

Mackenzie County

# Land Use Bylaw



**Mackenzie County**

**1066-17**

Adopted June 28<sup>th</sup>, 2017

Consolidated Copy with Revisions to January 2019



AMENDING BYLAW INDEX

**LAND USE BYLAW AMENDMENTS**

Bylaw #	Description	Adopted
1078-17	Add Definition of Panhandles and Road Access	2017-09-12
1086-17	Add Dwelling-Emergency Services to AP	2018-01-09
1091-18	LUB Amendment to A and F Districts	2018-03-13
1097-18	LUB Amendment - Cannabis	2018-06-27
1098-18	LUB Amendment - Churches A to I	2018-06-27
1109-18	LUB Amendment Corrections	2018-09-11
1111-18	Zoning Overlay to add Shop-Farm as Use and Increase Animal Units on NW 29-106-15-W5M.	2018-09-11
1117-18	LUB Amendment-setbacks FV-CC	2018-11-13
1119-18	LUB Amendment, add Funeral Home to I	2018-11-13
1123-18	LUB Amendment, Development Permit Appeal Time	2018-12-11

**REZONING BYLAW AMENDMENTS**

Bylaw #	Description	Adopted
1072-17	Rezone Plan 032 5939, Block 1, Lot 5 from HCR1 to LC-LI.	2017-08-08
1081-17	Rezone NE 3-106-15-W5M from H-CR to LC-HC.	2017-11-07
1088-18	Rezone Plan 872 2339, Block 17, Lot 3 from LC-HI to LC-HC.pdf	2018-01-24
1120-18	Rezone Plan 162 0091, Block 7, Lots 6-9 from HR-1B to H-R2	2018-11-13
1126-18	Rezone SW 5-110-13-W5M from Agricultural "A" to Rural Industrial-General "RIG"	2018-12-11

This document is consolidated into a single publication for the convenience of users. When making reference to this document, users are directed to contact Mackenzie County for additional amendments. In case of any dispute, the original should always be consulted.



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# MACKENZIE COUNTY LAND USE BYLAW

1066-17

## **A BYLAW OF MACKENZIE COUNTY IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW.**

**WHERE AS** the Municipal Government Act, Revised Statutes of Alberta 2000 - Chapter M-26, current as of 2017 and Amendments thereto, authorize Council of a Municipality to enact a Land Use Bylaw to guide future development within the Municipality.

**NOW THEREFORE** Mackenzie County Land Use Bylaw No. 791-10 and amendments thereto, except for those Direct Control Bylaws listed as continued in the bylaw, are hereby repealed.

**NOW THEREFORE** Council of Mackenzie County in the Province of Alberta does hereby adopt the Mackenzie County Land Use Bylaw 1066-17 this 28<sup>th</sup> day of June, 2017.

Read a first time April 13<sup>th</sup>, 2017.

Read a second time May 24<sup>th</sup>, 2017.

Read a third and final time June 28<sup>th</sup>, 2017.

This Land Use Bylaw was prepared for Mackenzie County by Green Space Alliance.

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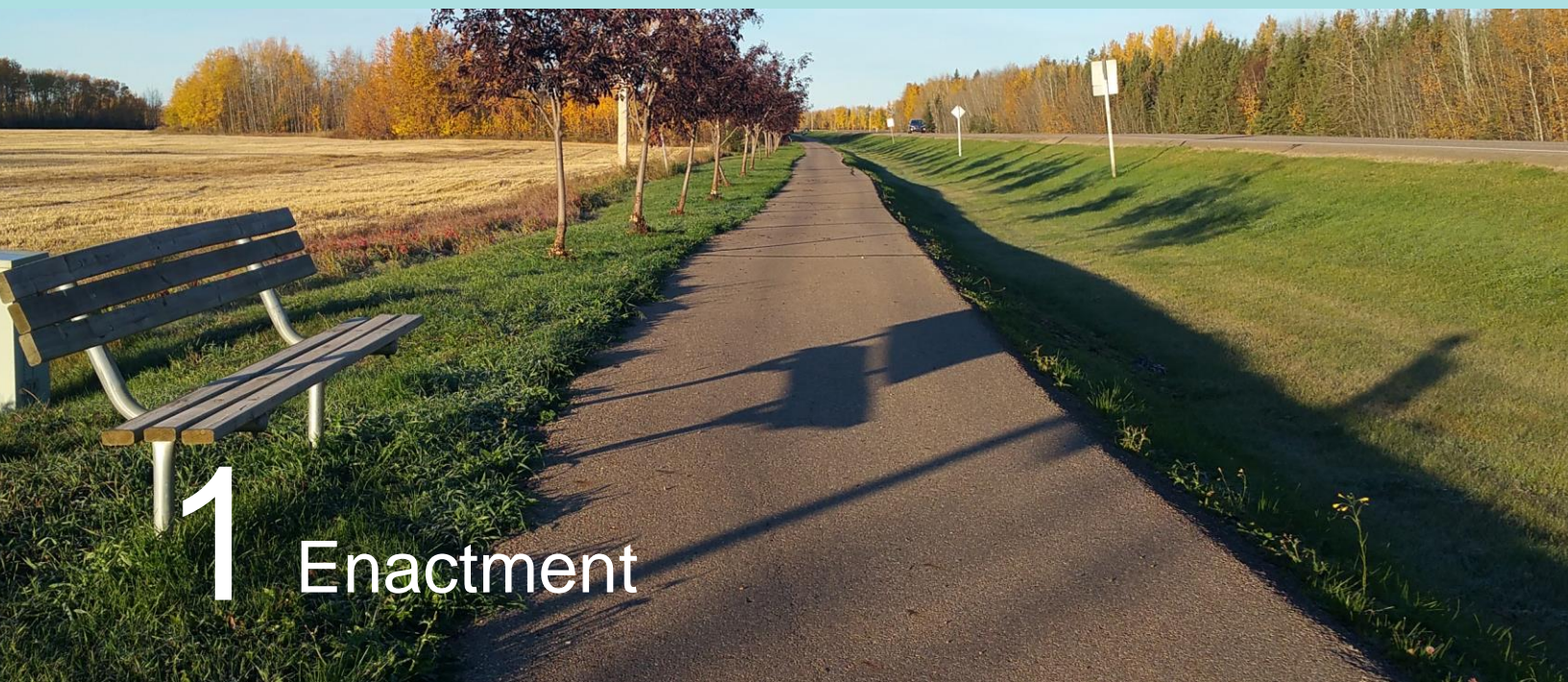
## **APPENDICES**

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## Section 1 | Enactment



### 1.1 Title

1.1.1 This BYLAW shall be known as and may be cited as “Mackenzie County Land Use Bylaw”.

### 1.2 Purpose

1.2.1 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 and to:

- a. Divide Mackenzie County into LAND USE DISTRICTS;
- b. Prescribe and regulate the use of land or buildings within each district;
- c. Establish a method of making decisions on applications for DEVELOPMENT PERMITS and the issuance of DEVELOPMENT PERMITS;
- d. Provide the manner in which a notice of issuance for a DEVELOPMENT PERMIT is given;
- e. Establish the number of dwellings that may be allowed on a parcel;
- f. Establish regulations to assist in the SUBDIVISION and development decision making process;
- g. Establish procedures of appealing the decisions related to this BYLAW;
- h. Establish general development standards and specific use regulations;
- i. Establish parking, signage, and landscaping standards; and
- j. Establish SUBDIVISION design standards.

## Section 1 | Enactment

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### 1.3 Application

- 1.3.1 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

- 1.4.1 This BYLAW comes into force and takes effect upon the date of its third reading.
- 1.4.2 Land Use BYLAW No. 791-10 as amended is hereby repealed and replaced.

### 1.5 Conformity with the Bylaw

- 1.5.1 No person shall commence any DEVELOPMENT within the COUNTY except in conformity with this BYLAW.
- 1.5.2 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

- 1.6.1 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.
- 1.6.2 In addition to the requirements of this BYLAW, an applicant must comply with all federal, provincial and other municipal legislation.

### 1.7 Transition

- 1.7.1 An application for a SUBDIVISION, DEVELOPMENT PERMIT or amendment to the Land Use Bylaw commenced prior to adoption of this BYLAW shall be evaluated under the provisions of the COUNTY's Land Use Bylaw No. 791-10 as amended.

# 2 Interpretation

### 2.1 Interpretation

- 2.1.1 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 the:
- a. *Municipal Government Act* and the Statutes of Alberta to which this BYLAW refers;
  - b. Following Definitions; and
  - c. Common English dictionary in the event the above mentioned Section of Definitions is silent.
- 2.1.2 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 2.1.3 The words “shall”, “must”, and “is” require mandatory compliance except where a variance has been granted pursuant to the Act of this BYLAW.
- 2.1.4 All other words and expressions have the meaning respectively assigned to them in accordance with the Act and any other applicable Statutes of Alberta. Where such words are not defined in this BYLAW, or in the Act, the Development Authority shall make the interpretation.

### 2.2 Imperial / Metric Measurements

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

## Section 2 | Interpretation

### 2.3 Definitions

2.3.1 The following words, terms, and phrases, wherever they occur in this BYLAW have the meaning assigned to them as follows:

#### A

**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.

**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.

**ABUTTING** means immediately contiguous 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 common property line.

**ACCESSORY BUILDING** means a building separate and subordinate to the PRINCIPAL BUILDING, the use of which is incidental to that of the PRINCIPAL BUILDING and is located on the same PARCEL OF LAND. A GARAGE – ATTACHED and GARAGE – DETACHED are not considered an ACCESSORY BUILDING.

**ACCESSORY USE** means a use customarily incidental and subordinate to the principal use of a site and is located on the same PARCEL OF LAND as the principal use.

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

**ADJACENT** means land that abuts a LOT or site, and land that would abut a LOT or site if not for a ROAD, LANE, walkway, watercourse, utility LOT, pipeline right-of-way, power line, railway, or similar feature as shown in Figure 1.

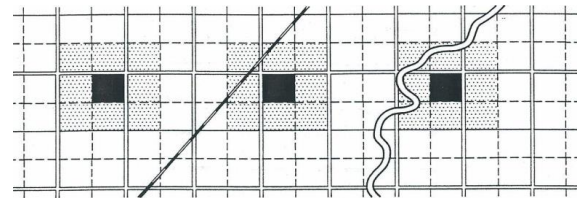


Figure 1. Adjacent Lands

**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 similar uses.

**AGGREGATE RESOURCE EXTRACTION** means the extraction of raw materials, including sand, gravel, or clay found on or under the aggregate extraction-site and includes reclamation of the site. Typical uses include, but are not limited to quarries, borrow pits, and gravel pit. AGGREGATE RESOURCE EXTRACTION may include stripping of TOPSOIL, stripping of sub-soil, overburden, and loading and hauling of product on or off-site but does not include AGGREGATE RESOURCE PROCESSING, NATURAL RESOURCE EXTRACTION or NATURAL RESOURCE PROCESSING.



## Section 2 | Interpretation

**AGGREGATE RESOURCE PROCESSING** means the processing of raw materials, including sand, gravel or clay. **AGGREGATE RESOURCE PROCESSING** may include crushing, washing and asphalt plant but does not include **AGGREGATE RESOURCE EXTRACTION**, **NATURAL RESOURCE EXTRACTION**, or **NATURAL RESOURCE PROCESSING**.

**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 regulated solid and liquid fertilizers.

**AIRPORT** see **MUNICIPAL AIRPORT**

**APIARY** means a development consisting of beehives in which bees are kept or raised for the production of honey.

**AREA STRUCTURE PLAN** means a statutory plan, prepared and adopted pursuant to Section 633 of the Act, which addresses the future **DEVELOPMENT** of large areas of land at a conceptual level of detail.

**ASSISTED LIVING FACILITY** means an institution primarily for persons where housing accommodation is provided and medical or supervisory care may be provided.

**AUCTION FACILITY** means a development intended for the auctioning of **LIVESTOCK**, goods and equipment, including the **TEMPORARY** storage of such **LIVESTOCK**, goods and equipment.

**AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR** means the servicing, mechanical and body repair of automobiles, trucks, farm machinery, **RECREATIONAL VEHICLES** and heavy equipment, and the sale, installation, servicing or storage of related accessories and parts. This includes truck, heavy equipment shops, body shops, and **RECREATIONAL VEHICLE** repair shops.

**AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR** means a development used for the servicing and mechanical repair of automobiles, light trucks, utility vehicles, motorcycles, snowmobiles, and similar vehicles and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. Minor Automotive and Equipment Repair facilities may operate a Vehicle Wash as an **ACCESSORY USE**.

**AUTOMOTIVE SALES AND RENTAL** means a development used for the retail sale, rental or lease of new or used automobiles, **RECREATIONAL VEHICLES** and motorcycles, together with incidental maintenance services and sale of parts.

## B

**BARS AND NEIGHBOURHOOD PUBS** means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the site. This use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges.

**BASEMENT** means that portion of a building that is located wholly or partially below **GRADE**, the ceiling of which does not extend more than 1.8m (6.0ft) above finished **GRADE**.

## Section 2 | Interpretation

**BED AND BREAKFAST BUSINESS** means a commercial business that is an ACCESSORY USE 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 suites of rooms. This does not include a MOTEL, HOTEL, or SECONDARY SUITE.

**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 DEMOLITION** means the pulling down, tearing down or razing of a building.

**BUILDING HEIGHT** means the vertical distance between the GRADE and the highest point of a building (shown in Figure 2), 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.

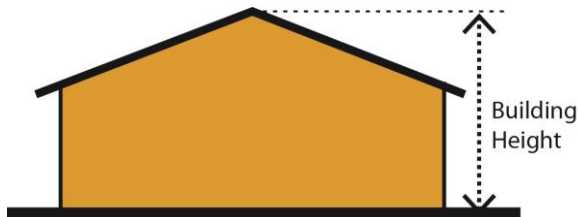


Figure 2. Measurement of Building Height

**BUILDING – MOVED IN** means a residential, commercial or industrial constructed building that is to be relocated from one property to another property.

**BUILDING SUPPLY CENTRE** means a commercial retail establishment where building materials, household accessories, and other related goods are stored, offered, or kept for sale and may include outside storage.

**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 STORAGE AND DISTRIBUTION** means a development where refined or crude oil, fuel, or liquid is stored outdoors using storage tanks as regulated by the PTMAA and includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act. The development may include card-lock retail sales and facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include manufacturing of any of these products.

**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.

**BUSINESS SUPPORT SERVICES** means development used to provide support services to uses permitted or discretionary in a LAND USE DISTRICT. Such businesses may be characterized but not limited to the provision of support functions such as:

1. Printing, duplicating, binding or photographic processing;
2. Secretarial services;
3. Office maintenance or custodial services;
4. Security services;
5. Sale, rental, repair, or servicing of office equipment, furniture and machines; and
6. Sale, rental, repair or servicing of computers, cellular phones and fax machines.

## Section 2 | Interpretation

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

### C

**CABIN** means a small, roughly built house, or hut used on a seasonal basis which does not exceed 46.45m<sup>2</sup> (500.0ft<sup>2</sup>).

**CAMPGROUND MAJOR** means a development for recreational use with sites designated for lodgings in tents, RECREATIONAL VEHICLES, CABINS, or other similar accommodations. A CAMPGROUND MAJOR shall accommodate more than twenty (20) sites, be in operation more than six (6) months per year, or both.

**CAMPGROUND MINOR** means a development for short term recreational use with sites designated for lodgings in tents, RECREATIONAL VEHICLES, CABINS, or other similar accommodations. A CAMPGROUND MINOR shall accommodate no more than twenty (20) sites, and be in operation no more than six (6) months per year.

**CANNABIS GROWER** means a producer of cannabis that has obtained a federal license and is one who complies with the terms and conditions of that license.

**CANNABIS RETAILER/DISTRIBUTOR** means someone running a retail store licensed by the Province of Alberta where non-medical Cannabis and Cannabis Accessories are sold to individuals who attend the premises.

**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.

**COMMERCIAL SCHOOL** means a development used for classroom oriented training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. Typical uses include secretarial, business, hairdressing, beauty, culture and dance or music schools. COMMERCIAL SCHOOL does not include industrial training facilities.

**COMMERCIAL SCHOOL, INDUSTRIAL** means a development for training in an industrial trade, skill or services for the financial gain of the individual or company owning the school. Typical uses include industrial training schools that require the use of heavy equipment, machinery and large vehicle parking areas for training facility.

**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.

**CONDOMINIUM UNIT** means, 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.

In the case other than that of a building, a CONDOMINIUM UNIT means 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.

## Section 2 | Interpretation

**CONFINED FEEDING OPERATION** means fenced or enclosed land or buildings where LIVESTOCK are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, LIVESTOCK seasonal feeding and bedding sites, equestrian 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, GENERAL** 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 an ACCESSORY USE to the principal use.

**CONTRACTOR, LIMITED** means a development used for the provision of electrical, plumbing, heating, painting, catering and other contractor services, and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building.

**COTTAGE** means a stick built detached dwelling which is either moved-in or constructed on site.

**COUNCIL** means the Council of Mackenzie COUNTY.

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

**COUNTY** means Mackenzie County.

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

## D

**DANGEROUS OR HAZARDOUS GOODS** means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act*.

**DAY CARE FACILITY** means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, for at least seven (7) 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 centres and nursery schools but does not include a private babysitting facility.

**DAY CARE HOME** means a facility that provides care for no more than six (6) children operated in connection with a residential use, where children's care is offered by the resident of the residential use. This category includes facilities where children's care is an ACCESSORY USE to the primary residential use. No overnight care is provided.

**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 0.6m (2.0ft) 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;
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;

## Section 2 | Interpretation

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 (also see CHANGE OF USE); or
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.

**DEVELOPMENT OFFICER** means a person or persons appointed by the COUNTY pursuant to Section 624 of 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 their 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 or more DWELLING UNITS or one to three DWELLING UNITS if the ground floor of such building is a commercial use, having a shared entrance or their own independent access as shown in Figure 3.

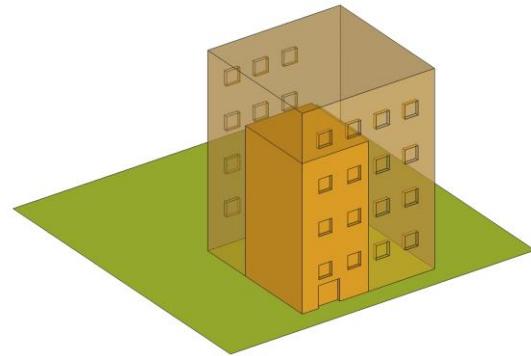


Figure 3. Dwelling - Apartment

**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 the foundation to the roof and not attached to any other residential buildings as shown in Figure 4.

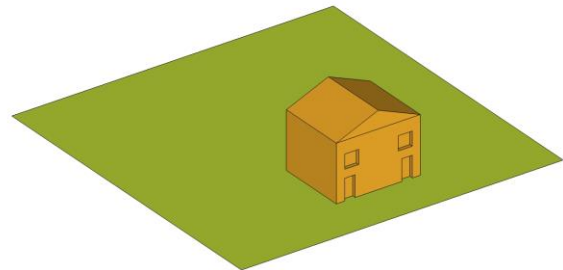


Figure 4. Dwelling - Duplex

**DWELLING – EMERGENCY SERVICES** means a residential unit containing one (1) or more habitable rooms that provide living accommodations and is intended as a temporary residence for emergency personnel, as an ACCESSORY USE, to a non-residential principal use.

## Section 2 | Interpretation

**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 – 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 as shown in Figure 5.

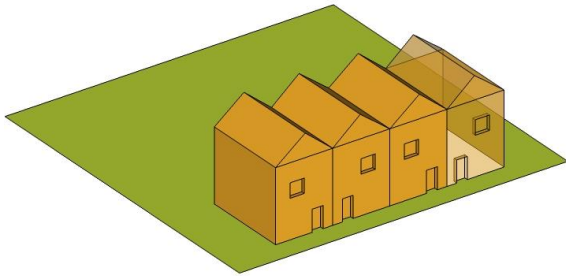


Figure 5. Dwelling - Row

**DWELLING – SINGLE FAMILY** means a DEVELOPMENT consisting of only one DWELLING UNIT which is separate from any other DWELLING UNIT or building, as shown in Figure 6, 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*.

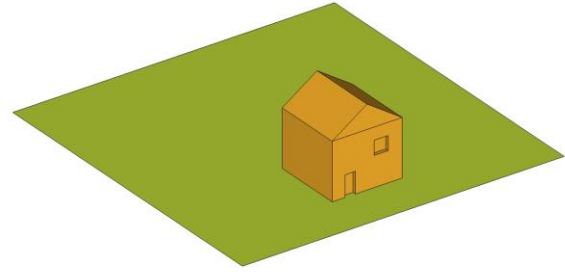


Figure 6. Dwelling - Single Family

**DWELLING – STACKED ROW HOUSING** means a dwelling that includes three (3) or more DWELLING UNITS arranged two deep, either vertically so that DWELLING UNITS are placed over others, or horizontally so that DWELLING UNITS are attached at the rear as well as at the side. Each DWELLING UNIT shall have separate and individual access, not necessarily directly to GRADE, provided that no more than two DWELLING UNITS may share access to GRADE as shown in Figure 7.

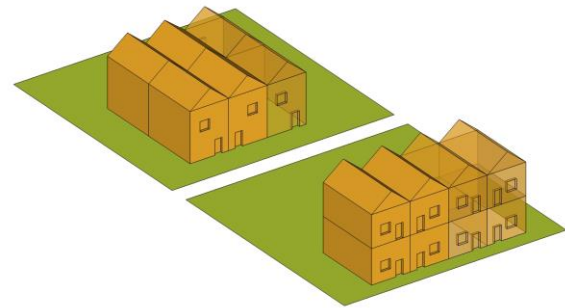


Figure 7. Dwelling - Stacked Row Housing

**DWELLING UNIT** means a residential unit containing one (1) or more habitable rooms that provide living accommodations and is intended as a permanent residence, as an ACCESSORY USE, to a non-residential principal use.

## Section 2 | Interpretation

### E

**EDUCATION FACILITY** means a development that is publicly supported and involves public assembly for education, training or instruction purposes, and includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include, but are not limited to, public and separate schools, community colleges, universities, and technical and vocational schools, but do not include COMMERCIAL SCHOOLS.

**EMERGENCY SERVICES FACILITY** means a development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of equipment and vehicles, which is necessary for the provision of emergency services. An EMERGENCY SERVICES FACILITY may include provisions for overnight accommodation as an ACCESSORY USE. Typical uses include police stations, fire stations, emergency medical services and ancillary training facilities.

**ENTERTAINMENT ESTABLISHMENT, INDOOR** means a commercial development providing recreational entertainment facilities within a building such as movie theatres, billiard parlours, electronic games arcades and bowling alleys, but does not include gambling machine establishments.

**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 BULK FUEL STORAGE AND DISTRIBUTION.

**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:
1. The result of an ENVIRONMENTAL AUDIT;
  2. A history of the subject property's ownership and use;
  3. A description of the natural environment and social environment surrounding the subject property, which may be sensitive to contamination;
  4. 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;
  5. A documentation of the existence, location and use of above and under-ground storage tanks and other related facilities;
  6. A history of environmental regulatory activity affecting the subject property;
  7. A review of the condition and use of adjoining properties;
  8. A completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
  9. A determination of the extent of contamination; and
  10. A comprehensive site and areas maps noting the locations of natural and built

## Section 2 | Interpretation

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 or by a study undertaken or commissioned by Mackenzie County:

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 levels of peat contents, or land incapable of meeting percolation requirements; and
6. Areas having stands of unique or mature nature vegetation or land features.

**EQUIPMENT RENTAL FACILITY** means a commercial establishment principally involved in the renting of equipment.

**EXHIBITION FACILITY** 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** 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.

## **F**

**100-YEAR FLOOD** means a flood whose magnitude has a one percent chance of being equalled or exceeded in any year.

**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.



## Section 2 | Interpretation

**FLOOD FRINGE** means the portion of the FLOOD HAZARD AREA outside of the FLOODWAY where water during a flooding event is generally shallower and flows more slowly than in the FLOODWAY.

**FLOOD HAZARD AREA** means the area affected by a 100-YEAR FLOOD under encroachment conditions. The FLOOD HAZARD AREA is typically divided into FLOODWAY and FLOOD FRINGE zones, and may also include area of overland flow.

**FLOODWAY** means the portion of the FLOOD HAZARD AREA that conveys water during a flood event. In this area during flooding, water flows are the deepest, fastest, and most destructive. This area typically includes the main channel of the body of water and a portion of the adjacent overbank area.

**FLOOR AREA** means the total FLOOR AREA of every room and passageway contained in a building but excluding the FLOOR AREA of:

1. BASEMENT;
2. GARAGE –ATTACHED;
3. ACCESSORY BUILDINGS;
4. Open porches;
5. Patios;
6. Open DECK;
7. Verandas; and
8. Breezeways.

**FOREST BASED INDUSTRY** means an industrial operation that manufactures wood products, and that may include storage yards, lumber re-manufacturing facilities, oriented strand board plants, pulp mills and sawmills.

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

**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 the subject parcel impractical, in the opinion of the Development Authority, for farming or grazing independently, or as part of a large operation in conjunction with its neighbouring land.

Legally, a FRAGMENTED PARCEL is considered part of the quarter section it is located within.

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

## G

**GARAGE** means an ACCESSORY USE and / or where a portion of the PRINCIPAL BUILDING, including a carport, is 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.

**GARAGE – ATTACHED** means a GARAGE attached to a PRINCIPAL BUILDING.

**GARAGE – DETACHED** means a GARAGE that is not a part of the PRINCIPAL BUILDING.

**GARDEN SUITE** means a secondary DWELLING UNIT detached from and located on a PARCEL OF LAND on which there is already a principal DWELLING UNIT located on the same YARD, accessible by the same driveway. A GARDEN SUITE is to only be ACCESSORY to the principal DWELLING UNIT.

## Section 2 | Interpretation

**GOVERNMENT SERVICE** means a development providing Crown Corporation, or municipal, provincial or federal GOVERNMENT SERVICES directly to the public. Typical uses include but are not limited to municipal offices, taxation offices, courthouses, postal stations, staffing and employment offices, school board office, first nation services, health authority office, and social service offices, which result in a significant client visitation. It does not include essential public services, correctional centres and schools.

**GRADE** 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.

## H

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

**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.

**HEALTH SERVICE** means a building or structure where a professional health practitioner(s), including but not limited to doctors, dentists, optometrists, acupuncturists, naturopaths, chiropractors, physiotherapists and counsellors, excluding veterinarians, provide diagnosis, mental health services, and treatment to the general public without overnight accommodations. Medical and health offices include such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of medical and health services.

**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*.

**HOME BASED BUSINESS MEDIUM** means a business owned and operated by the resident 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 associated with a HOME BASED BUSINESS MEDIUM shall be restricted to no larger than 2 tonnes. No large commercial equipment such as excavators, bulldozers or tractor/trailer units shall be allowed.

**HOME BASED BUSINESS MINOR** means an occupation, trade, profession or craft carried on by an occupant of a DWELLING UNIT on the site and is considered as an ACCESSORY USE to the residential or agricultural use of the property, and does not change the character thereof.

**HOSPITAL** means an institutional development used to provide in-patient and out-patient health care to the public. Typical developments may include a community health centre, accommodation for the overnight care of patients, eating establishments, offices and any other uses which are accessory to the principal use.

## Section 2 | Interpretation

**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 PERSONAL SERVICE ESTABLISHMENTS.

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

**INDUSTRIAL USE, GENERAL** means the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of materials, finished goods, products or equipment primarily within an enclosed building and involves limited outdoor storage. General industrial use does not include uses listed under HEAVY INDUSTRIAL.

**INDUSTRIAL USE, HEAVY** means the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of concrete, asphalt, gravel, cement, lime, brick, tar or forestry products that involves extensive outdoor storage and / or preparation areas.

**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 within the *Agricultural Operations Part 2 Matters Regulations of the Agricultural Operations Practices Act*.

**INTER-MUNICIPAL DEVELOPMENT PLAN** means a statutory planning document that is prepared and adopted, pursuant to the Section 631 of the Act, by Councils of Mackenzie County and the Town of High Level or other municipalities within COUNTY boundaries.

**INTER-MUNICIPAL PLANNING COMMISSION** means a MUNICIPAL PLANNING COMMISSION, appointed pursuant to the Section 626 of the Act, shared between Mackenzie County and Town of High Level, or other municipalities within COUNTY boundaries.

**INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means a joint board of individuals appointed pursuant to Section 627 of 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 as shown in Figure 8.

## Section 2 | Interpretation

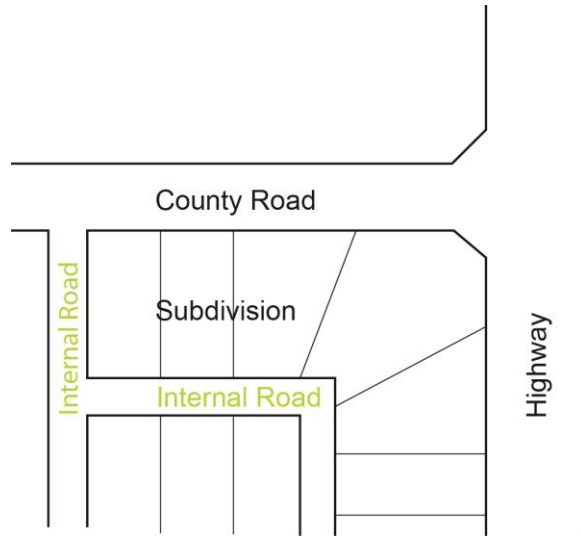


Figure 8. Internal Subdivision Road

### K

**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.

### L

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

**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*.

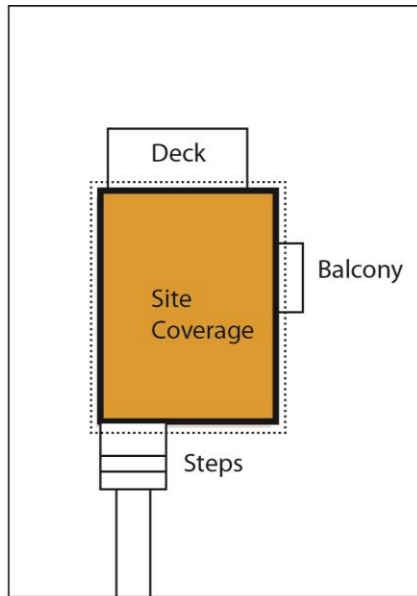
**LOT** means a:

1. Quarter section of land;
2. River lot or settlement lot shown on an official plan, that is referred to in the *Surveys Act*, and is lodged in Alberta Land Titles;
3. 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. Part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of SUBDIVISION.

**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 as shown in Figure 10.

**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 as shown in Figure 9.

## Section 2 | Interpretation



Public Road

Figure 9. Lot Coverage

**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 as shown in Figure 10.

**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 as shown in Figure 10.

**LOT LINE – REAR** means the LOT LINE that is opposite to the front LOT LINE as shown in Figure 10.

**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 as shown in Figure 10.

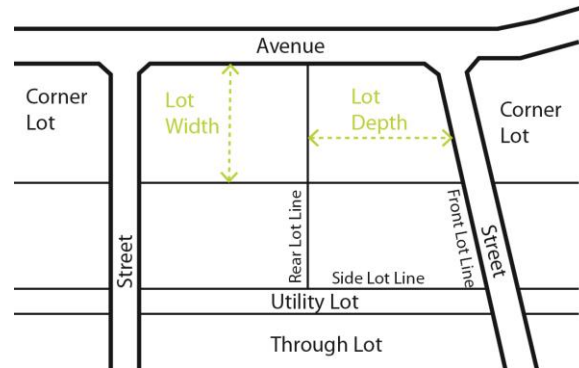


Figure 10. Lot Options

## M

**MANUFACTURED HOME - MOBILE** means a dwelling that is constructed with a heavy transport chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A MANUFACTURED HOME - MOBILE may be a single structure (single-wide) or two (2) parts which when put together (double-wide) comprise a complete dwelling.

**MANUFACTURED HOME – MODULAR** means a dwelling 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 – MOBILE 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.

## Section 2 | Interpretation

**MANUFACTURED HOME COMMUNITY FACILITY** means an office responsible for the management, provisions of utilities, improvements of facilities, and maintenance of amenities of a MANUFACTURED HOME COMMUNITY and may include a common laundry facility, indoor/outdoor storage area and a residence for the park manager.

**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.

**MANUFACTURING, MAJOR** means the production and assembling of goods, products, or equipment whose activities are carried on within an enclosed building and / or outdoors on the site and create nuisance factors that are incompatible with non-heavy industrial land uses.

**MANUFACTURING, MINOR** means the assembling of goods or products whose activities are primarily carried on within an enclosed building and no nuisance factor is created or apparent outside of the building.

