

Mackenzie County
Land Use Bylaw



Mackenzie County

3rd Reading Version – September 2024

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1 Interpretation

1.1 General Purpose

- 1.1.1 The purpose of this Land Use Bylaw, entitled the Mackenzie County Land Use Bylaw and hereby known as “the **Bylaw**”, is to regulate the use and **development** of land and **buildings** within Mackenzie County pursuant to Part 17 of the **Act** to achieve the orderly and economic **development** of land.

1.2 Authority

- 1.2.1 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*.
- 1.2.2 This **Bylaw** comes into force and takes effect upon the date of its third reading. At that time, the former Land Use Bylaw 1066-17 as amended is hereby repealed.
- 1.2.3 No person shall commence any **development** within the **County** except in conformity with this **Bylaw**.

1.3 Applicability

- 1.3.1 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.
- 1.3.2 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.
- 1.3.3 In addition to the requirements of this **Bylaw**, an applicant must comply with all federal, provincial and other municipal legislation.

1.4 Transition

- 1.4.1 An application for a **subdivision** or **development permit** commenced prior to adoption of this **Bylaw** shall be evaluated under the provisions of the **County’s** Land Use Bylaw No. 1066-17 as amended.

1.5 Rules of Interpretation

- 1.5.1 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.

- 1.5.2 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.
- 1.5.3 The words “shall”, “must”, and “is” require mandatory compliance except where a variance has been granted pursuant to the **Act** of this **Bylaw**.
- 1.5.4 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.
- 1.5.5 Words that are italicized and bold denote terms defined in subsection 1.6.
- 1.5.6 Words that are capitalized and bold denote uses defined in subsection 1.7.
- 1.5.7 Metric measurements used within the **Bylaw** shall take precedence over all imperial values. Imperial measurements, shown in brackets are for reference purposes only.

1.6 General Definitions

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

- 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 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.

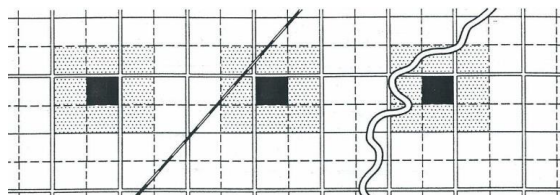


Figure 1. Adjacent lands

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.
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 .
Billboard	means a large outdoor board for displaying advertisements.
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	means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
Building Demolition	means the pulling down, building move off, 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.

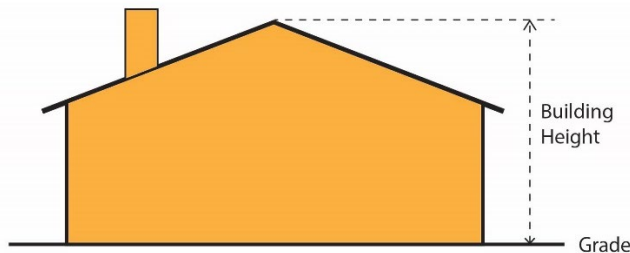


Figure 2. Measurement of Building Height

Building – Moved In	means a residential, commercial or industrial constructed building that is to be relocated from one property to another property.
Bylaw	means the Land Use Bylaw for Mackenzie County that regulates the use of land and buildings within the County .

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 <i>Surveys Act</i> respecting subdivision surveys.
Council	means the Council of Mackenzie County.
County	means Mackenzie County.
Dangerous or Hazardous Goods	means a product, substance or organism listed in the <i>Dangerous Goods Transportation and Handling Act</i> .
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 .
Design Flood	means a 1:100 flood, which is a flood that has a one percent (1%) chance of occurring in any given year. The 1:100 design flood is used to define the floodway and flood fringe zones on flood hazard maps.
Development	means: <ul style="list-style-type: none"> a) An excavation or stockpile of earth and creation of either of them; b) A building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land; c) A change of use of land or a building or an Act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or d) A change in the intensity of use of land or a building or 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 Authority	means a person or body appointed by the County in accordance with the Act to administer the provisions of this Bylaw .
Development Officer	means a person or persons appointed by the County 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.
Flood Fringe	means those lands outside of the floodway that is flooded or could be flooded during a 1:100 design flood .
Flood Hazard Area	means the area that would be inundated by floodwaters in 1:100 year flood event. The flood hazard area is typically divided into floodway and flood fringe zones and may also include area of overland flow.
Floodway	means the water channel and abutting lands that conveys water during a flood event. In this area during flooding, water flows are the deepest, fastest, and most destructive.
Floor Area	means the total floor area of every room and passageway contained in a building but excluding the floor area of: <ol style="list-style-type: none"> 1. basement; 2. Attached Private Garage; 3. Accessory Building; 4. Open porch; 5. Patio; 6. Open deck; 7. Veranda; and 8. Breezeway.
Fragmented Parcel	means a parcel of land that is separated from the balance of a quarter section or from a river lot by: <ol style="list-style-type: none"> 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.

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.
Hamlet	means an area declared, by Bylaw , by the County or designated by the Minister of Municipal Affairs as a hamlet .
High Hazard Flood Fringe	means the areas within the flood fringe with deeper or faster moving water than the rest of the flood fringe .
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 <i>Public Highways Development Act</i> .
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 625 of the Act , shared between Mackenzie County and the 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 3.

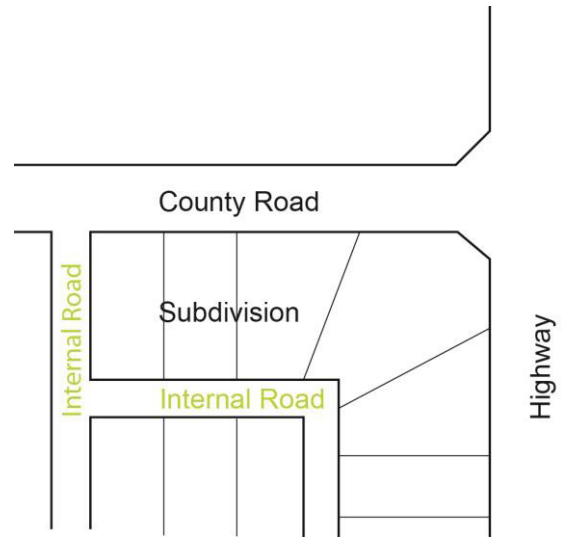


Figure 3. Internal Subdivision Road

Land and Property Rights Tribunal means a quasi-judicial tribunal established under the *Land and Property Rights Tribunal Act* that makes decisions about land use planning, development, right of entry, compensation and assessment matters.

Land Use District means a district listed under Section 12 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 uses** 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.

Livestock means poultry, 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:

- a) Quarter section of land;
- b) River **lot** or settlement **lot** shown on an official plan, that is referred to in the *Surveys Act*, and is as defined by Alberta Land Titles;

- c) 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
- d) 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** situated at the junction of two or more intersecting roadways.

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, **deck** and the like as shown in Figure 4.

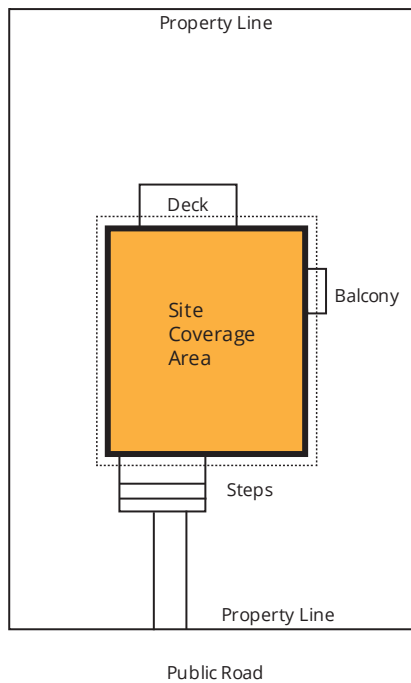


Figure 4. Lot Coverage

Lot Depth means the length of a straight-line that joins the middle of the **lot line – front** with the middle of the **lot line – rear** as shown in Figure 5.

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 vacant **corner lot** the shorter **lot line** shall be the front **lot line** as shown in Figure 5, unless otherwise identified by the development authority. In the case of a **corner lot** with an existing **development**, the **lot line** where access is taken shall be the front **lot line**.

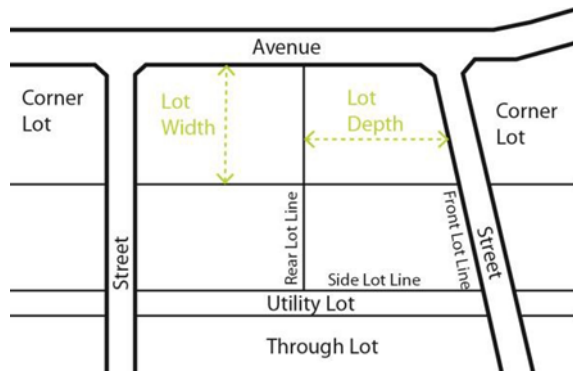


Figure 5. Lot Options

- Lot Line – Rear means the **lot line** that is opposite to the **lot line – front**.
- Lot Line – Side means the **lot line** other than a **lot line – front** or **lot line – rear**.
- Lot Width means the average horizontal measurement between the **lot line - sides** as determined by the **Development Authority** as shown in Figure 5.
- 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 625 the **Act**.
- Non-Conforming Building or Use means a **building** or use which lawfully existed or was under construction prior to this **Bylaw** becoming effective and does not conform to this **Bylaw**.
- 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 as shown in Figure 6.

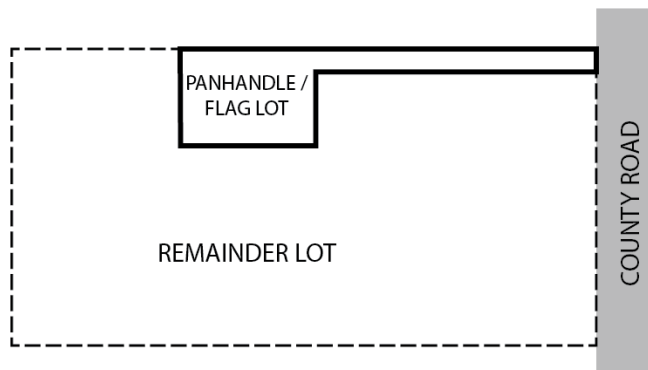


Figure 6. Panhandle Lot

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 Alberta Land Titles.
Permanent Foundation	means a structure constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground with a foundational system or arrangement composed of, but not limited to footing, raft, or pole, and may include walls, light standards, fences and Signs , and renders the structure fixed and immovable.
Permitted Use	means the use of land or building , which is listed in the column, captioned permitted use in most land use districts appearing in this Bylaw and for which a development permit shall be issued upon an application having conformed to the provisions of this Bylaw . In addition, a development permit application shall be approved if the conditions of approval ensure that the development would conform to the provisions of this Bylaw .
Pluvial Flooding	means a flooding or ponding event caused by excessive rainfall or seasonal runoff that occurs when the ground is unable to absorb the rainfall or runoff effectively, or urban drainage systems are overwhelmed by excessive water flow.
Principal Building	means a building where the main or principal use of the site is conducted.
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.
Registered Owner	means: <ul style="list-style-type: none"> a) 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 b) 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 c) The person registered under the <i>Province of Alberta Land Titles Act</i> 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.
- 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 **Development Authority**.
- 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.
- 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;
- 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 7. In cases where the back lot line fronts a public roadway, the same regulations apply.

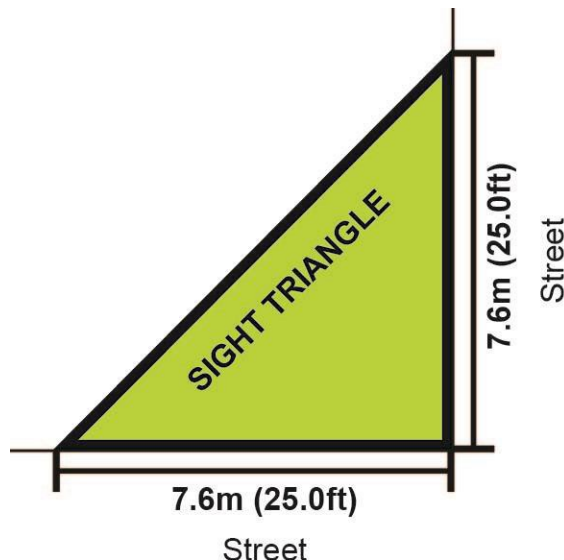


Figure 7. Sight Triangle

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 an instrument or plan of subdivision as defined in the <i>Land Titles Act</i> .
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.
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 .
Unightly condition	means: <ul style="list-style-type: none">a) A structure whose exterior shows signs of significant physical deterioration;b) Land that, in the opinion of the Development Authority, shows signs of serious disregard for general maintenance or upkeep; andc) Any other definition pursuant to the Unightly 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.
Water Body	means any location where water flows and / or is present, excluding Dugouts , 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 .
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 that is abutting a public/private roadway as shown

in Figure 8.

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 8.

Yard – Interior Side means a side **yard** that is not **abutting** a public/private roadway as shown in Figure 8.

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 8.

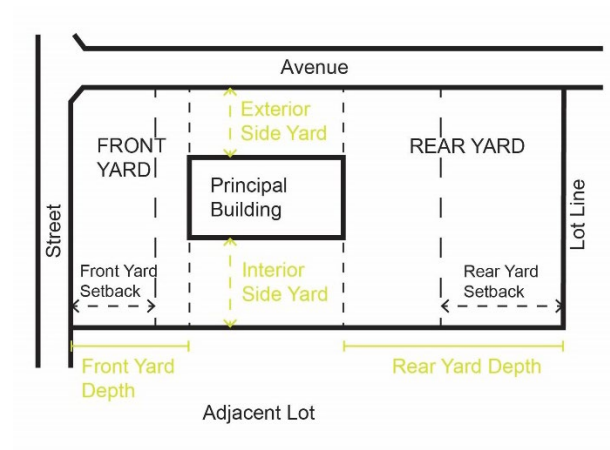


Figure 8 – Yard Setbacks

Yard – Setback means the required distance from the property line to the nearest point of an exterior wall of the **building**.

1.7 Use Definitions

Abattoir	means a use or a building facility used for slaughtering animals (livestock) and may include processing, packing, treating, storing and the sale of meat produced.
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 Private Garage is not considered an accessory building .
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. 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.
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.
Agriculture	means <ul style="list-style-type: none">a) those agricultural operations producing crops or livestock;b) fenced or enclosed land or buildings where livestock are confined for the purpose of growing sustaining, finishing or breeding by means other than grazing;c) Livestock seasonal feeding and bedding sites, equestrian stables or any building intended to be used directly for agricultural use;
Airport	means <ul style="list-style-type: none">a) 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, aircraft passengers and air freight. Services provided 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;

- b) includes any **building**, installation or equipment in connection therewith, operated by the Department of National Defense or for which an **Airport** license has been issued by Transport Canada.
- c) may contain a residential unit containing one (1) or more habitable rooms that provide living accommodations as a **temporary** residence for emergency personnel.

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

Assisted Living means a residential use that provides accommodation with on site or off site supports for residents' day to day needs who require supervision to perform daily living tasks and may:

- a) contain Dwelling Units within a facility;
- b) contain administrative offices; and
- c) include medical care to the residents.

Auction Facility means a **building** or **lot** 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 vehicles** repair shops.

Automotive Equipment and Vehicle Services, Minor means 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 car upholstery shops. **Automotive Equipment and Vehicle Services, Minor** facilities may include a wash bay as an **accessory use**.

Automotive Sales and Rental means the retail sale, rental or lease of new or used automobiles, **recreational vehicles** and motorcycles, together with incidental maintenance services and sale of parts.

Barndominium also known as a "barndo" or "shouse" (shop + house), is a post frame building that combines living quarters with a large garage, workshop, airport hangar or recreational/workspace under one roof. A **Barndominium** must be located on a lot with another dwelling.

Bars and Neighbourhood Pubs	means a building primarily used for 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.
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 Hotel/Motel or Secondary Suite .
Breweries and Distilleries	means the manufacturing, packing, bottling, canning of beer, wine, spirits, or other alcoholic beverages for on-site or off-site consumption. These developments may include the preparation and sale of food for on-site or off-site consumption.
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 Safety Code Council and includes the storage of dangerous/hazardous substances, as defined by the <i>Dangerous Goods Transportation and Handling Act</i> . 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 prefabricated mobile residential building that provides basic living facilities.
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: <ul style="list-style-type: none"> a) Printing, duplicating, binding or photographic processing; b) Secretarial services;

- c) Office maintenance or custodial services;
- d) Security services;
- e) Sale, rental, repair, or servicing of office equipment, furniture, and machines; and
- f) Sale, rental, repair or servicing of computers, cellular phones, and fax machines.

Cabin	means a small, roughly built house, or hut used on a seasonal basis which does not exceed 46.45m ² (500.0ft ²).
Campground	means a development for recreational use with sites designated for lodgings in tents, recreational vehicles , or other similar accommodations. This may include Cabins and small retail service provided solely for the occupants of the campground at the discretion of the Development Authority .
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.
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 and is subject to Mackenzie County Policy DEV006 – Antenna System Siting Policy.
Community Pasture	Means the shared use of land for grazing animals.

Confined Feeding Operations	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 <i>Agricultural Operation Practices Act</i> shall define the minimum size and number of a Confined Feeding Operation .
Contractor Services with Outdoor Storage	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 Services without Outdoor Storage	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 .
Crematorium	means a building used for the cremation of deceased persons or animals.
Day Care Facility	means a development as a stand-alone use or a use located within a building other than a residential dwelling, used to provide care and supervision for children, but not overnight accommodation, in accordance with the <i>Early Learning and Child Care Act</i> . 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 children operated in connection with a residential use, in accordance with the <i>Early Learning and Child Care Act</i> . This includes facilities where children's care is an accessory use to the primary residential use. No overnight care is provided.
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 three 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 9.

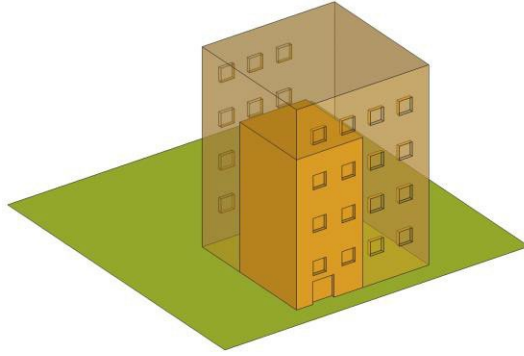


Figure 9. Dwelling – Apartment

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 illustrated in Figure 10.

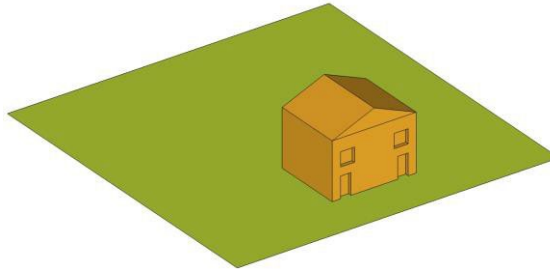


Figure 10. Dwelling - Duplex

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

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 – Multi-unit means a residential **building** in any configuration, containing three or more **Dwelling Units** or two to three **Dwelling Units** if the ground floor of such **building** is a commercial use, having a shared entrance or their own independent access. **Manufactured Home - Mobile** units or **recreational vehicles** may not be converted to a **Dwelling – Multi-Unit**.

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 11.

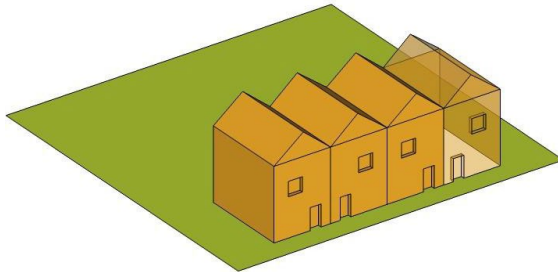


Figure 11. Dwelling - Row

Dwelling – Single Detached

means a **development** consisting of only one **Dwelling Unit** with a permanent foundation over 74.32 square metres (800 square feet) which is separate from any other **Dwelling Unit** or **building** but does not include a **Manufactured Home – Mobile**.

Dwelling – Single Detached – Tiny Home

a principal dwelling with a permanent foundation under 74.32 square metres (800 square feet).

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 illustrated in Figure 12.

