

BYLAW NO. 1610
Land Use Bylaw



The County of
ST. PAUL NO. 19



Table of Contents

PART 1 - INTRODUCTION.....	4
1.1 TITLE	4
1.2 PURPOSE	4
1.3 DEFINITIONS.....	4
1.4 METRIC AND IMPERIAL MEASUREMENTS	19
PART 2 - GENERAL ADMINISTRATIVE PROCEDURES	20
2.1 DEVELOPMENT APPROVAL AUTHORITIES	20
2.2 CONTROL OF DEVELOPMENT	21
2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT	21
2.4 NON-CONFORMING BUILDINGS AND USES	22
PART 3 - DEVELOPMENT APPLICATION PROCESS	23
3.1 APPLICATION FOR DEVELOPMENT.....	23
3.2 DECISION PROCESS	24
3.3 DEVELOPMENT ON RESERVE LANDS.....	25
3.4 DEVELOPMENT PERMITS AND NOTICES	26
PART 4 - DEVELOPMENT APPEAL PROCESS	27
4.1 APPEAL PROCEDURE.....	27
4.2 APPEAL HEARING.....	27
4.3 APPEAL DECISION	28
PART 5 - BYLAW AMENDMENT PROCESS	30
5.1 APPLICATION FOR AMENDMENT.....	30
5.2 PUBLIC HEARING PROCESS.....	30
PART 6 - ENFORCEMENT AND ADMINISTRATION.....	31
6.1 CONTRAVENTION AND PENALTIES	31
PART 7 - LAND USE PROVISIONS.....	33
7.1 ABOVE-GROUND FUEL STORAGE TANKS	33
7.2 ACCESSORY BUILDINGS	33
7.3 BARBED WIRE AND PAGE WIRE FENCING.....	34
7.4 BED AND BREAKFAST ESTABLISHMENTS	34
7.5 BUILDING HEIGHT	34
7.6 COMMUNICATION TOWERS.....	35
7.7 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES	36
7.8 DECKS	36
7.9 DEVELOPMENT SETBACKS	37
7.10 DUGOUTS.....	38
7.11 EXISTING SUBSTANDARD LOTS	38

7.12	FIRE PITS.....	38
7.13	HISTORICAL AND ARCHEOLOGICAL SITES.....	38
7.14	HOME OCCUPATIONS.....	39
7.15	INTENSIVE AGRICULTURAL AND HORTICULTURAL USES.....	40
7.16	KEEPING OF ANIMALS.....	41
7.17	KENNELS.....	41
7.18	LANDSCAPING.....	41
7.19	MANUFACTURED HOMES.....	42
7.20	MANUFACTURED HOME PARKS.....	43
7.21	NUMBER OF DWELLING UNITS ON A LOT.....	45
7.22	NATURAL RESOURCE EXTRACTION INDUSTRIES.....	46
7.23	OBJECTS PROHIBITED OR RESTRICTED IN YARDS.....	47
7.24	OFF-STREET LOADING.....	47
7.25	OFF-STREET PARKING.....	48
7.26	PERMITTED PROJECTIONS.....	51
7.27	PROTECTION FROM HAZARDS.....	53
7.28	RECREATION.....	53
7.29	RURAL INDUSTRIES.....	53
7.30	SECONDARY SUITES.....	54
7.31	SERVICE STATIONS AND GAS BARS.....	55
7.32	SEWAGE HOLDING TANKS.....	56
7.33	SIGNS.....	56
7.34	SINGLE LOT SUBDIVISIONS FOR COUNTRY RESIDENTIAL DEVELOPMENT.....	57
7.35	SOUR GAS FACILITIES.....	59
7.36	SUBDIVISION OF LAND.....	59
7.37	SUITABILITY FOR DEVELOPMENT.....	60
7.38	WIND ENERGY CONVERSIONS SYSTEMS.....	60
7.39	WORK CAMPS.....	63
PART 8 - LAND USE DISTRICTS - USES AND REGULATIONS.....		64
8.1	ESTABLISHMENT OF LAND USE DISTRICTS.....	64
8.2	AGRICULTURE (A) DISTRICT.....	65
8.3	GENERAL URBAN (U) DISTRICT.....	67
8.4	COUNTRY RESIDENTIAL ONE (CR1) DISTRICT.....	69
8.5	COUNTRY RESIDENTIAL TWO (CR2) DISTRICT.....	71
8.6	LIGHT INDUSTRIAL RESIDENTIAL (IR) DISTRICT.....	73
8.7	INDUSTRIAL/COMMERCIAL (IC) DISTRICT.....	76
8.9	LINEAR PARCEL DIRECT CONTROL (LPDC) DISTRICT.....	78
8.10	RECREATION VEHICLE (RV) DISTRICT.....	79
8.11	HIGHWAY OVERLAY (HO) DISTRICT.....	82
8.12	IDP OVERLAY (IDPSP) DISTRICT ST. PAUL.....	84
8.13	IDP OVERLAY (IDPEP) DISTRICT ELK POINT.....	85
PART 9 – ADOPTION.....		86
9.1	ADOPTION.....	86

PART 1 - INTRODUCTION

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the County of St. Paul No. 19.

1.2 PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County to achieve the orderly and economic development of land, and for that purpose, amongst other things:

- (1) to divide the County into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish the Development Authority for the County of St. Paul No. 19 and the office of one or more Development Authority Officers;
- (4) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) to provide the manner in which notice of the issuance of a development permit is to be given.

1.3 DEFINITIONS

For the purposes of this Bylaw:

- (1) "**accessory**", when used to describe a use or building, means a use or building naturally and normally subordinate and exclusively devoted to the main use or building situated on the same lot;
- (2) "**Act**" means the Municipal Government Act, R.S.A. 2000, as amended;
- (3) "**adjacent land**" means land that is contiguous to a particular parcel of land and includes:
 - a. land that would be contiguous if not for a highway, road, or waterbody, and
 - b. any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 3.3 of this Bylaw;
- (4) "**agricultural land**" means the land upon which an agricultural operation operates;
- (5) "**agricultural operation**" means an agricultural operation as defined in the Agricultural Operation Practices Act, but does not include a confined feeding operation;

- (6) "**agricultural production**" means the production of an agricultural operation. It shall also mean the agricultural product storage, service facilities and farmsteads which relate to the individual farm unit;
- (7) "**agricultural service centre**" means a business which provides non-industrial, agriculturally-oriented services to the rural community. Without restricting the generality of the foregoing, this shall include the retailing, servicing, and/or repairing of agricultural implements and goods such as farm machinery dealers, grain elevators, and fertilizer sales;
- (8) "**amusement establishment, indoor**" means a development providing recreational facilities with table games and/or electronic games, used by patrons for entertainment. Indoor amusement establishments include billiard parlours, electronic games arcades with tables and/or games and bowling alleys, but shall not include gambling machines such as video lottery terminals;
- (9) "**amusement establishment, outdoor**" means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;
- (10) "**apartment building**" means a dwelling containing five (5) or more dwelling units and which share a common entrance, and which does not conform to the definition of any other residential use;
- (11) "**applicant**" means the person applying for a development permit, who shall be the registered owner(s) of the land to be developed or the representative or agent of the owner(s), duly authorized by the owner in writing to make application on behalf of the owner(s) as evidenced on the application form;
- (12) "**auto wrecker**" means a use where the primary activity is the storage and wrecking of vehicles, usually for parts of scrap metal re-sale.
- (13) "**basement suite**" means a self-contained dwelling unit, in the basement of a single detached dwelling, having a common access with a dwelling unit on the main floor;
- (14) "**bed and breakfast establishment**" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (15) "**bingo hall**" means a building or a portion of a building where the game of bingo and other similar board games may be played. Bingo halls may include an eating and drinking establishment as an accessory use;

- (16) "**building**" includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;
- (17) "**casino**" means a development where gambling occurs through card or similar table games, and may include video lottery terminals or slot machines (a gambling machine establishment) as part of the development. Casinos may include an eating and drinking establishment as an accessory use;
- (18) "**commercial service centre**" means a business establishment involved in the servicing, retailing and repairing of goods to the general public. Without restricting the generality of the foregoing, this includes a service station, general retail establishments, eating and drinking establishments, entertainment establishments, auto sales outlets, and offices;
- (19) "**communication tower**" means a structure for transmitting or receiving television, radio, telephone, internet or other electronic communications which is regulated by Industry Canada.
- (20) "**confined feeding operation**" means a confined feeding operation as defined in the Agricultural Operation Practices Act;
- (21) "**corner lot**" means a lot with boundary lines on two separate roads or highways, or a single road or highway that curves at an angle of 60 degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane;
- (22) "**Council**" mean the Council of the County of St. Paul No. 19;
- (23) "**country residential use**" means a development comprising a single detached dwelling or manufactured home located in the Agriculture (A) or Urban Expansion (UX) District which is situated on a parcel used for residential uses and uses accessory to residential uses. The dwelling may be occupied permanently or seasonally;
- (24) "**day home**" means a provincially licensed facility operated from a residence supplying supervision of a maximum of five (5) children under the age of eleven (11) years or senior citizens over the age of sixty-five (65) years, including any resident children and seniors. A day home may supply an outside recreation space that is both fenced and gated, and shall meet all fire regulations and health regulations;
- (25) "**daycare centre**" means a place that receives for temporary custody more than five (5) children under eleven (11) years of age not of common parentage, and which is not part of a public school or separate school;

- (26) "**development**" means
- a. an excavation or stockpile and the creation of either of them, or
 - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (27) "**development authority**" means the development authority of the County as established by this Bylaw;
- (28) "**development authority officer**" means a person appointed as a development authority officer pursuant to this Bylaw;
- (29) "**development permit**" means a document authorizing a development issued pursuant to this Land Use Bylaw;
- (30) "**discretionary use**" means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made;
- (31) "**domestic pet**" means an animal which is normally kept inside a dwelling. Domestic pets includes, dogs, cats, parrots, and similar-sized animals, but does not include livestock;
- (32) "**double fronting lot**" means a lot which abuts two roads or highways, or a road and a highway, and which is not a corner lot;
- (33) "**dugout**" means a structure of earth, rock, concrete or other material designed to retain water for household, recreation or general agricultural purposes and does not include a lagoon for the purposes of processing wastewater;
- (34) "**duplex**" means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other, provided that in the case of a dwelling unit located below another, the dwelling unit below is not a basement suite as defined in this Bylaw;
- (35) "**dwelling**" means any building used exclusively for human habitation. This definition shall include single detached dwellings, duplexes, row housing, apartment buildings, and manufactured homes;

- (36) "**dwelling unit**" means a complete dwelling or self-contained portion of a dwelling, set or suite of rooms which contains sleeping, cooking, accommodation, and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which is not, except for a basement suite, separated from direct access to the outside by another separate dwelling unit;
- (37) "**eating and drinking establishment**" means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands, take-out restaurants, and drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment or a gambling machine establishment unless otherwise provided for in an approved development permit;
- (38) "**entertainment establishment**" means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;
- (39) "**extensive agriculture**" means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act;
- (40) "**extensive recreation**" means a recreational development where the prime reason for the location is to take advantage of natural physical features and to provide for non-facility-oriented recreational activities. Without restricting the generality of the foregoing, this shall include hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping, and similar uses;
- (41) "**family care facility**" means a facility which provides resident service in a dwelling to six (6) or fewer individuals who are not related to the resident household. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes and family homes;

- (42) **"farm building"** means accessory buildings that:
- (a) Does not contain a residential occupancy,
 - (b) Is located on land used as a farm, or is zoned for agricultural use and directly supports the primary farm operation,
 - (c) Has a low occupant load, and
 - (d) Is not used or occupied by, or expected to be used or occupied by, the public or persons, other than the farmer or farmers that own the building, their immediate family, and/or their employees, that may be in the building from time to time,

and the building is used for

- (a) Housing livestock,
 - (b) Storing, sorting, grading or bulk packaging primary agricultural products, or
 - (c) Housing, storing or maintaining machinery associated with the operation of a farm on which it is located.
- (43) **"farmstead"** means that area of land in an agricultural operation on which is situated a habitable dwelling (either a single detached dwelling or a manufactured home), barns, shed, or other buildings and other improvements used in connection with an agricultural operation, and situated on a parcel of land used in connection with such agricultural operation. If a farmstead is subdivided from the titled area on which the agricultural operation occurs, the use shall be considered a country residential use;
- (44) **"fourplex"** means a building containing four dwelling units each with direct access to the outside grade, but not all the units are required to have separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly.
- (45) **"fragmented parcel"** means a parcel of land that is separated from the balance of a titled area by a natural barrier such as a waterbody or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access;
- (46) **"front line"** means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line. For the purposes of lakefront lots or parcels, the front line shall be the boundary line closest to the lake;
- (47) **"front yard"** means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the main building situated on the lot. For the purposes of lakefront lots, the front line of the lot shall be considered to be closest to the lake;

- (48) "**garage suite**" means an accessory dwelling located above a detached garage (above grade); or a single storey accessory dwelling attached to the side of, or rear of, a detached garage (at grade). A garage suite is accessory to an existing single detached dwelling. A garage suite has separate cooking, sleeping and bathing facilities, and has an entrance which is separate to the vehicle entrance, either from a common indoor landing, or directly from the exterior of the structure;
- (49) "**gambling machine establishment**" means a development where gambling may occur through the use of video lottery terminals or slot machines or other similar machines and devices, but not an establishment where gambling through card games or roulette or games similar to card games or roulette are played (a casino);
- (50) "**general industrial use**" means manufacturing, warehousing, or trans-shipment establishments which will not become obnoxious to surrounding properties by way of noise, odours, smoke, dust, or fumes;
- (51) "**general retail establishment**" means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments do not include developments where gasoline, new or used motor vehicles, alcohol, heavy agricultural and/or industrial equipment are sold or rented;
- (52) "**grade, building**" means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;
- (53) "**greenhouse or plant nursery**" means a building or structure intended for the cultivation of plants, shrubs and trees;
- (54) "**grid roads**" includes all Government Road Allowances in the County, and also includes all forced roads, other than those identified as minor two-lane highways, major two-lane highways, and multi-lane highways in the County's Municipal Development Plan;
- (55) "**gross floor area**" of a building means the total area of all floors above grade, calculated by reference to the perimeter of the foundation of the building.

