

**MACKENZIE COUNTY
COMMITTEE OF THE WHOLE MEETING**

**Tuesday, March 28, 2017
10:00 a.m.**

**Fort Vermilion Council Chambers
Fort Vermilion, Alberta**

AGENDA

1. Delegation (10:00 a.m.)
Canada's Oil & Natural Gas Producers (CAPP)

Topics for discussion:

- Federal deadline on caribou protection plans
- Update on the state of the oil and gas industry
- Any other topics Council would like to discuss with CAPP

2. Mackenzie County Draft Land Use Bylaw

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3. Next Meeting – April 25, 2017

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Mackenzie County
LAND USE BYLAW
791-10



Mackenzie County

TRACK CHANGES – COUNTY COMMENTS & DISCUSSIONS

Adopted September 23, 2011
Consolidated Version
Current to October 29, 2014
DRAFT 2.0 – FEB 21, 2017

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SECTION ONE – ENACTMENT

1.1. TITLE

- 1.1.1. ~~This BYLAW is entitled the Mackenzie COUNTY Land Use BYLAW. This Bylaw shall be known as and may be cited as “Mackenzie County Land Use Bylaw.”~~

1.2 PURPOSE

- 1.1.2. The purpose of this BYLAW is to regulate the use and DEVELOPMENT of land and buildings within the boundaries of the COUNTY to achieve the orderly and economic DEVELOPMENT of land; and:
- a) To divide Mackenzie County into land use districts;
 - b) To prescribe and regulate the use of land or buildings within each district;
 - c) To establish a method of making decisions on applications for development permits and the issuance of development permits;
 - d) To provide the manner in which a notice of issuance for a development permit is given;
 - e) To establish the number of dwellings that may be allowed on a parcel;
 - f) To establish regulations to assist in the subdivision and development decision making process;
 - g) To establish procedures of appealing the decisions related to this Land Use Bylaw;
 - h) To establish general development standards and specific use regulations;
 - i) To establish parking, signage, and landscaping standards; and
 - a)j) To establish subdivision design standards for Mackenzie County.

1.3 APPLICATION

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

1.4 EFFECTIVE DATE

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- (b) Land Use BYLAW No. 462/04 as amended is hereby repealed and replaced.

1.5 CONFORMITY WITH THE BYLAW

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

1.6 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

- (a) Nothing in this BYLAW affects the duty or obligation of a person to obtain a DEVELOPMENT PERMIT as required by this BYLAW or to obtain any other permit, license or other authorization required by this or any other BYLAW.

SECTION ONE – ENACTMENT

(b) In addition to the requirements of this BYLAW, an applicant must comply with all federal, provincial and other municipal legislation.

1.6.1 TRANSITION

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

SECTION TWO – BYLAW ADMINISTRATION AND PROCEDURES

2.1 BYLAW AMENDMENTS

- (a) A BYLAW amendment application shall be made to the DEVELOPMENT OFFICER on the prescribed form and shall be signed by the applicant or his agent.
- (b) All applications to amend this BYLAW shall be accompanied by a statement of the reasons for the amendment.
- (c) If the amendment involves the re-designation of land to a different LAND USE DISTRICT, the application shall be accompanied by
 - i) a certificate of title for the subject property;
 - ii) where the applicant is not the owner of the land affected by the application, written consent of the registered landowner
 - iii) a statement indicating the proposed use of the site;
 - iv) a properly dimensioned map describing the affected site to the satisfaction of the Development Authority;
 - v) such additional information as the DEVELOPMENT OFFICER may require to evaluate the application, including but not limited to aerial photography, environmental impact assessment, ENVIRONMENTAL AUDIT, soil tests, hydro-geological analysis, and geotechnical reports; and
 - vi) an AREA STRUCTURE PLAN where required by the Development Authority.
- (d) The COUNTY may at any time initiate an amendment to this BYLAW.
- (e) Where an application for an amendment to this BYLAW has been refused, the submission of another application to amend this BYLAW for the same parcel and same or similar amendment may not be made by the same or any other applicant for at least six (6) months after the date of the BYLAW being defeated by COUNCIL.

Bylaw Amendment Notification Requirements

- (f) On first reading being given to a bylaw to amend this Bylaw, the administration shall:
 - i) Arrange for notice of a public hearing to be published in two (2) issues of a newspaper circulating in the County, the publication date of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in the MGA; and
 - ii) Mail a notice of the public hearing to any neighbouring land owners who, in the opinion of the Development Authority, may be affected by the proposed amendment.
- (g) 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:
 - i) The applicant;
 - ii) The registered owner(s) of the land if not the applicant and the registered owner(s) of adjacent land;
 - iii) An adjacent municipality if the subject amendment lands are adjacent to another municipality; and

SECTION TWO – BYLAW ADMINISTRATION AND PROCEDURES

- iv) Any other authorities or persons who, in the opinion of the Development Authority, may be affected.
- (h) A public hearing notice regarding a Bylaw amendment shall contain the following information:
 - i) The date, time, and place of the public hearing;
 - ii) The purpose of the proposed Bylaw;
 - iii) Map depicting location of the subject parcel;
 - iv) The address where a copy of the proposed Bylaw and any applicable public document may be inspected; and
 - v) The procedure to be followed at the public hearing.

Requirement of a Land Use Bylaw Amendment Notification Sign

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

Physical Requirements of a Land Use Bylaw Amendment Notification Sign

- (j) Land Use Bylaw Amendment Application Notification Signs shall:
 - a. Have a maximum height above ground of 3.0m;
 - b. Have a surface size of 1.2m in height and 1.2m in length; and
 - c. Be positioned within the subject property line in a location visible from the road.

Land Use Bylaw Amendment Notification Sign Contents

- (k) Land Use Bylaw Amendment Application Notification Signs shall display the following information:
 - a. The legal description of the subject property;
 - b. The present Land Use District of the subject property;
 - c. The proposed Land Use District for the subject property;
 - d. General description of uses that could be developed under the proposed Land Use District with a notice that the description may not be exhaustive;
 - e. The contact information of the Development Officer that can be contacted if additional information is requested; and
 - f. A map depicting the subject site boundary, existing vs proposed Land Use District and adjacent Land Use Districts.

SECTION TWO – BYLAW ADMINISTRATION AND PROCEDURES

<p>PROPOSED LAND USE BYLAW AMENDMENT</p> <p>LEGAL DESCRIPTION:</p> <p>PRESENT LAND USE DISTRICT:</p> <p>PROPOSED LAND USE DISTRICT:</p> <p>POTENTIAL USES:</p> <p>AMENDMENT AREA:</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>For further information, please contact the Development Officer at Mackenzie County via 780-928-3983.</p>
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Land Use Bylaw Amendment Notification Sign Removal

(l) 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.

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(m) In order to ensure a firm commitment for DEVELOPMENT has been received the following are requirements for the rezoning application:

- i) an AREA STRUCTURE PLAN for multi-lot subdivisions,
- ii) A minimum of 10 parcels per rezoning application, or where the total area to be rezoned is less than 20.2 hectares (50 acres), the total developable area must be subdivided. Where the lands contain proven waterbody/wetlands and/or topographical challenges that prevent the minimum of 10 lots from being created, the minimum number of lots may be decreased. **(Bylaw 838-11)**
- iii) The subdivision must have legal access that meets COUNTY standards, and
- iv) Where the existing municipal road is not up to the standard required for the parcel, a road request or upgrade must be part of the subdivision application

SECTION THREE – DEFINITIONS AND INTERPRETATION

3.1 INTERPRETATION

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

3.2 IMPERIAL/ METRIC MEASUREMENTS

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

3.3 DEFINITIONS

SECTION THREE – DEFINITIONS AND INTERPRETATION

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

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

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

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

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

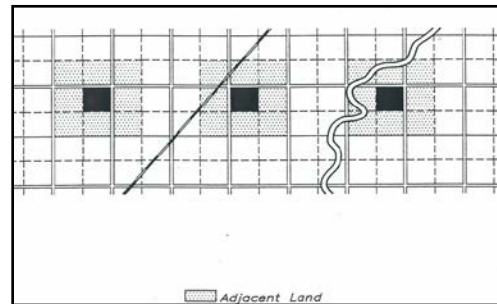
“ACCESSORY BUILDING” means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land. A GARAGE – ATTACHED and GARAGE – DETACHED are not considered an ACCESSORY BUILDING.

~~“ACCESSORY” means a building, structure or use that is subordinate to, exclusively devoted to, and located on the same site as the PRINCIPAL BUILDING or use. Where a structure is attached to a PRINCIPAL BUILDING on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below GRADE allowing access between the building and the~~

~~structure, it is considered part of the PRINCIPAL BUILDING.~~

“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.

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



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

“AGGREGATE RESOURCE EXTRACTION” means the extraction of raw materials, including sand, gravel, or clay found on or under the aggregate extraction-site and includes reclamation of the site. Typical uses include, but are not limited to quarries, borrow pits, and gravel pit. Aggregate resource extraction may include

SECTION THREE – DEFINITIONS AND INTERPRETATION

stripping of topsoil, stripping of sub-soil, overburden, and loading and hauling of product on or off-site but does not include aggregate resource processing, Natural Resource Extraction or Natural Resource Processing.

“AGGREGATE RESOURCE PROCESSING” means the processing of raw materials, including sand, gravel or clay. Aggregate resource processing may include crushing, washing and asphalt plant but does not include aggregate resource extraction, Natural Resource Extraction, or Natural Resource Processing.

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

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

“AGRICULTURAL MACHINERY SALES AND SERVICE” means a business

operation designed for selling and servicing farm implements and supplying parts.

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

“AIRPORT” see **MUNICIPAL AIRPORT.**

~~**“AMUSEMENT FACILITY/ENTERTAINMENT ESTABLISHMENT, INDOOR”** means a commercial facility that is intended to be used for entertainment, recreation or leisure, and includes a pool hall, video arcade and other similar facilities whether operated as a principal or ancillary use.~~
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.

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

~~**“ANIMALS – NON-DOMESTIC”** means animals that are not normally kept as pets.~~

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

~~**“ARTS, CRAFTS AND PHOTOGRAPHY STUDIO”** means a development used for the purpose of small scale on-site~~

SECTION THREE – DEFINITIONS AND INTERPRETATION

~~production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, custom jewellery manufacturing and artist and photography studios.~~

“SENIOR CITIZEN HOUSING ASSISTED LIVING FACILITY” means an institution primarily for elderly persons where housing accommodation is provided and medical or supervisory care may be provided.

~~“AUCTION MART FACILITY” means a building or public place where property or items of merchandise are offered for sale to persons who bid in competition with each other. means a development intended for the auctioning of livestock, goods and equipment, including the temporary storage of such livestock, goods and equipment.~~

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

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

“AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR” means the servicing, mechanical and body repair of automobiles, trucks, farm machinery, recreational vehicles and heavy equipment, and the sale, installation, servicing or storage of related accessories and parts. This includes truck, heavy equipment shops, body shops, and recreational vehicle repair shops.

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

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

“BED AND BREAKFAST BUSINESS” means a commercial business 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 suite of rooms. This does not include a MOTEL, HOTEL, SECONDARY SUITE or EATING AND DRINKING ESTABLISHMENTS.

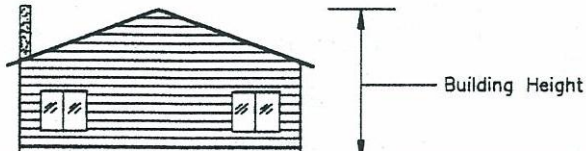
“BOAT WHARF” means a place where boats can dock.

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

“BUILDING DEMOLITION” means the pulling down, tearing down or razing of a building.

“BUILDING HEIGHT” means the vertical distance between the GRADE and the highest point of a building, 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.

SECTION THREE – DEFINITIONS AND INTERPRETATION



“BUILDING – MOVED IN” means a residential, commercial, ~~or industrial, or~~ ~~ANCILLARY BUILDING/SHED,~~ constructed and situated on a previous site, to be relocated from the old site to the new site.

“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.

“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: printing, duplicating, binding or photographic processing; secretarial services; office maintenance or custodial services; security; and the sale, rental, repair, or servicing of office equipment, furniture and machines; and the sale, rental, repair or servicing of computers, cellular phones and fax machines.

“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 AND CHEMICAL STORAGE AND DISTRIBUTION” means a development where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors using pressure vessels, and includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act. The development may include

card-lock retail sales and facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include manufacture of any of these products.

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

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

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

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

“CAMPGROUND, MINOR” means a development for short term recreational use with sites designated for lodgings in tents, Recreational Vehicles, Cabins, or other similar accommodations. A minor campground shall accommodate no more than twenty (20) sites, and be in operation no more than six (6) months per year.

“CAMPGROUND, MAJOR” means ~~means~~ a development for recreational use with sites designated for lodgings in tents, Recreational Vehicles, Cabins, or other similar accommodations. A major campground shall accommodate more than twenty (20) sites, be in operation more than six (6) months per year, or both.

“CAR WASH ESTABLISHMENT” ~~see~~ **“VEHICLE WASH ESTABLISHMENT”**. **“CARETAKER’S RESIDENCE/SECURITY SUITE”** ~~means a dwelling that is secondary or ACCESSORY to the principal industrial, commercial or recreational use on the same LOT and is used for the purpose of providing living accommodation for the~~

SECTION THREE – DEFINITIONS AND INTERPRETATION

~~individual who is primarily responsible for the maintenance and security of the principal use on the LOT. This unit is limited to a MOBILE or a self-contained/BUNKHOUSE unit.~~

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

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

“**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. This use class 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 use of heavy equipment, machinery and large vehicle parking areas for their training facility.

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

“**COMMUNITY PASTURE**” means the shared use of land for grazing animals.

~~“**CONCRETE PRODUCTS MANUFACTURING**” means a business operation that manufactures concrete and provides related facilities for the storage of~~

~~materials and equipment required for the operation of such business.~~

“**CONDOMINIUM UNIT**” means:

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

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

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

“**CONTRACTOR’S BUSINESS/YARD CONTRACTOR, GENERAL**” means a DEVELOPMENT used for commercial and industrial service support and construction. Typical uses may include oilfield support services, cleaning and maintenance contractors, building construction, surveying, landscaping, electrical, excavation, drilling, heating,

SECTION THREE – DEFINITIONS AND INTERPRETATION

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

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

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

“COUNCIL” means Mackenzie COUNTY COUNCIL.

“COUNTY” means Mackenzie COUNTY.

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

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

“DAY CARE FACILITY” means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, for at least seven (7) children in accordance with relevant legislation, nursery schools for children under the minimum age for education in public schools, playgroups for pre-school children, and programs covering after-school care for school children. Typical uses are day care centers and nursery schools

but do not include a private babysitting facility.

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

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

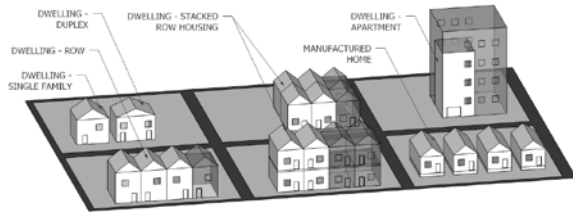
“DEVELOPMENT” means:

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

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

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

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“DWELLING UNIT” means any building or structure used principally for human habitation, 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 principle use.

“RESTAURANTEATING AND DRINKING ESTABLISHMENT” ~~means a public eating place where foods are prepared and sold for immediate consumption on or off the premises.~~ means a development where prepared food and beverages are offered for sale to the public for consumption on the premises and where live entertainment may be offered. This use includes restaurants, lounges, bars, and fast food outlets.

“FIRE HALL OR FACILITYEMERGENCY SERVICES FACILITY” ~~means a facility where fire trucks and equipment are located, and fire fighting personnel may be accommodated, and may also include a fire suppression building or camp.~~ 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.

“ENVIRONMENTAL AUDIT” means a comprehensive site analysis to determine:

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

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

- i) a history of the subject property's ownership and use;
- ii) a description of the natural environment and social environment surrounding the subject property, which may be sensitive to contamination;
- iii) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;
- iv) a documentation of the existence, location and use of above and underground storage tanks and other related facilities;
- v) a history of environmental regulatory activity affecting the subject property;
- vi) a review of the condition and use of adjoining properties;
- vii) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
- viii) a determination of the extent of contamination; and
- ix) a comprehensive site and areas maps noting the locations of natural and built

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features and other elements of the site audit as noted above.

“ENVIRONMENTAL IMPACT

ASSESSMENT” means a comprehensive site analysis to determine:

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

“ENVIRONMENTAL IMPACT

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

“ENVIRONMENTALLY SENSITIVE

AREAS” means areas that fall in one or more of the following categories:

- 1) areas having exceedingly steep or unstable slopes;
- 2) river valleys and lands, or those situated close to lakes, watercourses, and other types of water body, and land subject to flooding;
- 3) areas classified as having a high water table, or situated on sensitive aquifers;
- 4) areas having soils subject to erosion, slippage, or subsidence of similar hazards;
- 5) wetlands, unique wildlife, or fisheries habitat, or those areas having high levels of peat contents, or land incapable of meeting percolation requirements;
- 6) areas having stands of unique or mature nature vegetation or land features; and
- 7) other ENVIRONMENTALLY SENSITIVE AREAS identified by Alberta Environment and Parks or by a study undertaken or commissioned by Mackenzie COUNTY.

“**ENVIRO – TANK**” means a self-contained tank designed for temporary storage of fuel which may include gasoline or diesel. An ENVIRO – TANK does not include ~~PRESSURE VESSEL STORAGE BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION.~~

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

“**EXHIBITION ~~GROUND~~-FACILITY¹**” 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 ~~GROUND~~-²**” means areas that are used for rodeos, amusement rides, jamborees, and other similar uses in outdoor open areas.

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

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

“**FARM BUILDING**” means any building, excluding a DWELLING UNIT, SHOP – FARM or buildings intended for use in a CONFINED FEEDING OPERATION, intended to be used directly for agricultural use.

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

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

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

“**FLOOD FRINGE**” means the portion of the flood hazard area outside of the floodway where water during a flooding event is generally shallower and flows more slowly than in the floodway.

“**FLOOD HAZARD AREA**” means the area affected by a 100-year flood under encroachment conditions. The flood hazard area is typically divided into floodway and flood fringe zones, and may also include area of overland flow.

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

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

“**FLOOR AREA**” means the total FLOOR AREA of every room and passageway contained in a building but excluding the FLOOR AREA of BASEMENTS, GARAGE – ATTACHED, ~~ANCILLARY BUILDING/SHED~~ ACCESSORY BUILDINGS, open porches, patios, open DECKs, verandas, or breeze ways.

“**FOREST BASED INDUSTRY**” means an industrial operation that manufactures wood products, and that may include lumber re-

manufacturing facilities, oriented strand board plants, pulp mills ~~and~~, saw mills, ~~or a small WOODLOT MANAGEMENT.~~

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

~~“**FORESTRY LOOKOUT TOWER**” means a structure used to observe forested territory.~~

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

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

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

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

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

“**GARAGE – DETACHED**” means a GARAGE that is not a part of the PRINCIPAL BUILDING. ~~A detached GARAGE shall not exceed 100 sq m (1076 square feet) with a maximum interior ceiling~~

SECTION THREE – DEFINITIONS AND INTERPRETATION

~~height of 3.7 m (12 feet) and a maximum height of one storey.~~

“GARDEN SUITE” means a secondary DWELLING UNIT detached from and located on a parcel of land on which there is already a principal DWELLING UNIT located on the same YARD, accessible by the same driveway. A GARDEN SUITE is to only be ACCESSORY to the principal DWELLING UNIT. (*Bylaw 1012-16*)

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

~~**“PUBLIC USE”** means the use of land or building by government agencies, non-profit organizations for the purpose of providing public services to the community and includes administration buildings, PARKS, publicly funded EDUCATION FACILITY, post offices, and similar uses.~~

“GRADE” (used to determine BUILDING HEIGHT) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except those localized, depressed areas designed for accommodating vehicle or pedestrian entrances.

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

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

~~**“HANDICRAFT BUSINESS”** means a business operation that produces and sells handicrafts for profit.~~

~~**“HARDWARE STORE OR HOME IMPROVEMENT CENTRE”** see “RETAIL STORE”~~

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

~~**“MEDICAL FACILITY HEALTH SERVICE”** means a building for the provision of human health services without overnight accommodation for patients, and may include other ANCILLARY BUILDING/SHED, such as a DWELLING UNIT in association with the MEDICAL FACILITY, 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 and treatment to the general public without overnight accommodations. Medical and health Offices include such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of medical and Health Services.~~

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

~~“**HIGHWAY MAINTENANCE YARD**” means a facility that is used for the storage and maintenance of trucks and other vehicles used by the road authority.~~

“**HOME BASED BUSINESS 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. The DWELLING UNIT shall not be used as a workplace for non-residential employees of the business and shall not exceed an area of 18.6 sq m (200 square feet) 50% of the total FLOOR AREA. There shall be no outdoor business activity or storage of materials allowed on site.

~~“**OWNER/OPERATOR BUSINESS 2HOME BASED BUSINESS MEDIUM**” means a business owned and operated by the legal landowner residing on the site which may consist of an office attached to the principal dwelling or within the principal dwelling or within a shop. Commercial vehicles shall be restricted to no larger than 2 tonnes. No large commercial equipment such as log trucks, loaders, excavators, bulldozers or tractor/trailer units shall be allowed.~~

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

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

“**HOTEL**” means the provision of rooms or suites in a commercial DEVELOPMENT for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. HOTELS may include ACCESSORY food services, meeting rooms, and PERSONAL SERVICE ESTABLISHMENTS.

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

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

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

SECTION THREE – DEFINITIONS AND INTERPRETATION

“**INDUSTRIAL, GENERAL**” means the following activities:

- 1) processing raw or finished materials;
- 2) manufacturing or assembly of goods, products, or equipment;
- 3) the cleaning, servicing, repairing, or testing of materials, goods and equipment normally associated with industrial or commercial businesses, or the cleaning, servicing, and repair of goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial LAND USE DISTRICTS;
- 4) storage or shipping of materials, goods and equipment;
- 5) operation of industrial machines used to manufacture or repair products; or
- 6) training personnel in general industrial operations.

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

~~“**INDUSTRIAL PLANT**” means a plant that is used for producing goods through an industrial process.~~

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

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

Operations Practices Act, Agricultural Operations Part 2 Matters Regulations.

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

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

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

“**INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD**” means a joint board of individuals appointed pursuant to the Act that hears subdivision and DEVELOPMENT appeals, within the INTER-MUNICIPAL DEVELOPMENT PLAN area.

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

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

“**LAND USE DISTRICT**” means a zoning District described in the text of this BYLAW and delineated on one or more LAND USE

SECTION THREE – DEFINITIONS AND INTERPRETATION

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

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

~~“**LAUNDROMAT**” means a commercial establishment equipped with washing machines and dryers, and accessible to the general public.~~

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

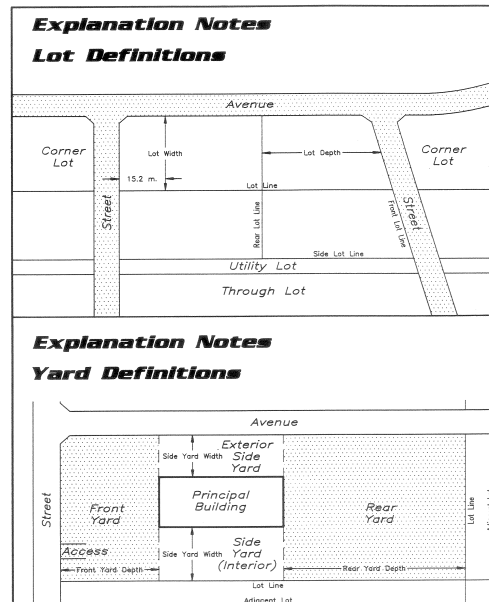
“**LIQUOR STORE**” means a store that sells alcoholic beverages and products for public consumption outside the store premises.

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

“**LOT**” means:

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

of title by reference to a plan of subdivision.



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

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

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

“**LOT – INTERIOR**” means any LOT other than a corner LOT.

“**LOT LINE**” means a legally defined property line of a LOT.

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

“**LOT LINE – REAR**” means the LOT LINE that is opposite to the front LOT LINE.

SECTION THREE – DEFINITIONS AND INTERPRETATION

“**LOT LINE – SIDE**” means the LOT LINE other than a front or rear LOT LINE.

“**LOT – THROUGH**” means a LOT, other than a corner LOT, having access to two streets.

“**LOT WIDTH**” means the average horizontal measurement between the LOT LINE – SIDE as determined by the Development Authority.

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

~~“**MACHINE SHOP**” means the use of a building for the operation of industrial machines used to manufacture or repair products.~~

~~“**MANUFACTURING FIRM**” means a plant or facility for uses such as machining, welding, fabricating, assembly, or bottling.~~

“**MANUFACTURED HOME - MOBILE**”

means ~~means~~ a dwelling unit 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 ~~Mobile Home~~ **MANUFACTURED HOME - MOBILE** may be a single structure (single-wide) or two (2) parts which when put together (double-wide) comprise a complete dwelling. ~~and will have the following features:~~

a) ~~— A minimum roof pitch of 5.0 cm (1.97 inches) of vertical rise for every 30.0 cm (11.81 inches);~~

b) ~~— Minimum overhang of 15.24 cm (6.0 inches);~~

c) ~~— Minimum length to width ration of 3:1; and~~

d) ~~Be no older than twenty (20) years at the time of development application.~~

“**MANUFACTURED HOME – MODULAR**”

means a DWELLING UNIT which is prefabricated or factory built, and which is

assembled on the parcel in sections, but such sections or units have neither chassis, running gear, not its own wheels, and the sections may be stacked vertically, or placed side-by-side and is similar in appearance and profile to a conventional home. This does not include a DWELLING – SINGLE FAMILY, MANUFACTURED HOME – MOBILE or RECREATIONAL VEHICLE.

“**MANUFACTURED HOME COMMUNITY**”

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

“**MANUFACTURED HOME COMMUNITY OFFICE**”

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

“**MANUFACTURED HOME SALES AND SERVICE**”

means a business operation for selling and servicing manufactured homes.

