**A BYLAW OF THE COUNTY OF BARRHEAD NO. 11, in the Province of Alberta, for the purpose of establishing a new Land Use Bylaw.**

**WHEREAS** pursuant to Section 640(1) of the *Municipal Government Act*, RSA 2000, c. M-26, as amended from time to time, Council for every municipality must pass a land use bylaw; and

**NOW THEREFORE**, the Council of the County of Barrhead No. 11, duly assembled, and under the authority of the *Municipal Government Act*, as amended, hereby enacts the following:

**1.0** This Bylaw may be cited as "County of Barrhead Land Use Bylaw".

**2.0** That the written text, maps, and charts attached be adopted as the County of Barrhead Land Use Bylaw.

**3.0** Invalidity of any section, clause, sentence or provision of this bylaw shall not affect the validity of any other part of this bylaw.

**4.0** Bylaw No. 5-2010 and all amendments thereto are repealed following final reading of Bylaw No. 4-2024.

**5.0** This Bylaw No. 4-2024 shall come into full force and take effect upon third and final reading.

FIRST READING GIVEN THE 7TH DAY OF MAY 2024.

SECOND READING GIVEN THE 2ND DAY OF JULY 2024.

THIRD READING GIVEN THE 3RD DAY OF SEPTEMBER 2024.

**ORIGINAL SIGNED**

D. DROZD
Reeve

Seal

D. OYARZUN
County Manager

ADVERTISED in Barrhead Leader on:

May 21 and 28, 2024.

PUBLIC HEARING held on June 6, 2024.

**A Bylaw of the County of Barrhead No. 11, in the Province of Alberta, to amend the Land Use Bylaw No. 4-2024.**

**WHEREAS**, the *Municipal Government Act*, of the Revised Statutes of Alberta 2000, and amendments thereto, authorizes the Council to establish and amend a Land Use Bylaw, and

**WHEREAS**, Council deems it necessary and desirable to amend the Land Use Bylaw to add "Data Processing Facility" as a Discretionary Use in the Agricultural Land Use District;

**NOW THEREFORE**, the Council of the County of Barrhead No. 11, in the Province of Alberta, duly assembled enacts as follows:

1. That the Land Use Bylaw of the County of Barrhead No. 11, Bylaw 4-2024, be amended as follows:

   a) In Section 12. Agricultural Land Use District (AG), subsection 12.3 Discretionary Uses, add "Data Processing Facility (Minor)" to the list of discretionary uses.

   b) In Section 3.1 Definitions, add

   "**DATA PROCESSING FACILITY (MINOR)"** means a data processing facility consisting of modular or portable structures. Such facilities include on-site power generation systems less than 10 MW, as part of the development and do not require the use of water-based cooling systems that draw on external water sources. However, to further clarify, a water-based cooling system that is a closed-loop system may be considered. These are generally for temporary, mobile or lower capacity operations;"

   AND

   "**DATA PROCESSING FACILITY (MAJOR)"** means a data processing facility that requires 10 MW or more regardless of whether that power is supplied by the electrical grid, on-site generation, or a combination thereof;

   c) In Section 10.11 Data Processing Facilities, amend subsection 10.11.7 to read as follows:

   "Any development shall be designed to mitigate all off-site nuisance factors including excessive noise, odour, traffic dust, light pollution and other impacts to the satisfaction of the Development Authority. A Mitigation Plan shall be provided at the time of development permit application to demonstrate that these nuisance factors have been mitigated."

   d) In Section 10.11 Data Processing Facilities, add

   10.11.8 A Data Processing Facility (Minor) shall not involve the use of water-based cooling systems.

   10.11.9 A Data Processing Facility (Minor) is permitted as a discretionary use only where on-site energy generation is utilized and where the facility is co-located with an existing oil and gas facility.

   10.11.10 A development permit for a Data Processing Facility (Minor) shall not be issued until any necessary permits/licenses/approvals are obtained from the Provincial Government and any applicable provincial regulatory agencies, where required.

   10.11.11 Proponent of a Data Processing Facility (Minor) may be required to submit a Reclamation Plan to the County for its ratification and approval, prior to, or as a condition of, development permit approval.

10.11.12 Proponent of a Data Processing Facility (Minor) may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed to the satisfaction of the County's Development Authority.

10.11.13 A disturbed area shall be reclaimed to:

a. At least its former capability; or

b. Any other use, which the Development Authority feels, will be beneficial to the County.

10.11.14 Public consultation shall be completed within 1,500 m of the proposed site, and details included with the application.

2. Invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw, which can be given effect with such invalid part or parts.

3. This bylaw comes into force upon third and final reading and signing in accordance with the *Municipal Government Act*.

FIRST READING GIVEN the 6th day of January 2026.

SECOND READING GIVEN the 16th day of June 2026.

THIRD READING GIVEN the 7th day of July 2026.

**ORIGINAL SIGNED**

_____E. MUNCK_____
Reeve

Seal

_____D. OYARZUN_____
County CAO

**ADVERTISED IN THE BARRHEAD LEADER ON:**

- **JANUARY 20 & 27, 2026**
- **MARCH 24 & 31, 2026**

**PUBLIC HEARING HELD ON FEBRUARY 3, 2026, AND RESUMED ON APRIL 7, 2026**







# Land Use Bylaw 4-2024

(amended by Bylaw 2-2026)

COUNTY OF Barrhead







## LIST OF AMENDMENTS

The following is a list of amendments to the current County of Barrhead Land Use Bylaw. This page is provided for information only and is not approved as part of the bylaw.

| BYLAW | THIRD READING DATE | DESCRIPTION |
|---|---|---|
| 2-2026 | 2026-07-07 | Adding Data Processing Facility definitions, etc. |
| | | |
| | | |
| | | |
| | | |

# GUIDE TO USING THE LAND USE BYLAW

The County of Barrhead Land Use Bylaw establishes the regulations on how land can be developed (i.e., how land can be used, and how buildings can be constructed or moved) in the County. Regulations vary depending on the location, type, and density/intensity of the development proposed. Other bylaws, policies, and regulations of the County must also be followed, as well as all applicable acts, laws, and regulations of the Provincial and Federal governments.

There are several parts of the Land Use Bylaw that need to be reviewed together to understand how the Land Use Bylaw affects the use and development of lands within the County.

The following steps may assist in the review of the Land Use Bylaw by a prospective development or subdivision proponent:

**LOCATE**

1

Locate the subject property on the Land Use District Map(s). These maps divide the County into various Land Use Districts. Each Land Use District has a designation such as "AG" for AGRICULTURAL or "CR" for COUNTRY RESIDENTIAL.

**CHECK**

2

Check the Table of Contents and locate the Land Use District you are interested in. Each Land Use District is listed in Section 11 – Land Use Districts. In each Land Use District, you will find a list of permitted and discretionary uses, subdivision and development regulations, and regulations for specific types of development.

These districts identify what can be developed in any given Land Use District. Definitions provided in Section 3.2 – Definitions, should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

**REVIEW**

3

Review the Table of Contents to see if there are any regulations that apply to your inquiry.

For example, Section 8 describes the enforcement procedure, Section 9.2 contains regulations about Accessory Buildings and Section 10.17 contains regulations about Home Occupations.

**DISCUSS**

4

Discuss your proposal or concerns with County Planning & Development staff. County staff members are well trained and able to assist you with your development/subdivision or general inquiries and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

Please note that this page is intended to assist the reader of the Land Use Bylaw and does not form part of the approved bylaw.

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# 1. ADMINISTRATION

## 1.1 TITLE

1.1.1 This Bylaw shall be referred as the County of Barrhead Land Use Bylaw and may be referenced in this Bylaw as 'the Bylaw', 'this Bylaw', 'the Land Use Bylaw', or 'this Land Use Bylaw'.

## 1.2 PURPOSE

1.2.1 Purpose of this Bylaw is to:

a. Regulate the use and development of land and buildings within the County of Barrhead to achieve the orderly and economic development of land;
b. Divide the County of Barrhead into Land Use Districts;
c. Prescribe and regulate for each Land Use District the purpose for which land and buildings may be used unless the district is designated as a Direct Control District pursuant to Section 641 of the *Municipal Government Act*, RSA 2000, c M-26 (the *Act*), as amended or replaced;
d. Establish the Development Authority for the County of Barrhead;
e. Establish a method of making decisions on applications for development permits including the issuing of development permits;
f. Establish a method of making decisions on applications for subdivision approval in accordance with the provisions of the *Act* and its regulations;
g. Provide the manner in which notice of the issuance of a development permit is to be given;
h. Establish a system of appeals against the decisions of the Subdivision Authority and the Development Authority; and
i. Establish the number of dwelling units permitted on a parcel of land.

1.2.2 In addition to the above, the Land Use Bylaw shall follow:

a. The *Act*;
b. Matters Related to Subdivision & Development Regulation, AR84/2022, as amended or replaced; and
c. Provincial Land Use Polices (or, where applicable, a regional plan adopted under the *Alberta Land Stewardship Act*, S.A. 2009, c. A-26.8, as amended or replaced).

## 1.3 COMMENCEMENT

1.3.1 The effective date of this Bylaw shall be the date of the third reading.

## 1.4 REPEAL

1.4.1 The former County of Barrhead Land Use Bylaw (as amended or replaced) is repealed and shall cease to have effect on the day that this Land Use Bylaw comes into effect.

## 1.5 AREA OF APPLICATION

1.5.1 Provisions of this Bylaw apply to all land and buildings within the boundaries of the County of Barrhead.

## 1.6 CONFORMITY & COMPLIANCE

1.6.1 No person shall commence any subdivision or development unless it is in accordance with the regulations of this Bylaw. Nothing in this Bylaw affects the duty or obligation of a person to obtain a development permit or subdivision approval as required in this Bylaw, or to obtain any other permit, license, approval, or other authorization required by any Bylaw or any provincial or federal legislation.

1.6.2 Compliance with the provisions and requirements of this Bylaw does not exempt any person or corporation from complying with any easement, covenant, agreement, or contract affecting the development.

## 1.7 INTERPRETATION & GOVERNING LAW

1.7.1 Notwithstanding the definitions in Section 3 of this Bylaw, the *Municipal Government Act* RSA 2000, c M-26 as amended takes precedence in the case of a dispute on the meaning of any words or clauses herein.

1.7.2 In this Bylaw:

a. "*Act*" means the *Municipal Government Act*, RSA 2000, c M-26
b. **"MAY"** is an operative word meaning a choice is available with no particular direction or guidance intended.
c. **"SHALL"** and **"MUST"** require mandatory compliance.
d. **"SHOULD"** means that in order to achieve local goals and objectives it is strongly advised that action be taken;
e. "Council" shall refer to the Council of the municipal corporation of the County of Barrhead No. 11 in the Province of Alberta.
f. "County" shall refer to the municipal corporation of the County of Barrhead No. 11 in the Province of Alberta.
g. "Municipality" means the County of Barrhead No. 11 in the Province of Alberta unless otherwise noted.

1.7.3 All titles and headings are inserted for convenience only.

1.7.4 Reference to the singular, plural, masculine, feminine or neuter is used throughout and can be used interchangeably unless the context requires otherwise.

1.7.5 Metric measurement shall take precedence for the purposes of interpretation of the regulations in this Land Use Bylaw.

a. Imperial measures are approximate and are provided only for information.
b. Unless specified elsewhere in this Land Use Bylaw, measurements shall be rounded to the nearest tenth decimal place.

1.7.6 This Bylaw and any amendment thereto shall be enacted in conformance with any statutory plan as adopted or amended by the County of Barrhead.

## 1.8 SEVERABILITY

1.8.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions.

1.8.2 If any provision of this Bylaw is declared invalid, that provision shall be severed, and all other provisions of the Bylaw shall remain in force and effect.

## 1.9 ESTABLISHMENT OF FORMS

1.9.1 For the purpose of administering the provisions of the Land Use Bylaw, the Council may, by resolution, authorize the preparation and use of such forms and notices, as they may deem necessary.

1.9.2 Forms identified within this Bylaw are for information purposes only and are not adopted as part of this Bylaw.

# 2. AUTHORITIES

## 2.1 COUNCIL

2.1.1 Council shall perform such duties as are specified for Council in this Bylaw.

2.1.2 In addition, Council shall decide upon all development permit applications within a Direct Control District, as stated in the *Act*.

## 2.2 DEVELOPMENT AUTHORITY

2.2.1 Development Authority for the County of Barrhead is established under this Bylaw pursuant to the *Act*.

2.2.2 Development Authority shall be:

a. Person(s) appointed as Development Authority Officer by resolution of Council, pursuant to this Bylaw; and

b. County of Barrhead Municipal Planning Commission (MPC); and

c. Council, in matters related to a Direct Control District.

2.2.3 Development Authority shall be carried out in accordance with powers and duties described in the *Act*, regulations established under the *Act*, and this Bylaw as amended or replaced.

## 2.3 DEVELOPMENT AUTHORITY OFFICER

2.3.1 Position of Designated Officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer is hereby established.

2.3.2 Development Authority Officer shall be appointed by resolution of Council.

2.3.3 Powers, duties and functions of the Development Authority Officer are described in this Bylaw.

2.3.4 Development Authority Officer may sign on behalf of the Development Authority any order, decision, approval, notice, or other thing made or given by the Development Authority or by the Development Authority Officer.

2.3.5 Development Authority Officer shall:

a. Keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available at a reasonable charge; and

b. Make available for inspection by the public during all reasonable hours, a register of all applications for development permits, including the decisions thereon and the reasons, therefore.

2.3.6 In addition to their other duties, the Development Authority Officer shall be a Designated Officer for the purposes of inspection, remedy, enforcement, or action pursuant to Section 542 of the *Act*.

2.3.7 Development Authority Officer may have other duties as directed by Council.

## 2.4 MUNICIPAL PLANNING COMMISSION

2.4.1 Municipal Planning Commission (MPC) established by Bylaw and any amendments thereto, shall perform such duties as are specified in this Bylaw.

2.4.2 MPC shall decide upon all development permit applications referred by the Development Authority Officer.

2.4.3 MPC may:

a. Provide recommendations for subdivision proposals to the Subdivision Authority; and

b. Perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

## 2.5 SUBDIVISION AUTHORITY

2.5.1 Pursuant to Section 623 of the *Act*, Council of the County of Barrhead shall serve as Subdivision Authority.

## 2.6 SUBDIVISION OFFICER

2.6.1 Subdivision Officer shall:

a. Keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available at a reasonable charge; and

b. Make available for inspection by the public during all reasonable hours, a register of all applications for subdivision, including the decisions thereon and the reasons, therefore.

2.6.2 For the purposes of right of entry, the Subdivision Officer is hereby declared to be an authorized person of Council.

## 2.7 SUBDIVISION & DEVELOPMENT APPEAL BOARD

2.7.1 Subdivision & Development Appeal Board shall be established by separate Bylaw.

2.7.2 Subdivision & Development Appeal Board established by the County's Subdivision & Development Appeal Board Bylaw, as amended or replaced, shall perform such duties as are specified in Section 6 of this Bylaw.

# 3. DEFINITIONS

## 3.1 DEFINITIONS

3.1.1 In this Bylaw, and any amendments made hereto, the definitions set out in Section 3 shall be used.

3.1.2 "**ABANDONED FARMSTEAD"** means a farmyard which was once established and which contains two (2) or more of the following: an abandoned residence, a developed potable water source, an established sewage collection system, an existing shelterbelt or any other features which would indicate a previous developed farmstead;

3.1.3 **"ABATTOIR"** means the use of land or buildings as a facility for the slaughtering of animals and the processing, storage, and sale of meat products;

3.1.4 **"ABUT"** means immediately contiguous or physically touching, and, when used with respect to a parcel or site, means that the parcel or site physically touches upon another parcel or site, and shares a property line or boundary line with it;

3.1.5 **"ACCESSORY BUILDING"** means a building separate and subordinate to the principal building (in the opinion of the Development Authority), the use of which is incidental to that of the principal building and is located on the same parcel of land;

3.1.6 **"ACCESSORY USE"** means a use customarily incidental and subordinate to the principal use or building (in the opinion of the Development Authority), and which is located on the same parcel of land with such principal use or building;

3.1.7 **"ADJACENT"** means land that is immediately contiguous to a site or would be immediately contiguous to a site if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.

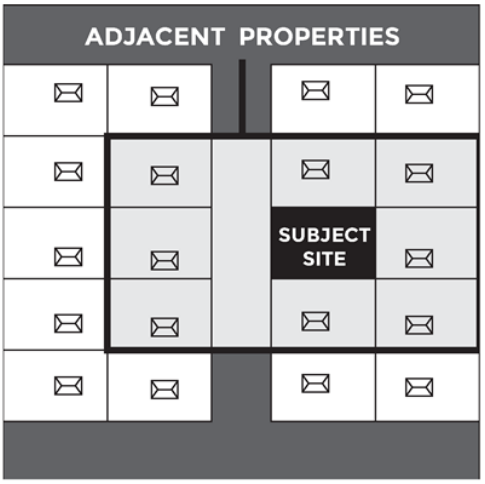



*Figure 1: Adjacent*

3.1.8 **"ADULT ENTERTAINMENT"** means an establishment which provides live entertainment for its patrons, which includes the display of nudity;

3.1.9 **"ADULT USE"** means any of the following: Adult Bookstore, Adult Motion Picture Theater, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premise's gross floor area, or 18.6 $m^2$ (200.0 $ft^2$) (whichever is greater) devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement;

3.1.10 **"AERODROME"** means any area of land, water (including the frozen surface thereof) or other supporting surface used or designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement, or servicing of aircraft and includes any buildings, installations and equipment situated thereon or associated therewith. Aerodromes include water aerodromes and heliport;

3.1.11 **"AGRI-TOURISM"** means an agriculturally based operation or activity that brings visitors to a farm or ranch. Agri-tourism includes, but is not limited to, buying produce direct from a farm stand, navigating a corn maze, picking fruit, feeding animals, and may include overnight accommodations as secondary uses with appropriate permits;

3.1.12 **"AGRICULTURAL OPERATION"** means an agricultural operation as defined in the *Agricultural Operations Practices Act*, R.S.A. 2000, c. A-7, as amended or replaced;

3.1.13 **"AGRICULTURAL SUPPORT SERVICES"** means development providing products or services related to the agricultural industry. Without restricting the generality of the foregoing, this shall include such facilities as: livestock auction marts, grain elevators, feed mills, bulk fertilizer distribution plants, bulk agricultural chemical distribution plants, bulk fuel facilities, farm implement dealerships, and crop spraying;

3.1.14 **“AGRICULTURAL USE”** means farming activities including extensive agriculture, intensive agriculture, agri-tourism, industrial agriculture, value-added agriculture, and confined feeding operations. Agricultural uses do not include cannabis production and distribution facilities;

3.1.15 **“AGRICULTURE, DIVERSIFIED”** means an agricultural use that brings additional traffic to the agricultural parcel. Typical activities include value added agricultural processing, retail sales of agricultural products and products complementary and accessory to the agricultural use, and allows for commercial experiences related to the enjoyment, education, or activities and events related to farming or farm life. This use does not include home based business, intensive agriculture, event venue, agriculture support services, Cannabis Production and Distribution, or Cannabis Retail Sales;

3.1.16 **“AGRICULTURE, EXTENSIVE”** means the use of land or buildings, including the first dwelling and other structures related to an agricultural operation, but not including intensive agriculture, or a confined feeding operation or manure storage facility if the confined feeding operation or the manure storage facility is the subject of an approval, registration or authorization under Part 2 of the Agricultural Operations and Practices Act;

3.1.17 **“AGRICULTURE, INDUSTRIAL”** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products, or providing products or services related to the agricultural industry. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, feed mills, bulk fertilizer distribution plants, crop spraying, a licensed industrial hemp production facility, and grain elevators, but does not include the manufacture of processed foods from agricultural products or abattoirs. This use does not include cannabis production and distribution facilities;

3.1.18 **“AGRICULTURE, INTENSIVE”** means a commercial agricultural operation other than a confined feeding operation which, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, market gardens, apiaries, tree farms and specialty crops. This use does not include cannabis production and distribution facilities;

3.1.19 **“AGRICULTURE, VALUE ADDED”** means an agricultural industry which economically adds value to a product by changing it from its current state to a more valuable state;

3.1.20 **“AIRPORT”** means an aerodrome for which, under Part III of the Canadian Aviation Regulations, an airport certificate has been issued by the Minister;

3.1.21 **“ALCOHOL RETAIL SALES”** means a development used principally for the wholesale or retail sale or distribution to the public of all types of alcoholic beverages as defined by the Alberta Gaming, Liquor and Cannabis Act. This does not include licensed cannabis retail sales establishments;

3.1.22 **“ALTERNATE ENERGY SYSTEM”** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy;

3.1.23 **“ALTERNATE ENERGY SYSTEM, COMMERCIAL”** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes for distribution **offsite and/or commercially**. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy;

3.1.24 **“ALTERNATE ENERGY SYSTEM, INDIVIDUAL”** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes for distribution **on the site the facility is located**. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy;

3.1.25 **"ANIMAL HEALTH SERVICES”** means development for the purposes of treatment of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, impounding and quarantining facilities, but does not include the sale of animals;

3.1.26 **“AMUSEMENT & ENTERTAINMENT SERVICES”** means those developments, having a room, area or building used indoors or outdoors for purposes of providing entertainment and amusement to patrons on a commercial fee for admission/service basis. Typical uses and facilities would include go-cart tracks, miniature golf establishments, carnivals (variety of shows, games and amusement rides), circuses, table or electronic games establishments, amusement theme parks and drive-in motion picture theatres;

3.1.27 **“APIARY”** means a place where beehives are kept. For the purposes of this Bylaw the location of the apiary will be determined by the beehives rather than by the legal boundary of the parcel of land accommodating the hives;

3.1.28 "**AUCTIONEERING**" means development intended for the use of auctioning livestock, goods and equipment including the temporary storage of such livestock, goods and equipment, but does not include flea markets;

3.1.29 **“AUTOMOBILE SERVICE CENTRE”** means a development or portion of a large retail establishment used exclusively for the repair and maintenance of passenger vehicles and other single-axle vehicles and excludes the sale or other distribution of petroleum products such as gasoline, propane, diesel and other fuels

3.1.30 **“BARELAND CONDOMINIUM”** means housing units administered under the Condominium Property Act, R.S.A. 2000, c. C-22, as amended, which allows for the division of a parcel of land into parcels and common property, and where “joint control” is applied to a parcel of land (as distinct from a building) in which there are a number of individually owned parcels of land (parcels) with the joint control being applied to the entire parcel of land owned by those owning a “parcel”. Condominium title is conferred upon those owning individual parcels with the Condominium Association being responsible for the common property;

3.1.31 **“BASEMENT”** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;

3.1.32 **“BED & BREAKFAST OPERATION”** means a minor and ancillary/subordinate commercial use of a residence where accommodation, with or without meals, is provided for remuneration to members of the public for periods of fourteen (14) days or less in 4 or fewer guest rooms;

3.1.33 **“BEHIND THE METER”** means a generating system producing power for use on a grid-connected property, but which system may or may not be capable of sending power back into the utility grid;

3.1.34 **“BOARDER OR LODGER”** means an individual residing in a dwelling unit along with another individual or other individuals, who is (are) the principal occupant(s) of the dwelling unit and to whom the boarder or lodger is not related by blood or marriage, where accommodation and meals are provided for compensation to the principal occupant(s) pursuant to an agreement or arrangement;

3.1.35 **“BOARDING OR LODGING HOME”** means a building (other than a hotel or motel) containing not more than fifteen sleeping rooms where meals or lodging for four or more persons are provided for compensation pursuant to previous arrangements or agreement;

3.1.36 **“BOAT HOUSE”** means an accessory building located between the legal bank of the lake and the principal building on the site that is used primarily for the storage of watercraft and/or items associated with aquatic recreation. A boat house shall not include a guest house suite, and shall not contain cooking, bathing or sleeping facilities. A boat house shall not be developed in the bed and shore of a waterbody;

3.1.37 **“BREEDING FACILITY”** means a commercial facility where domestic animals are kept, bred, bought, and/or sold;

3.1.38 **“BUILDING”** includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or road;

3.1.39 **“BUILDING HEIGHT”** means the vertical distance between building grade and the highest point of a building excluding an elevator housing, mechanical skylights, ventilating fans, chimneys, steeples, fire walls, parapet walls, flagpoles, or similar device not structurally essential to the building;

3.1.40 **“BULK FUEL STORAGE & SALES”** means lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales and key/card lock operations;

3.1.41 **“CAMPGROUND, BASIC”** means an area used for a range of overnight accommodation, from tenting to un-serviced trailer sites, including accessory facilities that support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis;

3.1.42 **“CAMPGROUND, SERVICED”** means campground facilities that provide a higher level of services than basic camping areas. Examples of these services include (but are not limited to): sewage, potable water, and/or electrical hook-ups at each campsite or stall. Recreational resorts are not considered serviced campgrounds;

3.1.43 **"CANNABIS"** is as defined in the federal *Cannabis Act*.

3.1.44 **"CANNABIS LOUNGE"** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facilities;

3.1.45 **"CANNABIS PRODUCTION & DISTRIBUTION FACILITY"** means a development used principally for one or more of the following activities relating to cannabis:

a. the production, cultivation, and growth of cannabis;
b. the processing of raw materials;
c. the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
d. the storage or shipping of materials, goods, or products, or;
e. the distribution and sales of materials, goods, and products to the Alberta Gaming, Liquor, and Cannabis Commission;

3.1.46 **"CANNABIS RETAIL SALES"** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This use may include retail sales of cannabis accessories, as defined in the Cannabis Act, S.C. 2018, c. 16, as amended or replaced. This use does not include cannabis production and distribution facilities;

3.1.47 **"CARPORT"** means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed;

3.1.48 **"CAR WASH"** means a building used for the purpose of washing motor vehicles;

3.1.49 **"CARETAKER'S RESIDENCE"** means a residence that is secondary or ancillary to a principal industrial, commercial, or recreational use on the lot, and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of that lot;

3.1.50 **"CEMETERY"** means a development for the entombment of the deceased, which may include the following accessory developments: crematories, cineraria, columbaria, and mausoleums. Typical uses include memorial parks, burial grounds, gardens of remembrance, and pet cemeteries;

3.1.51 **"CHILDCARE FACILITY"** means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for seven (7) or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres;

3.1.52 **"CLUSTERED FARM DWELLINGS"** means one or more duplexes or multiple-family dwellings which are located on a farm unit of at least 127.5 ha (320.0 ac) in size where the dwellings shall be occupied by persons who are employed full time (for at least six (6) months of each year) in agriculture or intensive agriculture and where all the dwellings are constructed or located on the same farmstead;

3.1.53 **"COMMERCIAL USE"** means both general commercial uses and highway commercial uses;

3.1.54 **"COMMERCIAL USE, HIGHWAY"** means a commercial use intended to serve the motoring public and includes, but is not limited to, service or gas stations, drive-in restaurants, and motels. This use does not include cannabis production and distribution facilities or cannabis retail sales;

3.1.55 **"COMMERCIAL USE, RURAL"** means business establishments located in a rural setting to retail or service goods destined for the immediately surrounding rural area. Notwithstanding the generality of the forgoing rural commercial uses may include convenience retail services, minor agricultural sales and services, as well as bulk fuel storage and sales, chemical and fertilizer sales. A rural commercial use does not include the processing of raw materials, an event venue, a diversified agricultural operation, or the operation of an industry;

3.1.56 **"COMMUNICATION TOWER FACILITY"** means a structure that is intended for transmitting or receiving television, radio, internet or telephone communications for public utility;

3.1.57 **"COMMUNITY RECREATION SERVICES"** means development for recreational, social or multi-purpose uses primarily intended for local community purposes. Typical facilities include community halls and community centers operated by a residents' organization;

3.1.58 **"CONFINED FEEDING OPERATION"** means a confined feeding operation as defined in the Agricultural Operation Practices Act;

3.1.59 **"CONVENIENCE RETAIL SERVICES"** means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 275.0 $m^2$ (2,960.0 $ft.^2$) in gross floor area. Typical uses include small food stores, gas bars, drug stores and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. This use does not include alcohol retail sales of cannabis retail sales;

3.1.60 **"CONTRACTOR SERVICES**" means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require onsite storage space for materials, construction equipment or vehicles normally associated with general contracting services;

3.1.61 **"COUNTRY RESIDENTIAL"** means the use of land for residential purposes in a rural area;

3.1.62 **"COUNTRY RESIDENTIAL PARCEL"** means:

a. the rural subdivision of an undeveloped parcel from a quarter section or river lot for residential purposes, or
b. the second or additional rural subdivision of a parcel from a quarter section or river lot for residential purposes;

3.1.63 **"DATA PROCESSING FACILITY"** means a building, dedicated space within a building, or a group of buildings used to house computer systems and associated infrastructure and components for the digital transactions required for processing data. This includes, but is not limited to, digital currency processing, non-fungible tokens, and blockchain transactions;

3.1.64 **"DATA PROCESSING FACILITY (MINOR)"** means a data processing facility consisting of modular or portable structures. Such facilities include on-site power generation systems less than 10 MW, as part of the development and do not require the use of water-based cooling systems that draw on external water sources. However, to further clarify, a water-based cooling system that is a closed-loop system may be considered. These are generally for temporary, mobile or lower capacity operations; *(added by Bylaw 2-2026)*

3.1.65 **"DATA PROCESSING FACILITY (MAJOR)"** means a data processing facility that requires 10 MW or more regardless of whether that power is supplied by the electrical grid, on-site generation, or a combination thereof; *(added by Bylaw 2-2026)*

3.1.66 **"DAY HOME"** means a childcare facility operated from a dwelling supplying supervision of a maximum of six (6) children under the age of eleven (11) years.

3.1.67 **"DEMOLITION"** means:

a. means the dismantling of a building; and/or
b. the intentional destruction of a building; and/or
c. the removal of debris of a building that has been dismantled, intentionally destructed, or destroyed.

3.1.68 **"DENSITY"** means a quantitative measure of the average number of persons, families, or dwelling units per unit of area;

3.1.69 **"DEVELOPER"** means an owner, agent or any person, firm, or company required to obtain or having obtained a development permit;

3.1.70 **"DEVELOPMENT"** means:

a. an excavation or stockpile and the creation of either;
b. a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building;
d. 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 intensity of use of the land or building;
e. the placement of an already constructed or a partially constructed building on a parcel of land; or
f. those definitions of development included in the Act;

3.1.71 **"DEVELOPMENT AUTHORITY"** means a Development Authority established pursuant to the *Act* and may include one or more of the following; a Designated Officer, a Municipal Planning Commission, an Intermunicipal Planning Commission, or any other person or organization that has been authorized by bylaw to exercise development powers on behalf of the County;

3.1.72 **“DEVELOPMENT OFFICER”** means a person(s) appointed by the Development Authority to be responsible for receiving, considering, and recommending a decision on applications for development and such other duties as specified under the Land Use Bylaw;

3.1.73 **“DEVELOPMENT PERMIT”** means a document authorizing a development issued pursuant to this Bylaw;

3.1.74 **“DISCONTINUED”** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or not conforming to this Bylaw, has ceased;

3.1.75 **“DISCRETIONARY USE”** means a use of land or buildings provided for in this Bylaw, for which a development permit may or may not be issued by the Municipal Planning Commission with or without conditions upon an application having been made. Discretionary uses are listed in the districts in which they may be considered;

3.1.76 **"DRINKING ESTABLISHMENT”** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site are open to the public and where liquor is the primary source of business. This use does not include cannabis lounge;

3.1.77 **"DWELLING"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings, manufactured homes, modular homes, duplexes, row housing and apartments, and shall not include sea cans, ATCO trailers, or other structures commonly utilized as accessory buildings;

3.1.78 **“DWELLING, APARTMENT”** means a dwelling containing three (3) or more dwelling units, but shall not mean row housing;

3.1.79 **“DWELLING, DUPLEX”** means a dwelling containing two dwelling units and either sharing one common wall in the case of side-by-side units, or having the dwelling area of one located above the dwelling area of the other in the case of vertical units, each with a private entry;

3.1.80 **“DWELLING, MANUFACTURED HOME”** means a dwelling which conforms to Canadian Standards Association Z240 Standard or any successor, whether ordinarily equipped with wheels or not, that is designed to be transported, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year-round use as accommodation for a single household;

3.1.81 **“DWELLING, MODULAR”** means a type of single detached dwelling, that is designed to be transported to the building site in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a manufactured home. An RTM (“ready to move”) is an example of a modular dwelling;

3.1.82 **“DWELLING, MULTI-UNIT”** means a dwelling containing more than two dwelling units, such as row housing or apartments;

3.1.83 **“DWELLING, SINGLE DETACHED”** means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces offsite, or even in one piece, with the piece(s) being transported to the site for assembly on-site, and thus may be a modular dwelling;

3.1.84 **“DWELLING UNIT”** means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

3.1.85 **"ENVIRONMENTAL RESERVE”** means an environmental reserve as determined in accordance with the Act which is land designated as environmental reserve on a plan of subdivision;

3.1.86 **"ENVIRONMENTAL RESERVE EASEMENT”** means an environmental reserve easement as determined in accordance with the *Act*;

3.1.87 **“EVENT”** means a limited term commercial activity or gathering that may include entertainment, food and beverage services, additional parking, and other additional services. Examples may include weddings, ceremonies, retreats, parties, corporate functions, concerts, tradeshows, markets, and farm suppers;

3.1.88 **“EVENT VENUE”** means a use primarily intended to hold events and includes the provision of facilities to enable entertainment, public assembly, and/or the preparation of food and beverage services. This use does not include bed and breakfast, recreation facilities, visitor accommodation, or home-based business;

3.1.89 **“EXTERIOR WALL”** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys, canopies and verandas, but not including roof overhangs less than 0.6 m (2.0 ft);

3.1.90 **“FARMSTEAD”** means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such farming operations. Dwellings within a farmstead may include single detached dwellings and/or manufactured home dwellings.

3.1.91 **“FARMSTEAD SEPARATION”** means a parcel of land that has been or which may be subdivided by virtue of there being a farmstead within that parcel;

3.1.92 **“FENCE”** means a physical barrier constructed to prevent visual intrusions, unauthorized access, or provide sound abatement;

3.1.93 **“FLOODPLAIN”** means the area of land bordering a water course or water body that would be inundated by 1 in 100-year flood event as determined by Alberta Environment & Protected Areas in consultation with the County of Barrhead;

3.1.94 **“FLOOR AREA”** means the total of the floor areas of every room and passageway contained in a building, but not including the floor areas of basements, attached garages, sheds, open porches, decks, or breezeways;

3.1.95 **“FOUNDATION”** means the lower portion of a building, usually concrete or masonry, and includes the footings that transfer the weight of and loads on a building to the ground;

3.1.96 **"FRONT LINE”** means the boundary line of a parcel of land lying adjacent to a highway or road. In the case of a corner lot, the shorter of the boundary lines adjacent to the highways or roads shall be considered the front line;

3.1.97 **“GARAGE”** means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles;

3.1.98 **“GENERAL COMMERCIAL RETAIL SERVICES”** means development used for the retail rental or sale of groceries, beverages, household good, furniture, appliances, hardware, lumber, printed matter, secondhand/used household goods (and related repair and refurbishing activities), personal care items, automotive parts and accessories, stationary, office equipment and similar goods. Manufacturing and wholesale uses or establishments where the primary product for sale or distribution is liquor or cannabis are not included in this use class;

3.1.99 **“GOVERNMENT SERVICES”** means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courthouses, postal distribution offices, municipal offices, social service offices, manpower and employment offices, and airport terminals;

3.1.100 **“GRADE”** means the ground elevation established for the purpose of regulating the number of stories and the height of a building or structure.

3.1.101 **“GRADE, BUILDING”** means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except for areas such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

3.1.102 **“GREENHOUSE (OR NURSERY)”** means a commercial development for the growing, acclimating, propagating, harvesting, displaying and retail sale of fruits, vegetables, bedding plants, household, and ornamental plants, including trees for landscaping or decorative purposes, and that are not accessory to an agricultural use. It may include accessory uses related to the storing, displaying, and selling of gardening, nursery, and related products. This use does not include cannabis production and distribution facilities, cannabis retail sales establishments, or industrial hemp production and distribution facilities;

3.1.103 **“GROUP HOME”** means a development consisting of the use of a dwelling as a facility which is authorized, licensed, or certified by a public authority to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioral problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance, or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres. Group homes provide a home-like settings where four (4) or more people (up to 10) receive accommodation, personal care, and social and recreational supports;

3.1.104 **“GUEST HOUSE”** means an accessory building that is separate, subordinate, and smaller than the principal dwelling on the parcel. Provides temporary overflow accommodation for the principal dwelling on the lot. Guest houses may provide for sleeping, sanitation and a partial kitchen.