- (56) **"group care facility"** means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as halfway houses, resident schools, resident facilities, and foster or boarding homes. For the purposes of this Bylaw, this category also includes centres related to drug and/or alcohol rehabilitation, no matter how many individuals are being treated;
- (57) **"group home"** means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults, however, for the purposes of this Bylaw, a group home does not include a rehabilitation centre related to alcohol and/or drug rehabilitation;
- (58) **"highway"** means a highway or proposed highway that is designated or numbered and is under the management and control of the Province of Alberta pursuant to the Public Highways Development Act;
- (59) **"home occupation"** means any occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate, not exceeding 0.2 m² (2.15 ft²) in area. Within the Agricultural (A) District, a home occupation may include the use of any building built specifically for use by that home occupation. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each as indicated in Part 7 of this Bylaw. A minor home occupation does not include the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling. A major home occupation does not include the employment at the dwelling or accessory buildings of more than two (2) paid assistants, other than the occupant and the occupant's family;
- (60) **"hotel"** means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, meeting rooms, personal services shops, indoor amusement establishments, and general retail stores no larger than 100 m² (1076.9 ft²), but shall not include any entertainment establishment or a gambling machine establishment unless specifically approved by the Development Authority;
- (61) **"household"** means: a person, or two (2) or more persons related by blood, marriage, or adoption; or a group of not more than three (3) persons who are not related by blood, marriage, or adoption, all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants;

- (62) **"industrial warehouse"** means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes;
- (63) **"institutional and public use"** means a building, structure or parcel used for services that are owned by a public/private institution or a municipal, provincial or federal corporation which provides services for the public or its members (i.e. churches, schools, cemeteries, etc.);
- (64) **"intensive agriculture"** means a commercial agricultural operation which raises crops on a land-intensive basis. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, market gardens, silviculture and sod farms, but not confined feeding operations;
- (65) **"intensive recreation"** means high density recreational activities. Without restricting the generality of the foregoing, this shall include campgrounds, picnic grounds, marinas, lodges, swimming beaches, boat launches, athletic facilities, riding stables, rodeo grounds, golf courses, and hotels and eating and drinking establishments associated with one or more of the aforementioned uses;
- (66) **"internal local roads"** includes all roads within subdivisions, and all service roads adjacent to major two-lane highways, minor two-lane highways, and multi-lane highways;
- (67) **"kennel"** means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale, or the keeping of more than one (1) unspayed female domestic pet over the age of six (6) months;
- (68) **"lake"** means a body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water (limnetc) and deep water (profundal) zones compared with the shore (littoral) zone; and, as defined by the Council of the County of St. Paul No. 19;
- (69) **"landfill – class II"** means a landfill for the disposal of waste, not including hazardous waste;
- (70) **"landfill – class III"** means a landfill for the disposal of waste: that is solid; that, on disposal in a landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect; and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal and dry timber or wood that has not been chemically treated, but does not include hazardous waste;
- (71) **"liquor store"** means development used for the retail sale of any and all types of alcoholic beverages to the public for consumption off premises. This use may include the retail sale of related products such as soft drinks and snack foods;

- (72) **"livestock"** means livestock as defined in the Agricultural Operation Practices Act;
- (73) **"lot"** means
- a. a quarter section,
 - b. a part of a parcel of land 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
 - c. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;
- (74) **"main building"** means a building in which is conducted the main or principle use of the lot on which it is erected;
- (75) **"main use"** means the main or principle use of a lot;
- (76) **"major two-lane highway"** means a road or highway identified as a major two-lane highway in the County's Municipal Development Plan;
- (77) **"manufactured home"** means a dwelling consisting of one (1) dwelling unit which is normally constructed off-site and then transported on its own wheels or by other means to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as a dwelling for one household. However, a manufactured home may be entire constructed on-site. A manufactured home shall include a dwelling that would be considered to be a single detached dwelling if the roof pitch were greater than 1:4, and if the depth of eaves were greater than 45 cm (18 in.), and if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1. If the roof pitch is less than 1:4, or if the depth of eaves is less than 45 cm (18 in.), or if the ratio noted above is more than 2.5:1, the dwelling shall be considered to be a manufactured home;
- (78) **"manufactured home park"** means a parcel of land under single ownership which has been planned and divided into rentable spaces or lots for the long term accommodation of manufactured homes;
- (79) **"manufacturing"** means the use of land, buildings or structures for the purpose of assembly, making, preparing, inspecting, finishing, treating, altering, repairing, storing or adapting for the sale of goods;
- (80) **"manure storage facility"** means a manure storage facility ad defined in the Agricultural Operation Practices Act;
- (81) **"may"** is an operative word meaning a choice is available , with no particular direction or guidance intended;
- (82) **"mini storage"** means a development that provides cubicles for rent to the public for storage of goods;

- (83) "**minor two-lane highway**" means a road or highway identified as a minor two-lane highway in the County's Municipal Development Plan;
- (84) "**motel**" means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is directly from outdoors. A motel may include eating and drinking establishments, meeting rooms, personal services shops, indoor amusement establishments, and general retail stores no larger than 100 m² (1076.9 ft²), but shall not include any entertainment establishment or a gambling machine establishment unless specifically approved by the Development Authority;
- (85) "**multi-lane highway**" means a road or highway identified as a multi-lane highway in the County's Municipal Development Plan;
- (86) "**multi-lot country residential subdivision**" means more than three (3) country residential lots within an original quarter section;
- (87) "**municipality**" means the County of St. Paul No. 19;
- (88) "**natural resource extraction industry**" means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal, or other minerals including petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form;
- (89) "**non-conforming building**" means a building
- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw 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;
- (90) "**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;
- (91) "**off-site levy**" means an off-site levy established by the municipality's Off-Site Levy Bylaw passed pursuant to the Act;

- (92) "**offices**" means a development where government, professional, management, administrative, consulting, and/or financial services may be provided. Offices include the offices of lawyers, accountants, engineers, architects, realtors, insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; the offices of governmental and public agencies;
- (93) "**oilfield support services**" means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage of shipping of such materials, goods and equipment, including petrochemical products and supplies, providing such storage does not exceed 5,000 m³ for all organic or inorganic chemicals and 10,000 m³ for all petroleum products and that such storage is in accordance with all applicable provincial and federal statutes;
- (94) "**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;
- (95) "**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 land on the County's assessment role prepared under the Act;
- (96) "**parcel of land**" means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- (97) "**permitted use**" means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;
- (98) "**personal service shop**" means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, laundromats, and health services;
- (99) "**public utility**" means a public utility, as defined in the Act;
- (100) "**railway**" means any use connected with the direct operation of a railway system.

- (101) "**rear line**" means the boundary line of a lot lying opposite to the front line of the lot;
- (102) "**rear yard**" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;
- (103) "**recreational trailer park**" means a parcel of land on which are located or are intended to be located more than one recreational vehicle. A recreational trailer park may include a campground;
- (104) "**recreation 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 trailer, camping trailer, truck camper, fifth wheel, and motor home;
- (105) "**recreational vehicle – park model**" means a recreation vehicle conforming to CAN-CSA Series Z241;
- (106) "**repair service establishment**" means a development used primarily for the repair, refinishing or reconditioning of consumer goods such as, but not limited to, electronic equipment, office equipment, household appliances, clothing and footwear, bicycles, etc. The repaired, refinished or reconditioned consumer goods, as referred to above, may be sold on the premises but the retail sales component must be clearly secondary to the primary use. Automobiles or any other motorized vehicles such as, but not limited to, trucks, recreational vehicles or buses are not included in the definition of consumer goods described above;
- (107) "**resort commercial**" means a commercial development where the primary reason for locating is to take advantage of a lake or other recreational amenities. Development may include uses such as a service station, boat launching facilities, marina, eating and drinking establishments, hotels or motels, and general retail establishments;
- (108) "**row house**" means a building on a lot or lots that consist of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment" or "four-plex". Units are attached at the side walls, each having frontage onto a public or private condominium road. A row house dwelling unit may be located on a separate lot if the lot is registered after construction of the row house dwelling;
- (109) "**rural industrial park**" is a development consisting of two or more lots designed and approved for industrial uses for which communal water and/or sewer service is not required;

- (110) "**rural industry**" means an industry involving:
- a. the initial processing or storage of farm, forestry or mineral products which because of odour, noise or inflammable material require large tracts of land for environmental protection, or
 - b. warehousing or storage of farm, 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 farm, forestry or mineral products;
- (111) "**secondary suites**" are self-contained living space located on the same parcel as a dwelling. Secondary suites have a separate entrance, cooking, sleeping and bathing facilities and are no larger than 70 m² (749 ft²). Secondary suites shall include basement suites and garage suites;
- (112) "**setback**" means the separation distance that a building or development must be from the boundary line of a lot;
- (113) "**shall**" is an operative word which means the action is obligatory;
- (114) "**shoreline**" means the line of the bed and shore of the body of water;
- (115) "**should**" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;
- (116) "**side line**" means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line;
- (117) "**side yard**" means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;
- (118) "**single detached dwelling**" means a dwelling 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 off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site. A single detached dwelling shall include a dwelling that would be considered to be a manufactured home if the roof pitch were less than 1:4, or if the depth of eaves were less than 45 cm (18 in.), or if the ratio of depth vs. width (or width vs. depth) were more than 2.5:1. If the roof pitch is more than 1:4, and if the depth of eaves is more than 45 cm (18 in.), and if the ratio noted above is less than 2.5:1, the dwelling shall be considered to be a single detached dwelling;

- (119) "**stall**" means an area of land upon which a manufactured home is to be located within a manufactured home park or upon which a recreational vehicle is to be located within a recreational vehicle park;
- (120) "**subdivision authority**" means a subdivision authority established and appointed pursuant to County Bylaw and the Act;
- (121) "**subdivision and development appeal board**" means a subdivision and development appeal board established and appointed pursuant to County Bylaw and the Act;
- (122) "**suitable building site**" means that area of a parcel which can accommodate the principal use, access road, and associated utilities. This does not include: any part of a lot that cannot be developed for non environmental reasons, for example, a lot boundary setback strip required by the municipality; any part of a lot that will require significant modification such as re-grading, filling or draining; or any portion of an Environmentally Significant Area;
- (123) "**surveillance suite**" means a single detached dwelling or a manufactured home which is located on the same lot as a commercial or industrial use and is clearly accessory to that commercial or industrial use, as it is the dwelling of the owner/operator/caretaker/supervisor of the commercial or industrial establishment;
- (124) "**transfer station**" means a development where garbage, refuse, and domestic or industrial waste, whether dry or wet, however exclusive of liquid industrial waste, is deposited by individuals and temporarily stored pending transfer to either dry or wet waste disposal sites. For the purposes of this Bylaw, all classes of transfer station as identified by Alberta Environment and Provincial regulations respecting transfer stations and class III landfills shall be included within this definition;
- (125) "**truck and equipment storage and repair shops**" means the use of a building or a portion of a building or parcel, for the servicing, mechanical repair and storage of automobiles, motorcycles, snowmobiles and similar vehicles for the sale, installation or servicing of related accessories and parts;
- (126) "**trucking establishment**" means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods;
- (127) "**undeveloped lot**" means a lot which does not contain a residence, building or structure;
- (128) "**veterinary clinic**" means a development where domestic pets and/or livestock are cared for and medically treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include kennels, except that veterinary clinics may include a facility for the boarding of animals; however, that facility will be clearly accessory to the care function;

(129) “**workshop**” means a small establishment where manufacturing or craftwork is carried on by a business;

(130) “**yard**” means a part of a lot upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

1.4 METRIC AND IMPERIAL MEASUREMENTS

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximations, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.

PART 2 - GENERAL ADMINISTRATIVE PROCEDURES

2.1 DEVELOPMENT APPROVAL AUTHORITIES

- (1) The Development Authority for the County of St. Paul No. 19 is hereby established.
- (2) The Development Authority shall be: the Development Authority Officer, and only within the Linear Parcel Direct Control (LPDC) District, the Council; with their duties and responsibilities as described elsewhere in this Bylaw.
- (3) If the Development Authority Officer is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Development Authority Officer.
- (4) If the Council is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Council.
- (5) The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer for the County is hereby established.
- (6) The Development Authority Officer shall be appointed by resolution of the Council.
- (7) The Development Authority Officer:
 - a. shall keep and maintain for the inspection of the public during office hours a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;
 - b. shall make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;
 - c. shall collect fees according to the governing Land Use Bylaw Fee Schedule as amended from time to time by resolution of County Council;
 - d. shall be the designated officer for the purposes of Section 542 of the Act; and
 - e. may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.
- (8) The Council shall be authorized to decide upon all development permit applications referred to it by the Development Authority Officer and to issue such orders that it sees fit.
- (9) The Subdivision and Development Appeal Board as established by County Bylaw shall be authorized to decide upon all development permit applications as provided for by this Bylaw and the Act.

2.2 CONTROL OF DEVELOPMENT

- (1) No development other than that designated in Section 2.3 shall be undertaken within the County unless an application for it has been approved and a development permit has been issued.

2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit under the Alberta Safety Codes Act.
- (2) The completion of a building which was lawfully under construction at the date of the first publication of the notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The use of land for an agricultural operation, or the construction of a farm building on land situated in the Agricultural Land Use District, provided that the use or building conforms to the minimum setback requirements specified in this Land Use Bylaw. Notwithstanding this section, all dwellings and dugouts are subject to obtaining a development permit.
- (5) The erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 m (3.3 ft) in height in front yards and less than 2 m (6.6 ft) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure;
- (6) All types of fences and windbreaks in the Agricultural (A) District which conforms to the requirements of this Bylaw regarding setbacks from roads and highways.
- (7) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
- (8) The maintenance and repair of roads, water, sanitary, stormwater or environmental infrastructure carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.

- (9) The operation of aggregate extraction and crushing equipment (gravel pits) and related activities where classified as a permitted use.
- (10) Pavement making operations and related activities where classified as a permitted use.
- (11) Development within a basement which does not change or add to the uses within a dwelling.
- (12) All buildings, other than fences described in Subsections 2.3(5) above, which are less than 13.4 m² (144.2 ft²) in area and which conform with all regulations within this Bylaw for accessory uses.
- (13) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (11) above, both inclusive.
- (14) Fire pits.