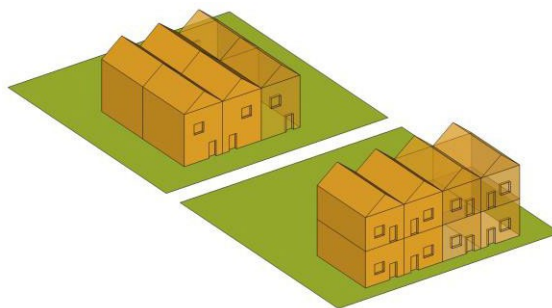


Figure 12. Dwelling – Stacked Row Housing

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.

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 .
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 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.
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.
Funeral Home	means a place where funerals are held and / or deceased persons are kept or prepared for burial or cremation.
Garden Suite	means a secondary Dwelling Unit , including a Dwelling – Single Detached – Tiny Home , 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.

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.
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.
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 with the potential for 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 .
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, Shop – Personal or Shop – Farm . 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. This use may include short-term and long-term care, overnight stays, diagnostic, laboratory, and surgical services, for humans. Accessory uses may be included that support the principal use.
Hotel/Motel	means <ul style="list-style-type: none"> a) 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; or b) a development divided into self-contained sleeping or Dwelling Units, each with a separate exterior entrance and convenient

access to on-site parking.

May include food services, meeting rooms, and **Personal Service Establishment**.

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 where no nuisance factor is created or apparent outside of the building . Warehousing may include an office space and ancillary retail sales. General industrial use does not include uses listed under Industrial Use, Heavy .
Industrial Use, Heavy	means the manufacturing, assembling, processing, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of concrete, asphalt, gravel, cement, lime, brick, tar, energy, oil and gas or forestry products that involves extensive outdoor storage and / or preparation areas and create nuisance factors that are incompatible with non-heavy industrial land uses.
Intensive Greenhouse	means a building or structure used for the growing of plants, shrubs, trees and similar vegetation and where the plants, shrubs, trees and similar vegetation is sold either wholesale or retail.
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.
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 parts which when put together (double-wide) comprise a complete dwelling. A Manufactured Home – Mobile may not be transformed into another dwelling type.
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, nor 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 Detached, Manufactured Home - Mobile or recreational vehicle .

Manufactured Home – Tiny Home	means a structure, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to either the CSA-Z240 or CSA-A277 of the national Building Code – Alberta Edition, is transported from one place to another as a single unit, has a maximum floor area of 74.32 square metres (800sq.ft.), is utilized as a principal dwelling unit , or as an accessory use to another principal dwelling unit . This does not include refurbished Shipping Containers or any other structure that is constructed outside of a controlled environment.
Manufactured Home Community	means a parcel of land , under a single ownership for accommodating manufactured homes on unregistered lots , which are rented by the park operator to individuals. This may include a facility containing 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.
Museum	means a place or building in which works of artistic, historical, archaeological, and scientific value are cared for and exhibited.
Natural Resource Extraction	means the extraction of natural resources and raw materials, including oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite, and salt), gravel, sand, clay and reclamation of the site. 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.
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.
Park	means land set aside for open space and recreational purposes and designated as Park 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 <i>Alberta Building Code</i> .
Personal Service Establishment	means a development where personal services related to the care and appearance of the body, or where the cleaning and repair of personal effects are provided to individuals. This may 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.
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. This may include rooms for eating and general assembly.
Private Garage	means <ul style="list-style-type: none"> a) an accessory use where a portion of the principal building, in the case of an attached garage, 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; or b) an Accessory Building that is not attached to the principal building and is used in conjunction with a dwelling principally for the private parking or storage of motor vehicles for personal transportation and recreation.
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 .
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.
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.
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 and does not include a Dwelling Unit .
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.
Retail	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 – 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 - 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.
Salvage Yard	means a facility for the storage, processing, or trans-shipment of derelict vehicles, machinery, scrap metal, and similar materials for sales.
Secondary Suite	means <ul style="list-style-type: none"> a) a use containing two or more rooms used or to be used as a Dwelling Unit which includes cooking facilities and is created in a Dwelling – Single Detached, Dwelling – Duplex or a detached Private Garage; and b) 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.
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, Hotel/Motel 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 and vehicle towing services as accessory uses .

Shipping Container means a steel **Shipping Container** for use accessory to the *principal building*/use as shown in Figure 13.



Figure 13. **Shipping Container**

Shop – Commercial means an accessory structure intended for the use of commercial or industrial type *development* but does not include a **Shop – Farm**.

Shop – Farm means an accessory structure intended to store or maintain farm equipment but does not include a **Dwelling Unit, Private Garage, 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.

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.

Tarp Shelter means a temporary *building* designed and constructed as per minimum manufacturers instructions for the foundation that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors. A **Tarp Shelter** will be for cold storage only and will not be permitted to be a commercial use.

Tourism – minor/major means a use where public or private cultural or tourism recreation occurs. Typical uses include tourist information centres, libraries, museums, or other cultural facilities, but does not include Recreation (indoor) or Recreation (outdoor).

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:

- a) The intent of the occupant to stay for short- term vacation purposes rather than use the property as a residence;
- b) The commercial nature of a **Tourist Home**;
- c) The management or advertising of the **Dwelling Unit** as a **Tourist Home** or “vacation property”; or
- d) 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.
Urban Agriculture	means a development that involves growing fruits, vegetables, plants, or raising chickens or bees in urban areas for use beyond personal consumption. This activity may include the sale of agricultural products raised or grown on- <i>site</i> . This <i>use</i> does not include Cannabis Grower .
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 Kenel and/or compound.
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 <i>abutting</i> 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 (including 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.
Wind Farm	A group of wind turbines in the same location used to produce electricity.
Woodlot Management	means the activities related to the management of wooded areas that are purposely designated and restricted for growing and harvesting trees for commercial use.
Yard Site Development	means the <i>development</i> 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.

2 Bylaw Amendments

2.1 Amendments to this Bylaw

2.1.1 The **County** may at any time initiate an amendment to this **Bylaw**.

2.1.2 A person may make an application to the **Development Authority** to amend this **Bylaw**.

2.1.3 The application shall include:

- a) The prescribed application form, properly completed and signed;
- b) A statement of the specific amendment requested and the reasons for the amendment; and
- c) An application fee, as established by the **County**.

2.1.4 If the amendment involves the re-designation of land to a different land use district, the application shall contain:

- a) A current copy of the certificate of title for the subject property;
- b) Written authorization from the registered owner(s) of the subject lands;
- 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) An **Area Structure Plan** where required by the **Development Authority**; and
- f) 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.

2.1.5 In order to ensure a firm commitment for **development** has been received, rezoning applications involving rural residential **developments** shall provide the following:

- a) 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 ten (10) **lots** from being created, the minimum number of **lots** may be decreased;
- b) The **subdivision** must have legal access that meets **County** standards; and
- c) 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.

2.1.6 An applicant wishing to amend this **Bylaw** shall deliver by hand notification of application to landowners in immediate proximity to the site for which the application to amend this **Bylaw** has been submitted.

2.2

2.2.1 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**.

2.3 Bylaw Amendment Notification Requirements

2.3.1 After 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) consecutive 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.

2.3.2 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.

2.3.3 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;
- 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.

2.4 Requirement of a Land Use Bylaw Amendment Notification Sign

2.4.1 The applicant shall post a Land Use Bylaw Amendment Application Notification Sign on the subject property a minimum of fourteen (14) days prior to a Council public hearing on the application to amend this **Bylaw**.

2.4.2 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.

2.4.3 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>PROPOSED LAND USE BYLAW AMENDMENT</p> <p>LEGAL DESCRIPTION:</p> <p>PRESENT LAND USE DISTRICT:</p> <p>PROPOSED LAND USE DISTRICT:</p> <p>RESPONSE DEADLINE:</p> <p>For more information, please contact Mackenzie County at 780-928-3983.</p>

Figure 14. Land Use Bylaw Amendment Sign

- 2.4.4 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.

3 Subdivision and Development Authorities

3.1 Development Authority

- 3.1.1 The **Development Authority** is established by bylaw in accordance with the **Act**.
- 3.1.2 The **Development Authority** shall exercise **development** powers and duties on behalf of the **County**.
- 3.1.3 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**.

3.2 Development Officers

- 3.2.1 In accordance with the **Act**, the **Development Officer** is hereby established by this **Bylaw** as a **Development Authority**.
- 3.2.2 The Chief Administrative Officer shall appoint the person to fill the position of **Development Officer**.
- 3.2.3 The **Development Officer** is hereby designated to be an authorized person of the **County** to exercise **Development** powers on behalf of the **County**.
- 3.2.4 The **Development Officer** shall:
 - a) Receive and process all **development permit** applications;
 - b) Keep and maintain for inspection by the public during office hours, a copy of this **Bylaw**, as amended and ensure that copies are available to the public at a reasonable charge;
 - c) Keep a register of all **development permit** applications, decisions thereon and the reasons therefore;
 - d) Make decisions on all **permitted use development permit** applications;
 - e) 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**.

3.3 Municipal Planning Commission

3.3.1 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.

3.3.2 For the purpose of this section, an **Inter-Municipal Planning Commission** has the same roles and responsibilities as the **Municipal Planning Commission**.

3.4 Council

3.4.1 **Council** shall serve as the **Development Authority** for all applications in a Direct Control 1 (DC1) District.

3.5 Subdivision Authorities

3.5.1 The Subdivision Authority is established by bylaw in accordance with the **Act**.

3.5.2 The Subdivision Authority shall exercise **subdivision** powers and duties on behalf of the **County**.

3.5.3 The Subdivision Authority shall be, where the context of this **Bylaw** permits, the **Municipal Planning Commission**, the **Inter-Municipal Planning Commission** or **County Council**.

3.5.4 The Subdivision Authority may also be, where appointed by bylaw, an external **subdivision** agency.

3.6 Subdivision and Development Appeal Board

3.6.1 The **Subdivision and Development Appeal Board** shall be established by separate bylaw and the Board shall carry out the duties and responsibilities pursuant to the bylaw that creates it.

3.7 Inter-Municipal Subdivision and Development Appeal Board

3.7.1 The **Inter-Municipal Subdivision and Development Appeal Board** shall be established by a separate bylaw and the Board shall carry out the duties and responsibilities pursuant to the bylaw that creates it.

4 Development Permits

4.1 Need for Development Permit

4.1.1 Except as provided in subsection 4.3, 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**.

4.2 Fees

4.2.1 The fees to be charged by the **County** on all applications and other matters arising under this **Bylaw** are set forth by **Council**. **Council** may at any time revise any fee or specify a fee for any other matter arising under this **Bylaw**.

4.2.2 All **development permit** applications and **Bylaw** amendment applications shall be accompanied by a fee established by **Council**.

4.2.3 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**.

4.2.4 A **development permit** application for a **Dugout** shall not require a fee.

4.3 When a Development Permit is Not Required

4.3.1 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 24 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 subsection 8.14;
- 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 18.58m² (200ft²) 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 18.58m² (200.0ft²);
- 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 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 6.11m³ (215.8ft³); and
- o) **Industrial Camp** providing accommodations for less than 25 employees and for less than 60 days on Crown land;
- p) Farm buildings & grain bins that are the minimum setback of the district;
- q) Grain dryer, not less than 200 feet from the property line.

4.3.2 If there is any doubt as to whether or not a **development permit** is required, the **Development Authority** shall require a **development permit**.

4.4 Non-Conforming Buildings and Uses

- 4.4.1 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 building** or **use**, the **development permit** continues to be in effect in spite of the coming into force of the **Bylaw**.
- 4.4.2 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**.
- 4.4.3 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.
- 4.4.4 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.
- 4.4.5 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**.
- 4.4.6 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**.

4.5 Compliance Certificates

- 4.5.1 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**.
- 4.5.2 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.
- 4.5.3 The Compliance Certificate shall only address those **buildings**, or parts thereof, shown on the Real Property Report.
- 4.5.4 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.

- 4.5.5 Any Real Property Reports being one (1) year or older will not be accepted for Compliance Certificate consideration.
- 4.5.6 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.
- 4.5.7 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.

4.6 Application for Development Permit

- 4.6.1 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.
- 4.6.2 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**.

4.6.3 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;
 - 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:
 - a. 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;
 - b. Statement of the potential impacts of the proposed **development** on **adjacent lands**, and the proposed measures designed to minimize such adverse impacts; and
 - c. 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, including a geotechnical or floodplain study prepared by a qualified engineer recognized by APEGA if, in the opinion of the **Development Authority**, the site is potentially hazardous or unstable;
 - 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; and
- e) A statement of the maximum number of persons anticipated to be on the site during peak use periods.

4.6.4 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.

4.6.5 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.

4.7 Decision on Development Permit Applications

4.7.1 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**.

- 4.7.2 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**.
- 4.7.3 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;
 - ii. The impact of natural hazards such as flooding, erosion, and wildfire on the proposed **development**;
 - iii. The design, character and appearance of the proposed **development** and in particular whether it is compatible with and complementary to the surrounding properties; and
 - iv. 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**.
- 4.7.4 Notwithstanding any requirements of this **Bylaw**, the **Development Authority**, at their discretion, may establish a more stringent standard for a **discretionary use**.
- 4.7.5 A **development permit** may be issued on a **temporary** basis for a period specified by the **Development Authority** but not longer than two (2) years from the date of its issuance.

4.8 Validity of Development Permits

- 4.8.1 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.
- 4.8.2 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 subsection 4.8.1.

- 4.8.3 If the **development**, authorized by the **Development Authority**, is not commenced prior to its expiry date, the **Development Authority** may grant a maximum of two one (1) year extensions to the approval of the **development permit**.
- 4.8.4 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.
- 4.8.5 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**.

4.9 Development Permit Referrals

- 4.9.1 When reviewing a **development permit** application for proposed land uses which may impact a historical site, the **Development 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.
- 4.9.2 When the **County** receives an application for 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.
- 4.9.3 Referrals to Alberta Transportation are required for the following site locations:
- a) A **development permit** application within 300.0m (984.3ft) of a **highway**; and
 - b) A **development permit** application within 0.8km (0.5miles) of a **highway** intersection.
- 4.9.4 As required by the provisions of an adopted **Inter-Municipal Development Plan**, the **Development 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.

4.9.5 The **Development Authority** may use its discretion to refer an application to any other agency for comments.

4.9.6 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.

4.10 Rear Laneways

4.10.1 Development of any kind is prohibited in rear laneways and road right of way.

4.11 Variance of Authority

4.11.1 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**.

4.11.2 The **Development Authority** may approve a variance of up to forty percent (40%) for the Urban Fringe 'UF' District.

4.11.3 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;
- 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**.

4.12 Development Permit Conditions

- 4.12.1 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 re-**development** levy;
 - f) Provide security to ensure that the terms of the agreement under this section are carried out.
- 4.12.2 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**.
- 4.12.3 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**;

4.12.4 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.

4.13 Permit Approval and Notifications

4.13.1 All approvals on **development permits** shall be in writing and mailed by the **Development Authority** to the applicant in accordance with the **Act**.

4.13.2 All refusals on **development permits** shall be in writing and sent via mail by the **Development Authority** to the applicant.

4.13.3 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.

4.13.4 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.

4.13.5 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.

4.13.6 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.

4.13.7 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;

4.14 Resubmission Interval

- 4.14.1 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 **Land and Property Rights Tribunal** 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.

4.15 Deemed Refusal

- 4.15.1 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 Enforcement

5.1 Contravention and Stop Orders

- 5.1.1 The Authority may act under subsection 5.1.2 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 *Matters Related to Subdivision and Development Regulation (AR 84/2022)*;
 - b) A **development permit** or **subdivision** approval; or
 - c) This **Bylaw**.
- 5.1.2 If Subsection 5.1.1 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.
- 5.1.3 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.
- 5.1.4 A municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection 5.1.2 against the certificate of title for the land that is the subject of the order.
- 5.1.5 If a municipality registers a caveat under subsection 5.1.4, the municipality must discharge the caveat when the order has been complied with.
- 5.1.6 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.
- 5.1.7 Where a notice is issued under subsection 5.1.2, 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** or **Land and Property Rights Tribunal**.

5.1.8 A person who receives a notice referred to in subsection 5.1.2 may appeal to the SDAB in accordance with Section 685 of the **Act**.

5.2 Prohibitions

5.2.1 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**.

5.2.2 No person shall contravene a condition of a permit issued under this **Bylaw**.

5.2.3 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**.

5.3 Non-Compliance

5.3.1 If, after a **development permit** has been issued, the **Development Authority** becomes aware that:

- 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.

5.3.2 A person whose **development permit** is cancelled, suspended or modified under this subsection may appeal to the **Subdivision and Development Appeal Board** or **Land and Property Rights Tribunal** in accordance with section 7.1 within twenty one (21)

days of notice of such action.

5.4 Warning Notice

- 5.4.1 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.

5.5 Right of Entry

- 5.5.1 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, Matters Related to Subdivision and Development Regulation (AR 84/2022)** 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**.

5.6 Offenses and Penalties

- 5.6.1 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 **Subdivision and Development Appeal Board** or **Land and Property Rights Tribunal** is guilty of an offense and is liable upon conviction.

- 5.6.2 Penalties for offences shall be in accordance with the **County's** Fee Schedule Bylaw.

6 Subdivision Administration and Procedures

6.1 Subdivision Application Procedures

- 6.1.1 **Subdivision** applications shall be submitted to the Subdivision Authority on the prescribed form signed by the landowner or agent.
- 6.1.2 After having received the **subdivision** application, the Subdivision Authority shall refer it to other agencies, as listed in Section 6.2.
- 6.1.3 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.
- 6.1.4 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
 - iii. Publishing a notice in a newspaper that has general circulation in the **County**.
- 6.1.5 The Subdivision Authority may approve an application for **subdivision** only if it meets the requirements of Part 17, Division 7 of the Act, Subdivision and Development Regulations, other plans and / or bylaws and including this **Bylaw**.
- 6.1.6 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;
- f) Connection to the municipal water and sewer system; and
- g) Relevant **County** policies and the *Matters Related to Subdivision and Development Regulation (AR 84/2022)*.

6.2 Subdivision Referrals

- 6.2.1 When reviewing a **subdivision** application for proposed land uses which may impact a historical site, the **Subdivision Authority**:
 - a) Shall refer a **subdivision** 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.
- 6.2.2 When the **County** receives an application for **subdivision** 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.
- 6.2.3 Referrals to Alberta Transportation are required for the following site locations:
 - a) **Subdivision** applications within 0.8km (0.5miles) of a **highway**.
- 6.2.4 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.
- 6.2.5 All **subdivision** applications received by the **County** shall be referred to ATCO Electric, Northern Lights Gas Co-op, TELUS, Fort Vermilion School Division, Mackenzie County Operational Services Department and Utilities and Agricultural Departments for their review and comments / requirements.

6.2.6 The Subdivision Authority may use its discretion to refer an application to any other agency for comments.

6.3 Subdivision Decision

6.3.1 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.

6.3.2 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.

6.4 Development Agreement

6.4.1 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.

6.4.2 The Development Agreement will contain, but is not limited to, the conditions as listed in the **subdivision** decision.

6.5 Securities

6.5.1 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.

6.5.2 Security, in the form of a 100% performance bond, will be accepted.

6.5.3 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 25% of the estimated costs; or
- b) An irrevocable letter of credit having the value equivalent to 25% of the established costs.

6.6 Registrations

6.6.1 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.

6.6.2 **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.