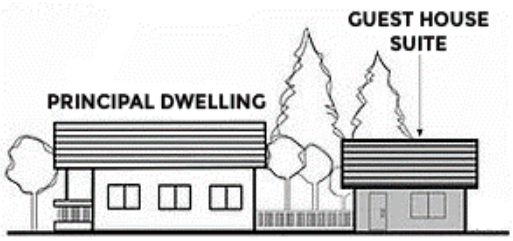


*Figure 2: Guest House Suite*

3.1.105 **“GUEST RANCH”** means is a tourist destination that allows visitors to experience a taste of the cowboy way of life by providing opportunities for horseback riding and other outdoor activities;

3.1.106 **“HAMLET”** means the unincorporated communities of the County designated as hamlets;

3.1.107 **"HEAVY INDUSTRIAL USES”** means activities involved in the processing, fabrication, storage, transportation, distribution, or wholesaling of heavy industrial goods which, in the sole opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. Heavy industrial uses shall not include heavy petrochemical industrial uses;

3.1.108 **"HEAVY PETROCHEMICAL INDUSTRIAL USES”** means activities involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the sole opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use;

3.1.109 **“HEAVY VEHICLE”** means any vehicle, with or without a load, that exceeds a maximum gross vehicle weight rating of Class 3 or higher as designated by the Canadian Transportation Equipment Association (4,536 kg or 10,000 lbs.), or a bus with a designated seating capacity of more than 10. Heavy vehicles do not include recreational vehicles;

3.1.110 **"HIGHER CAPABILITY AGRICULTURAL LAND”** means a quarter section consisting of at least 50.0 ac (20.23 ha) of land having a farmland assessment productivity rating equal to or greater than 41%;

3.1.111 **"HIGHWAY”** means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act;

3.1.112 **"HOME OCCUPATION, MAJOR”** means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling or accessory building, and which increases traffic circulation in the neighbourhood in which it is located. A major home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in Section 10.17 of this Bylaw. For the purposes of clarification this definition includes such uses as storage of equipment, trucks and related vehicles, trucking operations, construction equipment storage and other similar uses. A major home occupation does not include adult entertainment services, day homes, bed and breakfast operations, cannabis production and distribution, dating or escort services, or animal services;

3.1.113 **"HOME OCCUPATION, MINOR”** means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling or accessory building, and which does not increase traffic circulation in the neighbourhood in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for Section 10.17 of this Bylaw. A minor home occupation does not include adult entertainment services, or dating or escort services;

3.1.114 **“HOTEL”** means an establishment providing sleeping accommodations with all rooms having direct access provided by having to pass through a common hallway and through the main lobby of the building;

3.1.115 **“INDUSTRIAL USE”** means manufacturing, warehousing, or transshipment establishments which will not become obnoxious to surrounding properties by way of noise, odours, smoke, dust, or fumes, usually because all operations are carried out indoors and there is no external evidence of the industrial use;

3.1.116 **INDUSTRIAL USE, GENERAL”** means the following development and such similar uses as the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution, or trans-shipment of materials, finished goods, products, or equipment;

3.1.117 **“INDUSTRIAL USE, LIGHT”** means manufacturing, warehousing, or trans-shipment establishments which will not become obnoxious to surrounding properties by way of noise, odour, smoke, dust, or fumes, usually because all operations are carried out indoors and there is no external evidence of the industrial use;

3.1.118 **“INDUSTRIAL USE, RURAL”** means an industrial development involving:

a. the initial processing or storage of forestry or mineral product which because of odour, noise or inflammable material require large tracts of land for environmental protection; or
b. warehousing or storage of forestry or mineral material, goods and processing or transportation equipment; or
c. natural resources processing industries whose location is tied to the resource; or
d. provision of large-scale transportation and vehicle service facilities involved in the transportation of forestry or mineral products;

3.1.119 **“INSTITUTIONAL USE”** means use types including but not limited to public offices, educational facilities (schools), cemeteries, funeral homes, libraries and cultural exhibits, places of worship and churches;

3.1.120 **“INTERNAL SUBDIVISION ROAD”** means a public roadway providing access to lots within a registered multi-parcel subdivision and which is not designated as a Township or Range Road;

3.1.121 **“KENNEL”** see **"SMALL ANIMAL BREEDING & BOARDING SERVICES"**;

3.1.122 **“LANDFILL”** means a landfill as defined in the Waste Control Regulation (AR 192/96);

3.1.123 **“LANDSCAPING”** means the modification and enhancement of a site using any of the following elements:

a. vegetation such as lawns, trees, shrubs, hedges, ground cover, ornamental plantings, or similar;
b. architectural such as fences, screening, walks, or other structures and materials used in landscape architecture;

3.1.124 **"LIVESTOCK”** means livestock as defined in the Agricultural Operation Practices Act;

3.1.125 **“LOT”** see **“PARCEL”**;

3.1.126 **"MAIN BUILDING”** means a building in which is conducted the main or principal use of the parcel of land on which it is erected;

3.1.127 **“MAINTENANCE”** means the upkeep of the physical form of any building which does not require a permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended or replaced. Maintenance will include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the habitable floor area of any dwelling unit or the internal volume of any building;

3.1.128 **“MANUFACTURED HOME PARK”** means any lot on which three (3) or more occupied manufactured home units are harboured or are allowed to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks;

3.1.129 **“MANUFACTURED HOME SUBDIVISION”** means a parcel of land subdivided by a registered plan containing lots for manufactured homes on a freehold or leasable tenure;

3.1.130 **“MANURE STORAGE FACILITY**” means a manure storage facility as defined in the Agricultural Operation Practices Act, R.S.A. 2000, c. A-07, as amended or replaced;

3.1.131 **“MIXED USE DEVELOPMENT”** means a building including more than one land use, which are uses listed within the same Land Use District, on the same site, such as residential and retail stores, residential and office uses, or restaurant and office developments;

3.1.132 **“MOTEL”** means an establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building;

3.1.133 **“MULTI-PARCEL RESIDENTIAL SUBDIVISION”** means a subdivision of land for residential use where the residential parcel density on a quarter section after subdivision will be greater than four (4);

3.1.134 **“MUNICIPAL DEVELOPMENT PLAN”** means the County of Barrhead Municipal Development Plan;

3.1.135 **“MUNICIPAL PLANNING COMMISSION”** means the County of Barrhead Municipal Planning Commission, established by Bylaw Pursuant to the Act to serve as the Development Authority;

3.1.136 **“NATURAL RESOURCE EXTRACTION/PROCESSING”** means development for the on-site removal, extraction and primary processing of raw materials found on or under the site or accessible from the site. Typical resources and raw materials would include oil and gas, peat, sand, silt and gravel, shale, clay, marl, limestone, gypsum, other

minerals (precious or semi-precious), and coal. Typical facilities or uses would include gravel pits (and associated crushing operations), asphaltic processing, sand pits, clay or marl pits, peat extraction, stripping of topsoil;

3.1.137 **"NON-CONFORMING BUILDING"** means a building:

a. that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
b. that on the date the Land Use Bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

3.1.138 **"NON-CONFORMING USE"** means a lawful specific use:

a. being made of land or a building or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting the land or building becomes effective; and
b. that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw;

3.1.139 **"NUISANCE"** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;

3.1.140 **"OBNOXIOUS"** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;

3.1.141 **"OCCUPANT"** means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant, or agent of the owner;

3.1.142 **"OFFICE USE"** means a development used to provide professional, management, administrative and consulting services in an office environment, but does not include financial services or medical clinics. Typical office uses include (but are not limited to): accounting, architectural, employment, engineering, insurance, investment, legal, real estate, secretarial and travel agent services;

3.1.143 **"OFFENSIVE"** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odour; toxic or non-toxic matter; radiation; fire or explosion hazard; heat; humidity; glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure;

3.1.144 **"OFF-GRID"** refers to a stand-alone generating system not connected to or in any way dependent on the utility grid;

3.1.145 **"OPEN SPACE"** means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;

3.1.146 **"ORDER"** means an order written by a designated officer of the County, pursuant to Sections 545 and 546 of the *Act,* as amended or replaced.

3.1.147 **"OUTDOOR STORAGE"** means an outdoor area for the storage of equipment, goods, materials, motor vehicles, recreational vehicles, or products associated with a business on that same parcel;

3.1.148 **"OUTLINE PLAN"** means a detailed land use plan for an area that provides a framework for subsequent subdivision and development of that land, and which conforms to all approved Statutory Plans. An Outline Plan or (Site Development Plan) is adopted by resolution of Council, Pursuant to Part 17 of the Act, and is otherwise equivalent to a "Conceptual Scheme" as described in the *Act;*

3.1.149 **"OWNER"** means:

a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or

b. in the case of any other land, the person shown as the owner of the parcel on the municipality's assessment roll.

3.1.150 **"PARCEL"** means:

a. a quarter section;
b. a river lot or settlement lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a Land Titles Office;
c. a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
d. a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

3.1.151 **"PARCEL AREA"** means the area of a parcel as shown on a plan of subdivision or described in a certified copy of a Certificate of Title. Parcel area includes any area dedicated to an easement or a right-of-way;

3.1.152 **"PARCEL, CORNER"** means a parcel with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject parcel.

3.1.153 **"PARCEL, DEVELOPED"** means:

a. on an agricultural parcel, the parcel is used for extensive or intensive agricultural purposes or is occupied by its prime use as specified in a development permit;
b. on a residential parcel, a habitable dwelling constructed for which a development permit has been issued on the parcel; and/or
c. on all other parcels, the parcel has a principal building constructed or the parcel is occupied by its occupied by its prime use as specified in a development permit;

3.1.154 **"PARCEL, DOUBLE FRONTING"** means a parcel which abuts two (2) roads (except alleys or lanes as defined in the Traffic Safety Act, R.S.A. 2000, c. T-06, as amended) which are parallel or nearly parallel where abutting the parcel but does not include a corner parcel;

3.1.155 **"PARCEL, FRAGMENTED"** means a parcel of land that is separated from the balance of the remainder of the parcel of land by a natural barrier such as a river, a permanent or naturally occurring water body, a railroad, or a road, but not an undeveloped road on a Road Plan, or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gulley or small (possibly intermittent) watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority;

3.1.156 **"PARCEL, INTERIOR"** means a parcel, which abuts a road only on the front line;

3.1.157 **"PARCEL, LAKEFRONT"** means a parcel adjacent to a lake or would be adjacent to a lake if not for a reserve parcel;

3.1.158 **"PARCEL, VACANT"** means a parcel which does not contain a residence, building, or structure;

3.1.159 **"PARCEL WIDTH"** means the average distance between the side boundaries of a parcel;

3.1.160 **"PARK"** means land providing outdoor public recreation space;

3.1.161 **"PARK MODEL"** means a temporary or recreational unit. There are 2 types of park models which are recognized by the Industry. They are:

a. Park Model Trailer 102 is a unit designed to be towed by a heavy-duty tow vehicle but is of restricted size and weight so that it does not require a special highway movement permit. Maximum width when being towed is 2.6 m (8.5 ft). Once on site in the set-up mode it must be connected to the local utilities.
It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 $m^2$ (400.0 $ft^2$). Conforms to the CSA Z-240 Standards.
b. Park Model Recreational Unit is requires a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft). These units are designed with living quarters and must be connected to those utilities necessary for the operation of installed fixtures and appliances. It has a gross floor area, including lofts, not exceeding 50.0 $m^2$ (540.0 $ft^2$) in the set-up mode and has a width greater than 2.6 m (8.5 ft) in the transit mode. Conforms to the CSA Z-241 Standards.

3.1.162 **"PARKING AREA"** means a development for the storage and/or parking of vehicles and includes parking stalls, aisles, entrances and exits and may include loading spaces, traffic islands and landscaping;

3.1.163 **"PARKING SPACE"** means an area set aside for the parking of one (1) vehicle;

3.1.164 **“PATIO”** means the paved, wooden, or hard-surfaced area adjoining a house, no more than 0.6 m (2.0 ft) above grade, used for outdoor living;

3.1.165 **“PERMITTED USE”** means the use of land or a building provided for in the Land Use Bylaw for which a development permit must be issued, with or without conditions, by the Development Officer or Municipal Planning Commission upon application having been made to the Development Officer provided the use of land or buildings complies with all applicable provisions of this Bylaw;

3.1.166 **“PLACE OF WORSHIP”** means the development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, and accessory buildings. Typical uses include the following and similar uses as churches, chapels, mosques, temples, synagogues, parish halls, convents, cemeteries. and monasteries;

3.1.167 **“PRINCIPAL BUILDING OR USE”** means a building or use, which, in the opinion of the Development Officer:

a. occupies the major or central portion of a parcel,
b. is the chief or main building or use among one or more buildings on the parcel, or
c. constitutes by reason of its use the primary purpose for which the parcel is used.

There shall be no more than one principal building or use on each parcel unless otherwise specifically permitted in this Bylaw;

3.1.168 **"PUBLIC OR QUASI-PUBLIC USE”** means a use which is for the purposes of public administration and services, and shall also include uses for the purposes of public assembly, instruction, culture, enlightenment, community activities, provision of utilities and also includes cemeteries and public utilities, as defined in the Act;

3.1.169 **“PUBLIC UTILITY”** means the right-of-way for one or more of the following: sanitary and stormwater sewerage, telecommunications systems (excluding telecommunications towers), water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power and heating systems;

3.1.170 **“PUBLIC UTILITY BUILDING”** means a building to house a public utility, its offices or equipment;

3.1.171 **"REAR LINE”** means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a highway or road. For a Lakefront parcel or a parcel abutting a river, the rear line shall be the boundary of the parcel opposite the shoreline. If there is more than one (1) front line, the lot line opposite the shorter front line shall be the rear line for the purposes of this definition;

3.1.172 **“RECREATIONAL RESORT”** means a recreational commercial development that includes residential recreational dwellings or structures which are intended for commercial use rather than for the private or exclusive use of the developer or owner. This type of development includes cabin style short rental accommodations. Serviced campgrounds are not considered recreational resorts;

3.1.173 **"RECREATIONAL USE”** means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto. Typical facilities may include agricultural tourism, eco-tourism, golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, Scout/Guide camps, religious outdoor retreat camps, parks, community halls, drop-in centres, and similar uses, and may include a refreshment stand incidental to the primary use;

3.1.174 **"RECREATIONAL VEHICLE”** means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted or drawn by another vehicle. The base entities are travel trailers, camping trailers, truck campers, and motor homes. Park models are not considered Recreational Vehicles for the purposes of this Bylaw;

3.1.175 **“RECREATIONAL VEHICLE STORAGE FACILITY”** means a development used for the indoor or outdoor commercial storage of tent trailers, travel trailers, motor homes, boats, and other similar recreational vehicles;

3.1.176 **“REGISTERED OWNER”** means:

a. in the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada, the Minister of the Crown having the administration of the land, or

b. in the case of any other land:
    i. the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or
    ii. in the absence of a person described in paragraph (b)(i) above, the person registered under the Land Titles Act as the owner of the fee simple estate in the land;

3.1.177 **"RENOVATION"** means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing, gas, or an electrical permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended or replaced;

3.1.178 **"RESIDENTIAL USE"** means the occupation and use of land and buildings by and as dwellings, whether on a seasonal or year-round basis;

3.1.179 **"RESTAURANT"** means a development where foods and beverages, including alcoholic beverages are prepared and served for consumption on site by the public and may include a take-out component as an accessory development;

3.1.180 **"RETAIL STORE"** means a development used for the retail sale of a wide range of consumer goods. Typical uses include (but are not limited to) grocery stores, plumbing and hardware stores, clothing stores, shoe stores, sporting goods stores, furniture stores, cannabis accessory retail sales, appliance stores, jewelry stores, secondhand stores, or pharmacies. This use does not include liquor stores or cannabis retail sales establishments;

3.1.181 **"RURAL INDUSTRIES"** means those industrial uses which are better suited to a rural rather than an urban environment because they:

a. require relatively large areas of land, do not require urban services, and may provide services to the rural area; or
b. are potentially hazardous or emit high levels of noise, dust, odour, vibration, etc. However, this shall not include business establishments engaged in servicing, repairing, or retailing goods to the general public;

3.1.182 **"SCHOOL"** means any building or part thereof which is designed, constructed, or used for public education or instruction in any branch of knowledge. For the purposes of this Bylaw, a school does not include home schools or a building in which home education programs are conducted.

3.1.183 **"SEA CAN"** means a pre-built metal container and structure originally designed and/or constructed for the purpose of cargo storage;

3.1.184 **"SECONDARY COMMERCIAL"** means a general commercial use, which is subordinate in nature to the main use of parcel. A secondary commercial use is not limited to uses, which are similar to the main use of the parcel and may include; business establishments engaged in servicing, repairing, or retailing goods to the general public. Alcohol sales and distribution as well as eating establishments are not considered secondary commercial uses;

3.1.185 **"SERVICE STATION"** means an establishment used for the sale of gasoline, propane or other automotive fuels and may include as an accessory use the sale of lubricating oils or other automotive fluids or accessories for motor vehicles, servicing and minor repair of motor vehicles, and a towing service dispatch point. This use does not include the following or similar uses, specialty motor repair shops, and motor vehicle repair establishments which do not include retail sale of automotive fuels;

3.1.186 **"SETBACK"** means the minimum horizontal distance that the nearest exterior wall of a development, or a specified portion of it, must be set back from a parcel boundary/property line;

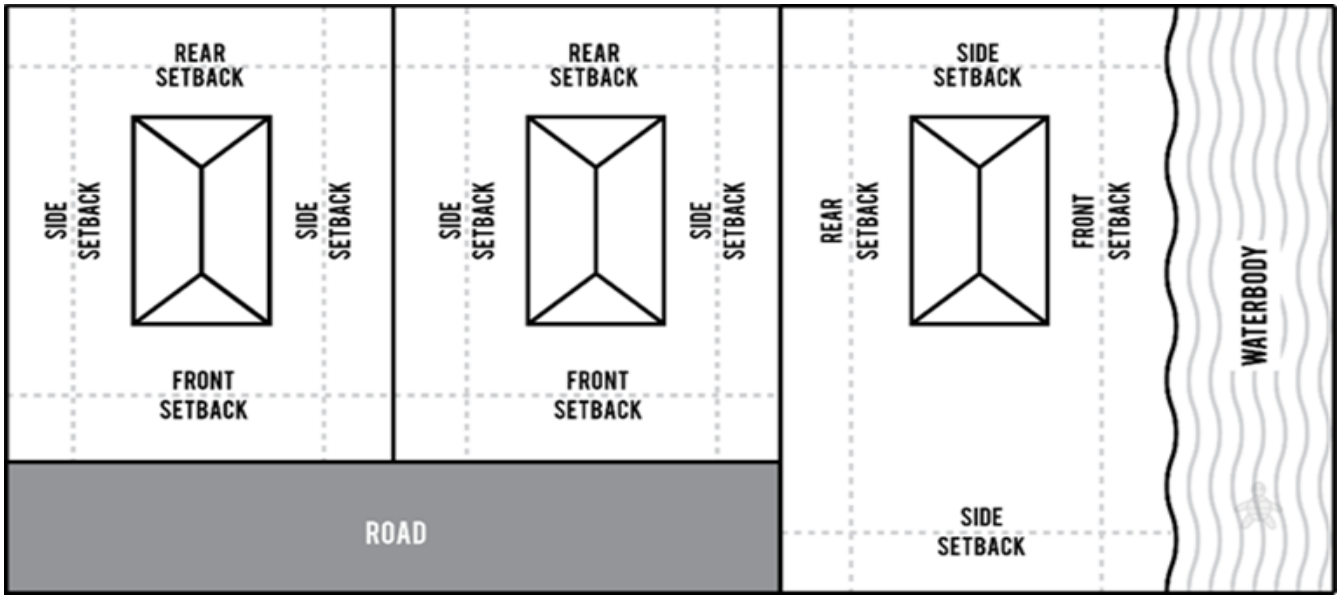



*Figure 3: Setback Examples*

3.1.187 **"SHORELINE"** means the land covered by water for such a period of time that it no longer features the natural vegetation or marks a distinct boundary from the water environment and the soil of the water body and the vegetation of the surrounding land;

3.1.188 **"SIGN"** means anything that serves to indicate the presence or the existence of something, including, but not limited to a lettered board, a structure, or a trademark, displayed, erected, or otherwise developed and used or serving to identify, advertise, or give direction;

3.1.189 **"SIMILAR USE"** means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;

3.1.190 **"SITE"** means a parcel or parcel on which a development exists or for which an application for a development permit is made;

3.1.191 **"SMALL ANIMAL BREEDING AND BOARDING SERVICES"** means development used for the breeding, boarding, caring, or training of small animals normally considered household pets. Typical facilities include kennels, pet boarding and pet training establishments;

3.1.192 **"SOLAR ENERGY COLLECTION SYSTEM"** refers to a device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, mechanical, chemical, or electrical energy and that contributes significantly to a structure's energy supply;

3.1.193 **"STOP ORDER"** means a written notice pursuant to the Act issued by the Development Authority, which may order the stoppage of all works or activities on the lands and/or require compliance with actions required by the notice to ensure the use of structures on the lands in question are in accordance with the requirements of the Act, the Land Use Bylaw, development permit, or a subdivision approval;

3.1.194 **"STRUCTURAL ALTERATIONS"** means the addition to, deletion from, or change to any building which requires a permit other than a plumbing, gas, or an electrical permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended or replaced;

3.1.195 **"STRUCTURE"** means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings;

3.1.196 **"SUBDIVISION & DEVELOPMENT APPEAL BOARD"** means the Subdivision and Development Appeal Board (SDAB) established by the Council by the Subdivision and Development Appeal Board Bylaw, as amended or replaced, adopted pursuant to the Act;

3.1.197 **“SUBDIVISION AUTHORITY”** means the County of Barrhead Subdivision Authority established pursuant to the Act. Council has been authorized by Bylaw to exercise Subdivision Authority powers on behalf of the County;

3.1.198 **“SUBSTANDARD PARCEL”** means any parcel, which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the Land Use District in which the parcel is located;

3.1.199 **“SUITE, SECONDARY”** means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping, and sanitary facilities;

3.1.200 **“SURVEILLANCE SUITES”** means a portable dwelling unit forming part of a development and used solely to accommodate a person(s) related as a family, or an employee whose official function is to provide surveillance for the maintenance and safety of the development;

3.1.201 **“TEMPORARY”** means, when used in relation to a land use or development, either a use or development which, if it is approved by the Development Authority, may be approved for a specific period of time; and, when used in relation to a period of time, means the period of time for which development will have been approved by the development authority;

3.1.202 **“TOURIST ACCOMODATION”** means a dwelling or dwelling unit operated as a temporary place to stay, with compensation, and includes all vacation rentals of a dwelling unit. The characteristics distinguish a tourist home from a dwelling unit used as a residence may include any of the following:

a. The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence;
b. The commercial nature of a tourist home;
c. The management or advertising of the dwelling unit as a tourist home or “vacation rental,” on any website or social media site such as Airbnb, VRBO, or Facebook; and/or
d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc.

A recreational vehicle shall not be used as a tourist home;

3.1.203 **“TRANSFER STATION”** means a permanent collection and transportation facility used to deposit solid waste collected off-site into larger transfer vehicles for transport to a solid waste handling facility. Transfer stations may also include recycling facilities;

3.1.204 **“TURBINE”** refers to the parts of a WECS system including the rotor, generator, and tail;

3.1.205 **"UNSUBDIVIDED QUARTER SECTION”** means a quarter section that has had no lands removed from it other than for road or railroad purposes;

3.1.206 **“VEHICLE & EQUIPMENT REPAIR SHOP, HEAVY”** means a development where new or used vehicles, trucks, recreational vehicles and other vehicles and equipment with a gross vehicle weight rating equal to or greater than 6,000.0 kg (13,227 lbs.) undergo service and maintenance, including body repair, sandblasting, and/or painting. This land use includes transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops;

3.1.207 **“VEHICLE & EQUIPMENT REPAIR SHOP, LIGHT”** means a development where new or used vehicles, trucks, recreational vehicles and other vehicles and equipment with a gross vehicle weight rating less than 6,000.0 kg (13,227 lbs.) undergo service and maintenance, including body repair, sandblasting, and/or painting. This land use includes transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops;

3.1.208 **“VEHICLE & EQUIPMENT SALES ESTABLISHMENT, HEAVY”** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, mining, construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts;

3.1.209 **“VEHICLE & EQUIPMENT SALES ESTABLISHMENT, LIGHT”** means a development where new or used vehicles, motor homes, and recreational vehicles are sold or displayed for the purpose of sale, lease, or rental, together with incidental maintenance services and sale of parts. This use may include (but are not limited to): car, truck and recreational vehicle sales/rental establishments, recreational vehicle dealerships, and vehicle rental agencies, and may include refueling and/or washing facilities as an integral part of the operation;

3.1.210 **“WAREHOUSE”** means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes;

3.1.211 **“WILDLAND URBAN INTERFACE”** is the area of transition between unoccupied/undeveloped land and urban/residential communities.

3.1.212 **"WIND ENERGY CONVERSION SYSTEM, LARGE”** means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW;

3.1.213 **“WIND ENERGY CONVERSION SYSTEM, SMALL”** refers to a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;

3.1.214 **“WIND TURBINE TOWER”** refers to the guyed or freestanding structure that supports a wind turbine generator;

3.1.215 **“WIND TURBINE TOWER HEIGHT”** means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor;

3.1.216 **“WIRELESS COMMUNICATION FACILITY”** means a facility that provides communication service using radio frequency (RF) technology to transmit and receive voice, picture, text, and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna de-icing equipment, antenna power dividers and matching equipment, combiners, utility power equipment, conditioners, and backup systems;

3.1.217 **"WORK CAMP”** means a temporary residential complex used to house camp workers for a contracting firm or project on a temporary basis of more than thirty (30) days and less than one (1) year. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities;

3.1.218 **“WRECKING & SCRAP YARD”** means a land use or development that is for the disassembling, crushing, or storing of used motor vehicles and other metal parts and objects. This may include the sale of parts or scrap metal;

3.1.219 **“YARD, FRONT”** means that portion of the parcel extending across the full width of the parcel from the front property boundary line of the parcel to the front wall. In the case of lake front lots, the front yard shall also include the area between the lake shore property line (or, if the front property line is not a fixed point, the standard mean high-water mark as defined by Alberta Environment and Protected Areas) and the wall of a building facing the lake;

3.1.220 **“YARD, REAR”** means that portion of a parcel extending across the full width of the parcel from the rear wall of a building situated on the parcel, to the rear property boundary line of the parcel;

3.1.221 **“YARD, SIDE”** means that portion of a parcel extending from the front wall of a main building situated on a parcel, to the rear of a building, and lying between the side property boundary line of the parcel and the side wall of the main building; and

## 3.2 DEFINITION CLARIFICATIONS

All other words and expressions shall have the meanings assigned to them in the *Municipal Government Act*, other applicable provincial legislation, or the county of Barrhead Municipal Development Plan.

# 4. AMENDMENTS

## 4.1 APPLICATIONS

4.1.1 Subject to the *Act*, any section in this Land Use Bylaw may be amended.

4.1.2 Notwithstanding this section, the Land Use Bylaw may be updated without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the regulations of the Land Use Bylaw in principle or substance.

4.1.3 Council may at any time initiate an amendment to this Land Use Bylaw by directing County Administration to initiate an application, therefore.

4.1.4 All applications for amendment to this Land Use Bylaw shall be accompanied by the following:

a. A statement of the specific amendment requested;
b. Purpose and reasons for the application;
c. If the application is for a change of a Land Use District:
    i. the legal description of the lands;
    ii. a plan showing the location and dimensions of the lands; and
    iii. a copy of the Certificate of Title for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land that is dated within thirty (30) days of application;
d. Applicant's interest in the lands; and
e. An application fee as identified in the County's Rates & Fees Bylaw.

4.1.5 If an amendment is for the redistricting of land, County Administration may require:

a. A conceptual scheme (or Area Structure Plan) for the area to be redistricted, to the level of detail specified by County Administration that provides Council with information to determine:
    i. if the site is suitable for the intended use;
    ii. if the site can be reasonably and cost effectively serviced; and
    iii. that the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and
b. Payment of a fee equal to the costs incurred by the County to review the proposed redistricting and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
c. Technical studies requested by the County Administration to assess site suitability and servicing requirements.

4.1.6 Upon receipt of an application to amend this Land Use Bylaw, County Administration may refer the application to the County's planning and engineering service providers, who shall analyze the potential impacts on local land use, development, infrastructure, and servicing that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:

a. Relationship to and compliance with approved statutory plans and Council policies;
b. Relationship to and compliance with statutory plans, outline plans, or plans in preparation;
c. Compatibility with surrounding development in terms of land use function and scale of development;
d. Traffic impacts;
e. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
f. Relationship to municipal land, right-of-way, or easement requirements;
g. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
h. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
i. Relationship to the documented concerns and opinions of area residents regarding development implications.

4.1.7 Upon receipt of an application to amend the Land Use Bylaw, County Administration shall:

a. Prepare a report with recommendations on the proposed amendment for Council and an amending Bylaw for consideration of 1st reading by Council;
b. Send written notice to landowners who are adjacent to the parcel of land affected by the proposed amendment or to a larger area as directed by Council;
c. Provide notice of the Public Hearing to the applicant, the owner of the subject land if different than the applicant, to all directly adjacent property owners, and any other individuals or organizations identified by Council;
d. Prepare a report and recommendation, including maps and other material, on the application, prior to a Public Hearing on the application for amendment; and
e. Inform the applicant of the recommendation to Council.

4.1.8 At the same time as forwarding the application for amendment to Council, County Administration may, at its sole discretion, refer the application for further information to any person or agency it wishes.

4.1.9 Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:

a. Refuse the application;
b. Refer the application for further information; or
c. Pass 1st reading to a Bylaw to amend this Land Use Bylaw, with or without modifications; or
d. Pass 1st reading of an alternate amendment to this Land Use Bylaw.

4.1.10 Following 1st reading to an amending Bylaw, Council shall establish the date, time, and place for a public hearing on the proposed Bylaw.

4.1.11 Following establishment of the date, time, and place for the public hearing, County administration shall issue a notice of the public hearing in accordance with the requirements of the Act for public hearing notification.

4.1.12 Notice of the public hearing must be advertised at least five (5) days before the public hearing occurs.

4.1.13 Notice of the public hearing shall provide the following information:

a. Purpose of the proposed Bylaw;
b. Date, time, and place of the Public Hearing; and
c. Address where a copy of the proposed Bylaw and any document relating to it, or the Public Hearing may be inspected.

4.1.14 In the case of an amendment to change the Land Use District designation of a parcel of land, County Administration must:

a. Include in the notice:
    i. The municipal address, if any, and the legal address of the parcel of land; and
    ii. A map showing the location of the parcel of land;
b. Give written notice containing the information described in Section 4.1.14.a to the owner of that parcel of land at the name and address shown on the certificate of title (or tax roll);
c. Give written notice containing the information described in Section 4.1.14.a to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality; and
d. If the land is within 800 m of an adjacent municipality, give written notice to the adjacent municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

## 4.2 PUBLIC HEARING

4.2.1 In the Public Hearing, Council:

a. Must hear any person, group of persons, or person representing them, who claim(s) to be affected by the proposed Bylaw and who has complied with the procedures outlined by Council; and
b. May hear any other person who wishes to make representations that Council agrees to hear.

4.2.2 After considering any representations made at the Public Hearing, and any other matter it considers appropriate, Council may:

a. Proceed to pass the proposed amendments to the Bylaw;
b. Defer the amendment application for further information or comment;
c. Make any further amendments it considers necessary and proceed to pass the amended Bylaw without further advertisement or hearing; or
d. Defeat the proposed amendments to the Bylaw.

4.2.3 After 3rd reading of the Bylaw, the Development Authority shall send a copy of the Bylaw to the:

a. Applicant;
b. Registered owner of the land (if different from the applicant);
c. County's planning services provider; and
d. Adjacent municipality, if applicable.

# 5. DEVELOPMENT PERMITS

## 5.1 CONTROL OF DEVELOPMENT

5.1.1 Development permits are required to ensure that all development is achieved in an orderly manner.

5.1.2 No development other than that designated in Section 5.3 of this Bylaw shall be undertaken within the County unless an application for it has been approved and a development permit has been issued.

5.1.3 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain any other required federal, provincial, and municipal approvals, permits, and/or licenses.

5.1.4 Further, in addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure that their development is consistent with the conditions of any registered easements or covenants which affect the subject site.

5.1.5 For the purposes of this section, signs, posters, and billboards are deemed to be developments.

5.1.6 Notwithstanding Section 5.3, where a variance to any regulation in this Bylaw is required, a development permit shall be required.

## 5.2 PERMIT FEE

5.2.1 All fees and charges under and pursuant to this Bylaw, and any amendments thereto, shall be as identified in the County's Rates & Fees Bylaw as set by Council.

## 5.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

5.3.1 The following developments shall not require a development permit provided that the development otherwise complies with all other regulations of this Bylaw:

a. Carrying out works of maintenance or repair to any building internally or externally provided that such works do not include structural alterations or major works of renovation, where such work does not result in changes to the use or intensity of the structure as determined by the Development Officer or Municipal Planning Commission;

b. Completion of a development which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:

   i. the building is completed in accordance with the terms and conditions of any development permit granted in respect of it; and

   ii. development is completed within a period of twelve (12) months from the date of the official notice of development permit approval;

c. Use of any such building as is referred to in Section 5.3.1.a where a permit is not required for the purpose for which construction was commenced;

d. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development, for which a permit has been issued under this Bylaw, provided that the temporary building shall be removed within one (1) year of the commencement of construction or upon completion of the building or development where it is completed in a period of less than one (1) year;

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

f. The following extensive agricultural uses shall not require a development permit so long as they are located a minimum of 30.0 m (98.4 ft.) from a property line, and 30.0 m (98.4 ft.) from the edge of a minor two-lane highway right-of- way, or 40.0 m (131.2 ft.) from the edge of a major two-lane highway right-of- way:

   i. carrying out of agricultural operations on a parcel of 8.1 ha (20.0 ac) or greater in area;

   ii. construction, renovation, or relocation of buildings used, in conjunction with an agricultural operation, as defined in the Bylaw, on a parcel of 8.1 ha (20.0 ac) or greater in area;

   iii. a water reservoir or dugout a minimum of 30.0 m (98.4 ft.) from a property line; and

iv. placement of up to four (4) sea cans for farm use on a parcel of 8.1 ha (20.0 ac) or greater in area;

g. Intensive agricultural operations and Confined Feeding Operations (CFO's) on a parcel of land over 8.1 ha (20.0 ac) in size;
h. Installation of television satellite dishes;
i. An existing or proposed home occupation, as defined in this Bylaw, but not including an existing or proposed bed and breakfast operation, also as defined in this Bylaw, if the existing or proposed home occupation, in the opinion of the Development Officer, complies with all provisions and requirements of Section 10.17 of this Land Use Bylaw;
j. Operation of a day home that provides service to four (4) or fewer children;
k. Landscaping, (not including dugouts or artificial water bodies); including the establishment of a retaining wall of 1.0 m (3.2 ft) in height or less, where the existing natural surface drainage pattern on or off-site, is not materially altered, except where landscaping forms part of a development which requires a development permit;
l. Seasonal or holiday decorations;
m. Up to and including three (3) recreational vehicles (R.V.'s) per parcel, provided that the development complies with all other provisions and requirements of this Land Use Bylaw;
n. Construction and maintenance of utility services, municipal infrastructure and private utilities associated with a principal residential use of land, not including a waste transfer station, regional landfill, communications towers, or municipal sewage lagoon;
o. Erection, construction, maintenance or alteration of a gate, fence, wall, or other structural means of enclosure that is:
    i. on parcels less than 0.4 ha (1.0 ac), is no higher than 1.8 m (6.0 ft) on the side and rear yards, and no higher than 1.0 m (3.3 ft) on the front yard;
    ii. on parcels greater than 0.4 ha (1.0 ac) and less than 4.0 ha (10.0 ac), and is no higher than 1.8 m (6.0 ft); or
    iii. on parcels greater than 4.0 ha (10.0 ac), or larger;
p. Keeping of animals permitted in accordance with Section 9.20 Animal/Bird Regulations;
q. Extraction and processing, exclusively by the County or its authorized agents, of sand, gravel, or other earth materials and including asphaltic or concrete mixtures for any County purpose within the County;
r. Construction and maintenance of internal road networks, constructed in accordance with current public works standards to the satisfaction of the Development Authority, or Council, shall not require a development permit;
s. Market gardens, greenhouses, and nurseries on a parcel greater than 8.1 ha (20.0 ac) in area;
t. Apiaries that conform to the siting requirements of Section 10.3 – Apiaries;
u. Signs not greater than 6.0 $m^2$ (64.0 $ft^2$) in copy area;
v. A building or accessory building with a gross floor area of under 18.0 $m^2$ (193.8 $ft^2$) which is not on a permanent foundation that meets the minimum required yard and setback requirements indicated in this Bylaw, but not including:
    i. a wind energy conversion system unless the system is specifically related to only one (1) dugout; and
    ii. small sea cans;
w. An unenclosed patio or deck that:
    i. meets the minimum distance requirements outlined in Section 9.6 of this Bylaw; and
    ii. has a gross floor area under 18.0 $m^2$ (193.8 $ft^2$);
x. Development within a basement which does not change or add to the uses within a dwelling;
y. Roof mounted solar energy collection systems; and
z. Ground level solar energy collection systems with an area equal to or less than 46.5 $m^2$ (500.0 $ft^2$).

## 5.4 NON-CONFORMING BUILDINGS AND USES

5.4.1 Buildings and uses which do not conform to this Bylaw are subject to the provisions of the *Act* respecting non-conforming uses and buildings, which define the conditions under which they may be continued or altered.

5.4.2 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw.

5.4.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.

5.4.4 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.

5.4.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:

a. As may be necessary to make it a conforming building;
b. As the Development Authority considers necessary for the routine maintenance of the building; or
c. In accordance with the powers of the Development Authority pursuant to the *Act* and this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.

5.4.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

5.4.7 Land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

5.4.8 If the Development Authority has reasonable basis to believe a building or development on a lot encroaches onto an adjacent lot the Development Authority may require:

a. An owner to provide a Real Property Report at their expense;
b. Removal of the building or development that encroaches onto the adjacent lot, and (if necessary) can arrange for the removal of the building or development at the owner's expense;
c. An owner to erect permanent, visible markers at the corners of any lot, to a standard approved by the Development Authority.

## 5.5 DEVELOPMENT PERMIT APPLICATIONS

5.5.1 An application for a development permit shall be made to the Development Authority in writing on the application provided by the County, and shall:

a. Be signed by the registered owner or their agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration;
b. State the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;
c. Be accompanied by an area structure plan or non-statutory plan such as a development concept plan or area outline plan if one is required pursuant to the provisions of this Bylaw or a statutory plan of the County of Barrhead; and
d. Include parcel plans in a scale satisfactory to the Development Authority, showing any or all of the following:
    i. north point;
    ii. legal description of parcel;

iii. location of principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
iv. outlines of the roof overhangs on all buildings;
v. front, side, and rear yards;
vi. provision of off-street loading and vehicle parking;
vii. access and egress points to and from the parcel;
viii. exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
ix. location of existing and proposed municipal and/or private sanitary sewer and water services;
x. a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
xi. storm drainage plan;
xii. location of existing and proposed municipal and private local improvements as well as an estimation of the installation thereof;
xiii. lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
xiv. estimated cost of the project, excluding land prices;
xv. location of wetlands, if any;
xvi. be accompanied by a copy of a title search for the subject site; and
xvii. any other pertinent information or tests required by the Development Officer respecting the parcel or adjacent lands.

5.5.2 Each application for a development permit shall be accompanied by a fee, as set by Council.

5.5.3 Development Authority may also require that the applicant provide additional information to determine if the site is suitable for the intended use and to determine if the proposed development conforms to this Bylaw before consideration of the development permit application shall commence. Such information may include:

a. Lot grading and landscaping plans prepared by a registered Alberta Land Surveyor or engineer indicating the pre and post construction lot elevations and proposed lot grading plan;
b. A description of exterior finishing materials; and
c. In the case of a proposed new dwelling in the Residential, Urban Reserve, Country Residential, Country Residential Restricted and Residential Recreation Land Use Districts, the applicant shall provide a real property report or building site certificate, prepared by a registered Alberta Land Surveyor identifying the location of:
    i. the proposed building;
    ii. existing buildings on the site;
    iii. the portable water source (well, cistern etc.); and
    iv. location of the private sewage disposal system(s).
d. In the case of the placement of an already constructed or partially constructed building on a lot:
    i. information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including, should the Development Authority require, any pictures of the building;
e. In a residential Land Use District, the proposed location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
f. Future development plans for a site which is to be partially developed through the applicable development permit; and

g. In the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week; and
h. Reports, plans, and studies prepared by qualified professionals, including:
    i. Erosion & Sediment Control Plan;
    ii. Geotechnical Report;
    iii. Landscaping Plan;
    iv. Wetland Assessment;
    v. Environmental Assessments;
    vi. Biophysical Assessment; and
    vii. Any other reports, plans, and studies that provides information requested by the Development Authority.

5.5.4 In addition to the requirements indicated above, before any application for development of a **fourplex, row housing or an apartment development** can be considered, the applicant must also submit to the Development Authority:

a. Site plans showing the proposed location and position of any signs, parking spaces, exits, entries, and drives, and garbage storage areas, including access to them; and
b. Landscape plan of the entire site which shall also show intended fencing and surfacing for drives and parking areas; and
c. Plans showing the relationship of buildings to each other and to the landscape, particularly such matters as architectural appearance, the provision of light, air, privacy, and landscaping;

in such detail that if the development permit is approved, the plans can be identified through conditions of approval.

5.5.5 In addition to the information requirements indicated above, the Development Authority may require an applicant for an **industrial development** to submit any or all the following additional information, with the application:

a. Type of industry;
b. Estimated number of employees;
c. Estimated water demand and anticipated source;
d. Type of effluent and method of treatment;
e. Transportation routes to be used;
f. Reason for specific location;
g. Means of solid waste disposal;
h. Any accessory works required (pipeline, railway spurs, power lines, etc.);
i. Anticipated residence location of employees;
j. Municipal servicing costs associated with the development;
k. Physical suitability of site with respect to soils, slopes, and drainage;
l. If a subdivision is involved, the size and number of parcels and proposed phasing (if any);
m. Servicing requirements and provisions for meeting them;
n. Environmental assessment information and a risk assessment to assist the County in assessing the effect of the proposed development in relation to the natural and human environments and indicate both if and how any negative matters can be mitigated; and/or
o. Any other information that may be reasonably required by the Development Authority.