2.4 NON-CONFORMING BUILDINGS AND USES

- (1) 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.
- (2) 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.
- (3) A non-conforming use of part of a lot may not be exceeded 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.
- (4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - a. to make it a conforming building,
 - b. for the routine maintenance of the building, if the Development Authority considers it necessary, or
 - c. in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.2(4) of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

- (6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

PART 3 - DEVELOPMENT APPLICATION PROCESS

3.1 APPLICATION FOR DEVELOPMENT

- (1) An application for a development permit shall be completed and submitted to the Development Authority Officer in writing, in the form required by the Development Authority Officer, and shall be accompanied by:
 - a. a site plan in metric showing the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - b. the location and dimensions of all existing and proposed buildings, structures, or uses on the property;
 - c. a statement of the proposed uses; and
 - d. a statement of ownership of the land and the interest of the applicant therein.
- (2) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.
- (4) All applications for development permits on sites within an area covered by an inter-municipal development plan shall be referred to the other municipality for comments and recommendation.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.
- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the Subdivision and Development Appeal Board, the submission of another application for a permit on the same property and for the same or

similar use of the land by the same or any other applicant need not be accepted by the Development Authority Officer for at least six (6) months after the date of the previous refusal.

3.2 DECISION PROCESS

- (1) The Development Authority Officer:
 - a. shall refer with his recommendations to the Council for its consideration and decision any development permit application within the Linear Parcel Direct Control (LPDC) District; and
 - b. shall consider and decide upon all other development permit applications.
- (2) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (3) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
- (4) In approving an application for a development permit, the Development Authority may impose the condition that the approved development be allowed to operate for a limited period of time, which shall be specified on the permit, and that upon the expiry of such time the use allowed shall be discontinued and any buildings that were erected as a result of the development permit shall be removed, and the site restored to its original condition prior to the issuance of the development permit.
- (5) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.
- (6) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - a. the proposed development would not: unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - b. the proposed development conforms with the use prescribed for that land or building in

this Bylaw.

- (7) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.
- (8) If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, or completed within twelve (12) months of commencement, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
- (9) A Development Authority may suspend or revoke a development permit:
 - a. at any time, where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - b. within fourteen (14) days of issue of the permit, where the permit was issued in error.

3.3 DEVELOPMENT ON RESERVE LANDS

- (1) Permanent development may be allowed to exist on Environmental and other Reserve Lands adjacent to lakes and other waterbodies only if it serves the interests of the general public.
- (2) Development permits may be issued on Environmental and other Reserve Lands for:
 - a. the winter storage of docks or boat hoists, or to accommodate similar seasonal storage requirements;
 - b. developments such as landings, walkways, stairs, retaining walls or similar private structures if, in the opinion of the Development Authority, the development does not pose a hazard to public safety, impede year round public access, or unduly interfere with the use and enjoyment of neighbouring properties; and
 - c. signs to provide direction, information, or advertising for adjacent businesses or commercial developments.
- (3) The approval of all development permits on Environmental and other Reserve Lands shall be subject to the following conditions, in addition to any others that the Development Authority may deem reasonable or necessary:
 - a. the applicant shall indemnify the County from liability for the development; and
 - b. the permit may be revoked at any time if, in the sole opinion of the Development Authority, the development poses a hazard to public safety, impedes public access, or interferes with the use and enjoyment of neighbouring properties.

3.4 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit granted pursuant to this Bylaw for a permitted use where the use or construction conforms to all of the regulations of this Bylaw and where the regulations are not to be determined at the discretion of the Development Authority shall come into effect on the date it is issued.
- (2) All permits granted pursuant to this Bylaw that are for a discretionary use, or for a permitted use where the use or construction does not conform to all of the regulations of this Bylaw or where the regulations are to be determined at the discretion of the Development Authority does not come into effect until fifteen (15) days after the date a decision or development permit is publicized as described in Subsection (4). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (3) Where an appeal is made pursuant to Section 4.1 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit modified or nullified thereby.
- (4) When approval of a permit described in subsection (2) above has been given, the Development Authority shall:
 - a. immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - b. immediately mail a notice in writing to all owners of adjacent land and other owners of land who in the opinion of the Development officer may be affected; and/or
 - c. immediately publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- (5) When approval of a permit described in subsection (1) above has been given, notification as described in subsection (4) above may be done, at the sole discretion of the Development Authority.
- (6) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (7) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART 4 - DEVELOPMENT APPEAL PROCESS

4.1 APPEAL PROCEDURE

- (1) The Subdivision and Development Appeal Board shall hear and make a decision on an appeal where a Development Authority:
 - a. refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - b. issues a development permit subject to conditions, or
 - c. issues an order under PART 6 of this Bylaw,and the person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority appeals to the Subdivision and Development Appeal Board.
- (2) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit within the Linear Parcel Direct Control (LPDC) District that was made by the Council.
- (4) An appeal shall be made by serving a written notice of appeal, containing reasons, and submitting the applicable fee to the Secretary of the Subdivision and Development appeal Board within fourteen (14) days after:
 - a. the date the order, decision or permit issued by the Development Authority was publicized in accordance with this Bylaw; or
 - b. the forty (40) day period referred to in Section 3.2(7) of this Bylaw has expired.
- (5) Where a notice of appeal against the issuance of a development permit or a condition attached thereto is filed with the Secretary of the Subdivision and Development Appeal Board, the development permit shall be suspended and ceases to be in force or effect pending the outcome of the appeal.

4.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.

- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - a. the appellant;
 - b. the Development Authority from whose order, decision or development permit the appeal is made;
 - c. those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
 - d. such other persons as the Subdivision and Development Appeal Board specifies.

- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - a. the application for the development permit, its refusal and the appeal therefrom; or
 - b. the order of the Development Authority,as the case may be.

- (4) At the appeal hearing referred to in subsection (1), the Subdivision and Development Appeal Board shall hear:
 - a. the appellant or any other person acting on his behalf;
 - b. the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - c. any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - d. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

4.3 APPEAL DECISION

- (1) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.

- (2) If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.

- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, the Development Authority

Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.

- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - a. to a judge of the Court of Appeal; and
 - b. within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 5 - BYLAW AMENDMENT PROCESS

5.1 APPLICATION FOR AMENDMENT

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority Officer to initiate an amendment.
- (3) All applications for amendment to the Land Use Bylaw shall be made to the Council and shall be accompanied by the following, namely:
 - a. an application fee according to the governing Land Use Bylaw fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
 - b. a title search for the land affected or other documents satisfactory to the Development Authority Officer indicating the applicant's interest in the said land;
 - c. drawings drawn on standard drafting material to the satisfaction of the Development Authority Officer, which shall be fully dimensioned, accurately figured, explicit and complete; and
 - d. any other information deemed necessary by the Development Authority Officer.
- (4) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

5.2 PUBLIC HEARING PROCESS

- (1) At the discretion of Council, first reading of a proposed amendment may be considered after the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of County Council.
- (2) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.

PART 6 - ENFORCEMENT AND ADMINISTRATION

6.1 CONTRAVENTION AND PENALTIES

(1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:

- a. the Act or the regulations made thereunder, or
- b. a development permit or subdivision approval, or
- c. this Bylaw,

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to

- d. stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
- e. demolish, remove or replace the development, and/or
- f. take such other measures as are specified in the notice

so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.

(2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.

(3) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

(4) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.

(5) A Development Authority may suspend or revoke a development permit which has not been complied with, following notification, stating the reasons for such action.

- (6) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (7) Violation Tickets
- a. The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
 - b. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the County.
 - c. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
 - d. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
 - e. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
 - f. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

PART 7 - LAND USE PROVISIONS

The following provisions are applicable to the development of land situated in any Land Use District.

7.1 ABOVE-GROUND FUEL STORAGE TANKS

- (1) The Development Authority may require that a fuel storage tank over 100 litres (22.0 gal.) in size be placed underground in the Country Residential and General Urban Districts if the proposed tank is to be located close to residential uses.

7.2 ACCESSORY BUILDINGS

- (1) Accessory buildings are permitted when accessory to a permitted use and discretionary when accessory to a discretionary use. An accessory building or use is not permitted without a principal building or use.
- (2) An accessory building shall not be used as a dwelling unless it is an approved garage suite or a residential surveillance suite.
- (3) The exterior finish of the accessory building must complement that of a principal building.
- (4) All accessory buildings shall be set back a minimum of 1.5 m (4.92 ft) from the rear and side lines and no accessory buildings shall be allowed within the front yards.
- (5) An accessory building shall not be located closer than 2.1 m (7 ft) to a main building.
- (6) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Authority.
- (7) The height of an accessory building CR2 and U Land Use Districts shall not exceed 4.5 m (14.75 ft) unless approved by the Development Authority (including garage suites above grade).
- (8) Where a structure is attached to the main 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 main building and is not an accessory building.
- (9) The maximum number of accessory buildings permitted on a parcel within the U, CR1 and CR2 Districts is three and the total area shall not exceed 12% of the parcel area.

7.3 BARBED WIRE AND PAGE WIRE FENCING

- (1) Except in the Agriculture and Industrial/Commercial Districts, barbed and page wire fences shall not be permitted, except at the sole discretion of the Development Authority.

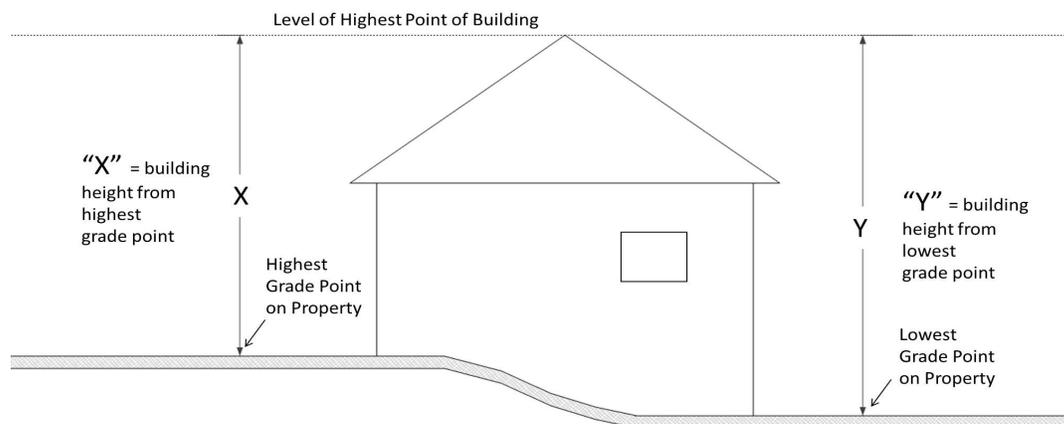
7.4 BED AND BREAKFAST ESTABLISHMENTS

- (1) A bed and breakfast establishment shall comply with the following regulations:
 - a. A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of three (3) revenue-generating bedrooms.
 - b. Cooking facilities shall not be located within the sleeping units.
 - c. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
 - d. A bed and breakfast establishment shall comply with all of the requirements for a major home occupation described elsewhere in this Bylaw.

7.5 BUILDING HEIGHT

- (1) If the height of a building is required to be measured or determined it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined by Figure 1. In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

Figure 1 – Building Height Calculations (Height Average = $(X+Y)/2$)



7.6 COMMUNICATION TOWERS

- (1) Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers. In making its decision regarding the communication tower and related facilities, Industry Canada considers the following:
 - a. the input provided by the Approving Authority;
 - b. compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
 - c. Health Canada's safety guidelines respecting limits of exposure to radio frequency fields;
 - d. an environmental impact assessment may be required in order to comply with the *Canadian Environmental Assessment Act*.
- (2) The participation of the County in the consultation process does not transfer any Federal decision making authority, nor does it confer a right of veto in the location of the communication tower.
- (3) Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.
 - a. The tower base shall be setback from abutting parcels and roadways by a distance of 120 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
 - b. Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing.
- (4) Communication towers shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for siting communication towers.
- (5) All equipment shelters must meet the County's setback distances to roads and property lines.
- (6) All telecommunication carriers requesting a new telecommunication tower shall be required to identify any other such structure within an 8.05 km (5 mi) radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures within that 8.05 km (5 mi) radius is not a viable alternative to a second structure.

- (7) Where Transport Canada requires that a telecommunication tower be lighted, the following procedures shall be encouraged to minimize visual impacts:
 - a. The lighting of equipment structures and any other facilities on site shall be shielded from adjacent properties where possible without interfering with the requirements of Transport Canada.
 - b. All lighting shall be a minimum number of low intensity white lights; and
 - c. The strobe interval shall be the maximum allowable by Transport Canada, and the strobe lights shall only be used if absolutely necessary.

7.7 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

- (1) Confined feeding operations and manure storage facilities for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operation Practices Act are not regulated by this Bylaw but by that Act.

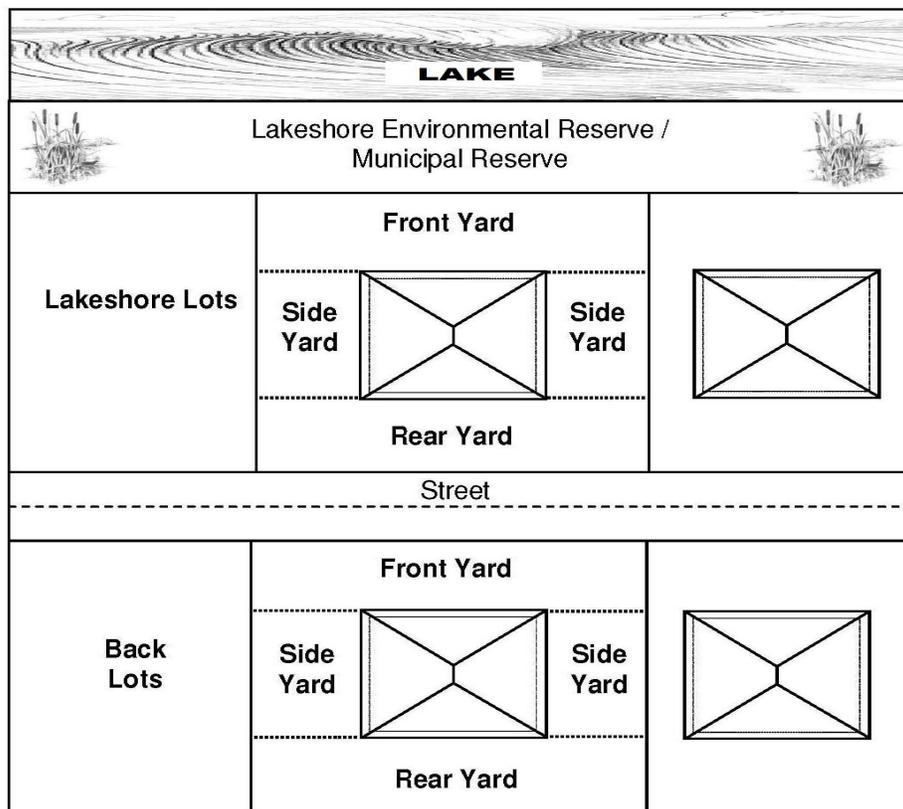
7.8 DECKS

- (1) A deck shall:
 - a. Meet the front yard setback of the principal building;
 - b. Be located at least 1 m (3.3 ft) from a side property line, except in the case of duplex/semi-detached, multiplex and row housing, where 0 (zero) setback may be permitted where the property shares a common wall with an attached dwelling; and
 - c. Be located at least 3 m (10 ft) from the rear property line.
- (2) An unenclosed deck located in a side yard that adjoins a public roadway in a corner lot must be located at least 3 m (10 ft) from a property line adjoining a public roadway.
- (3) If a deck is more than 1.5 m above finished grade, it must be located at least 3 m (10 ft) from all property lines, unless:
 - a. The Development Authority determines that a 3 m (10 ft) separation from all property lines is not required due to site conditions; and
 - b. The deck complies with the side yard setback of the principal building.
- (4) If a covered deck is attached to a principal building, the deck shall meet the minimum setback requirements of the principal building.
- (5) Notwithstanding 7.8(1), decks less than 0.3 m (1 ft) above finished grade may be built within 0.3 m (1 ft) of side property line excepting side yards adjoining a public roadway, where the setback shall be at least 3 m (10 ft).

