

**CLEARWATER COUNTY  
COUNCIL AGENDA  
January 11<sup>th</sup>, 2011**

**DELEGATIONS:**

**11:00 Energy Resource Conservation Board**

**1:15 Parkland Airshed Management Zone**

**2:15 Land Use Bylaw Update**

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. December 14<sup>th</sup>, 2010 Regular Meeting Minutes

**D. PUBLIC WORKS**

1. Public Works Manager's Report
2. Proposed Access Road to SW 17-35-5 W5
3. 2011 Winter Gravel Program
4. Stimulus Grant Funding
5. Sunchild Road Speed Increase

**E. FINANCE**

1. Accounts Payable Listing
2. 2011 Budget (documents to follow on Monday)
3. AAMDC Report-Cost Sharing Works
4. Expanded Offsite Levies
5. Refund of Partial Property Tax

**F. MUNICIPAL**

1. Municipal Manager's Report
2. AAMDC Standing Committee Nominations
3. Regional Family and Community Support Services (FCSS) Board Appointment
4. Thompson Country Pony Club Funding Request
5. Aging Population Policy Framework
6. Clearwater Regional Emergency Management Agency (CREMA)-Joint Council Meeting
7. 11:00 Energy Resource Conservation Board (ERCB)
8. 1:15 Parkland Airshed Management Zone (PAMZ)

**9. INCAMERA**

- a. Personnel Issue (documents to follow over the weekend)

**G. PLANNING**

1. Municipal Planning Commission and Subdivision and Development Appeal Board Partnership Options
2. 2:15 Land Use Bylaw Update

**I. COMMITTEE REPORTS**

**J. ADJOURNMENT**

## ***TABLED ITEMS***

<b><u>Date</u></b>	<b><u>Item, Reason and Status</u></b>
08/10/10	Residential Subdivision Policy <ul style="list-style-type: none"><li>• To allow more discussion between Council and Public Works.</li></ul> <b>STATUS: In progress, Public Works</b>
11/09/10	County Vehicle Decaling <ul style="list-style-type: none"><li>• To allow staff time to prepare item for Council</li></ul> <b>STATUS: Staff will bring before Council at the January 11<sup>th</sup>, 2011 Council Meeting</b>
12/14/10	Withdraw Community Subdivision Capital Funding Request To allow staff time to clarify the structure of the organization. <b>STATUS: In progress, Community and Protective Services</b>

**AGENDA ITEM**

**DATE:** December 20, 2010

**ITEM:** Proposed Access Road to SW 17 -35 -5 W5

**PREPARED BY:** Erik Hansen/ Marshall Morton

**BACKGROUND:** The administration received a letter from Lori McKeown and Kerry Marsh proposing the construction of a municipal standard road on a cost share basis with Clearwater County.

The proposed road would continue south from Twp Rd 35-4 on the currently undeveloped portion of RR 5-5 and is approximately 700 meters long. The road would then provide legal access to SW 17 -35 -5 W5.

The subject area has been inspected and determined that the proposed road does qualify under the “Access Roads” policy. The estimated cost of this project is \$110,613.50. If Council approves the described development the County’s share would be \$82,960.13. We anticipate this project being completed with the funds available in the Access Roads budget for 2012.

The access road schedule at present includes the Hoven Access (Twp Rd 37-4 east of RR 4-5) scheduled for completion early in the New Year. The Sauter Access (Twp Rd 35-0 west of RR 5-5) scheduled for summer 2011. The Michaelchuk Access (Twp Rd 39-2 east of RR6-2) scheduled for completion early in the New Year 2011.

A copy of the submitted letter has been attached for your review.

**RECOMMENDATION:** That Council reviews this information and approves the construction of the described access road under the provisions of the Access Roads Policy.

Lori McKeown & Kerry Marsh  
353043 Range Road 5-5  
P.O. Box 749  
Caroline, AB T0M 0M0  
[clearwaterruby@hotmail.ca](mailto:clearwaterruby@hotmail.ca)  
Phone (403)722-3006

October 19, 2010

Mr. Erik Hansen  
Public Works, Access Roads  
Clearwater County  
4340 – 47 Ave  
Box 550  
Rocky Mountain House, Alberta T4T 1A4

Dear Mr. Hansen,

Kerry & I are the owners of the quarter located at SW17-35-5-W5M, and, further to our conversation last week, we would like to proceed with application for an access road to this quarter on a cost share basis with the County.

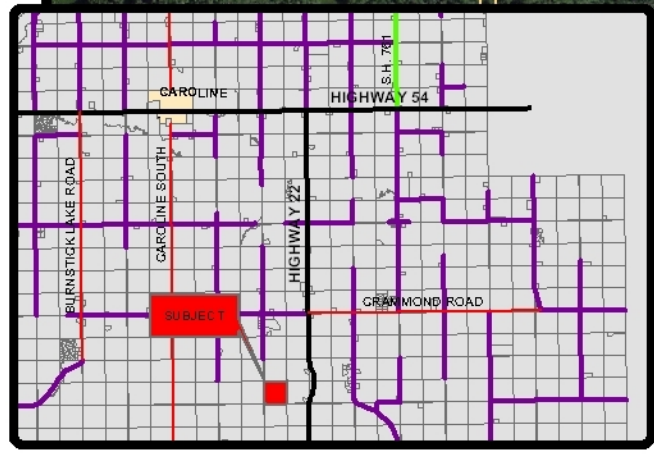
We have owned the quarter for over ten years. For the past 5 years, we reside off range road 5-5, just north of the quarter. Access from the north is therefore our preference, plus I believe the access road would be slightly less than ½ mile long, an extension of range road 5-5.

Please put forth our request to Council, and call me or eMail me at the above numbers if you require any further action on our part.

Thanks very much,

Lori McKeown (& Kerry Marsh)





Proposed Access Road - 700 meters +/- to provide access to S.W. 17-35-5 W5



***AGENDA ITEM***

**DATE:** January 11, 2011

**ITEM:** 2011 Winter Gravel Program

**PREPARED BY:** Frank McBride / Marshall Morton

**BACKGROUND:** The 2011 Winter Gravel Program is being submitted for Council's review and approval.

The budgeted amount for the 2011 Winter Gravel Program is 1,122,262.00 with the proposed program valued at 1,123,643.00 dollars.

This year's proposed program will re-gravel 419 kms (260 miles) of road and use approximately 82,125 tonnes of gravel from inventory.

January 17, 2011 is the intend start date of the Winter Graveling Program, pending Council's approval, suitable snow and weather conditions,

A map of the proposed 2011 Winter Graveling Program is attached for Councils review.

**RECOMMENDATION:**

That Council reviews and approves the 2011 Winter Graveling Program as submitted.



## ***AGENDA ITEM***

**DATE:** January 11, 2011

**ITEM:** Extension of Infrastructure Stimulus Fund

**PREPARED BY:** Erik Hansen/Marshall Morton

### **BACKGROUND:**

As Council may recall during the December 14, 2010 council meeting the Administration presented an update on the ISF grant funding, Motion #445/10. The agenda item included the conditional extension of the ISF grant funding, provided the following information was provided:

- an estimate of project costs to be incurred to the end of March 2011;
- a forecast of project costs remaining as of April 1, 2011;
- a detailed current construction schedule signed by the project engineer and;
- a council resolution which supports the extension request, and which commits to completing the project and accepting responsibility for any costs incurred after October 31, 2011.

Since then the Program Joint Secretariat has requested that the format for the motion to request an extension must be presented in the format shown on the attached.

### **RECOMMENDATION:**

That Council reviews the ISF extension request and amends its previous motion #?? to reflect the wording required by the federal government.

**MOTION TO REQUEST AN EXTENSION FOR INFRASTRUCTURE  
PROJECTS UNDER CANADA'S ECONOMIC ACTION PLAN**

Moved by  
Seconded by

**WHEREAS** the federal and provincial/territorial (where appropriate) governments will make a one-time extension of the deadline for funding of projects under the Infrastructure Stimulus Fund from March 31, 2011 to October 31, 2011;

**AND WHEREAS** all funding from the Government of Canada and the Province of Alberta will cease after October 31, 2011;

**AND WHEREAS** the Clearwater County has asked the provincial government for an extension to federal and provincial funding to October 31, 2011 for the following projects:

[list of projects]

Project number	Project title	Total eligible cost	Federal contribution
10350	Sunchild Road Base/Pave – Phase II	\$13,301,636.00	\$4,433,878.66

**THEREFORE BE IT RESOLVED THAT** Clearwater County attests that it will continue to contribute its share of the required funding for the aforementioned projects;

**AND BE IT FURTHER RESOLVED THAT** actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned projects must be and will be submitted no later than April 30, 2011 to the Province of Alberta;

**AND BE IT FURTHER RESOLVED THAT** Clearwater County will ensure that the project will be completed.

CARRIED

## ***Agenda Item***

**Date:** 11 January, 2011

**Item:** Proposed Sunchild Rd. Speed Increase to 90 Km/h – Sunchild Reserve (24 Km north of Hwy. 11) north to Nordegg River Road.

**Prepared by:** Frank McBride / Marshall Morton

**Background:** For Councils consideration, with the continuing improvement and paving of the Sunchild Road, it is proposed that the newly paved section of road from the Sunchild Reserve, heading north 20 Km's to the Nordegg River Road be increased from 80 Km/hr zone to 90 Km/hr zone. This proposed By-law combined with the existing By-law (By-law No. 929/10 passed 26 October 2010) would make the paved portion of the Sunchild Road a 90 Km/h zone.

**Recommendation:** Administration requests that Council reviews the information and approve BY-LAW NO. 930/10 allowing the amending of the 80 Km/hr. zone to 90 Km/hr. zone for the 20 Km's north of the Sunchild Reserve to the Nordegg River Road.

BY-LAW NO. 930/10

A By-law of Clearwater County, in the Province of Alberta, to establish maximum speed limits throughout the County.

WHEREAS, provisions of Section 14 of the Highway Traffic Act, being Chapter H-7 of the Revised Statutes of Alberta, 1980, and amendments thereto, authorize the Council to establish maximum speed limits in excess of eighty (80) kilometers per hour for highways under its control; and

WHEREAS, the Council of Clearwater County deems it advisable to establish a maximum speed limit for various roads within its control.

NOW, THEREFORE, the Council of Clearwater County, in the Province of Alberta, duly assembled, enacts as follows:

1. That a maximum speed limit on the Sunchild Road beginning at the Sunchild Reserve (located approximately 24 Km's north from Provincial Highway No. 11) north 20 Km's to the Nordegg River Road, as outlined in red on the attached Schedule "A", be increased to ninety (90) kilometers per hour.
2. That the proper speed limit signs be placed on the above described roads.
3. That this By-law takes effect as at the final reading of the By-law.

READ A FIRST TIME this 11th day of January A.D., 2011.

READ A SECOND TIME this 11th day of January A.D., 2011.

READ A THIRD AND FINAL TIME this 11th day of January A.D., 2011.

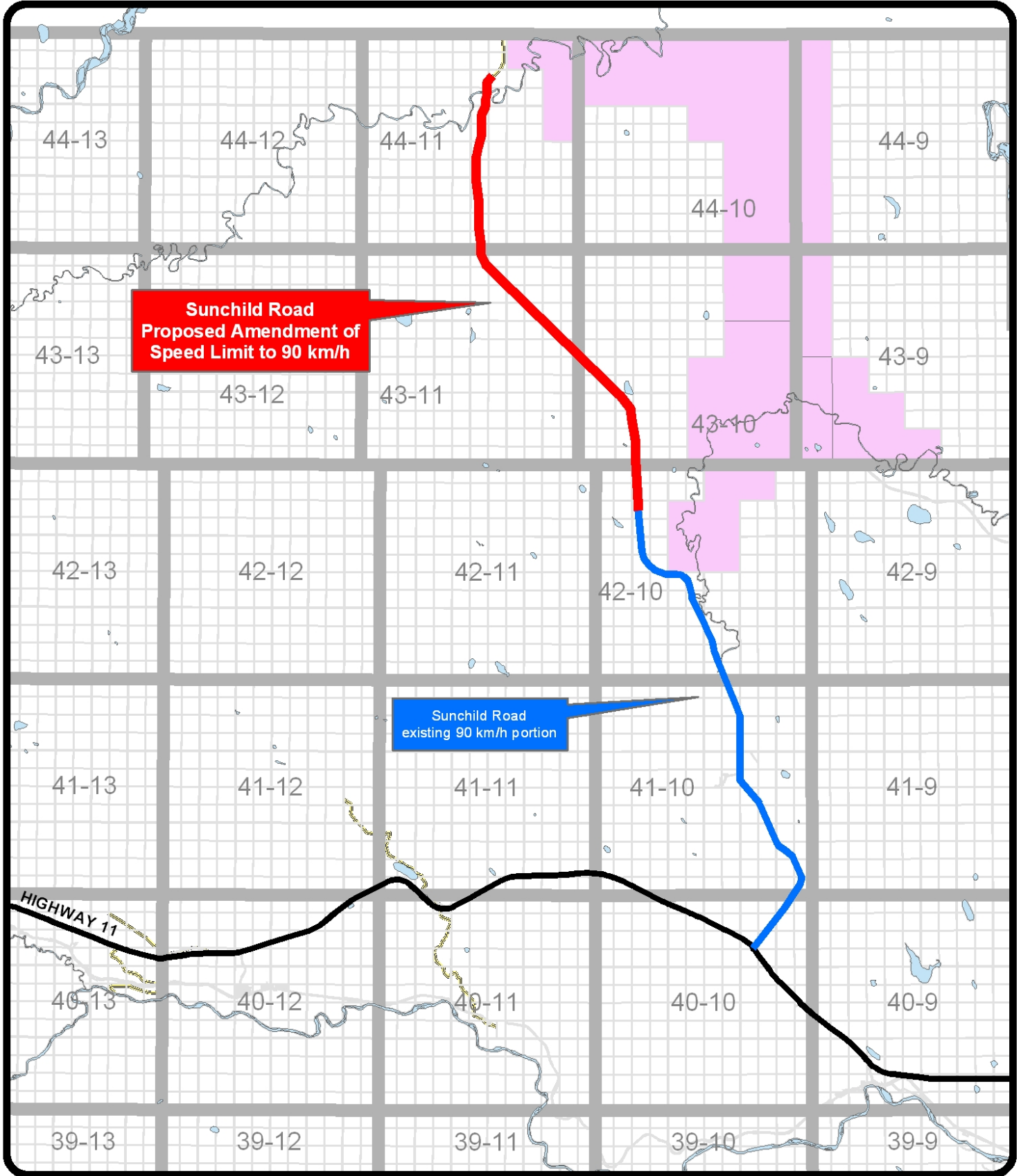
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REEVE

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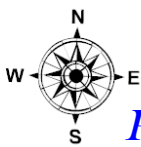
MUNICIPAL MANAGER





**Sunchild Road  
Proposed Amendment of  
Speed Limit to 90 km/h**

**Sunchild Road  
existing 90 km/h portion**



**SUNCHILD ROAD  
Proposed Amendment to Speed Limit (90 km/h)  
(as shown in red)**





# Agenda Item

Date: January 11, 2011

Item: AAMDC Report - Cost Sharing Works: An Examination of Cooperative Inter-municipal Financing

Prepared by: Murray Hagan

## **Introduction:**

AAMDC recently released a report titled Cost Sharing Works: An Examination of Cooperative Inter-municipal Financing (copy attached) which discusses various methods of financing regional initiatives, and provides a recommendation for municipalities to follow.

## **Background:**

Individual municipalities often face challenges in meeting the needs of residents, particularly with respect to the construction of new infrastructure or the repair or upgrade of existing structures. This also holds true for the ongoing operating requirements of such facilities or services.

Where the needs extend beyond municipal boundaries, neighboring municipalities often choose to work together and pool their resources to develop a regional solution.

The challenge lies in developing equitable agreements between the municipal partners and defining the methodology by which the financial contribution of each partner will be determined and monitored.

**Funding Alternatives:**

The report discusses two main alternatives:

- Revenue-sharing
  - Funds are provided by one municipality to another either through a direct grant or by providing access to the assessment base.
- Benefit-based cost-sharing
  - Each partner contributes a proportionate share to the venture, relative to the benefits received by its respective constituents. In other words, it closely resembles a user-pay system where those who benefit more, pay more.

Each alternative was evaluated against the following criteria:

- Cost equity – fairness between payments made and benefits received.
- Accountability – transparency of costs incurred and services provided.
- Cost effectiveness – value for money.
- Cost efficiency – maximum use of limited resources.
- Ease of administration – the sharing agreement should be easy to understand, carry out and audit.
- Mandate justifiable – the sharing objectives fall within the mandate of local government.

Revenue-sharing was found to fall short in all but the last two criteria while benefit-based cost-sharing met all of these measures.

**Conclusions:**

AAMDC recommends that member municipalities follow the benefit-based cost-sharing approach as it provides the best solution for sharing the burden of funding the costs of municipal infrastructure as well as the ongoing operating costs related to regional services.

The key to successful implementation of this approach lies in developing a cost-sharing agreement that supports the spirit of partnership and avoids long-term animosity resulting from differing objectives and priorities.

This approach has been followed by Clearwater County in the past and has proved successful. As we move forward, and face new regional challenges, we should continue to consider the benefit-based cost-sharing approach in funding new initiatives.

**Recommendation:**

That Council accepts this report for information.



# **Cost Sharing Works: An Examination of Cooperative Inter-municipal Financing**

November 2010

## EXECUTIVE SUMMARY

Much has been written and discussed about the financial condition of local government throughout Canada and the United States. For the most part the discussion focuses on how and why local municipalities are debit ridden and unable to sustain the range and level of services that are demanded by their communities.

In Alberta, as in other provinces, there is considerable debate concerning the relative merits of revenue sharing and/or of cost sharing. One of the difficulties of this discussion is the lack of a clear definition of what is meant by the two terms. For purposes of this paper, cost sharing means: two or more municipalities jointly contributing capital and/or operating dollars to have common access to some benefit (service). Revenue sharing, on the other hand, means one municipality sharing access to their assessment base for the purpose of generating revenue for one or more other municipalities. We will examine each of these definitions and what conditions give rise to their use.

## AAMDC'S POSITION ON COST SHARING

AAMDC has researched and evaluated various models of sharing throughout the province and has come to the conclusion that the residents of communities that are served regionally are best served by cost-sharing arrangements that are based on payment for benefit received.

Local conditions and circumstances will dictate the type of cost-sharing arrangement that best fits the needs of the local situation and that the fundamental rationale for sharing will always be that the region as a whole will benefit. Regional financing and regional cost sharing is appropriate for regional services.

AAMDC does not support revenue (tax) sharing among local governments as a desirable means of addressing regional financing of capital initiatives or the funding of service delivery, especially if the tax sharing is in the form of a grant from one local government to another.

Similarly, AAMDC does not support the concept or practice of one municipality permitting other municipalities' access to its taxpayers for the purpose of generating revenue to fund initiatives and services that may or may not be accessible by the taxpayer.

## HOW COST SHARING WORKS

Benefit-based cost sharing takes many forms in the context of local government in this province but the essential ingredients stay the same: those who benefit from a service pay for that service. The sophistication and complexity of cost-sharing arrangements ranges from the simplest sharing agreement that can be detailed on a single page, to the formation of for-profit corporations that require the approval of the Minister of Municipal Affairs. Cost sharing is, by far, the most common means of cooperative financing in use by Alberta's municipalities.

## EVALUATION FRAMEWORK

AAMDC's position on cost sharing was arrived at after carefully examining the alternatives for regionally financing, especially those alternatives associated with revenue sharing. To assist in this process we examined what literature exists on inter-municipal cooperative financing and the conclusions of others on this topic.

In developing the framework we used the following factors as criteria that each of the options must successful meet:

- **Cost equity** – is the concept of fairness; those who benefit from accessing municipal services should pay for the services.
- **Accountability** – is the concept of transparency; tax payers can easily determine who was paid how much to deliver what service.
- **Cost-effective** – there is a value for money in terms of the cost of a service and the level of service provided.
- **Cost-efficient** – resources are not wasted and the services are delivered using the least cost possible.

These four factors are the ‘mandatory’ evaluation criteria that we will use to look at what we consider to be the alternative methods of addressing Inter-municipal financing challenges. We would add two additional factors that are significant to our discussion on sharing:

- **Ease of administration** – the sharing agreement should be easy to understand, easy to carry out and easy to audit.
- **Mandate justifiable** – the sharing objectives must fall within the mandate of local government.

Having developed this framework we will evaluate both cost sharing and revenue sharing to determine which options offer a preferable solution.

The evaluation will take the form of a pass (✓) or fail (✗) and we summarize the results using the following exhibit:

SHARING OPTION					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
✓/✗	✓/✗	✓/✗	✓/✗	✓/✗	✓/✗

This type of evaluation produces a relative or comparative result that will point us to options that are superior when compared with others.

## WHY COST SHARING WORKS

When we apply the evaluation framework to the various forms of benefit-based cost sharing we see, in general, the following result:

BENEFIT-BASED COST SHARING					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
✓	✓	✓	✓	✓	✓

We conclude that cost sharing is an inter-municipal financing solution that passes all of the hurdles inherent in the evaluation framework:

- **Cost – equity** – benefit-based cost sharing is by definition a cost equity approach. Those who receive the service pay for the service. This approach has the capability to introduce a high level of precision into the agreement: units of service cost per unit of service, number of service recipients, etc.

Benefit-based cost sharing offers the highest level of cost equity.

- **Accountability** – a benefit-based, cost-sharing agreement (a public document under FOIP) details what the service is, who is providing the service, who is receiving the service, who is paying for the service and how much is being paid.

Benefit-based cost sharing offers the highest level of accountability.

- **Cost Effective** – a benefit-based, cost-sharing agreement is generally cost effective in that there is typically choice in terms how a service will be delivered and what level of service will be delivered to municipal residents. A benefit-based, cost-sharing agreement spells out the level of service desired and the price (the value) the municipality is willing to pay to receive that service.

Benefit-based cost sharing offers the highest potential for cost effectiveness.

- **Cost Efficient** – a benefit-based, cost-sharing agreement is cost efficient in that the lowest cost provider will ultimately be the provider of choice. There is a built-in incentive for municipalities to be the low cost provider of services to each other since it will lower the unit cost to themselves as well as to the residents of the other municipalities.

Benefit-based cost sharing offers the highest potential cost effectiveness.

- **Ease of Administration** – benefit-based, cost-sharing agreements are typically easy to administer in that there is: a benefit or service defined, an agreement that spells out the financial obligation and what it is based on. In the absence of any evidence that the service is not being delivered, no further administration is required. Contrast this with a properly constructed revenue agreement that indicates what the revenue will be spent on and the need to report, monitor and audit to ensure that the funds were, in effect, spent on the object of the agreement.

Benefit-based cost sharing provides the easiest to administer solution.

- **Mandate justifiable** – benefit-based cost sharing falls clearly with the role definition and obligations of local government within this province. Section 3 of the Municipal Government says that the purpose of a municipality is three fold:
  - to provide good government
  - to develop and maintain safe and viable communities and
  - to provide facilities, services and other things that in the opinion of council are necessary or desirable for all or a part of the municipality.

Benefit-based cost sharing provides a solution well within the mandate of local governments.

In summary, AAMDC sees benefit-based cost sharing as a preferred and desirable solution that can be tailored to local conditions and situations without altering the fundamental principle of paying for services received.

## WHY OTHER FORMS OF SHARING DO NOT WORK WELL

**Tax sharing as compensation** is a surrogate form of cost sharing in which an unrelated measure (percentage of industrial assessment for example) is used to calculate the number of dollars that will be handed over (granted) by one local government to another.

In summary, when we apply the evaluation framework, we see the following result:

TAX SHARING AS COMPENSATION					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
x	x	x	x	✓	✓

We see this sharing arrangement as an inferior solution to benefit-based cost sharing.

**Tax sharing as wealth sharing** has little appeal from virtually any perspective. Equity is in the eye of the beholder and this type of proposition can only result in a situation where there are winners and losers. Equity for some and inequity for others.

When we apply the evaluation framework, we the following result:

TAX SHARING AS WEALTH SHARING					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
x	x	x	x	x	x

This type of proposition inevitably leads to the necessity of provincial government intervention to set the rules, set the tax rate, collect the money and apportion the shares. This solution totally ignores accountability, provides disincentives for cost efficiency and cost effectiveness, and cost equity is not measureable.

We see this solution as one that undermines the whole premise of local government and would result in local governments becoming advisory councils to the minister similar to the improvement district approach. Not a particularly appealing picture.



## CONCLUSION

Benefit-based cost sharing works.

Benefit-based cost sharing has served Alberta municipalities well in the past and continues to offer the best solution for sharing the burden of financing both the cost of municipal infrastructure and the operating cost of providing regional services.

Our evaluation points out the desirability of this approach over others, specifically tax-sharing arrangements, that attempt to re-distribute the 'wealth' of a region without regard to the benefit received or the obligation to be accountable to the tax payer.

From the tax payers' perspective, knowing where the money comes from is easy—it comes from them. More importantly it is knowing where the tax dollar goes; what benefit do they receive and that the benefit is provided in an efficient and effective manner. Benefit-based cost sharing provides these answers.

## Contents

Executive Summary .....	II
Introduction .....	1
AAMDC’s Position on Cost Sharing .....	1
Background .....	2
Local Solutions .....	3
Regional Solutions.....	4
How Cost Sharing Works .....	5
One Recent Example .....	6
How Other Forms of Sharing Work.....	7
Revenue Sharing.....	7
Cost and Incremental Tax Sharing .....	7
Evaluation Framework .....	8
Why Cost Sharing Works .....	9
Why Revenue Sharing Does Not Work Well .....	11
Why Incremental Tax Sharing Could Work.....	13
Conclusion.....	14
Appendix A: Examples of Cost-Sharing Agreements .....	15
Appendix B: Other Sources of Municipal Revenue.....	17
References.....	19
Bibliography .....	20

## INTRODUCTION

Much has been written and discussed about the financial condition of local government throughout Canada and the United States. For the most part the discussion focuses on how and why local municipalities are debit ridden and unable to sustain the range and level of services that are demanded by their communities.

The solutions that are proposed to address these problems vary dramatically depending upon what vested interest is at stake. These positions are well documented and it is likely redundant to repeat them all here. It is worthy of note, however, that the solutions are often contradictory and in some case diametrically opposed as is, for example, the position on the raising or lowering of property taxes.

What is worth taking a look at and the reason for presenting this position paper, is the relative merit of solutions that embrace principles that are generally accepted by all stakeholders. To this end, the Alberta Association of Municipal Districts and Counties (AAMDC) has looked at what local governments in this province are empowered to do under legislation and what other local governments throughout North America have attempted successfully in meeting the challenges of financing local government. This perspective embraces financing both operating requirements and capital investment needs.

More specifically, AAMDC has evaluated solutions that focus on regional cooperation as a basis for funding services that are accessed regionally. Rural municipalities in this province and their urban neighbours have a long and rich history of finding local solutions for local problems. AAMDC, through this position paper, wishes to endorse this principal and use it as one criterion among several others to state our preferred approach to sharing among municipalities in this province.

In Alberta, as in other provinces, there is considerable debate concerning the relative merits of revenue sharing and/or of cost sharing. One of the difficulties of this discussion is the lack of a clear definition of what is meant by the two terms. For purposes of this paper, cost sharing means: two or more municipalities jointly contributing capital and/or operating dollars to have common access to some benefit (service). Revenue sharing, on the other hand, means one municipality sharing access to their assessment base for the purpose of generating revenue for one or more other municipalities. We will examine each of these definitions and what conditions give rise to their use.

AAMDC recognizes and appreciates that one solution does not always provide the best solution for all situations; however, we also recognize that there are a great number of success stories based primarily on one form of regional sharing – benefit-based cost sharing.

## AAMDC'S POSITION ON COST SHARING

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In the following sections of this paper we present: background on why this discussion is occurring; how the various forms of sharing work; a framework for evaluating the various forms; and an explanation of why cost sharing works and revenue sharing does not.

As well, we have included a number of examples of successful cost-sharing arrangements in Appendix A. In addition, we present some thoughts about other sources of municipal revenue as outlined in Appendix B.

## BACKGROUND

Local governments in this province deal with a myriad of complex problems on a day-to-day basis. Most significant among these issues is how to finance the hard infrastructure that is key to the economic growth and viability of the municipality and by extension, the on-going prosperity of the province. In a report to the Minister of Municipal Affairs in March 2007, the Minister's Council on Municipal Sustainability noted that:

“The challenges facing Alberta municipalities vary dramatically across the province. Some municipalities face extreme growth pressures, while others face shrinking populations and a declining local tax base. Many municipalities confront not only aging hard infrastructure (roads, water and sewer) but also deteriorating soft infrastructure (such as recreation facilities). Others maintain thousands of kilometres of local roads in the face of heavy and growing use by the resource extraction industry, with only limited opportunity to recover the costs of upgrading and maintain these roads from the industrial users. No single approach is likely to provide solutions to this tremendous diversity of challenges and needs.” MCMS (2007, 4)

What makes this situation even more desperate is the fact that municipalities have very limited means to raise the funds necessary to meet the required expenditures. Property taxes are the single most important source of revenue and are based on an assessment of real property. As the Canadian Tax Federation notes in its annual *Finances of the Nation* report:

“The property tax rate for any given property may be made up of several different components because the same base is often used to raise funds for local ... municipal governments (and) school authorities...Municipalities and school authorities set their property tax rate so as to recover costs not met from other revenue sources or transfers from the federal and provincial governments. The property tax therefore provides a means to allocate the net cost of local government among all taxpayers: it is based on wealth as measured by the assessed value of property owned.” Treff & Ort (2008, 6:1)

From our perspective there are several important points brought forward in this statement. Primary among these is the observation that property tax is borne by local industry, local business and local residents. As a tax, it comes out of the pocket of tax payers as opposed to other revenue streams that are available to other orders of government that flow from the sale of goods or services such as royalties. Collecting a tax raises the bar on accountability for municipalities and makes accountability a primary consideration when expending these funds.

Additionally, property taxes are based on assessments of real property. This touches on the concept of equity and the premise that local taxpayers, of the same class of assessment, are all treated the same when it comes to paying taxes. The concept of equity and the ability of local governments to deal effectively with this issue are addressed later in this paper.

This statement also makes reference to other sources of revenue for municipal governments. In Alberta, there is a limited source of additional revenue streams available to local government made up primarily of user fees associated with the provision of services. This is money collected to recover the cost of providing a service and in most cases it is likely to be a break-even proposition at best.

Finally, the statement refers to transfers from other orders of government. While this funding is appreciated, it is often unsecured, that is, it may be withdrawn at any time, and as such makes long-term planning for infrastructure even more challenging.

As we alluded to earlier, the scenarios vary from one area of the province to another but the bottom line remains the same: there is a gap between the amount of dollars municipalities can generate from limited revenue sources and the cost of adding or replacing needed infrastructure and funding service delivery.

The provincial government recognizes this problem and has implemented the Municipal Sustainability Initiative (MSI) that provides significant grants to municipalities to partially close the existing funding gap for infrastructure. But MSI is not a complete solution, and it is a commitment with an expiry date.

While the dialogue continues on new municipal revenue sources, AAMDC recognizes the need for municipalities to re-commit themselves to finding local solutions to local problems.

## LOCAL SOLUTIONS

Local governments in Alberta have responded to these challenges with local initiatives that, from the perspective of AAMDC, are both positive and negative. As noted earlier, there is a rich heritage in this province of municipalities in the same region working cooperatively to finance ventures that they, as individual municipalities, would not have been able to undertake. The Capital Region Waste Water Commission, for example, is the coming together of 13 local municipalities to cooperatively finance and operate a public utility that is beyond the means of a single local government. This cost-sharing arrangement has been in place for several decades and serves as a model of thinking regionally for local benefit.

Local governments have also sought to increase the level of economic activity within their borders and as a consequence increase their assessment base. These types of endeavours provide spin-off benefits to communities within the region and increase the use of public facilities among regional communities. In response to the need for access to one municipality's

services by the residents of another municipality in the region, various forms of sharing agreements have been negotiated.

Other positive actions by local government include streamlining of local operations to improve efficiency and changing how they deliver services to ensure the effectiveness or value of the services delivered. A lot of this activity has focused on providing low cost solutions; a double edged sword; when addressing major investments in public infrastructure.

And finally, local governments have negotiated successfully with other orders of government to access financial support beyond short-term grant programs. These include the agreement on the transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities 2005 – 2015. This type of agreement and the provincial equivalent, the City Transportation Fund of the Alberta Cities Transportation Partnership, have broken new ground in providing access to federal and provincial revenues sources. This type of revenue-sharing arrangement among different orders of government makes sense in that the programs are province wide and are distributed on an equitable basis. It is worthy of note that both the provincial and federal government have the mandate and means to revenue share; that is, the provincial government for example, has an obligation to ensure that all Albertans participate in the province's prosperity. This mandate obliges the province to, in effect, share the wealth. Complementing this mandate is the ability to create new and different sources of tax revenue to fund revenue sharing. Municipal governments have neither the mandate nor the means to match the actions of the provincial or federal government and as a consequence do not have the obligation to share revenue.

These positive measures have made a significant contribution to addressing how municipalities are currently financing their affairs. There are however some practices that have not served municipalities well and need to be addressed as part of this discussion. These actions include the other edge of the sword of low cost solutions. Investment in the capacity of public utilities has for example, seen some municipalities under build infrastructure such that they have sacrificed long-term effectiveness for short-term economy. Lack of funding or lack of secure funding is the major driver for this type of action that in some cases could be avoided by some form of regional action. We will examine this further in a moment.

The other negative reaction to the financial challenges facing local government is the practice of avoiding taxing at a level sufficient to replace and maintain public infrastructure. Financing of public infrastructure is done through tax dollars. Avoiding or deferring tax increases that will imperil the future ability of a municipality to provide services, for whatever reason, should not be considered an acceptable practice.

## REGIONAL SOLUTIONS

If we look at what local governments have done on a regional basis, we again see both positive and negative responses to the financial challenges.

On the positive side, we have seen regional cooperation expand and extend to virtually all types and levels of service delivery. We see major rural municipalities such as Parkland County with over 100 cost-sharing agreements with their neighbours. We see the growth of commissions, authorities, boards, agencies, not-for-profit companies and for-profit companies across the

province as local governments act regionally in determining local solutions to meet their individual challenges.

Local governments are acting regionally because they see the benefit of being able to offer services and/or a level of service that is unavailable if the municipality acted alone. They also see the benefit of sharing the cost and sharing the risk of making investments in recreational facilities and other 'soft' infrastructure.

These good news stories are many and varied but unfortunately they are not the complete story of how regional communities have acted to address the challenges. There are still situations where municipalities will seek to annex the assessment base of an adjacent municipality or one municipality will enter into a revenue-sharing agreement with another municipality where the revenue sharing is contingent on the rural municipality approving all annexation measures. These regional disputes may result in some form of agreement; however, the agreements tend to create long-term animosity as opposed to regional partnerships.

For the most part we see regional partnerships working within local agreements tailored to meet local needs that the partners view as fair, equitable and appropriate. While these agreements do not always meet the full criteria of benefit-based cost sharing, they are typically transparent in nature and accountable by design.

## HOW COST SHARING WORKS

Benefit-based cost sharing takes many forms in the context of local government in this province but the essential ingredients stay the same: those who benefit from a service pay for that service. The sophistication and complexity of cost-sharing arrangements ranges from the simplest sharing agreement that can be detailed on a single page, to the formation of for-profit corporations that require the approval of the Minister of Municipal Affairs. Cost sharing is, by far, the most common means of cooperative financing in use by Alberta's municipalities.

The following approaches to cooperative, regional initiatives typically have cost sharing as their primary means of financing:

- **Regional Service Commissions** – The MGA makes provision for the formation of regional service commissions that may provide services to the members of the commission and with the approval of the Minister, outside the boundary of its members. Commissions are separate legal entities with debt limits that are separate from their member municipalities. The commission charges a uniform fee for the services it provides and these fees are paid by the service recipients.
- **Joint Committees** – When municipalities come together and agree to form a committee to deliver services regionally they typically are called authorities or boards. Joint committees are different from regional service commissions in that the authority or board is not a separate legal entity. As well, the debt limits of the participating municipalities are affected by the debt level of the authority or board.
- **Part 9 or Not-for-Profit Companies** – Municipalities may elect to form a not-for-profit company to deliver services on a regional basis. The company charges a fee to the member municipalities to pay for the services. The company is a separate legal entity and the proportional ownership is negotiated by the participating municipalities.



- **For-Profit Companies** – In certain circumstances it makes sense for municipalities to form for-profit companies that charge fees for their services with the intent of making a profit. One or more municipalities may participate as owners of the corporation.
- **Other Regional Entities** – From time to time, other service-based entities are created by municipalities with the consent and assistance of the province. The latest example is the Capital Region Board, formed by regulation and involving 25 municipalities in the Capital Region.
- **By Agreement** – Perhaps the most common form of regional service delivery is by contractual agreement when one municipality provides services to another municipality for a fee or municipalities in a region plan the acquisition of infrastructure jointly and agree how the costs will be shared prior to committing to a capital spending program.

## ONE RECENT EXAMPLE

Perhaps one of the best illustrations of how cost sharing works can be found in the recent agreements between the Town of Peace River and Northern Sunrise County. In October 2009, the two municipalities entered into an ‘Inter-municipal Cooperation Initiative’ that recognized the need to put into place sharing agreements with following purpose in mind:

“ . . . to provide the opportunity to better provide quality of life to and serve, the residents of the respective Signatory Municipalities through the sharing of the operating costs of regional assets, programs and services that have mutual benefit.” (2009, Sec 4.1)

A similar purpose is presented in a separate ‘Capital Cost Agreement.’ The two agreements form the basis for all cost-sharing arrangements and currently address the sharing of operating costs for ten separate services as well as the funding of a ‘Joint Future Facilities and Infrastructure Reserve Fund.’

When the two municipalities first sat down to discuss the possibility of starting this initiative they issued a joint press release that contained these words:

“Recognizing that their common interests are far greater than their differences and that the advancement of the region will benefit all communities, the Town of Peace River and Northern Sunrise County have agreed to enter into a facilitated discussion process in a good faith attempt to address the wants, needs and interests of each municipality. In particular, they want to create a long-term, flexible and responsive agreement related to financial contributions and other topics of mutual benefit that will ultimately ensure and, in many cases, enhance the quality of life available to residents of this vibrant and progressive region.”

This is a classic example of benefit-based cost sharing where two equals sit down at the table to jointly determine, in advance, how they can cooperatively address the need to share the burden of providing an adequate level of services to their residents.

Further examples of the various approaches to cost sharing are attached in Appendix A.



## HOW OTHER FORMS OF SHARING WORK

Up to this point we have spoken almost exclusively about cost sharing and why AAMDC believes it is a superior solution. But a superior solution compared to what? The other form of sharing that has some received some attention of late is revenue sharing, or as it is more accurately described, tax sharing.

### REVENUE SHARING

Like cost sharing, tax sharing comes in a variety of forms, some more desirable than others. In Alberta, there appears to be three versions which should be identified and discussed:

1. **Tax sharing in Transition.** Section 124 of the Municipal Government Act (MGA) discusses revenue sharing as a means of cushioning the loss of revenue for a municipality that has undergone annexation. This definition of revenue sharing is limited and focuses exclusively on compensating one municipality for a loss of revenue. For our purposes here, this definition has little to do with an on-going solution for inter-municipal financing.
2. **Tax sharing as Compensation.** Section 55(1) of the MGA states that a municipality may enter into an agreement with another municipality to share grants under section 366 (grants in lieu of taxes) or taxes. Of the revenue-sharing agreements in place in Alberta today this appears to be the most prevalent. Typically this type of agreement is between large rural municipalities that have a significant non-residential assessment base and a small population.
3. **Tax sharing as Wealth Sharing.** The MGA makes no reference to this form of revenue sharing; however, it is included here for purposes of completeness. The argument for wealth sharing is based on the premise that regional sharing should include regional assessment and regional taxation such that the total tax revenue of a region should be pooled and then allocated based on some criteria of need. This argument is predicated on the belief that municipal governments have the mandate, means and obligation to share revenue.

Putting aside tax sharing in transition, we will evaluate the remaining two alternatives to examine the potential desirability of each approach to sharing.

### COST AND INCREMENTAL TAX SHARING

We have talked about cost sharing and revenue sharing as separate approaches to financing services. There are additional approaches and one in particular that is worthy of note since it combines cost and revenue (tax) sharing into one approach. This is a relatively new phenomenon in Alberta and is one that likely will be considered more frequently in the future. This arrangement involves, for example, a rural municipality and an urban municipality jointly developing some form of infrastructure where the rural may contribute the land and the urban contributes the servicing and they agree to share the tax revenue in proportion to their investment. One of the examples we are aware of involved the development on a proposed industrial park where the municipalities have jointly agreed to develop a site for the purpose of attracting new industry to the region.

The agreement provides for the sharing of costs to develop the site and the on-going sharing of the tax revenue that flows from the use of the park by businesses they have attracted. In this specific example, the approach is similar to a 'for-profit' corporation except that the flow of revenue is tax revenue and not user fees. What distinguishes this from other forms of revenue sharing is that the participants have, in effect, created a new, incremental source of revenue rather than simply re-distributing the existing flow of tax dollars. It is the incremental tax revenue from the joint venture that is shared, not the existing revenue base of one of the participating municipalities.

## EVALUATION FRAMEWORK

AAMDC's position on cost sharing was arrived at after carefully examining the alternatives for regionally financing, especially those alternatives associated with revenue sharing. To assist in this process we examined what literature exists on inter-municipal cooperative financing and the conclusions of others on this topic.

Much of what we found centered on the work of Kitchen (Kitchen 2006) and Slack (Slack 1997, 2004) both of whom have written extensively about local government and about the challenges of financing local government. Fundamental and consistent through the material we reviewed was the concept of services being paid for by those who access the service.

Kitchen makes the point that:

"The most important point is that municipal infrastructure should be financed, as far as possible, by the residents who benefit from it, because this provides the surest guide to how much should be invested in what. The underlying principle of benefits received is straightforward: those who benefit from local infrastructure and services it provides should pay for it." Kitchen (2006,17)

We concur with this position and his conclusions that:

"Whenever a direct link exists between the users of a service and its funding, a more efficient use of resources ensues. Accountability, transparency and fairness also result." Kitchen (2006, 18)

These factors form the basis of our evaluation model and share many similarities to the model used by Slack in her examination of inter-municipal cooperative financing. Slack (1997, 3).

- **Cost equity** – is the concept of fairness; those who benefit from accessing municipal services should pay for the services.
- **Accountability** – is the concept of transparency; tax payers can easily determine who was paid how much to deliver what service.
- **Cost-effective** – there is a value for money in terms of the cost of a service and the level of service provided.
- **Cost-efficient** – resources are not wasted and the services are delivered using the least cost possible.

These four factors are the 'mandatory' evaluation criteria that we will use to look at what we consider to be the alternative methods of addressing Inter-municipal financing challenges. We would add two additional factors that are significant to our discussion on cost sharing:

- **Ease of administration** – the sharing agreement should be easy to understand, easy to carry out and easy to audit.
- **Mandate justifiable** – the sharing objectives must fall within the mandate of local government.

The first factor, of Ease of Administration is self-explanatory and without controversy on its merit as a factor for evaluating regional sharing alternatives. The second point addresses whether or not the sharing activity in question is within the Mandate of local government. There is a serious question in our mind, for example, about the obligation of one municipality to address inequities of wealth among other municipalities within a region. It is our position that this is beyond the role of local government and is better addressed by other orders of government. Sharing agreements that call for 'equity' in terms of 'sharing-the-wealth' are not within the mandate of local government.

Having developed this framework we will evaluate both cost sharing and revenue sharing to determine which options offer a preferable solution. The evaluation will take the form of a pass (✓) or fail (✗) and we summarize the results using the following exhibit:

SHARING OPTION					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
✓/✗	✓/✗	✓/✗	✓/✗	✓/✗	✓/✗

This type of evaluation produces a relative or comparative result that will point us to options that are superior when compared with others.

## WHY COST SHARING WORKS

When we apply the evaluation framework to the various forms of benefit-based cost sharing we see, in general, the following result:

BENEFIT-BASED COST SHARING					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
✓	✓	✓	✓	✓	✓

We conclude that cost sharing is an inter-municipal financing solution that passes all of the hurdles inherent in the evaluation framework:

- **Cost – equity** – benefit-based cost sharing is by definition a cost equity approach. Those who receive the service pay for the service. This approach has the capability to introduce a high level of precision into the agreement: units of service cost per unit of service, number of service recipients, etc.

Benefit-based cost sharing offers the highest level of cost equity.

- **Accountability** – a benefit-based, cost-sharing agreement (a public document under FOIP) details what the service is, who is providing the service, who is receiving the service, who is paying for the service and how much is being paid.

Benefit-based cost sharing offers the highest level of accountability.

- **Cost Effective** – a benefit-based, cost-sharing agreement is generally cost effective in that there is typically choice in terms how a service will be delivered and what level of service will be delivered to municipal residents. A benefit-based, cost-sharing agreement spells out the level of service desired and the price (the value) the municipality is willing to pay to receive that service.

Benefit-based cost sharing offers the highest potential for cost effectiveness.

- **Cost Efficient** – a benefit-based, cost-sharing agreement is cost efficient in that the lowest cost provider will ultimately be the provider of choice. There is a built in incentive for municipalities to be the low cost provider of services to each other since it will lower the unit cost to themselves as well as to the residents of the other municipalities.

Benefit-based cost sharing offers the highest potential cost effectiveness.

- **Ease of Administration** – benefit-based, cost-sharing agreements are typically easy to administer in that there is: a benefit or service defined, an agreement that spells out the financial obligation and what it is based on. In the absence of any evidence that the service is not being delivered, no further administration is required. Contrast this with a properly constructed revenue agreement that indicates what the revenue will be spent on and the need to report, monitor and audit to ensure that the funds were, in effect, spent on the object of the agreement.

Benefit-based cost sharing provides the easiest to administer solution.

- **Mandate justifiable** – benefit-based cost sharing falls clearly with the role definition and obligations of local government within this province. Section 3 of the Municipal Government says that the purpose of a municipality is three fold:
  - to provide good government
  - to develop and maintain safe and viable communities and
  - to provide facilities, services and other things that in the opinion of council are necessary or desirable for all or a part of the municipality.

Benefit-based cost sharing provides a solution well within the mandate of local government.

In summary, AAMDC sees benefit-based cost sharing as a preferred and desirable solution that can be tailored to local conditions and situations without altering the fundamental principle of paying for services received.

## WHY REVENUE SHARING DOES NOT WORK WELL

We presented two relevant tax-sharing or revenue-sharing definitions earlier in this paper. In the following sections we have highlighted the reason we see these alternative approaches as being inferior solutions.

A number of the revenue-sharing agreements that exist today are based on the principles established for the Industrial Tax Transfer (I.T.T.) program that was part of the old *Improvement District Act*. Under the *Act*, the Minister of Municipal Affairs could designate an improvement district (I.D.) to be an 'industrial' I.D. and impose an additional industrial tax on the assessment base of the I.D. Then, those dollars would be apportioned to neighbouring municipalities as compensation for use of municipal facilities.

Under the *Act* it is not clear what particular services were being paid for and how the value for money equation played out. However, it is important to note that this was not one municipality sharing revenue with another municipality. This was the provincial government sharing 'special' tax dollars with selected municipalities.

It is interesting to note that Slack in her examples of tax sharing in Canadian municipalities talked extensively about the tax revenue sharing going on in Alberta – all of the examples are former I.T.T. agreements between the province and the municipalities within the boundaries of the I.D.s.

We question whether it is within the mandate of municipal governments to continue this practice. While we recognize and appreciate the significance of these dollars to the receiving municipalities we see additional problems with this form of inter-municipal financing.

To quote Slack:

“For tax sharing, the main emphasis is on equity since the primary rationale is to share the costs of public services fairly among the recipients. At the same time, accountability is important because consumers of the service should know who levied the charge and who is responsible for service provision. These two principles may conflict: equity may require that taxes levied in one jurisdiction be paid to another jurisdiction. If this is the case, accountability may be difficult to achieve at same time as equity.” Slack (1997, 3)

The problem is exacerbated when the agreements spell out in great detail how the revenue to be shared is calculated but has little in the way of monitoring and reporting about how the shared revenue was actually spent. Or in the words of one administrator: “Pick out anything you like and tell people you paid for that.”

**Tax sharing as compensation** is a surrogate form of cost sharing in which an unrelated measure (percentage of industrial assessment for example) is used to calculate the number of dollars that will be handed over (granted) by one local government to another. Typically these agreements are in addition to cost-sharing agreements for specific services such as the use of recreational facilities. Presumably the dollars are compensation for access to unspecified services making it difficult to determine if there is cost equity and without adequate monitoring, reporting and auditing there is little or no accountability for those dollars. There is a possibility that they go directly into the general revenue of the receiving municipality and are used to reduce the mill rate. This type of sharing does little to promote cost efficiency or cost

effectiveness. In fact, it may have the reverse effect in that the dollars are effectively 'free money' that has few, if any, strings attached.

We see potential harm from this type of continued arrangement in that grants from one municipality to another promote a false sense of economic viability and engender a sense of entitlement that is based on a tenuous premise at best.

This type of arrangement was criticized in the past by the Canadian Association of Petroleum Producers (CAPP). To paraphrase their argument, the municipality who has money to spare and share must be taxing at too high a level if they have money to grant to other municipalities. Without conclusive accountability, the optics are poor to say the least.

This type of sharing does fall within the mandate of local government in that the dollars that are shared are for access to services for municipal residents. From an administrative standpoint, these sharing arrangements are easy to administer in that there is typically no requirement to justify the funds or report where the funds were spent. As time goes on we anticipate that the lack of a direct linkage between the calculation of amounts to share and the benefit received will inspire the grant recipients to ask for more.

In summary, when we apply the evaluation framework, we see the following result:

TAX SHARING AS COMPENSATION					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
x	x	x	x	✓	✓

We see this sharing arrangement as an inferior solution to benefit-based cost sharing.

**Tax sharing as wealth sharing** has little appeal from virtually any perspective. Equity is in the eye of the beholder and this type of proposition can only result in a situation where there are winners and losers. Equity for some and inequity for others.

We also further definitional difficulties such as what is a region; is it the existing municipal boundaries of adjacent municipalities, or is it targeted economic areas? What will be the basis of apportionment; will be it population, current assessment, equalized assessment or some other factor? What will the tax rate be and who will set it? This has the potential to be an administrative nightmare.