**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 PERSONAL SERVICE ESTABLISHMENT.

**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 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.
3. 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 the Mackenzie County Municipal Development Plan adopted by COUNCIL in accordance with Section 632 of the Act.

**MUNICIPAL PLANNING COMMISSION** means Mackenzie County's MUNICIPAL PLANNING COMMISSION appointed pursuant to Section 626 of the Act.

**MUNICIPALITY** means Mackenzie County.

**MUSEUM** means a place or building in which works of artistic, historical, archaeological, and scientific value are cared for and exhibited.

## N

**NATURAL RESOURCE EXTRACTION** means the extraction of natural resources, including oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) and reclamation of the site, but does not include aggregate resources (such as sand, gravel or clay). NATURAL RESOURCE EXTRACTION may include the Stripping of TOPSOIL, overburden, loading and hauling of product off-site but does not include processing of natural resources.

## Section 2 | Interpretation

**NATURAL RESOURCE PROCESSING** means the processing of natural resources, including, oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) but does not include AGGREGATE RESOURCE EXTRACTION, AGGREGATE RESOURCE PROCESSING or NATURAL RESOURCE EXTRACTION.

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

### O

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

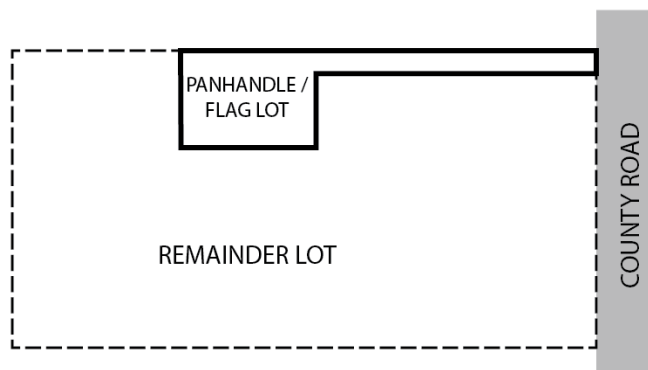
**OILFIELD SERVICE** means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies provided such storage is in accordance with all applicable provincial and federal statutes. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, pipeline contractors and welding operations.

**OWNER/OPERATOR BUSINESS** means a business owned and operated by the resident residing on the site which may consist of an office attached to the principal dwelling or within the principal dwelling or within a shop.

### P

**PANHANDLE/FLAG LOT** means any parcel in the AGRICULTURAL DISTRICT which gains access and road frontage through a narrow strip

of land which is an integral part of the parcel. The strip of land providing access shall be excluded in the total acreage size.



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

**PARK** means land designated as PARK, campground or recreational area by COUNCIL.

**PARK MODEL** means a recreational unit that is meant for seasonal use and conforms to the Canadian Standards Association standard Z-240 for RECREATIONAL VEHICLES and the Alberta Building Code. A PARK MODEL may only be permitted if its appearance reasonably complements surrounding structures as demonstrated by the quality and exterior finishing being similar in design and materials.

**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.

## Section 2 | Interpretation

**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.

**PERSONAL SERVICE ESTABLISHMENT** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to individuals. PERSONAL SERVICE ESTABLISHMENTS include, but are not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and laundromats.

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

**PLACE OF WORSHIP** means a development used by a religious organization for worship and related religious, philanthropic, or social activities including rectories, manses, and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries, and any uses which are accessory to the principal use.

**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.

**PRIVATE CLUB** means an indoor development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. PRIVATE CLUBS may include rooms for eating and general assembly.

**PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE** means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses; printing establishments, film processing establishments, janitorial firms and business equipment repair shops.

**PUBLIC UTILITY** means a development used to provide one or more of the following for public consumption, benefit, convenience or use; water; wastewater or storm water; public transportation operated by or on behalf of the COUNTY; communication; drainage ditch; natural gas; electric power; or heat. It includes buildings required to operate a PUBLIC UTILITY.

**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.

## R

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



## Section 2 | Interpretation

**RECREATION SERVICE, INDOOR** means facilities within an enclosed building for sports, active recreation and performing and cultural arts. Typical uses include but are not limited to arenas, riding arenas, curling rinks, athletic clubs, health and fitness clubs, gymnasiums, swimming pools, rifle ranges, bowling alleys, and racquet clubs. This does not include gaming facilities.

**RECREATION SERVICE, OUTDOOR** means development providing facilities for sports and active recreation conducted outdoors. Typical facilities include, but are not limited to golf courses, miniature golf establishments, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, boating facilities, Scout/Guide camps, religious outdoor retreat camps and parks, paint ball parks, motocross tracks, riding arenas, and trail stables/riding.

**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.

**RECYCLING DEPOT** means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse, or dropped off or delivered by the public or by a contractor, or collected for recycling, and where all storage is contained within an enclosed building or an enclosed compound.

**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.

**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.

**RESIDENTIAL SALES CENTRE** means a permanent or TEMPORARY building or structure used for a limited period of time for the purpose of marketing residential land or buildings.

**RESTAURANT** means a development where the primary purpose of the facility is the sale of prepared foods to the public, for consumption within the premises or off the site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This use typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family RESTAURANTS.

## Section 2 | Interpretation

**RETAIL - CONVENIENCE** means a development used for the retail sale of those goods required by area residents on a day-to-day basis in an enclosed building. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceuticals, and personal care items, hardware or printed matter.

**RETAIL GARDEN CENTRE** means a use where gardening products, plants, seeds, shrubbery, trees and other gardening related products are sold to the public from a permanent or TEMPORARY structure, or specifically identified outdoor areas for the storage, display and sale of plants and products.

**RETAIL – GENERAL** means a development used for the retail sale of groceries, beverages, household goods, furniture and appliances, clothing, home improvement supplies, garden supplies, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods from within an enclosed building.

**RETAIL – LIQUOR** means a store that sells alcoholic beverages and products for consumption outside the store premises.

**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.

**ROAD ACCESS** means direct access to a ROAD from a lot, or lawful means of access satisfactory to the Subdivision Authority.

## S

**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.

**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.

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

**SELF-STORAGE 1** means a use where goods are stored in a building on a small scale; where the building is made up of separate compartments and each compartment has separate access that may be available to individuals for the storage of personal items. A SELF-STORAGE 1 facility may also include the administrative functions associated with the use;

**SELF-STORAGE 2** means a use where goods are stored in a building on a large scale; where the building is made up of separate compartments and each compartment has separate access that may be available to individuals for the storage of personal items. Storage of items such as RVs and boats, either indoors or outdoors, is permitted within this facility. A SELF-STORAGE 2 facility may also include the administrative functions associated with the use.

## Section 2 | Interpretation

**SERVICE STATION – MAJOR** means a development 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, BULK FUEL STORAGE AND DISTRIBUTION, vehicle towing services, MOTEL, HOTEL and similar uses provided that these are ACCESSORY to the operation of a SERVICE STATION – MAJOR.

**SERVICE STATION – MINOR** means a development used for retail sales of vehicular fuels, tires, batteries and similar accessories, and includes minor servicing and washing of vehicles. This use may include RETAIL - CONVENIENCE, vehicle towing services as ACCESSORY USES.

**SEWAGE STORAGE TANK** means a holding unit used for storing sewage.

**SHARED PARKING** means a site's parking supply may service more than one use on the site. The total supply of parking spaces may be less than the sum of the total BYLAW parking requirement for all uses on the site and may occur through the proponent providing detailed information and analysis of one or more uses on the site having different individual peak demand times; employees / customers of one use on the site utilizing another use on the site; a customer coming to several different uses on the site;

**SHIPPING CONTAINER** means a steel shipping container for use accessory to the PRINCIPAL BUILDING / use as shown in Figure 11.



Figure 11. Shipping Container

**SHOP – COMMERCIAL** 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 – COMMERCIAL, SHOP – PERSONAL or buildings for use in CONFINED FEEDING OPERATIONS or a barn. This does not include commercial or industrial uses.

**SHOP – PERSONAL** means an accessory structure on a residential property intended for personal use.

**SIGHT 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 7.6m (25.0ft) from the point where the LOT LINES intersect as shown in Figure 12.

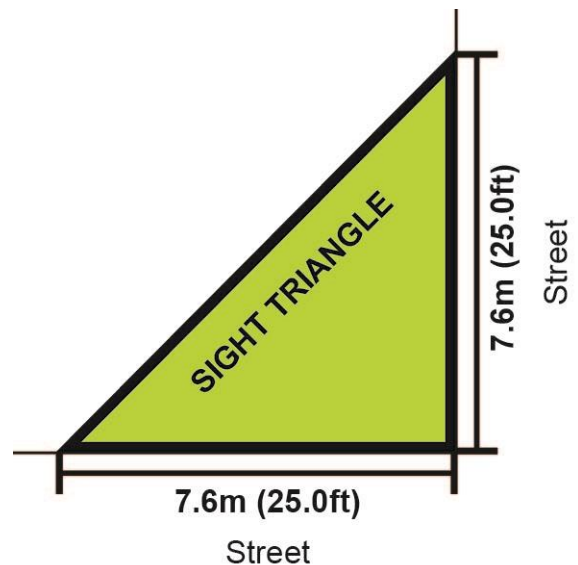


Figure 12. Sight Triangle

**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.

## Section 2 | Interpretation

**SOLAR FARM** means an installation of solar panels to collect solar energy, for commercial sale to off-site customers, that are stand-alone assemblies mounted on racking on the ground.

**SPARK ARRESTER** means a device which prevents the emission of flammable debris from combustion sources, such as internal combustion engines, fireplaces, and wood burning stoves.

**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 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 Section 627 of the Act, that hears SUBDIVISION and DEVELOPMENT appeals and renders a decision.

## T

**TARP SHELTER** means a building designed and constructed with a rigid frame that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors.

**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 well site units.

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

**TOURIST HOME** means a dwelling unit operated as a TEMPORARY place to stay, with or without compensation, and includes all vacation rentals of a dwelling unit. The characteristics that distinguish a TOURIST HOME from a dwelling unit used as a residence may include any of the following:

1. The intent of the occupant to stay for short-term vacation purposes rather than use the property as a residence;
2. The commercial nature of a TOURIST HOME;
3. The management or advertising of the dwelling unit as a TOURIST HOME or “vacation property”; or
4. The use of a system of reservations, deposits, confirmations, credit cards or other forms of electronic payment.

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

## U

**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.

## Section 2 | Interpretation

### V

**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.

### W

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

**WASTE MANAGEMENT** means a site used primarily for the storage, processing, treatment and disposal of solid and liquid wastes, which may have adverse environmental impact on sites either abutting or in the vicinity by virtue of potential emissions and appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, facilities for the recycling of materials (excluding RECYCLING DEPOTS), incinerators, sewage lagoons and similar uses.

**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 any location where water flows and / or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to wetlands and aquifers but does not include part of an irrigation works if the irrigation works is subject to a licence and the irrigation works is owned by the licensee, unless regulations specify that the location is included in the definition of a WATER BODY.

**WATER STORAGE TANK** means a holding unit used for storing water.

**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.

### Y

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

**YARD – EXTERIOR SIDE** means a side yard immediately adjoining a public roadway as shown in Figure 13.

**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 as shown in Figure 13.

**YARD – INTERIOR SIDE** means a side yard other than an exterior side yard as shown in Figure 13.

**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 as shown in Figure 13.

## Section 2 | Interpretation

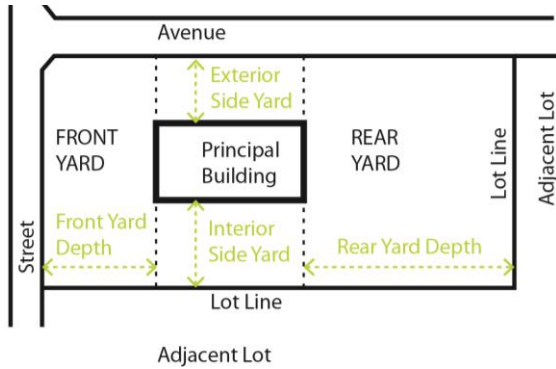


Figure 13. Yard Setbacks

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



# 3 Administration and Procedures

### 3.1 Bylaw Amendments

- 3.1.1 A BYLAW amendment application shall be made to the DEVELOPMENT OFFICER on the prescribed form and shall be signed by the applicant or their agent.
- 3.1.2 All applications to amend this BYLAW shall be accompanied by a statement of the reasons for the amendment.
- 3.1.3 If the amendment involves the re-designation of land to a different LAND USE DISTRICT, the application shall contain:
  - a. A certificate of title for the subject property;
  - b. Written consent of the registered landowner where the applicant is not the owner of the land affected by the application;
  - c. A statement indicating the proposed use of the subject property;
  - d. A properly dimensioned map describing the affected site to the satisfaction of the development authority;
  - e. 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
  - f. An AREA STRUCTURE PLAN where required by the development authority.
- 3.1.4 The COUNTY may at any time initiate an amendment to this BYLAW.

## Section 3 | Administration and Procedures

- 3.1.5 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.
- 3.1.6 In order to ensure a firm commitment for DEVELOPMENT has been received, rezoning applications involving rural country residential developments shall provide the following:
- a. An AREA STRUCTURE PLAN for MULTI-LOT SUBDIVISIONS;
  - b. 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 WATER BODY/wetlands and/or topographical challenges that prevent the minimum of 10 LOTS from being created, the minimum number of LOTS may be decreased;
  - c. The SUBDIVISION must have legal access that meets COUNTY standards; and
  - d. 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.

### 3.2 Bylaw Amendment Notification Requirements

- 3.2.1 On first reading being given to a Bylaw to amend this BYLAW, the administration shall:
- a. Arrange for notice of a public hearing to be published in two (2) issues of a newspaper circulating in the COUNTY, the publication date of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in Section 606 of the Act; and
  - b. Mail a notice of the public hearing to any neighbouring landowners who, in the opinion of the Development Authority, may be affected by the proposed amendment.
- 3.2.2 If a BYLAW amendment provides for a change of district or district provisions, administration shall mail a public hearing notice, not less than fourteen (14) days preceding the public hearing date, to:
- a. The applicant;
  - b. The REGISTERED OWNER(S) of the land if not the applicant and the REGISTERED OWNER(S) of adjacent land;
  - c. An adjacent municipality if the subject amendment lands are adjacent to another municipality; and
  - d. Any other authorities or persons who, in the opinion of the Development Authority, may be affected.
- 3.2.3 A public hearing notice regarding a BYLAW amendment shall contain the following information:
- a. The date, time, and place of the public hearing;
  - b. The purpose of the proposed Bylaw;
  - c. Map depicting the location of the subject property;



## Section 3 | Administration and Procedures

- d. The address where a copy of the proposed Bylaw and any applicable public document may be inspected; and
- e. The procedure to be followed at the public hearing.

### 3.3 Requirement of a Land Use Bylaw Amendment Notification Sign

- 3.3.1 Within fourteen (14) days of an application to amend this BYLAW being deemed complete by the Development Authority, the applicant shall post a Land Use Bylaw Amendment Application Notification Sign on the subject property.

#### Physical Requirements of a Land Use Bylaw Amendment Notification Sign

- 3.3.2 A Land Use Bylaw Amendment Application Notification Sign shall:
  - a. Have a maximum height above ground of 3.0m (9.8ft);
  - b. Have a surface size of 1.2m (3.9ft) in height and 1.2m (3.9ft) in length; and
  - c. Be positioned within the subject property line in a location visible from a public roadway.

#### Land Use Bylaw Amendment Notification Sign Contents

- 3.3.3 Land Use Bylaw Amendment Application Notification Signs shall display the following information, as per Figure 14:
  - a. The legal description and municipal address of the subject property;
  - b. The present LAND USE DISTRICT of the subject property;
  - c. The proposed LAND USE DISTRICT of the subject property; and
  - d. The contact information of the COUNTY in bold large font.

<p><b>PROPOSED LAND USE BYLAW AMENDMENT</b></p> <p>LEGAL DESCRIPTION:</p> <p>PRESENT LAND USE DISTRICT:</p> <p>PROPOSED LAND USE DISTRICT:</p> <p>RESPONSE DEADLINE:</p> <p><b>For more information, please contact Mackenzie County at 780-928-3983.</b></p>
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Figure 14. Land Use Bylaw Amendment Sign Example

### Land Use Bylaw Amendment Notification Sign Removal

- 3.3.4 Within seven (7) days upon completion of a public hearing associated with a BYLAW amendment application, the applicant shall remove the Land Use Bylaw Amendment Application Notification Sign.



# 4 Subdivision and Development Authorities

### 4.1 Development Authorities

- 4.1.1 The Development Authority is established by Bylaw pursuant to Section 624 of the Act.
- 4.1.2 The Development Authority shall exercise DEVELOPMENT powers and duties on behalf of the COUNTY.
- 4.1.3 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

- 4.2.1 Pursuant to Section 624 of the Act, the DEVELOPMENT OFFICER is hereby established by this BYLAW as a Development Authority.
- 4.2.2 The Chief Administrative Officer shall appoint the person to fill the position of DEVELOPMENT OFFICER.
- 4.2.3 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

- 4.3.1 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;

## Section 4 | Subdivision and Development Authorities

- 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. Make decisions on all PERMITTED USE DEVELOPMENT PERMIT applications involving a maximum variance of 10% and refer variance greater than 10% to the MUNICIPAL PLANNING COMMISSION for decision; 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 Section 650 of 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

- 4.4.1 As a Development Authority, the MUNICIPAL PLANNING COMMISSION shall issue decisions on all applications for:
  - a. DISCRETIONARY USES;
  - b. Variances greater than 10%;
  - c. PERMITTED USES referred to it by the DEVELOPMENT OFFICER; and
  - d. Lands involving a Direct Control 2 (DC2) District.
- 4.4.2 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

- 4.5.1 COUNCIL shall serve as the Development Authority for all applications in a Direct Control 1 (DC1) District.

### 4.6 Subdivision Authorities

- 4.6.1 The Subdivision Authority is established by Bylaw pursuant to Section 632 of the Act.
- 4.6.2 The Subdivision Authority shall exercise SUBDIVISION powers and duties on behalf of the COUNTY.
- 4.6.3 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.
- 4.6.4 The Subdivision Authority may also be, where appointed by Bylaw, an external SUBDIVISION agency.

## Section 4 | Subdivision and Development Authorities

### 4.7 Subdivision and Development Appeal Board

- 4.7.1 The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by separate Bylaw.
- 4.7.2 The Board shall carry out the duties and responsibilities pursuant to Section 628 of the Act, and in accordance with the Bylaw that creates it.
- 4.7.3 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

- 4.8.1 The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by a separate Bylaw.
- 4.8.2 The Board shall carry out the duties and responsibilities pursuant to Section 627 of the Act, and in accordance with the Bylaw that creates it.
- 4.8.3 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 4 | Subdivision and Development Authorities

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# 5 Development Administration and Procedures

### 5.1 Need for Development Permit

5.1.1 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

5.2.1 The following DEVELOPMENTS shall not require a DEVELOPMENT PERMIT, but must otherwise comply with all other provisions of this BYLAW:

- a. MINOR RENOVATIONS to an existing building provided that:
  - i. The building use and the number of DWELLING UNITS within the building or subject site does not increase; and
  - ii. Such works do not include MAJOR RENOVATIONS or construction of a DECK.
- b. Completing a building and continuing the use thereof that:
  - i. Was lawfully under construction at the date of this BYLAW adoption;
  - ii. Will be completed, in accordance with the terms of the issued DEVELOPMENT PERMIT, within 18 months from the date of this BYLAW adoption.
- c. The construction or maintenance of gates, fences, walls, or other means of enclosure 1.2m (4.0ft) or less in height within any front yard and 1.8m (6.0ft) or less in any side or rear yards pursuant to Section 8.24;

## Section 5 | Development Administration and Procedures

- d. Satellite dishes and antennas located in:
    - i. Rural areas; and
    - ii. HAMLET areas provided they are less than 0.9m (3.0ft) in diameter.
  - e. Stripping of TOPSOIL for agricultural purposes, but not including the removal or stockpile of TOPSOIL for non-agricultural purposes;
  - f. Constructing or using a TEMPORARY building for fire prevention or suppression;
  - g. Up to two (2) ACCESSORY BUILDINGS, each having a floor space not more than 19.0m<sup>2</sup> (204.5ft<sup>2</sup>) and not permanently attached to the ground. All other provisions in this BYLAW shall be met, such as maximum LOT COVERAGE and height restrictions;
  - h. Erecting TEMPORARY SIGNS which will be removed from the premises within 30 days;
  - i. Demolition / removal of a building having a FLOOR AREA of less than 18.58m<sup>2</sup> (200.0ft<sup>2</sup>);
  - j. In residential LAND USE DISTRICTS, construction of a patio, a fire pit, or an unenclosed DECK where the structure is no more than 0.6m (2ft) above finished GRADE provided all applicable LAND USE DISTRICT site setback requirements are met;
  - k. 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;
  - l. Trapper's CABINS for use with a licensed trap line;
  - m. Fishing CABINS for use with a commercial fishing license;
  - n. Above-ground, pre-manufactured swimming pools with a water volume less than 6.11m<sup>3</sup> (215.8ft<sup>3</sup>);
  - o. INDUSTRIAL CAMP providing accommodations for less than 25 employees and for less than 60 days on Crown land;
- 5.2.2 If there is any doubt as to whether or not a DEVELOPMENT PERMIT is required, the Development Authority shall require a DEVELOPMENT PERMIT.

### 5.3 Non-Conforming Buildings and Uses

- 5.3.1 In accordance with Section 643 of the Act, if a DEVELOPMENT PERMIT has been issued on or before the day on which a Land Use Bylaw or a Land Use Amendment Bylaw comes into force in a municipality and the Bylaw would make the development for which the permit was issued a NON-CONFORMING USE or nonconforming building, the DEVELOPMENT PERMIT continues to be in effect in spite of the coming into force of the Bylaw.
- 5.3.2 A NON-CONFORMING USE of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform to the provisions of this BYLAW.
- 5.3.3 A NON-CONFORMING USE of part of a building may be extended throughout the building, whether or not it is a NON-CONFORMING BUILDING, but the building shall not be enlarged or added to and no STRUCTURAL ALTERATIONS may be made to or within it.



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- 5.3.4 A NON-CONFORMING USE of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings shall be constructed upon the parcel while the NON-CONFORMING USE continues.
- 5.3.5 A NON-CONFORMING BUILDING may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
- a. As may be necessary to make it a conforming building; or
  - b. As the DEVELOPMENT OFFICER considers necessary for the routine maintenance of the building.
- 5.3.6 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

- 5.4.1 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.
- 5.4.2 The DEVELOPMENT OFFICER may issue a Compliance Certificate when in their opinion:
- a. The buildings shown in the Real Property Report are located on the site in accordance with the setback regulations of this BYLAW; or
  - b. 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.
- 5.4.3 The Compliance Certificate shall only address those buildings, or parts thereof, shown on the Real Property Report.
- 5.4.4 When a Real Property Report is older than six (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.
- 5.4.5 Any Real Property Reports being one (1) year or older will not be accepted for Compliance Certificate consideration.
- 5.4.6 The DEVELOPMENT OFFICER may refuse to issue a Compliance Certificate when:
- a. The Real Property Report does not:
    - i. Contain sufficient information to determine if the buildings as shown are in accordance with regulations of this BYLAW or any DEVELOPMENT PERMIT issued; or
    - ii. Indicate or accurately depict all DEVELOPMENTS that are located on the LOT;
  - b. DEVELOPMENTS on the LOT were constructed without the required DEVELOPMENT PERMITS; and
  - c. There are outstanding infractions with this or any other BYLAW.

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5.4.7 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

#### Application for Development Permit

5.5.1 A DEVELOPMENT PERMIT application shall be made to the DEVELOPMENT OFFICER on the prescribed form and shall be signed by the applicant or their agent.

5.5.2 In addition to the completed application the following are required:

- a. A legal description of the subject property;
- b. Municipal address, if applicable;
- c. 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 their discretion, require a Real Property Report completed by a registered surveyor;
- d. Proof of County approved access;
- e. Certificate of Title or proof of ownership of the subject property or the authorization of the landowner, at the discretion of the DEVELOPMENT OFFICER;
- f. A description of the proposed use;
- g. The anticipated commencement and completion dates;
- h. The estimated cost of the project;
- i. An accurate sketch plan or a plot plan prepared by a registered surveyor at the discretion of the DEVELOPMENT OFFICER; and
- j. A floor plan, building elevations, and cross sections of the proposed DEVELOPMENT.

5.5.3 Subject to the scale and complexity of a proposed development, The DEVELOPMENT OFFICER may also require:

- a. A site plan of the proposed DEVELOPMENT showing:
  - i. Existing treed and landscaped areas; and
  - ii. Trees or vegetation to be preserved and / or removed;
- b. A site plan of the proposed DEVELOPMENT at a scale not less than 1:1000, including a contour interval of not more than 5.0m (16.4ft), and a document showing / describing:
  - i. Vehicular access, on-site circulation, parking and loading facilities, camping areas, and emergency routes;

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- ii. Provisions of utilities, including water and sewage facilities;
  - iii. The location and distance to property lines of all existing and proposed buildings;
  - iv. The provisions for landscaping, SCREENING, and buffering; and
  - v. Any other information as required by the Development Authority, including but not limited to the following a:
    - i. Plan showing the proposed provisions of sewage, water, and other utilities as well as of on-street and off-street parking and loading facilities during the peak-use periods;
    - ii. Statement of the potential impacts of the proposed DEVELOPMENT on ADJACENT LANDS, and the proposed measures designed to minimize such adverse impacts; and
    - iii. A statement of measures, facilities and equipment available for fire prevention and firefighting.
  - c. Studies, with associated costs borne by the applicant, regarding:
    - i. projected traffic volumes;
    - ii. utilities;
    - iii. landscaping;
    - iv. urban design;
    - v. parking;
    - vi. social and economic effects;
    - vii. an ENVIRONMENTAL IMPACT ASSESSMENT;
    - viii. an ENVIRONMENTAL AUDIT;
    - ix. slope, soil and flood plain conditions;
    - x. sun and wind impact studies; or
    - xi. any other information as required by the Development Authority.
  - d. Documentation generated through Alberta Energy Regulator's (AER) online Alberta Abandoned Well Locations mapping resource that identifies the location of any abandoned wells within the subject property;
  - e. A statement of the maximum number of persons anticipated to be on the site during peak use periods; and
- 5.5.4 As part of the DEVELOPMENT PERMIT application for developments adjacent to slopes, the applicant shall be required to submit a sketch including the assessment of the slope percentage.

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5.5.5 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.

### 5.6 Fees

5.6.1 All DEVELOPMENT PERMIT applications and BYLAW amendment applications shall be accompanied by a fee established by COUNCIL.

5.6.2 The DEVELOPMENT OFFICER may waive or reduce the DEVELOPMENT PERMIT application fee if:

- a. The applicant is a non-profit organization and the proposed DEVELOPMENT is intended to promote the general welfare of residents within the COUNTY; or
- b. A waiver is authorized by motion of COUNCIL.

5.6.3 A DEVELOPMENT PERMIT application for a DUGOUT shall not require a fee.

### 5.7 Decision on Development Permit Applications

#### Permitted Use Applications

5.7.1 In making a decision on a DEVELOPMENT PERMIT application for a PERMITTED USE, the Development Authority shall:

- a. Approve the application, with or without conditions, if the proposed DEVELOPMENT conforms to this BYLAW; or
- b. Refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.

#### Discretionary Use Applications

5.7.2 In making a decision on a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority:

- a. May approve the application, with or without conditions, if the proposed DEVELOPMENT conforms to this BYLAW;
- b. May refuse the application if the proposed DEVELOPMENT does not conform with the existing surrounding neighbourhood character; or
- c. Shall refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.

5.7.3 In reviewing a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority shall have regard to:

- a. The circumstances and merits of the application, including but not limited to:
  - i. The impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;

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- ii. The design, character and appearance of the proposed DEVELOPMENT and in particular whether it is compatible with and complementary to the surrounding properties; and
    - iii. The servicing requirements for the proposed DEVELOPMENT.
  - b. The purpose and intent of any statutory plan adopted by the COUNTY; and
  - c. The purpose and intent of any non-statutory plan and pertinent policy adopted by the COUNTY.
- 5.7.4 Notwithstanding any requirements of this BYLAW, the Development Authority, at their discretion, may establish a more stringent standard for a DISCRETIONARY USE.

### Temporary Use Approval

- 5.7.5 A DEVELOPMENT PERMIT may be issued on a TEMPORARY basis for a period specified by the Development Authority.

## 5.8 Validity of Development Permits

### General

- 5.8.1 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.
- 5.8.2 A DEVELOPMENT PERMIT is deemed invalid if the construction is not complete within twenty-four (24) months from the date the construction has commenced in accordance with section 5.8.1.
- 5.8.3 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.

### Permitted Use Development Permits

- 5.8.4 A DEVELOPMENT PERMIT issued for a PERMITTED USE does not come into effect until fourteen (14) days after a notice of decision is communicated. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

### Permitted Use, with a Variance, or Discretionary Use Development Permits

- 5.8.5 A DEVELOPMENT PERMIT issued for a PERMITTED USE requiring a variance or a DISCRETIONARY USE does not come into effect until twenty one (21) days after a notice of decision appears in a local newspaper and provided no appeal has been received against the DEVELOPMENT.

## 5.9 Referrals

- 5.9.1 The DEVELOPMENT OFFICER may refer any DEVELOPMENT PERMIT application to The MUNICIPAL PLANNING COMMISSION or INTER-MUNICIPAL PLANNING COMMISSION for a decision, support, or advice.

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- 5.9.2 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 5.11.
- 5.9.3 The DEVELOPMENT AUTHORITY may refer any DEVELOPMENT PERMIT or subdivision application to another municipal department or external agency for their review and comment. The following is a description of mandatory referrals to external agencies:

### **Crown Land Development**

- a. When the MUNICIPALITY receives a DEVELOPMENT PERMIT application that is to be located on Crown land or near a regionally significant or natural area, a copy of the DEVELOPMENT PERMIT application shall be forwarded to the appropriate government department for comment and recommendations;

### **Provincial Highway Network**

- b. The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
- i. Subdivision applications within 800.0m (0.50miles) of a provincial highway;
  - ii. DEVELOPMENT PERMIT applications within 300.0m (0.19miles) of a provincial highway; and
  - iii. DEVELOPMENT PERMIT applications within 800.0m (0.50miles) of a provincial highway intersection.

### **Alberta Energy Regulator (AER)**

- c. The applicant shall be required to obtain approval from AER for developments within 100.0m (328.08ft) of sour gas, gas or oil facilities in accordance with AER regulations;

### **Alberta Environment and Parks (AEP)**

- d. At the discretion of Development Authority, the applicant may be required to obtain an approval from AEP subject to the location of the subject property. All ENVIRONMENTAL AUDITS and ENVIRONMENTAL IMPACT ASSESSMENTS shall be referred to AEP for review and comment.

## 5.10 Variance Authority

- 5.10.1 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, FLOOR AREA, or HEIGHT as stipulated in this BYLAW.
- 5.10.2 The Development Authority may approve a variance of up to 40% for the Urban Fringe 'UF' and Zama Residential Business 'Z-RB' Districts.
- 5.10.3 A variance may only be granted if, in the opinion of the Development Authority the subject site:
- a. Conforms to the use prescribed in this BYLAW;
  - b. Does not unduly interfere with the amenities of the neighbourhood;

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- c. 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
- d. 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 restrict:
  - i. Access for emergency response; and
  - ii. The safe passage for pedestrians and vehicles on adjoining sidewalks and roadways.
- e. 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.

### 5.11 Development Permit Conditions

5.11.1 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 to:

- a. Construct or pay for the construction of a ROAD required to give access to the development;
- b. Construct or pay for the construction of;
  - i. A pedestrian walkway system to serve the development; or
  - ii. Pedestrian walkways to connect the development with a pedestrian walkway system that serves or is proposed to serve adjacent development.
- c. Install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the DEVELOPMENT;
- d. Construct or pay for the construction of;
  - i. Off-street or other parking facilities; and
  - ii. Loading and unloading facilities.
- e. Pay an off-site levy or redevelopment levy;
- f. Provide security to ensure that the terms of the agreement under this section are carried out.

5.11.2 The COUNTY may register a caveat in respect of a Development Agreement, made under this section, for land subject to DEVELOPMENT. The Development Agreement will be discharged when all conditions contained therein have been fulfilled to the satisfaction of the Development Authority.

