (100 feet) from a water body.
- (e) In making a decision on the setback from a water body, the Development Authority may refer the application for a DEVELOPMENT PERMIT to Alberta Environment for comments prior to issuing a permit. If Alberta Environment requires that the setback be greater than stated in this BYLAW, the provincial standard will apply.

7.46 WILDLAND/URBAN INTERFACE DEVELOPMENTS - REMOTE AREAS

- (a) When, in the opinion of the Development Authority, a proposed DEVELOPMENT would be located in an area which may be a significant wildfire hazard area, or too remote for existing municipal services to be effective in an emergency, the Development Authority shall consider the following as a condition(s) to the issuance of a DEVELOPMENT PERMIT:
 - i) the suitability of the site for the proposed use;
 - ii) measures which can be taken to reduce fire hazard may include, but at the discretion of the Development Authority, are not limited to:
 - (1) A 5 m (16 foot) perimeter around all structural DEVELOPMENTS on the site which should be free of all trees, shrubs and fine fuels;
 - (2) A reduced fuel zone perimeter of 5 m (16 feet) from (i) above in which all branches, living, or dead, and any loose flakey bark shall be removed to a height of 2 m (6.5 feet) above ground level;
 - (3) The installation of spark arresters on all fire-places and chimneys;
 - (4) The provision of an emergency access;
 - (5) Roofs to be constructed of non-combustible or combustion retardant materials;
 - (6) The provision of an adequate on/off-site water supply and equipment for firefighting purposes (such as fire extinguishers). A recommended water supply for residential DEVELOPMENTS is a minimum of 225 L (49.5 gallons); and
 - (7) A firebreak of 5 m (16 feet) in width shall be cleared of standing trees and all fine fuels around the entire perimeter of the site.
- (b) When, in the opinion of the Development Authority, a proposed DEVELOPMENT would be located in an area which may be susceptible to wildfires from on-site or adjacent forested areas, the Development Authority may consult with a Forest Protection Officer of Alberta Environment on “Fire Smart Planning” recommendations prior to the issuance of a DEVELOPMENT PERMIT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

Pursuant to the Act, the COUNTY is divided into the following LAND USE DISTRICTS and the DEVELOPMENT OFFICER is hereby authorized to assess and decide applications for DEVELOPMENT PERMITS for all permitted, discretionary, or “same or similar” uses and other provisions as stipulated in this BYLAW in the following LAND USE DISTRICTS.

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LAND USE DISTRICT BOUNDARIES

- (a) The LAND USE DISTRICT Maps, as may be amended or replaced from time to time, are those maps contained in Schedule “A” of this BYLAW.
- (b) In the event that a dispute arises over the boundary of any LAND USE DISTRICT as shown on the LAND USE DISTRICT Maps, the Development Authority shall decide upon the location of the boundary.

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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

AGRICULTURAL “A”

The purposes of this LAND USE DISTRICT are to conserve land for a wide range of agricultural uses, to minimize the fragmentation of agricultural land, and to limit non-agricultural land uses to those which would not interfere with agricultural practices.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED b) BUNKHOUSE c) CONTRACTOR’S BUSINESS/YARD d) DWELLING - SINGLE FAMILY e) DUGOUT f) EXTENSIVE AGRICULTURE g) FARM SUBSIDIARY BUSINESS h) GARAGE - ATTACHED i) GARAGE - DETACHED j) GARDEN SUITE k) HOME BASED BUSINESS L) INTENSIVE AGRICULTURE 1 m) MANUFACTURED HOME - MODULAR n) MANUFACTURED HOME - DOUBLE WIDE o) MANUFACTURED HOME - SINGLE WIDE p) SEA CAN q) SHOP - FARM a) STORAGE YARD r) YARD SITE DEVELOPMENT 	<ul style="list-style-type: none"> b) AUCTION MART c) AUTO SALVAGE d) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES e) BED AND BREAKFAST BUSINESS f) DWELLING - SHOW HOME g) CEMETERY h) CHURCH i) COMMUNICATION TOWER j) ENVIRO - TANK k) FORESTRY LOOKOUT TOWER l) HANDICRAFT BUSINESS m) INDUSTRIAL CAMP n) INSTITUTIONAL USE o) INTENSIVE RECREATIONAL USE p) KENNEL q) NATURAL RESOURCE EXTRACTION INDUSTRY r) PRESSURE VESSEL STORAGE s) PUBLIC USE t) RETAIL STORE u) SECONDARY SUITE v) SEWAGE LAGOON w) SEWAGE TREATMENT PLANT x) TEMPORARY/PORTABLE UNIT y) TRADESMEN’S BUSINESS z) VETERINARY CLINIC aa) WASTE TRANSFER STATION

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Density (maximum):

- i) AGRICULTURAL SUBDIVISIONS: *(Bylaw 890-13)*

The following standards shall apply to the number of parcels per PROPERTY:

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

PROPERTIES 19.1 – 38.2 ha (81-160 acres) or more shall be allowed 3 titles (2 parcels subdivided out)

PROPERTIES of 19.1 ha (80.9 acres) or less shall be allowed 2 titles (1 parcel subdivided out)

ii) All other uses: All other uses require rezoning and must submit an Area Structure Plan for the entire PROPERTY

(b) LOT Area:

RESIDENTIAL: Minimum: 1.2 ha (3.0 acres)
Maximum: 4.1 ha (10 acres) unless an existing residence requires the approval of a larger parcel size to meet setback requirements, or the subject site is a FRAGMENTED PARCEL that in the opinion of the Development Authority is difficult to farm.

All Other Uses: At the discretion of the Development Authority

(c) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

All other property lines: 15.2 m (50 feet)

(d) DWELLING UNITS per parcel – See Section 7.17

D. ADDITIONAL REQUIREMENTS

(a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

(b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1 DIRECT CONTROL “DC”

The purpose of this LAND USE DISTRICT is to provide for Direct Control of DEVELOPMENT in areas of special character or circumstance or where deemed necessary by COUNCIL.