6.7 Subdivision Approval Process

6.7.1 The process of a **subdivision** approval within the **County** is illustrated within Figure 15.

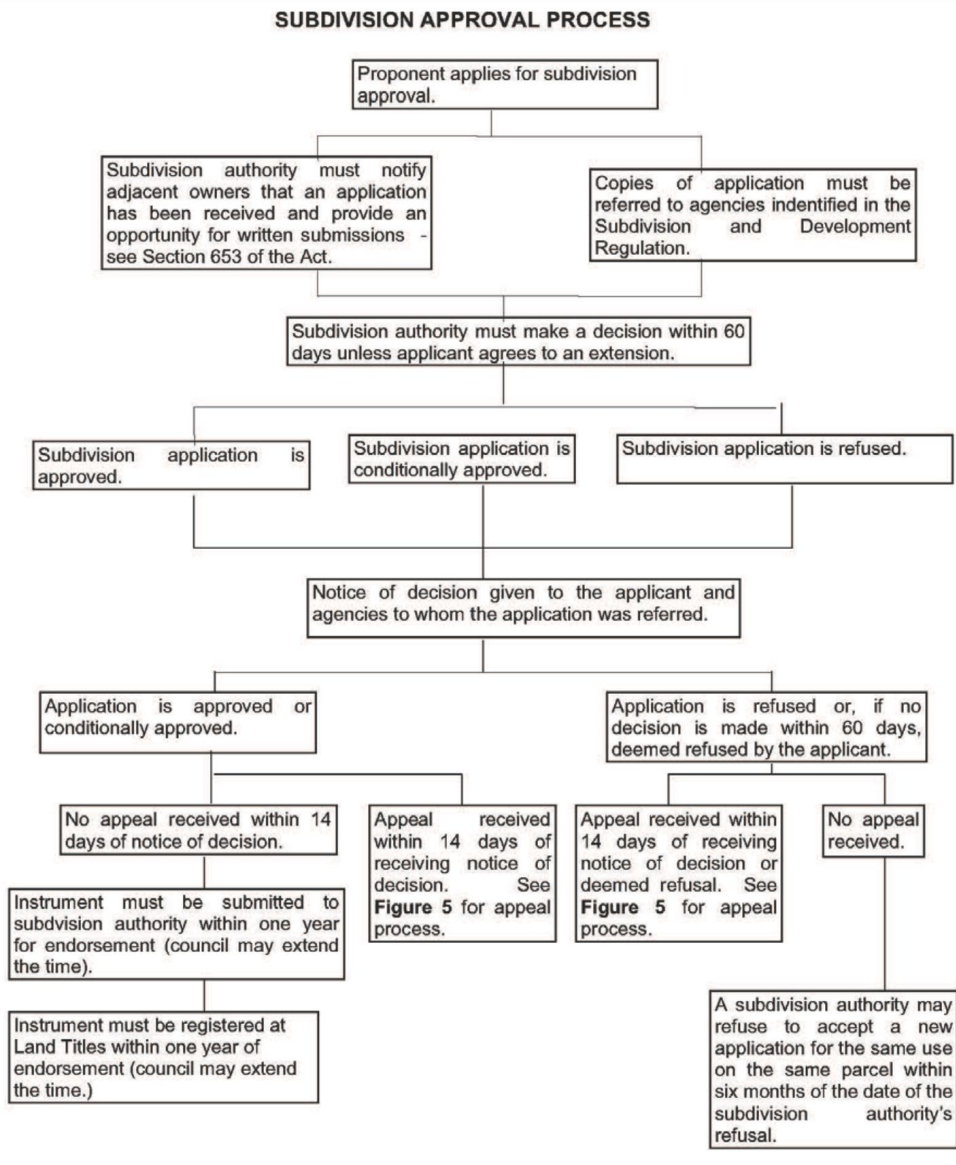


Figure 15. Subdivision Approval Process

6.8 Growth Nodes

- 6.8.1 Multi-lot subdivisions are preferred within the growth nodes as identified in the Mackenzie County Municipal Development Plan.

7 Appeals

7.1 Development Permit Appeals

- 7.1.1 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.
- 7.1.2 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**.
- 7.1.3 Notwithstanding Subsections 7.1.1 and 7.1.2, 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.
- 7.1.4 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 Clerk 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**.
- 7.1.5 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.
- 7.1.6 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** or the **Land and Property Rights Tribunal** has rendered a decision.
- 7.1.7 With the exception of Crown Land, 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.

7.2 Subdivision Appeals

- 7.2.1 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 **Land and Property Rights Tribunal** 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
 - b) In all other cases, with the **Subdivision and Development Appeal Board** or **Inter-Municipal Subdivision and Development Board**.
- 7.2.2 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.

8 General Regulations

8.1 Accessory Building

- 8.1.1 No **Accessory Building** or any portion thereof shall be erected or placed within a front yard in a hamlet residential **land use district**.
- 8.1.2 No **Accessory Building** or any portion thereof shall be erected or placed within a front yard in a residential or non-residential **land use district** other than the Agricultural **land use district** unless otherwise approved by the **Development Authority**.
- 8.1.3 An **Accessory Building** in a **hamlet** residential **land use district** shall be no more than 4.6m (15.0ft) in height.
- 8.1.4 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**.
- 8.1.5 An **Accessory Building** erected on a site shall not be used as a dwelling unit.
- 8.1.6 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**.
- 8.1.7 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**.
- 8.1.8 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**.

8.2 Animals

- 8.2.1 Please refer to subsection 8.51 for residents living on NW 29-106-15-W5M.
- 8.2.2 No person shall keep, or permit to be kept, in any part of the **hamlet** of La Crete or the **hamlet** of Fort Vermilion with the exception of lands within the Urban Fringe (UF) **land use district** and Hamlet Country Residential (HCR) **land use district**:
- a) **Livestock**, with the exception of dogs, cats, and such other usual domestic pets 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**.
- 8.2.3 In any Country Residential and Urban Fringe **land use district** 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
Cow (Plus calf under 6 months)	1
Horses and Other Equine Animals	1
Sheep/Goats	2
Pigs	2
Fowl	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**.

8.2.4 In Hamlet Country Residential, 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
Fowl	12

8.2.5 In all Residential **land use districts**, up to three (3) hens shall be allowed per property.

8.2.6 Roosters are not permitted within **hamlet** boundaries.

8.2.7 In Zama City, **livestock** is allowed and the following shall apply:

- a) **Livestock** shall be limited to no more than one (1) animal unit per 0.40 ha (1 acre) as defined in the following table:

Type of Livestock	Number of Animals Equivalent to One Animal Unit
Cow (Plus calf under 6 months)	1
Horses and Other Equine Animals	1
Goats	2

Pigs (includes gilts suckling)	2
Fowl	12
Elk (Plus calf under 6 months)	1
Llama/Alpaca	2
Ostrich/Emu	2
Rabbits	15

- b) **Livestock** consisting of up to three (3) hens shall be exempt from contributing to an animal unit count.
- c) Sheep and roosters shall not be permitted.
- d) 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.
- e) 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 Applicability of General Regulations

- 8.3.1 The general **development** regulations of this Section apply in all **land use districts**. In the event of a conflict the regulations in Section 12 shall take precedence.

8.4 Building Demolition or Removal

- 8.4.1 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**.
- 8.4.2 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;
 - c) Remove all demolition debris from the subject site and clean up the **lot** 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;
- 8.4.3 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.).

8.5 Building – Height, Design, Character and Appearance

- 8.5.1 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**.
- 8.5.2 The architecture, construction materials, character and appearance of any **building**, structure or **Signs** proposed to be erected or located in any district must be acceptable to the **Development Authority**, having due regard to the amenities, natural features of the site and the character of existing **development** in the district, as well as to its effect on **development** in **adjacent** districts.
- 8.5.3 All mechanical equipment shall be screened from view or incorporated into the roof envelope.
- 8.5.4 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**.
- 8.5.5 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**.
- 8.5.6 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**.
- 8.5.7 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.
- 8.5.8 All outdoor storage and parking for commercial or industrial purposes shall be **screened** to the satisfaction of the **Development Authority**.

8.6 Building – Placement

8.6.1 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 Unit** 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**.

8.7 Businesses – Drive-Through

8.7.1 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.

8.7.2 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.

8.7.3 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**.

8.7.4 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**.

8.7.5 Where a drive-through business is located **abutting** a residential district, **screening** shall be provided to the satisfaction of the **Development Authority**.

8.7.6 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.

8.7.7 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.
- 8.7.8 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 10.
- 8.7.9 The on-site layout of vehicle circulation patterns shall be to the satisfaction of the **Development Authority**.
- 8.7.10 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.
- 8.7.11 A sufficient number of catch basins to drain the site shall be provided, to the satisfaction of the **Development Authority**.
- 8.7.12 Where the customer normally remains in the vehicle for service, the minimum site size shall be 930.0m² (10,010.4ft²), and the minimum **building** area shall be 37.0m² (398.3ft²).
- 8.7.13 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.

8.8 Confined Feeding Operations

- 8.8.1 **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**.
- 8.8.2 Notwithstanding the above-mentioned, **development** of a CFO shall be consistent with the land use provisions of the **County's Municipal Development Plan**.

- 8.8.3 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**.
- 8.8.4 Where more than one (1) minimum setback distance is applicable under this **Bylaw**, the greater distance shall prevail.
- 8.8.5 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.
- 8.8.6 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.

8.9 Dangerous Goods

- 8.9.1 Any **development** that includes dangerous goods shall be considered a **discretionary use**.
- 8.9.2 The storage of dangerous goods shall be prohibited in all residential **land use districts** and within 100.0m (328.1ft) of an institutional, recreational or residential **land use district**. This includes the temporary (overnight) storage of dangerous goods on mobile equipment, such as 'Sealed Sour Units'.

8.10 Drainage

- 8.10.1 All surface drainage and run-off of any **development** shall have a positive surface drainage that does not adversely affect the neighbouring properties.
- 8.10.2 All roof drainage from a **building** shall be directed onto the parcel upon which the **building** is situated to the satisfaction of the **Development Authority**.
- 8.10.3 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.

8.11 Dugouts

- 8.11.1 Unless a **Dugout** is exempted by subsection 4.3 from the requirement for a **development permit**, an applicant shall submit plans and specifications in accordance with subsection 4.6.
- a) As per sub-section 4.2 no fee shall be required for a **development permit** for a **Dugout**.

8.11.2 **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* unless for irrigation purposes.

8.11.3 **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**.

8.12 Dwelling Units per Parcel

8.12.1 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**.

8.12.2 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 Unit** 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;
- d) A **Garden Suite** or **Secondary Suite**.

8.13 Easements/Rights-of ways

- 8.13.1 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**.
- 8.13.2 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
 - Written consent has been obtained from the person for whose use the easement has been granted.

8.14 Fences

- 8.14.1 In a **hamlet**, no fence within the **yard – front** setback shall exceed 1.2m (3.9ft) in height, as shown in Figure 16, with exception as approved by the **Development Authority**.
- 8.14.2 In a **hamlet**, no fence within a **yard – side** or **yard – rear** shall exceed 1.8m (5.9ft) in height, as shown in Figure 16, with exception as approved by the **Development Authority**.

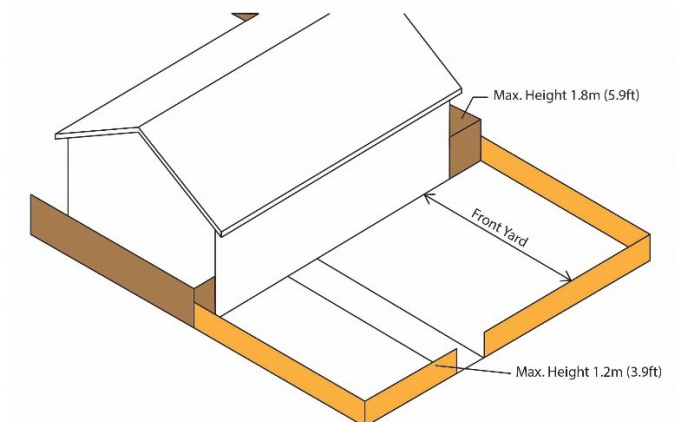


Figure 16. Fence Height

- 8.14.3 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**.
- 8.14.4 In a **hamlet**, no person shall maintain or permit to be maintained a fence comprised of

barbed or tension wire.

8.15 Flood Prone Lands (Flood Hazard Area and Pluvial Flooding)

8.15.1 **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.

8.15.2 **Development** on lands which have been identified within a **flood hazard area** and designated as a two-zone **floodway/flood fringe** as shown in Figure 17 flood area, 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.

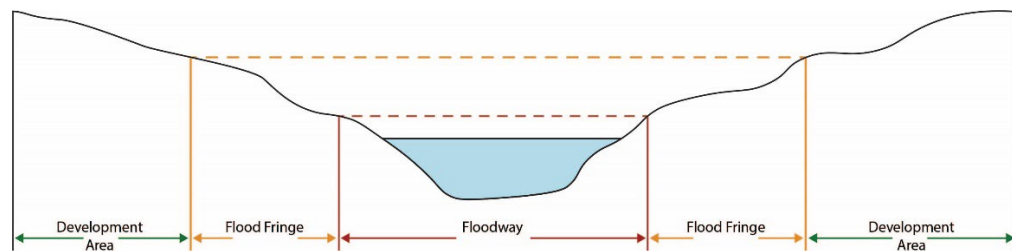


Figure 17. Flood Hazard Area

8.15.3 Notwithstanding subsection 8.15.2 b) 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.

8.15.4 Any **development permit** issued for **development** within the 1:100 year **flood fringe** shall have, as a condition of approval, a restrictive covenant registered against the title of the subject property related to the approved **development**.

8.15.5 **Development permit** applications for lands which are determined to be low lying, or

those which may be subject to seasonal flooding or that are caused by heavy rainfall, may be refused by the **Development Authority**.

8.15.6 In addition to subsection 4.12, the **Development Authority** may provide additional conditions of approval to any **development permit** for any location that the **Development Authority** deems to be at risk of **pluvial flooding**, including but not limited to:

- a) All **basement** or below **grade development** shall have an operational sump pump;
- b) No **basement** or below **grade development**;
- c) **Building development** only being allowed above **grade** at an elevation determined by the **Development Authority**; and
- d) No site work or grading shall take place on the site that will alter existing drainage patterns or contribute to the flooding or inundation of **adjacent** properties.

8.15.7 When an applicant wishes to develop on a **lot** determined to be low lying or deemed to be at risk of **pluvial flooding** the **Development Authority** may approve the application if certain flood mitigation measures are proposed by the applicant and deemed acceptable by the **Development Authority**.

8.15.8 Where a **parcel of land** may experience seasonal or **pluvial flooding** the **development** may be brought to the **Municipal Planning Commission** for decision.

8.16 Private Garages

8.16.1 A property may have two **Private Garages**, one attached and one detached at the discretion of the **Development Authority**.

8.16.2 No **Private Garage** shall be located with the vehicle entrance doors facing the public utility **lot** and/or **lane**.

8.16.3 A **Private Garage** 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).

8.16.4 An attached **Private Garage**:

- a) May be required, at the discretion of the **Development Authority**, to be positioned in order to reflect the placement of a **Private Garage** on an **adjacent** property; and
- b) Shall not have a combined area, with **Accessory Buildings** on a property, that exceeds 85.0m² (914.9ft²) or 80% of the associated dwelling **floor area**

whichever is greater.

8.16.5 A detached **Private Garage** shall not:

- a) Be located within any **yard – front setback** requirement of the applicable district;
- b) Be located within 1.5m (4.9ft) of any side **property line**;
- c) Exceed 100.0m^2 (1076.4ft^2) in area;
- d) Exceed one storey in height unless to provide for a **Secondary Suite** on the second storey.

8.16.6 A detached **Private Garage** shall be accessory to a principal dwelling within a **hamlet** residential **land use district**.

8.17 Garden Suites

8.17.1 A **Garden Suite** shall:

- a) Be limited to one per **lot** /residence;
- b) Be only allowed on a lot with an existing primary dwelling unit; and
- c) Notwithstanding 8.17.1 a), is allowed on the same **lot** as a **Secondary Suite**.

8.17.2 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.

8.17.3 A **Garden Suite** shall:

- a) Have an appearance and quality of finishing materials that reflect the fact that it is a **Dwelling Unit**;
- b) Be accessory to the principal **Dwelling Unit** and may have a maximum **floor area** of 45.0m^2 (484.0ft^2) for in-**hamlet** or non-agricultural lands or a maximum **floor area** of 120.0m^2 (1292.0ft^2) for lands identified as rural or agricultural;
- c) Not have a height greater than the principal dwelling.

8.17.4 A **Garden Suite** may be attached to or be developed above a detached **Private Garage**.

8.17.5 A **Garden Suite** is permitted to have a second level if the total **floor area** remains within the 120m^2 (1292ft^2) limit for lands identified as rural or agricultural zoned

property. For lands identified as in-**hamlet** or non-agricultural lands, the total floor area remains within 45m² (484ft²).

8.18 Home Based Businesses

- 8.18.1 A **Home Based Business** requires an approved and active business license.
- 8.18.2 A **Home Based Business** shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. 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.
- 8.18.3 All permits for a **Home Based Business** 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.
- 8.18.4 Permits for a **Home Based Business** will expire upon the expiration, cancellation or revocation of a business license. The **development permit** shall become null and void if a **County** business license is not maintained in good standing.
- 8.18.5 Signage for a **Home Based Business** shall be limited to one (1) **Sign** not exceeding 1.1m² (12ft²) in area. Signage must conform to all other provisions of the **Signs** regulation contained in Section 11 of this **Bylaw**.
- 8.18.6 A **Home Based Business** shall not include exterior storage.
- 8.18.7 A **Home Based Business** shall be operated by the resident of the principal dwelling and may include one non-resident employee.
- 8.18.8 A **Home Based Business Medium** shall meet all the following criteria:
- a) 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**;
 - b) 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
 - c) 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).
- 8.18.9 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.

- 8.18.10 A **Home Based Business Minor** shall not be the primary use of the residential **building** and shall not:
- a) Change the appearance of the residential **building** or its **Accessory Building**, unless approved by the **Development Authority**;
 - b) Require alterations to the **building** unless the alterations are approved by the **Development Authority**;
 - c) Occupy more than fifty percent (50%) of the total **floor area** of the **principal building**; and
 - d) Involve client and customer visits outside the hours of 8:00am – 6:00pm.
- 8.18.11 A **Home Based Business Minor** is subject to all parking requirements and restrictions described in this **Bylaw** in Section 10.

8.19 Illumination

- 8.19.1 Illumination from commercial or industrial uses shall be shielded away from residential **land use districts** and streets.
- 8.19.2 Outdoor lighting on a site shall be located and designed to not interfere with the use and enjoyment of neighbouring properties, or with the safe and effective use of public roadways.
- 8.19.3 The maximum permitted height for a freestanding light pole is 9.0m (29.5ft) above **building grade** as regulated by the Airport Vicinity Protection Area or 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.

8.20 Industrial Camps

- 8.20.1 Unless exempt from requiring a **development permit**, as outlined in subsection 4.3, a specialized fee shall be required for the construction of an **Industrial Camp** providing accommodations for 25 or more employees.
- 8.20.2 When reviewing an application under this subsection, the **Development Authority** shall consider the following:
- a) The location, type, and purpose of the **Industrial Camp**;
 - b) Access to the **Industrial Camp**;
 - c) The provision of services to the **Industrial Camp**; and/or
 - d) **Adjacent land** uses.
- 8.20.3 The minimum setbacks shall be provided in accordance with the applicable **land use**

district.

- 8.20.4 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 granted by the **Development Authority**.
- 8.20.5 All **Industrial Camps** located on Crown lands shall be subject to conditions of an approved lease applicable to the location from Alberta Environment and Protected Areas and Alberta Agriculture and Irrigation and Alberta Forestry and Parks.
- 8.20.6 All parking must be provided on-site and parking areas, where required, shall be developed to the satisfaction of the **Development Authority**.
- 8.20.7 Provision of access shall be provided to the satisfaction of the **Development Authority**.

8.21 Kennels

- 8.21.1 **Kennels** may be established in accordance with the appropriate **development permit** conditions in an existing building.
- 8.21.2 Minimum building setbacks:
 - a) 90 m (295 ft) from any dwelling on an **adjacent** property; and
 - b) 30 m (98 ft) from any other property lines.
- 8.21.3 All **Kennel** buildings and exercise areas shall be located behind the principal building on the property.
- 8.21.4 The developer shall set up sound barriers for a **Kennel**.
- 8.21.5 The **Kennel** shall meet all current National Building Code Alberta Edition requirements for **buildings** and any other requirements specified by Superior Safety Codes.
- 8.21.6 The applicant must have a valid business license with Mackenzie County.
- 8.21.7 Dogs are not allowed outside between the hours of 10 p.m. and 7 a.m. daily.
- 8.21.8 Facilities must be cleaned regularly.
- 8.21.9 The **development permit** and business license for a **Kennel** shall not be transferable and a new **development permit** and business license application is required any time there is a change in ownership or change in operation including the maximum number of dogs.
- 8.21.10 The maximum number of adult dogs allowed per **Kennel** will be forty-five (45).
- 8.21.11 Exterior exercise areas/runs must be enclosed with an acceptable fence.