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5.11.3 Subject to this BYLAW, any statutory plan and the Act, the Development Authority may attach whatever conditions they consider appropriate to a DEVELOPMENT PERMIT for either a DISCRETIONARY USE or PERMITTED USE, including but not limited to the following:

- a. Landscaping requirements;
- b. Noise attenuation;
- c. Special parking provisions;
- d. Location, appearance, and character of a building;
- e. Grading of a site to protect adjacent properties;
- f. Ensuring the proposed DEVELOPMENT is compatible with the surrounding land uses; and
- g. 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;

5.11.4 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.

### 5.12 Permit Approval and Notifications

5.12.1 All approvals on DEVELOPMENT PERMITS, as pursuant to Section 640 of the Act, shall be in writing and mailed by the Development Authority to the applicant.

5.12.2 All refusals on DEVELOPMENT PERMITS shall be in writing and sent via registered mail by the Development Authority to the applicant.

5.12.3 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.

5.12.4 Notwithstanding any other provision of this BYLAW, the granting of a DEVELOPMENT PERMIT shall:

- a. 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
- b. 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.

5.12.5 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.



## Section 5 | Development Administration and Procedures

### Permitted Use Development Permits

- 5.12.6 When a DEVELOPMENT PERMIT has been approved for a PERMITTED USE involving a variance, the Development Authority may mail a notice immediately to all ADJACENT landowners when it is deemed that amenities, use or enjoyment of ADJACENT lands may be affected.

### Discretionary Use Development Permits

- 5.12.7 When a DEVELOPMENT PERMIT has been approved for a DISCRETIONARY USE, the Development Authority:
- a. 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;
  - b. May mail a notice immediately to all ADJACENT landowners when it is deemed that amenities, use or enjoyment of ADJACENT lands may be affected;

## 5.13 Resubmission Interval

- 5.13.1 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.

## 5.14 Deemed Refusal

- 5.14.1 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.

## 5.15 Subdivision and Development Permit Appeals

### Grounds for Appeals

- 5.15.1 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:
- a. Refuses or fails to make a decision on a DEVELOPMENT PERMIT within forty (40) days of receipt of a completed application; or
  - b. Issues a DEVELOPMENT PERMIT subject to conditions.
- 5.15.2 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.
- 5.15.3 Notwithstanding Sections 5.15.1 and 5.15.2, 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.

## Section 5 | Development Administration and Procedures

### Procedure for Appeals

- 5.15.4 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 INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD within twenty one (21) days in the case of an appeal by:
- a. The applicant after:
    - i. The date the applicant is notified of the decision; or
    - ii. If no decision is made on the DEVELOPMENT PERMIT application within forty (40) days of the application being made or the date that period of any extension of it expires.
  - b. A person affected, after the date on which the COUNTY publishes notice of the DEVELOPMENT PERMIT decision in a newspaper circulating in the COUNTY.

### Hearing and Decision

- 5.15.5 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.
- 5.15.6 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.
- 5.15.7 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.



# 6 Enforcement

### 6.1 Contravention and Stop Orders

- 6.1.1 The Development Authority may act under Subsection 6.1.2 pursuant to Section 645 of the Act, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:
- a. The Act or the regulations;
  - b. A DEVELOPMENT PERMIT or SUBDIVISION approval; or
  - c. This BYLAW.
- 6.1.2 If Subsection 6.1.1 applies, the Development Authority may, by notice in writing, order the REGISTERED OWNER, the person in possession of the land or buildings, or the person responsible for the contravention, or any or all of them to:
- a. Stop the development or use of the land or buildings in whole or in part as directed by the notice;
  - b. Demolish, remove or replace the development; or
  - c. Take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Part 17 of the Act, the regulations, a DEVELOPMENT PERMIT, SUBDIVISION approval, or this BYLAW, as the case may be.

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### Enforcement of Stop Orders

- 6.1.3 Pursuant to Section 646 of the Act, if a person fails or refuses to comply with an order directed to the person under Section 645 or an order of an SDAB under Section 687, the MUNICIPALITY may, in accordance with Section 542, enter on the land or building and take any action necessary to carry out the order.
- 6.1.4 A MUNICIPALITY may register a caveat under the *Land Titles Act* in respect of an order referred to in Subsection 6.1.2 against the certificate of title for the land that is the subject of the order.
- 6.1.5 If a MUNICIPALITY registers a caveat under Subsection 6.1.4, the MUNICIPALITY must discharge the caveat when the order has been complied with.
- 6.1.6 Costs and expenses incurred in carrying out the order may be placed on the tax roll for the subject property and shall be collected in the same manner as property taxes.

### Contents of a Stop Order

- 6.1.7 Where a notice is issued under Subsection 6.1.2, the notice may state the following and any other information considered necessary by the Development Authority:
- a. An explanation of the contravention, and a statement indicating under which provisions of this BYLAW or the Act the order is being carried out;
  - b. The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
  - c. A time frame in which the contravention must be corrected prior to Mackenzie County pursuing further action; and
  - d. Advise the person of their right to appeal the notice to the Subdivision and Development Appeal Board.

### Appeal to Stop Orders

- 6.1.8 A person who receives a notice referred to in Subsection 6.1.2 may appeal to the SDAB in accordance with Section 685 of the Act.

## 6.2 Prohibitions

- 6.2.1 No person shall contravene or permit a contravention of this BYLAW. No person shall commence or undertake a development, use, or SIGN that is not permitted by this BYLAW.
- 6.2.2 No person shall contravene a condition of a permit issued under this BYLAW.
- 6.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a DEVELOPMENT PERMIT. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a DEVELOPMENT OFFICER.

## 6.3 Non-Compliance

- 6.3.1 If, after a DEVELOPMENT PERMIT has been issued, the Development Authority becomes aware that:

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- a. The application for the development contains a misrepresentation;
  - b. Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
  - c. The DEVELOPMENT PERMIT was issued in error;
  - d. The application was withdrawn by way of written notice from the applicant; or
  - e. If the condition(s) imposed in the DEVELOPMENT PERMIT have not been complied with;  
  
The Development Authority may cancel, suspend, or modify as considered appropriate, the DEVELOPMENT PERMIT by notice, in writing, to the holder of the permit.
- 6.3.2 A person whose DEVELOPMENT PERMIT is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 5.15 within twenty one (21) days of notice of such action.

### 6.4 Warning Notice

- 6.4.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

### 6.5 Violation Tickets

- 6.5.1 A Designated Officer shall be authorized and empowered to issue a municipal ticket to any person who the Designated Officer has reasonable and probable grounds to believe it has contravened any provision of this BYLAW.
- 6.5.2 A municipal ticket may be served:
- a. Personally to the person; or
  - b. Mailed to the address shown on a certificate of title for the lands on which the contravention is alleged to have occurred.
- 6.5.3 The municipal ticket shall be in a form approved by the Chief Administrative Officer and shall state:
- a. The name of the person to whom the municipal ticket is issued;
  - b. A description of the offence and the applicable BYLAW Section;
  - c. The appropriate penalty for the offence as specified in this BYLAW;
  - d. That the penalty shall be paid within fourteen (14) days of the issuance of the municipal ticket in order to avoid prosecution; and
  - e. Any other information as may be required by the Chief Administrative Officer.
- 6.5.4 Where a contravention of this BYLAW is of a continuing nature, further municipal tickets may be issued by a Designated Officer.

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- 6.5.5 A person to whom a municipal ticket has been issued may pay the penalty specified on the municipal ticket and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 6.5.6 Where a municipal ticket has been issued and the penalty specified on the municipal ticket is not paid within the prescribed time, a Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 6.5.7 Notwithstanding Subsection 6.5.6, a Designated Officer may immediately issue a violation ticket to any person whom the designated Officer has reasonable and probable grounds to believe has contravened any provision of this BYLAW.
- 6.5.8 A violation ticket issued with respect to a contravention of this BYLAW shall be served upon the person responsible for the contravention in accordance with the *Provincial Offence Procedure Act*.
- 6.5.9 If a violation ticket is issued in respect of an offence, the violation ticket may:
- a. Specify the fine amount established by BYLAW for the offence; or
  - b. Require a person to appear in court without the alternative of making a voluntary payment.
- 6.5.10 A person who commits an offence may, if a violation ticket is issued in respect of the offence and the violation ticket specifies the fine amount established by bylaw for the offence, make a voluntary payment equal to the specified fine.
- 6.5.11 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this BYLAW and the *Provincial Offence Procedure Act*, the receipt of that payment by the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.
- 6.5.12 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this BYLAW for each such separate offence.

### 6.6 Right of Entry

- 6.6.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
- a. Part 17 of the Act, regulations thereto, and / or the Land Use Bylaw; or
  - b. A DEVELOPMENT PERMIT;
- The Development Authority may take such action as specified in Sections 542 and 543 of the Act.

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### 6.7 Offenses and Penalties

- 6.7.1 Any person who contravenes or does not comply with any provision of this BYLAW, or a DEVELOPMENT PERMIT or SUBDIVISION approval, or a condition of a permit or approval, an order, notice or direction given under this BYLAW, or a decision of the SDAB is guilty of an offense and is liable upon conviction.
- 6.7.2 Penalties for offences shall be in accordance with the COUNTY'S Fee Schedule Bylaw.

# Section 6 | Enforcement

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# 7 Subdivision Administration and Procedures

## 7.1 Subdivision Application Procedures

- 7.1.1 Subdivision applications shall be submitted to the Subdivision Authority on the prescribed form signed by the landowner or agent.
- 7.1.2 After having received the subdivision application, the Subdivision Authority shall refer it to other agencies, as listed in Section 5.9.3.
- 7.1.3 On receipt of an application for SUBDIVISION approval, the Subdivision Authority shall give notice of the application to adjacent landowners of the subject of property.
- 7.1.4 A notice of a subdivision application shall:
- a. Contain:
    - i. The municipal address, if any, and the legal address of the parcel of land;
    - ii. A map showing the location of the parcel of land; and
    - iii. A description of the nature of the application, the method of obtaining further information about the application and the manner in which and time within which written submissions may be made to the Subdivision Authority.
  - b. Be given by at least one of the following methods:
    - i. Mailing the notice to each owner of land that is adjacent to the land that is the subject of the application;
    - ii. Posting the notice on the land that is the subject of the application; and / or

## Section 7 | Subdivision Administration and Procedures

- iii. Publishing a notice in a newspaper that has general circulation in the COUNTY.
- 7.1.5 The Subdivision Authority may approve an application for subdivision only if it meets the requirements of Part 17, Davison 7 of the Act, Subdivision and Development Regulations, other plans and / or bylaws and including this BYLAW.
- 7.1.6 When reviewing an application for SUBDIVISION the Subdivision Authority may consider the following:
  - a. Access to the subject property and the construction standards for roads to be built;
  - b. The provision, operation and maintenance of water and sewer facilities;
  - c. Water supply for firefighting purposes;
  - d. Site drainage;
  - e. Development of parks and recreation areas; and
  - f. Connection to the municipal water and sewer system.
- 7.1.7 When evaluating an application for subdivision in the Agricultural Land Use District the Subdivision Authority may consider whether a ROAD providing access to the subject property complies with the General Municipal Infrastructure Standards and the Rural Road, Access Construction and Surface Water Management Policy No. PW039.

### 7.2 Subdivision and Development Referrals

#### Alberta Cultural and Community Spirit

- 7.2.1 When reviewing a subdivision application for proposed land uses which may impact a historical site, the Subdivision Authority:
  - a. Shall refer a DEVELOPMENT PERMIT application to Alberta Cultural and Community Spirit and Historical Resources Division for review and comment if the application includes:
    - i. Structural renovation and relocation of, or addition to, an identified historical building; and
    - ii. Disturbance or excavation of soil more than 0.3m (1.0ft) 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 a DEVELOPMENT PERMIT application to Alberta Cultural and Community Spirit and Historical Resources Division for review and comment if the application includes:
    - i. Disturbance or excavation of soil more than 0.3m (1.0ft) below the natural surface of a site that is adjacent to, and situated less than 199.9m (656.0ft) from, an identified historic site; or
    - ii. In the opinion of the Development Authority, an adverse impact on an identified historical site.

## Section 7 | Subdivision Administration and Procedures

### Alberta Transportation

- 7.2.2 When the COUNTY receives an application for SUBDIVISION or a DEVELOPMENT PERMIT 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.
- 7.2.3 Referrals to Alberta Transportation are required for the following site locations:
- i. Subdivision applications within 0.8km (0.5miles) of a HIGHWAY;
  - ii. A DEVELOPMENT PERMIT application within 300.0m (984.3ft) of a HIGHWAY; and
  - iii. A DEVELOPMENT PERMIT application within 0.8km (0.5miles) of a HIGHWAY intersection.

### Other Referral Agencies

- 7.2.4 As required by the provisions of an adopted INTER-MUNICIPAL DEVELOPMENT PLAN, the Subdivision Authority 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.
- 7.2.5 All subdivision applications received by the COUNTY shall be referred to ATCO Electric, Northern Lights Gas Co-op, TELUS, Fort Vermilion School Division and Mackenzie County Operational Services Department for their review and comments / requirements.
- 7.2.6 The Subdivision Authority may use its discretion to refer an application to any other agency for comments.

## 7.3 Subdivision Decision

- 7.3.1 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.
- 7.3.2 Once approval has been granted, the developer shall have a period of one (1) year, or as required by the Subdivision Authority, to develop the SUBDIVISION including, but not limited to, the installation of utilities, roads and plan registration.

## 7.4 Subdivision Appeals

- 7.4.1 After a decision on the proposed SUBDIVISION has been made, the parties outlined in Section 678 of the Act may appeal the decision to the appropriate appeal board, as listed below, within fourteen (14) days after receipt of the written decision:
- a. 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 7 | Subdivision Administration and Procedures

- b. In all other cases, with the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT BOARD.
- 7.4.2 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 Part 17, Division 11 of the Act or a SUBDIVISION appeal under Section 688 of the Act.

### 7.5 Development Agreement

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

### 7.6 Securities

- 7.6.1 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.
- 7.6.2 Security, in the form of a performance bond, will not be accepted.
- 7.6.3 Where servicing is required for individual parcels or bare land condominium parcels, a DEVELOPMENT OFFICER may impose a condition requiring the applicant to provide a guaranteed security to ensure that all landscaping, on-site utilities, including surface drainage, are constructed to the satisfaction of the County Engineer. The security may take the following forms:
  - a. Cash to a value equal to 100% of the estimated costs; or
  - b. An irrevocable letter of credit having the value equivalent to 100% of the established costs.

### 7.7 Registration

- 7.7.1 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.
- 7.7.2 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.

### 7.8 Subdivision Approval Process

- 7.8.1 The process of a SUBDIVISION approval within the COUNTY is illustrated within Figure 15.

## Section 7 | Subdivision Administration and Procedures

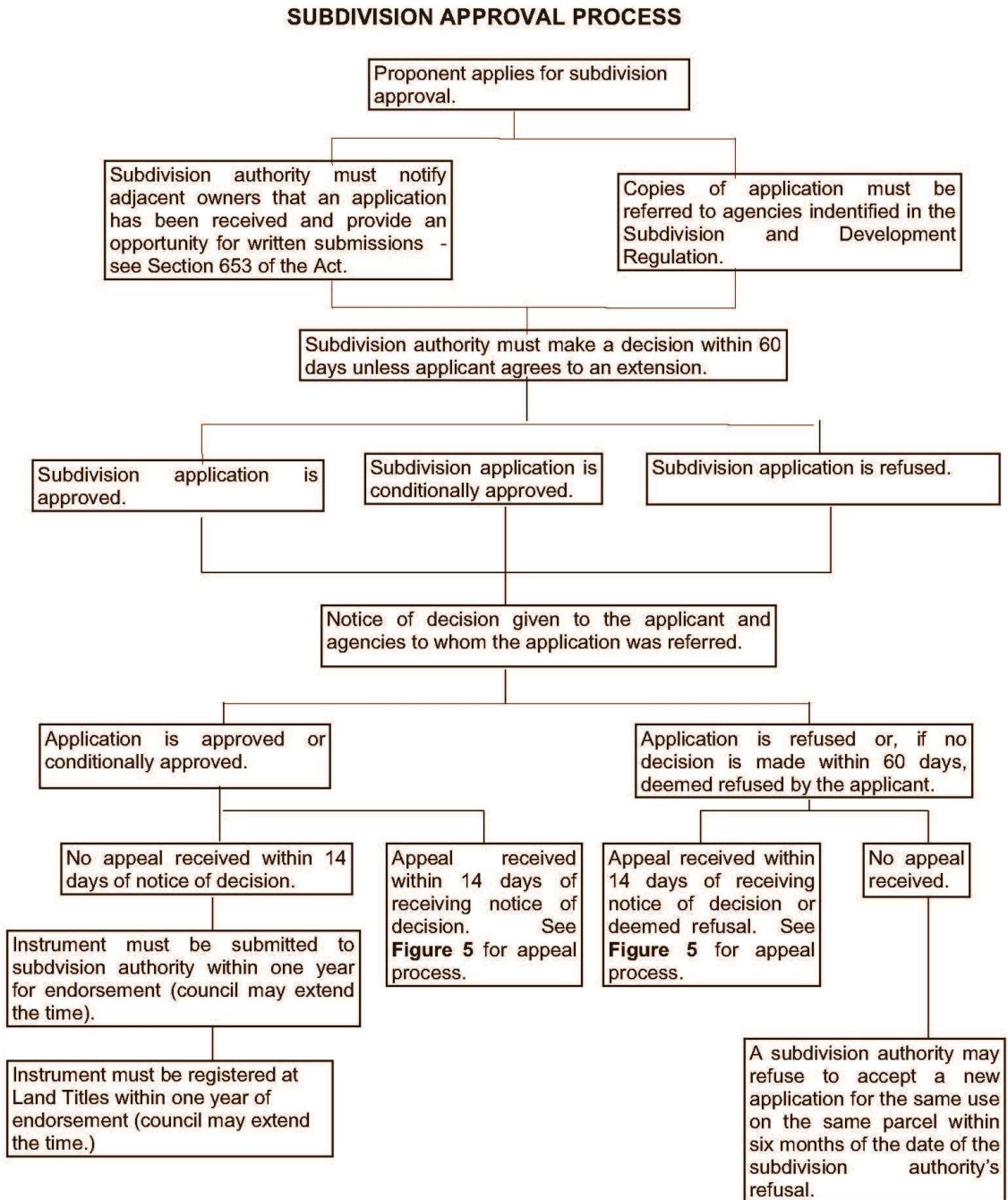


Figure 15. Subdivision Approval Process

# Section 7 | Subdivision Administration and Procedures

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# 8 General Regulations

### 8.1 Access and Drainage

- 8.1.1 Every proposed SUBDIVISION must provide to each LOT a direct access to a ROAD.
- 8.1.2 No DEVELOPMENT PERMIT with the exception of Subsection 5.11.4 shall be issued without a direct access to a ROAD.
- 8.1.3 All accesses shall be constructed to the General Municipal Improvements Standards or replacing standards and / or policy.
- 8.1.4 The total site area (LOT) of any development shall have a positive surface drainage that does not adversely affect the neighbouring properties.
- 8.1.5 Any doors, windows and other openings to any DEVELOPMENT shall be at the same or greater elevation as the downstream ROAD centerline elevation to avoid overland flood damage, water seepage and other water related damage.
- 8.1.6 Applications for subdivision shall be required to demonstrate ROAD ACCESS for proposed lots to the standards established in the General Municipal Improvement Standards or to the satisfaction of the Subdivision Authority.
- a. When a parcel abuts an undeveloped ROAD, this does not constitute ROAD ACCESS for purposes of subdivision.
- b. A subdivision applicant may be required by the Subdivision Authority to construct a ROAD extension at their own expense in order to provide ROAD ACCESS:
- Where direct access by a ROAD constructed to meet the General Municipal Improvement Standards does not already exist

## Section 8 | General Regulations

- In order to provide ROAD ACCESS to the balance of a subdivided lot
- c. ROAD construction pursuant to 8.1.6.ii shall be in accordance with the General Municipal Improvement Standards.
  - d. Notwithstanding 8.1.6.i, 8.1.6.ii, 8.1.6.iii, and at the discretion of the Subdivision Authority, subdividing an existing farmstead or subdividing to create a new lot where ROAD ACCESS is limited by natural features of the site may be done through the use of a PANHANDLE/FLAG LOT with or without extending a ROAD.

### 8.2 Accessory Building

#### Placement and Height

- 8.2.1 No ACCESSORY BUILDING or any portion thereof shall be erected or placed within a front yard of any parcel with the exception of FARM BUILDINGS where approved by the Development Authority.
- 8.2.2 An ACCESSORY BUILDING in a HAMLET residential LAND USE DISTRICT shall be no more than 4.6m (15.0ft) in height.
- 8.2.3 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 ACCESSORY BUILDING.
- 8.2.4 An ACCESSORY BUILDING erected on a site shall not be used as a DWELLING UNIT.

#### Size

- 8.2.5 The combined area of all ACCESSORY BUILDINGS on a LOT in a HAMLET residential LAND USE DISTRICT shall not exceed fifty percent (50%) of the total area of the PRINCIPAL BUILDING.
- 8.2.6 The combined area of all ACCESSORY BUILDINGS on a LOT in a commercial or industrial LAND USE DISTRICT shall not exceed the total area of the PRINCIPAL BUILDING.
- 8.2.7 Subject to the provisions of other Sections of this BYLAW, the Development Authority may regulate the maximum size of an ACCESSORY BUILDING 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.

### 8.3 Animals

- 8.3.1 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:
  - a. 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
  - b. any pets or domestic animals on a commercial basis, except for an approved pet store or KENNEL.



## Section 8 | General Regulations

8.3.2 Within the URBAN FRINGE (UF) LAND USE DISTRICT in which LIVESTOCK is allowed, the following shall apply:

- a. 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
<b>Horses and Other Equine Animals</b>	1

- b. LIVESTOCK consisting of up to three (3) hens shall be exempt from contributing to an animal unit count.
- c. 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.
- d. 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.

8.3.3 In any RURAL COUNTRY RESIDENTIAL LAND USE DISTRICT in which LIVESTOCK is allowed, the following shall apply:

- a. 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
<b>Cow (Plus calf under 6 months)</b>	1
<b>Horses and Other Equine Animals</b>	1
<b>Sheep/Goats</b>	2
<b>Pigs</b>	2
<b>Fowl</b>	12

- b. LIVESTOCK consisting of up to three (3) hens shall be exempt from contributing to an animal unit count.
- c. 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.

## Section 8 | General Regulations

d. 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.

8.3.4 In all Residential LAND USE DISTRICTS, up to three (3) hens shall be allowed per property.

8.3.5 Please refer to 8.64 for residents living on NW 29-106-15-W5M

### 8.4 Apiary

8.4.1 The Development Authority may approve a DEVELOPMENT PERMIT for an APIARY if it is satisfied that the APIARY will be compatible with the existing character of the neighbourhood and associated quality of life.

8.4.2 Prior to decision on a DEVELOPMENT PERMIT for an APIARY the Development Authority shall notify all adjacent landowners.

8.4.3 In the Agricultural (A) district, an APIARY shall be considered a DISCRETIONARY USE if it is within:

- a. 150.0m (492.0ft) of a school or other public meeting place; or
- b. 30.0m (98.5ft) of or within a multi-parcel residential, commercial or industrial SUBDIVISION.

### 8.5 Applicability of General Regulations

8.5.1 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.

### 8.6 Bathroom Facilities

8.6.1 All commercial / industrial / public / institutional uses are required to provide bathroom facilities in accordance with the *Alberta Safety Codes Act*.

8.6.2 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 *Alberta Safety Codes Act* is required to be submitted prior to the acceptance or approval of such application.

### 8.7 Building Demolition or Removal

8.7.1 When a DEVELOPMENT PERMIT is to be approved for the demolition or removal of a building, the DEVELOPMENT OFFICER or the MUNICIPAL PLANNING COMMISSION may require the applicant to provide a cash deposit or irrevocable letter of credit in such amount to cover costs of reclamation and damage to any PUBLIC UTILITY.

8.7.2 A person responsible for BUILDING DEMOLITION or removal shall at their own expense:

- a. Protect any wall, sidewalk or roadway liable to be affected by such demolition to ensure pre demolition conditions of such are sustained;
- b. Ensure that adequate measures are taken by way of fencing and SCREENING to ensure public safety;

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- c. Remove all demolition debris from the subject site and leave the subject site in a graded condition upon demolition completion;
  - d. Ensure Measures are taken to ensure that the demolition is done in a safe and efficient manner in order to minimize disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition;
- 8.7.3 A DEVELOPMENT PERMIT for BUILDING DEMOLITION or removal shall provide details relating to:
- a. Timelines for demolition and site restoration completion;
  - b. Recent colour photographs showing all sides of the building to be demolished;
  - c. A statement on the subject building age, size and structural condition;
  - d. Salvage operation and stockpiling of BUILDING DEMOLITION material and fill from excavation; and
  - e. Site restoration and land reclamation upon building demolition (filling, grading, landscaping, etc.).

### 8.8 Building – Height, Design, Character and Appearance

#### General

- 8.8.1 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 firefighting capabilities, aesthetics, and / or other reasons deemed necessary by the Development Authority.
- 8.8.2 The design, character and appearance of any building, structure or SIGN proposed to be erected or located in any district must be acceptable to the Development Authority, having due regard to the amenities and the character of existing development in the district, as well as to its effect on development in adjacent districts.
- 8.8.3 All mechanical equipment shall be screened from view or incorporated into the roof envelope.
- 8.8.4 All street sides of CORNER LOTS and those backing onto parkland, green spaces or major roads shall be finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- 8.8.5 The finish and appearance of all the buildings on a property, including accessory buildings, should complement the other structures and natural features on the same LOT.

#### Development Adjacent to Residential Uses

- 8.8.6 The development of properties adjacent to residential uses must address potential land use conflicts through building orientation, landscaped buffers, lighting design, architectural treatments and operational requirements, to the satisfaction of the Development Authority.

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### Multiple Commercial Buildings

- 8.8.7 A property developed with multiple commercial buildings must be designed as a comprehensive development, considering the relation between the appearance and operational characteristics of the different buildings and their individual uses.

## 8.9 Building – Moved-In

### Development Permit Requirements

- 8.9.1 Any building to be moved in or placed within any LAND USE DISTRICT established by this BYLAW shall require approval by the Development Authority.
- 8.9.2 An application for a DEVELOPMENT PERMIT for the relocation of a building may be approved by the development authority if the proposal meets all regulations specified under the applicable LAND USE DISTRICT of this BYLAW and conforms to the *Alberta Safety Codes Act*.
- 8.9.3 In addition to the requirements of Section 5.5, the Development Authority may require an application for a DEVELOPMENT PERMIT for a BUILDING – MOVED IN or relocated to be accompanied by:
- a. Recent colour photographs showing all sides of the building;
  - b. A statement on the building current placement, age, size and structural condition;
  - c. A list of all proposed improvements to the building;
  - d. A complete site plan showing all buildings currently located or to be located on the subject property;
  - e. A notification of the relocation route, date, and time that the relocation is to take place for buildings with a width greater than 6.1m (20.0ft); and
  - f. A performance bond of such amount to ensure completion of any MAJOR / MINOR RENOVATIONS set out as conditions of the DEVELOPMENT PERMIT approval.
- 8.9.4 When reviewing DEVELOPMENT PERMIT applications for a BUILDING – MOVED IN or relocated, the Development Authority shall consider the impact of the proposed building on the aesthetics and value of abutting properties.
- 8.9.5 The Development Authority may require that a notice in writing be forwarded to all ADJACENT landowners.
- 8.9.6 Any residential buildings to be moved to a residential LOT may be required to enter into a Development Agreement.
- 8.9.7 All structural and exterior renovations of a relocated building shall be completed within one (1) year of the issuance of a DEVELOPMENT PERMIT.

### Residential Buildings within Hamlets

- 8.9.8 A residential building to be moved onto a residential LOT within a HAMLET shall be renovated, to an acceptable level determined by the Development Authority, prior to the acceptance and issuance of a DEVELOPMENT PERMIT. Renovations may include, but are not limited to new:

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- a. Siding;
- b. Windows;
- c. Doors;
- d. Roof; and / or
- e. Shingles.

### Commercial / Industrial Buildings within Hamlets

- 8.9.9 A commercial / industrial building to be moved into a HAMLET may be required to provide guaranteed security in order to ensure completion of any MAJOR / MINOR RENOVATIONS set as a condition of approval of a DEVELOPMENT PERMIT.

## 8.10 Building – Placement

- 8.10.1 Unless otherwise provided for by this BYLAW, all buildings erected or placed on a site shall meet the minimum yard requirements of the applicable LAND USE DISTRICT, 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.

## 8.11 Businesses – Drive-Through

### Access

- 8.11.1 A drive-through business shall not be located on sites where, in the opinion of the Development Authority, the drive-through business would create unsafe vehicle circulation or access or egress from the site.
- 8.11.2 All parts of a site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority to provide a durable dust-free surface.
- 8.11.3 No curb cut providing vehicle access onto the subject site shall:
- a. Be within 6.0m (19.7ft) from the nearest corner of an intersection of two roads;
  - b. Have a width greater than 10.7m (35.1ft);
  - c. Be located closer than 6.0m (19.7ft) from an adjacent curb cut on the same side of a site and measured along the LOT LINE.

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### Landscaping and Screening

- 8.11.4 A minimum of ten percent (10%) of the site area of a drive-through business shall be landscaped to the satisfaction of the Development Authority.
- 8.11.5 Where a drive-through business is located abutting to a residential district, SCREENING shall be provided to the satisfaction of the Development Authority.

### Site Design

- 8.11.6 The minimum required front landscaped yard shall be 3.0m (9.8ft), or such greater distance as prescribed within the applicable district within which the development is located.
- 8.11.7 A minimum of two (2) queuing spaces shall be provided for each drive-in window to the following standards:
- a. Minimum length of 6.5m (21.3ft) and width of 3.0m (9.8ft);
  - b. Provide sufficient space for turning and maneuvering and not interfere with parking or access on the site.
- 8.11.8 A drive through facility providing automotive servicing, such as quick lube, or similar facilities, shall provide sufficient vehicle stacking 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 Section 8.37.
- 8.11.9 The on-site layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- 8.11.10 Any lighting proposed to illuminate the site shall be located and arranged so that all direct rays of light are directed upon the site only and not on any abutting residential use.
- 8.11.11 A sufficient number of catch basins to drain the site shall be provided, to the satisfaction of the Development Authority.

### Site and Building Area

- 8.11.12 Where the customer normally remains in the vehicle for service, the minimum site size shall be 930.0m<sup>2</sup> (10,010.4ft<sup>2</sup>), and the minimum building area shall be 37.0m<sup>2</sup> (398.3ft<sup>2</sup>).

### Maintenance

- 8.11.13 The owner, tenant, operator, or person in charge of a drive-in business shall, at all times:
- a. Maintain the site and the buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition, free from all rubbish and debris;
  - b. Be responsible for the proper, safe, and orderly operation of the business and of motor vehicles using the site, and without restricting the generality of the foregoing, shall ensure:
    - i. That operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the site; and
    - ii. That operators of motor vehicles enter and leave the site only at the entrances and exits provided for such purposes.

## Section 8 | General Regulations

### 8.12 Businesses – Farm Subsidiary

- 8.12.1 FARM SUBSIDIARY BUSINESSES shall be no more than supplementary to the use of a parcel of land for agricultural purposes and shall not:
- a. Employ any full time employees who do not reside on-site;
  - b. Store or maintain any goods, materials, or equipment not directly related to the operation; and / or
  - c. Create a nuisance by way of dust, noise, odour, smoke, or traffic generation.
- 8.12.2 Signage for a FARM SUBSIDIARY BUSINESS shall be limited to one (1) SIGN not exceeding 3.0m<sup>2</sup> (32.9ft<sup>2</sup>) in area. Signage must conform to all other provisions of the SIGN regulation contained in Section 8.52 of this BYLAW.
- 8.12.3 Agricultural equipment used for the owner's land and contracted out to other landowners shall not be considered a FARM SUBSIDIARY BUSINESS.

### 8.13 Confined Feeding Operations

- 8.13.1 CONFINED FEEDING OPERATIONS (CFOs) are regulated by the Natural Resource Conservation Board (NRCB), as appointed within the *Agricultural Operation Practices Act (AOPA)*, in accordance with provincial regulations and are exempt from municipal control under this BYLAW.
- 8.13.2 Notwithstanding the above-mentioned, development of a CFO shall be consistent with the land use provisions of the COUNTY'S MDP.
- 8.13.3 Notwithstanding any other provision of this BYLAW that requires a minimum setback, the Minimum Distance Separation between a proposed DWELLING UNIT and a CFO, as determined by the NRCB, shall be the required distance of separation between a proposed CFO and an existing DWELLING UNIT.
- 8.13.4 Where more than one (1) minimum setback distance is applicable under this BYLAW, the greater distance shall prevail.
- 8.13.5 In all LAND USE DISTRICTS, where multi-parcel residential development is allowed, it shall be a DISCRETIONARY USE if it is within the Minimum Distance Separation for a CFO, as determined by the NRCB.
- 8.13.6 Applications for a DEVELOPMENT PERMIT for a new residential use within a country residential district for which the proposed use does not comply with the Minimum Distance Separation from an existing CFO, as determined by the NRCB, may be approved as a DISCRETIONARY USE. If approved, the DEVELOPMENT PERMIT may include as a condition of approval a restrictive covenant, which outlines the risk of a CFO in the area and may require additional buffering or vegetative SCREENING on the part of the applicant in order to minimize adverse impacts from nearby CFO uses.