“**MANUFACTURED HOME SUBDIVISION**”

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

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

“**MOTEL**”

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

SECTION THREE – DEFINITIONS AND INTERPRETATION

ESTABLISHMENTS PERSONAL SERVICE ESTABLISHMENT.

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

“MUNICIPAL AIRPORT” means:

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

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

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

“MUNICIPAL PLANNING COMMISSION” means Mackenzie COUNTY’s MUNICIPAL PLANNING COMMISSION appointed pursuant to the ACT.

“MUNICIPALITY” means Mackenzie County.

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

“NATURAL RESOURCE EXTRACTION” means the extraction of natural resources, including oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) and reclamation of the site, but does not include aggregate resources (such as sand, gravel or clay). Natural resource extraction may include the Stripping of Topsoil,

overburden, loading and hauling of product off-site but does not include processing of natural resources.

“NATURAL RESOURCE PROCESSING” means the processing of natural resources, including, oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) but does not include aggregate resource extraction, aggregate resource processing or Natural Resource Extraction.

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

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

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

“NON-PERMANENT” not existing or intended to exist for an indefinite time. Easily removable, transportable.

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

SECTION THREE – DEFINITIONS AND INTERPRETATION

“OILFIELD SUPPORT SERVICES” 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.

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

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

“PARK” means land developed for public recreational activities that do not require major buildings or facilities, and may include picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

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

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

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

“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.

“GENERAL SERVICES ESTABLISHMENT PERSONAL SERVICE ESTABLISHMENT” means a business establishment that provides services for the maintenance and enhancement of the well-being of individuals, such as cleaning and repair of clothing, hair salon, tanning salon, dressmaker, shoe repair, pedicure, manicure, massage and electrolysis, or similar services but shall not include an ADULT ENTERTAINMENT BUSINESS. means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to individuals. Personal Service Establishments include, but are not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and laundromats.

SECTION THREE – DEFINITIONS AND INTERPRETATION

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

“~~CHURCHPLACE OF WORSHIP~~” ~~means a building or place used as a place of worship and may include related ACCESSORY facilities such as a CHURCH hall, or Sunday SCHOOL.~~ **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. Also refer to BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION.

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

“~~CLUB HOUSE~~PRIVATE CLUB” means an indoor development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private Clubs may include rooms for eating, drinking, and general assembly.

“PROFESSIONAL, FINANCIAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE” means a development primarily used for the provision of professional, management, and administrative, consulting, and financial services. Typical uses include: the following and similar uses as offices of Government corporations, lawyers, accountants, engineers, planners, and architects; and 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 system of works used to provide one or more of the following for public consumption, benefit, convenience, or use:~~
~~Water or steam;~~
~~Sewage disposal;~~
~~Public transportation operated by, or on behalf of, the municipality;~~
~~Irrigation;~~
~~Drainage;~~
~~Fuel;~~
~~Electric power;~~
~~Heat;~~
~~Waste management; and~~
Residential and commercial street lighting; means a development used to provide one or more of the following for public consumption, benefit, convenience or use: water; wastewater or storm water; public transportation operated by or on behalf of the COUNTY; communication; drainage ditch; natural gas; electric power; or heat. It includes buildings required to operate a public utility.

“PUBLIC UTILITY LOT” ~~means a lot registered with Alberta Land Titles as a PUBLIC UTILITY LOT and intended for the purpose of utility installation. Also see LANE,~~ means a lot or parcel of land used in the distribution, maintenance and housing of a public utility.

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

“RANGER CABIN AND STATION”, see **“FORESTRY BUILDING”**.

SECTION THREE – DEFINITIONS AND INTERPRETATION

“RECREATION SERVICE, INDOOR” means facilities within an enclosed building for sports, active recreation and performing and cultural arts. Typical uses include but are not limited to arenas, 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 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, motorcross tracks, and trail stables/riding.

“RECREATIONAL CENTRE OR LODGE” means a building, where temporary/seasonal accommodation, RESTAURANT, dining lounge, swimming pool, and related facilities are provided, that is used as a base to support and complement the primary recreational activities.

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

“RECREATIONAL VEHICLE SALES and SERVICE” means a development that provides retail sales or rental of new or used recreational vehicles, together with incidental maintenance services and sale of parts.

“RECREATIONAL VEHICLE PARK” means a facility for the overnight and short term stay of recreation vehicles and may include related ACCESSORY facilities,

~~including but not limited to, recreational centre or lodge and laundry facilities.~~

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

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

“REGISTERED OWNER” means:

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

“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

SECTION THREE – DEFINITIONS AND INTERPRETATION

routine maintenance which includes shingles, siding and the replacement of same sized windows and/or doors.

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

“~~CONVENIENCE STORE~~ RETAIL - CONVENIENCE” means ~~a retail operation that sells merchandise to meet daily needs such as groceries, soft drinks and other similar goods,~~ means a development used for the retail sale of those goods required by area residents on a day-to-day basis in an enclosed building. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceuticals, and personal care items, hardware or printed matter.

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

“RETAIL – GENERAL” means a development used for the retail sale of groceries, beverages, liquor, 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 STORE~~” means ~~a DEVELOPMENT for the retail sale of any one or all of the following: groceries, beverages, household goods, furniture and~~

~~appliances, confectioneries, pharmaceuticals and personal care units, automotive parts and accessories, office equipment, stationery and similar goods. Minor services oriented facilities such as postal services and film processing depots shall be allowed as ACCESSORY uses. This use includes clothing store, grocery store, department store, hardware store, rental shop, video store, but shall not include an ADULT ENTERTAINMENT BUSINESS, LIQUOR STORE or CONVENIENCE STORE.~~

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

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

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

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

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

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

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“SATELLITE DISH AND ANTENNAE”

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

“~~SCHOOL EDUCATION FACILITY~~” ~~means a learning institution used, together with supportive facilities, for instruction and learning. 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.~~

“SEA CANS SHIPPING CONTAINER”

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



“SECONDARY SUITE” means one additional ACCESSORY DWELLING UNIT which includes cooking facilities and is created in the DWELLING UNIT or GARAGE – DETACHED and intended for temporary or long term residency by a 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 ~~Facility 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 with this facility. A Self-Storage ~~2 Facility-facility~~ may also include the administrative functions associated with the use.

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

“SERVICE STATION – MAJOR TRUCK STOP”

means a ~~SERVICE STATION 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 an EATING AND DRINKING ESTABLISHMENTS, BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION, vehicle towing services, MOTEL, HOTEL and similar uses provided that these are ACCESSORY to the operation of ~~the truck stop a~~ SERVICE STATION – MAJOR.

“SERVICE STATION – MINOR” means a ~~building, LOT or part thereof 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 ~~a~~ RETAIL - CONVENIENCE-STORE, vehicle towing services ~~and~~ VEHICLE WASH ESTABLISHMENT as ACCESSORY uses.

“SHARED PARKING” means a site’s parking supply may service more than one use on the site, the total supply being less

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than the sum of the Bylaw parking requirement for the total of 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 its peak demand at times other than the peak for the other uses; employees/customers of one use on the Site utilizing another use on the site; a customer coming to several different uses on the site;

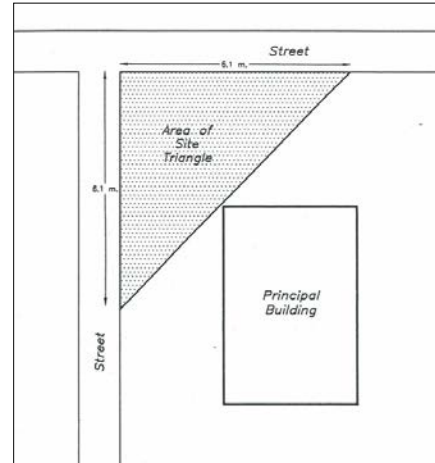
“SHOP – COMMERCIAL” means a structure intended for the use of commercial or industrial type DEVELOPMENT but does not include a SHOP – FARM.

“SHOP – FARM” means a structure intended to store or maintain farm equipment but does not include a DWELLING UNIT, FARM BUILDING, GARAGE – DETACHED, SHOP – COMMERCIAL 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.

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



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

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

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

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

“TARP SHELTER FRAME AND FABRIC STRUCTURE” means an accessory structure consisting of canvas, tarp or other similar fabric and supported by a metal or wooden frame used for the storage of motor vehicles, recreational vehicles or other chattels. means a building designed and constructed with a rigid frame that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors. TARP STRUCTURES with an area of 55.75m²

SECTION THREE – DEFINITIONS AND INTERPRETATION

~~(600ft²) or less are considered a temporary use;~~

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

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

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

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

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

“**UNSIGHTLY CONDITION**” means:

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

“**UNSUBDIVIDED LAND**” means a quarter section, lake LOT, river LOT or settlement LOT that has not been subdivided except for public use or FRAGMENTED PARCEL.

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

~~be used in conjunction with a SERVICE STATION.~~

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

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

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

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

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

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

SECTION THREE – DEFINITIONS AND INTERPRETATION

the location is included in the definition of water body. Water body does not include a man-made dugout

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

~~**“WELDING SHOP”** means a building or part thereof that is primarily used for commercial welding activity.~~

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

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

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

“YARD – FRONT” means a yard extending across the full width of a LOT, and situated

between the front LOT LINE and the nearest exterior wall of the PRINCIPAL BUILDING. The minimum front yard depth is the shortest horizontal distance permitted between the front LOT LINE of such LOT and the nearest part of the PRINCIPAL BUILDING.

“YARD – EXTERIOR SIDE” means a side yard immediately adjoining a public roadway.

“YARD – INTERIOR SIDE” means a side yard other than an exterior side yard.

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

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

SECTION FOUR – SUBDIVISION AND DEVELOPMENT AUTHORITIES

4.1. DEVELOPMENT AUTHORITIES

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

4.2. DEVELOPMENT OFFICERS

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

4.3. DEVELOPMENT OFFICER DUTIES AND RESPONSIBILITIES

The DEVELOPMENT OFFICER shall:

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

SECTION FOUR – SUBDIVISION AND DEVELOPMENT AUTHORITIES

4.4 **MUNICIPAL PLANNING COMMISSION DUTIES AND RESPONSIBILITIES**

- (a) As a Development Authority, the MUNICIPAL PLANNING COMMISSION shall issue decisions on all applications for DISCRETIONARY USES, and any applications for PERMITTED USES referred to it by the DEVELOPMENT OFFICER.
- (b) For the purpose of this section, an INTER-MUNICIPAL PLANNING COMMISSION has the same roles and responsibilities as the MUNICIPAL PLANNING COMMISSION.

4.5 **COUNCIL**

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

4.6 **SUBDIVISION AUTHORITIES**

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

4.7 **SUBDIVISION AND DEVELOPMENT APPEAL BOARD DUTIES AND RESPONSIBILITIES**

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

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

- (a) The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by separate BYLAW.
- (b) The Board shall carry out the duties and responsibilities pursuant to the Act, and in accordance with the BYLAW that creates it.

SECTION FOUR – SUBDIVISION AND DEVELOPMENT AUTHORITIES

- (c) In the case of an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD, the Councillors from a single municipality may not form the majority of the board or committee hearing an appeal.

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

5.1 NEED FOR DEVELOPMENT PERMIT

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

5.2 PERMITS NOT REQUIRED

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

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

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~~(k)~~(j) Demolition/removal of a building having a floor area of less than 18.58m² (200 sq.ft.)

~~(k)~~(k) Relocating a portable industrial accommodation, provided that such relocated accommodation is not used for more than 28 days, and is removed from the site within two weeks thereafter.

~~(m)~~(l) In residential LAND USE DISTRICTS, construction of a patio, a fire pit, or an unenclosed DECK where the structure is no more than 0.6 m (2 feet) above finished GRADE provided all applicable land use district site setback requirements are met.

~~(n)~~(m) 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.

~~(n)~~(n) Trapper's CABINS for use with a licensed trap line.

~~(p)~~(o) Fishing CABINS for use with a commercial fishing license.

(p) Above-ground, pre-manufactured swimming pools with a water volume less than 6.11 m³ (215.80 ft³).

(q) INDUSTRIAL CAMP providing accommodations for less than 25 individuals.

5.3 NON-CONFORMING BUILDINGS AND USES

(a) DEVELOPMENTS that are considered as a non-conforming building or use shall be dealt with as provided in this BYLAW. For convenience, the following extracts are provided:

- i) A non-conforming use of either land and/or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land and/or building shall conform to the provisions of this BYLAW.
- ii) A non-conforming use of part of a building may be extended throughout the building whether or not it is a non-conforming building. Non-conforming building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- iii) A non-conforming use of part of a LOT shall not be extended or transferred in whole or in part to any other part of the LOT and no additional buildings shall be erected upon the parcel while the non-conforming use continues.
- iv) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - (1) As may be necessary to make it a conforming building, or
 - (2) As the DEVELOPMENT OFFICER considers necessary for the routine maintenance of the building.

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- v) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this BYLAW.

5.4 COMPLIANCE CERTIFICATES

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

5.5 DEVELOPMENT PERMIT ADMINISTRATION

5.5.1 APPLICATION FOR DEVELOPMENT PERMIT

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

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- (2) provisions of utilities, including water and sewage facilities;
- (3) the location and distance to property lines of all existing and proposed buildings;
- (4) the provisions for landscaping, screening, and buffering; and
- (5) any other information as required by the Development Authority, including but not limited to the following:
 - (a) a plan showing the proposed provisions of sewage, water, and other utilities during the peak-use periods;
 - (b) a plan showing the proposed provisions of on-street and off-street parking and loading facilities during the peak-use periods;
 - (c) a statement of the potential impacts of the proposed DEVELOPMENT on ADJACENT LANDS, and the proposed measures designed to minimize such adverse impacts; and
 - (d) a statement of measures, facilities and equipment available for fire prevention and fire fighting.
- (6) A DEVELOPMENT PERMIT application is deemed accepted when all information needed by the Development Authority to render a decision has been received. In the event that the Development Authority considers an application as incomplete or containing insufficient information, the Development Authority may return the application to the applicant for further submission.

5.5.2 FEES

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

5.5.3 DISCRETION

- (a) In making a decision on a DEVELOPMENT PERMIT application for a PERMITTED USE, the Development Authority:
 - i) shall approve, with or without conditions, the application if the proposed DEVELOPMENT conforms with this BYLAW; or
 - ii) shall refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.
- (b) In making a decision on a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority:

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- i) may approve the application if it meets the requirements of this BYLAW, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or,
 - ii) may refuse the application even though it meets the requirements of this BYLAW; or
 - iii) shall refuse the application if the proposed DEVELOPMENT does not conform to this BYLAW.
- (c) In reviewing a DEVELOPMENT PERMIT application for a DISCRETIONARY USE, the Development Authority shall have regard to:
- i) the circumstances and merits of the application, including but not limited to:
 - (1) the impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - (2) the design, character and appearance of the proposed DEVELOPMENT and in particular whether it is compatible with and complementary to the surrounding properties; and,
 - (3) the servicing requirements for the proposed DEVELOPMENT.
 - ii) the purpose and intent of any statutory plan adopted by the COUNTY; and
 - iii) the purpose and intent of any non-statutory plan and pertinent policy adopted by the COUNTY.
- (d) A DEVELOPMENT PERMIT may be issued on a temporary basis for a period specified by the Development Authority.
- (e) Notwithstanding any provisions or requirements of this BYLAW, the Development Authority may establish a more stringent standard for a DISCRETIONARY USE when the Development Authority deems it necessary to do so.
- (f) No DEVELOPMENT, except for yard site preparation, shall be permitted on any property until the COUNTY has approved an access to the property from a ROAD.

5.5.4 PERMIT VALIDITY

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

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5.5.5 REFERRALS

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

5.5.6 VARIANCE AUTHORITY

- (a) The Development Authority may approve a variance that is no more than 25% difference for any urban LAND USE DISTRICT and ~~50%~~40% difference for any rural LAND USE DISTRICT from the requirements of setback, DEVELOPMENT area, FLOOR AREA, or HEIGHT as stipulated in this BYLAW.
- (b) Urban Fringe “UF” shall be considered a rural LAND USE DISTRICT when consideration is given to any variance.
- (c) A variance may only be granted if, in the opinion of the Development Authority the subject site:
- i) Conforms to the use prescribed in this BYLAW,
 - ii) Does not unduly interfere with the amenities of the neighbourhood,
 - iii) Does not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed DEVELOPMENT conforms with the use prescribed for that in this BYLAW, and/or
 - iv) has irregular LOT LINES or shape which creates difficulties in positioning a structure within the required setbacks, in which case the Development Authority may permit the DEVELOPMENT and vary the setback or average the setbacks, such that the proposed variance would not result in a contravention of the above conditions and would not result in a DEVELOPMENT that will:
 - (1) restrict access for emergency response, and
 - (2) restrict the safe passage for pedestrians and vehicles on adjoining sidewalks and roadways.
- (d) Notwithstanding Subsection (c), the Development Authority may refuse a DEVELOPMENT PERMIT for a use or DEVELOPMENT that is not listed as a PERMITTED USE or DISCRETIONARY USE.

5.5.7 PERMIT CONDITIONS

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- (a) The DEVELOPMENT AUTHORITY, may issue a DEVELOPMENT PERMIT set out in Section 650 of the ACT requiring that the applicant enter into a Development Agreement with any or all the following conditions:
- i) to construct or pay for the construction of a road required to give access to the development;
 - ii) to construct or pay for the construction of;
 - (1) a pedestrian walkway system to serve the development, or
 - (2) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;or both;
 - iii) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the DEVELOPMENT;
 - iv) to construct or pay for the construction of;
 - (1) off-street or other parking facilities, and
 - (2) loading and unloading facilities;
 - v) to pay an off-site levy or redevelopment levy;
 - vi) to give security to ensure that the terms of the agreement under this section are carried out.
- (b) The COUNTY may register a caveat in respect of a Development Agreement made under this section for the land that is the subject of DEVELOPMENT. The Development Agreement will be discharged when all conditions contained therein have been fulfilled to the satisfaction of the Development Authority.
- (c) Subject to this BYLAW, any statutory plan and the Act, the Development Authority may attach whatever conditions he/she considers appropriate to a DEVELOPMENT PERMIT for either a DISCRETIONARY USE or PERMITTED USE, including but not limited to the following:
- i) landscaping requirements;
 - ii) noise attenuation;
 - iii) special parking provisions;
 - iv) location, appearance, and character of a building;
 - v) grading of a site to protect adjacent properties;
 - vi) and ensuring the proposed DEVELOPMENT is compatible with the surrounding land uses;
 - vii) repair, reinstate, or pay for the repair or reinstatement to original condition of, any street furniture, curbing, sidewalk, boulevard, tree or other landscaping features, that may be damaged or otherwise affected by the DEVELOPMENT;
- (d) No DEVELOPMENT, except for yard site preparation, shall be permitted on any property until the COUNTY has approved an access to the property from a ROAD.

5.5.8 PERMIT APPROVAL AND NOTIFICATIONS

- (a) All decisions on DEVELOPMENT PERMITS shall be in writing and mailed by the Development Authority to the applicant ~~immediately~~.

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- (b) A DEVELOPMENT PERMIT does not come into effect until fourteen (14) days after a notice of decision is communicated. Any development proceeded by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (c) 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.
- (d) 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.
- (e) When a DEVELOPMENT PERMIT has been approved for a DISCRETIONARY USE, the Development Authority shall immediately publish a notice in a newspaper circulating in the COUNTY stating the location of the property for which the application has been made and the use approved, and may mail a notice immediately to all ADJACENT landowners when it is deemed that amenities, use or enjoyment of ADJACENT lands may be affected;
- (f) Notwithstanding any other provision of this BYLAW, the granting of a DEVELOPMENT PERMIT shall:
 - i) indicate that the DEVELOPMENT to which the DEVELOPMENT PERMIT relates is authorized in accordance with the provisions of this BYLAW, and shall not relieve or excuse any person from complying with this or any other BYLAWS or Regulations that affect the proposed DEVELOPMENT; and
 - ii) not deprive the Development Authority's right of refusing the issuance of a permit or approval that may be required by this or other BYLAWS, regarding other DEVELOPMENT on the same property.
- (g) In the case where an application for a DEVELOPMENT PERMIT has been refused pursuant to this BYLAW, by the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or the INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or the Alberta Court of Appeal, the submission of another application for a DEVELOPMENT PERMIT on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the DEVELOPMENT OFFICER for at least six months after the date of the previous refusal.
- (h) An application for a DEVELOPMENT PERMIT may be deemed to have been refused if no decision is made by the Development Authority within forty (40) days, from the date of receipt of the completed application, unless the applicant has agreed to extend the forty (40) day period.
- (i) Notwithstanding anything contained herein to the contrary, the granting of a DEVELOPMENT PERMIT shall be without prejudice to the Development Authority's rights to refuse or approve any other permit as may be required with respect to this or any other BYLAW regarding other DEVELOPMENT on the same property.

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5.5.8 DEVELOPMENT PERMIT APPEALS

- (a) The applicant for a DEVELOPMENT PERMIT may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD if the Development Authority:
 - i) refuses or fails to make a decision on a DEVELOPMENT PERMIT within 40 days of receipt of a completed application; or
 - ii) issues a DEVELOPMENT PERMIT subject to conditions.
- (b) In addition to the applicant, any person affected by a DEVELOPMENT PERMIT or the decision on it, may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.
- (c) Notwithstanding Sections (a) and (b), no appeal lies in respect of the issuance of a DEVELOPMENT PERMIT for a PERMITTED USE unless the provisions of this BYLAW are relaxed, varied, or misinterpreted.
- (d) A DEVELOPMENT appeal to a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD is to be commenced by filing a notice of the appeal, containing reasons, to the Secretary of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD within fourteen (14) days:
 - i) in the case of an appeal by the applicant, after:
 - (1) the date the applicant is notified of the decision; or,
 - (2) if no decision is made on the DEVELOPMENT PERMIT application within 40 days of the application being made or the date that period of any extension of it expires.
 - ii) in the case of an appeal by a person affected, after the date on which the COUNTY publishes notice of the DEVELOPMENT PERMIT decision in a newspaper circulating in the COUNTY.
 - (ii) 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.
 - (iii) Where an appeal is lodged against a DEVELOPMENT, the DEVELOPMENT PERMIT that has been granted shall not come into effect until the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD has rendered a decision.
 - (iv) 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.

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SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

5.5.105.5.11 ENFORCEMENT

Contravention

- 1) A Development Authority may find that a development or use of land or buildings is not in accordance with:
 - a) The MGA or the regulations;
 - b) A development permit or subdivision approval; or
 - c) This Bylaw.
- 2) If this is the case, 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 Municipal Government Act, the regulations, a development permit, subdivision approval, or this Bylaw, as the case may be.
- 3) Where a notice is issued under Subsection 6.1.1, 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 MGA 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.
- 4) Where a person fails or refuses to comply with an order directed to them pursuant to Subsection 6.1.1 or an order of the SDAB under Section 687 of the Municipal Government Act within the time specified, Council, or a person appointed by it, may, in accordance with the MGA, enter upon the land or building and take such action as is necessary to carry out the order. Where an order has not been complied with, Council may register a caveat against the title of the subject property related to the order. 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.

Prohibitions

- 5) No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.
- 6) No person shall contravene a condition of a permit issued under this Bylaw.
- 7) 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.

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Non Compliance

- 8) 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.

- 9) A person whose development permit is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 5 of the Bylaw within fourteen (14) days of notice of such action.

Warning Notice

- 10) 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.

Violation Tickets

- 11) A Designated Officer shall be authorized and empowered to issue a municipal ticket to any person who the Designated Officer has reasonable and probable grounds to believe it has contravened any provision of this Bylaw.

12) A municipal ticket may be served:

- a) Personally to the person; or
- b) Mailed to the address shown on a certificate of title for the lands on which the contravention is alleged to have occurred.

13) The municipal ticket shall be in a form approved by the Chief Administrative Officer and shall state:

- a) The name of the person to whom the municipal ticket is issued;
- b) A description of the offence and the applicable Bylaw Section;
- c) The appropriate penalty for the offence as specified in this Bylaw;
- d) That the penalty shall be paid within fourteen (14) days of the issuance of the municipal ticket in order to avoid prosecution; and
- e) Any other information as may be required by the Chief ~~Executive-Administrative~~ Officer.

14) Where a contravention of this Bylaw is of a continuing nature, further municipal tickets may be issued by a designated Officer.

15) A person to whom a municipal ticket has been issued may pay the penalty specified on the municipal ticket and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

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

Right of Entry

- 23) Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
 - a) Part 17 of the MGA, regulations thereto, and/or the Land Use Bylaw; or
 - b) A development permit;

The Development Authority may take such action as specified in Sections 542 and 543 of the MGA.

Stop Orders

- 24) The Development Authority may act under Subsection 6.7.2 pursuant to Section 645(1) of the MGA, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:
 - a) This Part or a Land Use Bylaw or regulations under this Part; or
 - b) A development permit or subdivision approval.

The Development Authority may act under Subsection 6.7.2.

SECTION FIVE – DEVELOPMENT ADMINISTRATION AND PROCEDURES

- 25) If Subsection 6.7.1 applies, the Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:
- a) Stop the development or use of the land or building in whole or in part as directed by the notice;
 - b) Demolish, remove, or replace the development; or
 - c) Carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the Land Use Bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.
- 26) A person who receives a notice referred to in Subsection 6.7.2 may appeal to the SDAB in accordance with Section 685 of the MGA.

Appeal to Stop Orders

- 27) A person named in a stop order may appeal to the Subdivision and Development Appeal Board (SDAB).

Enforcement of Stop Orders

- 28) Pursuant to Section 646(1) of the MGA, 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.
- 29) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in Subsection 6.9.1 against the certificate of title for the land that is the subject of the order.
- 30) If a municipality registers a caveat under Subsection 6.9.2, the municipality must discharge the caveat when the order has been complied with.

Offenses and Penalties

Any person who contravenes or does not comply with any provision of this Bylaw, or a development permit or subdivision approval, or a condition of a permit or approval, an order, notice or direction given under this Bylaw, or a decision of the SDAB is guilty of an offense and is liable upon conviction to a fine of \$250.00.