This type of proposition inevitably leads to the necessity of provincial government intervention to set the rules, set the tax rate, collect the money and apportion the shares. This solution totally ignores accountability, provides disincentives for cost efficiency and cost effectiveness, and cost equity is not measureable.

When we apply the evaluation framework, we see the following result:

TAX SHARING AS WEALTH SHARING					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
x	x	x	x	x	x

We see this solution as one that undermines the whole premise of local government and would result in local governments becoming advisory councils to the minister similar to the improvement district approach. Not a particularly appealing picture.

### WHY INCREMENTAL TAX SHARING COULD WORK

**Incremental tax sharing** has appeal from a number of different perspectives. There is cost equity in that the tax payer is the beneficiary of the service being provided. There is cost efficiency and cost effectiveness since all participating municipalities have a vested interest in making the venture either profitable or at least as cost effective as a solution they had attempted on their own. There may be some issues of accountability or transparency from the standpoint of determining who is providing the service since presumably only one tax notice will be presented for payment, yet more than one municipality is involved.

When we apply the evaluation framework, we see the following result:

INCREMENTAL TAX SHARING					
COST EQUITY	ACCOUNT-ABILITY	COST EFFICIENT	COST EFFECTIVE	EASY TO ADMINISTER	MANDATE JUSTIFIABLE
✓	x	✓	✓	x	✓

For want of a better definition, this is a benefit-based, revenue-sharing arrangement where the only drawback is the unpredictability of revenue to share. From an ease of administration standpoint there is some possibility that this type of arrangement will require specialized reporting and independent assessment or audit to ensure that the allocation of cost and revenue are in accordance with the agreement.

Where these types of agreements are win-win propositions, we see them as a viable complement to benefit-based cost sharing.

## CONCLUSION

Benefit-based cost sharing works.

Benefit-based cost sharing has served Alberta municipalities well in the past and continues to offer the best solution for sharing the burden of financing both the cost of municipal infrastructure and the operating cost of providing regional services.

Our evaluation points out the desirability of this approach over others, specifically tax-sharing arrangements, that attempt to re-distribute the 'wealth' of a region without regard to the benefit received or the obligation to be accountable to the tax payer.

From the tax payers' perspective, knowing where the money comes from is easy—it comes from them. More importantly it is knowing where the tax dollar goes; what benefit do they receive and that the benefit is provided in an efficient and effective manner. Benefit-based cost sharing provides these answers.



## Appendix A: Examples of Benefit-Based, Cost-Sharing Agreements

There is a wealth of cost-sharing arrangements to choose from when looking for examples of cost-sharing agreements that work. The following examples are neither exhaustive in number nor comprehensive in scope of the available sources.

- **Regional Service Commission – Alberta Capital Region Wastewater Commission (ACRWC)** is, to quote from its website:

“The ACRWC is a model of regional cooperation providing wastewater transmission and treatment services to 13 municipalities in the Alberta Capital Region”.

The Commission has been in place for 25 years and continues to provide an excellent level and quality of service to its members. As the 2009 Annual Report indicates, the benefits are clear, and the members are charged based on usage:

“The ACRWC funds its revenue requirements primarily through the collection of rates from its members. Our members pay a unit rate based on their bulk water consumption. In 2009 the rate was \$0.71 per cubic meter.” (ACRWC Website)

This is an example of regional cooperation where 13 municipalities can afford to do (with provincial assistance) what one municipality alone cannot. This type of cost sharing achieves a high degree of equity in that all members receive the same level of service and pay the same price.

- **Joint Committees (Authorities and Boards) - Leduc and District Regional Waste Management Authority** is made up of five municipalities who have come together to share the cost of solid waste management. The City of Leduc is the manager of the authority and oversees the delivery of services from a contract operator.

The Authority provides a uniform level of service to all participating municipalities and charges a uniform schedule of tipping fees to all users of the facilities.

- **Part 9 or Not-For-Profit Company – Tri-Leisure Centre (TLC)** is, to quote from their website:

“...operating as a Part-Nine, not for Profit Corporation, is well established as a defining element within the Tri-Region. Designed to service the communities of Parkland County, Spruce Grove, and Stony Plain, the TLC celebrated its opening in June 2002. Meeting the recreational, social and wellness needs of all residents remains a core focus of the TLC.” (TLC Website)

The facility openly advertises the fact that this is a cooperative service facility, open to all residents of the region.

- **For-Profit Companies - Aquatera Utilities Inc.** is a multi-functional, public utility company:

“Aquatera Utilities Inc. is the first regional utility corporation in Alberta.

Aquatera provides the City of Grande Prairie with water and wastewater treatment, garbage collection and recycling services. We also provide water and wastewater treatment services to the Hamlet of Wedgewood, Hamlet of Clairmont and some areas within the County of Grande Prairie, and Town of Sexsmith.” (Aquatera Website)

As the 2009 Annual Report indicates:

“Aquatera Utilities Inc. is the regional provider of water, wastewater, and solid waste services, and is a model of regional cooperation. Shareholders are the City of Grande Prairie, County of Grande Prairie and the Town of Sexsmith. Since 2003 Aquatera Utilities Inc. returned \$21 million to the City, County and Town through cash dividends and franchise fees.” (Aquatera Website)

This is a profit-sharing model that is fundamentally based on sharing the cost of public utilities and then being able to share in the profits of a successful operation.

- **Other Regional Entities - Capital Region Board** is a recent model of regional cooperation for the planning and deliver of regional services:

“*The Capital Region Growth Plan: Growing Forward* was submitted to the Honourable Ray Danyluk, Minister of Municipal Affairs on April 2, 2009. This date marked the successful completion of an unprecedented undertaking by the municipal leaders of the twenty-five participating member municipalities of the Capital Region Board. Having demonstrated commitment and leadership throughout the process of developing the Capital Region Growth Plan, they now look forward to ensuring the Capital Region is a model for regional co-operation in Alberta.” (CRB Website)

The CRB has worked out two cost-sharing formulas, one designed to address transit initiatives and the other for all non-transit services.

It is interesting to note that in the development of the transit initiatives cost-sharing model, the CRB set out the principles under which the cost-sharing model would be developed. The principles include among others the following statement:

“ The Working Committee developed a cost-sharing formula for Regional Transit Projects that was fair and equitable for participating municipalities, one that considered both their ability to pay and their benefit received from Regional Transit Projects. All municipalities in the Region will benefit from an integrated Regional Transit Network, and, therefore, all need to invest in its future. Wherever possible, direct and indirect benefits should be taken into consideration along with the existing investment in transit by municipalities.”

CRB (2010, 31)

The attention to benefit-based cost sharing is significant to us in this regional venture.

## Appendix B: Other Sources of Municipal Revenue

We have talked almost exclusively about local solutions for local financing of regional services. AAMDC's position on benefit-based cost sharing does not preclude other forms of financing that involve other orders of government.

The Federation of Canadian Municipalities (FCM) in its policy statement of Municipal Finance and Intergovernmental arrangements makes the statement:

“Although Canadians expect municipal institutions to act as though they constitute an order of government, the Constitution does not recognize municipal governments as such, nor do most provinces and territories. Because of this, municipal governments do not have the autonomy required to exercise adequate powers or to command adequate resources to meet local needs.”

FCM (2009, Section B: Intergovernmental Arrangements, Introduction)

This position find supports from other researchers that have come to the conclusion that municipalities need access to a wider variety of taxes:

“Access to revenues from a mix of taxes would give ... more flexibility to respond to changing expenditure needs ... (and) ... allow them to benefit from economic growth.”  
Slack (1997, 1)

Across the country, individual provinces provide differing access to the provincial tax mix. The following summary highlights the provincial revenue source and the provinces where municipalities have access to that source.

- **Land Transfer Tax** – or property purchase tax is levied in all provinces except Alberta, Saskatchewan and Rural Nova Scotia. Provinces where municipalities can access this tax are: Nova Scotia, Quebec and Manitoba.
- **Amusement Taxes** – a tax on the admission price for a game, show, performance etc. Provinces where municipalities can access this tax are: Nova Scotia, Manitoba, Saskatchewan and British Columbia.
- **Hotel Taxes** – or accommodation tax is levied on temporary stays in rental facilities. Provinces where municipalities can access this tax are: Nova Scotia, Saskatchewan, British Columbia, Quebec, Manitoba.
- **Poll Tax** – an annual tax on non-property owners available to municipalities in Newfoundland.
- **Parcel tax** – a direct service related tax that may be imposed by a municipality to pay for a specific service. British Columbia allows municipalities to impose a parcel tax.
- **Revenue Sharing of Income Tax** – Manitoba appears to be the only province which revenue shares provincial income tax.
- **Revenue Sharing of Gaming Revenues** – Manitoba appears to be the only province which revenue shares gaming revenue.
- **Provincial Sharing of Fuel Tax** – British Columbia, Alberta, Ontario and Quebec share provincial revenues from fuel taxes.

The Minister's Council on Municipal Sustainability made specific reference to the need for additional municipal revenue sources and recommended in-part that:

"9. The Government of Alberta should enact legislation to authorize municipalities, at their discretion, to levy and collect additional, own-source revenues as a means of strengthening municipal capacity to address ongoing operational pressures. The specific own-source revenues recommended are:

- a. Amusement Tax
- b. Tourism Tax
- c. Property Transfer Tax
- d. Vehicle Registration Tax
- e. Expanded Scope for Development Levies in support of Directly Related Local Services and
- f. Limited Split Mill Rates within the Non-Residential Property Class."

MCMS (2007, 3)

This recommendation appears reasonable in-light of the availability of access to these taxes in other jurisdictions in this Country. AAMDC sees this type of revenue sharing as a viable means of addressing financial needs where it is within the mandate and capacity of other orders of government to extend access.

We view this broadening of the revenue generation options for municipalities as a key factor in reducing the tension in regional relationships brought on by unilateral attempts to redistribute the wealth of the region. Other orders of government have the capacity, the mandate and the obligation to address local government revenue needs across the province. Revenue sharing through access to other forms of taxation addresses this obligation.

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# Agenda Item

Date: **January 11, 2011**

Item: **Expanded Offsite Levies**

Prepared by: **Murray Hagan**

## **Introduction:**

Rocky View County has prepared a Notice of Motion asking AAMD&C to request the Alberta Government to amend Section 648(2) of the Municipal Government Act to grant local municipalities the authority to apply, and collect, off-site levies to pay for all or part of the capital costs of new or expanded facilities for fire halls, recreation and libraries that are required as a result of ongoing growth and development.

Rocky View County will present this motion at the CAAMD&C Spring meeting on February 11 and has asked Clearwater County to second.

## **Background:**

Expanding the scope of offsite levies was one of the recommendations made by the Minister's Council on Municipal Sustainability in its report released March 5, 2007. Supporting this recommendation was the rationale that municipalities could better address ongoing operational sustainability and growth pressures if they were allowed to levy additional own-source revenues.

Currently, off-site levies are restricted to funding roads, water, wastewater and storm water infrastructure related to new developments and subdivisions.

The ability to apply and collect expanded off-site levies would benefit Clearwater County significantly by providing an alternative revenue source to help fund other infrastructure requirements resulting from related development activities.

## **Recommendations:**

1. That Council accepts the Rocky View County Notice of Motion for information.
2. That Council considers seconding the motion to be presented by Rocky View County.



**ROCKY VIEW COUNTY**  
Cultivating Communities

## NOTICE OF MOTION

**COUNCILLOR:** Greg Boehlke

**DIVISION:** 6

**DATE:** December 21, 2010

**SUBJECT:** Resolution for Submission to the AAMD&C Spring Convention: Request for Amendment of Municipal Government Act to Expand Off-site Levies to Include Capital Costs of New Facilities for Essential Services such as Fire Halls, Recreation Facilities and Libraries.

**FOLLOW-UP DESIGNATE:** Rob Coon, CAO

### BACKGROUND INFORMATION:

**WHEREAS** the Province of Alberta continues to enjoy growth and development rates exceeding the Canadian average, and;

**WHEREAS** all jurisdictions are placing a greater emphasis on sustainable development, smart growth, and triple bottom line analysis of proposed development, and;

**WHEREAS** new growth and development has a 'causal' effect on the need for additional, identifiable capital expenditures to expand the provision of core services such as Recreational Facilities, Fire Halls and Libraries, and;

**WHEREAS** local jurisdictions have a limited scope of 'own source' revenues and continue to fund the provision of essential services largely through their tax base unless they have a private agreement with a local Branch of the Urban Development Institute and/or individual developers, and;

**WHEREAS** the Government of Alberta and local municipalities both benefit from orderly and well planned growth coordinated with capital costs of public services resourced through a fair and equitable funding program mechanism that assigns a defined portion of these costs to the development industry, and;

**WHEREAS** both the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities have passed resolutions calling upon the Provincial Government to amend Section 648 of the Municipal Government Act beyond the current provisions for assessment

and payment of Levies for supplying of water, sanitary sewage, storm sewage, and roads (i.e. Resolution 6-07F, and 2008.C.ii.3, respectively).

**PROPOSED MOTION:**

**NOW LET IT BE RESOLVED** that the Alberta Association of Municipal Districts and Counties renew their request that the Government of Alberta amend Section 648 (2) of the Municipal Government Act to grant local municipalities the authority to apply, and collect, off-site levies to pay for all or part of the capital costs of new or expanded facilities for Fire Halls, Recreation and Libraries that are required as a result of ongoing growth and development.

**COUNCILLOR SIGNATURE**



Background Documentation for Councillor Greg Boehlke's Notice of Motion – December 21<sup>st</sup>, 2010**Resolution 6-07F: Advocating for Legislative Enactment of Expanded Municipal Authority to Access Revenues***Status: Accepted in Principle*

WHEREAS one of the major pillars of inquiry and investigation, and resultant recommendations for enactment of broadened enabling legislative authority for Municipalities, advanced by "The Minister's Council on Municipal Sustainability" ("Council") Report (March 2007) focused on the expansion of sustainable municipal revenue sources -including greater access to "own-source" revenue options;

WHEREAS the Council's exploration and evaluation of 'optional revenue solutions' acknowledges the critical financial impacts stemming from the "build-up" of Alberta's municipal infrastructure deficits, the compounding impacts resulting from rapid growth pressures, and the clear need to provide municipalities with access to "significant additional revenues to meet the challenge of providing the infrastructure and servicing required";

WHEREAS creation of improved relationships between the Province and Alberta's municipalities -including those related to enhancement of individual municipal jurisdictional access to revenue sources of a sustainable, predictable, meaningful, and cost effective nature -are based on a clear articulation of guiding principles including those of fairness, autonomy, accountability, equitability, flexibility, sustainability, transparency, and timeliness;

WHEREAS the two 'additional own-source revenues' that the Minister's Council recommended that "The Government of Alberta should enact enabling legislation to authorize municipalities, at their discretion, to levy and collect" that appear to best represent both the desirable nature of expanded revenue sources, and align most closely with the spirit and intent of the guiding principles are:

- 1) Expanded Scope for Development Levies in Support of Directly Related Local Services, and
- 2) Limited Split Mill Rates within the Non-Residential Property Class

WHEREAS notwithstanding the decision of the Government of Alberta to reserve decision on this recommendation pending further consultation on the merits of providing taxation authority to regional service delivery agencies, we believe it is now time for the Government to act;

**THEREFORE BE IT RESOLVED** that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to advocate Legislative Enactment of Expanded Municipal Authority to access revenues as per the following: THAT enabling legislation be passed to enact authority for Alberta Municipalities to levy an expanded scope of development levies in support of directly related local services and to assess limited split mill rates within the non-residential property class at the next sitting of the Provincial Legislative Assembly in the best interests of municipalities, the Province and taxpayers of Alberta.

**Member Background**

The Council's Report findings are current, and its recommendations are unambiguous in describing the critical need to "strengthen municipal capacity to address ongoing operational

sustainability" through expanded revenue sourcing. Granting of greater municipal discretionary authority to charge development levies beyond the present scope of the "off-site levy" provisions of Section 648 of the Municipal Government Act (MGA), restricted essentially to roads, water, wastewater, and storm water "hard infrastructure" requirements related to new developments and subdivision, would be an ideal first step towards expansion of local revenues directly responsive to variable rates of growth and development. It would also reaffirm the Council's sense of urgency for immediate actions. Legal agreements such as that between the City of Calgary and the Urban Development Institute-Calgary authorize the assessment, or charging, of a very expansive scope of "off-site" levies -well beyond the present provisions of the Municipal Government Act (MGA). "Development Levies in support of Directly Related Local Services" provided for under this agreement also requires front-end payments respecting "off-site levies" for "soft infrastructure" services such as Fire, Police, Parks, Recreation, and Library. This form of agreement, while representing a mutual agreement and formal acknowledgement by both parties that development activity directly creates the need for expansion of a broad range of service requirements that have an identifiable cost impact, would not be needed following enactment of appropriate legislative authority for municipalities to levy for an expanded scope of "off-site" service requirements. All municipalities, large or small, need to have greater access to a level playing field in respect to their levy authority, associated autonomy, and financial accountability. An expansion of authority to levy an expanded scope of "development levies" would allow for a direct allocations and assignment of primary 'impact costs' to their source. It is difficult to effectively argue that the 'general taxpayer' should continue to shoulder an inordinate, growing and significant tax burden for increasing operating and/or capital costs directly related to growth. This becomes particularly difficult when a limited number of municipal jurisdictions have been successful in concluding agreements with the development industry that does assign a broad range of service costs directly to them. The Council's recommendation for the introduction of legislation that would authorize municipalities to assess "Limited Split Mill Rates within the Non-Residential Property Class" is also to be commended. This would allow local jurisdictions the ability to respond flexibly to their local circumstances and needs. It would also grant recognition that some forms of business enterprises have a greater draw or impact on infrastructure such as roads. Thus their tax rates could be 'adjusted' to more effectively reflect their cost impact attributes. Small business development and expansion could be encouraged through the availability of split mill rate authority that would allow a potential reduction in their rates. Economic cycles could be taken into consideration for particular industries. Municipalities could gain the ability to attract or encourage growth of particular form of business ventures such as "Green Industries". As the Council's report stated, a 'one size fits all' format is seldom the best form of policy provision. This is no more obvious than in the area of 'non-residential property class' mill rates. Municipalities must enjoy a similar range of flexibility that is now provided for in the 'residential property class'. A "limit" in the range of variability for "split mill rates," within the Non-Residential Property Class, in the order of 25% would give municipalities a reasonable scope of discretionary use and ensure accountability.

#### Government Response

The Minister's Council on Municipal Sustainability released its report and recommendations on March 5, 2007. The Minister's Council consists of the presidents of the Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties, and the mayors of the cities of Edmonton and Calgary.

Alberta Association of Municipal Districts & Counties  
 2610 Sparrow Drive, Nisku, AB, T9E 8N5 Phone: (780) 955-3630 Fax: (780) 656-3615 Web: www.aamdc.com

57

Page 2

Among its various recommendations, the Minister's Council recommended that the province enact enabling legislation to allow municipalities to levy additional own-source revenues to address ongoing operational sustainability and growth pressures. Two of the recommended additional own-source revenues, as noted in Resolution 6-07F, are an expanded scope for development levies and an ability to levy split mill rates within the non-residential assessment class.

The Government of Alberta released a formal response to the Minister's Council report on July 16, 2007. The response noted that broader consultation would be required before the province would consider any significant expansion to current municipal taxation powers. While the GOA recognizes the importance of ensuring adequate financial flexibility for municipalities, it is also recognized that many Albertans have significant concerns with the prospect of any increases to existing tax burdens. The Government of Alberta has provided municipalities with an additional \$11.3 billion in new funding over the next 10 years through the Municipal Sustainability Initiative, and this initiative will be taken into account in assessing whether further consideration of municipal taxation powers is appropriate.

#### **AAMDC Response and Follow Up**

The AAMDC accepts in principle the Government of Alberta's response to this resolution. The Association will continue to urge the Minister of Municipal Affairs to reconvene the Minister's Council on Municipal Sustainability in order to enact the tax tools outlined in this resolution. The AAMDC will support, monitor and participate in the consultation process outlined in the government's response.



AUMA RESOLUTION 2008.C.ii.3

CITY OF EDMONTON  
AUTHORIZING OFF-SITE LEVY TO PROVIDE ESSENTIAL SERVICES AND  
BUILD COMPLETE COMMUNITIES

---

WHEREAS municipalities across Alberta are experiencing sustained rapid development resulting in accelerated requirements to provide essential services such as fire rescue services, emergency medical services, police services and library services; and

WHEREAS municipalities have a limited fiscal capacity to fund land acquisition and facility construction to provide for essential services in developing areas; and

WHEREAS developing communities are not fully complete until planned essential services have been provided for; and

WHEREAS municipalities can identify the need for essential service locations and facilities based on growth and development forecasts; can identify service areas for essential service facilities; and can design mechanisms to impose an essential services off-site levy as a condition at the time of subdivision approval or issuance of development permits; and

WHEREAS the Government of Alberta and municipalities benefit from orderly and well-managed growth coordinated with capital investment in public services funded through an equitable distribution of costs; and

WHEREAS the *Municipal Government Act*, Section 648(2) currently provides for imposition and payment of off-site levies for water, storm sewage, sanitary sewage and roads for land to be developed or subdivided;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta amend section 648(2) of the *Municipal Government Act* addressing off-site levies to add new or expanded facilities for fire rescue service, emergency medical service, police service and library service to the list of capital costs, thereby granting authority to municipalities to impose an essential services off-site levy to fully serve and complete new communities.

BACKGROUND

9/10/2010

Page 4

- Sustained rapid growth across Alberta has resulted in municipalities being unable to keep pace with funding and developing planned essential services for new communities. Cumulative shortfalls in the provision of these services, including fire rescue service, emergency medical service, police service and libraries, are a major obstacle to building complete communities and are leaving increasing numbers of communities in municipalities throughout Alberta without equitable access to these services.
- The current shortfall in the development of facilities for essential services will worsen as new communities are developed unless alternate means of funding capital costs of providing essential services are instituted.
- Extending the list of off-site levy provisions of MGA section 648(2) to include fire rescue services, emergency medical services, police services and libraries will provide a much-needed funding mechanism for land acquisition and construction of facilities for essential services.
- The mechanism will attribute the costs of essential service facilities to the communities they are intended to serve while enabling municipalities to co-ordinate the provision of essential services facilities with the development of new communities. This will ensure that the development of complete communities occurs in a timely manner and citizens have equitable access to essential services.

**Rose Dacyk**

Executive Assistant to Executive Officer, Policy & Legal

Alberta Municipal Place

300-8616 51 Ave Edmonton, AB T6E 6E6

Phone: 780.431-4542 Toll-free: 310-AUMA

Fax: 1.780.433-4454

[www.auma.ca](http://www.auma.ca) [www.amsc.ca](http://www.amsc.ca)

## AGENDA ITEM

**Item:** Refund of Partial Property Tax- Roll Number  
3906214003  
**Date:** December 30,2010  
**Prepared By:** Denniece Crout, Senior Assessor

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Please find attached a letter from a ratepayer requesting a partial refund of the 2010 property tax for Plan 0820022 Block 1 Lot 1 Roll number 3906214003.

The primary residence burnt beyond repair November 23, 2010 The request for a partial refund is based on Bylaw 832/05 which states that the landowner must make written application, must be displaced for at least 30 days and the adjustment be prorated based on the use of the principle residence. The property owner has been displaced for 39 days and the municipal taxes levied in 2010 for the improvement that was destroyed were \$352.01. As per bylaw 832/05 the calculation for a partial refund would be  $\$352.01/365 * 39 = \$37.61$

**Recommendation:**

That council advise staff to refund the property owner of roll number 3906214003 amount of \$37.61.

Connie VanderBaaren  
R.R. #1 Rocky Mountain House, AB T4T 2A1

Clearwater County  
Box 550 R.M.H.  
T4T 1A4

January 4, 2011

Dear Sirs:

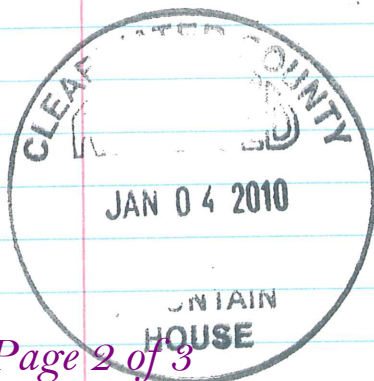
Please accept this letter as my formal request for you to consider making an adjustment on my property taxes for the coming year.

On November 23, 2010, my house burned to the ground and I have been unable to live on the property since that time. Plans are under way to rebuild, but a firm date is not yet known.

Thank you for your attention to this matter. Thank you also for the very supportive response of the Fire Department.

Sincerely,

Connie VanderBaaren



Dec 22/2010

Clearwater County Council

Dear Gentlemen:

We as members of the Ores Community Club and the Vanderbaasen Building Committee are requesting the property taxes for Connie Vanderbaasen be waived for the coming year or at least be adjusted due to her loss of home Nov. 23. to fire. Funds have been raised to rebuild but we do not know completion date at this time. Thank you for your concern.

for the committee,

Aunt + Karen

Terpsma

3906214003

est 5-6369

# Agenda Item

**Date:** January 6, 2011  
**Item:** AAMDC Standing Committee Nominations  
**Prepared by:** Ron Leaf

## **Background:**

On December 22<sup>nd</sup> the Alberta Association of Municipal Districts & Counties (AAMDC) announced the creation of four new standing committees, being:

- Resources, Agriculture and the Environment
- Intergovernmental Relations, Finance and Justice
- Social Issues and Concerns
- Infrastructure, Transportation and Municipal Affairs.

The duties and scope of the various committees are further detailed in the attached AAMDC document.

The AAMDC is requesting that each zone submit three (3) names for each committee for consideration by the AAMDC Board. The discussion and submission of these names will be an agenda item at the February 11 CAAMDC meeting. I recommend that Council discuss whether any of its members wishes to submit their name for consideration at the CAAMDC meeting.

Participation on the AAMDC committees is consistent with Council's strategic plan concerning participating on regional or provincial boards or committees.

As Council will note, the AAMDC is also requesting CAOs to submit their names for consideration for committees on an issue by issue basis. I wish to know whether Council supports my submitting my name for consideration by the AAMDC as well.

## **Recommendation:**

1. That Council discusses whether it wishes to support any Council member(s) who may wish to submit their name for consideration for the new AAMDC committees.
2. That Council indicates if they support me submitting my name for consideration by the AAMDC board.

December 22, 2010

## AAMDC Invites Member Involvement in Committees

The AAMDC is pleased to announce a new standing issue committee (SIC) structure. Now is your opportunity to lend your expertise and interest to the advocacy process. Through increased involvement with the AAMDC as a committee member, you will:

- Influence decisions of the AAMDC Board of Directors;
- Provide input into provincial initiatives;
- Gain first-hand experience in furthering the AAMDC's advocacy efforts;
- Liaise with other members and provincial representatives;
- Understand the varied perspectives of other districts.

Standing issue committees are an important resource for the AAMDC Board. Members are urged to consider lending their talents to this valuable initiative.

In an effort to distribute the workload more evenly, the AAMDC has realigned the three previous committees into the following four new ones. The attached terms of reference outlines the objectives, mandate and composition of the SICs. The new committees are:

- **Resources, Agriculture and the Environment**
- **Intergovernmental Relations, Finance and Justice**
- **Social Issues and Concerns**
- **Infrastructure, Transportation and Municipal Affairs**

District chairs are asked to include nominations to the SICs on their next agenda. Each district is asked to nominate **a minimum of three (3) individuals to each committee**. The AAMDC Board will then make the final approvals. CAOs are likewise encouraged to fill out the form in order to be considered for appointment to committees on an issue-by-issue basis. Please make note of the remuneration outlined in the terms of reference, as member municipalities are responsible for any applicable per diem costs.

The attached form must be completed for each nominee and submitted to Tasha Blumenthal at [tasha@aamdc.com](mailto:tasha@aamdc.com) or by fax to 780.955.3615. The form can also be filled out online [here](#).

Enquiries may be directed to:

Tasha Blumenthal  
Advocacy and Convention Administration Coordinator  
780.955.4095

Kim Heyman  
Director, Advocacy and Communications  
780.955.4079

### Attachments



## STANDING ISSUE COMMITTEES (SIC) TERMS OF REFERENCE

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### OBJECTIVES

The primary role of these committees is to:

- Act as a task-oriented resource that can be brought together at the call of the AAMDC Board of Directors or in response to a member-driven initiative.
- Review and provide recommendations to the AAMDC Board on issues as they relate to the ministries outlined in each committee's mandate.
- Represent the entirety of the membership when making recommendations to the AAMDC Board of Directors.
- Maintain confidentiality, as required, of materials provided to or discussions within the committee.

### MANDATE

Each committee will be responsible for dealing with issues or tasks that arise as they relate the Government of Alberta ministries, and at times, their federal government counterparts.

#### **Resources, Agriculture and the Environment**

- Agriculture and Rural Development
- Energy
- Environment
- Sustainable Resource Development
- Tourism, Parks and Recreation

#### **Intergovernmental Relations, Finance and Justice**

- Aboriginal Relations
- International and Intergovernmental Relations
- Employment and Immigration
- Treasury Board
- Finance and Enterprise
- Executive Council
- Justice
- Solicitor General and Public Security
- Service Alberta

#### **Social Issues and Concerns**

- Advanced Education
- Education
- Children and Youth Services
- Culture and Community Spirit
- Health and Wellness
- Seniors and Community Supports
- Housing and Urban Affairs

#### **Infrastructure, Transportation, and Municipal Affairs**

- Municipal Affairs
- Transportation
- Infrastructure

## **COMPOSITION**

Each committee will comprise:

- The AAMDC President as an ex-officio member
- A member of the AAMDC Board of Directors, appointed on an annual basis, to act as chair
- One (1) elected officials from each district, nominated by the district and approved by the AAMDC Board
- One (1) municipal administrative official appointed by the board on an issue-by-issue basis
- External subject experts or resources as needed

A minimum of three nominees from each district must be received immediately after the first duly constituted district meeting following a municipal election. The AAMDC Board will approve one nominee from each district and may, at its discretion, approve alternates.

## **TERM**

Each district representative shall serve a term that is the duration of the municipal election cycle.

## **REPORTING RELATIONSHIP**

Each Standing Issue Committee shall report to the AAMDC Board through its Chair. Standing Issue Committees have no resolution making powers.

## **FREQUENCY OF MEETINGS**

Meetings will be assembled at the request of the AAMDC Board of Directors when a specific task or issue arises.

## **COMMITTEE SECRETARIAT, ADMINISTRATIVE AND FINANCIAL SUPPORT**

- The AAMDC will provide all necessary administrative resources to the working group.
- The AAMDC office shall provide or arrange meeting space for the committees as required.
- If applicable, per diem costs associated with participation in a Standing Issue Committee will be borne by the member municipality.
- The AAMDC shall reimburse committee members for travel, accommodation, and meal expenses related to attendance of committee meetings.

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Municipality: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone Numbers: Municipal: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: \_\_\_\_\_

Email Address: \_\_\_\_\_

Regular Council Day:       Mon.    Tues.    Wed.    Thurs.    Fri.

Council meets:             Weekly    Bi-weekly    Monthly    Other: \_\_\_\_\_

**Please indicate on which of the following committees you would be interested in participating, and rank your top choices. (Put "n/a" if you would not like to be considered for a particular committee.)**

- \_\_\_ Resources, Agriculture and the Environment
- \_\_\_ Intergovernmental Relations, Finance and Justice
- \_\_\_ Social Issues and Concerns
- \_\_\_ Infrastructure, Transportation and Municipal Affairs

**Please provide a brief description of your interest in this committee.**

**Please outline what expertise you can bring to this committee.**

**Please describe previous involvement with other committees.**

**Please describe why you would like to be more involved with the AAMDC.**

Date: \_\_\_\_\_

# Agenda Item

Date: January 11, 2011  
Item: FCSS Board Appointment  
Prepared by: Tyler McKinnon

## **Background:**

At Council's organizational meeting, no candidates had put their names forward for the open FCSS board appointment. As such, no appointment was made at that time.

Staff have since followed up with individuals who had put their names forward for other boards but not been appointed to anything. Mona Crocker and Pat Butler have both expressed interest in sitting on the FCSS board. Their resumes have been attached for Council's information.

Should Council wish to appoint one of these individuals, the appointment is for a three year term, beginning in October.

## **Recommendation**

That Council appoint one of the proposed candidates to the FCSS Board

## PATRICIA BUTLER

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RR 1 • Rocky Mountain House, AB • T4T 2A1 • Phone/Fax: 403-729-2455 • E-mail: patb@xplornet.com

October 20, 2010

Clearwater County  
Box 550  
Rocky Mountain House AB, T4T 1A4  
Fax: 403-845-7330

**Attention: Jeannine Tschetter**

Dear Sir:

**RE: County Board Representative**

I would like to apply to be a member of the **Municipal Planning Commission** as advertised in the October 12, 2010 edition of *The Mountaineer*. I feel that my many and varied experiences help me to make wise and meaningful decisions regarding developments within Clearwater County. More now than ever before, development must be encouraged but maintained in an environmentally and socially conscious manner. This area is a crown jewel within Alberta.

I am attaching a copy of my current resume for your perusal. If you require a list of references, I will gladly submit those at your request. I have thoroughly enjoyed serving on the SDAB in previous years. I found the experiences very educational, and rewarding. I feel that these experiences would give insights for being a member of the **Municipal Planning Commission**.

Yours truly,



Pat Butler  
Enclosures

**PAT BUTLER**


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**R.R. # 1 \* Rocky Mountain House, Alberta T4T 2A1 (PHONE & FAX) (403) 729 - 2455**  
**E-Mail patb@xplornet.com**

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**SUMMARY OF SKILLS, QUALIFICATIONS, AND EXPERIENCE**

- \*Office Career Training Program
- \* Bachelor of Education Degree - Major in Biology, Minors in Chemistry and French
- \* Permanent Professional Teaching Certificate
- \* Computer skills using Microsoft Office, Corel Draw, WordPerfect, Simply Accounting, AccPac, Access
- \* Strong mathematical and language arts aptitude
- \* Extensive knowledge gained through a lifetime of agricultural experience
- \* Possess a broad knowledge regarding beef cattle, horses, and miniature donkeys
- \* Mary Kay sales training and proven sales experience
- \* Experienced Research Assistant
- \* Active in global beef cattle marketing
- \* Advertising experience including ad design and copy writing
- \* Skilled in offering briefs and presentations to government as well as the public at large
- \* Possess a high degree of integrity, personable nature, and excellent work ethic

**EDUCATION AND TRAINING COURSES**

- 2009      **SUBDIVISION AND DEVELOPMENT APPEAL BOARD TRAINING WORKSHOP**, Red Deer, Alberta  
 - One day training session
- 2007      **CENTRE FOR DISTANCE EDUCATION**, Sydney, Nova Scotia  
 - Digital Publishing - Diploma - Honors
- 2006      **RED DEER COLLEGE**, Red Deer, Alberta  
 - Adobe InDesign and Acrobat, Multimedia Web Developer Certificate Program
- 1996      **NORTHERN ALBERTA INSTITUTE OF TECHNOLOGY via PEMBINA EDUCATION CONSORTIUM**, Rocky Mountain House, Alberta  
 - Office Career Training Program
- 1980      **WESTERN BREEDERS SERVICE**, Balzac, Alberta  
 - Artificial Insemination Course
- 1967 - 1969      **UNIVERSITY OF CALGARY**, Calgary, Alberta  
 - **Bachelor of Education**  
 - Major: Biology Minors: **French** and Chemistry  
 - Graduate Course in Zoology under **Dr. R.B. Church**, world renowned Geneticist, Researcher, and Livestock Breeder
- 1965 - 1967      **UNIVERSITY OF ALBERTA**, Edmonton, Alberta  
 - Faculty of Education Major: French Minor: Biology

.../2

....Page 2    **PAT BUTLER**

## **PROFESSIONAL HISTORY - to 1982**

Vast knowledge and experience gained over many years and through varied positions which include:

- Member of Development /Sub-division / Environmental Appeal Board, Clearwater County (reappointed 2006 and 2008)
- Associate Member of Development / Sub-division / Environmental Appeal Board, Clearwater County (appointed 2007)
- Substitute teacher, Wild Rose Public Schools
- Seaborn Seeds Inc. - computer instructor
- Doran Stewart Oilfield Services (1990) Ltd. - receptionist / clerical / file clerk
- Member of the Advisory Council to the Minister of Career Development and Employment
- Lay Member of the Ponoka Mental Health Review Panel (Reappointed 2006 for a 5 year term)
- Alberta Agriculture, Beef and Sheep Support Program - Field Auditor; Office Assistant for rejected client applications -D.N. Milligan, supervisor

\* A detailed list of positions is attached

## **VOLUNTEER EXPERIENCE**

- Member of Purebred Livestock Stakeholders Group
- Shareholder, Edmonton Northlands
- Editor, *Canadian Donkey & Mule News*
- Canadian and Alberta Angus and Shorthorn Associations
- Volunteer ESL Tutor, Rocky Adult Literacy Program
- Volunteer Canvasser, Canadian Cancer Society
- Associate Director, Alberta Cattle Breeders Association
- Calgary Stampede volunteer
- Parent Advisor, Gilby 4-H Beef Club Heifer Project
- Coordinator of the Horse and Beef Cattle Shows of the Hanna and District Agricultural Society

## **SPECIAL INTERESTS**

- Ray Hunt Horsemanship Clinics
- Dr. Roger Hunsley Beef Cattle Breeders Schools
- Equine Driving Clinics



**Pat Butler****Professional History**

- Publisher, Miniature Donkey Breeders International Directory
- Member Clearwater County Development / Sub-division / Environmental Appeal Board
- Substitute teacher, Wild Rose Public Schools
- Seaborn Seeds Inc. - computer consultant
- Doran Stewart Oilfield Services (1990) Ltd. - receptionist / clerk / clerical
- Partner, manager, and bookkeeper of purebred beef operation
- Substitute Teacher - Wild Rose and Wolfe Creek School Divisions
- Independent Mary Kay Cosmetics sales consultant
- Member of the Advisory Council to the Minister of Career Development and Employment
- Lay Member of the Ponoka Mental Health Review Panel (Reappointed 2006 for a 5 year term)
- Alberta Agriculture, Beef and Sheep Support Program - Field Auditor; Office Assistant for rejected client applications -D.N. Milligan, supervisor. Personal recognition from Dr. Bruce Jeffries, Deputy Minister.
- Alberta Agriculture, Research Assistant to R.A. Wroe, Range Management Specialist
- Rangeland School Division, High School Science Teacher, George Patzer, Principal
- Sullivan Lake School Division, High School English Teacher, George Patzer, Principal
- Willow Creek School Division, High School Biology Teacher, Brian Warwick, Principal

**Volunteer Experience**

- Purebred Livestock Stakeholders group - arranged meeting with three provincial cabinet ministers present in March 2002 regarding herd health issues and the impact of the Agricultural Operations Practices Act  
Third generation shareholder, Northlands Park
- Editor, CDMA magazine, *Canadian Donkey & Mule News*
- Canadian and Alberta Angus and Shorthorn Associations
  - i) Member of the Dorothy Banks Scholarship planning committee
  - ii) Member Sweepstakes 2000 Winter Classic show committee
- Volunteer ESL Tutor, Rocky Adult Literacy Program
- Volunteer Canvasser, Canadian Cancer Society
- Associate Director representing Shorthorns, Alberta Cattle Breeders Association
- Tour and consult international livestock breeders resulting in several export sales. This involved travel itinerary planning, travel arrangements, and documentation coordination for livestock export
- Director, Alberta Shorthorn Association

**Alberta Shorthorn Association Committee Appointments:**

- i) Key Sale Committee - costing and auction sale planning
  - ii) Preparation of package and coordination of Corporate Sponsorship for 1994 Canadian National Shorthorn Show at the Calgary Stampede
  - iii) Key Sale Committee - costing and auction sale planning
  - iv) Advertising Committee
  - v) International Trade and Grants Committee
- Parent Advisor, Gilby 4-H Beef Club Heifer Project
  - West Central Alberta Angus Breeders group to prepare and host the 1986 Central Alberta Angus Tour and Red Angus Field Day
  - Various presentations to Government including a brief regarding the drought of 1984, presented to Dr. Ben McLeod, Deputy Minister of Agriculture, and Ron Weisenburger
  - Hosted the first UFA sponsored "Hands On" Grooming Clinic for Juniors
  - Coordinator of the Horse and Beef Cattle Shows of the Hanna and District Agricultural Society for 6 years
  - Hosted 3 Ray Hunt Horsemanship Clinics including colt starting, horsemanship, and cutting
  - Assistant Leader Youngstown 4-H Riders Club

**Mona Crocker**

Box 841  
Rocky Mountain House, AB T4T 1A6

403.845.5422  
monacrocker@gmail.com

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October 16, 2010

Jeannine Tschetter  
Clearwater County  
Box 550  
Rocky Mountain House, AB T4T 1B4

Dear Jeannine,

Re: County Board Representative – Municipal Planning Commission

Please accept this letter and resume as my application for the above position as a County Board Representative.

As a County Board Representative with the Municipal Planning Commission, I would uphold the current County Land Use Bylaws and Municipal Development Plan policies. As an Instructor, my evaluation skills are used in many situations with current and past students, with fellow instructors, and with program courses. I am fair, thoughtful, and considerate when working in an educational setting and in a public setting. Currently, I am serving as the County Representative on the Rocky Public Library Board. This service has expanded my interest and knowledge in working on community boards.

I would like the opportunity to become a County Board Representative. I am committed to attending all the meetings and am available on the first and second Thursday of each month. Please feel free to contact me with any questions at 403.845.5422 or e-mail at monacrocker@gmail.com.

Sincerely,

Mona Crocker

Encl.

## MONA CROCKER

Box 841  
Rocky Mountain House, AB T4T 1A6

403.845.5422  
monacrocker@gmail.com

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### EDUCATION

- Certificate of Adult & Continuing Education (CACE), University of Alberta, Edmonton, Alberta; 2003
- Bachelor of Arts, English; Carleton University, Ottawa, Ontario; 1981

### INSTRUCTOR

**Contract Instructor, Office Career Training** 2005 - Present  
NAIT, Rocky Mountain House Campus  
Rocky Mountain House, AB

- Microsoft Windows XP, Word, Access, Introduction to Computers, Introduction to the Oilpatch
- Work as a team member with NAIT program leader and instructors
- Evaluate student development and discuss individual student progress
- Instruct students as a group and on an individual basis
- Maintain confidential student files, recruitment information, program documentation

**Instructor, Adult Development Program** 2002 – 2006  
Red Deer College, Rocky Mountain House Campus  
Rocky Mountain House, AB

- Computer, Social Studies and Adult Development courses for RDC
  - Prepare, develop and research course materials for adult learners
  - Administer and evaluate educational and career assessments
  - Cultivate beneficial working relationships with community and business agencies
  - Maintain confidential student files, recruitment information, program documentation
- Teaching with WebCT, Red Deer College, October 2003
  - Instructional Skills Workshop, Red Deer College, August 2003

### PAST INSTRUCTIONAL EXPERIENCE

Facilitator, Bridges to Employment 2000 – 2001  
Lokken Career Training  
Rocky Mountain House, AB

## CLIENT SERVICES / COMMUNICATIONS

**Wildfire Dispatcher / Radio Operator** (Seasonal) 2007 – 2009  
 Alberta Land and Forest Service (Full Time & Seasonal) 1989 – 1997  
 Rocky Mountain House, AB

- Dispatch appropriate firefighting teams and aircraft to forest fires
- Transmit, receive, monitor and log all Forestry radio communications
- Enter accurate weather and fire data into Alberta SRD FIRES database
- Operate fireline radios on wildfire export teams

**Weed Extension Coordinator** 2006 – 2006  
 Clearwater County  
 Rocky Mountain House, AB

- Travel extensively throughout Clearwater County to meet and to assist landowners to discuss weed control plans
- Apply Alberta's Weed Control Act as per Clearwater County Ag Services
- Design weed media materials & assist with Agriculture event advertising
- Create and maintain weed and address databases for Ag Services

**Administration / Reception** 2005 – 2005  
 Clearwater County  
 Rocky Mountain House, AB

- Answer telephone requests & transfer calls
- Greet people & direct them to the appropriate areas
- Receive and maintain cash & cheque transactions
- Record, type, organize, mail out minutes for Agricultural Service Board

**RCMP Telecommunications Operator** 1998 – 1999  
 Operational Communications Centre  
 Red Deer, AB

- Control, operate and monitor RCMP radio communications
- Respond to all public requests for law enforcement services
- Dispatch RCMP to emergency and non-emergency complaints
- Process documents and CPIC messages

## COMMUNITY

- Board Member, Rocky Community Library
- Participant, Visioning Workshop, Municipal Development Plan, Clearwater County
- Recording Secretary, Learning & Awareness and Governance committees, Rocky Community Sustainability Initiative

# Agenda Item

Date: **January 11, 2011**  
Item: **Thompson Country Pony Club Funding Request**  
Prepared by: **Tyler McKinnon**

## **Background:**

The Thompson Country Pony Club has submitted a request for funding to be used towards the development of meadows within a cross country course. A copy of the request has been attached for Council's information.

The Club is requesting that Clearwater County provide \$10,000 in funding towards the project, which has an estimated total cost of \$19,900. The Club plans to access CFEP funding for the remaining \$9,900. In addition to this project, the Club plans to install larger toilet cisterns, paint their facility, install fencing along the highway, conduct landscaping and repairs to the cross country course, build outhouses and upgrade their stadium jumps.

The total estimated cost of these projects is \$82,725. The pony club has noted that \$12,000 will be covered through club revenues, \$13,506.25 through donated labour and \$39,212.50 has been requested from Community Facility Enhancement Program (CFEP) funding through the Alberta Lottery fund.

In February 2008, Council approved \$20,000 funding for the Club to expand their grounds. The current request was received at the end of 2010, should Council wish to provide the requested funding, there is \$23,400 remaining in the 2010 approved grant budget.

## **Recommendation**

That Council approves \$10,000 funding, from the 2010 Community Hall/Group Capital Grant budget, for the Thompson Country Pony Club.



## Thompson Country Pony Club

### \$10000 Grant Application

### to Clearwater County

### For the Development of Cross Country Course Meadows (see item 7)

Thompson Country Pony club has a number of facility enhancement projects planned for 2011 and 2012. This grant application to Clearwater County is for \$10000 towards the development of meadows within the cross country course.

The construction of meadows within an otherwise forested landscape will add to the flexibility of course. Presently the course consists of approximately 11 km of course about 4-5 meters wide. This narrow width is not spectator friendly or safe and is not flexible for jump relocation. With extensive use by riders, the ground on either side of a jump becomes eroded and the jumps need to be moved to fresh ground from time to time to allow the eroded areas to regrow.

When strategically placed, meadows allow several entries and exists within the existing course and allow many jumps to exist within the meadow. This is much better for schooling and for viewing.

But first...

## Who we are and why we exist (Long Term Goals)

Thompson Country Pony Club exists as a non-profit, registered society:

- to provide equestrian education to youth between the ages of 6 and 25 thereby developing loyalty, character and sportsmanship as well as responsibility, moral judgement, leadership and self confidence
  - on a weekly basis during the months of January to September
    - o teaching theory from January to April
    - o teaching riding from May to September
  - by offering camps during the summer months
  - by offering workshops, clinics and competitions
  
- to partner with Thompson Country Horse Trials to offer their Event during the summer.
  
- to maintain the facility for the schooling needs of Eventers, Show jumpers and Dressage riders as well as other disciplines such as Prince Philip Games, Rally, Tetrathelon etc.
  
- to maintain the facility for rental to other Pony Clubs for summer camping.
  
- to maintain the facility for rental to other horse related organizations.
  
- to maintain the facility for rental to the Cross Country Ski Club

## 2010 Thompson Country Pony Club Executive

	<u>Home</u>	<u>Work</u>
District Commissionaire		
Leanna St.Onge	403 845-7770	403 845-2841
Vice District Commissionaire		
Lane Klaassen	403 845-4587	403 845-0755
Treasurer		
Robin Montgomery	403 845-5176	403 845-2861
Secretary		
Gayle Buckle	403 845-3568	n/a
Sign Up Coordinator		
Robin Montgomery	403 845-5176	403 845-2861
Facility Coordinator		
Ken Ziegler	403 844-6239	403 845-8204



## **The Facility**

Several years ago, members of Thompson Country Pony Club approached the Provincial government and acquired a long term lease on approximately 143 acres of rolling heavily treed public land located across from the Buster Creek Community Centre. Over the years of ongoing vision and hard work, the club has developed a fine facility that is admired by many. The cross country course is over 11 kilometers in length and contains over 90 jumps of varying calibre. The riding area boasts two dressage arenas and two stadium arenas that are large enough to do high level testing and Eventing. We are also proud of our 60' x 106' arena/stable, three new 36' x 80' stables, our clubhouse, 6 RV hook ups, two guest cabins and a kitchen building that includes both an open deck and a covered deck.

## **Facility Project Description and Funding plans**

In 2011 and 2012, Thompson Country Pony Club plans to continue to upgrade the facility and resulting services we offer to participants of our program. We intend to engage in the following areas of enhancement as follows:

### **1) Increasing the Storage Capacity of our Toilet Cisterns - \$5,000**

Each summer we rent the facility out to many users. This results in lots of toilet use and subsequent pumping as our existing tank only holds 3 cubes of fluids. We have the opportunity to add two donated 6 cube tanks to the storage system resulting in fewer trips by our local Septic Sucking Service. This will save us many dollars per year because of fewer trips. The cost of this project is estimated to be \$5000. Bouwman Plumbing, Suncor, Pony Club and CFEP will cost share this project.

### **2) Water Jump Approaches and Cross Country Jump Repairs \$26,025**

Continuing the landscaping and repairing or building new jumps with an estimate of 23 jumps needed, we have a reasonably accurate quote of \$24785.72 with significant portions donated as labor and materials. Thompson Country Horse Trials, V&O Lumber and Pony Club will donate money, time and machinery to achieve 50% contribution. We have applied to CFEP to pay the other half.

### **3) Facility Painting \$3,000**

Several gates and jump sheds need a new coat of paint with professional sandblasting and painting. A quote for this is \$3000 plus GST. Our objective is to use \$1500.00 from our club income to achieve our 50% contribution with CFEP covering the other half.