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### 8.14 Corner Lots

8.14.1 Within a SIGHT TRIANGLE on a CORNER LOT, no person shall place or maintain a fence, wall, tree, hedge, SIGN or other structure / object with a height greater than 1.2m (4.0ft) if such structure / object, as shown in Figure 16, in the opinion of the Development Authority, would interfere with traffic safety.

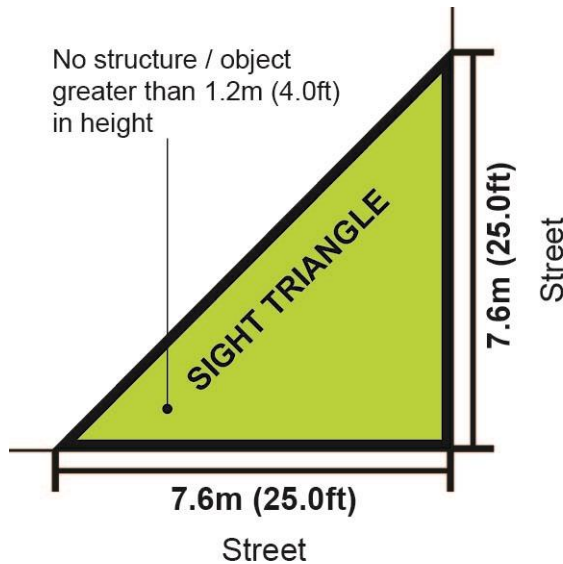


Figure 16. Sight Triangle Height Restriction

### 8.15 Cottage

8.15.1 A COTTAGE shall be no more than:

- a. Two (2) storeys in height; and
- b. 186.0m<sup>2</sup> (2,002.1ft<sup>2</sup>) in area.

### 8.16 Crown Land Transferred to Private Ownership

8.16.1 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.

### 8.17 Dangerous Goods

8.17.1 Any DEVELOPMENT that includes dangerous goods shall be considered a DISCRETIONARY USE.

8.17.2 The storage of dangerous goods shall be prohibited within any residential district, or within 100.0m (328.1ft) of an institutional or recreational LAND USE DISTRICT. This includes the temporary (overnight) storage of dangerous goods on mobile equipment, such as 'Sealed Sour Units'.



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### 8.18 Dugouts

8.18.1 Unless a DUGOUT is exempted by Section 5.2 from the requirement for a DEVELOPMENT PERMIT, an applicant shall submit plans and specifications in accordance with Section 5.5.

8.18.2 DUGOUTS within all LAND USE DISTRICTS shall:

- a. Not be located within 41.1m (135.0ft) of any public ROAD, or as approved by the Development Authority; and
- b. Meet the minimum setback requirements of the applicable LAND USE DISTRICT.

8.18.3 DEVELOPMENT PERMIT applications for DUGOUTS within all LAND USE DISTRICTS, excluding Agricultural (A) and Forestry (F) Districts, shall:

- a. Specify where the soil from the excavation is to be stored or relocated to;
- b. Provide fencing around the proposed DUGOUT to the following requirements:
  - i. Minimum height of 1.2m (3.9ft) measured from the outside or NON-DUGOUT side GRADE;
  - ii. Constructed of a material and design so as to limit ease of passage through or over the fence; and
  - iii. Gates with self-latching devices to prevent access to the water by unauthorized persons.
- c. At the discretion of the Development Authority, provide a berm around the proposed DUGOUT to the satisfaction of the Development Authority as an alternative to providing fencing; and
- d. Not contain proposed plantings of deciduous trees within 50.0m (164.0ft) or shrubs / coniferous trees within 20.0m (65.6ft) of the proposed DUGOUT.

8.18.4 The Development Authority may require other design standards to ensure public safety through the development of DUGOUTS in non-agricultural areas.

### 8.19 Dwelling Units per Parcel

8.19.1 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.

8.19.2 Notwithstanding Subsection 8.12.1, a second or additional DWELLING UNIT on a parcel may be permitted if such DWELLING UNIT is:

- a. 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;
- b. A MANUFACTURED HOME forming part of a MANUFACTURED HOME COMMUNITY for which a DEVELOPMENT PERMIT has been issued;
- c. A building as defined in the *Condominium Property Act* that is the subject of an approved condominium plan registered in the Land Titles Office;

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- d. A GARDEN SUITE or SECONDARY SUITE.

### 8.20 Easements / Rights-of-ways

- 8.20.1 Without a written consent given by the easement / right-of-way owner (or that whose utility line is found in the easement / right-of-way), 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 / right-of-way, even if the proposed DEVELOPMENT conforms to the provisions of this BYLAW.

### 8.21 Engineering Guidelines

- 8.21.1 All SUBDIVISION and DEVELOPMENT is required to follow Mackenzie County's General Municipal Improvement Standards.

### 8.22 Environmental Audits and Environmental Impact Assessments

- 8.22.1 The Development Authority may require an applicant to submit a report summarizing an ENVIRONMENTAL AUDIT or an ENVIRONMENTAL IMPACT ASSESSMENT, as part of a:

- a. DEVELOPMENT PERMIT application;
- b. An application to amend this BYLAW;
- c. An application for SUBDIVISION approval; or
- d. An application to amend a statutory plan.

- 8.22.2 The ENVIRONMENTAL AUDIT REPORT shall:

- a. Detail history of the subject property's ownership and use;
- b. Describe the natural environment and social environment surrounding the subject property, which may be sensitive to contamination;
- c. Provide 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;
- d. Provide documentation of the existence, location and use of above and under-ground storage tanks and other related facilities;
- e. Detail history of environmental regulatory activity affecting the subject property;
- f. Review the condition and use of adjoining properties;
- g. Detail a completed sampling program to determine the type and level of soil contamination, groundwater, surface water, site facilities, etc.;
- h. Identify the extent of contamination; and
- i. Contain comprehensive site and areas maps noting the locations of natural and built features and other elements of the site audit as noted above.

- 8.22.3 The ENVIRONMENTAL AUDIT or ENVIRONMENTAL IMPACT ASSESSMENT REPORT shall be referred to Alberta Environment and Parks for comment and recommendations.

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8.22.4 The COUNTY may use the recommendations of the ENVIRONMENTAL AUDIT or ENVIRONMENTAL IMPACT ASSESSMENT REPORT as grounds for:

- a. Issuing a DEVELOPMENT PERMIT with or without conditions;
- b. Refusing a DEVELOPMENT PERMIT application;
- c. Amending this BYLAW;
- d. Refusing an application for amending this BYLAW;
- e. Approving a subdivision application with or without conditions;
- f. Refusing a subdivision application; and
- g. Approving or refusing an application to adopt or amend a statutory plan.

### 8.23 Environmentally Sensitive Lands

8.23.1 DEVELOPMENT on lands, which are designated or deemed by the COUNTY to be environmentally sensitive, shall be discouraged.

8.23.2 When reviewing an application for DEVELOPMENT on ENVIRONMENTALLY SENSITIVE AREAS, the Development Authority shall consider the following:

- a. The impact of the proposed DEVELOPMENT on the subject property and surrounding area;
- b. The soil and slope conditions of the area surrounding the subject property;
- c. Any information on the past history of the subject property and surrounding area from a geotechnical perspective; and
- d. Comments and recommendations from Alberta Environment and Parks.

8.23.3 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 shall establish building setbacks from property lines based upon land characteristics of the subject property.

8.23.4 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:

- a. 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;
- b. 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;
- c. That measures be taken to ensure that infiltration into area slopes, the subject property, and ADJACENT LANDS are minimized;

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- d. The registration of a restrictive covenant against the certificate of title for the subject property related to the approved DEVELOPMENT; and
- e. 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 required to maintain the stability of adjacent properties which, if not corrected, could adversely affect surrounding lands.

### 8.24 Fences

#### Front Yard

- 8.24.1 In a HAMLET, no fence within the YARD – FRONT setback shall exceed 1.2m (3.9ft) in height, as shown in Figure 17, with exception as approved by the Development Authority.

#### Interior and Rear Yards

- 8.24.2 In a HAMLET, no fence within a YARD – INTERIOR or YARD – REAR shall exceed 1.8m (5.9ft) in height, as shown in Figure 17, with exception as approved by the Development Authority.

#### Side Yard

- 8.24.3 In a HAMLET, a fence extruding perpendicularly from a dwelling into a YARD – SIDE shall not exceed 1.2m (3.9ft) in height as shown in Figure 17.

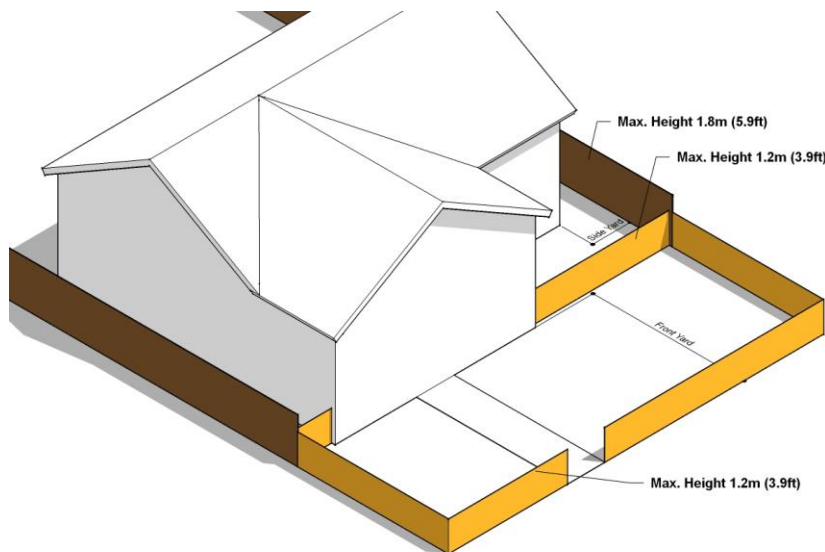


Figure 17. Fence Height Regulations for Hamlets

- 8.24.4 No fence on a CORNER LOT within a SIGHT TRIANGLE shall exceed 1.2m (3.9ft) in height, with exception as approved by the Development Authority.
- 8.24.5 In a HAMLET, no person shall maintain or permit to be maintained a fence comprised of barbed or tension wire.

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### 8.25 Flood Prone Lands

- 8.25.1 DEVELOPMENT on land which may be subject to flooding or within an identified FLOOD HAZARD AREA is prohibited unless a site specific assessment (to identify 1:100 Year Flood plain level) is conducted to determine the exact flood risk and flood mitigation measures are determined.
- 8.25.2 DEVELOPMENT on lands which have been identified within a as FLOOD HAZARD AREA and designated as a two-zone (FLOODWAY / FLOOD FRINGE as shown in Figure 18) flood area<sup>1</sup>, shall be restricted to the following land uses:
- a. In FLOODWAY areas, new DEVELOPMENT shall not be allowed except for the following:
    - i. Non-obstructing agricultural uses;
    - ii. Recreational uses;
    - iii. Flood control measures; and
    - iv. Public works facilities.
  - b. 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.

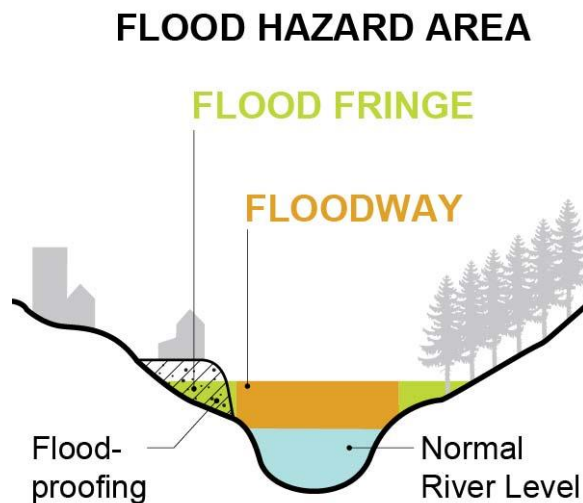


Figure 18. Flood Hazard Area

<sup>1</sup> 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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- 8.25.3 Notwithstanding Subsection 8.25.2b, and at the discretion of the Development Authority, infill DEVELOPMENT may be allowed on lands within the 1:100 year FLOOD FRINGE area depending on confirmation from a water resource engineer, or other professional engineer registered in the Province of Alberta, that the lands are suitable for the proposed use.
- 8.25.4 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.
- 8.25.5 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:
- a. The usage of fill, piles, posts, or piers to raise the DEVELOPMENT above the 1:100 year flood level;
  - b. Flood-proofing standards which allow BASEMENTS to be flooded without significant damage to the structure;
  - c. Other flood reduction measures as approved by Canada Mortgage and Housing Corporation;
  - d. Diking of the watercourse by an approved agency;
  - e. Increased DEVELOPMENT setbacks from the watercourse;
  - f. Specification of specific DEVELOPMENT locations and/or orientations;
  - g. The usage of back-flow prevention valves (stop valves);
  - h. Any other flood abatement measures deemed necessary by the Development Authority;
  - i. 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
  - j. Comments and recommendations from Alberta Environment and Parks.

### 8.26 Garages Detached and Attached

- 8.26.1 No property shall have more than one GARAGE – ATTACHED and GARAGE – DETACHED if such use classes are permitted or discretionary.
- 8.26.2 No private GARAGE shall be located with the vehicle entrance doors facing the PUBLIC UTILITY LOT and/or LANE.
- 8.26.3 A GARAGE – ATTACHED or GARAGE – DETACHED shall:
- a. Be located no closer to a front property line than the associated dwelling; and
  - b. Have a maximum vehicle entrance door height of 4.6m (15.1ft).

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### Attached Garages

8.26.4 A GARAGE – ATTACHED:

- a. May be required, at the discretion of the Development Authority, to be positioned in order to reflect the placement of a GARAGE – ATTACHED on an adjacent property; and
- b. Shall not have a combined area, with ACCESSORY BUILDINGS on a property, that exceeds 85.0m<sup>2</sup> (914.9ft<sup>2</sup>) or 80% of the associated dwelling FLOOR AREA whichever is greater.

### Detached Garages

8.26.5 A GARAGE – DETACHED shall not:

- a. Be located within any front YARD SETBACK requirement of the applicable district;
- b. Be located within 1.5m (4.9ft) of any side property line;
- c. Exceed 100.0m<sup>2</sup> (1076.4ft<sup>2</sup>) in area;
- d. Exceed one storey in height unless to provide for a SECONDARY SUITE on the second storey.

8.26.6 A GARAGE – DETACHED shall be accessory to a principal dwelling within a HAMLET Residential LAND USE DISTRICT.

## 8.27 Garden Suites

8.27.1 Within HAMLET boundaries, a GARDEN SUITE shall be designed to reasonably complement the existing primary dwelling on the site through design aspects relating to:

- a. Roof pitch; and
- b. Exterior finishing with similar design, colour and material.

8.27.2 A GARDEN SUITE shall:

- a. Be limited to one per LOT;
- b. Not be allowed on the same site containing a SECONDARY SUITE;
- c. Have an appearance and quality of finishing materials that reflect the fact that it is a DWELLING UNIT;
- d. Not have a FLOOR AREA greater than 120.0m<sup>2</sup> (1291.7ft<sup>2</sup>);
- e. Provide conform to development setback requirement of the applicable district;
- f. be located no more than 100.0m (328.1ft) from the primary dwelling; and
- g. Not have a height greater than the principal dwelling.

8.27.3 A GARDEN SUITE may be attached to or be developed above a GARAGE - DETACHED.

8.27.4 A GARDEN SUITE is permitted to have a second level as long as the total FLOOR AREA remains within the 120.0m<sup>2</sup> (1291.7ft<sup>2</sup>) limit.

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### 8.28 Home Based Business Medium

- 8.28.1 A HOME BASED BUSINESS MEDIUM requires a DEVELOPMENT PERMIT and shall meet all the following criteria:
- a. Located within a structure with no exterior storage permitted;
  - b. Not occupy more than thirty percent (30%) of the gross FLOOR AREA of the principal dwelling, but may be located fully or partially in Accessory Buildings;
  - c. Be operated by the resident of the principal dwelling and may include one non-resident employee;
  - d. Clients and customers of a HOME BASED BUSINESS MEDIUM shall be permitted to visit the premises between the hours of 8:00am – 8:00pm, or as established by the discretion of the Development Authority; and
  - e. The property of a HOME BASED BUSINESS MEDIUM shall have no more than two (2) vehicles, used in conjunction with a HOME BASED BUSINESS MEDIUM, parked and maintained on site. No vehicle, used in conjunction with a HOME BASED BUSINESS MEDIUM, shall have a gross vehicle weight greater than 22,600.0kg (49,824.5lbs).

#### Permits

- 8.28.2 Permits for a HOME BASED BUSINESS MEDIUM shall be issued for a duration not exceeding two years from the date of issuance.
- 8.28.3 Permits for a HOME BASED BUSINESS MEDIUM may be renewed upon the issued permit expiration date if, in the opinion of the Development Authority, the use remains to not be detrimental or incompatible with the surrounding neighbourhood.
- 8.28.4 All permits for a HOME BASED BUSINESS MEDIUM 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.

### 8.29 Home Based Business Minor

- 8.29.1 A HOME BASED BUSINESS MINOR shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. A HOME BASED BUSINESS MINOR shall not be a primary use of the residential building and shall not:
- a. Involve the outdoor storage of goods in the public view;
  - b. Change the appearance of the residential building or its ACCESSORY BUILDING, unless approved by the Development Authority;
  - c. Require alterations to the building unless the alterations are approved by the Development Authority;
  - d. Occupy more than 50% of the total FLOOR AREA of the PRINCIPAL BUILDING; and
  - e. Involve client and customer visits outside the hours of 8:00am – 6:00pm.



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- 8.29.2 A HOME BASED BUSINESS MINOR shall be operated by the resident of the principal dwelling and may include one non-resident employee.
- 8.29.3 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.
- 8.29.4 A HOME BASED BUSINESS MINOR is subject to all parking requirements and restrictions described in this BYLAW in Section 8.37.

### Permits

- 8.29.5 Permits for a HOME BASED BUSINESS MINOR shall be issued for a duration not exceeding two years from the date of issuance.
- 8.29.6 Permits for a HOME BASED BUSINESS MINOR may be renewed upon the issued permit expiration date if, in the opinion of the Development Authority, the use remains to not be detrimental or incompatible with the surrounding neighbourhood.
- 8.29.7 All permits for a HOME BASED BUSINESS MINOR 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.

### Signage

- 8.29.8 Signage for a HOME BASED BUSINESS MINOR shall be limited to one (1) SIGN not exceeding 1.1m<sup>2</sup> (12ft<sup>2</sup>) in area. Signage must conform to all other provisions of the SIGN regulation contained in Section 8.52 of this BYLAW.

## 8.30 Illumination

- 8.30.1 Illumination from commercial or industrial uses shall be shielded away from residential LAND USE DISTRICTS and streets.
- 8.30.2 Outdoor lighting on a site shall be located and designed so as to not interfere with the use and enjoyment of neighbouring properties, or with the safe and effective use of public roadways.
- 8.30.3 The maximum permitted height for a freestanding light pole is 9.0m (29.5ft) above building GRADE unless otherwise determined by the Development Authority who shall have regard for the scale and character of adjacent development and any matters of aesthetics or public safety considered to be relevant.

## 8.31 Industrial Camps

- 8.31.1 Unless exempt from requiring A DEVELOPMENT PERMIT, as outlined in Subsection 5.2.1o, a specialized fee shall be required for the construction of an INDUSTRIAL CAMP providing accommodations for 25 or more employees.
- 8.31.2 When reviewing an application under this section, the Development Authority shall consider the following:
- a. The location, type, and purpose of the INDUSTRIAL CAMP;

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- b. Access to the INDUSTRIAL CAMP;
  - c. The provision of services to the INDUSTRIAL CAMP; and / or
  - d. ADJACENT LAND uses.
- 8.31.3 The minimum setbacks shall be provided in accordance with the applicable LAND USE DISTRICT.
- 8.31.4 If an INDUSTRIAL 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.
- 8.31.5 All INDUSTRIAL CAMP located on Crown lands shall be subject to conditions of an approved lease applicable to the location from Alberta Environment and Parks or Alberta Agriculture and Forestry.
- 8.31.6 The DEVELOPMENT of an INDUSTRIAL CAMP shall conform to the *Alberta Safety Codes Act*.
- 8.31.7 All parking must be provided on-site and parking areas, where required, shall be developed to the satisfaction of the Development Authority.
- 8.31.8 Provision of access shall be provided to the satisfaction of the COUNTY.

### 8.32 Landscaping, Screening and Sound Barriers

- 8.32.1 Native vegetation found on a site shall be maintained where possible to the satisfaction of the Development Authority.
- 8.32.2 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.
- 8.32.3 Rural industrial parks may require SCREENING around the outside perimeter of the park at the discretion of the Development Authority.
- 8.32.4 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.
- 8.32.5 Where landscaped strips are required they shall be a minimum of 3.1m (10.2ft) 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.
- 8.32.6 SCREENING techniques and /or sound barriers may be used where a:
- a. Commercial or industrial use abuts a residential LAND USE DISTRICT;
  - b. DWELLING – ROW abuts a residential LAND USE DISTRICT where DEVELOPMENT is limited to DWELLING – SINGLE FAMILY or DWELLING – DUPLEX.

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- 8.32.7 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.
- 8.32.8 Sound barriers may be required where truck parking areas abut a residential use or LAND USE DISTRICT.
- 8.32.9 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.
- 8.32.10 Low Impact Development (LID) features should be incorporated into commercial developments. Examples of LID are; landscape conservation, green roofs, rain gardens and rain barrels.
- 8.32.11 Trees and shrubs shall be setback at least 1.5m (5.0ft) from the side and rear property lines to avoid overgrowth and leaf shed into neighbouring properties. No setback is required for the front property line. Owners of the trees and shrubs are responsible for their upkeep and maintenance, and to ensure they do not negatively impact neighboring properties.

### 8.33 Lot Area

- 8.33.1 New LOTS created shall meet the applicable LAND USE DISTRICT specifications.
- 8.33.2 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.

### 8.34 Manufactured Homes

- 8.34.1 MANUFACTURED HOMES shall be of sound construction and appearance at the discretion of the Development Authority.
- 8.34.2 A MANUFACTURED HOME shall have a minimum:
- Roof pitch of 5.0cm (1.97inches) of vertical rise for every 30.0cm (11.81inches);
  - Overhang of 15.24cm (6.0inches); and
  - Length to width ration of 3:1.
- 8.34.3 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.
- 8.34.4 The undercarriage of a MANUFACTURED HOME shall be screened from view by the foundation or skirting or other means satisfactory to the Development Authority.
- 8.34.5 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.
- 8.34.6 All connections to municipal water and sewer systems shall be adequately insulated.

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### 8.35 Objects Prohibited or Restricted in Yards

- 8.35.1 No trucks, trailers, or tankers with a gross vehicle weight (G.V.W.) rating in excess of 4,082.0kg (9,000.0lbs), excluding school busses, shall be allowed in a Hamlet Residential LAND USE DISTRICT, excluding Zama City Residential (Z-R) and Zama City Residential-Business (Z-RB) districts, for longer than is reasonably required to load or unload such a vehicle.
- 8.35.2 No person shall keep in any yard, within a Hamlet Residential LAND USE DISTRICT, any object which in the opinion of the Development Authority contravenes the COUNTY'S Unsightly Premises Bylaw and may be unsafe, unsightly, or adversely affects the amenities of the neighbourhood. This includes, but not limited to:
- a. Dismantled or wrecked vehicles;
  - b. Farm / industrial / commercial equipment; and
  - c. Excavation, stockpiling, or storage of materials, explosives, flammable liquids, diesel fuel, and gasoline products, other than typically required for home use.
- 8.35.3 The storage of materials and equipment that are specifically intended as attractants for wildlife (eg. bear, coyotes, moose) shall not be permitted within HAMLETS, or within 800.0m (2,624.7ft) of Country Residential or Institutional LAND USE DISTRICTS.

### 8.36 Owner/Operator Business

- 8.36.1 An OWNER/OPERATOR BUSINESS requires a DEVELOPMENT PERMIT and shall meet all the following criteria:
- a. Outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;
  - b. The parking of any commercial vehicles shall not exceed a maximum of six (6) units. There shall be no vehicles over 53,500 kg (117,947 lbs) in gross vehicle weight used in conjunction with an OWNER/OPERATOR BUSINESS;
  - c. Excluding the applicant and the applicant's family who permanently reside on the subject parcel, a maximum of two (2) on-site employees may be permitted as part of the approval and operation of a major home occupation; additional employees may be permitted at the discretion of the Development Authority;
  - d. Clients and customers of an OWNER/OPERATOR BUSINESS shall only be permitted to visit the premises between the hours of 6:00 am – 8:00 pm or as established at the discretion of the Development Authority.

### 8.37 Parking

- 8.37.1 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.
- 8.37.2 Where barrier free 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 shall also be painted onto the parking lot surface.

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8.37.3 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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8.37.4 Unless otherwise allowed by the Development Authority, the minimum dimensions for the design of parking facilities shall be as set out in Table 1 and illustrated in Figure 19.

Table 1. Parking Standards Dimensions

A	B	C	D	E
Stall Width	Parking Angle (Degrees)	Aisle Width	Stall Depth Perpendicular to Aisle	Parking Unit Depth
7.0m (23.0ft)	0° Parallel	One Way: 3.5m (11.5ft) Two Way: 7.0m (23.0ft)	2.9m (9.5ft)	One Way: 6.4m (21.0ft) Two Way: 12.8m (42.0ft)
3.1m (10.2ft)	45°	4.0m (13.1ft)	6.1m (20.0ft)	16.0m (52.5ft)
3.1m (10.2ft)	60°	5.5m (18.0ft)	6.4m (21.0ft)	18.3m (60.0ft)
3.1m (10.2ft)	90°	7.3m (24ft)	5.8m (19.0ft)	18.9m (62.0ft)

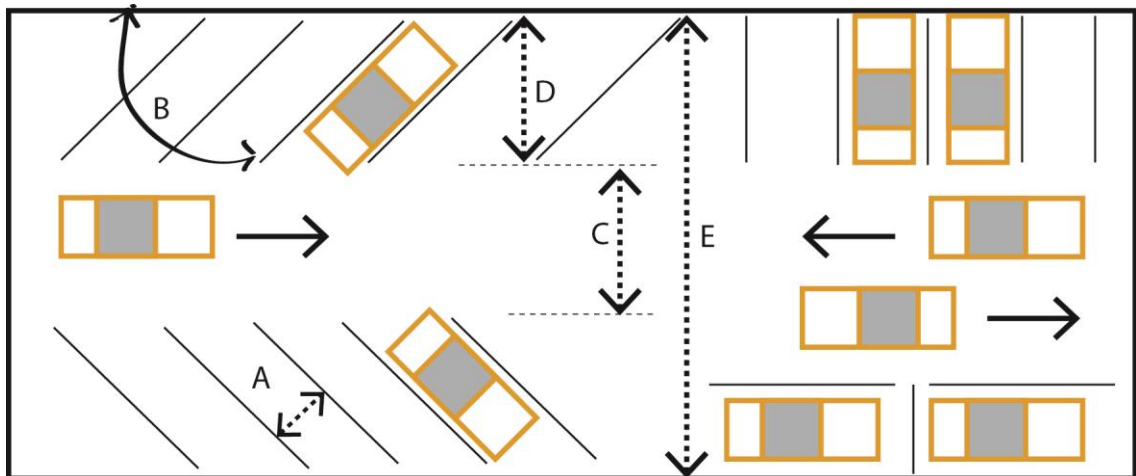


Figure 19. Parking Standards

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

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8.37.6 All commercial and / or industrial uses shall provide one (1) parking stall per full-time employee and one (1) parking stall per two (2) part-time employees unless otherwise specified in Table 2.

Table 2. Minimum Parking Standards

Use	Minimum Parking Requirements
<b>AUCTION FACILITY</b>	Indoor: 1 stall per 45.0m <sup>2</sup> (484.4ft <sup>2</sup> ) of gross FLOOR AREA Outdoor: 30 parking stalls per acre of the ground area used for auction sales
<b>AUTOMOTIVE &amp; EQUIPMENT REPAIR, MINOR, AUTOMOTIVE &amp; EQUIPMENT REPAIR, MAJOR AND AUTOMOTIVE SALES AND RENTAL</b>	1 stall per 45.0m <sup>2</sup> (484.4ft <sup>2</sup> ) of gross FLOOR AREA
<b>BED AND BREAKFAST BUSINESS</b>	1 stall per vehicle owned, plus 1 stall for each guest room
<b>PLACE OF WORSHIP</b>	1 stall per 4 seating spaces
<b>DWELLING – APARTMENT</b>	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
<b>DWELLING – DUPLEX</b>	6 stalls
<b>DWELLING – ROW</b>	2 stalls per DWELLING UNIT plus 1 stall per 3 DWELLING UNITS for visitor parking
<b>DWELLING – SINGLE FAMILY</b>	1 stall per vehicle owned, plus 1 additional stall
<b>PERSONAL SERVICE ESTABLISHMENT</b>	1 stall per 30.0m <sup>2</sup> (323.0ft <sup>2</sup> ) of gross FLOOR AREA
<b>HANGARS AND TERMINAL FACILITIES</b>	1 stall per 162.6m <sup>2</sup> (1,750.2ft <sup>2</sup> ) of gross FLOOR AREA plus 1 parking stall per full-time employee and 1 parking stall per 2 part-time employees.
<b>HOSPITAL</b>	1 stall per 4 patients or resident beds plus, 1.5 stalls per employee required during the maximum work shift
<b>HOTEL/MOTEL/ INDUSTRIAL CAMP</b>	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/ INDUSTRIAL CAMP

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Use	Minimum Parking Requirements
<b>MANUFACTURED HOME COMMUNITY</b>	2 stalls per LOT plus 1 stall per 5 LOTS for visitor parking
<b>HEALTH SERVICE</b>	1 stall per 30.0m <sup>2</sup> (323.0ft <sup>2</sup> ) of gross FLOOR AREA
<b>PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</b>	1 stall per 45.0m <sup>2</sup> (484.4ft <sup>2</sup> ) of gross FLOOR AREA
<b>Recreational Facility / Theatre and Cinema</b>	1 stall per 30.0m <sup>2</sup> (323.0ft <sup>2</sup> ) of gross FLOOR AREA or as required by the Development Authority
<b>RESTAURANT</b>	1 stall per 3 seats
<b>RETAIL - GENERAL</b>	1 stall per 30.0m <sup>2</sup> (323.0ft <sup>2</sup> ) of gross FLOOR AREA
<b>EDUCATION FACILITY – Elementary and Junior High</b>	1 stall per 20 students based on the projected design capacity
<b>EDUCATION FACILITY – Senior High</b>	4 stalls per 20 students based on the projected design capacity
<b>Warehouse, Outdoor Storage</b>	1 stall per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of gross FLOOR AREA, plus 1 stall for every 3 employees required during the maximum working shift
<b>Any Other Use</b>	1 space per 37.2m <sup>2</sup> (400.0ft <sup>2</sup> ) of gross FLOOR AREA

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

### 8.38 Pressure Vessel Storage

#### General Provisions

8.38.1 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.

#### Residential

8.38.2 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.



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8.38.3 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

8.38.4 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:

- a. Inside and within a 3.2km (2.0 mile) radius of the designated boundaries of any Settlement, HAMLET or Town;
- b. Within a 1.0 mile (1.6km) radius of any public or private SCHOOL sites; or
- c. Within a distance of 450.0m (1,476.0ft) from any existing residence.

8.38.5 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:

- a. A site plan detailing the location of each pressure vessel;
- b. An approved emergency response plan detailing procedures in the event of a pressure vessel rupture or explosion; and
- c. Where applicable, a contact person and the location of the nearest emergency response team provided by the product vendor.

8.38.6 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 comments and recommendations.

8.38.7 Notwithstanding other provisions of this BYLAW, no residential DEVELOPMENT shall be allowed within 450.0m (1,476.0ft) of existing PRESSURE VESSEL STORAGE with a liquid volume/capacity exceeding 5,460 L (10,000 gallons).