A. USES

- | |
|---|
| <ul style="list-style-type: none">a) ADULT ENTERTAINMENT BUSINESSb) FUNERAL HOMEc) LIQUOR STOREd) PAWN SHOPe) All uses that require approval from the Alberta Gaming and Liquor Commission, with the exception of occasional licences not exceeding 72 hoursf) Any other use and ACCESSORY use deemed necessary by COUNCIL |
|---|

B. DEVELOPMENT REGULATIONS

- (a) DEVELOPMENT standards will be established at the discretion of COUNCIL having regard to the nature of the proposed land use and may include, but is not restricted to, the following: LOT and FLOOR AREA, DEVELOPMENT setbacks, design, character and appearance of buildings, access and parking.
- (b) When making a decision on a DEVELOPMENT PERMIT application, COUNCIL shall take into account the compatibility of the proposed land use with surrounding land uses and the character of the community.
- (c) A Direct Control District shall not be located within 152.4 m (500 feet) of a CHURCH, education institution, PARK, DAY CARE FACILITY, or PUBLIC USE unless otherwise approved by COUNCIL.
- (d) There shall be no appeal allowed to the Subdivision and Development Appeal Board on decisions made by Council on application for proposed development on lands zoned Direct Control District.

C. REQUIREMENTS

- (a) All site requirements shall be at the discretion of COUNCIL, based upon a site plan which is submitted as part of a DEVELOPMENT PERMIT application.
- (b) All DEVELOPMENT shall conform to the spirit and intent of the MUNICIPAL DEVELOPMENT PLAN.
- (c) COUNCIL may refer to other sections of this BYLAW to determine requirements for specific types of proposed land uses on property zoned under this LAND USE DISTRICT.
- (d) COUNCIL may decide on other requirements as are necessary, having regard to the nature of the proposed DEVELOPMENT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (e) COUNCIL shall approve all applications for principal uses on property zoned under this LAND USE DISTRICT. DEVELOPMENT proposals for secondary or ancillary uses may be delegated to the Development Authority at COUNCIL's discretion.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.2 FORESTRY “F”

The general intent of this LAND USE DISTRICT is to regulate land use within the Green Area of the COUNTY.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED	a) COMMUNITY PASTURE
b) CABIN	b) EXTENSIVE RECREATIONAL USE
c) CARETAKERS RESIDENCE/SECURITY SUITE	c) FIRE HALL OR FACILITY
d) COMMUNICATION TOWER	d) INTENSIVE RECREATIONAL USE
e) DUGOUT	e) NATURAL RESOURCE EXTRACTION INDUSTRY
f) FOREST BASED INDUSTRY	f) PUBLIC USE
g) FORESTRY BUILDING	g) TEMPORARY/PORTABLE UNIT
h) INDUSTRIAL CAMP	h) WATER RESERVOIR STRUCTURE
i) PETROLEUM FACILITY	i) WATER TREATMENT FACILITY
j) SEA CAN	
k) WOODLOT MANAGEMENT	

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

All other property lines: 15.2 m (50 feet)

D. ADDITIONAL REQUIREMENTS

A DEVELOPMENT PERMIT may be issued for DEVELOPMENT on Crown Land subject to approval being obtained from Alberta Sustainable Resource DEVELOPMENT.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.4 HAMLET COMMERCIAL 1 “HC1”

The general purpose of this LAND USE DISTRICT is to permit commercial DEVELOPMENT that is sensitive in scale to adjacent uses within downtown or core areas of established HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED b) CONVENIENCE STORE c) GENERAL SERVICES ESTABLISHMENT d) LAUNDROMAT e) MOTEL or HOTEL f) PROFESSIONAL OFFICE g) RESTAURANT h) RETAIL STORE i) SEA CAN 	<ul style="list-style-type: none"> b) BUS DEPOT c) Commercial Use + DWELLING - APARTMENT d) DWELLING UNIT in conjunction with the primary use provided it is incorporated in the same building and the total FLOOR AREA of the DWELLING UNIT shall be less than the FLOOR AREA for the other use e) ENVIRO - TANK f) INTENSIVE RECREATIONAL USE g) MANUFACTURED HOME - SINGLE WIDE h) MANUFACTURED HOME - DOUBLE WIDE i) PUBLIC USE j) RECYCLING FACILITY k) SERVICE STATION l) TRADESMENS BUSINESS m) VEHICLE WASH ESTABLISHMENT

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet) except along the east side of 100th Street in La Crete where the minimum shall be increased to 30.5 m (100 feet).

YARD - SIDE: If site is abutting a residential LAND USE DISTRICT:
1.5 m (5 feet)

All other uses: None required.

YARD - REAR: 3.1 m (10 feet)

(c) Minimum Total Floor Area

As required of the Development Authority.

D. ADDITIONAL REQUIREMENTS

- (a) Placement of MANUFACTURED HOME-SINGLE OR DOUBLE WIDE on a non-permanent foundation may be allowed at the discretion of the Development Authority on LOTS abutting a residential LAND USE DISTRICT. MANUFACTURED HOMES-SINGLE OR DOUBLE WIDE are regarded as conforming transitional non-permanent buildings which will be replaced by commercial DEVELOPMENT.
- (b) MANUFACTURED HOMES-SINGLE AND DOUBLE WIDE will not be permitted on a LOT where a commercial DEVELOPMENT has occurred.
- (c) A DWELLING - APARTMENT forming part of a commercial building and being situated on a floor other than the ground or BASEMENT floor may be allowed at the discretion.
- (d) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (e) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.5 HAMLET COMMERCIAL 2 “HC2”

The general purpose of this LAND USE DISTRICT is to permit commercial DEVELOPMENT on large, high visibility sites in established HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) AGRICULTURAL MACHINERY SALES AND SERVICE b) ANCILLARY BUILDING/SHED c) AUTOMOTIVE EQUIPMENT AND VEHILCE SERVICES d) CONVENIENCE STORE e) RESTAURANT f) SEA CAN g) SERVICE STATION h) TRADESMENS BUSINESS i) VEHICLE WASH ESTABLISHMENT 	<ul style="list-style-type: none"> a) AUCTION MART b) CARDLOCK c) ENVIRO - TANK d) GENERAL SERVICES ESTABLISHMENT e) LUMBER YARD f) MANUFACTURED HOME SALES AND SERVICE g) MOTEL or HOTEL h) PROFESSIONAL OFFICES i) PUBLIC USE j) RECYCLING FACILITY

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Area:

At the discretion of the Development Authority

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet) except along the east side of 100th Street in La Crete where the minimum shall be increased to 30.5 m (100 feet).