### **4) Highway Fencing \$7,800**

Fencing the highway from the pony club gates north to the chicken ranch road corner and then east to the yellow gates needs to be done for horse, rider and traffic safety at a quoted cost of \$7800 plus GST. Presently the labor for this work will be donated labor worth \$6000. Our objective is to use \$6000 Pony Club labor to achieve more than 50%

contribution. Or, because Suncor has a pipeline crossing both of these fencelines, they have expressed interest in building the entire fence. Their full contribution can be used to offset 50% contribution on other projects to fulfill the needs from CFEP.

#### **5) Bigger Garbage Bin - \$1,000**

Because of the extensive use of the facility, our 2 cube dumpster was full far too often. We intend to purchase a six cube dumpster resulting in fewer garbage trips. The quoted cost for such a dumpster is \$1000 plus GST. Our objective is to use \$500 from our club income to achieve our 50% contribution with CFEP covering the other 1/2.

#### **6) Kitchen Building Upgrade - \$2,000**

Several times this summer we had problems with squirrels getting into the kitchen building. By closing off the eaves with fascia and soffit we will be able to keep the food area safer and cleaner. The estimated cost of this project is \$2000. Our objective is to use \$1000 from our club labor to achieve our 50% contribution.

#### **7) Cross Country Course Meadows - \$19,900**

We are opening the forest in a few areas to develop 3-8 acre meadows where several jumps will be located for improved schooling and spectator viewing. We have a contractor quote of \$19900 to supply labor and machinery for changing the land from forest to grassland. A grant of \$10,000 from Clearwater County will be very useful to achieve 50% contribution to the needs of CFEP.

#### **8) Build Outhouses - \$3,000**

The facility gets used by people during the months when the water system is shut down. Building an outhouse is important at an estimated cost of \$3000. Our objective is to use \$1500 from our club income to achieve our 50% contribution with CFEP paying 1/2.

#### **9) Upgrade Stadium Jumps - \$15,000**

The current stadium jumps are over 15 years old and are becoming loose and rotten. Replacement of these heavy jumps with lighter plastic jumps that do not rot will provide many good years of service for pony club instructors and riders. The estimated cost of these jumps is \$15000. Our objective is to use \$7500 from our club income to achieve our 50% contribution.

#### **Summary of matching money needed from Thompson Country Pony Club:**

Project	Cash from revenues	Donation(\$)	Donated labor	CFEP request	Total
Bigger Toilet Cisterns	1,000.00	1,500.00		2500	5,000.00
Cross Country work		6,506.25	6,506.25	13012.50	26,025.00
Facility Painting	1,500.00			1,500.00	3,000.00
Highway Fencing			6,000.00	1,800.00	7,800.00
Bigger Garbage Bin	500.00			500.00	1,000.00
Kitchen Building Upgrade			1,000.00	1,000.00	2,000.00
Cross Country Course Meadows		\$10,000.00		9,900.00	19,900.00
Build Outhouses	1,500.00			1,500.00	3,000.00

Upgrade Stadium Jumps	7,500.00			7,500.00	15,000.00
Totals	\$12,000	18006.25	13506.25	39212.50	82,725.00

### **Available Thompson Country Pony Club money:**

2010 GIC \$5,000

2010 Alberta Horse Trials \$4,000 – applied for to use on jump repairs

2010 Business donations to the club - \$8,000

2010 Rocky Ag Society - \$4000 towards educational expenses

2010 Rental and Miscellaneous Income - \$15,000

2011 Business donation possibilities - \$8,000

2011 Rocky Ag Society - \$4000 towards educational expenses

2011 Rental and Miscellaneous Income projection - \$15,000

Total funds available is \$27,000 from facility rentals and corporate donations in 2010. Past experience indicates that acquiring donations, rental income and labor for 2011 is quite reasonable.

### **Previous Fund Raising**

In the infancy years of the club, we spent large amounts of energy obtaining money through bottle drives, roadside garbage pickup etc. From time to time we received grants from CFEP, Clearwater County, the Town of Rocky Mountain House and gifts from community minded businesses that support the development of local youth.

An increased financial source for the club over the last two years has been the rental of the facility to outside groups. Because of the rugged terrain, the practical facilities and central location within the province, we have people come from great distances to school and exercise their horses. As well, we are now able to host summer camps at our facility where campers bring their horses.

### **Public Use:**

Following is a listing of the uses of the facility that occurred during the summer of 2010.

Thompson Country Pony Club use:

22 Wednesdays from May 1 to September 30

Average of 20 riders per night = 440 user days

Usage by individual guests:

50 guests using the facility on average of 2 days per stay = 100 user days

2010 bookings from groups were

May - Tricia Dahms X - country clinic – 26 people for 3 days = 78 user days

June - Canadian Sport Horse Association - 40 people for 3 days = 120 user days

June - Brenda Thompson School – 30 people for 5 days = 150 user days

June - Sarah Cunningham Clinic – 10 people for 1 day = 10 user days  
July - Thompson Country Horse Trials – 160 people for 3 days = 480 user days  
July - Strathcona Pony Club - 32 people for 5 days = 160 user days  
July - Clearwater Valley Pony Club – 20 people for 5 days = 100 user days  
July - D camp - 18 people for 5 days = 90 user days  
August - ABC Rally Camp – 50 people for 5 days = 250 user days  
August - Devonshire Pony Club – 50 people for 5 days = 250 user days  
August - Mini's in Motion - 50 people for 2 days = 100 user days  
August - ABC Regional year end show - 50 people for 1 day = 50 user days  
Aug - Rally Camp – 20 people for 5 days = 100 user days  
Aug - Tri Star Equestrian – 30 riders for 2 days = 60 user days

2011 bookings from outside groups to date:  
Similar to 2010 with some changes.

**Closing Comments:**

Through the programs offered by Thompson Country Pony Club and through the existence of this facility, our students receive fine education in important life skills. Historically, in order to get instruction, County families needed to leave the area to attend schools, workshops and camps that are now offered here. Today, these clinics and camps are offered at our facility allowing improved access for local families as well as folks from far away who travel to the Rocky Mountain House area and bring their business with them.

Consider continuing being a part of this growing facility and program. We have appreciated the financial support of Clearwater County in 2008 for the construction of the stables. All three stables were successfully constructed very near to budget and get used regularly throughout the summer. Adding meadows to the cross country course will add a new feature for previous users, will add safety for spectators and will improve the function of the course for cross country schools.

# Agenda Item

Date: **January 11, 2011**  
Item: **Aging Population Policy Framework**  
Prepared by: **Mike Haugen**

## Background:

The Province has recently (November 2010) released a report entitled the Aging Population Policy Framework. In the Province's words the Framework is "designed to foster a coordinated and aligned approach across the Government of Alberta in developing policies, programs and services that meet the changing needs of an aging population."

The purpose of the document is to deal with the emerging issues posed by the demographic change in Alberta's population given longer life spans, lower birth rates and the aging of the Baby Boomers. The Province has listed the following as specific purposes:

- identify the Government of Alberta's role in meeting the needs of an aging population so that Albertans have the information and support they require to plan for their senior years;
- communicate the Alberta government's key directions in preparing for an aging population, and its desired objectives in those areas;
- provide an overall context for the coordinated development of policies, programs, and services to meet the needs of an aging population;
- provide a framework to inform the allocation of resources so that programs and services are affordable to taxpayers on a sustained basis; and
- foster collaboration and integration among Alberta government ministries, the federal government, municipal governments and other community partners so that programs and services for the aging population are efficiently and effectively delivered to Albertans.

To address these aims, the Province adopted the following guiding principles:

Alberta government policies, programs and services will be:

- fair and equitable to future generations;
- aimed at encouraging the independence of Albertans;
- proactive and flexible to changing circumstances;
- aligned towards achieving outcomes;

- affordable to taxpayers;
- effective and efficient at achieving intended objectives;
- structured to assist Albertans most in need;
- informed by evidence and input;
- collaborative with communities; and
- respectful of individual choice.

These, as well as the full report and executive summary can be found at:

<http://www.seniors.alberta.ca/seniors/agingpopulation/framework/>

It is interesting to note that the framework depicts a role in provision of seniors' services not only to the Province, but to local municipalities as well as individual families and both the private and non-profit sectors.

It seems that a focus of the report is the independence of seniors and responsibility of they and their families to plan for their future. While the Province is recognizing that it will assist seniors unable to support themselves, the overall theme is that people have a responsibility to plan for their future and live appropriately – particularly in rural or remote areas.

Staff will provide more detail and greater synopsis at the January 11 Council Meeting.

**Recommendation:**

That Council accepts this presentation as information.

# Agenda Item

Date: January 11, 2011  
Item: Clearwater Regional Emergency Management Agency  
- Joint Council Meeting  
Prepared by: Mike Haugen

## Background:

Following the municipal elections, historical practice has been to hold a joint meeting of the Councils from the County and Village to become acquainted with and review the mandate and responsibilities of the Clearwater Regional Emergency Management Agency (CREMA).

The purpose of this meeting is to orient the Councillors on municipal practices regarding disaster preparedness as well as the roles and responsibilities of both staff and Councillors during events.

At this meeting, staff will also orient Councillors on the Councils' decision-making hierarchy that guides response priorities.

This meeting is traditionally done in the evening and includes a dinner. Caroline Council has indicated that they are available on either January 24 or January 26. If either of these dates are suitable for Council, staff will commence organizing the meeting.

## Recommendation:

That Council direct staff to Staff to organize a joint Council meeting regarding the Clearwater Regional Emergency Management Agency for either January 24 or 26, 2011.



# Agenda Item

Date: January 11, 2011  
Item: Delegation - ERCB  
Prepared by: Mike Haugen

## **Background:**

On occasion, a delegation from the ERCB appears before Council to provide an update on ERCB activities and to make themselves and their role known to Council.

Esther Johnston will be in attendance to conduct a short presentation to Council about the ERCB and some activities in Clearwater County and area. Please find some of Esther's presentation materials attached.

## **Recommendation:**

That Council accepts this presentation as information.

## Bulletin 2010-48

December 22, 2010

### Adoption of ERCBH2S Version 1.20, Clarification of Consultation Between Licensee and Local Authorities, and Deferral of Revised Edition of *Directive 071*

#### Release of ERCBH2S Version 1.20

In *Bulletin 2009-032: New Version of ERCBH2S Available for Testing and Feedback and Implementation Plan for Directive 071*, the Energy Resources Conservation Board (ERCB) announced the release of ERCBH2S Version 1.20 Beta for testing and feedback. The review period has now concluded, and the ERCB has finalized and adopted ERCBH2S Version 1.20 Beta without any fundamental changes. ERCBH2S Version 1.20 and the technical support documentation are available on the ERCB Web site [www.ercb.ca](http://www.ercb.ca) under Industry Zone : Rules, Regulations, Requirements : Directives : Directive 071. Effective immediately, applicants and licensees must use ERCBH2S Version 1.20 to prepare all emergency response plans (ERPs) submitted for proposed new developments.

Subject to ERP maintenance requirements in *Directive 071: Emergency Preparedness and Response Requirements for the Petroleum Industry*, ERPs previously approved or submitted to the ERCB remain valid. Licensees may choose to adopt larger emergency planning zones (EPZs) under previous versions of ERCBH2S or apply ERCBH2S Version 1.20 as part of their ERP maintenance process, with consultation and notification conducted pursuant to *Directive 071*.

#### Clarification of Consultation Between Licensees and Local Authorities for Emergency Response Planning

Local authorities play a key role in emergency management. The attachment to this bulletin clarifies the ERCB's existing requirements for consultation between licensees and local authorities during the emergency response planning process.

#### Deferral of Revised Edition of *Directive 071*

The ERCB has decided to further defer publication of proposed amendments to *Directive 071* until late 2011. More time is required to appropriately consider and address the feedback received on the draft directive.

Existing production facility emergency response plans with temporary exemption from the current version of *Directive 071* remain valid until the ERCB publishes revised requirements.

Questions regarding this bulletin may be directed to the ERCB's Emergency Planning and Assessment (EPA) Section at [EPAssessment@ercb.ca](mailto:EPAssessment@ercb.ca) or via the EPA Help Line at 403-297-2625 (business hours: 8:30 a.m.– 4:00 p.m.).

*<original signed by>*

Dwayne Waisman, B.E.S., C.E.T.  
Executive Manager  
Field Surveillance and Operations Branch

Attachment

## Attachment Local Authority Consultation Considerations

### Developing Protocols with the Local Authority

A local authority may ask a licensee to adhere to certain communication and consultation protocols when consulting with it on roles and responsibilities pertaining to emergency response or it may decide that a formally developed protocol is unnecessary. The extent of the protocols is often determined by the parameters of the operation, local authority capacity, and the activity within the municipal boundary.

### Communication and Consultation Protocols for Emergency Response Planning

The following are some of the items that the licensee should discuss with the local authority when developing communication and consultation protocols. The licensee or local authority may have additional items to discuss that are not listed below.

- When does the local authority wish to be consulted (e.g., for specific types of ERPs, certain emergency risk levels, ERP amendments and updates)?
- What type of contact does the local authority desire (e.g., face-to-face, telephone, registered mail, e-mail)?
- Who will be the initial contact, subsequent contact (if needed), and alternate contacts at the local authority?
- Where will the local authority and licensee meet to discuss roles and responsibilities? This should be at a time and place mutually agreeable to all parties.
- Would the local authority like to provide a generic list of its roles and responsibilities for all ERPs or would it prefer to develop a specific list of roles and responsibilities for each ERP?
- If the local authority provides a generic list of roles and responsibilities, how often does it wish to meet to confirm that it is still relevant?
- If the licensee has developed a checklist for the local authority to confirm its roles and responsibilities, would the local authority like to use this checklist to provide the information? The licensee should confirm with the local authority that the checklist contains the appropriate information.
- What type of follow-up to the discussions would the local authority like to see (e.g., a summary of the agreed-to roles and responsibilities and the completed checklist provided by e-mail, registered mail, or in person)?
- Does the local authority wish to review any revisions to the ERP prior to its submission to the ERCB?
- Will the local authority provide written approval of the licensee's summary of roles and responsibilities?
- Does the local authority wish to be included in public consultations (e.g., open houses)?
- How will disagreements with the local authority be handled?

### Command and Control Items to Discuss

- What are the local authority's expectations with respect to command and control of an incident?

- What are the local authority's views on establishing and/or participating in a single emergency operations centre?
- Does the local authority wish to discuss the need for unified command and what are its expectations if unified command is used?

### Roles and Responsibilities

It is important that there is no confusion or misunderstanding of the roles and responsibilities of both parties in the event of an incident. Discussions should focus on, but not be limited to, the following:

- initial notification process and licensee response to the incident;
- command and control structure;
- licensee plans for resident notification, sheltering, and evacuation of response zones and the EPZ;
- location, activation, and staffing of a reception centre;
- incident control and monitoring, including providing well or pipeline control services, air monitoring plans, and communication systems; and
- continuing roles and responsibilities once the Municipal Emergency Management Plan (MEMP) has been activated.

The local authority may wish to discuss its roles and responsibilities in emergency response with the licensee. This should include, but not be limited to, the following:

- the mandated role and responsibility of the local authority to handle an emergency within its municipality under the *Emergency Management Act* and the *Municipal Government Act*;
- the process of issuing a State of Local Emergency and its role in downgrading emergency levels and standing down an emergency;
- when the MEMP is activated and the local authority's roles and responsibilities; and
- the ability of the local authority to commit responders to an incident (e.g., law enforcement, the fire department, municipal and/or local disaster services capable of responding to a specific hazard) and to coordinate and handle notification, evacuation, and sheltering outside of the EPZ.

**Obtaining Abandoned Well Site Records**

ERCB Information Services  
Telephone - 403.297.8311 (select 2)  
Fax – 403.297.7040  
Email – [Infoservices@ercb.ca](mailto:Infoservices@ercb.ca)  
Mail – 250- 5 Street SW  
Calgary, Alberta T2P 0R4

**Information on surface reclamation standards and procedures:**

Alberta Environment  
Environmental Sciences Division  
4<sup>th</sup> Floor Oxbridge Place  
9820-106 Street  
Edmonton, Alberta T5K 2J6  
Telephone – 780.427.5883  
Fax – 780.422.4192  
Email – [land.management@gov.ab.ca](mailto:land.management@gov.ab.ca)

**Reclamation certificates on private land:**

Environmental Law Centre  
#204, 10709 Jasper Avenue  
Edmonton, Alberta T5J 3N3  
Telephone – 780.424.5099  
Fax – 780.424.5133

# Agenda Item

Date: January 11, 2011

Item: Parkland Airshed Management Zone (PAMZ)

Prepared by: Ron Leaf

## **Introduction:**

Clearwater County is a member of the Parkland Airshed Management Zone and supports the organization through per/capita funding. Kevin Warren, Executive Director of Parkland Airshed Management Zone (PAMZ), will present the Annual Report to Council detailing activities of PAMZ.

## **Recommendation:**

That Council accepts the Annual Report as information.



# PAMZ Presentation

Clearwater County  
January 11, 2011



# What is PAMZ?

- The Parkland Airshed Management Zone Association (PAMZ) is a non-profit society that monitors air quality and manages air quality issues in the Parkland Region
- Representatives of all three stakeholder groups – Industry, Government, & the Public
- Third provincial airshed formed using CASA Guidelines:
  - inclusiveness, collaboration and consensus
  - openness and transparency

# What are Zones?

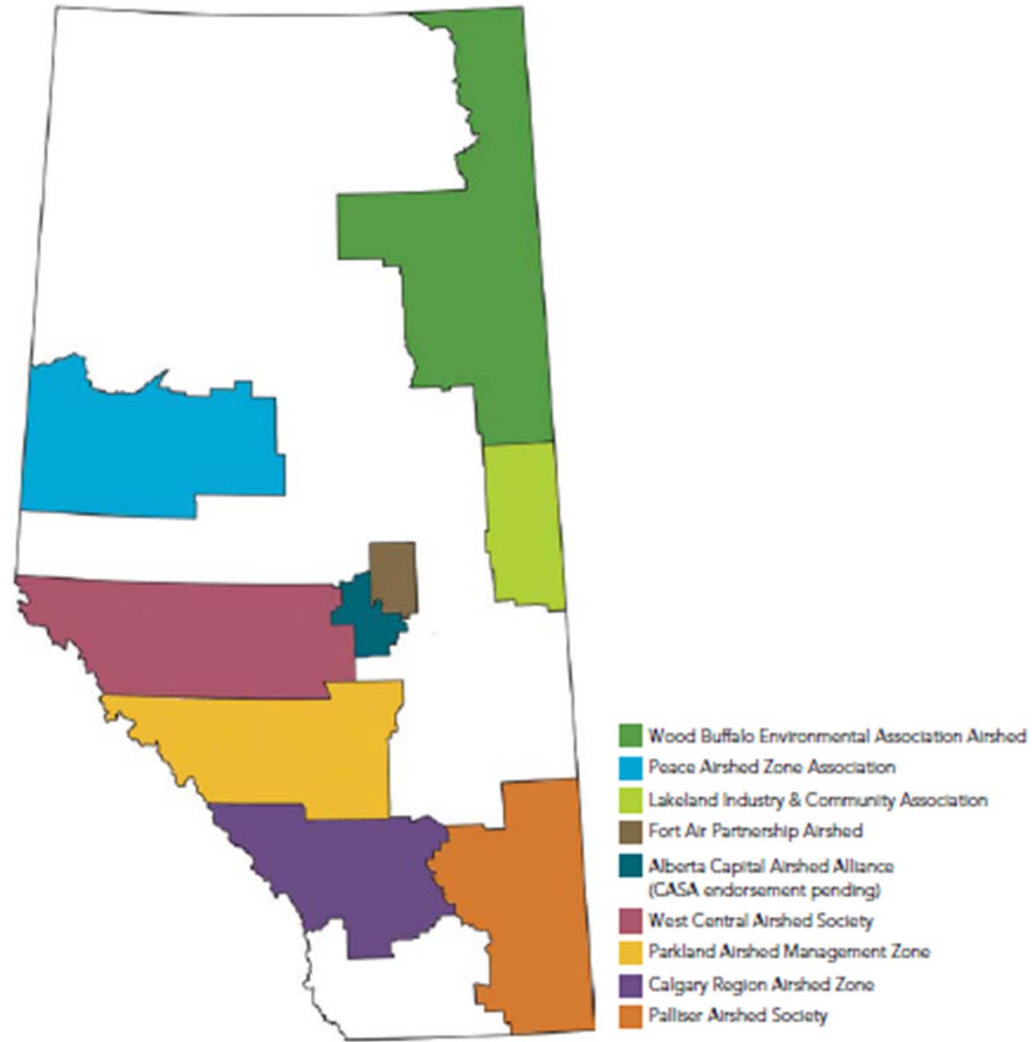
- Air Quality Management (AQM) Zones are a key component of the Clean Air Strategic Alliance's (CASA) strategy for managing Alberta's air quality using a regional approach
- Zones allow local multi-stakeholder groups to design air quality monitoring and management plans best suited for their region's unique conditions, emission sources and issues
- Zones' boundaries are established primarily to recognize regional air quality issues



- Formed in 1997, began monitoring in 1999
- 42,000 km<sup>2</sup>
- 2011 population ~ 260,000



# Current Provincial Airsheds



# What does PAMZ do?

- Operates a regional air quality monitoring program that is aligned with the provincial network including other zones
- Interprets and reports on regional air quality
- Maintains a process to identify and address air quality issues within the zone
- Secures its funding using fair and equitable emissions-based funding formulas
- Communicates to inform, educate and involve all stakeholders

# PAMZ Vision & Mission

## Vision

Our air is clean, clear, fresh and free from emissions that affect humans, animals or the environment.

## Mission

We lead in monitoring air quality and applying innovative strategies to manage the air we breathe.



# PAMZ and Clearwater County

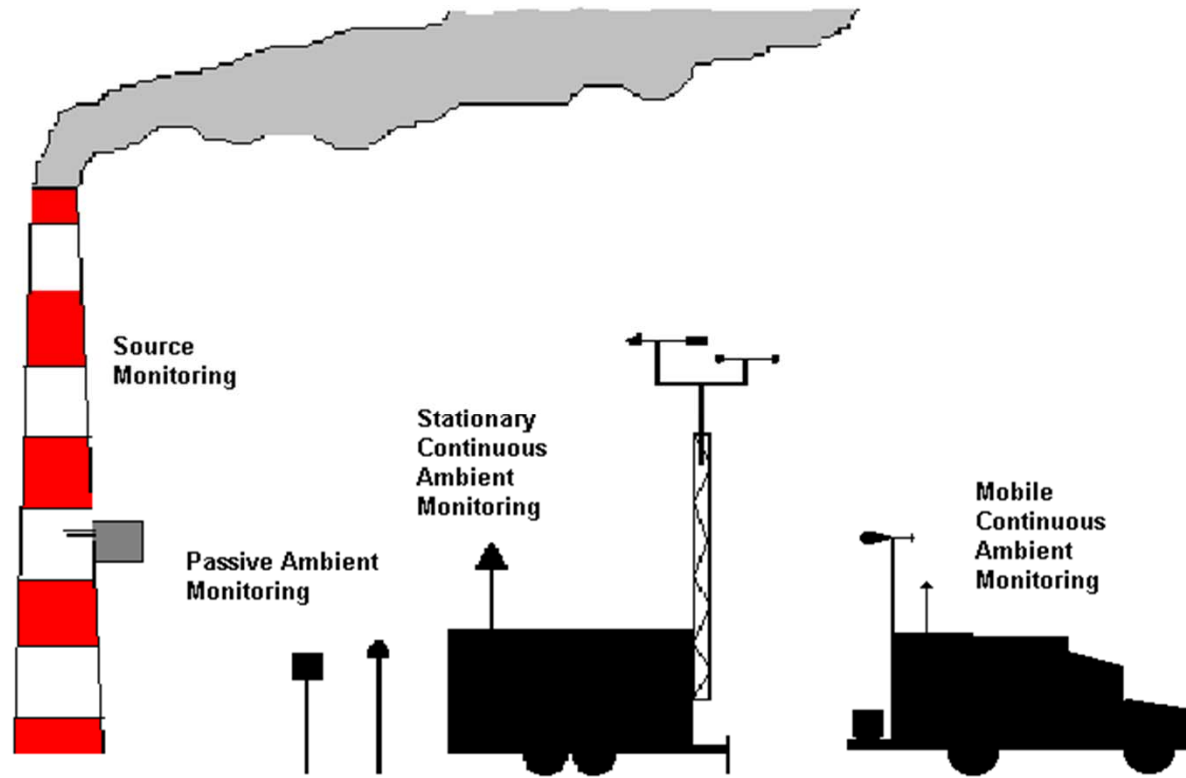
- Clearwater County is a founding member of PAMZ
  - Represented in earliest discussions in 1995 (James River Pipeline Leak)
  - First paid a membership fee in 1999
- Jeff Bradshaw represented the County on the PAMZ Human Health Committee 2003 – 2004
- Since 2009, Clearwater has been represented on the Board of Directors and Executive Committee by Bob Bryant
- Current PAMZ treasurer is Bob Bryant with bookkeeping support from Phyllis Forsyth
- PAMZ has 9 permanent monitoring sites (1 continuous and 8 passive) and 10 temporary sites located within the county
- PAMS has held one annual AGM (2006) and one public issues identification meeting (2003) within county's boundaries

# 2011 Budget

Passive Network	117.5	
Martha & Sites	102.6	
McCoy & Sites	85.9	
Red Deer	76.5	
Caroline	70.4	
Support	50.8	
Contingency	25.0	
<b>Sub-Total AQM Program Expenses</b>		<b>528.7</b>
Management & Expenses	108.0	
Administration	56.5	
Communications	48.0	
Bank Charges	0.3	
<b>Sub-Total Non AQM Program Expenses</b>		<b>212.8</b>
Ozone Management Plan	86.0	
<b>Sub-Total Other</b>		<b>86.0</b>
<b>Total Operating Expenses</b>		<b>827.5</b>
Capital Reserve Fund	60.0	
<b>Total</b>		<b>887.5</b>
All values expressed in \$1,000		

Budget	887.5
OMP	-86
2010 Surplus	-50
Revenue Need	751.5





## Air Monitoring Methods

1 ppm = 1 inch in 16 miles

1 ppb = 1 inch in 16,000 miles

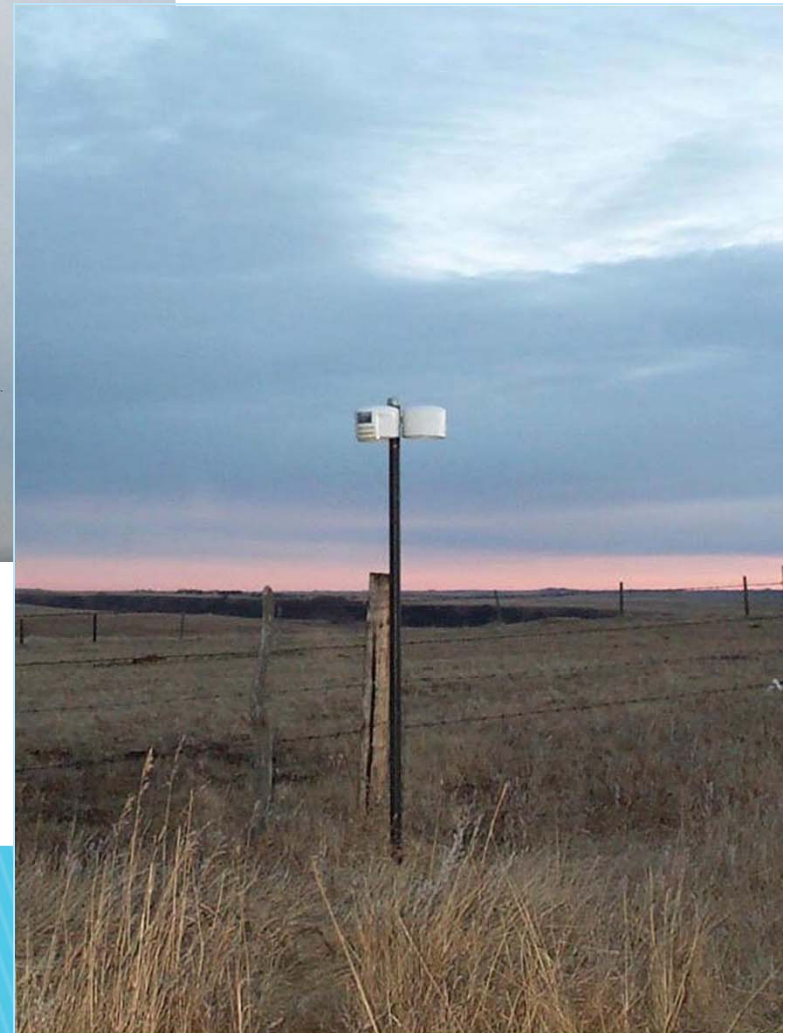




# Continuous Monitoring







# Passive Monitoring

# Air Quality Monitoring Program

- **4 Continuous Stations**

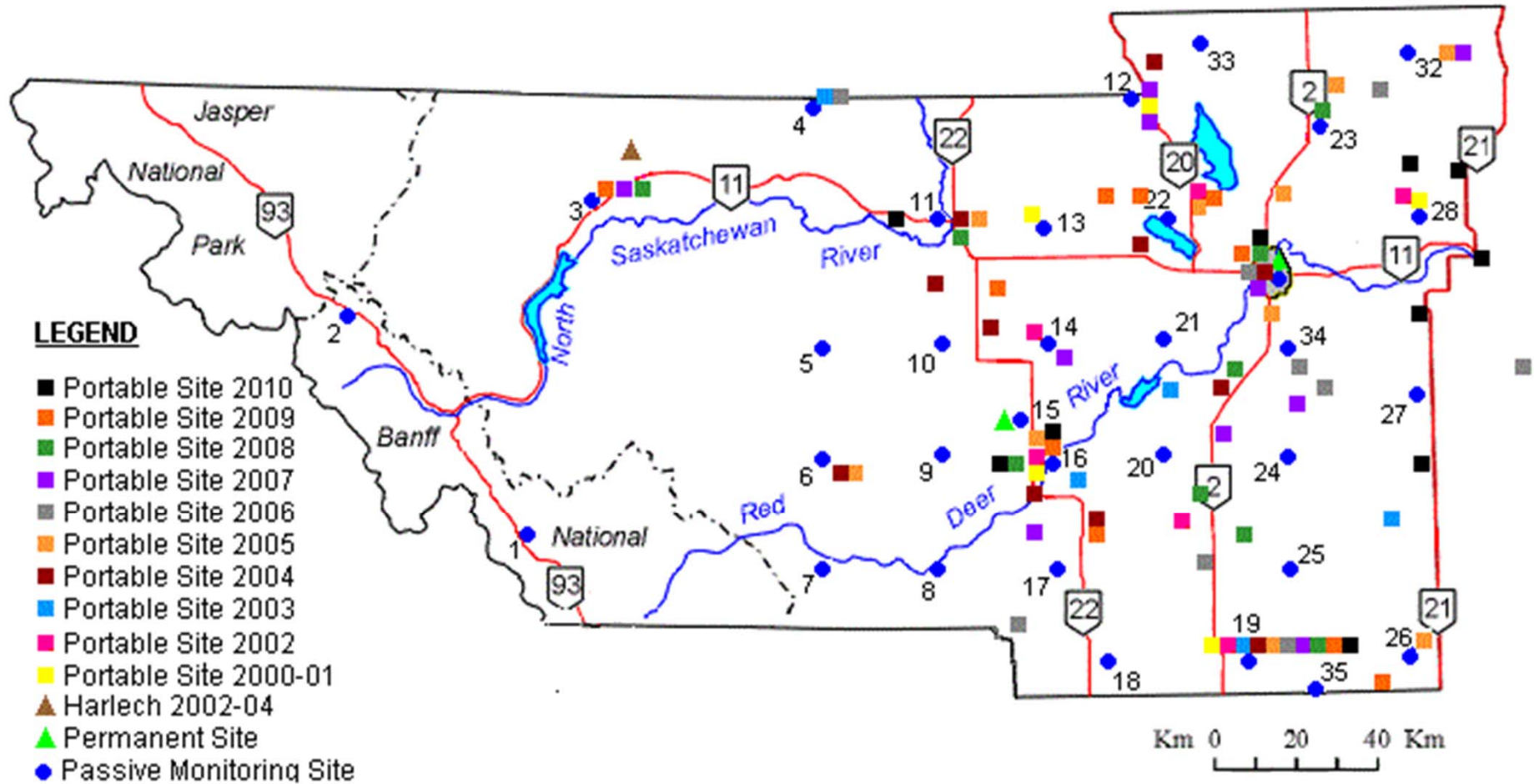
- Each w/ SO<sub>2</sub>, TRS, NO<sub>2</sub>-NO-NO<sub>x</sub>, O<sub>3</sub>, THC-CH<sub>4</sub>, PM<sub>2.5</sub> (Red Deer H<sub>2</sub>S & CO) + Access to other eg. VOC and PAH
- 2 Permanent
  - Red Deer (urban) & Caroline (rural)
- 2 Portables
  - Martha Kostuch responds to regional air quality concerns (6 sites/year)
  - David McCoy fills geographic (towns > 5,000) and technical data gaps (3-4 sites/year)

- **35 Station Zone-Wide Passive Monitoring Network**

- SO<sub>2</sub>, NO<sub>2</sub> and O<sub>3</sub>



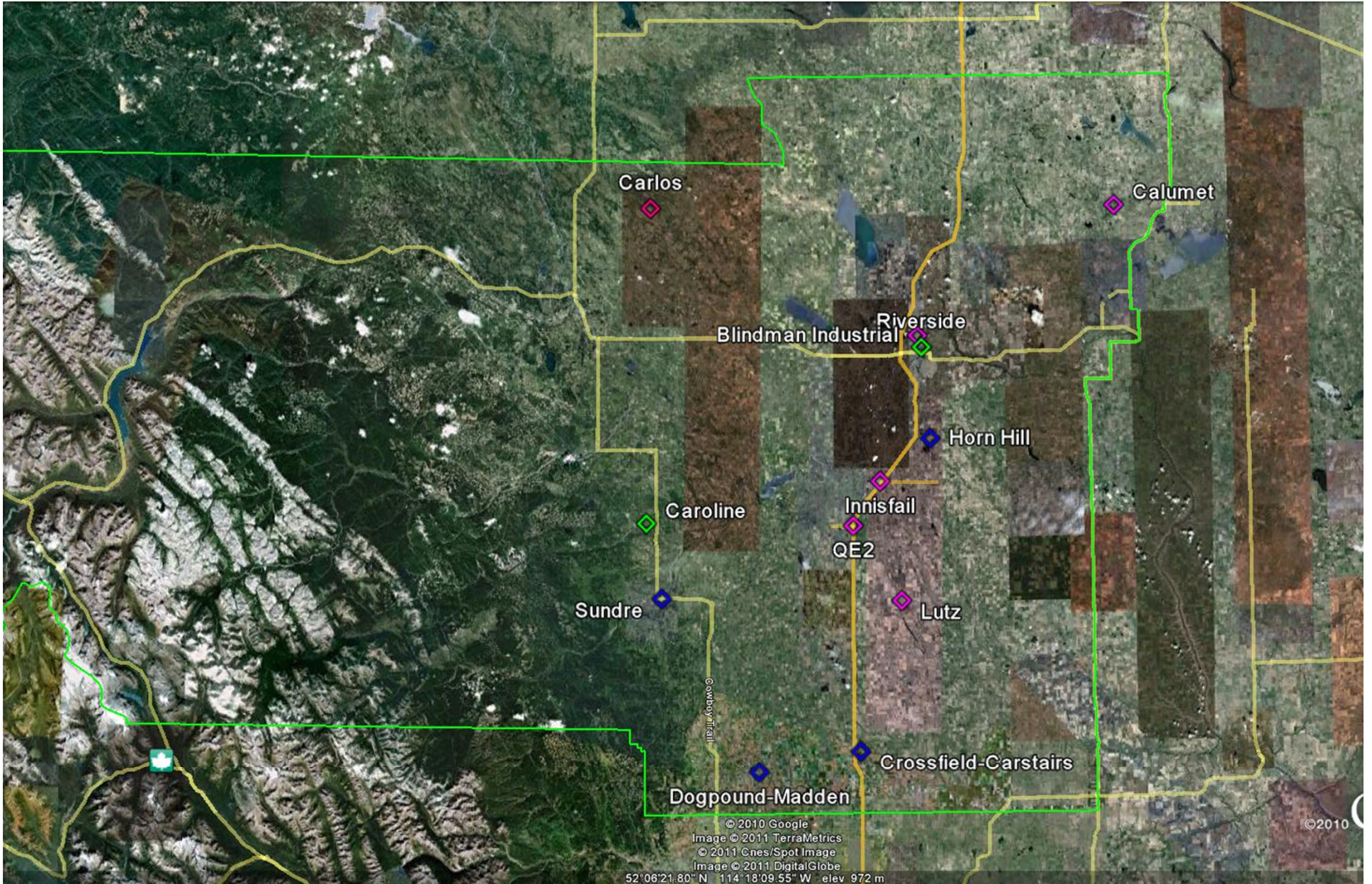
# PAMZ Monitoring Sites



# PAMZ Monitoring in Clearwater County Area

- Caroline Continuous Monitoring Site 2000 - Present
- 8 of 35 Passive Monitoring Stations
- Continuous Monitoring w/ Martha & McCoy Portables
  - Sunchild 2003 & 2006
  - Dovercourt 2004
  - Prairie Creek 2004
  - Rocky Mtn House 2004 & 2008
  - Limestone 2004 & 2005
  - Nordegg 2007
  - Bighorn 2008 & 2009
  - Cheddarville 2009
  - Louis Lake 2010
  - Carlos 2011

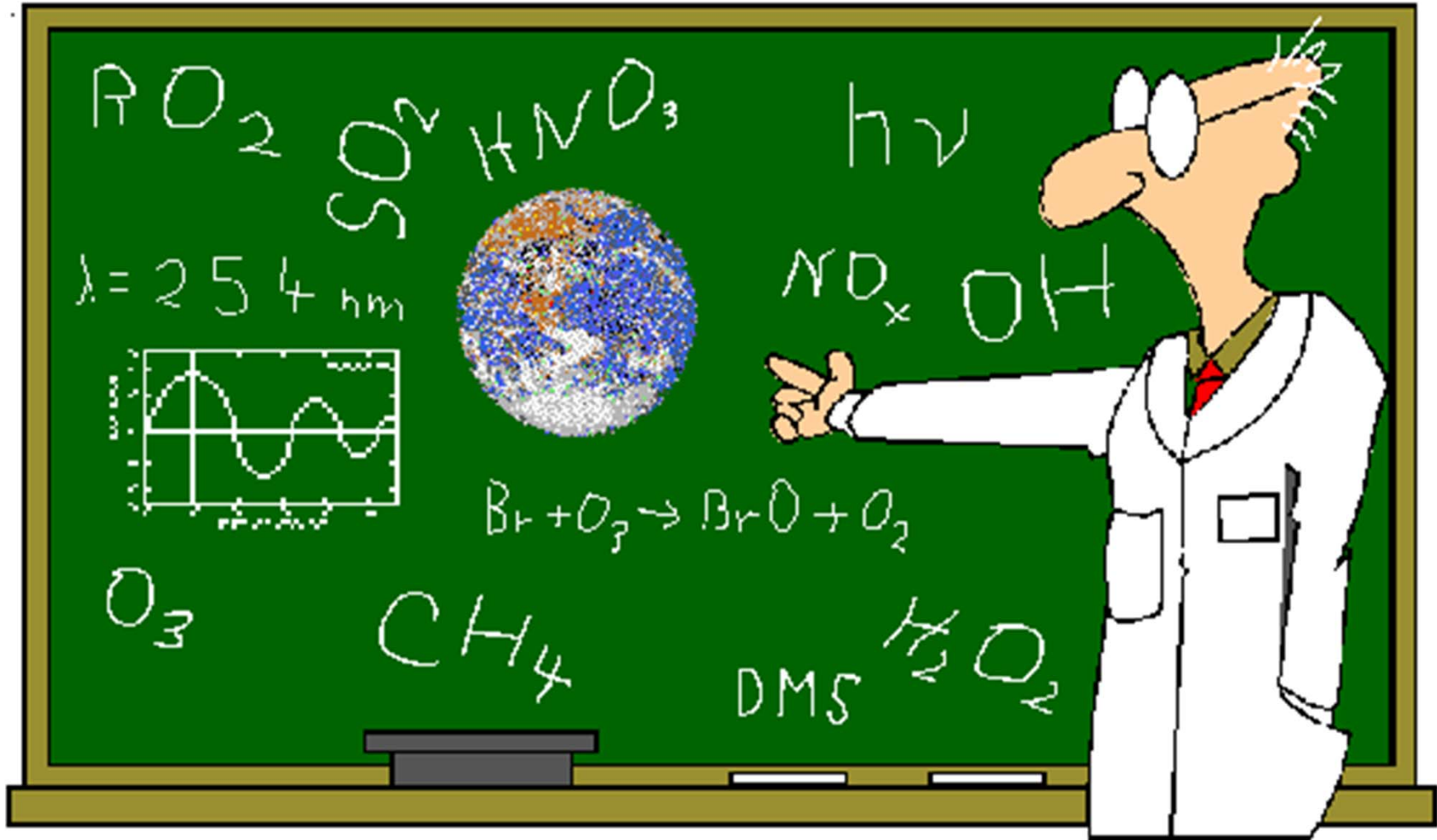






# AQM Program's Strengths

- Monitoring of a broad range of emissions that are used to characterize air quality
- High Resolution databases for addressing issues
- Low Detectable Levels - capability to detect subtle changes in data and trends and monitor low levels that may be associated with chronic health disorders
- Zonal coverage with Passive Network
- Responsive to Zonal issues – Formal Issues Identification Process & Martha Portable Station

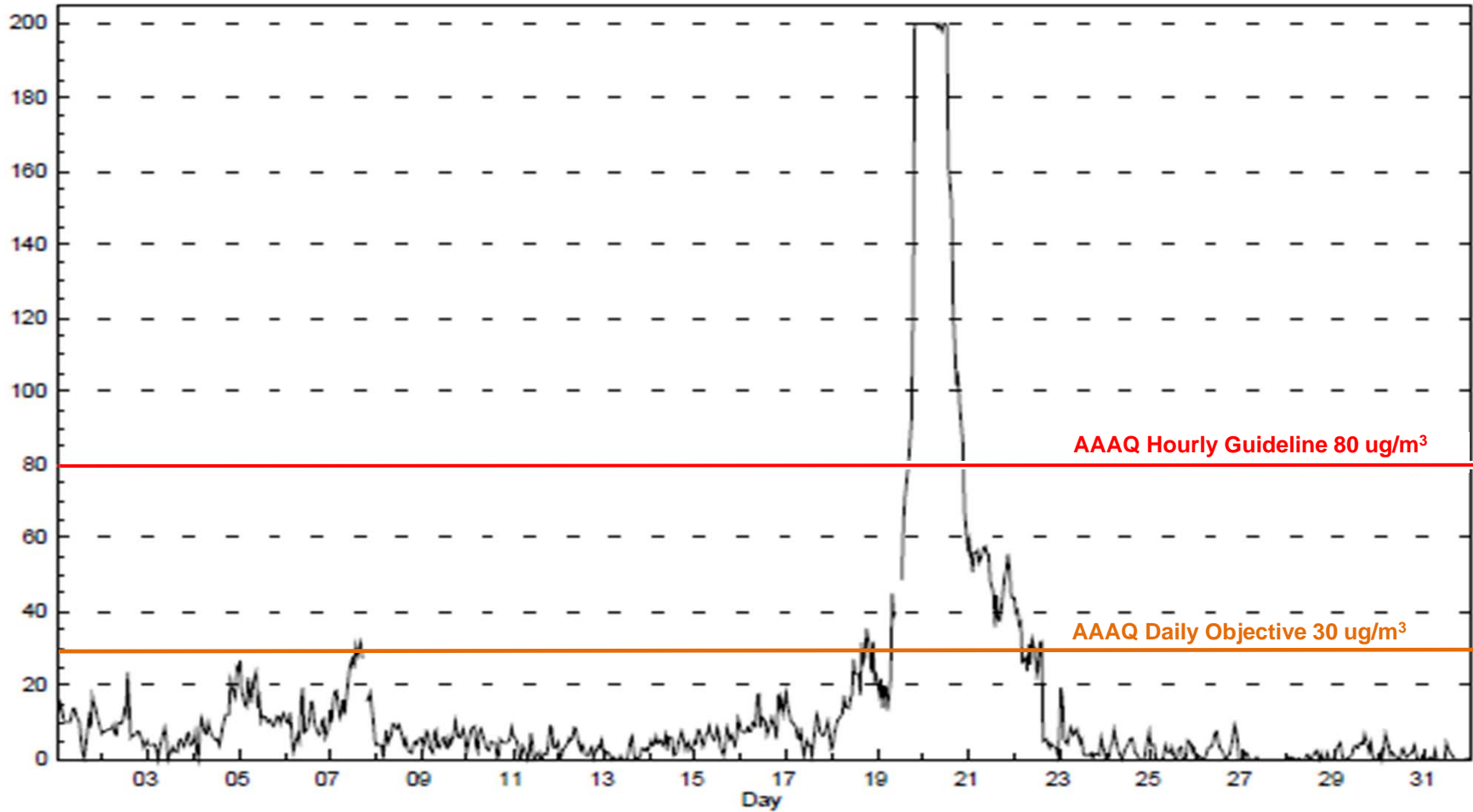


## Some Air Monitoring Data from Region

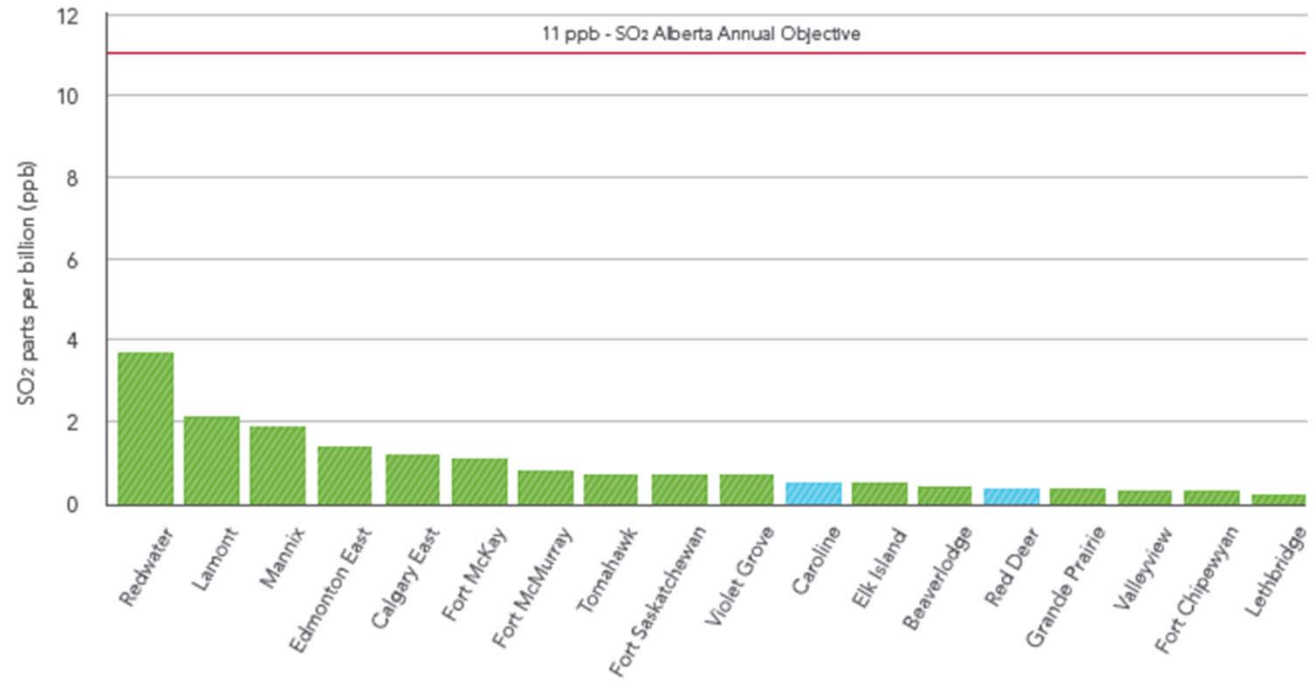


### Hourly Averages

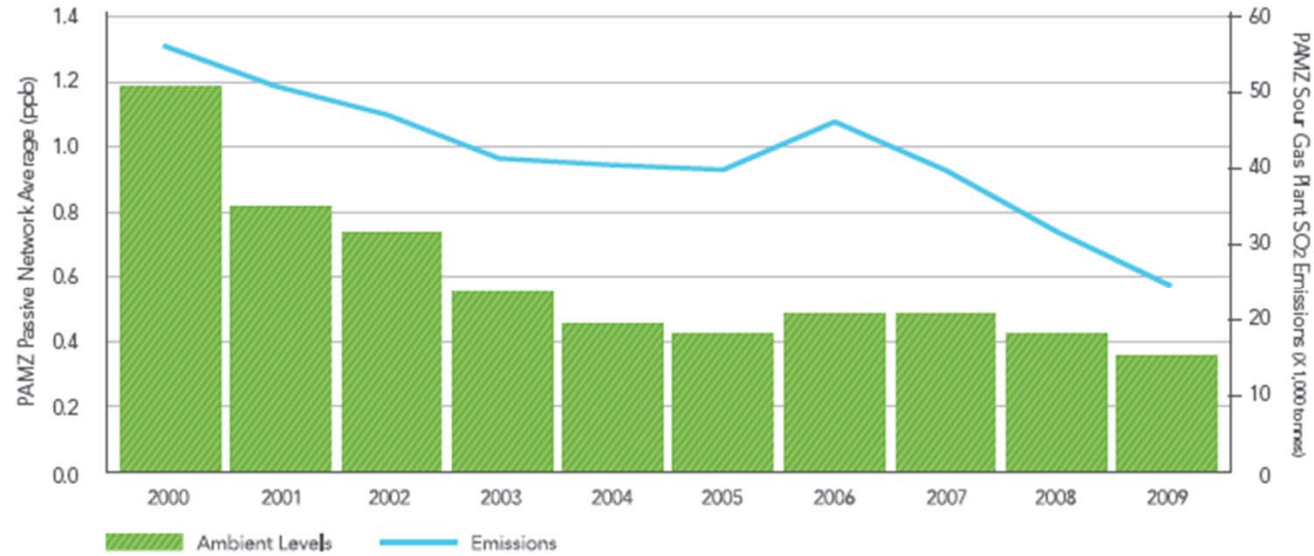
PM2.5 (PM<sub>2.5</sub>) -  $\mu\text{g}/\text{m}^3$   
Caroline - Aug 1, 2010 to Sep 1, 2010