- 8.21.12 At all times, the **Kennel** shall not cause a nuisance or interfere with the general enjoyment of neighbouring property owners.
- 8.21.13 The permit for a **Kennel** may be revoked at any time, if, in the opinion of the **Development Authority**, the **Kennel** has become detrimental or otherwise incompatible with the amenities of the neighbourhood.

8.22 Manufactured Homes

- 8.22.1 All **Manufactured Homes** shall conform to the *Alberta Building Code*.
- 8.22.2 **Manufactured Homes** shall be factory built with walls of pre-finished baked enamel aluminum siding, or equivalent sound construction and appearance at the discretion of the **Development Authority**.
- 8.22.3 A **Manufactured Home** shall have:
- a) A minimum roof pitch of 5.0cm (1.97inches) of vertical rise for every 30.0cm (11.81inches);
 - b) A minimum overhang of 15.24cm (6.0inches);
 - c) A minimum length to width ratio of 3:1; and
- 8.22.4 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.
- 8.22.5 The undercarriage of a **Manufactured Home – Mobile** shall be **screened** from view by the foundation or skirting similar to that of the siding materials or other means satisfactory to the **Development Authority**.
- 8.22.6 All additions, patios, 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**.
- 8.22.7 All connections to municipal water and sewer systems shall be adequately insulated.

8.23 Objects Prohibited or Restricted in Yards

- 8.23.1 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 buses, shall be allowed in a **hamlet** residential **land use district**, excluding Zama City Mixed Use (Z-MU) and Zama City Residential-Business (Z-RB) districts, for longer than is reasonably required to load or unload such a vehicle.
- 8.23.2 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.

8.23.3 The storage of materials and equipment that are specifically intended as attractions for wildlife (e.g. bear, coyotes, moose) shall not be permitted within **hamlets**, or within 800.0m (2,624.7ft) of Country Residential or Institutional **land use districts**.

8.24 Pressure Vessel Storage

8.24.1 All **Pressure Vessel Storage** containers shall be constructed, located, and inspected in accordance with the provisions of the *Alberta Safety Codes Act and/or Safety Code Council*, and its regulations.

8.24.2 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.

8.24.3 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 568 L (125 gallons).

8.24.4 **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 **Dwelling Unit**.

8.24.5 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.

- 8.24.6 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.
- 8.24.7 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).
- 8.24.8 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
 - d) Truck route through the community which will be used to service the proposed **development**.
- 8.24.9 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).

8.25 Primary Dwelling – Hamlet

- 8.25.1 Unless otherwise approved by the **Development Authority**, all principal **dwelling units** in Hamlets will connect directly to and be serviced by municipal infrastructure.

8.26 Private Sewage Treatment Systems

- 8.26.1 All private sewage treatment systems shall conform to the current **Safety Code Standard**.
- 8.26.2 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 current **Safety Code Standard**, as amended from time-to-time.
- 8.26.3 Notwithstanding subsection 8.26.1 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 current *Safety Code Standard*, as amended from time-to-time.

8.27 Projection over Yards

8.27.1 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 18:

- 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;
- 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
- 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.

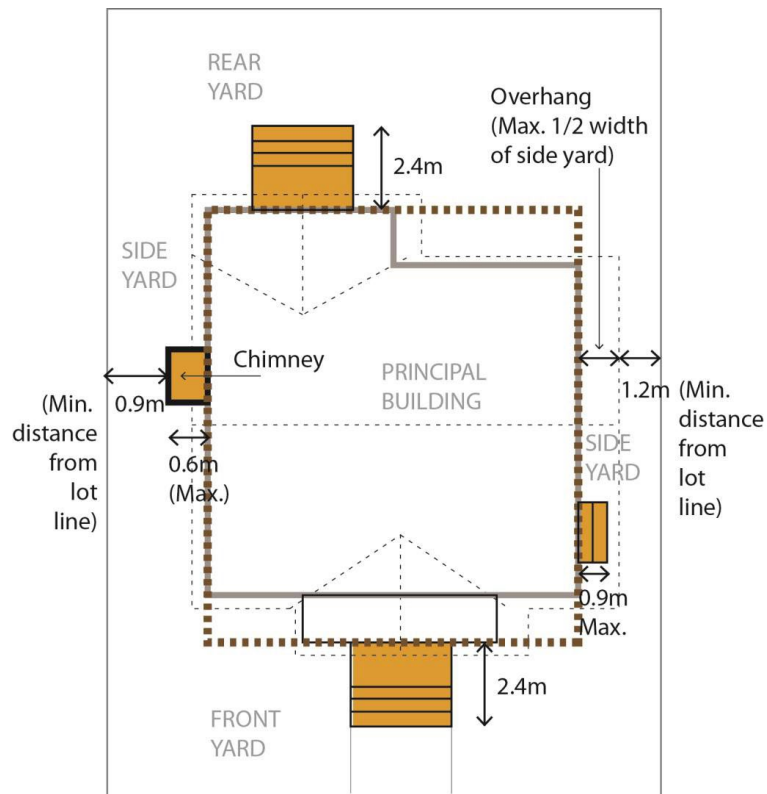


Figure 18. Projections Over Yards

8.28 Recreational Uses

- 8.28.1 A Recreation Centre or Lodge may have **Accessory Buildings** available for the lodging of its patrons. A Recreation Centre or Lodge shall not provide any form of permanent habitation of the rooms by its patrons.

8.29 Recreational Vehicles

- 8.29.1 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** with the exception of Zama City; and
- c) Notwithstanding subsection (b) above, a **recreational vehicle** may be located on a **lot** during the construction of a **principal building**.
- d) No person shall park or permit parking of a **recreational vehicle** on any private property without prior permission of the owner, tenant, occupant, or person in control of the property; and
- e) No person shall drive or park any **recreational vehicle** or other vehicle, on any land owned by Mackenzie County which the **County** uses or permits to be used as a playground, recreation area, public park, parkway, open space area or beautification area whether improved or in a natural state unless that person is an employee of Mackenzie County in the performance of their duties or other authorized person working at Mackenzie County's request.

- 8.29.2 Within all **land use districts**, excluding *hamlet* residential and **agricultural land use districts**, no more than two (2) **recreational vehicles** shall be stored on a **lot** except where approved by the **Development Authority**.

8.30 Residential Sales Centre

- 8.30.1 A **development permit** application for a **Residential Sales Centre** shall be accompanied by the following information in addition to the information required within subsection 4.6 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;
- b) A description of the exterior finish materials and colours for any structure including any proposed hoardings or false façades;
- 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 façades;

- 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 8.30.9.
- 8.30.2 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.
- 8.30.3 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**.
- 8.30.4 On-site parking shall be provided at a rate of parking spaces per 100.0m² (1076.9ft²) 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**.
- 8.30.5 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.
- 8.30.6 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.
- 8.30.7 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 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 **Signs** 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 dwelling until such time that it has been

approved for occupancy by Mackenzie County. For more information call – Insert Developer Name and Phone Number”.

- 8.30.8 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.
- 8.30.9 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 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,
 - f) 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 dollars (\$10,000.00) against the requirements of this subsection. The said security, or so much thereof is then remaining, shall be returned, without liability for interest, upon either:
 - 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 Detached** having been issued in accordance with this **Bylaw**.
- 8.30.10 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.

- 8.30.11 A **development permit** converting a **Residential Sales Centre** to a **Dwelling – Single Detached** 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**.
- 8.30.12 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 upon the earlier of:
- a) The removal of the **Residential Sales Centre** in accordance with the requirements of subsection 8.30.9 and
 - b) The issuance of a **development permit** for the conversion of the **Residential Sales Centre** to a **Dwelling – Single Detached** in accordance with this **Bylaw**.

8.31 Roads and Highways

- 8.31.1 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.
- 8.31.2 All applications for **subdivision** or **development** on lands **adjacent** to a **highway** shall be referred to Alberta Transportation for comments and approval.

8.32 Secondary Suites

- 8.32.1 A **Secondary Suite** shall:
- a) Be limited to one per **lot** /residence;
 - b) Notwithstanding 8.32.1 a), is allowed on the same **lot** as a **Garden Suite**; and
 - c) Be accessory to the principal **dwelling unit**.

8.33 Service Stations and Bulk Fuel Storage

- 8.33.1 The Safety Code Council 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.
- 8.33.2 Prior to submitting a **development permit** application for a **Service Station** and **Bulk Fuel Storage And Distribution**, the applicant shall be required to seek a permit from Safety Code Council by submitting a completed application form and related information. The applicant will be required to submit the approved permit from Safety Code Council as part of their **development permit** application.

- 8.33.3 The setback requirements for the above-ground and underground storage tanks from **buildings** and property lines shall be to the satisfaction of Safety Code Council.
- 8.33.4 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**.

8.34 Setbacks from Gas and Oil Wells

- 8.34.1 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.
- 8.34.2 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 19.

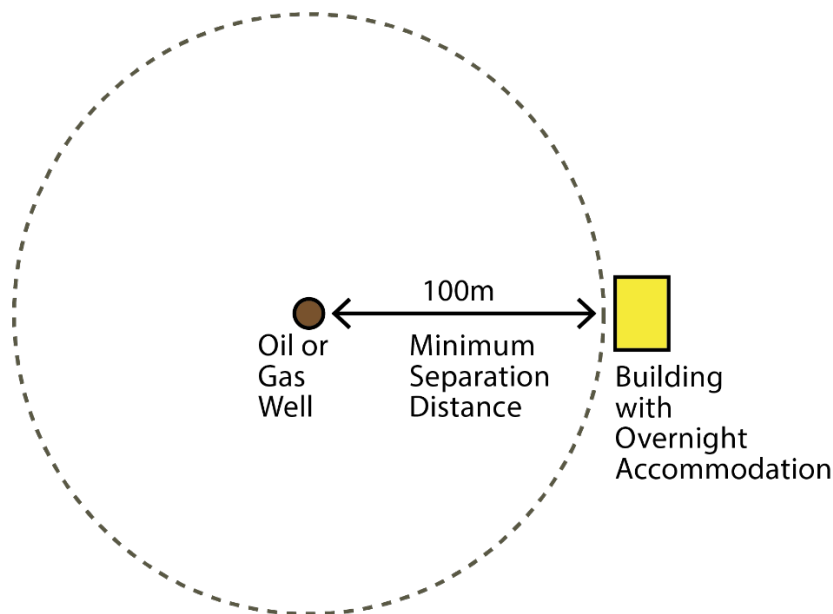


Figure 19. Setback from Gas and Oil Wells

- 8.34.3 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 20.

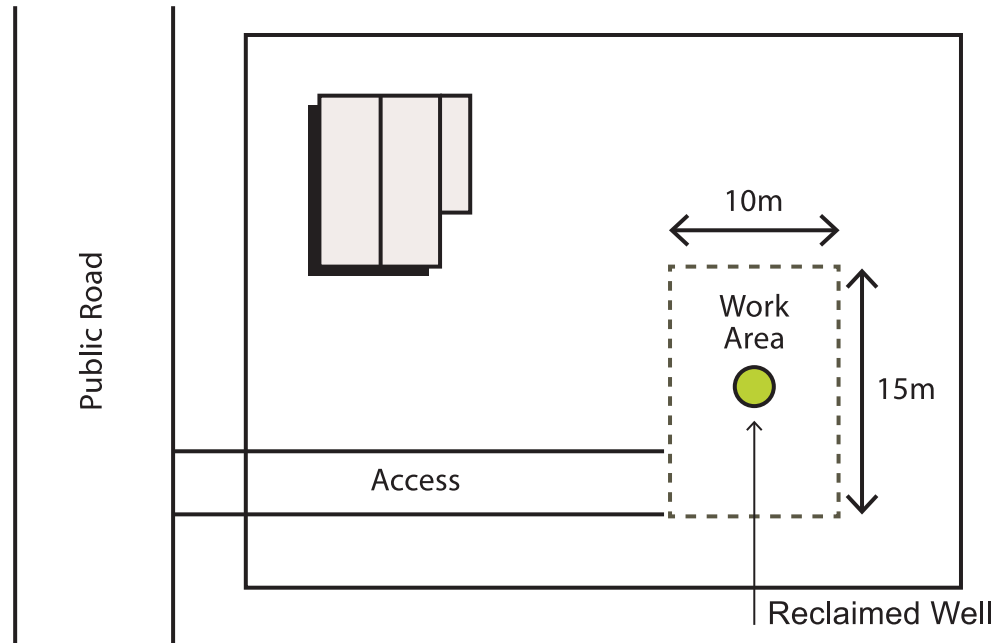


Figure 20. Reclaimed Well Work Area

8.34.4 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.

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

8.35 Setbacks from Sour Gas Facilities and Gas and Oil Wells

8.35.1 A **development** in proximity to sour gas facilities and oil and gas wells must be in accordance with the *Matters Related to Subdivision and Development Regulation AR 84/2022*.

8.36 Setbacks from Railway Right-of-way

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

- a) 30.0m (98.4ft) for all commercial, industrial, institutional, and recreational **development** or at the discretion of the **Development Authority**; and
- b) For residential and other sensitive land use **development**:
 - i. 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

ii. 120.0m (393.7ft) in the absence of a berm.

8.36.2 The minimum setback from railway right-of-way and station grounds for residential and other sensitive land uses shall be as follows:

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.

8.36.3 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.

8.36.4 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.

8.36.5 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.

8.36.6 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.

8.36.7 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.

8.37 Setbacks from Slopes and Waterbodies

8.37.1 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 21).

- 8.37.2 As part of the **development permit** application for **development adjacent** to slopes, the applicant shall be required to submit a sketch including the assessment of the slope percentage.

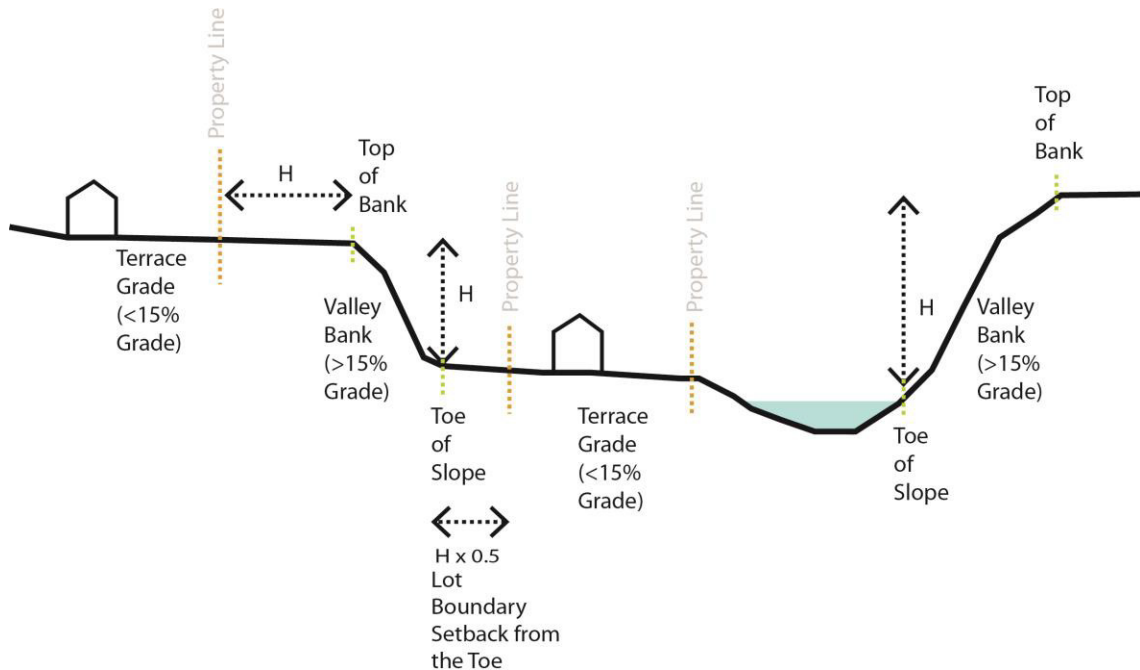


Figure 21. Setbacks From Slopes

- 8.37.3 Where **development** is proposed to locate on a bench below the bank top, the **development** will be required to meet the **yard – setback** requirement from both the upper and lower benches.
- 8.37.4 Notwithstanding the above, the **Development Authority** may increase a minimum **yard – setback** where deemed necessary.
- 8.37.5 A required minimum **yard – 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**.
- 8.37.6 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.
- 8.37.7 Where a **parcel of land** borders or contains a **water body**, the **yard – setback** from the top of the bank shall not be less than 30.5m (100.0ft).
- 8.37.8 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 Protected Areas for comments prior to issuing a permit. If the Province requires that the setback be greater than stated in this **Bylaw**, the provincial standard will apply.

8.37.9 Where a **parcel of land** borders or contains a **water body** the **development** may be brought to the **Municipal Planning Commission** for input.

8.38 Shipping Containers

8.38.1 Residential Use

8.38.1.1 **Shipping Containers** may be used as a residential use:

- a) Within the Agricultural Districts (A1 and A2) as a **principal building** and **Dwelling Unit** at the discretion of the **Development Authority** and shall require a **development permit**.
- b) Within all Country Residential **land use districts** (CREC, CR, and CR2) as an **Accessory Building** to the **principal building** and shall require a **development permit** and be considered a **Garden Suite**.
- c) Within all Zama **land use districts** (Z-MU, Z-RB) as a **principal building** and **Dwelling Unit** at the discretion of the **Development Authority** or as an **Accessory Building** to the **principal building** be considered a **Garden Suite** and shall require a **development permit**.

8.38.2 Storage Use

8.38.2.1 **Shipping Containers** used for storage purposes shall be considered an **Accessory Building** excluding those within the Zama City Mixed Use **land use district**, where they may be considered a **principal building**.

8.38.2.2 Shipping Containers shall:

- a) Be used for storage purposes excluding any dangerous or hazardous materials;
- b) Be restricted within any front yard; and
- c) Be positioned within a side or rear yard of a **principal building**.

8.38.2.3 Within all Country Residential, Highway Commercial, Town Centre and Commercial Centre **land use districts** (H-CR, CR, CR2, CREC, H-HC, H-TC and H-CC) a **Shipping Container** shall:

- a) Require a **development permit**;
- b) Be visually **screened** from public **roads** and neighbouring properties to the satisfaction of the **Development Authority**; and
- c) Not exceed the maximum number of one **Shipping Container** per **lot** .

8.38.2.4 Within all Industrial, Agricultural and Forestry **land use districts** (A, H-LI, H-HI, RIL, RIG, Z-I and F) all **Shipping Containers** shall:

- a) Require a **development permit**;
- b) Be visually **screened** from public **roads** and neighbouring properties to the satisfaction of the **Development Authority**;
- c) Not be restricted to any maximum number; and
- d) 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**.

8.38.2.5 Within the Airport, Institutional, Recreational, Urban Fringe **land use districts** (AP, I, REC1, REC2, and UF) **Shipping Containers** shall:

- a) Require a **development permit**;
- b) Be visually screened from public roads and neighbouring properties to the satisfaction of the **Development Authority**;
- c) Not exceed a maximum number of **Shipping Containers** per **Lot** determined by the **Development Authority**; and
- d) Have a maximum height, if multiple **Shipping Containers** are stacked or one stand-alone **Shipping Container**, in accordance with the relevant **land use district**.

8.39 Sight Triangle

8.39.1 Within a **sight triangle** on a corner **lot** no person shall place or maintain a fence, wall, tree, hedge, **Signs** or other structure/object with a height greater than 1.2m (4.0ft) if such structure/object, as shown in Figure 7, in the opinion of the **Development Authority**, would interfere with traffic safety.

8.40 Solar Farms

8.40.1 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**.

8.40.2 A **Solar Farm** may:

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

- 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**.

8.41 Swimming Pools and Hot Tubs

8.41.1 Private outdoor above and below-ground swimming pools and hot tubs shall conform to the following requirements, as outlined in Figure 22:

- 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.