8.38.8 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 the:

- a. Material to be stored in the pressure vessel;
- b. Orientation of the pressure vessel to buildings in the surrounding neighbourhood, especially those which are used for residential use or public assembly;
- c. 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

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- d. Truck route through the community which will be used to service the proposed DEVELOPMENT.

### 8.39 Private Sewage Treatment Systems

- 8.39.1 All private sewage treatment systems shall conform to the *Alberta Private Sewage Systems Standard of Practice 2015*, as amended from time-to-time.
- 8.39.2 All private sewage treatment systems shall require safety code permit approval prior to installation. Applications shall be accompanied by a site evaluation report indicating the need for such a system, as well as site suitability. Such site evaluation shall be carried out in accordance with the requirements outlined in the *Alberta Private Sewage Systems Standard of Practice 2015*, as amended from time-to-time.
- 8.39.3 Notwithstanding Subsection 8.39.1, the soil-based treatment component of a private treatment system shall:
  - a. Be located not less than 90.0m (295.3ft) from the shore of a permanent WATER BODY such as a lake, river, stream, or creek; or
  - b. Where a PRINCIPAL BUILDING is located between the system and a WATER BODY, the setback distance may be reduced in accordance with the minimum separation standards for the specific type of system, as identified within the *Alberta Private Sewage Systems Standard of Practice 2015*, as amended from time-to-time.

### 8.40 Projection over Yards

- 8.40.1 The portions of and attachments to a main building which may project over or onto a minimum YARD SETBACK are as follows and illustrated in Figure 20:
  - a. On a site in a residential district, architectural or ornamental features, such as a cornice, sill, canopy or eaves which do not project more than one-half of the minimum side yard required for the site, but not less than 1.2m (3.94ft) from the side boundary of the site, for maintenance and access purposes;
  - b. A chimney which projects 0.6m (2.0ft) or less provided that in each case it is not less than 0.9m (3.0ft) from the side property line; and
  - c. Unenclosed steps with or without a landing and less than 0.61m (2.0ft) above the surface of the yard if they do not project more than 2.4 m (7.9ft) over or on a minimum front or rear yard or more than 0.9m (3.0ft) in a side yard.

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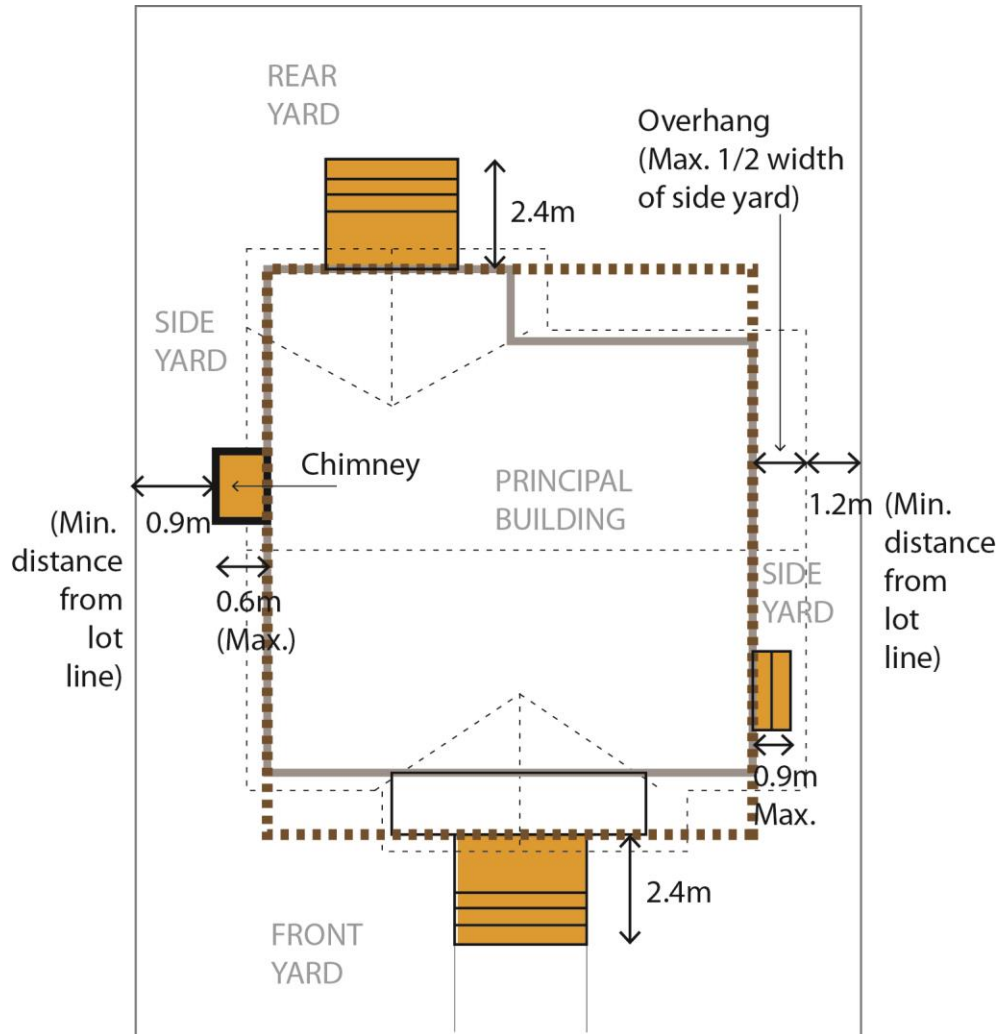


Figure 20. Projection over Yards

### 8.41 Public Utility Buildings and Easements

- 8.41.1 Notwithstanding other regulations in this BYLAW, a person erecting a PUBLIC UTILITY facility or placing utility equipment on a site shall cause it to be placed in a location and with YARD SETBACKS satisfactory to the Development Authority.
- 8.41.2 Utility LOTS, utility buildings and publicly owned buildings may be permitted in any District except as specifically regulated elsewhere in this BYLAW, and must comply with the specific landscaping requirements for that District.
- 8.41.3 Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
- In the opinion of the Development Authority the said structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and

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- b. Written consent has been obtained from the person for whose use the easement has been granted.

### 8.42 Recreational Uses

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

#### Special Requirements

- a. The recreational DEVELOPMENT shall be architecturally designed to be compatible with the surrounding area; and
- b. 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;

#### Noise Attenuation

- c. 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; and

#### Environment

- d. 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.

### 8.43 Recreational Vehicles

8.43.1 Within any Hamlet Residential LAND USE DISTRICT:

- a. No more than one (1) RECREATIONAL VEHICLE shall be allowed to be stored on a LOT;
- b. No RECREATIONAL VEHICLE shall be permitted on a LOT that does not contain a PRINCIPAL BUILDING; and
- c. A RECREATIONAL VEHICLE may be located on a LOT during the construction of a PRINCIPAL BUILDING.

8.43.2 Within all LAND USE DISTRICTS, excluding Hamlet Residential LAND USE DISTRICTS, no more than two (2) RECREATIONAL VEHICLES shall be stored on a LOT except where approved by the Development Authority.

### 8.44 Residential Sales Centre

#### Development Permit Application Requirements

8.44.1 A DEVELOPMENT PERMIT application for a RESIDENTIAL SALES CENTRE shall be accompanied by the following information in addition to the information required within Section 5.5 of this BYLAW:

- a. A context plan identifying the nature of land uses and developments within a 60.0m (196.9ft) radius of the subject site;

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- b. A description of the exterior finish materials and colours for any structure including any proposed hoardings or false facades;
- c. Drawings showing the location, area, height, construction material, colour and method of support for any proposed on-site identification or advertising signs shall be displayed on a hoarding or false facades;
- d. 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
- e. The security amount required within Subsection 8.45.10.

### Site Design

- 8.44.2 The siting and development of a RESIDENTIAL SALES CENTRE shall be in compliance with the regulations of the LAND USE DISTRICT 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 General Municipal Improvement Standards.
- 8.44.3 Excluding advertising signs, the colours and materials employed for the exterior finishes, whether permanent or TEMPORARY, shall be compatible with those commonly found in the applicable LAND USE DISTRICT.
- 8.44.4 On-site parking shall be provided at a rate of parking spaces per 100.0m<sup>2</sup> (1076.9ft<sup>2</sup>) of FLOOR AREA of the RESIDENTIAL SALES CENTRE, 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.
- 8.44.5 Exterior lighting shall be designed and located such that:
  - a. No lighting is directed at adjoining properties; and
  - b. The effectiveness of any traffic control devices is not impaired.

### Permit Validity

- 8.44.6 A DEVELOPMENT PERMIT for a RESIDENTIAL SALES CENTRE shall be valid for a period of time specified by the DEVELOPMENT AUTHORITY having regard for the amount of land or development being marketed, but in no case shall exceed two (2) years.

### Applicant Responsibilities

- 8.44.7 Prior to the commencement of any clearing, excavation or other work in respect of the construction of the RESIDENTIAL SALES CENTRE, the permit holder shall:
  - a. Contact an Alberta Land Surveyor to survey the proposed LOTS in accordance with the Plan of Subdivision;
  - b. Provide access to the RESIDENTIAL SALES CENTRE such that the total unobstructed distance from a fire hydrant / fire pond to the principal entrance of each RESIDENTIAL SALES CENTRE is not more than 90.0m (295.3ft) or such distance as approved by Fire Rescue

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Operations. An access ROAD(S) shall be constructed to Mackenzie County's General Municipal Improvement Standards suitable for fire truck use; and

- c. Have erected on the site a SIGN bearing the words:

“This RESIDENTIAL SALES CENTRE has been approved for the sole purpose of marketing homes in this area. Be advised that this RESIDENTIAL SALES CENTRE 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”.

8.44.8 A RESIDENTIAL SALES CENTRE may not be used for occasional or permanent residential accommodation purposes.

8.44.9 Where full services are not available to the site, a RESIDENTIAL SALES CENTRE shall be provided with a sanitary privy which meets the standards of all applicable health and safety legislation.

### Non Compliance Fines

8.44.10 In the event either:

- a. The owner of the site on which a RESIDENTIAL SALES CENTRE is located fails to enter into a Development Agreement with the COUNTY within one (1) year following the issuance of a DEVELOPMENT PERMIT for the RESIDENTIAL SALES CENTRE; or
- b. The owner of the site on which a RESIDENTIAL SALES CENTRE 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 following the issuance of a DEVELOPMENT PERMIT for the RESIDENTIAL SALES CENTRE; or
- c. The RESIDENTIAL SALES CENTRE is found not to meet the requirements of the DEVELOPMENT PERMIT issued therefore or otherwise fails to meet the requirements of this BYLAW; or
- d. The owner of the site on which a RESIDENTIAL SALES CENTRE is located fails to adhere to the requirements of any Residential Servicing Agreement entered into with the COUNTY respecting the subject lands; or
- e. The DEVELOPMENT PERMIT for a RESIDENTIAL SALES CENTRE expires without a replacement having been issued,

The owner of the site on which a RESIDENTIAL SALES CENTRE is located shall immediately remove the RESIDENTIAL SALES CENTRE from the site, fill in any excavations within the site and shall return the site and the surrounding lands to substantially the same condition in which the site was prior to excavation for the RESIDENTIAL SALES CENTRE. The owner of the site on which a RESIDENTIAL SALES CENTRE 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:

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- i. The work outlined herein having been completed to the satisfaction of the DEVELOPMENT AUTHORITY; or
- ii. A DEVELOPMENT PERMIT for the conversion of the RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY having been issued in accordance with this BYLAW.

### Real Property Report

8.44.11 The owner of the site on which a RESIDENTIAL SALES CENTRE is located shall, within two (2) weeks or otherwise determined by the DEVELOPMENT 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.

### Construction Completion Certificate

8.44.12 A DEVELOPMENT PERMIT converting a RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY may not be issued unless and until a Construction Completion Certificate has been issued, respecting all municipal services to the site in accordance with a Development Agreement made with the COUNTY.

8.44.13 Upon the issuance of a DEVELOPMENT PERMIT for a RESIDENTIAL SALES CENTRE, 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:

- a. The removal of the RESIDENTIAL SALES CENTRE in accordance with the requirements of Subsection 8.44.10; and
- b. The issuance of a DEVELOPMENT PERMIT for the conversion of the RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY in accordance with this BYLAW.

## 8.45 Roads and Highways

8.45.1 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.

8.45.2 All applications for SUBDIVISION or DEVELOPMENT on lands adjacent to a HIGHWAY shall be referred to Alberta Transportation for comments and approval.

## 8.46 Secondary Suites

8.46.1 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.

8.46.2 SECONDARY SUITES shall be limited to one per LOT / residence.

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### 8.47 Service Stations and Bulk Fuel Storage

- 8.47.1 Petroleum Tank Management Association of Alberta (PTMAA) is the designated approval authority for administration of Alberta Fire Code for Mackenzie County as it relates to petroleum and / or bulk fuel product storage and system construction, registration, upgrading, testing, closure, maintenance and operation standards.
- 8.47.2 Prior to submitting a DEVELOPMENT PERMIT application for SERVICE STATION and BULK FUEL STORAGE AND DISTRIBUTION, the applicant shall be required to seek a permit from PTMAA by submitting a completed application form and related information. The applicant will be required to submit the approved permit from PTMAA as part of their DEVELOPMENT PERMIT application.
- 8.47.3 The setback requirements for the above-ground and underground storage tanks from buildings and property lines shall be to the satisfaction of PTMAA.
- 8.47.4 YARD SETBACKS shall apply to all above ground structures, including canopies.
- 8.47.5 All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public ROAD or LANE, and drained to the satisfaction of the Development Authority.

### 8.48 Setbacks from Gas and Oil Wells

- 8.48.1 The purpose of establishing setbacks around well sites is to allow for the maintenance of the well site to occur, to protect the well site, and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the setbacks and access area associated with a well site into a SUBDIVISION and development proposal may help in determining an effective SUBDIVISION design, the location of building sites, siting of underground utilities, and grading of land.
- 8.48.2 A subdivision application or a development application shall not be approved if it would result in a permanent additional overnight accommodation or public facility, as defined by the Alberta Energy Regulator (AER), being located within 100.0m (328.1ft) of a gas or oil well or within a lesser distance approved in writing by the AER as shown in Figure 21.

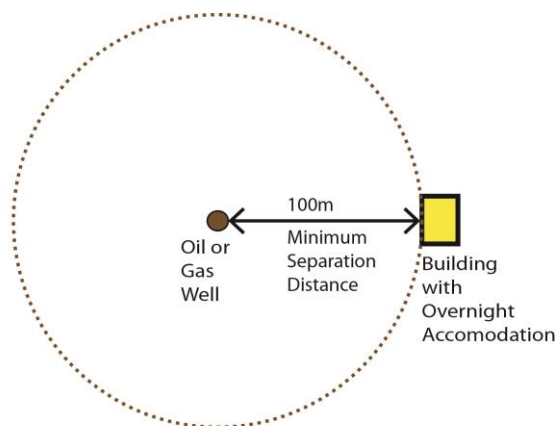


Figure 21. Setback from Gas and Oil Wells



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8.48.3 In accordance with the Alberta Energy Regulator (AER) recommendations, a setback consisting of a minimum of 10.0m (32.81ft) by 15.0m (49.21ft) work area surrounding a reclaimed well shall be maintained at all times as shown in Figure 22.

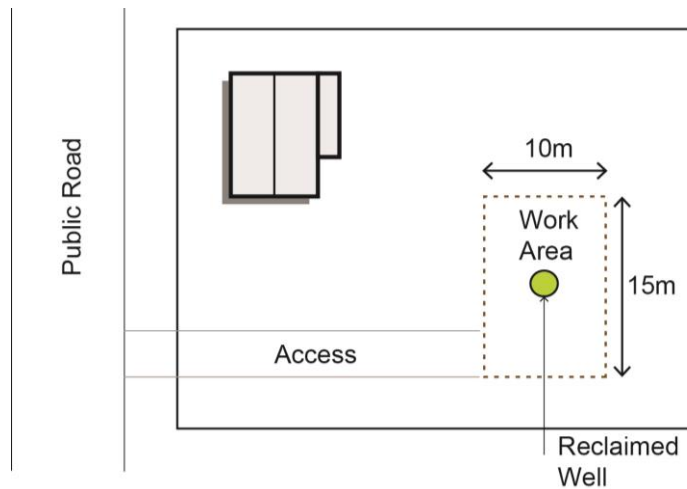


Figure 22. Reclaimed Well Work Area

8.48.4 The setback property lines shall be established so that the well is no less than 5.0m (16.4ft) from the setback property line. A minimum 8.0m (26.25ft) width access to this setback area shall be maintained.

8.48.5 Development setbacks from abandoned well sites shall be in accordance with Alberta Energy Regulator (AER) and other relevant provincial regulations as amended.

### 8.49 Setbacks from Railway Right-of-way

8.49.1 The minimum setback from railway right-of-way and station grounds for buildings shall be as follows:

- a. 30.0m (98.4ft) for all residential, commercial, institutional, and recreational DEVELOPMENTS that are not deemed compatible with railway operations; and
- b. At the discretion of the Development Authority for manufacturing and other land uses that are deemed compatible with railway operations.

8.49.2 The minimum setback from railway right-of-way for residential and other sensitive land uses shall be:

- a. 30.0m (98.4ft) in conjunction with a 2.5m (8.2ft) high earthen berm with 2.5m (8.2ft) to 1.0m (3.3ft) side slopes, adjoining and parallel to the railway right-of-way with returns at the ends; or
- b. 120.0m (393.7ft) in the absence of a berm.

8.49.3 When the COUNTY receives an application for SUBDIVISION or a DEVELOPMENT PERMIT regarding a property situated within 300.0m (984.0ft) of railway tracks, a copy of the application shall be forwarded to the Canadian National Railways for comments and recommendations.

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- 8.49.4 All proposed residential or other sensitive use development within 300.0m (984.3ft) of a railway right-of-way may be required to:
- a. Undertake a noise study, to the satisfaction of the Development Authority in consultation with the appropriate railway; and
  - b. Undertake appropriate measures to mitigate any adverse effects from railway noise identified within the completed noise study in order to ensure appropriate sound levels are achieved within the proposed development, particularly with respect to the 55 dBA outdoor living area criterion.
- 8.49.5 All proposed residential or other sensitive use development within 75.0m (246.06ft) of a railway right-of-way may be required to undertake a vibrations study, to the satisfaction of the Development Authority in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
- 8.49.6 All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Development Authority in consultation with the appropriate railway.
- 8.49.7 Any present or former railway right-of-way in place at the time of the passing of this BYLAW shall be used for railway purposes only, unless the right-of-way is consolidated with adjacent and, whereupon the land shall be used for the same purposes as the land with which it is consolidated.

### 8.50 Setbacks from Slopes and Waterbodies

#### Development Setback

- 8.50.1 Where a parcel of land borders on or contains a slope greater than fifteen percent (15%) the following minimum DEVELOPMENT setback from the top of the bank shall not be less than two times the height of the slope measured vertically from the toe of the slope to the top of the bank (refer to Figure 23).
- 8.50.2 As part of the DEVELOPMENT PERMIT application for developments adjacent to slopes, the applicant shall be required to submit a sketch including the assessment of the slope percentage.

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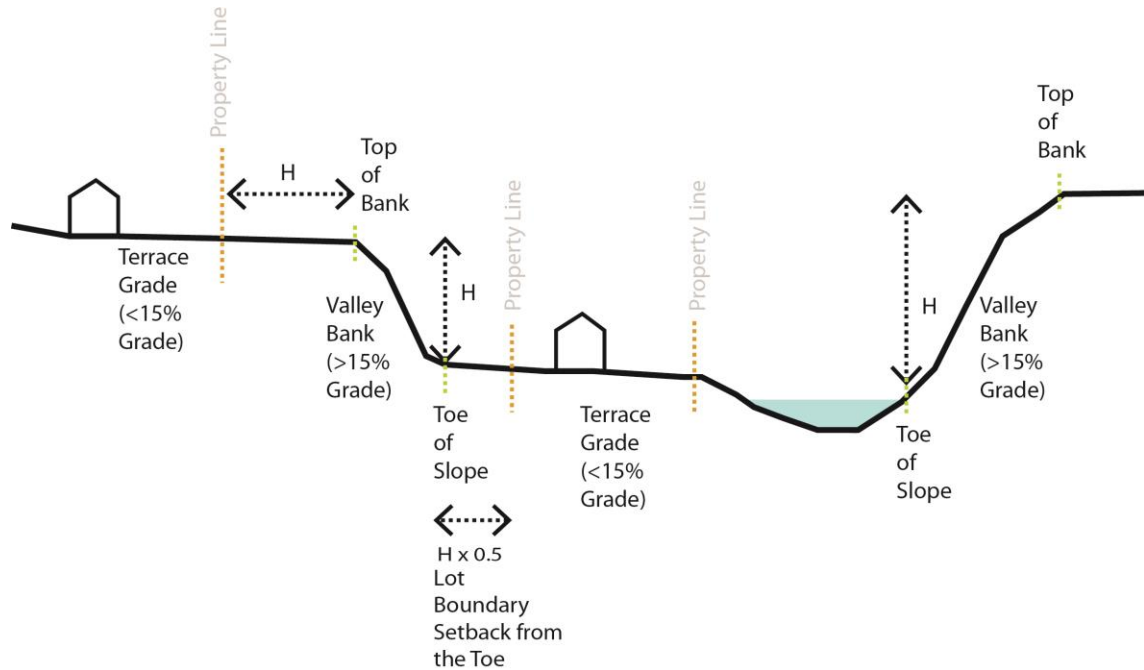


Figure 23. Setbacks from Slopes and Waterbodies

- 8.50.3 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.
- 8.50.4 Notwithstanding the above, the Development Authority may increase a minimum DEVELOPMENT setback where deemed necessary.
- 8.50.5 A required minimum DEVELOPMENT setback from a top of the bank 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.
- 8.50.6 No LOT boundary shall be closer to the top of the bank of a slope than the height of the slope measured vertically from the toe of the slope to the top of the bank.
- 8.50.7 Where a parcel of land borders on or contains a WATER BODY the building setback from the top of the bank shall not be less than 30.5m (100.0ft).
- 8.50.8 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 and Parks (AEP) for comments prior to issuing a permit. If AEP requires that the setback be greater than stated in this BYLAW, the provincial standard will apply.

### 8.51 Setbacks from Sour Gas Facilities

- 8.51.1 No SUBDIVISION or development proposal for a residence or public facility within 1.5km (0.93miles) of a sour gas facility, as shown in Figure 24, shall be permitted without the consent of the Alberta Energy Regulator (AER).

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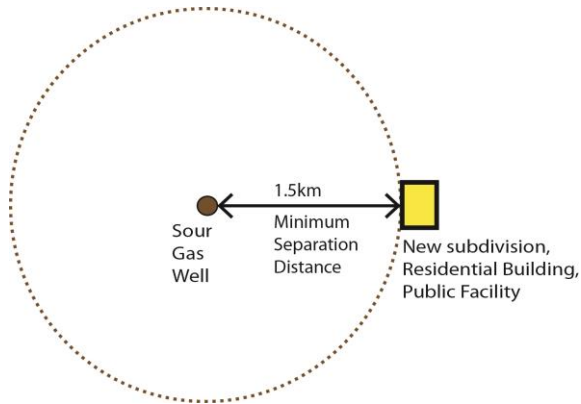


Figure 24. Setback from Sour Gas Facilities

8.51.2 No proposed SUBDIVISION or development within 100.0m (328.1ft) of a gas or oil pipeline shall be approved without the consent of the Alberta Energy Regulator (AER).

### 8.52 Signs

#### General Provisions

- 8.52.1 All SIGNS shall be considered a DISCRETIONARY USE in all LAND USE DISTRICTS.
- 8.52.2 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.
- 8.52.3 No SIGNS shall be erected on or affixed to private and / or public property without the prior consent of the property owner.
- 8.52.4 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.
- 8.52.5 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.

#### Sign Review and Process

- 8.52.6 A SIGN shall only be approved when, in the opinion of the Development Authority, the SIGN does not;
- Obstruct the orderly and safe flow of vehicular or pedestrian traffic;
  - Break SIGHT TRIANGLE regulations within Section 8.14 of this BYLAW;
  - Unduly interfere with the amenities of the LAND USE DISTRICT and / or ROAD / HIGHWAY Corridor in which they are located and / or adjacent to;
  - Affect the use, enjoyment or materially interfere with the value of neighbouring properties; and
  - Contain poor visuals or aesthetics.

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8.52.7 In considering of a DEVELOPMENT PERMIT application for SIGNS, billboards, or advertising material, the Development Authority may consider such factors as:

- a. Location of the proposed signage;
- b. Distance from a roadway;
- c. Size;
- d. Height;
- e. Method of illumination; and
- f. Such other considerations as the Development Authority may deem to be relevant.

8.52.8 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 8.52.7.

8.52.9 The quality, aesthetic character and finishing of SIGN construction shall be to the satisfaction of the Development Authority.

### **Illuminated Sign**

8.52.10 Illuminated or electronic message signs shall:

- a. Not be allowed within residential districts;
- b. Have the ability to be dimmed to a level of satisfaction determined by the Development Authority;
- c. Not create hazards for pedestrians or motorists;
- d. Shall not have a light level exceeding 300 nits between the time of sunset and sunrise, nor 5,000 nits at other times; or
- e. Not display an intermittent flashing, rotating or moving light.

8.52.11 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.

8.52.12 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.

8.52.13 Wiring and conduits for electrified SIGNS must be concealed from view.

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### Temporary Signs

8.52.14 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.

8.52.15 TEMPORARY SIGNS for events such as election candidate SIGNS and community event SIGNS shall be removed within three (3) days after conclusion of the event.

### Signs in Rural Areas

8.52.16 A SIGN in rural areas shall be located a minimum of:

- a. 200m (656.2ft) from regulatory SIGNS;
- b. 3.1m (10.2ft) from the outer edge of the ROAD or not less than 1.5m (4.9ft) from the property line if on private property; and
- c. 1.5m (5.0ft) to a maximum of 2.5m (8.2ft) in height above the shoulder of the ROAD.

### Signs in Hamlets

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

- a. 20.0m (66.0ft) from a regulatory SIGN;
- b. 1.5m (5.0ft) from the curb / sidewalk; and
- c. 2.0m (6.6ft) above the curb / sidewalk.

### Sign Enforcement

8.52.18 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:

- a. Remove the SIGN within ten (10) days after receipt of the notice;
- b. Take such measures as are specified in the notice to alter the SIGN so it complies with the provisions of this BYLAW; or
- c. Take such measures as are specified in the notice to refurbish or alter the SIGN.

8.52.19 For TEMPORARY SIGNS, the Development Authority or Enforcement Officer may remove SIGNS that do not conform to this 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.

## 8.53 Shipping Containers – Residential Use

8.53.1 Within the Agricultural District (A) SHIPPING CONTAINERS may be used as a PRINCIPAL BUILDING at the discretion of the Development Authority and shall:

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- a. Require a DEVELOPMENT PERMIT;
  - b. Provide compliance with the *Alberta Building Code* and *Alberta Safety Codes Act*;
  - c. Have exterior aesthetics that complement existing agricultural / residential building typologies within the surrounding area;
  - d. Conform to required setbacks of the relevant LAND USE DISTRICT; and
  - e. Be in accordance with height regulations of the applicable LAND USE DISTRICT.
- 8.53.2 Within all Hamlet Residential and Country Residential LAND USE DISTRICTS (H-R1, H-R1A, H-R1B, H-R2, H-CR, CREC, RCR1, RCR3 and Z-R) SHIPPING CONTAINERS may be used as an ACCESSORY BUILDING to the PRINCIPAL BUILDING and shall:
- a. Require a DEVELOPMENT PERMIT;
  - b. Provide compliance with the *Alberta Building Code* and *Alberta Safety Codes Act*;
  - c. Have exterior aesthetics that complement the PRINCIPAL BUILDING;
  - d. Conform to required setbacks of the relevant LAND USE DISTRICT;
  - e. Be in accordance with height regulations of the applicable LAND USE DISTRICT; and
  - f. Be considered as a GARDEN SUITE.

### 8.54 Shipping Containers – Storage Use

#### All Districts

- 8.54.1 In all LAND USE DISTRICTS a SHIPPING CONTAINER shall:
- a. Be considered an ACCESSORY BUILDING to the PRINCIPAL BUILDING, except within the Zama City Industrial District (Z-I) where they may be considered a PRINCIPAL BUILDING;
  - b. Be used for storage purposes excluding any dangerous or hazardous materials;
  - c. Be restricted within any front yard;
  - d. Be positioned within a side or rear yard of a PRIMARY BUILDING; and
  - e. Conform to required setbacks of the relevant LAND USE DISTRICT.

#### Residential and Commercial Districts

- 8.54.2 Within all Hamlet Residential, Country Residential, Highway Commercial, La Crete Town Centre and Fort Vermilion Commercial Centre LAND USE DISTRICTS (H-R1, H-R1A, H-R1B, H-R2, H-CR, CREC, RCR1, RCR3, Z-R, Z-RB, FV-HC, LC-HC, LC-TC and FV-CC) a SHIPPING CONTAINER shall:
- a. Require a DEVELOPMENT PERMIT;
  - b. Have an exterior finish that matches or complements the exterior finish of the PRINCIPAL BUILDING;

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- c. Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority; and
- d. Not exceed the maximum number of one SHIPPING CONTAINER per LOT.

### Industrial, Agricultural and Forestry Districts

8.54.3 Within all Industrial, Agricultural and Forestry LAND USE DISTRICTS (A, FV-LI, FV-HI, LC-LI, LC-HI, RIL, RIG, Z-I and F) all SHIPPING CONTAINERS shall:

- a. Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority;
- b. Not be restricted to any maximum number; and
- c. Have a maximum height, if multiple SHIPPING CONTAINERS are stacked or one standalone SHIPPING CONTAINER, in accordance with height regulations of the applicable LAND USE DISTRICT.

### Other Districts

8.54.4 Within the Airport, Institutional, Recreational, Urban Fringe and Zama City Mixed Use LAND USE DISTRICTS (AP, I, REC1, REC2, UF and Z-MU) SHIPPING CONTAINERS shall:

- a. Require a DEVELOPMENT PERMIT;
- b. Have an exterior finish that matches or complements the exterior finish of the PRINCIPAL BUILDING;
- c. Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority;
- d. Not exceed a maximum number of SHIPPING CONTAINERS per LOT determined by the Development Authority; and
- e. Have a maximum height, if multiple SHIPPING CONTAINERS are stacked or one standalone SHIPPING CONTAINER, in accordance with the relevant LAND USE DISTRICT.

## 8.55 Solar Farms

8.55.1 A SOLAR FARM shall:

- a. Provide development setbacks in conformance with setback requirements of the applicable LAND USE DISTRICT or to the satisfaction of the Development Authority;
- b. Not create undue glare on neighbouring parcels or public roadways; and
- c. Have a total combined area of ground coverage of 0.40ha (1.0ac) or greater and may be located on one or more parcels of land.

8.55.2 A SOLAR FARM may:

- a. Be required to provide a landscaping plan indicating landowner efforts to control soil erosion and weeds;



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- b. Be required to provide a decommissioning and or mitigation plan in order to ensure that the subject lands return to their original state if the SOLAR FARM is decommissioned; and
- c. Require approval from the Alberta Utilities Commission (AUC) and any other provincial or federal agency or utility company prior to the operation of any grid-connected SOLAR FARM.

### 8.56 Swimming Pools

8.56.1 Private outdoor above and below-ground swimming pools and hot tubs shall conform to the following requirements, as outlined in Figure 25:

- a. Pools and hot tubs shall not be allowed on properties located within 20.0m (65.6ft) from the top or bottom of the escarpment bank or from any steep slope where the GRADE exceeds fifteen percent (15%);
- b. The entire area of the pool or hot tub shall be protected by a fence, building, wall, or enclosure that can prevent access by unauthorized persons, and the height of the fence above the outside ground level shall be not less than 1.8m (5.9ft);
- c. Openings for access through the fence or enclosure around a pool or hot tub shall be protected by a gate that is:
  - i. The same height as the fence or enclosure;
  - ii. Equipped with a self-closing device; and
  - iii. Equipped with a self-latching device on the inside of the gate located not less than 1.5m (4.9ft) above the ground level;
- d. Shall not be located within any required front yard.