Sulphur Dioxide  
2009 Annual Averages

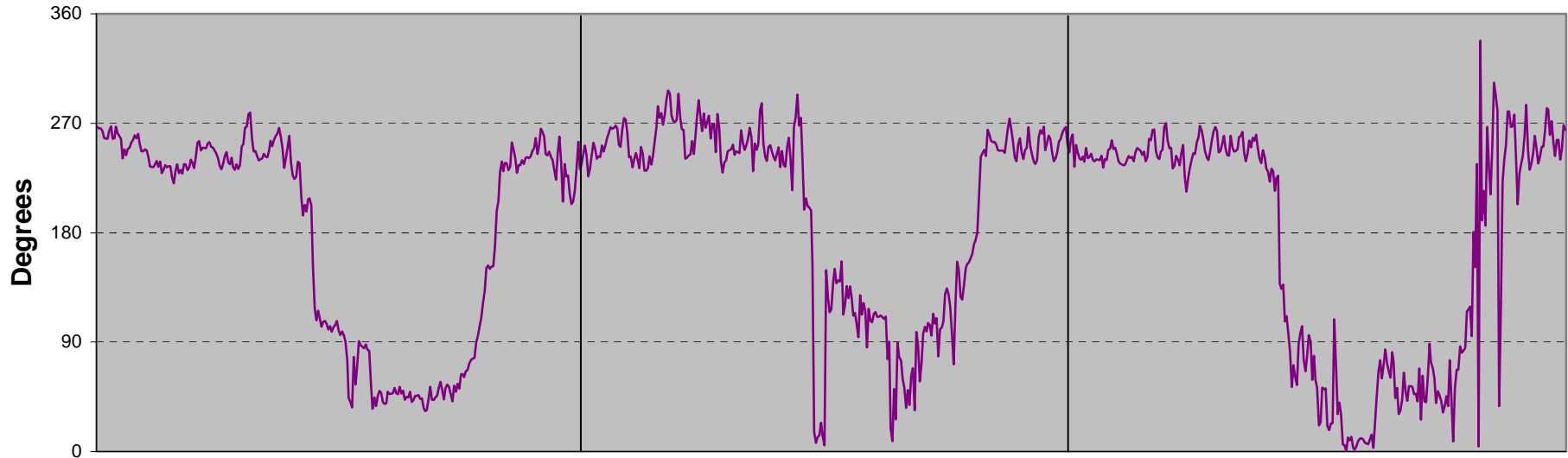


PAMZ Sulphur Dioxide  
Passive Network  
Average Ambient Levels  
and Sour Gas Plant  
Emissions 2000-2009

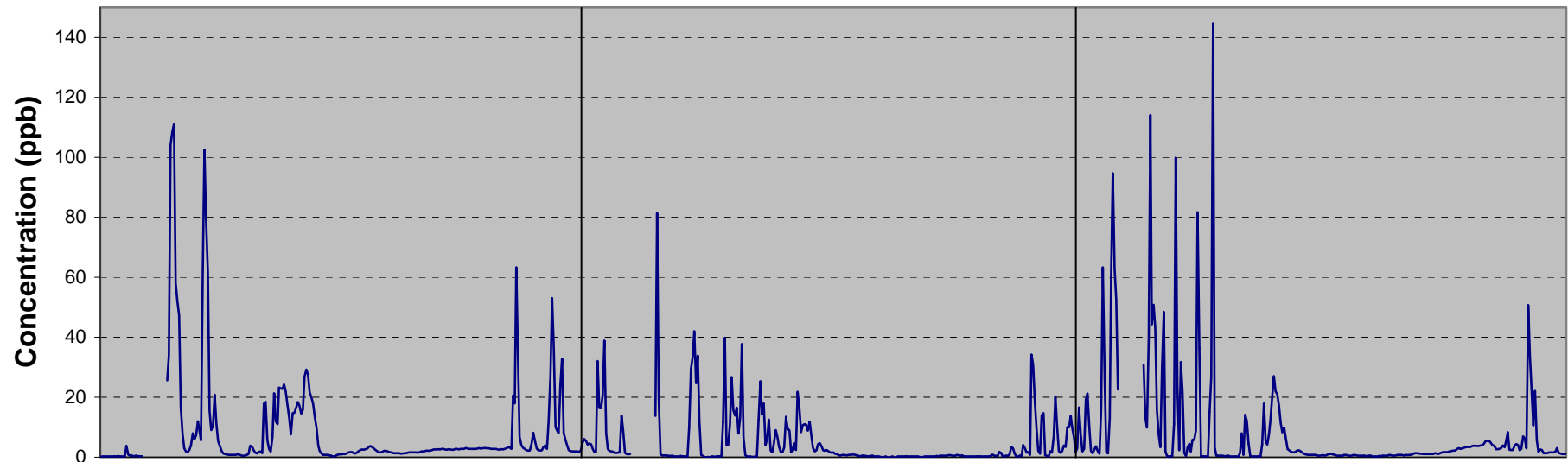




Prairie Creek Wind Direction - 5 Minute Averages

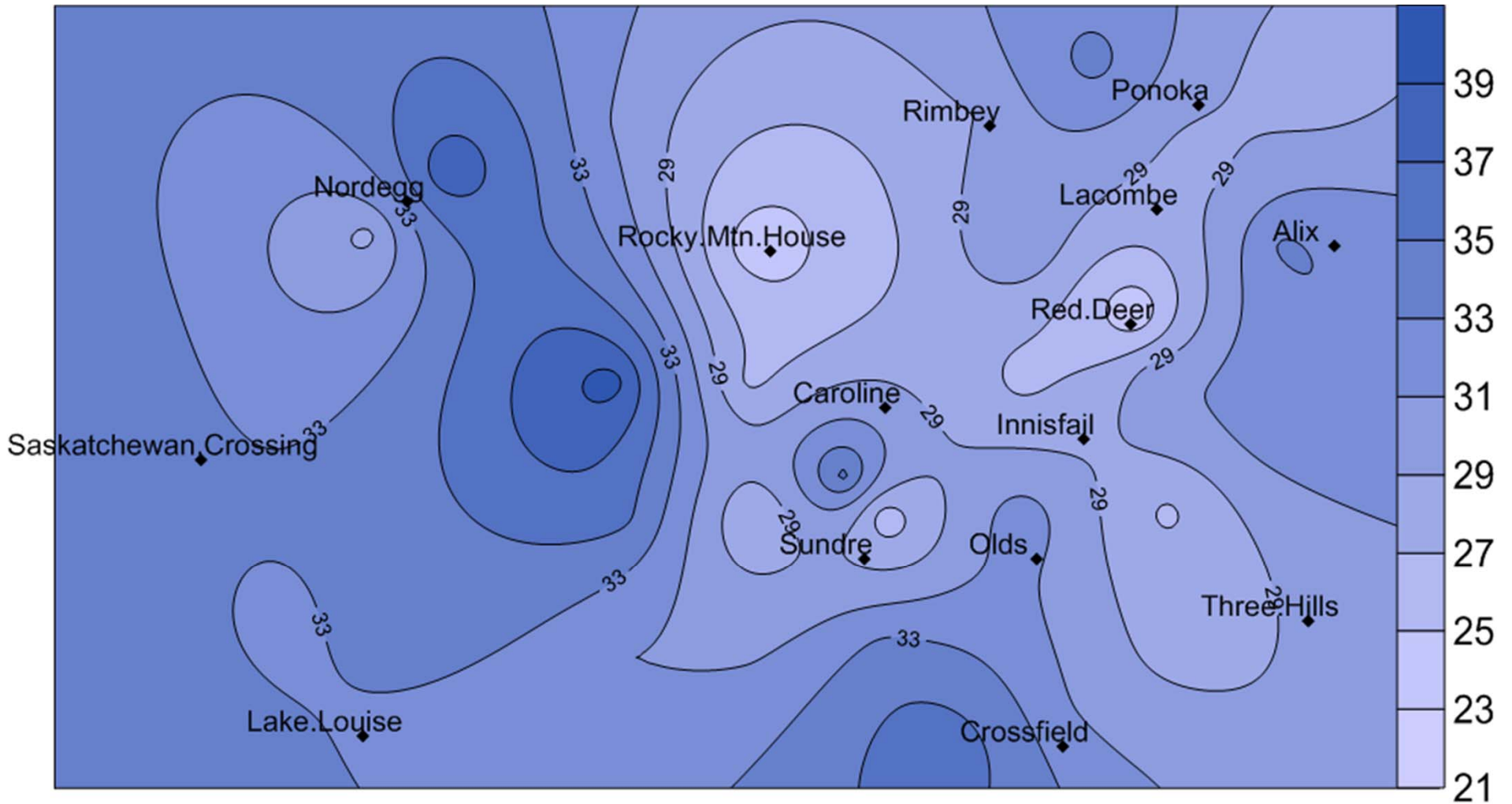


Prairie Creek SO2 - 5 Minute Averages



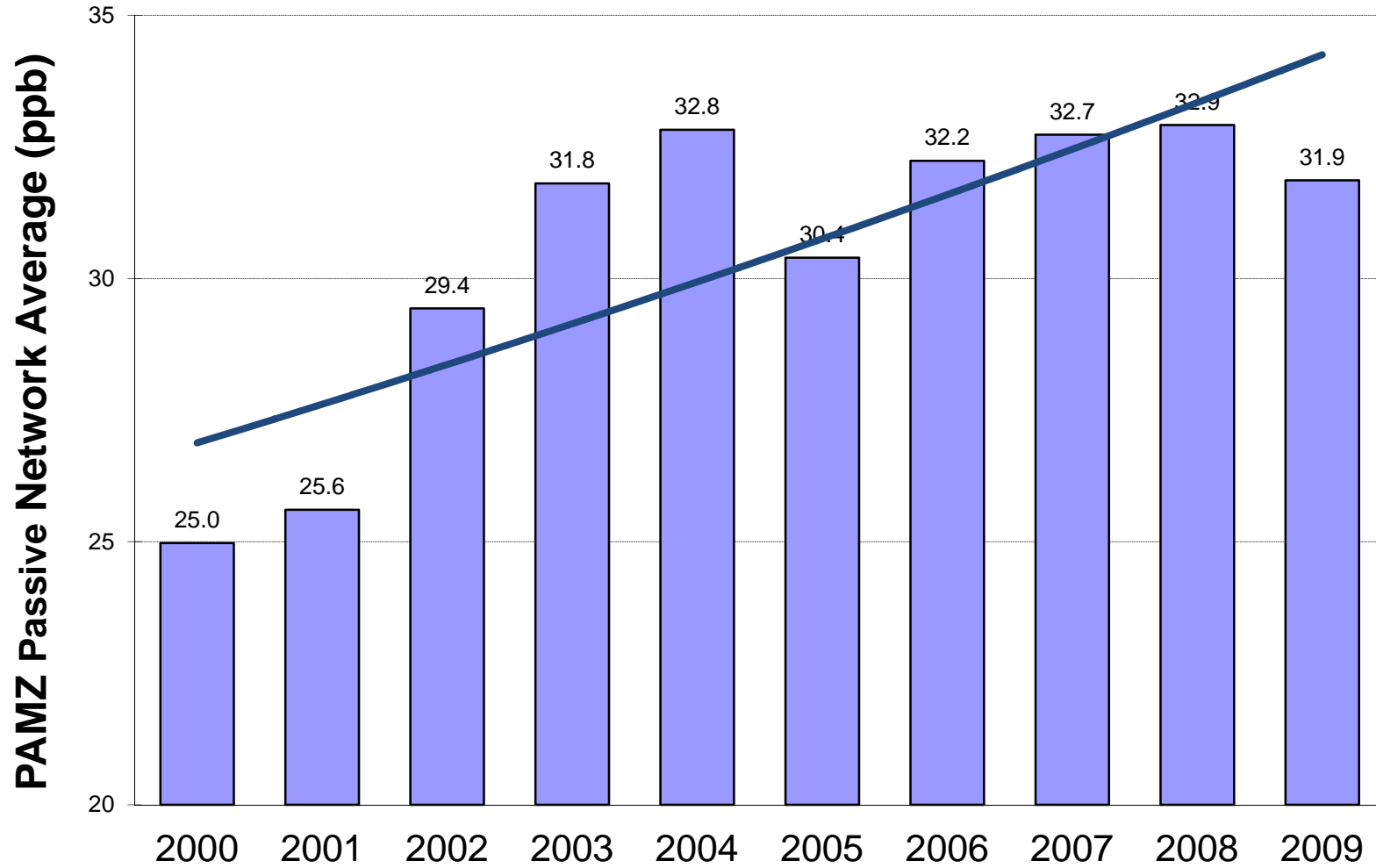
February 22-24, 2004





PAMZ Passive O<sub>3</sub> Monitoring Network - 2000-2009 Station Averages (PPB)

## PAMZ O<sub>3</sub> Passive Network Average Ambient Levels 2000-2009



# 2011 Plans

- Continue implementing PAMZ Ozone Management Plan
  - Currently developing deliverables for medium-term objectives
  - Host Ozone Prevention Workshop on March 7 in Red Deer to build understanding for and commitment to reducing ozone in the PAMZ region by providing the opportunity for participants to:
    - understand the need for ozone prevention and air quality action;
    - share what different sectors (industry, municipalities, individuals) are doing to reduce ozone and improve air quality;
    - brainstorm other methods to reduce ozone;
    - obtain resources and “how to “information that will aid them in taking new initiatives to reduce ozone;
    - make a commitment to take further steps to reduce ozone;
- Undertake pilot study for 2-month passive sampling
- Continue replacement/upgrading of AQM Monitors
- Assist in development of Red Deer River Watershed Alliance’s Integrated Watershed Management Plan
- Continue participating on various CASA Committees, Alberta Airsheds Council and Alberta Environment Ad Hoc Committees eg. Data Quality

# Keeping Clean Air Clean

## What Can I Do?

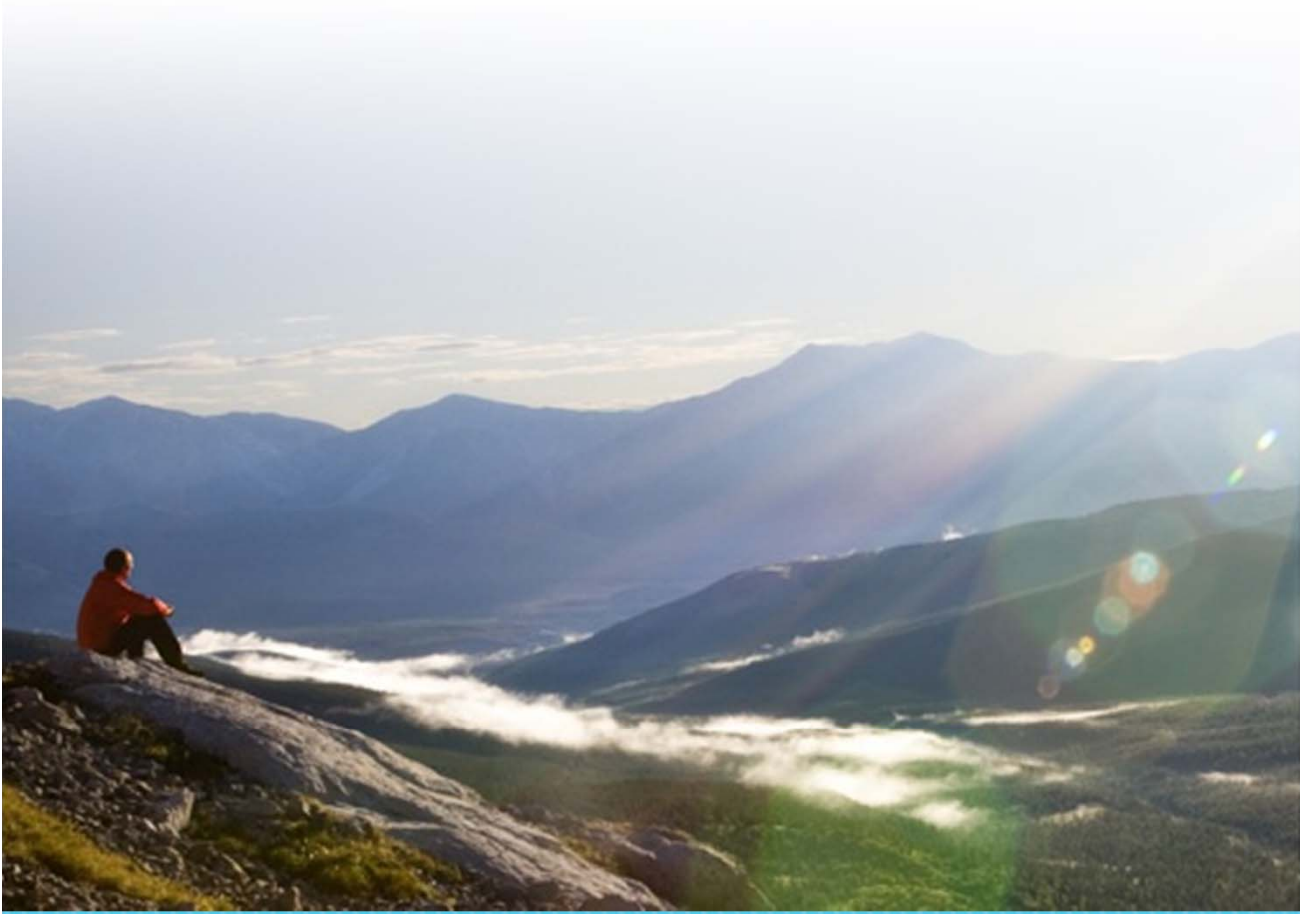




- **Conserve energy - at home, at work, everywhere.**
  - Look at ways to make your home more energy efficient.
  - Insulate and weather strip your home, put in energy saving windows, high efficiency furnace and water heater etc.
  - Turn off lights, appliances, computers when not in use.
  - Run the dishwasher and wash machine only when fully loaded.
- **Look for the ENERGY STAR label when buying home or office equipment.**
- **Stop unnecessary idling of your vehicle.**
- **Reduce the number of trips you take in your car. Combine errands in one trip wherever possible.**
- **Carpool, use public transportation, bike, or walk whenever possible.**

- Follow gasoline refuelling instructions for efficient vapour recovery, being careful not to spill fuel and always tightening your gas cap securely. Don't top up the tank. Replace vehicle gas caps that are damaged or have broken seals.
- Consider purchasing portable gasoline containers labelled "spill-proof," where available.
- Keep your car, boat, and other engines properly tuned.
- Regularly check to ensure your vehicle tires are properly inflated.
- Scrap your old vehicle in Canada's "Retire Your Ride" recycling program and receive rewards.
- Use environmentally safe paints and cleaning products whenever possible.
- Apply paints with rollers and brushes instead of sprays to cut down on fumes and save paint.

- Purchase products with minimal packaging.
- Avoid burning leaves, trash, and other materials. Mulch or compost leaves and yard waste.
- Reduce or eliminate fireplace and wood stove use.
- Avoid using gas-powered lawn and garden equipment.
- Use household and garden chemicals wisely. Be sure to read labels for proper use and disposal. Use natural “green” products.
- Buy renewable electricity for your home
  - [www.bullfrogpower.com](http://www.bullfrogpower.com)
- Don't smoke!
- Change furnace filters regularly
- Spread the word to your friends and family about what they can do to help.



BLUE  
SKIES.  
BRIGHT  
FUTURE.



# Agenda Item

Date: January 6, 2010

Item: MPC and SDAB Partnership Options

Prepared by: Joe Baker

**Background:**

We have received a letter from the Village of Caroline regarding whether the Council of Clearwater County would be open to entertaining the possibility of partnering with them with the provision of Municipal Planning Commission and Subdivision and Development Appeal Board services. The Village has stated that they see two or three applications go through the Municipal Planning Commission each year and that they have had only one appeal in the past several years.

Tyler McKinnon, Chief Administration Officer for the Village of Caroline will be in attendance to further present to Council the benefits of this request.

**Recommendation:** For Council's discussion and consideration.



Box 148  
Caroline, AB  
TOM OMO  
Tel:(403)722-3781/Fax:(403)722-4050

December 15, 2010

To:  
Ron Leaf  
c/o Clearwater County  
Box 550  
Rocky Mountain House, AB  
T4T 1A4

**Re: MPC / SDAB Partnership Opportunities**

Mr. Leaf,

Village Council has indicated an interest in exploring any partnership possibilities around the membership and provision of Caroline's Municipal Planning Commission and Subdivision and Development Appeal Board. I am writing to inquire if Clearwater County would be interested in exploring possible partnership options around these groups.

Thank you for your consideration; Should you have any questions about this, or anything else, please feel free to contact me at 403-722-3781 or [administrator@caroline.ca](mailto:administrator@caroline.ca) .

Thank you,

Tyler McKinnon  
Chief Administrative Officer  
Village of Caroline  
403-722-3781  
cc: file

# Agenda Item

**Date:** January 7, 2011

**Item:** Land Use Bylaw Update – **Appointed Time 2:15 P.M.**  
 Proposed amendments to the Land Use Bylaw for the purpose of making it consistent with the new Municipal Development Plan adopted in 2010.  
 First Reading of Bylaw No. 931/11

**Prepared by:** Keith McCrae

As you are aware, Clearwater County adopted a new Municipal Development Plan (MDP) last year following an extensive public consultation process. The MDP is a required document that serves as the primary land use planning document for the County. The MDP provides a long term land use planning vision and establishes policies and guidelines for managing growth and development within Clearwater County. There were a few significant shifts in policy direction in the new MDP from the previous MDP that served the County for over 10 years, particularly in regard to rural residential development.

The Land Use Bylaw (LUB) is also a required land use planning document that must be consistent with the County’s MDP and other statutory plans. It is with this in mind that Council authorized staff, with the assistance of Bill Shaw (BPS Consulting Ltd) to review the current County Land Use Bylaw and recommend changes that would bring it into full conformity with the new Municipal Development Plan.

Attached you will find a copy of a draft Land Use Bylaw (labeled as Schedule “A”) that contains proposed amendments intended to bring consistency with the policy direction of the new MDP. These proposed changes are being presented to Council for consideration of first reading to an amending bylaw (Bylaw No. 931/11). The proposed changes/additions are shown in **yellow** while **strikethrough** represents wording to be removed.

Upon review of the document you will see that the document contains many suggested minor wording changes that are simply intended to clarify or to bring full consistency in the terms used in both the MDP and the LUB.

To assist you in your review of the proposed changes to the Land Use Bylaw we have put together a list of the more significant amendments that are intended to bring the Land Use Bylaw into consistency with the Clearwater County Municipal Development Plan 2010.

These significant amendments provide for:

<u>Amendment</u>	<u>Section</u>
1. new definition of a "Fragmented Parcel"	1.7
2. new definition for Residential Estate Subdivision	1.7
3. new definition for Traditional Country Residence Subdivision	1.7
4. first residences no longer 'deemed approved'	various
5. parcel size variance only allowed for farmstead removals	3.9(2) and (3)
6. required to meet water and wastewater service provisions	6.20
7. setback provisions near water and wetlands, including provision for unnamed streams	8.2
8. features considered environmentally significant	8.4
9. Confined feeding operations - NRCB jurisdiction	Part Eleven
10. revised first residential parcel sizes in Agriculture District "A"	13.4(1)(D)
11. revised parcel sizes in Country Residential District "CR"	13.4(3)(C)
12. revised parcel sizes in a Country Residential Ag District "CRA"	13.4(4)(C)
13. revised parcel sizes in a Recreation Residential District "RR"	13.4(30)(C)
14. a new Residential Estate Land Use District "RE"	13.4(31)

Note: other significant changes that are not directly related to the new MDP include:

- Addition of the existing Nordegg Design Guidelines as part of the Nordegg Rural Residential District "NRR", the Nordegg Tourist Recreation District "NTR", and the Nordegg Leisure Residence District "NLR" - See Sections 13.4(17), 13.4(18) and 13.4(20).
- Changes to clarify the policy intent regarding the approval of "Residential Shops" - This includes new definitions for "Private Garage" and "Residential Shop" in Section 1.7 as well as the addition of 6.3(3) and 6.4.  
(These two proposed changes are a result of previous discussions with Council during the MDP review process.)

We will be prepared to discuss the proposed changes at the upcoming Council meeting. Please note that the actual page numbers in the document may not correspond with the table of contents. This will be corrected in the final document.

**Recommendation:**

That Council grants first reading to the proposed amending bylaw (Bylaw 931/11) and authorize staff to set up a public hearing.

**BYLAW NO. 931/11**

Being a Bylaw to regulate and control the use and development of land and buildings in Clearwater County, in the Province of Alberta.

WHEREAS the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended, authorize the Council of a Municipality to enact a Land Use Bylaw to regulate and control the use and development of land and buildings within the municipality; and

WHEREAS Clearwater County has adopted a new Municipal Development Plan pursuant to Section 632 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended; and

WHEREAS a Land Use Bylaw shall be consistent with the policies of statutory plans;

NOW THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of Clearwater County, Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. The Clearwater County Land Use Bylaw No. 714/01 shall be amended as per attached Schedule "A".
2. This Bylaw comes into effect upon the date of it being given third reading by the Council of Clearwater County in the Province of Alberta.
3. If any provision(s) of the Land Use Bylaw is, for any reason declared to be invalid, all remaining provisions remain in full force and effect.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2010.

\_\_\_\_\_  
REEVE

\_\_\_\_\_

MUNICIPAL MANAGER

**Schedule "A"**

**CLEARWATER COUNTY**

**BYLAW NO. 714/01**

**THE LAND USE BYLAW**

DRAFT

**Prepared by:  
Parkland Community Planning Services  
&  
Clearwater County**

Adopted September 25, 2001  
Office Consolidation October 29, 2004  
Office Consolidation January 2, 2006

Draft Amendments & Grammatical Changes \_\_\_\_\_, 2011



**BYLAW NO. 714/01**

**BEING A BYLAW TO REGULATE AND CONTROL  
THE USE AND DEVELOPMENT OF LAND AND BUILDINGS  
IN CLEARWATER COUNTY  
IN THE PROVINCE OF ALBERTA**

**WHEREAS** the Municipal Government Act, Chapter M-26.1, Statutes of Alberta, 1994 and amendments thereto, authorize the Council of a Municipality to enact a Land Use Bylaw to regulate and control the use and development of land and buildings within the municipality.

**NOW THEREFORE** the Council of Clearwater County, in the Province of Alberta, enacts as follows:

The attached Text, Forms, Figures and Schedules comprise Clearwater County Land Use Bylaw No. 714/01.

The Land Use Bylaw No. 99 and all amendments thereto is hereby rescinded.

This Bylaw comes into effect upon the date of it being given third reading by the Council of Clearwater County in the Province of Alberta.

If any provision(s) of this Land Use Bylaw is, for any reason, declared to be invalid, all remaining provisions remain in full force and effect.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 A.D.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 A.D.

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 A.D.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Municipal Manager

**NOTE**

ALL PERSONS MAKING USE OF THIS LAND USE BYLAW ARE REMINDED THAT A CERTIFIED COPY SHOULD BE CONSULTED FOR ALL PURPOSES OF INTERPRETING AND APPLYING THE LAND USE BYLAW OF THE MUNICIPALITY, SINCE AMENDMENTS ARE MADE FROM TIME TO TIME.

A CERTIFIED COPY OF THIS LAND USE BYLAW IS MAINTAINED AT ALL TIMES AT THE MUNICIPAL OFFICE IN ROCKY MOUNTAIN HOUSE AND COPIES OF IT MAY BE OBTAINED AT A COST OF \$25.00 EACH. COPIES OF ANY PORTION THEREOF MAY BE OBTAINED AT COST, AS OTHERWISE REGULATED BY THE MUNICIPAL GOVERNMENT ACT.

PART ONE: GENERAL.....	1
1.1 Short Title.....	1
1.2 Previous Bylaw .....	1
1.3 Effect and Application of this Bylaw.....	1
1.4 Purpose.....	1
1.5 Compliance with Other Laws .....	2
1.6 Land Use Policies .....	2
1.7 Definitions.....	2
PART TWO: AUTHORITIES .....	14
2.1 Development Officer.....	14
2.2 Municipal Planning Commission.....	14
2.3 Subdivision and Development Appeal Board.....	14
PART THREE: DEVELOPMENT CONTROL AND PERMITS .....	15
3.1 Control of Development.....	15
3.2 Development Not Requiring a Development Permit (“Deemed Approved”) .....	15
3.3 Development Applications .....	17
3.4 Referral of Development Applications .....	18
3.5 Decisions on Development Applications.....	18
3.6 Notice of Decision.....	21
3.7 Development Permits and Their Validity.....	22
3.8 Development Agreements.....	23
3.9 Variances .....	24
3.10 Development Permit for Temporary Buildings and Uses of Land.....	25
3.11 Real Property Report Compliance Certificate.....	25
3.12 Non-conforming Buildings and Uses .....	26
PART FOUR: APPEALS .....	27
4.1 Appeal Procedure.....	27
4.2 Appeal Hearing .....	27
4.3 Decision.....	28
PART FIVE: ENFORCEMENT .....	30
5.1 Contravention.....	30

5.2	<i>Compliance</i> .....	30
5.3	<i>Offences and Penalties</i> .....	30
<b>PART SIX: GENERAL PARCEL AND DEVELOPMENT REGULATIONS</b> .....		<b>31</b>
6.1	<i>Applicability</i> .....	31
6.2	<del>Minimum Parcel Size</del> <b>Development on Substandard Lots</b> .....	31
6.3	<i>Ancillary Buildings</i> .....	31
6.4	<b>Residential Shops</b> .....	32
6.45	<i>Corner Lots</i> .....	32
6.56	<i>Moved or Relocated Buildings</i> .....	32
6.67	<i>Number of Dwelling Units Allowed Per Parcel</i> .....	33
6.78	<i>Number of Main Buildings Per Lot in Non-Residential Districts</i> .....	35
6.89	<i>Building Setbacks</i> .....	35
6.910	<i>Building Heights</i> .....	36
6.1011	<i>Site Elevation/Grade</i> .....	36
6.1112	<i>Projections into Yards within Hamlets</i> .....	37
6.1213	<i>Objects Prohibited or Restricted in Yards</i> .....	37
6.1314	<i>Building Design, Character and Appearance</i> .....	38
6.1415	<i>Landscaping and Screening</i> .....	39
6.1516	<i>Fences and Wind Screens</i> .....	40
6.1617	<i>Off-Street Parking and Loading Requirements</i> .....	40
6.1718	<i>Signs</i> .....	41
6.1819	<i>Lighting and Illumination</i> .....	42
6.20	<b>Water and Wastewater</b> .....	<b>42</b>
<b>PART SEVEN: SPECIAL LAND USE PROVISIONS</b> .....		<b>43</b>
7.1	<i>Farm Subsidiary Business</i> .....	43
7.2	<i>Dude Ranch or Vacation Farm</i> .....	43
7.3	<i>Bed and Breakfast Establishments</i> .....	44
7.4	<i>Home Occupations</i> .....	44
7.5	<i>Historical and Archeological Sites</i> .....	45
7.6	<i>Surveillance Suites</i> .....	45
7.7	<i>Alcohol Sales</i> .....	45

7.8	<i>Guest Houses</i> .....	46
7.9	<i>Telecommunication Towers</i> .....	46
7.10	<i>Small Animal Breeding and Kennels</i> .....	47
7.11	<i>Trout Ponds</i> .....	47
<b>PART EIGHT: ENVIRONMENTAL SETBACKS AND REPORTS</b> .....		48
8.1	<i>Development On or Near Slopes</i> .....	48
8.2	<i>Subdivision and Development Near Water</i> .....	48
8.3	<i>Flood Prone Lands</i> .....	49
8.4	<i>Environmentally <del>Sensitive</del> Significant Lands</i> .....	50
8.5	<i>Environmental Audits</i> .....	51
8.6	<i>Environmental Review</i> .....	52
8.7	<i>Remote Area – Wild Land/Urban Interface Developments</i> .....	53
<b>PART NINE: RESOURCE OPERATIONS AND SETBACKS</b> .....		54
9.1	<i>Site Alterations</i> .....	54
9.2	<i>Top Soil Removal and Natural Resource Extraction/Processing</i> .....	54
9.3	<i>Gas and Oil Wells</i> .....	55
9.4	<i>Sour Gas Facilities</i> .....	56
<b>PART TEN: INFRASTRUCTURE SETBACKS AND REGULATIONS</b> .....		57
10.1	<i>Development Setbacks from Wastewater Treatment Plants</i> .....	57
10.2	<i>Development Setbacks from Landfills and Waste Sites</i> .....	57
10.3	<i>Setbacks from Roads and Intersections</i> .....	57
<b>PART ELEVEN: <b>CONFINED FEEDING OPERATIONS</b></b> .....		59
<b>PART TWELVE: AMENDMENT</b> .....		61
12.1	<i>Application for Bylaw Amendment</i> .....	61
12.2	<i>Amending Bylaw Process</i> .....	61
<b>PART THIRTEEN: LAND USE DISTRICTS</b> .....		65
13.1	<i>Establishment of Districts</i> .....	66
13.2	<i>Boundaries</i> .....	66
13.3	<i>Crown Land Transferred to Private Ownership</i> .....	66
13.4	<i>District Regulations</i> .....	66
13.4 (1)	<i>AGRICULTURE DISTRICT “A”</i> .....	67

13.4 (2)	INTENSIVE AGRICULTURE DISTRICT "IA" .....	70
13.4 (3)	COUNTRY RESIDENCE DISTRICT "CR" .....	72
13.4 (4)	COUNTRY RESIDENCE AGRICULTURE DISTRICT "CRA" .....	74
13.4 (5)	INDUSTRIAL DISTRICT "I" .....	76
13.4 (6)	LIGHT INDUSTRIAL DISTRICT "LI" .....	79
13.4 (7)	HAMLET COMMERCIAL DISTRICT "HC" .....	81
13.4 (8)	HAMLET RESIDENTIAL DISTRICT "HR" .....	83
13.4 (9)	INSTITUTIONAL DISTRICT "P" .....	86
13.4 (10)	RECREATION FACILITY DISTRICT "RF" .....	89
13.4 (11)	LEISURE RESIDENCE DISTRICT "LR" .....	93
13.4 (12)	HIGHWAY DEVELOPMENT DISTRICT "HD" .....	97
13.4 (13)	MANUFACTURED HOME PARK DISTRICT "MHP" .....	99
13.4 (14)	FORESTRY DISTRICT 1 "F1" .....	103
13.4 (15)	FORESTRY DISTRICT 2 "F2" .....	104
13.4 (16)	COUNTRY RESIDENTIAL MINOR INDUSTRIAL DISTRICT "CRMI" .....	105
13.4 (17)	NORDEGG RURAL RESIDENCE DISTRICT "NRR" .....	108
13.4 (18)	NORDEGG TOURIST RECREATION DISTRICT "NTR" .....	111
13.4 (19)	NORDEGG MEDIUM DENSITY RESIDENTIAL DISTRICT "NR-2" .....	115
13.4 (20)	NORDEGG LEISURE RESIDENCE DISTRICT "NLR" .....	118
13.4 (21)	NORDEGG PUBLIC AND INSTITUTIONAL DISTRICT "NPI" .....	126
13.4 (22)	NORDEGG SERVICE COMMERCIAL DISTRICT "NSC" .....	132
13.4 (23)	NORDEGG INDUSTRIAL DISTRICT "NI" .....	138
13.4 (24)	SAUNDERS ALEXO DISTRICT "SA" .....	144
13.4 (25)	SHUNDA GOLDEYE DISTRICT "SG" .....	148
13.4 (26)	BIGHORN CANYON DISTRICT "BC" .....	152
13.4 (27)	WHITEGOAT LAKES DISTRICT "WL" .....	156
13.4 (28)	DIRECT CONTROL DISTRICT "DC" .....	160
13.4 (29)	PUBLIC AIRPORT DISTRICT "PA" .....	161
13.4 (30)	RECREATION RESIDENTIAL DISTRICT "RR" .....	162
13.4(31)	RESIDENTIAL ESTATE DISTRICT "RE" .....	XXX
PART FOUTEEN: FORMS AND DECLARATIONS .....		164



14.1 Establishment of Forms..... 164  
PART FIFTEEN: LAND USE DISTRICT MAPS..... 165

15.1 Land Use District Map Sheets

15.2 Schedules

**SUPPLEMENTARY REGULATIONS: LIST OF FIGURES**

(Note: These figures follow Section 10.3 Setbacks from Roads and Intersections)

Figure 1 Setbacks from Rural Roads and Their Intersections

Figure 2 Setbacks from Rural and Secondary Roads and Their Intersections

Figure 3 Setbacks from Primary Highway and Rural Roads Intersections

Figure 4 Setbacks from Secondary Roads Intersections

Figure 5 Setbacks from Primary Highway Intersections

Figure 6 Setbacks from Primary Highway and Secondary Road Intersections

Figure 7 Setbacks from Road Curves and Corner

## PART ONE: GENERAL

### **1.1 Short Title**

- (1) This Bylaw may be cited as the “Clearwater County Land Use Bylaw.”

### **1.2 Previous Bylaw**

- (1) Bylaw No. 99 and amendments thereto are hereby repealed.

### **1.3 Effect and Application of this Bylaw**

- (1) This Bylaw comes into effect upon the date of final reading.
- (2) No development shall be carried out within the Municipality except in accordance with this Bylaw.
- (3) If one or more provisions of this Bylaw are for any reason declared to be invalid, all remaining provisions are to remain in full force and effect.
- (4) Any application for a development permit, which is received in its completed form prior to the effective date of this Bylaw, shall be processed as if this Bylaw had not come into effect.
- (5) The standard of measurement used in this Bylaw is metric and any reference to imperial measure is for convenience. Where measurements are stated in both Metric and Imperial units, and for any reason clarification is sought, the Metric unit shall apply or its exact Imperial equivalent determined. Where only an imperial measure is given, its metric equivalent shall have precedence.
- (6) Pursuant to the Interpretations Act, where an action is required within a stated number of days following the issuing of a decision, 5 additional days shall be provided to accommodate delivery of the relevant notices.

### **1.4 Purpose**

- (1) The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly development of land, and for that purpose, amongst other things:
  - (a) to divide the municipality into districts;
  - (b) to prescribe and regulate for each district the purposes for which land and buildings may be used;

- (c) to outline duties for the development authorities, being the Development Officer and Municipal Planning Commission;
- (d) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (e) to provide the manner in which the notice of issuance of a development permit is to be given.

### **1.5 Compliance with Other Laws**

- (1) Compliance with this Bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial and federal laws, and respecting any easements, covenants, agreements and other contracts affecting the land or development.

### **1.6 Land Use Policies**

- (1) Every action under taken by the municipality and its development and subdivision authorities must be consistent with any land use policies established pursuant to the Municipal Government Act.

### **1.7 Definitions**

In this Land Use Bylaw, words in the singular include the plural and words in the plural include the singular, and use of the masculine gender includes the feminine gender.

“ACT” means the Municipal Government Act, Chapter M-26, R.S.A., 2000 and amendments thereto.

“ADJACENT LAND” means land or a portion of land that is contiguous to the parcel of land that is the subject of an application and includes land or a portion of land that would be contiguous if not for a public roadway, railway, utility right-of-way, river or stream and in the opinion of the Development Officer or Municipal Planning Commission any other land.

“AIRPORT” means any area of land or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, installation or equipment in connection therewith, for which an airport license has been issued by Transport Canada.

“ANCILLARY BUILDING” means a building that is separate from and subordinate to the main building on the same parcel of land and used for purposes customarily incidental or subordinate:

- (a) to the use and enjoyment of the main building; or

- (b) to the use and enjoyment of the parcel of land on which said buildings are situated, and with regard to a residential use may include a private garage, a storage shed, and greenhouse, but does not include a guest house.

“ANCILLARY USE” means a use of a building or land which is normally incidental to and subordinate to the principal use of the parcel on which it is located.

“APARTMENT” means a single residential building comprised of three or more dwelling units having common corridors with shared external entrances and/or stairways.

“BASEMENT” means that portion of a building between two floor levels which is partly underground but which has at least 0.6 metres (2 feet) of its height from finished floor to finished ceiling above the adjacent finished grade.

“BED AND BREAKFAST” means a dwelling unit in which the occupant rents or leases a room or suite of rooms on a short-term basis to vacationers or tourists, and which may include the provision of breakfast meals as part of or in addition to the rent paid for the room or suite of rooms.

“BEE KEEPING” means the use of a parcel for the commercial production of natural honey.

“BOARDING HOUSE OR LODGING HOUSE” means a building or portion thereof containing sleeping rooms without cooking facilities, where lodging and/or meals for three or more persons is provided for compensation, but does not include a hotel.

“BONA FIDE NEED” in the context of Section 6.6 means a situation where a person needs a dwelling to be close to the principal residence to provide care to a family member in the principal residence or to receive care from a family member in the principal residence.

“BONA FIDE TOURIST” means a person who is traveling during holiday time and, as such, is a temporary visitor at a place other than his/her place of residence and is engaged in recreation, rest or social interests.

“BUILDING HEIGHT” means the vertical distance between the average finished grade of the building and the highest point of the building, except at the discretion of the Development Officer it may be the average finished grade at the front of the building and the highest point of the building.

“CARPORT” means a roofed structure used for parking or storing not more than two private vehicles, and which has not less than 40 percent of its total perimeter open and unobstructed.

“CAMPGROUND” means any parcel of land or part thereof which levies fees for the locating of tents, holiday trailers or recreation vehicles for temporary use by tourists and transients, and shall include facilities and amenities subordinate to the operation of the campground.

“CERTIFICATE OF COMPLIANCE” means a certificate that was issued pursuant to the Confinement Livestock Facilities Waste Management Code of Practice by Alberta Agriculture and Rural Development and Alberta Environment.

“CLUSTERED LEISURE/RECREATION ACCOMMODATION” means two or more resort facility or recreation area accommodation units such as detached cabins, cottages, bungalows, or chalets or a lodge consisting of attached and/or detached units intended for short-stay use on a commercial, private, seasonal or time-shared basis and lacking certain components, conveniences or utilities commonly available in or as part of a year-round residence, and possibly including a common social facility and office.

“COMMON COMMUNAL UTILITY” means one or more of the systems or works listed in the definition of public utility in the Act which is inter-connected to serve two or more property owners and may be privately or publicly owned.

“CONDOMINIUM” means that type of property ownership of a parcel and/or building(s) comprised in a condominium plan, having more than one owner, each having exclusive title to an individual unit in the building(s) or to a portion of the parcel and also shared ownership of the remainder of the building(s) and/or parcel.

“CONDOMINIUM UNIT” means:

- (a) in the case of a building, a space that is situated within a building and described as a unit by a condominium plan by reference to floors, walls and ceilings within the building; and
- (b) in the case of other than that of a building, land and any portion of building thereon that is situated within a lot and described as a unit in a condominium plan by reference boundaries governed by monuments placed pursuant to the Survey Act.

“CONFINED AREA” means an enclosure used to confine, restrict and manage animals as part of an confined feeding operation but does not include a pasture or other enclosure where animals secure a major portion of their feed naturally within the confined area.

“CONFINED FEEDING OPERATION” means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

“CORNER LOT” means a lot having a frontage on two or more roads other than a lane at their intersection or junction.

“COUNCIL” means the elected council of Clearwater County.

“COUNTY” means the corporation of Clearwater County, and where required by the context shall include all lands within the corporate boundaries of the said County.

“DETACHED DWELLING” means a residential building containing one residential unit, which is physically separated from any other residential building, includes a modular home, but does not include a manufactured home.

“DEVELOPMENT AUTHORITY” means the Development Authority established pursuant to Bylaw 479/95.

“DEVELOPMENT OFFICER” means:

- (a) a person authorized to exercise the responsibilities of a Development Officer pursuant to this Bylaw; and
- (b) the Municipal Planning Commission where authorized to act as a Development Officer pursuant to this Bylaw; and
- (c) where the Municipal Planning Commission is authorized to act as a Development Officer in addition to a person appointed as a Development Officer, either or both of them.

“DEVELOPMENT PERMIT” means a document authorizing a development issued pursuant to this Bylaw.

“DISCRETIONARY USE” means a use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made.

“DISTRICT” means a land use district established pursuant to Section 13 of this Bylaw.

“DUPLEX” means a residential building consisting of two dwelling units each having separate exterior entrances.

“DWELLING” or “DWELLING UNIT” means a building or portion of a building, which is designed or redesigned and/or used, for permanent human habitation.



building or portion of a building containing one or more habitable rooms that constitute a self-contained living accommodation unit having sleeping, cooking and bathroom facilities.

~~“DWELLING UNIT” means a building or a portion of a building comprised of one or more rooms that form a habitable, independent unit containing facilities for living, sleeping, co and sanitary facilities, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit.~~

“ENVIRONMENTAL AUDIT” means a Phase One, Phase Two, or Phase Three comprehensive site analysis to determine:

- (a) if there are any hazardous substances above, on or below the surface of the subject property that may pose a threat to the environment and/or health of humans, wildlife, and/or vegetation;
- (b) if there are any breaches of federal, provincial and/or municipal environmental standards;
- (c) the level of risk that a contaminated site poses to the environment and/or the health of humans, wildlife and/or vegetation; and
- (d) what remedial actions may be required to reduce the risk posed by a contaminated site to a level acceptable to the applicable provincial agency or authority.

“ENVIRONMENTAL REVIEW” means the undertaking of a site that reports how a proposed development or subdivision may affect the site and adjacent lands. It addresses among other things:

- (a) the nature of the site and adjacent lands that may be affected, including environmental sensitivity;
- (b) the nature of potential impacts on the features and resources of the site and adjacent lands that may be affected;
- (c) an environmental protection/mitigation plan to alleviate any potential adverse effects; and
- (d) other matters as may be required by the County.

“EXISTING BUILDING SITE” means for parcels of land on which the principal use is residential, the position on a parcel of land at which the existing or principal dwelling is located; and, for parcels on which the principal use is agricultural, includes the area generally described as a farmstead or yard, sometimes partially or entirely enclosed by shelter belt.

“EXISTING RESIDENCE AND OTHER RELATED IMPROVEMENTS” means a detached (single) dwelling unit that is in good repair, is suitable for human habitation, with its own existing services including but not limited to a potable water supply and sewage disposal, and that has legal and physical access satisfactory to the Municipality

and may include ancillary buildings and shelter belt up to a maximum site area of 2.91 hectares (7.19 acres).

“FARM BUILDING” means the improvements used in connection with the raising or production of crops, livestock, poultry, nursery trees and shrubs, fish, wildlife, game, fur production or bee keeping and situated on land used in connection with such farming operations, but does not include a dwelling.

“FARMING” means the use of land or buildings for the planting, raising, growing, production and sale of crops, livestock, poultry, trees and shrubs, wildlife, game, bees, honey, milk, and eggs; but does not include game farming or game ranching for viewing, tourism or recreational purposes, market gardening or a sod farm.

“FARMSTEAD” means a single improved building site on a parcel of land used for farming, and served by a common electrical power transformer, and containing a habitable dwelling and may include other dwellings, various ancillary buildings, improvements and a shelter belt.

“FARM SUBSIDIARY BUSINESS” means a business for an occupation, trade, profession or craft approved in accordance with this Bylaw to be carried out on the farm unit as a use secondary and subordinate to the agricultural use and employing not more than two employees.

“FEEDLOT” means (with the exception of land and structures associated with the raising of livestock as part of a mixed farming operation) any land and structures used for or intended for feeding livestock in close confinement in such numbers that all of the resulting animal manure cannot be disposed of on the parcel occupied by the feeding facilities; but does not include an operation where the basic breeding stock are confined for winter feeding only.

“FLOOD PRONE LANDS” means lands that may be subject to periodic flooding.

“FLOOR AREA” means the total floor area of every room and passageway contained in a building, but for a dwelling does not include the floor area of basements, attached garages, or portions of the building that are not enclosed, such as open porches, patios, decks, verandahs or breezeways.

~~“FRAGMENTED PARCEL” means land that is severed by a naturally occurring body of water or watercourse which contains or conveys water permanently and the ownership is vested in the Crown in right of Alberta.~~

“FRAGMENTED PARCEL” means a portion of land completely severed from the balance of the quarter-section by a developed registered public road plan, an active

railroad, a deep ravine, a permanent water course, a permanent water body or a naturally occurring permanent wetland. For a permanent water course or a permanent water body to apply there must be written confirmation from Alberta Sustainable Resource Development that the title of the bed and shore of the permanent water course or water body is vested in the Crown in the right of Alberta.

“FRONT LINE” means in the case of an interior lot the property line abutting the road and in the case of a corner lot means the shorter property line which abuts a road not including a lane.

“FRONT YARD” means a yard extending across the full width of a parcel of land between the front line of a parcel and the front wall of the main building.

“FUR FARM” means any land, building or premises primarily used for the keeping, breeding or rearing of fur-bearing animals.

“GAME FARM” means an enterprise where indigenous big game wild animals are kept in some form of confinement for purposes other than the sale of meat, and may also include research and commerce, and for which the required approvals have been secured.

“GOLF COURSE” means the golf playing area and ancillary buildings and uses related to the playing of the game of golf and may include a driving range, club house and pro-shop and other improvements related to the operation of a golf course.

~~“GROUPED COUNTRY RESIDENTIAL SUBDIVISION” means a country residential subdivision of two or more parcels designed in a grouped pattern.~~

“GREENHOUSE” means a building specially designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale.

“GUEST HOUSE” means a building or portion of a building separate from the main building that contains sleeping accommodations, but no kitchen or cooking facilities, for the use of members of the family, temporary guests or persons permanently employed on the same parcel of land. A guest house is generally intended to have a total floor area not exceeding 55.74 square metres (600 sq. ft.), and an exterior finish that complements the exterior finish of the dwelling. A guest house is not a recreation facility, nor is it an ancillary use.

“HAMLET” means an unincorporated community consisting of five or more buildings as dwellings, a majority of which are on parcels of land smaller than 1850 square metres, has a generally accepted boundary and name, and contains parcels of land that

are used for non-residential purposes. ~~any semi-urbanized area which qualifies as a hamlet pursuant to the Municipal Government Act.~~

“HOLIDAY TRAILER/RECREATION VEHICLE” means a transportable unit designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks) bearing or required to bear a valid current vehicle license, and in such a manner as will permit its use for sleeping or living purposes for one or more persons and used exclusively by tourist(s) or transient(s), generally on a short-term basis.