5.5.6 In addition to the information requirements indicated in Section 5.5.1 above, the Development Authority may require an applicant for an **Alcohol Retail Sales or a Cannabis Retail Sales development** to submit any or all of the following additional information, including a map identifying the distance from the proposed development to all property boundaries of:

a. Buildings containing another Cannabis Retail Sales or Alcohol Retail Sales;
b. Buildings containing a registered day care;

c. Buildings containing a school or a boundary of a lot on which a school is located;
d. Lots that are designated as Municipal School Reserve or Municipal and School Reserve under the Act;
e. Provincial health care facilities or the boundary of a lot on which the facilities are located; and
f. Any other development or land use required by the Alberta Gaming, Liquor, & Cannabis Commission.

5.5.7 In addition to any or all of the information required under this Bylaw, each application for **a commercial or recreational development** may be required, at the discretion of the Development Authority, to be accompanied by the following information:

a. Physical suitability of site with respect to soils, slopes, and drainage;
b. Size and number of parcels and proposed phasing (if any);
c. Servicing requirements and provisions for meeting them;
d. Municipal servicing costs associated with the development;
e. Requirements and provisions for employee and customer parking and for site access;
f. A landscaping plan;
g. Cross-sections and elevations for each building; and
h. A list of proposed uses.

5.5.8 In addition to the information requirements indicated above, where not required to do so by the Province, the proponent of a **natural resource extraction industry** may be required to submit a reclamation plan.

5.5.9 In addition to the information requirements indicated above, an application for a development permit for the **excavation, stripping or grading** of land that is proposed without any other development on the same land, may include with the application, the following information:

a. Location and area of the site where the excavation is to take place;
b. Existing land use and vegetation;
c. Type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
d. Depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
e. Identification of potential for outdoor noise and the discharge of substances into the air;
f. Condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling, or lessening erosion or dust from the site;
g. An indication of all municipal servicing costs associated with the development; and
h. Proposed haul route, dust control plan and expected hours of operation.

5.5.10 Development Authority may require a Real Property Report or a building site certificate relating to the site that is the subject of a development permit application.

5.5.11 In addition to the information requirements indicated above, the Development Authority may require an applicant the Development Authority to submit a wetland assessment if wetlands are identified within or adjacent to the proposed development area by provincial/municipal data, professional assessments, or site/desktop observations.

5.5.12 When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may return the application to the applicant for further details. The application so returned shall be deemed to not have been submitted until all required details have been provided.

5.5.13 Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.

## 5.6 PERMISSION FOR DEMOLITION

5.6.1 Demolition of a structure shall require a permit, unless the structure is identified in Section 5.3.

5.6.2 Demolition of any structure must be done in accordance with the Alberta Building Code & Canadian Standards Association Standard S350-M1980, "Code of Practice for Safety in Demolition of Structures" and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.

5.6.3 In addition to the requirements of Section 5.5 of this Bylaw, an application for a development permit for the demolition of a building or structure **shall** include the following information:

a. Value of the development being demolished;
b. Purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
c. A work schedule of the demolition and site clean-up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse);
d. Destination of debris materials;
e. Where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings);
f. A copy of the original development approval including building permits where applicable;
g. Form of demolition to be used (heavy equipment or by hand);
h. Method whereby public safety is to be protected (normally a fence that is at least 1.8 m (5.9 ft) in height is required around the excavation or structure to be demolished);
i. An indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;
j. An indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition;
k. Where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required; and
l. An indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.

5.6.4 Before consideration of a development permit application for demolition, the Development Authority **may** also require the applicant to:

a. Identify proposed haul routes for the demolition materials;
b. Complete a Hazardous Materials Assessment Report; and/or
c. Complete any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigation measures necessary to eliminate such contamination.

5.6.5 As a condition of approving a development permit for the demolition of a building, the Development Authority **may,** in addition to other requirements:

a. Require that the applicant undertake all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up; and
b. Require the applicant to post a bond or security to cover the cost of repairing roads and other municipal improvements damaged because of the work authorized in the permit.

## 5.7 NOTICE OF COMPLETE OR INCOMPLETE DEVELOPMENT PERMIT APPLICATIONS

5.7.1 Development Authority shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.

5.7.2 Time period referred to in Section 5.7.1 may be extended by an agreement in writing between the applicant and the Development Authority.

5.7.3 An application is complete if:

a. In the opinion of the Development Authority, the application contains the documents and other information necessary to review the application; or
b. Development Authority does not make a determination within 20 days after receipt of an application for a development permit.

5.7.4 If the Development Authority determines that the application is complete, the Development Authority shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.

5.7.5 If the Development Authority determines that the application is incomplete, the Development Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application and provide a date by which the documents or information must be submitted in order for the application to be considered complete.

5.7.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 5.7.5, the application is deemed refused.

## 5.8 DEVELOPMENT PERMIT NOTICES

5.8.1 A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision, specifying the date on which the decision was made, and any other information required by the regulations, must be given or sent to the applicant on the same date.

5.8.2 When a development permit has been issued for a **permitted use and no variance** to any regulation has been granted, the Development Authority shall (on the same day the decision is given) send written notice of the decision on a development permit application by regular mail to the applicant. Mailing the notice is not required when an applicant picks up a copy of the decision.

5.8.3 In addition to 5.8.1 and 5.8.2, within five (5) working days after a decision on a development permit application for a **discretionary use or after a variance** to any regulation has been granted, the Development Authority shall:

a. Send notice of the decision and right of appeal by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent landowners within 100.0 m (300.0 ft) of the subject site, as identified on the County Assessment Roll; and
b. Send notice of the decision and right of appeal by regular mail (or by electronic mail if agreed to in advance by the applicant) to any other landowner, business, agency, adjacent municipality, person, group, organization, or similar body that the Development Authority deems may be affected.

5.8.4 The notice indicated in Section 5.8.2 and 5.8.3 shall state:

a. Legal description and the street address of the site of the proposed development;
b. Uses proposed for the subject development;
c. Any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved;
d. Date the development permit was issued; and
e. How an appeal might be made to the Subdivision & Development Appeal Board and the deadline for such appeal.

5.8.5 Except for those permits described in Section 5.8.2 hereof, a permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date that notice of an order, decision, or development permit is received. For the purposes of this Bylaw, notice is deemed to be received on the 5$^{th}$ day after the date of the issuance of the order, decision, or permit. Any development the applicant proceeds with prior to the expiry of this period is done solely at the risk of the applicant.

5.8.6 Where an appeal is made, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified, or nullified thereby.

5.8.7 If the development authorized by a permit is not substantially commenced within twelve (12) months from the date of the issuance of the development permit and completed within twelve (12) months of the commencement of the development, the permit is deemed to be void; unless an alternate time frame has been identified in the conditions, or an extension to this period is granted by the Development Authority.

5.8.8 A development, once begun, shall not be abandoned, or left for an extended period of time in what the Development Authority considers to be an unsightly or unsafe condition.

5.8.9 Applicant may be responsible for any damage to public or private property occurring because of development.

5.8.10 When refusing an application for a development permit, the Development Authority shall clearly describe the reasons for the said refusal on the notice of decision.

## 5.9 CONDITIONS & DEVELOPMENT AGREEMENTS

5.9.1 Development Authority may require the following conditions as part of the development permit approval:

a. Compliance with an Erosion & Sediment Control Plan;
b. Compliance with a Landscaping Plan;
c. Compliance with a Lot Grading & Drainage Plan; and
d. Any other conditions requested by the Development Authority.

5.9.2 Development Authority may require the applicant to enter into an agreement as a condition of issuing a development permit, for the purpose of the following:

a. Construct or pay for the construction of culverts, approaches, public roadways, pedestrian walkways, or parking areas; and/or
b. Install or pay for the installation of utilities; and/or
c. Pay for an off-site levy or redevelopment levy imposed by Bylaw; and/or
d. Pay for costs incurred by the County relating to professional services including legal, engineering, and planning services related to the application.

5.9.3 Development Authority, in considering an application, may impose conditions requiring the retention of trees, or additional plantings of such a type and extent that is considered necessary on any permission for development.

5.9.4 To ensure compliance with the development agreement, the County may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.

## 5.10 VALIDITY OF DEVELOPMENT PERMITS

5.10.1 A development permit does not come into effect until at least twenty-one (21) days have elapsed from the date it is granted.

5.10.2 If an appeal (which includes an appeal to the Subdivision & Development Appeal Board, the Land and Property Rights Tribunal, and the Court of Appeal of Alberta) is filed against a development permit, the permit is suspended until the appeal is heard and a decision is issued, or the appeal is abandoned.

5.10.3 A development permit is valid for one (1) year from the date it comes into effect and work authorized pursuant to a development permit must be commenced within twelve (12) months from the date the development permit comes into effect. Extensions may be granted at the sole discretion of the Development Authority.

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

a. Application for the development contains a misrepresentation;
b. Facts concerning the application or the development were not disclosed at the time the application was considered;
c. Development permit was issued in error; or

d. Conditions of Development Permit Approval are not being complied with to the satisfaction of the Development Authority,

the Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it.

5.10.5 A person whose development permit is suspended or cancelled under this Section may appeal the decision.

## 5.11 VARIANCES

5.11.1 Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion:

a. Proposed development would not:
   i. unduly interfere with the amenities of the neighbourhood; or
   ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
b. Proposed development conforms to the uses prescribed for that land or building in this Bylaw.

5.11.2 Notwithstanding the above, a variance shall be considered only where it has been demonstrated to the satisfaction of the Development Authority, that unnecessary hardship or practical difficulties relating to the use, character, or lot characteristics exist;

5.11.3 Notwithstanding Section 5.11.1 and 5.11.2, the Development Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 10% of any or all of the following requirements:

a. Setback regulations of front, or rear yards;
b. Height of buildings; or
c. Floor area.

5.11.4 No variance to the side yard setback requirements of a Residential Land Use District will be allowed.

5.11.5 Where a variance is granted, the nature of the approved variance shall be specifically described in the development permit approval.

5.11.6 Where the issuance of a development permit involves the exercise of any specified discretion of the Development Authority to relax a regulation of a district or any other regulation of this Bylaw, the Development Authority shall not permit any additional variance from that regulation.

## 5.12 REFERRAL OF APPLICATIONS

5.12.1 Historical Resources

a. Historical or archaeological sites identified pursuant to the *Alberta Historical Resources Act* shall be protected in accordance with Provincial legislation and regulations.
b. In addition to any sites identified in (a) above, an application for a development permit which may impact any historical or archaeological site identified pursuant to (a) above within the County should be submitted to Alberta Culture for comment prior to a development permit being issued.

5.12.2 Adjacent Municipalities

a. All subdivision proposals and all applications for significant discretionary development permits within 1.6 km (1.0 mi) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved, unless otherwise agreed to in an Intermunicipal Development Plan, Intermunicipal Collaboration Framework, or other intermunicipal agreement.

5.12.3 Subdivision & Development Near Highways

a. All subdivision and development applications near provincial highways shall be referred to Alberta Transportation & Economic Corridors as required by the *Act*.

5.12.4 Subdivision & Development within Airport Vicinity Land Use District

a. All subdivision and development applications within the Airport Vicinity Land Use District shall be referred to the Town of Barrhead, NavCanada, and any other agency at the discretion of the Development Authority Officer.

## 5.13 DECISION PROCESS

5.13.1 Permitted Use Applications

a. Upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw and may:
   i. Require a Real Property Report (RPR), signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the County can utilize the Surveyor's RPR for evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that are the subject of the development permit application;
   ii. Prior to making a decision, refer any application for a permitted use to any municipal department or external agency for comment;
   iii. Require, as a condition of issuing a development permit, that the applicant enter into an agreement with the County to do any or all of the following:
      a) to construct or pay for the construction of a road required to give access to the development;
      b) to construct or pay for the construction of:
         (i) a pedestrian walkway system to serve the development; and/or
         (ii) 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;
      c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
      d) to construct or pay for the construction of:
         (i) off-street or other parking facilities; and
         (ii) loading and unloading facilities;
      e) to pay an off-site levy or redevelopment levy; or
      f) to give security to ensure that the terms of the agreement under this section are carried out;
   iv. Refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, wastewater, and/or street access, including payment of the costs of installing or constructing any such utility by the developer; and/or
   v. Issue a temporary development permit where, in the opinion of the Development Authority Officer, the proposed use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.

b. Applicant shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.

c. Applicant shall be financially responsible during construction for any damage by the applicant, their proponents, suppliers, agents, or contractors to any public or private property.

d. Applicant shall prevent excess soil or debris from being spilled on public streets, lanes, and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from adjacent property owners.

e. Sections 5.13.1.c and 5.13.1.d may be enforced pursuant to Section 8 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section 5.9.

f. No building shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user, or proposed occupant of said building demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.
g. Upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer may refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses that, in the opinion of the Development Authority Officer, should be decided by the Municipal Planning Commission.
h. Where development permit applications for permitted uses are referred to the Municipal Planning Commission pursuant to Section 5.13.1.g the Municipal Planning Commission shall be subject to the same provisions that apply and are available to the Development Authority Officer as prescribed in Section 5.13.1.

5.13.2 Discretionary Use Applications

a. Upon receipt of a completed application for a development permit for a discretionary use, the Development Authority shall review the application and refer the application with the Development Officer's recommendations to the Municipal Planning Commission for decision.
b. Municipal Planning Commission may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment.
c. Municipal Planning Commission shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.
d. Municipal Planning Commission may require as a condition of issuing a development permit that:
    i. Applicant enter into an agreement with the County to do any or all of the following:
        a) to construct or pay for the construction of a road required to access the development;
        b) to construct or pay for the construction of:
            (i) a pedestrian walkway system to serve the development; and/or
            (ii) 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;
        c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
        d) to construct or pay for the construction of:
            (i) off-street or other parking facilities; and
            (ii) loading and unloading facilities;
        e) to pay an off-site levy or redevelopment levy; and/or
        f) to provide financial security, such as cash or a letter of credit, to ensure that the terms of the agreement under this section are carried out;
    ii. Applicant provide a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor can utilize the Surveyor's Real Property Report, relating to the building(s) that is (are) the subject of the development permit application.
e. A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
f. Applicant shall be financially responsible during construction for any damage by the applicant, their proponents, suppliers, agents, or contractors to any public or private property.
g. Applicant shall prevent excess soil or debris from being spilled on public streets, lanes, and sidewalks, and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.

h. Sections 5.13.2.f and 5.13.2.g may be enforced pursuant to Section 8 – Enforcement. Any costs incurred as a result of neglect to public property may be collected where financial securities have been required pursuant to Section 5.9 .
i. No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user, or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.
j. Municipal Planning Commission may issue a temporary development permit where the Municipal Planning Commission is of the opinion that the discretionary use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.
k. Where any use is proposed which is not specifically shown in any Land Use District but is, in the opinion of the Municipal Planning Commission, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the Land Use District in which such use is proposed, the Municipal Planning Commission may, if requested by the applicant, rule that the proposed use is a discretionary use in the Land Use District in which such use is proposed.

5.13.3 Development Authority may impose such conditions on the approval of an application that are considered necessary by the Development Authority to:

a. Uphold the intent and objectives of any statutory plan or land use regulation as adopted or amended from time to time; and
b. Ensure the orderly and economic development of land within the County.

5.13.4 Where an application for a use which is neither a permitted nor a discretionary use is received by the Development Authority Officer, the Development Authority Officer may refuse the application stating reasons for the decision or, at the request of the applicant, refer the application to the Municipal Planning Commission for consideration.

## 5.14 SUBSEQUENT APPLICATIONS

5.14.1 If an application for a development permit is refused by the Development Authority Officer or Municipal Planning Commission, or a decision is made by the Subdivision & Development Appeal Board, another application for development:

a. On the same parcel; and
b. For the same or similar use;

may not be made for at least six (6) months after the date of the refusal unless the Municipal Planning Commission agrees to waive the six (6) month period.

# 6. SUBDIVISION APPLICATIONS

## 6.1 SUBDIVISION APPLICATION REQUIREMENTS

6.1.1 All applications for the subdivision of land within the County shall comply with the regulations of this Section.

6.1.2 A subdivision application may be submitted by:

a. Registered owner of the land to be subdivided; or
b. A person with written authorization to act on behalf of the registered owner.

6.1.3 Subdivisions shall be developed in accordance with the provisions of the Land Use District affecting the subject site at time of application.

6.1.4 If the proposed subdivision requires an environmental assessment under the *Canadian Environmental Assessment Act*, the applicant shall file an environmental assessment in accordance with the *Canadian Environmental Assessment Act*. A copy of the environmental assessment shall be submitted with the subdivision application.

6.1.5 If the proposed subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and/or approvals or licenses shall be submitted with the subdivision application.

6.1.6 Information on abandoned oil and gas wells as required by the Subdivision & Development Regulations and Alberta Energy Regulator Directive 079 shall accompany every subdivision application.

6.1.7 Tentative plan of subdivision shall:

a. Clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to subdivide;
b. Show the location, dimensions, and boundaries of:
    i. each new lot to be created;
    ii. reserve land(s), if required;
    iii. rights-of-way of each public utility, if required; and
    iv. other rights-of-way, if required;
c. Indicate the use, location, and dimensions of existing buildings on the land that is the subject of the application, if any, and specify whether the buildings are proposed to be demolished or moved;
d. Show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the boundaries of the proposed parcel of land;
e. Identify the location of any existing or proposed water wells, the locations and type of any private sewage disposal system(s), and the distance from these to existing or proposed buildings and property lines;
f. Include information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed subdivision; and
g. Identify the existing and proposed access to the proposed parcels and the remainder of the titled area.

6.1.8 County may also require an applicant to submit to the Subdivision Authority any or all the following:

a. A figure showing topographic contours at no greater than 1.5 m (4.9 ft) intervals;
b. If the proposed subdivision is not to be served by a municipal water distribution system, information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;
c. An assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system(s), prepared and signed by a qualified professional registered in the Province of Alberta;
d. Reports, plans, and studies prepared by qualified professionals, including:
    i. Geotechnical Report;
    ii. Lot Grading & Drainage Plan or Stormwater Management Plan;
    iii. Slope Stability Analysis;
    iv. Water Report;

v. Wetland Assessment;
vi. Any other reports, plans, and studies that provides information requested by the Subdivision Authority;

e. If the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
f. Information respecting the land surface characteristics of land within 0.8 km (0.5 mi) of the land proposed to be subdivided;
g. If any portion of the parcel of land affected by the proposed subdivision is situated within 1.5 km (0.9 mi) of a sour gas facility, a map showing the location of the sour gas facility; and
h. Where the proposed subdivision is staged or includes only a portion of the developable area within the subject site, an approved Area Structure Plan or Outline Plan that relates the application to future subdivision and development of adjacent lands.

## 6.2 SUBDIVISION AUTHORITY APPLICATION PROCESS

6.2.1 Subdivision Authority shall:

a. Participate in a pre-application submission meeting with development proponents (as requested);
b. Receive all subdivision applications;
c. Assess and provide notice of a complete or incomplete application; and
d. Issue notices in writing as required in the *Act*.

6.2.2 Notice of Complete or Incomplete Application:

a. Subdivision Authority shall, within twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
b. Time period referred to in Section 6.2.2.a may be extended by an agreement in writing between the applicant and the Subdivision Authority or, if applicable, in accordance with the Land Use Bylaw made pursuant to Section 640.1 of the *Act*.
c. An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application.
d. If the application is determined to be complete, the Subdivision Authority shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
e. If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Subdivision Authority in order for the application to be considered complete.
f. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 6.2.2.e, the Subdivision Authority must deem the application to be refused.
g. Despite that the Subdivision Authority has issued an acknowledgment under Section 6.2.2.d or 6.2.2.e, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

## 6.3 DUTIES OF THE SUBDIVISION AUTHORITY

6.3.1 Upon receipt of a completed subdivision application, the Subdivision Authority:

a. Shall approve, with or without conditions, a subdivision application for a permitted use where the proposed subdivision conforms to:
   i. This Bylaw;
   ii. Applicable statutory plans; and
   iii. The *Act* and Regulations thereunder;
b. Shall refuse an application for a subdivision if the proposed subdivision does not conform with:
   i. Applicable statutory plans; and/or
   ii. The *Act* and the Regulations thereunder;
   iii. This Bylaw
c. May approve, with or without conditions, an application for subdivision that does not comply with this Bylaw if, in the opinion of the Subdivision Authority, the proposed subdivision:
   i. Would not unduly interfere with the amenities of the neighbourhood;
   ii. Would not materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
   iii. Conforms to the use prescribed for that land in this Bylaw;
d. Prior to making a decision, shall refer the subdivision application to any external agencies and adjacent landowners for comment and may refer the subdivision application to any municipal department as required.

## 6.4 REQUIREMENTS & CONDITIONS OF SUBDIVISION APPROVAL

6.4.1 Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 - 670 of the *Act*.

6.4.2 Subdivision approvals must comply with Part 17 and 17.1 of the *Act* and the Regulations therein.

6.4.3 For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility or an institutional use.

6.4.4 Where the development involves a subdivision of land, no development permit shall be issued until the subdivision has been registered with Alberta Land Titles.

6.4.5 More than one active subdivision application will not be allowed affecting a single titled area. Where a subdivision is proposed for a titled area which is, at time of receipt of the new application, affected by an active subdivision file, the new application will not be accepted and processed until the existing open file has been closed or finalized to the satisfaction of the Subdivision Authority.

6.4.6 Subdivision Authority shall not approve a subdivision which is inconsistent with the County Municipal Development Plan and/or the provisions of any statutory plans that affect the land proposed to be subdivided.

6.4.7 As a condition of subdivision approval, environmental reserves may be required according to Section 664 of the *Act* either in the form of a lot (ownership transferred to the County) or as an environmental reserve easement (private ownership is retained).

6.4.8 As a condition of subdivision approval, the County may require that the proponent provide hazard land as environmental reserve.

6.4.9 Where a subdivision is proposed on lands adjacent to a water body, a watercourse or wetland, reserves shall be required as a condition of subdivision approval as provided for in the *Act*. When determining the width and size of the environmental reserve the following shall be taken into consideration:

a. Recommendations by qualified professionals; and/or
b. Riparian Setback Matrix Model (RSMM); and/or
c. Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and/or
d. Alberta Environment & Protected Areas' Recommended Guidelines for Minimum Environmental Reserve/Easement Widths.

6.4.10 Property taxes must be up to date prior to final endorsement of any subdivision.

6.4.11 Proposed parcels being created shall not, in the opinion of the Subdivision Authority, prejudice the future efficient development of the remnant lands.

6.4.12 Subdivision Authority may require the following conditions as part of subdivision approval:

a. That the proponent enters into and complies with a Development Agreement;
b. Provision of off-site levies or a local improvement levy;
c. Compliance with an approved Erosion & Sediment Control Plan;
d. Compliance with an approved Landscaping Plan;
e. Compliance with an approved Lot Grading & Drainage Plan;
f. Compliance with an approved Stormwater Management Plan; and/or
g. Any other conditions as required by the Subdivision Authority.

# 7. APPEALS

## 7.1 DEVELOPMENT APPEALS

7.1.1 An appeal may be made by the applicant of the development permit or any person affected by the order if the Development Authority:

a. Fails or refuses to issue a development permit;
b. Issues a development permit subject to conditions; or
c. Issues a stop order under Section 645 of the *Act*;

7.1.2 In addition to Section 7.1.1, any person affected by an order, decision or development permit made or issued by the Development Authority may appeal the decision in accordance with Section 685(2) of the *Act*.

7.1.3 Despite Sections 7.1.1 and 7.1.2, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied, or misinterpreted or the application for the development permit was deemed to be refused under Section 683.1(8) of the *Act*.

7.1.4 Despite Sections 7.1.1, 7.1.2 and 7.1.3, if a decision with respect to a development permit application in a Direct Control District:

a. Is made by Council, there is no appeal to the Subdivision & Development Appeal Board; or
b. Is made by a Development Authority, the appeal is limited to whether the Development Authority followed the directions of Council, and if the applicable board hearing the appeal finds that the Development Authority did not follow the directions it may, in accordance with the directions, substitute its decision for the Development Authority's decision.

7.1.5 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(a) of the *Act* shall be made to the Land & Property Rights Tribunal and shall proceed in accordance with the processes identified in the *Act* and the *Land & Property Rights Tribunal Act*.

7.1.6 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(b) of the *Act* shall be made to the Subdivision & Development Appeal Board of the County.

7.1.7 An appeal with respect to an application for a development permit may be made by a person identified in Section 7.1.1 by serving a written notice of appeal to the applicable board hearing the appeal:

a. Within 21 days after the date on which the written decision is given; or
b. If no decision is made with respect to the application within the 40-day period (or within any extension to that period under Section 684 of the *Act*), within 21 days after the date the period or extension expires; or
c. With respect to an order under Section 645 of the *Act*, within 21 days after the date on which the order is made.

7.1.8 An appeal with respect to an application for a development permit may be made by a person (identified in Section 7.1.2) by serving a written notice of appeal to the applicable board hearing the appeal within 21 days after the date on which the written decision is given.

7.1.9 An appeal to the Land & Property Rights Tribunal may be made by filing a notice to the Land & Property Rights Tribunal. Notice submission requirements shall be as established by the Land & Property Rights Tribunal.

7.1.10 An appeal to the Subdivision & Development Appeal Board may be launched by filing a notice by providing the following:

a. Appeal application fee as identified in the County's Rates & Fees Bylaw;
b. Legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
c. Name, contact information and address of the appellant; and
d. Reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.

7.1.11 Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the 1st board, if:

a. In the case of a person referred to in Section 7.1.1 the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal; or
b. In the case of a person referred to in Section 7.1.2, the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the Land Use Bylaw.

## 7.2 SUBDIVISION APPEALS

7.2.1 Decision of a Subdivision Authority on an application for subdivision approval may be appealed:
a. By the applicant of the subdivision approval;
b. By a government department if the application is required by the Subdivision & Development Regulations to be referred to that department;
c. By a school board with respect to:
i. Allocation of municipal reserve and school reserve or money in place of the reserve;
ii. Location of school reserve allocated to it; or
iii. Amount of school reserve or money in place of the reserve.

7.2.2 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(a) of the *Act* shall be made to the Land & Property Rights Tribunal and shall proceed in accordance with the processes identified in the *Act* and the *Land & Property Rights Tribunal Act*.

7.2.3 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(b) and 678(2.1) of the *Act* shall be made to the Subdivision & Development Appeal Board of the County.

7.2.4 An appeal to the Land & Property Rights Tribunal may be made by filing a notice to the Land & Property Rights Tribunal. Notice submission requirements shall be as established by the Land & Property Rights Tribunal.

7.2.5 An appeal to the Subdivision & Development Appeal Board may be launched by filing a notice by providing the following:
a. Appeal application fee as identified in the County's Rates & Fees Bylaw, as amended or replaced;
b. Legal description and/or the municipal address of the property to which the decision, order, or issuance of the development permit relates;
c. Name, contact information, and address of the appellant; and
d. Reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.

7.2.6 If the applicant files a notice of appeal within 14 days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the 1st board.

## 7.3 HEARING & DECISION

7.3.1 Hearings for development appeals and decisions made by the applicable board hearing the appeal shall be in accordance with Section 686 and 687 of the *Act*.

7.3.2 Hearings for subdivision appeals and decisions made by the applicable board hearing the appeal shall be in accordance with Section 679, 680 and 681 of the *Act*.

# 8. ENFORCEMENT

## 8.1 SCOPE OF ENFORCEMENT

8.1.1 Provisions in Section 8 are related to the enforcement of Land Use Bylaw regulations exclusively.

## 8.2 PROVISION OF ENFORCEMENT

8.2.1 Enforcement may be conducted by a Designated Officer through the issuance of a violation warning, warning notice, final warning notice, stop order, violation tags, or any other authorized action provided for in the *Act* to ensure compliance.

## 8.3 OFFENSES

8.3.1 A person is guilty of an offence when allowing, commencing or undertaking any development that:

a. Contravenes or does not comply with the provisions of this Bylaw;
b. Requires a Development Permit which has not been issued;
c. Is contrary to a Development Permit that has been issued, or a subdivision approval that has been given or a condition of a permit or approval;
d. Contravenes a Stop Order; or
e. Contravenes the *Act*.

8.3.2 Each day that an offence has occurred may be considered to be a separate offence.

8.3.3 A person guilty of an offence is liable to a fine as specified in the County Rates & Fees Bylaw and enforcement as established under the *Act.*

## 8.4 RIGHT OF ENTRY

8.4.1 After reasonable notice (generally to mean 24 hours) to the owner or occupant in accordance with the *Act*, a Designated Officer may enter the property at reasonable times (generally to mean between the hours of 7:30 a.m. and 10:00 p.m.) to ascertain if Land Use Bylaw requirements are being met.

8.4.2 A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent for entry is not given, the County may apply to the Court of King's Bench for an authorizing order.

## 8.5 VIOLATION WARNING

8.5.1 A Designated Officer may issue a violation warning for minor offences by outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

## 8.6 WARNING & FINAL WARNING NOTICE

8.6.1 A Designated Officer may issue a warning notice or a final warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures, or both.

## 8.7 STOP ORDERS

8.7.1 On finding that a development, land use, or use of a building does not conform to the *Act* or its regulations, a development permit or subdivision approval or the conditions of either, or this Bylaw, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:

a. Stop the development or use of the land or building in whole or part as directed by the notice;
b. Demolish, remove, or replace the development; or
c. Carry out any other actions required by the notice for compliance.

8.7.2 Stop order shall specify a deadline for compliance.

8.7.3 A person named in a stop order may appeal to the Subdivision & Development Appeal Board.

## 8.8 ENFORCEMENT OF STOP ORDERS

8.8.1 Subject to Section 542 of the *Act*, if a person fails to comply with the order of the Development Authority, a Designated Officer, or the Subdivision and Development Appeal Board, a Designated Officer may enter on the land or building and take any action necessary to carry out the order.

8.8.2 County may register a caveat against the certificate of title for the land that is subject to the order, provided that the caveat is discharged when the order has been complied with.

8.8.3 Costs incurred by the County for carrying out any actions required to achieve compliance may be added to the tax roll of the land subject to the order.

## 8.9 VIOLATION TAGS & TICKETS

8.9.1 In accordance with the *Provincial Offences Procedures Act*, a Designated Officer may issue a violation tag to a person for specific offences in contravention of a violation by issuing a warning notice, a final warning notice, or stop order where there are reasonable and probable grounds to believe there is a contravention of this Bylaw.

8.9.2 A violation tag may be issued to a person either personally or by registered mail.

8.9.3 A violation tag shall be in a form approved by the County and shall include:

a. Name of the person contravening the Bylaw,
b. Description of the offence,
c. Specified penalty for the offence established in the County Rates & Fees Bylaw,
d. Requirement that the penalty be paid within 30 days of issuance of the violation tag,
e. Method by which the tag may be paid, and
f. Any other information as may be required by the County.

8.9.4 Designated Officer is hereby authorized and empowered to issue a violation tag to any person who the Development Authority has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

8.9.5 Where a contravention is of a continuing nature, further violation tags may be issued by a Designated Officer, provided however that no more than one violation tag shall be issued for each day that the contravention continues.

8.9.6 Person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location indicated on the violation tag.

8.9.7 If payment is not made within the time specified on the violation tag, a Designated Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.

8.9.8 Nothing in this Bylaw shall prevent a Designated Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

# 9. GENERAL LAND USE REGULATIONS

## 9.1 ACCESS & PARKING

9.1.1 In all districts, vehicular entrances and exits onto streets shall only be permitted at locations approved by the Development Authority.

9.1.2 In all districts, an off-street parking space shall be provided in accordance with the requirements for each use listed in the table below or determined by the Development Authority.

9.1.3 In the case of a use not specified, the number of stalls provided shall be the same for a similar use as determined by the Development Authority.

| USE OF BUILDING OR SITE | MINIMUM NUMBER OF PARKING SPACES |
|---|---|
| **Residential Developments** | |
| Single detached, manufactured home, and duplex dwellings | 2 per dwelling unit |
| Multi-family dwellings of one (1) bedroom or less per dwelling unit | 1 per dwelling unit and<br>1 for every 4 dwelling units for guest parking |
| Multi-family dwellings of two (2) or more bedrooms per dwelling unit | 1.5 per dwelling unit and<br>1 for every 4 dwelling units for guest parking |
| Senior citizen self-contained dwelling unit | 1 for every 2 dwelling units |
| **Commercial Developments** | |
| Business, public administration and offices other than medical or dental offices/clinics | 1 space for every 40.0 $m^2$ of gross floor area |
| Medical and dental offices or clinics | 1 space for every 30.0 $m^2$ of gross floor area |
| Retail/service shops with a gross floor area of 1,000.0 $m^2$ or less | 1 space for every 45.0 $m^2$ of gross floor area |
| Retail/service shops with a gross floor area between 1,000.00 $m^2$ and 4,000.0 $m^2$ | 1 space for every 27.0 $m^2$ of gross floor area |
| Retail/service shops with a gross floor area of more than 4,000.0 $m^2$ | 1 space for every 25.0 $m^2$ of gross floor area |
| Dine-in restaurants | 1 per 4 seating spaces or 1 space of every 2.8 $m^2$ used by patrons, whichever is deemed to be the most applicable standard given the nature of the application as determined by Development Authority. |
| Restaurant (food exclusively taken off site for consumption) | 1 space for every 13.0 $m^2$ of gross floor area plus 1 for each 3 employees on maximum shift. |
| Automobile service center | 1 space for every 46.0 $m^2$ of gross floor area.<br>Parking for customers and service department shall be clearly identified. |
| Hotels, Motels | 1 per sleeping unit and 1 space per 3 employees on maximum shift |
| Manufactured Home Parks | Visitor parking space shall be provided at a ratio of at least 1 space for every 2 manufactured homes units and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc. |
| Tourist Accommodations | 1 per bedroom and 1 extra space |
| **Industrial Developments** | |
| Light manufacturing plants; warehouse space; wholesale and storage buildings and yards; public utility buildings; medium to heavy manufacturing plants, mills, or shops | 1 space for every 3 employees on maximum shift. These standards may be varied, at the discretion of the Development Officer or Municipal Planning Commission, to accommodate visitors parking spaces, where applicable. |

| **Other Developments** | |
|---|---|
| Places of Assembly<br>Private clubs or lodges, funeral homes/chapels, auditoriums, places of worship, halls, theatres, cinemas and other amusement or recreational establishments | 1 per 5 seating spaces or 1 space for every 4.6 $m^2$ used by patrons, whichever is deemed to be the most applicable standard given the nature or the application as determined by the Development Officer or Municipal Planning Commission. |
| Schools | 5 plus 1 per daytime school employee on maximum shift |
| Group care facilities, senior citizens lodges and nursing homes | 1 space for every 100.0 $m^2$ of gross floor area |
| Daycare facilities | 1 space for every 34.0 $m^2$ of gross floor area plus 1 per staff member |

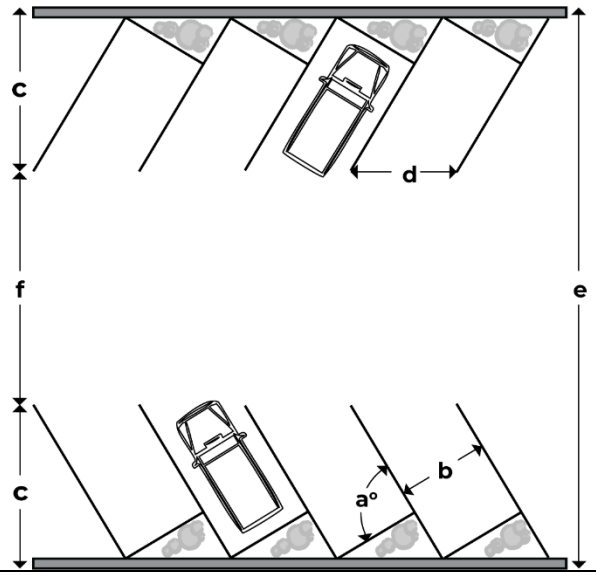
9.1.4 In all districts, if not otherwise provided for, in regulating the facilities for off-street parking, the owner of the land to be developed may, subject to the approval of the Development Authority;

a. Provide the required off-street parking on land other than the one proposed to be developed; or
b. In lieu of providing off-street parking, pay the County such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the County elsewhere in the district. Any money so received by the County shall be used only for the development of off-street parking facilities.

9.1.5 Where a development on a parcel may be considered to be more than one land use category, the required number of spaces shall be the sum of the requirements for each of the uses as specified above.

9.1.6 Minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with the following regulations:

| PARKING ANGLE IN DEGREES | WIDTH OF STALL | DEPTH OF STALL PERPENDICULAR TO MANEUVERING AISLE | WIDTH OF STALL PARALLEL TO MANEUVERING AISLE | OVERALL DEPTH | WIDTH OF MANEUVERING AISLE (ONE-WAY) |
|---|---|---|---|---|---|
| a | b | c | d | e | f |
| 0 | 2.7 m (8.86 ft) | 2.7 m (8.86 ft) | 7.0 m (22.97 ft) | 9.1 m (29.86 ft) | 3.6 m (11.81 ft) |
| 30 | 2.7 m (8.86 ft) | 5.2 m (17.06 ft) | 5.5 m (45.87 ft) | 14.0 m (45.93 ft) | 3.6 m (11.81 ft) |
| 45 | 2.7 m (8.86 ft) | 5.8 m (19.03 ft) | 4.0 m (13.12 ft) | 15.2 m (49.87 ft) | 3.6 m (11.81 ft) |
| 60 | 2.7 m (8.86 ft) | 6.1 m (20.01 ft) | 3.1 m (10.17 ft) | 18.2 m (59.71 ft) | 6.0 m (19.69 ft) |
| 90 | 2.7 m (8.86 ft) | 6.1 m (20.01 ft) | 2.7 m (8.86 ft) | 19.5 m (63.98 ft) | 7.3 m (23.95 ft) |




## 9.2 ACCESSORY BUILDINGS & USES

9.2.1 When an accessory building is proposed for use as a temporary residence prior to construction of the principal residence and will at some future date be converted back to a proper accessory use (as a garage or storage building), the "temporary residence" accessory building will be treated as a permanent residence and shall comply with the County's minimum residential floor area requirements and the Alberta Building Code requirements for a permanent residence. County may require of the applicant a letter of undertaking and the posting of a security to ensure conversion of the "temporary residence" into an accessory building.

9.2.2 Notwithstanding the definition of an accessory building as prescribed in this Bylaw, accessory buildings (in the form of a garage or shed only) may be permitted on a discretionary basis on a vacant residential parcel prior to the establishment of the principal residence. Development Authority shall not approve a development permit for an accessory building in this instance unless it is satisfied that the accessory building is designed, sited,

constructed, finished, and sided in a manner that is visually compatible and harmonious with the residential character of the surrounding parcels and the neighborhood in general.

9.2.3 Where a structure 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 shall not be considered as an accessory building.

9.2.4 Notwithstanding any other part of this Bylaw, the sitting of an accessory building on an irregularly shaped parcel shall be at the discretion of the Development Officer or Municipal Planning Commission.

## 9.3 CORNER & DOUBLE FRONTING SITES

9.3.1 In all Land Use Districts, a site abutting onto 2 streets or more shall have a front yard setback on each street in accordance with the front yard regulation of this Bylaw.

9.3.2 In all cases, the location of buildings on corner sites shall be subject to the approval of the Development Officer or Municipal Planning Commission who may, at their discretion, relax one front yard setback requirements taking into account the alignment, location, and orientation of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.