YARD - SIDE: If site is abutting a residential LAND USE DISTRICT:
1.5 m (5 feet)

All other uses: None required.

YARD - REAR: 3.1 m (10 feet)

(c) Minimum Total Floor Area

As required of the Development Authority.

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.6 HAMLET COUNTRY RESIDENTIAL 1 “HCR1”

The general purpose of this LAND USE DISTRICT is to allow for the DEVELOPMENT of single family dwellings and related uses on serviced COUNTRY RESIDENTIAL LOTS in HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED d) GARAGE - DETACHED 	<ul style="list-style-type: none"> a) BED AND BREAKFAST BUSINESS b) DWELLING - SHOW HOME c) HOME BASED BUSINESS d) MANUFACTURED HOME - DOUBLE WIDE e) MANUFACTURED HOME - MODULAR f) MANUFACTURED HOME - SINGLE WIDE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

- (a) **LOT Area:**
 - Minimum: 0.4 ha (1.0 acre)
 - Maximum: 1.0 ha (2.5 acres)

- (b) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

YARD - SIDE: 4.6 m (15 feet)

YARD - REAR: 7.6 m (25 feet)

D. ADDITIONAL REQUIREMENTS

- (a) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.
- (b) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is required so that the appearance, design and construction will compliment the

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.

- (c) All ancillary structures to MANUFACTURED HOMES, such as patios, porches, additions, etc., shall be factory prefabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will compliment the manufactured home.
- (d) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (e) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and the character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.7 HAMLET COUNTRY RESIDENTIAL 2 “HCR2”

The general purpose of this LAND USE DISTRICT is to allow for the DEVELOPMENT of manufactured homes and related uses on serviced COUNTRY RESIDENTIAL LOTS within HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) GARAGE - ATTACHED c) GARAGE - DETACHED d) MANUFACTURED HOME - DOUBLE WIDE e) MANUFACTURED HOME - MODULAR f) MANUFACTURED HOME - SINGLE WIDE	a) BED AND BREAKFAST BUSINESS b) DWELLING - SINGLE FAMILY c) DWELLING - SHOW HOME d) HOME BASED BUSINESS e) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) **LOT Area:** Minimum: 0.4 ha (1.0 acre)
Maximum: 1.0 ha (2.5 acres)

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

YARD - SIDE: 4.6 m (15 feet)

YARD - REAR: 7.6 m (25 feet)

D. ADDITIONAL REQUIREMENTS

(a) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.

(b) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

required so that the appearance, design and construction will compliment the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.

- (c) All ancillary structures to MANUFACTURED HOMES, such as patios, porches, additions, etc., shall be factory prefabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will compliment the manufactured home.
- (d) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (e) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and the character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.8 HAMLET GENERAL “HG”

The general purpose of this LAND USE DISTRICT is to allow a variety of urban-type land uses in isolated, natural resource HAMLETS and settlements. No use is to be established that is, or will become, obnoxious by way of noise, odour or fumes.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED b) CARETAKERS RESIDENCE/SECURITY SUITE c) CHURCH d) CONVENIENCE STORE e) GARAGE – ATTACHED (<i>Bylaw 853-12</i>) f) GARAGE – DETACHED (<i>Bylaw 853-12</i>) g) LAUNDROMAT h) MANUFACTURED HOME - SINGLE WIDE i) MANUFACTURED HOME – DOUBLE WIDE (<i>Bylaw 853-12</i>) j) MANUFACTURED HOME – MODULAR (<i>Bylaw 853-12</i>) k) PROFESSIONAL OFFICE l) RESTAURANT m) RETAIL STORE n) SEA CAN o) SERVICE STATION p) STORAGE YARD q) TRADESMEN’S BUSINESS r) VEHICLE WASH ESTABLISHMENT 	<ul style="list-style-type: none"> a) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES b) BULK FUEL/PROPANE SALES c) CARDLOCK d) CONTRACTOR’S BUSINESS/YARD e) INDUSTRIAL CAMP f) INTENSIVE RECREATIONAL USE g) MOTEL or HOTEL h) OIL FIELD SERVICE i) TEMPORARY/PORTABLE UNIT j) TRUCK STOP k) SHOP (<i>Bylaw 853-12</i>) l) WELDING SHOP

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Area: Minimum: 0.4 ha (1.0 acre)
Maximum: 1.0 ha (2.5 acres)

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 9.1 m (30 feet)

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.9 HAMLET INDUSTRIAL 1 “HI1” (REPLACES former “HI3” of Bylaw 462-04)

The general purpose of this LAND USE DISTRICT is to permit lighter industrial DEVELOPMENT in established HAMLETS. The DEVELOPMENT operates in such a manner that no nuisance factor is created or apparent outside an enclosed building. Limited outdoor activities (loading, service, storage, etc.) that are ACCESSORY to a principal use may occur providing the scale of such activities does not unduly conflict with the primary purpose of this LAND USE DISTRICT or dominate the use of the site.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) AGRICULTURAL MACHINERY SALES AND SERVICE b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES c) CARDLOCK d) CONTRACTOR’S BUSINESS/YARD e) CONTRACTOR’S SERVICE f) SEA CAN g) VEHICLE WASH ESTABLISHMENT 	<ul style="list-style-type: none"> a) CARETAKER’S SUITE/SECURITY SUITE (Zama only) b) INDUSTRIAL CAMP c) MANUFACTURED HOME SALES AND SERVICE d) STORAGE YARD

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Density: At the discretion of the Development Authority.

(b) Minimum Setbacks:

- YARD - FRONT: 9.1 m (30 feet)
- YARD - EXTERIOR SIDE: 9.1 m (30 feet)
- YARD - INTERIOR SIDE: 3.1 m (10 feet)
- YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining

DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.10 HAMLET INDUSTRIAL 2 “HI2” (Replaces former “HI1” & “HI2” of Bylaw 462-04)

The general purpose of this LAND USE DISTRICT is to permit medium and heavy industrial DEVELOPMENT in established HAMLETS. The LAND USE DISTRICT accommodates manufacturing, processing, assembly, distribution, service and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) CONTRACTOR’S BUSINESS b) TRADESMEN’S BUSINESS c) VEHICLE WASH ESTABLISHMENT d) SEA CAN e) STORAGE YARD 	<ul style="list-style-type: none"> a) AUTO SALVAGE b) BULK FERTILIZER STORAGE AND/OR SALES c) BULK FUEL/PROPANE SALES d) CARDLOCK e) CARETAKER’S SUITE/SECURITY SUITE (Zama only) e) CONCRETE PRODUCTS MANUFACTURING f) EQUIPMENT RENTAL FACILITY g) GRAIN ELEVATOR h) INDUSTRIAL CAMP i) Industrial Uses that are not obnoxious by reason of emission of odours, dust, gas, noise or vibration at the discretion of the Development Authority j) OIL FIELD SERVICE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Density: At the discretion of the Development Authority.