“HOLIDAY TRAILER/RECREATION VEHICLE PARK OR CAMPGROUND” means generally any parcel of land, or part thereof which provides three or more sites, each for the purpose of locating a tent, holiday trailer or recreation vehicle for temporary living and sleeping accommodation for tourists and transients, and shall include any facilities or amenities subordinate to that use. These facilities may be any of the following types:

- (a) “COMMERCIAL” means the parcel described generally above is developed and managed by the private sector and caters to the general public on a fee for use basis without any ownership interest therein being held by the users;
- (b) “CONDOMINIUM” means the parcel described generally above is the subject of a condominium plan or a proposed condominium plan as defined in the Condominium Property Act, and has been approved by Council;
- (c) “PUBLIC” means the parcel described generally above is developed and managed by a public agency and caters to the general public either with or without a fee for use being levied;
- (d) “TIME SHARE” means the parcel described generally above is managed primarily to serve a clientele who are contractual customers with an ownership interest in the subject parcel of land or site but have the right to return to such parcel or site at specified times.

“HOME OCCUPATION” means a development consisting of the use of part of a dwelling unit or ~~accessory~~ ancillary building by a resident of the dwelling unit for an occupation, trade, profession, business or craft as a use secondary and subordinate to the residential use of the parcel of land.

“HOSTEL” means a building or group of buildings offering, for a fee, modest comforts for supervised shelter or overnight lodging, but does not include a hotel or motel.

“HOUSEHOLD” means any individual person plus that person's spouse and may include their immediate children and/or one or more physically, mentally, socially or economically dependent parents, all living together as a single housekeeping unit and using common cooking facilities.

“INTEGRATED RECREATION/TOURIST RESORT” means a commercial development which offers a combination of fixed roof guest accommodation and recreational opportunities. The resort may be located to benefit from specific natural or built amenities and generally includes dining and beverage facilities, concessions, pro-shops and picnic areas.

“INTENSIVE AGRICULTURE” means agricultural production generally characterized by high inputs of capital, labour and/or technologies, usually on smaller parcels of land, but does not include confined feeding operations.

~~“INTENSIVE LIVESTOCK OPERATION” means a feedlot or covered facility of significant investment or permanence, capable of confining a minimum number of livestock (as established by the 2000 Code of Practice for the Responsible Livestock Development and Manure Management) at a housing density of more than one (1) livestock manure unit per 90 square metres (968.4 sq. ft.), and continuously confined for at least 90 days. The following are not considered an intensive livestock operation:~~

- ~~(a) Livestock confined for sorting, branding, herd health management and market delivery with confinement not exceeding thirty (30) consecutive days;~~
- ~~(b) Livestock in intensive grazing management systems; or~~
- ~~(c) Livestock confined for the purpose of wintering.~~

“INTENSIVE RECREATION” means a recreational activity for which highly developed facilities are essential and/or there is a high ratio of participants relative to the space used.

“INTERIOR LOT” means any lot other than a corner lot.

“INTERNAL ROAD” means a road located off a road allowance intended to serve a subdivision or development or a road declared by the Development Authority to be an internal road.

“INTERMUNICIPAL DEVELOPMENT PLAN” means a plan pursuant to the Act adopted by Council and the Council of one or more other municipalities to guide future land use and development in an area of common interest.

“KENNEL” means a premise in which four or more dogs and/or cats over six months in age are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale.

“LAND USE DISTRICT” means a land use district established pursuant to Section 13 of this Bylaw.

“LANE” means a public thoroughfare not exceeding 9.14 metres (30 feet) in width which provides a secondary means of access to a parcel or parcels and is registered in a land titles office.

“LEISURE RESIDENCE” means a dwelling unit suitable for residential use only seasonally or occasionally during leisure or holiday time and generally lacking in one or more of the components, conveniences or utilities required for all year occupancy.

“LIVESTOCK” means, but may not be restricted to, cattle, horses, sheep, goats, swine and domestic fowl.

“LIVESTOCK SALES-YARDS” means an enclosed area of land, with or without ancillary buildings or structures, upon which livestock are collected and marketed usually by public auction.

~~“MPC” means the Municipal Planning Commission as defined herein.~~

“MAIN BUILDING” means a building in which is conducted the main or principal use of the site on which it is located.

“MANUFACTURED HOME” means a residential building containing one dwelling unit built in a factory in one or more sections, designed to be transported on either its own wheels and chassis or other means to a suitable site, and placed on either a temporary or permanent foundation and connected to utilities for long-term occupancy. For the purposes of this Bylaw, two types of manufactured homes may be distinguished:

- (a) “Single Wide” means a manufactured home consisting of one section designed to be transported in a single load;
- (b) “Double Wide” means a manufactured home consisting of two sections separately transportable but designed to be joined together at the site to form one dwelling unit.

“MANUFACTURED HOME PARK” means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of three or more manufactured homes on a long-term basis, but shall not be deemed to include industrial and construction camps of a temporary nature.

“MARKET GARDEN” means the growing of vegetables or fruit for commercial purposes.

“MINIMUM DISTANCE SEPARATION (MDS)” means a setback or buffer established between an confined feeding operation and adjacent land uses by use of siting formulas



in the 2000 Code of Practice for the Responsible Livestock Development and Manure Management in order to minimize potential land use conflicts.

“MINIMUM STANDARDS” means those minimum requirements relating to the permitted and/or the discretionary uses of land or buildings listed in the Land Use District Regulations of this Bylaw and, where these are not specified, are as determined by the Development Officer.

“MINOR PERSONAL RECREATIONAL INTERESTS” means a use of land for recreational purposes that is unobtrusive and does not unduly disturb or affect the use and enjoyment by neighboring land owners of their property.

“MINOR SMALL SCALE INDUSTRIAL USES” means industrial/business uses which are incidental to the principal residential use of a site and, for the purposes of this definition, include small scale industrial shops, minor equipment storage, the parking and maintenance of equipment, and the storage of goods and materials related to the minor industry or business.

“MODULAR HOME” means a prefabricated, factory-built residential building containing one dwelling unit which has neither chassis, running gear, nor its own wheels, but which must be otherwise transported to a site and placed on a permanent foundation and connected to utilities for long-term occupancy.

“MOVED-IN BUILDING” means a building for which approval is being sought to relocate the building from the parcel of land on which it is presently located to a proposed parcel of land, but does not include a manufactured home or a new manufactured home to be transported from the factory.

“MULTIPLE HOUSING” means a residential building which contains three or more dwelling units.

“MUNICIPAL DEVELOPMENT PLAN” means the plan adopted and amended from time to time by Council as a Municipal Development Plan pursuant to the Act.

“MUNICIPAL GOVERNMENT ACT” means the Municipal Government Act, Chapter M-26, R.S.A., 2000, and amendments thereto.

“MUNICIPAL PLANNING COMMISSION” or “MPC” means the Municipal Planning Commission established by Council pursuant to the Act and authorized to exercise the responsibilities of the Municipal Planning Commission pursuant to this Bylaw.

“MUNICIPALITY” means Clearwater County.

“OFF-PARCEL DRAINAGE WORKS” means any works done on land to effect the movement of water off or onto a parcel of land other than the parcel on which the works are done.

“OPEN SPACE” means land not available for intensive use facilities, but available primarily for non-intensive recreational uses and for the protection or preservation of environmental amenities.

“PARCEL” or “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.

“PARKING SPACE” means a site intended for the placement (parking) of one automobile or other vehicle.

“PERMITTED USE” means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided the use conforms with the provisions of this Bylaw.

“PRIMARY HIGHWAY” means a right-of-way designated as a primary highway pursuant to the Public Highways Development Act.

“PRIVATE GARAGE” means a separate ancillary building intended to be used in conjunction with a dwelling for the purpose of parking/storing private motor vehicles associated with the residential use of the property. ~~A private garage is generally intended to have a wall height not exceeding 3.05 metres (10 feet), a total ground floor area not exceeding 74.3 square metres (800 sq. ft.), and an exterior finish that complements the exterior finish of the dwelling.~~

“PRIVATE STABLE” means an ancillary building for the accommodation of a horse or horses kept for the private use of the owner.

“PUBLIC RECREATION” means recreation available at or as a consequence of facilities or space provided by any level of government or its agencies.

“PUBLIC OR QUASI-PUBLIC USE ” means the use of land or a building or both for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity.

“QUALIFIED CONSULTANT” means a person with professional accreditation, including but not necessarily limited to a hydrologist with respect to groundwater investigations and a geotechnical engineer with respect to soil and groundwater tests.

“REAR YARD” means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear property line of the parcel.

“RECREATION VEHICLE” means a vehicle designed and built primarily as temporary living quarters for recreational camping or travelling, which either has its own motor power or is mounted onto or towed by another vehicle.

“RESIDENCE” means, within the context of a building, a single dwelling unit of one or more habitable rooms that constitute a self-contained living accommodation unit having sleeping, cooking and bathroom facilities. ~~intended for long term human habitation.~~ “Residence” in the context of a building is used interchangeably with “Dwelling” and “Dwelling Unit”.

“RESIDENTIAL ESTATE SUBDIVISION” means a multi-lot residential subdivision, located outside a hamlet setting, consisting usually of five or more residential parcels that have either or both common water and wastewater services, unless an alternate standard of servicing is approved by the appropriate Provincial Government department.

“RESIDENTIAL SHOP” means a separate building intended to be used in conjunction with a dwelling for the primary purpose of housing uses that are incidental to the residential nature of the property. A residential shop provides more flexibility than a “private garage” by way of additional floor area and/or wall height. ~~A residential shop is generally intended to have a wall height not exceeding 4.27 metres (14 feet), a total ground floor area not exceeding 111.5 square metres (1,200 sq. ft.), and, an overall height, grade to peak, not exceeding 6.10 metres (20 feet). Typical exterior finish for residential shops is pre-finished metal.~~ The size of residential shops will be determined by the Development Authority, subject to Section 6.4 of this Bylaw.

“RIFLE RANGE” means a non-military firearm shooting range for which all required approvals have been issued.

“RIGHT-OF-WAY” means a corridor of land which has been legally surveyed and filed or registered in a land titles office and is intended to be used for a specific purpose such as a road, railway, pipeline, utility or lane.

“ROAD” means land shown as a road on a plan of survey that has been filed or registered in a land titles office or land used as a public road, and includes a bridge forming part of the public road and any structure incidental to a public road, but does not include a primary highway.

“ROWHOUSING” means a group of three or more dwelling units, each separated by a common or party wall, with each unit having direct access to the outside grade.

~~“SDAB” means the Subdivision and Development Appeal Board as defined herein.~~

“SECONDARY ROAD” means a right-of-way designated as a secondary road pursuant to the Public Highways Development Act.

“SETBACK” means the distance back from a property line on which no building or portion thereof may be located.

“SHORELINE” means the line or contour defined by the average high water level but does not include flood stages.

“SIDE YARD” means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side wall of the main building.

“SIGN” means an object or device, whether affixed or moveable, and its supporting structure used for the purpose of advertisement, announcement or direction.

“SIMILAR USE” means a discretionary use of land or a building, or both, for a use which is not listed in the list of permitted and discretionary land uses in all land use districts in this Bylaw, but is determined by the Development Authority to be similar to a permitted or a discretionary use listed in the land use district in which development application is being made.

“SOCIAL CARE FACILITY” means a facility in which the occupant(s) are living on a temporary or short-term basis and are provided with specialized care in the form of supervisory, nursing, medical, counseling or homemaking services by a person or persons that may also live in the unit.

“SUBDIVISION AND DEVELOPMENT APPEAL BOARD” or “SDAB” means the Subdivision and Development Appeal Board established by Council pursuant to the Act.

“SUBDIVISION AND DEVELOPMENT REGULATION” means Alberta Regulation 43/2002 and amendments thereto.

“TRADITIONAL COUNTRY RESIDENTIAL SUBDIVISION” means a rural residential subdivision for traditional country residential and/or traditional country residential agricultural parcels with each parcel usually having private (individual) water and wastewater services.

“UNSUBDIVIDED QUARTER-SECTION” is defined pursuant to the definition provided in the Subdivision and Development Regulation (AR 43/2002). ~~a quarter section that has not been previously subdivided except for road widening, a railway, public or quasi-public use, an oil or gas well or pipeline and installation incidental to the pipeline.~~

“ZOO” means the use of land, a building and/or a structure for keeping live animals for public exhibition, whether for a fee or not.

All other words and expressions have the meanings respectively assigned to them in the Act and the Subdivision and Development Regulation.

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## PART TWO: AUTHORITIES

### **2.1 Development Officer**

- (1) The office of the Development Officer is hereby established and shall be a Development Authority pursuant to Bylaw 479/95, being the Development and Subdivision Authorities Bylaw, and amendments thereto.
- (2) The Chief Administrative Officer or his/her designate(s) shall be the Development Officer(s) and shall exercise the powers, duties and functions of the Development Officer specified in this Bylaw.
- (3) Among other duties specified in this Bylaw, the Development Officer shall:
  - (a) be responsible for the administration of this Bylaw and therefore shall keep and maintain, for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto;
  - (b) receive all applications for development permits submitted to the Municipality and collect all fees thereto; and
  - (c) keep a register of applications for development, including the decisions thereon and the reasons therefore and make the same available for inspection by the public during all reasonable hours.
- (4) In accordance with the Act, the Development Officer is hereby declared to be an authorized person of the Council.

### **2.2 Municipal Planning Commission**

- (1) The Municipal Planning Commission (otherwise known as the MPC) of Clearwater County is established by Bylaw 530/96, being the Municipal Planning Commission Bylaw, and amendments thereto and shall be a Development Authority pursuant to Bylaw 479/95, being the Development and Subdivision Authorities Bylaw, and amendments thereto.
- (2) The MPC is authorized to perform the duties that are specified in this Bylaw. Any reference to the "Development Officer" shall mean the "MPC" in regard to any scheme, development or regulation for which the MPC has authority pursuant to this Bylaw.

### **2.3 Subdivision and Development Appeal Board**

- (1) The Subdivision and Development Appeal Board (otherwise known as the SDAB) is established by Bylaw 529/96, being the Subdivision and Development Appeal Board Bylaw, and amendments thereto.



## PART THREE: DEVELOPMENT CONTROL AND PERMITS

### 3.1 Control of Development

- (1) No development other than those listed in Section 3.2 shall be commenced within the Municipality unless an application for it has been approved and a development permit has been issued.

### 3.2 Development Not Requiring a Development Permit (“Deemed Approved”)

- (1) The following development shall not require a development permit:
- (a) the carrying out of works of maintenance or repair to any buildings, provided that such works do not include structural alterations or major works of renovation;
  - (b) the completion of any development which has lawfully commenced before the adoption of this Land Use Bylaw or any amendment thereto, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
  - (c) the use of any such development as referred to in Subsection (b) for the purpose for which development was commenced;
  - (d) unless otherwise restricted in a land use district, the erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used for vehicular traffic) less than 1 metre (3.25 feet) in height in front yards and less than 2 metres (6.5 feet) in side and rear yards, excepting that livestock pasture fences are not subject to these height constraints;
  - (e) the placement or erection of any works, machinery, plant or building needed in conjunction with an industrial operation which is necessary, incidental and subordinate to the operation for which a development permit has been issued for the period of the operation provided that such development does not increase the design capacity of the approved operation;
  - (f) the development, construction, maintenance and repair of roads, buildings, public works, services, utilities and uses carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
  - (g) the pursuit of minor personal recreational interests on one’s own property;
  - (h) subject to compliance with all relevant provisions of this Bylaw, farming and non-residential farm buildings on a parcel of land in the Agriculture District “A” ~~(Note: does not include an Intensive Livestock Operation);~~

- (i) ~~subject to compliance with all relevant provisions of this Bylaw, in an Agricultural District "A" the first residence on a lot 8 hectares (20 acres) or more in size which existed prior to this Bylaw. (deleted per Bylaw ---/11)~~
- (j) ~~the development of a first residence on a parcel in excess of 8 hectares (20 acres) assessed as farmland and used for agricultural purposes in an Intensive Agriculture "IA" or Agriculture "A" District if the lot existed prior to this Bylaw;~~  
a confined feeding operation approved by the Natural Resources Conservation Board.
- (k) on a parcel of land in excess of 4 hectares (10 acres) located in an **Extensive Intensive** Agriculture "IA" District, the development of any facilities for the carrying out of any operations which of themselves or in combination, constitute farming;
- (l) minor agricultural pursuits, including but not necessarily limited to raising poultry and maintaining livestock for the exclusive use and enjoyment of the occupants of a lot in a Country Residence Agricultural District "CRA", in an isolated Country Residence District "CR" which is entirely comprised of only one lot, or on any residential lot in an Agriculture District "A";
- (m) the retention, maintenance and repair of an existing residence and related improvements and/or ancillary farmstead buildings on a lot subdivided from the agricultural land unit in a district which lists the said developments as a permitted or discretionary use;
- (n) the placement of a manufactured home in a manufactured home park developed in a Manufactured Home Park District "MHP" or in an industrial or construction camp as defined in the Public Health Act Regulations - Industrial and Construction Camps;
- (o) the parking and use of holiday trailers/recreation vehicles and other recreation equipment subject to the limits set out in Section 6.12 of this Bylaw;
- (p) the placement of signs and advertisements subject to the limits set out in Section 6.17 of this Bylaw;
- (q) the use of a building or portion thereof as a temporary campaign office or a polling station, or any other official temporary use in connection with a federal, provincial or municipal election or referendum;
- (r) the construction and maintenance of that part of an utility placed in or upon a public right-of-way or public utility easement;
- (s) subject to compliance with all relevant provisions of this Bylaw, in any agricultural or industrial district an ancillary building not exceeding 46.45 square metres (500 sq. ft.) and in any other district an ancillary building not exceeding 13.9 square metres (150 sq. ft.);
- (t) development specified in Section 618 of the Act, which includes:
  - (i) a highway or road;

- (ii) a well or battery within the meaning of the Oil and Gas Conservation Act;
  - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline; or
  - (iv) any other thing specified by the Lieutenant Governor in Council by regulation.
- (2) Notwithstanding the foregoing:
- (a) when a development for a “deemed approved” use does not comply with the requirements of this Bylaw, an application for a development permit must be made and a development permit, with or without conditions, issued prior to such development being commenced;
  - (b) where development of a ~~first residence or any other substantial~~ facility or use that is “deemed approved” pursuant to this ~~Section~~ Part is desired, the developer is encouraged to consult this Bylaw or the Development Officer so as to ensure that any other requirements of the Municipality and of this Bylaw are satisfied;
  - (c) ~~all any~~ farm buildings ~~the first residence~~ and any other development or use that ~~is are~~ “deemed approved” ~~are is~~ subject to those sections of this Bylaw which deal with issues other than the “use” of land or buildings;
  - (d) further to the privileges and requirements pursuant to this Bylaw, developments and uses on land in the Municipality are subject to the constraints of other relevant legislation and regulations.

### **3.3 Development Applications**

- (1) An application for a development permit shall be ~~made~~ submitted to the Development Officer ~~in writing~~ using the appropriate form ~~prescribed by the Development Officer in Schedule D~~.
- (2) Each application for a development permit shall be accompanied by a non-refundable processing fee of an amount determined from time to time by resolution of Council.
- (3) Where a proposed development involves land for which subdivision is required or is pending, the Development Officer may refuse to accept and process the application for a development permit until evidence is provided that the subdivision has approval and the appropriate title has been issued or is forthcoming.
- (4) An application for a development permit shall be accompanied by the following information where relevant to the application, as determined by the Development Officer:

- (a) a site plan at a scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, and any provision for off-street loading and vehicle parking, access to the site and the location of utility lines;
  - (b) a scaled floor plan and elevations where any form of construction is proposed;
  - (c) a statement of existing and proposed uses;
  - (d) the estimated commencement and completion dates;
  - (e) the estimated cost of the project or contract price;
  - (f) the site plans shall also indicate the location and extent of existing development, water bodies and treed areas, together with an indication of alterations proposed in the course of development;
  - (g) a surveyor's certificate as proof of location of development;
  - (h) information regarding proximity to wastewater, landfill sites including transfer stations, gas or oil wells and sour gas facilities;
  - (i) a copy of the Certificate of Title within 14 days of the date of application indicating ownership and encumbrances;
  - (j) a statement of the ownership of land and interest of the applicant therein,
  - (k) if the applicant is not the registered owner, a statement in writing, signed by the registered owner, consenting to the application and approving the applicant as the agent of the registered owner; and
  - (l) such other information as the Development Officer deems necessary to deal with the application.
- (5) The Development Officer may refuse to accept or process an application for a development permit where the information required by Subsection 4 has not been supplied or where the quality of such information is not adequate to properly evaluate the application.

### **3.4 Referral of Development Applications**

- (1) Before a decision is made, a development application may be referred to any agency, neighboring municipality, adjacent landowner or person as the Development Officer or MPC considers appropriate for comments or advice regarding the application.
- (2) The Development Officer shall refer all applications for development within the fringe area of adjoining municipalities to that municipality as directed by the Municipal Development Plan.
- (3) The Development Officer shall refer all applications for development which would result in permanent overnight accommodations, including dwellings or public facilities, to the ~~Alberta Energy and Utilities Board~~ Energy Resources

**Conservation Board** if any of the land which is the subject of the application is within 1.5 kilometres (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development.

### **3.5 Decisions on Development Applications**

- (1) The Development Officer shall:
  - (a) consider and decide on a development permit application for a use which is a permitted use within the District which the subject parcel is designated; or
  - (b) refer to the Municipal Planning Commission for its consideration and decision **on a** development permit application for a discretionary use within the District which the subject parcel is designated, except those discretionary uses which have been delegated to the Development Officer.
- (2) Notwithstanding Section (1), the Development Officer may refer any application for a permitted or discretionary use to the Municipal Planning Commission which in his opinion should be decided upon by the Municipal Planning Commission.
- (3) In the case where a proposed use of land or a building is not provided for in any District in this Bylaw, the Municipal Planning Commission may consider the proposed development to be a discretionary use if it is similar in character and purpose to a permitted or discretionary use prescribed for the District which the subject parcel is designated.
- (4) For an application for a permitted use that conforms with every respect of this Bylaw, the Development Authority shall approve the development and issue a development permit with or without conditions.
- (5) For an application for a permitted use that does not conform in every respect to this Bylaw, the Development Authority may:
  - (a) approve the development and issue a development permit with or without conditions; or
  - (b) refuse the development, giving reasons for the refusal.
- (6) For an application for a discretionary use, the Development Authority may:
  - (a) approve the development and issue a development permit with or without conditions; or
  - (b) refuse the development, giving reasons for the refusal.

- (7) In an approval of a development application for a permitted use, the Development Authority may impose any condition by which the development would be made to comply with the standards of the District which applies to the development application, other regulations and provisions in this Bylaw, the provisions of any statutory plan that has affect on the development, the Act, and the Subdivision and Development Regulation, including but not limited to:
- (a) a development agreement pursuant to Section 650 of the Act and the provisions of Section 3.8 of this Bylaw;
  - (b) landscaping and ~~surface water drainage~~ storm water management;
  - (c) the appearance of buildings; and
  - (d) wildfire security.
- (8) In an approval of a development application for a discretionary use, the Development Authority may impose any condition deemed appropriate having regard to, but not limited to, the circumstances and merits of the proposed development, this Bylaw, the purpose, scope and policies in any statutory plan or any other plan adopted or endorsed by Council that has affect on the development, the amenities of the neighbourhood and existing or proposed land uses in the vicinity of the development.
- (9) Subject to requirements set out elsewhere in this Bylaw, the Development Officer or the MPC, as the case may be, may approve an application for a development permit, subdivision approval or conformity of a Real Property Report, notwithstanding that the existing or proposed development or the proposed subdivision as the case may be does not comply with this Bylaw, if in its opinion:
- (a) the proposed development, proposed subdivision or existing use, as the case may be, would not:
    - (i) unduly interfere with the amenities of the neighborhood; or
    - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring property; and
  - (b) the proposed development or existing use, as the case may be, conforms with the uses prescribed for the land or building in this Bylaw.
- (10) Without restricting the generality of subsections (8) and (9), in the approval of a development application for a discretionary use and a development application for a development within a Direct Control District, the Development Authority may, in addition to the provisions of Section 3.8, apply conditions including but not limited to:
- (a) the construction, placement or use of billboards, signboards or other advertising devices of any kind including their height, size and character;
  - (b) the ground area, floor area, height, size and location of buildings;
  - (c) the amount of land to be provided around or between buildings;
  - (d) the landscaping of land or buildings;



- (e) the location, height and maintenance of fences and walls, including sound and vision barriers;
  - (f) the provision and maintenance of:
    - (i) off-street or other parking facilities; and
    - (ii) loading and unloading facilities, and any other areas that, in the opinion of the Council, may be necessary;
    - (iii) water, wastewater and other utilities;
    - (iv) stormwater management;
  - (g) the design, character and appearance of buildings;
  - (h) the location and amount of access from public roadways and ensuring that there is at least one means of physical access from each lot to a public roadway;
  - (i) the lighting of land, buildings or other things;
  - (j) the enlargement, alteration, repair, removal or relocation of buildings;
  - (k) the excavation or filling in of land;
  - (l) limiting the hours of operation;
  - (m) limiting the number of patrons;
  - (n) wildfire security;
  - (o) the grading of the site or such other procedures as are necessary to protect the site from other developments or to protect other developments from the site development;
  - (p) ensuring development is compatible with surrounding development;
  - (q) the period of time during which the development may continue;
  - (r) the placement of any development or use on land:
    - (i) on land subject to flooding or subsidence or that is low-lying, marshy or unstable;
    - (ii) ~~stream or other body of water~~, which contains or may contain significant archeological, paleontological or other historic resources identified by the County or Province;
    - (iii) ~~on other land~~ considered by the County to be environmentally significant, including land within a specified distance of land considered by the County to be environmentally significant. ~~the land that is; as on land adjacent to or within a specified distance of the bed and shore of any lake, river, environmentally sensitive or contains significant archeological, paleontological or other historic resources identified by the County or Province;~~ or
    - (iv) in relationship to any other existing or proposed use or development.
- (11) An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision thereon is not made within 40 days after receipt of the application by the Municipality, or within such longer period as the applicant may have approved in writing. The applicant may appeal in writing as provided for in this Bylaw, as though the applicant had received a refusal.

- (12) In the case where an application for a development permit has been refused by the Development Authority, has been deemed to be refused, or an appeal has been refused by the SDAB pursuant this Bylaw, acceptance 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, may be denied at the discretion of the Development Officer until at least six months after the date of the previous refusal.

### **3.6 Notice of Decision**

- (1) When a development application for a permitted use that complies with the provisions of this Bylaw or is made to do so by conditions of approval is approved, the Development Officer:
- (a) shall issue a notice of decision to the applicant; and
  - (b) may advertise the decision in one issue of a local newspaper circulating in the area.
- (2) When a development application for a discretionary use is approved with or without conditions, the Development Officer:
- (a) shall issue a notice of decision to the applicant; and
  - (b) may at his discretion notify adjacent landowners in writing; and/or
  - (c) may advertise the decision in one issue of a local newspaper circulating in the area.
- (3) When a development application for use or building ancillary to an already approved discretionary use is approved, the Development Officer:
- (a) shall issue a notice of decision to the applicant; and
  - (b) may at his discretion notify adjacent landowners in writing; and/or
  - (c) may advertise the decision in one issue of a local newspaper circulating in the area.
- ~~(4) Notwithstanding subsection (2), when a development application for an intensive livestock operation is approved, the Development Officer:~~
- ~~(a) shall issue a notice of decision to the applicant;~~
  - ~~(b) shall notify adjacent landowners in writing; and~~
  - ~~(c) shall advertise the decision in one issue of a local newspaper circulating in the area.~~
- ~~(5)~~ (4) When a development application is refused, the Development Officer shall send a notice of decision to the applicant outlining reasons for refusal.

- ~~(4)~~ (5) A copy of the notice of decision on an application for a development permit shall be sent to any authority or person that was, pursuant to Section 3.4, consulted and who responded.

### **3.7 Development Permits and Their Validity**

- (1) When an application for development has been approved, the Development Officer shall immediately issue a development permit.
- (2) So that a reasonable opportunity is provided for an appeal to be made, a development permit does not come into effect until 14 days after the date of notice of decision. Any development prior to expiry of this period is done solely at the risk of the applicant.
- (3) If an appeal is filed within the time limits provided for in this Bylaw, the Development Permit is not valid until it is upheld, either in whole or as varied, by the Subdivision and Development Appeal Board.
- (4) If the authorized development is not commenced within 12 months from the date of a development permit being issued, or of a development approval order being granted by the SDAB, and thereafter completed within 24 months, the permit is deemed to be void, unless an extension beyond this period has been granted by the Development Officer.
- (5) A development once begun shall not be abandoned or left for an extended period of time in what the Development Officer considers to be an unsightly or unsafe condition.
- (6) A development permit issued for a discretionary use shall be declared void if the use is discontinued for a period of 12 consecutive months or more.
- (7) A Development Officer may suspend, revoke or modify a development permit if:
  - (a) there is a contravention of any condition under which such permit was issued;
  - (b) the permit was issued in error; or
  - (c) the permit was issued on the basis of incorrect information.
- (8) Where a development has been commenced, but the development permit has subsequently been suspended or revoked, the Development Officer may require all work to cease. If work is required to cease, no further work may proceed unless a new development permit is issued subject to a new or revised development application being made and, at the discretion of the Development Officer, additional or new application fees being paid.

- (9) A development permit shall indicate that only the development to which the permit relates is authorized in accordance with the provisions of this Bylaw and shall in no way relieve or excuse any person from complying with any provisions of this Bylaw not specifically stated on the development permit, nor does it exempt any person from:
- (a) obtaining any other permit, licence or other authorization required by any Act or Regulation, or under any other Bylaw; and
  - (b) complying with any easement, covenant, agreement, contract or other instrument affecting the development.
- (10) The issuance of a development permit shall be without prejudice to the Development Officer's rights to refuse any other permit or approval that may be required by this or any other Bylaw in respect of the development of the said lands.

### **3.8 Development Agreements**

- (1) The Development Officer or the MPC may require that, as a condition of development approval, the applicant enter into an agreement to do all or any of the following:
- (a) to construct or improve, or pay for the construction or improvement of the roads required for access;
  - (b) to install or pay for the installation of pedestrian walkways and off-road parking, loading and unloading areas and facilities;
  - (c) to install or pay for the installation of utilities that are necessary to serve the development;
  - (d) to pay an off-site levy or redevelopment levy;
  - (e) to carry out landscaping of the site which may include the retention and/or planting of trees, the construction of an earth berm or other form of screening;
  - (f) to give security in the form of a bond, an irrevocable letter of credit or other form acceptable to the Municipality in such sum as the Development Officer or MPC may deem necessary to ensure the applicant complies with the terms and conditions of the development agreement;
  - (g) to pay to the Municipality any costs and expenses as may be incurred by the Municipality and related to the application and representing the costs of such services as the Municipality may require and that are not available through Municipal staff, including all costs and expenses that the Municipality may incur to process the application and monitor the development or subdivision;

- (h) in the event the application may be withdrawn, payment of all costs and expenses incurred by the Municipality prior to withdrawal of the application;
  - (i) the terms of any agreement which constituted a condition of subdivision approval for the lands under consideration; and
  - (j) such further conditions as the Council deems necessary or advisable having regard for the nature of the proposed development.
- (2) The Development Officer or the MPC, as the case may be, may require as a condition of development approval that the applicant enter into an agreement to register, against the title of any affected parcel of land, a restrictive covenant pursuant to the Land Titles Act, which restricts development in regard to potential natural hazards, personal harm, environmental contaminants or negative impacts to adjacent landowners.
- (3) The Subdivision Approving Authority may require as a condition of approval of a subdivision application, one or more of the following conditions:
- (a) that the applicant enter into a Development Agreement and/or a Letter of Undertaking containing terms and provisions satisfactory to the Municipality;
  - (b) that the applicant enter into an agreement and/or Letter of Undertaking with the Municipality regarding placing the intended use or development on the proposed lot or lots; and
  - (c) that the applicant enter into an agreement to register, against the title of the proposed new parcel or parcels, a restrictive covenant pursuant to the Land Titles Act, which restricts development in regard to potential natural hazards, personal harm, environmental contaminants or negative impacts to adjacent landowners, such restrictions being considered in accordance with standards or regulations adopted or approved by the Municipality or Province.
- (4) To ensure compliance with a development agreement, the Municipality may register a caveat against the certificate of title of for the land which is the subject of the development. The caveat shall be discharged when the agreement has been fulfilled.

### **3.9 Variances**

- (1) The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw, if the proposed use conforms with the use prescribed for land or building in this Bylaw and in the opinion of the Development Authority the proposed development would not:

- (a) unduly interfere with the amenities of the neighbourhood; or
- (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

(2) Unless provided for in subsection (3), the Subdivision Authority may not approve the creation of a parcel that does not comply with the size of lot specified in the applicable Land Use District.

(3) The Subdivision Authority may approve the creation of a first residential parcel which includes the removal of all or part of an existing farmstead having a size larger than 2.83 hectares (7 acres) if a larger parcel is deemed necessary by the Subdivision Authority to encompass existing residential amenities and facilities, such as shelter belts, wastewater and water services and driveways.

~~The Subdivision Authority may approve the subdivision of a parcel of land, except a parcel for first residential parcel in the Agriculture District "A", notwithstanding that the proposed size of the parcel does not comply with this Bylaw only if the approved parcel size is:~~

- ~~(a) not less than 90% of the minimum parcel size standard; and~~
- ~~(b) not more than 110% of the required maximum size standard.~~

### **3.10 Development Permit for Temporary Buildings and Uses of Land**

- (1) The Development Officer or Municipal Planning Commission may approve a temporary building or use of land subject to:
  - (a) the owner or user of land, as the case may be, agreeing to remove such a building or cease the use of land in accordance with the terms and conditions affixed in the development permit; and
  - (b) the use of the building or land conforming with the permitted or discretionary uses prescribed in the District for which the site is designated.
- (2) A development permit issued for a temporary building or use of land shall be valid for a period of one year, unless an extension thereto is granted by the Development Officer or Municipal Planning Commission.

### **3.11 Real Property Report Compliance Certificate**

- (1) A fee, in the amount as may be determined by resolution of Council from time to time, may be charged when the Development Officer is requested to endorse a Real Property Report for compliance with the requirements of this Bylaw. If a fee is required, the fee must be paid when the Real Property Report is submitted to the Development Officer.



- (2) The Development Officer shall only accept a Real Property Report for consideration of compliance with this Bylaw if the Report represents the current status of the property. If there is a question as to the current status of the Report, the Development Officer shall refuse to accept the Report for consideration and request an updated Report.
- (3) Subsequent to the acceptance of a Real Property Report for consideration for compliance with this Bylaw, the Development Officer shall ascertain the exact location and dimensions of the subject property by way of a Descriptive Plan, Plan of Subdivision or Land Titles description of the parcel.
- (4) The Development Officer shall conduct adequate research to verify the status of the buildings and structures identified on the Report as to whether each is legal, legal but non-conforming, illegal with no remedial action required, illegal and remedial action is required, or deemed approved.
- (5) The Development Officer or the Municipal Planning Commission, if the Real Property Report has been referred thereto, may:
  - (a) endorse the Real Property Report, attesting to the fact that the Report, as submitted, indicates the property is in compliance with this Bylaw as at the date it was prepared;
  - (b) endorse the Real Property Report, subject to limiting conditions as described on an attached addendum or stamp on the Report, with such addendum or stamp to reference the nature of the limiting conditions and further reference whether or not remedial action may be required at some future time; or
  - (c) leave the Real Property Report unendorsed and reference that the Report cannot be endorsed as being in compliance by means of an addendum or stamp which identifies the nature of the non-compliance; the Development Authority further may advise remedial options that are available.

### **3.12 Non-conforming Buildings and Uses**

- (1) Where a development permit has been issued on or before the day on which this Bylaw or an amendment thereto comes into force, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or a non-conforming building, the development permit continues notwithstanding the enactment of the Bylaw and any amendments thereto.
- (2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

- (3) A non-conforming use of part of a building may be extended throughout the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming building;
  - (b) for routine maintenance of the building, if the Development Authority considers it necessary; or
  - (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The land use or the use of a building is not affected by a change of ownership or tenancy of land or building.

## PART FOUR: APPEALS

### **4.1 Appeal Procedure**

- (1) An applicant may make an appeal to the Subdivision and Development Appeal Board (SDAB) if a Development Authority:
  - (a) refuses or fails to issue a development permit;
  - (b) issues a development permit subject to conditions;
  - (c) fails to make a decision with respect to an application within 40 days of receipt of the application or within such longer period as the applicant may have approved in writing; or
  - (d) issues an order pursuant to Section 5.1 of this Bylaw.
- (2) Any person claiming to be affected by an order, decision or development permit made or issued by a Development Authority may make an appeal to the SDAB, except that no appeal may be made in respect of the issuance of a development permit for a permitted use unless the provision of this Bylaw were relaxed, varied or misinterpreted.
- (3) An appeal to the SDAB is commenced by filing a notice of the appeal, containing the reasons for the appeal, to the Secretary of the SDAB within 14 days,
  - (a) in the case of an appeal made by an applicant after:
    - (i) the date on which the person receives notice of the decision or order or the issuance of a development permit; or
    - (ii) if no decision is made with respect to an application within the 40 day period or within any extension of this period as the applicant may have approved in writing, the date the period or extension expires; or
  - (b) in the case of an appeal by any other person claiming to be affected, after the date on which the notice of the issuance of a development permit was received or posted.
- (4) The date of receipt of a decision or order is deemed to be five days from the date the decision or order is mailed.

### **4.2 Appeal Hearing**

- (1) Within 30 days of the receipt of a notice of appeal, the SDAB shall hold a public hearing respecting the appeal.
- (2) The Secretary of the SDAB shall give at least five days notice in writing of the public hearing to:
  - (a) the appellant;

- (b) the Development Officer from whose order, decision or development permit the appeal is made;
  - (c) the MPC of the municipality if it is not the Development Officer;
  - (d) the applicant for the development permit if it is not the appellant;
  - (e) the owners of adjacent land; and
  - (f) any other persons and authorities the SDAB considers to be affected by the appeal.
- (3) The SDAB 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, the notice of decision including the development permit and the appeal therefrom; or
  - (b) the order of the Development Officer under Section 5.1.
- (4) At the appeal hearing, the SDAB shall hear:
- (a) the appellant or any person acting on his behalf;
  - (b) the Development Officer;
  - (c) any person who was served with notice of the hearing and who wishes to be heard, or a person acting on his behalf;
  - (d) any other person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear, or a person acting on his behalf; and
  - (e) any authority or advisor who the Secretary of the SDAB has requested to appear and present information.

#### **4.3 Decision**

- (1) The SDAB shall consider each appeal having due regard to the circumstances and merits of the case.
- (2) In determining an appeal the SDAB:
- (a) shall comply with any other statutory plan affecting the land, and subject to subsection (d), this Bylaw and the Land Use Policies;
  - (b) must have regard to but is not bound by the Subdivision and Development Regulation;
  - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
  - (d) may make an order or decision or may issue or confirm the issue of a development permit even though the proposed development does not comply with this Bylaw if, in its opinion:

- (i) the proposed development would not unduly interfere with the amenities of the neighborhood, or materially interfere with or affect the use, enjoyment or value of neighboring properties; and
  - (ii) the proposed development conforms with the uses prescribed for the land or building in the Bylaw.
- (3) The SDAB shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.
- (4) The decision of the SDAB is final and binding on all parties subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to appeal must be made to a judge of the Court of Appeal within 30 days after the issue of the decision or order that is being appealed.

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## PART FIVE: ENFORCEMENT

### **5.1 Contravention**

- (1) Where a Development Officer finds that a development or use of land or buildings is in contravention with Part 17 of the Act, any regulations thereto including the Subdivision and Development Regulation, a development permit, a subdivision approval, an order or decision of the SDAB, or this Bylaw, the Development Officer may by written notice order within the time specified in the notice acting reasonably, the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:
  - (a) stop the development or use of the land or buildings in whole or in part;
  - (b) demolish, remove or replace the development; or
  - (c) take such other measures to ensure compliance with the Act, any regulations thereto including the Subdivision and Development Regulation, development permit, subdivision approval, order or decision of the SDAB and this Bylaw.
- (2) A person who receives the notice pursuant to subsection (1) may appeal to the SDAB.

### **5.2 Compliance**

- (1) Where a person fails or refuses to comply with an order pursuant to Section 5.1 or an order of the SDAB under Section 687 of the Act, Council may by resolution direct that the Development Officer enter upon the land or building and take such action as is necessary to carry out the order and all of the costs incurred in so doing may be placed on the tax roll as an additional tax against the property.

### **5.3 Offences and Penalties**

- (1) Any person who contravenes or does not comply with any of the provisions of this Bylaw is guilty of an offense and is liable on summary conviction to a fine in accordance with provisions of the Act.
- (2) Council may by resolution take court action against an offense under this Bylaw and require the Development Officer to proceed to swear an information statement regarding the offense.
- (3) The Development Officer may cause an application to be made to the Alberta Court of Queen's Bench for an injunction to restrain the contravention or non-compliance.



- (4) Where a person is found guilty of an offence pursuant to this Section, the Court may, in addition to any other penalty imposed, order the person to comply with the Act and any regulations thereto, a development permit, a subdivision approval, an order or decision of the SDAB, or this Bylaw.

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## PART SIX: GENERAL PARCEL AND DEVELOPMENT REGULATIONS

### 6.1 Applicability

- (1) The General Regulations for parcels and development shall apply to all development in the County, unless otherwise exempted in this Part. Where any regulation in this Part may be in conflict with any regulation in a District, the regulation in the District shall take precedence.

### 6.2 ~~Minimum Parcel Size Development on Substandard Lots~~

- ~~(1) Except for parcels legally created prior to this Bylaw coming into effect, unless otherwise provided for in Section 3.9, no building shall be constructed, located or "moved in" on any parcel which comprises an area less than that specified in the Land Use District Regulations Minimum Parcel Size for the relevant district, unless a smaller parcel size is provided for in Section 3.9.~~

- ~~(2)~~ (1) Development on substandard lots existing at the time of passage of this Bylaw may be approved by the Development Officer or Municipal Planning Commission.

### 6.3 Ancillary Buildings

#### **6.3.1 In Non-residential Districts**

- (1) With the exception of any Agricultural District, no ancillary building or any portion thereof shall be erected or placed within the front yard of any lot unless otherwise approved by the Development Authority.
- (2) An ancillary building shall be located so that it meets the minimum side and rear yard requirements of the district in which the property is located, unless otherwise approved by the Development Authority.
- (3) Notwithstanding subsection (2) above, if an ancillary building has vehicle entrance doors, they shall be located so that driveway to the vehicle entrance doors shall be no less than 6 metres (20 feet) in length unless the minimum setback requirement of the land use district within which the parcel is located requires a greater setback.

#### **6.3.2 In Residential Districts**

- (1) No ancillary building or any portion thereof shall be erected or placed within the front yard of any parcel, except at the discretion of the Development Officer

where such placement would be consistent with the use or configuration of the lot, but may not encroach onto the minimum setback from the front lot line in the District which the subject parcel is designated.

- (2) An ancillary building having vehicle entrance doors shall be located so that the vehicle entrance doors shall be no less than the minimum setback requirement of the land use district within which the parcel is located. At no time shall they be less than 6 metres (20 feet) from the property boundary upon which they open except where otherwise approved by the Development Officer due to the configuration of the lot or because, in the opinion of the Development Officer, a lesser setback would improve the use of the lot and would not unduly impact the use of adjoining properties. Where garage doors face a lane the building shall be not less than 1 metre (3.25 feet) from the property boundary with the lane.
- (3) In all residential land use districts, except the Nordegg Rural Residence District "NRR" and Nordegg Leisure Residence District "NLR" and unless otherwise approved by the Development Officer, a private garage shall:
- (a) have a wall height not exceeding 3.05 metres (10 feet);
  - (b) have a total ground floor area not exceeding 92.9 square metres (1,000 sq. ft.); and
  - (c) have an exterior finish that complements the exterior finish of the dwelling.
- ~~(3)~~(4) A boat house shall be located no closer than 6 metres (20 feet) from the boundary of the parcel which is coterminous with or is closest to the shoreline, unless otherwise approved by the Development Officer.
- ~~(4)~~(5) Where a structure is attached to the main building by a roof, an open or enclosed structure above grade or passageway connecting the buildings, it is part of the main building.

#### **6.4 Residential Shops**

- (1) A residential shop shall be complementary and subordinate to the residential use of the property.
- (2) In determining the wall height, overall height and floor area of the proposed residential shop, the Development Authority shall consider the following:
- (a) the predominant nature (size and form) of buildings in the area;
  - (b) the location of the parcel - either a standalone parcel or within a residential multi-lot subdivision;
  - (c) the location of the shop on the parcel in relation to the road and other buildings on the parcel; and
  - (d) the topography of the parcel and surrounding parcels.

#### **6.4 6.5 Corner Lots**

- (1) On a corner lot in any hamlet residential district and the Residential Estate District "RE", no person shall erect, place or maintain within a triangle formed by the boundaries of the site common with the streets abutting them and a straight line connecting points on each of the said boundaries distant 6 metres (20 feet) from the point where they intersect a wall, fence, shrub, tree, hedge or any other object over 1 metre (3 feet) in height above the lowest street grade adjacent to the intersection.
- (2) In the case of any corner lot or parcel where two yards are regarded as front yards, where provided for in a Land Use District the Development Officer may declare one to be a side yard and shall then require a side yard setback that is at least equal to the side yard required for an internal lot in that district.

#### **6.5 6.6 Moved or Relocated Buildings**

- (1) Any person desiring to move a building onto or within a parcel of land shall first apply for a development permit, unless otherwise exempted pursuant to Section 3.2.
- (2) The Development Officer may determine the character and appearance of a building to be moved or relocated by means of recent photographs, drawings or other illustrative information required from the applicant or from an inspection of the building and site or both.
- (3) In considering an application to move a building onto a parcel of land or relocate a building within a parcel of land, the Development Officer may seek the opinions, in writing, of property owners adjacent to the subject parcel.
- (4) The Development Officer may require certain alterations, repairs or maintenance of the building and preparation of the proposed site be carried out as conditions pursuant to issuing a development permit to move or relocate a building.
- (5) The Development Officer may require a Letter of Credit or a Performance Bond in an amount determined sufficient to ensure completion of all renovations set out as conditions of approval.
- (6) Any renovations or any conditions imposed by the Development Officer to a moved-in or relocated building shall be completed within one year of the issuance of the development permit. Non-compliance shall result in forfeiture of the letter of credit or performance bond.

### **6.6 6.7 Number of Dwelling Units Allowed Per Parcel**

- (1) Except as otherwise provided for in this Section not more than one dwelling unit shall be allowed on a parcel of land in a district in which a residence is permitted.
- (2) No second or additional dwelling unit may be constructed or placed on a parcel of land unless a development permit for such purpose has been issued.
- (3) A development permit application for a second residence to be constructed or located on a parcel of land in an agricultural district containing a minimum of 32 hectares (80 acres) shall be approved if:
  - (a) the second residence is located in the same yard as the principal residence, unless another location is approved by the Development Officer; and
  - (b) the site criteria in this Section and any other applicable provisions in the Land Use Bylaw and Municipal Development Plan are met to the satisfaction of the Development Officer.
- (4) A development permit application for a third or additional residence on a parcel of land in an agricultural district containing a minimum of 32 hectares (80 acres) may be approved as a permanent or temporary residence if:
  - (a) the third or additional residence is to be occupied by a person who will be solely, or mainly, employed in a farming or an ~~intensive livestock operation~~ **confined feeding operation** on the site, or for a bona fide need;
  - (b) the third or additional residence is located in the same yard as the principal residence, unless another location is approved by the Development Officer; and
  - (c) the criteria in this Section and any other applicable provisions in the Land Use Bylaw and Municipal Development Plan are met to the satisfaction of the Development Officer.
- (5) A development permit application for a second residence to be constructed or located on a parcel of land in an agricultural district containing less than 32 hectares (80 acres) may be approved only as a temporary residence, and only if:
  - (a) the second residence is to be occupied by a person who will be solely, or mainly, employed in a farming or an ~~intensive livestock operation~~ **confined feeding operation**;
  - (b) the second residence is located in the same yard as the principal residence, unless another location is approved by the Development Officer; and
  - (c) the criteria in this Section and any other applicable provisions in the Land Use Bylaw and Municipal Development Plan are met to the satisfaction of the Development Officer.

- (6) In considering if an additional dwelling may be allowed on a parcel of land, the Development Officer must be satisfied that:
- a suitable building site exists, preferably in the same yard as the first/principal residence;
  - suitable access can be provided;
  - suitable services can be provided;
  - the development will be compatible with existing and planned land uses in the vicinity; and
  - other applicable provisions in the Land Use Bylaw and Municipal Development Plan can be met.
- (7) A temporary residence may be approved on a parcel of land in a ~~country residential district~~ Country Residence District "CR" and a Country Residence Agriculture District "CRA" if:
- the ~~temporary second dwelling~~ residence is for a bona fide need; and
  - the criteria in this Section and any other applicable provisions in the Land Use Bylaw and Municipal Development Plan are met to the satisfaction of the Development Officer.
- (8) In a Country Residence District "CR" or a Country Residence Agriculture District "CRA, a temporary residence on a country residential parcel which is part of a planned grouped subdivision for detached dwellings shall be a structure that is capable of being converted to an ancillary building, ~~or of being removed~~, when the bona fide need no longer exists. Manufactured homes will not be permitted as a temporary dwelling.
- (9) In a Country Residence District "CR" or a Country Residence Agriculture District "CRA, a temporary residence on a single country residential parcel or a country residential parcel ~~within a cluster of two or more country residential parcels that are planned for a~~ ~~which is part of a planned grouped country residential subdivision for a~~ mixture of types of single dwellings may be a manufactured home ~~which will be removed~~ or a structure capable of being converted to an ancillary building ~~or of being removed~~ when the bona fide need no longer exists.
- (10) An application for a development permit for the construction or location of a temporary dwelling to serve a bona fide need shall be referred to the Municipal Planning Commission for a decision, which may include conditions pertaining to time and occupancy.
- (11) As a condition of development approval for the construction or location ~~on a parcel of land~~ of a temporary dwelling to serve a bona fide need, the owner of ~~a the parcel of land for which a development permit applies~~ shall be required:



- (a) to sign an agreement annually attesting that the bona fide need remains the same;
  - (b) to sign an agreement that when the bona fide need no longer exists the temporary residence shall be removed or converted to a use as an ancillary building, as provided for in the development permit; and
  - (c) to provide acceptable security to the satisfaction of the County to ensure the terms of the agreement are carried out.
- (12) In respect to a single parcel of land, a development application may be approved to allow:
- (a) the construction or location of two or more dwelling units if each of the dwelling units is contained in a building designed for or divided into two or more dwelling units and the parcel of land is located in a district which permits such multiple units;
  - (b) the development of a manufactured home park on a parcel of land that is designated Manufactured Home Park district, including the placement of single and/or double wide manufactured home units in the park;
  - (c) the development of two or more dwelling units in a building or buildings, as defined in the Condominium Property Act, subject to a condominium plan to be registered in Alberta Land Titles and located in a district that permits such multiple units; and
  - (d) the construction or location of a residence intended to replace an existing habitated residence, subject to any conditions of time, servicing and occupancy as the Development Officer may require so as to allow habitation of the older residence until the new residence is occupied.