7.9 DEVELOPMENT SETBACKS

- (1) Where land is located within 0.8 km (0.5 miles) of a highway, setbacks from the highway shall be as required by Alberta Transportation.
- (2) The minimum distance setback for a dug-out shall be 30 m (98.4 ft) from the centre line of a road other than a secondary road, from which the minimum distance setback shall be 40 m (131.2 ft) from the centre line.
- (3) Notwithstanding the above, all land uses shall conform to the minimum yard requirements specified in this Bylaw.
- (4) Notwithstanding any other provisions of this Bylaw, where land is situated adjacent to or includes the bed and shore or the bank of any river, stream, creek, lake or other waterbody, no building or other structure shall be allowed within 23 m (75.6 ft), or such greater distance as may be required by the Development Authority, of either the bed and shore or the line of the top of the bank.
- (5) The front yard for parcels adjacent to lakes (lakeshore lots) shall be the lake, as denoted on by Figure 2.

Figure 2 – Development Setbacks Adjacent to Lakes



7.10 DUGOUTS

- (1) Dugouts shall:
 - a. Meet the minimum setback requirements of the applicable district;
 - b. Be located a minimum of 30 metres from the from the property line of a road; and
 - c. Not encroach upon, or affect, any watercourse or drainage easement.
- (2) Dugouts are exempt from development permit fees.

7.11 EXISTING SUBSTANDARD LOTS

- (1) Development on existing substandard lots may be allowed by the Development Authority.
- (2) Compliance with the Regulations approved pursuant to the Alberta Safety Codes Act shall be required.

7.12 FIRE PITS

- (1) Pits shall meet accessory building setbacks.
- (2) Pits shall be set back a minimum of 3 m (10 ft) from any combustible structures including fences and decks.
- (3) Pits shall be constructed of non-combustible materials.
- (4) The base of the pit shall rest on sand, gravel or concrete.
- (5) All organic material shall be removed for a distance of 15 cm (6 inches) all around the fire pit.
- (6) Fire pits should be less than 1 m (3.3 ft) in diameter and depth.
- (7) All fire pits shall have a metal screen (1/4 inch maximum spacing) spark guard cover while in use.

7.13 HISTORICAL AND ARCHEOLOGICAL SITES

- (1) Historical sites or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with the guidelines and regulations established by Alberta Community Development.

7.14 HOME OCCUPATIONS

- (1) All development permits issued for home occupations shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) A minor home occupation shall comply with the following regulations:
 - a. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
 - b. There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 1 m² (10.8 ft²) in size.
 - c. A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - d. Except in the Agriculture (A) 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.
 - e. Up to four (4) business visits per day are allowed.
 - f. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
 - g. A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.
- (3) In addition to the requirements of Subsection (2) above, a major home occupation shall comply with the following regulations:
 - a. The number of non-resident employees working on-site shall not exceed two (2) on-site, non-occupant employees.
 - b. Up to 8 business visits per day are allowed in the Agriculture (A) District. In all other Districts, up to 4 business visits per day are allowed.
 - c. No more than one commercial vehicle up to a size of a tandem truck, to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a Country Residential One (CR1) or a General Urban (U) District. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
 - d. Not more than four (4) commercial vehicles, each with one accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on a site in the Agriculture (A) District.
 - e. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.

- (2) All home occupations shall comply with the following requirements:
 - a. In addition to a development permit application, each application for a minor home occupation or a major 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.
 - b. 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.
 - c. Home occupations shall not involve: activities that use or store hazardous material in quantities exceeding those found in a normal household; or any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- (3) A permit issued for a home occupation is valid for one year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
- (4) 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 and complaints based on the operation of the home occupation have been received.

7.15 INTENSIVE AGRICULTURAL AND HORTICULTURAL USES

- (1) Applications for intensive agriculture development shall be referred to the Agricultural Services Board for comment advising on the feasibility of the proposed use suitability of the site.
- (2) All development proposals shall be considered and decided upon by the Development Authority individually based upon their individual merit and consideration should be given to such items as:
 - a. site selection;
 - b. waste disposal;
 - c. first owner priority; and
 - d. distance from roads and watercourses.

7.16 KEEPING OF ANIMALS

- (1) The following table applies to all parcels within the Agricultural District which are less than 20 acres of land on which livestock are kept (note that pigs, including wild boars are not allowed):

Figure 3 – Animal Units Allowed Per 4 Acres

Animal Type	Animal Units	Animal Type	Animal Units
Cows (including calves)	3	Poultry/Pheasants	20
Horses (including foals)	3	Sheep	5
Rabbits	20		

- a. or animal types with sub-species characterized as “miniature”, an animal unit is based on 1,000 lb live weight of the main animal type.
- b. Notwithstanding 7.14(1) above, no animals other than domestic pets shall be kept on parcels less than one half (0.5) acre in size.

7.17 KENNELS

- (1) Kennels shall only be allowed where indicated as a discretionary use within a District.
- (2) When considering a development permit for a kennel, the Development Authority shall have careful consideration of adjacent properties and uses and the potential impact of a kennel on the use and enjoyment of adjacent properties and uses. If the kennel is approved, the Development Authority may require as a condition of approval that the kennel operator take specific action, including action on an on-going basis, to mitigate any negative impact that the kennel may have on adjacent properties and that, if the action is not taken or does not succeed in its purpose (the mitigation of negative impact), to require that the kennel cease to operate and be entirely removed from the subject site.

7.18 LANDSCAPING

- (1) Trees, hedges, shrubbery and other kinds of flora, walls, fences, screens and other forms of enclosure are allowed within the required minimum front and side yards of a corner lot provided that none of these are more than 1.2 m (4 ft) in height above ground level within that triangular portion of the lot within 15 m (49.2 ft) of the point of intersection.
- (2) The Development Authority may require as a condition of issuing a development permit that the applicant retain particular trees or clumps of trees, hedges or shrubbery on the land that is the subject of an application for a development permit and may also require that the applicant provide additional planting or landscaping on the land.

- (3) The Development Authority may require as a condition of issuing a development permit that the applicant provide suitable screening or the enclosure of uses involving the outdoor storage of goods, vehicles, machinery, building materials, waste materials or other kinds of objects.
- (4) A development permit is required before the commencement or continuation of the commercial removal of top soil, and such development 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. The Development Authority may refer any application for removal of top soil to the Soil Conservation Officer acting under the Soil Conservation Act, for approval prior to rendering its decision.

7.19 MANUFACTURED HOMES

- (1) Manufactured homes shall satisfy the Z240 Standard of the Canadian Standards Association.
- (2) A manufactured home shall be skirted from the floor level to the ground level which shall match the existing external finish of the manufactured home.
- (3) No accessory buildings or use other than a parking space shall be located in the front yard of a manufactured home.
- (4) The storage of any furniture, domestic equipment or seasonally used equipment shall be occur in a covered storage building, or shall be screened either individually on the stall or lot or communally. The storage area or building shall conform to the local building, fire, electrical and plumbing codes.
- (5) The following regulations apply to manufactured homes in subdivisions:
 - a. The hitch and wheels are to be removed from the manufactured home.
 - b. All manufactured homes shall be firmly placed on a foundation or base.
 - c. The property shall be grassed and landscaped within one year from the date of issue of the development permit.
 - d. Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.
- (6) All accessory structures, such as patios, porches, additions and skirting , shall be:
 - a. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes;
 - b. considered as part of the main building; and
 - c. erected only after obtaining a development permit.

- (7) A person wishing to move an existing manufactured home onto a lot shall make application for a development Permit in the usual way but also provide the following information:
 - a. Age, size and structural condition of the manufactured home;
 - b. Photographs showing all sides of the manufactured home; and
 - c. A statement of the proposed improvements.
- (8) The Development Officer shall inspect the manufactured home which is proposed to be moved in, or he/she may request another qualified person to do so and report back, in either case the expenses of such inspection shall be paid by the applicant before any Development Permit is issued.
- (9) The Development Officer may issue a Development Permit for the proposed manufactured home without conditions, or subject to such conditions as he/she deems it necessary to ensure that the manufactured home is renovated to a satisfactory standard.
- (10) The Development Officer may require a letter of security, cash and/or performance bond of up to \$5,000 to guarantee satisfactory completion of work stipulated in the Development Permit.

7.20 MANUFACTURED HOME PARKS

- (1) A development permit shall not be issued for a manufactured home park until written comments are received from appropriate authorities indicating that the proposed sewage disposal system has been approved.
- (2) Where a sewage lagoon is required for the development of a manufactured home park, the construction of a chain link or wire fence may be required as a safety precaution.
- (3) Manufactured homes shall be located a minimum of 7.5 m (24.6 ft) from the boundary of a manufactured home park site with a road or highway and 4.5 m (14.8 ft) from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- (4) All roads in a manufactured home park shall be surfaced, and well drained, and maintained to the satisfaction of the Development Authority. Minimum driving surface width shall be 7.3 m (24.0 ft) and minimum right-of-way width shall be 10 m (32.8 ft).
- (5) 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 streets, and all community facilities provided for park residents.

- (6) Visitor parking space shall be provided at a ratio of at least one (1) space for every two (2) manufactured homes and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (7) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (8) All municipal utilities shall be provided underground to stalls in a manufactured home park.
- (9) In a manufactured home park, 5% of the gross site area shall be devoted to recreational use.
- (10) 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 Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- (11) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.
- (12) 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 manufactured home stands.
- (13) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (14) Street lighting in a manufactured home park shall be the same standard as that in a conventional residential neighborhood or to the satisfaction of the Development Authority.
- (15) Signs:
 - a. Only one (1) 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.
 - b. Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (16) Manufactured homes shall be separated from each other by at least 6 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 manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 2 m (6.5 ft).

- (17) The minimum dimensions for a manufactured home stall shall be 15 m (49 ft) by 30 m (98.4 ft) and the minimum size for a manufactured home stall shall be 465 m² (5,112.9 ft²).
- (18) The minimum site area shall be 2.0 ha (4.94 ac.).
- (19) The maximum permissible density for a manufactured home park shall be 15 manufactured home stalls per gross developable hectare (6.07/acre) of the area being developed at each stage of the development.
- (20) Refuse Collection and Screening:
 - a. The park operator must provide a central collection area for garbage within the park, located in an area satisfactory to the Development Authority. The operator is also responsible for regularly transferring the garbage from the park to a waste disposal site.
 - b. The central collection area must also be maintained to the satisfaction of the Development Authority.
- (21) All utilities shall be provided to each stall at the developer's expense.
- (22) A central area of a minimum of 14.0 m² (150.7 ft²) of space for each manufactured home shall be provided for the storage of recreation vehicles, boats, trailers, etc.

7.21 NUMBER OF DWELLING UNITS ON A LOT

- (1) The number of dwelling units allowed on any parcel of land shall not exceed one (1) except at the sole discretion of the Development Authority, and if the second dwelling unit is proposed to be constructed or located on a lot of 4 ha (9.9 ac.) or more.
- (2) The Development Authority may issue a development permit to a person that would allow the construction or location of more than one dwelling unit on a lot if the second or additional dwelling unit:
 - a. is to be occupied by a person who is engaged on a full-time basis for at least 6 months each year in an agricultural pursuit;
 - b. is contained in a building that, or in buildings each of which, is designed for or divided into 2 or more dwelling units;
 - c. is a manufactured home as defined in this Bylaw and located within a park for manufactured homes; or

- d. is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a Land Titles Office under that Act.
- (3) Provided that the parcel meets the standard for the District in which it is located, a second or additional dwelling unit may be allowed at the discretion of the Development Authority on a lot in the Country Residential Two (CR2) or General Urban (U) District. Such a second or additional dwelling unit may only be located within a manufactured home or a recreational vehicle, and the development or use must be temporary and not permanent in nature.

7.22 NATURAL RESOURCE EXTRACTION INDUSTRIES

- (1) 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 submit a reclamation plan to the County for its approval before a development permit is issued.
- (2) 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, shall include with the application, the following information:
- a. location and area of the site where the excavation is to take place;
 - b. the 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;
 - c. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
 - d. identification of potential for outdoor noise and the discharge of substances into the air; and, the 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.
- (3) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- (4) 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.
- (5) A disturbed area shall be reclaimed to:
- a. at least its former capability for agriculture; or
 - b. any other use, which Council feels, will be beneficial to the County.

- (6) At the time of application, the proponent of a new or expanding natural resource extraction industry shall identify all municipal servicing costs associated with the development.
- (7) The following conditions of approval may be included when processing an application for a natural resource extraction industry:
 - a. limitation of hours of operation;
 - b. requirement to enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;
 - c. posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;
 - d. the provision of a reclamation plan; and,
 - e. methods of minimizing noise in relation to the activities of the operation.