- 31) Where a person undertakes development prior to a development permit being issued, the following fees shall apply:
- a) \$500.00 for the first offence; and
 - b) \$1000.00 for a second offence within the same one (1) calendar year from the date of the first offence.

SECTION SIX – SUBDIVISION ADMINISTRATION AND PROCEDURES

6.1 SUBDIVISION APPLICATION PROCEDURES

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

6.2 REFERRALS

See Section 7.42

6.3 SUBDIVISION DECISION

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

6.4 SUBDIVISION APPEALS

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

SECTION SIX – SUBDIVISION ADMINISTRATION AND PROCEDURES

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

6.5 DEVELOPMENT AGREEMENT

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

6.6 SECURITIES

- a) Security for multi-lot/urban subdivisions shall be in the form and amount as required in Multi-Lot/Urban Subdivision Construction and Registration Policy DEV003.
- b) Security, in the form of a performance bond, will not be accepted.
- c) Where servicing is required for individual parcels or Bareland 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:
 - i. Cash to a value equal to 100% of the estimated costs; or
 - ii. An irrevocable letter of credit having the value equivalent to 100% of the established costs.

6.7 REGISTRATION

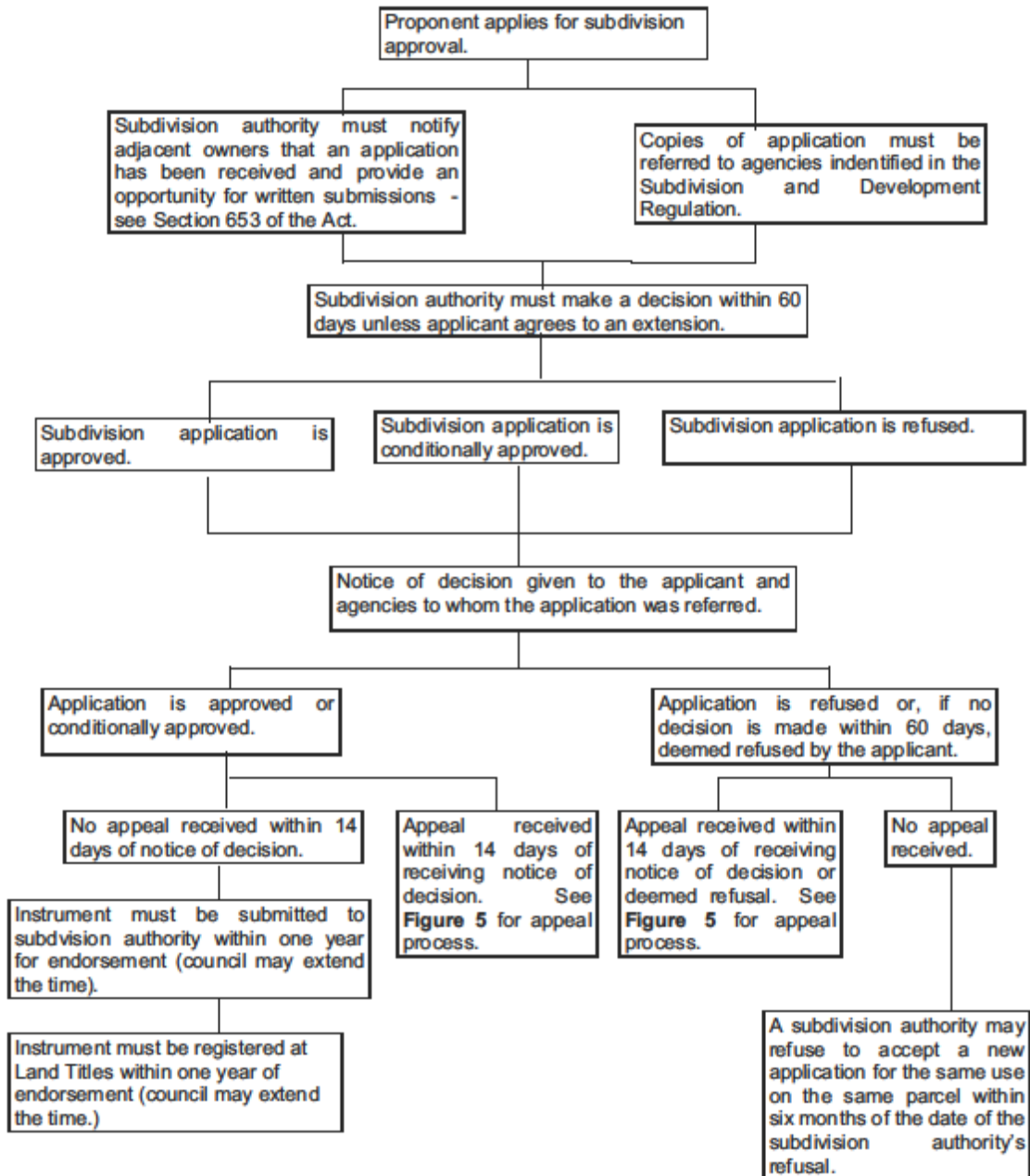
- a) Subdivision registration of all multi-lot/urban subdivisions shall be completed in accordance with the COUNTY'S Multi-Lot/Urban Subdivision Construction and Registration Policy DEV003.
- b) Subdivision registration of rural single lot subdivisions will be endorsed by the COUNTY and submitted to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

6.8 SUBDIVISION APPROVAL PROCESS

See below:

SECTION SIX – SUBDIVISION ADMINISTRATION AND PROCEDURES

SUBDIVISION APPROVAL PROCESS



SECTION SEVEN – GENERAL REGULATIONS

7.1 ACCESS AND DRAINAGE

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

7.2 APPLICABILITY

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

7.3 ANIMALS

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

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

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

SECTION SEVEN – GENERAL REGULATIONS

ii)iii) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of LIVESTOCK and to reduce the impact of noise, odour or visual presence on surrounding properties.

iii)iv) 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.

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

i) LIVESTOCK shall be limited to no more than one (1) animal unit per 0.40 ha (1 acre) or part thereof, to a maximum of three (3) animal units as defined in the following table:

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

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

ii)iii) 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.

iv) 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.

(d) In all Residential Land Use Districts, up to three (3) hens shall be allowed per property.

7.4 BATHROOM FACILITIES

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

7.5 BUILDING – ANCILLARY ACCESSORY BUILDING

SECTION SEVEN – GENERAL REGULATIONS

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

7.5.1 BUILDING DEMOLITION OR REMOVAL

- a) 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.
- b) Whenever a demolition or a removal of a building is carried out, the person causing the same to be made, shall at his own expense, protect from displacement any wall, sidewalk or roadway liable to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition or removal was commenced. Further, the person shall ensure that adequate measures shall be taken by way of fencing and screening to ensure public safety.
- c) Whenever a development permit is issued for the demolition or removal of a building it shall be a condition of the permit that the lot shall be cleaned, with all debris removed, and left in a graded condition after completion of the demolition.

SECTION SEVEN – GENERAL REGULATIONS

- d) measures to be taken to ensure that the demolition is done in a safe and efficient manner and that measures are to be taken to ensure the disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition are mitigated or minimal;
- e) timelines for completion of demolition and site restoration project;
- f) recent color photographs showing all sides of the building;
- g) a statement on the age, size and structural condition of the building;
- h) salvage operation and stockpiling of building demolition material and fill from excavation; and
- i) site restoration and land reclamation upon building demolition (filling, grading, landscaping, etc.).

7.5.2 RELOCATION OF BUILDINGS

- a) Place on a parcel a building which has previously been erected or placed on a different parcel, or
- b) alter the location on a parcel of a building which has already been constructed on that parcel unless a development permit has been issued by the development authority.
- c) In addition to the requirements of Section 2.3(1), PART TWO, the development authority may require an application for a development permit to be accompanied with
 - d) recent color photographs showing all sides of the building;
 - e) a statement on the age, size and structural condition of the building; and
 - f) a statement of proposed improvements to the building.
- g) An application for a development permit may be approved by the development authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- h) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the development authority may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- i) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

SECTION SEVEN – GENERAL REGULATIONS

7.6 **BUILDING – HEIGHT, DESIGN, CHARACTER AND APPEARANCE**

- (a) Subject to the provisions of other sections of this BYLAW, the Development Authority may regulate the height of buildings on a site for a DEVELOPMENT where a DEVELOPMENT PERMIT is required based on fire fighting capabilities, aesthetics, and/or other reasons deemed necessary by the Development Authority.
- (b) The design, character and appearance of any building, structure or sign proposed to be erected or located in any district must be acceptable to the Development Authority, having due regard to the amenities and the character of existing development in the district, as well as to its effect on development in adjacent districts.
- (c) The development of properties adjacent to residential areas 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.
- (d) 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.
- (e) All mechanical equipment shall be screened from view or incorporated into the roof envelope.
- (f) All street sides of corner lots and those backing onto parkland, green spaces or major roads shall be treated as a principal I and finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (g) 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.

7.7 **BUILDING – PLACEMENT**

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

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

SECTION SEVEN – GENERAL REGULATIONS

7.8 BUILDING – MOVED-IN

- a) Any building to be moved in or placed within any LAND USE DISTRICT established by this BYLAW, ~~other than a FARM BUILDING in an agricultural LAND USE DISTRICT,~~ shall require approval by the Development Authority.
- b) An application to move in a building may include:
 - i) a coloured photograph of the building;
 - ii) a statement of the present location of the building;
 - iii) a notification of the relocation route for buildings over 6.1 m (20 feet) wide;
 - iv) a complete site plan showing all buildings currently located or to be located on the LOT; and
 - v) a list of all proposed renovations.
- c) Any residential buildings to be moved to a residential LOT may be required to enter into a Development Agreement.
- d) Any residential buildings to be moved onto a residential LOT within a HAMLET are required to be renovated prior to the acceptance and issuance of a DEVELOPMENT PERMIT. Renovations may include, but are not limited to:
 - i) new siding,
 - ii) new windows,
 - iii) new doors,
 - iv) new roof, and/or
 - v) new shinglesAll required renovations shall be completed to the satisfaction and discretion of the Development Authority.
- e) Any commercial/industrial buildings to be moved into a HAMLET may be required to provide guaranteed security to the ensure completion of any renovations set as a condition of approval of a DEVELOPMENT PERMIT.
- f) The Development Authority may require that a notice in writing be forwarded to all ADJACENT landowners.
- g) The Development Authority may require notification of the relocation route for buildings over 6.1 m (20 feet) wide to be provided to the DEVELOPMENT OFFICER;
- h) Any building receiving approval to be relocated shall meet all existing standards, ordinances, rules, regulations, and BYLAWS, including the *Alberta Safety Codes Act*.
- i) When reviewing DEVELOPMENT PERMIT applications for a BUILDING – MOVED IN, the Development Authority shall consider the impact of the proposed building on the aesthetics and value of adjoining properties.

SECTION SEVEN – GENERAL REGULATIONS

7.9 BUSINESSES – DRIVE-THROUGH

- (a) 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.
- (b) The minimum required front yard shall be 3.0m (9.8ft), or such greater distance as prescribed for the district within which the development is located.
- (c) 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.
- (d) A minimum of 10% of the site area of a drive-through business shall be landscaped to the satisfaction of the Development Authority.
- (e) Where a drive-through business is located abutting to a residential district, screening shall be provided to the satisfaction of the Development Authority.
- (f) A minimum of two (2) queuing spaces shall be provided for each drive-in window.
- (g) All queuing spaces shall be a minimum of 6.5m (21.3ft) long and 3.0m (9.8ft) wide. Queuing lanes shall provide sufficient space for turning and maneuvering and not interfere with parking or access on the site.
- (h) The on-site layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- (i) 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 districts.
- (j) 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).
- (k) No curb cut shall be within 6.0m (19.7ft) from the nearest corner of the intersection of two roads.
- (l) The maximum width of a curb cut shall be 10.7m (35.1ft).
- (m) The minimum distance between adjacent curb cuts on the same side of a site shall be 6.0m (19.7ft), measured along the lot line.
- (n) A sufficient number of catch basins to drain the site shall be provided, to the satisfaction of the Development Authority.
- (o) The owner, tenant, operator, or person in charge of a drive-in business shall, at all times:
 - 1) Maintain the site and the buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition, free from all rubbish and debris;

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- 2) 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.

7.10 BUSINESSES – FARM SUBSIDIARY

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

7.11 ~~BUSINESS – HOME BASED~~ HOME BASED BUSINESS MINOR

- (a) ~~BUSINESS – HOME BASED~~ HOME BASED BUSINESS MINOR shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. ~~BUSINESS – HOME BASED~~ A HOME BASED BUSINESS MINOR shall not be a primary use of the residential building and shall not:
 - i) involve the storage of goods in the public view, a change in appearance of the residence or its ACCESSORY BUILDING, unless approved by the Development Authority, and
 - ii) require alterations to the building unless the alterations are approved by the Development Authority.
- (b) Signage for a ~~HOME BASED BUSINESS~~ HOME BASED BUSINESS MINOR shall be limited to one (1) SIGN not exceeding 1.1 sq m (12 sq feet) in area. Signage must conform to all other provisions of the SIGN regulation contained in Section 8 of this BYLAW.
- (c) Permits for ~~BUSINESS – HOME BASED~~ a HOME BASED BUSINESS MINOR shall be issued for a duration not exceeding two years from the date of issuance.
- (d) Permits for ~~HOME BASED BUSINESSES~~ a HOME BASED BUSINESS MINOR may be renewed upon the issued permit expiration date if, in the opinion of the Development Authority, the use remains to not be detrimental or incompatible with the surrounding neighbourhood.

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- (e) All permits for ~~BUSINESS—HOME BASED~~^a HOME BASED BUSINESS MINOR shall be subject to the condition that the permit may be revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental or otherwise incompatible with the amenities of the neighbourhood.
- (f) A ~~HOME BASED BUSINESS~~ HOME BASED BUSINESS MINOR is subject to all parking requirements and restrictions described in this BYLAW in Section 7.31.
- (g) At all times, the privacy of the adjacent dwellings shall be preserved and shall not unduly offend the surrounding residents by way of, but not limited to: excessive lighting, noise, traffic, congestion, late visitations by clients.

7.12 ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM

- 1) A ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM requires a development permit and shall meet all the following criteria:
 - (a) Located within a structure with no exterior storage permitted;
 - (b) Shall 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 Structures;
 - (c) Be operated by the permanent resident(s) of the principal dwelling, and may employ no more than two (2) non-resident on-site employees.
 - (d) Clients and customers of a ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM shall be permitted to visit the premises between the hours of 7:00 am – 8:00 pm, or as established by the discretion of the Development Authority; and
 - (e) The property of a ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM shall have no more than two (2) vehicles, used in conjunction with a ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM, parked and maintained on site. No vehicle, used in conjunction with a ~~BUSINESS—OWNER/OPERATOR 2~~ HOME BASED BUSINESS MEDIUM, shall have a gross vehicle weight greater than 22,600.0 kg (49,824.5 lbs).

7.13 ~~BUSINESS—OWNER/OPERATOR 1~~ HOME BASED BUSINESS MAJOR

- 1) A ~~7.13 BUSINESS—OWNER/OPERATOR 1~~ HOME BASED BUSINESS MAJOR requires a development permit and shall meet all the following criteria:
 - (a) Outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;
 - (b) The parking of any commercial vehicles shall not exceed a maximum of six (6). There shall be no vehicles over 53,500 kg (117,947 lbs) in gross vehicle weight used in conjunction with a ~~BUSINESS—OWNER/OPERATOR 1~~ HOME BASED BUSINESS MAJOR;
 - (c) Excluding the applicant and the applicants family who permanently reside on the subject parcel, a maximum of twelve (12) on-site employees may be permitted as

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part of the approval and operation of a major home occupation; additional employees may be permitted at the discretion of the Development Authority;

- (d) A ~~BUSINESS—OWNER/OPERATOR 1~~ HOME BASED BUSINESS MAJOR must not be located on a parcel less than 4.0ha (9.9 ac) in size; and
- (e) Clients and customers of a ~~BUSINESS—OWNER/OPERATOR 1~~ HOME BASED BUSINESS MAJOR shall only be permitted to visit the premises between the hours of 6:00 am – 8:00 pm or as established at the discretion of the Development Authority.

7.12 CAMPS – INDUSTRIAL CAMP AND BUNKHOUSE

- (a) A DEVELOPMENT PERMIT shall be required for the construction of an INDUSTRIAL CAMP providing accommodations for 25 or more individuals.
- (b) When reviewing an application under this section, the Development Authority shall consider the following:
 - i) the location, type, and purpose of the camp,
 - ii) access to the camp,
 - iii) the provision of services to the camp, and/or
 - iv) ADJACENT LAND uses.
- (c) The minimum setbacks shall be provided in accordance with the applicable land use district.
- (d) If a camp Development Permit is temporary and the INDUSTRIAL CAMP needs to remain on location past the expiry date, a time extension may be applied for at the COUNTY.
- (e) All camps located on Crown lands shall be subject to conditions of an approved lease applicable to the location from Alberta Sustainable Resource Development.
- (f) The DEVELOPMENT of a camp shall conform to the *Alberta Safety Codes Act*.
- (g) All parking must be provided on-site and parking areas, where required, shall be developed to the satisfaction of the Development Authority.
- (h) Provision of access shall be provided to the satisfaction of the County.

~~7.13 CARETAKERS RESIDENCE/SECURITY SUITE~~

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

7.14 CORNER LOTS

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

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would interfere with traffic safety.

7.15 **CROWN LAND TRANSFERRED TO PRIVATE OWNERSHIP**

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

7.16 **DANGEROUS GOODS**

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

7.17 **RESIDENTIAL SALES CENTRE**

- (a) On-site parking shall be provided at a rate of parking spaces per 100 m² 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.
- (b) The siting and development of a RESIDENTIAL SALES CENTRE shall be in compliance with the regulations of the Land Use Zone intended to be applied to the site to accommodate future residential development; provided that the DEVELOPMENT OFFICER may attach additional conditions to minimize adverse impacts on adjacent development, including the construction of roadways or temporary turnarounds, in accordance with Mackenzie County's Design Standards.
- (c) Excluding advertising copy, the colours and materials employed for the exterior finishes, whether permanent or temporary, shall be compatible with those commonly found in Residential Zones.
- (d) Any exterior lighting shall be designed and located such that no light is directed at adjoining properties and such that the effectiveness of any traffic control devices is not impaired.

Development Permit Application Requirements

- (e) A DEVELOPMENT PERMIT application for a RESIDENTIAL SALES CENTRE shall be accompanied by the following information in addition to the information required by subsection 5.5.1 of this Bylaw:
 - i.) a context plan identifying the nature of the land uses and development within a 60.0 m radius of the proposed Site;
 - ii.) a description of the exterior finish materials and colours for any structure including any proposed hoardings or false fronts;
 - iii.) drawings showing the location, area, Height, construction material, colour and method of support for any proposed on-site identification and advertising

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Signs, including any advertising or super graphics that shall be displayed on a hoarding or false front;

- iv.) drawings showing the area, Height, construction materials and method of support for any proposed off-site Directional Signs, and a description of the proposed location for the Signs; and
- v.) the security required by section (v), below.

Permit Validity

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

Applicant Responsibilities

- (g) 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:
 - i.) contact an Alberta Land Surveyor to survey the Proposed Lots in accordance with the Plan of Subdivision;
 - ii.) provide access to the RESIDENTIAL SALES CENTRE such that the total unobstructed distance from a fire hydrant/firepond/other to the principal entrance of each RESIDENTIAL SALES CENTRE is not more than ninety (90) metres or such distance as approved by Fire Rescue Operations. An access road(s) shall be constructed to County standards suitable for fire truck use; and
 - iii.) have erected on the site a sign bearing the words: *“This RESIDENTIAL SALES CENTRE has been approved for the sole purpose of marketing homes in this area. Be advised that this RESIDENTIAL SALES CENTRE cannot be sold or occupied as a residential dwellings until such time that it has been approved for occupancy by Mackenzie County. For more information call “Insert Developer Name and Phone Number”.*
- (h) A RESIDENTIAL SALES CENTRE may not be used for occasional or permanent residential accommodation purposes.
- (i) Where full services are not available to the site, a RESIDENTIAL SALES CENTRE shall be provided with a sanitary privy which meets the standards of all applicable health and safety legislation.

Non Compliance Fines

- (j) In the event either:
 - i.) the owner of the site on which a RESIDENTIAL SALES CENTRE is located fails to enter into an Development Agreement with the County within one (1) year next

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following the issuance of a DEVELOPMENT PERMIT for the RESIDENTIAL SALES CENTRE; or

- ii.) the owner of the site on which a RESIDENTIAL SALES CENTRE is located fails to register a Plan of Subdivision for the subject lands in accordance with the approval granted by the Subdivision Authority within one (1) year next following the issuance of a DEVELOPMENT PERMIT for the RESIDENTIAL SALES CENTRE; or
- iii.) 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
- iv.) 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
- v.) the DEVELOPMENT PERMIT for a RESIDENTIAL SALES CENTRE expires without a replacement having been issued,

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

- vi.) the work outlined herein having been completed to the satisfaction of the DEVELOPMENT AUTHORITY; or
- vii.) a DEVELOPMENT PERMIT for the conversion of the RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY having been issued in accordance with this Bylaw.

Real Property Report

- (k) The owner of the site on which a RESIDENTIAL SALES CENTRE is located shall, within two (2) weeks or otherwise determined by the I AUTHORITY following the placement of BASEMENT or foundation walls, provide to the DEVELOPMENT OFFICER a Real Property Report confirming the location of the same on the site.

Construction Completion Certificate

- (l) A DEVELOPMENT PERMIT converting a RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY may not be issued unless and until Construction

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Completion Certificate has been issued, respecting all municipal services to the site in accordance with a Development Agreement made with the County.

- (m) Upon the issuance of a DEVELOPMENT PERMIT for a RESIDENTIAL SALES CENTRE, the County may register a caveat against the title to the subject lands advising prospective purchasers that the said lands have not been approved for residential occupancy. Any such caveat registered by the County shall be discharged up the earlier of:
 - i.) the removal of the RESIDENTIAL SALES CENTRE in accordance with the requirements of section (v), above; and
 - ii.) the issuance of a DEVELOPMENT PERMIT for the conversion of the RESIDENTIAL SALES CENTRE to a DWELLING – SINGLE FAMILY in accordance with this Bylaw.

7.18 DUGOUTS

- (a) Dugouts of at least 50.0 m³ (1,765.0 ft³) in capacity shall be set back a minimum distance of 45.72 m (150.0 ft) from all property lines and residences.
- (b) Dugouts in agricultural districts shall not require a development permit.
- (c) Dugouts and Water Reservoirs in non-agricultural areas may be developed, subject to the following:
 - i) The applicant is to specify where the soil from the excavation is to be stored or relocated;
 - ii) The dugout shall be fenced and/or bermed to the satisfaction of the Development Authority; and
 - iii) The dugout shall be developed in a manner that a minimum of one side no narrower than 3.0 m (9.84 ft) horizontally be developed from the bottom to the top with a slope not in excess of 5:1.
- (d) The Development Authority may require other design standards to ensure public safety through the development of dugouts or Water Reservoirs in non-agricultural areas.

7.19 DWELLING UNITS PER PARCEL

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

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~~iv) a caretakers residence/security suite pursuant to Section 7.13, and/or~~
v) iv a GARDEN SUITE or SECONDARY SUITE.

- (c) The following provisions shall apply to a GARDEN SUITE:
- (i) Within the hamlet boundaries, a GARDEN SUITE shall be designed to reasonably complement the existing primary dwelling on the site, as demonstrated by the roof pitch and exterior finishing being similar in design, colour and material.
 - (ii) The appearance and quality of the finishing materials of the GARDEN SUITE shall reflect the fact that it is a dwelling unit.
 - (iii) Only one GARDEN SUITE may be considered per lot.
 - (iv) A GARDEN SUITE shall not be allowed on the same site containing a secondary suite.
 - (v) A GARDEN SUITE may be attached to or be developed above a detached garage.
 - (vi) The maximum floor area for GARDEN SUITES shall be 120 m².
 - (vii) The maximum distance between the GARDEN SUITE and the primary dwelling shall be 100 m.
 - (viii) A GARDEN SUITE is permitted to have a second level as long as the total floor area remains within the 120 m² limit.
 - (ix) The maximum height of a GARDEN SUITE shall be no taller than that of the principal dwelling unit.
 - (x) The minimum side and front yard setbacks of the GARDEN SUITE shall be same as the principle dwelling.

7.20 EASEMENTS/RIGHTS-OF-WAY

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

7.21 ENGINEERING GUIDELINES

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

7.22 ENVIRONMENTAL AUDITS AND ENVIRONMENTAL IMPACT ASSESSMENTS

- (a) The Development Authority may require an applicant to submit a report summarizing an ENVIRONMENTAL AUDIT or an ENVIRONMENTAL IMPACT ASSESSMENT, as part of a DEVELOPMENT PERMIT application, an application to amend this BYLAW, an application for subdivision approval, or an application to amend a statutory plan.
- (b) The ENVIRONMENTAL AUDIT REPORT shall contain:
- i) a history of the subject property's ownership and use;

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

7.23 **ENVIRONMENTALLY SENSITIVE LANDS**

- (a) DEVELOPMENT on lands, which are designated or deemed by the COUNTY to be environmentally sensitive, shall be discouraged.
- (b) When reviewing an application for DEVELOPMENT on ENVIRONMENTALLY SENSITIVE AREAS, the Development Authority shall consider the following:
- i) the impact of the proposed DEVELOPMENT on the subject property and surrounding area,
 - ii) the soil and slope conditions of the area surrounding the subject property,
 - iii) any information on the past history of the subject property and surrounding area from a geo-technical perspective, and
 - iv) comments and recommendations from Alberta Environment [and Parks](#).
- (c) As part of the DEVELOPMENT PERMIT application, the Development Authority may require a geotechnical study, prepared by a qualified geotechnical engineer, addressing the proposed DEVELOPMENT. The geotechnical study will establish building setbacks from property lines based upon the land characteristics of the subject property.