#### **6.7 6.8 Number of Main Buildings Per Lot in Non-Residential Districts**

- (1) No person shall construct, locate or cause to be constructed or located more than one main building per parcel of land, unless otherwise permitted in this Bylaw.
- (2) Subject to the discretion of the Development Officer, more than one main building may be approved on a parcel of land used for airport, institutional, highway commercial, industrial, agricultural or recreational use.

#### **6.8 6.9 Building Setbacks**

- (1) Unless otherwise provided by this Bylaw, all buildings erected or placed on a lot shall meet the minimum yard requirements of the district in which the lot lies with the exception of:
  - (a) where each of the dwelling units of a building containing two or more dwelling units is to be contained in separate parcels or titles, no side yards shall be required on a side which abuts an adjacent unit;

- (b) where the proximity of two or more buildings or uses on separate but adjacent lots would form a suitable commercial shopping centre, industrial complex or institutional facility, no side yards may be required on a side which abuts an adjacent unit at the discretion of the Development Officer.

#### **6.9-6.10 Building Heights**

- (1) Subject to this section and the regulations in each land use district the Development Officer may regulate the height of any building.
- (2) Except as otherwise provided for in subsection (4), no non-residential building shall be constructed higher than which can be serviced effectively by the local fire department. No residential building shall be constructed with more than two floors above grade, except where approved by the Development Officer acting on the advice of a Fire Officer.
- (3) To determine building heights in terms of the maximum limits established in districts, the measurement shall be taken from the building grade to the highest point of the building on that particular side.
- (4) The following may be exempted by the Development Officer from height restrictions: industrial processing towers, chimney or smoke stacks, steeples or spires, belfries, domes, monuments, elevator housing, roof stairway entrances, water or other tanks, ventilating equipment, satellite dishes, telecommunication towers, amateur radio antenna, flag poles, clearance markers, or a firewall, parapet wall or guardrail that is no greater than 1 metre (3.28 feet) above the roof, and any other vertical extension deemed by the Development Officer to be exempted.

#### **6.10 6.11 Site Elevation/Grade**

- (1) Each newly created parcel in a hamlet or multi-parcel subdivision shall be graded so storm water does not drain onto adjoining property, except where the subdivision approving authority accepts a prior or simultaneous agreement to drain water across another property.
- (2) The Development Officer may specify an elevation at which any new development is to be constructed in order to facilitate proper site drainage and connection to any existing or proposed sewer system.

#### **6.11 6.12 Projections into Yards within Hamlets**

- (1) Within a hamlet residential district, chimneys, cornices, eaves, gutters, steps, sills and cantilevered projections, such as a bay windows, may project a maximum of 0.6 metre (2 feet) into any setback, but no cantilevered projection, with or without a window, may encroach within 1.22 metres (4 feet) from the property line.
- (2) Within a hamlet residential district, balconies, unenclosed porches, verandas, decks, cornices, eaves, steps, stairways, window bays and other similar projections may project a maximum of 2 metres (6.5 feet) into a front or rear yard setback.
- (3) Within a hamlet residential district, no part or attachment to a main building, including unenclosed decks more than 0.6 metres (1.97 feet) above grade shall project into a front or rear yard any closer to the side property boundary than one-half the minimum side yard required for the building.
- (4) Within a hamlet residential district, setback distances do not apply to unenclosed patios or decks, whether affixed or not affixed to the main building or attachment thereto, where no portion of the patio or deck is more than 0.6 metres (1.97 feet) above grade, except that a projection into a front yard shall not exceed 2.5 metres (8.2 feet).

#### **6.12 6.13 Objects Prohibited or Restricted in Yards**

- (1) No person shall allow a motor vehicle used for stock car races, a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on a parcel in a residential district or on any parcel of land which is primarily used for residential purposes, and, for any other district, not less than 30 metres (100 feet) from a public roadway unless it is screened to the satisfaction of the Development Officer.
- (2) No dugout or windbreak shall be located less than the required setback distance pursuant to the figures related to Section 10.3 of this Bylaw from any public roadway, although decorative vegetation may be located within this area for landscaping purposes.
- (3) On a lot in any district where a detached dwelling is a permitted or discretionary use, one occupied holiday trailer/recreation vehicle which bears a valid current vehicle license or a tent may be parked and used for living and sleeping accommodation by bona fide tourists who are guests of the occupants of the principal dwelling for a period not to exceed 30 days without requiring a development permit.

Notwithstanding section 6.12(3) above, on a lot in the Recreation Residence District (RR) where no principal building is present, one holiday trailer/recreation vehicle that bears a valid current vehicle license may be parked and used for living and sleeping accommodation. The holiday trailer/recreation vehicle must be portable at all times with no permanent additions, such as decks, rooms, or any other structure that the Development Authority deems would restrict the portability of the holiday trailer/recreation vehicle. (*Bylaw 819/05*)

- (4) One functional but unoccupied holiday trailer/recreation vehicle and one additional chassis mounted camper or boat may be stored or parked on a lot in a residential district without a development permit, but not in a front yard.
- (5) Unused or unoccupied holiday trailers/recreation vehicles and other recreational or agricultural vehicles, trailers and equipment owned by the occupants of an approved dwelling on a parcel may be stored or parked on the said parcel of land without a development permit, providing that it is assessed as farmland and used for agricultural purposes. (Where any unused or unoccupied vehicle or equipment named in the foregoing becomes derelict, dilapidated or unsightly, the Development Officer may require that the same be screened from view or removed.)
- (6) Unoccupied manufactured homes, holiday trailers/recreation vehicles and other forms of equipment intended for sale may be displayed on a lot in any Industrial, Highway Development or Hamlet Commercial District pursuant to a development permit issued for such use.
- (7) No person shall keep or permit in any residential district an object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area.
- (8) No person shall keep or permit on a parcel of land in any district the storage of materials used in construction of a development on that parcel of land beyond the period which, in the opinion of the Development Officer, is necessary for the completion of the development.

#### **6.13 6.14 Building Design, Character and Appearance**

- (1) In all developments, the design, character and appearance of buildings, including but not limited to the use of exterior finishing materials and façade design, shall be to the satisfaction of the Development Officer.
- (2) The Development Officer may impose conditions to ensure that:

- (a) the design, character and appearance of a building is compatible with other buildings in the vicinity, unless in the opinion of the Development Officer it is setting a new standard of design, character and appearance for a particular locality;
  - (b) the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located;
  - (c) the development complies with any provision of a statutory plan, community plan or design standards otherwise adopted or approved by Council applicable to the site or land use district within which the development lies.
- (3) The exterior finishing materials of a development shall be those as shown on the approved plans for that development. Once constructed, the façade of the building or buildings shall be maintained to the standard and appearance as approved by the Development Officer such that any changes shall be subject to the approval of the Development Officer if in the opinion of the Development Officer the changes warrant a development permit.
- (4) The Development Officer shall ensure, as far as is reasonably practical, that exterior materials will be used which will ensure that the standard of the building will be similar to or better than the standard of surrounding development. The Development Officer may require that the appearance of an exterior wall, which is exposed to public view from beyond the site, be improved where, in the opinion of the Development Officer, that the appearance of the wall is inconsistent or incompatible with the appearance and finishing standards of surrounding development.

#### **6.14 6.15 Landscaping and Screening**

- (1) Prior to final consideration of a development application, the Development Officer may require the applicant to submit a landscaping plan to a level of detail satisfactory to the Development Officer.
- (2) In issuing a development permit for any proposed development, the Development Officer may, in addition to the landscaping standards specified in the Land Use District for which the subject parcel is designated, require the applicant to:
  - (a) retain all topsoil on the parcel;
  - (b) grade the site as required to direct storm water off site, without altering its effect on adjacent land;
  - (c) retain in their natural state:
    - (i) swamps, gullies and natural drainage courses,
    - (ii) unstable land,

- (iii) land subject to flooding by a 1:100 year flood,
  - (iv) land with a natural gradient of 15 percent or greater, and
  - (v) a strip of land not less than 15 metres (50 feet) in width along any river, stream, creek or lake, such distance to be measured from the top of the bank unless the Development Officer considers a lesser distance to be sufficient;
  - (d) conserve existing trees and shrubs to the maximum extent possible;
  - (e) enhance the site by spreading additional topsoil, planting trees and shrubs and/or the seeding or sodding of grass and/or using landscaping materials such as decorative gravel, rock, wood chips or other materials, in order to enhance the appearance of the site and to complement development thereon;
  - (f) restrict the area or portion of the parcel to be hard-surfaced.
- (3) As a condition of development approval the Development Officer may require the development, site or a portion of one or both to be screened in order to visually separate areas which would detract from any surrounding property. The construction and materials used or the nature of a vegetated buffer strip used as a screen shall be of a quality and design to the satisfaction of the Development Officer.
- (4) Any landscaping or screening required by a development permit shall be carried out within the time limit specified in the permit.

#### **6.15 6.16 Fences and Wind Screens**

- (1) In hamlets:
- (a) no fence within 7.5 metres (25 feet) of the right-of-way of a public road, excluding lanes, shall be more than 1 metre (3 feet) high. An exception may be made by the Development Officer for the portion of the side and year yard which abut the flanking street of a corner parcel;
  - (b) at the intersection of lanes a 3 metres (10 feet) sight triangle shall be maintained whereby no fence, any planting, growth or any object placed shall materially impede vision over a height of 1 metre (3 feet);
  - (c) no fence shall be higher than 1.83 metres (6 feet) unless approved by the Development Officer for safety, security, screening or other reason.
- (2) At the intersections of local roads, secondary roads and primary highways, no fence, hedge, shelterbelt or other planting or growth shall unduly restrict the vision of approaching traffic.

#### **6.16 6.17 Off-Street Parking and Loading Requirements**



- (1) Unless otherwise provided for in this Bylaw, the minimum number of off-street parking spaces that shall be provided is as follows:
- |  |   |
|--|---|
| (a) places of public assembly                              | 1 space per 4 seats   |
| (b) dining and/or drinking establishments                  | 1 space per 4 seats   |
| (c) retail uses  | 4 spaces per 93 m <sup>2</sup> (1,000 sq. ft.)                        |
| (d) hotels and motels                                      | 1.2 spaces per guest room   |
| (e) industrial   | 1 space per employee  |
| (f) offices  | 2 spaces per 93 m <sup>2</sup> (1,000 sq. ft.)                        |
| (g) detached dwellings                                     | 2 spaces per unit   |
| (h) multiple dwelling units                                | 2 spaces per unit or 1.5 per unit where 5 or more units occur         |
| (i) accessory ancillary suites and bed and breakfast rooms | 1 per suite per room  |
| (j) elementary and middle schools                          | 1 space per employee  |
| (k) senior high schools                                    | 1 space per employee and 1 space per 25 students                      |
| (l) warehouse, storage facility                            | 1 space per 93 m <sup>2</sup> (1,000 sq. ft.)                         |
| (m) commercial recreational facilities                     | 1 per 4 participants plus 1 per 20 m <sup>2</sup> gross leasable area |
| (n) public/quasi public uses                               | as required by Development Officer                                    |
| (o) all other developments                                 | as required by Development Officer                                    |
- (2) The surface treatment of off-street parking space shall be as required by the Development Officer, but shall be to all-weather standard and having a surface slope of not more than 5 percent.
- (3) Each parking space shall have dimensions of not less than 2.75 metres (9 feet) by 5.5 metres (18 feet), and where site conditions warrant, there shall also be additional space provided for access and maneuvering lane.
- (4) As a condition of development approval the Development Officer may require the provision of one or more loading spaces with each loading space being designed and located so all vehicles using that space can be maneuvered and parked entirely within the bounds of the parcel without using any part of a road right-of-way to do so.
- (5) As a condition of development approval the Development Officer may specify the standard of surface of any loading space, parking space and maneuvering area.

#### **6.17 6.18 Signs**

- (1) No signs or advertising structures of a commercial, direction or informative nature shall be placed on land or affixed to any exterior surface of any building or structure, unless an application for this purpose has been approved, and a development permit has been issued except as permitted under Subsection 3.
- (2) No signs, billboards, advertising structures or signboards shall be placed on or affixed to public property without the prior consent of the appropriate public body.
- (3) Signs may be erected on land or affixed to the exterior surface of a building or structure without a development permit as follows:
  - (a) signs for the purpose of identification, direction and warning not exceeding 0.5 square metres (5 sq. ft.) and limited to one sign per parcel;
  - (b) sign relating to a person, partnership or company carrying on a profession, business or trade, not exceeding 3 square metres (32 sq. ft.) and limited to one sign per parcel;
  - (c) signs relating to an institution of a religious, educational, cultural, recreational or similar character or to an apartment block, club or similar institution, not exceeding 3 square metres (32 sq. ft.) and limited to one sign per parcel;
  - (d) advertisements in relation to the function of local authorities, utility boards or other public or quasi-public bodies;
  - (e) temporary advertisements relating to the sale or letting of land, the sale of goods or livestock, the carrying out of construction or other works, announcement of any local event of a religious, educational, cultural or political nature, not exceeding 3 square metres (32 sq. ft.), but in each instance such temporary advertisements shall be removed by the advertiser within seven days of the completion of the event or work to which the advertisements relate;
  - (f) signs by a government or government agency; and
  - (g) no such sign may be illuminated.
- (4) Any permanent sign or advertisement which exceeds 3 square metres (32 sq. ft.) or which exceeds 2.5 metres (8 feet) in any dimension, or which is to be illuminated, shall be subject to a development permit.
- (5) No signs or advertising structures of any kind shall be permitted within 100 metres (330 feet) of the centre line of a primary highway unless the prior approval of Alberta Transportation has been obtained.

- (6) No sign or advertisements shall obstruct the view of, be confused with, resemble or conflict with a traffic sign or signal, or otherwise pose a potential hazard to traffic.
- (7) Flashing, animated or internally illuminated signs shall not be permitted where, in the opinion of the Development Officer, they may unduly affect residents in nearby housing, interfere with the interpretation of traffic signs or controls or unduly distract drivers.
- (8) No sign shall project higher than the roofline of the building to which it is attached unless otherwise approved by the Development Officer.
- (9) No sign shall project more than 2.5 metres (8 feet) from a building unless otherwise approved by the Development Officer.
- (10) All signs shall be kept in a safe, clean and tidy condition and the Development Officer may require the removal or renovation of any sign determined to be otherwise.

#### **6.18 6.19 Lighting and Illumination**

- (1) Lighting fixtures for exterior illumination, which are not illuminating public uses, shall be installed with the light directed and/or deflected away from public roads.

#### **6.20 Water and Wastewater**

- (1) All development shall meet the provision of water and wastewater services in accordance with the Municipal Development Plan, and in doing so meet provincial standards and regulations respecting the provision of water and wastewater services.

## PART SEVEN: SPECIAL LAND USE PROVISIONS

### **7.1 Farm Subsidiary Business**

- (1) A farm subsidiary business may be approved in an agricultural district only as a supplementary to the primary agricultural use of a parcel of land and the development will not:
  - (a) employ more than two employees who do not reside on-site;
  - (b) store or maintain any goods, materials, or equipment not directly related to the operation; and
  - (c) create dust, noise, odour, smoke or traffic generation which in the opinion of the Development Authority would be a nuisance to adjacent or nearby properties.
- (2) If a farm subsidiary business is approved as a temporary use, the approval shall be date specific as to when the business shall cease or at the discretion of the Development Officer considered for an extension of time until a specific future date.
- (3) Signage shall be limited to one sign not exceeding 3 square metres (32 sq. ft.) in area and must conform to all other provisions of this Bylaw.

### **7.2 Dude Ranch or Vacation Farm**

- (1) A Dude Ranch/Vacation Farm shall be operated as a secondary use to the principal ranching/farming use of the land and shall not change the principal character of this land.
- (2) A Dude Ranch/Vacation Farm shall not accommodate more than eight guests at any one time.
- (3) Only one Dude Ranch/Vacation Farm shall be allowed on a given parcel or lot.
- (4) In reviewing a development application for a Dude Ranch/Vacation Farm, the factors to be considered, among others, include:
  - (a) the size of the parcel;
  - (b) the impact of the proposed use on the existing water and sewer systems;
  - (c) consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use;
  - (d) potential traffic generation, and parking requirements;
  - (e) buffering or other techniques designed to limit any interference with other uses of the peaceful enjoyment of neighbouring parcel;
  - (f) amenities offered that would enhance the proposed land use.

- (5) Eating and cooking shelters and sleeping units may be allowed as **accessory ancillary** developments to Dude Ranch/Vacation Farm.
- (6) As a condition of development approval a dude ranch/vacation farm may be approved until a specific future date, but thereafter may be extended at the discretion of the Development Officer.

### **7.3 Bed and Breakfast Establishments**

- (1) A bed and breakfast establishment may be allowed provided that it is secondary to the residential use of the dwelling and it will not interfere with the use and enjoyment of the neighbouring properties.
- (2) A bed and breakfast establishment shall comply with the following standards:
  - (a) any alteration to the residential structure shall be limited to ensure that the dwelling remains within the character of the area within which it is located and any alterations are to be approved by the Municipal Planning Commission;
  - (b) a sign must identify rather than advertise the establishment and not exceed 0.56 square metres (6 sq. ft.) in size unless otherwise approved by the Development Officer;
  - (c) in addition to any other off-street parking required in this Bylaw, one additional space shall be provided for each guest room.
- (3) A development permit issued for a bed and breakfast establishment does not exempt compliance with health regulations or any other permit requirements.

### **7.4 Home Occupations**

- (1) A Home Occupation may be permitted in a residential district if it:
  - (a) is to be operated as a secondary use only and will not change the external appearance or residential character of the site;
  - (b) will not create, in the opinion of the Development Authority, a nuisance by way of dust, noise, vibration, odors, smoke, or traffic generation;
  - (c) will not display a product in public view;
  - (d) will not engage any person in the home occupation other than the residents of the site;
  - (e) the privacy and enjoyment of adjacent properties shall be preserved and the home occupation shall not adversely affect the amenities of the surrounding area.
- (2) In approving a home occupation:

- (a) the Municipal Planning Commission, if it deems appropriate, may allow materials, goods, or equipment to be stored on the site provided the storage of such is contained entirely within the dwelling unit or ancillary building and is not a fire or health hazard;
  - (b) no signs greater than 0.56 square metres (6 sq. ft.) shall be permitted unless and an application for this purpose has been approved and a Development Permit issued;
  - (c) no more than one commercial vehicle shall be allowed in connection with a home occupation. A commercial vehicle to be parked or maintained on the property shall be subject to Municipal Planning Commission approval in terms of size and appearance;
  - (d) a condition of approval may be until a specific future date, but thereafter may be extended at the discretion of the Development Officer.
- (3) A permit for a home occupation is only for the period of time the property is occupied by the applicant for whom the home based business was approved.

#### **7.5 Historical and Archeological Sites**

- (1) Historical and archeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with the guidelines established by the Province of Alberta.

#### **7.6 Surveillance Suites**

- (1) A development permit for a surveillance suite may be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel. The placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/ land uses of adjacent properties.
- (2) Where a surveillance suite is attached to the principal building by a roof, an open or enclosed structure, floor or a foundation, it is to be considered a part of the principal building.
- (3) The minimum and maximum floor area of any detached surveillance suite shall be 50 square metres (538.2 sq. ft.) and 113 square metres (1,216.0 sq. ft.) respectively.

#### **7.7 Alcohol Sales**

- (1) Within a multi-parcel residential subdivision (hamlet excluded) or within 305 metres (1,000 feet) of the boundary of a site used for public park, community



recreation, religious assembly, or public or private school, alcohol sales as the primary retail use or in association with the sale of other retail goods may be approved as a discretionary use if the Development Authority determines the use meets the requirements of this Section. For the purposes of this Section, "alcohol sales" does not apply to the sale of alcoholic drinks at a licensed eating or drinking establishment.

- (2) The Development Officer or Municipal Planning Commission shall not approve a development permit for alcohol sales unless, in its opinion, it is satisfied that the proposed use is suitable, harmonious, appropriate and compatible with the existing quality of life in the surrounding area.
- (3) In evaluating the appropriateness of a development permit application for liquor sales/distribution services, the Development Officer or Municipal Planning Commission shall consider:
  - (a) compatibility with adjacent and neighbouring land uses;
  - (b) impact on existing traffic volumes and patterns of flow;
  - (c) appropriate vehicle parking and site access/egress requirements (the locations of access/egress points shall not route traffic through residential areas);
  - (d) lighting and signage;
  - (e) appropriate site security/fencing requirements; and
  - (f) any other matters considered appropriate.

## **7.8 Guest Houses**

- (1) No person shall construct or cause to be constructed a guest house on a parcel of land unless a development permit for such a use has been issued.
- (2) A guest house is neither an ancillary building or ancillary use.
- (3) An application for a development permit for a guest house may be approved on a parcel of land in a district for which a guest house is listed as a discretionary use but only when a principal residence already exists on the parcel of land. Conditions of approval may pertain to time and occupancy.
- (4) A guest house may be a separate building or form part of a building that is separate from the principal residence, but shall not include kitchen or cooking facilities.

## **7.9 Telecommunication Towers**

- (1) No person shall construct or cause to be constructed a telecommunication tower unless a development permit for such a use has been issued.
- (2) A telecommunication facility shall comply with the provisions of this Bylaw and any statutory or outline plan pertaining to the site of the facility, all CSA standards and Safety Code guidelines.
- (3) The County will encourage the co-location (sharing) of telecommunication towers.
- (4) The notification of landowners in the vicinity and public consultation are required if the tower is to be located in a residential area or within 600 metres (1968 feet) of the nearest residence and the tower has a height of 15 metres (50 feet) and higher.

#### **7.10 Small Animal Breeding and Kennels**

- (1) Notwithstanding the lists of permitted uses in land use districts, with the exception of agricultural districts, small animal breeding facilities shall be considered as a discretionary use if they are proposed on a parcel of land within or adjacent to a hamlet and grouped residential subdivision.
- (2) No small animal breeding facility shall be permitted on a residential parcel of any type that is less than 1 hectare (2.47 acres) in size.
- (3) All facilities shall be kept in a manner satisfactory to the Health Authority.
- (4) In the approval of a kennel and small animal breeding facility, the development authority may apply conditions regarding:
  - (a) location, soundproofing, screening and enclosure of any facility;
  - (b) the number of animals; and
  - (c) the hours that animals are allowed outdoors.

#### **7.11 Trout Ponds**

- (1) No trout pond shall be created, including for private use, without approval of an application to create a trout pond and all necessary approvals from the Province.

## PART EIGHT: ENVIRONMENTAL SETBACKS AND REPORTS

### 8.1 Development On or Near Slopes

- (1) For the purposes of this section, “upper break of slope” is as determined by the Development Officer, who may consult with Alberta Environment, a geotechnical engineering firm or qualified consultant/person.
- (2) Notwithstanding the yard requirements prescribed in the land use districts, subject to subsection (3) no building or structure shall be permitted or caused to be built or placed within 15.24 metres (50 feet) of the top or bottom of an escarpment, bank or slope having a grade that equals or exceeds 15%.
- (3) The required setback from the upper break of slope may be increased or decreased by the Development Officer upon the submission of a report from Alberta Environment, a geotechnical engineering firm or qualified engineer that indicates a lesser setback is suitable or a greater setback is required.
- (4) A setback from the upper break of slope may be decreased by the Development Officer if the Development Officer is satisfied upon report from Alberta Environment, a geotechnical engineering firm or qualified engineer that a lesser setback is sufficient for the safety of the structure and/or engineering and construction measures can be instituted to make a lesser setback location suitable for development, whereby such measures will be a condition of development.
- (5) The Development Officer may require that the development of the site and buildings be designed or bear the seal and signature of a professional engineer and/or architect registered in the Province of Alberta.
- (6) Notwithstanding any other provision in this Bylaw, for a site that is located within the distances established in subsection (3) above, a permitted use, in the Land Use District for that site, with the exception of farming, shall be deemed to be a discretionary use.

### 8.2 Subdivision and Development Near Water

- (1) Where a parcel of land that is the subject of a subdivision application borders on or contains a lake, river or stream, ~~subject to the discretion of the Development Officer,~~ the minimum setback of any property line of a parcel of land being created for private ownership: ~~shall be: 30 metres (100 feet);~~
  - (a) shall be no less than 30 metres (100 feet) for land along the North Saskatchewan River, Clearwater River, Red Deer River and James River;

- (b) shall be no less than 20 metres (66 feet) for land along all other named rivers and streams;
  - (c) shall be no less than 6 metres (20 feet) for land along unnamed rivers and streams claimed by the Province; but
  - (d) notwithstanding subsections (a), (b) and (c), Clearwater County may increase the setback depending on site conditions, including but not limited to slope and environmental sensitivity.
- (2) ~~The setback may be less if all or a portion of the 30 metres (100 feet) setback contains lands to which an environmental reserve easement or conservation easement will be a condition of subdivision, whereby the setback shall be for the depth of land not containing an easement. Where a parcel of land that is the subject of a subdivision application borders on or contains a lake, a permanent wetland, or both, the minimum setback of any property line of a parcel of land being created for private ownership shall no less than 10 metres (33 feet) from the high water mark of the lake and/or the permanent wetland. Clearwater County may increase the setback depending on site conditions, including but not limited to slope and environmental sensitivity.~~
- ~~(3) An intensive livestock operation shall not be permitted within 30 metres (100 feet) of a lake, river, stream, lake or other permanent water feature, or a permanent wetland. Except if the Development Officer is satisfied that a lesser setback is allowable, in accordance with the nature of the site and the sophistication of the operation regarding the control of runoff. The Development Officer may require a greater setback if the size of the operation, site conditions, the sensitivity of the water resource or any other consideration deem that a larger wider setback is appropriate.~~

### **8.3 Flood Prone Lands**

- (1) Subject to the provisions of this Section, development on land which may be prone to flooding generally shall be discouraged, especially on lands which lie within the 1:100 year flood plain, as determined by Alberta Environment and/or the County.
- (2) On land that in the opinion of Alberta Environment and/or the County is flood prone, new residential development and the expansion of existing residential development shall not be permitted.
- (3) On land that in the opinion of Alberta Environment and/or the County is flood prone, permanent non-residential buildings shall not be permitted and new development shall not be allowed except for:
  - (a) non-obstructing agricultural uses;

- (b) outdoor recreation uses;
  - (c) flood control measures; and
  - (d) public work facilities.
- (4) In reviewing an application for development for a site which is considered to be prone to flooding or located in a 1:100 year flood plain, the Development Officer may require one or more reports to be submitted by qualified consultants addressing the proposed development and the mitigating measures of site grading and building construction pertaining to potential flooding.
- (5) If a proposed development on flood prone lands is approved, any or all of the following may be required as conditions of development approval:
- (a) the use of fill, piles, posts or piers to raise the development above the 1:100 year flood level;
  - (b) no finished floor space below the 1:100 year flood level;
  - (c) no mechanical or electrical installations less than 0.5 metre (1.64 feet) above the 1:100 year flood level;
  - (d) diking the watercourse;
  - (e) increased development setbacks from the watercourse;
  - (f) the use of backflow prevention valves (stop valves);
  - (g) any other flood abatement measure as may be advise by the municipality, Alberta Environment or qualified consultant; and
  - (h) registration of a restrictive covenant registered against the title of the subject property which saves and indemnifies the municipality from liability.
- (6) The Development Officer may require that the development of a site considered to be prone to flooding and any building thereon be designed or bear the seal and signature of a professional engineer and/or architect registered in the Province of Alberta.
- (7) As a condition of approval of a development within a 1:100 year flood plain, the Development Officer may require that a restrictive covenant be registered against the title of the subject property related to the approved development.
- (8) Notwithstanding any other provision in this Bylaw, for a site that is considered to be subject to flooding or located in a 1:100 year flood plain, with the exception of those uses listed in subsection (3), a permitted use in the Land Use District for that site shall be deemed to be a discretionary use.

#### **8.4 Environmentally Sensitive Significant Lands**

- (1) Environmentally sensitive significant lands include:

- (a) rivers and streams, including their valleys, ravines and escarpments;
- (b) lakes and their shorelands;
- (c) wetlands;
- (d) riparian buffers;
- (e) hazard lands and features;
- (f) wilderness areas designated by the Province;
- (g) ecological reserves designated by the Province;
- (h) natural areas designated by the Province;
- (i) provincial parks designated by the Province; and
- (j) provincial recreation areas designated by the Province.

~~Lake shorelands, river valleys and their escarpments, wetlands, critical habitat, hazard lands, natural areas, ecological reserves, provincial parks and any other features or sites the County may consider to be environmentally sensitive.~~

- (2) When reviewing an application for development on environmentally sensitive significant lands, the Development Officer may consider any or all of the following:
  - (a) the impact of the proposed development on the subject and surrounding area;
  - (b) the soil and slope conditions of the area surrounding the subject property;
  - (c) any information on the past history of the subject property and surrounding area from a geotechnical perspective; and
  - (d) comments and recommendations from Alberta Environment.
- (3) As part of the development permit application, the Development Officer may require a geotechnical study, prepared by a qualified geotechnical engineer, addressing the proposed development. The geotechnical study will establish building setbacks from property lines based upon the land characteristics of the subject property.
- (4) The Development Officer may require all or any of the following as conditions of approval for a development permit application on land which is considered environmentally sensitive significant:
  - (a) a certificate from a qualified professional geotechnical engineer certifying that the design of the proposed development was undertaken with full knowledge of the soil and slope conditions of the subject property;
  - (b) a certificate from a qualified professional geotechnical engineer when the proposed development includes cut and/or fill sections on slopes and/or including the addition of fill to the subject property;
  - (c) that measures be taken to ensure that infiltration into area slopes, the subject property and adjacent lands are minimized;
  - (d) the registration of a restrictive covenant against the certificate of title for the subject property related to the approved development; and/or



- (e) the registration of an easement against the certificate of title for the subject property entitling the County or an agent on behalf of the County the right to enter the subject property to carry out such improvements and repairs as are required to maintain the stability of adjacent properties which, if not corrected, could adversely affect surrounding lands.
- (5) Clearwater County may register an Environmental Reserve or Environmental Reserve Easement where provided for in the *Municipal Government Act* for the environmentally significant lands.

## **8.5 Environmental Audits**

- (1) The Development Officer may require an applicant to conduct an environmental audit and submit an environmental audit report as part of a development permit application, and application to amend this Bylaw, an application for subdivision approval, or an application to amend a statutory plan.

The Environmental Audit report shall contain:

- (a) a history of the subject property's ownership and use;
  - (b) a description of the natural environment and social environment surrounding the subject property which may be sensitive to contamination;
  - (c) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;
  - (d) documentation of the existence, location and use of above and underground storage tanks and other related facilities;
  - (e) a history of environmental regulatory activity affecting the subject property;
  - (f) a review of the condition and use of adjoining properties;
  - (g) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
  - (h) a determination of the extent of contamination; and
  - (i) a comprehensive site and areas map noting the locations of natural and built features and other elements of the site audit as noted above.
- (2) The Environmental Audit and report may be referred to Alberta Environment for comment and recommendations.
- (3) The County may use the recommendations of the Environmental Audit report as a basis for:
- (a) reasons to refuse or approve, with or without conditions, a development permit;
  - (b) reasons to amend or refuse an amendment to this Bylaw;

- (c) comments to the Subdivision Approving Authority in recommending to approve, approve with conditions, or to refuse an application for subdivision;
- (d) reasons to approve or refuse an application to adopt or amend a statutory plan.

## **8.6 Environmental Review**

- (1) An environmental review is distinct from an environmental impact assessment as described under provincial and federal legislation.
- (2) The Development Officer may require an applicant to conduct an environmental review and submit a report as part of a development permit application, an application to amend this Bylaw, an application for subdivision approval or an application to adopt or amend a statutory plan.
- (3) An environmental review may be required to address any or all of the following:
  - (a) a description of the features of the site, adjacent properties and nearby lands that may be affected;
  - (b) a description of the environmental sensitivity of these lands and features;
  - (c) the nature of the impacts on land, water, wildlife and fish during construction;
  - (d) the nature of the impacts of land use activities on land, water, wildlife and fish upon completion of the development and/or phases thereof;
  - (e) an environmental mitigation/protection plan to alleviate any adverse impacts, monitor the performance of the mitigation/protection measures and identify the residual impacts and their significance on fish, wildlife, vegetation, soil, water quality and quantity; and
  - (f) any other matters required by the County.
- (4) An environmental review may be referred by the County to the appropriate provincial agencies for comment and recommendations.
- (5) The County may use the recommendations of the Environmental Review report as a basis for:
  - (a) reasons to refuse or approve, with or without conditions, a development permit;
  - (b) reasons to amend or refuse an amendment to this Bylaw;
  - (c) comments to the Subdivision Approving Authority in recommending to approve, approve with conditions, or to refuse an application for subdivision;
  - (d) reasons to approve or refuse an application to adopt or amend a statutory plan.

## **8.7 Remote Area – Wild Land/ Urban Interface Developments**

- (1) When, in the opinion of the Development Officer, a proposed development would be located in an area which may be a significant wildfire hazard area or too remote for existing municipal services to be effective in an emergency, the Development Officer may add the following measures as conditions to the issuance of a development permit to reduce fire hazards:
  - (a) a minimum 10 metres (33 feet) defensible space perimeter around buildings; this space should consist of less fire prone vegetation and free of ground level fuels (e.g. logs, branches, twigs), piled debris and other combustibles; this zone may increase to 30 metres (100 feet) for a site at the top of a slope;
  - (b) a reduced fuel zone perimeter around buildings in which the forest canopy and understory may need to be thinned; for flat sites this perimeter may be up to 30 metres (100 feet) but may be greater if the perimeter area includes downslopes greater than 15%;
  - (c) roofs to be constructed of non-combustible or combustion retardant materials;
  - (d) the installation of spark arresters on chimneys and stovepipes;
  - (e) exterior siding to be of fire resistant materials;
  - (f) the provision of an emergency access;
  - (g) the provision of an adequate on/off-site water supply and equipment for fire-fighting purposes; and
  - (h) any other provisions consistent with principles and standards to protect a community, subdivision or isolated development from wildfires.

## PART NINE: RESOURCE OPERATIONS AND SETBACKS

### 9.1 Site Alterations

- (1) Site alteration activities, generally including stripping, filling, excavating and grading activities, are deemed to be exempt from the requirement for formal development permit application unless forming a part of a specific development proposal for which a permit is required. Typical activities, for which a development permit is not required include:
- (a) contouring of farmland
  - (b) public roads
  - (c) oilfield lease roads and sites
  - (d) private driveways
  - (e) logging roads
  - (f) the first ~~±~~ dugout on a parcel of land
  - (g) the first ~~±~~ fish pond on a parcel of land
  - (h) recreational trail systems
  - (i) the first ~~±~~ borrow excavation on a parcel of land, and
  - (j) drainage ditching

#### Definitions: ~~(\*)~~ In this Part:

**Dugout** means an excavation or an opening less than one acre in size for the purpose of agricultural use.

**Fish Pond** means an excavation or an opening less than one acre in size for the purpose of stocking fish.

**Borrow Excavation** means an opening or excavation in the surface or subsurface of a given parcel of land, not exceeding four acres of total disturbance that is made solely for the purpose of removing sand, gravel, clay, or marl. A borrow excavation shall not remain open or active for a period exceeding 18 months. A borrow excavation does not permit any processing of the material(s) on the land(s).

Borrow excavations are subject to the *Environmental Protection and Enhancement Act* (EPEA) and the *Conservation and Reclamation Regulation* (CRR). Operators are cautioned that terms such as *borrow* and *borrow pit* may have different meanings in reference to regulatory requirements under other acts (e.g., the Environmental Protection Act or the Public Lands Act) or in common usage in the road construction industry. Operators must be aware of the terms *borrow excavation* and *pit* and their regulatory implications under the EPEA or the CRR.

While this exemption is valid only to the extent that there is no requirement to make application for a development permit, any other requirement, provincial or municipal, is the responsibility of the proponent of the activity. Other requirements may include, but are not limited to, licensing, road use agreements, reclamation, setbacks, buffers, etc.

## **9.2 Top Soil Removal and Surface Resource Extraction/Processing**

- (1) A development permit is required before the commencement or continuation of the removal of top soil from the property and such permits shall only be granted where it is shown to the satisfaction of the Development Officer that the land will not be adversely affected by the removal of the topsoil. The Development Officer may refer any application for removal of top soil from the property to the Agricultural Services Board and/or the Soil Conservation Officer acting under the Soil Conservation Act for comments.
- (2) Unless exempted under Section 9.1 all surface resource extraction activities require a development permit before the commencement or continuation of the operation.
- (3) Surface resource extraction activities are subject to obtaining the proper approvals from all authoritative government agencies.
- (4) When issuing a development permit for a new or expanded surface resource extraction operation, including but not limited to sand, gravel or clay pits, the permit shall be conditional upon the developer providing copies of the approvals obtained from all authoritative government agencies.
- (5) Among other conditions that may be applied to the approval of a surface resource extraction operation the Development Officer are conditions that provide for:
  - (a) setbacks to the satisfaction of the Development Officer from public roads and highways;
  - (b) setbacks from dwellings, existing property boundaries and proposed property boundaries;
  - (c) screening of the operation from public view by means of berms, landscaping or other means;
  - (d) limitations on the years, months, weeks, days and/or hours of operation;
  - (e) specific truck routing and/or roadway improvements;
  - (f) requirements to provide and maintain sufficient dust control, both on-site and on haul roads, to the satisfaction of the Municipality; and

- (g) posting of adequate signage, including company name and emergency phone numbers, to warn of possible site or operational hazards and dangers.
- (6) The obligation to fulfill the conditions and requirements of any development permit issued pursuant to this Section are deemed to run with the land. The failure of any development permit holder who is not the owner of the site or sites described in the development permit shall not be considered to relieve or release the owner from such or issue a new development permit to the same applicant or to a new applicant or to the same owner or a new owner, unless or until the conditions and requirements of any development permit which has become suspended, lapsed, or voided for any reason, have been fulfilled to the satisfaction of the Municipality.

### **9.3 Gas and Oil Wells**

- (1) An application for subdivision or development must not be approved if it would result in permanent additional overnight accommodation or public facilities, as defined by the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB**, within 100 metres (328 feet) of a gas or oil well unless that permanent overnight accommodation or public facility would be within a lesser distance approved in writing by the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB** or in the opinion of the approving authority is considered to be an infill development.
- (2) For the purposes of this section, a gas or oil well does not include an abandoned well as defined by the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB** and distances are measured from the well head to the building or proposed building site.

### **9.4 Sour Gas Facilities**

- (1) The development authority must send to the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB** a copy of an application that would result in permanent additional overnight accommodation, whether for dwelling or other purposes, or public facilities as defined by the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB** if the application is within 1.5 km (0.93 miles) of a sour gas facility, or a lesser distance agreed to in writing by the **Energy Resources Conservation Board** ~~Energy Utilities Board~~ **EUB** and subdivision authority.
- (2) The Development Officer must not approve an application that does not conform to the **Energy Resources Conservation Board** ~~Energy Utilities Board's~~ **EUB's**



setbacks unless the Energy Resources Conservation Board ~~Energy Utilities Board~~ ~~EUB~~ gives written approval to a lesser set back distance. When issuing a development permit for a residence in an area where there is a risk of sour gas risks as advised by the Energy Resources Conservation Board, the Development Officer may as a condition of approval require the applicant to sign a copy of the applicable declaration prescribed by the Development Officer ~~in Schedule E~~.

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## **PART TEN: INFRASTRUCTURE SETBACKS AND REGULATIONS**

### **10.1 Development Setbacks from Wastewater Treatment Plants**

- (1) Unless the development is approved in writing by the Deputy Minister of Alberta Environment:
  - (a) a school, hospital, food establishment or residential building shall not be approved and a residential building shall not be constructed within 300 metres (984.25 feet) of an operating wastewater treatment plant; and
  - (b) a wastewater treatment plant must not be approved unless the working area of the plant is located at least within 300 metres (984.25 feet) from any existing or proposed school, hospital, food establishment or residential building.

### **10.2 Development Setbacks from Landfills and Waste Sites**

- (1) Unless the development is approved in writing by the Deputy Minister of Alberta Environment:
  - (a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulation; and
  - (b) a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distance from the property boundary of a school, hospital, food establishment or residence specified in the Subdivision and Development Regulation.

### **10.3 Setbacks from Roads and Intersections**

- (1) On a parcel of land located adjacent to a public road or provincial highway, development shall be sited in accordance with Figures 1 to 7 of this Section, unless otherwise approved by the Development Officer or Alberta Transportation.
- (2) No vehicle access to a rural road shall be permitted less than 150 metres (492 feet) from an intersection, an existing access on the same side of the road, a bridge or an at-grade railway crossing unless a lesser separation distance is approved by the Manager of Public Works where in his opinion the lesser distance provides suitable site lines in both directions.

- (3) The Development Officer may not approve an application for a development permit affecting land within 300 metres (1,000 feet) of a provincial highway or within 800 metres (1/2 mile) of a provincial highway intersection unless the applicant provides a copy of a highway vicinity development approval from Alberta Transportation.
- (4) The Development Officer may issue a development permit or other needed approval for development, which does not satisfy the requirements illustrated on Figures 1 to 7 of this Section, for a parcel legally created prior to this Bylaw coming into effect and which would otherwise not have a building site, if satisfied that the development will not result in having an adverse impact on adjacent land uses and development when developed to such lesser standards as the Development Officer requires.
- (5) Figures 1 to 7 of this Section do not apply in any hamlet district.
- (6) Notwithstanding any other provisions in this Bylaw, the Development Officer may approve or prescribe screening for uses which involve the outdoor storage of goods, materials or facilities which would otherwise be, in the judgement of the Development Officer, visually offensive when viewed from a public road.
- (7) Lots abutting a public “internal road” or a service road shall not be subject to the setbacks required for rural roads, but shall be subject to setback requirements otherwise stated in this Bylaw for public internal roads and, in this regard, Council may declare a public road to be an “internal road” if it is not in an Agriculture District and is not part of the grid system, contained in Government Road Allowances.

## PART ELEVEN: ~~INTENSIVE LIVESTOCK~~ CONFINED FEEDING OPERATIONS

- ~~(1) Any expansion of an existing intensive livestock operation and/or the creation of any new intensive livestock operation will require a redesignation of the subject land to Direct Control District and approval of an Intensive Livestock Operation Development Permit Application. The applications for redesignation and development approval shall proceed simultaneously.~~
- ~~(2) In the review of a development permit application for any new or expanded intensive livestock operation, the Development Officer shall:~~
- ~~(a) refer the application to the appropriate government departments and other authorities; and~~
  - ~~(b) refer the application to all adjacent landowners.~~
- ~~(3) All applications for new and expanded intensive livestock operations will be evaluated for their environmental sensitivity and separation distances from land uses based on standards established in the 2000 Code of Practice for Responsible Livestock Development and Manure Management, or successor thereto.~~
- ~~(4) An application for a development permit for an intensive livestock operation shall provide an Intensive Livestock Operation Manure Nutrient Management Plan containing comments provided by Alberta Agriculture and Rural Development.~~
- ~~(5) A development permit for an intensive livestock operation shall not be approved:~~
- ~~(a) if the parcel of land is smaller than 8.1 hectares (20 acres); or~~
  - ~~(b) if the parcel of land is at least 8.1 hectares (20 acres) in size and the municipality is not satisfied that the amount of land for either the intensive confinement of livestock or the safe and proper management of manure is sufficient.~~
- ~~(6) A variance of the MDS distances may only be considered if it can be shown that site conditions and/or the management practices employed by the intensive livestock operation would reduce the potential for nuisance odour conflicts. A variance shall not be considered without prior recommendation of Alberta Agriculture and Rural Development.~~
- ~~(7) No intensive livestock operation will be allowed within 30 metres (100 feet) of any lake, river or other permanent open body of water, except if the Development Officer is satisfied that a lesser setback is allowable, considering the nature of the site and the sophistication of the operation regarding the control of runoff. The Development Officer may require a greater setback if site conditions,~~

~~the sensitivity of the water resource, or any other consideration deem that a larger setback is appropriate.~~

~~(8) No intensive livestock operation shall be allowed upon lands situated within the 1:100-year floodplain.~~

~~(9) The MDS distances shall apply to non-agricultural development proposed in proximity to an existing intensive livestock operation.~~

~~(10) Notwithstanding subsection (9), if a proposed residence is closer to the intensive livestock operation than the separation distance determined pursuant to Subsection 1, the Development Officer may:~~

~~(a) issue a development permit with the condition that the proposed residence be located beyond the said separation distance; or~~

~~(b) if the parcel is not large enough, or for other reasons, lacks a suitable building site beyond the said separation distance, require that the proposed residence be located at the maximum feasible distance from the intensive livestock operation. A caveat may be registered against the Certificate of Title of the subject lands whereby future subdivision and/or development may be restricted.~~

(1) Confined feeding operations for which approval, authorization or registration is required pursuant to the Agricultural Operation Practices Act, are regulated by the Natural Resources Conservation Board (NRCB) and are exempt from municipal control under this Bylaw.

(2) In directing and approving land uses that may be incompatible with a confined feeding operation, Clearwater County shall refer the application to the NRCB to determine the applicable minimum distance separation.

## PART TWELVE: AMENDMENT

### 12.1 Application for Bylaw Amendment

- (1) A person may make application to the Development Officer for an amendment to the Land Use Bylaw. The application shall include:
  - (a) a statement of the nature of the amendment requested;
  - (b) the specific amendments requested;
  - (c) the purpose and reasons for the amendment;
  - (d) if the applicant is not an owner of land affected by the application, the interest in the land of the applicant;
  - (e) if the application is for a change of land use district:
    - (i) a recent copy of the Certificate of Title of the land affected; and
    - (ii) a legal description or a plan showing the location and dimensions of the land requested for redistricting, to the satisfaction of the Development Officer;
  - (f) an application fee, the amount of which shall be determined from time to time by resolution of Council for which a portion, as determined by resolution of Council from time to time, may be returned to the applicant if first reading of the amending bylaw is not passed.
- (2) If the application to amend the Bylaw is for a redesignation of land, the Development Officer may:
  - (a) require the submission of an outline plan for the area to be redesignated to the level of detail specified by the Development Officer; and
  - (b) require payment of a fee equal to the costs by the Municipality to review the proposed redesignation and/or outline plan, or if necessary to prepare an outline plan.
- (3) An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.
- (4) Upon receipt of an application for amendment, the Development Officer shall determine when the application will be placed before Council and shall issue not less than 10 days notice to the applicant advising that he may appear before the Council at that time and speak to the application.

### 12.2 Amending Bylaw Process

- (1) Council may initiate a bylaw to amend the Land Use Bylaw by directing the Development Officer to initiate an amendment thereto.



- (2) Council may, after due consideration of an application for amendment:
  - (a) refuse the application;
  - (b) pass first reading of a bylaw to amend this Bylaw, with or without amendments;
  - (c) defeat first reading of a bylaw to amend this Bylaw; or
  - (d) refer the application to the Development Officer or any other persons for further information, and when the information is received proceed with one of the actions outlined in subclauses (a) through (c).
- (3) Following first reading of an amending bylaw, the Council shall establish the date, time and place for a public hearing on the proposed bylaw.
- (4) Notwithstanding subsection 7, if the amendment will not materially affect the Bylaw in principle or in substance, Council may pass an amending Bylaw without holding a public hearing.
- (5) Following first reading of an amending bylaw, the Development Officer shall:
  - (a) arrange for the publication of a notice of the public hearing at least once a week for two consecutive weeks in at least one newspaper circulating in the area such that the publication date of the second issue is not less than five days preceding the date of the hearing; and
  - (b) mail or arrange for delivery, not less than 14 days preceding the date of the hearing, notice to the applicant, if not Council, and if the amending bylaw provides for one or more District designation changes to:
    - (i) owners of land subject to proposed redesignation;
    - (ii) owners of adjacent land;
    - (iii) the Town of Rocky Mountain House in accordance with any policies regarding referral in an intermunicipal development plan or other joint planning agreement;
    - (iv) any other adjacent municipality if the land subject of the redesignation is within 0.8 kilometres (0.5 miles) of the municipality;
    - (v) any other authorities who, in the opinion of the Development Officer, may be affected.
- (6) A notice of the public hearing must contain:
  - (a) a statement of the general purpose of the proposed bylaw;
  - (b) the date, time and place of the public hearing;
  - (c) the address where a copy of the proposed bylaw and any document related thereto or to the public hearing may be inspected.
- (7) In the case of an amendment to change the district designation of a parcel of land, in addition to the requirements of subsection (10), the notice shall also contain:

- (a) the municipal address, if any, and the legal address of the parcel of land;  
and
  - (b) a map showing the location of the parcel of land.
- (8) In the Public Hearing, Council:
- (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council; and
  - (b) may hear any other person who wishes to make representation and whom the Council agrees to hear.
- (9) After giving consideration to the representation made to it at the public hearing, the Municipal Development Plan and any Intermunicipal Development Plan or other statutory plan affecting the proposed bylaw, and any other matters it considers appropriate, Council may:
- (a) pass the bylaw;
  - (b) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing;
  - (c) refer the bylaw for further information or comment to any person or authority Council desires to refer the bylaw to; or
  - (d) defeat the bylaw.
- (10) After third reading of an amending bylaw, the Development Officer shall send a copy of the bylaw to:
- (a) the applicant;
  - (b) the owner(s) of land if not the applicant; and
  - (c) an adjacent municipality if it received notice pursuant to this section.
- (11) In this section, owner means the person shown as the owner of land on the assessment roll prepared pursuant to the Act.
- (12) If an application to amend this Bylaw for a change in a land use designation is refused, the Development Officer may refuse to accept a subsequent application for a change in the land use designation to the same parcel of land until a period of 6 months has expired unless, in the opinion of the Development Officer, the circumstances of the application have changed significantly.
- (13) If the subdivision or development for which land was redesignated does not occur within one year of the date of passage of the bylaw that redesignated the land, Council may initiate a bylaw to redesignate the land back to its former district.