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

(a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated

buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.11 HAMLET RESIDENTIAL 1 “HR1” (Replaces former HR1 and HR2 of Bylaw 462-04)

The general purpose of this LAND USE DISTRICT is to permit residential uses in HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED d) GARAGE - DETACHED e) MANUFACTURED HOME - DOUBLE WIDE f) MANUFACTURED HOME - MODULAR g) MANUFACTURED HOME - SINGLE WIDE	a) BED AND BREAKFAST BUSINESS b) GARDEN SUITE (Zama only) c) DWELLING - DUPLEX d) DWELLING – ROW e) DWELLING - SHOW HOME f) HOME BASED BUSINESS g) OWNER/OPERATOR BUSINESS 2 (Zama only) h) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

- LOT WIDTH: 22 m (72 feet)
- LOT DEPTH: 33.5 m (110 feet)

(b) Minimum Setbacks:

- YARD – FRONT: 7.6 m (25 feet)
- YARD – INTERIOR SIDE: 1.5 m (5 feet)
- YARD – EXTERIOR SIDE: 3.1 m (10 feet)
- YARD – REAR: 2.4 m (8 feet) with overhead utility servicing
1.5 m (5 feet) with underground utility servicing

D. ADDITIONAL REQUIREMENTS

(a) Shops (Zama only**)**

- i) Building Area (maximum): 139.35 sq m (1,500 square feet)
- ii) BUILDING HEIGHT (maximum): 4.3 m (14 feet)
- iii) Height (Door Opening) (maximum): 3.7 m (12 feet)

(b) All new subdivisions shall have underground servicing.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (c) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (d) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.12 HAMLET RESIDENTIAL 1A “HR1A”

The general purpose of this LAND USE DISTRICT is to permit residential uses in established HAMLETS, with the intention of restricting DEVELOPMENT to on-site stick-built DWELLING – SINGLE DETACHED with GARAGE – ATTACHED and associated uses.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY with GARAGE - ATTACHED	a) DWELLING - SHOW HOME b) GARAGE – DETACHED c) HOME BASED BUSINESS d) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

LOT WIDTH: 22 m (72 feet); OR
16.75 meters (55 feet) subject to the subdivision being directly adjacent to a Recreation “REC” zoning.

LOT DEPTH: 33.5 m (110 feet)

(b) Setbacks:

Required
YARD – FRONT: 7.6 m (25 feet)

Minimum:
YARD – INTERIOR SIDE: 1.5 m (5 feet)

YARD – EXTERIOR SIDE: 3.1 m (10 feet)

YARD – REAR: 2.4 m (8 feet) with overhead utility servicing
1.5 m (5 feet) with underground utility servicing

D. ADDITIONAL REQUIREMENTS

(a) GARAGE - ATTACHED are mandatory for all dwellings in this LAND USE DISTRICT. The GARAGE - ATTACHED may be required to be located on the same side as the adjacent properties GARAGE – ATTACHED at the discretion of the Development Authority.

(b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

(c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.13 HAMLET RESIDENTIAL 1B “HR1B”

The general purpose of this LAND USE DISTRICT is to permit residential uses in established HAMLETS, with the intention of restricting DEVELOPMENT to on-site stick-built DWELLING – SINGLE DETACHED and associated uses.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED d) GARAGE - DETACHED	a) DWELLING – DUPLEX b) DWELLING - SHOW HOME c) HOME BASED BUSINESS d) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

LOT WIDTH:	22 m (72 feet)
LOT DEPTH:	33.5 m (110 feet)

(b) Setbacks:**Required**

YARD – FRONT:	7.6 m (25 feet)
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Minimum:

YARD – INTERIOR SIDE:	1.5 m (5 feet)
YARD – EXTERIOR SIDE:	3.1 m (10 feet)

YARD – REAR:	2.4 m (8 feet) with overhead utility servicing 1.5 m (5 feet) with underground utility servicing
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D. ADDITIONAL REQUIREMENTS

- (a) For those residences constructed with a GARAGE, the GARAGE may be required to be located on the same side as the adjacent properties GARAGE at the discretion of the Development Authority.
- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

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- (c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.14 HAMLET RESIDENTIAL 2 “HR2” (Replaces former HR3 and HR4 of Bylaw 462-04)

The general purpose of this LAND USE DISTRICT is to permit medium and high-density residential DEVELOPMENT in established HAMLETS.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - DUPLEX c) DWELLING - ROW	a) DWELLING - APARTMENT b) DWELLING - GROUP HOME c) DWELLING – MULTIPLE e) DWELLING - SHOW HOME d) DWELLING - SINGLE FAMILY e) GARAGE – ATTACHED f) GARARE - DETACHED

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

LOT WIDTH: 22 m (72 feet); OR
18.29 meters (60 feet) subject to the subdivision being directly adjacent to a Recreation “REC” zoning.