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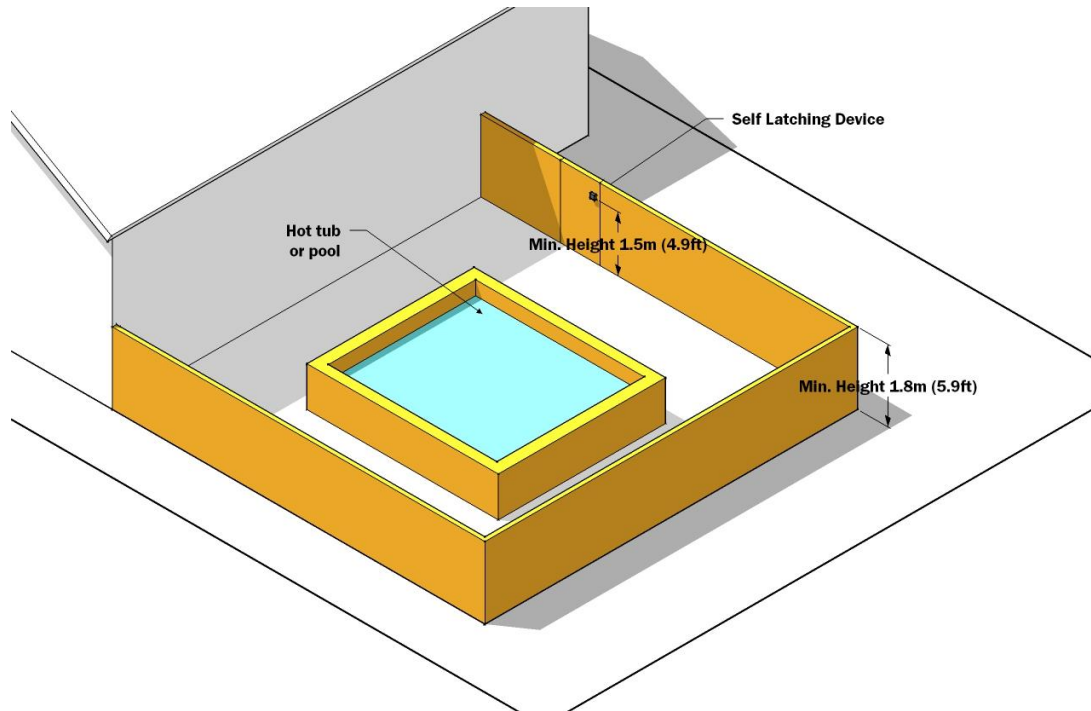


Figure 25. Swimming Pool Regulations

8.56.2 All above-ground, pre-manufactured swimming pools with a water volume more than 6.12m<sup>3</sup> (216.12ft<sup>3</sup>) shall require a DEVELOPMENT PERMIT.

### 8.57 Tarp Shelters

#### Temporary

8.57.1 A TARP SHELTER shall be considered a TEMPORARY structure if it is the principal use and may be considered a permanent use if accessory to a principal use.

8.57.2 An application for a DEVELOPMENT PERMIT for a TARP SHELTER shall specify a timeline for construction of a permanent building.

8.57.3 A DEVELOPMENT PERMIT for a TEMPORARY TARP SHELTER shall be for a two (2) year period with the option for renewal for a maximum of four (4) years.

### 8.58 Topsoil Removal

8.58.1 A DEVELOPMENT PERMIT is required for the removal or stockpile of TOPSOIL for non-agricultural purposes.

8.58.2 A DEVELOPMENT PERMIT for TOPSOIL removal shall only be granted to a property located within a LAND USE DISTRICT 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.

8.58.3 An application for the removal of TOPSOIL may be referred to Alberta Environment and Parks (AEP) for advice.

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### 8.59 Tourist Homes

- 8.59.1 Where listed as a permitted or discretionary land use class, a TOURIST HOME shall be developed and operated in accordance with the following regulations in order to ensure that associated impacts do not unduly affect the amenities of other residential properties within a building, site or neighbourhood:
- a. The maximum number of bedrooms in a dwelling unit used for a TOURIST HOME shall be four (4), with a maximum of two (2) guests per bedroom;
  - b. Parking shall be provided in accordance with the parking requirements of Section 8.37;
  - c. A TOURIST HOME shall not cause nuisances to adjacent properties;
  - d. A DEVELOPMENT OFFICER may inspect a TOURIST HOME to ensure conformance with the associated DEVELOPMENT PERMIT and this BYLAW;
  - e. The operator of the TOURIST HOME shall:
    - i. Not advertise the TOURIST HOME unless in possession of a valid DEVELOPMENT PERMIT at the time the advertisement is placed and displayed;
    - ii. Not display any form of on-site advertising related to the TOURIST HOME; and
    - iii. Ensure that the building conforms to the *Alberta Building Code*.

### 8.60 Township Road 1062 (88 Connector Road) Setback

- 8.60.1 Minimum from setback for development along the south side of Township Road 1062 (88 Connector Road) shall be 82.3m (270.0ft) to maintain the future use as a major utility corridor.

### 8.61 Unsightly Properties

- 8.61.1 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;
  - b. Remove or demolish a structure and level the site; and
  - c. Make any other changes in accordance with the COUNTY'S Unsightly Premises Bylaw.

### 8.62 Waste Management Setbacks

- 8.62.1 No residential development, school, HOSPITAL or food establishment shall be permitted within:
- a. 450.0m (1476.4ft) of the:
    - i. Working area of an operating landfill;
    - ii. Disposal area of a non-operating hazardous WASTE MANAGEMENT facility;
  - b. 300.0m (984.6ft) of:
    - i. The disposal area of an operating or non-operating landfill;

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- ii. The working area of an operating storage site of a landfill;
- iii. A WASTE TRANSFER STATION;
- iv. A wastewater treatment plant; and

8.62.2 For the purpose of calculating setbacks from active wastewater treatment plants, landfills or WASTE TRANSFER STATIONS, the property line shall be considered the “working area”.

### 8.63 Wildland / Urban Interface Developments – Remote Areas

8.63.1 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 for new development:

- a. The suitability of the site for the proposed use;
- b. Measures which can be taken to reduce fire hazard may include (as shown in Figure 26), at the discretion of the Development Authority, but not limited to:
  - i. A 10.0m (32.8ft) minimum radius around all structural DEVELOPMENTS on the site which should be free of all trees, shrubs and fine fuels;
  - ii. A reduced fuel zone radius of 20.0m (65.6ft) minimum from (i) above in which flammable trees are thinned, all dead & down and dead standing material is removed, all branches, living, or dead, on residual coniferous trees shall be removed to a height of 2.0m (6.6ft) above ground level;
  - iii. The installation of SPARK ARRESTERS on all fire-places and chimneys;
  - iv. Access standards shall meet FireSmart recommended guidelines and may include the provision of an emergency access;
  - v. Roofs to be constructed of non-combustible or combustion retardant materials meeting a minimum ULC Class C rating;
  - vi. 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 49.5 gallons (225.0L); and
  - vii. All above-ground propane and overhead fuel storage tanks, greater than 100.0 gallons (454.6L), shall have a minimum of 3.0m (9.8ft) non-combustible clearance from wildland fuels.

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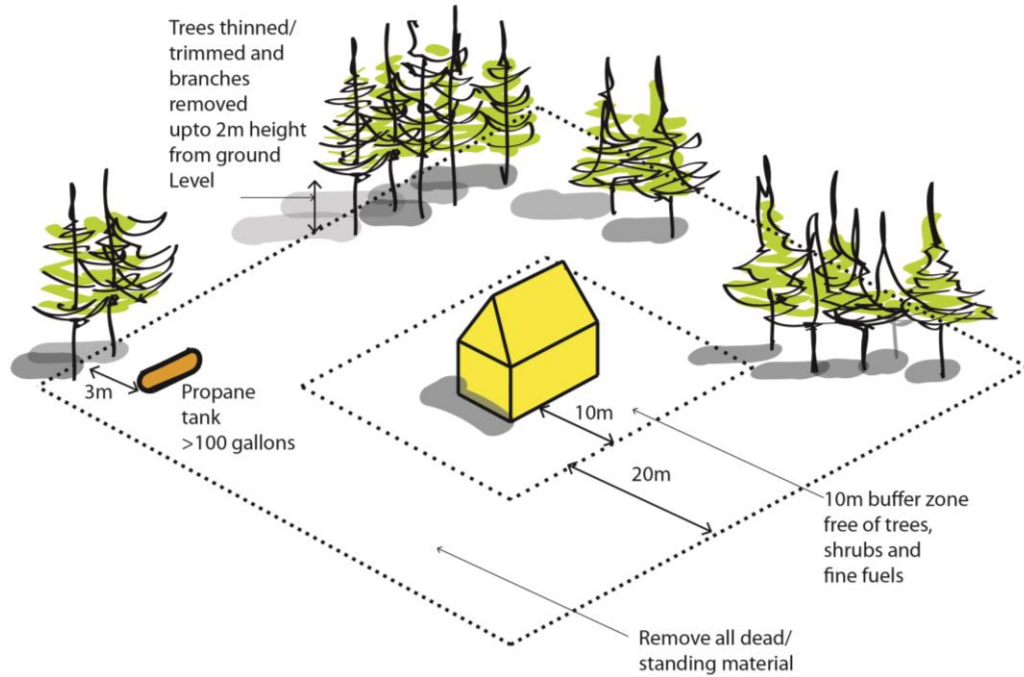


Figure 26. Wildfire Hazard Reduction Regulations

8.63.2 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 Alberta Wildfire Management on FireSmart recommendations prior to the issuance of a DEVELOPMENT PERMIT.

### 8.64 Zoning Overlay for NW 29-106-15-W5M

8.64.1 For residents living on NW 29-106-15-W5M SHOP – FARM is considered a permitted use.

8.64.2 In which LIVESTOCK is allowed, the following shall apply:

- a. 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 ten (10) animal units as defined in the following table:

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

- b. LIVESTOCK consisting of up to three (3) hens shall be exempt from contributing to an animal unit count.
- c. 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.
- d. 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 8 | General Regulations

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# 9 Land Use District Regulations

Pursuant to Section 640 of the Act, the COUNTY is divided into the following LAND USE DISTRICTS, as outlined in Table 3, 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.

Table 3. Land Use Districts

Section	Land Use District	Page
<b>RURAL</b>		
9.1	A Agricultural (A)	111
9.2	F Forestry (F)	115
9.3	RCR1 Rural Country Residential 1 (RCR1)	117
9.4	RCR3 Rural Country Residential 3 (RCR3)	121
9.5	CREC Country Recreational (CREC)	125
9.6	RIL Rural Industrial Light (RIL)	127
9.7	RIG Rural Industrial General (RIG)	131
9.8	AP Airport (AP)	135



## Section 9 | Land Use District Regulations

Section	Land Use District	Page
<b>GENERAL</b>		
9.9	I Institutional (I)	137
9.10	REC1 Recreation 1 (REC1)	139
9.11	REC2 Recreation 2 (REC2)	141
9.12	RR Remote Recreation (RR)	143
9.13	UF Urban Fringe (UF)	145
9.14	DC1 Direct Control 1 (DC1)	149
9.15	DC2 Direct Control 2 (DC2)	151
<b>HAMLET</b>		
9.16	H-CR Hamlet Country Residential (H-CR)	153
9.17	H-R1 Hamlet Residential 1 (H-R1)	155
9.18	H-R1A Hamlet Residential 1A (H-R1A)	157
9.19	H-R1B Hamlet Residential 1B (H-R1B)	159
9.20	H-R2 Hamlet Residential 2 (H-R2)	161
9.21	MHC Manufactured Home Community (MHC)	163
9.22	MHS Manufactured Home Subdivision (MHS)	167
<b>HAMLET SPECIFIC</b>		
9.23	FV-CC Fort Vermilion Commercial Centre (FV-CC)	169
9.24	FV-HC Fort Vermilion Highway Commercial (FV-HC)	175
9.25	FV-LI Fort Vermilion Light Industrial (FV-LI)	179
9.26	FV-HI Fort Vermilion Heavy Industrial (FV-HI)	181
9.27	LC-TC La Crete Town Centre (LC-TC)	183
9.28	LC-HC La Crete Highway Commercial (LC-HC)	189

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Section	Land Use District	Page
9.29	<b>LC-MS</b> La Crete Main Street (LC-MS)	193
9.30	<b>LC-LI</b> La Crete Light Industrial (LC-LI)	197
9.31	<b>LC-HI</b> La Crete Heavy Industrial (LC-HI)	199
9.32	<b>Z-I</b> Zama City Industrial (Z-I)	201
9.33	<b>Z-MU</b> Zama City Mixed Use (Z-MU)	203
9.34	<b>Z-R</b> Zama City Residential (Z-R)	207
9.35	<b>Z-RB</b> Zama City Residential-Business (Z-RB)	211

### LAND USE DISTRICT BOUNDARIES

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.

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.

# Section 9 | Land Use District Regulations

## 9.1 Agricultural (A)

### Purpose

- 9.1.1 The purpose of the Agricultural (A) district is to conserve intact quarter sections of agricultural lands for a wide range of agricultural uses.



### Permitted and Discretionary Land Use Classes

- 9.1.2 Land use classes within the following table shall be permitted or discretionary within the Agricultural (A) district of this BYLAW.

Permitted Uses	Discretionary Uses
ACCESSORY BUILDING	ABATTOIR
APIARY	AGGREGATE RESOURCE EXTRACTION
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	AGGREGATE RESOURCE PROCESSING
BED AND BREAKFAST BUSINESS	AGRICULTURAL SUPPLY DEPOT
BUNKHOUSE	AUCTION FACILITY
CABIN	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR
CONTRACTOR, LIMITED	BULK FUEL STORAGE AND DISTRIBUTION
DUGOUT	CEMETERY
DWELLING - SINGLE FAMILY	COMMUNICATION TOWER
DWELLING UNIT	CONFINED FEEDING OPERATION
EXTENSIVE AGRICULTURE	CONTRACTOR, GENERAL
FARM SUBSIDIARY BUSINESS	DAY CARE FACILITY

## Section 9 | Land Use District Regulations

Permitted Uses	Discretionary Uses
GARAGE - ATTACHED	DAY CARE HOME
GARAGE - DETACHED	ENVIRO - TANK
GARDEN SUITE	INDUSTRIAL CAMP
HOME BASED BUSINESS MEDIUM	INTENSIVE RECREATIONAL USE
HOME BASED BUSINESS MINOR	KENNEL
INTENSIVE AGRICULTURE 1	NATURAL RESOURCE EXTRACTION
INTENSIVE AGRICULTURE 2	OWNER/OPERATOR BUSINESS
MANUFACTURED HOME - MOBILE	PRESSURE VESSEL STORAGE
MANUFACTURED HOME - MODULAR	PUBLIC UTILITY
SHIPPING CONTAINER	RESIDENTIAL SALES CENTRE
SHOP – COMMERCIAL	SALVAGE YARD
SHOP – FARM	RIFLE/SKEET RANGE
SHOP – PERSONAL	SECONDARY SUITE
TARP SHELTER	SOLAR FARM
TOURIST HOME	TEMPORARY/PORTABLE UNIT
YARD SITE DEVELOPMENT	VETERINARY CLINIC
	WASTE MANAGEMENT
	WASTE TRANSFER STATION

### Regulations

9.1.3 In addition to regulations within Section 8 of this BYLAW, regulations of this section shall apply to DEVELOPMENT within this LAND USE DISTRICT.

9.1.4 A Quarter\* within the Agricultural (A) district shall be:

#### **Subdivision Type A**

a. Subdivided a minimum of 20 acres up to an 80 acre parcel split, limited to two titles per quarter, no further subdivisions will be allowed in the two parcels splits; or

#### **Subdivision Type B**

## Section 9 | Land Use District Regulations

- b. Subdivided into three titles with the balance of the quarter being one of the parcels; with the subdivided parcels being any two of the following:
- i. Existing FARMSTEAD or homestead;
  - ii. Vacant parcel; or
  - iii. FRAGMENTED PARCEL.
- 9.1.5 SUBDIVISION of land within the Agricultural (A) district for a residential use shall have a parcel area as follows:
- a. Minimum of 1.2ha (3.0acres);
  - b. Maximum of 4.1ha (10acres); or
  - c. A larger parcel size if needed to provide setback requirements regarding an existing residence, or the subject site is a FRAGMENTED PARCEL that in the opinion of the Development Authority is difficult to farm.
- \*Quarter being defined as 160 acres more or less (this includes River LOTS)
- Any Crown land parcels are not considered as Titled Land for the purpose of this BYLAW
- 9.1.6 SUBDIVISION of land within the Agricultural (A) district for uses other than agricultural or residential shall require rezoning and must submit an AREA STRUCTURE PLAN for the entire PROPERTY.

### Minimum Setbacks

Regulation	Standard
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.2ft)
Centre Line	64.0m (210.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	15.2m (50.0ft)
<b>Dwelling Units Per Parcel</b>	See Section 8.19

## Section 9 | Land Use District Regulations

### Additional Regulations

- 9.1.7 In addition to Section 8.32 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.
- 9.1.8 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.1.9 In addition Section 8.60 of this BYLAW relates specifically to development south of Township Road 1062 (88 Connector Road).
- 9.1.10 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.
- 9.1.11 Subdivision of new Panhandle/Flag Lots shall only occur to subdivide an existing farmstead for subdivision where the proposed or balance of the lot will have ROAD ACCESS that would otherwise be obstructed by natural features of the site, or for subdivision where allowing a panhandle/flag lot will reduce the impact on agricultural uses. A new Panhandle/Flag Lot shall only be within the title property that is being subdivided.

# Section 9 | Land Use District Regulations

## 9.2 Forestry (F)

### Purpose

- 9.2.1 The purpose of the Forestry (F) district is to regulate forestry industry related development within the COUNTY'S Green Area.



### Permitted and Discretionary Land Use Classes

- 9.2.2 Land use classes within the following table shall be permitted or discretionary within the Forestry (F) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	CAMPGROUND, MAJOR
CABIN	CAMPGROUND, MINOR
COMMUNICATION TOWER	COMMUNITY PASTURE
DUGOUT	EMERGENCY SERVICES FACILITY
FOREST BASED INDUSTRY	EXTENSIVE RECREATIONAL USE
GOVERNMENT SERVICE	NATURAL RESOURCE EXTRACTION
INDUSTRIAL CAMP	NATURAL RESOURCE PROCESSING
SHIPPING CONTAINER	RECREATIONAL SERVICE, OUTDOOR
TARP SHELTER	RIFLE/SKEET RANGE
WOODLOT MANAGEMENT	TEMPORARY/PORTABLE UNIT

## Section 9 | Land Use District Regulations

### Regulations

- 9.2.3 In addition to regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.2ft)
Centre Line	64.0m (210.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	15.2m (50.0ft)

### Additional Regulations

- 9.2.4 A DEVELOPMENT PERMIT may be issued for DEVELOPMENT on Crown land subject to approval being obtained from the appropriate provincial ministry.
- 9.2.5 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 9 | Land Use District Regulations

### 9.3 Rural Country Residential 1 (RCR1)

#### Purpose

- 9.3.1 The general purpose of the Rural Country Residential 1 (RCR1) district is to provide for the DEVELOPMENT of MULTI-LOT country residences.



#### Permitted and Discretionary Land Use Classes

- 9.3.2 Land use classes within the following table shall be permitted or discretionary within the Rural Country Residential 1 (RCR1) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BED AND BREAKFAST BUSINESS
DWELLING - SINGLE FAMILY	DAY CARE FACILITY
GARAGE - ATTACHED	DAY CARE HOME
GARAGE - DETACHED	GARDEN SUITE
HOME BASED BUSINESS MINOR	HOME BASED BUSINESS MEDIUM
MANUFACTURED HOME – MOBILE	LIVESTOCK
MANUFACTURED HOME – MODULAR	RESIDENTIAL SALES CENTRE
SHOP – PERSONAL	SECONDARY SUITE
TOURIST HOME	SHOP – COMMERCIAL
YARD SITE DEVELOPMENT	

## Section 9 | Land Use District Regulations

### Regulations

- 9.3.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.2ft)
Centre Line	64.0m (210.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Lot Area</b>	
Min.	1.2 ha (3.0 acres)
Max.	2.0 ha (5.0 acres)
<b>Min. Setback</b>	
Internal Subdivision Road	15.2m (50.0ft)
Yard – Exterior Side	15.2m (50.0ft) on a CORNER LOT or a site abutting an Agricultural (A) or Forestry (F) district
Yard – Interior Side	7.6m (25.0ft)
Yard – Rear	7.6m (25.0ft) 15.2m (50.0ft) for a site abutting an Agricultural (A) or Forestry (F) district

### Additional Regulations

- 9.3.4 In addition to Section 8.32 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.
- 9.3.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.3.6 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 9 | Land Use District Regulations

- 9.3.7 Rezoning applications involving the Rural Country Residential 1 (RCR1) district shall provide requirements as outlined in Subsection 3.1.6.
- 9.3.8 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.
- 9.3.9 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 complement the MANUFACTURED HOME. The undercarriage of the MANUFACTURED HOME shall be screened from view.
- 9.3.10 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 complement the MANUFACTURED HOME.
- 9.3.11 In addition Section 8.64 of this BYLAW relates specifically to development on NW 29-106-15-W5M
- 9.3.12 Within the Rural Country Residential 1 (RCR1) district a SHOP-Personal shall have a maximum building:
- a. Area of 223.0m<sup>2</sup> (2400.0ft<sup>2</sup>); and
  - b. Height of 6.1m (20.0ft)

# Section 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.4 Rural Country Residential 3 (RCR3)

#### Purpose

- 9.4.1 The purpose of the Rural Country Residential 3 (RCR3) district is to provide for low density MULTI-LOT, single family estate dwellings within a rural setting.



#### Permitted and Discretionary Land Use Classes

- 9.4.2 Land use classes within the following table shall be permitted or discretionary within the Rural Country Residential 3 (RCR3) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BED AND BREAKFAST BUSINESS
DWELLING - SINGLE FAMILY	COTTAGE
GARAGE - ATTACHED	DAY CARE FACILITY
GARAGE - DETACHED	DAY CARE HOME
HOME BASED BUSINESS MINOR	GARDEN SUITE
SHOP – PERSONAL	HOME BASED BUSINESS MEDIUM
TOURIST HOME	LIVESTOCK
YARD SITE DEVELOPMENT	RESIDENTIAL SALES CENTRE
	SECONDARY SUITE
	SHOP – COMMERCIAL

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### Regulations

- 9.4.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	
Min.	1.2 ha (3.0 acres)
Max.	2.0 ha (5 acres)
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.2ft)
Centre Line	64.0m (210.0ft)
Internal Subdivision Road	15.2 m (50 feet)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Exterior Side	15.2m (50.0ft) on a CORNER LOT
Yard – Interior Side	7.6m (25.0ft)
Yard – Rear	7.6m (25.0ft) 15.2m (50.0ft) for a site abutting an Agricultural (A) or Forestry (F) district

### Additional Regulations

- 9.4.4 Within the Rural Country Residential 3 (RCR3) district a SHOP – PERSONAL and SHOP – COMMERCIAL shall have a maximum building:
- Area of 223.0m<sup>2</sup> (2400.0ft<sup>2</sup>); and
  - Height of 6.1m (20.0ft).
- 9.4.5 In addition to Section 8.32 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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- 9.4.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.4.7 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.
- 9.4.8 Rezoning applications involving the Rural Country Residential 3 (RCR3) district shall provide requirements as outlined in Subsection 3.1.6.

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## Section 9 | Land Use District Regulations

### 9.5 Country Recreational (CREC)

#### Purpose

- 9.5.1 The general purpose of the Country Recreational (CREC) district is to permit the DEVELOPMENT of seasonal or permanent residential areas in Mackenzie County. All DEVELOPMENTS shall conform to a relevant AREA STRUCTURE PLAN. This zoning is specific to developments on lands within close proximity to significant natural features, lakes, and recreational developments.



#### Permitted and Discretionary Land Use Classes

- 9.5.2 Land use classes within the following table shall be permitted or discretionary within the Country Recreational (CREC) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	GARAGE – DETACHED
CABIN	
COTTAGE	
PARK MODEL	
TOURIST HOME	
YARD SITE DEVELOPMENT	

#### Regulations

- 9.5.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
Max. Dwelling Density	1 RECREATIONAL VEHICLE and 1 COTTAGE/PARK MODEL; or 2 RECREATIONAL VEHICLES per LOT
Max. Lot Coverage	25%

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Regulation	Standard
<b>Min. Lot Dimensions</b>	
Width	30.5m (100.0ft)
Depth	45.7m (150.0ft)
<b>Min. Setback</b>	
Yard – Front	12.2m (40.0ft)
Yard – Side	12.2m (40.0ft)
Yard – Rear	12.2m (40.0ft)

### Additional Regulations

- 9.5.4 The density of DEVELOPMENT (number of LOTS per hectare/acre) shall be in accordance with the provisions of the relevant AREA STRUCTURE PLAN.
- 9.5.5 The provision of access to each LOT shall be as required by the Development Authority and developed in accordance with COUNTY standards.
- 9.5.6 A minimum of two (2) parking stalls.
- 9.5.7 There shall be no allowance for on-street parking.
- 9.5.8 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.
- 9.5.9 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.
- 9.5.10 All water and sewage disposal must conform to the requirements of the relevant AREA STRUCTURE PLAN and Alberta Private Sewage Systems Standard of Practice 2015.
- 9.5.11 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.5.12 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.
- 9.5.13 Rezoning applications involving the Country Recreational (CREC) district shall provide requirements as outlined in Subsection 3.1.6.

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### 9.6 Rural Industrial Light (RIL)

#### Purpose

- 9.6.1 The purpose of the Rural Industrial Light (RIL) district is to provide for light industrial uses, located outside of HAMLETS, with limited outside storage areas that do not cause nuisances to adjacent land uses while offering a high quality of site aesthetics.



#### Permitted and Discretionary Land Use Classes

- 9.6.2 Land use classes within the following table shall be permitted or discretionary within the Rural Industrial Light (RIL) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR
AGRICULTURAL MACHINERY SALES AND SERVICE	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR
AGRICULTURAL SUPPLY DEPOT	BULK FERTILIZER STORAGE AND/OR SALES
BUSINESS SUPPORT SERVICES	BULK FUEL STORAGE AND DISTRIBUTION
COMMERCIAL SCHOOL, INDUSTRIAL	CANNABIS GROWER
CONTRACTOR, LIMITED	CREMATORIUM
EQUIPMENT RENTAL FACILITY	DUGOUT
INDUSTRIAL USE, GENERAL	DWELLING UNIT
MANUFACTURING, MINOR	MANUFACTURED HOME SALES AND SERVICE
PUBLIC UTILITY	MANUFACTURING, MAJOR
VEHICLE WASH	OIL FIELD SERVICE
VETERINARY CLINIC	OIL FIELD SUPPORT SERVICES

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Permitted	Discretionary
	SELF-STORAGE 1
	SELF-STORAGE 2
	SERVICE STATION – MAJOR
	SERVICE STATION – MINOR
	SHIPPING CONTAINER
	SIGNS
	TARP SHELTER
	WAREHOUSE

### Regulations

- 9.6.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Size</b>	0.8ha (2 acres)
<b>Min. Floor Area</b>	92.9m <sup>2</sup> (1000.0ft <sup>2</sup> )
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.2ft)
Centre Line	64.0m (210.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	15.2m (50.0ft)

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### Additional Regulations

- 9.6.4 In addition to Section 8.32 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.
- 9.6.5 In addition a 20.0m (65.6ft) vegetated buffer strip shall be provided for all development adjacent to Highways 35, 88, 58 and 697.
- 9.6.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.6.7 In addition Section 8.60 of this BYLAW relates specifically to development south of Township Road 1062 (88 Connector Road).
- 9.6.8 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.

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### 9.7 Rural Industrial General (RIG)

#### Purpose

- 9.7.1 The purpose of the Rural Industrial General (RIG) district is to provide for heavy industrial uses on large land parcels, distant from residential uses, that utilize extensive outdoor storage areas and on-site operations are considered to be a nuisance to non-industrial and residential uses.



#### Permitted and Discretionary Land Use Classes

- 9.7.2 Land use classes within the following table shall be permitted or discretionary within the Rural Industrial General (RIG) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AGGREGATE RESOURCE PROCESSING
AGRICULTURAL MACHINERY SALES AND SERVICE	AUCTION FACILITY
AGRICULTURAL SUPPLY DEPOT	AUTO SALVAGE
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR	BULK FERTILIZER STORAGE AND/OR SALES
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	BULK FUEL STORAGE AND DISTRIBUTION
BUSINESS SUPPORT SERVICES	ENVIRO-TANK
CONTRACTOR, GENERAL	GRAIN ELEVATOR
CREMATORIUM	INDUSTRIAL USE, HEAVY
DUGOUT	NATURAL RESOURCE EXTRACTION
EQUIPMENT RENTAL FACILITY	NATURAL RESOURCE PROCESSING
MANUFACTURED HOME SALES AND SERVICE	OIL FIELD SERVICE
PUBLIC UTILITY	SELF-STORAGE 2
SALVAGE YARD	SHIPPING CONTAINER

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Permitted	Discretionary
SERVICE STATION – MAJOR	SIGNS
VEHICLE WASH	SOLAR FARM
WAREHOUSE	TARP SHELTER
	WASTE MANAGEMENT

### Regulations

- 9.7.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Size</b>	0.8 ha (2 acres)
<b>Min. Floor Area</b>	92.9m <sup>2</sup> (1000.0ft <sup>2</sup> )
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.0ft)
Centre Line	64.0m (210.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	15.2m (50.0ft)

### Additional Regulations

- 9.7.4 In addition to Section 8.32 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.
- 9.7.5 In addition a 20.0m (65.6ft) vegetated buffer strip will be required for all development adjacent to Highways 35, 88, 58 and 697.



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- 9.7.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.7.7 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.

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## Section 9 | Land Use District Regulations

### 9.8 Airport (AP)

#### Purpose

- 9.8.1 The purpose of the Airport (AP) district is to allow for development immediately associated with MUNICIPAL AIRPORTS.



#### Permitted and Discretionary Land Use Classes

- 9.8.2 Land use classes within the following table shall be permitted or discretionary within the Airport (AP) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR
ENVIRO - TANK	BULK FUEL STORAGE AND DISTRIBUTION
HANGERS AND TERMINAL FACILITIES	BUS DEPOT
	COMMUNICATION TOWER
	DWELLING – EMERGENCY SERVICES
	PUBLIC USE
	RESTAURANT
	RETAIL - CONVENIENCE
	SERVICE STATION – MINOR
	TOURIST INFORMATION FACILITY

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### Regulations

- 9.8.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	At the discretion of the Development Authority
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.0ft)
Centre Line	64.0m (210.0ft)
Internal Subdivision Road	6.1 m (20 feet)
All other Property Lines	1.52 m (5 feet)

- 9.8.4 The Development Authority may require greater setbacks than the minimum as decided on a case-by-case basis.
- 9.8.5 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.

### Additional Regulations

- 9.8.6 In addition to Section 8.32 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;
- 9.8.7 Uses and developments on airport property must comply with all other authorities, either federal, provincial or municipal, each jurisdictions Airport Vicinity Protection Area.
- 9.8.8 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;
- 9.8.9 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.
- 9.8.10 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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### 9.9 Institutional (I)

#### Purpose

- 9.9.1 The purpose of the Institutional (I) district is to allow for a variety of public and private uses that provide medical, public safety, religious and cultural services/amenities to the community.



#### Permitted and Discretionary Land Use Classes

- 9.9.2 Land use classes within the following table shall be permitted or discretionary within the Institutional (I) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	CEMETERY
ASSISTED LIVING FACILITY	EXHIBITION GROUNDS
DAY CARE FACILITY	FUNERAL HOME
EDUCATION FACILITY	TEMPORARY/PORTABLE UNIT
EXHIBITION FACILITY	WASTE MANAGEMENT
FIRE HALL OR FACILITY	
GOVERNMENT SERVICE	
HOSPITAL	
MUSEUM	
PARK	
PLACE OF WORSHIP	
RECREATION SERVICE, INDOOR	
RECREATION SERVICE, OUTDOOR	
TOURIST INFORMATION FACILITY	

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### Regulations

- 9.9.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Dimensions</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	7.6m (25.0ft)
Yard – Exterior Side	3.0m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	3.0m (10.0ft) 1.5m (5.0ft) for underground utilities 2.4m (8.0ft) for overhead utilities

### Additional Regulations

- 9.9.4 A PLACE OF WORSHIP, EDUCATION FACILITY, PARK, DAY CARE FACILITY or other similar use shall not be located within 152.4m (500.0ft) of a Direct Control District.
- 9.9.5 In addition to Section 8.32 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.
- 9.9.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.9.7 In addition Section 8.60 of this BYLAW relates specifically to development south of Township Road 1062 (88 Connector Road).
- 9.9.8 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.

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### 9.10 Recreation 1 (REC1)

#### Purpose

- 9.10.1 The purpose of the Recreation 1 (REC1) district is to provide for general recreation uses on lands consisting of various natural features within rural and urban areas.