- (14) The Development Officer shall maintain an accurate and up-to-date file of amendments to this Bylaw and, within 30 days of adoption of any amending Bylaw, ensure that such amendment is effected to copies of the Bylaw in regular usage by councillors, members of committees, employees and advisors of the Municipality.

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## PART THIRTEEN: LAND USE DISTRICTS

### 13.1 Establishment of Districts

- (1) For the purpose of this Bylaw, Clearwater County is divided into the following districts:
  - (1) Agriculture District "A"
  - (2) Extensive Intensive Agriculture District "IA"
  - (3) Country Residence District "CR"
  - (4) Country Residence Agriculture District "CRA"
  - (5) Industrial District "I"
  - (6) Light Industrial District "LI"
  - (7) Hamlet Commercial District "HC"
  - (8) Hamlet Residential District "HR"
  - (9) Institutional District "P"
  - (10) Recreation Facility District "RF"
  - (11) Leisure Residence District "LR"
  - (12) Highway Development District "HD"
  - (13) Manufactured Home Park District "MHP"
  - (14) Forestry District 1 "F1"
  - (15) Forestry District 2 "F2"
  - (16) Country Residential Minor Industrial District "CRMI"
  - (17) Nordegg Rural Residence District "NRR"
  - (18) Nordegg Tourist Recreation District "NTR"
  - (19) Nordegg Medium Density Housing District "NR-2"
  - (20) Nordegg Leisure Residence District "NLR"
  - (21) Nordegg Public and Institutional "NPI"
  - (22) Nordegg Service Commercial "NSC"
  - (23) Nordegg Industrial District "NI"
  - (24) Saunders Alexo District "SA"
  - (25) Shunda Goldeye District "SG"
  - (26) Bighorn Canyon District "BC"
  - (27) Whitegoat Lakes District "WL"
  - (28) Direct Control District "DC"
  - (29) Public Airport District "PA"
  - (30) Recreation Residential District "RR"
  - (31) Residential Estate District "RE"
  
- (2) For each district the purposes, permitted and discretionary uses of land, and district regulations are as established in Section 13.4.

- (3) In each district development may only take place for the permitted and discretionary uses specified in Section 13.4 ~~except as~~ unless otherwise provided for in Section 3.2 and Section 3.5(3).
- (4) In each district the standard of development shall be greater than the minimum and less than the maximum laid out in Section 13.4 although Section 3.9(1) applies.

### **13.2 Boundaries**

- (1) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map Sheets in Section 15(1) and the District Map Schedules in Section 15(2) ~~and on the detailed district descriptions being Schedule A.1 and Schedule A.2 of this Bylaw.~~
- (2) Where uncertainty exists as to the boundaries of the districts as shown on the District Maps and District Descriptions, the following rules shall apply:
  - (a) a boundary shown as approximately following the boundary of a parcel of land shall be deemed to follow that parcel of land boundary; and
  - (b) a boundary, which does not follow the boundary of a parcel of land, shall be determined by measurements directly from the Land Use District Map; but
  - (c) where there remains uncertainty or disagreement as to the location of the boundary Council, either on its own motion or upon an application being made to Council by any person requesting the determination of the exact location of a boundary, shall fix and determine the portion of the boundary in dispute.
- (3) If an application of the rules in subsection (2) do not satisfactorily determine the exact location of a district, the Municipality, either on its own 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.
- (4) The boundaries for those isolated and individual land use districts which are not plotted on maps in Part Fifteen: Land Use District Maps ~~in Schedule A.1~~ are as ~~described in Schedule A.2 of this Bylaw and~~ registered in the Alberta Land Titles Office.
- (5) All roads and railway lines are excluded from the Land Use Districts established under this Bylaw. However, when a road is closed by bylaw or the change in ownership of a portion of a closed railway line is registered in the Land Titles Office, the land forming the closed road or railway line shall automatically revert to the Agricultural District, except where the title to the land is

consolidated with adjacent land whereby it shall automatically revert to the District for which that adjacent land was already designated.

### **13.3 Crown Land Transferred to Private Ownership**

- (1) If the Province of Alberta or Government of Canada transfers Crown land to private ownership the affected land, unless otherwise designated by the County, shall immediately be deemed to lie within the Agriculture "A" District and not require a formal amendment to this Bylaw provided that the development and/or use of the subject land meets the purpose of the Agricultural "A" District.

### **13.4 District Regulations**

~~Note: the following~~ Subsection 13.4(1) through 13.4(31) ~~(29)~~ are the ~~land use district~~ permitted and discretionary land uses and regulations for each land use district.



### 13.4 (1) AGRICULTURE DISTRICT "A"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AGRICULTURAL LAND USES AND TO CONSERVE PRESERVE GOOD AGRICULTURAL LAND.

#### A. PERMITTED USES

1. First residence and other related improvements:
  - ~~(a) on a lot being the first parcel subdivided out of a previously unsubdivided quarter section; or~~
  - ~~(b) on a severed parcel created through Municipal Development Plan Policy.~~
2. Farming and non-residential farm buildings
3. ~~First residence on a lot of 8 hectares (20 acres) or more, which existed prior to this Bylaw, which is assessed as farmland and used for agricultural purposes~~
- 4.3. Second residence on a lot that is 32 hectares (80 acres) or larger
- 5.4. ~~Confined feeding operations Intensive livestock operations that existed prior to the adoption of this Bylaw and meet the standards of a valid Certificate of Compliance on a lot that is 32 hectares (80 acres) or larger.~~

#### NOTE:

1. In the Agriculture District "A", farming and non-residential farm buildings and a first residence on a first residential parcel and fragmented parcel, the first residence on a lot of 8 hectares (20 acres) or more, which existed prior to this Bylaw, are "deemed approved" uses.
2. On a residential lot parcel in the Agriculture District "A", a minor agricultural pursuits for the exclusive enjoyment of the occupants is "deemed approved".

#### B. DISCRETIONARY USES

1. Ancillary building or use
2. Cemetery
3. Community hall/centre
4. Drive-in theatre
5. Gravel and sand pit
6. Highway maintenance yard
7. Petroleum refining, gas processing or related installations with a total enclosed or developed building or plant space of less than 930 square metres (10,000 sq. ft.)
8. Public utility: landfill, waste transfer and associated facilities, sewage lagoon and other sewage treatment facilities, water treatment plant and associated facilities, public utility building

9. Radio, television and other communications tower and related buildings not exceeding 75 square metres (800 sq. ft.)
10. Recreation facility: publicly owned
11. Recreation facility or use for a local and/or private clientele or club only and not occupying more than 1 hectare (2.5 acres)
12. Sod farm or tree farm
13. Greenhouse with a floor area of less than 100 square metres (1,100 sq. ft.) or such larger area subject to the discretion of the Development Officer.
14. Guest house

C. DISCRETIONARY USES allowed in this District ONLY where Incidental or Subordinate to the Principal Use of the lands contained in the current Certificate of Title.

- ~~1.~~ First residence on a lot of less than 8 hectares (20 acres) which is assessed as farmland and used for agricultural purposes
- ~~2.~~1. Second and additional residences on a lot on which all of the requirements of Section 6.6 are satisfied
- ~~3.~~2. Abattoir
- ~~4.~~3. Airport or heliport occupying 2 hectares (5 acres) or less
- ~~5.~~4. Agricultural equipment service and sales
- ~~6.~~5. Auto-wreckers providing proper screening is employed
- ~~7.~~6. Dude ranch or vacation farm
- ~~8.~~7. Farm subsidiary occupation
- ~~9.~~8. Game farming or game ranching for viewing, tourism or recreational purposes
- ~~10.~~9. Home occupation
- ~~11.~~10. Kennel
- ~~12.~~11. Market gardening
- ~~13.~~12. Off-parcel drainage works
- ~~14.~~13. Riding or roping and livestock showing stable or arena
- ~~15.~~14. Sawmill or postmill with annual volume of at least 530 cubic metres (1/4 million board feet) of standing timber
- ~~16.~~15. Sod farm
- ~~17.~~16. Top soil stripping and sales
- ~~18.~~17. Tradesperson's business, including contractors for plumbing, heating, electrical carpentry, auto-body, mechanical, masonry, excavation, construction, trucking and the like.
- ~~19.~~18. Unoccupied and unserviced manufactured home storage (one only)
- ~~20.~~19. Veterinary clinic
- ~~21.~~20. Zoo

D. MINIMUM LOT AREA

1. Except as provided for in subsections 2 & 3, the acceptable lot size is all of the land contained in an existing lot unless otherwise approved by the Development Officer subject to:
  - (a) The new lot being used exclusively for the approved development; and
  - (b) The developer entering into an agreement and/or Letter of Undertaking with the Municipality regarding placing the intended use or development on the proposed lot.

~~except no lot may be less than 4 hectares (10 acres).~~
- ~~2. For~~ Regarding a first residential parcel subdivided out of an previously unsubdivided quarter section or out of the largest agricultural parcel within a previously subdivided quarter section that does not already contain a residential subdivision: ~~(Municipal Development Plan Policy); the acceptable lot size is 1 to 2.84 hectares (2.5 to 7 acres), however, the parcel size shall be the minimum required to accommodate the intended use.~~
  - (a) Where the first residential parcel would include all or part of an existing farmstead, the parcel size shall not be less than 0.91 hectares (2.25 acres) or exceed a maximum of 2.83 hectares (7 acres) unless a larger parcel is deemed necessary by the Subdivision Authority to encompass existing residential amenities and facilities, such as shelter belts, wastewater and water services and driveways; and
  - (b) Where the first residential parcel would not include the removal of an existing farmstead, the parcel size shall not be less than 0.91 hectares (2.25 acres) or exceed a maximum of 2.02 hectares (5.00 acres) and the provisions of Part 8 of this Bylaw.
- ~~3. For a parcel created by severance (Municipal Development Plan Policy) the minimum parcel size is 1.0 hectare (2.5 acres).~~

E. MINIMUM DEPTH OF FRONT YARD

As required and/or approved pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

F. MINIMUM WIDTH OF SIDE YARD

15 metres (50 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

15 metres (50 feet) unless otherwise approved by the Development Officer.

NOTE: Lots created prior to this Bylaw coming into effect and not able to comply with the foregoing shall meet setback limits as determined by the Development Officer.

H. LANDSCAPING

1. In addition to other provisions of this Bylaw, the Development Officer may require landfill sites, gravel and sand pits, sewage facilities and other visually offensive uses to be screened from view with vegetation and/or other screening of a visually pleasing nature.
2. Reclamation to standards acceptable to the Development Officer may be required following abandonment of all or any portion of a gravel or sandpit, sawmill or other land surface disturbing operation.

### 13.4 (2) ~~EXTENSIVE~~ INTENSIVE AGRICULTURE DISTRICT "IA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE ~~EXTENSIVE~~ INTENSIVE AGRICULTURAL USES ON PARCELS OF LESS THAN 32 HECTARES (80 ACRES).

#### A. PERMITTED USES

1. Farming and non-residential farm buildings
2. First residence ~~on a lot 8 hectares (20 acres) or more which is assessed as farmland and used for agricultural purposes.~~

NOTE: In any "IA" District farming and non-residential farm buildings and, the ~~first residence on a lot of 8 hectares (20 acres) or more~~ are "deemed approved".

#### B. DISCRETIONARY USES

1. Ancillary building or use
2. Market gardening
3. Public utility: landfill, waste transfer and associated facilities, sewage lagoon and other sewage treatment facilities, water treatment plant and associated facilities, public utility building
4. Sod farming
5. Tree farming or nursery
6. Radio, television and other communications tower and related buildings not exceeding 75 square metres (800 sq. ft.)
7. Riding or roping and livestock showing stable or arena
8. Greenhouse with a floor area of less than 100 square metres (1,100 sq. ft.) or such larger area subject to the discretion of the Development Officer
9. Guest house

#### C. DISCRETIONARY USES allowed in this District ONLY where incidental or subordinate to the principal use of the lands contained in the current CERTIFICATE OF TITLE

- ~~1.~~ ~~First residence on a lot less than 8 hectares (20 acres)~~
- ~~2-1.~~ Second residence and additional on that lot on which all of the requirements of Section 6.6 are satisfied
- ~~3-2.~~ Abattoir
- ~~4-3.~~ Dude ranch or vacation farm
- ~~5-4.~~ Farm subsidiary occupation
- ~~6-5.~~ Home occupation
- ~~7-6.~~ Kennel
- ~~8-7.~~ Off parcel drainage works

- ~~9~~.8. Sawmill or postmill with an annual volume of at least 530 cubic metres (1/4 million board feet) of standing timber
- ~~10~~.9. Topsoil stripping for sale
- ~~11~~.10. Tradesperson's business including contractors for plumbing, heating, electrical, carpentry, masonry, mechanical, autobody, excavation, construction, trucking and the like
- ~~12~~.11. Unoccupied and unserviced manufactured home storage (one only)
- ~~13~~.12. Veterinary clinic

D. MINIMUM LOT AREA

All of the land contained in an existing lot on which the development exists or is proposed unless otherwise approved by the Development Officer, subject to:

1. The new lot being used exclusively for the approved development, and the new lot having a minimum size of 8.1 hectares (20 acres), and
2. The developer entering into an agreement and/or a Letter of Undertaking with the Municipality regarding placing the intended use or development on the proposed lot.

E. MINIMUM DEPTH OF FRONT YARD

As required and/or approved pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

F. MINIMUM WIDTH OF SIDE YARD

15 metres (50 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

15 metres (50 feet) unless otherwise approved by the Development Officer.

NOTE: Lots created prior to this Bylaw coming into effect and not able to comply with the foregoing shall meet setback limits as determined by the Development Officer.

H. LANDSCAPING

1. In addition to other provisions of this Bylaw, the Development Officer may require landfill sites, gravel and sand pits, sewage facilities and other visually offensive uses to be screened from view with vegetation and/or other screening of a visually pleasing nature.
2. Reclamation to standards acceptable to the Development Officer may be required following abandonment of all or any portion of a gravel or sand pit, sawmill or other land surface disturbing operation.



### 13.4 (3) COUNTRY RESIDENCE DISTRICT "CR"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE ~~COUNTRY RESIDENCES~~ TRADITIONAL COUNTRY RESIDENTIAL PARCELS WHILE NOT PERMITTING ANY AGRICULTURAL PURSUITS.

#### A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings

#### B. DISCRETIONARY USES

1. Home occupation
2. Local community centre or hall
3. Manufactured home in a grouped "CR" subdivision intended for manufactured homes or on an isolated "CR" lot.
4. Minor agricultural uses only as provided for in Section 3.2(1)
5. Playground and/or other outdoor recreation facilities to serve this district
6. Public building or use required to serve this district
7. Residential shop
8. Guest house

#### C. ACCEPTABLE LOT SIZE

1. For residential use, ~~1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 metres (165 feet)~~ 0.91 to 1.46 hectares (2.25 to 3.6 acres) with a minimum mean lot width of 50 metres (165 feet), unless:
  - (a) an applicable statutory plan in accordance with Section 6.2.20 of the Municipal Development Plan provides for a parcel size between 1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 metres (165 feet), or
  - (b) the parcel was created prior to the adoption of the Municipal Development Plan, 1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 metres (165 feet).
2. For non-residential uses, the lot size shall be as required by the Development Officer subject to a minimum lot frontage of 30 metres (100 feet).

#### D. MINIMUM TOTAL FLOOR AREA

1. ~~One family Detached~~ dwelling: 100 square metres (1,000 sq. ft.) unless otherwise approved by the Development Officer.
2. Manufactured Home: 75 square metres (800 sq. ft.) unless otherwise approved by the Development Officer.

#### E. MINIMUM DEPTH OF FRONT YARD

7.5 metres (25 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

F. MINIMUM WIDTH OF SIDE YARD

5 metres (15 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

NOTE: Lots created prior to this Bylaw coming into effect and not able to comply with the foregoing shall comply with setbacks as determined by the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings, including manufactured homes added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Officer.
3. A manufactured home without permanent foundation shall have the undercarriage screened from view so as to complement the appearance of the manufactured home.
4. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main residence.

I. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 8 metres (26 feet) but ancillary buildings, not more than 5 metres (16 feet).

### 13.4 (4) COUNTRY RESIDENCE AGRICULTURAL DISTRICT "CRA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE ~~THE DEVELOPMENT OF~~ TRADITIONAL COUNTRY RESIDENTIAL AGRICULTURE PARCELS WITH MINOR AGRICULTURAL PURSUITS.

#### A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings

NOTE: Minor agricultural pursuits for the exclusive use and enjoyment of the occupants of a lot or for the routine care and upkeep of the lot are "deemed approved" uses.

#### B. DISCRETIONARY USES

1. Home occupation
2. Livestock shelter ancillary to a permitted use
3. Local community centre or hall
4. Manufactured home in a grouped subdivision intended for manufactured homes or on an isolated "CRA" lot
5. Playground or outdoor recreation facility to serve this district
6. Public building or use required to serve this district
7. Tradeperson's business carried out in a building independent of the residence and not exceeding 75 square metres (800 sq. ft.) nor employing assistants who are not part of the immediate household
8. Greenhouse with a floor area less than 100 square metres (1,100 sq. ft.) on an isolated "CRA" lot or such larger area subject to the discretion of the Development Officer
9. Guest house
10. Residential shop

#### C. ACCEPTABLE LOT SIZE

1. For residential use, ~~1.62 – 2.83 Hectares (4 to 7 acres) with a minimum mean lot width of 50 metres (165 feet),~~ 1.46 to 2.02 hectares (3.6 to 5.0 acres) unless:
  - (a) an applicable statutory plan in accordance with Section 6.2.20 of the Municipal Development Plan provides for a parcel size between 1.62 to 2.83 hectares (4 to 7 acres) with a minimum mean lot width of 50 metres (165 feet), or
  - (b) if the parcel was created prior to the adoption of the Municipal Development Plan, 1.62 to 2.83 Hectares (4 to 7 acres) with a minimum mean lot width of 50 metres (165 feet).

2. For non-residential uses, the lot size shall be as required by the Development Officer subject to a minimum lot frontage of 30 metres (100 feet).

NOTE: No lot created as a "CR" lot prior to or as a part of this Bylaw coming into effect may be redesignated as a "CRA" lot except as provided for in an area structure plan.

D. MINIMUM TOTAL FLOOR AREA

1. ~~One-family~~ Detached dwelling: 95 square metres (1000 sq. ft.) unless otherwise approved by the Development Officer.
2. Manufactured Home: 75 square metres (800 sq. ft.) unless otherwise approved by the Development Officer.

E. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

F. MINIMUM WIDTH OF SIDE YARD

7.5 metres (25 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

NOTE: Lots created prior to this Bylaw coming into effect and not able to comply with the foregoing shall comply with setbacks as determined by the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings, including manufactured homes added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Officer.
3. A manufactured home without permanent foundation shall have the undercarriage screened from view so as to complement the appearance of the manufactured home.
4. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main residence.

I. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 8 metres (26 feet) but ancillary buildings, not more than 5 metres (16 feet).

### 13.4 (5) INDUSTRIAL DISTRICT "I"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE INDUSTRIAL OPERATIONS APPROPRIATE FOR RURAL LOCATIONS.

#### A. PERMITTED USES

1. Farming

#### B. DISCRETIONARY USES

1. Abattoir
2. Agricultural supply depot
3. Airport and related buildings and facilities
4. Ancillary building and uses
5. Asphaltic mix manufacture
6. Auction mart, livestock sales yard and related holding pens
7. Auto-wrecking and salvage
8. Construction camp (temporary)
9. Electricity generating facility
10. Fertilizer manufacture, storage and sales
11. Grain milling, cleaning, drying and elevator
12. Gravel and sand pit, crushing, screening and washing
13. Heavy industry contractors
14. Industrial equipment storage
15. Manufacturing and processing plants occupying at least 500 square metres (5,500 sq. ft.) of enclosed or developed plant space
16. Mining, quarrying and primary processing of mined products
17. Petroleum refining or gas processing and upgrading plants or related installations
18. Public works garage and maintenance facilities
19. Public utility building or facility required to serve this district
20. Railway trackage and related installations
21. Radio, television, and other communications tower and related buildings not exceeding 75 square metres (800 sq. ft.)
22. Redi-mix concrete plant
23. Sales secondary to the principal use on a lot.
24. Security or gatekeepers residence
25. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
26. Tannery or taxidermy
27. Timber and lumber milling and storage
28. Tradesperson's business, including contractors for plumbing, heating, electrical, carpentry, masonry, mechanical, auto-body, excavation, construction, trucking and the like



- 29. Veterinary clinic and animal shelter
- 30. Warehouse

C. MINIMUM LOT SIZE

1 hectare (2.5 acres) unless otherwise approved by the Development Officer.

D. MINIMUM TOTAL FLOOR AREA

185 square metres (2,000 sq. ft.) or as required by the Development Officer except for manufacturing and processing plants.

NOTE: Adding multiples of industrial uses into one building or onto one site are not an accepted means of achieving the minimum floor area.

E. MINIMUM DEPTH OF FRONT YARD

1. 15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.
2. Where there is a service road next to a primary highway, the minimum front yard depth shall be determined by the Development Officer.

F. MINIMUM WIDTH OF SIDE YARD

3 metres (10 feet) except for a corner parcel where the minimum side yard adjacent to a public road shall be determined as though it were a front yard, although Section 20.2 applies.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

NOTE:

1. Existing lots which cannot comply with the foregoing and created prior to this Bylaw coming into effect shall meet setback requirements as determined by the Development Officer.
2. An industrial development having characteristics which are offensive due to noise, dust, odor or appearance may be required to locate at a greater distance from any property line than stated in subsections E, F and G, at the discretion of the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.

I. LANDSCAPING

1. In addition to other provisions of this Bylaw, any approved use may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
2. Reclamation to standards acceptable to the Development Officer may be required following the abandonment of all or any portion of a gravel or sand pit, sawmill or other land surface disturbing operation.

### 13.4 (6) LIGHT INDUSTRIAL DISTRICT "LI"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND TO REGULATE SMALL TO MEDIUM SCALE INDUSTRIAL OPERATIONS.

#### A. PERMITTED USES

1. Farming

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Auction mart
3. Auto-wrecking and salvage yard
4. Bulk fuel, oil, fertilizer, feed and chemical storage and sales
5. Consignment, rental, sales and storage of industrial/agricultural equipment, vessels, structures, vehicles, tanks and pipe
6. Farm implement dealership
7. Industrial/agricultural fabrication and machining operations
8. Industrial/agricultural trucking and related facilities, including but not limited to storage, warehousing and maintenance and repair
9. Kennels for boarding and breeding
10. Maintenance and repair of industrial/agricultural equipment
11. Recycling depot
12. Redi-mix concrete plant
13. Security suite as part of the main building
14. Temporary work camp
15. Veterinary clinic and animal shelter

#### C. MINIMUM LOT SIZE

1 hectare (2.5 acres) unless otherwise approved by the Development Officer.

#### D. MINIMUM TOTAL FLOOR AREA

Ancillary buildings - Suitable and appropriate for the intended use.  
All other development - At the discretion of the Development Officer

#### E. MAXIMUM TOTAL FLOOR AREA

As determined by the Development Officer.

#### F. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

Where there is a service road next to a primary highway, the minimum front yard depth shall be determined by the Development Officer.

- G. MINIMUM WIDTH OF SIDE YARD  
3 metres (10 feet), except for a corner parcel, where the minimum side yard adjacent to a public road shall be determined as though it were a front yard, although Section 6.4 applies.
- H. MINIMUM DEPTH OF REAR YARD  
7.5 metres (25 feet) unless otherwise approved by the Development Officer.
- I. MAXIMUM HEIGHT OF BUILDINGS  
As determined by the Development Officer.
- J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS  
New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.
- K. LANDSCAPING & SCREENING  
In addition to any other provisions of this Bylaw, any approved use may be subject to screening of a visually pleasing nature as required by the Development Officer

### 13.4 (7) HAMLET COMMERCIAL DISTRICT "HC"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO REGULATE COMMERCIAL DEVELOPMENT WITHIN HAMLETS.

#### A. PERMITTED USES

1. Bus depot
2. Cold storage facility
3. Gasoline service station
4. Motel, hotel, licensed premises
5. Pool hall
6. Post office
7. Restaurant, coffee shop or cafe
8. Retail shop or store

#### B. DISCRETIONARY USES

1. Arcade
2. Automobile sales
3. Bulk oil and gasoline sales
4. Community centre/hall
5. Curling rink
6. Dwelling unit ancillary and subordinate to the principal use provided it is incorporated in the same building and the total floor area of the dwelling unit is less than the floor area used for other purposes
7. Fire hall
8. Government office
9. Grain elevator
10. Hockey/ice arena
11. Laundromat
12. Professional office
13. Public utility building or use
14. Storage, display and sales lot
15. Tradesman's shop
16. Other similar commercial, professional and public or quasi-public buildings or uses approved by the Development Officer

#### C. MINIMUM LOT AREA

1. 300 square metres (3,500 sq. ft.) with a frontage width of at least 10 metres (35 feet).
2. Where no side yards are required, 225 square metres (25 sq. ft.) with a frontage width of at least 7.5 metres (25 feet).

#### D. MINIMUM TOTAL FLOOR AREA

As required by the Development Officer subject to the provision of required off-street parking.

E. MINIMUM DEPTH OF FRONT YARD

As approved by the Development Officer.

F. MINIMUM WIDTH OF SIDE YARD

1. As approved by the Development Officer except there shall be no side yard on a side which abuts an adjacent building that is placed directly on its property line.
2. For a corner parcel, the side yard adjacent to a public road shall be determined pursuant to Section 6.4.

G. MINIMUM DEPTH OF REAR YARD

6 metres (20 feet) unless otherwise approved by the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.

I. LANDSCAPING

Development approval may be made subject to landscaping to a standard acceptable to the Development Officer.

J. OFF-STREET PARKING

As stated in this Bylaw unless otherwise approved by the Development Officer.



### 13.4 (8) HAMLET RESIDENTIAL DISTRICT "HR"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT AND REGULATE RESIDENTIAL DEVELOPMENT WITHIN HAMLETS.

#### A. PERMITTED USES

1. ~~One-family Detached~~ dwelling, except on public land
2. Ancillary buildings

#### B. DISCRETIONARY USES

1. Boarding or lodging house
2. Community hall or club
3. Duplex
4. Social care facility
5. Home occupation
6. Manufactured home
7. Multiple housing: apartment, ~~duplex~~, fourplex, townhouse, rowhouse
8. Park and/or public open space
9. Playground and/or other outdoor recreation uses
10. Public or quasi-public use ~~carried on secondary to the residential use~~

#### C. MINIMUM LOT AREA

1. For ~~one-family detached dwellings~~ or manufactured homes on lots that:
  - (a) are not served by a ~~communal public sewage-collection wastewater system~~ ~~or and not~~ by a communal public water distribution system, an area of at least 1,850 square metres (~~20,000~~ 19,915 sq. ft.) with a width of at least 30 metres (100 feet);
  - (b) are served by a communal public water distribution system but not a ~~communal public sewage-collection wastewater~~ system, an area of at least ~~140~~ 1,400 square metres (~~1,500~~ 15,070 sq. ft.) with a width of at least 30 metres (100 feet);
  - (c) are served by a communal wastewater system but not a communal water distribution system, an area of at least 930 square metres (10,000 sq. ft.) with a width of at least 30 metres (100 feet);
  - (d) are served by a communal ~~public sewage-collection wastewater~~ system and a communal public water distribution system, an area of at least 465 square metres (5,000 sq. ft.) with a width of at least 30 metres (100 feet).
2. A lot ~~Lots~~ intended to be used as a site for townhouse or rowhouse dwelling units must be served by a ~~communal public sewage-collection wastewater~~ system and a communal public water distribution system and have sufficient size to accommodate a dwelling unit not less than 6 metres (20 feet) wide, and a yard that will provide:

- (a) for each end unit, an area of at least 275 square metres (3,000 sq. ft.) and a depth of at least 30 metres (100 feet);
  - (b) for each internal unit, an area of at least 185 square metres (2,000 sq. ft.) and a depth of at least 30 metres (100 feet).
3. A lot intended to be used for a multiple dwelling unit building must be served by a communal ~~public sewage collection~~ wastewater system and have an area that is at least 1.3 times the total floor area of the building and:
- a) meet setbacks as specified below; and
  - b) supply at least 1.5 off-street parking stalls per dwelling unit, none of which may be in the front yard.
4. For all other uses, the minimum lot size is as required by the Development Officer subject to the width being at least 7.5 metres (25 feet).

NOTE: Existing lots which cannot comply with the foregoing and created prior to this Bylaw coming into effect are not subject to the foregoing, but are subject to all other limits stated under this section.

D. MINIMUM GROUND FLOOR AREA FOR RESIDENTIAL UNITS

- 1. 75 square metres (800 sq. ft.) on all lots 15 metres (50 feet) wide
- 2. 55 square metres (600 sq. ft.) on lots less than 15 metres (50 feet) wide except manufactured homes on lots 7.5 metres (25 feet) wide which shall be as approved by the Development Officer.

E. MINIMUM DEPTH OF FRONT YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

F. MINIMUM WIDTH OF SIDE YARD

1.5 metres (5 feet) except in the case of a corner site where the side yard adjacent to a public road shall be determined pursuant to Section 6.4

G. MINIMUM DEPTH OF REAR YARD

1.5 metres (5 feet) except in the case of a corner site where the side yard adjacent to a public road shall be determined pursuant to Section 6.4

H. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 8 metres (26 feet) but ancillary buildings not more than 5 metres (16 feet)

I. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

- 1. All buildings, including manufactured homes added to a lot shall be new unless otherwise approved by the Development Officer.

2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards to the satisfaction of the Development Officer.
3. A manufactured home without permanent foundation shall have the undercarriage screened from view so as to complement the appearance of the manufactured home.
4. Ancillary structures and additions shall be ~~fabricated so as~~ designed so as to complement the main residence.

### 13.4 (9) INSTITUTIONAL DISTRICT "P"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT AND REGULATE THE DEVELOPMENT OF PRIVATE OR PUBLIC FACILITIES INTENDED TO PROVIDE CULTURAL, SOCIAL, RELIGIOUS, EDUCATIONAL OR REHABILITATIVE SERVICES.

#### A. PERMITTED USES

1. Farming, except intensive agriculture

#### B. DISCRETIONARY USES

1. Arts or culture centre
2. Buildings for cooking, dining, assembly, crafts and recreation
3. Church, without manse within hamlets
4. Church, with or without one attached manse outside of hamlets
5. Cemetery
6. Correction, detention or remand facilities
7. Detached manse associated with a church on the same lot
8. Social care facility
9. Guest and patron lodge or cabins associated with a permitted use
10. Institutional, religious or private youth camp, retreat or outdoor education facility
11. Keeping of livestock for use in association with a permitted use including shelters and enclosures for the same
12. Museum
13. Private campground facilities for parking holiday trailers/recreation vehicles occupied by guests or temporary staff involved with a permitted use for periods of 30 days or less
14. Public or private open space
15. Public or quasi-public building in character with one or more of the approved uses
16. School or college whether public or private
17. Single family residence if ancillary to the principal use
18. Other ancillary buildings or uses

#### C. ALLOWABLE LOT AREA

1 to 4 hectares (2.5 to 10 acres), unless otherwise approved by the Development Officer except in hamlets where lots shall be at least 300 square metres (3,500 sq. ft.) and have a frontage width of at least 10 metres (35 feet).

#### D. MINIMUM TOTAL FLOOR AREA

As required by the Development Officer.

E. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

NOTE: Existing lots which cannot comply with the foregoing and created prior to this Bylaw coming into effect shall meet setback requirements as determined by the Development Officer.

F. MINIMUM WIDTH OF SIDE YARD

3 metres (10 feet) except in the case of a corner site where the side yard adjacent to a public road may be determined pursuant to Section 6.4.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall, where reasonable, complement the natural features of the site to the satisfaction of the Development Officer.
3. Ancillary structures and additions shall be ~~fabricated so as~~ **designed** to complement the main building.

I. MAXIMUM ALLOWABLE DENSITY

As approved by the Development Officer.

J. OFF-STREET PARKING

As stated in this Bylaw unless otherwise approved by the Development Officer.

K. LANDSCAPING

1. Approval to develop may be made subject to the Development Officer accepting a landscaping plan.
2. The Development Officer may require measures to retain natural vegetation and to protect sensitive soils on the site.
3. Any development may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
4. Where two or more buildings are located on a lot, the separation of distances between them may be at the discretion of the Development Officer.

5. For any developed area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 65% of the total lot, unless otherwise approved by the Development Officer.

### 13.4 (10) RECREATION FACILITY DISTRICT "RF"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE THE DEVELOPMENT OF MAJOR OR INTENSIVE RECREATIONAL BUILDINGS AND USES

#### A. PERMITTED USES

1. Equestrian and other riding facilities, including trails, stables and enclosures for horses and tack
2. Farming, except intensive agriculture
3. Picnic grounds
4. Playground
5. Natural or landscaped open space
6. Skiing (cross-country) development
7. Sports field

#### B. DISCRETIONARY USES

1. Amusement park
2. Ancillary buildings and uses
3. Arts and crafts centre
4. Clubhouse
5. Commercial guest cabins either with attached or detached bathroom and kitchen facilities
6. Commercial guest lodge having one or more buildings either with attached or detached bathroom and kitchen facilities
7. Convenience or confection store to serve the principal use
8. Downhill ski facility
9. Dude ranch or vacation farm
10. Exhibition grounds
11. Food concession
12. Game or wild animal park for viewing and tourism purposes only
13. Golf course and/or driving range
14. Holiday trailer/recreation vehicle park or campground approved specifically as being a commercial, condominium, public or time-shared facility
15. Hostel having one or more buildings either with attached or detached bathroom and kitchen facilities
16. Integrated recreation/tourist resort
17. Intensive recreation facility and/or use appropriate in a rural area
18. Marina and associated facilities
19. Miniature golf and/or go-cart track
20. Motor-cross, BMG and stockcar tracks
21. Off-road vehicle area and trails development



22. Open air skating rink
23. Outdoor theatre
24. Pro-shop if ancillary to a principal use of land or buildings
25. Public utility building to serve this district
26. Public washrooms to serve this district
27. Recreation equipment rental and sales associated with principal use
28. Recreation equipment storage facilities
29. Residence for manager or custodian, if ancillary to the principal use or building
30. Residence of a temporary and portable type ancillary to an approved concession and not to exceed 30 square metres (300 sq. ft.)
31. Restaurant and/or beverage lounge ancillary to a principal use
32. Riding and equestrian facility
33. Rifle range
34. Sewage lagoon and treatment to serve this district
35. Shower and laundry facility
36. Skeet and trap facility
37. Swimming pool if ancillary to a principal use
38. Tennis court if ancillary to a principal use
39. Waterslide
40. Zoo
41. Other recreation structures, facilities and uses similar in type or function to a named permitted or discretionary use in this district and appropriate in a rural area

C. MINIMUM LOT AREA

As required by the Development Officer, but not less than 1 hectare (2.5 acres).

D. MINIMUM TOTAL FLOOR AREA

1. 35 square metres (350 sq. ft.) for a detached guest cabin without kitchenette.
2. 40 square metres (430 sq. ft.) for a detached guest cabin with kitchenette and otherwise as required by the Development Officer.

E. MAXIMUM TOTAL FLOOR AREA

For public utility building: as required by the Development Officer, but not in excess of 75 square metres (800 sq. ft.). For a detached guest cabins: as required by the Development Officer, but not in excess of 85 square metres (900 sq. ft.).

F. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

G. MINIMUM WIDTH OF SIDE YARD

3 metres (10 feet) except for a corner parcel where the minimum side yard adjacent to a public road shall be determined as though it were a front yard.

H. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

NOTE: Existing lots which cannot comply with the foregoing and created prior to this Bylaw coming into effect shall meet set-back requirements as determined by the Development Officer.

I. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 8 metres (26 feet) unless otherwise approved by the Development Officer.

J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All permanent buildings and structures added to a lot shall be of new construction unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Officer.
3. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main building.
4. No basements are permitted for detached guest cabin.
5. Common sewage and water systems may be required for commercial and guest cabins and lodges at the discretion of the Development Officer.

K. LANDSCAPING

1. Approval to develop may be made subject to the Development Officer accepting a landscaping plan.
2. The Development Officer may require measures to retain natural vegetation and to protect sensitive soils on the site.
3. Any development may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
4. Where two or more buildings are located on a lot, the separation distances between them may be at the discretion of the Development Officer.
5. For any developed area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 60% unless otherwise approved by the Development Officer.

L. MAXIMUM ALLOWABLE DENSITY

1. The maximum number of public campsites that may be provided for tents, holiday trailers and recreation vehicles in a holiday trailer/recreation vehicle park shall be 20 sites per hectare (8 sites per acre). If more than 4 hectares (10 acres) are developed as a holiday trailer park, the maximum density shall be reduced to 17 sites per hectare (7 sites per acre). If a holiday trailer park has communal utility services, the density may be increased at the discretion of the Development Officer except 60% of the immediate site area shall remain in vegetated cover.
2. Each site intended to accommodate a single tent, holiday trailer or recreation vehicle shall be a minimum of 300 square metres (3,200 sq. ft.) and have a minimum width of 10 metres (33 feet). Where 2 or more tents, holiday trailers and/or recreation vehicles are intended to be accommodated together, the size of the site shall be increased by at least 50 square metres (500 sq. ft.) per additional unit.
3. Detached cabins for the accommodation of guests and clients shall not exceed 15 per hectare (6 per acre) unless otherwise approved by the Development Officer, but the site for each cabin shall be at least 300 square metres (3,200 sq. ft.) and a minimum width of 12 metres (40 feet). Where a detached guest cabin development is served by a piped sewer collection and/or water distribution system, the density will be as approved by the Development Officer although subsection K (5) above applies.

M. OFF STREET PARKING

As stated in this Bylaw except:

1. for any sports facility, one space for each pair of potential participants and one space for each four spectator seats;
2. for any multi-unit facility used for the overnight accommodation of guests or clients, one space for each bedroom or one space for each two potential - overnight guests or clients, whichever is greater.

N. PERIOD OF OCCUPANCY

1. For a hostel, guest lodge, cabin or holiday trailer/recreation vehicle park the maximum period of occupancy shall be 21 consecutive days for vacation/recreation use only.

### 13.4 (11) LEISURE RESIDENCE DISTRICT "LR"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT DEVELOPMENT OF PRIVATE, LEISURE RESIDENCES FOR LEISURE TIME USE/NON-CONTINUOUS OCCUPANCY.

#### A. PERMITTED USES

1. Leisure residence
2. Carport
3. Sundeck
4. Tool/wood shed

#### B. DISCRETIONARY USES

1. Ancillary uses and buildings
2. Removal of trees larger than 7.5 centimetres (3 inches) in diameter
3. Public utility building to serve this district
4. Public or private park or playground
5. Boathouse and dock
6. Condominiumized clustered leisure/recreation accommodation (private, commercial, time-shared or multiple interest in title)
7. Condominiumized holiday trailer/recreation vehicle park
8. Holiday trailer/recreation vehicle park complex on a parcel with multiple interests in title and time-shared or exclusive use provisions
9. Hot tub/sauna

#### C. PERMITTED LOT AREA AND DENSITY

1. For a grouped shoreland leisure residential subdivision there shall be a minimum of 0.2 hectares (0.5 acres) of land with a minimum frontage of 10 metres (33 feet) and an average width of not less than 25 metres (80 feet) for each residential lot.
2. There shall be 1 to 2 hectares (2.5 to 5 acres) of land with a minimum frontage of 30 metres (100 feet) and an average width of not less than 50 metres (165 feet) for each subdivided lot intended for a detached dwelling.
3. In addition to common property and/or public land that is allocated, there shall be 1 to 2 hectares (2.5 acres) of land with a frontage of at least 30 metres (100 feet) for each exclusive use site in a condominiumized bare land detached leisure residence development.
4. In addition to common property and/or public land that is allocated, there shall be 1 to 2 hectares (2.5 acres) of land with a frontage of at least 30 metres (100 feet) for each exclusive use site, in a development intended to accommodate holiday trailers/recreation vehicles on large, dispersed lots created by subdivision, condominium or multiple interest in title.

5. For a public utility building the lot area shall be as required by the Development Officer.
6. The maximum number of dispersed building sites or lots which may be created in a leisure residence complex is 1 for each 2.5 hectares (6.25 acres) of land in the original parcel affected by the development (25 lots per quarter section).
7. Where it is intended that an attached or clustered leisure residence complex or a holiday trailer/recreation vehicle park complex is to be developed as a bare land condominium, or where a holiday trailer/recreation vehicle park is to be developed on a parcel having multiple interests in title, not more than 4 hectares (10 acres) may be developed in any quarter section. A total of not more than 50 leisure residence units or 80 holiday trailer/recreation vehicle sites may be developed in any quarter section. On a smaller parcel the number shall be proportionately less (6.25% of the total area or 0.75 attached or clustered units per hectare (2.5 acres) of land in the total parcel or 1.25 holiday trailers/ recreation vehicles per hectare (2.5 acres) of land in the total parcel).
8. Where some combination of attached, detached and holiday trailer park development is intended on lands to be developed as a bare land condominium or having multiple interests in title, the total maximum number of units shall be reduced by two attached units or four RV units or equivalent proportions of the two for every detached unit included.
9. Not less than five units shall be approved in any attached leisure residence or holiday trailer/recreation vehicle park complex developed as a bare land condominium or having multiple interests in title.

D. MAXIMUM FLOOR AREA

For detached dwellings:

1. 85 square metres (900 sq. ft.) main floor;
2. 90 square metres (1,000 sq. ft.) total if two floors.

For attached leisure residence units:

1. as approved by the Development Officer to a maximum of 85 square metres (900 sq. ft.).

E. MINIMUM FLOOR AREA

35 square metres (375 sq. ft.) for detached dwellings.

F. MINIMUM DEPTH OF FRONT YARD

7.5 metres (25 feet) for a shoreland leisure residence subdivision and otherwise 15 metres (50 feet) on an internal road or as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

- G. MINIMUM DEPTH OF REAR YARD  
7.5 metres (25 feet) unless otherwise approved by the MPC.
- H. MINIMUM WIDTH OF SIDE YARD  
1.5 metres (5 feet) for a shoreland leisure residence subdivision and otherwise 3.0 metres (10 feet) In the case of a corner site the width of the side yard adjacent to a public road shall be determined as though it were a front yard.
- I. MAXIMUM BUILDING HEIGHT  
Two stories or 9 metres (30 feet). Ancillary buildings no greater than 5 metres (16 feet).
- J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS
1. All permanent structures added to a lot shall be of new construction.
  2. The architecture, construction materials and appearance of buildings shall complement the natural features and character of the site.
  3. Basements are not permitted in this district.
  4. Common water distribution and sewage collection systems are required for a leisure residence complex consisting of attached dwelling units in this district.
  5. For a holiday trailer/recreation vehicle park complex in this district, a common sewage system serving each site shall be installed or else a pump-out sewage dumping facility shall be installed to serve the development at the discretion of the Development Officer. The density of development shall be reduced from 80 to 50 for a quarter-section parcel if a pump-out sewage dumping facility is installed.
- K. LANDSCAPING
1. Removal of trees **greater than** 7.5 centimetres (3 inches) **in** diameter and landscaping, other than to accommodate the principal building and access, requires a development permit.
  2. No fences, concrete walkways or hard surface driveways are permitted in front yards.
- L. OBJECTS RESTRICTED ON YARDS  
Not more than one dog over six months old is permitted in respect to any accommodation unit.
- M. PERIOD OF OCCUPANCY  
Not to exceed 60 consecutive or 150 total days per year.

### 13.4 (12) HIGHWAY DEVELOPMENT DISTRICT "HD"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO REGULATE DEVELOPMENT ADJACENT TO PUBLIC ROADS.

#### A. PERMITTED USES

1. Farming

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Commercial holiday trailer/recreation vehicle park or campground to serve the short stay needs of motorists rather than as destination sites for tourists
3. Government weigh scales
4. Highway maintenance building and equipment storage
5. Recreation facilities which, in the opinion of the Development Officer, provide appropriate services to motorists
6. Roadside rest stops and information kiosk
7. Service station, cafe, drive-in restaurant, motel and other commercial uses which, in the opinion of the Development Officer, provide appropriate services to motorists
8. Signs, where approved by Alberta Transportation or the Manager of Public Works, as the case may be
9. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
10. Residence for security purposes if ancillary to an approved use
11. Greenhouse with a floor area of less than 100 square metres (1,100 sq. ft.) or such larger area subject to the discretion of the Development Officer

#### C. MINIMUM LOT AREA

As approved by the Development Officer.

#### D. MINIMUM DEPTH OF FRONT YARDS

1. As required and/or approved pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.
2. As required by the Development Officer or the Alberta Transportation District Engineer, as the case may be, when adjacent to a service road which is adjacent to a public road.

#### E. MINIMUM WIDTH OF SIDE YARD

3 metres (10 feet) except for a corner parcel where the minimum side yard adjacent to a public road shall be determined as though it were a front yard.

#### F. MINIMUM DEPTH OF REAR YARD



As required by the Development Officer.

G. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.

H. LANDSCAPING

1. Fencing or screening with vegetation, earth berm or some other form of vision and sound barrier may be required.
2. Approval to develop may be made subject to the Development Officer accepting a landscaping plan.

### 13.4 (13) MANUFACTURED HOME PARK DISTRICT "MHP"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO PERMIT AND CONTROL MANUFACTURED HOME PARK DEVELOPMENT.

#### A. PERMITTED USES

1. Manufactured home park
2. Manufactured home park office
3. Common unroofed equipment storage yard
4. Playground
5. Public utility building to serve the manufactured home park

#### B. DISCRETIONARY USES

1. Ancillary buildings
2. Common laundry facilities
3. Common indoor storage buildings
4. Convenience store not larger than 75 square metres (800 sq. ft.)
5. Community centre to serve this district
6. Home occupation
7. One ~~conventional~~ detached dwelling for occupancy by the owner/manager of the park

#### C. MAXIMUM DENSITY

15 manufactured homes per hectare (6 per acre).

#### D. MINIMUM SIZE

2 hectares (5 acres) and 10 lots or such lesser amounts as required by the Development Officer.

#### E. MANUFACTURED HOME LOT SIZE

1. Lots designated for singlewide manufactured homes shall have a minimum area of 450 square metres (4,800 sq. ft.) and a minimum mean width of 15 metres (50 feet).
2. Lots designated for doublewide manufactured homes shall have a minimum area of 600 square metres (6,500 sq. ft.) and a minimum mean width of 20 metres (65 feet).
3. All manufactured home lots shall have a minimum frontage of 7.5 metres (25 feet) and a minimum depth of 30 metres (100 feet).

#### F. YARD REQUIREMENTS

1. The front yard of the manufactured home park shall be such that no building or structure other than a fence is less than 7.5 metres (25 feet) from

an internal roadway and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

2. The side and rear yards shall be such that no building or structure other than a fence is less than 3 metres (10 feet) from the property line of the manufactured home park.
3. Individual Lots:
  - (a) Front Yards: 4 metres (13 feet) from an internal roadway;
  - (b) Side Yards:
    - (i) each manufactured home shall be located to achieve a 5 metre (16 feet) side yard separation from another manufactured home and, except in an area designated as a “zero setback” site, no portion of a manufactured home or permanent building shall be closer than 1.5 metres (5 feet) from a side lot line;
    - (ii) in an area designated as a “zero setback” site, the manufactured home shall be located as stated above except no side yard is permitted on the “back” side of the manufactured home;
    - (iii) manufactured homes, including attached structures, shall be at least 15 metres (50 feet) from any manufactured homes or other permanent structures located on the opposite side of a street or road;
  - (c) Rear Yards: 1.5 metres (5 feet).
4. Where a ~~single family conventional~~ detached dwelling is placed in a manufactured home park for the owner/manager to reside in, yard requirements shall be determined as set out in the “HR” District.

#### G. SITE COVERAGE

1. The manufactured home plus any attached and ancillary buildings on a manufactured home lot shall not cover more than 40% of the lot.
2. A minimum of 10% of the gross park area shall be set aside for common recreational open space and no alternate development or use may be located on this open space. Any recreational open space shall occupy an area of at least 30 metres (100 feet) square.

#### H. STORAGE

1. A common, unroofed offsite equipment storage yard for vehicles and other items that cannot be stored on a manufactured home lot or street shall be provided at no less than 20 square metres (200 sq. ft.) of storage area per manufactured home lot in the manufactured home park.
2. An equipment storage yard shall be enclosed or screened by vegetation, landscape features or fences as approved by the Development Officer.

#### I. OFF-STREET PARKING

1. Two parking stalls shall be provided for each manufactured home lot.

2. One common guest parking stall shall be provided for every 5 manufactured home lots.
3. No vehicle over 4500 kilograms (10,000 lbs.) may be parked on a manufactured home lot or park street for longer than is reasonably required to load or unload goods.
4. No vehicle greater than 6 metres (20 feet) long may be parked on a manufactured home lot or park street for longer than is reasonably required to load or unload goods, except as provided in subsection 5.
5. One holiday trailer/recreation vehicle may be parked on a manufactured home lot for not longer than 21 consecutive days or for a total of 30 days in any year.

J. UTILITIES

1. All utility lines shall be placed underground unless otherwise stipulated in a development agreement.
2. Manufactured home parks shall be fully serviced with approved common water distribution and sewerage gathering systems.
3. The utility lines serving the manufactured home park shall be connected to the utility system in the adjacent urban area or hamlet or designed to achieve future linkage.

NOTE: A manufactured home park established prior to this Bylaw coming into effect may be served by private water treatment and sewage treatment facilities, but Provincial standards shall be maintained.