LOT DEPTH: 33.5 m (110 feet)

(b) Minimum Setbacks:

YARD – FRONT: 7.6 m (25 feet)

YARD – INTERIOR SIDE: 1.5 m (5 feet)

YARD – EXTERIOR SIDE: 3.1 m (10 feet)

YARD – REAR: 2.4 m (8 feet) with overhead utility servicing
1.5 m (5 feet) with underground utility servicing

D. ADDITIONAL REQUIREMENTS**(a) All DEVELOPMENT shall provide:**

- i) Provision and access to garbage storage
- ii) Lighting between DWELLING UNITS
- iii) Orientation of buildings and general site appearance
- iv) Safe pedestrian access to and from the public sidewalk fronting the building
- v) Parking areas adjacent to streets must be paved

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (c) Buildings must be of new construction. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

8.15 HIGHWAY DEVELOPMENT “HD”

The general purpose of this LAND USE DISTRICT is to regulate DEVELOPMENT adjacent to HIGHWAYS and local roads. DEVELOPMENT should be restricted to that which is required to serve the motoring public.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES c) CONVENIENCE STORE d) HIGHWAY MAINTENANCE YARD e) HOTEL f) MOTEL g) PUBLIC USE h) RESTAURANT i) SEA CAN j) SERVICE STATION k) TRUCK STOP 	<ul style="list-style-type: none"> a) BULK FUEL/PROPANE SALES b) CARETAKERS RESIDENCE/SECURITY SUITE c) EXTENSIVE AGRICULTURE d) INSTITUTIONAL USE e) RECREATIONAL VEHICLE PARK f) TRADESMEN'S BUSINESS

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD:

9.1 m (30 feet)

All other property lines: 15.2 m (50 feet)

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.16 HUTCH LAKE RECREATION “HLR”

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of a recreation area at Hutch Lake. All DEVELOPMENTS shall conform to the Hutch Lake AREA STRUCTURE PLAN.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) COTTAGE c) DECK, (including a DECK screen enclosure, a DECK awning/canopy) for the recreation vehicle or COTTAGE d) YARD SITE DEVELOPMENT	a) GARAGE - DETACHED

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Dwelling Density (maximum):

1 RECREATIONAL VEHICLE and 1 COTTAGE per LOT

(b) LOT Area (minimum): 0.2 ha (0.5 acres)

(c) Lot Dimensions (minimum):

LOT WIDTH (minimum): 30.5 m (100 feet)

LOT DEPTH (minimum): 45.7 m (150 feet)

(d) Minimum Setbacks:

YARD – FRONT: 15.2 m (50 feet)

YARD – SIDE: 7.6 m (25 feet)

YARD – REAR: 7.6 m (25 feet)

(e) LOT COVERAGE (maximum):25%

The density of DEVELOPMENT (number of LOTS per hectare/acre) shall be in accordance with the provisions of the Hutch Lake Recreation District AREA STRUCTURE PLAN.

D. ADDITIONAL REQUIREMENTS

- (a) The provision of access to each LOT shall be as required by the Development Authority and developed in accordance with County standards.
- (b) One (1) RECREATIONAL VEHICLE parking stall plus a minimum of two (2) parking stalls.
- (c) There shall be no allowance for on-street parking.
- (d) Each LOT shall be landscaped as required by the Development Authority to ensure proper vegetation and tree coverage for appearance and drainage purposes. Approval shall be required by the Development Authority prior to the removal of trees and/or vegetation from any LOT.
- (e) All DEVELOPMENT on a LOT shall be of a style and appearance which is compatible with the natural qualities of the recreation area. The character and appearance of all DEVELOPMENT on each recreation LOT shall be maintained to minimize any adverse impacts which may occur on adjacent recreation LOTS or the recreation area in general.
- (f) All water and sewage disposal must conform to the requirements of the Hutch Lake AREA STRUCTURE PLAN and Alberta Private Sewage Systems Standard of Practice 2009.

E. ADDITIONAL REQUIREMENTS

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

F. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.17 MANUFACTURED HOME COMMUNITY “MHC”

The general purpose of this LAND USE DISTRICT is to provide for a MANUFACTURED HOME COMMUNITY with common servicing.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) LAUNDROMAT c) MANUFACTURED HOME COMMUNITY OFFICE d) MANUFACTURED HOME - SINGLE WIDE	a) CONVENIENCE STORE b) GARAGE – ATTACHED c) GARAGE – DETACHED d) PUBLIC USE e) RECREATIONAL CENTER OR LODGE f) STORAGE YARD

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) MANUFACTURED HOME COMMUNITY requirements:

- i) Site Area (minimum): 2.0 ha (5 acres)
- ii) Density (maximum): 20 units per ha (8 units per acre)

No building or structure other than a fence in a MANUFACTURED HOME COMMUNITY shall be located within 10 feet (3.1 m) from the right-of-way of any public roadway adjacent to the MANUFACTURED HOME COMMUNITY.

(b) MANUFACTURED HOME COMMUNITY LOT requirements:

- i) MANUFACTURED HOME - SINGLE WIDE (minimum):

LOT Area: 350 sq m (3,767 sq feet)
 LOT WIDTH: 11.48 m (37.66 feet)
 LOT DEPTH: 30.5 m (100 feet)

- ii) MANUFACTURED HOME – DOUBLE WIDE (minimum):

LOT Area: 443 sq m (4,768 sq feet)
 LOT WIDTH: 14.52 m (47.64 feet)
 LOT DEPTH: 30.5 m (100 feet)

(c) Setbacks (minimum):

Adjacent to Public ROAD Right-of-Way: 4.6 m (15 feet)
 YARD – FRONT: 3.7 m (12 feet) from an internal roadway or parking area
 YARD – INTERIOR SIDE: 1.5 m (5 feet)
 YARD – REAR: 2.4 m (8 feet)

D. ADDITIONAL REQUIREMENTS**(a) Storage:**

- i) A common storage area of 18.6 sq m (200 sq feet) per MANUFACTURED HOME site within the community, separate from the MANUFACTURED HOME leased sites, may be required to be provided at the discretion of the Municipal Planning Commission, based on lot sizes, for the purpose of vehicles, RECREATIONAL VEHICLES, watercraft, and other items that cannot be stored on the individual MANUFACTURED HOME COMMUNITY LOTS.
- ii) A common storage area shall be enclosed or screened by trees, landscape features or fences or a combination thereof.
- iii) No vehicle over 1 tonne rating with exception to RECREATIONAL VEHICLES shall be parked on a MANUFACTURED HOME COMMUNITY LOT or internal street for longer than is reasonably required to load or unload such vehicle.
- iv) Not more than one recreation vehicle or trailer may be parked on an individual MANUFACTURED HOME COMMUNITY LOT.

(b) Open Space:

- i) A minimum of 10% of the gross MANUFACTURED HOME COMMUNITY shall be set aside for common open space recreation area and no portion of any MANUFACTURED HOME COMMUNITY LOT shall be placed in this open space.
- ii) All areas on a MANUFACTURED HOME COMMUNITY not developed by walkways, driveways or parking aprons shall be grassed and landscaped to the satisfaction of the Development Authority.