9.3.3 No structure shall be placed on a corner lot in such a manner that the line of sight at the intersection of the abutting streets would result in a traffic hazard. All structures more than 1.0 m (3.3 ft) in height shall be no closer than 6.1 m (20.0 ft) from the point where the streets intersect.

## 9.4 DESIGN CHARACTER & APPEARANCE OF BUILDINGS & STRUCTURES

9.4.1 Quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority.

9.4.2 Pursuant to 9.4.1, the Development Authority shall consider the following when reviewing development proposals in all Land Use Districts:

a. Design, character, and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity;
b. Design of the building must be consistent with the purpose of the Land Use District in which it is located; and/or
c. Building shall comply with any provisions of any statutory plan which sets out specific guidelines as to the design, character, appearance or building materials to be used within a Land Use District or area;

9.4.3 Development Authority shall encourage buildings to be sited and constructed so as to maximize passive solar energy gain.

## 9.5 DEVELOPMENT WITHIN OR ADJACENT TO ROADWAYS

9.5.1 No development permit shall be issued for a development within 30.0 m (98.4 ft) of the boundary of the right-of-way of a highway until a permit under regulations made in accordance with the *Public Highways Development Act*, RSA 2000, has been issued by Alberta Transportation.

9.5.2 Clearing of trees or vegetation or the use of undeveloped government road allowances shall not be allowed without a written agreement with the County.

9.5.3 On a parcel of land located adjacent to a local road, no development shall be permitted within 30.0 m (98.4 ft) of the property line as illustrated in Figure 4.

9.5.4 On a parcel of land located at the intersection of a road or highway, no development shall be permitted within the areas illustrated in Figure 4.

9.5.5 No buildings, fences, trees, haystacks, or other similar obstructions to visibility shall be permitted at the intersection of 2 local roads as illustrated in Figure 4.

9.5.6 On a parcel of land located on the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 5.

9.5.7 Where a local road intersects a highway, the Highway Development Control Regulations shall apply to lands adjacent to the highway where it intersects.

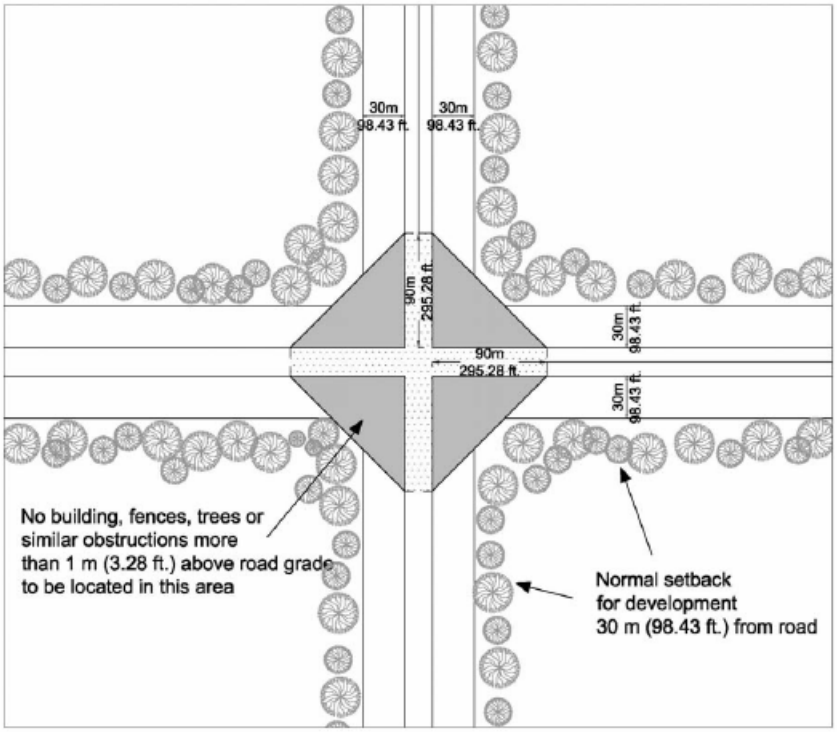



*Figure 4: Location of Development at the Intersection of a Minor Two-Lane Highway with a Local Road*

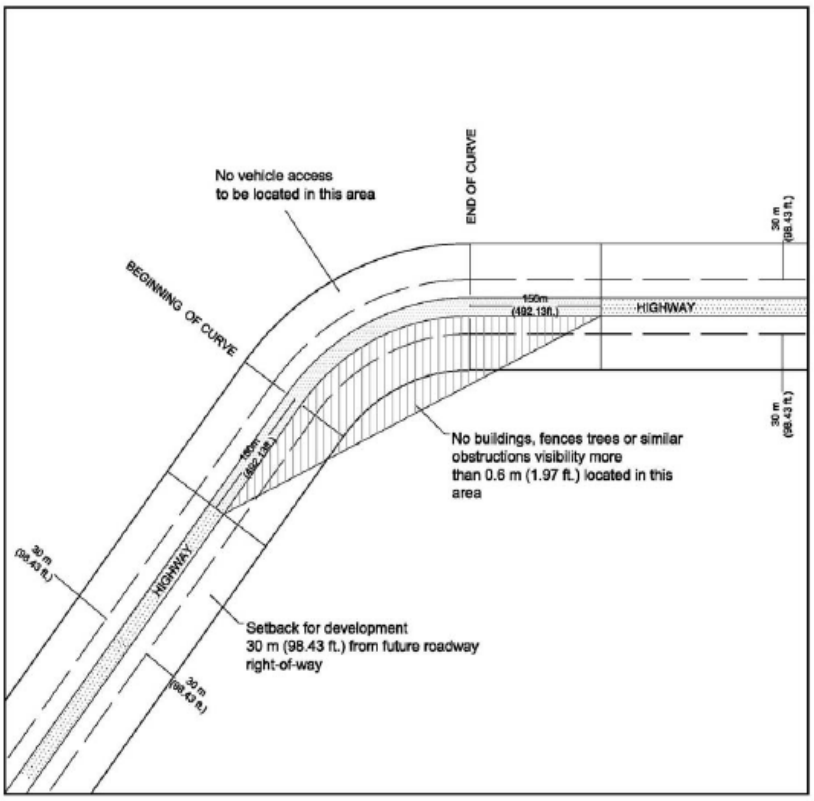



*Figure 5: Location of Development in the Inside of a Road Curve*

## 9.6 BUILDING SETBACKS & SETBACKS FROM PROPERTY LINES

9.6.1 The following provisions shall apply to all buildings in all Land Use Districts unless otherwise stated in the respective Land Use District or at the discretion of the Development Authority.

9.6.2 Where a lot is separated from a roadway by a buffer strip, the lot is considered adjacent to the roadway for the purpose of setbacks.

9.6.3 Where an internal subdivision road or service road parallels a municipal road allowance, arterial road, or a highway, the greater setback shall be required.

9.6.4 A municipal service road shall be treated as a municipal road allowance for the purpose of applying setback regulations.

9.6.5 All residential and accessory buildings shall be set back a minimum distance of 40.0 m (131.0 ft) from the property line. If the development is adjacent to a minor highway, then all residential and accessory buildings shall be set back a minimum distance of 30.0 m (98.4 ft) from the property line as illustrated in Figure 6.

9.6.6 On Country Residential parcels adjacent to internal subdivision roads all residential and accessory buildings shall be set back a minimum distance of 7.5 m (24.0 ft) from the property line of the residential property as illustrated in Figure 7.

9.6.7 On Country Residential parcels adjacent to a municipal road allowance all residential and accessory buildings shall be set back a minimum distance of 30.0 m (98.4 ft.) from the property line of the residential property as illustrated in Figure 7.

9.6.8 Minimum separation distance between a dwelling and an accessory building in the Urban Residential Land Use District and for resort cottages shall be 2.0 m (7.0 ft).

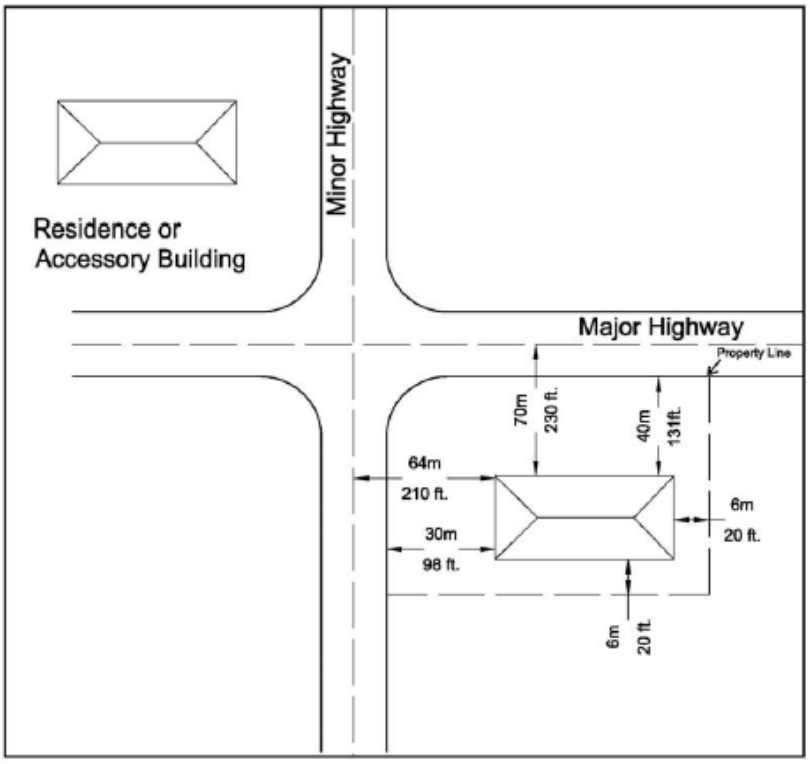



*Figure 6: Setback for Dwellings & Accessory Buildings from Highways*

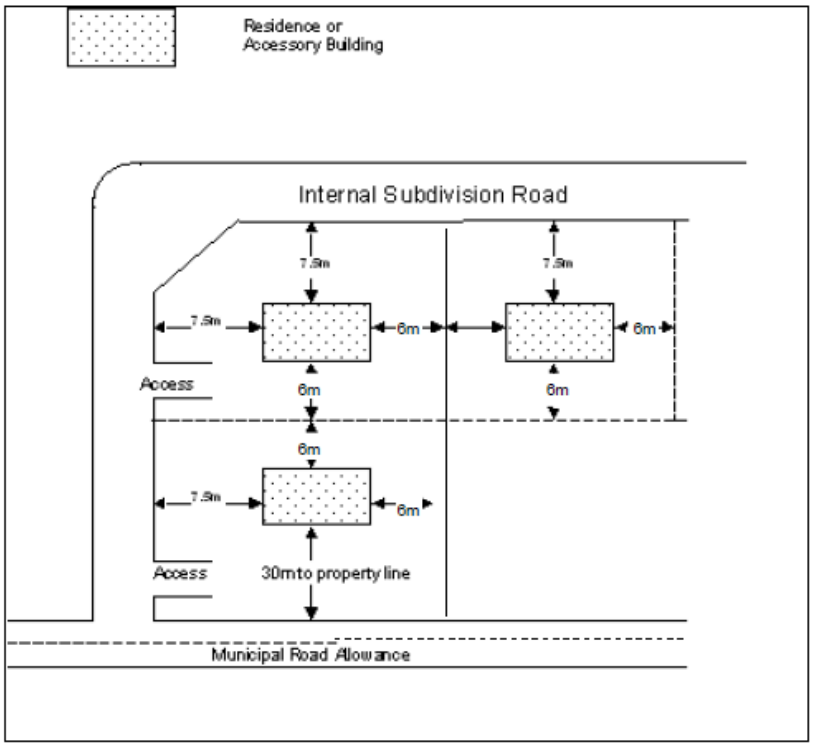



*Figure 7: Residential & Accessory Building Setbacks from Internal Subdivision Roads and Government Road Allowances*

9.6.9 Minimum side yard setback for a single-family dwelling or an accessory building in the Urban Residential Land Use District and for resort cottages shall be 1.5 m (5.0 ft). Figure 8 illustrates front, rear and side yard setbacks for dwellings and accessory buildings.

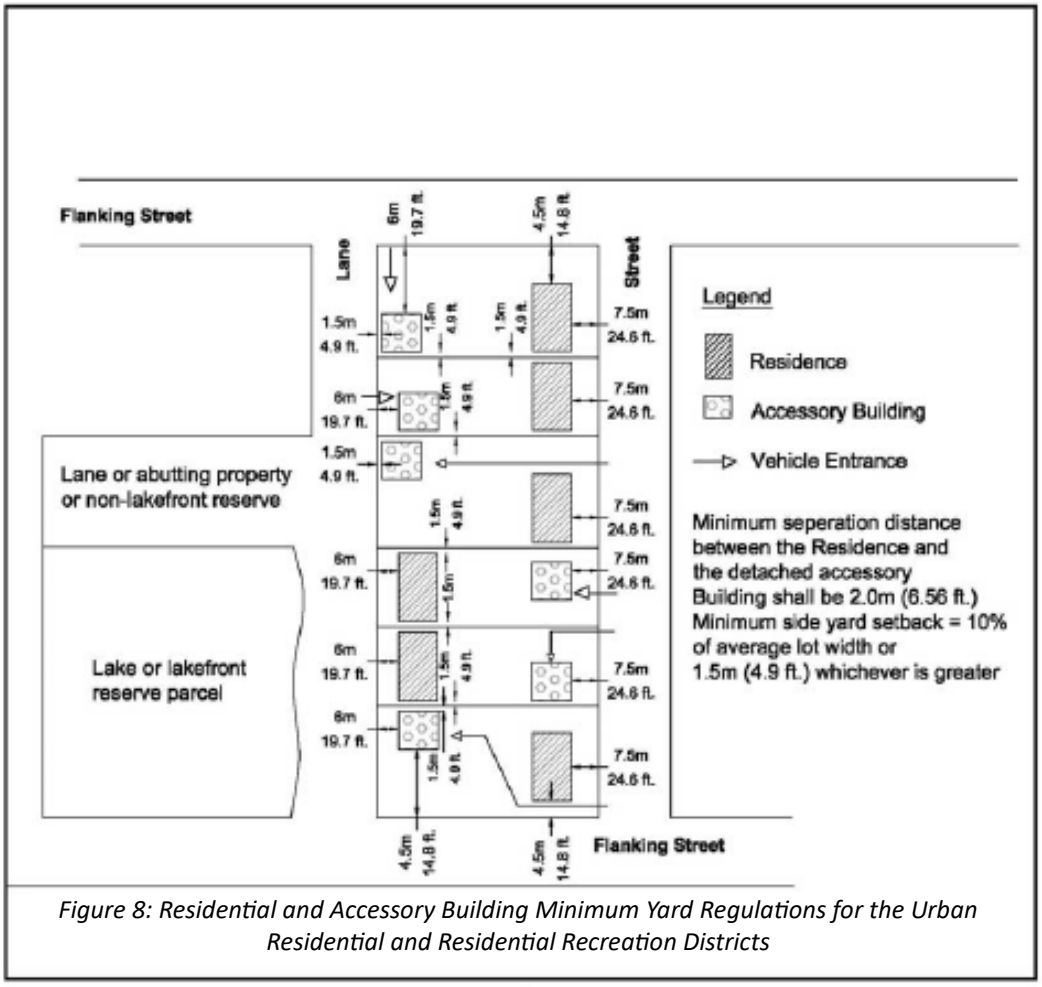



*Figure 8: Residential and Accessory Building Minimum Yard Regulations for the Urban Residential and Residential Recreation Districts*

## 9.7 DEVELOPMENT ON OR NEAR SLOPES

9.7.1 For the purpose of this Section, "top of bank" is as determined by the Development Authority in consultation with Alberta Environment & Protected Areas.

9.7.2 Notwithstanding the yard requirements prescribed in the applicable District or an approved statutory plan, no permanent buildings shall be permitted within 30.0 m (98.4 ft) of the top of the bank of any water body (being a named lake or pond) and no development shall be permitted within 30.0 m (98.4 ft) of the top or bottom of an escarpment, bank, or slope where the grade exceeds 15% (fifteen percent).

9.7.3 Development Authority may require a greater setback than is prescribed in Section 9.7.2.

9.7.4 Notwithstanding that a development conforms in all respects with this Bylaw, including Section 9.7.2 and 9.7.3, where the application is for development on lands that are, or may be, subject to subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate, by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that preventive engineering and construction measures can be instituted to make the parcel suitable for the proposed development.

9.7.5 Further to Section 9.7.4, the Development Authority may, at its discretion, require that the development site and buildings be designed by a professional engineer registered in the Province of Alberta.

9.7.6 Development Authority may, at its discretion, reduce the setback requirements established pursuant to Sections 9.7.2 and 9.7.3 if the applicant provides satisfactory proof of bank stability for the purposes of the proposed development.

## 9.8 ENVIRONMENTAL STANDARDS

9.8.1 Development shall not be allowed to detrimentally affect natural features such as ponds, streams, and wetlands, but shall preserve and incorporate such features into the site design. In addition:

a. Development of, or in proximity to, wetland areas shall only be undertaken where:
   i. it minimizes alterations in the natural flow of water which nourishes the wetlands; and
   ii. it protects wetlands from adverse drudging or in-filling practices, situation or the addition of pesticides, salts or toxic materials.
b. Location of natural features and the site's topography shall be considered in the designing and siting of all physical improvements.

9.8.2 Developments must adhere to the following land management practices:

a. Stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized, and that all grading work should be designed to blend with the natural contours of the land;
b. Natural vegetation shall be retained and protected whenever possible;
c. Natural drainage patterns should not be disturbed and changes to watercourses shall be avoided except where controlled improvements are warranted subject to approval from Alberta Environment & Protected Areas; and
d. Developments shall not adversely affect groundwater resources or increase storm water runoff velocity in a way that water levels on other lands are substantially raised or the danger from flooding increased.

9.8.3 A minimum buffer strip of 30.0 m (98.4 ft) shall be preserved from the top of bank of any permanent river. No structures of any kind that would require a development permit shall be permitted within this setback area. Development Authority may require the developer to provide a soil analysis, additional setbacks, or other similar matters where site circumstances may warrant the same.

9.8.4 Notwithstanding Section 9.8.3, development setbacks from permanent natural water bodies shall be at the discretion of the Development Authority.

## 9.9 EXISTING SUBSTANDARD LOTS

9.9.1 Proposed developments on existing substandard lots may be considered by the Development Authority. In considering an application for a development permit, the Development Authority shall have consideration for compliance with the current Private Sewage Disposal Systems Regulation, Public Housing Regulations and Alberta Safety Codes.

## 9.10 HISTORICAL AND ARCHEOLOGICAL SITES

9.10.1 Historical sites or archaeological sites identified pursuant to the *Alberta Historical Resources Act*, RSA 2000, shall be protected in accordance with the guidelines established by Alberta Culture & Community Spirit.

## 9.11 INTEGRATED RESOURCE PLANNING AREA

9.11.1 Development Authority and/or Subdivision Authority shall consider the policies of the Athabasca River Sandhills Integrated Resource Plan when evaluating subdivision and development applications within those areas contained within the plan as shown on Figure 9.

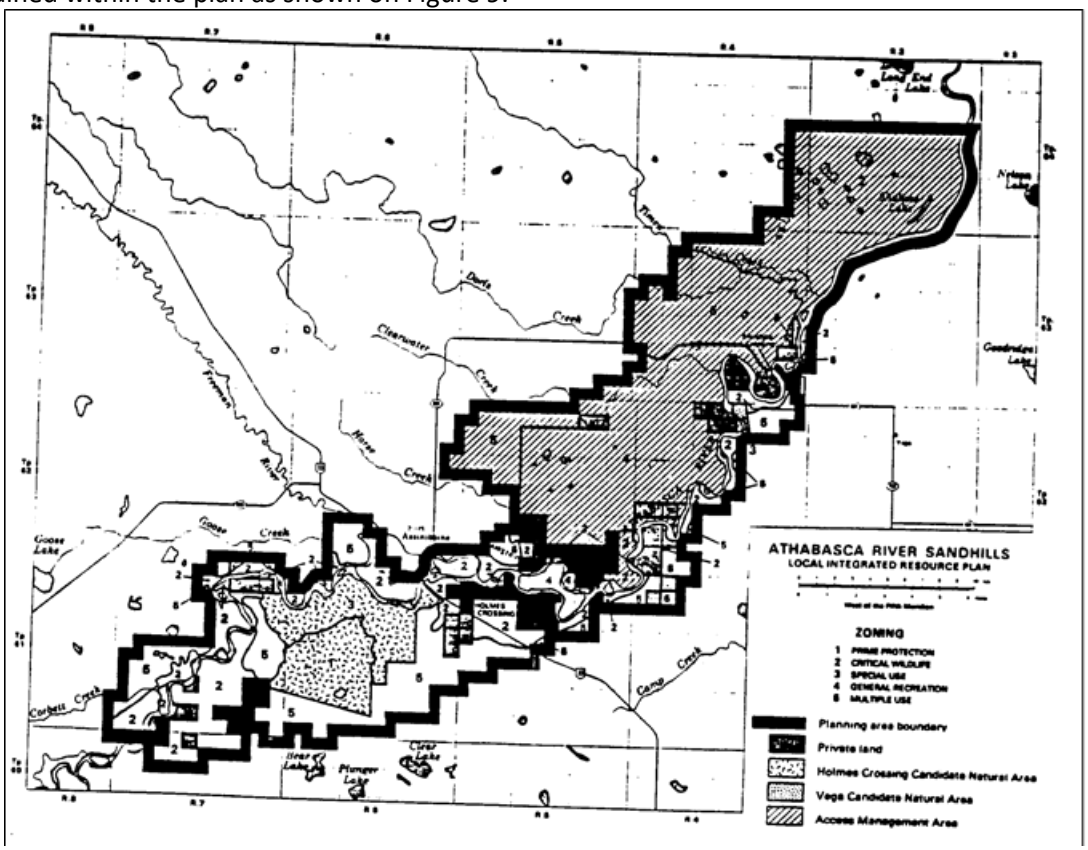



*Figure 9: Athabasca Sandhills Integrated Resource Planning Area*

## 9.12 LANDSCAPING & LOT COVERAGE

**General**

9.12.1 A Landscaping Plan may be required in support of a development permit application in a Residential, Commercial, or Industrial Land Use District where the proposed development could have an impact on offsite drainage, in the opinion of the Development Authority. When required, Landscaping Plans shall include the site plan requirements outlined in Section 5.5 and identify the following:

a. Location of adjacent sidewalks, pathways, driveway entrances, easements, rights-of-way, and laneways;
b. All existing and proposed berms, contours, walls (including retaining walls), fences;
c. Existing lot elevations and lot drainage information;
d. Proposed lot elevations, grading, and drainage information;
e. Location and area of all existing vegetation to be retained on the site;
f. Location, dimensions, areas, and description or illustrations of all existing and proposed:
    i. non-permeable surfaces;
    ii. non-native vegetation (where applicable) including trees and shrubs;
    iii. native vegetation (where applicable) including trees and shrubs;
g. Other soft landscaping elements and permeable surfaces other than vegetation (e.g., rock gardens, gravel, permeable pavement, etc.).

9.12.2 When a Landscaping Plan is required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.

**Landscaping in the Residential Recreation District**

9.12.3 Landscaping within the Residential Recreation Land Use District shall be designed to:

a. Enhance privacy;
b. Comply with Alberta Environment & Protected Area's requirements; and
c. To maximize water infiltration on a lot.

9.12.4 In the Residential Recreation Land Use District, a minimum of 30% of the total lot area shall be covered in vegetation.

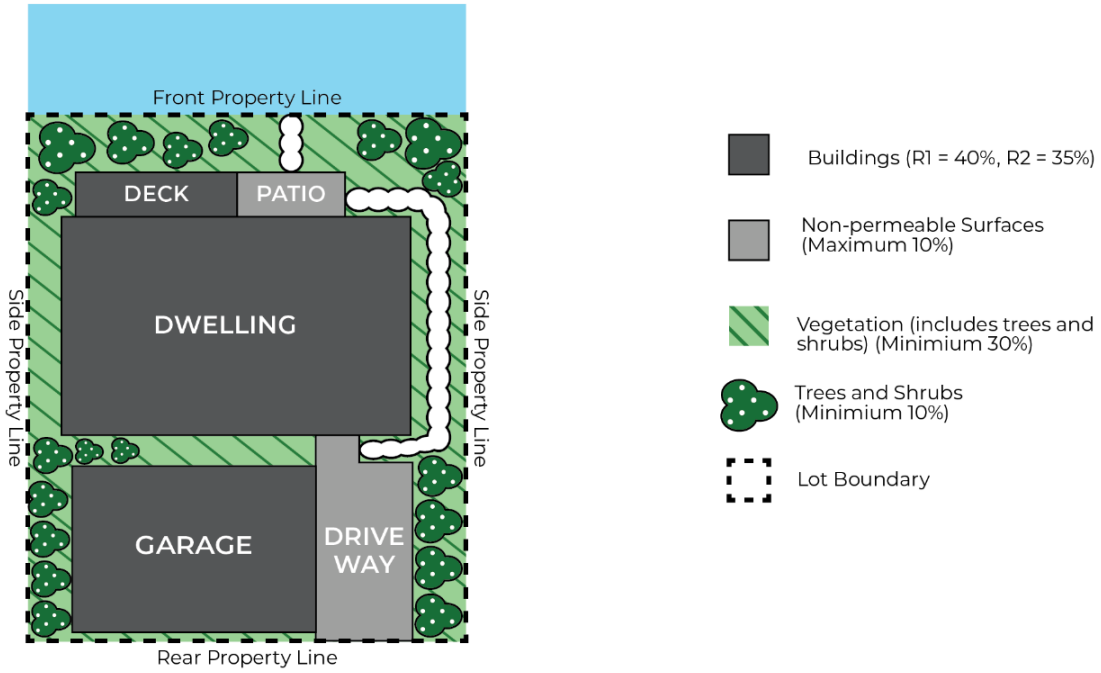



*Figure 10: Lot Coverage Requirements*

9.12.5 Of the 30% minimum vegetation cover identified in 9.12.4, a minimum of 10% shall be trees and shrubs (see Figure 10 for an illustration of landscaping site coverage requirements in the Residential Recreation Land Use District).

9.12.6 Area of the lot covered in non-permeable surfaces (e.g., driveways, patios, paving stones, sidewalks, asphalt, concrete) excluding the buildings shall not exceed 10% of the total lot area or 140.0 $m^2$ (1,500 $ft^2$), whichever is less (see Figure 10).

9.12.7 Landscaping Plans should incorporate low impact development (LID) design strategies to slow and filter excess nutrients and pollutants from entering water bodies and water courses including but not limited to:

a. Grading of lots to drain and retain runoff to control and reduce runoff leaving the lot;
b. Inclusion of the following clean runoff landscaping strategies:
    i. within planting beds and natural areas, keep the areas rough, with collection areas for trapping water;
    ii. where possible include a depression to intercept surface water (including snowmelt) before it leaves the site;
    iii. minimize turf areas on lakefront lots to decrease soil compaction and proliferation of invasive species;
    iv. incorporate tools for capturing, treating, and using runoff into lot grading and landscaping;
    v. incorporate deciduous native plant species and wildflowers into Landscaping Plans to encourage fire suppression, support biodiversity, and increase evapotranspiration.

**Landscaping Requirements for Commercial, Industrial, Institutional, Hamlet Uses & Recreational Uses**

9.12.8 Provisions for and compliance with a Landscaping Plan may be required for development permit applications within a Commercial, Industrial, Institutional Urban Residential, or Recreational Land Use District.

9.12.9 When a Commercial, Industrial, Institutional, Urban Residential, or Recreational use is proposed adjacent to a Residential Land Use District or a residential use, a landscaped buffer shall be provided and maintained on the site of the commercial or industrial development between the commercial or industrial use and the residential use.

9.12.10 Landscaped buffers may consist of the following elements:

a. Landscaped green space;
b. Closed or privacy fencing; and/or
c. Trees and/or earth berming.

9.12.11 Boulevards, buffer strips, drainage easements, retention and detention ponds, walkways and playgrounds shall be landscaped to the satisfaction of the Development Authority.

## 9.13 LOT GRADING & DRAINAGE

9.13.1 Alteration of natural drainage patterns on a parcel shall require a development permit, except as associated with extensive agricultural uses or as provided for in Section 5.3.

9.13.2 Alteration of parcel grades (including filling or raising the grade of a parcel) shall require a development permit, except as associated with extensive agricultural uses or as provided for in Section 5.3.

9.13.3 Further to 9.13.1 and 9.13.2, development permits shall be required for:

a. Stripping and/or grading that may:
    i. Alter surface water drainage from the site (excluding extensive agricultural uses);
    ii. Affect neighbouring property or public lands; or
    iii. Deviate from an approved lot grading and drainage plan;
b. Moving, depositing, or removal of topsoil, fill, aggregate or similar material (excluding extensive agricultural uses); and
c. Any other development that:
    i. Alters drainage on the site (excluding extensive agricultural uses);
    ii. Increases runoff onto adjacent lands; or
    iii. Alters the quantity or quality of runoff into a watercourse or water body.

9.13.4 Land shall be graded so that excess clean natural run-off water flows into the lake, a collection area, or a street. Water shall not be diverted to flow from one lot onto a neighbouring lot unless a drainage easement is agreed in writing between the effected property owners and the County.

9.13.5 A private driveway or walkway across a boulevard or ditch shall be constructed so as not to interfere with the natural flow or absorption of water and a culvert shall be installed to the specifications of the County.

9.13.6 Design and installation of a culvert which carries water away from a lot or runs across a driveway, walkway, boulevard, or ditch shall comply with County design standards.

9.13.7 Site grading shall not be permitted to impede or interfere with the natural flow of surface water onto adjacent municipal lands or public ditches, or neighbouring properties without approval from Alberta Environment & Protected Areas and the County.

9.13.8 A lot grading and drainage plan shall be required as part of the development permit application for:

a. Stripping and/or grading that would alter surface water drainage from the site, adversely affect neighbouring property or public lands, or deviate from an approved lot grading and drainage plan; and
b. Any other development that:
    i. Alters drainage on the site;
    ii. Increases runoff onto adjacent lands; or
    iii. Alters the quantity or quality of runoff into a watercourse or water body

9.13.9 Where a lot grading and drainage plan is required, it shall be prepared by a qualified professional and shall:

a. Identify pre-development and post development lot elevations and grades;
b. Specify design elevations, surface gradients, and swale locations;

c. Demonstrate how runoff will be controlled on the site; and
d. Include any other drainage information required by the Development Authority.

9.13.10 A Stormwater Management Plan may be required for multi-lot subdivisions and major developments, at the discretion of the Approving Authority.

9.13.11 Where a Stormwater Management Plan is required, it must:

a. Demonstrate that runoff will be managed on the site;
b. Conform to municipal stormwater management systems and practices, where applicable;
c. Incorporate best management practices and low impact development strategies and technologies for treating stormwater prior to discharge into water bodies, watercourses, or riparian areas;
d. Prevent pollution of water bodies, watercourses, or riparian areas; and
e. Minimize or mitigate impacts of runoff on adjacent environmentally sensitive lands and hazardous lands.

## 9.14 NATURAL RESOURCE EXTRACTION/PROCESSING

9.14.1 A development permit shall not be issued for sand, gravel, clay, coal, limestone, gypsum, granite, salt, or mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government where required.

9.14.2 The proponent of a natural resource extraction development shall be required to submit a reclamation plan to the County for its ratification and approval, prior to, or as a condition of, a development permit approval.

9.14.3 Where not required to do so by the Province, the proponent of a natural resource extraction industry may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed to the satisfaction of the County's Development Authority.

9.14.4 A disturbed area shall be reclaimed to:

a. At least its former capability for agriculture or recreation; or
b. Any other use, which the Development Authority feels, will be beneficial to the County.

9.14.5 All stripping, excavation and grading shall be in conformance Section 9.13.

9.14.6 Notwithstanding the permitted and discretionary uses prescribed within the various Land Use Districts within this Bylaw, natural resource extraction/processing uses shall be neither permitted nor discretionary if proposed within a multi-parcel residential subdivision or within 305.0 m (1,000 ft) of the boundary of a multi-parcel residential subdivision. Notwithstanding the aforementioned, extraction only uses and activities (i.e., no washing, crushing, processing, etc.) may be permitted on a discretionary permit basis within 305.0 m (1,000 ft) of the boundary of a multi-parcel residential subdivision.

9.14.7 The following may be included by the Development Authority when establishing conditions of development permit approval for a proposed natural resource extraction use:

a. Limitations on the years, months, weeks, days and/or hours of operation;
b. Requirements to provide and maintain sufficient dust control to the satisfaction of the County as established in a Road Use Agreement;
c. Requirements to provide and maintain onsite dust control measures;
d. Posting of adequate signage, including company name and emergency phone numbers, to warn of possible site or operational hazards and dangers;
e. Requirement to identify and/or number trucks or equipment involved in any hauling aspects for the development;
f. Requirement to enter into a development agreement with the County. The development agreement may be registered on the title of the subject site.
g. Methods of minimizing noise in relation to the activities of the operation; and/or
h. Methods of ensuring buffing of noise, dust, and outdoor storage from adjacent properties.

9.14.8 Extraction operations, such as sand, gravel and other mineral resource workings shall be permitted to proceed only after the issuance of proper licenses that indicate compliance with the appropriate provincial legislation and regulations.

9.14.9 County should not allow residential, commercial, or industrial development to occur on known commercial deposits of sand and gravel or other mineral resources if that development will prevent the future extraction of the resource.

9.14.10 Council shall urge the province to comply with the policies of this section and the overall intent of the County Resource Extraction Strategy when developing natural resource extraction activities that are exempt from control under the *Act*.

9.14.11 Natural resource processing should be handled as a form of industrial development and be subject to the appropriate industrial policies of this Bylaw.

## 9.15 NUMBER OF DWELLING UNITS ON A LOT

9.15.1 Maximum number of permanent dwelling units permitted on a parcel of land less than 60.7 ha (150.0 ac.) in area shall not exceed one (1) unless the additional dwelling unit is a guest house suite or is a second temporary dwelling unit.

9.15.2 Maximum number of permanent dwelling units permitted on any parcel of land shall not exceed one (1) except where the second permanent dwelling unit is proposed to be constructed or located on a parcel of 60.7 ha (150.0 ac) in area or greater.

9.15.3 Subject to the minimum parcel size requirement provided in Section 9.15.2, the development of a second permanent dwelling shall be allowed provided that:

a. A physical separation of a minimum of 45.0 m (147.6 ft) is provided between dwellings;
b. Dwellings are situated such that a subdivision placing the 2 dwellings on separate parcels could be easily undertaken;
c. All the residential development on the subject site adheres to the current Alberta Private Sewage Systems Standard of Practice with respect to sanitary sewage disposal; and
d. If the second permanent dwelling is to utilize the same water well, power supply, or other services as the first or another building, all such services and the dwellings are to be developed and located such that all the requirements of both private service companies and Provincial Regulations are met.

9.15.4 Notwithstanding Sections 9.15.2 and 9.15.3, the Development Authority may approve an additional dwelling unit if the unit is:

a. A guest house suite;
b. To be occupied by a person who is employed in an existing agricultural operation and the additional dwelling unit is temporary;
c. Contained in a building designed for or divided into two (2) or more dwelling units;
d. Located within a manufactured home park; or
e. In a building that is the subject of a condominium plan registered at the Land Titles Office under the *Condominium Property Act*.

9.15.5 If approving a development permit under Section 9.15.4, and other provisions of this Bylaw, the following must be met to the satisfaction of the Development Authority.

a. Suitability of the site for the proposed dwelling;
b. Length of time that the developer requires the proposed building;
c. Access to and from the site;
d. Provision of proper water and sewer services;
e. Existing and future surrounding land uses;
f. Whether the proposed development meets the spirit and intent of the Land Use District in which the permit is sought; and
g. Mobility characteristics of the proposed dwelling.

9.15.6 Development Authority may require the submission of a Real Property Report in support of a Development Permit application for a second dwelling and/or any additional dwelling units on a parcel.

## 9.16 POTENTIAL FLOOD HAZARD AREAS

9.16.1 Development on lands which may be subject to flooding shall be discouraged, especially on lands which are within the 1:100-year flood-plain, as determined by Alberta Environment & Protected Areas and the County.

9.16.2 In reviewing a development permit application for a development on a site which may be subject to flooding or that is located in a designated flood-plain, the Development Authority may consider flood damage reduction measures and may approve the proposed development subject to any or all of the following:

a. Usage of piles, posts, or piers to raise the development above the identified flood level;
b. "Wet flood-proofing" standards which allow basements to be flooded without significant damage to the structure;
c. Other flood damage reduction measures as approved by Canada Mortgage & Housing Corporation;
d. Diking of the watercourse;
e. Increased development setbacks from the watercourse;
f. Identification of specific development locations and/or orientations;
g. Usage of back-flow prevention valves (stop valves);
h. Any other flood measures deemed necessary by the Development Officer;
i. A certificate from a qualified professional engineer certifying that the design for the proposed development was undertaken with full knowledge of the potential for flooding on the subject property; and
j. Comments and recommendations from Alberta Environment & Protected Areas.

## 9.17 PROTECTION FROM EXPOSURE HAZARDS

9.17.1 Location of any anhydrous ammonia or liquefied petroleum gas (AAG or LPG) storage tank with a water capacity exceeding 9,000 litres (1,979.8 imperial gallons) shall be in accordance with the requirements of the Development Authority but in no case shall be less than a minimum distance of 120.0 m (393.7 ft) from assembly, institutional, mercantile, or residential building.

9.17.2 AAG or LPG containers shall be located in accordance with regulations under the Alberta Fire Code and/or *Safety Codes Act*.

9.17.3 Flammable liquids storage tanks at bulk plants, service stations, or for personal use in a residential area shall be located in accordance with regulations under the Alberta Fire Code and/or *Safety Codes Act*.

9.17.4 Setbacks from pipelines or other utility corridors shall be as required by the Development Officer, or Municipal Planning Commission, and the appropriate provincial legislation and regulations.

## 9.18 SANITARY FACILITIES

9.18.1 All buildings erected, placed, or moved into Land Use Districts established by the Bylaw, to be used for a dwelling unit, commercial or industrial purpose shall be provided with sanitary facilities to the satisfaction of the appropriate regulatory authority.

## 9.19 SIGN REGULATIONS

9.19.1 Development approvals for signage adjacent to highways shall be subject to the approval of Alberta Transportation & Economic Corridors and the County of Barrhead.

9.19.2 Signs that do not conform to the requirements of Section 5.3.1.u require a development permit.

9.19.3 Advertising signs shall be approved on a discretionary basis within the AG, AC, RC, AP, C/I, HC, CRC, and UC Land Use Districts.

9.19.4 In considering a development permit application for signs, the Development Authority may consider such factors as location of the proposed sign, distance from roadway, size (copy area), height, degree of illumination, and any other matters deemed relevant to the Development Authority.

9.19.5 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it present a traffic hazard.

9.19.6 All signs shall be kept in a safe, clean, and tidy condition and may be required to be renovated or removed where not maintained.

## 9.20 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

9.20.1 No person shall keep or allow any heavy vehicle in the Urban Residential (UR), Country Residential Restricted (CRR), or Residential Recreation (RR) Land Use Districts unless a development permit for that use is issued by the Development Authority. Such permits will only be issued if, in the opinion of the Development Authority, such development will not unduly interfere with the amenities of the area in which the development is located, or materially negatively interfere with or affect the use, enjoyment or value of neighbouring lots.