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

7.23 FENCES

- (a) In a HAMLET, no fence within a YARD – INTERIOR or YARD – REAR shall exceed 1.8 m (6 feet) in height with exception as approved by the Development Authority.
- (b) In a HAMLET, no fence within the YARD – FRONT setback shall exceed 1.2m (4ft) in height, with exception as approved by the Development Authority.
- (c) In a HAMLET, a fence extruding perpendicularly from a dwelling into a YARD – SIDE shall not exceed 1.8m (6ft) in height.
- (d) No fence on a CORNER LOT within a SIGHT TRIANGLE shall exceed 1.2m (4ft) in height, with exception as approved by the Development Authority.

INSERT DIAGRAM

7.24 ~~FIRE CODE SETBACKS~~ SETBACKS FROM PIPELINES AND OTHER UTILITIES

~~The Fire Code setbacks are:~~

- ~~(a) 3.1 m (10 feet) from a building and/or property line for gas line,
(b) 1.5 m (5 feet) from a building and/or property line for diesel line, or
in accordance with the current Provincial as amended from time to time Fire Code,
whichever is the greater. Setbacks from pipelines or other utility corridors shall be as
required by the Development Officer and in accordance with Alberta Energy Regulator
(AER) as well as other relevant provincial regulations.~~

7.25 FLOOD PRONE LANDS

- (a) DEVELOPMENT on land which may be subject to flooding or within an identified Flood Hazard Area shall not be permitted on lands that are is prohibited unless a site

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- ~~specific assessment within the 1:100-year flood plain, unless otherwise permitted in this BYLAW. See Schedule “A”, Map “D”. (to identify 1:100 Year Flood plain level) is conducted to determine the exact flood risk and flood mitigation measures are determined.~~
- (b) DEVELOPMENT on lands which have been identified within a as Flood Hazard Area and designated as a two-zone (floodway/flood_-fringe) flood area¹, shall be restricted to the following land uses:
- i) In floodway areas, new DEVELOPMENT shall not be allowed except for the following:
 - (1) non-obstructing agricultural uses;
 - (2) recreational uses;
 - (3) flood control measures; and
 - (4) public works facilities.
 - ii) In flood_-fringe areas, new DEVELOPMENT shall not be allowed except for otherwise approved land uses which comply with all applicable flood-proofing measures as are required by the Development Authority and/or Canada Mortgage and Housing Corporation.
- (d) Notwithstanding subsection (b), and at the discretion of the Development Authority, infill DEVELOPMENT may be allowed on lands within the 1:100 year flood_-fringe area: 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.
- (e) Any DEVELOPMENT PERMIT issued for DEVELOPMENT within the 1:100 year flood plain shall have, as a condition of approval, a restrictive covenant registered against the title of the subject property related to the approved DEVELOPMENT.
- (f) Reviewing a DEVELOPMENT PERMIT application for a DEVELOPMENT on a site which the COUNTY determines may be subject to flooding or is located in a designated flood plain, the Development Authority shall consider flood damage reduction measures and may approve the proposed DEVELOPMENT subject to any or all of the following:
- i) the usage of fill, piles, posts, or piers to raise the DEVELOPMENT above the 1:100 year flood level;
 - ii) flood-proofing standards which allow BASEMENTS to be flooded without significant damage to the structure;
 - iii) other flood reduction measures as approved by Canada Mortgage and Housing Corporation;
 - iv) diking of the watercourse by an approved agency;
 - v) increased DEVELOPMENT setbacks from the watercourse;
 - vi) specification of specific DEVELOPMENT locations and/or orientations;

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

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- vii) the usage of back-flow prevention valves (stop valves);
- viii) any other flood abatement measures deemed necessary by the Development Authority;
- ix) a certificate from a qualified professional engineer certifying that the design for the proposed DEVELOPMENT was undertaken with full knowledge of the potential for flooding on the subject property; and
- x) comments and recommendations from Alberta Environment and Parks.

7.26 GARAGES DETACHED AND ATTACHED

~~(a) Unless otherwise specified in this BYLAW, a residential GARAGE-DETACHED within any HAMLET shall be limited to one per LOT. No property shall have more than one GARAGE – ATTACHED or GARAGE – DETACHED if such use classes are permitted or discretionary.~~

~~(b) In addition to complying with the other subsections of this section, any private GARAGE located in a HAMLET shall be positioned so that the vehicle entrance doors shall be no closer than 7.6 m (25 feet) to the property boundary upon which they open. No private GARAGE shall be located with the vehicle entrance doors facing the public utility lot and/or lane.~~

~~The vehicle entrance door in a HAMLET residential GARAGE shall not exceed 3.7 m (12 feet) in height.~~

~~(b) A GARAGE – ATTACHED or GARAGE – DETACHED shall:~~

- ~~i. be located no closer to a front property line than the associated dwelling; and~~
- ~~ii. have a maximum vehicle entrance door height of 4.6m (15ft).~~

~~(c) A GARAGE – ATTACHED:~~

- ~~i. may be required, at the discretion of the Development Authority, to be positioned in order to reflect the placement of a GARAGE – ATTACHED on an adjacent property; or~~
- ~~ii. 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.~~

~~(d) A GARAGE – DETACHED shall not:~~

- ~~i. be located within any required front yard;~~
- ~~ii. be located within 1.5m (4.9ft) of any side property line;~~
- ~~iii. exceed 100.0m² (1076.4ft²) in area;~~
- ~~iv. exceed one storey in height unless to provide for a GARDEN SUITE on the second storey.~~

~~(e)–~~

7.27 HAZARDOUS SITES WASTE MANAGEMENT SETBACKS

~~DEVELOPMENT within the proximity of WASTE TRANSFER STATION or wastewater stabilization pond and/or any other hazardous site shall be in accordance with the Subdivision and Development Regulation. No residential, school, hospital or food establishment shall be permitted within:~~

- ~~(a) 450.0m of the working area of an operating landfill;~~

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- (b) 300.m of the disposal area of an operating or non-operating landfill;
- (c) 450.0m of the disposal area of a non-operating hazardous waste management facility;
- (d) 300.0m of the working area of an operating storage site of a landfill;
- (e) 300.0m (984.25ft) of a WASTE TRANSFER STATION;
- (f) 300.0m (984.25ft) of a wastewater treatment plant;
- (e)(g) For the purpose of calculating setbacks from active wastewater treatment plants, landfills or WASTE TRANSFER STATIONS, the property line shall be considered the “working area.”

7.28 **ILLUMINATION**

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

7.29 **LANDSCAPING, SCREENING OR SOUND BARRIERS**

- (a) The native vegetation found on a site shall be maintained where possible to the satisfaction of the Development Authority.
- (b) Any area required to be landscaped may, at the discretion of the Development Authority, be loamed and planted with grass, trees, shrubs, and/or flowers, or similar materials or a combination thereof, which will enhance the appearance of the site and complement the DEVELOPMENT on the site.
- (c) Rural industrial parks may require screening around the outside perimeter of the park at the discretion of the Development Authority.
- (d) Screening materials shall be satisfactory to the Development Authority and may consist of landscaping, trees, berms, hedges, opaque fencing, decorative walls, architectural features, similar techniques or any combination thereof.
- (e) Where landscaped strips are required they shall be a minimum of 3.1 m (10 feet) in width and consist of a combination of grass, shrubs, and trees or as directed by the Development Authority. Decorative paving materials may be used instead of landscaping at the discretion of the Development Authority.
- (f) Screening techniques and/or sound barriers may be used where a commercial or industrial use abuts a Residential zone, or where a DWELLING – ROW abuts a residential LAND USE DISTRICT where DEVELOPMENT is limited to DWELLING – SINGLE FAMILY or DWELLING – DUPLEX. The Development Authority may require

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additional setbacks as a means of minimizing conflicts between conflicting land uses, including but not limited to, incompatible uses that abut a railway line.

- (g) Truck parking areas shall be located on a commercial or industrial site to reduce noise impacts upon residential areas.
- (h) Sound barriers may be required where truck parking areas abut a residential use or LAND USE DISTRICT.
- (i) The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.
- (j) Low Impact Development (LID) features should be incorporated into commercial developments. Examples of LID are; landscape conservation, green roofs, rain gardens and rain barrels.
- (k) Trees and Shrubs **shall** be setback at least 1.5 meters (5 feet) from the side and rear property lines to avoid overgrowth and leaf shed into neighbouring properties. No setback is required for the front property line. Owners of the trees and shrubs are responsible for their upkeep and maintenance, and to ensure they do not negatively impact neighboring properties.

7.30 **LOT AREA**

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

7.31 **MANUFACTURED HOMES**

- (a) MANUFACTURED HOMES shall be of sound construction and appearance at the discretion of the Development Authority.
- (b) A MANUFACTURED HOME shall have a minimum:
 - a. Roof pitch of 5.0 cm (1.97 inches) of vertical rise for every 30.0 cm (11.81 inches);
 - b. Overhang of 15.24 cm (6.0 inches); and
 - c. Length to width ration of 3:1.
- ~~(b)~~(c) Any exterior renovation requirements imposed by the Development Authority to a MANUFACTURED HOME shall be completed prior to the placement of the building on the site.
- ~~(c)~~(d) The undercarriage of a MANUFACTURED HOME shall be screened from view by the foundation or skirting or other means satisfactory to the Development Authority.

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~~(d)~~(e) All ACCESSORY structures, additions, porches, and skirting shall be of a quality and appearance equivalent to the MANUFACTURED HOME and reflect with the standard of the neighbourhood to the satisfaction of the Development Authority.

~~(e)~~(f) All connections to municipal water and sewer systems shall be adequately insulated.

7.32 **PARKING**

(a) The following requirements shall apply to all parking facilities required by this BYLAW. ~~Notwithstanding the requirements of this part, specific rules contained in any LAND USE DISTRICT shall govern the parking and loading requirements for that LAND USE DISTRICT.~~

(b) Where ~~handicap 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 may also be painted onto the parking lot surface however shall be done in addition to the signs on posts or wall of the building.

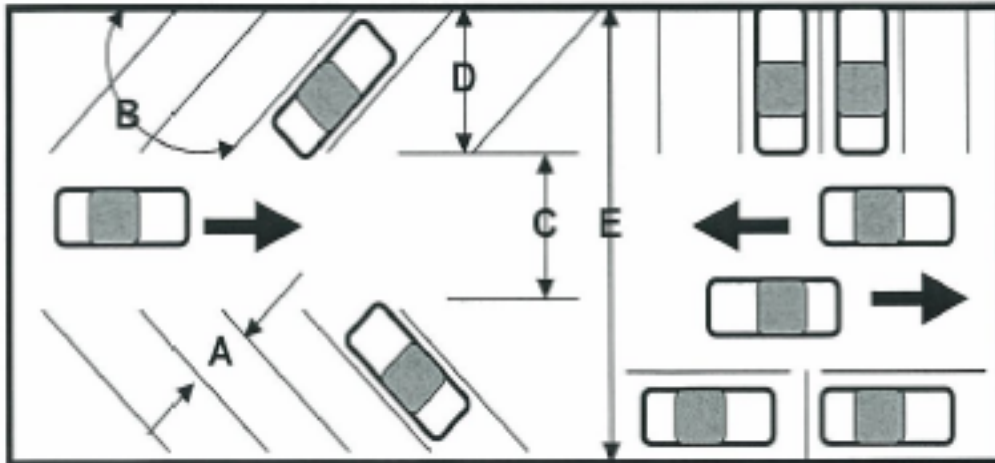
(c) Where the parking lot is designed with specific entry and exit, signage shall be placed on posts clearly marking the entry and exit. Such signs shall be placed in accordance with standard sign requirements and to the satisfaction of the Development Authority.

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

Table A – Parking Standard Dimensions

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

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- (e) Where a drive through facility, ~~a VEHICLE WASH ESTABLISHMENT~~, quick lube, or similar facility is required, sufficient vehicle stacking shall be provided on the site for a minimum of five (5) passenger vehicles or three (3) large trucks. This requirement is in addition to the parking standards as outlined in Table B – Minimum Parking Standards.
- (f) Unless otherwise specified by the Development Authority, the parking standards outlined in Table B – Minimum Parking Standards shall apply to all LAND USE DISTRICTS.
- (g) All commercial and/or industrial uses shall provide 1 parking stall per full time employee and 1 parking stall per 2 part time employees unless otherwise specified in Table B – Minimum Parking Standards.

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Table B – Minimum Parking Standards

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

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Theatre and Cinemas	1 stall per 3 seats
Warehouse, Outdoor Storage	1 stall per 50 sq m (538 sq ft) of gross FLOOR AREA, plus 1 stall for every 3 employees required during the maximum working shift
Any Other Use	1 space per 37.2 sq m (400 sq ft) of gross FLOOR AREA

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

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7.33 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- a) No more than one (1) RECREATIONAL VEHICLE shall be allowed to be stored or parked on a parcel (registered property) within any residential LAND USE DISTRICT. ~~Where approved by the Development Authority, additional RECREATIONAL VEHICLES may be stored or parked in an agricultural LAND USE DISTRICT or a LAND USE DISTRICT that permits storage, and not more than two (2) recreational vehicles shall be stored or parked on a lot in all other Districts, except where approved by the Development Authority.~~
- b) No trucks, trailers, or tankers with a gross vehicle weight (G.V.W.) rating in excess of 4,082 kg (9,000 pounds) shall be allowed in a hamlet residential LAND USE DISTRICT for longer than is reasonably required to load or unload such a vehicle.

~~No dismantled or wrecked vehicles may be located in any HAMLET residential LAND USE DISTRICT.~~

~~No farm/industrial/commercial equipment shall be allowed or stored in hamlet residential LAND USE DISTRICTS.~~

- c) No person shall keep in any yard, within a Residential Land Use District, any object which in the opinion of the Development Authority contravenes the County's Unsightly Premises Bylaw No. 770-10 and may be unsafe, unsightly, or adversely affects the amenities of the neighbourhood. This includes, but not limited to, dismantled or wrecked vehicle, farm/industrial/commercial equipment, and any excavation, stockpiling, or storage of materials, explosives, flammable liquids, diesel fuel, and gasoline products, other than typically required for home use.

7.34 OILFIELD FACILITIES SETBACKS FROM GAS AND OIL WELLS

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

- (a) 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.
- (b) 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 AER, being located within 100 metres of a gas or oil well or within a lesser distance approved in writing by the AER.

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

(d) The setback property lines shall be established so that the well is no less than 5.0m (16.40ft) from the setback property line. A minimum 8.0m (26.25ft) width access to this setback area shall be maintained.

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

7.36 SETBACKS FROM SOUR GAS FACILITIES

(a) No subdivision or development proposal for a residence or public facility within 1.5km (4,921.26ft) of a sour gas facility shall be permitted without the consent of the Alberta Energy Regulator.

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

7.35 PRESSURE VESSEL STORAGE FACILITIES SERVICE STATIONS AND BULK FUEL STORAGE

Residential:

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

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

~~Notwithstanding other provisions of this BYLAW, no residential DEVELOPMENT shall be allowed within 450 m (1,476 feet) of existing PRESSURE VESSEL STORAGE with a liquid volume/capacity exceeding 5,460 L (10,000 gallons).~~

Commercial/Industrial/Agricultural:

~~a) PRESSURE VESSEL STORAGE facilities for materials, including but not limited to anhydrous ammonia, propane, and oxygen, with a liquid volume/capacity exceeding 45,460 L (10,000 gallons) shall not be allowed in the following areas:~~

~~i) inside and within a 3.2 km (2 mile) radius of the designated boundaries of any Settlement, HAMLET or Town;~~

~~ii) within a 1 mile (1.6 km) radius of any public or private school sites; or~~

~~iii) within a distance of 450 m (1,476 feet) from any existing residence.~~

~~b) Upon receipt of a DEVELOPMENT PERMIT application for a DEVELOPMENT which includes a pressure vessel container with a liquid volume/capacity exceeding~~

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4,546 L (1,000 gallons), the DEVELOPMENT OFFICER may require the applicant to include:

- ~~i) a site plan detailing the location of each pressure vessel;~~
 - ~~ii) an approved emergency response plan detailing procedures in the event of a pressure vessel rupture or explosion; and~~
 - ~~iii) where applicable, a contact person and the location of the nearest emergency response team provided by the product vendor.~~
- ~~(e) Upon receipt of an application for a DEVELOPMENT PERMIT which includes a pressure vessel with a liquid volume/capacity in excess of 4,546 L (1,000 gallons), the DEVELOPMENT OFFICER shall refer the DEVELOPMENT proposal to the applicable fire department fire chief for his/her comments and recommendations.~~
- ~~(f) When reviewing DEVELOPMENT proposals for the placement of commercial PRESSURE VESSELS with a liquid volume/capacity less than 4,546 L (1,000 gallons) within a HAMLET, the Development Authority shall consider:~~
- ~~i) material to be stored in the pressure vessel;~~
 - ~~ii) the orientation of the pressure vessel to buildings in the surrounding neighbourhood, especially those which are used for residential use or public assembly;~~
 - ~~iii) the ability of the local fire department to respond to an accident involving the proposed DEVELOPMENT as specified by the Fire Chief of the responding Fire Department; and~~
 - ~~iv) the truck route through the community which will be used to service the proposed DEVELOPMENT.~~

General Provisions:

- ~~— All PRESSURE VESSEL STORAGE containers shall be constructed, located, and inspected in accordance with the provisions of the *Alberta Safety Codes Act and/or Petroleum Tank Management Association of Alberta (PTMAA)*, and its regulations.~~
- ~~a) Petroleum Tank Management Association of Alberta (PTMAA) is the designated approval authority for administration of Alberta Fire Code for Mackenzie County as it relates to petroleum and/or bulk fuel product storage and system construction, registration, upgrading, testing, closure, maintenance and operation standards.~~
- ~~b) Prior to submitting a development permit application for SERVICE STATION and BULK FUEL STORAGE AND DISTRIBUTION, the applicant shall be required to seek a permit from PTMAA by submitting a completed application form and related information. The applicant will be required to submit the approved permit from PTMAA as part of their development permit application.~~
- ~~c) The setback requirements for the above-ground and underground storage tanks from buildings and property lines shall be to the satisfaction of PTMAA.~~
- ~~d) Yard setbacks shall apply to all above ground structures, including canopies.~~
- ~~e) 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.~~

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7.36 PRIVATE SEWAGE TREATMENT SYSTEMS

- (a) All private sewage treatment systems shall conform to the *Alberta Private Sewage Systems Standard of Practice-2009/2015, as amended from time to time.*
- (b) ~~The installation of a holding tank must receive written permission from the Development Authority prior to the approval of the Private Sewage Treatment permit. Written permission from the COUNTY is not required for the Country Recreational District. All private sewage treatment systems shall require development permit approval prior to installation. Applications shall be accompanied by a site evaluation report indicating the need for such a system, as well as site suitability. Such site evaluation shall be carried out in accordance with the requirements outlined in the Alberta Private Sewage Systems Standard of Practice 2015, as amended from time to time.~~

~~The applicant of a holding tank shall submit proof to the COUNTY that the site conditions on the property are not able to support a self-sustained private sewage system. This shall be obtained by a site evaluation as outlined in the Alberta Private Sewage Systems Standard of Practice 2009.~~

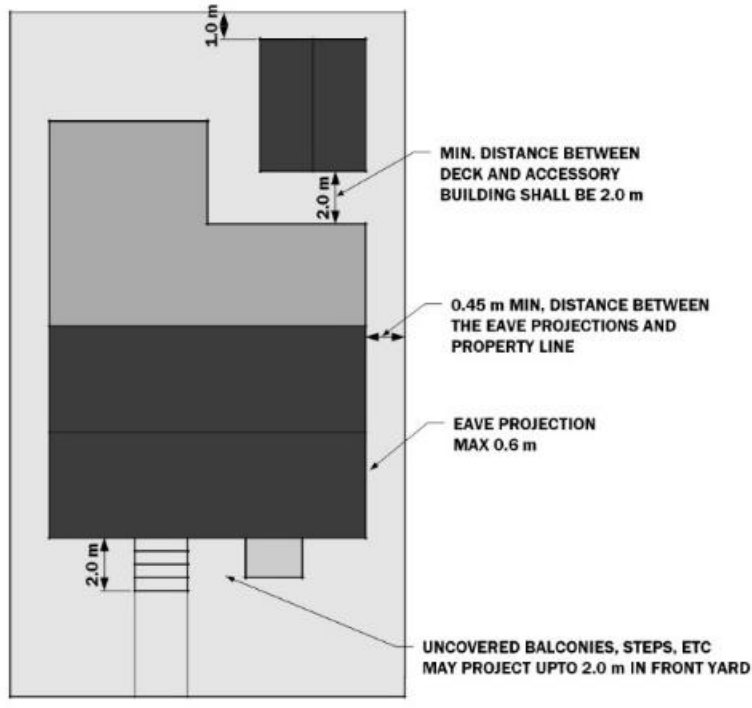
- (c) ~~Notwithstanding Section 7.36 (a), the soil-based treatment component of an private treatment system shall:~~
- ~~1) be located not less than 90m (300ft.) from the shore of a permanent body of water such as a lake, river, stream, or creek; or~~
 - ~~2) where a principal building is located between the system and a body of water, the setback distance may be reduced in accordance with the minimum separation standards for the specific type of system, as identified within the Alberta Private Sewage Systems Standard of Practice 2015, as amended from time to time.~~

7.37 PROJECTION OVER YARDS

The portions of ~~any-and~~ attachments to a main building which may project over or onto a minimum yard setback are:

- (a) ~~on a site in a residential district, architectural or ornamental features, such as a cornice, sill, canopy or eaves or a canopy of eaves~~ which do not project more than one-half of the minimum side yard ~~setbacks~~ required for the site, but not less than ~~0.91 m (3 feet)~~ 1.2m (3.94ft) from the side ~~boundary of the site, yard setback~~ for maintenance and access purposes.; ~~This is for a cornice or a canopy of eaves on a site in a hamlet residential LAND-USE DISTRICT;~~
- (b) a chimney which projects 0.6 m (2 feet) or less provided that in each case it is not less than 0.9 m (3 feet) from the side boundary of the site; and
- (c) unenclosed steps with or without a landing and less than 0.61 m (2 feet) above the surface of the yard if they do not project more than 2.4 m (8 feet) over or on a minimum front ~~yard~~ or rear yard or more than 0.9 m (3 feet) in a side yard.

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7.## PUBLIC UTILITY BUILDINGS AND EASEMENTS

- a) Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a site shall cause it to be placed in a location and with yard setbacks, which are satisfactory to the Development Authority.
- b) Utility lots, utility buildings and publicly owned buildings may be permitted in any District except as specifically regulated elsewhere in this Bylaw, and must comply with the specific landscaping requirements for that District.
- c) 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:
 - i. 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
 - ii. Written consent has been obtained from the person for whose use the easement has been granted.

7.38 RECREATIONAL USES

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

(a) Special Requirements:

- i) The recreational DEVELOPMENT shall be architecturally designed to be compatible with the surrounding area; and

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- ii) A RECREATION CENTRE OR LODGE may have ACCESSORY buildings available for the lodging of its patrons. In no way shall a RECREATION CENTRE OR LODGE be organized to provide any form of permanent habitation of the rooms by its patrons.

(b) Noise Attenuation:

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

(c) Environment:

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

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7.39 ROADS AND HIGHWAYS

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

7.40 SECONDARY SUITES

- (a) SECONDARY SUITES may be allowed by the DEVELOPMENT AUTHORITY in LAND USE DISTRICTS where listed as a DISCRETIONARY USE provided that all other applicable provisions of this BYLAW are met.
- (b) SECONDARY SUITES shall be limited to one per lot/residence.

7.41 SETBACKS FROM RAILWAY LINES

- (a) The minimum setback from railway rights-of-way and station grounds for buildings shall be as follows:
 - i) ~~15.216.0~~ m (~~50-52.49~~feet) for all residential, commercial, **PUBLIC USE**~~institutional~~, and recreational DEVELOPMENTS that are not deemed compatible with railway operations; and
 - ii) at the discretion of the Development Authority, for manufacturing and other land uses that are deemed compatible with railway operations.

~~If, in the opinion of the Development Authority, a DEVELOPMENT or SUBDIVISION proposal may be affected by railway operations, the Development Authority may refer the DEVELOPMENT or SUBDIVISION proposal to the Railway Authority for its review and comment.~~

~~(b) 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.~~

~~(b)(c) 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.~~

7.42 SIGNS

7.42.1 GENERAL PROVISIONS

- (a) All SIGNS shall be considered a DISCRETIONARY USE in all zoning districts.

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

7.42.2 SIGN REVIEW AND PROCESS

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

7.42.3 GENERAL SIGN REGULATIONS

- (a) Flashing, animated or interior illuminated SIGNS shall not be permitted in DEVELOPMENTS where they might, in the opinion of the Development Authority, affect residents in adjacent housing or residential areas; or interfere with the interpretation of traffic SIGNS or controls, or vehicular safety.
- (b) All SIGNS shall be kept in a safe, clean, and tidy condition, and may be required to be renovated or removed if not properly maintained.
- (c) A SIGN height must not exceed the maximum BUILDING HEIGHT allowed in the LAND USE DISTRICT or the height of the PRINCIPAL BUILDING on the subject property.

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- (d) No SIGN shall be illuminated unless the source of light is suitably shielded and must not pose a safety hazard to an adjacent site or road.
- (e) Wiring and conduits for electrified SIGNS must be concealed from view.
- (f) Temporary SIGNS that are not attached to the ground, a building, or structure, and are portable, such as A-board SIGNS, construction site identification SIGNS, changeable copy portable SIGNS, election candidate SIGNS, temporary community event SIGNS and real estate SIGNS, do not require DEVELOPMENT PERMITS but must contact the Municipal office and conform to the requirements of this BYLAW.
- (g) Illuminated or electronic message signs shall:
 - i. Not be allowed within residential districts;
 - ii. Have the ability to be dimmed to a level of satisfaction determined by the Development Authority;
 - iii. Not create hazards for pedestrians or motorists;
 - iv. Shall not have a light level exceeding 300 nits between the time of sunset and sunrise, nor 5,000 nits at other times; or
 - v. Not display an intermittent flashing, rotating or moving light; or

7.42.4 SIGNS IN RURAL AREAS

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

7.42.5 SIGNS IN HAMLETS

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

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

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

7.42.6 SIGN ENFORCEMENT

- (a) Where the Development Authority finds a SIGN that contravenes the provisions of this BYLAW, is abandoned, or in bad repair, they may by notice in writing, served personally or by registered mail, order the registered owner, person in possession of the land or building, or the person responsible for the SIGN to:
 - i) remove the SIGN within ten (10) days after receipt of the notice; or
 - ii) take such measures as are specified in the notice to alter the SIGN so it complies

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with the provisions of this BYLAW; or

- (b) take such measures as are specified in the notice to refurbish or alter the SIGN.
- (c) For temporary SIGNS, the Development Authority or Enforcement Officer may remove SIGNS that do not conform to the BYLAW, is abandoned, or in bad repair. All costs associated with the removal of the SIGN may be charged back to the owner of the SIGN with a minimum charge of \$50.00.