(c) Appearance

- i) All MANUFACTURED HOMES shall conform to the Alberta Building Code.
- ii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall compliment the appearance, design and construction of the MANUFACTURED HOME.
- iii) The undercarriage of MANUFACTURED HOMES shall be screened from view by skirting or such other means satisfactory to the Development Authority.

(d) Screening

The perimeter of the MANUFACTURED HOME COMMUNITY may require fencing or screening as specified in Section 7.28 of this Bylaw, satisfactory to the Development Authority.

E. ADDITIONAL REQUIREMENTS

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

F. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.18 MANUFACTURED HOME SUBDIVISION 1 “MHS1”

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of larger, newer manufactured homes on subdivided LOTS in urban areas.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) GARAGE - ATTACHED c) GARAGE - DETACHED d) MANUFACTURED HOME - SINGLE WIDE e) MANUFACTURED HOME - DOUBLE WIDE	a) HOME BASED BUSINESS

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

LOT WIDTH:	20 m (66 feet)
LOT DEPTH:	33.5 m (110 feet)

(b) Dwelling Size (minimum):

Width:	4.9 m (16 feet)
Length:	18.3 m (60 feet)

(c) Setbacks:

Required	
YARD – FRONT:	7.6 m (25 feet)
Minimum:	
YARD – INTERIOR SIDE:	1.5 m (5 feet)
YARD – EXTERIOR SIDE:	3.1 m (10 feet)
YARD – REAR:	2.4 m (8 feet) with overhead utility servicing 1.5 m (5 feet) with underground utility servicing

D. ADDITIONAL REQUIREMENTS

- (a) MANUFACTURED HOME placement will be restricted to the right hand side of the LOT when facing it from the street or at the discretion of the Development Authority.**

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- (b) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.
- (c) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is required so that the appearance, design and construction will compliment the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.
- (d) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall compliment the appearance, design and construction of the MANUFACTURED HOME.
- (e) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (f) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.19 MANUFACTURED HOME SUBDIVISION 2 “MHS2”

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of smaller, older manufactured homes on subdivided LOTS in urban areas.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) GARAGE - ATTACHED c) GARAGE - DETACHED d) MANUFACTURED HOME - DOUBLE WIDE e) MANUFACTURED HOME - SINGLE WIDE	a) Addition to Existing DWELLING - SINGLE FAMILY b) HOME BASED BUSINESS

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions (minimum):

LOT WIDTH:	20 m (66 feet)
LOT DEPTH:	33.5 m (110 feet)

(b) Dwelling Size (minimum):

Width:	3.7 m (12 feet)
Length:	12.2 m (40 feet)

(c) Setbacks:

Required	
YARD – FRONT:	7.6 m (25 feet)
Minimum:	
YARD – INTERIOR SIDE:	1.5 m (5 feet)
YARD – EXTERIOR SIDE:	3.1 m (10 feet)
YARD – REAR:	2.4 m (8 feet) with overhead utility servicing 1.5 m (5 feet) with underground utility servicing

D. ADDITIONAL REQUIREMENTS

(a) MANUFACTURED HOME placement will be restricted to the right hand side of the LOT when facing it from the street or at the discretion of the Development Authority.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (b) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.
- (c) Any renovations required by the Development Authority must be completed prior to the MANUFACTURED HOME being moved onto the site.
- (d) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is required so that the appearance, design and construction will compliment the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.
- (e) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall compliment the appearance, design and construction of the MANUFACTURED HOME.
- (f) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (g) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.20 PUBLIC/INSTITUTIONAL “P”

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of land for uses of either a health-related and/or non-profit nature providing services to the community.

A. PERMITTED USES	B. DISCRETIONARY USES
a) CHURCH b) DAY CARE FACILITY c) HOSPITAL d) INSTITUTIONAL USE e) MUSEUM f) PARK g) PARSONAGE h) PLAYGROUND i) PROFESSIONAL OFFICE j) PUBLIC USE k) SENIOR CITIZEN HOUSING l) SCHOOL m) TOURIST INFORMATION FACILITY	a) DWELLING - GROUP HOME b) Dwelling in Association with MEDICAL FACILITY c) INTENSIVE RECREATIONAL USE d) TEMPORARY/PORTABLE UNIT

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Lot Dimensions: At the discretion of the Development Authority

(b) Minimum Setbacks:

YARD – FRONT:	7.6 m (25 feet)
YARD - EXTERIOR SIDE:	7.6 m (25 feet)
YARD - INTERIOR SIDE:	1.5 m (5 feet)
YARD – REAR:	7.6 m (25 feet)

D. ADDITIONAL REQUIREMENTS

(a) A CHURCH, SCHOOL, PARK OR PLAYGROUND, DAY CARE FACILITY or other similar use shall not be located within 152.4 m (500 feet) of a Direct Control District.

(b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.21 RECREATION “REC”

The purpose and intent of this LAND USE DISTRICT is to provide land which has a variety of natural and physical features for general recreation purposes in both rural and urban areas of the COUNTY.

A. PERMITTED USES	B. DISCRETIONARY USES
a) INSTITUTIONAL USE b) PARK c) TOURIST INFORMATION FACILITY	a) CAMPGROUND b) CARETAKERS RESIDENCE/SECURITY SUITE c) CLUB HOUSE d) CONVENIENCE STORE accessory to the principal use e) EXHIBITION GROUNDS 1 f) EXHIBITION GROUNDS 2 g) EXTENSIVE RECREATIONAL USE h) INTENSIVE RECREATIONAL USE i) MUSEUM j) PUBLIC USE k) RECREATIONAL VEHICLE PARK l) RIFLE/SKEET RANGE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

- (a) **Lot Dimensions:** At the discretion of the Development Authority
- (b) **Minimum Setbacks:** At the discretion of the Development Authority
- (c) **Site Coverage:** At the discretion of the Development Authority

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) Exterior finish is required to meet the specifications of the Development Authority giving consideration to the location and surroundings. Exterior finish may be required to be wood, metal, or similar siding, brick or stucco. The finish and appearance of buildings should complement other structures and natural site features to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.22 RESIDENTIAL CONDOMINIUM DISTRICT “RCD”