9.20.2 Within the Residential Recreation (RR) Land Use District no person shall keep or permit in any part of a yard the following:

a. Any dismantled or wrecked vehicle for more than 14 consecutive days;
b. Any vehicle weighing in excess of 4,500 kg gross vehicle weight for longer than is reasonably necessary to load or unload such a vehicle;
c. Any object or chattel that, in the opinion of the Development Authority, is unsightly or may adversely affect the use and enjoyment of adjacent or surrounding properties;
d. Any excavation, storage, or stockpile of materials required during the construction stage unless all necessary safety measures are undertaken to the satisfaction of the Development Authority. The owner of such materials or excavations must assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete construction work; or
e. Any portable or permanent gas or fuel tanks larger than 100 litres.

9.20.3 Notwithstanding 9.20.2.e above, the placement of propane storage tanks larger than 100 litres on a lot for the sole purpose of heating or servicing a dwelling or accessory building may be allowed within a yard at the discretion of the Development Authority.

## 9.21 ANIMAL/BIRD REGULATIONS

9.21.1 On any agricultural or non-residential parcel in any Land Use District, no more than four (4) adult dogs shall be allowed unless a permit for a small animal breeding and boarding operation has been granted pursuant to Section 9.22 of this Bylaw.

9.21.2 On any residential parcel in any non-agricultural Land Use District, no more than two (2) dogs shall be allowed unless a permit for a small animal breeding and boarding operation has been granted pursuant to Section 9.22 of this Bylaw.

9.21.3 On residential parcels 0.81 ha (2.0 ac) in size or larger within:

a. Non-agricultural Land Use Districts; and
b. Approved Intermunicipal Development Plans;

additional animal units shall be allowed in accordance with the following:

| RESIDENTIAL PARCEL SIZE | | ADDITIONAL ALLOWABLE NUMBER OF ANIMAL UNITS |
|---|---|---|
| 0.8 - 1.2 ha | (2.0 - 2.9 ac) | 1 |
| 1.2 - 1.6 ha | (3.0 - 3.9 ac) | 2 |
| 1.6 - 2.0 ha | (4.0 - 4.9 ac) | 3 |
| 2.0 - 2.4 ha | (5.0 - 5.9 ac) | 4 |
| 2.4 - 4.0 ha | (6.0 - 9.9 ac) | 5 |
| 4.0 ha or greater | (10.0 ac or greater) | 5, plus the number of animal units permitted for that portion of the parcel in excess of 4.05 ha (10.0 ac)* |

*Example: 5.2 ha (13.0 ac) = 5+2=7 total animal units.

9.21.4 Keeping of animals not in accordance with Section 9.21.1 shall only be allowed upon issuance of a development permit approval, in those circumstances considered exceptional or unique by the Municipal Planning Commission. For the purposes of this Section, "one animal unit" means the following:

| ANIMAL | 1 ANIMAL UNIT QUANTITY |
|---|---|
| Horse, Donkey, Mule, or Ass (over 1 year old) | 1 |
| Cow or steer (over 1 year old) | 1 |
| Colts (up to 1 year old) | 2 |
| Llama | 2 |
| Ostrich, emu, or other ratites | 2 |
| Calves (up to 1 year old) | 2 |
| Sheep or goats | 3 |
| Pigs | 3 |
| Alpacas | 4 |
| Ducks, turkeys, pheasants, geese, or other fowl | 10 |
| Chickens | Keeping of chickens will be in accordance with the County Animal Control Bylaw. |
| Rabbits | 20 |
| Other animals | At the discretion of the Development Authority Officer |

## 9.22 SMALL ANIMAL BREEDING & BOARDING

9.22.1 A small animal breeding and boarding facility which is to be located closer than 305.0 m (1,000 ft) from a residence which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.

9.22.2 No small animal breeding or boarding facility for dogs shall be permitted on multi-parcel country residential or urban lots less than 2.0 ha (5.0 ac) in area.

9.22.3 For small animal breeding and boarding facilities to be located within 500.0 m (1,640 ft) of a dwelling on another parcel, the County may require that pens, rooms, exercise runs, and holding stalls be soundproofed to the satisfaction of the Development Authority.

9.22.4 All facilities applications may be referred to the local Health Authority or animal control agency.

9.22.5 No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft) of any property line of the parcel on which the facility is to be sited adjacent to a residential development or property.

9.22.6 All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.

9.22.7 All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.

9.22.8 Development Authority may regulate the hours that dogs are allowed outdoors.

9.22.9 Development Authority may regulate the number of animals based on size and type of animals, size of parcel and proximity to other residences. Pups under six (6) months shall not be included in the number.

## 9.23 STRIPPING, FILLING, EXCAVATION & GRADING

9.23.1 Regulations contained within this Section are intended to apply primarily to those situations where site stripping, filling, excavation, grading and/or re-contouring (including construction of artificial water bodies and dugouts) is proposed:

a. Independent of, or prior to, other development on the same parcel or site; or
b. As part of a resource extraction use on the same parcel or site.

9.23.2 A development permit application for site stripping, filling, excavation, grading and/or re-contouring (including construction of artificial water bodies and dugouts) shall include the following information:

a. Location and area of the site on which the development is proposed;
b. Existing land use and vegetation;

c. Type of excavation, stripping or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns;
d. Location on the lot where the excavation, stripping or grading is to be made on the lot; and
e. Condition in which the excavation, stripping or grading is to be left when the operation is complete (including submission of site grading or re- contouring plans if required by the Development Authority) or the use of the area from which the topsoil is removed.

9.23.3 Where, in the process of development, areas require leveling, filling or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.

9.23.4 Developments involving the construction of artificial water bodies or dugouts may require as a condition of development approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding area put in place as the developer shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the artificial water body or dugout on the developer's property.

9.23.5 A permit is required before the commencement or continuation of the removal of topsoil and such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. Development Authority may refer any application for removal of topsoil to the Soil Conservation Officer acting under the *Soil Conservation Act*, RSA 2000, as amended or replaced, for approval.

9.23.6 Clearing of trees or vegetation, or the use of land owned or controlled by the County shall not be allowed without a written agreement with the County.

## 9.24 WILDLAND/URBAN INTERFACE DEVELOPMENT

9.24.1 Development Authority and Subdivision Authority shall consider the following when reviewing proposed multi-lot country residential developments located in areas of potential fire hazard:
a. Provision of adequate water supplies for firefighting purposes;
b. Use of fire-resistant building methods;
c. Installation of spark arresters on all chimneys;
d. Input regarding access for emergency services;
e. Provision of a fire guard around multi-parcel country residential developments; and
f. Removal of trees, shrubs, and fire fuels adjacent to individual developments and the continued maintenance of a zone with reduced fuels.

9.24.2 Development Authority may obtain input from the Alberta Forestry & Parks and the local firefighting service in evaluating wildland development and subdivision applications.

# 10. SPECIFIC LAND USE REGULATIONS

## 10.1 ALTERNATE ENERGY SYSTEMS, COMMERCIAL (CAE)

The Province of Alberta and its agencies regulate large scale/commercial energy projects. Under Sections 619 and 620 of the *Act*, the County's regulatory role is very limited. The *Act* (Sec. 619(2)) states that: "A license, permit, approval or other authorization granted by the NRCB, ERCB, AER, AEUB or AUC prevails …" over "… any statutory plan, land use bylaw, subdivision decision or development decision…" of a municipality.

Purpose of this section is to establish local standards for Commercial Alternate Energy (CAE) System developments, including but not limited to solar, wind, biofuel, geo-thermal, fuel cell, micro-hydro, and other energy producing technologies whose purpose is to produce energy for the commercial market.

10.1.1 Where Provincial or Federal Government or other Agency approval has been received for a CAE, a copy of the approval and supporting documents shall be submitted to the County. Supporting information provided to the Province, Federal Government or other Agency may be used to satisfy some or all the requirements of the County.

**Protection of Agricultural Lands**

10.1.2 Siting of an CAE should be encouraged to take place on lands considered to be low production, or on poor agricultural land to minimize the conversion of high-capability agricultural soils to other uses.

**General Requirements**

10.1.3 A development permit application shall be made for every title upon which the CAE is proposed.

10.1.4 A site plan(s) shall be required for each title but a single, master set of supporting documents may be submitted for the overall project.

10.1.5 No signage for the purpose of advertising, other than the name of the system provider, shall be allowed on a CAE.

**Public Consultation**

10.1.6 Prior to the submission of a development permit application the Applicant shall:

a. Arrange and host at least one (1) open house or public meeting, in the general area of the site proposed for the development;
b. Advertise the time, date, and place of the open house or public meeting:
    i. in a newspaper circulating within the area of the proposed development, with the advertisement appearing a minimum of two (2) weeks in advance of the public meeting,
    ii. mail a written notice of the time, date, and place of the open house to all landowners within the area proposed for the development, and all landowners within 2.0 km (1.2 mi) of the boundary of the area proposed for the development;
c. Information provided at the public meeting shall be all the information that would be required as part of a development permit application for the proposal;
d. Opportunities for questions and input from the public shall be allowed;
e. A summary of the presentation and the public input shall be recorded.

10.1.7 If public consultation was held as part of the Provincial approval process, the Applicant may submit the details of that consultation to the County to satisfy the requirements of Section 10.1.6.

**Safety**

10.1.8 All applications shall include:

a. An emergency response plan; and
b. A detailed safety plan identifying any special rescue needs for workers that are beyond the local emergency responders' equipment and training capability.

10.1.9 All applicable Safety Codes permits are required to be obtained.

**Transmission Lines**

10.1.10 All collector lines, (less than 69 kV) on the site of a CAE generating electrical power, shall be underground, except where the Development Authority approves otherwise.

**Color & Finishes**

10.1.11 Buildings, blades, supporting structures, and accessory buildings shall be painted or coated in non-reflective and non-glossy tones and/or colors which minimize the obtrusive impact of a CAE.

10.1.12 No brand names, lettering or advertising shall appear on buildings, towers, blades, support structures or accessory buildings and structures.

10.1.13 Lettering or imagery that may appear on the lowest 3.0 m (9.8 ft) of a tower or building of a CAE are the manufacturer's identification and contact information, the operator's identification and contact information, emergency contact information.

**County Standards**

10.1.14 All roads, approaches, culverts, fences, or other County infrastructure to be replaced, constructed, upgraded, or reconstructed, shall be built to the County's standards current at the time of construction.

**Referral**

10.1.15 Prior to deciding upon an application for a CAE, the Development Authority may refer for the review and comment, and consider any input received from the following entities:

a. Alberta Utilities Commission;
b. Alberta Transportation & Economic Corridors;
c. Transport Canada;
d. NavCanada;
e. Alberta Electrical Systems Operator;
f. Adjacent municipality if the application area is within 2 km (1.2 miles) of the municipal boundary; and,
g. Any other person, departments, agency, commission, or government the Development Authority deems necessary.

**Decommissioning**

10.1.16 Decommissioning and reclamation shall take place in compliance with the applicable provincial standards of the day the site is decommissioned. If no standards are in place at the time of a development permit application, the Applicant shall provide a plan outlining how the site will be decommissioned and reclaimed to the site's predevelopment state as part of the development permit application. The decommissioning plan shall include information on the following:

a. Treatment of buildings, footings, foundations, structures, and wires;
b. Reclamation of access roads, driveways, pathways, storm ponds, drainage systems, and other similar disturbances;
c. Type and suitable vegetation and/or ground cover to be planted and/or seeded;
d. Notice to be given to landowners and the County;
e. Containment of hazardous materials;
f. Site security;
g. Haul routes for disposal materials;
h. Control of noise, dust, particulates, and weeds; and
i. Discussion of the timetable for decommissioning.

**Financial Security**

10.1.17 As a condition of development approval, the County may require financial security, in the form satisfactory to the Development Authority, to ensure the Reclamation/Decommissioning Plan is implemented and to cover

assignment and bankruptcy. The condition may include a periodic review of the security to ensure the amount is sufficient to implement the Reclamation/Decommissioning Plan.

**Discontinuance**

10.1.18 Should an Alternate Energy Development discontinue producing power for a minimum of 2 consecutive years, or 2 cumulative years over a 5-year period, the operator shall provide a report on the status of the System to the County. A review of the status report by the County may result in the request for the System to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a Stop Order by the County in accordance with the provision of the *Act*.

**Solar Energy Conversion System**

**Applications**

10.1.19 Development permit applications for a solar energy collection system shall be accompanied by the following information:

a. A plan showing the location of overhead and/or underground utilities on or adjacent to the subject lands.
b. A detailed site plan showing:
    i. titled parcel(s);
    ii. location of the system on the parcel(s);
    iii. required setbacks;
    iv. existing structures if any;
    v. existing or proposed approach(es); and
    vi. orientation of the solar collectors.
c. Application shall also include details regarding:
    i. system type;
    ii. number of structures;
    iii. height of structures;
    iv. energy process;
    v. grid connection;
    vi. rated output in megawatts;
    vii. signage;
    viii. public safety;
    ix. security measures;
    x. topography;
    xi. stormwater management plan;
    xii. results of the public consultation process; and
    xiii. weed control plan.

**Glare**

10.1.20 Solar panels must be located such that they do not create glare on neighboring properties or public roadways.

**Height and Setbacks**

10.1.21 Maximum heights and setbacks of building mounted or ground mounted solar collection system shall be subject to the height and setback requirements of the applicable Land Use District.

**Fire Protection**

10.1.22 Spacing and height of solar collectors shall be designed to provide access for firefighting.

**Density**

10.1.23 Location of and maximum number of solar collectors per title may be regulated by the Development Authority.

**Applications**

10.1.24 An individual development permit application shall be submitted for each titled parcel.

10.1.25 Development permit applications for a wind energy conversion system shall be accompanied by the following information:

a. An accurate site plan showing and labeling the information outlined in this section and the location of overhead and/or underground utilities on or adjacent to the subject lands;
b. A digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates with NAD 12 83N;
c. A visual representation of the WECS project including scale elevations, photographs and/or digital projections of the project showing height, rotor diameter, color, and landscape;
d. A reclamation plan;
e. Manufacturer's specifications indicating:
    i. proposed systems rated output in megawatts;
    ii. safety features;
    iii. type of material used in the tower, blade, and rotor construction; and
    iv. foundation design and/or anchor design, including the location and anchoring of any guy wires.
f. An analysis of the potential for noise and shadow/flicker effect, both at the site of the installation, at the boundary of the property containing the development, and at any habitable residence within 2.0 km (1.2 mi) of any WECS in accordance with Alberta Utilities Commission;
g. Results of the public consultation process;
h. Potential for electromagnetic interference;
i. Nature and function of over speed controls which are provided;
j. Status of the Applicant's circulation to NavCanada, Transport Canada, Alberta Utilities Commission, and any other government department or agency required for provincial approval;
k. Information on public safety;
l. Identification of any roads to be used or constructed for use during construction of the project and any impacts to the existing road system including required approaches from public roads; and
m. A copy of the Wire Service Provider (WSP) approval if the WECS is proposed to be connected to the provincial power grid.

**Setbacks**

10.1.26 Setback distance between a WECS and a dwelling, from the project boundary, shall be as established by the Alberta Utilities Commission.

10.1.27 WECS's tower shall be setback from the boundary of all County road right-of-way (developed or undeveloped), a minimum distance equal to the total height of the tower plus 10 percent.

10.1.28 A WECS shall be setback not less than 7.5 m (24.6 ft) from all other property lines, as measured from the rotor's arc (rotor diameter).

10.1.29 If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (9.8 ft) to the property lines.

**Minimum Blade Clearance**

10.1.30 Minimum vertical blade clearance from grade shall be 7.6 m (25.0 ft) for a WECS employing a horizontal rotor.

**Tower Access & Safety**

10.1.31 To ensure public safety, the Development Authority may require that:

a. If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6.0 ft) in height, shall be installed around a WECS tower;
b. No ladder or permanent tower access device shall be located less than 3.7 m (12.0 ft) from grade;
c. A locked device shall be installed on the tower to preclude access to the top of the tower;

d. Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority; and
e. Use of tubular towers, with locked door access, will preclude the above requirements.

**Other Energy Systems**

**Application**

10.1.32 Development permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:

a. An accurate site plan showing and labelling:
   i. Legal location(s) of the proposed system;
   ii. Location of the proposed system on the property or properties in relation to property lines and existing or proposed buildings or structures;
   iii. Location of the existing or proposed access;
   iv. Identification of any sensitive environmental features;
   v. Topography of the site;
   vi. Method of exporting the energy off site – power lines, pipelines, vehicles, etc.;
   vii. Detailed information on the type of facility, structure, or system of the energy process involved;
   viii. Manufacturer's specifications, indicating: (if applicable);
   ix. Rated output in megawatts or gigajoules; and
   x. Safety features;
b. Any information regarding public safety;
c. Information or verification of:
   i. Volume of water to be used, if required;
   ii. Source of the water, if required;
   iii. Reclamation process of any water utilized by the system;
   iv. Stormwater management system, if required;
   v. Method of disposal of any waste material generated by the system;
   vi. Generation and mitigation of any noise, vibration, odor, light, particulate that results from the production process;
d. An analysis of the potential fire, explosive, or other hazards of the proposed system; and
e. A Traffic Impact Assessment or other information/analysis of traffic volumes and any impacts to the local road system.

**Setbacks**

10.1.33 Buildings and structures of non-solar and non-wind based Alternate Energy Development(s) shall comply with all the setbacks established in the Land Use District in which it is located with the following modifications:

a. A minimum of 250.0 m (820.0 ft) from any residential dwelling, food establishment, institutional use, or public use, facility, or building;
b. A minimum of 100.0 m (328.0 ft) from the boundary of any creek, stream, river, lake shore or water body.

**Geothermal Systems**

10.1.34 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.

10.1.35 All geothermal systems shall comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.

10.1.36 Installations must be stamped by a qualified Professional Engineer registered under the *Engineering, Geological, or Geophysical Professions Act* of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.

10.1.37 In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used as a heat transfer fluid.

**Conditions of Approval for Any CAE**

10.1.38 Depending on the type of CAE proposed, the Development Authority shall consider, as limited by Sections 619 and 620 of the *Act*, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or Statutory Plan, attaching conditions related to any of the following:

a. Entering into a development agreement with the County in accordance with the *Act*;
b. Requiring all necessary studies, maps, diagrams, reports, and analysis, whether printed and/or digital, required in support of the application prepared by qualified professionals at the Applicant's expense;
c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
d. Treating any wastewater on site and/or disposing of any wastewater as required by the County;
e. Disposing of any non-wastewater liquids in accordance with the requirements of the County;
f. Storing/containing all feedstock and materials within buildings or containment facilities;
g. Disposing of any other waste materials;
h. Restricting vehicle/truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished/processed goods associated with the development to designated haul routes and times through an agreement and the provision of securities;
i. Dust control measures;
j. Sound control measures;
k. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;
l. Securing all necessary approvals from any other agency with jurisdiction on the type of CAE proposed and providing the County with a copy of the approval required;
m. Identifying and providing for a staged or phased development;
n. Constructing or paying for the construction of any new or the upgrading of any existing municipal infrastructure related to the project, such as but not limited to roads, approaches, signage, water lines, and sewage lines;
o. Requiring ground cover, weed control, grading, soil erosion control, emergency/fire suppression, and drainage measures;
p. Specifying time periods to:
    i. start, suspend, and complete construction activities;
    ii. trigger decommissioning activities;
q. Providing for the amenity of the site or development through improvements such as landscaping, berming, and buffering; and
r. Any other condition or conditions necessary to give form and effect to the project.

## 10.2 ALTERNATE ENERGY SYSTEMS, INDIVIDUAL (IAE)

Purpose of this section is to establish standards for Individual Alternate Energy (IAE) developments, including but not limited to solar, wind, biofuel, geo-thermal, fuel cell, micro-hydro, for use by households, agricultural operators, or individual business to meet some or all their energy needs on the subject site, or a site immediately adjacent to the subject site.

**General Requirements for All Individual Systems**

10.2.1 No re-districting is required for a parcel or site for an Individual Alternate Energy System (IAE).

10.2.2 A development permit is required for any IAE not included in Section 5.3.

10.2.3 All applicable Safety Codes permits are required.

10.2.4 If the subject site is located within lands subject to Alberta Transportation & Economic Corridors' jurisdiction, an approved Roadside Development Permit from Alberta Transportation & Economic Corridors shall be required and included with the development permit application. (For the purposes of Section 683.1(1) of the *Act*, an application shall not be considered as received unless the Roadside Development Permit is included with the application.)

**Solar Energy Conversion System Applications**

**Application**

10.2.5 In addition to the requirements of Section 5.5 of this Bylaw, the application may be required to include:

a. Information of any impacts to the County road system such as, but not limited to:
   i. Identification of the roads to be used to construct and operate the development;
   ii. Number, type of vehicle movements, and load weights; and
   iii. Expected time-period of movements: short-term, periodic, or ongoing.
b. For systems that are to be tied into the grid, evidence that the Utility Operator has been informed of the Applicant's intent to install an interconnected customer-owner generator.
c. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business.
d. Manufacturer's specifications for the proposed system and rated output in kilowatts.
e. A site plan showing the location, setbacks, and orientation of the solar collectors.
f. For panels to be affixed to the wall of a building or accessory structure:
   i. a description of how the panels are to be mounted or affixed;
   ii. maximum projection from the wall; and
   iii. structural capacity of the building and/or wall to support the proposed development.
g. For free-standing solar panels:
   i. a description of the proposed ground mount design;
   ii. clearance to the bottom of the collectors;
   iii. maximum height from existing grade; and
   iv. method of vegetation/weed control.

**Glare**

10.2.6 Solar panels must be located such that they do not create glare onto neighboring properties or public roadways.

**Mounting & Projection**

10.2.7 Solar collectors mounted to the roof of a building or structure shall not extend beyond the outermost edge of the roof.

10.2.8 Maximum projection of any solar collectors affixed to a wall of a building or structure in a Residential District shall be:

a. 1.5 m (5.0 ft) from the surface of a wall that faces a rear parcel line; and
b. In all other cases 0.6m (2.0 ft) from the surface of any other wall.

**Setbacks**

10.2.9 Freestanding solar collectors shall be subject to the setback requirements of the applicable Land Use District or as required by Alberta Transportation & Economic Corridors, whichever is greater.

**Height**

10.2.10 Maximum height of a freestanding solar collector shall not exceed 4.3 m (14.0 ft).

10.2.11 For freestanding solar collectors, sufficient clearance shall be retained under the structure to allow for weed control, grass cutting, and fire suppression.

**Density**

10.2.12 Location of and maximum number of solar collectors per title may be regulated by the Development Authority.

**Wind Energy Conversion System (WECS)**

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**Application**

10.2.13 Development permit applications for a wind energy conversion system may require the following information:

a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
b. Manufacturer's specifications indicating:
    i. Proposed systems rated output in kilowatts;
    ii. Safety features; and
    iii. Sound characteristics.
c. A site plan showing the location and setbacks of the WECS on the property.
d. Drawings, drawn to scale, of the wind turbine structure, including the tower, base, footings, and anchoring method. An engineering analysis of the Wind Turbine Tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer. Documentation of this analysis supplied by the manufacturer shall be accepted.
e. Specifications on the foundations and/or anchor design, including the location and anchoring of any guy wires.
f. Location of any existing buildings or improvements on the property in relation to the WECS.
g. Evidence of compliance with applicable air traffic safety regulations. (Transport Canada must be notified of the location – latitude and longitude – and height of all wind turbine installations through the aeronautical clearance application process).

10.2.14 Prior to deciding upon an application for a WECS, the Development Authority may refer for review and comment, and consider any input received from the following entities:

a. Alberta Utilities Commission;
b. Alberta Transportation & Economic Corridors;
c. Alberta Utilities Commission and the Alberta Energy Systems Operator for applications proposing to connect to the grid;
d. Transport Canada;
e. Navigation Canada; and
f. Any other person, departments, agency, or commission the Development Authority deems necessary.

10.2.15 There shall be a limit of one Individual WECS per titled area.

**Setbacks**

10.2.16 WECS's tower shall be setback from all property lines a minimum distance equal to the height of the tower, or the minimum setbacks set out in the applicable Land Use District, or as required by Alberta Transportation & Economic Corridors, whichever is greater.

10.2.17 If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (9.8 ft) to the property lines.

**Height**

10.2.18 Total height of a WECS turbine shall be from ground level to the tip of the rotor at its highest point;

10.2.19 A WECS tower shall not exceed a maximum height of:

a. 12.1 m (40 ft) on a parcel of less than 0.4 ha (less than 1.0 ac);
b. 19.8 m (65 ft) on a parcel 0.4 – 2.0 ha (1.0 – 5.0 ac);
c. 24.4 m (80 ft) on a parcel greater than 2.0 ha (5.0 ac).

**Finish & Markings**

10.2.20 Tower and supporting structures shall be painted or coated in tones and/or colors matching the existing tones and/or colors of the principal building that are non-reflective and non-glossy.

10.2.21 Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.

**Illumination**

10.2.22 Small Wind Turbine Towers shall not be artificially lit except as required by NavCanada.

**Tower Access & Public Safety**

10.2.23 If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6.0 ft) in height, shall be installed around a WECS tower.

10.2.24 No ladder or permanent tower access device shall be located less than 3.7 m (12.0 ft) from grade;

10.2.25 A locked device shall be installed on the tower to preclude access to the top of the tower.

10.2.26 Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority.

10.2.27 Use of tubular towers, with locked door access, will preclude the above requirements.

**Electro-magnetism**

10.2.28 System shall be operated such that any electro-magnetic interference is dealt with as per the permit issued by the AUC. If electromagnetic interference is determined during operation, the developer will work with the affected stakeholder(s) to mitigate any issues.

**Output**

10.2.29 System's maximum power output shall not exceed 5 kilowatts.

**Noise Level**

10.2.30 Noise generated by the system shall not exceed 60 dB(A) or exceed more than 5 dB(A) above background sound, as measured at the exterior of the closest inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except short-term event such as utility outages and/or severe windstorms.

**Discontinuance**

10.2.31 Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-WECS condition.

**Other Individual Alternate Energy Systems**

**Application**

10.2.32 Development permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:

a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
b. An accurate site plan showing and labelling:
    i. Location of the proposed system on the property;
    ii. Location of the proposed system in relation to any other buildings or structures on the property;
    iii. Location of the existing or proposed access;
    iv. Detailed information on the type of facility, structure, or system;
    v. Energy process involved;
    vi. Manufacture's specifications, indicating (if applicable);
    vii. Rated output in megawatts or gigajoules;
    viii. Safety features; and
    ix. Sound characteristics.

10.2.33 Information on public safety regarding such aspects as fire hazards, chemicals used, storage of hazardous materials, exposure to corrosive and/or hazardous fumes;

10.2.34 Information or verification of:

a. Volume of water to be used, if required;
b. Source of the water, if required;
c. Reclamation process of any water utilized by the system;
d. Stormwater management system, if required; and
e. Method of disposal of any waste material generated by the system.

**Geothermal Systems**

10.2.35 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.

10.2.36 Shall comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.

10.2.37 Installations must be stamped by a qualified Professional Engineer registered under the "Engineering, Geological, or Geophysical Professions Act' of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.

10.2.38 In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used as a heat transfer fluid.

**Conditions of Approval**

10.2.39 Depending on the type of IAE proposed, the Development Authority may consider, as limited by Sections 619 and 620 of the *Act*, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or Statutory Plan attaching conditions related to the following:

a. Entering into a development agreement with the County in accordance with the *Act*;
b. Requiring all necessary studies, maps, diagrams, reports, and analysis, whether printed and/or digital, required in support of the application prepared by qualified professionals at the Applicant's expense;
c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
d. Treating any wastewater on site and/or disposing of any wastewater as required by the County;
e. Disposing of any non-wastewater liquids in accordance with the requirements of the County;
f. Methods of disposing of any other waste material;
g. Storing/containing all feedstock and materials within buildings or containment facilities;

h. Restricting vehicle/truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished/processed goods associated with the development to designated haul routes and times;
i. Require the entering of a Road Use Agreement and the provision of security;
j. Constructing or paying for the construction on any new road or approach required for the development and/or upgrading or paying for the upgrading of an existing road or existing approach required for the development;
k. Dust control;
l. Sound control;
m. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;
n. Compliance with necessary approvals from any other agencies with jurisdiction on the type IAE proposed and providing the County with a copy of the approval required;
o. Identifying and providing for a staged or phased development;
p. Placing restrictions on parts or elements of the proposed development, such as but not limited to locations, heights, colors, densities, setbacks, etc.;
q. Constructing or paying for the construction of non-municipal infrastructure related to the project;
r. Requiring ground cover, weed control, grading, soil erosion control, emergency/fire suppression, and drainage measures;
s. Specifying time periods to:
    i. start, suspend, and complete construction activities,
    ii. trigger decommissioning activities;
t. Providing for the amenity of the site or development through improvements such as landscaping, berming, and buffering; and
u. Any other condition or conditions necessary to give form and effect to the project.

## 10.3 APIARIES

10.3.1 Notwithstanding the permitted and discretionary uses prescribed within the various Land Use Districts within this Bylaw, no apiary shall be located within:
    a. 200.0 m (656.2 ft) of a dwelling on lots other than the subject site;
    b. or within 305.0 m (1,000 ft) of a school.

10.3.2 Notwithstanding 10.3.1.a, an apiary may be located within 200.0 m (656.2 ft) of a dwelling if a revocable letter of support from the current dwelling occupants is provided to the County.

## 10.4 BED & BREAKFAST OPERATIONS

10.4.1 Persons wishing to operate a bed and breakfast operation shall be required to apply for a development permit from the County of Barrhead.

10.4.2 Minimal exterior modification to the structure or grounds may be made only if the changes are compatible with the area or neighborhood.

10.4.3 No more than four (4) guest rooms shall be allowed in a bed and breakfast home.

10.4.4 To ensure that bed and breakfast homes operate as transient accommodation rather than as a rooming house, the maximum length of stay of a guest at one particular establishment shall not exceed fourteen (14) consecutive days.

10.4.5 Operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence.

10.4.6 Bed and breakfast operation shall comply with all applicable health regulations and any other municipal or provincial regulations.

## 10.5 BUSINSES PARKS

10.5.1 In addition to the requirements of Section 5.5, the Development Authority may require the applicant to provide the following for a development permit application within a commercial or industrial district or park:

a. Type of industry;
b. Size of building;
c. Number of employees;
d. Estimated water demand and proposed source;
e. Type of effluent and method of treatment;
f. Proposed traffic impacts;
g. Transportation routes to be used;
h. Proposed staging or phasing plan;
i. Proposed traffic circulation plan;
j. Proposed stormwater management plan;
k. Need for any ancillary work (pipelines, roads, etc.); and
l. Any additional information required by the Development Authority.

## 10.6 CAMPGROUNDS, BASIC

10.6.1 Basic campgrounds provide sites for overnight camping without the provision of electrical or water hookups.

10.6.2 Development of roads, facilities and campsites should occupy no more than one-half of the proposed site, leaving a minimum of one-half in its natural state (or landscaping one-half to the satisfaction of the Development Authority).

10.6.3 Campgrounds shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

10.6.4 A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the campground.

10.6.5 An adequate potable water supply approved by the Regional Health Authority should be provided to accommodate the drinking and washing needs of the users.

10.6.6 If boat launching and swimming facilities are not provided, then alternate locations should be indicated by a map or sign.

10.6.7 Where the camping area directly adjoins a residential or cottage development, adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

10.6.8 Waste disposal systems shall be provided in accordance with appropriate regulatory standards. Sealed pump out tanks are the desired method of waste management.

10.6.9 Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.

10.6.10 Provisions shall be made for the disposal of wastewater from washing and bathing facilities.

10.6.11 A dumping station for grey and black water from self-contained facilities in recreational vehicles shall be provided.

## 10.7 CAMPGROUNDS, SERVICED

10.7.1 Serviced campgrounds provide campsites for overnight camping that are serviced by electrical, water or sewage disposal hookups.

10.7.2 Development of roads, facilities and campsites should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping one-third to the satisfaction of the Development Authority).

10.7.3 Campgrounds shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

10.7.4 A sufficient number of picnic tables, fire pits and garbage cans should be provided to accommodate the design capacity of the campground.

10.7.5 An adequate potable water supply shall be provided to accommodate the drinking and washing needs of the users.

10.7.6 If boat launching and swimming facilities are not provided, alternative locations should be indicated on a map or sign.

10.7.7 Where the campground directly adjoins a residential or cottage development, adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

10.7.8 Waste disposal systems shall be provided in accordance with applicable regulatory authorities. Sealed pump out tanks are the desired method of waste management

10.7.9 Provision shall be made for regular maintenance of the site. Regular garbage collection and sewage removal services shall be provided.

10.7.10 Provision shall be made for the disposal of wastewater from washing and bathing facilities.

10.7.11 A dumping station for grey and black water from self-contained facilities in recreational vehicles shall be provided.

## 10.8 CANNABIS PRODUCTION & DISTRIBUTION

10.8.1 Regulations within this section apply to the production and development of licensed cannabis for medical and non-medical purposes.

10.8.2 No cannabis production and distribution facility shall be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

10.8.3 A cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal, provincial, or federal regulations and requirements:

a. Must meet all applicable requirements of the identified Land Use District, which allows for the use;

b. A copy of the current license(s) for the cannabis production and distribution development as issued by the provincial and/or federal government shall be provided to the Development Authority with the application or as a condition of development permit approval.

10.8.4 A cannabis production and distribution facility shall meet security and premises requirements as required under provincial and federal legislation and any additional security requirements imposed as a condition of the development permit issued by the Development Authority.

10.8.5 Design of the building(s) and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

10.8.6 Development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

10.8.7 No outdoor storage of goods, material, or supplies shall be permitted.

10.8.8 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

10.8.9 All activities related to the cannabis production and distribution facility shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.

10.8.10 Hours of operation shall be restricted as a condition of the development permit issued by the Development Authority.

10.8.11 Exterior lighting and noise levels shall satisfy the following requirements:

a. Illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under provincial and federal regulations; and

b. Noise from facilities shall not exceed the levels allowed under any other Bylaw and/or policy of the County and the requirements under provincial and federal regulations.

10.8.12 Minimum parcel size shall be at the discretion of the Development Authority.

10.8.13 Minimum setback from any watercourse or waterbody shall be 30.0 m (98.4 ft).

10.8.14 Maximum parcel coverage shall be at the discretion of the Development Authority.

10.8.15 Maximum height of the principal building shall be 10.0 m (32.8 ft).

10.8.16 A building or structure used for security purposes for a cannabis production and distribution facility may be located within the front yard and must comply with the required minimum setbacks.

10.8.17 On site buffering measures shall be required for all cannabis production and distribution facilities. Buffers may include a combination of setbacks, landscaping, and fencing to mitigate the impacts on adjacent parcels.

10.8.18 Parking and loading requirements for a cannabis production and distribution facility shall be provided at the discretion of the Development Authority and any applicable requirements in provincial and federal regulations, as amended or replaced.

## 10.9 CANNABIS RETAIL SALES

10.9.1 Regulations within this section apply to the retail sale of cannabis.

10.9.2 No cannabis retail sales establishment may be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

10.9.3 Any cannabis retail sales development must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

a. Must meet all applicable requirements of the identified district which allows for the use;
b. Only facilities licensed by the provincial or federal governments will be permitted; and
c. A copy of the license(s) for the cannabis retail sales establishment, as issued by the provincial government, shall be provided to the Development Authority, or made a condition of the development permit issued by the Development Authority.

10.9.4 Cannabis retail sales establishments must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw and meet all servicing standards of the County.

10.9.5 Design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

10.9.6 Cannabis retail sales establishments shall meet security and premises requirements as required under provincial and federal legislation.

10.9.7 Development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, traffic or any other related land use nuisance effects.

10.9.8 No outdoor storage of goods, material, or supplies shall be permitted.

10.9.9 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

10.9.10 Hours of operation shall be restricted as a condition of the development permit issued by the Development Authority.

10.9.11 Illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under provincial and federal regulations.

10.9.12 Cannabis retail sales establishments as defined in this Bylaw shall be setback from locating within 100.0 m (328.1 ft.) of a public education facility, a provincial health care facility, a school reserve, a municipal reserve, or a municipal school reserve.

10.9.13 A public education facility, provincial health care facility, school reserve or municipal and school reserve constructed or created after the approval of a cannabis retail sales establishment shall not retroactively impact the cannabis retail sales establishment.

10.9.14 Separation distance between the cannabis retail sales establishment and the uses listed in Section 10.9.13 shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the parcel containing the sensitive use.

10.9.15 A site, building or structure established, operated, or maintained as a cannabis retail sales establishment shall comply with the provisions made for in any applicable municipal, provincial, and federal regulations as per this Bylaw.

10.9.16 Applications for subdivision of land for this use shall include the information required by the Development Authority.

## 10.10 CLUSTERED FARM DWELLINGS

10.10.1 All development permit applications for clustered farm dwellings must be accompanied by a business case indicating the additional dwelling is required. Development Authority will consider the business plan in the review of the development permit application.

10.10.2 Clustered farm dwellings shall be required to demonstrate, to the satisfaction of the Development Authority, that the proposed water and sewer facilities meet current provincial requirements and standards.

## 10.11 DATA PROCESSING FACILITIES

10.11.1 Time period for a development permit for the operation of a Data Processing Facility shall be at the discretion of the Development Authority based on the scope of the project. A development permit may be issued for a maximum of 5 years.

10.11.2 Quality of the exterior treatment and design of all the buildings shall be to the satisfaction of the Development Authority and shall be compatible with other buildings in the vicinity.

10.11.3 Development Authority may require additional landscaping in addition to the regulations described in Section 9.12 of this Bylaw.

10.11.4 A noise impact assessment may be required by the Development Authority. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required.

10.11.5 A Data Processing Facility that includes a power plant shall have a minimum setback of 1,500m from a wall of an existing dwelling unit.

10.11.6 Notwithstanding the above, the setback distance may be reduced with no variance required if a noise impact assessment and noise mitigation plan is deemed sufficient to the satisfaction of the Development Authority.

10.11.7 Any development shall be designed to mitigate all off-site nuisance factors including excessive noise, odour, traffic, dust, *light pollution (amended by Bylaw 2-2026)* and other impacts to the satisfaction of the Development Authority. A mitigation plan shall be provided at the time of development permit application to demonstrate that these nuisance factors have been mitigated.

*(Remainder of section 10.11 added by Bylaw 2-2026)*

10.11.8 A Data Processing Facility (Minor) shall not involve the use of water-based cooling systems.

10.11.9 A Data Processing Facility (Minor) is permitted as a discretionary use only where on-site energy generation is utilized and where the facility is co-located with an existing oil and gas facility.

10.11.10 A development permit for a Data Processing Facility (Minor) shall not be issued until any necessary permits/licenses/approvals are obtained from the Provincial Government and any applicable provincial regulatory agencies, where required.

10.11.11 Proponent of a Data Processing Facility (Minor) may be required to submit a Reclamation Plan to the County for its ratification and approval, prior to, or as a condition of, development permit approval.

10.11.12 Proponent of a Data Processing Facility (Minor) may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed to the satisfaction of the County's Development Authority.

10.11.13 A disturbed area shall be reclaimed to:

a. At least its former capability; or

b. Any other use, which the Development Authority feels, will be beneficial to the County.

10.11.14 Public consultation shall be completed within 1,500 m of the proposed site, and details included with the application.

## 10.12 DAY HOMES & CHILDCARE FACILITIES

10.12.1 Operation of a day home that provides services to more than four (4) children shall require a development permit.

10.12.2 In considering a day home or child care facility, the Development Authority shall, among other factors, consider if the development would be suitable for the parcel, taking into account:

a. Size of the parcel required given the intended use,
b. Appropriate yard setbacks in relation to adjacent land uses,
c. Potential traffic generation,
d. Proximity to parks, open space or recreation areas,
e. Isolation of the proposed parcel from residential uses,
f. Buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighbouring parcels, and
g. Consistency with other development in the surrounding area/Land Use Districts in terms of nature and intensity of use.