7.23 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- (1) No person shall keep or allow in the Country Residential One (CR1) District, in the Country Residential Two (CR2) District, or in any residential area within the General Urban (U) District, or in any other residential or recreational area:
 - a. any dismantled or wrecked vehicle, whether or not it is in running order, for more than 30 successive days;
 - b. any object, chattel, or other use of land which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District;
 - c. any excavation, storage or piling up of materials required during construction unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

7.24 OFF-STREET LOADING

- (1) Off-street loading facilities shall be required for all developments other than single detached dwellings, manufactured homes, duplexes, day homes, and major and minor home occupations within the Industrial/Commercial (IC) District and the General Urban (U) District.
- (2) Loading Facilities - When required by this Bylaw or by an approved development permit, a development shall:
 - a. provide off-street loading spaces, each having dimensions of not less than 3 m (10 ft) in width, 7.5 m (24.5 ft) in length, and 4.2 m (13.75 ft) in height;
 - b. provide vehicular ingress to, and egress from, a street or lane to all off-street loading facilities such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting streets or lanes;

- c. provide that off-street loading facilities are sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level; and
- d. provide that off-street loading facilities are so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross sidewalks.

(3) Number of Off-Street Loading Spaces:

- a. In a retail, industrial warehouse or similar development, the minimum required number of off-street loading spaces shall be as follows: in developments of less than 460 m² (4,951.5 ft²) of gross floor area, one (1) space; in developments between 460 m² (4,951.5 ft²) and 2,300 m² (24,758 ft²) of gross floor area, two (2) spaces; and in developments where there is more than 2,300 m² (24,758 ft²) of gross floor area, one (1) space for each additional 2,300 m² (24,758 ft²) or fraction thereof.
- b. In an office building, place of public assembly, public convalescent home, institution, club or lodge, public utility, school, or for any other use, for each 2,300 m² (24,758 ft²) of gross floor area or fraction thereof, the minimum required number of off-street loading spaces shall be one (1).

7.25 OFF-STREET PARKING

(1) Off-street parking facilities shall be required for all developments within the two Country Residential (CR) Districts, Recreation Vehicle (RV) District, the Industrial/Commercial (IC) District and the General Urban (U) District.

(2) An off-street parking area or accessory off-street parking area:

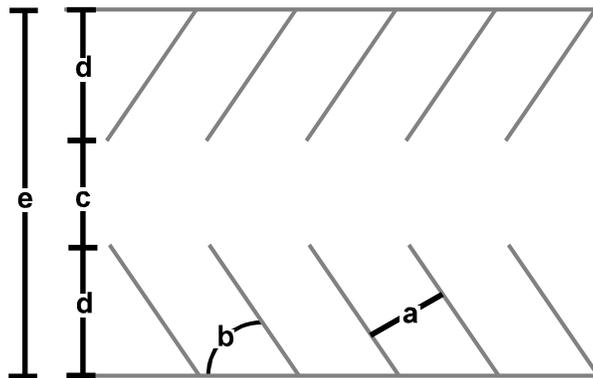
- a. shall not be located within 1.0 m (3.28 ft) of a lot line;
- b. shall be constructed so that adequate access to and exit from each parking space is to be provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority;
- c. shall have necessary access located and constructed to the satisfaction of the Development Authority; and
- d. shall be adequately signed so as to direct access to it.

(3) Dimensions:

a. All parking areas shall conform to the following requirements:

Figure 4 – Minimum Parking Standards (in metres (feet))

Width of Space (a)	Parking Angle in Degrees (b)	Stall Depth Parallel To Aisle (c)	Stall Depth Perpendicular To Aisle (d)	Overall Depth (e)
2.7 (9.0)	0	7.0 (23.0)	2.7 (9.0)	9.1 (30.0)
2.7 (9.0)	30	5.5 (18.0)	5.2 (17.0)	14.0 (46.0)
2.7 (9.0)	45	4.0 (13.0)	5.8 (19.0)	15.2 (50.0)
2.7 (9.0)	60	3.1 (10.0)	6.1 (20.0)	18.2 (59.0)
2.7 (9.0)	90	2.7 (9.0)	6.1 (20.0)	19.5 (64.5)



b. In the General Urban (U) District, the Development Officer may require some parking spaces provided to be a minimum width of 3.0 m (10 ft) and a minimum depth of 20 m (65.5 ft), specifically designed for large trucks. Maneuvering aisles and accesses will be sized appropriately to permit vehicular access to these spaces.

(4) Surfacing and Drainage

- a. Every off-street parking space provided, and the access thereto, shall be hard surfaced if the access is from a street or lane which is hard surfaced; parking areas must be paved or of gravel mixture as approved by the Development Authority.
- b. Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless permitted otherwise by the Development Authority.

(5) Required Number of Off-Street Parking Spaces:

- a. The minimum number of off-street parking spaces required for each building or use shall be as in Figure 2. In the case of use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.
- b. The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project.

Figure 5 – Minimum Parking Standards (in metres (feet))

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL	
- All dwellings	2 per dwelling unit
COMMERCIAL	
- General retail establishments	1 per 28 m ² (301 ft ²) of gross floor area plus 1 space per 2 employees on maximum shift
- Personal service shops and offices	1 per 46 m ² (495 ft ²) of gross leasable floor area plus 1 space per 2 employees on maximum shift
- Eating and drinking establishments, entertainment establishments	1 per 4 seats plus 1 space per 2 employees on maximum shift
- Hotels, motels	1 per room plus 1 space per 2 employees on maximum shift
INSTITUTIONAL	
- Auditoriums, churches, halls, clubs, theatres, and other recreation places	To the satisfaction of the development authority
- Elementary and junior high schools	1 per employee on maximum shift, plus 5
- High schools	1 per employee on maximum shift, plus 1 for every 4 students
- Hospitals, sanitariums, convalescent homes, etc.	1 per 93 m ² (1,001 ft ²) of gross floor area, or 1 per 4 beds plus 1 for every 2 employees on maximum shift, whichever is greater
INDUSTRIAL	
- Any industrial use or public utility building	1 per 2 employees on maximum shift provided that this standard may be varied by the development authority

7.26 PERMITTED PROJECTIONS

- (1) The following projections into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, chimneys, gutters, sills, steps/stairs, and, in addition, cantilevers may be permitted to project into the front and rear yards only:
 - a. Front Yard: 2.0 m (6.6 ft) for balconies; and 1.0 m (3.3 ft) for cantilevers, eaves, gutters, landings, and window sills;
 - b. Rear Yard: 2.0 m (6.6 ft) for balconies; and 1.0 m (3.3 ft) for box-outs, cantilevers, eaves, gutters, landings, and window sills.
 - c. Side Yard (Interior): 1.0 m (3.3 ft) for balconies; and 0.6 m (2.0 ft) for box-outs, eaves, gutters, landings and window sills.
 - d. Side Yard (Exterior): 1.0 m (3.3 ft) for balconies; and 0.6 m (2.0 ft) for box-outs, cantilevers, eaves, gutters, landings and window sills.
- (2) No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- (3) No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m (9.8 ft) from finished grade to the lowest point of the projection is maintained.
- (4) The projection length limitations are as follows:
 - a. The individual projection maximum length shall not exceed 3.0 m; (9.8 ft); and
 - b. The sum of all projections maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

Figure 6 – Permitted Projections- Front and Interior Side Yard Setbacks

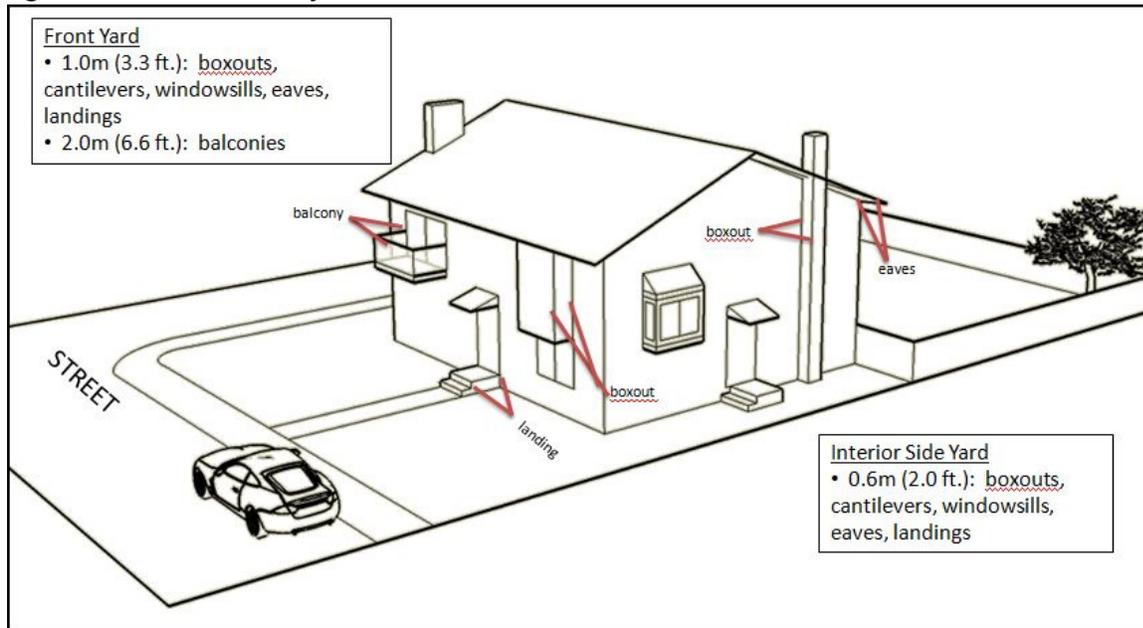
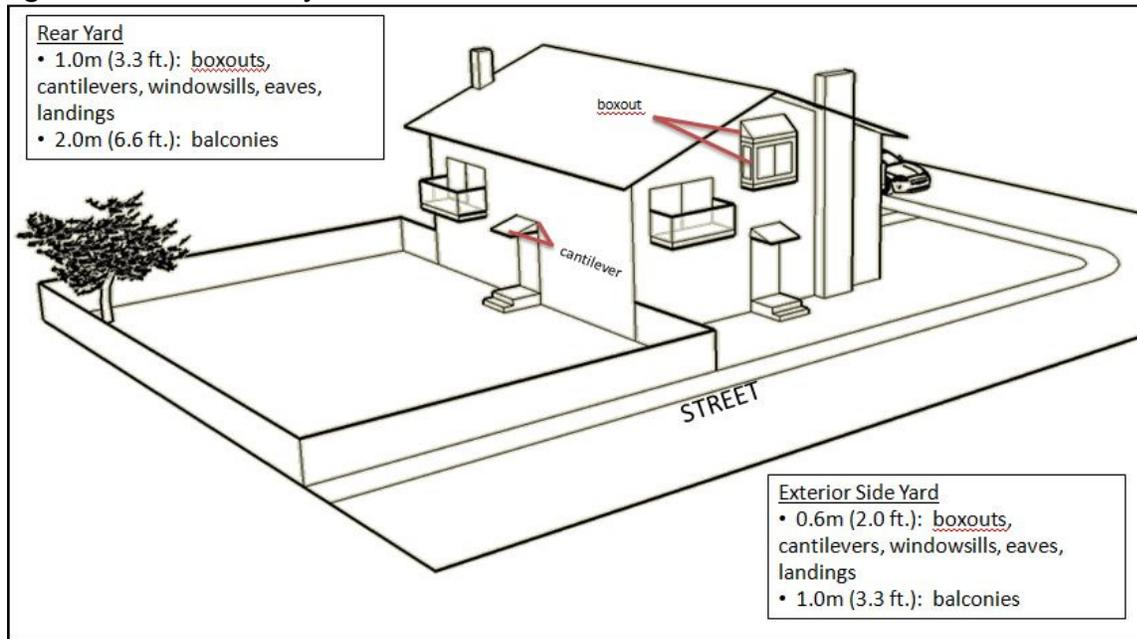


Figure 7 - Permitted Projections - Rear and Exterior Side Yard Setbacks



7.27 PROTECTION FROM HAZARDS

- (1) The Development Authority shall not approve an application for a development permit for a development which includes the installation of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) or storage tank with a water capacity exceeding 9000 litres (1982.4 gal.) unless the location of the storage tank on the lot to be developed is at least 122 m (400.3 ft) or such greater distance as may be required from assembly, institutional, residential or commercial buildings.
- (2) AA or LPG containers with a water capacity of less than 9000 litres (1982.4 gal.) shall be located in accordance with regulations under the Alberta Fire Code.
- (3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Alberta Fire Code.
- (4) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial Regulations or Acts.

7.28 RECREATION

- (1) A site plan detailing the protection of existing treed areas and site topography may be required prior to issuance of a permit for recreational development.
- (2) Spaces for day use, picnicking, camping and similar activities shall be suitably organized, clearly marked, and constructed to the satisfaction of the Development Authority.

7.29 RURAL INDUSTRIES

- (1) An application for the establishment of an industrial use shall be considered by the Development Authority who may request advisory comment from the following authorities whose interest or jurisdiction may be affected:
 - d. any Provincial government agency ; and
 - e. Regional Health Authority.
- (2) In addition to the other requirements of this Bylaw, each development permit application for industrial development shall be accompanied by the following information:
 - a. type of Industry,
 - b. number of employees,
 - c. estimated water demand and anticipated source,
 - d. type of effluent and method of treatment,

- e. transportation routes to be used (rail and road),
 - f. reason for specific location,
 - g. any accessory works required (pipeline, railway, spurs, etc.),
 - h. anticipated residence location of employees,
 - i. and/or any other information as may be reasonably required by the Development Authority.
- (3) All site regulations and requirement shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.

7.30 SECONDARY SUITES

(1) Basement Suites:

- a. Basement suites shall be restricted to single detached dwellings.
- b. A maximum of two (2) bedrooms may be permitted per basement suite.
- c. A basement suite shall comply with the Safety Codes Act (Chapter S-1, R.S.A. 2000) and regulations and amendments thereto, or its successor.
- d. One on-site parking stall shall be provided for each bedroom to a maximum of two stalls.
- e. A separate entrance door to a basement suite shall not be located on any front building elevation facing a street. Notwithstanding this, a single entry door providing access to an enclosed, shared land landing area from which both the main dwelling unit and the basement suite take access, may be located on any front building elevation facing a street.
- f. The maximum number of vehicles for basement suite occupants cannot exceed onsite parking stalls provided for the suite.