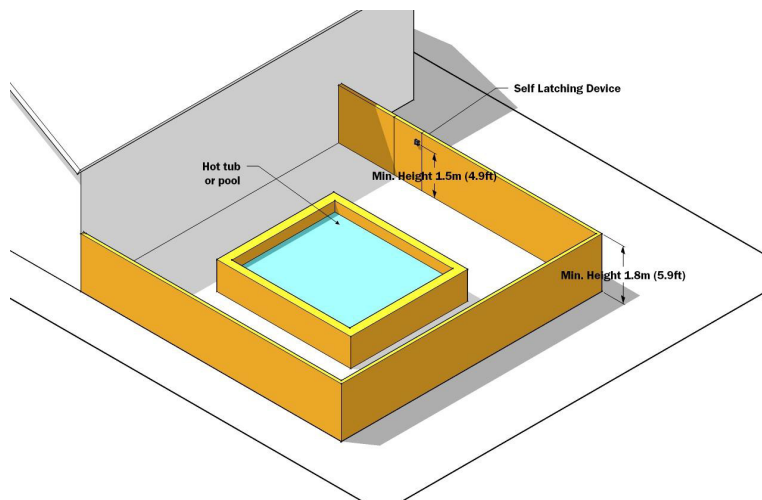


Figure 22. Swimming Pools

8.41.2 All above-ground, pre-manufactured swimming pools with a water volume more than 6.12m³ (216.12ft³) shall require a **development permit**.

8.42 Tarp Shelters

8.42.1 A tarp shelter shall not be permitted in districts that do not explicitly allow tarp shelters.

8.42.2 A tarp shelter shall be considered a **temporary Accessory Building** structure for cold storage purposes only if it is the principal use and may be considered a permanent use if accessory to a principal use.

8.42.3 An application for a **development permit** for a tarp shelter shall include photos of the structure and specify a timeline for construction of a permanent **building**.

8.42.4 A **development permit** for a **temporary tarp shelter** in a hamlet shall be for a one (1) year period with the option for annual renewal subject to fees as indicated in the Mackenzie County Fee Schedule Bylaw.

8.42.5 A tarp shelter shall be maintained in good repair.

8.43 Tiny Homes

8.43.1 All additions, patios, porches, and skirting shall be of a quality and appearance equivalent to the **Tiny Home** and reflect with the standard of the neighbourhood to the satisfaction of the **Development Authority**.

8.43.2 Where a Tiny Home is located on the same lot as an existing dwelling, the style and character of the **Tiny Home** shall tie into the style and character of the existing dwelling.

8.43.3 A **Tiny Home** shall be kept in a good state of repair at all times.

8.44 Topsoil Removal

8.44.1 A **development permit** may be required for the removal or stockpile of topsoil for non-agricultural purposes.

8.44.2 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.

8.44.3 An application for the removal of topsoil may be referred to the applicable Province of Alberta Ministry for advice.

8.45 Tourist Homes

8.45.1 Where listed as a **permitted use** or **discretionary use**, 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 10;
- 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*.

8.46 Township Road 1062 (88 Connector Road) Setback

- 8.46.1 Minimum 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.

8.47 Waste Disposal

- 8.47.1 As stated in the Alberta Environmental Protection and Enhancement Act (AEPA) Section 176, no waste shall be disposed of in any location other than a **Waste Management** facility.
- 8.47.2 For more information on appropriate waste disposal or to report illegal dumping, call 1-800-222-6514.

8.48 Waste Management

- 8.48.1 A **development** in proximity to landfills and waste sites must be in accordance with the **subdivision and development Regulation**.
- 8.48.2 As stated in the Alberta Environmental Protection and Enhancement Act (AEPA) Section 176, no waste shall be disposed of in any location other than a **Waste Management** facility.

8.49 Wildland/Urban Interface Development– Remote Areas

- 8.49.1 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 23), 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.

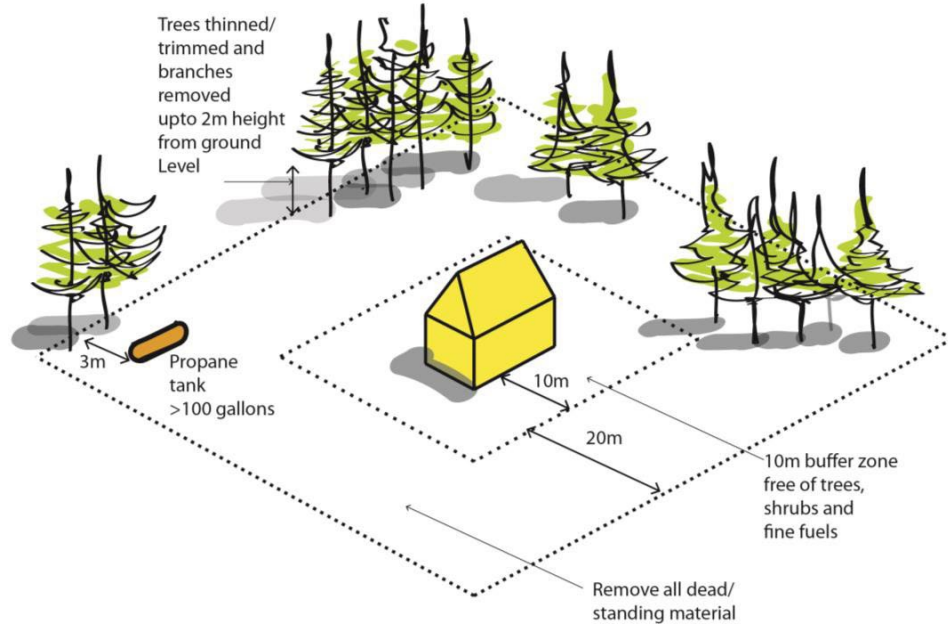


Figure 23. Fire Hazard Reduction

8.49.2 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**.

8.50 Wind Farms

8.50.1 **Wind Farms** shall not be permitted anywhere in Mackenzie County.

8.51 Zoning Overlay for NW 29-106-15-W5M

8.51.1 For residents living on NW 29-106-15-W5M **Shop – Farm** is considered a **permitted use**.

8.51.2 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:

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

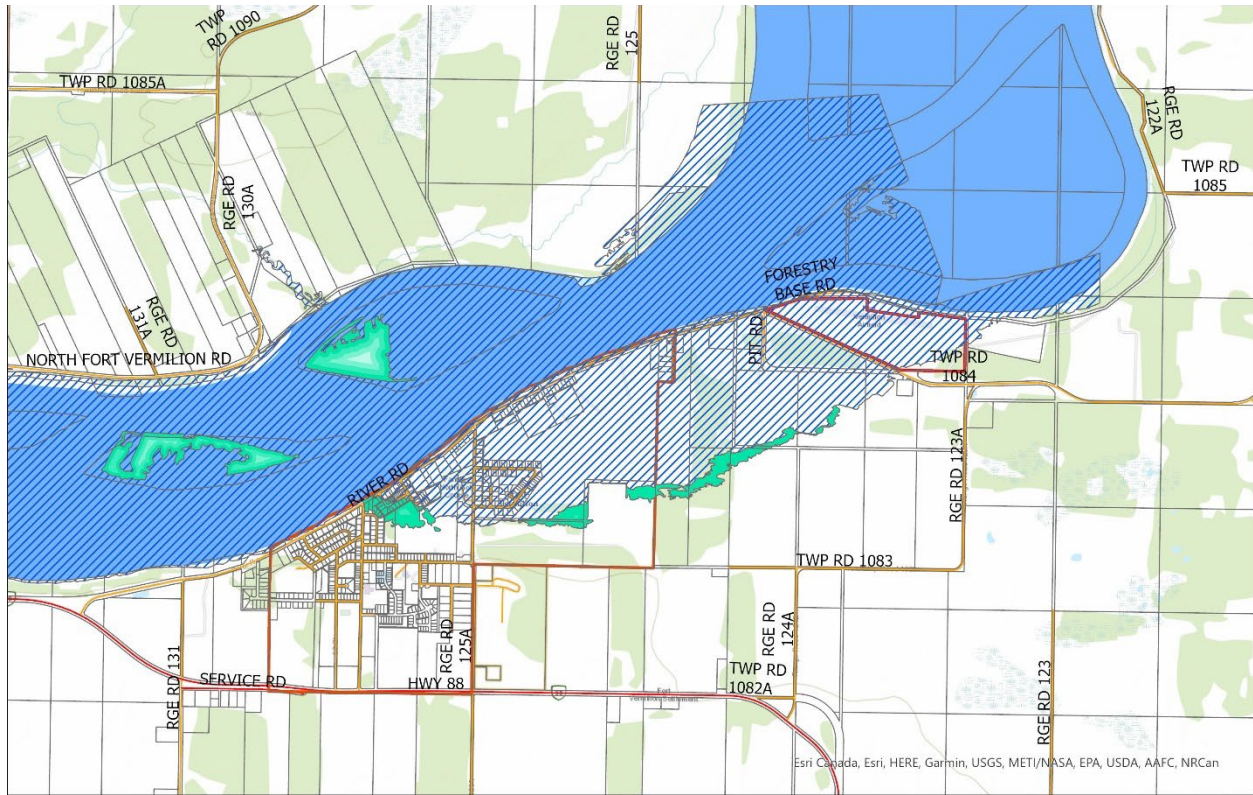
- b) **Livestock** consisting of up to three (3) hens shall be exempt from contributing to an animal unit count.
- c) Adequate fencing and/or buffering shall be constructed to the satisfaction of the **Development Authority** to ensure the on-site confinement of **livestock** and to reduce the impact 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**.

8.52 Zoning Overlay for Footner Lake

- 8.52.1 There shall be no development permitted within 100 m (328.1 ft.) of Footner Lake for the environmental protection of the lake.

8.53 Zoning Overlay for Fort Vermilion Floodplain

- 8.53.1 Within the **hamlet** of Fort Vermilion, no new development shall be permitted within the **flood fringe** and **floodway** as identified by Figure 24.
- 8.53.2 Any existing development in the Fort Vermilion **flood fringe** and **floodway** must comply with the Alberta Building Code, and property shall be maintained in good repair.
- 8.53.3 No **development** other than **Shipping Containers** for storage purposes only, **development** existing at the date of passage of this bylaw and open space is allowed within the Fort Vermilion **flood fringe** and **floodway** as identified by Figure 24.
- 8.53.4 Maintenance and repair of existing **development** may occur within the Fort Vermilion **flood fringe** and **floodway**. If destroyed by fire, existing **development** at the date of passage of this bylaw may be replaced on the same **building** footprint.
- 8.53.5 Outdoor recreational uses and parks shall be permitted in the area identified as **flood fringe** and **floodway** in Figure 24.



Legend

- Flood Fringe
 - Floodway
 - Airport Boundary
 - Provincial Highway
- 0.25 0 0.25 0.5 0.75 1
 Kilometers



Figure 24. Fort Vermilion Floodway and Flood Fringe

8.54 Zoning Overlay for Fort Vermilion Land Uses

8.54.1 Within the **hamlet** of Fort Vermilion, additional uses may be **permitted** or **discretionary** if identified within the Fort Vermilion Use Overlay in a **land use district**.

8.55 Zoning Overlay for the Fort Vermilion (Wop May Memorial) Airport Vicinity, the La Crete (Jake Fehr Memorial) Airport Vicinity, and the High Level Airport Vicinity

8.55.1 This Overlay applies to those lands in the vicinity of the Fort Vermilion (Wop May Memorial) Airport, the La Crete (Jake Fehr Memorial) Airport, and the High Level Airport, as shown in Figures 25 through 27.

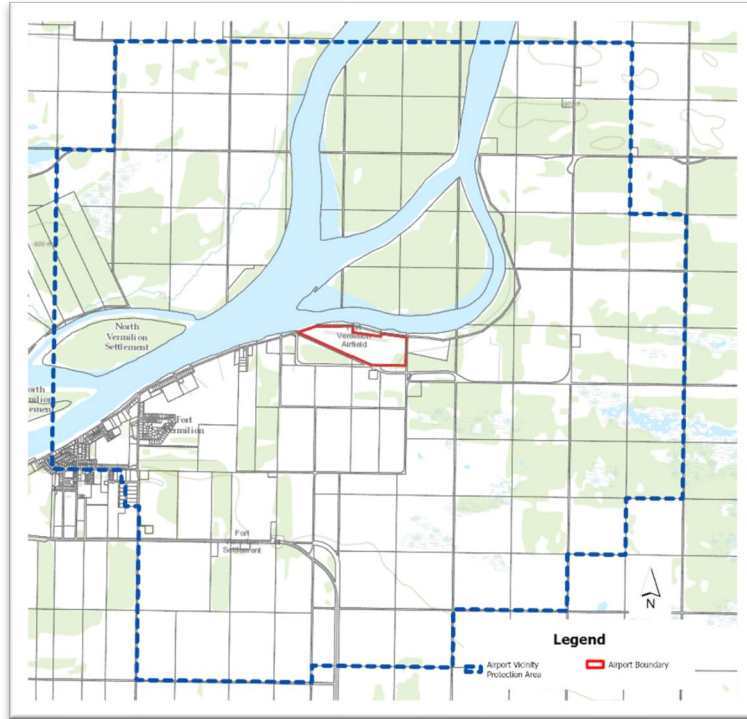


Figure 25. Fort Vermilion (Wop May Memorial) Airport Vicinity

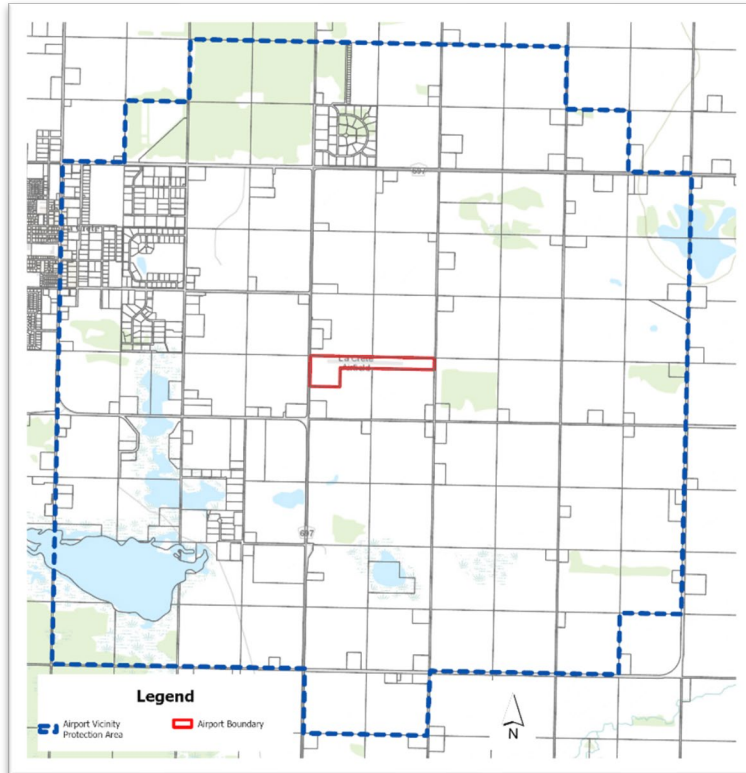


Figure 26. La Crete (Jake Fehr Memorial) Airport Vicinity

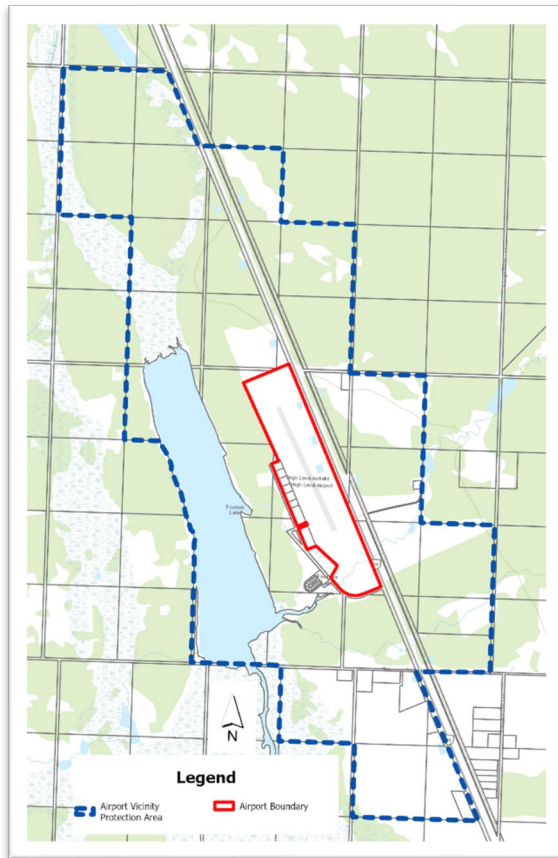


Figure 27. High Level Airport Vicinity

- 8.55.2 Those **permitted** and **discretionary** uses outlined in the specific **land use district** apply to the subject lands. However, if those land uses create conflicts such that they may attract birds, create electrical disturbances, create dust or smoke, or are in any other way deemed to be incompatible with the safe operations of the subject airport, they may be refused.
- 8.55.3 Notwithstanding subsection 4.3 of this **Bylaw**, no **development** may take place unless a **development permit** has been issued, with exception of the following:
- a) The carrying out of works of maintenance or repair to any existing **building** if those works do not include structural alterations or major works of renovation;
 - b) A **building** referred to in this subsection that is used for the purposes for which construction was commenced;
 - c) The erection or construction of gates, fences, walls, or other means of enclosure less than 1.8 metres (6 feet) in height;
 - d) A **temporary building**, the sole purpose of which is incidental to the erection of a **building** for which a permit has been issued under the provisions of this **Bylaw**;

and

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

8.55.4 Approval of a **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 consideration of the **Development Authority**.

8.55.5 The **Development Authority** shall review all **development permit** applications for their potential to attract birds or create dust, smoke, or electronic interference with aviation related installations and determine if the impacts are significant and should preclude the approval of the **development**.

8.55.6 In addition to subsection 4.12 of this **Bylaw**, the **Development Authority** may provide additional conditions of approval to any **development permit** for any location within the airport vicinity, including but not limited to;

- a) The maximum height for any object, structure, or natural object shall be in accordance with the most current Airport Vicinity Protection Area (AVPA) Bylaw;
- b) That a caveat be registered on title with respect to maintaining tree heights at an acceptable level;
- c) Any other conditions which are similarly designed to ensure nothing on the land interferes with airport safety or operations.

8.55.7 The **Development Authority** reserves the right to refuse any **development** which may be particularly sensitive to noise.

9 Landscaping, Screening and Sound Barriers

9.1 Landscaping and Screening

- 9.1.1 Native vegetation found on a site shall be maintained where possible to the satisfaction of the **Development Authority**.
- 9.1.2 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.
- 9.1.3 Rural industrial **subdivisions** and residential **subdivisions** may require **screening** and/or vegetated buffer strip around the outside perimeter of the **subdivision** at the discretion of the **Development Authority**.
- 9.1.4 A 20.0m (65.6ft) landscaping buffer shall be required for all **development adjacent** to Highway 88, Highway 697, Highway 35 and Highway 58.
- 9.1.5 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**.
- 9.1.6 Low Impact Development (LID) features should be incorporated into commercial **developments**. Examples of LID are; landscape conservation, green roofs, rain gardens and rain barrels.
- 9.1.7 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 neighbouring properties.
- 9.1.8 **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.
- 9.1.9 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**.
- 9.1.10 **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 Detached** or **Dwelling – Duplex**.

9.1.11 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.

9.1.12 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.

9.2 Sound Barrier

9.2.1 Sound barriers may be required where truck parking areas **abut** a residential use or **land use district**.

10 Parking

10.1 General Parking Requirements

- 10.1.1 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**.
- 10.1.2 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.
- 10.1.3 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 **Signs** requirements and to the satisfaction of the **Development Authority**.
- 10.1.4 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 28.