## 10.13 DAY USE, PICNIC AREAS

10.13.1 A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site.

10.13.2 Facility shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

10.13.3 Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Officer, may be provided between the uses.

10.13.4 Parking areas and boat launch access roads should be physically separated from the rest of the day use or picnic areas.

10.13.5 Waste disposal systems shall be provided in accordance with appropriate regulatory standards.

10.13.6 Provision shall be made for regular maintenance of the site. Regular garbage collection and sewage removal services shall be provided.

## 10.14 DIVERSIFIED AGRICULTURE, VALUE-ADDED AGRICULTURE, & AGRI-TOURISM

10.14.1 Development Authority may require any or all of the following with a development permit application or as a condition of approval for diversified agriculture or value-added agriculture developments:
a. Operations outline or plan, including number of attendees, peak site visits, hours and season of operation, signage, and servicing;
b. Traffic impact assessment;
c. Emergency response plan;
d. Surveyed site plan;
e. Noise impact assessment. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required;
f. Community and neighbourhood consultation plan;
g. Information about the provision of onsite guest accommodations (if allowed as part of the land use);
h. Any other information required by the Development Authority.

10.14.2 Waste disposal systems shall be provided in accordance with appropriate regulatory authority standards to the satisfaction of the Development Authority.

## 10.15 EVENT VENUES

10.15.1 Development shall not generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use, enjoyment or value of neighbouring or adjacent parcels.

10.15.2 Development Authority may require any or all of the following with a development permit application or as a condition of approval for an event venue:
a. Operations outline or plan, including number of attendees, peak site visits, hours and season of operation, signage, and servicing;
b. Traffic impact assessment;
c. Emergency response plan;
d. Surveyed site plan;

e. Noise impact assessment. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required;
f. Community and neighbourhood consultation plan; and/or
g. Any other information required by the Development Authority.

10.15.3 Waste disposal systems shall be provided in accordance with appropriate regulatory authority standards to the satisfaction of the Development Authority.

## 10.16 GUEST HOUSES

10.16.1 Guest Houses shall meet all Alberta Safety Code requirements for their use as habitable dwelling units.

10.16.2 Where a guest house is proposed in an accessory building such as a garage or shop the guest house shall be constructed to have an entrance that is separate from the vehicle entrance to the detached garage or shop from a common indoor landing or direction from the exterior of the structure.

10.16.3 Guest houses shall conform to the setback requirements for an accessory building.

10.16.4 Where a guest house is 2 stories or located on the second storey of an accessory building, the upper storey windows contained within the guest house portion of the building shall be placed and sized such that the overlook into yards and windows of abutting properties is minimized.

## 10.17 HOME OCCUPATIONS

10.17.1 A development permit shall not be required for major or minor home occupations that conform to all of the provisions and requirements in this Land Use Bylaw.

10.17.2 Major and minor home occupations that do not conform to all of the provisions and requirements in this Land Use Bylaw require a development permit. Approval of the development permit will be at the sole discretion of the Development Authority.

10.17.3 All home occupations shall comply with the following requirements:
a. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the home occupation is located shall be produced by the home occupation.
b. In the Country Residential (CR) Land Use District, Country Residential Restricted (CRR) Land Use District and Urban Residential Land Use Districts, no more than two (2) commercial vehicles, up to the size of a tandem truck and to be used in conjunction with the home occupation, shall be parked or maintained on the site. The parking space of the commercial vehicles shall be on the subject site and located either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority
c. In the Agricultural (AG) Land Use District, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with the home occupation, shall be parked or maintained on the site.

10.17.4 If a development permit application is required then, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.

10.17.5 When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

10.17.6 Home occupations shall not involve:
a. Activities that use or store hazardous material in quantities exceeding those found in a normal household or for the normal operation of the business; or
b. Any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

10.17.7 All home occupations will conform to current provincial regulations including but not limited to building and fire codes and health and safety codes regulations.

10.17.8 In addition to the requirements of Section 10.17.3, a **minor home occupation** shall comply with the following regulations:

a. A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling or an accessory building.
b. Except in the Agricultural (AG) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.
c. Up to two (2) business visits per day are allowed within a 24-hour period.
d. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
e. A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.

10.17.9 In addition to the requirements of Section 10.17.3, a **major home occupation** shall comply with the following regulations:

a. Number of non-resident employees working on- site shall not exceed two (2) on-site.
b. Up to eight (8) business visits per day are allowed in the Agricultural (AG) District. In all other Districts, up to four (4) business visits within a 24-hour period are allowed.
c. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as along as such alterations comply with this Bylaw and the *Alberta Safety Codes Act* and the regulations made there under.

10.17.10 A Stop Order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit.

## 10.18 ALCOHOL SALES/DISTRIBUTION SERVICES

10.18.1 Notwithstanding the permitted and discretionary uses prescribed within the various Land Use Districts within this Bylaw, alcohol sales/distribution services may be refused if proposed within a multi-parcel subdivision (hamlets excluded) or within 305.0 m (1,000 ft) of the boundary of a school site.

10.18.2 In evaluating the appropriateness of a development permit application for alcohol sales/distribution services, the Development Authority shall consider such factors as:

a. Compatibility of proposed use with adjacent and neighbouring land uses;
b. Impact of proposed use on existing traffic volumes and patterns of flow;
c. Appropriate vehicle parking and site access/egress requirements; and
d. Appropriate site security requirements including, but not limited to, fencing and lighting.

## 10.19 MANUFACTURED HOME DWELLINGS

10.19.1 All accessory structures, such as patios, porches, additions, and skirting shall be:

a. Designed and erected so as to harmonize with the manufactured home;
b. Considered as part of the main building; and
c. Erected only after obtaining a development permit.

10.19.2 A manufactured home shall be skirted from the floor level to the ground level and such skirting shall harmonize with the external finish of the manufactured home.

10.19.3 Floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Officer.

10.19.4 The following regulations also apply to manufactured home uses located in residential subdivisions and manufactured home subdivisions:

a. Hitch and wheels are to be removed from the manufactured home.
b. All manufactured homes shall be placed on pilings or blocks. The manufactured home is to be attached by means of bolting or otherwise to the pilings or blocks.
c. Property is to be grassed and landscaped within one (1) year of the date of issue of the development permit.

## 10.20 MANUFACTURED HOME PARKS

10.20.1 The following regulations apply to manufactured home parks:

a. In a manufactured home park, the manufactured home shall be located 7.5 m (24.6 ft) from a boundary of a street and 4.5 m (14.8 ft) from adjacent parcels. The set-back strip shall be landscaped and/or fenced to the satisfaction of the Development Authority and according to established policy;
b. All roads in a manufactured home park shall be constructed to County standards and specifications according to established policy. Minimum right-of-way width shall be as per policy;
c. All parks shall be provided with safe, convenient, all- season pedestrian access of at least 1.0 m (3.3 ft) in width for intended use between individual manufactured homes, the park street, and all community facilities provided for park residents;
d. Visitor parking space shall be provided at a ratio of at least one (1) space for every two (2) manufactured homes units and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.;
e. Design of manufactured home parks shall be to the satisfaction of the Development Officer;
f. All municipal utilities shall be provided underground to lots in a manufactured home park;
g. In a manufactured home park, 5% of the gross site area shall be devoted to recreational use, or recreational space shall be provided at the ratio of at least 9.5 $m^2$ (102.3 $ft^2$) per manufactured home space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined;
h. All areas of a manufactured home park not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings, and any other developed facilities shall be fully landscaped to the satisfaction of the Development Officer.
i. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds;
j. No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and wellbeing of the park residents and for the management and maintenance of the park;
k. Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of mobile home stands;
l. Each manufactured home stall shall be clearly marked-off by means of stakes, countersunk steel posts, fences, curbs, or hedges;
m. Street lighting in a manufactured home park shall be to the same standard as that in a conventional residential neighborhood;
n. Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location, and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type, and construction acceptable to the Development Authority;
o. Directional signs within the manufactured home park must be integrated in design and appearance, and kept in scale with the immediate surroundings and constructed of durable material;
p. Manufactured homes shall be separated from each other by at least 6.0 m (19.7 ft) side-to-side and 3.0 m (9.8 ft) from either front or rear stall line provided further that any porch or addition to the mobile home is regarded as part of the manufactured home for the purpose of spacing.
q. Minimum park area shall be 2.0 ha (4.9 ac);
r. Maximum permissible density for a manufactured home park shall be twenty mobile home spaces per gross developable hectare of the area being developed at each stage of the development; and
s. Minimum size for a manufactured home lot shall be 370.0 $m^2$ (3,982.8 $ft^2$).

## 10.21 MOTELS/HOTELS

10.21.1 For the purpose of this section, a rentable unit means a separate unit on a motel/hotel site used or intended to be used for the dwelling accommodations of one or more persons.

10.21.2 A person applying to develop a site as a motel/hotel, where permitted under this Bylaw, shall comply with the following special provisions:

| SITE REQUIREMENTS FOR MOTELS & HOTELS | | | | |
|---|---|---|---|---|
| | **Minimum Site Area/Unit** | **Yards** | **Parking on Site** | **Minimum Floor Area/Unit** |
| **One Storey** | 140.0 $m^2$ (1,507.0 $ft^2$) | Front: 7.5 m (24.6 ft)<br>Side: 3.0 m (9.8 ft)<br>Rear: 3.0 m (9.8 ft) | 1 per sleeping unit and 1 per 3 employees on maximum shift | 26.0 $m^2$ (279.8 $ft^2$) |
| **Two Storey** | 93.0 $m^2$ (1,001.1 $ft^2$) | Same as above | Same as above | Same as above |

10.21.3 Except in cases of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6 m (11.8 ft) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.

10.21.4 Each rentable unit shall face onto or abut a driveway no less than 6.0 m (19.7 ft) in width and shall have unobstructed access thereto.

10.21.5 Not more than one motor vehicle entrance and one motor vehicle exit to a street, each a minimum width of 7.5 m (24.6 ft) measured at its minimum dimensions shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.0 m (29.5 ft) in width.

10.21.6 Owner, tenant, operator, or person in charge of a motel shall at all times:

a. Maintain the site, landscaping and the buildings, structures, and improvements thereon in a clean, tidy, and attractive condition and free from all rubbish and debris;
b. Maintain garbage disposal to the satisfaction of the Development Authority; and
c. Maintain an appropriate fence where required around the site.

## 10.22 RECREATIONAL RESORTS

10.22.1 For the purposes of this section recreational resorts or resort cottages are considered structures that are not to be used for the private or exclusive use of the developer or owner. Private recreational cottages are not addressed in this section.

10.22.2 Development of roads, facilities and resort cottages should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping one-third to the satisfaction of the Development Authority).

10.22.3 Site should be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.

10.22.4 Site shall be well drained and located in areas free of standing water.

10.22.5 Developments must be of at least minimum standards according to the *Alberta Safety Codes Act*.

10.22.6 Minimum facilities shall include individual electrical outlets and water supplies, toilets, showers, refuse containers and cooking facilities.

10.22.7 Other facilities should include individual water and/or sewer connections, laundry, picnic tables, on-site parking, grocery, and recreation building.

10.22.8 Adequate lighting shall be provided at entrances and public areas.

10.22.9 An activity or play area should be provided.

10.22.10 If boat launching and swimming facilities are not provided, alternative locations should be indicated on a map or sign.

10.22.11 Where the recreational resort directly adjoins a residential or cottage development adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

10.22.12 Waste disposal systems shall be provided in accordance with applicable regulating authority.

10.22.13 Provision shall be made for regular maintenance of the site. Regular garbage collection and sewage removal services shall be provided.

10.22.14 Provision shall be made for the disposal of wastewater from washing and bathing facilities.

10.22.15 A dumping station for grey and black water waste from self-contained facilities in recreational vehicles shall be provided.

### RECREATIONAL VEHICLES

10.22.16 Maximum number of Recreation Vehicles allowed to be situated on a lot in the agricultural districts without a development permit shall be three (3).

10.22.17 Maximum number of Recreational Vehicles allowed on a on a lot without a development permit in a residential district for personal use shall be:

| MAXIMUM NUMBER OF RECREATIONAL VEHICLES (RESIDENTIAL DISTRICTS) | LOT AREA |
|---|---|
| 1 | < 2 ac |
| 2 | 2.0 ac – 5.99 ac |
| 3 | > 6.0 ac |

10.22.18 Additional Recreation Vehicles may be allowed at the discretion of the Development Authority on a temporary basis with an approved development permit.

10.22.19 The following setback provisions shall provisions apply to recreational vehicles in all districts:

a. Recreational Vehicle must be entirely located within the boundaries of the subject site;
b. Recreational Vehicle must comply with building setback requirements from the front, side and rear yards identified within the district; and
c. Storage of the Recreational Vehicle on the lot shall conform to the maximum lot coverage regulations in this Bylaw and any applicable Area Structure Plan.

10.22.20 Recreational Vehicles shall not be used or stored for commercial purposes on a lot unless the subject site is within a district that provides for campgrounds or Recreational Vehicle Storage Facilities and a development permit has been approved for the use.

## 10.23 RECREATIONAL VEHICLE STORAGE FACILITY

10.23.1 Siting of a Recreational Vehicle Storage Facility shall be prohibited from being located on productive or on good agricultural lands to minimize the conversion of high-capability agricultural soils to other uses.

10.23.2 Drive aisles of internal local roads shall be a minimum of 6.1 m (20.0 ft) wide.

10.23.3 All on-site roadways, parking, loading and storage areas shall have a durable surface of asphalt, gravel or similar material and shall be graded and drained, to the satisfaction of the Development Officer.

10.23.4 Recreational Vehicle Storage Facilities shall be required to be fenced with a minimum 1.8 m (6.0 ft) high fence around the periphery of the outdoor storage area.

10.23.5 No overnight accommodation or camping shall be permitted.

10.23.6 Where lighting of the development is proposed, all lighting shall be directed downward onto the site so as to minimize any offsite illumination of adjacent roads or properties.

10.23.7 Landscaping shall be required as outlined under Section 9.12 – Landscaping & Lot Coverage.

## 10.24 RESIDENCES NEAR CONFINED FEEDING OPERATIONS

10.24.1 Confined feeding operations and manure facilities for which an approval or a registration is required pursuant to the *Agricultural Operations Practices Act* are not regulated by this Bylaw. Please refer to the *Agricultural Operations Practices Act* and the Regulations.

## 10.25 SEA CANS

10.25.1 Sea cans shall only be allowed as accessory buildings and shall not be used as a principal building on a site.

10.25.2 A sea can shall be used for storage purposes only.

10.25.3 Maximum number of sea cans that shall be allowed on a parcel of land to be used as an accessory building is as follows:

a. Maximum number of sea cans allowed in an Agricultural, Commercial, or Industrial District shall be at the sole discretion of the Development Authority;

b. In a Residential District:
   i. a maximum of one (1) sea can shall be permitted on parcels less than 0.4 ha (1.0 ac);
   ii. at the discretion of the Development Authority, one (1) additional sea can may be permitted on parcels greater than 0.4 ha (1.0 ac) in area.

10.25.4 Sea cans that are stored on site and used for shipping as part of an industrial operation are not subject to these regulations. Only sea cans used as accessory buildings are subject to these regulations.

10.25.5 Sea cans used as an accessory building shall be strictly prohibited in any front yard of the property and shall meet all other required setback regulations for the district.

10.25.6 Sea cans cannot be stacked in a Residential District.

10.25.7 Maximum allowable height for a sea can on any parcel in a Residential District is 3.0 m (9.8 ft).

10.25.8 No human or animal habitation shall be allowed within a sea can.

10.25.9 In the Residential Districts, sea cans shall be painted in colours or sided to complement the principal building on the site, to the satisfaction of the Development Authority.

10.25.10 Notwithstanding the regulations of this section, a sea can (or multiple sea cans) may be used as building materials in the construction of a development if the proposed development is in compliance with all applicable building and safety code requirements.

## 10.26 SERVICE STATIONS

10.26.1 Service or gas stations shall be located in such a manner that:

a. No entrance or exit thereto for motor vehicles within 60.0 m (196.9 ft) of an entrance to or exit from a fire hall, public or private school, playground, library, church, hospital, children's, seniors facility or other similar public or quasi-public institutions;

b. No part of a service station or gas station building or of any pump or other accessory shall be within 6.0 m (19.7 ft) of a side or rear property line;

c. Service stations shall have a front yard of not less than 12.0 m (39.4 ft) and no gasoline pump shall be located closer than 6.0 m (19.7 ft) to the front property line; and

d. Storage tanks shall be set back from adjacent buildings and lot lines in accordance with applicable Provincial Legislation.

10.26.2 Minimum site area shall be 740.0 $m^2$ (7,965.6 $ft^2$) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1,110.0 $m^2$ (11,948.3 $ft^2$).

10.26.3 Where a service station forms part of a shopping centre or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority or Municipal Planning Commission.

10.26.4 All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority or Municipal Planning Commission.

10.26.5 No activity may be carried out which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odour, smoke, or vibration.

10.26.6 Site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

## 10.27 SURVEILLANCE AND LIGHTING

10.27.1 Outdoor lighting shall be located such that rays of light:

a. Are not directed at an adjacent site or skyward; and

b. Do not adversely affect an adjacent site or traffic safety.

10.27.2 Outdoor surveillance equipment shall not be directed at or into the private spaces (rear and side yards, dwellings, windows) on adjacent property, thereby negatively interfering with or affecting the privacy, use, enjoyment, or value of neighbouring properties.

## 10.28 TOURIST ACCOMODATIONS

10.28.1 Development of a tourist accommodation shall require a development permit. At the discretion of the Development Authority, a development permit for a tourist accommodation may be issued annually.

10.28.2 No development permit for a tourist accommodation may be issued for a lot that does not conform to all other provisions of this Land Use Bylaw.

10.28.3 An application for a development permit for a tourist accommodation shall include (in addition to the requirements of Section 5.5):

a. Applicable fee as established in the County's Fees & Fees Bylaw, as amended or replaced;
b. Signatures of all property owners listed on the title;
c. Identification of what portion of the dwelling or suites are to be utilized as a tourist home, and total number of bedrooms;
d. A home safety and evacuation floor plan of the premises;
e. A parking plan that identifies the total area of the lot to be used for parking; and
f. Information on where (or on what website) the tourist accommodation will be listed for rental.

10.28.4 Development officer shall notify adjacent property owners of a proposed development permit application for tourist accommodations prior to the issuance of the decision on the application and provide them with the opportunity to provide a letter of support or objection to the proposed development.

10.28.5 A maximum of one tourist accommodation may be developed on a lot. A tourist accommodation may be developed within:

a. An entire principal dwelling for which a development permit has previously been issued;
b. A portion of a principal dwelling for which a development permit has previously been issued;
c. A guest house suite for which a development permit has been previously issued.

10.28.6 A maximum of one rental booking may be scheduled at a time within an approved tourist home.

10.28.7 A tourist accommodation with an approved development permit shall visibly display in the main entrance of the tourist accommodation:

a. A copy of the development permit outlining the maximum occupancy of the tourist accommodation and the primary contact telephone number and email of the owners; and
b. A home safety and evacuation floor plan of the premises.

10.28.8 A tourist accommodation shall not be developed within:

a. A recreational vehicle;
b. A tent or tented structure; or
c. An accessory building without cooking or bathroom facilities.

10.28.9 Maximum occupancy of a tourist accommodation shall be the total number of bedrooms times two (2), to a maximum of 8.

10.28.10 Children under the age of 12 do not calculate into the maximum occupancy of a tourist home.

10.28.11 A minimum of one (1) parking space per bedroom in the tourist accommodation, plus one (1) extra shall be provided for on a lot. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.

10.28.12 Owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the tourist accommodation as requested by the Development Authority to ensure compliance with the regulations of this Land Use Bylaw.

10.28.13 Owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the tourist home.

10.28.14 No signs advertising the rental of the tourist home shall be permitted onsite.

## 10.29 WORKCAMPS

10.29.1 All workcamps shall be considered temporary developments.

10.29.2 All workcamps require a development permit and the Development Authority shall give due regard to the need, location, and type of camp, prior to rendering its decision.

10.29.3 A development permit for a workcamp may be issued for up to one (1) year, at which time an application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.

10.29.4 Development Authority may establish whatever conditions for the approval of a workcamp that it, at its sole discretion, deems reasonable to ensure that the workcamp will be a temporary development.

10.29.5 An application for a development permit for a workcamp must provide the following information:

a. Location, type, and purpose of the camp;
b. Adjacent land uses;
c. Method for providing the development with water, sewage, waste disposal and storm water management systems to the satisfaction of the County;
d. Number of persons proposed to live in the camp;
e. Start date for the development, date of occupancy by residents, and removal date for the camp; and
f. Reclamation measures to be completed once the camp is no longer needed.

10.29.6 All work camps must:

a. Be linked to a specific project(s) for which a valid and current development permit has been issued. If the project is located in another municipality a copy of the current approved development permit must be provided to the County by the developer. Work camps will only be permitted to accommodate workers for the project(s) to which they are linked;
b. Ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
c. Be designed so that all points of access and egress are located to the satisfaction of the Development Authority and Alberta Transportation & Economic Corridors;
d. Be secured by the installation of appropriate security and buffering measures such as berms, fences, and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
e. All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, onsite parking for private vehicles will adhere to the same standard as parking for a Hotel/Motel;
f. Provide financial security such as cash or a letter of credit with the County sufficient to remove and/or reclaim the site if the work camp remains on site after the project is either completed or if the work has stopped to the extent that the County no longer feels that the work camp is necessary to the project, or to reclaim the site if needed after the work camp has been removed from the site; and
g. Be separated from adjacent land uses.

10.29.7 Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.

10.29.8 Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta *Safety Codes Act* and by the Development Authority.

10.29.9 Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

# 11. LAND USE DISTRICTS

## 11.1 ESTABLISHMENT OF LAND USE DISTRICTS

11.1.1 For the purpose of this Bylaw, the County of Barrhead is divided into the following Land Use Districts:

| SYMBOL | LAND USE DISTRICT NAME |
|---|---|
| AG | Agriculture Land Use District |
| AC | Agriculture Conservation Land Use District |
| RC | Rural Conservation Land Use District |
| AP | Airport Vicinity Land Use District |
| C/I | Commercial/Industrial Land Use District |
| HC | Highway Commercial Land Use District |
| CRC | Commercial Recreation Land Use District |
| UC | Urban Commercial Land Use District |
| CR | Country Residential Land Use District |
| CRR | Country Residential Restricted Land Use District |
| RR | Residential Recreation Land Use District |
| UR | Urban Residential Land Use District |
| I | Institutional Land Use District |
| DC | Direct Control Land Use District |
| BRC | Bareland Condominium Residential Recreation District |
| WP | Watershed Protection Land Use District |
| SP | Statutory Plan Overlay |

11.1.2 For the purposes of this Bylaw:

a. CR, CRR, RR, and UR Land Use Districts shall be considered Residential Districts;
b. HC, CRC, and UC Land Use Districts shall be considered Commercial Districts; and
c. C/I District shall be considered a Commercial & Industrial District.

11.1.3 Boundaries of the Land Use Districts are as delineated on the Land Use District Maps in Section 29.

11.1.4 Where uncertainty exists as to the boundaries of the Land Use Districts as shown in Section 29, the following shall apply.

a. Where a boundary is shown as following a street, lane, stream, or canal, it shall be deemed to be following the centerline thereof.
b. Where a boundary is shown as approximately following a parcel line, it shall be deemed to follow the parcel line.
c. In circumstances not covered by 11.1.4.a and 11.1.4.b, the location of the district boundary shall be determined:
    i. Where dimensions are set out on the Land Use District Map, by the dimensions so set; or
    ii. Where dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

11.1.5 Where the application of the above rules does not determine the exact location of the boundary of a district, Council, by resolution, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.

11.1.6 After the Council has fixed a district boundary pursuant to the provisions of Section 11.1.4, the portion of the boundary so fixed shall not thereafter be altered except by an amendment of this Bylaw.

11.1.7 Development Authority Officer shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by Council.

# 12. AGRICULTURAL LAND USE DISTRICT (AG)

## 12.1 GENERAL PURPOSE

12.1.1 To permit activities associated with primary production and preserve valuable agricultural land from inappropriate development.

## 12.2 PERMITTED USES

12.2.1 Agri-tourism
12.2.2 Agriculture, Extensive
12.2.3 Agriculture, Intensive
12.2.4 Agriculture, Value Added
12.2.5 Communications Towers
12.2.6 Day Homes
12.2.7 Dwellings, Manufactured Home
12.2.8 Dwellings, Single Detached
12.2.9 Public Utilities
12.2.10 Public Utility Buildings
12.2.11 Small Animal Breeding & Boarding Services
12.2.12 Sea Can (maximum of 4)
12.2.13 Park Models
12.2.14 Summer Resort Cottages
12.2.15 Buildings and uses accessory to permitted uses

## 12.3 DISCRETIONARY USES

12.3.1 Agricultural Support Services
12.3.2 Agriculture, Diversified
12.3.3 Animal Services Facilities
12.3.4 Auctioneering Services
12.3.5 Bed & Breakfast Operations
12.3.6 Campgrounds, Basic
12.3.7 Campgrounds, Serviced
12.3.8 Caretaker's Residences
12.3.9 Childcare Facilities
12.3.10 Clustered Farm Dwellings
12.3.11 Commercial Uses, Rural
12.3.12 Community Recreation Services
12.3.13 Data Processing Facility (Minor) *(added by Bylaw 2-2026)*
12.3.14 Dwellings, Duplex
12.3.15 Event Venues
12.3.16 General Commercial Retail Service
12.3.17 Guest Ranch
12.3.18 Group Homes
12.3.19 Home Occupation, major or minor
12.3.20 Industrial Uses, General
12.3.21 Industrial Uses, Rural
12.3.22 Landfills
12.3.23 Natural Resource Extraction/Processing
12.3.24 Places of Worship
12.3.25 Public or Quasi-Public Uses
12.3.26 Recreational Resorts
12.3.27 Recreation Uses
12.3.28 Solar Energy Collection Systems
12.3.29 Sea Cans (more than 4)
12.3.30 Restaurants
12.3.31 Service Stations
12.3.32 Schools
12.3.33 Secondary Commercial Use
12.3.34 Suites, Guest House
12.3.35 Tourist Accommodations
12.3.36 Wind Energy Conversion Systems, Large
12.3.37 Wind Energy Conversion Systems, Small
12.3.38 Workcamps
12.3.39 Buildings and uses accessory to discretionary uses
12.3.40 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 12.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 12.4.1 | Minimum & Maximum Parcel Area | a. For agricultural use –<br>i. Minimum parcel area shall be 32.4 ha (80.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).<br>ii. Maximum parcel area shall be at the discretion of the Subdivision Authority.<br>b. For residential use –<br>i. Minimum parcel area for all residential use parcels shall be 0.4 ha (1.0 ac).<br>ii. Maximum parcel area shall be 6.1 ha (15.0 ac) for a farmstead separation and 2.02 ha (5.0 ac) for a vacant residential parcel; and<br>iii. New residential use lots shall be encouraged to be located adjacent to existing residential uses within a quarter section. Exceptions may be made where the adjacent lands do not have suitable access or where the adjacent lands are unsuitable for residential development as a result of site conditions (steep slope, wetlands, geotechnical conditions, etc.); and<br>iv. Maximum number of permanent dwellings allowed on a residential use parcel shall be one.<br>c. Refer to of the County Municipal Development Plan for parcel density policies. |
| 12.4.2 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the property line fronting a minor 2-lane highway or a local road.<br>b. 40.0 m (131.2 ft) from the property line fronting a major 2-lane highway.<br>c. 30.0 m (98.4 ft) where the property line abuts a lake or river. |
| 12.4.3 | Minimum Side Yard | a. 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.<br>b. 30.0 m (98.4 ft) where the side property line abuts a lake or river. |
| 12.4.4 | Minimum Rear Yard | a. 6.0 m (19.7 ft).<br>b. 30.0 m (98.4 ft) where the rear property line abuts a lake or river. |

## 12.5 REFERRALS

12.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 13. AGRICULTURAL CONSERVATION LAND USE DISTRICT (AC)

## 13.1 GENERAL PURPOSE

13.1.1 To conserve high capability agricultural areas for continued agricultural production and to minimize conflicts between agricultural and non-agricultural uses in the Thunder Lake and Lac La Nonne Statutory Plan Areas.

## 13.2 PERMITTED USES

13.2.1 All uses that are listed as Permitted in the Agricultural Land Use District.

## 13.3 DISCRETIONARY USES

13.3.1 All uses that are listed as Discretionary in the Agriculture Land Use District.

## 13.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 13.4.1 | Minimum Parcel Area | a. Minimum parcel area for extensive agricultural uses shall be 32.4 ha (80.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).<br>b. Minimum parcel area for Small Scale Resource Extraction shall be16.2 ha (40.0 ac).<br>c. Sizes for other uses shall be at the discretion of the Development Authority, Subdivision Authority or Municipal Planning Commission. |
| 13.4.2 | Parcel Density | a. Maximum parcel density per quarter section within this district shall be four (4) parcels, including the remnant of the quarter section and any fragmented parcels except in the Thunder Lake Area Structure Plan where the maximum parcel density per quarter section within this district shall be three (3) parcels. |
| 13.4.3 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the front property line. |
| 13.4.4 | Minimum Side Yard | a. 6.0 m (19.7 ft).<br>b. Corner parcel side yards shall be determined by the Development Authority. |
| 13.4.5 | Minimum Rear Yard | a. 6.0 m (19.7 ft) |
| 13.4.6 | Minimum Lake Front Yard | a. 6.1 m (20.0 ft) from the lakeshore or reserve parcel, whichever is closer to the subject property. |
| 13.4.7 | Highway Access | a. No development which requires highway access shall be approved unless it can be shown to the satisfaction of the applicable authority that it can be provided with safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation & Economic Corridors |

## 13.5 REFERRALS

13.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 14. RURAL CONSERVATION LAND USE DISTRICT (RC)

## 14.1 GENERAL PURPOSE

14.1.1 To identify and conserve areas of marginal agricultural land with severe or extremely severe limitations to development. Land in this district is of high environmental or geological significance and may be unsuitable for additional residential or recreational development.

## 14.2 PERMITTED USES

14.2.1 All uses listed as permitted in the Agricultural Land Use District.

## 14.3 DISCRETIONARY USES

14.3.1 All uses listed as Discretionary in the Agricultural Land Use District.

## 14.4 ENVIRONMENTAL CONSIDERATIONS

14.4.1 New subdivision and development applications will not be approved unless the applicant can demonstrate that the proposed subdivision or development will not have a negative impact on environmental resources. At the sole discretion of the applicable authority the proponent may be required to submit additional information or reports to demonstrate that the proposed area is of high environmental or geological significance.

## 14.5 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 14.5.1 | Minimum Parcel Area | a. Minimum parcel area shall be 16.2 ha (40.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or an applicable statutory plan. |
| 14.5.2 | Parcel Density | a. Maximum density per quarter section within this district shall be four (4) parcels, including the remnant of the quarter section and any fragmented parcels.<br>b. Notwithstanding 14.5.2.a above, within the Thunder Lake Area Structure Plan, the maximum parcel density per quarter section shall be six (6) parcels, including the remnant of the quarter section and any fragmented parcels. |
| 14.5.3 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the front property line. |
| 14.5.4 | Minimum Side Yard | a. 6.0 m (19.7 ft).<br>b. Corner parcel side yards shall be determined by the Development Authority. |
| 14.5.5 | Minimum Rear Yard | a. 6.0 m (19.7 ft) |
| 14.5.6 | Minimum Lake Front Yard | a. 6.1 m (20.0 ft) from the lakeshore or reserve parcel, whichever is closer to the subject site. |
| 14.5.7 | Highway Access | a. No development which requires highway access shall be approved unless it can be shown to the satisfaction of the applicable authority that it can be provided with safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation & Economic Corridors |

## 14.6 REFERRALS

14.6.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 15. AIRPORT VICINITY LAND USE DISTRICT (AV)

## 15.1 GENERAL PURPOSE

15.1.1 To provide for development in the vicinity of airports located within the County.

## 15.2 PERMITTED USES

15.2.1 Aerodromes
15.2.2 Agriculture, Extensive
15.2.3 Airports
15.2.4 Dwellings, Manufactured Home (constructed after December 31, 1996)
15.2.5 Dwellings, Single Detached
15.2.6 Public Utilities
15.2.7 Public Utility Buildings
15.2.8 Sea Cans (maximum of 2)
15.2.9 Buildings and uses accessory to permitted uses

## 15.3 DISCRETIONARY USES

15.3.1 Agricultural Support Services
15.3.2 Caretaker Residences
15.3.3 Commercial Uses, Rural
15.3.4 Community Recreation Services
15.3.5 Dwelling, Manufactured Home (constructed on or before January 1, 1997)
15.3.6 Home Occupations, major
15.3.7 Home Occupations, minor
15.3.8 Industrial Uses, Rural
15.3.9 Public use
15.3.10 Recreational Uses
15.3.11 Service Stations
15.3.12 Solar Energy Conversion Systems
15.3.13 Sea Cans (More than 2)
15.3.14 Buildings and uses accessory to discretionary uses
15.3.15 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 15.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 15.4.1 | Minimum Parcel Area | a. 64.7 ha (160.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s). |
| 15.4.2 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the property line fronting a minor 2-lane highway or a local road.<br>b. 40.0 m (131.2 ft) from the property line fronting a major 2-lane highway. |
| 15.4.3 | Minimum Side Yard | a. 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority. |
| 15.4.4 | Minimum Rear Yard | a. 6.0 m (19.7 ft) |
| 15.4.5 | Maximum Height | a. Maximum allowable building heights shall be regulated by the Airport Management Area Bylaw Regulation, as amended or replaced. |

## 15.5 REFERRALS

15.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 16. COMMERCIAL/INDUSTRIAL LAND USE DISTRICT (CI)

## 16.1 GENERAL PURPOSE

16.1.1 To permit activities associated with rural commercial and light to moderately heavy industrial land uses as well as required accessory land uses.

## 16.2 PERMITTED USES

16.2.1 Agriculture, Extensive
16.2.2 Agricultural Support Services
16.2.3 Animal Health Care Services
16.2.4 Auctioneering Services
16.2.5 Automobile Service Centres
16.2.6 Car Washes
16.2.7 Commercial Uses, Rural
16.2.8 Convenience Retail Services
16.2.9 Industrial Uses, General
16.2.10 Industrial Uses, Rural
16.2.11 Public Utilities
16.2.12 Public Utility Buildings
16.2.13 Rural Industrial use
16.2.14 Service Station
16.2.15 Sea Can (maximum of 2)
16.2.16 Wind Energy Conversion Systems, Small
16.2.17 Buildings and uses accessory to permitted uses

## 16.3 DISCRETIONARY USES

16.3.1 Agriculture, Intensive
16.3.2 Campgrounds, Basic
16.3.3 Campgrounds, Semi-Serviced
16.3.4 Cannabis Production and Distribution Facilities
16.3.5 Cannabis Retail Sales
16.3.6 Caretaker Residences
16.3.7 Community Recreation Services
16.3.8 Dwellings, Manufactured Home
16.3.9 Dwellings, Single Detached
16.3.10 Government Services
16.3.11 Landfills
16.3.12 Natural Resource Extraction/Processing
16.3.13 Place of Worships
16.3.14 Public Uses
16.3.15 Public Buildings
16.3.16 Recreation Uses
16.3.17 Sea Cans (more than 2)
16.3.18 Small Animal Breeding and Boarding Services
16.3.19 Solar Energy Collection Systems
16.3.20 Surveillance Suites
16.3.21 Wind Energy Conversion Systems, Large
16.3.22 Buildings and uses accessory to discretionary uses
16.3.23 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 16.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 16.4.1 | Minimum Parcel Area | a. May be determined by the Development Authority or Subdivision Authority based on the intended use. |
| 16.4.2 | Minimum Front Yard | a. 30.0 m (98.4 ft.) from the property line fronting a minor two-lane highway or local road.<br>b. 40.0 m (131.2 ft.) from the property line fronting a major two-lane highway.<br>c. 7.5 m (24.6 ft.) from the property line fronting an internal roadway. |
| 16.4.3 | Minimum Side Yard | a. 6.0 m (19.7 ft.) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority. |
| 16.4.4 | Minimum Rear Yard | a. 6.0 m (19.7 ft.) |

## 16.5 REFERRALS

16.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 17. HIGHWAY COMMERCIAL LAND USE DISTRICT (HC)

## 17.1 GENERAL PURPOSE

17.1.1 To control development in the vicinity of Provincial Highways. Development should be restricted to that which is required to serve the motoring public.

## 17.2 PERMITTED USES

17.2.1 Convenience Retail Services
17.2.2 Hotels
17.2.3 Motels
17.2.4 Restaurants
17.2.5 Public Utilities
17.2.6 Sea Cans (maximum of 2)
17.2.7 Service Stations
17.2.8 Wind Energy Conversion Systems, Small
17.2.9 Buildings and uses accessory to permitted uses

## 17.3 DISCRETIONARY USE

17.3.1 Agriculture, Intensive
17.3.2 Alcohol Retail Sales
17.3.3 Animal Health Care Services
17.3.4 Bed and Breakfast Operations
17.3.5 Campgrounds, Basic
17.3.6 Campgrounds, Semi-Serviced
17.3.7 Cannabis Production and Distribution Facilities
17.3.8 Cannabis Retail Sales
17.3.9 Caretakers Residences
17.3.10 Community Recreation Services
17.3.11 Day Homes
17.3.12 Dwellings, Manufactured Home
17.3.13 Dwellings, Single Detached
17.3.14 General Commercial Retail Services
17.3.15 Home Occupation, major or minor
17.3.16 Industrial, General
17.3.17 Landfills
17.3.18 Natural Resource Extraction
17.3.19 Park Models
17.3.20 Recreation Uses
17.3.21 Public Utility Buildings
17.3.22 Schools
17.3.23 Sea Cans (more than 2)
17.3.24 Small Animal Breeding and Boarding Services
17.3.25 Buildings and uses accessory to discretionary uses
17.3.26 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 17.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 17.4.1 | Minimum Parcel Area | a. 64.7 ha (160.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s). |
| 17.4.2 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the property line fronting a minor 2-lane highway or local road.<br>b. 40.0 m (131.2 ft) from the property line fronting a major two-lane highway.<br>c. 7.5 m (24.6 ft) from the property line fronting an internal roadway. |
| 17.4.3 | Minimum Side Yard | a. No side yard need exceed 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority. |
| 17.4.4 | Minimum Rear Yard | a. 6.0 m (19.7 ft) |
| 17.4.5 | Highway Access | a. No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation & Economic Corridors. |

## 17.5 REFERRALS

17.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 18. COMMERCIAL RECREATION LAND USE DISTRICT (CRC)

## 18.1 PURPOSE

18.1.1 To provide opportunities for the development of recreation services, developments and goods generally required by the public in the pursuit of general recreational activities.