The purpose of this LAND USE DISTRICT is to provide for residential condominiums units. No person shall use any LOT or erect, alter or use any building or structure for any purpose except one or more of the following:

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED/structure less than 92m ² b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED	a) ANCILLARY BUILDING/SHED/Structure 92 m ² or greater b) DWELLING - DUPLEX c) PARK d) PUBLIC USE e) SIGN f) GARAGE - DETACHED g) INTENSIVE RECREATIONAL USE h) Ponds

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

D. DISTRICT REQUIREMENTS

(a) LOT AREA

Minimum Condominium LOT Area:	0.2 ha (0.49 acres)
Minimum Condominium Block Width:	30 m (98 feet)
Minimum Unit Area (Land)	300 sq m (3,229 sq feet)
Minimum Unit Width (Land)	9 m (29.5 feet)

(b) DEVELOPMENT STANDARDS

Minimum Front and Exterior Side Yard:	7.0 m (23 feet)
Minimum Rear Yard:	7.0 m (23 feet)
Minimum Interior Side Yard:	3.1 m (10 feet)
Minimum Separation Between Buildings:	3.1 m (10 feet)
Minimum Common Landscape Area:	5%
Maximum Gross Density:	0 units/ha
Maximum BUILDING HEIGHT:	10.5 m (34.5 feet)
Minimum Landscape Area/Unit:	30%

E. SPECIAL REQUIREMENTS: LAND UNITS

The front yard for condominium land units may be measured from the edge of the road right-of-way. [Minimum 20 m (66 foot) road right-of-way].

F. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

G. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.23 RURAL COUNTRY RESIDENTIAL 1 “RC1”

The general purpose of this LAND USE DISTRICT is to provide for the DEVELOPMENT of multi-LOT country residences.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED d) GARAGE - DETACHED e) MANUFACTURED HOME - MODULAR	a) BED AND BREAKFAST BUSINESS b) DWELLING - SHOW HOME c) HOME BASED BUSINESS d) Keeping of LIVESTOCK e) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) **LOT Area:** Minimum: 1.2 ha (3.0 acres)
Maximum: 2.0 ha (5 acres)

(b) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

YARD - EXTERIOR SIDE: 15.2 m (50 feet) on a corner site or site abutting an “Agricultural” or “Forestry” DISTRICT

YARD - INTERIOR SIDE: 7.6 m (25 feet)

YARD – REAR: 7.6 m (25 feet)
15.2 m (50 feet) for site abutting an “Agricultural” or “Forestry” DISTRICT.

D. ADDITIONAL REQUIREMENTS

(a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.

(b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.24 RURAL COUNTRY RESIDENTIAL 2 “RC2”

(Replaced former CR and RC Districts (post 2004))

The general purpose of this LAND USE DISTRICT is to provide for the DEVELOPMENT of multi-LOT country residences.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED	a) BED AND BREAKFAST BUSINESS
b) GARAGE - ATTACHED	b) DWELLING - SINGLE FAMILY
c) GARAGE - DETACHED	c) DWELLING - SHOW HOME
d) MANUFACTURED HOME - DOUBLE WIDE	d) HOME BASED BUSINESS
e) MANUFACTURED HOME - SINGLE WIDE	e) Keeping of LIVESTOCK
	f) MANUFACTURED HOME - MODULAR

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) **LOT Area:** Minimum: 1.2 ha (3.0 acres)
 Maximum: 2.0 ha (5 acres)

(b) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

- 41.2 m (135 feet) from right-of-way, or
- 64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

- YARD - EXTERIOR SIDE: 15.2 m (50 feet) on a corner site or site abutting an “Agricultural” or “Forestry” DISTRICT
- YARD - INTERIOR SIDE: 7.6 m (25 feet)
- YARD – REAR: 7.6 m (25 feet)
 15.2 m (50 feet) for site abutting an “Agricultural” or “Forestry” DISTRICT.

D. ADDITIONAL REQUIREMENTS

(a) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.

- (b) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is required so that the appearance, design and construction will compliment the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.
- (c) All ancillary structures to MANUFACTURED HOMES, such as patios, porches, additions, etc., shall be factory prefabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will compliment the MANUFACTURED HOME.
- (d) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (e) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.25 RURAL COUNTRY RESIDENTIAL 3 “RC3” (Replaces former RC3 and RC4 of Bylaw 462/04)

The general purpose of this LAND USE DISTRICT is to provide for the DEVELOPMENT of multi-LOT country residences.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ANCILLARY BUILDING/SHED b) DWELLING - SINGLE FAMILY c) GARAGE - ATTACHED d) GARAGE - DETACHED e) OWNER/OPERATOR BUSINESS 1	a) BED AND BREAKFAST BUSINESS b) DWELLING - SHOW HOME c) CABIN d) COTTAGE e) GARDEN SUITE f) HOME BASED BUSINESS g) Keeping of LIVESTOCK h) MANUFACTURED HOME – MODULAR i) MANUFACTURED HOME - SINGLE WIDE j) SECONDARY SUITE

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Area: Minimum: 1.2 ha (3.0 acres)
Maximum: 2.0 ha (5 acres)

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

YARD - EXTERIOR SIDE: 15.2 m (50 feet) on a corner site or site abutting an “Agricultural” or “Forestry” DISTRICT

YARD - INTERIOR SIDE: 7.6 m (25 feet)

YARD – REAR: 7.6 m (25 feet)
15.2 m (50 feet) for site abutting an “Agricultural” or “Forestry” DISTRICT.

D. ADDITIONAL REQUIREMENTS

(a) Shops

Building Area (max): 223 sq m (2,400 sq feet)
BUILDING HEIGHT (max): 6.1 m (20 feet)

- (b) All MANUFACTURED HOMES to be factory built with walls of pre-finished baked enamel aluminum siding, vinyl siding or the equivalent and peaked shingled roof, to the satisfaction of the Development Authority.
- (c) If MANUFACTURED HOMES are placed upon a BASEMENT, solid footings and concrete or wood block foundation wall, skirting or an approved equivalent is required so that the appearance, design and construction will compliment the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.
- (d) All ancillary structures to manufactured homes, such as patios, porches, additions, etc., shall be factory prefabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will compliment the MANUFACTURED HOME.
- (e) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (f) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.26 RURAL INDUSTRIAL “RI”

The general purpose of this LAND USE DISTRICT is to accommodate industrial buildings and uses which are deemed better suited to rural rather than urban areas. Rural industrial DEVELOPMENT shall be located where possible along HIGHWAY corridors or identified collector roads.