Table 1. Parking Dimensions

A Stall Width	B Parking Angle (Degrees)	C Aisle Width	D Stall Depth Perpendicular to Aisle	E 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 (24.0ft)	5.8m (19.0ft)	18.9m (62.0ft)

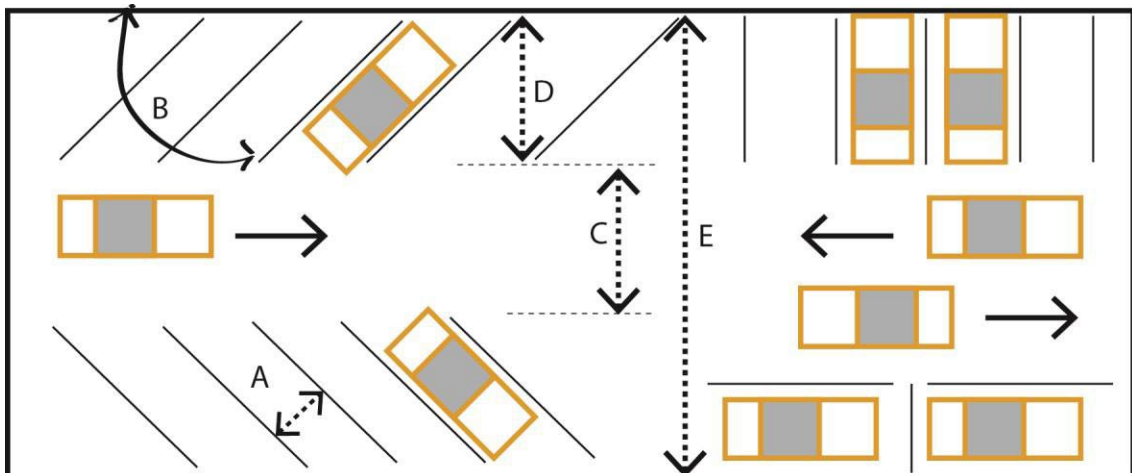


Figure 28. Parking Diagram

10.2 Minimum Parking Stall Requirements

- 10.2.1 Unless otherwise specified by the **Development Authority**, the parking standards outlined in Table B – Minimum Parking Standards shall apply to all **land use districts**.
- 10.2.2 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
AIRPORT	1 stall per 162.6m ² (1,750.2ft ²) of gross floor area plus 1 parking stall per full-time employee and 1 parking stall per 2 part-time employees.
Any Other Use	1 space per 37.2m ² (400.0ft ²) of gross floor area
AUCTION FACILITY	Indoor: 1 stall per 45.0m ² (484.4ft ²) of gross floor area Outdoor: 30 parking stalls per acre of the ground area used for auction sales
AUTOMOTIVE & EQUIPMENT REPAIR, MINOR and AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR and AUTOMOTIVE SALES AND RENTAL	1 stall per 45.0m ² (484.4ft ²) of gross floor area
BED AND BREAKFAST BUSINESS	1 stall per vehicle owned, plus 1 stall for each guest room
DWELLING – APARTMENT	1 stall per 1 bedroom unit; 1.5 stalls per 2 bedroom unit; 2 stalls per 3 bedroom unit; 1 stall per 3 Dwelling Units for visitors
DWELLING – DUPLEX	2 stalls per Dwelling Unit plus 1 stall for visitor parking
DWELLING – ROW	2 stalls per Dwelling Unit plus 1 stall per 3

	Dwelling Units for visitor parking
DWELLING – SINGLE DETACHED	2 stalls per Dwelling Unit
EDUCATION FACILITY – Elementary and Junior High	1 stall per 20 students based on the projected design capacity
EDUCATION FACILITY – Senior High	4 stalls per 20 students based on the projected design capacity
HEALTH SERVICE	1 stall per 30.0m ² (323.0ft ²) of gross floor area
HOSPITAL	1 stall per 4 patients or resident beds plus, 1.5 stalls per employee required during the maximum work shift
HOTEL/MOTEL and INDUSTRIAL CAMP	1 stall per guest room, plus additional stalls in accordance with the parking requirement of this section for any other use that forms part of the Hotel/Motel/ Industrial Camp
MANUFACTURED HOME COMMUNITY	2 stalls per lot plus 1 stall per 5 lot for visitor parking
PERSONAL SERVICE ESTABLISHMENT	1 stall per 30.0m ² (323.0ft ²) of gross floor area
PLACE OF WORSHIP	1 stall per 4 seating spaces
PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE	1 stall per 45.0m ² (484.4ft ²) of gross floor area
RECREATIONAL FACILITY – THEATRE AND CINEMA	1 stall per 30.0m ² (323.0ft ²) of gross floor area or as required by the Development Authority
RESIDENTIAL SALES CENTRE	1 stall per 100.0m ² (1076.9ft ²) of floor area of the Residential Sales Centre
RESTAURANT	1 stall per 3 seats
RETAIL	1 stall per 30.0m ² (323.0ft ²) of gross floor area

10.2.3 All multi-residential **development** including Dwelling – Duplex shall require dedicated

parking to be paved.

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

11 Signs

11.1 General Requirements for Signs

- 11.1.1 All **Signs** shall be considered a **discretionary use** in all **land use districts**.
- 11.1.2 No **Signs** 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 and the business has a current business license.
- 11.1.3 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.
- 11.1.4 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.
- 11.1.5 A **Sign** shall not;
- a) Obstruct the orderly and safe flow of vehicular or pedestrian traffic;
 - b) Break **sight triangle** regulations within subsection 8.39 of this **Bylaw**;
 - c) Unduly interfere with the amenities of the **land use district** and/or road/**highway** corridor in which they are located and/or **adjacent** to;
 - d) Affect the use, character, enjoyment or materially interfere with the value of neighbouring properties; and
 - e) Contain poor visuals or aesthetics.
- 11.1.6 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;
 - f) Quality, aesthetic character and finishing of **Sign** construction; and
 - g) Such other considerations as the **Development Authority** may deem to be relevant.

- 11.1.7 A **Signs** 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.

11.1.8 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.

11.2 Illuminated or Electronic Message Signs

11.2.1 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.

11.2.2 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.

11.2.3 No **Signs** shall be illuminated unless the source of light is suitably shielded and must not pose a safety hazard to an **adjacent** site or road.

11.2.4 Wiring and conduits for electrified **Signs** must be concealed from view.

11.3 Billboards

11.3.1 Billboards are approved at the discretion of Council.

11.3.2 With the application for a **development permit** for a billboard, the **Development Officer** may require additional details including, but not limited to:

- a) safety matters related to vehicular traffic and sightlines; and
- b) positioning of billboard **Signs** in high traffic areas at the entrance of a *hamlet*.

11.4 Temporary Signs

- 11.4.1 **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*.
- 11.4.2 **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.

11.5 Sign Removal

- 11.5.1 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**.
- 11.5.2 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.

12 Land Use Districts

12.1 Agricultural 1 (A1)

12.1.1 **Purpose:** To provide for intact quarter sections of agricultural lands, which may include up to two **subdivisions** in an Agricultural **land use district**, to ensure a wide range of agricultural uses.

12.1.2 Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Abattoir
Agriculture	Agricultural Supply Depot
Apiary	Auction Facility
Automotive Equipment and Vehicle Services, Minor	Automotive Equipment and Vehicle Services, Major
Bed and Breakfast	Barndominium
Bunkhouse	Breweries and Distilleries
Cabin	Cemetery
Contractor Services without Outdoor Storage	Communication Tower
Dugout	Confined Feeding Operation
Dwelling – Single Detached	Contractor Services with Outdoor Storage
Dwelling – Single Detached – Tiny Home	Day Care Facility
Dwelling Unit	Day Care Home
Garden Suite	Enviro-Tank
Government Service	Industrial Camp
Home Based Business Medium	Industrial Use, General
Home Based Business Minor	Intensive Recreational Use
Manufactured Home – Mobile	Kennel
Manufactured Home – Modular	Natural Resource Extraction
Private Garage	Pressure Vessel Storage
Public Utility	Residential Sales Centre
Secondary Suite	Rifle/Skeet Range
Shipping Container	Salvage Yard
Shop – Commercial	Signs
Shop – Farm	Solar Farm
Shop – Personal	Veterinary Clinic
Tarp Shelter	Waste Management
Tourist Home	Waste Transfer Station
Yard Site Development	Woodlot Management

An **Apiary** shall be considered a **discretionary use** in this **land use district** 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**.

Breweries and Distilleries shall be considered a **discretionary use** in this **land use district** if the use is located north of the Township Road 1082 alignment across the **County**.

12.1.3 Development Regulations

12.1.3.1 Within the Agricultural 1 (A1) district a quarter section may be subdivided once to allow for:

- a) Two **parcels of land**, where one parcel must have a minimum area of 8.1 hectares (20.0 acres) up to a maximum area of 32.4 hectares (80.0 acres); or
- b) Three **parcels of land**, where one parcel is the balance of the quarter section and the other two parcels are any two of the following:
 - i. Existing dwelling;
 - ii. Vacant **lot** for a new dwelling; or
 - iii. Fragmented parcel.
- c) A new parcel for a residential use shall have a parcel area as follows:
 - i. Minimum of 1.2ha (3.0 acres);
 - ii. Maximum of 4.1ha (10.0 acres); or
 - iii. A larger parcel size no more than 8.1 hectares (20.0 acres) unless required due to yard site separation, or the subject site is a **fragmented parcel** that in the opinion of the **Development Authority** is difficult to farm.

12.1.3.2 Minimum Setbacks

Yard – Front	41.2m (135.2ft) from road right-of-way 70.1m (230.0ft) from centre line of provincial highway Or a greater distance as specified by Alberta Transportation from road right-of-way
Yard – Interior Side	15.2m (50.0ft)
Yard – Exterior Side	41.2m (135.2ft) from road right-of-way 70.1m (230.0ft) from centre line of provincial highway Or a greater distance as specified by Alberta Transportation
Yard – Rear	15.2m (50.0ft)

12.1.3.3 **Subdivision** of new **panhandle/flag lots** shall only occur at the discretion of Municipal Planning Commission.

12.1.3.4 A **development permit** is required for earthworks prior to preparing a site for a residence prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.1.3.5 A **tarp shelter** may be located within this **land use district** subject to the discretion of the **Development Authority**.

12.1.3.6 A **Barndominium** must be located on a lot with another dwelling.

12.2 Agricultural 2 (A2)

12.2.1 **Purpose:** To provide for small scale, agricultural uses.

12.2.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Barndominium
Agriculture	Kennel
Apiary	Shop – Commercial
Bed and Breakfast	Signs
Bunkhouse	
Cabin	
Dwelling – Single Detached	
Dwelling – Single Detached – Tiny Home	
Dwelling Unit	
Garden Suite	
Home Based Business Medium	
Home Based Business Minor	
Manufactured Home – Mobile	
Manufactured Home – Modular	
Public Utility	
Secondary Suite	
Shipping Container	
Shop – Farm	
Shop – Personal	
Tarp Shelter	
Tourist Home	
Yard Site Development	

12.2.3 **Development Regulations**

12.2.3.1 Minimum Setbacks

Yard – Front 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road

Yard – Interior Side 7.6m (25.0ft)

Yard – Exterior Side 15.2m (50.0ft) on a corner **lot** or a site **abutting** an Agricultural or Forestry district

Yard – Rear 15.2m (50.0ft) on a corner **lot** or a site **abutting** an Agricultural or Forestry district
 7.6m (25.0ft)

12.2.3.2 Lot Area

- a) The minimum **lot** area is 4.0ha (10ac).
- b) The maximum **lot** area is 12.0ha (30ac).

12.2.3.3 Principal Building Requirement

The minimum **principal building** size is 140m² (1500ft²).

12.2.3.4 A **Shop – Personal** and a **Shop – Commercial** shall have a maximum **building**:

- a) Area of 223.0m² (2400.0ft²); and
- b) Height of 6.1m (20.0ft)

12.2.3.5 A **development permit** is required for earthworks prior to preparing a site for a residence and prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.2.3.6 Accessory Buildings

- a) The maximum height shall be 8.0m (26.0ft) except for an agricultural structure such as a silo or grain bin, or where restricted by the Airport Vicinity Protection Overlay.
- b) The minimum setback from a rear lot line shall be 10.0m (32.0ft).
- c) The maximum ground floor area of a single accessory building shall not exceed 425.0m² (4575.0ft²). The **Development Authority** may consider an additional ground floor area of 100.0m² (1076.4ft²) where the building is accessory to a proposed agriculture use.
- d) The maximum combined ground floor area of all accessory buildings on a lot shall not exceed 600.0m² (6458.4ft²).

12.2.3.7 In order to ensure a firm commitment for **development** has been received, rezoning applications shall provide the following:

- a) A minimum of 5 parcels per rezoning application. Where the lands contain proven **water body**/wetlands and/or topographical challenges that prevent the minimum of five (5) **lots** from being created, the minimum number of **lots** may be decreased;
- b) The **subdivision** must have legal access that meets **County** standards; and
- c) 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.

12.2.3.8 A **Barndominium** must be located on a lot with another dwelling.

12.3 Forestry (F)

12.3.1 **Purpose:** To provide for forestry related **development** within the **County’s** Green Area.

12.3.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Campground
Cabin	Community Pasture
Communication Tower	Emergency Services Facility
Dugout	Extensive Recreational Use
Dwelling – Single Detached – Tiny Home	Natural Resource Extraction
Forest Based Industry	Recreational Service, Outdoor
Government Service	Rifle/Skeet Range
Industrial Camp	Solar Farm
Industrial Use, General	
Industrial Use, Heavy	
Public Utility	
Shipping Container	
Tarp Shelter	
Woodlot Management	

12.3.3 **Development Regulations**

12.3.3.1 Minimum Setbacks

- Yard – Front** 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
- Yard – Interior Side** 15.2m (50.0ft)
- Yard – Exterior Side** 15.2m (50.0ft)
- Yard – Rear** 15.2m (50.0ft)

12.3.3.2 A **development permit** may be issued for **development** on Crown land subject to approval being obtained from the appropriate provincial ministry.

12.4 Country Residential (CR)(CRm)

12.4.1 **Purpose:** (1) To provide for the **development** of multi-**lot** country residences with single-detached dwellings.

(2) Parcels designated CRm may accommodate **Manufactured Homes** in addition to **Dwelling – Single Detached**.

12.4.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Barndominium
Dwelling – Single Detached	Bed and Breakfast Business
Home Based Business Minor	Day Care Facility
Livestock	Day Care Home
Private Garage	Dwelling – Single Detached – Tiny Home
Public Utility	Garden Suite
Shop – Personal	Home Based Business Medium
Tourist Home	Residential Sales Centre
Yard Site Development	Secondary Suite
	Signs
Parcels designated CRm have the following additional Permitted Uses	
Manufactured Home – Mobile	
Manufactured Home – Modular	

12.4.3 **Development Regulations**

12.4.3.1 Minimum Setbacks

- Yard – Front** 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road

- Yard – Interior Side** 7.6m (25.0ft)

- Yard – Exterior Side** 15.2m (50.0ft) on a corner **lot** or a site **abutting** an Agricultural or Forestry district

- Yard – Rear** 15.2m (50.0ft) on a corner **lot** or a site **abutting** an Agricultural or Forestry district
 7.6m (25.0ft)

12.4.3.2 Lot Area

- a) The minimum **lot** area is 1.2ha (3.0ac).

b) The maximum **lot** area is 2.0ha (5.0ac).

12.4.3.3 A **Shop – Personal** and a **Shop – Commercial** shall have a maximum **building**:

a) Area of 223.0m² (2400.0ft²); and

b) Height of 6.1m (20.0ft)

12.4.3.4 A **development permit** is required for earthworks prior to preparing a site for a residence and prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.5 Country Residential 2(CR2)(CR2m)

- 12.5.1 **Purpose:** (1) To provide for the **development** of multi-**lot** country residences with single-detached dwellings **adjacent** to **hamlet** Boundaries.
- (2) Parcels designated CR2m may accommodate **Manufactured Homes** in addition to **Dwelling – Single Detached**.

12.5.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Barndominium
Dwelling – Single Detached	Bed and Breakfast Business
Home Based Business Minor	Day Care Facility
Private Garage	Day Care Home
Public Utility	Garden Suite
Shop – Personal	Home Based Business Medium
Tourist Home	Residential Sales Centre
	Secondary Suite
	Signs
Parcels designated CR2m have the following additional Permitted Uses	
Manufactured Home – Mobile	
Manufactured Home – Modular	

12.5.3 **Development Regulations**

12.5.3.1 Minimum Setbacks

- Yard – Front** 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road
- Yard – Interior Side** 4.6m (15.0ft)
- Yard – Exterior Side** 4.6m (15.0ft)
- Yard – Rear** 7.6m (25.0ft)

12.5.3.2 Lot Area

- a) The minimum **lot** area is 0.3ha (0.8ac).
- b) The maximum **lot** area is 0.6ha (1.5ac).

12.5.3.3 Principal Building Requirement

The minimum **principal building** size is 140.0m² (1500.0ft²).

12.5.3.4 A **Shop – Personal** and a **Shop – Commercial** shall have a maximum **building**:

- a) Area of 223.0m² (2400.0ft²); and
- b) Height of 6.1m (20.0ft)

12.5.3.5 A **development permit** is required for earthworks prior to preparing a site for a residence and prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.6 Country Residential 3 (CR3)

12.6.1 **Purpose:** To provide for the **development** of single-**lot** country residences with multiple single – detached dwellings.

12.6.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Barndominium
Dwelling – Single Detached	Bed and Breakfast Business
Home Based Business Minor	Day Care Facility
Manufactured Home – Mobile	Day Care Home
Manufactured Home – Modular	Garden Suite
Private Garage	Home Based Business Medium
Public Utility	Residential Sales Centre
Shop – Personal	Secondary Suite
Tourist Home	Signs

12.6.3 Lot Area

- a) The minimum **lot** area is 1.2ha (3.0ac).
- b) The maximum **lot** area is 2.0ha (5.0ac).

12.6.4 A **Shop – Personal** and a **Shop – Commercial** shall have a maximum **building**:

- a) Area of 223.0m² (2400.0ft²); and
- b) Height of 6.1m (20.0ft)

12.6.5 A **development permit** is required for earthworks prior to preparing a site for a residence and prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.7 Country Recreational (CREC)

12.7.1 **Purpose:** To provide for the **development** of seasonal or permanent residential areas in Mackenzie County. All **developments** shall conform to a relevant **Area Structure Plan**. This district is specific to **developments** on lands within close proximity to significant natural features, lakes, and recreational **developments**.

12.7.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Signs
Cabin	
Dwelling – Single Detached	
Dwelling – Single Detached – Tiny Home	
Park Model	
Private Garage	
Public Utility	
Tourist Home	

12.7.3 **Development Regulations**

12.7.3.1 Density

- a) The maximum density is 1 **recreational vehicles** and 1 **Dwelling Unit/Park Model**; or 2 **recreational vehicles** per **lot**.
- b) The maximum **lot** coverage is 25%.

12.7.3.2 Lot Requirements

- a) The minimum **lot** width is 30.5m (100.0ft).
- b) The minimum **lot** depth is 45.7m (150.0ft).

12.7.3.3 Minimum Setbacks

- Yard – Front** 9.1m (30.0ft)
- Yard – Interior Side** 3.1m (10.0ft)
- Yard – Exterior Side** 3.1m (10.0ft)
- Yard – Rear** 3.1m (10.0ft)

12.7.3.4 The density of **development** (number of **lots** per hectare/acre) shall be in accordance with the provisions of the relevant **Area Structure Plan**.

12.7.3.5 The provision of access to each **lot** shall be as required by the **Development Authority** and developed in accordance with **County** standards.

- 12.7.3.6 A minimum of two (2) parking stalls is required for each **lot**, there shall be no allowance for on-street parking.
- 12.7.3.7 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**.
- 12.7.3.8 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 **lot** or the recreation area in general.
- 12.7.3.9 All water and sewage disposal must conform to the requirements of the relevant **Area Structure Plan** and current safety code standards.
- 12.7.3.10 A **Development Permit** is required for earthworks prior to preparing a site for a residence and prior to the installation of power, phone, private sewer system, water supply and landscaping.

12.8 Country Recreational 2 (CREC2)

12.8.1 **Purpose:** To permit the **development** of permanent residential areas adjacent to the La Crete Golf Course in Mackenzie County. All **developments** shall conform to a relevant **Area Structure Plan**. This district is specific to **developments** on lands within close proximity to golf courses.

12.8.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Cabin
Dwelling – Single Detached	Dwelling – Duplex
Private Garage	
Public Utility	
Yard Site Development	

12.8.3 **Development Regulations**

12.8.3.1 Lot Requirements

- a) The minimum **lot** width is 30.5m (100.0ft).
- b) The minimum **lot** depth is 45.7m (150.0ft).

12.8.3.2 Minimum Setbacks

- Yard – Front** 9.1m (30.0ft)
- Yard – Interior Side** 3.1m (10.0ft)
- Yard – Exterior Side** 3.1m (10.0ft)
- Yard – Rear** 3.1m (10.0ft)

12.8.3.3 The density of **development** (number of **lots** per hectare/acre) shall be in accordance with the provisions of the relevant **Area Structure Plan**.

12.8.3.4 The provision of access to each **lot** shall be as required by the **Development Authority** and developed in accordance with **County** standards.

12.8.3.5 A minimum of two (2) parking stalls is required for each **lot**, there shall be no allowance for on-street parking.

12.8.3.6 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**.