#### Permitted and Discretionary Land Use Classes

- 9.10.2 Land use classes within the following table shall be permitted or discretionary within the Recreation 1 (REC1) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	CAMPGROUND MINOR
EXHIBITION GROUNDS	EXHIBITION FACILITY
PARK	EXTENSIVE RECREATIONAL USE
PRIVATE CLUB	MUSEUM
RECREATION SERVICE, INDOOR	RECREATION SERVICE, OUTDOOR
RETAIL - CONVENIENCE	RIFLE/SKEET RANGE

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### Regulations

- 9.10.3 In addition to the regulations contained in Section 8, development standards determined by and at the discretion of the Development Authority shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

### Additional Regulations

- 9.10.4 In addition to Section 8.32 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.
- 9.10.5 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.
- 9.10.6 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.



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### 9.11 Recreation 2 (REC2)

#### Purpose

- 9.11.1 The purpose of the Recreation 2 (REC2) district is to provide for general recreation uses on lands consisting of various natural features within rural and urban areas.



#### Permitted and Discretionary Land Use Classes

- 9.11.2 Land use classes within the following table shall be permitted or discretionary within the Recreation 2 (REC2) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	CAMPGROUND MAJOR
PARK	CAMPGROUND MINOR
RECREATION SERVICE, INDOOR	EXHIBITION FACILITY
	EXHIBITION GROUNDS
	EXTENSIVE RECREATIONAL USE
	MUSEUM
	PRIVATE CLUB
	RECREATION SERVICE, OUTDOOR
	RETAIL - CONVENIENCE
	RIFLE/SKEET RANGE
	USES THAT REQUIRE APPROVAL FROM THE ALBERTA GAMING AND LIQUOR COMMISSION, WITH THE EXCEPTION OF OCCASIONAL LICENCES NOT EXCEEDING 72 HOURS

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### Regulations

- 9.11.3 In addition to the regulations contained in Section 8, development standards determined by and at the discretion of the Development Authority shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

### Additional Regulations

- 9.11.4 In addition to Section 8.32 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.
- 9.11.5 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.
- 9.11.6 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.

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### 9.12 Remote Recreation (RR)

#### Purpose

- 9.12.1 The purpose of the Remote Recreation (RR) district is to provide for recreational uses accessed through Crown land or waterbodies.



#### Permitted and Discretionary Land Use Classes

- 9.12.2 Land use classes within the following table shall be permitted or discretionary within the Remote Recreation (RR) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	CABIN
	EXTENSIVE RECREATIONAL USE

#### Regulations

- 9.12.3 In addition to regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	15.2m (50.0ft)

#### Additional Regulations

- 9.12.4 A DEVELOPMENT PERMIT may be issued for DEVELOPMENT on Crown land subject to approval being obtained from Alberta Environment and Parks.
- 9.12.5 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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- 9.12.6 For developments where the existing title or lease was historically obtained, the developer shall be exempted from the County's standard access requirements. Any newly titled lands or parcels that are not accessible will be required to construct a road and access to County standard.

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### 9.13 Urban Fringe (UF)

#### Purpose

- 9.13.1 The purpose of the Urban Fringe (UF) district is to protect future growth areas within and surrounding HAMLETS through allowing for low intensity agricultural uses.



#### Permitted and Discretionary Land Use Classes

- 9.13.2 Land use classes within the following table shall be permitted or discretionary within the Urban Fringe (UF) district of this BYLAW.

Permitted	Discretionary
	ACCESSORY BUILDING
	BED AND BREAKFAST BUSINESS
	CEMETERY
	COMMUNICATION TOWER
	DWELLING - SINGLE FAMILY
	DWELLING UNIT
	EXTENSIVE AGRICULTURE
	FARM SUBSIDIARY BUSINESS
	GARAGE - ATTACHED
	GARAGE - DETACHED
	GARDEN SUITE
	HOME BASED BUSINESS MEDIUM
	HOME BASED BUSINESS MINOR
	INTENSIVE AGRICULTURE 1

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Permitted	Discretionary
	LIVESTOCK
	MANUFACTURED HOME - MOBILE
	MANUFACTURED HOME – MODULAR
	PLACE OF WORSHIP
	SHOP – COMMERCIAL
	SHOP – PERSONAL
	TEMPORARY/PORTABLE UNIT
	VETERINARY CLINIC

### Regulations

- 9.13.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Max. Density</b>	
Country Residential Use	2 LOTS including the balance per unsubdivided quarter section
All Other Use	At the discretion of the Development Authority
<b>Max. Lot Area</b>	
Country Residential Use	2.0 ha (5 acres)
Farmstead	Minimum size required to accommodate on-site improvements
All Other Use	At the discretion of the Development Authority
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.0ft)
Centre Line	64.0m (210.0ft)
Internal Subdivision Road	15.2m (50.0ft)

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Regulation	Standard
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Front	15.2m (50.0ft)
Yard – Rear	15.2m (50.0ft)
Yard – Side	7.6m (25.0ft)
Yard – Exterior Side	Same as setback from HIGHWAY, ROAD or undeveloped ROAD allowance

### Additional Regulations

- 9.13.4 In addition to Section 8.32 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.
- 9.13.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.13.6 The Development Authority may decide on such other requirements as are necessary, having due regard to the future of the purposed DEVELOPMENT and the purpose of this LAND USE DISTRICT and may be subject to the AREA STRUCTURE PLAN.

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## Section 9 | Land Use District Regulations

### 9.14 Direct Control 1 (DC1)

#### Purpose

- 9.14.1 The purpose of the Direct Control 1 (DC1) district is to allow COUNCIL to exercise specific direction and control over the use and development of land and buildings in particular areas of the COUNTY.



#### Permitted and Discretionary Land Use Classes

- 9.14.2 Land use classes within the following table shall be permitted or discretionary within the Direct Control 1 (DC1) district of this BYLAW.

Permitted	Discretionary
	<b>ADULT ENTERTAINMENT BUSINESS</b>
	<b>CANNABIS GROWER</b>
	<b>CANNABIS RETAILER/DISTRIBUTOR</b>
	<b>RETAIL – LIQUOR</b>
	<b>ANY OTHER USE AND ACCESSORY USE DEEMED NECESSARY BY COUNCIL</b>
	<b>USES THAT REQUIRE APPROVAL FROM THE ALBERTA GAMING AND LIQUOR COMMISSION, WITH THE EXCEPTION OF OCCASIONAL LICENCES NOT EXCEEDING 72 HOURS</b>

#### Regulations

- 9.14.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.
- 9.14.4 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.

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- 9.14.5 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.
- 9.14.6 A Direct Control District shall not be located within 152.4m (500.0ft) of a PLACE OF WORSHIP, education institution, PARK, DAY CARE FACILITY, or GOVERNMENT SERVICE unless otherwise approved by COUNCIL.
- 9.14.7 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.
- 9.14.8 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.
- 9.14.9 All DEVELOPMENT shall conform to the spirit and intent of the MUNICIPAL DEVELOPMENT PLAN.
- 9.14.10 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.
- 9.14.11 COUNCIL may decide on other requirements as are necessary, having regard to the nature of the proposed DEVELOPMENT.
- 9.14.12 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 9 | Land Use District Regulations

## 9.15 Direct Control 2 (DC2)

### Purpose

9.15.1 The purpose of the Direct Control 2 (DC2) district is to allow the Municipal Planning Commission to exercise specific direction and control over the use and development of land and buildings in particular areas of the COUNTY.



### Permitted and Discretionary Land Use Classes

9.15.2 Land use classes within the following table shall be permitted or discretionary within the Direct Control 2 (DC2) district of this BYLAW.

Permitted	Discretionary
	<b>ANY OTHER USE AND ACCESSORY USE DEEMED NECESSARY BY COUNCIL</b>

### Regulations

9.15.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

9.15.4 DEVELOPMENT standards will be established at the discretion of the Municipal Planning Commission 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.

9.15.5 When making a decision on a DEVELOPMENT PERMIT application, the Municipal Planning Commission shall take into account the compatibility of the proposed land use with surrounding land uses and the character of the community.

9.15.6 There shall be no appeal allowed to the Subdivision and Development Appeal Board on decisions made by the Municipal Planning Commission on application for proposed development on lands zoned Direct Control District.

9.15.7 All site requirements shall be at the discretion of the Municipal Planning Commission, based upon a site plan which is submitted as part of a DEVELOPMENT PERMIT application.

9.15.8 All DEVELOPMENT shall conform to the spirit and intent of the MUNICIPAL DEVELOPMENT PLAN.

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- 9.15.9 The Municipal Planning Commission 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.
- 9.15.10 The Municipal Planning Commission may decide on other requirements as are necessary, having regard to the nature of the proposed DEVELOPMENT.
- 9.15.11 The Municipal Planning Commission 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 the discretion of the Municipal Planning Commission.

## Section 9 | Land Use District Regulations

### 9.16 Hamlet Country Residential (H-CR)

#### Purpose

- 9.16.1 The purpose of the Hamlet Country Residential (H-CR) district is to allow for single family dwellings and associated uses on large serviced LOTS in the outermost areas of HAMLET boundary confines.



#### Permitted and Discretionary Land Use Classes

- 9.16.2 Land use classes within the following table shall be permitted or discretionary within the Hamlet Country Residential (H-CR) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BED AND BREAKFAST BUSINESS
DWELLING - SINGLE FAMILY	DAY CARE HOME
GARAGE - ATTACHED	HOME BASED BUSINESS MINOR
GARAGE – DETACHED	MANUFACTURED HOME - MOBILE
SHOP – PERSONAL	MANUFACTURED HOME - MODULAR
	RESIDENTIAL SALES CENTRE
	SECONDARY SUITE
	TOURIST HOME

#### Regulations

- 9.16.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	
Min.	0.4ha (1.0 acre)

## Section 9 | Land Use District Regulations

Regulation	Standard
Max.	1.0ha (2.5 acres)
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.0ft)
Centre Line	64.0m (210.0ft)
Internal Subdivision Road	15.2 m (50 feet)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Rear	7.6m (25.0ft)
Yard – Side	4.6m (15.0ft)

### Additional Regulations

- 9.16.4 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.
- 9.16.5 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 complement the manufactured home. The undercarriage of the manufactured home shall be screened from view.
- 9.16.6 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 complement the manufactured home.
- 9.16.7 In addition to Section 8.32 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.
- 9.16.8 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and the character of the site to the satisfaction of the Development Authority.
- 9.16.9 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.
- 9.16.10 Within the Hamlet Country Residential (HCR) district a SHOP-Personal shall have a maximum building:
- Area of 223.0 m<sup>2</sup> (2400.0ft<sup>2</sup>); and
  - Height of 6.1m(20.0 ft)

## Section 9 | Land Use District Regulations

### 9.17 Hamlet Residential 1 (H-R1)

#### Purpose

- 9.17.1 The purpose of the Hamlet Residential 1 (H-R1) district is to provide for single family dwellings, within all HAMLETS, through a variety of building forms while considering medium density residential forms permitted context compatibility.



#### Permitted and Discretionary Land Use Classes

- 9.17.2 Land use classes within the following table shall be permitted or discretionary within the Hamlet Residential 1 (H-R1) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BED AND BREAKFAST BUSINESS
BUILDING DEMOLITION OF REMOVAL	DAY CARE FACILITY
DWELLING - SINGLE FAMILY	DAY CARE HOME
GARAGE - ATTACHED	DWELLING – DUPLEX
GARAGE - DETACHED	DWELLING – GROUP HOME
MANUFACTURED HOME - MOBILE	DWELLING – ROW
MANUFACTURED HOME - MODULAR	DWELLING – STACKED ROW HOUSING
SECONDARY SUITE	HOME BASED BUSINESS MEDIUM
	HOME BASED BUSINESS MINOR
	RESIDENTIAL SALES CENTRE
	TOURIST HOME

## Section 9 | Land Use District Regulations

### Regulations

- 9.17.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Max. Lot Area</b>	
<b>Min. Lot Dimensions</b>	
Width	16.8m (55.0ft)
Depth	33.5m (110.0ft)
<b>Min. Setback</b>	
Yard – Front	7.6m (25.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Exterior Side	3.1m (10.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing

### Additional Regulations

- 9.17.4 All new subdivisions shall have underground servicing.
- 9.17.5 In addition to Section 8.32 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.
- 9.17.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.17.7 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 9 | Land Use District Regulations

### 9.18 Hamlet Residential 1A (H-R1A)

#### Purpose

- 9.18.1 The purpose of the Hamlet Residential 1A (H-R1A) district is to exclusively provide for single detached dwellings with attached garages in HAMLETS.



#### Permitted and Discretionary Land Use Classes

- 9.18.2 Land use classes within the following table shall be permitted or discretionary within the Hamlet Residential 1A (H-R1A) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	DAY CARE FACILITY
DWELLING - SINGLE FAMILY	DAY CARE HOME
GARAGE – ATTACHED	DWELLING – GROUP HOME
SECONDARY SUITE	GARAGE – DETACHED
	HOME BASED BUSINESS MINOR
	RESIDENTIAL SALES CENTRE
	TOURIST HOME

#### Regulations

- 9.18.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
Width	16.8m (55.0ft)
Depth	30.5m (100.0ft)

## Section 9 | Land Use District Regulations

Regulation	Standard
<b>Min. Setback</b>	
Yard – Exterior Side	3.1m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing
<b>Required. Setback</b>	
Yard – Front	7.6m (25.0ft)

### Additional Regulations

- 9.18.4 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.
- 9.18.5 In addition to Section 8.32 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.
- 9.18.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.18.7 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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### 9.19 Hamlet Residential 1B (H-R1B)

#### Purpose

- 9.19.1 The purpose of the Hamlet Residential 1B (H-R1B) district is to provide for single detached dwellings with GARAGE – ATTACHED or GARAGE – DETACHED in HAMLETS while considering duplexes at appropriate locations.



#### Permitted and Discretionary Land Use Classes

- 9.19.2 Land use classes within the following table shall be permitted or discretionary within the Hamlet Residential 1B (H-R1B) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	DAY CARE FACILITY
DWELLING - SINGLE FAMILY	DAY CARE HOME
GARAGE - ATTACHED	DWELLING – DUPLEX
GARAGE – DETACHED	DWELLING – GROUP HOME
SECONDARY SUITE	HOME BASED BUSINESS MINOR
	RESIDENTIAL SALES CENTRE
	TOURIST HOME

#### Regulations

- 9.19.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
Width	16.8m (55.0ft)

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Regulation	Standard
Depth	30.5m (100.0ft)
<b>Min. Setback</b>	
Yard – Interior Side	1.5m (5.0ft)
Yard – Exterior Side	3.1m (10.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing
<b>Required. Setback</b>	
Yard – Front	7.6m (25.0ft)

### Additional Regulations

- 9.19.4 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.
- 9.19.5 In addition to Section 8.32 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.
- 9.19.6 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.19.7 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 9 | Land Use District Regulations

### 9.20 Hamlet Residential 2 (H-R2)

#### Purpose

- 9.20.1 The purpose of the Hamlet Residential 2 (H-R2) district is to provide for a mix of medium and high density residential forms within HAMLETS.



#### Permitted and Discretionary Land Use Classes

- 9.20.2 Land use classes within the following table shall be permitted or discretionary within the Hamlet Residential 2 (H-R2) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	ASSISTED LIVING FACILITY
DWELLING – APARTMENT	DAY CARE HOME
DWELLING - DUPLEX	DWELLING - GROUP HOME
DWELLING – ROW	DWELLING - SINGLE FAMILY
DWELLING – STACKED ROW HOUSING	GARAGE – ATTACHED
	GARAGE – DETACHED
	HOME BASED BUSINESS MINOR
	RESIDENTIAL SALES CENTRE
	SECONDARY SUITE
	TOURIST HOME

## Section 9 | Land Use District Regulations

### Regulations

9.20.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
Width	6.8m (55.0ft)
Depth	30.5m (100.0ft)
<b>Min. Setback</b>	
Yard – Front	4.5m (14.8ft)
Yard – Exterior Side	3.1m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing

### Additional Regulations

9.20.4 All DEVELOPMENT shall provide:

- a. Provision and access to garbage storage;
- b. Lighting between DWELLING UNITS;
- c. Orientation of buildings and general site appearance;
- d. Safe pedestrian access to and from the public sidewalk fronting the building; and
- e. Parking areas adjacent to streets must be paved.

9.20.5 In addition to Section 8.32 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.

9.20.6 Buildings must be of new construction. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.

9.20.7 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 9 | Land Use District Regulations

### 9.21 Manufactured Home Community (MHC)

#### Purpose

- 9.21.1 The purpose of the Manufactured Home Community (MHC) district is to provide for a residential area on a parcel of land consisting of multiple rental manufactured homes placed within individual stalls of land and connected to common serving.



#### Permitted and Discretionary Land Use Classes

- 9.21.2 Land use classes within the following table shall be permitted or discretionary within the Manufactured Home Community (MHC) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	DAY CARE HOME
MANUFACTURED HOME COMMUNITY FACILITY	GARAGE – ATTACHED
MANUFACTURED HOME - MOBILE	GARAGE – DETACHED
	RECREATIONAL CENTER OR LODGE
	RETAIL - CONVENIENCE

#### Regulations

- 9.21.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
Min. Site Area	2.0ha (5 acres)
Max. Density	20 units per ha (8 units per acre)
<b>Min. Lot Requirements for Manufactured Home – Single Wide</b>	
Area	350.0m <sup>2</sup> (3,767ft <sup>2</sup> )

## Section 9 | Land Use District Regulations

Regulation	Standard
Width	11.5m (37.7ft)
Depth	30.5m (100.0ft)
<b>Min. Lot Requirements for Manufactured Home – Double Wide</b>	
Area	443.0m <sup>2</sup> (4,768.0ft <sup>2</sup> )
Width	14.5m (47.6ft)
Depth	30.5m (100.0ft)
<b>Min. Setback</b>	
Adjacent to a Public Road Right-of-way	4.6m (15.0ft)
Yard – Front	3.7m (12.0ft) from an internal roadway or parking area
Yard – Interior Side	1.5m (5.0ft)
Yard – Side	2.4m (8.0ft)

9.21.4 No building or structure other than a fence in a MANUFACTURED HOME COMMUNITY shall be located within 4.6m (15.0ft) from the right-of-way of any public roadway adjacent to the MANUFACTURED HOME COMMUNITY.

### Storage

9.21.5 A common storage area of 18.6m<sup>2</sup> (200.0ft<sup>2</sup>) 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.

9.21.6 A common storage area shall be enclosed or screened by trees, landscape features or fences or a combination thereof.

9.21.7 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.

9.21.8 Not more than one recreation vehicle or trailer may be parked on an individual MANUFACTURED HOME COMMUNITY LOT.



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### Open Space

- 9.21.9 A minimum of ten percent (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.
- 9.21.10 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.

### Appearance

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

### Screening

- 9.21.14 The perimeter of the MANUFACTURED HOME COMMUNITY may require fencing or SCREENING as specified in Section 8.32 of this BYLAW, satisfactory to the Development Authority.

### Additional Regulations

- 9.21.15 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.21.16 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 9 | Land Use District Regulations

### 9.22 Manufactured Home Subdivision (MHS)

#### Purpose

- 9.22.1 The general purpose of the Manufactured Home Subdivision (MHS) district is to permit the DEVELOPMENT of larger, newer manufactured homes on subdivided LOTS in urban areas.



#### Permitted and Discretionary Land Use Classes

- 9.22.2 Land use classes within the following table shall be permitted or discretionary within the Manufactured Home Subdivision (MHS) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	DWELLING – SINGLE FAMILY
GARAGE - ATTACHED	HOME BASED BUSINESS – MINOR
GARAGE - DETACHED	
MANUFACTURED HOME - MOBILE	
MANUFACTURED HOME - MODULAR	

#### Regulations

- 9.22.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
Width	16.8m (55.0ft)
Depth	33.5m (110.0ft)
<b>Min. Dwelling Size</b>	
Width	4.9m (16.0ft)

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Regulation	Standard
Length	18.3m (60.0ft)
<b>Min. Setback</b>	
Yard – Exterior Side	3.1m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing
<b>Required. Setback</b>	
Yard – Front	7.6m (25.0ft)

### Additional Regulations

- 9.22.4 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.
- 9.22.5 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.
- 9.22.6 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 complement the manufactured home. The undercarriage of the manufactured home shall be screened from view.
- 9.22.7 All ACCESSORY BUILDINGS such as patios, porches, additions, skirting and storage facilities shall complement the appearance, design and construction of the Manufactured Home.
- 9.22.8 In addition to Section 8.32 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.
- 9.22.9 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.22.10 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.

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### 9.23 Fort Vermilion Commercial Centre (FV-CC)

#### Purpose

- 9.23.1 The purpose of the Fort Vermilion Commercial Centre (FV-CC) district is to cluster complementary community commercial developments along the HAMLET of Fort Vermilion's Main Street (50<sup>th</sup> Street) in order to create an engaging pedestrian friendly public realm.



#### Permitted and Discretionary Land Use Classes

- 9.23.2 Land use classes within the following table shall be permitted or discretionary within the Fort Vermilion Commercial Centre (FV-CC) district of this BYLAW.

Permitted	Discretionary
<b>BUSINESS SUPPORT SERVICES</b>	<b>ACCESSORY BUILDING</b>
<b>DAY CARE FACILITY</b>	<b>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</b>
<b>DWELLING – APARTMENT</b>	<b>BARS AND NEIGHBOURHOOD PUBS</b>
<b>ENTERTAINMENT ESTABLISHMENT, INDOOR</b>	<b>BUS DEPOT</b>
<b>GENERAL SERVICES ESTABLISHMENT</b>	<b>CANNABIS RETAILER/DISTRIBUTOR</b>
<b>GOVERNMENT SERVICE</b>	<b>COMMERCIAL SCHOOL</b>
<b>HEALTH SERVICE</b>	<b>DWELLING UNIT</b>
<b>INSTITUTIONAL USE</b>	<b>ENVIRO - TANK</b>
<b>MOTEL</b>	<b>FUNERAL HOME</b>
<b>MUSEUM</b>	<b>HOTEL</b>
<b>PERSONAL SERVICE ESTABLISHMENT</b>	<b>MANUFACTURED HOME – MOBILE</b>
<b>PLACE OF WORSHIP</b>	<b>RECREATION SERVICE, INDOOR</b>
<b>PRIVATE CLUB</b>	<b>RETAIL – LIQUOR</b>

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Permitted	Discretionary
<b>PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</b>	<b>SIGNS</b>
<b>PUBLIC USE</b>	<b>TOURIST HOME</b>
<b>PUBLIC UTILITY</b>	
<b>RESTAURANT</b>	
<b>RETAIL - CONVENIENCE STORE</b>	
<b>RETAIL - GENERAL</b>	
<b>TOURIST INFORMATION FACILITY</b>	

### Regulations

9.23.3 In addition to the regulations contained in Section 8, the following standards, as shown in Figure 27, shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	At the discretion of the Development Authority
<b>Setback</b>	
Yard – Front	At the discretion of the Development Authority
Yard – Rear	Min. 3.1 m (10 feet)
Yard – Side	If site is abutting a residential LAND USE DISTRICT: 1.5m (5.0ft) All other uses: None required
<b>Min. Floor Area</b>	At the discretion of the Development Authority

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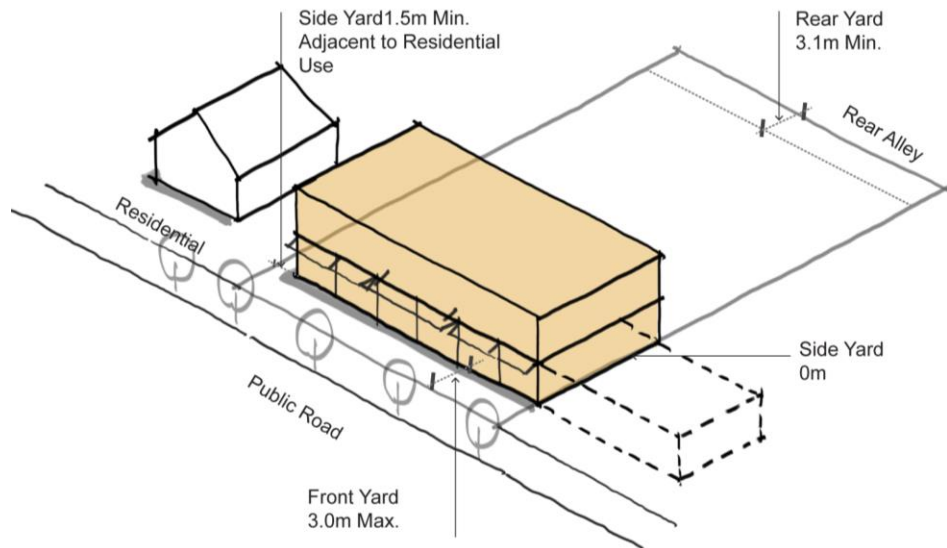


Figure 27. Fort Vermilion Commercial Centre (FV-CC) Development Regulations

### Additional Regulations

- 9.23.4 MANUFACTURED HOME – MOBILE may be considered in this LAND USE DISTRICT, along with a non-permanent addition. Both of these uses are to be considered for non-permanent use only, and shall not become long term fixtures in this zoning district. MINOR RENOVATIONS, repairs, and other actions for the purpose of maintaining an existing dwelling will be allowed. Major structural changes, rebuilding, or replacement of residential buildings that are not intended for multi-family use will not be allowed.
- 9.23.5 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 of the Development Authority.
- 9.23.6 In addition to Section 8.32 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.
- 9.23.7 In addition to Section 8.8 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.23.8 In addition to Section 8.8 of this BYLAW commercial development proposed within the Heritage Frontage Control area should incorporate design elements that reflect the historic architectural character of the HAMLET and encourage high quality public realm and pedestrian connectivity.
- 9.23.9 In addition to Section 8.8 of this BYLAW all new building and site designs fronting 50th Street or River Road should emphasize a pedestrian friendly environment which must include windows and doors that face the street on ground floor walls.
- 9.23.10 In addition to Section 8.37 of this BYLAW SHARED PARKING may be allowed at the Discretion of the Development Authority.

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9.23.11 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.

### Site Design and Architectural Control Regulations

9.23.12 In addition to complying with the following site design and architectural control regulations, DEVELOPMENT PERMIT applications shall be accompanied by a description of how the applicable site and building design elements as contained within the “Site Guideline” and “Architecture Guideline” section of the COUNTY’S “Economic Development Strategy and Streetscape Design” document have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the Development Authority.

### Landscaping/Hardscaping

9.23.13 Tree planting and landscaping shall extend from the street frontage to surround the perimeter of the parking lot, to provide increased greenery and SCREENING. Location, spacing and species type shall be to the satisfaction of the Development Authority.

9.23.14 A landscaping plan shall be submitted as part of a DEVELOPMENT PERMIT application.

9.23.15 Consistent hard surfacing material shall be extended from the public sidewalk to the front of the building façade to maintain downtown visual identity.

### Parking Lots & Access

9.23.16 Parking lots shall be located at the rear of the building. In the case of CORNER LOTS, parking is preferred in the rear, but may be allowed in the front yard.

9.23.17 Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer’s expense.

9.23.18 Adjacent businesses shall be allowed to combine parking areas where the total combined parking is approximately twenty (20) or more spaces.

### Building Entrances

9.23.19 For CORNER LOTS, the main building entrance shall be oriented toward the intersection.

### Building Facades

9.23.20 Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 0.9m (3.0ft) in height measured from GRADE level as shown in Figure 28.

9.23.21 Glazing and frosting shall not exceed twenty-five percent (25%) of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption as shown in Figure 28.



## Section 9 | Land Use District Regulations



Figure 28. Building Facades Regulations

9.23.22 Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 29.



Figure 29. Doorway Recession Regulations

9.23.23 Architectural projections (such as awnings and lighting) shall not exceed the width of the sidewalk, measured from the property line.

### Signage

9.23.24 On-street portable letter signs shall not be permitted. Pedestrian oriented signages, such as sandwich boards, are permitted.

9.23.25 Storefront SIGN boxes shall be no shorter than 0.9m (3.0ft) in height, and located above the GRADE level entrance.

### Projecting Signs

9.23.26 Shall be located over main entranceway or at outer edge of storefront.

9.23.27 Shall not project more than 1.5m (4.9ft) from the façade as shown in Figure 30.

9.23.28 Shall have a minimum clearance of 2.5m (8.2ft) with a maximum area of 0.9m<sup>2</sup> (9.7ft<sup>2</sup>) as shown in Figure 30.

# Section 9 | Land Use District Regulations

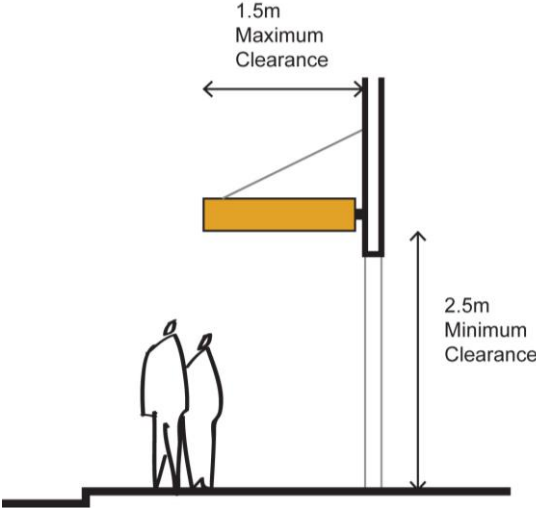


Figure 30. Projecting Sign Regulations

9.23.29 Fascia signs shall not project more than 0.15m (0.5ft) from the façade.

## Section 9 | Land Use District Regulations

### 9.24 Fort Vermilion Highway Commercial (FV-HC)

#### Purpose

- 9.24.1 The purpose of the Fort Vermilion Highway Commercial (FV-HC) district is to provide for a variety of service commercial uses along major roads, within the Hamlet of Fort Vermilion, to serve the traveling and local public.



#### Permitted and Discretionary Land Use Classes

- 9.24.2 Land use classes within the following table shall be permitted or discretionary within the Fort Vermilion Highway Commercial (FV-HC) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AGRICULTURAL MACHINERY SALES AND SERVICE
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR	AGRICULTURAL SUPPLY DEPOT
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	BARS AND NEIGHBOURHOOD PUBS
AUTOMOTIVE SALES AND RENTAL	BULK FUEL STORAGE AND DISTRIBUTION
BUILDING SUPPLY CENTRE	BUS DEPOT
COMMERCIAL SCHOOL	BUSINESS SUPPORT SERVICES
HEALTH SERVICE	ENTERTAINMENT ESTABLISHMENT, INDOOR
HOTEL	FUNERAL HOME
MOTEL	PLACE OF WORSHIP
PUBLIC UTILITY	PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE
RECREATION SERVICE, INDOOR	RECREATION SERVICE, OUTDOOR
RESTAURANT	RETAIL GARDEN CENTRE

## Section 9 | Land Use District Regulations

Permitted	Discretionary
RETAIL - CONVENIENCE STORE	SERVICE STATION – MAJOR
RETAIL - GENERAL	SIGNS
SERVICE STATION – MINOR	VETERINARY CLINIC

### Regulations

9.24.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	At the discretion of the Development Authority
<b>Min. Setback from Highway, Road or Undeveloped Road Allowance</b>	
Right-of-way	41.2m (135.0ft)
Centre Line	64.0m (210.0ft)
Internal Subdivision Road	9.1m (30.0ft)
Or a greater distance as specified by Alberta Transportation	
<b>Min. Setback</b>	
Yard – Exterior Side	9.1m (30.0ft)
Yard – Interior Side	3.1m (10.0ft)
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

9.24.4 In addition to Section 8.32 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.

9.24.5 In addition to Section 8.8 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

9.24.6 In addition to Section 8.37 of this BYLAW, parking for all new development should mainly be provided to the side and rear of new commercial buildings.

## Section 9 | Land Use District Regulations

- 9.24.7 In addition to Section 8.37 of this BYLAW SHARED PARKING may be allowed at the Discretion of the Development Authority.
- 9.24.8 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.

### Site Design and Architectural Control Regulations

- 9.24.9 In addition to complying with the following site design and architectural control regulations, DEVELOPMENT PERMIT applications shall be accompanied by a description of how the applicable site and building design elements as contained within the “Site Guideline” and “Architecture Guideline” sections of the COUNTY’S “Economic Development Strategy and Streetscape Design” document have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

### Parking Areas

- 9.24.10 All pedestrian corridors within parking areas must be clearly delineated and consistent with the adjacent sidewalk in terms of material and dimension.

### Building Facades

- 9.24.11 Building facades shall incorporate horizontal and vertical articulation in their design.
- 9.24.12 Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 29.
- 9.24.13 Additional architectural design elements shall be in accordance with the “Storefront Guideline for Large Retail” section of the COUNTY’S “Economic Development Strategy and Streetscape Design” document, at the discretion of the Development Authority.