(2) Garage Suites:

- a. A garage suite means an accessory dwelling located above a detached garage (above grade); or a single storey accessory dwelling attached to the side of, or rear of, a detached garage (at grade).
- b. The Development Officer shall consider the following matters as part of the decision making process for an application for a garage suite:
 - i. Compatibility of the use in relation to the site, grade elevations, height, building types, and materials characteristic of surrounding development;
 - ii. The potential effect of the development on the privacy of adjacent properties; and
 - iii. The on-site and neighbourhood impacts on parking and traffic.
- c. Where approved, garage suites shall be developed in accordance with the following regulations:
 - i. All garage suites must meet the requirements of the Alberta Safety Codes Act;
 - ii. Shall not be located in the front yard;
 - iii. A minimum of one on-site parking space shall be provided for a garage suite;
 - iv. A minimum floor area of 30.0 m² (320 ft²) and shall not exceed 40% of the gross floor area of the principal dwelling;

- v. Has an entrance separate from the vehicle entrance to the garage, either from a common landing or directly from the exterior of the structure; and
- vi. Has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling located on the site.

7.31 SERVICE STATIONS AND GAS BARS

(1) Service stations and gas bars shall be located in such a manner that:

- a. No entrance or exit thereto for motor vehicles shall be within 60 m (197 ft) of an entrance to or exit from firehall, public or private school, playground, library, church, hospital, children's or senior citizen's home, or other 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 m (19.5 ft) of a side or rear property line;
- c. Service stations shall have a front yard of not less than 12 m (39.5 ft) and no fuel pump shall be located closer than 6 m (19.5 ft) to the front property line; and
- d. Storage tanks shall be set back from adjacent buildings in accordance with the Alberta Safety Codes Act and regulations made thereunder, and the Alberta Fire Code.

(2) Site Area and Coverage

- a. The minimum site areas shall be 740 m² (7,965.5 ft²) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1,115 m² (12,002 ft²);
- b. Where a service station forms part of an auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

(3) Site and Building Requirements

- a. All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.
- b. No activity may be carried on which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
- c. The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

7.32 SEWAGE HOLDING TANKS

- (1) On all parcels fronting onto lakes, only self-contained sewage systems will be permitted to be installed or replaced. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and private sewage holding tanks that are constructed of reinforced pre-cast concrete and meet applicable/relevant CAN/CSA standards, but do not include non-concrete self contained sewage holding tanks, disposal fields, treatment mounds, pit privies, or any other approved system for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.

7.33 SIGNS

- (1) All signs of a commercial, directional or informative nature erected on land or affixed to any exterior surface of any building or structure shall require a development permit and shall be subject to the following requirements:
 - a. No signs shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
 - b. No signs shall be erected on or affixed to public property without the prior consent of the appropriate public body.
 - c. No signs shall resemble or conflict with a traffic sign, nor shall any sign be a traffic hazard. No sign shall be in contravention of a County traffic speed bylaw or in contravention of any other County bylaw.
 - d. All signs shall be kept in a safe, clean and tidy condition, and may, by order of the Development Authority, be required to be renovated or removed.
 - e. No signs other than dwellings with approved home businesses shall be permitted in the Country Residential One (CR1) and Country Residential Two (CR2) District.
 - f. No signs shall be permitted within 800 m (2,624.6 ft) of a highway unless the prior approval of Alberta Transportation has been received.
 - g. Oil companies will be allowed to erect signs with the approval of the County to restrict their own oil field truck traffic to prevent the deterioration of County roads. These signs, once approved by the County, will be exempt from the requirement that development permits be obtained.
- (2) Freestanding signs in non-residential districts are subject to the following regulations:
 - a. One (1) freestanding sign shall be allowed per lot frontage for the purpose of identifying the use or building on that lot;
 - b. The maximum area of the freestanding sign shall not exceed 0.2 m² in area for each meter in frontage for a developed site to maximum of 10 m²;
 - c. The maximum height of the freestanding sign shall not exceed 9.0 m;

- d. The sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights. Reader board signs are however permitted;
 - e. At the discretion of the Development Authority, landscaping may be required at the base of the sign; and
 - f. The bottom of freestanding signs shall be a minimum of 3.6 m above grade, unless a lesser distance is approved by the Development Authority, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.
- (3) Notwithstanding Subsection (1) and (2) above, the following signs do not require a development permit, provided that they are not illuminated and that any necessary permits have been obtained from Alberta Transportation:
- a. signs, not to exceed 1.0 m² (10.8 ft²) in area, for the purpose of identification, direction and warning, or relating to a business, institution or club;
 - b. temporary signs, not to exceed 2.0 m² (21.6 ft²) in area, to be removed by the advertiser within 15 days of the completion of the event or works;
 - c. signs in relation to public or quasi-public bodies.

7.34 SINGLE LOT SUBDIVISIONS FOR COUNTRY RESIDENTIAL DEVELOPMENT

- (1) In the Agriculture (A) District, four (4) parcels for country residential use may be subdivided out of each quarter section provided the quarter section is a minimum of 60 ha (148 ac) in size and provided, further, that the total area of such parcels does not exceed 8 ha (20 ac). If the quarter section is less than 60 ha (148 ac) in size but more than 45 ha (111 ac) in size, the total area of such parcels may not exceed 6 ha (15 ac). If the quarter section is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, the total area of such parcels may not exceed 4 ha (10 ac). If the quarter section is less than 30 ha (74 ac) in size, the total area of such parcel may not exceed 2 ha (5 ac). Such country residential parcels may include any combination of farmsteads and vacant parcels, and may include one (1) fragmented parcel.
- a. 80 Acre Split Exceptions - If a quarter section has been previously subdivided into two (2) 80 acre halves, only one (1) country residential parcel to a maximum size of 4 ha (10 ac) may be subdivided from each half.
- (4) If the quarter section in the A District is less than 60 ha (148 ac) in size but more than 45 ha (111 ac.) in size, a maximum of three (3) parcels for country residential use may be subdivided from that quarter section. If the quarter section in the A District is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, a maximum of two (2) parcels for country residential use may be subdivided from that quarter section. If the quarter section in the A District is less than 30 ha (74 ac) in size but more than 15 ha (37 ac) in size, a maximum of one (1) parcel for country residential use may be subdivided from that quarter section. If the quarter section is less than 15 ha (37 ac) in size, no single lot separation may be allowed.

- (5) The development of more than the number of country residential parcels in a quarter section indicated in subsections (1) and (2) above shall be considered to be multi-lot country residential development and shall not be allowed within the Agriculture (A) District. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
- (6) A fragmented parcel, as defined in this bylaw, less than 8 ha (20 ac) in size, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Subdivision of fragmented parcels larger than 8 ha (20 ac) in area shall be considered to be agricultural parcels.
- (7) A country residential use parcel shall not be less than 0.4 ha (1 ac) in size and not more than 8 ha (20 ac) in size. However, the total area of all single lot country residential use parcels on a quarter section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in section 2.11 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.
- (8) In the case of a fragmented parcel used or intended to be used as a country residential site, the adequacy of the parcel shall be determined by the Subdivision Authority. Fragmented parcels which do not have a building site which would meet the yard and setback requirements of this Bylaw, which building site is readily accessible from a constructed road or highway, shall not be approved by the Subdivision Authority.
- (9) Where parcels which have been registered for use as country residences prior to the passage of this Bylaw are non-conforming in terms of size, the Development Authority may consider the approval of a development permit application.
- (10) Development for country residential purposes, whether for single detached dwellings or for manufactured home units, shall be prohibited:
 - a. on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;
 - b. on sites where necessary services are not provided at the sole expense of the developer;
or
 - c. on sites on which adequate storm water drainage is not provided.
- (11) The Subdivision Authority shall consider the minimum distance separation between dwellings and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act as a guide for evaluating all single lot subdivisions for country residential

development in proximity to confined feeding operations.

- (12) Where there is an existing sewage disposal system or dwelling on a single lot country residential parcel about to be subdivided, the Subdivision Authority shall require certification that the system is operating in accordance with Provincial regulations prior to giving final approval to the subdivision.

7.35 SOUR GAS FACILITIES

- (1) No development shall be permitted within 100 m (328 ft) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board (AEUB).
- (2) In the case of a Level 2 sour gas facility as determined by the AEUB:
 - a. no permanent dwelling shall be permitted within 100 m (328 ft) of the facility;
 - b. no rural public facility shall be permitted within 500 m (1640.4 ft) of the facility.
- (3) In the case of a Level 3 or 4 sour gas facility as determined by the AEUB:
 - a. no permanent dwelling shall be permitted within 100 m (328 ft) of the facility;
 - b. no country residential development at a density of more than 8 dwellings per quarter section shall be permitted within 500 m (1640.4 ft) of the facility;
 - c. no rural public facility shall be permitted within 1500 m (4921.2 ft) of the facility.

7.36 SUBDIVISION OF LAND

- (2) For the purposes of this Bylaw, an un-subdivided quarter section shall include those quarter sections where a separate title exists for a public utility or institutional use.
- (3) Development agreements shall be required as a condition of approval for subdivision of land within the County.

7.37 SUITABILITY FOR DEVELOPMENT

- (1) Where the development of land involves a subdivision of land, no development permit shall be issued until the application has received tentative approval from the Subdivision Authority.
- (2) The Development Authority shall not approve an application for a development permit unless, in its opinion, the land that is the subject of the application for a development permit is suited for the proposed development having regard to:
 - a. topography;
 - b. soil characteristics;
 - c. the collection and disposal of storm water from the land;
 - d. potential for flooding, subsidence, or erosion;
 - e. accessibility to a constructed road or highway;
 - f. availability and adequacy of a potable water supply to or from the land;
 - g. adequacy of a sewage disposal system and the disposal of solid waste;
 - h. depth of water table below the surface level of the land; and
 - i. such other matters of concern to the Development Authority.
- (3) Notwithstanding that a proposed development conforms in all respects with this Land Use Bylaw, where the application is for development on lands that are or may be subject to flooding or subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventive engineering and construction measures can be instituted to make the site suitable for the proposed development.

7.38 WIND ENERGY CONVERSIONS SYSTEMS

- (1) All developments must meet the following minimum standards:
 - a. Setback minimum distances shall be defined as below:
 - i. From any provincial highway – as per Alberta Transportation.
 - ii. From any road – the outside of the rotor’s arc is a minimum of 20 metres from the vertical projection of the boundary of the right-of-way.
 - iii. From any property line – the outside of the rotor’s arc is a minimum of 10 metres from the vertical projection of the property boundary line.
 - iv. From the nearest dwelling – two times the total height of the Wind Energy Conversion System.
 - v. Distances between Wind Energy Conversion Systems – two times the total height.
 - vi. All supporting buildings – as per the Land Use Bylaw district.
 - vii. Whereas in the opinion of the Development Authority, the setbacks are not sufficient to reduce the impact of a Wind Energy Conversion System from any road, boundary or dwelling, the Development Authority may increase the requirement.
 - b. Minimum Blade Clearance shall be at least 7.6 metres.
 - c. To ensure public safety, it is required that:

- i. No ladders or permanent outside tower access device be within 3.6 metres of the ground.
 - ii. A security fence with a lockable gate of not less than 1.8 metres in height shall surround a tower if the tower is climbable or subject to vandalism that could threaten the tower integrity.
 - iii. A locked device shall be installed on the tower to preclude access to the top of the tower.
 - iv. All of the above required or any such additional safety measures in the opinion of the Development Authority deemed reasonable.
 - v. Tower of tubular construction with locked internal access will preclude the above requirements.
- d. All power lines on the Wind Energy Conversion Site(s) between towers and/or substation facilities will be underground except where the Development Authority approves overhead installation.
- e. All Wind Energy Conversion Systems shall be finished in a neutral and/or non-obtrusive colour, a non-reflective matte finish, and shall contain no advertising or signage other than the manufacturer's identification.
- f. The amount and placement of all Wind Energy Conversion Systems will be based upon setback requirements and spacing as well as technical alignment for maximum efficiency.
- g. Public consultation must be conducted prior to any application submission and shall include:
 - i. Public meeting hosted and advertised either by general mail or newspaper advertising at least two weeks in advance, with the applicant's contact information being provided in either.
 - ii. Adjacent landowners to proposed Wind Energy Conversion System sites must be notified in writing, with copies of notice and landowners contacted provided within application information.
 - iii. Information provided at meeting must address all points required in the development permit application as identified in (2) below.
 - iv. Opportunity for feedback from the public must be allowed.
 - v. Summary of consultation and feedback to be included with application as requested.
- h. Provincial and federal agency approvals must be provided as identified in (2) below.
- i. Road maintenance, intersection treatment, approach consent, dust control and construction load limits will be required as part of the Development Permit approval.
- j. Security bond or letter of credit may be required to address decommissioning and reclamation of sites should a location be taken out of service. The amount of security and term will be reviewed on a case by case basis to determine current reclamation costs.
- k. The Development Authority has the right to request and enforce any other requirements that it sees fit in the issuance of any Wind Energy Conversion System development permit duly applied for.

- (2) All applications for development permits pertaining to a Wind Energy Conversion System installation must be accompanied by the following:
- a. Detailed Site Plan: showing all locations of towers and supporting buildings including buried cabling routes, internal access roads and various buildings required by the setbacks, topographic features, existing developments and structures, and existing right-of-ways.
 - b. The visual impact of the development including reference drawings and/or proposed illustrations must be included.
 - c. Technical drawings/photographs showing a single tower showing heights of tower, blade assembly, nacelle, rotor diameter and tower colour and finish.
 - d. Manufacturer's specifications including: the Wind Energy Conversion System rated output in megawatts; safety features and sound characteristics; and type of material used in tower, blade and nacelle construction.
 - e. Analysis of Noise Potential: at tower sites and at nearest existing developments or boundary lines which must meet or exceed provincial standards.
 - f. Specifications of the foundation and anchor design plans.
 - g. Methods and results of public consultation process.
 - h. Approvals from various Provincial and Federal regulation agencies including but not limited to:
 - i. Alberta Electrical Systems Operations
 - ii. Alberta Environment
 - iii. Alberta Energy and Utilities Board
 - iv. Alberta Transportation
 - v. Alberta Sustainable Resource Development
 - vi. Alberta Health Authority
 - vii. Transport Canada
 - viii. Navigation Canada
 - ix. Any other agency requiring approval
 - i. A detailed safety program identifying special rescue needs for workers that is beyond the local emergency responders' equipment capability.
 - j. Local road network access for the construction period identifying haul routes, intersection treatments required, approach utilizations, local resident dust controls, and time frames for construction.
 - k. A detailed Mitigation Plan and security bond addressing the reclamation and decommissioning of any sites or tower locations which may become non-operational after being developed.
 - l. An identification of future phases or developments planned.
 - m. A listing of consenting landowners including legal land locations of properties to be developed.
 - n. Any other information as required by the Development Authority such as sample lease agreements, etc.