- 12.8.3.7 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.
- 12.8.3.8 All water and sewage disposal must conform to the requirements of the relevant **Area Structure Plan** and current safety code standards.
- 12.8.3.9 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**.
- 12.8.3.10 The **Development Authority** may decide on other requirements as are necessary having due regard to the nature of the proposed **development** and the purpose of this **land use district**.
- 12.8.3.11 Rezoning applications involving the **Country Recreational 2 (CREC2)** district shall provide requirements as outlined in Section 2.
- 12.8.3.12 All **development** on these lots shall conform to the restrictive covenant registered on the **lots**.

12.9 Rural Industrial Light (RIL)

12.9.1 **Purpose:** 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.

12.9.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Automotive Equipment and Vehicle Services, Major
Agricultural Machinery Sales and Service	Bulk Fertilizer Storage and/or Sales
Agricultural Supply Depot	Bulk Fuel Storage and Distribution
Automotive Equipment and Vehicle Services, Minor	Cannabis Grower
Business Support Services	Crematorium
Commercial School, Industrial	Dwelling Unit
Contractor Services without Outdoor Storage	Kennel
Dugout	Manufactured Home Sales and Service
Equipment Rental Facility	Oilfield Service
Government Service	Self-Storage 1
Hotel/Motel	Self-Storage 2
Industrial Use, General	Service Station – Major
Manufactured Home Sales and Services	Shipping Container
Professional, Financial, Office and Business Service	Signs
Public Utility	
Service Station – Minor	
Shipping Container	
Tarp Shelter	
Veterinary Clinic	

12.9.3 **Development Regulations**

12.9.3.1 Lot Size

The minimum **lot** size is 0.8ha (2.0 acres).

12.9.3.2 Floor Area

The minimum floor area is 92.9m² (1000.0 ft²).

12.9.3.3 Minimum Setbacks

Yard – Front 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road

Yard – Interior Side 15.2m (50.0ft)

Yard – Exterior Side 15.2m (50.0ft)

Yard – Rear 15.2m (50.0ft)

12.9.3.4 A 20.0m (65.6ft) vegetated **buffer/screening** strip shall be provided for all **development adjacent** to Highways 35, 88, 58 and 697.

12.9.3.5 A **tarp shelter** may be located within this **land use district**. subject to the discretion of the **Development Authority**.

12.10 Rural Industrial General (RIG)

12.10.1 **Purpose:** 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.

12.10.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Auction Facility
Agricultural Machinery Sales and Service	Bulk Fertilizer Storage and/or Sales
Agricultural Supply Depot	Bulk Fuel Storage and Distribution
Automotive Equipment and Vehicle Services, Major	Enviro-Tank
Automotive Equipment and Vehicle Services, Minor	Grain Elevator
Business Support Services	Industrial Use, Heavy
Commercial School, Industrial	Kennel
Contractor Services with Outdoor Storage	Natural Resource Extraction
Contractor Services without Outdoor Storage	Oilfield Service
Crematorium	Self-Storage 2
Dugout	Shipping Container
Equipment Rental Facility	Signs
Government Service	Waste Management
Industrial Use, General	Waste Transfer Station
Manufactured Home Sales and Service	
Public Utility	
Salvage Yard	
Service Station – Major	
Tarp Shelter	

12.10.3 **Development Regulations**

12.10.3.1 Lot Size

The minimum **lot** size is 0.4ha (1.0 acres).

12.10.3.2 Floor Area

The minimum **floor area** is 92.9m² (1000.0ft²).

12.10.3.3 Minimum Setbacks

Yard – Front 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road

Yard – Interior Side 15.2m (50.0ft)

Yard – Exterior Side 15.2m (50.0ft)

Yard – Rear 15.2m (50.0ft)

12.10.3.4 A 20.0m (65.6ft) vegetated **buffer/screening** strip will be required for all **development adjacent** to Highways 35, 88, 58 and 697.

12.10.3.5 A **tarp shelter** may be located within this **land use district**, subject to the discretion of the **Development Authority**.

12.11 Airport (AP)

12.11.1 **Purpose:** To provide for *development* immediately associated with an **Airport**.

12.11.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Automotive Equipment and Vehicle Services, Minor
Airport	Bulk Fuel Storage and Distribution
Commercial School	Bus Depot
Enviro-Tank	Communication Tower
Public Utility	Restaurant
Tourist Information Facility	Retail
	Service Station – Minor
	Signs

12.11.3 **Development Regulations**

12.11.3.1 Lot Area

The minimum and maximum **lot** area is at the discretion of the **Development Authority**.

12.11.3.2 Minimum Setbacks

- Yard – Front**
 - 41.2m (135.2ft) from road right-of-way
 - 70.1m (230.0ft) from centre line of provincial highway
 - Or a greater distance as specified by Alberta Transportation
 - 15.2m (50.0ft) from internal **subdivision** road
- All other Yards** 1.52m (5.0ft)

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

12.11.3.4 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.

12.11.3.5 Uses and **developments** on airport property must comply with all other authorities, either federal, provincial or municipal, each jurisdictions Airport Vicinity Protection Area.

12.11.3.6 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;

- 12.11.3.7 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**.
- 12.11.3.8 The County and the Town acknowledge the Inter-municipal Planning Commission is the Subdivision Authority and Development Authority for the Intermunicipal Development Plan Area, which includes the land around the Airport. The County and the Town agree to protect the land around the airport from land uses and developments that might interfere and conflict with the operation and future expansion of the Airport.

12.12 Institutional (I)

12.12.1 **Purpose:** To provide for a variety of public and private uses that provide medical, public safety, religious and cultural services/amenities to the community.

12.12.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Cemetery
Assisted Living	Exhibition Grounds
Day Care Facility	Funeral Home
Dwelling – Single Detached – Tiny Home	Signs
Education Facility	Waste Management
Emergency Services Facility	
Exhibition Facility	
Government Service	
Health Centre	
Hospital	
Museum	
Park	
Place of Worship	
Public Utility	
Recreation Service, Indoor	
Recreation Service, Outdoor	
Tourist Information Facility	

12.12.3 **Development Regulations**

12.12.3.1 Lot Area

The minimum **lot** size and dimensions is at the discretion of the **Development Authority**.

12.12.3.2 Minimum Setbacks

Within hamlet boundary

Yard – Front 7.6m (25.0ft)

Yard – Exterior Side 3.0m (10.0ft)

Yard – Interior Side 1.5m (5.0ft)

Yard – Rear 1.5m (5.0ft) for underground utilities
 2.4m (8.0ft) for overhead utilities

Outside hamlet boundary

Yard – Front 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation

15.2m (50.0ft) from internal **subdivision** road

Yard – Interior Side 15.2m (50.0ft)

Yard – Exterior Side 15.2m (50.0ft) on a corner lot or a site abutting an Agricultural or Forestry district

Yard – Rear 15.2m (50.0ft) on a corner lot or a site abutting an Agricultural or Forestry district

12.12.3.3 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.

12.13 Recreation 1 (REC1)

12.13.1 **Purpose:** To provide for general recreation uses on lands consisting of various natural features within rural and urban areas.

12.13.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Rifle/Skeet Range
Cabin	Signs
Campground	
Exhibition Facility	
Exhibition Grounds	
Extensive Recreational Use	
Museum	
Park	
Private Club	
Public Utility	
Retail	
Recreation Service, Indoor	
Recreation Service, Outdoor	

12.13.3 **Development Regulations**

12.13.3.1 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**.

12.14 Recreation 2 (REC2)

12.14.1 **Purpose:** To provide for general recreation uses on lands consisting of various natural features within rural and urban areas.

12.14.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Dwelling – Unit
Campground	Private Club
Exhibition Facility	Retail
Exhibition Grounds	Rifle/Skeet Range
Extensive Recreational Use	Signs
Museum	
Park	
Public Utility	
Recreation Service, Indoor	
Recreation Service, Outdoor	
Uses that require approval from the Alberta Gaming and Liquor Commission with the exception of occasional licenses not exceeding 72 hours.	

12.14.3 **Development Regulations**

12.14.3.1 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**.

12.15 Remote Recreation (RR)

12.15.1 **Purpose:** To provide for general recreational uses accessed through Crown land or **water bodies**.

12.15.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Extensive Recreational Use
Cabin	Signs
Park	
Public Utility	

12.15.3 **Development Regulations**

12.15.3.1 Minimum Setbacks

Yard – Front 15.2m (50.0ft)

Yard – Interior Side 15.2m (50.0ft)

Yard – Exterior Side 15.2m (50.0ft)

Yard – Rear 15.2m (50.0ft)

12.15.3.2 A **development permit** may be issued for **development** on Crown land subject to approval being obtained from Alberta Environment and Protected Areas Ministry and/or the Alberta Forestry, Parks and Tourism Ministry.

12.15.3.3 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.

12.16 Urban Fringe (UF)

12.16.1 **Purpose:** To protect future growth areas within and surrounding *hamlets* through allowing for low intensity agricultural uses.

12.16.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Public Utility	Accessory Building
	Agriculture
	Bed and Breakfast Business
	Cemetery
	Communication Tower
	Dwelling – Single Detached
	Dwelling – Single Detached – Tiny Home
	Dwelling Unit
	Garden Suite
	Home Based Business Medium
	Home Based Business Minor
	Manufactured Home – Mobile
	Manufactured Home – Modular
	Place of Worship
	Private Garage
	Shop – Commercial
	Shop – Farm
	Shop – Personal
	Signs
	Veterinary Clinic

12.16.3 **Development Regulations**

12.16.3.1 Density

- a) The maximum density for residential uses is 2 **lots** including the balance per unsubdivided quarter section.
- b) The maximum density for all other uses is at the discretion of the **Development Authority**.

12.16.3.2 Lot Area

- a) The minimum **lot** area for residential uses is 1.2ha (3.0ac).
- b) The minimum **lot** area for all other uses is at the discretion of the **Development Authority**.

12.16.3.3 Minimum Setbacks

Yard – Front 41.2m (135.2ft) from road right-of-way

70.1m (230ft) from centre line of provincial highway
Or a greater distance as specified by Alberta Transportation
15.2m (50.0ft) from internal **subdivision** road

Yard – Interior Side 7.6m (25.0ft)

Yard – Exterior Side Same as setback from Highway, road or undeveloped road allowance

Yard – Rear 15.2m (50.0ft)

12.17 Direct Control 1 (DC1)

12.17.1 **Purpose:** To allow **Council** to exercise specific direction and control over the use and **development** of land and **buildings** in particular areas of the **County**.

12.17.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Public Utility	Accessory Building
	Adult Entertainment Business
	Cannabis Grower
	Cannabis Retailer/Distributor
	Retail – Liquor
	Signs
	Any other use and accessory use deemed necessary by Council
	Uses that require approval from the Alberta Gaming and Liquor Commission, with the exception of occasional licenses not exceeding 72 hours

12.17.3 **Development Regulations**

- 12.17.3.1 In addition to the regulations contained in Sections 8-11, the following standards shall apply to every **development** in this **land use district**.
- 12.17.3.2 **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.
- 12.17.3.3 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.
- 12.17.3.4 A Direct Control District shall not be located within 152.4m (500.0ft) of a **Place Of Worship, Education Facility, Park, Day Care Facility, or Government Service** unless otherwise approved by **Council**.
- 12.17.3.5 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.
- 12.17.3.6 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.
- 12.17.3.7 All **development** shall conform to the spirit and intent of the **Municipal Development Plan**.

- 12.17.3.8 **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**.
- 12.17.3.9 **Council** may decide on other requirements as are necessary, having regard to the nature of the proposed **Development**.
- 12.17.3.10 **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.

12.18 Direct Control 2 (DC2)

12.18.1 **Purpose:** To allow **Municipal Planning Commission** to exercise specific direction and control over the use and **development** of land and **buildings** in particular areas of the **County**.

12.18.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Public Utility	Any other use and accessory use deemed necessary by Municipal Planning Commission

12.18.3 **Development Regulations**

12.18.3.1 In addition to the regulations contained in Section 8-11, the following standards shall apply to every **development** in this **land use district**.

12.18.3.2 **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.

12.18.3.3 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.

12.18.3.4 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.

12.18.3.5 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.

12.18.3.6 All **development** shall conform to the spirit and intent of the **Municipal Development Plan**.

12.18.3.7 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**.

12.18.3.8 The **Municipal Planning Commission** may decide on other requirements as are necessary, having regard to the nature of the proposed **development**.

12.18.3.9 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**.

12.19 Hamlet Country Residential (H-CR)

12.19.1 **Purpose:** To provide for single-detached dwellings and associated uses on large serviced **lot** in the outermost areas of **hamlet** boundary confines.

12.19.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Bed and Breakfast Business
Dwelling – Single Detached	Day Care Home
Dwelling – Single Detached – Tiny Home	Home Based Business - Minor
Garden Suite	Manufactured Home – Mobile
Private Garage	Manufactured Home – Modular
Public Utility	Residential Sales Centre
Shop – Personal	Secondary Suite
	Signs
	Tourist Home

12.19.3 **Development Regulations**

12.19.3.1 Lot Requirements

- a) The minimum **lot** area is 0.6ha (1.5ac).
- b) The maximum **lot** area is 1.0ha (2.5ac).

12.19.3.2 Minimum Setbacks

- Yard – Front** 41.2m (135.2ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 15.2m (50.0ft) from internal **subdivision** road
- Yard – Interior Side** 4.6m (15.0ft)
- Yard – Exterior Side** 4.6m (15.0ft)
- Yard – Rear** 7.6m (25.0ft)

12.19.3.3 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
Fowl	12

12.19.3.4 Within the Hamlet Country Residential (HCR) district a **Shop – Personal** shall have a maximum building:

- a) Area of 223.0m² (2400.0ft²); and
- b) Height of 6.1m (20.0 ft).

12.20 Hamlet Residential 1 (H-R1)

12.20.1 **Purpose:** To provide for single-detached dwellings, within all *hamlets*, through a variety of building styles while considering medium density residential forms permitted context compatibility.

12.20.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Bed and Breakfast Business
Dwelling – Single Detached	Day Care Facility
Manufactured Home – Mobile	Day Care Home
Manufactured Home – Modular	Dwelling – Duplex
Private Garage	Dwelling – Group Home
Public Utility	Dwelling – Multi-unit
Secondary Suite	Dwelling – Row
	Dwelling – Stacked Row Housing
	Garden Suite
	Home Based Business - Medium
	Home Based Business - Minor
	Residential Sales Centre
	Signs
	Tourist Home

12.20.3 **Development Regulations**

12.20.3.1 Lot Requirements

- a) The minimum **lot** width is 16.8m (55.0ft).
- b) The minimum **lot** depth is 33.5m (110.0ft).

12.20.3.2 Minimum Setbacks

- 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

12.20.3.3 A **Development Permit** for a **Garden Suite** may only be approved on a lot with a **Dwelling – Single Detached**. A maximum of one **Garden Suite** may be allowed on a **lot**.

12.21 Hamlet Residential 1A (H-R1A)

12.21.1 Purpose: To provide for single-detached dwellings with attached garages in *hamlets*.

12.21.2 Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Day Care Facility
Dwelling – Single Detached	Day Care Home
Private Garage	Dwelling – Group Home
Public Utility	Garden Suite
Secondary Suite	Home Based Business - Minor
	Residential Sales Centre
	Signs
	Tourist Home

12.21.3 Development Regulations

12.21.3.1 Lot Requirements

- a) The minimum *lot* width is 16.8m (55.0ft).
- b) The minimum *lot* depth is 30.5m (100.0ft).

12.21.3.2 Minimum Setbacks

- Yard – Front** 7.6m (25.0ft) required setback
- 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

12.21.3.3 Principal Building Requirement

The minimum *principal building* size is 140m² (1500ft²).

12.21.3.4 An attached **Private Garage** is mandatory for all dwellings in this *land use district*. The **Private Garage** may be required to be located on the same side as the **adjacent** properties **Private Garage** at the discretion of the **Development Authority**.

12.21.3.5 A **Development Permit** for a **Garden Suite** may only be approved on a lot with a **Dwelling – Single Detached**. A maximum of one **Garden Suite** may be allowed on a *lot*.

12.22 Hamlet Residential 1B (H-R1B)

12.22.1 **Purpose:** To provide for single-detached dwellings with attached or detached garages in *hamlets* while considering duplexes at appropriate locations.

12.22.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Day Care Facility
Dwelling – Single Detached	Day Care Home
Private Garage	Dwelling – Duplex
Public Utility	Dwelling – Group Home
Secondary Suite	Garden Suite
	Home Based Business - Minor
	Residential Sales Centre
	Signs
	Tourist Home

12.22.3 **Development Regulations**

12.22.3.1 Lot Requirements

- a) The minimum **lot** width is 16.8m (55.0ft).
- b) The minimum **lot** depth is 30.5m (100.0ft).

12.22.3.2 Minimum Setbacks

- Yard – Front** 7.6m (25.0ft) required setback
- 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

12.22.3.3 For those residences constructed with a **Private Garage**, the **Private Garage** may be required to be located on the same side as the **adjacent** properties **Private Garage** at the discretion of the **Development Authority**.

12.22.3.4 A **Development Permit** for a **Garden Suite** may only be approved on a lot with a **Dwelling – Single Detached**. A maximum of one **Garden Suite** may be allowed on a **lot**.

12.23 Hamlet Residential 2 (H-R2)

12.23.1 **Purpose:** To provide for a mix of medium and high density residential forms within *hamlets*.

12.23.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Assisted Living
Dwelling – Apartment	Day Care Home
Dwelling – Duplex	Dwelling – Group Home
Dwelling – Multi-unit	Home Based Business - Minor
Dwelling – Row	Signs
Dwelling – Stacked Row Housing	Tourist Home
Private Garage	
Public Utility	
Residential Sales Centre	
Secondary Suite	

12.23.3 **Development Regulations**

12.23.3.1 Lot Requirements

- a) The minimum **lot** width is 16.8m (55.0ft).
- b) The minimum **lot** depth is 30.5m (100.0ft).

12.23.3.2 Minimum Setbacks

- Yard – Front** 4.5m (14.8ft)
- 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

12.23.3.3 All **development** shall provide:

- a) Provision and access to garbage storage;
- b) Lighting between **Dwelling Units**;
- c) Safe pedestrian access to and from the public sidewalk fronting the building; and
- d) Paved parking areas **adjacent** to streets

12.24 Hamlet Residential 2A (H-R2A)

12.24.1 **Purpose:** To provide for entry-level dwellings to accommodate small **lots** within **hamlets**.

12.24.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Assisted Living
Dwelling – Duplex	Day Care Home
Dwelling – Multi unit	Dwelling – Group Home
Dwelling – Single Detached	Home Based Business - Minor
Private Garage	Signs
Public Utility	

12.24.3 **Development Regulations**

12.24.3.1 Lot Requirements

Single-detached

- a) The minimum **lot** width is 12m (39.4ft).
- b) The minimum **lot** depth is 30.5m (100.0ft).

Duplex

- a) The minimum **lot** width is 20.0m (65.62ft).
- b) The minimum **lot** depth is 30.5m (100.0ft).

12.24.3.2 Minimum Setbacks

- Yard – Front** 7.6m (25.0ft)
4.5m (14.8ft) if entire street is Hamlet Residential 2A (H-R2A)
- 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

12.24.3.3 All **development** shall provide:

- a) Provision and access to garbage storage;
- b) Lighting between **Dwelling Units**;

- c) Safe pedestrian access to and from the public sidewalk fronting the building; and
- d) Paved parking areas ***adjacent*** to streets.

12.25 Tiny Home Community (THC)

12.25.1 **Purpose:** To provide for a residential area on a *parcel of land* consisting of multiple stick built **Dwelling – Single Detached – Tiny Homes** placed on individual lots or individual stalls of land.

12.25.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	
Dwelling – Single Detached – Tiny Home	
Private Garage	

12.25.3 **Development Regulations**

12.25.3.1 Lot Requirements

- a) The minimum **lot** area is 75m² (807.3ft²).
- b) The minimum **lot** width is 5m (16.4ft).
- c) The minimum **lot** depth is 15m (50ft).

12.25.3.2 Minimum Setbacks

The minimum setbacks are at the discretion of the **Development Authority**.

12.25.3.3 For those residences constructed with a **Private Garage**, the **Private Garage** may be required to be located on the same side as the **adjacent** properties **Private Garage** at the discretion of the **Development Authority**.