## 18.2 PERMITTED USES

18.2.1 Campgrounds, Basic
18.2.2 Campgrounds, Recreational Vehicle
18.2.3 Campgrounds, Semi-Serviced
18.2.4 Community Recreation Services
18.2.5 Recreational Resorts
18.2.6 Recreational Uses
18.2.7 Public Utilities
18.2.8 Public Utility Buildings
18.2.9 Public Uses
18.2.10 Buildings and uses accessory to permitted uses

## 18.3 DISCRETIONARY USES

18.3.1 Alcohol Retail Sales
18.3.2 Bed & Breakfast Operations
18.3.3 Caretaker Residences
18.3.4 Convenience Retail Services
18.3.5 Dwellings, Manufactured Home
18.3.6 Dwellings, Multi-Unit
18.3.7 Dwellings, Single Detached
18.3.8 Government Services
18.3.9 Park Models
18.3.10 Motels
18.3.11 Park Models
18.3.12 Places of Worship
18.3.13 Sea Cans
18.3.14 Tourist Accommodations
18.3.15 Buildings and uses accessory to discretionary uses
18.3.16 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 18.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 18.4.1 | Minimum Parcel Area | a. 64.7 ha (160.0 ac) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s). |
| 18.4.2 | Minimum Front Yard | a. 30.0 m (98.4 ft) from the property line fronting a minor two-lane highway or a local road.<br>b. 40.0 m (131.2 ft) from the property line fronting a major two-lane highway.<br>c. 7.5 m (24.6 ft) from the property line fronting an internal roadway. |
| 18.4.3 | Minimum Side Yard | a. Each side yard must be a minimum of 6.0 m (19.7 ft.) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority. |
| 18.4.4 | Minimum Rear Yard | a. 6.0 m (19.7 ft). |
| 18.4.5 | Highway Access | a. No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation & Economic Corridors. |

## 18.5 REFERRALS

18.5.1 Referral of subdivision and development permit applications shall be in accordance with Section 5.12 – Referral of Applications and all applicable provincial requirements.

# 19. URBAN COMMERCIAL LAND USE DISTRICT (UC)

## 19.1 GENERAL PURPOSE

19.1.1 The general purpose of this District is to allow for commercial, light industrial, and accessory uses within the Hamlets and residential communities within the County.

## 19.2 PERMITTED USES

19.2.1 General Commercial Retail Services
19.2.2 Government Services
19.2.3 Industrial Use, General
19.2.4 Places of Worship
19.2.5 Public Utilities
19.2.6 Public Utility Buildings
19.2.7 Restaurants
19.2.8 Retail Stores
19.2.9 Sea Cans (maximum of 2)
19.2.10 Warehouses
19.2.11 Buildings and uses accessory to permitted uses

## 19.3 DISCRETIONARY USES

19.3.1 Alcohol Retail Sales
19.3.2 Amusement and Entertainment Services
19.3.3 Animal Health Care Services
19.3.4 Auctioneering Services
19.3.5 Automobile Service Centres
19.3.6 Bed and Breakfast Operations
19.3.7 Boarding or Lodging Homes
19.3.8 Cannabis Production and Distribution Facilities
19.3.9 Cannabis Retail Sales
19.3.10 Childcare Facilities
19.3.11 Community Recreation Services
19.3.12 Drinking Establishments
19.3.13 Dwellings, Manufactured Home
19.3.14 Dwellings, Single Detached
19.3.15 Group Care Facilities
19.3.16 Hotels
19.3.17 Motels
19.3.18 Park Models
19.3.19 Recreational Uses
19.3.20 Sea Can (more than 2)
19.3.21 Service Stations
19.3.22 Wind Energy Conversion Systems, Small
19.3.23 Buildings and uses accessory to discretionary uses
19.3.24 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 19.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 19.4.1 | Minimum Parcel Size | a. Shall be at the discretion of the Development Authority. |
| 19.4.2 | Minimum Yards, Commercial | a. Retail stores built adjacent to existing similar uses may be built without front or side yard setbacks where there is lane access. Where there is no lane access, one side yard of at least 4.6 m (15 ft.) shall be provided. |
| 19.4.3 | Minimum Front Yard, Residential | a. 7.5 m (24.6 ft.) |
| 19.4.4 | Minimum Side Yard, Residential | a. 1.5m (5.0 ft.) |
| 19.4.5 | Minimum Rear Yard, Residential | a. 7.5 m (24.6 ft.) |
| 19.4.6 | Maximum Height | a. Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system. |
| 19.4.7 | Obnoxious Uses | a. No use is to be established that is, or is likely to become, obnoxious by way of noise, odour, or fumes. |

# 20. COUNTRY RESIDENTIAL LAND USE DISTRICT (CR)

## 20.1 GENERAL PURPOSE

20.1.1 The general purpose of this District is to provide appropriate locations for multi- parcel country residential subdivisions and to provide land use development regulations for such residential uses.

## 20.2 PERMITTED USES

20.2.1 Day Homes
20.2.2 Dwellings, Manufactured Home (constructed on or after January 1, 1997)
20.2.3 Dwellings, Single Detached
20.2.4 Public Utilities
20.2.5 Buildings and uses accessory to permitted uses

## 20.3 DISCRETIONARY USES

20.3.1 Community Recreation Services
20.3.2 Boarding or Lodging Homes
20.3.3 Childcare Facilities
20.3.4 Dwellings, Manufactured Home (constructed on or before December 31, 1996)
20.3.5 Group Homes
20.3.6 Home Occupations, Major
20.3.7 Home Occupations, Minor
20.3.8 Manufactured Home Park (within Hamlets)
20.3.9 Recreation Uses
20.3.10 Public Utility Buildings
20.3.11 Sea Cans
20.3.12 Solar Energy Conversion Systems
20.3.13 Suites, Guest House
20.3.14 Wind Energy Conversion Systems, Small
20.3.15 Buildings and uses accessory to discretionary uses
20.3.16 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 20.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 20.4.1 | Minimum Floor Area | a. Single Detached Dwellings: 55.4 $m^2$ (600 $ft^2$)<br>b. Manufactured Homes: 37.16 $m^2$ (400 $ft^2$) |
| 20.4.2 | Minimum Site Dimensions | a. Minimum parcel width shall be no less than 46.0 m (150 ft)<br>b. Minimum site area shall be no less than 0.2 ha (0.5 ac) and no greater than 4.0 ha (10.0 ac). |
| 20.4.3 | Maximum Height | a. Maximum allowable height for a building shall be 9.1 m (30.0 ft).<br>b. Maximum building height shall not apply to small wind energy conversion systems. |
| 20.4.4 | Minimum Front Yard | a. 7.6 m (25.0 ft). No building shall be located within 7.6 m (25.0 ft) of a property line that is either:<br>i. boundary of a public road, or street, or,<br>ii. adjacent and approximately parallel to a lake or river where the lot is adjacent to a lake or river or would be adjacent to a lake or river if not for a reserve lot. |
| 20.4.5 | Minimum Side Yard | a. 6.0 m (19.7 ft) |
| 20.4.6 | Minimum Rear Yard | a. 6.0 m (19.7 ft) |

## 20.5 ACCESSORY BUILDING REGULATIONS

20.5.1 An accessory building shall not be located closer than 2.0 m (6.5 ft) to a principal building.
20.5.2 Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.

# 21. COUNTRY RESIDENTIAL RESTRICTED LAND USE DISTRICT (CRR)

## 21.1 GENERAL PURPOSE

21.1.1 To provide appropriate locations for multi-parcel country residential subdivisions with the restriction of limiting residential development to single detached dwellings and modular homes only.

## 21.2 PERMITTED USES

21.2.1 Day Homes
21.2.2 Dwellings, Single Detached
21.2.3 Home occupations, Major
21.2.4 Home Occupations, Minor
21.2.5 Public Utilities
21.2.6 Wind Energy Conversion Systems, Small
21.2.7 Buildings and uses accessory to permitted uses

## 21.3 DISCRETIONARY USES

21.3.1 Community Recreation Services
21.3.2 Park Models
21.3.3 Recreation Uses
21.3.4 Sea Cans
21.3.5 Suites, Guest House
21.3.6 Buildings and uses accessory to discretionary uses
21.3.7 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 21.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 21.4.1 | Minimum Floor Area | a. One Storey, Bi-level: 92.9 $m^2$ (1000 $ft^2$)<br>b. One and One-half Storey (Lower Floor): 69.68 $m^2$ (750 $ft^2$)<br>c. Two Storey (both floors combined): 130.1 $m^2$ (1400 $ft^2$) |
| 21.4.2 | Minimum Site Dimensions | a. Minimum parcel width shall be no less than 46.0 m (150 ft)<br>b. Minimum site area shall be no less than 0.2 ha (0.5 ac) and no greater than 4.0 ha (10.0 ac). |
| 21.4.3 | Maximum Height | a. Maximum allowable height for a building shall be 9.1 m (30.0 ft) but shall not apply to small wind energy conversion systems. |
| 21.4.4 | Minimum Front Yard | b. 7.6 m (25.0 ft). No building shall be located within 7.6 m (25.0 ft) of a property line that is either:<br>i. the boundary of a public road, or street, or,<br>ii. adjacent and approximately parallel to the lake shore where the lot is adjacent to a lake or would be adjacent to a lake if not for a reserve lot. |
| 21.4.5 | Minimum Side Yard | a. 6.0 m (19.7 ft) |
| 21.4.6 | Minimum Rear Yard | a. 6.0 m (19.7 ft)<br>b. Notwithstanding the above, the minimum roadside setback for lakefront lots shall be at the discretion of the Development Authority Officer. |
| 21.4.7 | Obnoxious Uses | a. No use is to be established that is, or is likely to become, obnoxious by way of noise, odour, or fumes. |

## 21.5 ACCESSORY BUILDING REGULATIONS

21.5.1 An accessory building shall not be used as a dwelling unless a development permit has been issued for the temporary use of the accessory building as a dwelling.
21.5.2 An accessory building shall not be located closer than 2.0 m (6.5 ft.) to a principal building.
21.5.3 Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.

# 22. RESIDENTIAL RECREATION LAND USE DISTRICT (RR)

## 22.1 GENERAL PURPOSE

22.1.1 To provide opportunities for multi-lot recreational residential development in the Lac La Nonne and Thunder Lake areas in locations without severe development or environmental limitations. Land within this area exhibits a high recreational value or scenic value and are generally suitable for future residential or recreational development.

## 22.2 PERMITTED USES

22.2.1 Day Homes
22.2.2 Dwellings, Manufactured Home (constructed on or before December 31, 1996)
22.2.3 Dwellings, Single Detached
22.2.4 Public Utilities
22.2.5 Home Occupations, Major
22.2.6 Home Occupations, Minor
22.2.7 Buildings and uses accessory to permitted uses

## 22.3 DISCRETIONARY USES

22.3.1 Dwellings, Duplex
22.3.2 Dwellings, Manufactured Home (constructed on or before January 1, 1997)
22.3.3 Group Homes
22.3.4 Greenhouses
22.3.5 Institutional Uses
22.3.6 Public and Quasi-Public Buildings and Uses
22.3.7 Park Models
22.3.8 Recreation Uses
22.3.9 Sea Cans
22.3.10 Solar Energy Conversion Systems
22.3.11 Suites, Guest House
22.3.12 Tourist Accommodations
22.3.13 Wind Energy Conversion Systems, Small
22.3.14 Buildings and uses accessory to discretionary uses
22.3.15 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 22.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 22.4.1 | Minimum Lot Area | a. Single Detached Dwellings – 0.1 ha (0.2 ac)<br>b. Excepting in existing subdivisions where the minimum size for a subdivided lot is 0.4 ha (1.0 ac).<br>c. All other uses - as required by the Development Authority, Subdivision Authority or Municipal Planning Commission. |
| 22.4.2 | Maximum Lot Area | a. Single Detached Dwellings – 2.0 ha (5.0 ac) of developable land |
| 22.4.3 | Minimum Floor Area | a. Single Family Dwellings - 55.74 $m^2$ (600 $ft^2$)<br>b. For manufactured homes – 37.1 $m^2$ (400.0 $ft^2$)<br>c. All other uses - as required by the Development Authority |
| 22.4.4 | Minimum Yard Dimensions for Single Detached Dwellings | c. Minimum Frontage: 15.2 m (50.0 ft) or as required by the Development Authority or Subdivision Authority.<br>d. Minimum Front Yard: 7.6 m (25.0 ft). No building shall be located within 7.6 m (25.0 ft) of a property line that is either:<br>iii. the boundary of a public road, or street, or,<br>iv. adjacent and approximately parallel to a lake or river where the lot is adjacent to a lake or river or would be adjacent to a lake or river if not for a reserve lot.<br>e. Minimum Side Yard: Not less than 1.5 m (5.0 ft), excepting corner parcel, where sides yards shall be determined by the Development Authority.<br>f. Minimum Rear Yard: 6.0 m (19.7 ft) |

| | | |
|---|---|---|
| | | g. Notwithstanding the above, the minimum roadside setback for lakefront lots at Thunder Lake shall be at the discretion of the Development Authority Officer.<br>h. Minimum Lake Front Yard: 6.0 m (19.7 ft) from the lakeshore or reserve parcel, whichever is closer to the subject property. |
| 22.4.5 | Minimum Yard Dimensions for All Other Uses | a. As required by the Development Authority |
| 22.4.6 | Minimum Servicing Standards | a. All developments must be provided with sanitary facilities pursuant to the appropriate Provincial regulations. |

# 23. URBAN RESIDENTIAL LAND USE DISTRICT (UR)

## 23.1 GENERAL PURPOSE

23.1.1 To allow for residential and accessory uses within the Hamlets of Manola, and Neerlandia, as well as the residential communities.

## 23.2 PERMITTED USES

23.2.1 Day Homes
23.2.2 Dwellings, Manufactured Home (constructed on or after January 1, 1997)
23.2.3 Dwellings, Single Detached
23.2.4 Public Utilities
23.2.5 Public Utility Buildings
23.2.6 Buildings and uses accessory to permitted uses

## 23.3 DISCRETIONARY USES

23.3.1 Animal Services Facilities
23.3.2 Bed and Breakfast Operations
23.3.3 Bording or Lodging Homes
23.3.4 Childcare Facility
23.3.5 Dwellings, Duplex
23.3.6 Dwellings, Manufactured Home (constructed on or before December 31, 1996)
23.3.7 Dwellings, Multi-Unit
23.3.8 Group Homes
23.3.9 Home Occupations, Major
23.3.10 Home Occupations, Minor
23.3.11 Manufactured Home Parks
23.3.12 Park Models
23.3.13 Places of Worship
23.3.14 Public or Quasi-Public Uses
23.3.15 Sea Cans
23.3.16 Solar Energy Conversion Systems
23.3.17 Suites, Guest House
23.3.18 Buildings and uses accessory to discretionary uses
23.3.19 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 23.4 DEVELOPMENT REGULATIONS

23.4.1 Minimum Lot Sizes, Single Detached Dwellings

| Use | Width | Area |
|---|---|---|
| Residential (unserviced) | 30.5 m (100.0 ft) | 1,858.0 $m^2$ (20,000 $ft^2$) |
| Residential (both services) | 15.2 m (50.0 ft) | 557.4 $m^2$ (6,000 $ft^2$) |
| Residential (water, no sewer) | 30.5 m (100.0 ft) | 1,393.5 $m^2$ (15,000 $ft^2$) |
| Residential (sewer, no water) | 15.2 m (50.0 ft) | 929.0 $m^2$ (10,000 $ft^2$) |

23.4.2 Minimum Lot Sizes, Other Uses
a. Shall be at the discretion of the Subdivision or Development Authority

23.4.3 Minimum Floor Area
a. Single Family Dwellings: 55.74 $m^2$ (600 $ft^2$)
b. Manufactured Homes: 37.16 $m^2$ (400 $ft^2$)
c. Duplexes: 92.9 $m^2$ (1,000 $ft^2$)
d. All other uses: As required by the Development Authority.

23.4.4 Minimum Setback Requirements
a. Front Yard: 7.5 m (24.6 ft)
b. Rear Yard: 6.0 m (19.7 ft)
c. Side Yard: 1.5 m (4.9 ft)
d. Side Yard on Corner Side: 4.5 m (14.7 ft) on flanking Street

23.4.5 Maximum Height Requirements
a. Maximum allowable building height shall be 9.1 m (30 ft).

| | | |
|---|---|---|
| 23.4.6 | Accessory Buildings Regulations | a. An accessory building shall not be used as a dwelling.<br>b. An accessory building shall not be located closer than 2.0 m (6.5 ft) to a principal building.<br>c. Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system. |
| 23.4.7 | Obnoxious Uses | d. No use is to be established that is, or is likely to become, obnoxious by way of noise, odour or fumes. |

# 24. INSTITUTIONAL LAND USE DISTRICT (I)

## 24.1 GENERAL PURPOSE

24.1.1 To allow development of uses of either a public or private nature which provide services to the community.

## 24.2 PERMITTED USES

24.2.1 Community Halls
24.2.2 Clubs and Lodges
24.2.3 Hospitals and Nursing Homes
24.2.4 Schools
24.2.5 Senior Citizens Homes
24.2.6 Community Recreation Services
24.2.7 Buildings and uses accessory to permitted uses

## 24.3 DISCRETIONARY USES

24.3.1 Cemeteries
24.3.2 Childcare Facilities
24.3.3 Dwellings, Manufactured Home
24.3.4 Dwellings, Single Detached
24.3.5 Places of Worship
24.3.6 Public or Quasi-Public Services
24.3.7 Public Utilities
24.3.8 Sea Cans
24.3.9 Solar Energy Conversion Systems
24.3.10 Wind Energy Conversion Systems, Small
24.3.11 Buildings and uses accessory to discretionary uses
24.3.12 Other uses which, in the opinion of the Development Authority, are similar to permitted and discretionary uses.

## 24.4 DEVELOPMENT REGULATIONS

24.4.1 All regulations shall be as required by the Development Authority.

# 25. DIRECT CONTROL DISTRICT (DC)

## 25.1 GENERAL PURPOSE

25.1.1 To provide the Council with final decision-making authority for developments with unique site characteristics or development situated on lands with special or particular significance, while having due regard to applicable statutory plans for the land.

## 25.2 ALLOWABLE USES

25.2.1 Allowable uses and buildings in this Land Use District shall be determined by Council based on the merits of each individual application.

## 25.3 DEVELOPMENT REGULATIONS

25.3.1 Council should apply regulations (e.g. setbacks) in a manner consistent with the type of development allowed for similar use categories. Where no such categories exist, Council may exercise full authority to apply permit conditions.

25.3.2 In addition to the information required by this Bylaw for an amendment application, the applicant may be required to provide the following information:

a. A letter supporting the rationale for why the proposed use is desirable for the site, and its impact on neighbouring sites; and
    i. additional plans, elevations, perspective drawings, landscaping plans, or other matters that may assist Council in making a decision.
    ii. Council may consider holding a public hearing or public referral process prior to consideration of any major application within property within this district, prior to finalizing a decision on an application.

25.3.3 Council shall review and decide all applications for principal uses on property zoned under this District. Development proposals for secondary or accessory uses may be delegated to the Development Authority at Council's discretion.

25.3.4 There shall be no appeal to the Subdivision and Development Appeal Board on decisions made by Council on applications for proposed development on land zoned under the Direct Control District.

# 26. BARELAND CONDOMINIUM RESIDENTIAL RECREATION DISTRICT (BRC)

## 26.1 GENERAL PURPOSE

26.1.1 To provide opportunities for a bareland condominium residential recreation resort and associated amenities. This district will apply to the following lands: Plan 1124641, Block 1, Lot 3.

## 26.2 PERMITTED USES

26.2.1 Accessory Buildings and Uses incidental to an established primary use
26.2.2 Day Homes
26.2.3 Caretakers Residences, maximum of 4
26.2.4 Park Models
26.2.5 Public or Quasi Public Uses
26.2.6 Public Utilities
26.2.7 Public Utility Buildings
26.2.8 Recreational Use
26.2.9 Recreational Vehicle

## 26.3 DISCRETIONARY USES

26.3.1 Community Recreational Services
26.3.2 Convenience Retail Services
26.3.3 Eating Establishment
26.3.4 Home Occupation, minor

## 26.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 26.4.1 | Minimum Setbacks | a. Minimum lot areas is 695 $m^2$ (7481 $ft.^2$)<br>b. Minimum front yard setback is 7.6 m (25.0 ft). For bareland condominium lots with physical site constraints and or unique configurations, a front yard setback of 3 m will be permitted.<br>c. Minimum side yard setback is 1.5 m (5.0 ft).<br>d. Minimum rear yard setback is 6.0 m (19.7 ft). For bareland condominium lots with physical site constraints and or unique configurations, a rear yard setback of 3 m will be permitted. |
| 26.4.2 | Density | a. Maximum number of bareland condominium lots that may be created is 143.<br>b. Only one Park Model is permitted per bareland condominium lot. |
| 26.4.3 | Building Design, Character and Appearance | a. Park Models shall not be older than 10 years from date of Development Permit application.<br>b. Maximum floor area of park models (including additions, tip outs, push outs, pull outs, and enclosed decks) shall not exceed 100 $m^2$ (1080 $ft^2$) in total. |
| 26.4.4 | Minimum Servicing Standards | a. All lots must be provided with servicing pursuant to the appropriate Provincial regulations. |
| 26.4.5 | Mandatory Additional Referrals | To Alberta Transportation & Economic Corridors For:<br>▪ Subdivision applications within 800.0 m of a Provincial Highway<br>▪ Development Permit applications within 300.0 m of a Provincial Highway.<br>▪ Development Permit applications within 800.0 m of a Provincial Highway Intersection. |

# 27. WATERSHED PROTECTION LAND USE DISTRICT (WP)

## 27.1 GENERAL PURPOSE

27.1.1 To reduce flooding, improve water quality, and maintain wildlife habitat by encouraging the maintenance of natural vegetation adjacent to watercourses and in important watershed areas.

## 27.2 PERMITTED USES

27.2.1 Agriculture, Extensive
27.2.2 Day Homes
27.2.3 Dwelling, Single Detached
27.2.4 Dwelling, Manufactured Home
27.2.5 Home Occupations, Minor
27.2.6 Buildings and uses accessory to permitted uses

## 27.3 DISCRETIONARY USES

27.3.1 Animal Services Facilities
27.3.2 Apiaries
27.3.3 Bed and Breakfast Operations
27.3.4 Greenhouses
27.3.5 Home Occupations, Major
27.3.6 Public and Quasi-Public Services
27.3.7 Public Buildings
27.3.8 Public Utilities
27.3.9 Recreation, Extensive
27.3.10 Suites, Guest House
27.3.11 Buildings and uses accessory to discretionary uses
27.3.12 Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

## 27.4 DEVELOPMENT REGULATIONS

| | | |
|---|---|---|
| 27.4.1 | Lot Sizes | a. Land which is cleared and in production may be subdivided under the rules set out for the Agricultural Land Use District.<br>b. One existing farmstead may be subdivided out of a complete quarter section under the rules set out for the Agricultural and Rural Residential districts.<br>c. Land which is:<br>i. at least 80% covered by mature trees; or<br>ii. at least 80% historically wetland which is incapable of supporting a crop or tame hay<br>may be subdivided into lots with a minimum size of 8.0 ha (20 ac) provided that each lot has a suitable building site. |
| 27.4.2 | Number of Dwellings on a Lot | a. No more than one dwelling shall be placed on a lot. |
| 27.4.3 | Minimum Setback Requirements | a. Front Yard: 30.0 m (98.4 ft) from the front property line.<br>b. Rear Yard: 6.0 m (19.7 ft)<br>c. Side Yard: 6.0 m (19.7 ft)<br>d. No development shall be located within 50.0 m (164.0 ft) of a boundary of a lake, creek, stream or ravine. |
| 27.4.4 | Maintenance of Natural Vegetation | a. No more than 20% of the natural vegetation of a parcel shall be cleared or removed.<br>b. Subdivision Authority may require, as a condition of subdivision approval, that a restrictive covenant, conservation easement, or similar agreement be registered on the title to enforce the restrictions on clearance of natural vegetation. |
| 27.4.5 | Maximum Height Requirements | a. Maximum allowable building height shall be 9.1 m (30.0 ft). |

# 28. STATUTORY PLAN OVERLAY (SP)

28.1.1 The Statutory Plan Areas Overlay is not a District; rather it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

28.1.2 Purpose of the Statutory Plan Areas Overlay is to identify areas in the County where there is an existing:

a. Area Structure Plan;
b. Area Redevelopment Plan;
c. Intermunicipal Development Plan; or
d. Conceptual Scheme.

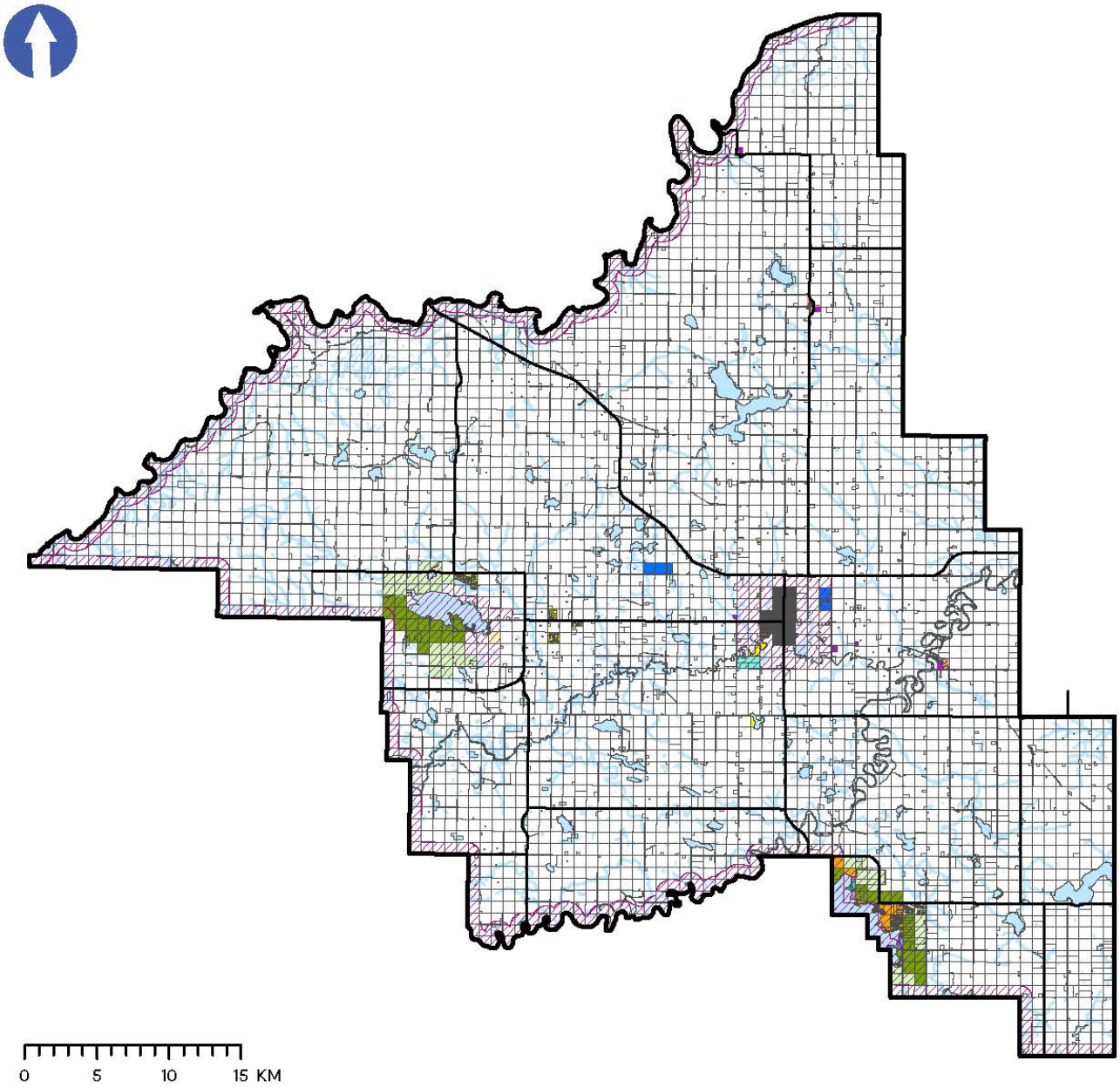
28.1.3 Development in these areas may require additional information to be submitted by the applicant to ensure conformity to the applicable Statutory Plan.

28.1.4 Within the Statutory Plan Areas Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

28.1.5 Within the Statutory Plan Area Overlay identified on the Land Use District Map, Schedule A, the regulations of this Section apply in addition to the other regulations of this Bylaw.

28.1.6 Policies and objectives affecting these areas are delineated in the respective Statutory Plans including the Thunder Lake Area Structure Plan, the Lac La Nonne Intermunicipal Development Plan, and the County of Barrhead & Town of Barrhead Intermunicipal Development Plan.

# 29. LAND USE DISTRICT MAP



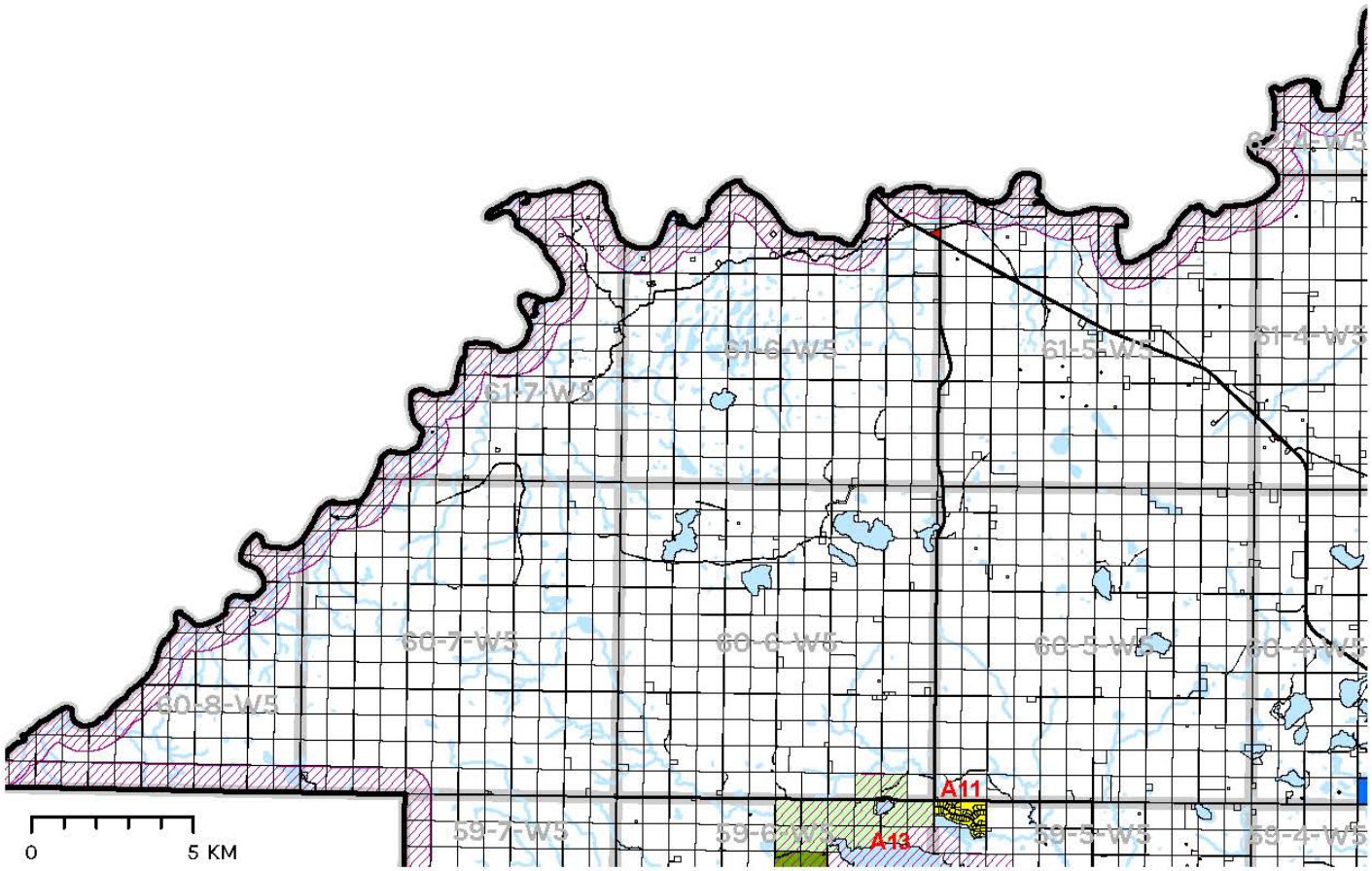
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**County of Barrhead Land Use Bylaw**

Land Use District Map

**Map 1 - County Overall**

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

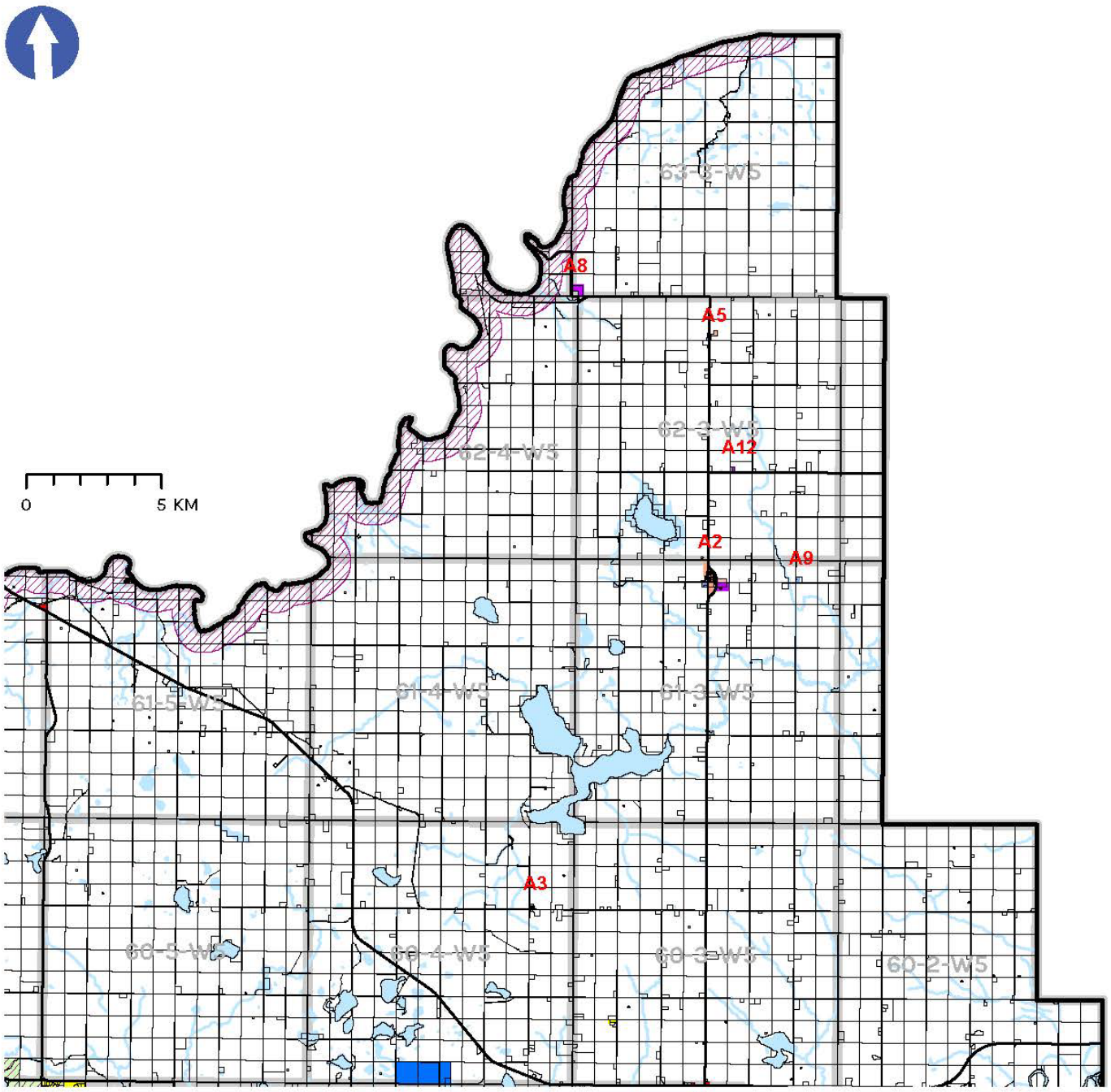



# County of Barrhead Land Use Bylaw

## Land Use District Map

### Map 1.1 - County Northwest

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
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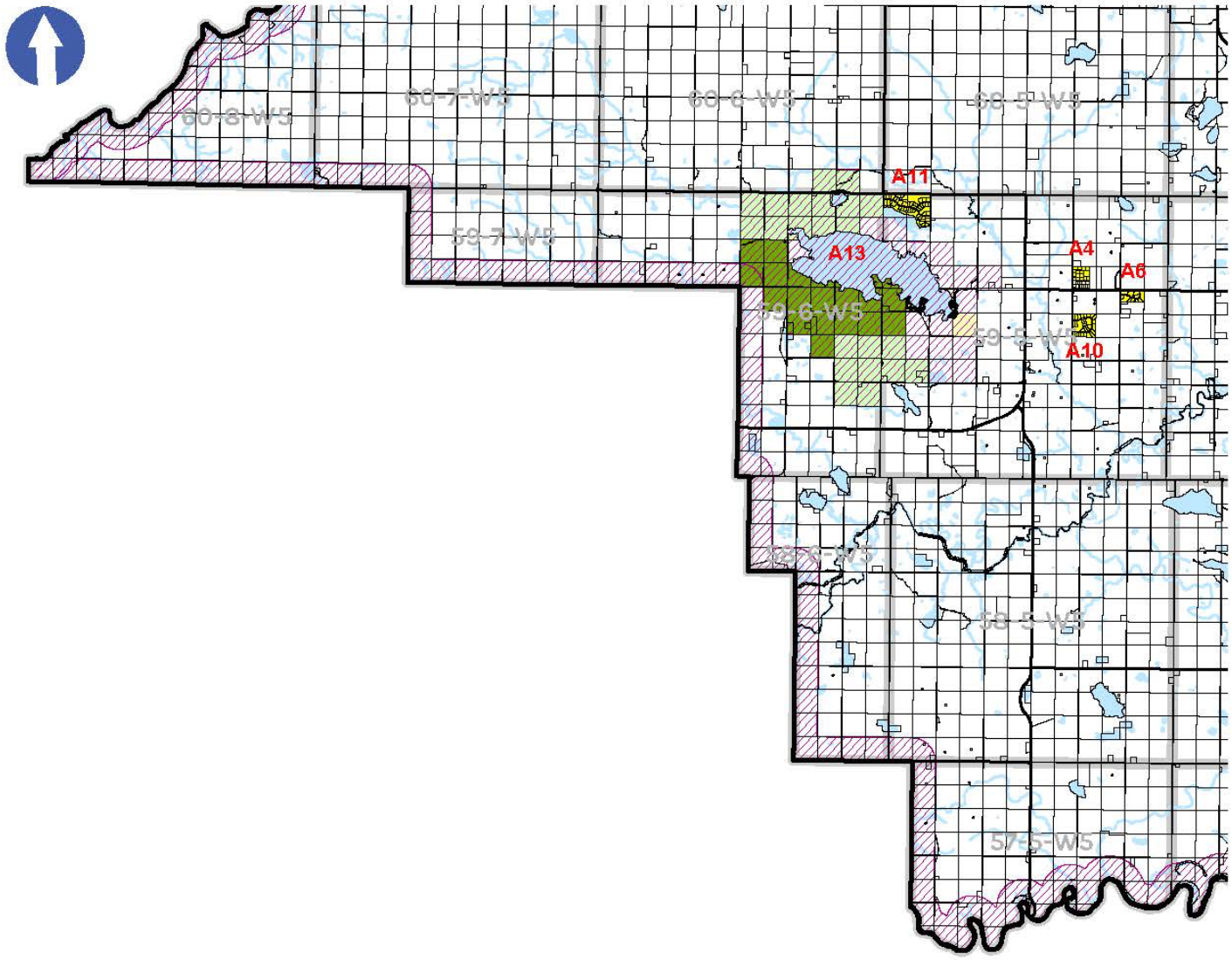