7.39 WORK CAMPS

- (1) All work camps that meet any of the following and are an accessory use to industrial or resource development, require a development permit:
 - a. Fourteen days in duration;
 - b. Minimum of ten workers;
 - c. Minimum of ten holiday trailers or truck campers;
 - d. Minimum of one prefabricated multi accommodation unit; and
 - e. Minimum of one prefabricated eating/washroom/shower unit.

- (2) A temporary development permit for a work camp may be issued for one to one (1) year, at which time an application may be made for a continuance for the use for one (1) additional year, after which a new development permit approval is required.

- (3) An application for a development permit for a work camp must provide the following information:
 - a. The location, type and purpose of the camp;
 - b. Adjacent land uses;
 - c. The method of supplying water, sewage and waste disposal service to the camp. The proposed method of sewage disposal must comply with the current Alberta Private Sewage Systems Standard Practice and be to the satisfaction of the health authority;
 - d. The number of persons proposed to live in the camp;
 - e. Demonstrate approval from Alberta Sustainable Resources if the camp is located on Crown land;
 - f. The start date for development, the date for occupancy of residents, and removal date for the camp; and
 - g. Reclamation measures once the camp is no longer needed. Post security with the County of St. Paul No. 19 with sufficient funds to remove and reclaim the site if the work camp remains on site after the project is completed or if work has stopped to the extent that the County no longer feels the work camp is necessary for the project, or to reclaim the site if needed after the work camp has been removed from the site.

PART 8 - LAND USE DISTRICTS - USES AND REGULATIONS

8.1 ESTABLISHMENT OF LAND USE DISTRICTS

- (1) For the purposes of this Bylaw the County of St. Paul No. 19 is divided into the following districts:

Agriculture (A) District	Linear Parcel Direct Control (LPDC) District
General Urban (U) District	Recreation Vehicle (RV) District
Country Residential One (CR1) District	Highway Overlay (HO) District
Country Residential Two (CR2) District	IDP Overlay District (St. Paul)
Light Industrial Residential (IR) District	IDP Overlay District (Elk Point)
Industrial/Commercial (IC) District	

- (2) The boundaries of the districts listed in this Bylaw are as delineated in PART 10, LAND USE DISTRICT MAP.

- (3) Where uncertainty exists as to the boundaries of districts as delineated in the LAND USE DISTRICT MAP, the following rules shall apply:

- a. Where a boundary is shown as following a street, lane, or canal, it shall be deemed to follow the centre line thereof.
- b. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- c. In circumstances not cover by Rules 1 and 2, the location of the district boundary shall be determined: where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set, or where no 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.

- (4) Where the application of the above rules does not determined the exact location of the boundary of a district, the Council, either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, 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 the measurements and directions as the circumstances may require.

- (5) The Development Authority Officer shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

8.2 AGRICULTURE (A) DISTRICT

(1) Purpose:

- a. The primary purpose of the Agriculture District is to preserve agriculturally productive land and encourage the development of those agricultural activities associated with farming. The District also provides for the development of non-agricultural uses based on the potential capability, suitability and environmental compatibility of the land to support the use.

(2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Extensive Agriculture
- c. Manufactured Homes less than 10 Years of Age from Date of Development Application
- d. Minor Home Occupations
- e. Single Detached Dwellings
- f. Transfer Stations

(3) Discretionary Uses:

- a. Agricultural Service Centres
- b. Bed and Breakfast Establishments
- c. Buildings and Uses Accessory to Discretionary Uses
- d. Day Homes
- e. Extensive Recreation
- f. Family Care Facilities
- g. Farmstead Separations
- h. Greenhouse or Plant Nursery
- i. Group Care Facilities
- j. Group Homes
- k. Institutional and Public Uses
- l. Intensive Agriculture
- m. Intensive Recreation
- n. Kennels
- o. Major Home Occupations
- p. Manufactured Homes more than 10 Years of Age from Date of Development Application
- q. Natural Resource Extraction Industries
- r. Public Utility Buildings and Installations
- s. Secondary Suites
- t. Single Lot Country Residential Development
- u. Veterinary Clinics
- v. Wind Energy Conversion Systems
- w. Work Camp

- x. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

(4) Regulations:

- a. Minimum Lot Size – Permitted Uses. For permitted agricultural uses, 25.0 ha (61.8 ac.), except where the lot is subject to the following exemptions: where the lot is fragmented by a natural or man-made barrier; where roadway and/or railroad plans have been removed from the lot; where subdivisions for discretionary uses have been allowed; the remainder of a lot where a single residential lot subdivision has occurred.
- b. Minimum Lot Size - Discretionary Uses: single lot country residential development and farmstead separations – minimum lot size not less than 0.4 ha (1.0 ac.); all other discretionary uses as regulated by the land use provisions; if not specified, to be determined by the Development Authority.
- c. Minimum Floor Area - Discretionary Uses: as required by the Development Authority.
- d. Maximum Building Height: Dwelling units - 10.0 m (32.8 ft); Accessory buildings – At the discretion of the Development Authority.
- e. Minimum Required Yards:
 - i. Minimum Required Front Yard : Internal Local Road – 27.2 m (90 ft) from the centre line of the road; Grid Road – 40 m (130 ft) from the centre line of the road; Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
 - ii. Minimum Required Side Yards – a minimum ten percent (10%) of mean parcel width or 12 m (39.4 ft), whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
 - iii. Minimum Required Rear Yard – a minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.

(5) Kennels:

- a. Notwithstanding any other provision of this Bylaw to the contrary, kennels shall only be developed in accordance with approved development permits which require that the kennels be located, developed and operated in such a manner as to mitigate any potential detrimental effect on adjacent properties.

8.3 GENERAL URBAN (U) DISTRICT

(1) Purpose:

- a. The purpose of the General Urban District is to provide for the continued viability and orderly infilling of urban type development in the District.

(2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Manufactured Homes less than 10 Years of Age from Date of Development Application
- c. Minor Home Occupations
- d. Single Detached Dwellings

(3) Discretionary Uses

- a. Amusement Establishments, Indoor
- b. Apartment Buildings
- c. Bed and Breakfast Establishments
- d. Buildings and Uses Accessory to Discretionary Uses
- e. Day Homes
- f. Duplexes
- g. Extensive Recreation
- h. Family Care Facilities
- i. Fourplex
- j. Group Homes
- k. Hotels
- l. Intensive Recreation
- m. Institutional and Public Uses
- n. Major Home Occupations
- o. Manufactured Home Parks
- p. Manufactured Homes more than 10 Years of Age from Date of Development Application
- q. Motels
- r. Row Houses
- s. Secondary Suites
- t. Uses listed as Permitted or Discretionary Uses in the Industrial/ Commercial (IC) District, but not Auto Wreckers or Natural Resource Extraction Industries
- u. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

(4) Regulations:

a. Relating to Single Detached Dwellings and Manufactured Homes:

- i. Minimum Lot Sizes (Width, Length, Area): Unserviced - 30 m (98.4 ft), 40 m (131 ft) 2,000 m² (21,528 ft²); All Services - 15 m (49 ft), 30 m (98.4 ft), 464 m² (4,994 ft²); Sanitary Only - 22.5 m (74 ft), 40 m (131 ft), 925 m² (9,957 ft²); Water Only - 30 m (98.4 ft), 40 m (131 ft), 1,375 m² (14,801 ft²).
- ii. Minimum Required Yards: Front – 7.6 m (24.9 ft); Rear Yard – 7.6 m (24.9 ft); Side Yard – 1.5 m (4.9 ft) each; and Corner lot – 4.5 m (14.75 ft) abutting road or highway.
- iii. Maximum Building Height: All dwelling units except apartment buildings - 10.0 m (32.8 ft); Apartment buildings – At the discretion of the Development Authority; Accessory buildings – At the discretion of the Development Authority.

b. Relating to All Other Uses – at the discretion of the Development Authority.

8.4 COUNTRY RESIDENTIAL ONE (CR1) DISTRICT

(1) Purpose:

- a. The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within various parts of the County.

(2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Manufactured Homes less than 10 Years of Age from Date of Development Application
- c. Minor Home Occupations
- d. Single Detached Dwellings

(3) Discretionary Uses:

- a. Bed and Breakfast Establishments
- b. Buildings and Uses Accessory to Discretionary Uses
- c. Day Homes
- d. Extensive Agriculture
- e. Extensive Recreation
- f. Family Care Facilities
- g. Institutional and Public Uses
- h. Manufactured Homes more than 10 Years of Age from Date of Development Application
- i. Public Utility Buildings and Installations
- j. Resort Commercial Uses
- k. Secondary Suites
- l. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

(4) Regulations:

- a. Minimum Lot Size:
 - i. Permitted uses – In the case of a development permit, 0.4 ha (1.0 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1.0 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - ii. Discretionary uses - Extensive Agriculture, as required in Section 7.13 of this Bylaw; all other uses – as required by the Development Authority.
- b. Minimum Required Yards:
 - i. Front and Corner: Internal Local Road – 7.6 m (24.9 ft) from the boundary of the right-of-way; Grid Road – 24.4 m (80 ft) from the boundary of the right-of-way; and Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.

- ii. Side – 6.1 m (20 ft) each; and
- iii. Rear - 7.6 m (24.9 ft).
- c. Minimum Floor Area: Single detached dwellings/manufactured homes – 74.3 m² (800 ft²).
- d. Maximum Building Height: Dwelling units - 7.6 m (25 ft) on properties adjacent to water bodies or lakes; 10.0 m (32.8 ft) all other properties; Accessory buildings - Accessory buildings – At the discretion of the Development Authority.
- e. Recreational Vehicles:
 - i. No development permit shall be required for the placement of two or less recreation vehicles on a lot if those recreation vehicles are:
 - 1. Mobile (licensed, insured, and with its wheels intact), are on site for seven (7) days or longer, and have no accessory buildings or structures, such as parking pads, porches, associated with any of them; or
 - 2. Not Mobile, being on site for more than seven (7) days, or has any accessory buildings or structures associated with it. A development permit shall be required for the placement of any such accessory structures on a lot. The issuance of such a development permit shall be considered entirely discretionary.
 - ii. The number of recreation vehicles on a parcel, may, on occasion, exceed the maximum of 2 subject to: the Development Authority being advised in writing of the dates when more than 2 recreation vehicles will be on the parcel and the number of recreation vehicles expected; the parcel being able, in the opinion of the Development Authority, to sufficiently accommodate all recreation vehicles expected as well as any accompanying vehicles; provisions satisfactory to the Development Authority being made for the disposal of sewage; and the maximum period of time when more than two recreation vehicles are on site shall not exceed five consecutive days and shall not occur more than two times in a calendar year.
 - iii. If a recreational vehicle is developed so as to become a part of a building, such as by the removal of its wheels or the addition of a building or structure onto it which encloses or immobilizes the recreational vehicle, the recreational vehicle will then be regarded as a manufactured home or single detached dwelling.
- f. Intensive Recreation and Resort Commercial Developments - Intensive recreation developments and resort commercial developments shall be developed only with careful consideration of the impacts such development may have on the residential and recreational amenity of adjacent residential uses, and shall be developed with appropriate buffers and conditions, as established and required by the Development Authority, to mitigate any negative impacts. No intensive recreation or resort commercial development shall have any more than a total of twenty-five (25) units, either recreational vehicle stalls or hotel or motel units, for rental or use.
- g. The re-subdivision of lots in the CR1 District into smaller parcels will only be allowed: if the subdivision was initially designed to allow for such re-subdivision, or if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

8.5 COUNTRY RESIDENTIAL TWO (CR2) DISTRICT

a. Purpose:

- a. The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place under substantial development restrictions within various parts of the County. Neither manufactured homes nor the occupancy of recreational vehicles shall be allowed in this District.

b. Permitted Uses:

- j. Buildings and Uses Accessory to Permitted Uses
- k. Minor Home Occupations
- l. Single Detached Dwellings

(6) Discretionary Uses:

- a. Bed and Breakfast Establishments
- b. Buildings and Uses Accessory to Discretionary Uses
- c. Day Homes
- d. Extensive Agriculture
- e. Extensive Recreation
- f. Institutional Buildings and Uses
- g. Public Utility Buildings and Installations
- h. Secondary Suites
- i. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

(7) Regulations:

a. Minimum Lot Size:

- i. Permitted uses within 122 m (400 ft) of a lake – In the case of a development permit, 0.2 ha (0.5 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.2 ha (0.5 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - ii. Permitted uses more than 122 m (400 ft) from a lake – In the case of a development permit, 0.4 ha (1 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - iii. Discretionary uses – as required by the Development Authority.
- #### b. Minimum Required Yards:
- i. Front and Corner - Internal Local Road – 7.6 m (24.9 ft) from the boundary of the right-of-way; Grid Road – 24.4 m (80 ft) from the boundary of the right-of-way; and

Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.

- ii. Side – 6.1 m (20 ft) each; and
- iii. Rear - 7.6 m (24.9 ft).
- c. Minimum Floor Area - Single detached dwellings and manufactured homes – 111.5 m² (1,200 ft²).
- d. Maximum Building Height - Dwelling units - 7.6 m (25 ft) on properties adjacent to water bodies or lakes; 10.0 m (32.8 ft) on all other properties. Accessory buildings – At the discretion of the Development Authority.
- e. The re-subdivision of lots in the CR2 District into smaller parcels will only be allowed: if the subdivision was initially designed to allow for such re-subdivision; or if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

8.6 LIGHT INDUSTRIAL RESIDENTIAL (IR) DISTRICT

(1) General Purpose of District:

- a. This land use district is generally intended to establish an area of; limited light industrial uses; and those commercial uses which provide service to industrial uses or which, as a result of their nature, are better suited in an industrial area, and with residential development. Any residential development is to be associated directly with, but secondary to a limited industrial development. The uses in this Land Use district are not intended to cause any objectionable or dangerous conditions beyond the confines of the building in which they are located, and residential uses are to have adequate screening and amenity. Storage areas must be screened from public view and the view of the residential uses on adjacent properties.

(2) Permitted Uses:

- a. Greenhouse or Plant Nursery
- b. Industrial Warehouse
- c. Kennel
- d. Mini-storage with or without outside storage areas
- e. Oilfield Support Services
- f. One single detached dwelling or manufactured home used solely to accommodate a person or persons related as a family, or employee, whose official function is to provide surveillance, maintenance and/or security for a primary industrial development provided for in this land use district. The single detached dwelling or manufactured home as defined herein shall clearly be a subordinate use of the parcel on which it is located
- g. Repair Service Establishment
- h. Truck and Equipment Storage and Repair Shops
- i. Trucking Establishment
- j. Veterinary clinic
- k. Workshops for construction and building trades

(3) Discretionary Uses:

- a. Accessory use industrial office
- b. Accessory building or use
- c. Institutional and Public Use
- d. Manufacturing
- e. Manufactured Homes less than 10 Years of Age from Date of Development Application
- f. Public Utility Buildings and Installations
- g. Single Detached Dwellings
- h. Transportation service provider
- i. Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses.