# Section 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.25 Fort Vermilion Light Industrial (FV-LI)

#### Purpose

- 9.25.1 The purpose of the Fort Vermilion Light Industrial (FV-LI) district is to provide for the grouping of light industrial and associated commercial uses, which do not cause nuisances to surrounding land uses, within the Hamlet of Fort Vermilion.



#### Permitted and Discretionary Land Use Classes

- 9.25.2 Land use classes within the following table shall be permitted or discretionary within the Fort Vermilion Light Industrial (FV-LI) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR
AGRICULTURAL MACHINERY SALES AND SERVICE	BULK FUEL STORAGE AND DISTRIBUTION
AGRICULTURAL SUPPLY DEPOT	CONTRACTOR, GENERAL
AUTOMOTIVE & EQUIPMENT REPAIR, MINOR	MANUFACTURED HOME SALES AND SERVICE
BUILDING SUPPLY CENTRE	SELF- STORAGE 1
BUSINESS SUPPORT SERVICES	SERVICE STATION – MAJOR
COMMERCIAL SCHOOL, INDUSTRIAL	SHIPPING CONTAINER
CONTRACTOR, LIMITED	SHOP – COMMERCIAL
EQUIPMENT RENTAL FACILITY	SIGNS
INDUSTRIAL USE, GENERAL	TARP SHELTER
MANUFACTURING, MINOR	WAREHOUSE
PUBLIC UTILITY	
RECYCLING DEPOT	
SERVICE STATION – MINOR	

## Section 9 | Land Use District Regulations

Permitted	Discretionary
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### VETERINARY CLINIC

#### Regulations

9.25.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Density</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	At the discretion of the Development Authority
Yard – Interior Side	At the discretion of the Development Authority
Yard – Rear	3.1m (10.0ft)

#### Additional Regulations

- 9.25.4 In addition to Section 8.32 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.
- 9.25.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.25.6 A 20.0m (65.6ft) landscaping buffer shall be required for all development adjacent to Highway 88 according to the policies within the Fort Vermilion Industrial Area Structure Plan.
- 9.25.7 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 9 | Land Use District Regulations

### 9.26 Fort Vermilion Heavy Industrial (FV-HI)

#### Purpose

- 9.26.1 The purpose of the Fort Vermilion Heavy Industrial (FV-HI) district is to provide for heavy industrial uses, within the Hamlet of Fort Vermilion, adjacent to land uses that will not be negatively impacted by associated nuisances.



#### Permitted and Discretionary Land Use Classes

- 9.26.2 Land use classes within the following table shall be permitted or discretionary within the Fort Vermilion Heavy Industrial (FV-HI) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BULK FERTILIZER STORAGE AND/OR SALES
AGRICULTURAL MACHINERY SALES AND SERVICE	BULK FUEL STORAGE AND DISTRIBUTION
AGRICULTURAL SUPPLY DEPOT	GRAIN ELEVATOR
AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR	INDUSTRIAL USE, HEAVY
AUTOMOTIVE & EQUIPMENT REPAIR, MINOR	MANUFACTURING, MAJOR
CONTRACTOR, GENERAL	OIL FIELD SERVICE
EQUIPMENT RENTAL FACILITY	SALVAGE YARD
PUBLIC UTILITY	SHIPPING CONTAINER
SELF-STORAGE 2	SIGNS
SERVICE STATION – MAJOR	TARP SHELTER
SHOP – COMMERCIAL	WASTE MANAGEMENT
WAREHOUSE	

## Section 9 | Land Use District Regulations

### Regulations

- 9.26.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Density</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	At the discretion of the Development Authority
Yard – Interior Side	At the discretion of the Development Authority
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

- 9.26.4 In addition to Section 8.32 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.
- 9.26.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.26.6 A 20.0m (65.6ft) landscaping buffer shall be required for all development adjacent to Highway 88 according to the policies within the Fort Vermilion Industrial Area Structure Plan.
- 9.26.7 Heavy industrial uses shall not be developed within 150.0m (492.1ft) of a residential district.
- 9.26.8 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 9 | Land Use District Regulations

### 9.27 La Crete Town Centre (LC-TC)

#### Purpose

- 9.27.1 The purpose of the La Crete Town Centre (LC-TC) district is to concentrate complementary community commercial developments within central La Crete in order to create an engaging pedestrian friendly public realm.



#### Permitted and Discretionary Land Use Classes

- 9.27.2 Land use classes within the following table shall be permitted or discretionary within the La Crete Town Centre (LC-TC) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	BUS DEPOT
BUSINESS SUPPORT SERVICES	COMMERCIAL SCHOOL
DAY CARE FACILITY	FUNERAL HOME
DWELLING - APARTMENT	RECREATION SERVICE, INDOOR
DWELLING UNIT	SIGNS
ENTERTAINMENT ESTABLISHMENT, INDOOR	TOURIST HOME
GOVERNMENT SERVICE	
HEALTH SERVICE	
HOTEL	
MOTEL	
MUSEUM	
PERSONAL SERVICE ESTABLISHMENT	
PLACE OF WORSHIP	
PRIVATE CLUB	

## Section 9 | Land Use District Regulations

Permitted	Discretionary
PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE	
PUBLIC UTILITY	
RESTAURANT	
RETAIL - CONVENIENCE	
RETAIL – GENERAL	
TOURIST INFORMATION FACILITY	

### Regulations

9.27.3 In addition to the regulations contained in Section 8, the following standards, as shown in Figure 31, shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	At the discretion of the Development Authority
<b>Setback</b>	
Yard – Front	Max. 3.0m (9.8ft)
Yard – Rear	Min. 3.1m (10.0ft)
Yard – Side	If site is abutting a residential LAND USE DISTRICT: 1.5m (5.0ft)  All other uses: 0.0m (0.0ft)  Min. 3.0m (9.8ft) for one side yard in order to provide for access to rear yard parking
<b>Min. Floor Area</b>	At the discretion of the Development Authority

## Section 9 | Land Use District Regulations

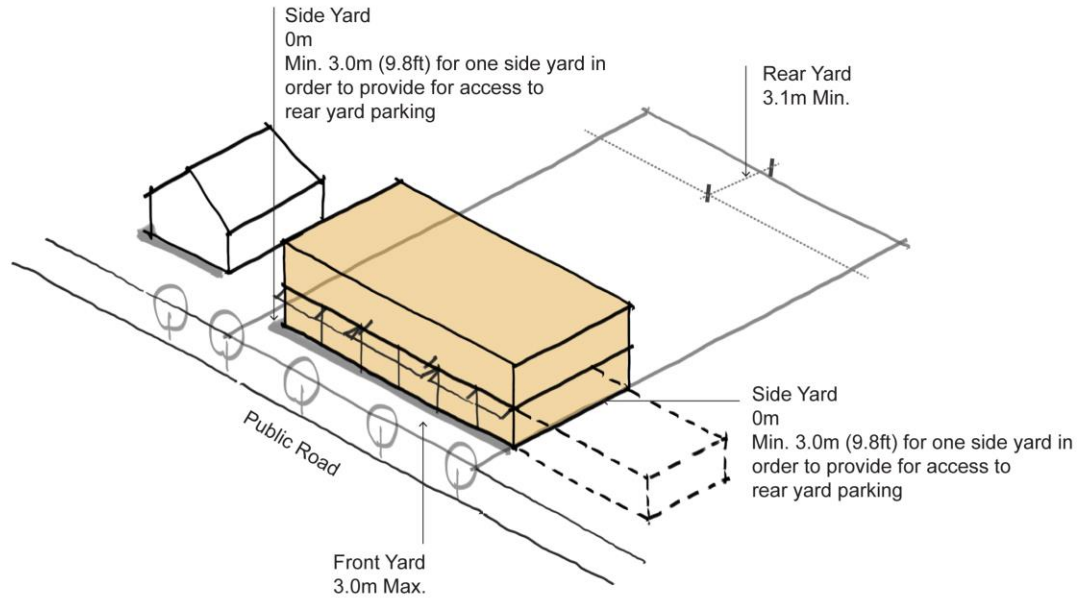


Figure 31. La Crete Town Centre (LC-TC) Development Regulations

### Additional Regulations

- 9.27.4 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 of the Development Authority.
- 9.27.5 In addition to Section 8.32 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.
- 9.27.6 In addition to Section 8.8 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.27.7 In addition to Section 8.8 of this BYLAW all new building and site designs should emphasize a pedestrian friendly environment which must include ground floor walls, windows and doors that face a ROAD.
- 9.27.8 In addition to Section 8.37 of this BYLAW SHARED PARKING may be allowed at the Discretion of the Development Authority.
- 9.27.9 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 9 | Land Use District Regulations

### Site Design and Architectural Control Regulations

9.27.10 In addition to complying with the following site design and architectural control regulations, DEVELOPMENT PERMIT applications shall be accompanied by a description of how the applicable site and building design elements as contained within the “Site Guideline” and “Architecture Guideline” sections of the COUNTY’S “Economic Development Strategy and Streetscape Design” document have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

### Landscaping/Hardscaping

9.27.11 Tree planting and landscaping shall extend from the street frontage to surround the perimeter of the parking lot, to provide increased greenery and SCREENING. Location, spacing and species type shall be to the satisfaction of the Development Authority.

9.27.12 A landscaping plan shall be submitted as part of a DEVELOPMENT PERMIT application.

9.27.13 Consistent hard surfacing material shall be extended from the public sidewalk to the front of the building façade to maintain downtown visual identity.

### Parking Lots & Access

9.27.14 Parking lots shall be located at the rear of the building. In the case of CORNER LOTS, parking is preferred in the rear, but may be allowed in the front yard at the discretion of the Development Authority.

9.27.15 Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer’s expense.

9.27.16 Hardy trees, shrubs and bioswale planting shall be integrated into the design of medium-sized parking lots (up to 12 vehicles) where stormwater management is a concern. Exact location and species of vegetation shall be outlined in the landscape plan submitted as part of a DEVELOPMENT PERMIT application.

9.27.17 Adjacent businesses shall be allowed to combine parking areas where the total combined parking is approximately twenty (20) or more spaces.

### Building Entrances

9.27.18 For CORNER LOTS, the main building entrance shall be oriented toward the intersection.

### Building Facades

9.27.19 Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 0.9m (3.0ft) in height measured from GRADE level as shown in Figure 28.

9.27.20 Glazing and frosting shall not exceed twenty-five percent (25%) of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption as shown in Figure 28.

9.27.21 Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 29.

## Section 9 | Land Use District Regulations

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9.27.22 Architectural projections (such as awnings and lighting) shall not exceed the width of the sidewalk, measured from the property line.

### Signage

9.27.23 On-street portable letter signs shall not be permitted. Pedestrian oriented signages, such as sandwich boards, are permitted.

9.27.24 Storefront SIGN boxes shall be no shorter than 0.9m (3.0ft) in height, and located above the GRADE level entrance.

### Projecting Signs

9.27.25 Projection signs, as shown in Figure 30, shall:

- a. Not project more than 1.5m (4.9ft) from the façade; and
- b. Have a minimum clearance of 2.5m (8.2ft) with a maximum area of 0.9m<sup>2</sup> (9.7ft<sup>2</sup>).

9.27.26 Fascia signs shall not project more than 0.15m (.5ft) from the façade.

# Section 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.28 La Crete Highway Commercial (LC-HC)

#### Purpose

- 9.28.1 The purpose of the La Crete Highway Commercial (LC-HC) district is to provide for a variety of service commercial uses along major roads, within the Hamlet of La Crete, to serve the traveling and local public.



#### Permitted and Discretionary Land Use Classes

- 9.28.2 Land use classes within the following table shall be permitted or discretionary within the La Crete Highway Commercial (LC-HC) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AGRICULTURAL MACHINERY SALES AND SERVICE
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	AGRICULTURAL SUPPLY DEPOT
AUTOMOTIVE SALES AND RENTAL	BULK FUEL STORAGE AND DISTRIBUTION
BUILDING SUPPLY CENTRE	BUS DEPOT
BUSINESS SUPPORT SERVICES	ENTERTAINMENT ESTABLISHMENT, INDOOR
COMMERCIAL SCHOOL	FUNERAL HOME
HEALTH SERVICE	PLACE OF WORSHIP
HOTEL	PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE
MOTEL	RECREATION SERVICE, OUTDOOR
PUBLIC UTILITY	RETAIL GARDEN CENTRE
RECREATION SERVICE, INDOOR	SERVICE STATION – MAJOR
RESTAURANT	SIGNS
RETAIL – CONVENIENCE	VETERINARY CLINIC

## Section 9 | Land Use District Regulations

Permitted	Discretionary
<b>RETAIL – GENERAL</b>	
<b>SERVICE STATION – MINOR</b>	

### Regulations

9.28.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	9.1m (30.0ft)
Yard – Interior Side	At the discretion of the Development Authority
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

- 9.28.4 In addition to Section 8.8 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.
- 9.28.5 In addition to Section 8.8 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.28.6 In addition to Section 8.37 of this BYLAW, parking for all new development should mainly be provided to the side and rear of new commercial buildings.
- 9.28.7 In addition to Section 8.37 of this BYLAW SHARED PARKING may be allowed at the Discretion of the Development Authority.
- 9.28.8 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 9 | Land Use District Regulations

### Site Design and Architectural Control Regulations

9.28.9 In addition to complying with the following site design and architectural control regulations, DEVELOPMENT PERMIT applications shall be accompanied by a description of how the applicable site and building design elements as contained within the “Site Guideline” and “Architecture Guideline” sections of the COUNTY’S “Economic Development Strategy and Streetscape Design” document have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

### Parking Areas

9.28.10 All pedestrian corridors within parking areas must be clearly delineated and consistent with the adjacent sidewalk in terms of material and dimension.

### Building Facades

9.28.11 Building facades shall incorporate horizontal and vertical articulation in their design.

9.28.12 Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 29.

9.28.13 Additional architectural design elements shall be in accordance with the “Storefront Guideline for Large Retail” section of the COUNTY’S “Economic Development Strategy and Streetscape Design” document, at the discretion of the Development Authority.

# Section 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.29 La Crete Main Street (LC-MS)

#### Purpose

- 9.29.1 The purpose of the La Crete Main Street (LC-MS) district is to frame 100 Street with commercial uses in order to create a built form that provides an attractive public realm with engaging store fronts and parking lots within rear yards.



#### Permitted and Discretionary Land Use Classes

- 9.29.2 Land use classes within the following table shall be permitted or discretionary within the La Crete Main Street (LC-MS) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE SALES AND RENTAL
BUSINESS SUPPORT SERVICES	BUS DEPOT
DAY CARE FACILITY	COMMERCIAL SCHOOL
DWELLING - APARTMENT	FUNERAL HOME
DWELLING UNIT	HOTEL
ENTERTAINMENT ESTABLISHMENT, INDOOR	MOTEL
GOVERNMENT SERVICE	RECREATION SERVICE, INDOOR
HEALTH SERVICE	SERVICE STATION – MINOR
MUSEUM	SIGNS
PERSONAL SERVICE ESTABLISHMENT	
PLACE OF WORSHIP	
PRIVATE CLUB	
PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE	

## Section 9 | Land Use District Regulations

Permitted	Discretionary
<b>PUBLIC UTILITY</b>	
<b>RESTAURANT</b>	
<b>RETAIL - CONVENIENCE</b>	
<b>RETAIL – GENERAL</b>	
<b>TOURIST INFORMATION FACILITY</b>	

### Regulations

9.29.3 In addition to the regulations contained in Section 8, the following standards, as shown in Figure 32, shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Setback</b>	
Yard – Front	Min. 3.0m (9.8ft) Max. 5.0m (16.4ft)
Yard – Rear	Min. 4.5m (14.8ft)
Yard – Side	0m (0ft) if the property has access to a rear alley Min. 3.0m (9.8ft) for one side yard in order to provide for access to rear yard parking

## Section 9 | Land Use District Regulations

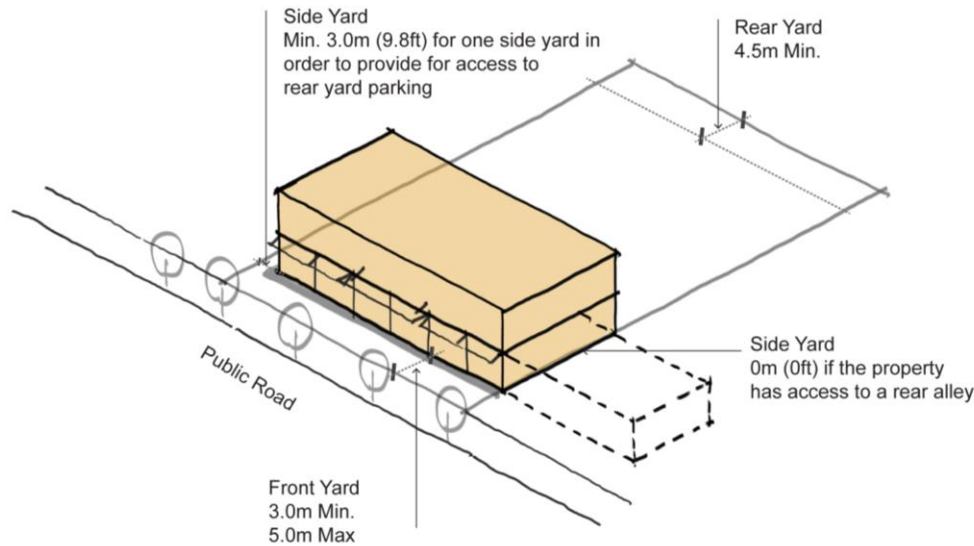


Figure 32. La Crete Main Street (LC-MS) Development Regulations

### Additional Regulations

- 9.29.4 In addition to Section 8.32 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.
- 9.29.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.29.6 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.

### Site Design and Architectural Control Regulations

- 9.29.7 In addition to complying with the following site design and architectural control regulations, DEVELOPMENT PERMIT applications shall be accompanied by a description of how the applicable site and building design elements as contained within the “Site Guideline” and “Architecture Guideline” sections of the COUNTY’S “Economic Development Strategy and Streetscape Design” document have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

### Parking Lots & Access

- 9.29.8 Parking lots shall be located at the rear of the building. In the case of CORNER LOTS, parking is preferred in the rear, but may be allowed in the front yard.
- 9.29.9 Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer’s expense.

## Section 9 | Land Use District Regulations

9.29.10 Hardy trees, shrubs and bioswale planting should be integrated into the design of medium-sized parking lots (up to 12 vehicles) where stormwater management is a concern. Exact location and species of vegetation shall be outlined in the landscape plan prepared by a professional and submitted as part of a DEVELOPMENT PERMIT application.

### **Building Facades**

9.29.11 Building facades shall incorporate horizontal and vertical articulation in their design.

9.29.12 Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 0.6m (3.0ft) in height measured from GRADE level as shown in Figure 28.

9.29.13 Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption as shown in Figure 28.

9.29.14 Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 29.

9.29.15 Architectural projections (such as awnings and lighting) shall not exceed the width of the adjacent sidewalk.



## Section 9 | Land Use District Regulations

### 9.30 La Crete Light Industrial (LC-LI)

#### Purpose

- 9.30.1 The purpose of the La Crete Light Industrial (LC-LI) district is to provide for the grouping of light industrial and associated commercial uses, which do not cause nuisances to surrounding land uses, within HAMLETS.



#### Permitted and Discretionary Land Use Classes

- 9.30.2 Land use classes within the following table shall be permitted or discretionary within the La Crete Light Industrial (LC-LI) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR
AGRICULTURAL MACHINERY SALES AND SERVICE	BULK FUEL STORAGE AND DISTRIBUTION
AGRICULTURAL SUPPLY DEPOT	DUGOUT
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	MANUFACTURED HOME SALES AND SERVICE
BUILDING SUPPLY CENTRE	SELF-STORAGE 1
BUSINESS SUPPORT SERVICES	SIGNS
COMMERCIAL SCHOOL, INDUSTRIAL	TARP SHELTER
CONTRACTOR, LIMITED	WAREHOUSE
EQUIPMENT RENTAL FACILITY	
INDUSTRIAL USE, GENERAL	
MANUFACTURING, MINOR	
PUBLIC UTILITY	
RECYCLING DEPOT	

## Section 9 | Land Use District Regulations

Permitted	Discretionary
<b>SERVICE STATION – MINOR</b>	
<b>SHIPPING CONTAINER</b>	
<b>SHOP – COMMERCIAL</b>	

### Regulations

9.30.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Density</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	At the discretion of the Development Authority.
Yard – Interior Side	At the discretion of the Development Authority.
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

- 9.30.4 In addition to Section 8.32 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.
- 9.30.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.30.6 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 9 | Land Use District Regulations

### 9.31 La Crete Heavy Industrial (LC-HI)

#### Purpose

- 9.31.1 The purpose of the La Crete Heavy Industrial (LC-HI) district is to provide for heavy industrial uses, within HAMLETS, adjacent to land uses that will not be negatively impacted by associated nuisances.



#### Regulations

- 9.31.2 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Permitted	Discretionary
ACCESSORY BUILDING	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR
AGRICULTURAL MACHINERY SALES AND SERVICE	BULK FUEL STORAGE AND DISTRIBUTION
AGRICULTURAL SUPPLY DEPOT	BULK FERTILIZER STORAGE AND/OR SALES
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	BUSINESS SUPPORT SERVICES
CONTRACTOR, GENERAL	CONCRETE PRODUCTS
DUGOUT	ENVIRO- TANK
EQUIPMENT RENTAL FACILITY	GRAIN ELEVATOR
INDUSTRIAL USE, GENERAL	INDUSTRIAL USE, HEAVY
MANUFACTURING, MINOR	MANUFACTURING, MAJOR
PUBLIC UTILITY	OIL FIELD SERVICE
SHOP – COMMERCIAL	SALVAGE YARD
WAREHOUSE	SELF-STORAGE 2
	SERVICE STATION – MAJOR

## Section 9 | Land Use District Regulations

Permitted	Discretionary
	SHIPPING CONTAINER
	SIGNS
	TARP SHELTER
	WASTE MANAGEMENT

### Regulations

9.31.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Density</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	At the discretion of the Development Authority
Yard – Interior Side	At the discretion of the Development Authority
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

- 9.31.4 In addition to Section 8.32 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.
- 9.31.5 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- 9.31.6 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 9 | Land Use District Regulations

### 9.32 Zama City Industrial (Z-I)

#### Purpose

- 9.32.1 The purpose of the Zama City Industrial (Z-I) district is to provide for a variety of oil and gas related industrial uses, which utilize outdoor storage areas, within the western boundary of Zama City.



#### Permitted and Discretionary Land Use Classes

- 9.32.2 Land use classes within the following table shall be permitted or discretionary within the Zama City Industrial (Z-I) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	APIARY
CONTRACTOR, LIMITED	AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR
CONTRACTOR, GENERAL	BULK FERTILIZER STORAGE AND/OR SALES
EQUIPMENT RENTAL FACILITY	BULK FUEL STORAGE AND DISTRIBUTION
INDUSTRIAL USE, GENERAL	DWELLING UNIT
INDUSTRIAL USE, HEAVY	ENVIRO-TANK
MANUFACTURING, MAJOR	GRAIN ELEVATOR
OIL FIELD SERVICE	INDUSTRIAL CAMP
PRESSURE VESSEL STORAGE	MANUFACTURING, MINOR
RECYCLING DEPOT	NATURAL RESOURCE PROCESSING
SERVICE STATION – MAJOR	SALVAGE YARD
SHIPPING CONTAINER	SELF-STORAGE 2
SHOP – COMMERCIAL	TARP SHELTER
WAREHOUSE	WASTE MANAGEMENT

## Section 9 | Land Use District Regulations

### Regulations

9.32.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Density</b>	At the discretion of the Development Authority
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	At the discretion of the Development Authority
Yard – Interior Side	At the discretion of the Development Authority
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

9.32.4 All new SUBDIVISION and DEVELOPMENT shall provide a landscaped BUFFER/SCREENING of not less than 10.0m (35.8ft) depth along the common boundary of an interface with a residential or commercial district.

9.32.5 In addition to Section 8.32 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.

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

9.32.7 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 9 | Land Use District Regulations

### 9.33 Zama City Mixed Use (Z-MU)

#### Purpose

- 9.33.1 The purpose of the Zama City Mixed Use (Z-MU) district is to provide for a variety of commercial, light industrial and associated secondary residential units within central Zama City. Serving as the commercial centre of Zama City, non-nuisance uses within the Zama City Mixed Use (Z-MU) district act as a transition between industrial and residential uses.



#### Permitted and Discretionary Land Use Classes

- 9.33.2 Land use classes within the following table shall be permitted or discretionary within the Zama City Mixed Use (Z-MU) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	APIARY
AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR	BARS AND NEIGHBOURHOOD PUBS
AUTOMOTIVE SALES AND RENTAL	BULK FUEL STORAGE AND DISTRIBUTION
COMMERCIAL SCHOOL	CANNABIS RETAILER/DISTRIBUTOR
COMMERCIAL SCHOOL, INDUSTRIAL	HOTEL
CONTRACTOR, GENERAL	INDUSTRIAL CAMP
CONTRACTOR, LIMITED	INDUSTRIAL USE, HEAVY
ENTERTAINMENT ESTABLISHMENT, INDOOR	MANUFACTURING, MAJOR
EQUIPMENT RENTAL FACILITY	MOTEL
GARAGE – ATTACHED	OIL FIELD SERVICE
GARAGE – DETACHED	RECREATION SERVICE, OUTDOOR
GENERAL SERVICES ESTABLISHMENT	RECYCLING DEPOT
GOVERNMENT SERVICE	RETAIL – LIQUOR
HEALTH SERVICE	SELF-STORAGE 1

## Section 9 | Land Use District Regulations

Permitted	Discretionary
HOME BASED BUSINESS MEDIUM	SELF-STORAGE 2
HOME BASED BUSINESS MINOR	SERVICE STATION – MAJOR
INDUSTRIAL USE, GENERAL	SHIPPING CONTAINER
MANUFACTURED HOME – MOBILE	SIGNS
MANUFACTURED HOME – MODULAR	TARP SHELTER
MANUFACTURING, MINOR	TEMPORARY/PORTABLE UNIT
OWNER/OPERATOR BUSINESS	VETERINARY CLINIC
PERSONAL SERVICE ESTABLISHMENT	WAREHOUSE
PLACE OF WORSHIP	
PRIVATE CLUB	
PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE	
PUBLIC USE	
PUBLIC UTILITY	
RESTAURANT	
RETAIL - CONVENIENCE STORE	
RETAIL – GENERAL	
SERVICE STATION – MINOR	
SHOP – COMMERCIAL	



## Section 9 | Land Use District Regulations

### Regulations

- 9.33.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Lot Area</b>	
Min.	0.4ha (1.0 acre)
Max.	2.0ha (5 acres)
<b>Min. Setback</b>	
Yard – Front	9.1m (30.0ft)
Yard – Exterior Side	9.1m (30.0ft)
Yard – Interior Side	3.1m (10.0ft)
Yard – Rear	3.1m (10.0ft)

### Additional Regulations

- 9.33.4 In addition to Section 8.32 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.
- 9.33.5 New development along Tower Road shall provide a 3.0m (9.8ft) landscaped buffer along the Tower Road LOT boundary.
- 9.33.6 In addition to Section 8.8 of this Bylaw the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.33.7 No use is to be established that is, or will become, obnoxious by way of noise, odour or fumes.
- 9.33.8 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 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.34 Zama City Residential (Z-R)

#### Purpose

- 9.34.1 The purpose of the Zama City Residential (Z-R) district is to provide exclusively for various residential uses.



#### Permitted and Discretionary Land Use Classes

- 9.34.2 Land use classes within the following table shall be permitted or discretionary within the Zama City Residential (Z-R) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	APIARY
DWELLING - DUPLEX	BED AND BREAKFAST BUSINESS
DWELLING - SINGLE FAMILY	DAY CARE HOME
GARAGE - ATTACHED	DWELLING – ROW
GARAGE - DETACHED	DWELLING – STACKED ROW HOUSING
HOME BASED BUSINESS MINOR	DWELLING UNIT
MANUFACTURED HOME - MOBILE	GARDEN SUITE
MANUFACTURED HOME – MODULAR	RESIDENTIAL SALES CENTRE
	SECONDARY SUITE
	TOURIST HOME

## Section 9 | Land Use District Regulations

### Regulations

9.34.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
<b>Width</b>	22.0m (72.0ft)
<b>Depth</b>	33.5m (110.0ft)
<b>Min. Setback</b>	
Yard – Front	7.6m (25.0ft)
Yard – Exterior Side	3.1m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	2.4 m (8 feet) with overhead utility servicing 1.5 m (5 feet) with underground utility servicing 20.0m (66.0ft) from an industrial or commercial district.

### Additional Regulations

9.34.4 All new subdivisions shall have underground servicing.

9.34.5 All new subdivisions shall provide a landscaped BUFFER of not less than 20.0m (65.6ft) depth along an interface with an industrial or commercial district.

9.34.6 INDUSTRIAL CAMPS are not allowed in this District.

9.34.7 MANUFACTURED HOMES – MOBILE shall be skirted from the base thereof to the ground with material similar to that of the siding materials.

9.34.8 100% of YARD - FRONT areas shall be landscaped in accordance with Section 8.32 of this BYLAW.

9.34.9 In addition to Section 8.32 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.

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

## Section 9 | Land Use District Regulations

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9.34.11 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 9 | Land Use District Regulations

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## Section 9 | Land Use District Regulations

### 9.35 Zama City Residential-Business (Z-RB)

#### Purpose

- 9.35.1 The purpose of the Zama City Residential-Business (Z-RB) district is to provide for various residential uses and associated non-nuisance Home Based Businesses.



#### Permitted and Discretionary Land Use Classes

- 9.35.2 Land use classes within the following table shall be permitted or discretionary within the Zama City Residential-Business (Z-RB) district of this BYLAW.

Permitted	Discretionary
ACCESSORY BUILDING	APIARY
DWELLING - DUPLEX	BED AND BREAKFAST BUSINESS
DWELLING - SINGLE FAMILY	DWELLING – ROW
GARAGE - ATTACHED	DWELLING UNIT
GARAGE - DETACHED	GARDEN SUITE
HOME BASED BUSINESS MEDIUM	INDUSTRIAL CAMP
HOME BASED BUSINESS MINOR	OIL FIELD SERVICE
MANUFACTURED HOME - MOBILE	RESIDENTIAL SALES CENTRE
MANUFACTURED HOME - MODULAR	SECONDARY SUITE
SHOP – COMMERCIAL	
SHOP – PERSONAL	

## Section 9 | Land Use District Regulations

### Regulations

9.35.3 In addition to the regulations contained in Section 8, the following standards shall apply to every DEVELOPMENT in this LAND USE DISTRICT.

Regulation	Standard
<b>Min. Lot Dimensions</b>	
<b>Width</b>	22.0m (72.0ft)
<b>Depth</b>	33.5m (110.0ft)
<b>Min. Setback</b>	
Yard – Front	7.6m (25.0ft)
Yard – Exterior Side	3.1m (10.0ft)
Yard – Interior Side	1.5m (5.0ft)
Yard – Rear	2.4m (8.0ft) with overhead utility servicing 1.5m (5.0ft) with underground utility servicing 20.0m (66.0ft) from an industrial or commercial district

### Additional Regulations

9.35.4 Commercial or Industrial land uses shall not:

- a. Include storage of bulk chemicals greater than 500 litres; or
- b. Involve the on-site use of vehicles primarily associated with the transportation of hazardous chemicals.

9.35.5 INDUSTRIAL CAMPS within the Zama City Residential-Business (Z-RB) district shall not have more than 10 beds.

9.35.6 SHOPS

- a. Building Area (maximum): 185.8m<sup>2</sup> (2,000.0ft<sup>2</sup>)
- b. Height of Door Opening (maximum): 4.9m (16.0ft)

9.35.7 All new subdivisions shall have underground servicing.

9.35.8 All new subdivisions shall provide a landscaped BUFFER of not less than 10m (32.8ft) depth along the common boundary of an interface with an industrial or commercial district.

9.35.9 MANUFACTURED HOMES – MOBILE shall be skirted from the base thereof to the ground with material similar to that of the siding materials.



## Section 9 | Land Use District Regulations

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- 9.35.10 100% of YARD - FRONT areas shall be landscaped in accordance with Section 8.32.
- 9.35.11 All outdoor storage and parking for commercial or industrial purposes shall be SCREENED to the satisfaction of the Development Authority.
- 9.35.12 In addition to Section 8.32 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.
- 9.35.13 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Authority.
- 9.35.14 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**

## **Hamlet Land Use District Maps**



# **Schedule B**

## **Rural Land Use District Maps**



# Appendix A

## Forms





# **Appendix B**

## **Development Agreement and Certificates**



# Appendix C

## Direct Control Districts