7.43 SUBDIVISION AND DEVELOPMENT REFERRALS

7.43.1 ALBERTA CULTURAL AND COMMUNITY SPIRIT

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

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

7.43.2 ALBERTA TRANSPORTATION

- (a) When the COUNTY receives an application for subdivision or a DEVELOPMENT PERMIT regarding a property that is located within 0.8 km (0.5 miles) of a HIGHWAY or that may impact on a HIGHWAY, airport, bridge, ferry, or other DEVELOPMENT administered by Alberta Transportation, a copy of the application shall be forwarded to Alberta Transportation for comments and recommendations.
- (b) Referrals are required for the following site locations:
 - i) Subdivision applications within 0.8 km (0.5 miles) of a HIGHWAY.
 - ii) A DEVELOPMENT PERMIT application within 300 m (984 feet) of a HIGHWAY.

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- iii) A DEVELOPMENT PERMIT application within 0.8 km (0.5 miles) of a HIGHWAY intersection.

7.43.3 CRITICAL WILDLIFE, VEGETATION, AND NATURAL ENVIRONMENTS

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

7.43.4 CROWN LAND DEVELOPMENT

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

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7.43.6 OTHER REFERRAL AGENCIES

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

7.44 ~~TARP SHELTERFRAME AND FABRIC STRUCTURE~~

Temporary

- (a) A ~~TARP SHELTERFRAME AND FABRIC~~ STRUCTURE shall be considered a ~~temporary~~ temporary accessory structure.
- ~~(b) An application for a DEVELOPMENT PERMIT for a FRAME AND FABRIC STRUCTURE shall specify a timeline for construction of a permanent building.~~
- ~~(b)(c)~~ (c) A DEVELOPMENT PERMIT for a ~~temporary TRAP SHELTER FRAME AND FABRIC STRUCTURE~~ shall be for a 2 year period with the option for renewal for a maximum of 4 years.

Permanent

- ~~(c) A TARP SHELTER with an area greater than 55.75 m² (600 ft²) shall be considered a permanent structure.~~
- ~~(d) A DEVELOPMENT PERMIT for a permanent TRAP SHELTER shall include provisions for regular maintenance and upkeep of the exterior TARP SHELTER covering.~~

7.45 TOPSOIL REMOVAL

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

7.45 UNSIGHTLY PROPERTY

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

- (a) improve the appearance of the property in the manner specified; or

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- (b) if the property is a structure, remove or demolish the structure and level the site; and
- (c) make any other changes in accordance with the COUNTY'S Unsightly Premises BYLAW [NO. 770-10](#).

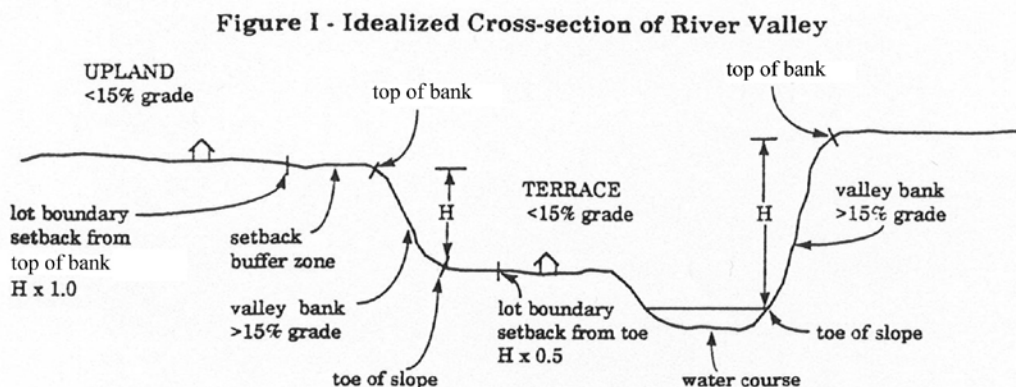
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7.46 SETBACKS FROM SLOPES AND WATERBODIES AND WATERCOURSES Development Setback

- (a) Where a parcel of land borders on or contains ~~a coulee, ravine, or valley, with or without a watercourse, a slope greater than 15%~~ the following minimum ~~building or structure~~ DEVELOPMENT setbacks, from the top of the bank ~~of the coulee, ravine, or valley,~~ shall apply: 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 I).

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

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



- ~~iii) Where DEVELOPMENT is proposed to locate on a bench below the bank top, the DEVELOPMENT will be required to meet the setback requirement from both the upper and lower benches.~~

(b)

- ~~(b)(c)~~ Notwithstanding the above, the Development Authority may increase ~~the a~~ building or structure minimum DEVELOPMENT setbacks where deemed necessary.

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~~(d)~~ A required minimum DEVELOPMENT setback from ~~the a~~ top of the bank ~~of a coulee, ravine, or valley being more than 7.6 m (25 feet) in depth~~ may only be relaxed if it can be shown through an acceptable geotechnical analysis that the proposed DEVELOPMENT site is suitable for the proposed DEVELOPMENT.

~~(e)~~(e) 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.

~~(d)~~(f) Where a parcel of land borders on or contains a water body the building setback from the top of the bank shall not be less than 30.5 m (100 feet) ~~from a water body~~.

(g) In making a decision on the setback from a water body, the Development Authority may refer the application for a DEVELOPMENT PERMIT to Alberta Environment and Parks for comments prior to issuing a permit. If Alberta Environment and Parks requires that the setback be greater than stated in this BYLAW, the provincial standard will apply.

~~(e)~~

7.47 WILDLAND/URBAN INTERFACE DEVELOPMENTS – REMOTE AREAS

(a) When, in the opinion of the Development Authority, a proposed DEVELOPMENT would be located in an area which may be a significant wildfire hazard area, or too remote for existing municipal services to be effective in an emergency, the Development Authority shall consider the following as a condition(s) to the issuance of a DEVELOPMENT PERMIT:

- i) the suitability of the site for the proposed use;
- ii) measures which can be taken to reduce fire hazard may include, but at the discretion of the Development Authority, are not limited to:
 - (1) A ~~5-m (16 feet)~~10m minimum perimeter radius around all structural DEVELOPMENTS on the site which should be free of all trees, shrubs and fine fuels;
 - (2) A reduced fuel zone perimeter radius of ~~5-m (16 feet)~~20m 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 and any loose flakey bark shall be removed to a height of 2 m ~~(6.5 feet)~~ above ground level;
 - (3) The installation of spark arresters on all fire-places and chimneys;
 - (4) Access standards shall meet FireSmart recommended guidelines and may include Tthe provision of an emergency access;
 - (5) Roofs to be constructed of non-combustible or combustion retardant materials meeting a minimum ULC Class C rating;
 - (6) The provision of an adequate on/off-site water supply and equipment for firefighting purposes (such as fire extinguishers). A recommended water supply for residential DEVELOPMENTS is a minimum of 225 L (49.5 gallons); and
 - ~~(7) A firebreak of 5 m (16 feet) in width shall be cleared of standing trees and all fine fuels around the entire perimeter of the site.~~
 - (7) All decks and porches less than 2m from ground-level with exposed undersides shall be sheathed from the floor-level to ground-level with non-

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combustible material to prohibit the entry of sparks and embers under the structure;

(8) All above-ground propane tanks, greater than 100 gallons, shall have a minimum of 3m non-combustible clearance from wildland fuels.

(b) When, in the opinion of the Development Authority, a proposed DEVELOPMENT would be located in an area which may be susceptible to wildfires from on-site or adjacent forested areas, the Development Authority may consult with ~~a Forest Protection Officer of Alberta Environment~~ Alberta Wildfire Management on “Fire Smart-~~Planning~~” recommendations prior to the issuance of a DEVELOPMENT PERMIT.

7.48 SEA CANS SHIPPING CONTAINERS

(a) A SHIPPING CONTAINER ~~Will~~ shall be considered an ACCESSORY BUILDING to the PRINCIPAL BUILDING, except for within the Zama Industrial District where they may be a principal use;

~~(b) Will only be approved within Industrial Land Use districts, except in the Zama Mixed Use District where they may also be approved~~No SHIPPING CONTAINER shall be permitted within a residential Land Use District;

(c) The maximum number of SHIPPING CONTAINERS that shall be allowed on a parcel, excluding heavy industrial Land Use Districts, is as follows:
a. One (1) SHIPPING CONTAINER on parcels 0.07ha – 4.05ha (0.17ac – 10.0ac);
b. Three (3) SHIPPING CONTAINERS on parcels 4.05ha – 12.14ha (10.0ac – 30.0ac); and
c. Four (4) SHIPPING CONTAINERS on parcels 12.14ha (30.0ac) or more.

(d) A SHIPPING CONTAINER within a non-heavy industrial Land Use District shall:
a. ~~Will~~ Have an exterior finish that matches or compliments the exterior finish of the PRINCIPAL BUILDING; and
~~b.a.~~
b. ~~Will be~~ Be visually screened from public view roads and neighbouring properties; to the satisfaction of the Development Authority.

(e) No SHIPPING CONTAINER shall be allowed in any front yard of a property.

(f) A SHIPPING CONTAINER shall be allowed to the side or rear of buildings on the same parcel and shall not be placed within required setbacks.

~~(e)(g)~~ Will not be allowed to be stackedA SHIPPING CONTAINER shall not be stacked on top of another SHIPPING CONTAINER;

~~(d) Will be used for storage purposes only excluding any dangerous or hazardous materials or containers unless appropriate materials signage is applied to the exterior of the Sea Cans~~A SHIPPING CONTAINER shall be used for storage purposes exclusively, excluding any dangerous or hazardous materials;

SECTION SEVEN – GENERAL REGULATIONS

~~(e)(h) Will have an exterior finish that matches or compliments the exterior finish of the principal building; and~~

~~(f)(i) Will be screened from view, to the satisfaction of the Development Authority.~~

7.49 **Swimming Pools**

- (a) All swimming pools shall be enclosed with a wall or fence no less than 1.8 m (5.9 ft) above grade with a secure locking mechanism to prevent unauthorized entry.
- (b) All above-ground, pre-manufactured swimming pools with a water volume more than 6.12 m³ (216.12 ft³) require a permit.

7.50 **Township Road 1062 (88 Connector Road) Setback**

- (a) Minimum setback shall be:

82.3 meters (270 feet) along the south side of Township Road 1062 to maintain the future use as a major utility corridor.

7.51 **CONFINED FEEDING OPERATIONS**

- (a) 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.
- (b) Notwithstanding the aforementioned, development of a CFO shall be consistent with the land use provisions of the MDP.
- (c) Notwithstanding any other provision of this Bylaw that requires a minimum setback, the Minimum Distance Separation between a proposed dwelling unit and a confined feeding operation (CFO), as determined by the NRCB, shall be the required distance of separation between a proposed CFO and an existing dwelling unit.
- (d) Where more than one (1) minimum setback distance is applicable under this Bylaw, the greater distance shall prevail.
- (e) 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.
- (f) 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 confined feeding operation, 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 confined feeding operation 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 confined feeding operation use.

SECTION SEVEN – GENERAL REGULATIONS

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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

Section	LAND USE DISTRICT	Page
<u>RURAL</u>		
8.1	A AGRICULTURAL	
8.42	F FORESTRY	
8.273	RC1RC RURAL COUNTRY RESIDENTIAL 1	
	R1	
8.294	RC3RC RURAL COUNTRY RESIDENTIAL 3	
	R3	
8.465	GRCRE COUNTRY RECREATIONAL	
	C	
8.306	R1RIL RURAL LIGHT INDUSTRIAL LIGHT DISTRICT	
8.347	R12RIG RURAL GENERAL INDUSTRIAL GENERAL DISTRICT	
8.28	AP AIRPORT	
<u>GENERAL</u>		
8.239	PI PUBLIC/INSTITUTIONAL	
8.2510	PREC PARKS AND RECREATION	
8.3211	UF URBAN FRINGE	
8.312	DC DIRECT CONTROL	
<u>HAMLET</u>		
8.813	HCR4H- HAMLET COUNTRY RESIDENTIAL-4	
	CR	
8.4214	H-R1 HAMLET RESIDENTIAL 1	
8.4315	H-R1A HAMLET RESIDENTIAL 1A	
8.4416	H-R1B HAMLET RESIDENTIAL 1B	
8.4517	H-R2 HAMLET RESIDENTIAL 2	
8.2018	MHC MANUFACTURED HOME COMMUNITY	
8.19	MHS MANUFACTURED HOME SUBDIVISION	
<u>HAMLET SPECIFIC</u>		
8.520	HGC4F FORT VERMILION HAMLET COMMERCIAL	
	V-CC CENTRE	
8.621	HC4FV- FORT VERMILION HIGHWAY COMMERCIAL	
	HC DISTRICT	
8.722	LG4FV- FORT VERMILION LIMITED GENERAL	
	LI INDUSTRIAL LIGHT INDUSTRIAL	
8.23	FV-HI FORT VERMILION HEAVY INDUSTRIAL	
8.4924	TC4LC- LA CRETE TOWN CENTRE DISTRICT	
	TC	
8.4825	HC2 LA CRETE HIGHWAY COMMERCIAL DISTRICT	
	LC-HC	
8.26	LC-MS LA CRETE MAIN STREET	
8.9	HCR2 HAMLET COUNTRY RESIDENTIAL 2	
8.4727	GC4LC- LA CRETE GENERAL COMMERCIAL DISTRICT	
	GC	

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.4028	HI1LC- LI	HAMLET INDUSTRIAL-1 LA CRETE LIGHT INDUSTRIAL
8.4429	HI2LC- HI	HAMLET INDUSTRIAL-2 LA CRETE HEAVY INDUSTRIAL
8.3330	ZZ-I	ZAMA CITY INDUSTRIAL
8.3431	MUZ- MU	ZAMA CITY MIXED USE
8.3532	ZRZ-R	ZAMA CITY RESIDENTIAL
8.3633	ZRBZ- RB	ZAMA CITY RESIDENTIAL-BUSINESS

LAND USE DISTRICT BOUNDARIES

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1 AGRICULTURAL “A”

~~The purposes of this LAND USE DISTRICT are to conserve land for a wide range of agricultural uses, to minimize the fragmentation of agricultural land, and to limit non-agricultural land uses to those which would not interfere with agricultural practices. The purpose of the Agricultural District (A) is to conserve intact quarter sections of agricultural lands for a wide range of agricultural uses.~~

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<ul style="list-style-type: none"> a) ABATTOIR b) ANCILLARY BUILDING/SHED ACCESSORY BUILDING c) <u>BED AND BREAKFAST BUSINESS</u> e)d) BUNKHOUSE d) CONTRACTOR'S BUSINESS/YARD e) DWELLING - SINGLE FAMILY e)f) <u>DWELLING UNIT</u> f)g) DUGOUT g)h) EXTENSIVE AGRICULTURE h)i) FARM SUBSIDIARY BUSINESS i)j) GARAGE - ATTACHED j)k) GARAGE - DETACHED k)l) GARDEN SUITE l)m) HOME BASED BUSINESS <u>MINOR</u> m)n) INTENSIVE AGRICULTURE 1 n)o) INTENSIVE AGRICULTURE 2 e)p) MANUFACTURED HOME - MODULAR p)q) MANUFACTURED HOME - MOBILE e)r) OWNER/OPERATOR BUSINESS <u>2 HOME BASED BUSINESS MEDIUM</u> r)s) <u>SEA CAN SHIPPING CONTAINER</u> e)t) SHOP – FARM t) STORAGE YARD u) YARD SITE DEVELOPMENT 	<ul style="list-style-type: none"> a) <u>AGGREGATE RESOURCE EXTRACTION</u> b) <u>AGGREGATE RESOURCE PROCESSING</u> a)c) AGRICULTURAL SUPPLY DEPOT d) AUCTION MART FACILITY e) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR AUTO SALVAGE</u> b) BED AND BREAKFAST BUSINESS f) <u>BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</u> e)g) DAY CARE HOME e)h) RESIDENTIAL SALES CENTRE e)i) CABIN f)j) CEMETERY g)k) <u>CHURCH PLACE OF WORSHIP</u> h)l) COMMUNICATION TOWER i)m) CONFINED FEEDING OPERATION j)n) DAY CARE FACILITY k)o) ENVIRO - TANK l) FOREST BASED INDUSTRY m) FORESTRY LOOKOUT TOWER n) HANDICRAFT BUSINESS e)p) INDUSTRIAL CAMP p) INSTITUTIONAL USE q) INTENSIVE RECREATIONAL USE r) KENNEL e)g) NATURAL RESOURCE EXTRACTION INDUSTRY t)r) OWNER/OPERATOR BUSINESS <u>1 HOME BASED BUSINESS MAJOR</u> u) PRESSURE VESSEL STORAGE v) PUBLIC USE w)s) <u>PUBLIC UTILITY</u> x) RETAIL STORE y)t) SECONDARY SUITE z) SELF STORAGE 2 (Bylaw 942-14) aa) SEWAGE TREATMENT PLANT u) <u>SHOP – PERSONAL</u> bb)v) <u>TEMPORARY/PORTABLE UNIT</u> cc) <u>TRADESMEN'S BUSINESS</u>
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

(a) **Parcel Density (maximum):** (*Bylaw 935-14*)

i) AGRICULTURAL SUBDIVISIONS:

The following standards shall apply to the number of parcels per Quarter*

Subdivision Type A:

- A quarter* may be subdivided a minimum of 20 acres up to an 80 acre parcel split, limited to two titles per quarter, no further subdivisions will be allowed in the two parcels splits,

Or:

Subdivision Type B:

- Three titles per quarter* with the balance of the quarter being one of the parcels; with the subdivided parcels being any two of the following:
 - i. Existing farmstead or homestead,
 - ii. Vacant parcel
 - iii. Fragmented parcel

RESIDENTIAL:

Minimum: 1.2 ha (3.0 acres)

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

**Quarter being defined as 160 acres more or less (this includes River Lots)*

Any Crown land parcels are not considered as Titled Land for the purpose of this bylaw

iii) All other uses:

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

(c) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

All other property lines:	15.2 m (50 feet)
<u>YARD – FRONT:</u>	<u>15.2m (50.0ft)</u>
<u>YARD – REAR:</u>	<u>7.5m (24.6ft)</u>
<u>YARD – SIDE:</u>	<u>6.0m (19.7ft)</u>

(d) DWELLING UNITS per parcel – See Section 7.17

D. ADDITIONAL REQUIREMENTS

- (a) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
- (c) In addition Section 7.49 of this Bylaw relates specifically to development south of Township Road 1062 (88 Connector Road).

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.42 FORESTRY “F”

The general intent of this LAND USE DISTRICT is to regulate land use within the Green Area of the COUNTY. The purpose of the Forestry District (F) is to regulate forestry industry related development within the County’s Green Area.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ANGILLARY BUILDING/SHED ACCESSORY BUILDING</p> <p>b) CABIN</p> <p>e) CARETAKERS RESIDENCE/SECURITY SUITE</p> <p>d)c) COMMUNICATION TOWER</p> <p>e)d) DUGOUT</p> <p>f)e) FOREST BASED INDUSTRY</p> <p>g) FORESTRY LOOKOUT TOWER</p> <p>h) FORESTRY BUILDING</p> <p><u>f) GOVERNMENT SERVICE</u></p> <p>i)g) INDUSTRIAL CAMP</p> <p>j)h) PETROLEUM FACILITY</p> <p>k)i) SEA CAN SHIPPING CONTAINER</p> <p>h)j) WOODLOT MANAGEMENT</p>	<p>a) COMMUNITY PASTURE</p> <p>b) EXTENSIVE RECREATIONAL USE</p> <p>e)b) FIRE HALL OR FACILITY</p> <p>d) INTENSIVE RECREATIONAL USE</p> <p><u>c) NATURAL RESOURCE EXTRACTION INDUSTRY</u></p> <p>e)d) NATURAL RESOURCE PROCESSING</p> <p>f) PUBLIC USE</p> <p>g)e) TEMPORARY/PORTABLE UNIT</p>

C. DISTRICT REGULATIONS

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

(a) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

- ~~All other property lines: 15.2 m (50 feet)~~
- ~~YARD – FRONT: 15.2m (50.0ft)~~
- ~~YARD – REAR: 7.5m (24.6ft)~~
- ~~YARD – SIDE: 6.0m (19.7ft)~~

D. ADDITIONAL REQUIREMENTS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

15.2 m (50 feet) for site abutting an “Agricultural” or “Forestry” DISTRICT.

C. ADDITIONAL REQUIREMENTS

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

D. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.284 RURAL COUNTRY RESIDENTIAL 3 “RC3RCR3” (Replaces former RC3 and RC4 of Bylaw 462/04)

The general purpose of this LAND USE DISTRICT is to provide for the DEVELOPMENT of multi-LOT country residences. The purpose of the Rural Country Residential 3 District (RCR3) is to provide for low density multi-lot, single family dwellings within a rural setting.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ANCILLARY BUILDING/SHED ACCESSORY BUILDING</p> <p>b) DWELLING - SINGLE FAMILY</p> <p>c) GARAGE - ATTACHED</p> <p>d) GARAGE - DETACHED</p> <p>e) OWNER/OPERATOR BUSINESS HOME BASED BUSINESS MAJOR</p> <p>f) SHOP – PERSONAL</p> <p>g) YARD SITE DEVELOPMENT</p>	<p>a) BED AND BREAKFAST BUSINESS</p> <p>b) RESIDENTIAL SALES CENTRE</p> <p>c) COTTAGE</p> <p>d) DAY CARE FACILITY</p> <p>e) DAY CARE HOME</p> <p>f) DWELLING UNIT</p> <p>g) GARDEN SUITE</p> <p>h) HOME BASED BUSINESS MINOR</p> <p>i) HOME BASED BUSINESS MEDIUM</p> <p>g)j) HOME BASED BUSINESS MAJOR</p> <p>h)k) Keeping of LIVESTOCK</p> <p>i)l) SECONDARY SUITE</p>

C. DISTRICT REGULATIONS

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

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

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

D. ADDITIONAL REQUIREMENTS

(a) Shops

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

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.165 COUNTRY RECREATIONAL “CRCREC” (Replaces former HLR)

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of seasonal or permanent residential recreational areas in Mackenzie County. All DEVELOPMENTS shall conform to the a relevant AREA STRUCTURE PLAN. This zoning is specific to recreational areas developments on lands within close proximity to significant natural features and lakes.

A. PERMITTED USES	B. DISCRETIONARY USES
a) <u>ANGILLARY BUILDING/SHED ACCESSORY BUILDING</u> b) <u>CABIN</u> b)c) COTTAGE e)d) YARD SITE DEVELOPMENT e)e) PARK MODEL	a) GARAGE – DETACHED

C. DISTRICT REGULATIONS

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

(a) Dwelling Density (maximum):

1 RECREATIONAL VEHICLE and 1 COTTAGE/PARK MODEL or 2 RECREATIONAL VEHICLES per LOT

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

(c) Lot Dimensions (minimum):

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

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

(d) Minimum Setbacks:

YARD – FRONT: 15.2 m (50 feet)

YARD – SIDE: 7.6 m (25 feet)

YARD – REAR: 7.6 m (25 feet)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(e) **LOT COVERAGE** (maximum): 25%

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

C. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.306 RURAL LIGHT INDUSTRIAL DISTRICT “RI1” RURAL INDUSTRIAL LIGHT “RIL”

The general purpose and intent of this LAND USE DISTRICT is to permit light industrial buildings and uses such as warehousing and service industrial uses that are carried on within the primary building and accessory buildings with limited outside storage. The Light Industrial district will act as a transition between General Industrial areas and nearby land uses that are potentially sensitive to the level of nuisance generated by heavy industry (e.g. noise, vibration, dust, odours, gases, particulate substances, toxic substances). No industrial uses that are likely to become a nuisance by reason of emission of odours, dust, smoke, gas, fumes, refuse matter or wastes are to be carried on in these areas. These areas are characterized by less intensive or expansive uses and will have a higher standard of visual quality, landscaping and screening than the General Industrial areas. The purpose of the Rural Industrial Light District (RIL) is to provide for light industrial uses, located outside of Hamlets, with limited outside storage areas that do not cause nuisances to adjacent land uses while offering a high quality of site aesthetics.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) <u>ACCESSORY ACCESSORY BUILDING</u> b) AGRICULTURAL MACHINERY SALES AND SERVICE c) BUSINESS SUPPORT SERVICES d) <u>COMMERCIAL SCHOOL, INDUSTRIAL</u> e) <u>CONTRACTOR, LIMITED</u> e)f) CREMATORIUM e)g) EQUIPMENT RENTAL FACILITY h) <u>INDUSTRIAL USE, GENERAL</u> f)i) PUBLIC UTILITY g) <u>TRADESMEN'S BUSINESS</u> i) <u>VEHICLE WASH</u> h)k) <u>VETERINARY CLINIC</u> 	<ul style="list-style-type: none"> a) AUCTION MART (Bylaw 962-14) a) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u> b) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR</u> b)c) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION e)d) BULK FERTILIZER STORAGE AND/OR SALES d) CARETAKER'S RESIDENCE/SECURITY SUITE e) CONTRACTOR'S SERVICE e) <u>DUGOUT</u> f) <u>DWELLING UNIT</u> g) HIGHWAY MAINTENANCE YARD h) LIGHT MANUFACTURING i) MACHINE SHOP i)g) MANUFACTURED HOME SALES AND SERVICE h) <u>OIL FIELD SERVICE</u> k) OIL FIELD SUPPORT SERVICES f)i) <u>SEA CAN SHIPPING CONTAINER</u> i) <u>SELF-STORAGE 1</u> m) SELF-STORAGE 2 (Bylaw 942-14) k) <u>SERVICE STATION – MINOR</u> n)l) SIGNS e)m) <u>TARP SHELTER FRAME AND FABRIC STRUCTURE</u>

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

(a) **LOT Size:** Minimum: 0.8 ha (2 acres)

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

(c) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

~~All other property lines: 15.2 m (50 feet)~~

~~YARD – FRONT: 15.2m (50.0ft)~~

~~YARD – REAR: 7.5m (24.6ft)~~

~~YARD – SIDE: 6.0m (19.7ft)~~

D. ADDITIONAL REQUIREMENTS

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

(b) In addition a 20m vegetated buffer strip shall be provided for all development adjacent to Highway 35.