(4) Regulations

a. Residential Component Amenity:

- i. The Development Authority cannot approve a Residential Use of any type on a parcel until an active industrial use of the parcel including an industrial/commercial building of at least 150 m², exists or is in the process of being developed on the property.
- ii. The residential uses, where detached from the industrial use area, shall be sufficiently separated and screened from the industrial use on the same or adjacent parcel as may be deemed necessary by the Development Authority.
- iii. Except as noted in 4a.(ii) and 4a.(v) a minimum separation between the industrial/commercial structures and the residential structures shall be no less than 10 m.
- iv. The residence may be placed in the front of the lot, if the Development Authority is satisfied adequate separation and screening is provided from adjacent industrial use or the adjacent industrial does not unduly detract from the amenity of the residence.
- v. The residence may be combined with a portion or all of this industrial use if the Development Authority is satisfied adequate amenity provisions for the residential use are provided.

b. Parcel Dimensions:

- i. Width - Shall be no less than 40 m except in the case of parcel located on curves or cul-de-sacs, which shall maintain a minimum frontage of 30 m with of width of 35 m at the front yard setback line.
- ii. Depth - Shall be no less than 100 m.

c. Area:

- i. Minimum parcel area of 1.0 ha.
- ii. Maximum parcel area of 4.0 ha.

d. Parcel Coverage:

- i. If there is a detached residential component: The Industrial/commercial component for all combined uses, parking, outside storage, driveways and buildings, the total parcel coverage shall not exceed 50% times the parcel area. The minimum residential component including all building, accessory structures, parking, landscaping and amenities related to the residence shall be 25% of the parcel. The area required for landscaping, screening, driveways, buffering, shall be 25% of the parcel area.
- ii. If there is no detached residential component, for all combined uses, parking, outside storage, driveways and building, total parcel coverage shall not exceed 75% if the parcel area.

e. Minimum Setback Requirements:

- i. Front Yard: Internal Local Road – 12.1 m from the boundary of the right-of-way; Grid Road – 24.4 m from the boundary of the right-of-way; Major and Minor Two-

Lane Highways – 70 m from the centre line or 40 m from the boundary of the right-of-way, whichever is greater.

- ii. Minimum Required Side Yards – A minimum ten percent (10%) of mean parcel width or 12 m, whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
- iii. Minimum Required Rear Yard – A minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.

8.7 INDUSTRIAL/COMMERCIAL (IC) DISTRICT

(1) Purpose:

- a. The primary purpose of the Industrial/Commercial District is to provide for the development of industrial and commercial enterprises which generally are compatible with one another.

(2) Permitted Uses:

- a. Agricultural Service Centres
- b. Buildings and Uses Accessory to Permitted Uses
- c. Commercial Service Centre
- d. Hotels
- e. Motels
- f. Personal Service Shops

(3) Discretionary Uses:

- a. Amusement Establishments, Indoor
- b. Amusement Establishments, Outdoor
- c. Auto Wrecker
- d. Bingo Halls
- e. Buildings and Uses Accessory to Discretionary Uses
- f. Eating and Drinking Establishments
- g. Gambling Machine Establishments
- h. General Industrial Uses
- i. Institutional or Public Uses
- j. Intensive Agriculture
- k. Liquor Stores
- l. Manufacturing
- m. Mini Storage with or without outside storage areas
- n. Natural Resource Extraction Industries
- o. Oilfield Support Services
- p. Repair Service Establishment
- q. Rural Industries
- r. Surveillance Suites
- s. Truck and Equipment Storage and Repair Shops
- t. Trucking Establishment
- u. Veterinary Clinics
- v. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

(4) Regulations

- a. Lot Size: The maximum and minimum lot size shall be as determined by the Development Authority.
- b. Minimum Required Yards:
 - i. Minimum Required Front Yard: Internal Local Road – 12.1 m (39.7 ft) from the boundary of the right-of-way; Grid Road – 24.4 m (80 ft) from the boundary of the right-of-way; Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
 - ii. Minimum Required Side Yards: A minimum ten percent (10%) of mean parcel width or 12 m (39.4 ft), whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
 - iii. Minimum Required Rear Yard: A minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.
- c. Building Height: The maximum height of buildings shall be at the discretion of the Development Authority who shall consider the design, siting and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts; but, in no case shall the height of any building exceed 10.0 m above grade.

8.9 LINEAR PARCEL DIRECT CONTROL (LPDC) DISTRICT

(1) Purpose:

- a. The purpose of the Linear Parcel Direct Control District is to give the County of St. Paul No. 19 Council the authority to decide upon uses that relate to linear parcels of land, as these lands can affect agriculture and a large number of residents.

(2) Permitted Uses:

- a. Railway and railway-related uses
- b. Any use and development Council considers appropriate

(3) Regulations:

- a. All regulations shall be at the discretion of Council, having regard to the other provisions of this Bylaw.

(4) Procedure for the Consideration of Development Permits

- a. Prior to making on a decision on an application for a development permit in the LPDC District, Council shall:
 - i. Cause a notice to be issued by the Development Authority Officer in the same manner as indicated for approved development permits for discretionary uses in Section 3.4(4) of Part 3 of this Bylaw, and
 - ii. Hear any persons that may claim to be affected by the proposed development.
- b. Council may then act as Development Authority for the development permit application.
- c. When the County of St. Paul No. 19 is, itself, the applicant for development, prior to making a decision on an application for a development permit, the Council should seek comments from other agencies such as the planning advisor, regional health authority, and/or applicable provincial government departments.
- d. Pursuant to Section 641(4)(a) of the Act, no appeal to the Subdivision and Development Appeal Board lies in respect of the issuance of a development permit within the Linear Parcel Direct Control (LPDC) District that was made by the Council.

8.10 RECREATION VEHICLE (RV) DISTRICT

- (1) Purpose:
 - a. To provide for the creation of recreation vehicle and recreation vehicle park model communities and the accommodation of persons in recreation vehicles.
- (2) Permitted Uses:
 - a. Recreation Vehicle
 - b. Park Model
- (3) Discretionary Uses:
 - a. Accessory Building
- (4) Requirements for Development:
 - a. All internal roads are to be the responsibility of the developer for both construction and future maintenance. Internal roads shall have a minimum of a 6 metre usable top, except for one-way roads which shall have a minimum of 3.65 metre usable top.
 - b. The developer shall provide a means of water and sanitary service to the satisfaction of the Development Authority.
 - c. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all statutory authorities and agencies having jurisdiction over this type of development.
 - d. As a condition of approval, a development agreement may be required. The development agreement may require the developer to construct, upgrade or pay to construct or upgrade the necessary County roads to access the development.
 - e. All stalls shall maintain a minimum setback of 30 metres from the shoreline of any body of water or lake.
 - f. If the development is adjacent to a lake, the developer shall provide reasonable and adequate lake access.
- (5) Regulations:
 - a. Recreation vehicles and recreation vehicle park models may be located within the recreational vehicle park for greater than 90 days in a calendar year, and may be occupied for more than 90 days in any calendar year.
 - b. The gross floor area of an accessory buildings constructed or placed on park model space shall not exceed 10 m² (108 ft²).
 - c. An open deck or patio with or without a canopy may be constructed on a park model space provided it does not exceed a floor area of 32.5 m² (350 ft²).
 - d. Not more than 33%, or 11.2 m² (120 ft²), of open deck or patio area may be enclosed.

- e. Not more than 5% of the gross park area shall be used for an accessory storage area.
- (6) Density:
- a. Not more than 25 recreational vehicles and recreation vehicle park model spaces for the siting, location, or support of recreational vehicles shall be developed per hectare of land (10 park model spaces per acre) , or portion thereof.
 - b. Not more than one recreation vehicle or recreation vehicle park model shall be parked or placed on a recreational vehicle space.
 - c. Not more than one accessory building and one open deck shall be constructed or placed on a recreational vehicle space.
- (7) Lot Area:
- a. The minimum lot area shall not be less than 2.0 hectares (4.9 acres).
 - b. The minimum recreation vehicle or recreational vehicle park model space shall not be less than 200 m² (2,160 ft²).
- (8) Yard Requirements:
- a. Front Yard Setback – 6.0 m (19.7 feet).
 - b. Rear Yard Setback - 6.0 m (19.7 feet).
 - c. Side Yard Setback – 1.5 m (4.9 feet), except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
- (9) Height of Buildings and Fences:
- a. Park Model - 5.0 metres (16.4 feet).
 - b. Accessory Building – 2.4 metres (7.9 feet).
 - c. Fence – 2.0 metres (6.6 feet).
- (10) Amenity Area:
- a. Where the density of the park is less than or equal to 12 recreation vehicles or recreation vehicle park models per hectare (5 park models per acre), the establishment of an amenity area is not required.
 - b. Where the density of the park is greater than 12 recreation vehicle or recreation vehicle park models per hectare (5 park models per acre), but less than or equal to 20 recreation vehicles or recreation vehicle park models per hectare (8 units per acre), an amenity area comprising 10% of the gross lot area shall be established.
 - c. Where the density of the park exceeds 20 recreation vehicle or recreation vehicle park models per hectare (8 units per acre), an amenity area comprising 15% of the gross lot area shall be established.

- d. For the purpose of calculating amenity area, any indoor recreation space or facility provided may be counted as double the actual area.
- e. The amenity area shall not include landscape buffer areas, parking areas, recreation vehicle or recreation vehicle park model spaces, roadways, or accessory storage areas.

(11) Landscaping:

- a. All mechanical, electrical, or other service equipment located outside of a building shall be screened from adjacent properties and streets by ornamental structures, landscaping, or by other means.
- b. All outdoor storage and refuse receptacle areas shall be screened to the satisfaction of the Development Authority.
- c. The perimeter of an accessory storage area shall be screened by a solid fence not less than 2.0 metres (6.6 feet) in height.

8.11 HIGHWAY OVERLAY (HO) DISTRICT

(1) Purpose:

- a. To establish a positive visual impression of development adjacent to highways by: screening unsightly equipment or materials from the view of the highway, and enhancing the quality and appearance of developed properties within the overlay district.

(2) Application:

- a. The overlay regulation applies to the development or redevelopment of all lands districted for industrial or commercial purposes that are visible from the highway and located within 300 m of a highway right-of-way.
- b. The Overlay District regulations are to be applied as a condition of a Development Permit.
- c. The Overlay District applies to the redevelopment of existing buildings and facilities as well as all new development.

(3) Site Planning:

- a. The main entry of the building must face the main access road and be prominently visible upon entering the site. The main entry shall not be visually blocked by the storage or display of sale products.
- b. Buildings must be sited in such a location to provide open space between the building and adjacent streets and/or on-site parking lots for the purpose of landscaping. This open space area is to be equal to or exceeding the minimum required setback for the development. This landscaped area is not to be used for the display of sale products or for waste disposal or other utility areas, unless these are screened.
- c. All on-site lighting, including those in on-site parking lots, must be down lighting; the use of fixtures projecting light upwards is not permitted.

(4) Site Landscaping and Fencing:

- a. All exterior storage areas are to be fenced. Acceptable fencing materials are as follows: chain link, vinyl, and masonry.
- b. No fences are permitted in the front yard, and shall not extend or be in front of the building face.
- c. Maximum height of a fence shall be 2.5 m.
- d. Dry landscaping (e.g. mulch and/or washed rock) instead of grass, and the use of native plant species that can withstand drought are encouraged.
- e. In order to address the issues related to potential wildland fires and their interface with development, any development proposal adjacent to a naturally vegetated area or agricultural lands shall incorporate the FireSmart guidelines advocated by Alberta Sustainable Resource Development to the satisfaction of the approving municipality's Development Authority.

- f. Landscaping areas should not be used for the storage of equipment or materials or for the display of sale products, unless their storage and/or display has been properly integrated into the landscaping design and approved by the Development Authority.

(5) Building Design:

- a. A minimum of two major exterior cladding materials are required for any elevation of a principal or an accessory building facing the highway.
- b. A variety of exterior materials and/or colours is encouraged to prevent the creation of monotonous streetscapes.
- c. The main entry of the building must be prominent and clearly visible upon entering the site.
- d. The base of all buildings on sides facing the highway must be clearly defined and provide a visual anchor to the building. Permitted ways to define the base include but are not limited to the following; block, stone, brick, a change in exterior material or a change in exterior colour or a change in the direction of exterior material. The painting of the exterior material is not permitted. The ideal ratio for defining the base height is 4:1. For example, if the building height is 12'-0" the base should be 3'-0".
- e. Building rooflines must be clearly defined through a change in material, colour, or elevation change. Permitted ways to create this definition include creating a distinct colour band, a change in the direction of exterior siding, the addition of crenellations (i.e. notches) to break up a single level roof line, or variations in the building parapet elevation. The ideal ratio for defining the roofline is 8:1. For example, if the building height is 12'-0" the roofline should be 1'-6". The painting of the exterior siding is not permitted to define the roofline. Mono slope roof trusses are discouraged.
- f. Building signage and other on-site signage must comply with the Land Use Bylaw. Building signage (including business signs, usage signs and directional signs) must be integrated with the building façade.

8.12 IDP OVERLAY (IDPSP) DISTRICT ST. PAUL

(1) Purpose:

- a. As established by Bylaw, all subdivision and development permit applications shall adhere to the policies as contained within the Town of St. Paul and County of St. Paul No. 19 Inter-municipal Development Plan.

8.13 IDP OVERLAY (IDPEP) DISTRICT ELK POINT

(1) Purpose:

- a. As established by Bylaw, all subdivision and development permit applications shall adhere to the policies contained within the Elk Point Inter-municipal Development Plan.

PART 9 – ADOPTION

9.1 ADOPTION

- (1) Bylaw No.1486 as amended, is hereby repealed.
- (2) This Bylaw comes into effect on the date of it being finally passed.

READ A FIRST TIME THIS _____th DAY OF _____.

READ A SECOND TIME THIS _____th DAY OF _____.

READ A THIRD TIME AND FINALLY PASSED THIS _____th DAY OF _____.

REEVE

CHIEF ADMINISTRATIVE OFFICER