A. PERMITTED USES	B. DISCRETIONARY USES
a) CARETAKERS RESIDENCE/SECURITY SUITE b) CONTRACTOR’S BUSINESS/YARD c) CONTRACTOR’S SERVICE d) EXTENSIVE AGRICULTURE e) SEA CAN	a) AGRICULTURAL SUPPLY DEPOT b) AUTO SALVAGE c) BULK FERTILIZER STORAGE AND/OR SALES d) BULK FUEL/PROPANE SALES e) CONCRETE PRODUCTS MANUFACTURING f) INDUSTRIAL CAMP g) MANUFACTURING FIRM h) MANUFACTURED HOME SALES AND SERVICE i) NATURAL RESOURCE EXTRACTION INDUSTRY j) OIL FIELD SERVICE k) PETROLEUM FACILITY l) SALVAGE YARD m) SEWAGE LAGOON n) SEWAGE TREATMENT PLANT

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) LOT Size: Minimum: 0.8 ha (2 acres)
Maximum: 6.1 ha (15 acres)

(b) FLOOR AREA (minimum): 92.9 sq m (1,000 sq feet)

(c) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

All other property lines: 15.2 m (50 feet)

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this DISTRICT.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.27 URBAN FRINGE “UF”

The general purpose of this LAND USE DISTRICT is to control DEVELOPMENT around urban centres to those uses which require a larger LOT or parcel on which to operate, to protect future growth areas for urban centres, and to minimize conflicts between urban and rural uses in accordance with an approved INTER-MUNICIPAL DEVELOPMENT PLAN and/or MUNICIPAL DEVELOPMENT PLAN.

A. DISCRETIONARY USES	
a)	ANCILLARY BUILDING/SHED
b)	BED AND BREAKFAST BUSINESS
c)	CHURCH
d)	COMMUNICATION TOWER
e)	CEMETERY
f)	DWELLING - SINGLE FAMILY
g)	EXTENSIVE AGRICULTURE
h)	FARM SUBSIDIARY BUSINESS
i)	GARAGE - ATTACHED
j)	GARAGE - DETACHED
k)	GARDEN SUITE
l)	HOME BASED BUSINESS
m)	INSTITUTIONAL USE
n)	INTENSIVE AGRICULTURE 1
o)	KEEPING OF LIVESTOCK (BYLAW 857-12)
p)	MANUFACTURED HOME - SINGLE WIDE
q)	MANUFACTURED HOME - DOUBLE WIDE
r)	MANUFACTURED HOME - MODULAR
s)	TEMPORARY/PORTABLE UNIT

B. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(a) Density (maximum):

- | | |
|-------------------------|---|
| i) COUNTRY RESIDENTIAL: | 2 LOTS including the balance per unsubdivided quarter section |
| ii) All Other Uses: | At the discretion of the Development Authority |

(b) LOT Area (maximum):

- | | |
|-------------------------|---|
| i) COUNTRY RESIDENTIAL: | 2.0 ha (5 acres) |
| ii) FARMSTEAD: | Minimum size required to accommodate on-site improvements |
| iii) All Other Uses: | At the discretion of the Development Authority |

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(c) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD: 15.2 m (50 feet)

YARD - EXTERIOR SIDE: Same as setback from HIGHWAY, ROAD or undeveloped ROAD allowance

YARD - INTERIOR SIDE: 15.2 m (50 feet)

YARD – REAR: 15.2 m (50 feet)

C. ADDITIONAL REGULATIONS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

D. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary, having due regard to the future of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT and may be subject to the AREA STRUCTURE PLAN.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.28 Airport District – AP (Bylaw 865-12)

The general purpose of this LAND USE DISTRICT is to regulate DEVELOPMENT and to provide for the orderly operation and development of MUNICIPAL AIRPORTS within Mackenzie County.

A. PERMITTED USES	B. DISCRETIONARY USES
a) ENVIRO - TANK b) HANGARS AND TERMINAL FACILITIES	a) ACCESSORY BUILDING b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES c) COMMUNICATION TOWER d) BULK FUEL/PROPANE SALES e) BUS DEPOT f) CONVENIENCE STORE g) PUBLIC USE h) RESTAURANT i) RETAIL STORE j) SERVICE STATION k) TOURIST INFORMATION

C. DISTRICT REGULATIONS

In addition to the Regulations contained in Section 7, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

(c) LOT Area:

At the discretion of the Development Authority.

(d) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

41.2 m (135 feet) from right-of-way, or

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD:

6.1 m (20 feet)

All other property lines: 1.52 m (5 feet)

The Development Authority may require greater setbacks than the minimum as decided on a case-by-case basis.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (c) The maximum height for any use and development including all appurtenances and temporary construction equipment shall not penetrate the Approach/Departure Areas for each runway as established by each airport vicinity plan.

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW. The Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority;
- (b) Uses and developments on airport property must comply with all other authorities, either Federal, Provincial or Municipal, each jurisdictions Airport Vicinity Protection Area.
- (c) Uses, which would cause excessive discharge of toxic, noxious or other particulate matter into the atmosphere; radiation or interference by the use of electric or electronic equipment; fire and explosive hazards; lighting , and accumulation of any material or waste edible by, or attractive to birds, shall not be approved;
- (d) Approval of development shall be at the discretion of the Development Authority. The impact of the proposed development on the operations of the airport, and the impact of the airport operations on the proposed development shall be the primary considerations of the Development Authority.

E. OTHER REQUIREMENTS

The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.

SCHEDULE “A”

LAND USE DISTRICT MAPS AND FLOOD PRONE LAND MAPS

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SCHEDULE “B”

AIRPORT VICINITY PROTECTION AREAS

APPENDIX A

FORMS

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SECTION NINE – SCHEDULES AND APPENDICIES

This section contents to be added at a later date.

APPENDIX B

DEVELOPMENT AGREEMENT AND CERTIFICATES

SECTION NINE – SCHEDULES AND APPENDICIES

This section is intentionally left blank.
This section contents to be added at a later date.