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

(d) In addition Section 7.49 of this Bylaw relates specifically to development south of Township Road 1062 (88 Connector Road).

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.317 RURAL GENERAL INDUSTRIAL DISTRICT “RI2”RURAL INDUSTRIAL GENERAL “RIG”

~~The general purpose and intent of this LAND USE DISTRICT is to permit heavy industrial uses such as manufacturing, processing, assembly, distribution, service and repair that are suitable in areas without proximity to residential uses. Typically uses in this area will carry out a portion of their operations outdoors, where outside storage of raw materials or finished product may be required, and therefore the uses generally require a large amount of land. These uses are expected to emit odors, noise, particulate matter and light due to the character of their operations and can cause negative impacts on nearby sensitive land uses, as such; they are not necessarily compatible with non-industrial and residential uses.~~
The purpose of Rural Industrial General District (RIG) is to provide for heavy industrial uses on large land parcels, distant from residential uses, that utilize extensive outdoor storage areas and on-site operations are considered to be a nuisance to non-industrial and residential uses.

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<p>a) ACCESSORY<u>ACCESSORY BUILDING</u></p> <p>b) AGRICULTURAL MACHINERY SALES AND SERVICE</p> <p><u>c) AGRICULTURAL SUPPLY DEPOT</u></p> <p><u>d) AUCTION FACILITY (Bylaw 962-14)</u></p> <p>e) BUSINESS SUPPORT SERVICES</p> <p>f) CONTRACTOR'S BUSINESS/YARD<u>CONTRACTOR, GENERAL</u></p> <p>e) CONTRACTOR'S SERVICE</p> <p>f)g) CREMATORIUM</p> <p>g)h) DUGOUT</p> <p>h)j) EQUIPMENT RENTAL FACILITY</p> <p><u>i) MANUFACTURED HOME SALES AND SERVICE</u></p> <p>h)k) PUBLIC UTILITY</p> <p>j) TRADESMEN'S BUSINESS</p> <p><u>l) SALVAGE YARD</u></p> <p><u>m) SERVICE STATION – MAJOR</u></p> <p><u>n) VEHICLE WASH</u></p> <p>k)o) WAREHOUSE</p>	<p>a) <u>AGGREGATE RESOURCE PROCESSING</u></p> <p>a) AGRICULTURAL SUPPLY DEPOT</p> <p>b) AUCTION MART (Bylaw 962-14)<u>FACILITY</u></p> <p><u>c) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u></p> <p><u>d) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR</u></p> <p>e) AUTO SALVAGE</p> <p>f) BULK FERTILIZER STORAGE AND/OR SALES</p> <p>e)g) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</p> <p>f) CARETAKERS RESIDENCE/SECURITY SUITE</p> <p>g) CONCRETE PRODUCTS MANUFACTURING</p> <p><u>h) ENVIRO-TANK</u></p> <p>h)</p> <p>i) GRAIN ELEVATOR</p> <p><u>j) INDUSTRIAL USE, HEAVY</u></p> <p>j) HIGHWAY MAINTENANCE YARD</p> <p>k) INDUSTRIAL PLANT</p> <p>l) LUMBER YARD</p> <p>m)k) MANUFACTURED HOME SALES AND SERVICE</p> <p>n)l) NATURAL RESOURCE EXTRACTION<u>INDUSTRY</u></p> <p>e)m) OIL FIELD SERVICE</p> <p>p) OIL FIELD SUPPORT SERVICES</p> <p>q)n) PETROLEUM FACILITY<u>NATURAL RESOURCE PROCESSING</u></p> <p>r) RAILROAD YARD</p> <p>s) SALVAGE YARD</p> <p>t)o) SEA-GAN<u>SHIPPING CONTAINER</u></p> <p>u)p) SELF-STORAGE 2 (Bylaw 942-14)</p> <p>v)g) SERVICE STATION</p> <p>w) SEWAGE TREATMENT PLANT</p> <p>x)r) SIGNS</p> <p>y) STORAGE YARD</p> <p>z)s) TARP SHELTER<u>FRAME AND FABRIC STRUCTURE</u></p>
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

(a) **LOT Size:** Minimum: 0.8 ha (2 acres)

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

(c) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

~~All other property lines: 15.2 m (50 feet)~~
~~YARD – FRONT: 15.2m (50.0ft)~~
~~YARD – REAR: 7.5m (24.6ft)~~
~~YARD – SIDE: 6.0m (19.7ft)~~

D. ADDITIONAL REQUIREMENTS

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

(b) In addition a 20 m vegetated buffer strip will be required for all development adjacent to Highway 35.

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.28 AIRPORT DISTRICT – “AP” (Bylaw 865-12)

~~The general purpose of this LAND USE DISTRICT is to regulate DEVELOPMENT and to provide for the orderly operation and development of MUNICIPAL AIRPORTS within Mackenzie County. The purpose of the Airport District (AP) is to allow for development immediately associated with Municipal Airports.~~

A. PERMITTED USES	B. DISCRETIONARY USES
a) ENVIRO - TANK b) HANGARS AND TERMINAL FACILITIES	a) ACCESSORY BUILDING b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR b)c) COMMUNICATION TOWER e)d) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION d)e) BUS DEPOT e)f) RETAIL - CONVENIENCE STORE f) PUBLIC USE g) RESTAURANTEATING AND DRINKING ESTABLISHMENTS h) RETAIL STORE i)h) SERVICE STATION – MINOR j)i) TOURIST INFORMATION FACILITY

C. DISTRICT REGULATIONS

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

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD:

6.1 m (20 feet)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

All other property lines: 1.52 m (5 feet)

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

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

D. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.239 PUBLIC/INSTITUTIONAL “PI”

The general purpose of this LAND USE DISTRICT is to permit the DEVELOPMENT of land for uses of either a health-related and/or non-profit nature providing services to the community. The purpose of the Institutional District (I) is to allow for a variety of public and private uses that provide medical, public safety, religious and cultural services/amenities to the community.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) <u>ACCESSORY BUILDING</u> a) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) b) <u>CHURCH PLACE OF WORSHIP</u> c) DAY CARE FACILITY d) EXHIBITION FACILITY e) FIRE HALL OR FACILITY f) <u>GOVERNMENT SERVICE</u> f)g) HOSPITAL g) INSTITUTIONAL USE h) MUSEUM i) PARK j) PARSONAGE k) PLAYGROUND l) PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE m) <u>PUBLIC USE</u> <u>j) RECREATION SERVICE, INDOOR</u> <u>k) RECREATION SERVICE, OUTDOOR</u> n)l) SENIOR CITIZEN HOUSING ASSISTED LIVING FACILITY o)m) SCHOOL EDUCATION FACILITY p)n) TOURIST INFORMATION FACILITY 	<ul style="list-style-type: none"> a) DWELLING – GROUP HOME b) Dwelling in Association with MEDICAL FACILITY c) INTENSIVE RECREATIONAL USE <u>a) CEMETERY</u> <u>b) EXHIBITION GROUNDS</u> <u>c) TEMPORARY/PORTABLE UNIT</u> <u>d) WASTE MANAGEMENT</u> e)

C. DISTRICT REGULATIONS

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

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(b) Minimum Setbacks:

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

D. ADDITIONAL REQUIREMENTS

- (a) A ~~CHURCHPLACE OF WORSHIP, SCHOOL EDUCATION FACILITY, PARK OR PLAYGROUND~~, DAY CARE FACILITY or other similar use shall not be located within 152.4 m (500 feet) of a Direct Control District.
- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
- (d) In addition Section 7.49 of this Bylaw relates specifically to development south of Township Road 1062 (88 Connector Road).

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.2510 PARKS AND RECREATION “PREC”

The purpose ~~and intent of this LAND USE DISTRICT~~ the Recreation District (REC) is to provide for general recreation uses on lands which has a consisting of variety various of natural ~~and physical~~ features ~~for general recreation purposes in within~~ both rural and urban areas ~~of the COUNTY~~.

A. PERMITTED USES	B. DISCRETIONARY USES
<p><u>a) ACCESSORY BUILDING</u> a) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) b) CAMPGROUND MINOR c) INSTITUTIONAL USE d) MARINA e) b) PARK <u>c) RECREATION SERVICE, INDOOR</u> f) RECREATIONAL CENTRE OR LODGE g) TOURIST INFORMATION FACILITY</p>	<p><u>a) CAMPGROUND MINOR</u> a) b) CAMPGROUND MAJOR a) CARETAKERS RESIDENCE/SECURITY SUITE b) c) CLUB HOUSE PRIVATE CLUB e) d) RETAIL - CONVENIENCE STORE accessory to the principal use d) e) EXHIBITION GROUNDS 1 FACILITY e) f) EXHIBITION GROUNDS 2 f) EXTENSIVE RECREATIONAL USE g) INTENSIVE RECREATIONAL USE h) g) MUSEUM i) PUBLIC USE <u>RECREATION SERVICE, OUTDOOR</u> b) RECREATIONAL VEHICLE PARK RIFLE/SKEET RANGE Uses that require approval from the Alberta Gaming and Liquor Commission, with the exception of occasional licences not exceeding 72 hours</p>

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions: ~~At the discretion of the Development Authority~~
460.0m² (4,975.0ft²)

(b) Minimum Setbacks: ~~At the discretion of the Development Authority~~

YARD – FRONT: 6.0m (19.7ft)

YARD – SIDE: 4.5m (14.8ft)

YARD – REAR: 7.5m (24.6ft)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(b)(c) Maximum Site Coverage: 45%—~~At the discretion of the Development Authority~~

D. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.3211 URBAN FRINGE “UF”

~~The general purpose of this LAND USE DISTRICT is to control DEVELOPMENT around urban centres to those uses which require a larger LOT or parcel on which to operate, to protect future growth areas for urban centres, and to minimize conflicts between urban and rural uses in accordance with an approved INTER-MUNICIPAL DEVELOPMENT PLAN and/or MUNICIPAL DEVELOPMENT PLAN. The purpose of the Urban Fringe District (UF) is to protect future growth areas within and surrounding Hamlets through allowing for low intensity agricultural uses.~~

A. DISCRETIONARY USES

- a) ~~ANCILLARY BUILDING/SHED~~ ACCESSORY BUILDING
- b) BED AND BREAKFAST BUSINESS
- ~~c) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)~~
- ~~d) c) CHURCH~~ PLACE OF WORSHIP
- ~~e) d) COMMUNICATION TOWER~~
- ~~f) e) CEMETERY~~
- f) DWELLING - SINGLE FAMILY
- g) DWELLING UNIT
- h) EXTENSIVE AGRICULTURE
- i) FARM SUBSIDIARY BUSINESS
- j) GARAGE - ATTACHED
- k) GARAGE - DETACHED
- l) GARDEN SUITE
- m) HOME BASED BUSINESS MINOR
- ~~n) INSTITUTIONAL USE~~
- ~~o) n) INTENSIVE AGRICULTURE 1~~
- ~~p) o) KEEPING OF LIVESTOCK (BYLAW 857-12)~~
- ~~q) p) MANUFACTURED HOME - MOBILE~~
- ~~r) q) MANUFACTURED HOME – MODULAR~~
- ~~s) r) SHOP – PERSONAL~~
- ~~t) s) TEMPORARY/PORTABLE UNIT~~
- ~~u) t) VETERINARY CLINIC~~

B. DISTRICT REGULATIONS

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

(a) Density (maximum):

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

Authority

(b) LOT Area (maximum):

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

(c) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

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

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

~~YARD – INTERIOR SIDE: 15.2 m (50 feet)~~

~~YARD – REAR: 15.2 m (50 feet)~~

~~YARD – FRONT: 15.2m (50.0ft)~~

~~YARD – REAR: 7.5m (24.6ft)~~

~~YARD – SIDE: 6.0m (19.7ft)~~

C. ADDITIONAL REGULATIONS

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

D. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.312 DIRECT CONTROL “DC”

~~The purpose of this LAND USE DISTRICT is to provide for Direct Control of DEVELOPMENT in areas of special character or circumstance or where deemed necessary by COUNCIL. The purpose of the Direct Control District (DC) is to allow Council to exercise specific direction and control over the use and development of land and buildings in particular areas of the County.~~

A. USES

- a) ADULT ENTERTAINMENT BUSINESS
- b) FUNERAL HOME
- c) LIQUOR STORE
- d) Uses that require approval from the Alberta Gaming and Liquor Commission, with the exception of occasional licences not exceeding 72 hours
- e) Any other use and ACCESSORY use deemed necessary by COUNCIL

B. DEVELOPMENT REGULATIONS

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

C. REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (d) COUNCIL may decide on other requirements as are necessary, having regard to the nature of the proposed DEVELOPMENT.
- (e) COUNCIL shall approve all applications for principal uses on property zoned under this LAND USE DISTRICT. DEVELOPMENT proposals for secondary or ancillary uses may be delegated to the Development Authority at COUNCIL's discretion.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.813 HAMLET COUNTRY RESIDENTIAL 1 “HCR1H-CR”

~~The general purpose of this LAND USE DISTRICT is to allow for the DEVELOPMENT of single family dwellings and related uses on serviced COUNTRY RESIDENTIAL LOTS in HAMLETS.~~ The purpose of the Hamlet Country Residential District (H-CR) is to allow for single family dwellings and associated uses on large serviced lots in the outermost areas of Hamlet boundary confines.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ANCILLARY BUILDING/SHED ACCESSORY BUILDING</p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e)b) DWELLING - SINGLE FAMILY</p> <p>e)c) GARAGE - ATTACHED</p> <p>d) GARAGE - DETACHED</p> <p>e) SHOP – PERSONAL</p>	<p>a) BED AND BREAKFAST BUSINESS</p> <p>b) DAY CARE HOME</p> <p>c) RESIDENTIAL SALES CENTRE</p> <p>d) HOME BASED BUSINESS <u>MINOR</u></p> <p>e) MANUFACTURED HOME - MOBILE</p> <p>f) MANUFACTURED HOME - MODULAR</p> <p>g) SECONDARY SUITE</p>

C. DISTRICT REGULATIONS

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

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

(b) **Minimum Setbacks:**

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as required by Alberta Transportation, whichever is greater

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

YARD - SIDE: 4.6 m (15 feet)

YARD - REAR: 7.6 m (25 feet)

D. ADDITIONAL REQUIREMENTS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1214 HAMLET RESIDENTIAL 1 “~~HR1~~H-R1” (Replaces former HR1 and HR2 of Bylaw 462-04)

~~The general purpose of this LAND USE DISTRICT is to permit residential uses in HAMLETS. The purpose of the Hamlet Residential District (H-R1) is to provide for single family dwellings, within all Hamlets, through a variety of building forms while considering medium density residential forms permitted context compatibility.~~

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED<u>ACCESSORY BUILDING</u> b) BUILDING DEMOLITION OF REMOVAL (Bylaw 932-14) c) DWELLING - SINGLE FAMILY d) GARAGE - ATTACHED e) GARAGE - DETACHED f) MANUFACTURED HOME - MOBILE g) MANUFACTURED HOME - MODULAR h)g) SECONDARY SUITE 	<ul style="list-style-type: none"> a) BED AND BREAKFAST BUSINESS b) DAY CARE FACILITY c) DAY CARE HOME d) DWELLING - DUPLEX <u>e) DWELIING – GROUP HOME</u> e)f) DWELLING – ROW f)g) DWELLING – STACKED ROW HOUSING g)h) RESIDENTIAL SALES CENTRE h)i) HOME BASED BUSINESS <u>MINOR</u> i) SECONDARY SUITE

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

- LOT WIDTH: 16.76 m (55 feet)
- LOT DEPTH: 33.5 m (110 feet)

(b) Minimum Setbacks:

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

D. ADDITIONAL REQUIREMENTS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1315 HAMLET RESIDENTIAL 1A “HR1AH-R1A”

~~The general purpose of this LAND USE DISTRICT is to permit residential uses in established HAMLETS, with the intention of restricting DEVELOPMENT to on-site stick-built DWELLING – SINGLE DETACHED with GARAGE – ATTACHED and associated uses. The purpose of the Hamlet Residential 1A (H-R1A) is to exclusively provide for single detached dwellings with attached garages in Hamlets.~~

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED <u>ACCESSORY BUILDING</u> b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) <u>b) DWELLING - SINGLE FAMILY</u> with GARAGE – ATTACHED <u>c) GARAGE – ATTACHED</u> e) d) SECONDARY SUITE 	<ul style="list-style-type: none"> a) DAY CARE FACILITY b) DAY CARE HOME <u>c) DWELLING – GROUP HOME</u> e) GARAGE – DETACHED d) HOME BASED BUSINESS <u>MINOR</u> e) RESIDENTIAL SALES CENTRE f) SECONDARY SUITE

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

LOT WIDTH: 16.76 m (55 feet)
 LOT DEPTH: 30.48 m (100 feet)

(b) Setbacks:

Required
 YARD – FRONT: 7.6 m (25 feet)

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

D. ADDITIONAL REQUIREMENTS

(a) GARAGE - ATTACHED are mandatory for all dwellings in this LAND USE DISTRICT. The GARAGE - ATTACHED may be required to be located on the

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

same side as the adjacent properties GARAGE – ATTACHED at the discretion of the Development Authority.

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

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1416 HAMLET RESIDENTIAL 1B “HR1BH-R1B”

The general purpose of this LAND USE DISTRICT is to permit residential uses in established HAMLETS, with the intention of restricting DEVELOPMENT to on-site stick-built DWELLING – SINGLE DETACHED and associated uses. The purpose of the Hamlet Residential 1B (H-R1B) is to provide for single detached dwellings with attached or detached garages in Hamlets while considering duplexes at appropriate locations.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) <u>ANCILLARY BUILDING/SHED ACCESSORY BUILDING</u></p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e)b) DWELLING - SINGLE FAMILY</p> <p>d)c) GARAGE - ATTACHED</p> <p><u>d) GARAGE – DETACHED</u></p> <p>e) <u>SECONDARY SUITE</u></p>	<p>a) DAY CARE FACILITY</p> <p>b) DAY CARE HOME</p> <p>c) DWELLING – DUPLEX</p> <p><u>d) DWELLING – GROUP HOME</u></p> <p>d)e) RESIDENTIAL SALES CENTRE</p> <p>e)f) HOME BASED BUSINESS <u>MINOR</u></p> <p>f) SECONDARY SUITE</p>

E. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

- LOT WIDTH: 16.76 m (55 feet)
- LOT DEPTH: 30.48 m (100 feet)

(b) Setbacks:

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

D. ADDITIONAL REQUIREMENTS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (a) For those residences constructed with a GARAGE, the GARAGE may be required to be located on the same side as the adjacent properties GARAGE at the discretion of the Development Authority.
- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1517 HAMLET RESIDENTIAL 2 “HR2H-R2” (Replaces former HR3 and HR4 of Bylaw 462-04)

The general purpose of this LAND USE DISTRICT is to permit medium and high-density residential DEVELOPMENT in established HAMLETS. The purpose of the Hamlet Residential 2 District (H-R2) is to provide for a mix of medium and high density residential forms within Hamlets.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) <u>ANCILLARY BUILDING/SHED ACCESSORY BUILDING</u></p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e)b) DWELLING - DUPLEX</p> <p>d)c) DWELLING - ROW</p> <p>e)d) DWELLING – APARTMENT</p> <p>f)e) DWELLING – ROW</p> <p>g)f) DWELLING – STACKED ROW HOUSING</p>	<p>a) <u>ASSISTED LIVING FACILITY</u></p> <p>a)b) DAY CARE FACILITY</p> <p>b)c) DAY CARE HOME</p> <p>e)d) DWELLING - GROUP HOME</p> <p>d)e) RESIDENTIAL SALES CENTRE</p> <p>e)f) DWELLING - SINGLE FAMILY</p> <p>f)g) GARAGE – ATTACHED</p> <p><u>h) GARAGE – DETACHED</u></p> <p><u>i) HOME BASED BUSINESS MINOR</u></p> <p>g)i) <u>SECONDARY SUITE</u></p>

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

- LOT WIDTH: 16.76 m (55 feet)
- LOT DEPTH: 30.48 m (100 feet)

(b) Minimum Setbacks:

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

D. ADDITIONAL REQUIREMENTS

- (a) All DEVELOPMENT shall provide:

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- ii) Provision and access to garbage storage
 - iii) Lighting between DWELLING UNITS
 - iv) Orientation of buildings and general site appearance
 - v) Safe pedestrian access to and from the public sidewalk fronting the building
 - vi) Parking areas adjacent to streets must be paved
- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (c) Buildings must be of new construction. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.2018 MANUFACTURED HOME COMMUNITY “MHC”

The ~~general~~ purpose of ~~this LAND USE DISTRICT~~ the Manufactured Home Community (MHC) is to provide for ~~a MANUFACTURED HOME COMMUNITY with common servicing~~ a residential area on a parcel of land consisting of multiple rental manufactured homes placed within individual stalls of land and connected to common serving.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ANCILLARY BUILDING/SHED <u>ACCESSORY BUILDING</u></p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>c) LAUNDROMAT</p> <p>d) b) MANUFACTURED HOME COMMUNITY OFFICE</p> <p>e) c) MANUFACTURED HOME - MOBILE</p>	<p>a) <u>RETAIL - CONVENIENCE STORE</u></p> <p>b) DAY CARE HOME</p> <p>c) GARAGE – ATTACHED</p> <p>d) GARAGE – DETACHED</p> <p>e) PUBLIC USE</p> <p>f) e) RECREATIONAL CENTER OR LODGE</p> <p>g) STORAGE YARD</p>

C. DISTRICT REGULATIONS

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

(a) MANUFACTURED HOME COMMUNITY requirements:

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

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

(b) MANUFACTURED HOME COMMUNITY LOT requirements:

i) MANUFACTURED HOME - SINGLE WIDE (minimum):

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

ii) MANUFACTURED HOME – DOUBLE WIDE (minimum):

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(c) Setbacks (minimum):

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

D. ADDITIONAL REQUIREMENTS

(a) Storage:

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

(b) Open Space:

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

(d) Appearance

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

(e) Screening

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

E. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.21-19 MANUFACTURED HOME SUBDIVISION 1 “MHS1”

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

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ANCILLARY BUILDING/SHED ACCESSORY BUILDING b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) e)b) GARAGE - ATTACHED d)c) GARAGE - DETACHED e) MANUFACTURED HOME - SINGLE WIDE <u>d) MANUFACTURED HOME - DOUBLE WIDE MOBILE</u> f)e) MANUFACTURED HOME - MODULAR 	<ul style="list-style-type: none"> <u>a) DWELLING – SINGLE FAMILY</u> <u>a)b) HOME BASED BUSINESS – MINOR</u>

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

LOT WIDTH: 16.76 m (55 feet)

LOT DEPTH: 33.5 m (110 feet)

(b) Dwelling Size (minimum):

Width: 4.9 m (16 feet)

Length: 18.3 m (60 feet)

(c) Setbacks:

Required

YARD – FRONT: 7.6 m (25 feet)

Minimum:

YARD – INTERIOR SIDE: 1.5 m (5 feet)

YARD – EXTERIOR SIDE: 3.1 m (10 feet)

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

D. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.520 FORT VERMILION ~~HAMLET~~ COMMERCIAL CENTRE DISTRICT “~~HCC1FV-CC~~”

~~The general purpose of this LAND USE DISTRICT is to permit commercial DEVELOPMENT that is sensitive in scale to adjacent uses within the downtown or core area of the Hamlet of Fort Vermilion. The purpose of the Fort Vermilion Commercial Centre District (FV-CC) is to cluster complementary community commercial developments along the Hamlet of Fort Vermilion’s Main Street (50th Street) in order to create an engaging pedestrian friendly public realm.~~

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<p>a) ARTS, CRAFTS AND PHOTOGRAPHY STUDIO</p> <p>b)a) AMUSEMENT FACILITY ENTERTAINMENT ESTABLISHMENT, INDOOR</p> <p>e)b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>d)c) BUSINESS SUPPORT SERVICES</p> <p>e)d) CHURCH PLACE OF WORSHIP</p> <p>f)e) CLUB HOUSE PRIVATE CLUB</p> <p>g)f) RETAIL - CONVENIENCE STORE</p> <p>h)g) DAY CARE FACILITY</p> <p>i)h) GENERAL SERVICES ESTABLISHMENT PERSONAL SERVICE ESTABLISHMENT</p> <p><u>i) DWELLING – ABOVE GROUND FLOOR</u></p> <p><u>j) DWELLING – APARTMENT</u></p> <p>j) INSTITUTIONAL USE</p> <p>k) LAUNDROMAT</p> <p>l) HANDICRAFT BUSINESS</p> <p><u>k) GOVERNMENT SERVICE</u></p> <p>m)l) HOTEL</p> <p>n) LAUNDROMAT</p> <p>e)m) MEDICAL FACILITY HEALTH SERVICE</p> <p>p)n) MOTEL</p> <p>q)o) PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE</p> <p><u>PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</u></p> <p><u>p) MUSEUM</u></p> <p>r) PUBLIC USE</p> <p>s)q) PUBLIC UTILITY</p> <p>t)r) RESTAURANT EATING AND DRINKING ESTABLISHMENTS</p> <p><u>u)s) RETAIL STORE RETAIL - GENERAL</u></p>	<p><u>a) ACCESSORY BUILDING</u></p> <p><u>b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u></p> <p>a)c) BUS DEPOT</p> <p>b) Commercial Use + DWELLING- APARTMENT</p> <p><u>d) COMMERCIAL SCHOOL</u></p> <p>e) DWELLING UNIT in conjunction with the primary use provided it is incorporated in the same building and the total FLOOR AREA of the DWELLING UNIT shall be less than the FLOOR AREA for the other use</p> <p>d) DWELLING APARTMENT</p> <p>e) DWELLING – ROW</p> <p>f)e) ENVIRO - TANK</p> <p>g) INTENSIVE RECREATIONAL USE</p> <p><u>f) FUNERAL HOME</u></p> <p><u>g) HOTEL</u></p> <p>h) LIQUOR STORE</p> <p>i) PUBLIC USE</p> <p>j) SERVICE STATION</p> <p>k) TRADESMEN'S BUSINESS</p> <p>l) VEHICLE WASH ESTABLISHMENT</p> <p><u>i) RECREATION SERVICE, INDOOR</u></p> <p>m)l) SIGNS</p> <p>n) VETERINARY CLINIC</p> <p>e) MANUFACTURED HOME – MOBILE</p>
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C. DISTRICT REGULATIONS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

YARD - FRONT: ~~9.1 m (30 feet)~~ Minimum: 0.0m (0.0ft)
Maximum: 3.0m (9.8ft)

YARD - SIDE: If site is abutting a residential LAND USE DISTRICT:

1.5 m (5 feet)
All other uses: None required.