# County of Barrhead Land Use Bylaw

## Land Use District Map

### Map 1.2 - County Northeast

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
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- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
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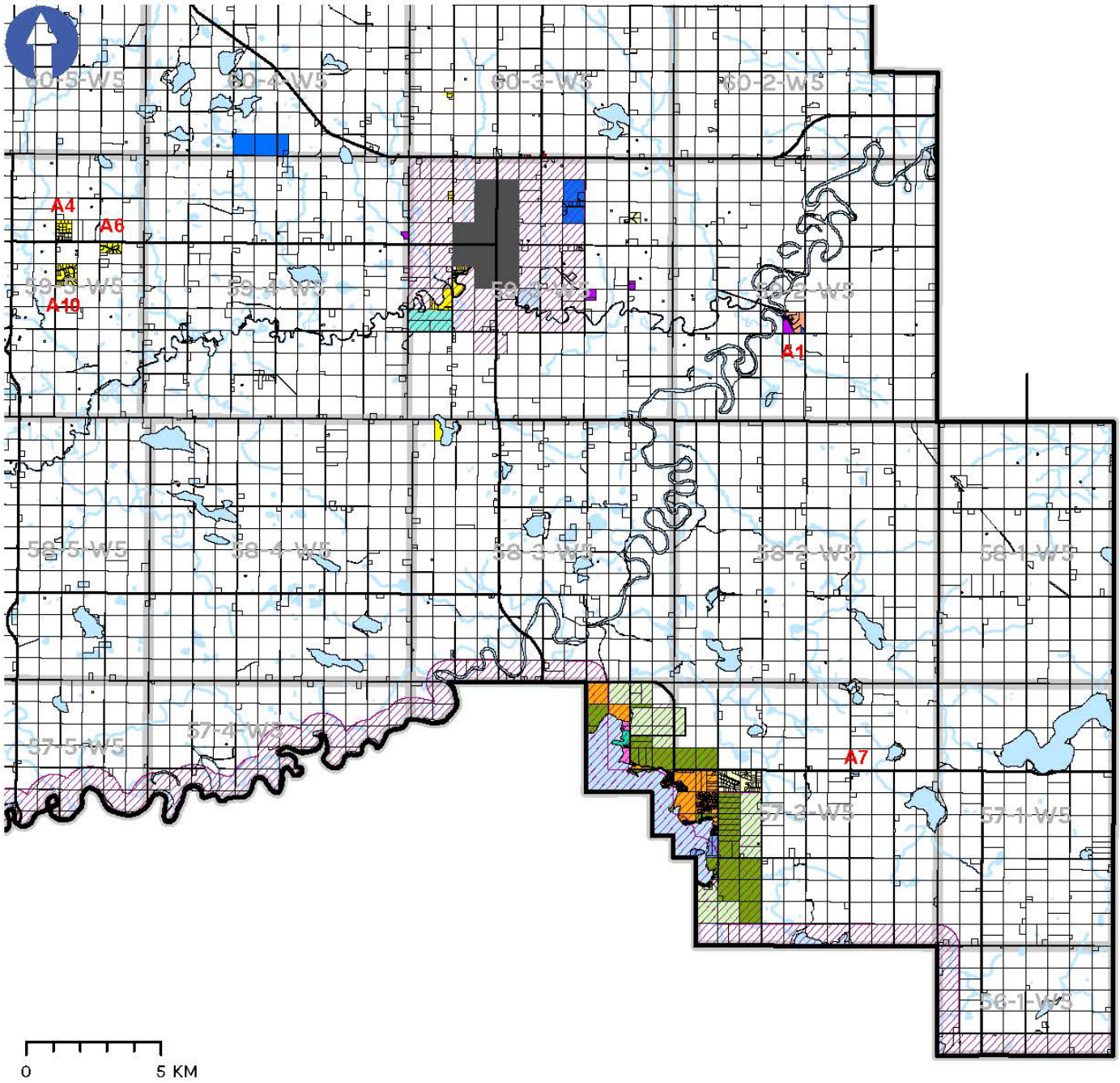

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# County of Barrhead Land Use Bylaw

## Land Use District Map

### Map 1.3 - County Southwest

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
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- UC - Urban Commercial
- HC - Highway Commercial
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- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay




# County of Barrhead Land Use Bylaw

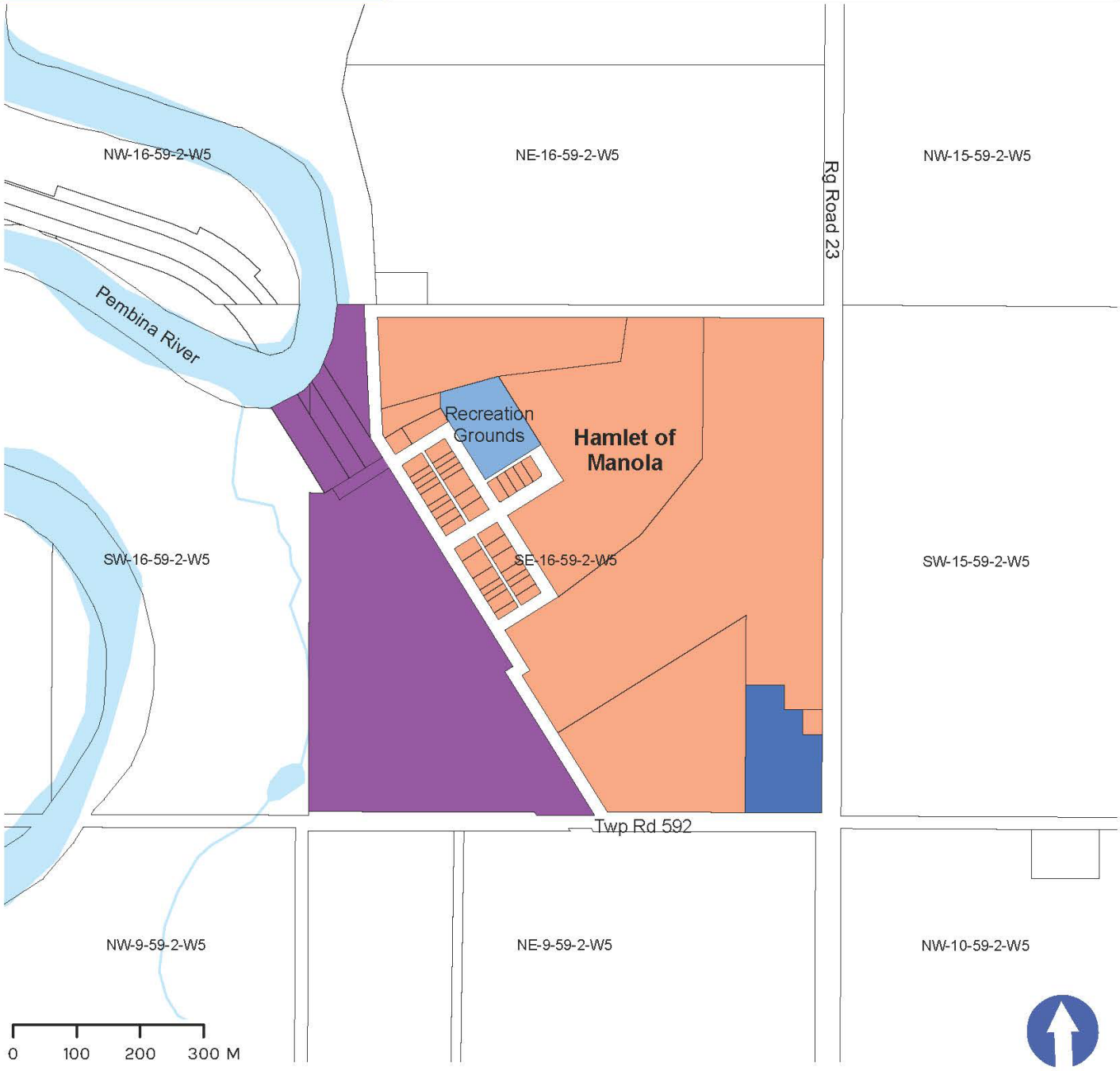
## Land Use District Map

### Map 1.4 - County Southeast

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
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- CRC - Commercial Recreational
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- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A1
## Hamlet of Manola




### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
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- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A2
## Hamlet of Neerlandia




### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A3
## Residential Community of Bloomsbury




### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
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- UC - Urban Commercial
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- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A4
## Hamlet of Campsie

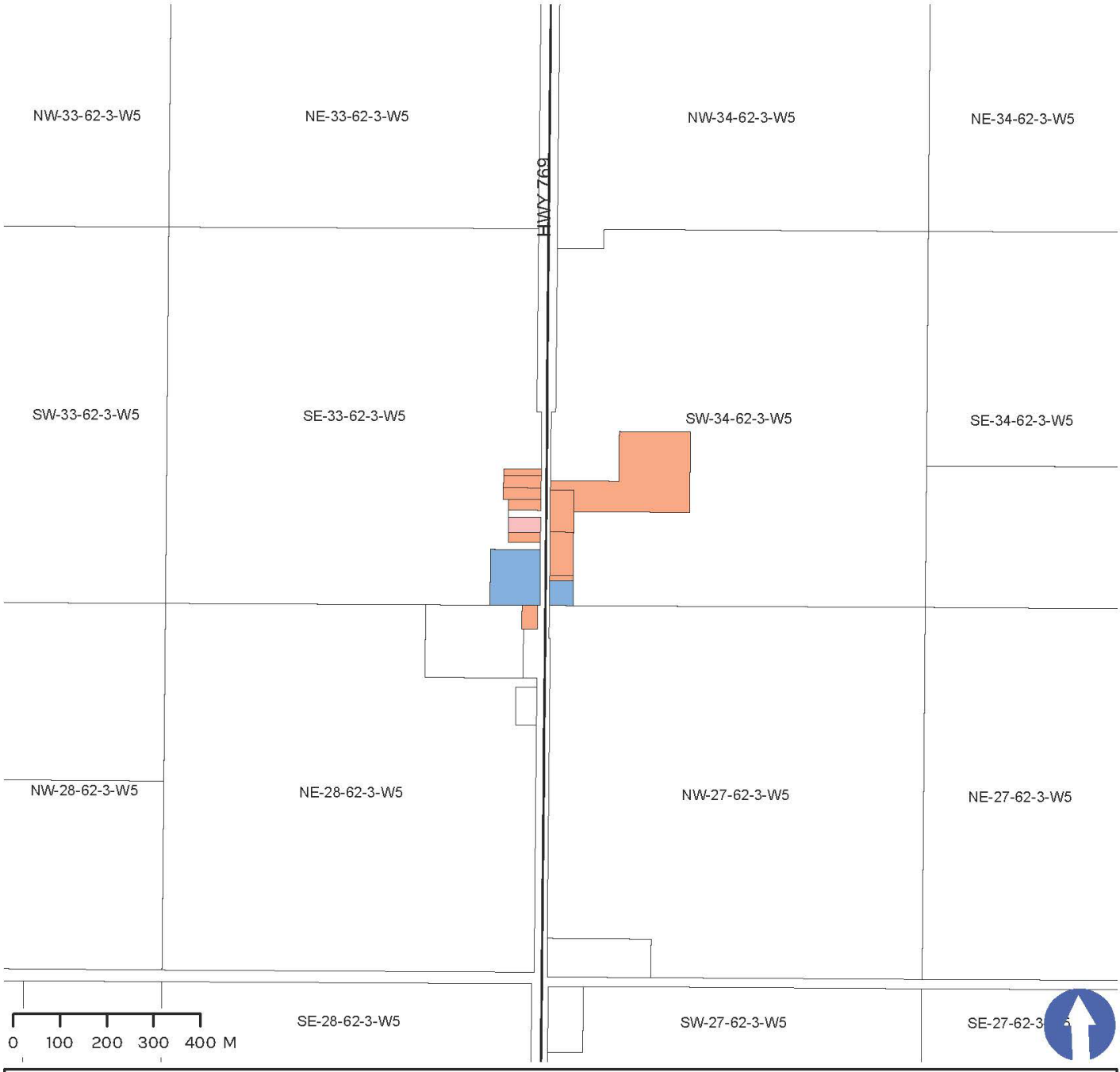



### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A5
## Residential Community of Vega

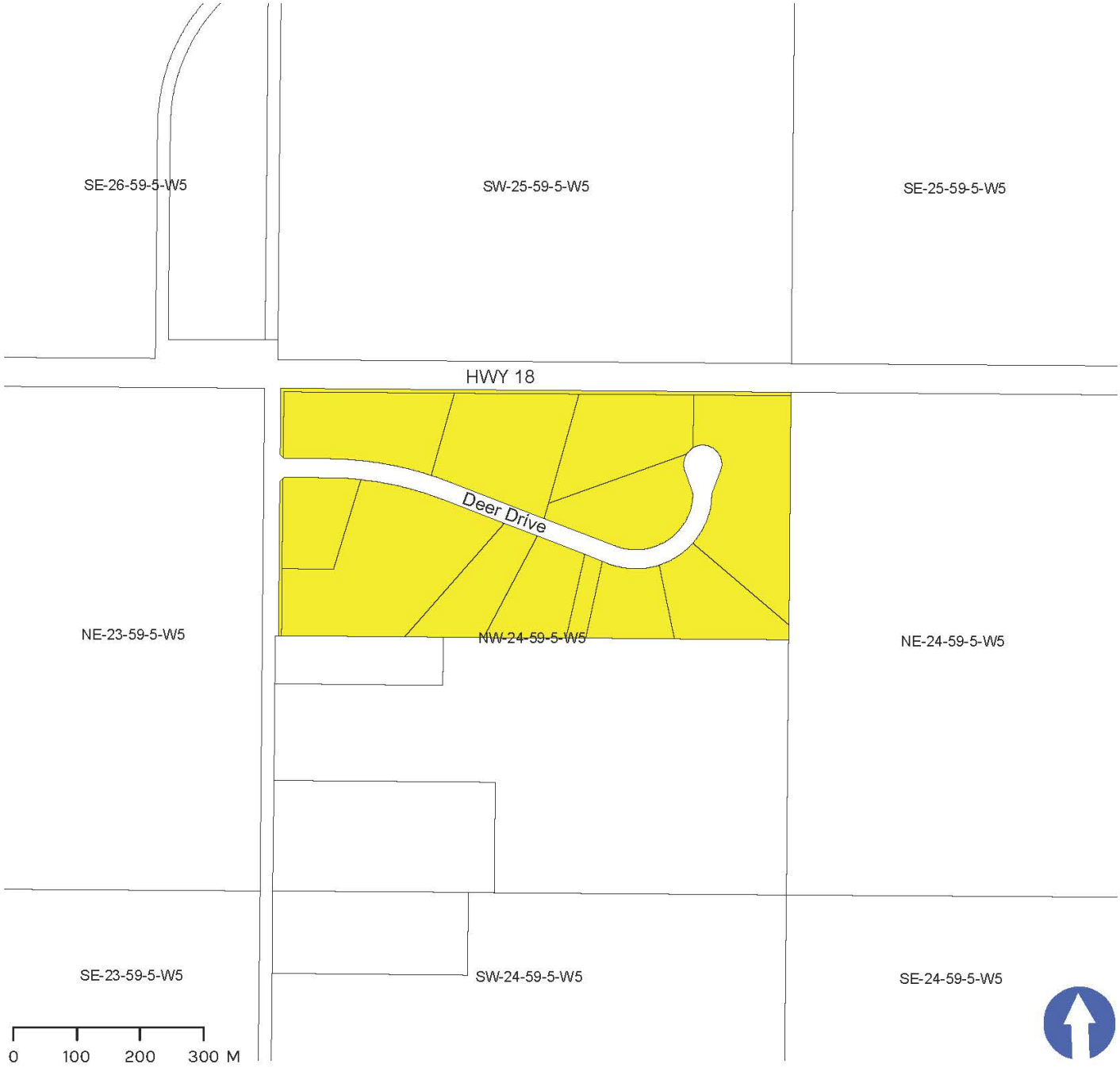



### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A6
## Residential Community of Campsie Cove

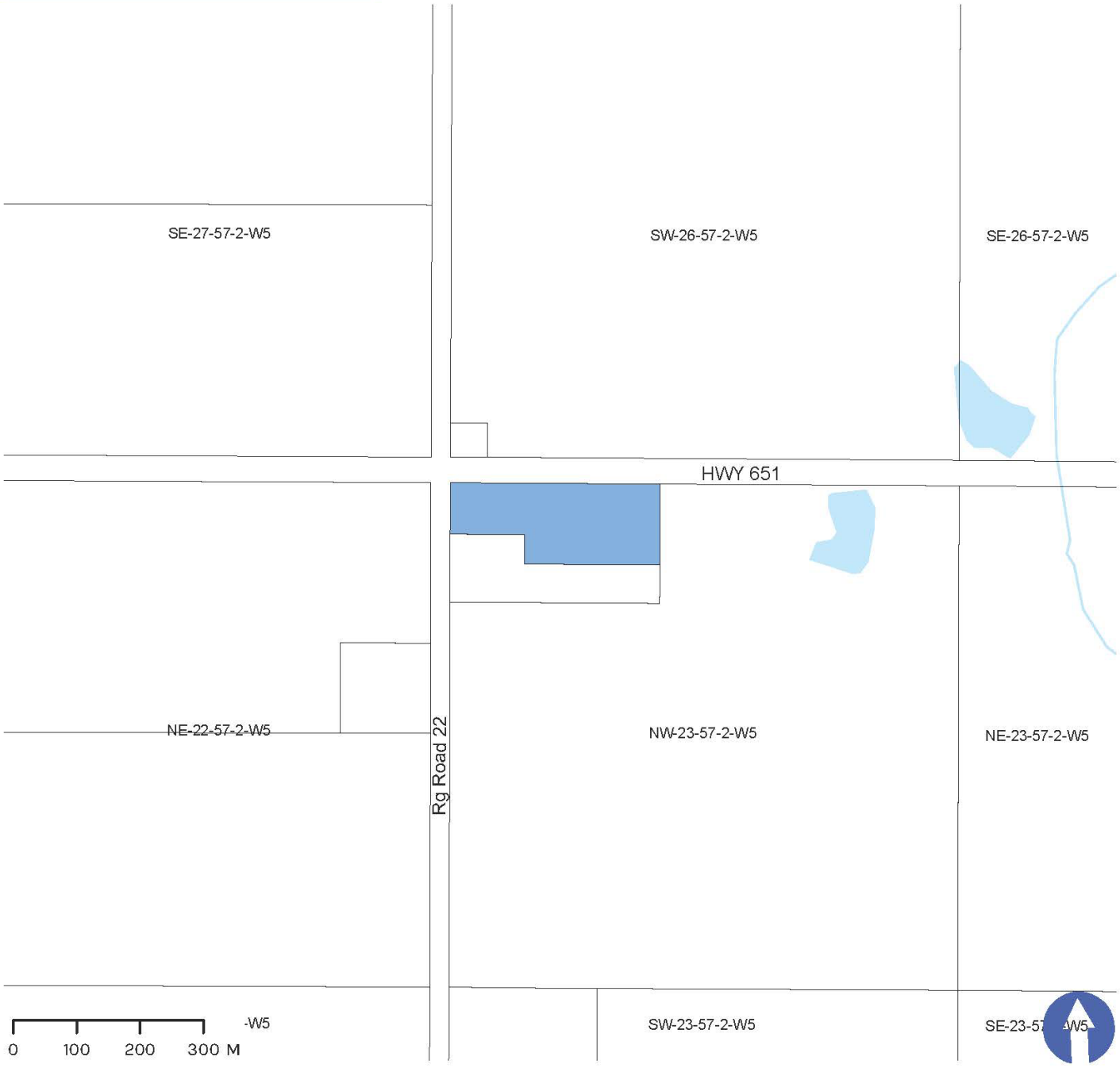



### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
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- UR - Urban Residential
- C/I - Commercial/Industrial
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- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
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# County of Barrhead Land Use Bylaw

## Map A7
## Dunstable School

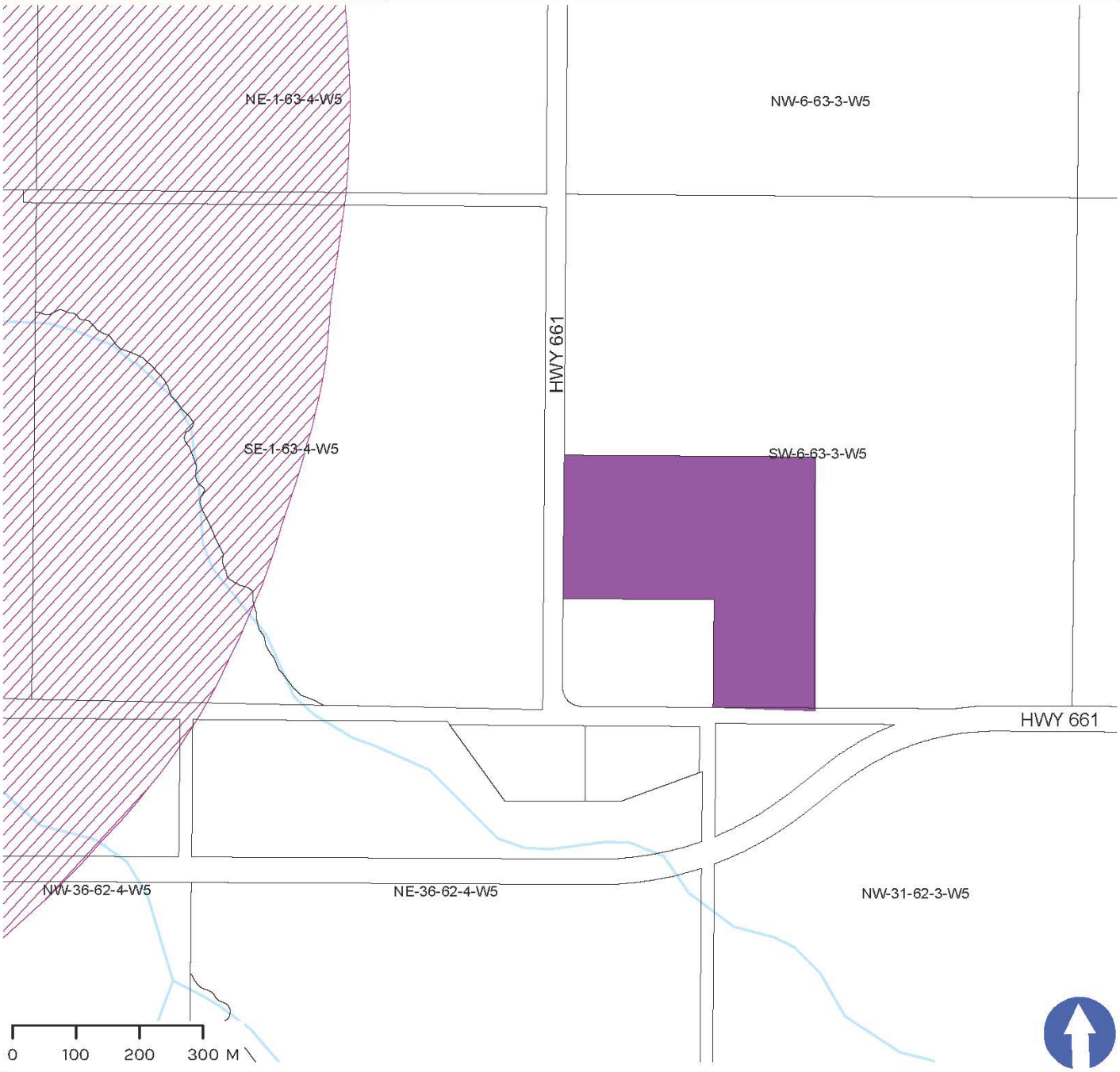



### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A8
## SW 6-63-3-W5




### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A9
## Covenant School

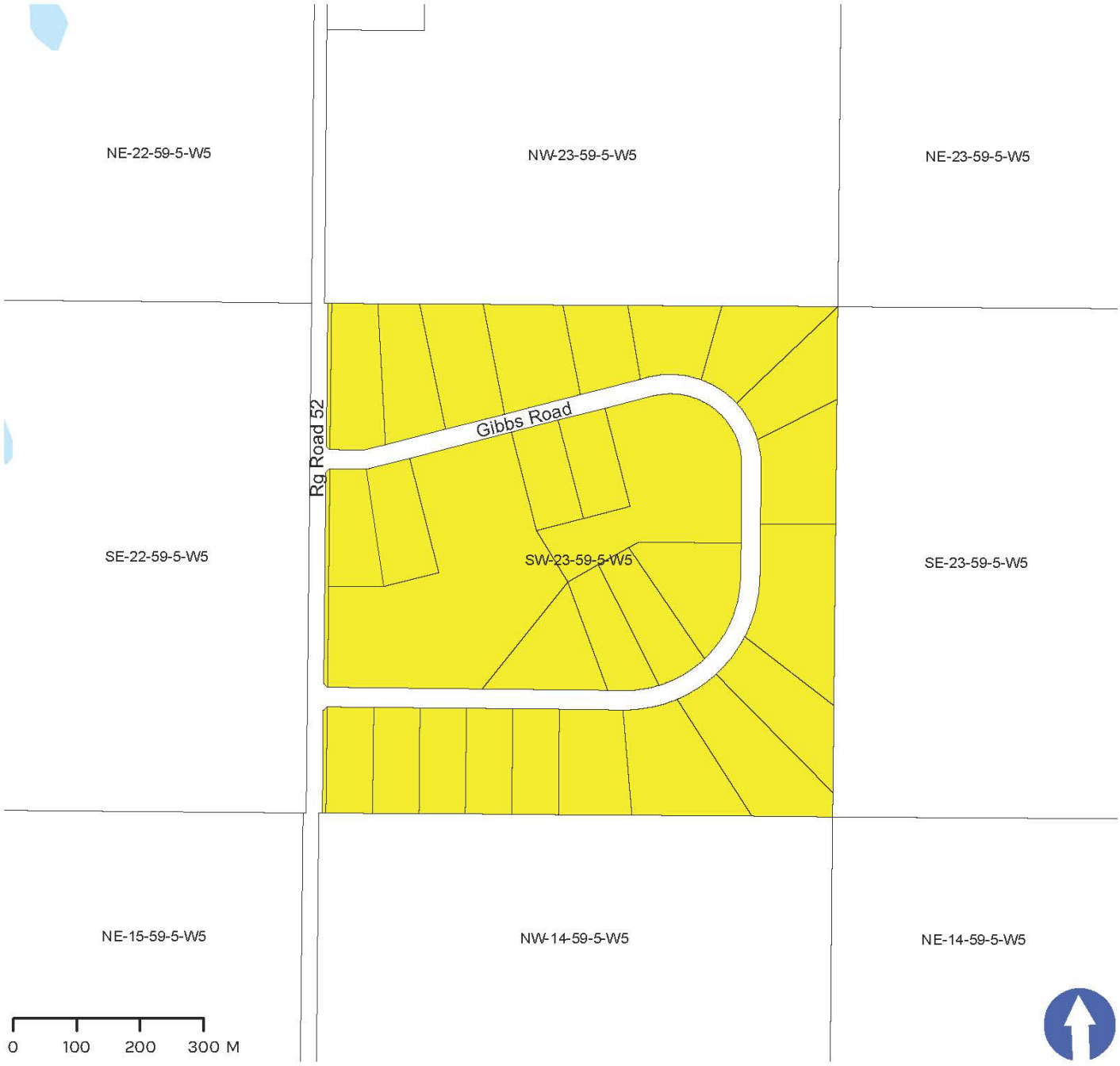



### Land Use Districts

- AG - Agriculture
- AC - Agricultural Conservation
- RC - Rural Conservation
- AV - Airport Vicinity
- CR - Country Residential
- CRR - Country Residential Restricted
- BRC - Bareland Condominimum Recreation Residential
- RR - Residential Recreation
- UR - Urban Residential
- C/I - Commercial/Industrial
- CRC - Commercial Recreational
- UC - Urban Commercial
- HC - Highway Commercial
- I - Institutional
- DC - Direct Control
- WP - Watershed Protection
- SP - Statutory Plan Overlay

# County of Barrhead Land Use Bylaw

## Map A10
## Residential Community of Cambarr Estates

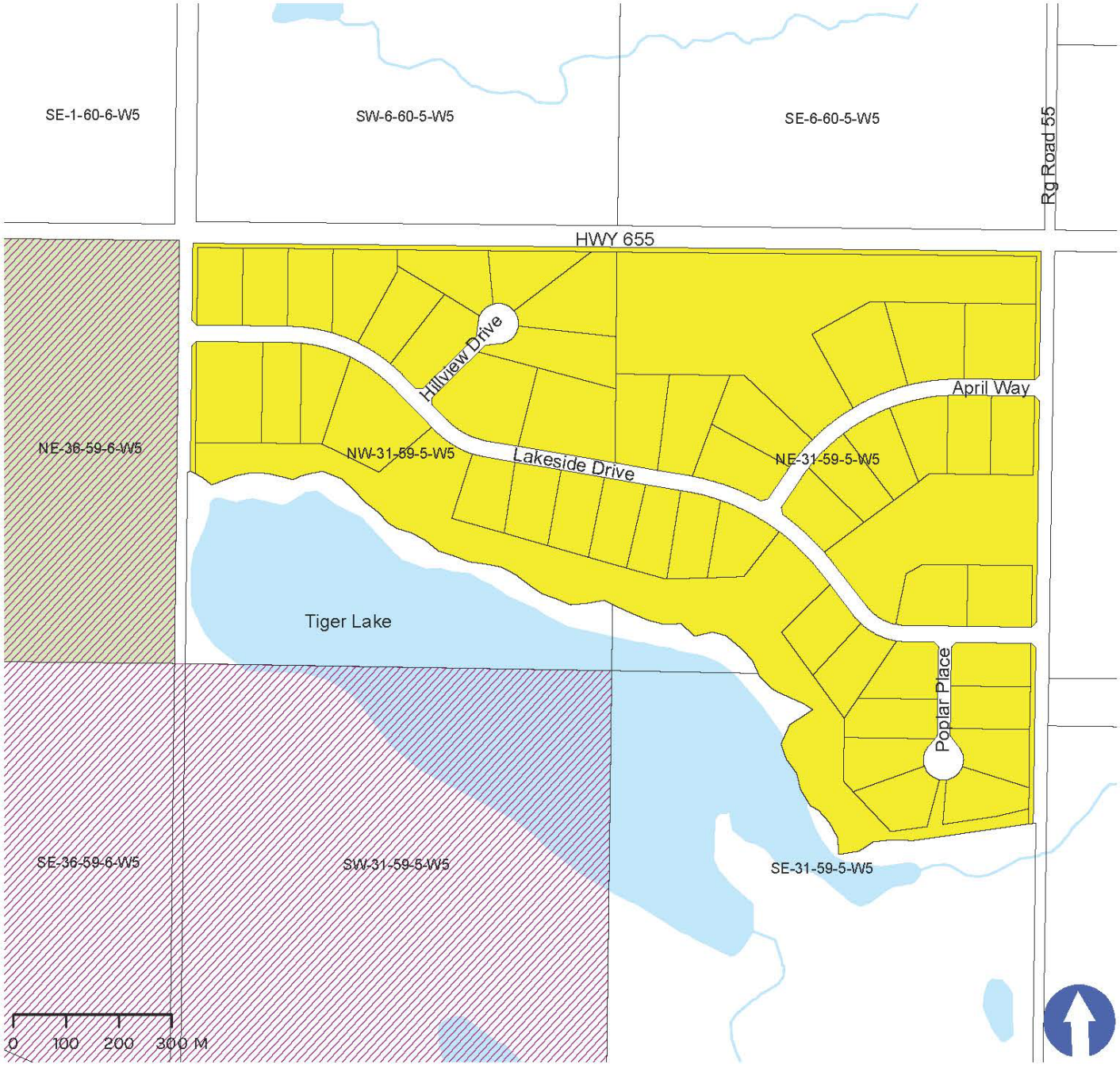



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# County of Barrhead Land Use Bylaw

## Map A11
## Residential Community of Tiger Lake

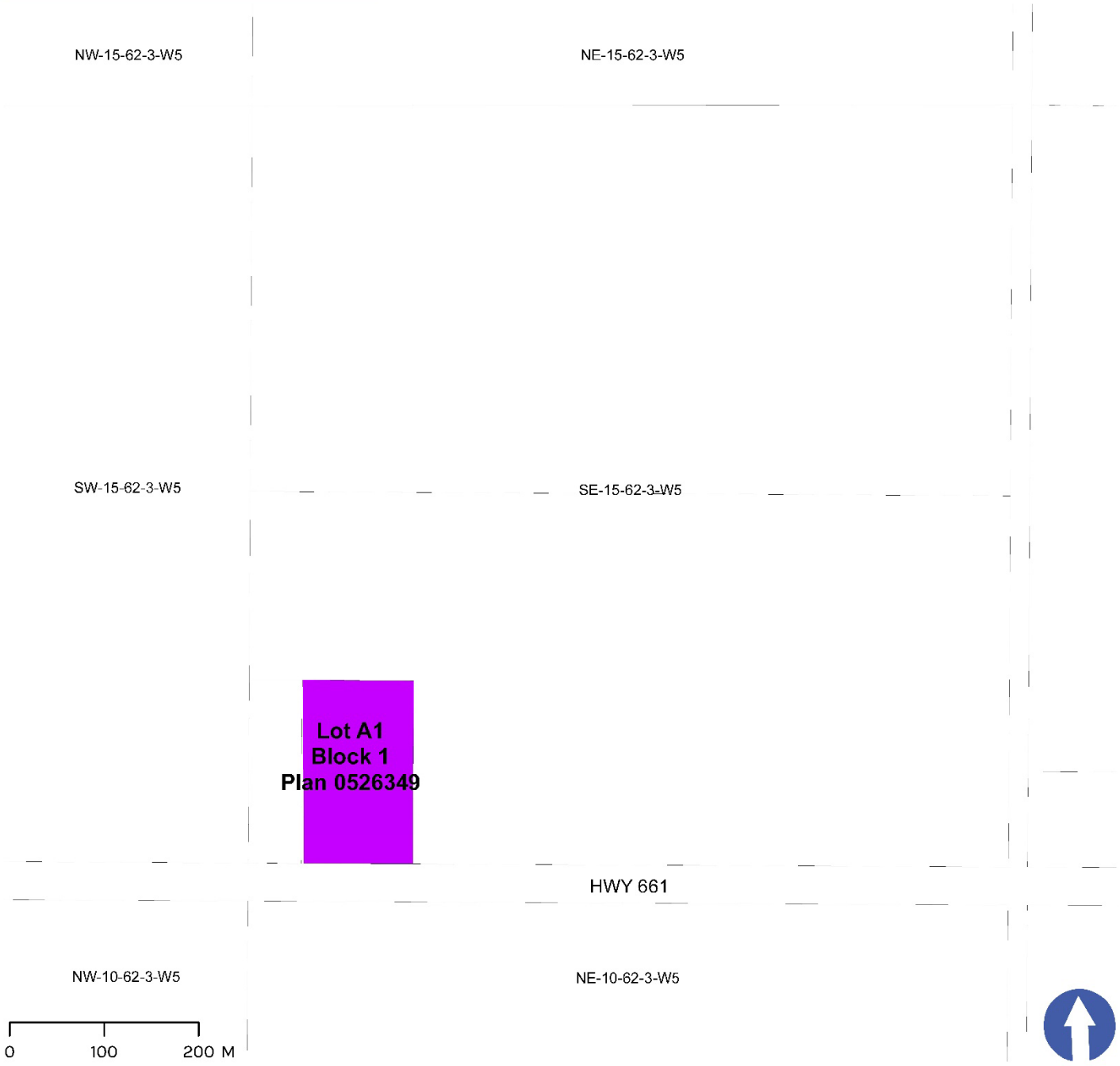



### Land Use Districts

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# County of Barrhead Land Use Bylaw

Map A12
Lot A1 Bock 1 Plan 0526349

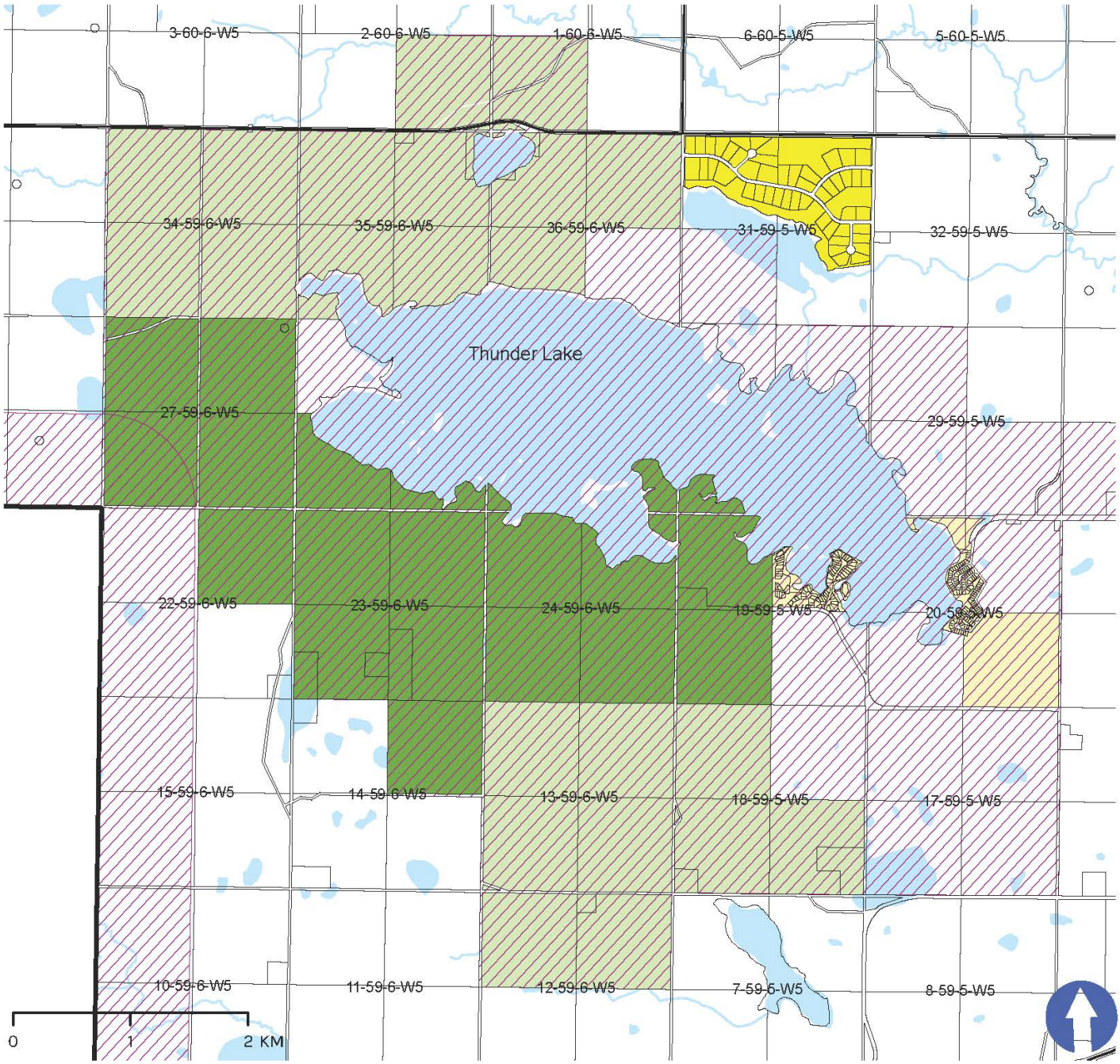



## Land Use Districts

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# County of Barrhead Land Use Bylaw

## Map A13
## Thunder Lake Statutory Plan Overlay Area




## Land Use Districts

- AG - Agriculture
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