12.25.3.4 In order to ensure a firm commitment for **development** has been received, rezoning applications shall provide the following:

- a) Within a **hamlet**, a minimum of 10 parcels per rezoning application. Where the lands contain proven **water body**/wetlands and/or topographical challenges that prevent the minimum of ten (10) **lots** from being created, the minimum number of **lots** may be decreased;
- b) Outside of a hamlet, a minimum of 20ha (50ac) per rezoning application. Where the lands contain proven **water body**/wetlands and/or topographical challenges that prevent the minimum of 20ha (50ac) from being created, the minimum area 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.

12.26 Manufactured Home Community (MHC)

12.26.1 **Purpose:** 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 servicing.

12.26.2 Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Day Care Home
Manufactured Home Community	Private Garage
Manufactured Home – Mobile	Retail
Public Utility	Signs

12.26.3 Development Regulations

12.26.3.1 Lot Area

The minimum site area is 2.0ha (5 acres).

12.26.3.2 Density

The maximum density is 20 units per hectare (8 units per acre).

12.26.3.3 Lot Requirements

Single Wide

- a) The minimum **lot** area is 350m² (3,767ft²).
- b) The minimum **lot** width is 11.5m (37.7ft).
- c) The minimum depth is 30.5m (100.0ft).

Double Wide

- a) The minimum **lot** area is 443m² (4,768.0ft²).
- b) The minimum **lot** width is 14.5m (47.6ft).
- c) The minimum depth is 30.5m (100.0ft).

12.26.3.4 Minimum Setbacks

Yard – Front 4.6m (15.0ft) if **abutting** a public road right-of-way
 3.7m (12.0ft) if **abutting** an internal road or parking area

Yard – Exterior Side 2.4m (8.0ft)

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

- 12.26.3.5 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**.
- 12.26.3.6 A common storage area of 18.6m² (200.0ft²) 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**.
- 12.26.3.7 A common storage area shall be enclosed or **screened** by trees, landscape features or fences or a combination thereof.
- 12.26.3.8 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.
- 12.26.3.9 Not more than one recreation vehicle or trailer may be parked on an individual **Manufactured Home Community lot**.
- 12.26.3.10 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.
- 12.26.3.11 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**.
- 12.26.3.12 The perimeter of the **Manufactured Home Community** may require fencing or **screening** as specified in Section 8 of this **Bylaw**, satisfactory to the **Development Authority**.

12.27 Manufactured Home Subdivision (MHS)

12.27.1 **Purpose:** To provide for the *development* of larger, newer **Manufactured Homes** on subdivided **lots** in urban areas.

12.27.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Dwelling – Single Detached
Manufactured Home – Mobile	Home Based Business - Minor
Manufactured Home – Modular	Signs
Private Garage	
Public Utility	

12.27.3 **Development Regulations**

12.27.3.1 Lot Requirements

- a) The minimum **lot** width is 13.7m (45.0ft).
- b) The minimum depth is 33.5m (110.0ft).

12.27.3.2 Dwelling Size

The minimum dwelling size is 4.9m (16.0ft) wide and 18.3m (60.0ft) long.

12.27.3.3 Minimum Setbacks

- Yard – Front** 7.6m (25.0ft) required setback
- 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

12.27.3.4 **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**.

12.27.3.5 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**.

12.27.3.6 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.

12.28 Hamlet Town Centre (H-TC)

12.28.1 **Purpose:** To provide for a cluster of complementary community commercial **developments** along a main street to create an engaging pedestrian friendly public realm.

12.28.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Bus Depot
Business Support Services	Commercial School
Day Care Facility	Funeral Home
Dwelling – Apartment	Recreation Service, Indoor
Dwelling – Stacked Row Housing	Signs
Dwelling Unit	
Entertainment Establishment, Indoor	
Government Service	
Health Service	Discretionary within Fort Vermilion Use Overlay
Hotel/Motel	Bars and Neighbourhood Pubs
Museum	Cannabis Retailer/Distributor
Personal Service Establishment	Retail - Liquor
Place of Worship	
Private Club	
Professional, Financial, Office and Business Service	
Public Utility	
Restaurant	
Retail	
Tourist Information Facility	

12.28.3 **Development Regulations**

12.28.3.1 Lot Area

The **lot** area is at the discretion of the **Development Authority**.

12.28.3.2 Minimum Setbacks

- Yard – Front** 3.0m (9.8ft)
- Yard – Interior Side** 1.5m (5.0ft) if the site is **abutting** a residential **land use district**.
0m if the site is **abutting** all other districts.
Minimum 10.0m (32.7ft) for one **yard – interior side** in order to provide for access to rear parking
- Yard – Exterior Side** 3.0m (9.8ft)

Yard – Rear 3.1m (10.0ft)

12.28.3.3 Minimum Floor Area

The minimum floor area is at the discretion of the **Development Authority**.

12.28.3.4 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**.

12.28.3.5 Parking

- a) Parking for all new **development** shall be provided to the rear of new **buildings**.
- b) Shared parking may be allowed at the discretion of the **Development Authority**.
- c) All pedestrian corridors within parking areas must be clearly delineated and consistent with the **adjacent** sidewalk in terms of material and dimension.
- d) Where interrupted by a driveway entrance from the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer's expense.
- e) 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.
- f) **Adjacent** businesses shall be allowed to combine parking areas where the total combined parking is approximately twenty (20) or more spaces.

12.28.3.6 Building Façades

- a) 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** as shown in Figure 29.

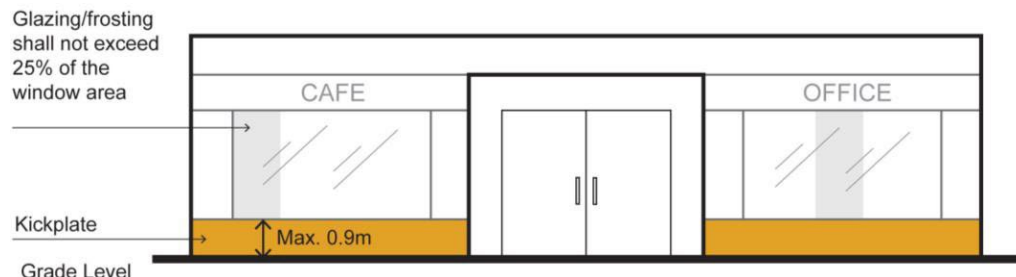


Figure 29. Building Façade Regulations

- b) Glazing and frosting shall not exceed 25 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 29.

- c) **Building** façades shall incorporate horizontal and vertical articulation in their design.
- d) For corner **lots**, the main **building** entrance shall be oriented toward the intersection.
- e) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 30.



Figure 30. Doorway Recession Regulations

- f) Architectural projections (such as awning and lighting) shall not exceed the width of the sidewalk, measured from the property line.
- g) 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**.

12.28.3.7 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**.

12.28.3.8 Commercial **development** proposed within the Fort Vermilion Heritage Frontage Control area should incorporate design elements that reflect the historic architectural character of Fort Vermilion and encourage high quality public realm and pedestrian connectivity.

12.28.3.9 All new **building** and site designs fronting 50th Street or River Road in Fort Vermilion should emphasize a pedestrian friendly environment which must include windows and doors that face the street on ground floor walls.

12.28.3.10 Landscaping/Hardscaping

- a) 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**.
- b) A landscaping plan shall be submitted as part of a **development permit** application.

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

12.28.3.11 Signage

- a) On-street portable letter signs shall not be permitted. Pedestrian oriented signages, such as sandwich boards are permitted.
- b) Storefront sign boxes shall be no shorter than 0.9m (3.0ft) in height and located above the **grade** level entrance.
- c) Projecting signs, as shown in Figure 31, shall:
 - i. Not project more than 1.5m (4.9ft) from the façade; and
 - ii. Have a minimum clearance of 2.5m (8.2ft) with a maximum area of 0.9m² (9.7ft²).
- d) Fascia signs shall no project more than 0.15m (.5ft) from the façade.
- e) All signs in this **land use district** located along 100 Street in La Crete shall have a minimum setback of 7.0m (23.0ft) and a maximum setback of 10.0m (33.0ft) from the curb along 100 Street.

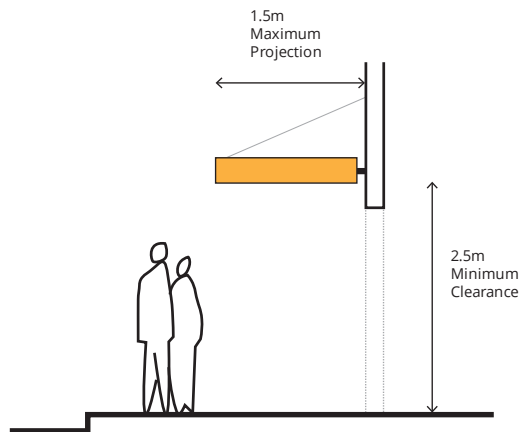


Figure 31. Projected Sign Regulation

12.29 Hamlet Commercial Centre (H-CC)

12.29.1 **Purpose:** To provide for a cluster of complementary community commercial **developments** along a main street to create an engaging pedestrian friendly public realm allowing for some automotive uses.

12.29.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Automotive Equipment and Vehicle Services, Minor
Business Support Services	Automotive Sales and Rental
Day Care Facility	Bus Depot
Dwelling - Apartment	Commercial School
Dwelling Unit	Funeral Home
Entertainment Establishment, Indoor	Recreation Service, Indoor
Government Service	Retail Garden Centre
Health Service	Service Station – Minor
Hotel/Motel	Signs
Museum	Tourist Home
Personal Service Establishment	
Place of Worship	
Private Club	
Professional, Financial, Office and Business Service	Discretionary within Fort Vermilion Use Overlay
Public Utility	Bars and Neighbourhood Pubs
Restaurant	Cannabis Retailer/Distributor
Retail	Retail - Liquor
Tourist Information Facility	

12.29.3 **Development Regulations**

12.29.3.1 Setbacks

Unless otherwise referenced, the minimum setbacks are:

- Yard – Front** Minimum 3.0m (9.8ft)
Maximum 5.0m (16.4ft)
- Yard – Interior Side** 1.5m (5.0ft) if the site is **abutting** a residential **land use district**.
0m if the site is **abutting** all other districts.
- Yard – Exterior Side** Minimum 3.0m (9.8ft)
Maximum 5.0m (16.4ft)
- Yard – Rear** 3.1m (10.0ft)

12.29.3.2 Minimum Floor Area

The minimum floor area is at the discretion of the **Development Authority**.

- 12.29.3.3 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**.
- 12.29.3.4 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**.
- 12.29.3.5 Commercial **development** proposed within the Fort Vermilion Heritage Frontage Control area should incorporate design elements that reflect the historic architectural character of Fort Vermilion and encourage high quality public realm and pedestrian connectivity.
- 12.29.3.6 All new **building** and site designs fronting 50th Street or River Road in Fort Vermilion should emphasize a pedestrian friendly environment which must include windows and doors that face the street on ground floor walls.
- 12.29.3.7 Landscaping/Hardscaping
- a) 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**.
 - b) A landscaping plan shall be submitted as part of a **development permit** application.
 - c) Consistent hard surfacing material shall be extended from the public sidewalk to the front of the **building** façade to maintain downtown visual identity.
- 12.29.3.8 Parking
- a) Parking for all new **development** shall be provided to the rear of new **buildings**.
 - b) Shared parking may be allowed at the discretion of the **Development Authority**.
 - c) All pedestrian corridors within parking areas must be clearly delineated and consistent with the **adjacent** sidewalk in terms of material and dimension.
 - d) Where interrupted by a driveway entrance off the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer's expense.

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

12.29.3.9 Building Façades

- a) 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** as shown in Figure 29.
- b) Glazing and frosting shall not exceed 25 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 29.
- c) **Building** façades shall incorporate horizontal and vertical articulation in their design.
- d) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 30.
- e) Architectural projections (such as awning and lighting) shall not exceed the width of the sidewalk, measured from the property line.
- f) 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**.

12.30 Hamlet Highway Commercial (H-HC)

12.30.1 **Purpose:** To provide for a variety of service commercial uses along major roads to serve the traveling and local public.

12.30.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Automotive Equipment and Vehicle Services, Major
Agricultural Machinery Sales and Services	Bulk Fuel Storage and Distribution
Agricultural Supply Depot	Entertainment Establishment, Indoor
Automotive Equipment and Vehicle Services, Minor	Funeral Home
Automotive Sales and Rental	Place of Worship
Building Supply Centre	Professional, Financial, Office and Business Service
Bus Depot	Recreation Service, Outdoor
Business Support Services	Self-Storage 1
Commercial School	Signs
Equipment Rental Facility	
Health Service	
Hotel/Motel	
Public Utility	
Recreation Service, Indoor	Discretionary within Fort Vermilion Use Overlay
Restaurant	Bars and Neighbourhood Pubs
Retail	
Retail Garden Centre	
Service Station – Major	
Service Station – Minor	
Veterinary Clinic	

12.30.3 **Development Regulations**

12.30.3.1 Lot Area

The **lot** area is at the discretion of the **Development Authority**.

12.30.3.2 Minimum Setbacks

Yard – Front 41.2m (135.0ft) from road right-of-way
 70.1m (230.0ft) from centre line of provincial highway
 Or a greater distance as specified by Alberta Transportation
 9.1m (30.0ft) from internal **subdivision** road

Yard – Exterior Side 9.1m (30.0ft)

Yard – Interior Side 3.1m (10.0ft)

Yard – Rear 3.1m (10.0ft)

12.30.3.3 Parking

- a) Parking for all new **development** shall be provided to the side and rear of new commercial **buildings**.
- b) Shared parking may be allowed at the discretion of the **Development Authority**.
- c) All pedestrian corridors within parking areas must be clearly delineated and consistent with the **adjacent** sidewalk in terms of material and dimension.

12.30.3.4 Building Façades

- a) **Building** façades shall incorporate horizontal and vertical articulation in their design.
- b) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors as shown in Figure 30.
- c) 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**.

12.30.3.5 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**.

12.31 Hamlet Light Industrial (H-LI)

12.31.1 **Purpose:** To provide for the grouping of light industrial and associated commercial uses, which do not cause nuisances to surrounding land uses.

12.31.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Automotive Equipment and Vehicle Services, Major
Agricultural Machinery Sales and Service	Bulk Fuel Storage and Distribution
Agricultural Supply Depot	Contractor Services with Outdoor Storage
Automotive Equipment and Vehicle Services, Minor	Dugout
Building Supply Centre	Kennel
Business Support Services	Restaurant
Commercial School, Industrial	Retail
Contractor Services without Outdoor Storage	Service Station – Major
Equipment Rental Facility	Signs
Industrial Use, General	Tarp Shelter
Manufactured Home Sales and Service	
Professional, Financial, Office and Business Service	
Public Utility	
Recycling Depot	
Self-Storage 1	
Self-Storage 2	
Service Station – Minor	
Shipping Container	
Shop – Commercial	
Veterinary Clinic	

12.31.3 **Development Regulations**

12.31.3.1 Lot Coverage

The maximum density is at the discretion of the **Development Authority**.

12.31.3.2 Minimum Setbacks

- 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)

12.31.3.3 **Restaurant** and **Retail** uses shall be limited to 93.0m² (1000.0ft²) in area.

12.32 Hamlet Heavy Industrial (H-HI)

12.32.1 **Purpose:** To provide for heavy industrial uses, within *hamlets*, **adjacent** to land uses that will not be negatively impacted by associated nuisances.

12.32.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Bulk Fertilizer Storage and/or Sales
Agricultural Machinery Sales and Service	Bulk Fuel Storage and Distribution
Agricultural Supply Depot	Business Support Services
Automotive Equipment and Vehicle Services, Major	Enviro-Tank
Automotive Equipment and Vehicle Services, Minor	Grain Elevator
Contractor Services with Outdoor Storage	Industrial Use, Heavy
Contractor Services without Outdoor Storage	Oilfield Service
Dugout	Recycling Depot
Equipment Rental Facility	Salvage Yard
Industrial Use, General	Shipping Container
Public Utility	Signs
Self-Storage 2	Waste Management
Service Station – Major	Tarp Shelter
Service Station – Minor	
Shop – Commercial	

12.32.3 **Development Regulations**

12.32.3.1 Lot Coverage

The maximum density is at the discretion of the **Development Authority**.

12.32.3.2 Minimum Setbacks

Yard – Front 9.1m (30.0ft)
20.0m (65.6ft) **Adjacent** to Highway 88

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)

12.32.3.3 A 20.0m (65.6ft) front landscaping **buffer/screening** shall be required for all **development adjacent** to Highway 88.

12.32.3.4 Heavy industrial uses shall not be developed within 150.0m (492.1ft) of a residential district.

12.32.3.5 A ***tarp shelter*** may be located within this ***land use district*** subject to the discretion of the ***Development Authority***.

12.33 Zama City Mixed Use (Z-MU)

12.33.1 **Purpose:** To provide for a variety of commercial, industrial and associated secondary residential units within central Zama City.

12.33.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Apiary
Automotive Equipment and Vehicle Services, Minor	Barndominium
Automotive Equipment and Vehicle Services, Major	Bars and Neighbourhood Pubs
Automotive Sales and Rental	Bulk Fertilizer Storage and/or Sales
Commercial School	Bulk Fuel Storage and Distribution
Commercial School, Industrial	Cannabis Retailer/Distributor
Contractor Services with Outdoor Storage	Dwelling Unit
Contractor Services without Outdoor Storage	Enviro-Tank
Dwelling – Single Detached	Grain Elevator
Dwelling – Single Detached – Tiny Home	Industrial Camp
Entertainment Establishment, Indoor	Kennel
Equipment Rental Facility	Recreation Service, Outdoor
Government Service	Recycling Depot
Health Service	Salvage Yard
Home Based Business Medium	Self-Storage 1
Home Based Business Minor	Self-Storage 2
Hotel/Motel	Signs
Industrial Use, General	Urban Agriculture
Industrial Use, Heavy	Veterinary Clinic
Intensive Greenhouse	Waste Management
Manufactured Home – Mobile	
Manufactured Home – Modular	
Oilfield Service	
Personal Service Establishment	
Place of Worship	
Pressure Vessel Storage	
Private Club	
Private Garage	
Professional, Financial, Office and Business Service	
Public Utility	
Recycling Depot	
Restaurant	
Retail	
Retail – Liquor	
Service Station – Major	
Service Station – Minor	

Shipping Container	
Shop – Commercial	
Tourism Minor/Major	

12.33.3 **Development Regulations**

12.33.3.1 Lot Coverage

The maximum density is at the discretion of the **Development Authority**.

12.33.3.2 Minimum Setbacks

Yard – Front 9.1m (30.0ft)

Yard – Exterior Side 3.1m (10.0ft)

Yard – Interior Side At the discretion of the **Development Authority**.

Yard – Rear 3.1m (10.0ft)

12.33.3.3 New **development** along Tower road shall provide a 3.0m (9.8ft) landscaped **buffer/screening** along the Tower road **lot** boundary.

12.33.3.4 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.

12.33.3.5 A **tarp shelter** may be located within this **land use district** subject to the discretion of the **Development Authority**.

12.34 Zama City Residential-Business (Z-RB)

12.34.1 **Purpose:** To provide for various residential uses and associated non-nuisance **Home Based Businesses** within the *hamlet* of Zama City.

12.34.2 **Permitted and Discretionary Uses**

Permitted	Discretionary
Accessory Building	Apiary
Bed and Breakfast Business	Barndominium
Day Care Home	Dwelling – Row
Dwelling – Duplex	Dwelling – Stacked Row Housing
Dwelling – Single Detached	Industrial Camp
Dwelling – Single Detached – Tiny Home	Kennel
Dwelling Unit	Oil Field Service
Garden Suite	Signs
Home Based Business Medium	Tarp Shelter
Home Based Business Minor	Urban Agriculture
Manufactured Home – Mobile	
Manufactured Home – Modular	
Personal Service Establishment	
Place of Worship	
Private Garage	
Public Utility	
Residential Sales Centre	
Secondary Suite	
Shop – Commercial	
Shop – Personal	
Tourist Home	

12.34.3 **Development Regulations**

12.34.3.1 Minimum Lot Dimensions

- a) The minimum **lot** width is 22.0m (72.0ft).
- b) The minimum **lot** depth is 33.5m (110.0ft).

12.34.3.2 Minimum Setbacks

- 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

12.34.3.3 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.

12.34.3.4 All outdoor storage and parking for commercial or industrial purposes shall be **screened** to the satisfaction of the **Development Authority**.

Schedule A

Hamlet Land Use District Maps

Schedule B

Rural Land Use District Maps