YARD - REAR: 3.1 m (10 feet)

(c) Minimum Total Floor Area

As required of the Development Authority.

D. RESIDENTIAL USES

(a) MANUFACTURED HOME – MOBILE may be considered in this land use district, along with A NON-PERMANENT addition. Both of these uses are to be considered for NON-PERMANENT use only, and shall not become long term fixtures in this zoning district. Minor renovations, repairs, and other actions for the purpose of maintaining an existing dwelling will be allowed. Major structural changes, rebuilding, or replacement of residential buildings that are not intended for multi-family use will not be allowed.

E. ADDITIONAL REQUIREMENTS

(a) 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.

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

(c) In addition to Section 7.6 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

(d) In addition to Section 7.6 of this BYLAW commercial development proposed within the Heritage Frontage Control area should incorporate design elements

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

that reflect the historic architectural character of the Hamlet and encourage high quality public realm and pedestrian connectivity.

(e) In addition to Section 7.2 of this BYLAW all new building and site designs fronting 50th Street or River Road should emphasize a pedestrian friendly environment which must include windows and doors that face the street on ground floor walls.

(f) In addition to 7.31 of this BYLAW shared parking may be allowed at the Discretion of the Development Authority.

F. OTHER REQUIREMENTS

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

b) Developments should incorporate 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.

c) Development permit applications shall be accompanied by a description of how the site and architectural guidelines have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

C. LANDSCAPING/HARDSCAPING

a) Where possible, 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 determined by a professional. (Reference: p.66)

b) A landscaping plan prepared by a professional shall be submitted as part of a development permit application, indicating compliance with regulation (a). (Reference: p.66)

c) Consistent hard surfacing material shall be extended from the public sidewalk to the front of the building façade to maintain downtown visual identity. (Reference: p.66)

D. PARKING LOTS & ACCESS

a) Parking lots shall be located at the rear of the building. In the case of corner lots, parking is preferred in the rear, but may be allowed in the front yard. (Reference: p.66, p.68)

b) Parking access shall be designed to maximize street frontage of businesses. Where possible, access to parking areas should be from a side or rear street. Where this is not possible, entrances off of main street will be considered. (Reference: p.66, p.69)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- c) Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer's expense. (Reference: p.66)
- d) Hardy trees, shrubs and bioswale planting should be integrated into the design of medium-sized parking lots (up to 12 vehicles) where stormwater management is a concern. Exact location and species of vegetation shall be outlined in the landscape plan prepared by a professional and submitted as part of a development permit application. (Reference: p.67)
- e) Adjacent businesses shall be allowed to combine parking areas where the total combined parking is approximately 20 or more spaces. (Reference: p.69)

E. BUILDING ENTRANCES

- a) For corner lots, the main building entrance shall be oriented toward the intersection. (Reference: p.68)

F. BUILDING FACADES

- a) Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 3.0 feet in height measured from grade level. (Reference: p.80)
- b) Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption. (Reference: p.80)
- c) Storefront window displays, doorway recessions and architectural features such as columns or pilasters shall be illuminated through exterior lighting. The general location and type of lighting used shall be indicated as part of the development application. (Reference: p.81)
- d) When designing sign bands, pillars and other architectural features on storefronts, ornamental details, such as trim and molding, shall be minimized, in favour of straight architectural features. (Reference: p.82)
- e) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors. (Reference: p.84)
- f) Architectural projections (such as awnings and lighting) shall not exceed the width of the sidewalk, measured from the property line. (Reference: p.87)

G. SIGNAGE

- a) On-street portable letter signs shall not be permitted. Pedestrian oriented signage, such as sandwich boards, are permitted. (Reference: p.77)
- b) Storefront sign boxes shall be no shorter than 3 feet in height, and located above the grade level entrance. (Reference: p.83)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

c) Signs between storefronts should be separated by a minimum of two feet keep. (Reference: p.88)

d) Projecting signs:

i. Should be located over main entranceway or at outer edge of storefront.

ii. Shall not project more than 1.5 m from the façade.

iii. Shall have a minimum clearance of 2.5 metres (8.2 feet) with a maximum area of 0.9m² (Reference: p.88)

e) Fascia signs shall not project more than 0.15 m from the façade. (Reference: p.88)

f) Backlit and internally illuminated signs (except for metallic sign boxes with transparent lettering) shall not be permitted. (Reference: p.88)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.621 FORT VERMILION HIGHWAY COMMERCIAL DISTRICT “HC1FV-HC”

The general purpose of this LAND USE DISTRICT is to facilitate the development of trade and service related to automotive transportation and the automobile traveller, and to serve the regional market area. Uses in this District incorporate high quality signage, landscaping, site design, and building appearance. The purpose of the Fort Vermilion Highway Commercial District (FV-HC) is to provide for a variety of service commercial uses along major roads, within the Hamlet of Fort Vermilion, to serve the traveling and local public.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) AMUSEMENT FACILITY b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES c) AUTOMOTIVE SALES AND RENTAL d) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) <u>d) BUILDING SUPPLY CENTRE</u> e) BUSINESS SUPPORT SERVICES <u>f) COMMERCIAL SCHOOL</u> <u>g) EATING AND DRINKING ESTABLISHMENTS</u> <u>f)h) RETAIL - CONVENIENCE STORE</u> <u>i) RETAIL - GENERAL</u> <u>j) RECREATION SERVICE, INDOOR</u> <u>k) MEDICAL FACILITY HEALTH SERVICE</u> g) h) INSTITUTIONAL USE <u>l) PUBLIC UTILITY</u> h)m) SERVICE STATION – MINOR j) TOURIST INFORMATION FACILITY k) TRADESMEN'S BUSINESS l) VEHICLE WASH ESTABLISHMENT 	<ul style="list-style-type: none"> <u>a) ACCESSORY BUILDING</u> <u>b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u> <u>c) ENTERTAINMENT ESTABLISHMENT, INDOOR</u> a)d) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION <u>e) FUNERAL HOME</u> b)f) HOTEL e)g) MOTEL <u>h) PLACE OF WORSHIP</u> e)h)i) PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE e) RECREATIONAL VEHICLE PARK f) RECREATIONAL VEHICLE SALES AND SERVICE g) RESTAURANT <u>j) RECREATION SERVICE, OUTDOOR</u> h)k) RETAIL GARDEN CENTRE i) RETAIL STORE j) SERVICE STATION SERVICE STATION – MAJOR k) SELF-STORAGE 1 (Bylaw 942-14) <u>l) SIGNS</u> h)m) VETERINARY CLINIC

C. DISTRICT REGULATIONS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

From a HIGHWAY, ROAD or undeveloped ROAD allowance:

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

64 m (210 feet) from centre line

Or as specified by Alberta Transportation, whichever is greater

From an INTERNAL SUBDIVISION ROAD:

9.1 m (30 feet)

All other property lines:	15.2 m (50 feet)
YARD - EXTERIOR SIDE:	9.1 m (30 feet)
YARD - INTERIOR SIDE:	3.1 m (10 feet)
YARD - REAR:	3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

- (a)** In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b)** In addition to Section 7.6 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- (c)** In addition to Section 7.31 of this BYLAW, parking for all new development should mainly be provided to the side and rear of new commercial buildings.
- (d)** In addition to 7.31 of this BYLAW shared parking may be allowed at the Discretion of the Development Authority.

E. OTHER REQUIREMENTS

- a)** The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.
- b)** Developments should incorporate 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.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

c) Development permit applications shall be accompanied by a description of how the site and architectural guidelines have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

F. PARKING AREAS

a) All pedestrian corridors within parking areas must be clearly delineated and consistent with the adjacent sidewalk in terms of material and dimension. (Reference: p.70)

G. BUILDING FACADES

a) Building facades shall incorporate horizontal and vertical articulation in their design. (Reference: p.95)

b) Large, continuous blank walls with no setbacks or articulation shall be discouraged. (Reference: p.96)

c) Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 3.0 feet in height measured from grade level. (Reference: p.98)

d) Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption. (Reference: p.98)

e) Storefront window displays, doorway recessions and architectural features such as columns or pilasters shall be illuminated through exterior lighting. The general location and type of lighting used shall be indicated as part of the development application. (Reference: p.99)

f) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors. (Reference: p.100)

g) Architectural projections (such as awnings and lighting) shall not exceed the width of the adjacent sidewalk. (Reference: p.101)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.722 FORT VERMILION ~~LIMITED GENERAL~~ LIGHT INDUSTRIAL DISTRICT (LGIFV-LI)

~~The general purpose and intent of this land use district is to accommodate a mix of light and heavy industrial buildings and uses, with limits on the types and levels of nuisances (e.g. noise, dust, odours, gases, particulate substances and toxic substances) these uses create to ensure compatibility with surrounding sensitive uses. The light industrial area will act as a transition between the heavy industrial area and nearby land uses that are potentially sensitive to the level of nuisance generated by heavy industry. The purpose of the Fort Vermilion Light Industrial District (FV-LI) is to provide for the grouping of light industrial and associated commercial uses, which do not cause nuisances to surrounding land uses, within the Hamlet of Fort Vermilion.~~

1. ~~LIGHT INDUSTRIAL USES:~~

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) ACCESSORY <u>ACCESSORY BUILDING</u> b) <u>AGRICULTURAL MACHINERY SALES AND SERVICE</u> c) <u>AUTOMOTIVE & EQUIPMENT REPAIR, MINOR</u> d) <u>BUILDING SUPPLY CENTRE</u> b)e) <u>BUSINESS SUPPORT SERVICES</u> f) <u>COMMERCIAL SCHOOL, INDUSTRIAL</u> g) <u>CONTRACTOR, LIMITED</u> e) <u>CONTRACTORS SERVICE</u> d)h) <u>EQUIPMENT RENTAL FACILITY</u> e) <u>MACHINE SHOP</u> f) <u>MANUFACTURING FIRM</u> i) <u>INDUSTRIAL USE, GENERAL</u> g)j) <u>PUBLIC UTILITY</u> k) <u>RECYCLING DEPOT</u> l) <u>SERVICE STATION – MINOR</u> h) <u>TRADESMEN'S BUSINESS</u> i) <u>VEHICLE WASH ESTABLISHMENT</u> m) <u>VETERINARY CLINIC</u> 	<ul style="list-style-type: none"> a) <u>AGRICULTURAL MACHINERY SALES AND SERVICE</u> a) <u>AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR</u> b) <u>BULK FUEL AND PROPANE SALES</u> e) <u>BUILDING SUPPLY CENTRE</u> d)c) <u>BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</u> e) <u>CONTRACTOR'S BUSINESS/YARD</u> f) <u>HIGHWAY MAINTENANCE YARD</u> g) <u>LIGHT MANUFACTURING</u> h)d) <u>MANUFACTURED HOME SALES AND SERVICE</u> i) <u>RECYCLING FACILITY</u> j)n) <u>SEA CAN SHIPPING CONTAINER</u> k)o) <u>SELF-STORAGE 1 (Bylaw 942-14)</u> j) <u>SELF-STORAGE 2</u> k)e) <u>SIGNS</u> h)f) <u>TARP SHELTER FRAME AND FABRIC STRUCTURE</u> m)g) <u>WAREHOUSE</u> n) <u>WELDING SHOP</u>

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

~~2. HEAVY INDUSTRIAL USES:~~

C. DISTRICT REGULATIONS

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

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

(b) **Minimum Setbacks:**

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

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

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

(c) A 20 metre landscaping buffer shall be required for all development adjacent to Highway 88 according to the policies within the Fort Vermilion Industrial Area Structure Plan.

(d) Heavy industrial uses shall not be developed within 150 m of a residential district.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.23 FORT VERMILION HEAVY INDUSTRIAL (FV-HI)

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

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ACCESSORY ACCESSORY BUILDING</p> <p>a)b) AGRICULTURAL MACHINERY SALES AND SERVICE</p> <p>c) AUTOMOTIVE & EQUIPMENT REPAIR, MINOR</p> <p>d) CONTRACTOR, GENERAL</p> <p>e) EQUIPMENT RENTAL FACILITY</p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e) INDUSTRIAL PLANT</p> <p>d) MACHINE SHOP</p> <p>e) MANUFACTURING FIRM</p> <p>f) PUBLIC UTILITY</p> <p>f)g) SERVICE STATION – MAJOR</p> <p>g) TRADESMEN'S BUSINESS</p> <p>h) VEHICLE WASH ESTABLISHMENT</p> <p>h) WAREHOUSE</p>	<p>a) AGRICULTURAL MACHINERY SALES AND SERVICE</p> <p>b) AUTO SALVAGE</p> <p>a) AUTOMOTIVE & EQUIPMENT REPAIR, MAJOR</p> <p>e)b) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</p> <p>d)c) CARETAKER'S RESIDENCE/SECURITY SUITE</p> <p>e) CONTRACTOR'S BUSINESS YARD</p> <p>f) CONCRETE PRODUCTS MANUFACTURING</p> <p>g) EQUIPMENT RENTAL FACILITY</p> <p>h)d) GRAIN ELEVATOR</p> <p>e) INDUSTRIAL USE, HEAVY</p> <p>i) HIGHWAY MAINTENANCE YARD</p> <p>j) LUMBER YARD</p> <p>k)f) OIL FIELD SERVICE</p> <p>l) OIL FIELD SUPPORT SERVICES</p> <p>g) SALVAGE YARD</p> <p>m)h) SEA CAN SHIPPING CONTAINER</p> <p>n)i) SELF-STORAGE 2 (Bylaw 942-14)</p> <p>e) STORAGE YARD</p> <p>p)j) SIGNS</p> <p>q)k) TARP SHELTER FRAME AND FABRIC STRUCTURE</p> <p>r)l) TRUCK STOP</p> <p>s) WAREHOUSE</p> <p>m) BULK FERTILIZER STORAGE AND/OR SALES</p> <p>t)n) WASTE MANAGEMENT</p>

C. DISTRICT REGULATIONS

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

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

(b) Minimum Setbacks:

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

F. ADDITIONAL REQUIREMENTS

- (e)** In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (f)** The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- (g)** A 20 metre landscaping buffer shall be required for all development adjacent to Highway 88 according to the policies within the Fort Vermilion Industrial Area Structure Plan.
- (h)** Heavy industrial uses shall not be developed within 150 m of a residential district.

G. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1924 LA CRETE TOWN CENTRE DISTRICT “TC1LC-TC”

~~The general purpose of this LAND USE DISTRICT is to permit commercial DEVELOPMENT that is sensitive in scale to adjacent uses within the downtown or core area of the Hamlet of La Crete. The purpose of the La Crete Town Centre District (LC-TC) is to concentrate complementary community commercial developments within central La Crete in order to create an engaging pedestrian friendly public realm.~~

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<p>a) ARTS, CRAFTS AND PHOTOGRAPHY STUDIO</p> <p>b)a) AMUSEMENT FACILITY ENTERTAINMENT ESTABLISHMENT, INDOOR</p> <p>c) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>d)b) BUSINESS SUPPORT SERVICES</p> <p>e)c) CHURCH PLACE OF WORSHIP</p> <p>f)d) CLUB HOUSE PRIVATE CLUB</p> <p>g) Commercial Use + DWELLING APARTMENT</p> <p>h)e) RETAIL - CONVENIENCE STORE</p> <p>i)f) DAY CARE FACILITY</p> <p>g) DWELLING – ABOVE GROUND FLOOR</p> <p>h) DWELLING - APARTMENT</p> <p>j)i) DWELLING UNIT in conjunction with the primary use provided it is incorporated in the same building and the total FLOOR AREA or the DWELLING UNIT shall be less than the FLOOR AREA for the other uses</p> <p>k)j) GENERAL SERVICES ESTABLISHMENT PERSONAL SERVICE ESTABLISHMENT</p> <p>l) INSTITUTIONAL USE</p> <p>m) LAUNDROMAT</p> <p>n) HANDICRAFT BUSINESS</p> <p>k) GOVERNMENT SERVICE</p> <p>o)j) HOTEL</p> <p>p)m) MEDICAL FACILITY HEALTH SERVICE</p> <p>q)n) MOTEL</p> <p>r)o) PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</p> <p>p) MUSEUM</p> <p>s) PUBLIC USE</p> <p>t)q) PUBLIC UTILITY</p> <p>u)r) RESTAURANT EATING AND DRINKING ESTABLISHMENTS</p> <p>v)s) RETAIL STORE RETAIL – GENERAL</p> <p>w)t) TOURIST INFORMATION FACILITY</p>	<p>a) ANCILLARY BUILDING (Bylaw 945-14)</p> <p>b) ACCESSORY BUILDING</p> <p>b)c) BUS DEPOT</p> <p>d) COMMERCIAL SCHOOL</p> <p>e) DWELLING – STACKED ROW HOUSING</p> <p>e) FUNERAL HOME</p> <p>d) SERVICE STATION</p> <p>e) TRADESMEN'S BUSINESS</p> <p>f) VEHICLE WASH ESTABLISHMENT</p> <p>f) RECREATION SERVICE, INDOOR</p> <p>g) SIGNS</p> <p>h) VETERINARY CLINIC</p> <p>i) MANUFACTURED HOME – MOBILE</p>
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

(a) LOT Area:

At the discretion of the Development Authority.

(b) ~~Minimum~~ Setbacks:

YARD - FRONT: ~~3.0 m (10 feet) except along the west side of 100th Street where the minimum shall be increased to 15 m (49 feet) to allow for parking in the front yard setback of development fronting onto 100th Street.~~ Minimum: 0.0m (0.0ft)
Maximum: 3.0m (9.8ft)

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

All other uses: ~~None required.~~ Minimum: 0.0m (0.0ft)
Maximum: 3.0m (9.8ft)

YARD - REAR: Minimum: 3.1-m (10.0-feet)

(c) Minimum Total Floor Area

As required of the Development Authority.

D. RESIDENTIAL USES

(a) MANUFACTURED HOME – MOBILE may be considered in this land use district, along with a NON-PERMANENT addition. Both of these uses are to be considered for NON-PERMANENT use only, and shall not become long term fixtures in this zoning district. Minor renovations, repairs, and other actions for the purpose of maintaining an existing dwelling will be allowed. Major structural changes, rebuilding, or replacement of residential buildings that are not intended for multi-family use will not be allowed.

E. ADDITIONAL REQUIREMENTS

(a) 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.

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- (c) In addition to Section 7.6 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
- (d) In addition to Section 7.6 of this BYLAW all new building and site designs should emphasize a pedestrian friendly environment which must include ground floor walls, windows and doors that face a road.
- (e) In addition to Section 7.31 of this BYLAW Shared Parking may be allowed at the Discretion of the Development Authority.

F. OTHER REQUIREMENTS

- a) The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.
- b) Developments should incorporate 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.
- c) Development permit applications shall be accompanied by a description of how the site and architectural guidelines have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

G. LANDSCAPING/HARDSCAPING

- a) Where possible, 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 determined by a professional. (Reference: p.66)
- b) A landscaping plan prepared by a professional shall be submitted as part of a development permit application, indicating compliance with regulation (a). (Reference: p.66)
- c) Consistent hard surfacing material shall be extended from the public sidewalk to the front of the building façade to maintain downtown visual identity. (Reference: p.66)

H. PARKING LOTS & ACCESS

- a) Parking lots shall be located at the rear of the building. In the case of corner lots, parking is preferred in the rear, but may be allowed in the front yard. (Reference: p.66, p.68)
- b) Parking access shall be designed to maximize street frontage of businesses. Where possible, access to parking areas should be from a side or rear street.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

Where this is not possible, entrances off of main street will be considered. (Reference: p.66, p.69)

- c) Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer's expense. (Reference: p.66)
- d) Hardy trees, shrubs and bioswale planting should be integrated into the design of medium-sized parking lots (up to 12 vehicles) where stormwater management is a concern. Exact location and species of vegetation shall be outlined in the landscape plan prepared by a professional and submitted as part of a development permit application. (Reference: p.67)
- e) Adjacent businesses shall be allowed to combine parking areas where the total combined parking is approximately 20 or more spaces. (Reference: p.69)

I. BUILDING ENTRANCES

- a) For corner lots, the main building entrance shall be oriented toward the intersection. (Reference: p.68)

J. BUILDING FACADES

- a) Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 3.0 feet in height measured from grade level. (Reference: p.80)
- b) Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption. (Reference: p.80)
- c) Storefront window displays, doorway recessions and architectural features such as columns or pilasters shall be illuminated through exterior lighting. The general location and type of lighting used shall be indicated as part of the development application. (Reference: p.81)
- d) When designing sign bands, pillars and other architectural features on storefronts, ornamental details, such as trim and molding, shall be minimized, in favour of straight architectural features. (Reference: p.82)
- e) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors. (Reference: p.84)
- f) Architectural projections (such as awnings and lighting) shall not exceed the width of the sidewalk, measured from the property line. (Reference: p.87)

K. SIGNAGE

- a) On-street portable letter signs shall not be permitted. Pedestrian oriented signage, such as sandwich boards, are permitted. (Reference: p.77)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- b) Storefront sign boxes shall be no shorter than 3 feet in height, and located above the grade level entrance. (Reference: p.83)
- c) Signs between storefronts should be separated by a minimum of two feet keep. (Reference: p.88)
- d) Projecting signs:
 - iv. Should be located over main entranceway or at outer edge of storefront.
 - v. Shall not project more than 1.5 m from the façade.
 - vi. Shall have a minimum clearance of 2.5 metres (8.2 feet) with a maximum area of 0.9m² (Reference: p.88)
- e) Fascia signs shall not project more than 0.15 m from the façade. (Reference: p.88)
- a)f) Backlit and internally illuminated signs (except for metallic sign boxes with transparent lettering) shall not be permitted. (Reference: p.88)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1825 LA CRETE HIGHWAY COMMERCIAL DISTRICT “HC2LC-HC”

The general purpose of this LAND USE DISTRICT is to accommodate commercial business, in a comprehensively planned area that may provide a combination of shops, services, offices, entertainment and accommodation. The types of development within this District are moderate to large in size, primarily serve the needs of a regional clientele, are comprehensively planned and designed to demonstrate a wide variety of building types and scale, provide pedestrian and bicycle amenities with attractive landscaping components. Uses in this District incorporate high quality signage, landscaping, site design, and building appearance. The purpose of the La Crete Highway Commercial District (LC-HC) is to provide for a variety of service commercial uses along major roads, within the Hamlet of La Crete, to serve the traveling and local public.

A. PERMITTED USES	B. DISCRETIONARY USES
<ul style="list-style-type: none"> a) AUTOMOTIVE SALES AND RENTAL b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) e)b) BUILDING SUPPLY CENTRE d)c) BUSINESS SUPPORT SERVICES <u>d) COMMERCIAL SCHOOL</u> <u>e) RETAIL - CONVENIENCE STORE</u> f) HOTEL <u>g) MEDICAL FACILITY HEALTH SERVICE</u> g) h) MOTEL i) PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE j)i) PUBLIC UTILITY k)j) RESTAURANTEATING AND DRINKING ESTABLISHMENTS t)k) RETAIL STORERETAIL – GENERAL <u>l) RECREATION SERVICE, INDOOR</u> <u>m) SERVICE STATION – MINOR</u> n) SIGNS o) TOURIST INFORMATION FACILITY 	<ul style="list-style-type: none"> <u>a) ACCESSORY BUILDING</u> <u>b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u> <u>c) ENTERTAINMENT ESTABLISHMENT, INDOOR</u> a)d) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION b)e) BUS DEPOT <u>f) FUNERAL HOME</u> <u>g) PLACE OF WORSHIP</u> <u>h) PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</u> <u>i) RETAIL GARDEN CENTRE</u> e)j) RECREATION SERVICE, OUTDOOR d) SELF STORAGE 1 (Bylaw 942-14) <u>k) SERVICE STATION – MAJOR</u> e) VEHICLE WASH ESTABLISHMENT f) WAREHOUSE g)l) VETERINARY CLINIC

C. DISTRICT REGULATIONS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

- (a)** In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b)** In addition to Section 7.6 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- (c)** In addition to Section 7.31 of this BYLAW, parking for all new development should mainly be provided to the side and rear of new commercial buildings.
- (d)** In addition to Section 7.31 of this BYLAW Shared Parking may be allowed at the Discretion of the Development Authority.

E. OTHER REQUIREMENTS

- a)** The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.
- d)** Developments should incorporate 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.
- e)** Development permit applications shall be accompanied by a description of how the site and architectural guidelines have been considered. The level to which the

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

applicant is deemed to have met these guidelines is at the discretion of the development authority.

F. PARKING AREAS

- a) All pedestrian corridors within parking areas must be clearly delineated and consistent with the adjacent sidewalk in terms of material and dimension. (Reference: p.70)

G. BUILDING FACADES

- a) Building facades shall incorporate horizontal and vertical articulation in their design. (Reference: p.95)
- b) Large, continuous blank walls with no setbacks or articulation shall be discouraged. (Reference: p.96)
- c) Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 3.0 feet in height measured from grade level. (Reference: p.98)
- d) Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption. (Reference: p.98)
- e) Storefront window displays, doorway recessions and architectural features such as columns or pilasters shall be illuminated through exterior lighting. The general location and type of lighting used shall be indicated as part of the development application. (Reference: p.99)
- f) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors. (Reference: p.100)
- a)b) Architectural projections (such as awnings and lighting) shall not exceed the width of the adjacent sidewalk. (Reference: p.101)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

YARD - SIDE: Maximum: 3.0m (9.8ft)

YARD - REAR: Minimum: 4.5m (14.8ft)

D. ADDITIONAL REQUIREMENTS

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

E. OTHER REQUIREMENTS

- a) The Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed DEVELOPMENT and the purpose of this LAND USE DISTRICT.
- b) Developments should incorporate 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.
- c) Development permit applications shall be accompanied by a description of how the site and architectural guidelines have been considered. The level to which the applicant is deemed to have met these guidelines is at the discretion of the development authority.

F. PARKING LOTS & ACCESS

- a) Parking lots shall be located at the rear of the building. In the case of corner lots, parking is preferred in the rear, but may be allowed in the front yard. (Reference: p.66, p.68)
- b) Parking access shall be designed to maximize street frontage of businesses. Where possible, access to parking areas should be from a side or rear street. Where this is not possible, entrances off of main street will be considered. (Reference: p.66, p.69)
- c) Where interrupted by a driveway entrance off of the main street, sidewalk paving material shall continue over the driveway entrance for visual continuity and pedestrian safety, at the developer’s expense. (Reference: p.66)
- d) Hardy trees, shrubs and bioswale planting should be integrated into the design of medium-sized parking lots (up to 12 vehicles) where stormwater management is a concern. Exact location and species of vegetation shall be outlined in the

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

landscape plan prepared by a professional and submitted as part of a development permit application. (Reference: p.67)

e) Adjacent businesses shall be allowed to combine parking areas where the total combined parking is approximately 20 or more spaces. (Reference: p.69)

G. BUILDING FACADES

a) Building facades shall incorporate horizontal and vertical articulation in their design. (Reference: p.95)

b) Large, continuous blank walls with no setbacks or articulation shall be discouraged. (Reference: p.96)

c) Ground level display windows shall be designed to maximize visibility and natural light flow. Kickplates shall not exceed 3.0 feet in height measured from grade level. (Reference: p.98)

d) Glazing and frosting shall not exceed 25% of the surface area of a window. Where multiple glass panes are required, they shall be seamed together, to minimize visual interruption. (Reference: p.98)

e) Storefront window displays, doorway recessions and architectural features such as columns or pilasters shall be illuminated through exterior lighting. The general location and type of lighting used shall be indicated as part of the development application. (Reference: p.99)

f) Doorway recession depths shall not exceed the depth required to accommodate outward swinging doors. (Reference: p.100)

g) Architectural projections (such as awnings and lighting) shall not exceed the width of the adjacent sidewalk. (Reference: p.101)

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1727 LA CRETE GENERAL COMMERCIAL DISTRICT “GC1LC-GC”

The general purpose of this LAND USE DISTRICT is to accommodate commercial development which may have a fairly large footprint but does not need direct exposure to a high traffic route for their business. The types of development within this District are moderate to large in size, are comprehensively planned and designed to demonstrate a wide variety of building types and scale, provide pedestrian and bicycle amenities with attractive landscaping components. Uses in this District incorporate high quality signage, landscaping, site design, and building appearance. The purpose of _____ is to provide for

A. Light industrial uses with a high quality of site and building aesthetics.

OR

B. Office Park (commercial offices / businesses) with a high quality of site and building aesthetics.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14) c) BUILDING SUPPLY CENTRE d) EXHIBITION FACILITY e)a) HOTEL f)b) MOTEL <u>c) PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</u> g)d) PUBLIC UTILITY</p>	<p>a) <u>ACCESSORY BUILDING</u> b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR b) AUTOMOTIVE SALES AND RENTAL c) BUSINESS SUPPORT SERVICES <u>d) COMMERCIAL SCHOOL</u> d) EXHIBITION GROUNDS e) INTENSIVE RECREATIONAL USE f) MANUFACTURED HOME SALES g)e) AND SERVICE h) RECREATIONAL VEHICLE PARK i) RECREATIONAL VEHICLE SALES AND SERVICE j) RESTAURANT k) RETAIL GARDEN CENTRE l) RECYCLING FACILITY m) SELF STORAGE 1 (Bylaw 942-14) n) SERVICE STATION <u>f) RETAIL – GENERAL</u> g) SIGNS p) VEHICLE WASH ESTABLISHMENT</p>

C. DISTRICT REGULATIONS

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

(a) LOT Area:

At the discretion of the Development Authority.

(b) Minimum Setbacks:

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

- (a)** In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (b)** In addition to Section 7.6 of this BYLAW the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.
- (c)** In addition to Section 7.31 of this BYLAW, parking for all new development should mainly be provided to the side and rear of new commercial buildings.
- (d)** In addition to 7.31 of this BYLAW Shared Parking may be allowed at the Discretion of the Development Authority.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1028 HAMLET INDUSTRIAL 1 “HI1” LA CRETE LIGHT INDUSTRIAL “LC-LI”

The general purpose of this LAND USE DISTRICT is to permit lighter industrial DEVELOPMENT in established HAMLETS. The DEVELOPMENT operates in such a manner that no nuisance factor is created or apparent outside an enclosed building. Limited outdoor activities (loading, service, storage, etc.) that are ACCESSORY to a principal use may occur providing the scale of such activities does not unduly conflict with the primary purpose of this LAND USE DISTRICT or dominate the use of the site. The purpose of the La Crete Light Industrial District (LC-LI) is to provide for the grouping of light industrial and associated commercial uses, which do not cause nuisances to surrounding land uses, within Hamlets.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ACCESSORY <u>ACCESSORY BUILDING</u></p> <p>b) AGRICULTURAL MACHINERY SALES AND SERVICE</p> <p>b)c) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u></p> <p>e) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>d) BUSINESS SUPPORT SERVICES</p> <p>e) <u>COMMERCIAL SCHOOL, INDUSTRIAL</u></p> <p>f) <u>CONTRACTOR, LIMITED</u></p> <p>e) CONTRACTOR'S SERVICE</p> <p>f)g) EQUIPMENT RENTAL FACILITY</p> <p>h) <u>INDUSTRIAL USE, GENERAL</u></p> <p>g)i) PUBLIC UTILITY</p> <p>j) <u>RECYCLING DEPOT</u></p> <p>k) <u>SERVICE STATION – MINOR</u></p> <p>h) TRADESMEN'S BUSINESS</p> <p>i) VEHICLE WASH ESTABLISHMENT</p> <p>l) <u>WAREHOUSE</u></p>	<p>a) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR</u></p> <p>a)b) BUILDING SUPPLY CENTRE</p> <p>b)c) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</p> <p>e) CONTRACTOR'S BUSINESS/YARD</p> <p>d) DUGOUT</p> <p>e) MACHINE SHOP</p> <p>f)e) MANUFACTURED HOME SALES AND SERVICE</p> <p>g) MANUFACTURING FIRM</p> <p>h) RECYCLING FACILITY</p> <p>i)f) <u>SEA CAN SHIPPING CONTAINER</u></p> <p>j)g) SELF-STORAGE 1</p> <p>k) SELF-STORAGE 2 (Bylaw 942-14)</p> <p>l) SHOP</p> <p>m)h) SIGNS</p> <p>n) STORAGE YARD</p> <p>o)i) <u>TARP SHELTER FRAME AND FABRIC STRUCTURE</u></p> <p>p)j) WAREHOUSE</p> <p>q) WELDING SHOP</p>

C. DISTRICT REGULATIONS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

~~(b)~~(d) **Minimum Setbacks:**

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D.H. ADDITIONAL REQUIREMENTS

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

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

E.I. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.1429 HAMLET INDUSTRIAL 2 “HI2” LA CRETE HEAVY INDUSTRIAL “LC-HI”

The general purpose of this LAND USE DISTRICT is to permit medium and heavy industrial DEVELOPMENT in established HAMLETS. The LAND USE DISTRICT accommodates manufacturing, processing, assembly, distribution, service and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas. The purpose of the La Crete Heavy Industrial District (LC-HI) is to provide for heavy industrial uses, within Hamlets, adjacent to land uses that will not be negatively impacted by associated nuisances.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ACCESSORY ACCESSORY BUILDING</p> <p>a)b) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>c) BUSINESS SUPPORT SERVICES</p> <p>d) CONTRACTOR, GENERAL</p> <p>d)e) DUGOUT</p> <p>e) EQUIPMENT RENTAL FACILITY</p> <p>f) INDUSTRIAL PLANT</p> <p>g)f) PUBLIC UTILITY</p> <p>h) TRADESMEN'S BUSINESS</p> <p>i) VEHICLE WASH ESTABLISHMENT</p> <p><u>g) WAREHOUSE</u></p>	<p>a) AUTO SALVAGE</p> <p><u>a) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR</u></p> <p>b) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</p> <p>c) BULK FERTILIZER STORAGE AND/OR SALES</p> <p>d) CONCRETE PRODUCTS MANUFACTURING</p> <p>e) CONTRACTOR'S BUSINESS/YARD</p> <p>f)e) ENVIRO-TANK</p> <p>g)f) EQUIPMENT RENTAL FACILITY</p> <p>h)g) GRAIN ELEVATOR</p> <p><u>h) INDUSTRIAL USE, HEAVY</u></p> <p>i) MACHINE SHOP</p> <p>j) MANUFACTURING FIRM</p> <p><u>i) INDUSTRIAL USE, GENERAL</u></p> <p>k)j) OIL FIELD SERVICE</p> <p>l) RECYCLING FACILITY</p> <p><u>k) SALVAGE YARD</u></p> <p>m)l) SEA CAN SHIPPING CONTAINER</p> <p>n)m) SELF-STORAGE 2 (Bylaw 942-14)</p> <p>o) SHOP</p> <p><u>n) SERVICE STATION – MAJOR</u></p> <p>p)o) SIGNS</p> <p>q) STORAGE YARD</p> <p>r)p) TARP SHELTER FRAME AND FABRIC STRUCTURE</p> <p>s) WAREHOUSE</p>

C. DISTRICT REGULATIONS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

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

(b) **Minimum Setbacks:**

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: 3.1 m (10 feet)

D. ADDITIONAL REQUIREMENTS

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

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

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.3330 ZAMA CITY INDUSTRIAL “ZIZ-1”

~~The general purpose of this LAND USE DISTRICT is to permit light, medium and heavy industrial DEVELOPMENT in Zama City west of Tower Road. The LAND USE DISTRICT accommodates manufacturing, oil and gas services, processing, assembly, distribution, service and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas. The purpose of the Zama City Industrial District (Z-I) is to provide for a variety of oil and gas related industrial uses, which utilize outdoor storage areas, within the western boundary of Zama City.~~

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<p>a) <u>ANGILLARY BUILDING/SHOP ACCESSORY BUILDING</u></p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p><u>b) CONTRACTOR, LIMITED</u></p> <p>c) <u>CONTRACTOR'S BUSINESS/YARD CONTRACTOR, GENERAL</u></p> <p><u>d) INDUSTRIAL USE, HEAVY</u></p> <p>d) MACHINE SHOP</p> <p>e) <u>SEA CANS SHIPPING CONTAINER</u></p> <p><u>f) RECYCLING DEPOT</u></p> <p>f) SHOP</p> <p>g) STORAGE YARD</p> <p>h) TRADESMEN'S BUSINESS</p> <p>i)g) TRUCK STOP SERVICE STATION – MAJOR</p> <p>j) VEHICLE WASH ESTABLISHMENT</p> <p>k) WELDING SHOP</p> <p><u>h) WAREHOUSE</u></p>	<p>a) AUTO SALVAGE</p> <p><u>a) AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MAJOR</u></p> <p>b) BULK FERTILIZER STORAGE AND/OR SALES</p> <p>c) BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</p> <p>d) CARETAKER'S SUITE/SECURITY SUITE</p> <p>e) CONCRETE PRODUCTS MANUFACTURING</p> <p>f)e) ENVIRO-TANK</p> <p>g)f) EQUIPMENT RENTAL FACILITY</p> <p>h) FOREST BASED FACILITY</p> <p>i)g) GRAIN ELEVATOR</p> <p>j) HIGHWAY MAINTENANCE YARD</p> <p>k)h) INDUSTRIAL CAMP</p> <p>l) INDUSTRIAL PLANT</p> <p><u>i) INDUSTRIAL USE, GENERAL</u></p> <p>m) INDUSTRIAL, GENERAL</p> <p>n) MANUFACTURING FIRM</p> <p>o) OIL AND GAS FACILITIES</p> <p><u>i) OIL FIELD SERVICE</u></p> <p>p) –</p> <p>q)i) PETROLEUM FACILITY NATURAL RESOURCE PROCESSING</p> <p>r) PRESSURE VESSEL STORAGE</p> <p><u>k) SALVAGE YARD</u></p> <p>s)l) SELF-STORAGE 2 (Bylaw 942-14) SIMILAR INDUSTRIAL USES AS THE DEVELOPMENT AUTHORITY MAY CHOOSE TO PERMIT FROM TIME TO TIME.</p> <p><u>m) TARP SHELTER FRAME AND FABRIC STRUCTURE</u></p>
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

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

(b) **Minimum Setbacks:**

YARD - FRONT: 10 m (33 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: ~~10 m (33 feet)~~ 3.1m (10.0ft)

D. ADDITIONAL REQUIREMENTS

- (a) All new subdivision and DEVELOPMENT shall provide a landscaped BUFFER/SCREENING of not less than 10 metres depth along the common boundary of an interface with a residential or commercial district.
- (b) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (c) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment adjoining DEVELOPMENT and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.3431 ZAMA CITY MIXED USE “ZMUZ-MU”

~~The general purpose of this LAND USE DISTRICT is to allow a variety of urban-type commercial land uses in the central area of Zama City. This area serves as the commercial centre of Zama City and also provides a transition between industrial areas to residential areas. This area is intended to accommodate a wide range of commercial, retail, services, light industrial uses and associated secondary residential units. No use is to be established that is, or will become, obnoxious by way of noise, odour or fumes.~~ The purpose of the Zama City Mixed Use District (Z-MU) is to provide for a variety of commercial, light industrial and associated secondary residential units within central Zama City. Serving as the commercial centre of Zama City, non-nuisance uses within the Z-MU District act as a transition between industrial and residential uses.

A. PERMITTED USES	B. DISCRETIONARY USES
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

<p>a) <u>AMUSEMENT FACILITY ENTERTAINMENT ESTABLISHMENT, INDOOR</u></p> <p>b) <u>ANCILLARY BUILDING/SHED ACCESSORY BUILDING</u></p> <p>c) AUTOMOTIVE SALES AND RENTAL</p> <p>d) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e)d) <u>CHURCH PLACE OF WORSHIP</u></p> <p>f)e) <u>CLUB HOUSE PRIVATE CLUB</u></p> <p>f) <u>COMMERCIAL SCHOOL</u></p> <p>g) <u>COMMERCIAL SCHOOL, INDUSTRIAL</u></p> <p>h) <u>CONTRACTOR, GENERAL</u></p> <p>i) <u>CONTRACTOR, LIMITED</u></p> <p>g)i) <u>RETAIL - CONVENIENCE STORE</u></p> <p>h) _____</p> <p>i)k) <u>GENERAL SERVICES ESTABLISHMENT PERSONAL SERVICE ESTABLISHMENT</u></p> <p>j) <u>LAUNDROMAT</u></p> <p>l) <u>GOVERNMENT SERVICE</u></p> <p>m) <u>INDUSTRIAL USE, GENERAL</u></p> <p>k)n) <u>MEDICAL FACILITY HEALTH SERVICE</u></p> <p>l)o) <u>PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SERVICE</u></p> <p>m) <u>PUBLIC USE</u></p> <p>n)p) <u>PUBLIC UTILITY</u></p> <p>e)q) <u>RESTAURANT EATING AND DRINKING ESTABLISHMENTS</u></p> <p>p)r) <u>RETAIL STORE RETAIL - GENERAL</u></p> <p>q)s) <u>SERVICE STATION - MINOR</u></p> <p>r) <u>TRADESMEN'S BUSINESS</u></p> <p>s) <u>INSTITUTIONAL USE</u></p>	<p>a) <u>AUTOMOTIVE EQUIPMENT AND VEHICLE SERVICES, MINOR</u></p> <p>a)b) <u>BULK FUEL AND CHEMICAL STORAGE AND DISTRIBUTION</u></p> <p>b) <u>CARETAKERS RESIDENCE/SECURITY SUITE</u></p> <p>c) <u>CONTRACTOR'S BUSINESS YARD</u></p> <p>d)c) <u>DWELLING - APARTMENT</u></p> <p>e)d) <u>DWELLING - ROW</u></p> <p>f)e) <u>DWELLING - STACKED ROW HOUSING</u></p> <p>g)f) <u>EQUIPMENT RENTAL FACILITY</u></p> <p>h)g) <u>GARAGE - ATTACHED</u></p> <p>i)h) <u>GARAGE - DETACHED</u></p> <p>j)i) <u>HOME BASED BUSINESS MINOR</u></p> <p>k)l) <u>INDUSTRIAL CAMP</u></p> <p>k) <u>INDUSTRIAL USE, HEAVY</u></p> <p>l) <u>INTENSIVE RECREATIONAL USE</u></p> <p>m)l) <u>LIQUOR STORE</u></p> <p>n) <u>LUMBER YARD</u></p> <p>e)m) <u>MOTEL or HOTEL</u></p> <p>n) <u>OIL FIELD SERVICE</u></p> <p>p) <u>OWNER/OPERATOR BUSINESS 2 HOME BASED BUSINESS MEDIUM</u></p> <p>o) <u>RECREATION SERVICE, OUTDOOR</u></p> <p>q)p) <u>RECYCLING FACILITY DEPOT</u></p> <p>r) <u>SECONDARY USE OF</u></p> <p>s) <u>MANUFACTURED HOME - MOBILE</u></p> <p>t)q) <u>SEA CAN SHIPPING CONTAINER</u></p> <p>u)r) <u>MANUFACTURED HOME - MODULAR</u></p> <p>v)s) <u>SELF-STORAGE 1 (Bylaw 942-14)</u></p> <p>w)t) <u>SELF-STORAGE 2 (Bylaw 942-14)</u></p> <p>x) <u>SHOP - COMMERCIAL</u></p> <p>t) <u>SIGNS</u></p> <p>u) <u>STORAGE YARD</u></p> <p>y)u) <u>TARP SHELTER FRAME AND FABRIC STRUCTURE</u></p> <p>z)v) <u>TEMPORARY/PORTABLE UNIT</u></p> <p>aa)w) <u>TRUCK STOP SERVICE STATION - MAJOR</u></p> <p>bb) <u>VEHICLE WASH ESTABLISHMENT</u></p> <p>ee)x) <u>VETERINARY CLINIC</u></p> <p>y) <u>WELDING SHOP</u></p> <p>dd)z) <u>WAREHOUSE</u></p>
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SECTION EIGHT – LAND USE DISTRICT REGULATIONS

C. DISTRICT REGULATIONS

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

(a) **LOT Area:** Minimum: 0.4 ha (1.0 acre)
Maximum: 2.0 ha (5 acres)

(b) **Minimum Setbacks:**

YARD - FRONT: 9.1 m (30 feet)

YARD - EXTERIOR SIDE: 9.1 m (30 feet)

YARD - INTERIOR SIDE: 3.1 m (10 feet)

YARD - REAR: ~~9.1 m (30 feet)~~ 3.1m (10.0ft)

D. ADDITIONAL REQUIREMENTS

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

i. New development along Tower Road shall provide a 3.0 metre landscaped buffer along the Tower Road lot boundary.

(b) In addition to 7.6 of this Bylaw the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

(c) No use is to be established that is, or will become, obnoxious by way of noise, odour or fumes.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.3532 ZAMA CITY RESIDENTIAL “ZRZ-R”

The ~~general~~ purpose of ~~this LAND USE DISTRICT~~ the Zama City Residential District (Z-R) is to ~~permit~~ provide exclusively for various residential uses ~~in Zama City which are separate from industrial and commercial development.~~

A. PERMITTED USES	B. DISCRETIONARY USES
<p><u>a) ACCESSORY BUILDING</u></p> <p>a) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>b) DWELLING - DUPLEX</p> <p>c) DWELLING - SINGLE FAMILY</p> <p>d) GARAGE - ATTACHED</p> <p>e) GARAGE - DETACHED</p> <p>f) HOME BASED BUSINESS <u>MINOR</u></p> <p>g) MANUFACTURED HOME - MOBILE</p> <p>h) MANUFACTURED HOME – MODULAR</p>	<p>a) BED AND BREAKFAST BUSINESS</p> <p>b) DAY CARE HOME</p> <p>c) DWELLING – ROW</p> <p><u>d) DWELLING – STACKED ROW HOUSING</u></p> <p>e) DWELLING UNIT</p> <p>f) GARDEN SUITE</p> <p>g) RESIDENTIAL SALES CENTRE</p> <p>h) SECONDARY SUITE</p>

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

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

(b) Minimum Setbacks:

YARD – FRONT:	7.6 m (25 feet)
YARD – INTERIOR SIDE:	1.5 m (5 feet)
YARD – EXTERIOR SIDE:	3.1 m (10 feet)
YARD – REAR:	2.4 m (8 feet) with overhead utility servicing
	1.5 m (5 feet) with underground utility servicing
	20.0 m (66 feet) from an industrial or commercial district.

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

D. ADDITIONAL REQUIREMENTS

- (a) All new subdivisions shall have underground servicing.
- (b) All new subdivisions shall provide a landscaped BUFFER of not less than 20 metres depth along an interface with an industrial or commercial district.
- (c) INDUSTRIAL CAMPS are not allowed in this District.
- (d) MANUFACTURED HOMES – MOBILE shall be skirted from the base thereof to the ground with material similar to that of the siding materials. Painted plywood shall not constitute skirting.
- (e) 100% of YARD - FRONT areas shall be landscaped in accordance with section 7.28 of this BYLAW.
- (f) In addition to Section 7.28 of this BYLAW, the Development Authority may require any DISCRETIONARY USE to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Authority.
- (g) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

E. OTHER REQUIREMENTS

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

8.3633 ZAMA CITY RESIDENTIAL-BUSINESS “ZRBZ-RB”

The general purpose of this LAND USE DISTRICT is to permit residential uses in Zama City with accessory compatible owner/operator business uses which are safe for nearby residential uses. Uses should not be permitted where they involve the use of hazardous chemicals of types and quantities not generally associated with a residential use. The purpose of the Zama City Residential Business District (Z-RB) is to provide for various residential uses and associated non-nuisance Home Based Businesses.

A. PERMITTED USES	B. DISCRETIONARY USES
<p>a) ANCILLARY BUILDING/SHOP ACCESSORY BUILDING</p> <p>b) BUILDING DEMOLITION OR REMOVAL (Bylaw 932-14)</p> <p>e)b) DWELLING - DUPLEX</p> <p>d)c) DWELLING - SINGLE FAMILY</p> <p>e)d) GARAGE - ATTACHED</p> <p>f)e) GARAGE - DETACHED</p> <p>g)f) HOME BASED BUSINESS <u>MINOR</u></p> <p>h)g) <u>MANUFACTURED HOME - MOBILE</u></p> <p>i)h) <u>MANUFACTURED HOME - MODULAR</u></p> <p>j)i) OWNER/OPERATOR BUSINESS 2 HOME BASED BUSINESS MEDIUM</p>	<p>a) BED AND BREAKFAST BUSINESS</p> <p>b) DWELLING – ROW</p> <p>b)c) <u>DWELLING UNIT</u></p> <p>e)d) GARDEN SUITE</p> <p>d)e) RESIDENTIAL SALES CENTRE</p> <p>e)f) SECONDARY SUITE</p> <p>f) CONTRACTOR'S SERVICE</p> <p>g) INDUSTRIAL CAMPS</p> <p>h)g) <u>OWNER/OPERATOR BUSINESS 1 HOME BASED BUSINESS MAJOR</u></p> <p>i)h) <u>OIL FIELD SERVICES</u></p>

C. DISTRICT REGULATIONS

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

(a) Lot Dimensions (minimum):

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

(b) Minimum Setbacks:

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

- YARD – EXTERIOR SIDE: 3.1 m (10 feet)
- YARD – REAR: 2.4 m (8 feet) with overhead utility servicing
1.5 m (5 feet) with underground utility servicing
20.0 m (66 feet) from an industrial or commercial district.

D. ADDITIONAL REQUIREMENTS

(h) Commercial or Industrial land uses shall not:

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

(i) SHOPS

- i) Building Area (maximum): 185.81 sq m (2,000 square feet)
- iii) Height of Door Opening (maximum): 4.87 m (16 feet)

(j) All new subdivisions shall have underground servicing.

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

~~(l) INDUSTRIAL CAMPS with more than 10 beds are not allowed in this District.~~

~~(m)~~(l) _____ MANUFACTURED HOMES – MOBILE shall be skirted from the base thereof to the ground with material similar to that of the siding materials.

~~(n)~~(m) _____ 100% of YARD - FRONT areas shall be landscaped in accordance with section 7.28.

~~(o)~~(n) _____ All outdoor storage and parking for commercial or industrial purposes shall be SCREENED to the satisfaction of the Development Authority.

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

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

SECTION EIGHT – LAND USE DISTRICT REGULATIONS

E. OTHER REQUIREMENTS

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

APPENDIX A

FORMS

SECTION EIGHT – SCHEDULES AND APPENDICES

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This section contents to be added at a later date.

SECTION EIGHT – SCHEDULES AND APPENDICES

APPENDIX B

DEVELOPMENT AGREEMENT AND CERTIFICATES

SECTION EIGHT – SCHEDULES AND APPENDICES

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This section contents to be added at a later date.

SECTION EIGHT – SCHEDULES AND APPENDICES

SCHEDULE “A”

LAND USE DISTRICT MAPS AND FLOOD PRONE LAND MAPS

SECTION EIGHT – SCHEDULES AND APPENDICES

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SCHEDULE “B”

AIRPORT VICINITY PROTECTION AREAS

SECTION EIGHT – SCHEDULES AND APPENDICES

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