K. DESIGN, CHARACTER AND APPEARANCE

1. All permanent buildings added to the park shall be of new construction with the exterior completed using acceptable building materials approved by and to the satisfaction of the Development Officer.
2. Ancillary structures, additions and skirting shall be ~~fabricated so as~~ **designed** to complement the manufactured home.
3. The undercarriage of each manufactured home shall be screened from view by skirting to the satisfaction of the Development Officer and to a standard consistent throughout the park.
4. Outdoor lighting of common areas shall be coordinated and consistent throughout the park.
5. The exterior perimeter of the manufactured home park must be fenced although access roads shall not be gated.

L. LANDSCAPING

1. In addition to other provisions of this Bylaw, the Development Officer may require that a manufactured home park be screened from view with vegetation and/or other screening of a visually pleasing nature.

2. All areas of a manufactured home park not developed as lots, roads, walkways, driveways, parking aprons, storage lots or other buildings shall be landscaped and vegetated as required by development agreement.
3. A system of walkways to a standard acceptable to the Development Officer shall be installed so as to link all lots, common open space areas, the park office and other facilities in the park regularly used by park residents.
4. Each application for development of a manufactured home park shall be accompanied by a landscaping and development plan at a scale of not less than 1:1000 acceptable to the Development Officer.

NOTE: For any existing manufactured home park, redevelopment or expansion shall be subject to these standards where feasible.

M. SITING

All manufactured home parks shall be developed so as to constitute a component of an existing hamlet or an extension to an urban municipality.

### 13.4 (14) FORESTRY DISTRICT 1 "F1"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO REGULATE THE USE OF CROWN LANDS IN THAT PORTION OF THE GREEN AREA WHICH IS SUBJECT TO THE PLANNING ACT.

#### A. PERMITTED

1. Farming
2. Sawmill and/or planer mill
3. Trapping

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Government field offices or installations
3. Gravel pit and/or sand pit
4. Institutional and religious camps and/or centres
5. Integrated recreation/tourist accommodation resort
6. Intensive recreation development
7. Landfill and waste transfer facilities
8. Natural resources harvesting or extraction
9. Outdoor recreation uses and related facilities
10. Private and/or public tenting and holiday trailer/recreation vehicle park or campground
11. Public and quasi-public buildings, utilities and uses
12. Radio, television and other communications or observation towers and related buildings
13. Recreation/tourism cabins, lodge or hostel
14. Scientific or academic research related to this district
15. Secondary processing of natural resources related to this district
16. Services and facilities for motorists
17. Trail riding base camp
18. Other appropriate uses as approved by the Development Officer

#### C. MINIMUM LOT AREA

As required by the Development Officer, but not less than 1 hectare (2.5 acres).

#### D. MINIMUM FRONT AND SIDE YARDS

As required by the Development Officer subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

#### E. LANDSCAPING

In addition to other provisions of this Bylaw, the Development Officer may require that landfill sites, gravel pits, sand pits and other visually offensive

developments be screened from view with vegetation and/or other screening of a visually pleasing nature.



### 13.4 (15) FORESTRY DISTRICT 2 "F2"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO DESIGNATE THOSE CROWN LANDS IN THE MUNICIPALITY WHICH ARE NOT SUBJECT TO THE PLANNING ACT

A. PERMITTED

No development authorization from the Municipality is required for all buildings, development and uses for which Alberta Forestry, Lands and Wildlife Sustainable Resource Development has issued the appropriate disposition and/or permit for access to and development of the land.

B. DISCRETIONARY USES

None

C. MINIMUM DEVELOPMENT STANDARDS

1. At the discretion of the Crown in right of the Province of Alberta, although the Council of the Municipality asserts the privilege of referral as the affected local authority so as to provide input and recommendations through the Development Officer prior to a final decision being made concerning a proposed use or development.

### 13.4 (16) COUNTRY RESIDENTIAL MINOR INDUSTRIAL DISTRICT "CRMI"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND TO REGULATE THE DEVELOPMENT OF LARGE LOT COUNTRY ~~RESIDENCES~~ ~~RESIDENTIAL PARCELS~~ ~~WITH~~ ~~HAVING~~ ASSOCIATED MINOR SMALL SCALE INDUSTRIAL USES APPROVED PRIOR TO THE ADOPTION OF THE MUNICIPAL DEVELOPMENT PLAN.

#### A. PERMITTED USES

1. ~~Conventional~~ Detached dwelling
2. Ancillary buildings

#### B. DISCRETIONARY USES

1. Home occupation
2. Manufactured home
3. Minor agricultural pursuits
4. Tradesperson's business carried out in a building independent and ancillary the residence and not exceeding 75 square metres (800 sq. ft.) nor employing assistants who are not part of the immediate household
5. Minor small scale industrial uses
6. Playground or outdoor recreation facility to serve this district
7. Public building or use required to serve this district
8. Residential shop
9. Guest house

#### C. ACCEPTABLE LOT SIZE

1.75 to 3.0 hectares (4.0 to 7.0 acres).

#### D. MINIMUM TOTAL FLOOR AREA

1. ~~One-family~~ Detached dwelling: 95 square metres (1,000 sq. ft.) unless otherwise approved by the Development Officer.
2. Manufactured Home: 75 square metres (800 sq. ft.) unless otherwise approved by the Development Officer.

#### E. MINIMUM DEPTH OF FRONT YARD

1. 15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.
2. Where there is a service road next to a primary highway, the minimum front yard depth shall be determined by the Development Officer.

#### F. MINIMUM WIDTH OF SIDE YARD

7.5 metres (25 feet) except for a corner parcel where the minimum side yard adjacent to a public road shall be determined as though it were a front yard, although Section 6.4 applies.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Office.

NOTE: A development having characteristics which are offensive due to noise, dust odor or appearance may be required to locate at a greater distance from any property line than stated in subsections E, F, and G, at the discretion of the Development Officer.

H. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings, including manufactured homes added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site to the satisfaction of the Development Officer.
3. A manufactured home without permanent foundation shall have the undercarriage screened from view so as to complement the appearance of the manufactured home.
4. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main residence.

I. MAXIMUM HEIGHT OF BUILDINGS

Two-storeys or 8 metres (26 feet) for residences. Ancillary buildings are to be not more than 5 metres (16 feet). All other buildings are at the discretion of the Development Officer.

J. LANDSCAPING

In addition to other provisions of this Bylaw, any approved use may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.

K. MINOR SMALL SCALE INDUSTRIAL USES

1. Applications for development permits for minor small scale industrial uses will consider such factors as:
  - (a) impacts on adjacent land uses;
  - (b) effects on local and internal road system;
  - (c) the scale and intensity of the proposed development;
  - (d) potential land use conflicts;
  - (e) the physical capability of the site to support the proposed use; and

- (f) suitable screening of the site.
- 2. A minor small scale industrial use shall be subject to the following conditions:
  - (a) the outdoor storage of materials, machinery, equipment and vehicles is subject to approval by the Development Officer relative to size, appearance, and the provision for appropriate fencing, buffering, setbacks, and/or screening;
  - (b) shall not create a traffic safety concern; and
  - (c) the use shall be deemed to be compatible with adjacent land uses.

### 13.4 (17) NORDEGG RURAL RESIDENCE DISTRICT "NRR"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT AND REGULATE ~~CONVENTIONAL COUNTRY~~ RESIDENCES IN THE FORESTED SLOPES OF COLISEUM MOUNTAIN IN THE NORTHERN PORTION OF THE NORDEGG TOWNSITE.

#### A. PERMITTED USES

1. ~~Conventional~~ Detached dwelling
2. Ancillary buildings

#### B. DISCRETIONARY USES

1. Home occupation
2. Playground or outdoor recreation facility to serve this district
3. Public building or use
4. Removal of trees outside of designated building envelope

#### C. ACCEPTABLE LOT SIZE

1. For residential use, 0.6 hectares to 1.0 hectares (1.5 to 2.5 acres) unless otherwise required by the Development Officer.
2. For non-residential uses, as required by the Development Officer subject to a minimum lot frontage of 30 metres (100 feet).

#### D. BUILDING ENVELOPE

Each residential lot shall have a building envelope of approximately 1,393.5 square metres (15,000 sq. ft.) which will be defined and approved by the Municipality. The building envelope will govern the location of permissible site clearance, within which building may occur.

1. The purpose of the building envelope is to develop a defensible space to protect structures from approaching wildfire as well as to reduce the potential for a structure fire spreading to the wildland.
2. The building envelope shall provide a minimum defensible space of 9.14 metres (30 feet) around the perimeter of any buildings, shall be initially approved by the municipality and shall be provided and maintained by the property owner.
3. No other clearing may take place without additional development approval.

#### E. MINIMUM DEPTH OF FRONT YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet).

#### F. MINIMUM WIDTH OF SIDE YARD

Unless otherwise required by the Development Officer subject to the building envelope, 13.71 metres (45 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet).

H. MINIMUM TOTAL FLOOR AREA

~~Conventional~~ Detached dwellings: 100 square metres (1,100 sq. ft.), unless otherwise approved by the Development Officer.

I. MAXIMUM TOTAL FLOOR AREA

Detached garages: 60.38 square metres (650 sq. ft.), unless otherwise approved by the Development Officer.

J. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 9.14 metres (30 feet) but ~~accessory~~ ancillary buildings not more than 5 metres (16 feet).

K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and Nordegg's surroundings to the satisfaction of the Development Officer. The Municipality may, where it desires, establish specific detailed architectural control guidelines for any new development within this District.
3. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials such as, but not limited to, tile, metal, or asphalt shingles (for roofs) and stucco, rock, brick or aluminum siding (for exterior walls.) Wooden shakes and shingles shall be prohibited for use as roofing material on any structure within this district. ~~Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.~~
4. The Development Guidelines for the Nordegg Residence District (NRR) form part of this Land Use District and shall be adhered to.
5. Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.

L. LANDSCAPING

Development approval may be subject to a standard acceptable to the Development Officer. The clearing of vegetation will be controlled through development permits, which may also require landscaping to assist the retention of the natural visual quality of Nordegg.

M. OTHER REQUIREMENTS

Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.



**DEVELOPMENT GUIDELINES**  
**for the**  
**NORDEGG RURAL RESIDENCE DISTRICT (NRR)**

Clearwater County, as owner of the above noted property hereby annexes to the property the following development guidelines:

1. Only one dwelling building shall be constructed on each lot, and such dwelling shall be a single family residence.
2. All outbuildings on any lot shall be designed, placed, and finished to be complementary to the dwelling located on that lot.
3. No dwelling shall be a mobile home, and each dwelling shall be of a permanent type placed on and secured to a basement or solid footings extending into the subsurface soil. The minimum floor area of any dwelling, excluding the basement and garage, shall be 102.2 square metres (1,100 sq. ft.) and every dwelling shall be a minimum of 6 metres (20 feet) in width.
4. No dwelling or other building shall exceed a height of 9.14 metres (30 feet) above the top of the basement or foundation of such building.
5. All electrical service from the transformer to the dwelling or other building shall be underground.
6. The exterior finish of any building or structure shall be fully completed and finished within 12 months from the date of commencement of construction of the dwelling or structure.
7. Any dwelling or other structure constructed, erected, or placed on the property shall be constructed to conform to all Federal, Provincial, and Municipal statutes, bylaws, and regulations, and shall be of sound workmanlike construction with an expected life of at least 25 years.
8. No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.
9. To maintain a buffer area between dwellings, no living trees shall be removed from that portion of the lot within 12.0 metres (39 feet) of any property line, except for any property line adjacent to any public access road.

10. No dwelling or other building shall be constructed or placed within 15.24 metres (50 feet) of the front or back boundary, or 13.71 metres (45 feet) of the side boundaries.
11. No fence of any type shall be used as a boundary fence. Wire fences may be used within any property for the purpose of dog kennels or runs. All fencing shall be designed, placed, and finished so as to be complimentary to the dwelling on the property, and shall be maintained in a good and presentable condition.
12. No business, trade, or calling shall be established which requires outside storage, which would cause any noise or nuisance to other property owners, which would cause any unsightly appearance to the property, or which has any employees other than the persons who normally reside on the property. The intent of this section is not to discourage cottage industries but to ensure that no annoyance or nuisance is caused to other property owners.
13. All garbage and refuse shall be properly stored in closed containers in a sanitary manner so as not to cause any odor or nuisance. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators, firepits, or burn barrels shall be permitted.
14. Advertising signs shall be permitted only for the purpose of advertising that the property is for sale, and no such sign shall exceed 60 centimetres by 60 centimetres (2 feet by 2 feet).
15. No animals shall be kept on the property except those animals owned by persons who normally reside on the property, and the only animals which may be kept are a maximum of two cats and two dogs. All pets and other animals shall be restrained and kept within the property of the owner of such pets, so as not to cause any nuisance, annoyance, or excessive noise.
16. No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.
17. No motorized vehicles of any type other than maintenance vehicles shall be used or operated on any trails or walking paths within the subdivision area.
18. Each property owner would be permitted to have and to store one recreational vehicle or holiday trailer on their property.
19. All sewage disposal shall be conducted by means of holding tanks or some other Provincially approved system.

20. Property owners are responsible for the drilling of their own water wells. All wells must be properly sealed to restrict contamination to the water table.
21. All dwellings or other buildings shall be finished on the exterior with non flammable building materials. Wooden shakes and shingles would not be permitted.
22. All dwellings or other buildings shall have one metre of rock placed around the perimeter of the structure. Decks would also require a metre of rock placed around the outside perimeter in addition to rock being placed under the deck.
23. The properties adjacent to the subdivision within which the properties described herein are located shall also be developed for residential, commercial, and recreational purposes as has been laid out through the Nordegg Community Outline Plan. Such future developments may make use of the access road and certain other infrastructure from the present subdivision, and the owners of the property in the present subdivision acknowledge that they shall not oppose such future development.

### 13.4 (18) NORDEGG TOURIST RECREATION DISTRICT "NTR"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND TO REGULATE A COMBINATION OF TOURIST RELATED RECREATIONAL ACTIVITIES AND SMALL SCALE FIXED ROOF RESORT ACCOMMODATIONS IN THE FORESTED SLOPES OF COLISEUM MOUNTAIN IN THE NORTHERN PORTION OF THE NORDEGG TOWNSITE.

#### A. PERMITTED USES

1. Country inn / resort lodge
2. Bed and breakfast inn
3. Resort cottages
4. Outdoor recreation/tourism operations
5. Hostel

#### B. DISCRETIONARY USES

1. ~~Conventional~~ Detached residence accessory ancillary to permitted use
2. Other buildings accessory ancillary to permitted use
3. Personal service accessory ancillary to permitted use
4. Recreation facility accessory ancillary to permitted use
5. Souvenir/gift shop accessory ancillary to permitted use
6. Recreation equipment rental and sales associated with principal use
7. Public building or use
8. Removal of trees outside of designated building envelope
9. Other appropriate similar uses approved by the Development Officer

#### C. DEFINITIONS

For the purpose of this District:

1. "Country inn/resort lodge" means a building which provides for the short term or occasional lodging and boarding of patrons. The development shall contain a minimum of six and a maximum of ten accommodation units all under one roof with individual or common washroom facilities and may include dining and beverage facilities.
2. "Bed and breakfast inn" means a private dwelling where four to six rooms are let and more than one or more meals is provided to registered guests.
3. "Resort cottages" means a cluster of four to eight guest cabins which provide for the short term or occasional lodging and boarding of patrons and may include a central services building with dining and beverage facilities. The individual guest cabins shall be a maximum of 65 square metres (700 sq. ft.) on the main floor and may include individual kitchen and washroom facilities.
4. "Outdoor recreation/tourism operations" means a business providing for outdoor commercial recreation and tourism opportunities to the general

public, where the primary reasons for location are to take advantage of natural physical features and the availability of large areas of crown land. This may include but is not limited to mountain biking, ice climbing, caving, rock climbing, cross country skiing, hiking, backpacking, canoeing, kayaking, rafting, fishing, hunting, dog sledding, snowmobiling and ATV's.

D. MINIMUM LOT SIZE

As required by the Development Officer, but not less than 1.214 hectares (3.0 acres).

E. BUILDING ENVELOPE

Each lot shall have a building envelope which will be defined and approved by the Municipality. The building envelope will govern the location of permissible site clearance, within which building may occur.

1. The purpose of the building envelope is to develop a defensible space to protect structures from approaching, wildfire as well as to reduce the potential for a structure fire spreading to the wildland.
2. The building envelope shall provide a minimum defensible space of 9.14 metres (30 feet) around the perimeter of any buildings, shall be initially approved by the municipality and shall be provided and maintained by the property owner.
3. No other clearing may take place without additional development approval.

F. MINIMUM DEPTH OF FRONT YARD

Unless otherwise required by the Development Officer subject to the building envelope, 22.86 metres (75 feet).

G. MINIMUM WIDTH OF SIDE YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

H. MINIMUM DEPTH OF REAR YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet).

I. MINIMUM TOTAL FLOOR AREA

As determined by the Development Officer, except for a ~~conventional~~ detached residence ~~accessory~~ ancillary to the permitted use which shall have a minimum floor area of 92.9 square metres (1,000 sq. ft.).

J. MAXIMUM TOTAL FLOOR AREA

As determined by the Development Officer and subject to the definitions within this district.

K. MAXIMUM HEIGHT OF BUILDINGS

Two storeys or 9.14 metres (30 feet) but ~~accessory~~ ancillary buildings not more than 5 metres (16 feet).

L. DESIGN, CHARACTER AND APPEARANCE OF Buildings

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and Nordegg's surroundings to the satisfaction of the Development Officer. The Municipality may, where it desires, establish specific detailed architectural control guidelines for any new development within this District.
3. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials such as, but not limited to, tile, metal, or asphalt shingles (for roofs) and stucco, rock, brick or aluminum siding (for exterior walls) or solid log construction. Wooden shakes and shingles shall be prohibited for use as roofing material on any structure within this district. ~~Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.~~
4. The Development Guidelines for the Nordegg Tourist Recreation District (NTR) form part of this Land Use District and shall be adhered to.
5. Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.

M. LANDSCAPING

Development approval may be subject to a standard acceptable to the Development Officer. The clearing of vegetation will be controlled through development permits, which may also require landscaping to assist the retention of the natural visual quality of Nordegg.

N. OTHER REQUIREMENTS

1. Storage:

It is intended that all storage of goods and equipment be contained in doors, however limited outside storage may be approved by the Development Officer if properly screened so as to not interfere with

adjoining uses or detract significantly from the natural features of the site and the surrounding area.

2. Parking:

Off-street parking shall be provided as stated in Section 6.16 of this Land Use Bylaw or as otherwise required by the Development Officer. On-street parking is not permitted.

3. Outdoor Lighting:

Precautions must be taken to ensure that outside lighting does not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.

4. Signs:

All signs are subject to the approval of the Development Officer. In considering a development application for a sign, the Development Officer shall ensure that the proposed sign is consistent with the natural setting of the area and shall have due regard to the visual impact of the sign in relation to features of the site and the surrounding area.

5. Access to Trails:

Trails on individual properties for the purpose of providing access to adjoining municipal trails are subject to approval by the Development Officer.

6. Miscellaneous:

Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.



**DEVELOPMENT GUIDELINES**  
**for the**  
**NORDEGG TOURIST RECREATION DISTRICT (NTR)**

**RELATING TO LOTS 1 TO 12 INCLUSIVE**

Clearwater County as owner of the above noted property hereby annexes to the property the following development guidelines:

1. The primary purpose of these lots is to accommodate resort facilities such as country inn/resort lodge, bed and breakfast inn, and resort cottages and/or outdoor recreation/tourism operations. Rental accommodations for short term tourism/recreational use and are not to be leased or resented as permanent residences or long term accommodation.
2. Only one conventional residence shall be constructed on each lot, and such dwelling shall be a single family residence ~~accessory~~ ancillary to the permitted use, and subject to a development permit.
3. All conventional residences and outbuildings on any lot shall be designed, placed and finished to be complementary to the primary use located on that lot.
4. No primary or ~~accessory~~ ancillary building shall be a mobile home, and each shall be of a permanent type placed on and secured to a basement or solid footings extending into the subsurface soil. The individual guest cabins shall be a maximum of 65 square metres (700 sq. ft.) on the main floor and may include individual kitchen and washroom facilities. The floor area of all primary buildings shall be subject to approval of the Development Officer/Municipal Planning Commission. The minimum floor area of any conventional ~~accessory~~ ancillary residence, excluding the basement and garage, shall be 92.9 square metres (1,000 sq. ft.) and shall be a minimum of 6.1 metres (20 feet) in width.
5. No primary or ~~accessory~~ ancillary building shall exceed a height of 9.14 metres (30 feet) above the top of the basement or foundation of such building.
6. All electrical service from the transformer to the dwelling or other building shall be underground.
7. The exterior finish of any building or structure shall be fully completed and finished within 12 months from the date of commencement of construction of the dwelling or structure.

8. Any primary or accessory ancillary building constructed, erected, or placed on the property shall be constructed to conform to all Federal, Provincial, and Municipal statutes, bylaws, and regulations, and shall be of sound workmanlike construction with an expected life of at least 25 years.
9. No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.
10. To maintain a buffer area between building sites, no living trees shall be removed any portion of the lot without prior development approval from Clearwater County. A minimum defensible space of 9.14 metres (30 feet) around the perimeter of all buildings shall be required as part of the development approval.
11. No dwelling or other building shall be constructed or placed within 22.86 metres (75 feet) of the front boundary, or 15.24 metres (50 feet) of the rear or side boundaries.
12. No fence of any type shall be used as a boundary fence. All internal fencing shall be designed, placed and finished so as to be complementary to the primary and accessory ancillary buildings on the property, and shall be maintained in a good and presentable condition.
13. All storage of goods and equipment shall be contained indoors, however limited outside storage may be approved by the Development Officer if properly screened so as to not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.
14. All garbage and refuse shall be properly stored in closed containers in a sanitary manner so as not to cause any odor or nuisance. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators, or burn barrels shall be permitted. Fire pits are to be constructed according to Alberta Forest Service standards and are subject to all Provincial open fire bans.
15. All signs erected shall be approved by Clearwater County.
16. All pets belonging to property owners and guests shall be retrained and kept within the subject property, so as not to cause any nuisance, annoyance, or excessive noise.

17. No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.
18. No motorized vehicles of any type other than maintenance vehicles shall be used or operated on any trails or walking paths within the subdivision area.
19. No camping will be permitted in this district.
20. All sewage disposal shall be conducted by means of fields, mounds, holding tanks or some other Provincially approved system. All private sewage disposal systems must meet the requirements and received permit approval from Alberta ~~Labour~~ Municipal Affairs or their designate.
21. Property owners are responsible for the drilling of their own water wells. All wells must be properly sealed to restrict contamination to the water table.
22. All primary and accessory ancillary building shall be finished on the exterior with non flammable building materials. Solid log construction is acceptable. Wooden shakes and shingles would not be permitted.
23. All primary and accessory ancillary buildings shall have one metre of rock placed around the perimeter of the structure. Decks would also require a metre of rock placed around the outside perimeter in addition to rock being placed under the deck.
24. The properties adjacent to the subdivision within which the properties described herein are located shall also be developed for residential, commercial, and recreational purposes as has been laid out through the Nordegg Community Outline Plan. Such future developments may make use of the access road and certain other infrastructure from the present subdivision, and the owners of the property in the present subdivision acknowledge that they shall not oppose such future development.

### 13.4 (19) NORDEGG MEDIUM DENSITY RESIDENTIAL DISTRICT "NR-2"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE RESIDENTIAL DEVELOPMENT ON SMALLER LOTS IN THE SOUTHERN PORTION OF THE NORDEGG TOWNSITE.

#### A. PERMITTED USES

1. Detached dwelling
2. Duplex dwelling
3. Ancillary building

#### B. DISCRETIONARY USES

1. Home occupation
2. Parks and playgrounds
3. Parking facilities for uses in this District
4. Public buildings, uses, utilities and services

#### C. MINIMUM PARCEL SIZE

<del>Single</del> Detached dwellings:	464.50 square metres (5,000 sq. ft.)
<del>Full</del> Duplex (side by side units):	557.70 square metres (6,000 sq. ft.)
<del>One</del> Duplex (up and down units):	325.15 square metres (3,500 sq. ft.)

Except for a corner parcel where 51.09 square metres (550 sq. ft.) must be added to the above minimums.

#### D. MINIMUM PARCEL WIDTH

<del>Single</del> Detached dwellings:	15.24 metres (50 feet) mean width
<del>Full</del> Duplex (side by side units):	18.24 metres (60 feet) mean width
<del>One</del> Duplex (up and down units):	9.14 metres (30 feet) mean width

#### E. MINIMUM DEPTH OF FRONT YARD

7.62 metres (25 feet).

#### F. MINIMUM DEPTH OF SIDE YARD

Interior: 1.52 metres (5 feet) unless it is a laneless parcel and there is no attached garage, then one side yard must be 3.04 metres (10 feet) minimum.

Exterior: 2.74 metres (9 feet) unless the yard abuts a collector or arterial road then the minimum shall be 3.66 metres (12 feet).

#### G. MINIMUM DEPTH OF REAR YARD

9.14 metres (30 feet).

#### H. MAXIMUM ALLOWABLE DENSITY

As required by the Development Officer.

I. MINIMUM FLOOR AREA

Single Detached dwelling:	92.9 square metres (1,000 sq. ft.)
Duplex unit:	74.32 square metres (800 sq. ft.)

J. MAXIMUM HEIGHT OF BUILDINGS

Primary building:	9.14 metres (30 feet)
Ancillary building:	5.0 metres (16 feet)

K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and Nordegg's surroundings to the satisfaction of the Development Officer. The Municipality may, where it desires, establish specific detailed architectural control guidelines for any new development within this District.
3. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main residence.

L. LANDSCAPING AND FENCING

Notwithstanding any other provision contained in this Bylaw, landscaping and fencing shall be to standards acceptable to the Development Officer with the purpose of achieving a sensitive blend of natural and decorative landscaping designed to harmonize with adjoining landscaping and complement the natural visual quality of Nordegg.

M. OTHER REQUIREMENTS

1. Storage:  
It is intended that all storage of goods and equipment be contained indoors so as to not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.
2. Parking:  
Off Street parking shall be as required by Section 6.16 of this LUB with each duplex unit being required to provide two off-street parking spaces within the rear yard of the parcel, or as otherwise required by the Development Officer.
3. Miscellaneous:  
Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

### 13.4 (20) NORDEGG LEISURE RESIDENCE DISTRICT “NLR”

THE PURPOSE OF THIS DISTRICT IS TO ~~PERMIT~~ ACCOMMODATE AND REGULATE THE DEVELOPMENT OF PRIVATE, LEISURE RESIDENCES FOR LEISURE TIME USE/NON-CONTINUOUS OCCUPANCY IN THE FORESTED SLOPES OF COLISEUM MOUNTAIN IN THE NORTHERN PORTION OF THE NORDEGG TOWNSITE.

#### A. PERMITTED USES

1. Leisure residence
2. Tool/wood shed

#### B. DISCRETIONARY USES

1. Either one carport or one single car detached garage
2. Removal of trees outside of designated building envelope
3. Public utility building to serve this district
4. Public or private park, playground or outdoor recreational facility to serve this district
5. Sauna

#### C. ACCEPTABLE LOT SIZE

1. For residential use, 0.4 hectares (1.0 acre) to 0.6 hectares (1.5 acres) unless otherwise required by the Development Officer.
2. For residential use, subject to a minimum lot width of 40 metres (131 feet) where lot width means the distance between the side property lines of the lot and measured at right angles from the mid-point of the shortest side property line, or as otherwise required by the Development Officer.
3. For residential uses, subject to a minimum lot frontage of 18 metres (59 feet), or as otherwise required by the Development Officer.
4. For non-residential uses, as required by the Development Officer subject to a minimum lot frontage of 18 metres (59 feet).
5. For a public utility building the lot area shall be as required by the Development Officer.

#### D. BUILDING ENVELOPE

Each lot shall have a building envelope that will be defined and approved by the Municipality. The building envelope will govern the location of permissible site clearance, within which building may occur.

1. The purpose of the building envelope is to develop a defensible space to protect structures from approaching wildfire as well as to reduce the potential for a structure fire spreading to the wildland.
2. The building envelope shall provide a minimum defensible space of 9.14 metres (30 feet) around the perimeter of any buildings, shall be initially

approved by the municipality and shall be provided and maintained by the property owner.

3. No other clearing, with the exception of removal of underbrush and ladder branches, may take place without additional development approval.

E. MINIMUM DEPTH OF FRONT YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet) or as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

F. MINIMUM WIDTH OF SIDE YARD

Unless otherwise required by the Development Officer subject to the building envelope, 12.19 metres (40 feet) or as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations. In the case of a corner site the width of the side yard adjacent to a public road shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

Unless otherwise required by the Development Officer subject to the building envelope, 15.24 metres (50 feet) or as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

H. MAXIMUM FLOOR AREA

Unless otherwise approved by the Development Officer:

1. for detached leisure residence ~~dwelling~~:
  - (a) 70 square metres (750 sq. ft.) main floor.
  - (b) 85 square metres (900 sq. ft.) total if two floors.
2. other buildings as required by the Development Officer.

I. MINIMUM FLOOR AREA

1. For detached leisure residence ~~dwelling~~, 40 square metres (430 sq. ft.).
2. Other buildings as required by the Development Officer.

J. ANCILLARY BUILDINGS

Unless otherwise approved by the Development Officer, a maximum of one tool shed or woodshed ancillary building shall be located on a lot and shall be:

1. A maximum floor area of 18.6 square metres (200 sq. ft.).
2. Located to the rear of the ~~main dwelling~~ ~~leisure residence~~.
3. Located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling.

Unless otherwise approved by the Development Officer, a maximum of one carport or one detached garage shall be located on a lot and shall be permitted



only as a Discretionary Use. If permitted by the Development Officer, the following shall be adhered to:

1. For a carport or garage, a maximum floor area of 30 square metres (323 sq. ft.) or 60% of the floor area of the ~~leisure residence main dwelling~~, whichever is less.
2. Carport to be attached to side of the ~~leisure residence main dwelling~~.
3. Garage to be detached from ~~leisure residence main dwelling~~.
4. Garage to be located to the side or rear of the ~~leisure residence main dwelling~~.
5. Rear garage to be located a minimum of 3.05 metres (10 feet) from the rear wall of the ~~leisure residence dwelling~~.
6. Side garage to be located a minimum of 1.52 metres (5 feet) from the side wall of the ~~leisure residence dwelling~~.

K. MAXIMUM BUILDING HEIGHT

Two storeys or 7.92 metres (26 feet). Ancillary buildings no greater than 4.88 metres (16 feet).

L. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and Nordegg's surroundings to the satisfaction of the Development Officer. The Municipality may, where it desires, establish specific detailed architectural control guidelines and/or development guidelines for any new development within this District.
3. The Development Guidelines for the Nordegg Leisure Residence District (NLR) form part of this Land Use District and shall be adhered to.
4. To maintain continuity throughout the Nordegg townsite, any development and associated structures and features shall conform to the *Nordegg Development Plan* and the associated *Nordegg Development Plan – Design Guidelines*. Special attention shall be made to key design and landmark elements, including but not limited to, the trail system, road layout, road design, parking design, landscaping, public amenities, signage, lighting, and site furnishings.
5. Basements are not permitted in this District.
6. Leisure Residence and any garage shall be constructed on a permanent foundation.
7. Individual treated water cisterns and sewage pump-out tanks are required on each lot. No private water wells are permitted. No private sewage treatment systems are permitted. The intent of an on-site water cistern and sewage pump-out tank is to support seasonal use only. This requirement

will also protect and preserve the local groundwater resource, given the higher development density of this District compared to more conventional country residential districts.

8. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials such as, but not limited to, tile, metal, or asphalt shingles (for roofs) and stucco, rock, brick or aluminum siding (for exterior walls) or solid log construction. Wooden shakes and shingles shall be prohibited for use as roofing material on any structure within this district. ~~Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.~~
9. ~~Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District.~~

#### M. LANDSCAPING AND FENCING

Development approval may be subject to a standard acceptable to the Development Officer. The clearing of vegetation will be controlled through development permits, which may also require landscaping to assist the retention of the natural visual quality of Nordegg. Perimeter boundary fences are not permitted.

#### N. OTHER REQUIREMENTS

1. Storage:  
It is intended that all storage of goods and equipment be contained indoors, however, limited outside storage may be approved by the Development Officer if properly screened so as to not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.
2. Parking:  
Off-street parking shall be provided as stated in Section 6.16 of this Land Use Bylaw or as otherwise required by the Development Officer. On-street parking is not permitted.
3. Outdoor Lighting:  
Precautions must be taken to ensure that outside lighting does not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.
4. Signs:  
All signs are subject to the approval of the Development Officer. In considering a development application for a sign, the Development Officer shall ensure that the proposed sign is consistent with the natural setting of

the area and shall have due regard to the visual impact of the sign in relation to features of the site and the surrounding area.

5. Recreational Vehicles:

Use and storage of a holiday trailer/recreational vehicle shall conform to Section 6.12.

6. Miscellaneous:

Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

O. PERIOD OF OCCUPANCY

Not to exceed 90 consecutive or 180 total days per year.

**DEVELOPMENT GUIDELINES**  
for the  
**NORDEGG LEISURE RESIDENCE DISTRICT (NLR)**

Clearwater County, as owner of the above noted property, hereby annexes to the property the following development guidelines:

1. One dwelling building shall be constructed on each lot, and such dwelling shall be a single-family Leisure Residence as defined in the Land Use Bylaw (see copy of the Land Use Bylaw Definition Below).

“LEISURE RESIDENCE” means a dwelling unit suitable for residential use only seasonally or occasionally during leisure or holiday time and generally lacking in one or more of the components, conveniences or utilities required for all year occupancy.

2. All outbuildings on any lot shall be designed, placed, and finished to be complementary to the dwelling located on that lot.

3. No dwelling shall be a Manufactured Home. A Modular Home is permitted provided it meets all the requirements of this Land Use District (see copy of the Land Use Bylaw Definitions below). Each dwelling shall be of a permanent type placed on and secured to solid footings extending into the subsurface soil. Foundations to be concrete footings or concrete pilings or as approved by the Development Officer. Skid or wood blocking foundations not permitted. The minimum floor area of any dwelling shall be 40 square metres (430 sq. ft.), and every dwelling shall be a minimum of 6.10 metres (20 feet) in width.

“MANUFACTURED HOME” means a residential building containing one dwelling unit built in a factory in one or more sections, designed to be transported on either its own wheels and chassis or other means to a suitable site, and placed on either a temporary or permanent foundation and connected to utilities for long-term occupancy. For the purposes of this Bylaw, two types of manufactured homes may be distinguished:

- (a) “Single Wide” means a manufactured home consisting of one section designed to be transported in a single load;
- (b) “Double Wide” means a manufactured home consisting of two sections separately transportable but designed to be joined together at the site to form one dwelling unit.

“MODULAR HOME” means a prefabricated, factory-built residential building containing one dwelling unit which has neither chassis, running gear, nor its own

wheels, but which must be otherwise transported to a site and placed on a permanent foundation and connected to utilities for long-term occupancy.

4. Basements are not permitted. An undeveloped crawl space beneath the main floor of the dwelling to provide for utilities and servicing of the dwelling is permitted. The height of the crawl space shall not exceed 1.22 metres (4 feet) or as approved by the Development Officer.
5. No dwelling shall exceed a height of 7.92 metres (26 feet) above the foundation of such building. No ancillary building shall exceed a height of 4.88 metres (16 feet) above the foundation of such building.
6. All electrical service from the transformer to the dwelling or other building shall be underground.
7. The exterior finish of any building or structure shall be fully completed and finished within 12 months from the date of commencement of construction of the dwelling or structure.
8. Any dwelling or other structure constructed, erected, or placed on the property shall be constructed to conform to all Federal, Provincial, and Municipal statutes, Bylaws, and regulations, and shall be of sound workmanlike construction with an expected life of at least 25 years.
9. No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.
10. To maintain a buffer area between dwellings, no living trees shall be removed from that portion of the lot within 6 metres (20 feet) of any property line, except for any property line adjacent to any public access road. This may be adjusted at the discretion of the Development Officer on a lot-by-lot basis given the existing topography of the lot, the available building sites on the lot, and the siting of dwellings on adjacent lots provided an adequate treed buffer can be maintained between adjacent dwellings.
11. No dwelling or other building shall be constructed or placed within 15.24 metres (50 feet) of the front or back boundary, or 12.19 metres (40 feet) of the side boundaries.
12. No fence of any type shall be used as a boundary fence. Wire fences may be used within any property for the purpose of dog kennels or runs. All fencing shall be

designed, placed, and finished so as to be complementary to the dwelling on the property, and shall be maintained in a good and presentable condition.

13. No business, trade, or calling shall be established.
14. All garbage and refuse shall be properly stored in closed containers in a sanitary manner so as not to cause any odor or nuisance. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators or burn barrels shall be permitted. Fire pits are to be constructed according to Alberta Forest Service standards and are subject to all Provincial open fire bans.
15. Advertising signs shall be permitted only for the purpose of advertising that the property is for sale, and no such sign shall exceed 60 centimetres by 60 centimetres (2 feet by 2 feet).
16. No animals shall be kept on the property except a maximum of two cats and two dogs. All pets and other animals shall be restrained and kept within the property of the owner of such pets, so as not to cause any nuisance, annoyance, or excessive noise.
17. No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.
18. No motorized vehicles of any type other than maintenance vehicles shall be used or operated on any trails or walking paths within the subdivision area.
19. Each property owner would be permitted to have and to store one recreational vehicle or holiday trailer on their property.
20. All sewage disposal shall be conducted by means of holding tanks meeting provincially approved standards.
21. All potable water must be stored in cisterns with a pressure pumping system meeting provincially approved standards. Drilling of water wells on a property is prohibited.
22. All dwellings or other buildings shall be finished on the exterior with non-flammable building materials. Wooden shakes and shingles would not be permitted.

23. All dwellings or other buildings shall have one metre of rock placed around the perimeter of the structure. Decks would also require a metre of rock placed around the outside perimeter in addition to rock being placed under the deck.
24. The properties adjacent to the subdivision within which the properties described herein are located shall also be developed for residential, commercial, and recreational purposes as has been laid out through the Nordegg Community Outline Plan, Nordegg Development Plan and the Nordegg Development Plan – Design Guidelines. Such future developments may make use of the access road and certain other infrastructure from the present subdivision, and the owners of the property in the present subdivision acknowledge that they shall not oppose such future development.



### 13.4 (21) NORDEGG PUBLIC AND INSTITUTIONAL “NPI”

THE PURPOSE OF THIS DISTRICT IS TO ~~PERMIT~~ ACCOMMODATE AND REGULATE THE DEVELOPMENT OF PRIVATE OR PUBLIC FACILITIES INTENDED TO PROVIDE CULTURAL, SOCIAL, RELIGIOUS, EDUCATIONAL, COMMUNITY, EMERGENCY, OR REHABILITATIVE SERVICES.

#### A. PERMITTED USES

1. Community centre
2. Parks, playgrounds, picnic grounds
3. Public and quasi-public buildings and uses
4. Public utilities
5. Natural or landscaped public open space
6. Skiing (cross-country) development
7. Sports field
8. Skating rink
9. Emergency and community services

#### B. DISCRETIONARY USES

1. Arts/arts and crafts/culture centre
2. Buildings for cooking, dining, assembly, crafts and recreation
3. Church, without manse
4. School
5. Cemetery
6. Social care facility
7. Museum
8. Ancillary buildings and uses
9. Clubhouse
10. Exhibition grounds
11. Food concession
12. Public utility building to serve this district
13. Public washrooms to serve this district
14. Recreation equipment storage facilities
15. Other recreation structures, facilities and uses similar in type or function to a named permitted or discretionary use in this district and appropriate in a rural area

#### C. ACCEPTABLE LOT SIZE

As required by the Development Officer, but not less than 300 square metres (3,200 sq. ft.), with a minimum frontage of 10.0 metres (33 feet).

#### D. MINIMUM AND MAXIMUM FLOOR AREA

As required by the Development Officer.

E. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet).

F. MINIMUM WIDTH OF SIDE YARD

3 metres (10 feet) except for a corner parcel where the minimum side yard adjacent to a public road shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) unless otherwise approved by the Development Officer.

H. MAXIMUM HEIGHT OF BUILDINGS

Two storeys to maximum 9.14 metres (30 feet) unless otherwise approved by the Development Officer.

I. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All permanent buildings and structures added to a lot shall be of new construction unless otherwise approved by the Development Officer.
2. To maintain continuity throughout the Nordegg townsite, any development and associated structures and features shall conform to the *Nordegg Development Plan* and the associated *Nordegg Development Plan – Design Guidelines*. Special attention shall be made to key design and landmark elements, including but not limited to, building facades, lighting, streetscapes, the trail system, road layout, road design, parking design, landscaping, landmarks, public amenities, disabled access, signage, lighting, and site furnishings. For future reference, the *Nordegg Development Plan* and the *Nordegg Development Plan – Design Guidelines* shall be synonymous and shall refer to the plan document as a whole.
3. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and the historic treatment as outlined in the *Nordegg Development Plan* to the satisfaction of the Development Officer. Ancillary structures and additions shall be ~~fabricated so as~~ designed to complement the main building.
4. A number of basic principles outlined in the *Nordegg Development Plan* that shall guide the Development Officer include:
  - (a) The architecture, lighting, and landmarks borrow from the community's history, incorporating elements of the old town, the mine, and the natural setting.
  - (b) Given the steep terrain within much of the community, development be especially sensitive to disabled access.

- (c) Facilities consist of smaller, discrete buildings and building cells that offer optimal view corridors and a more comfortable “human” scale.
  - (d) Parking facilities consist of smaller scale nodes distributed throughout the community rather than large individual lots.
  - (e) Where appropriate, parking facilities be appropriately screened or buffered from the street, or appropriately located behind or beside the primary structures.
  - (f) Public safety be considered in the development of lighting, walkways, and public access points.
5. Special historical treatments related to building architecture, landscaping, signage, and other key elements, as outlined in the *Nordegg Development Plan* and associated *Design Guidelines* shall be required as follows:
- (a) Historic treatment shall be required within the “Primary Historic Treatment Area” as illustrated on Map No. 6 in the *Nordegg Development Plan*. This area is located along the primary route to the mine site, and includes the corridor from Highway 11 along Stuart Street into the historic Town Centre to the mine. Any additional areas along this route that are highly visible, at the discretion of the Development Officer, shall also adhere to the historic treatment requirements. The “Primary Historic Treatment Area” may be adjusted and increased at the discretion of the Development Officer subject to ongoing subdivision and redesignation.
  - (b) When considering permits for renovations, exterior building treatments, or additions to existing buildings or developments that do not currently conform to the *Nordegg Development Plan*, the Development Officer shall carry out a review and, where deemed appropriate, incorporate into any permit issued such requirements that allow conformance with the intent of the *Nordegg Development Plan* and any historical treatment. Owners of existing non-confirming developments shall be encouraged to bring facilities into conformance with the *Nordegg Development Plan*.
6. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials. Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District. Developed guidelines, such as “FireSmart” principles may be used at the discretion of the Development Officer to assess the appropriateness of any proposed development.
7. Boardwalks may be required to the satisfaction of the Development Officer in keeping with the *Nordegg Development Plan* and associated *Design Guidelines*.

J. LANDSCAPING

1. Approval to develop may be made subject to the Development Officer accepting a landscaping plan.
2. The Development Officer may require measures to retain natural vegetation and to protect sensitive soils on the site.
3. Any development may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
4. Where two or more buildings are located on a lot, the separation distances between them may be at the discretion of the Development Officer.

K. OFF STREET PARKING

All lots are required to provide adequate parking, as per item 6.16, of this Land Use Bylaw, unless otherwise approved by the Development Officer. Off-street parking shall be as stated in this Bylaw except:

1. for any sports facility, one space for each pair of potential participants and one space for each four spectator seats.

L. OTHER REQUIREMENTS

1. Storage:

It is intended that all storage of goods and equipment be contained indoors, however limited outside storage may be approved by the Development Officer if properly screened so as to not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.

2. Outdoor Lighting:

Precautions must be taken to ensure that outside lighting does not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.

3. Signs:

All signs are subject to the approval of the Development Officer. In considering a development application for a sign, the Development Officer shall ensure that the proposed sign is consistent with the natural and historical setting of the area, as outlined in the *Nordegg Development Plan* and associated *Design Guidelines*, and shall have due regard to the visual impact of the sign in relation to features of the site and the surrounding area.

4. Electrical Service:

All electrical service from the transformer to the dwelling or other building shall be underground.

5. Excavation:

No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.

6. Refuse and Fire Pits:

All garbage and refuse shall be properly stored in closed containers in a sanitary manner so as not to cause any odor or nuisance. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators or burn barrels shall be permitted. Fire pits are to be constructed according to Alberta's provincial forest service standards and are subject to all Provincial open fire bans.

7. Visual Integrity:

No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.

8. Miscellaneous:

Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

M. DESIGN REVIEW PROCESS

1. A design review process and design review checklist similar to that outlined in the *Nordegg Development Plan - Design Guidelines* shall be adopted by the Development Officer in the review of any proposed development. The review process and checklist may be updated on occasion, at the discretion of the Development Officer, to meet changing circumstances and to maintain the original intent of the review process and checklist. The design review process shall be required on:

- (a) All new construction and site development;
- (b) All exterior alterations;
- (c) Any alterations to site improvements;
- (d) All public projects and improvements;
- (e) Any other development or improvement as deemed by the Development Officer.

2. The main elements of the design review process shall include:

- (a) A development permit pre-application meeting of the proponent with the Development Officer;
- (b) Review of the development permit application package by the Development Officer, with input from design professionals and/or other individuals, groups, or committees deemed necessary, in an advisory role;
- (c) Review of the development permit application by the Development Officer using evaluation criteria in a checklist format, or other format

as deemed appropriate by the Development Officer, as developed in the *Nordegg Development Plan* and associated *Design Guidelines*. The *Nordegg Development Plan* and associated *Design Guidelines* shall be considered a tool in the evaluation process, and the Development Officer may use discretion in applying the guidelines and intent of the document to any specific development or improvement;

- (d) The design review checklist, or equivalent document, shall be utilized by the applicant and the Development Officer when reviewing and evaluating the proposed development or improvement in regard to design;
- (e) The applicant shall provide sufficient evidence, plans, and drawings, as requested by the Development Officer, that illustrate the appearance of proposed building(s), improvement(s), or development(s), and to confirm they meet the intent of the *Nordegg Development Plan* and associated *Design Guidelines*, and the historic treatment requirements where necessary;
- (f) When considering the approval of an application for a development permit, the Development Officer must, among other things, be satisfied that the proposed development or improvement maintains consistency with Nordegg's historic legacy and natural mountain setting, while conforming to the spirit of the *Nordegg Development Plan* and associated *Design Guidelines*.

### 13.4 (22) NORDEGG SERVICE COMMERCIAL "NSC"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE COMMERCIAL TOURIST SERVICES DEVELOPMENT WITHIN THE HAMLET OF NORDEGG, SPECIFICALLY ESSENTIAL SERVICES FOR THE TRAVELLING PUBLIC.

#### A. PERMITTED USES

1. Convenience store
2. Gas bar
3. Restaurant, coffee shop or cafe

#### B. DISCRETIONARY USES

1. Hotel, motel, licensed premises
2. Ancillary buildings
3. Dwelling unit ancillary and subordinate to the principal use provided it is incorporated in the same building above the ground floor and the total floor area of the dwelling unit is less than the floor area used for other purposes
4. Laundromat
5. Other similar uses approved by the Development Officer

#### C. ACCEPTABLE LOT SIZE

Minimum 300 square metres (3,230 sq. ft.) with a frontage width of at least 10 metres (33 feet).

#### D. MINIMUM TOTAL FLOOR AREA

As required by the Development Officer.

#### E. MINIMUM DEPTH OF FRONT YARD

##### 1. If Parking Proposed at front of property

Unless otherwise required by the Development Officer, where on-site parking is proposed for the front of property, the minimum setback is 23.0 metres (75 feet) to accommodate a minimum 6.0 metre (20 foot) landscaped buffer, plus a single row of nose-in parking, and a 3.0 metre (10 foot) boardwalk.

##### 2. If No Parking Proposed at front of property

Unless otherwise required by the Development Officer, where no on-site parking is proposed for the front of property, the minimum setback is 5.0 metres (16 feet) to accommodate a 2.0 metre (6 foot) landscaped buffer and a 3.0 metre (10 foot) boardwalk.

#### F. MINIMUM WIDTH OF SIDE YARD



Unless otherwise required by the Development Officer, side yards shall be minimum 1.5 metres (5 feet) except for a corner site where the side yard shall be determined as though it were a front yard.

G. MINIMUM DEPTH OF REAR YARD

3.0 metres (10 feet) unless otherwise required by the Development Officer.

H. MAXIMUM HEIGHT OF BUILDING

2½ storeys to maximum 9.14 metres (30 feet) unless otherwise approved by the Development Officer.

I. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. To maintain continuity throughout the Nordegg townsite, any development and associated structures and features shall conform to the *Nordegg Development Plan* and the associated *Nordegg Development Plan – Design Guidelines*. Special attention shall be made to key design and landmark elements, including but not limited to, building facades, lighting, streetscapes, the trail system, road layout, road design, parking design, landscaping, landmarks, public amenities, disabled access, signage, lighting, and site furnishings. For future reference, the *Nordegg Development Plan* and the *Nordegg Development Plan – Design Guidelines* shall be synonymous and shall refer to the plan document as a whole.
3. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and the historic treatment as outlined in the *Nordegg Development Plan* to the satisfaction of the Development Officer. Ancillary structures and additions shall be fabricated so as designed to complement the main building.
4. A number of basic principles outlined in the *Nordegg Development Plan* that shall guide the Development Officer include:
  - (a) The architecture, lighting, and landmarks borrow from the community’s history, incorporating elements of the old town, the mine, and the natural setting;
  - (b) Given the steep terrain within much of the community, development be especially sensitive to disabled access;
  - (c) Facilities consist of smaller, discrete buildings and building cells that offer optimal view corridors and a more comfortable “human” scale;
  - (d) Parking facilities consist of smaller scale nodes distributed throughout the community rather than large individual lots;

- (e) Where appropriate, parking facilities be appropriately screened or buffered from the street, or appropriately located behind or beside the primary structures;
  - (f) Public safety be considered in the development of lighting, walkways, and public access points.
5. Special historical treatments related to building architecture, landscaping, signage, and other key elements, as outlined in the *Nordegg Development Plan* and associated *Design Guidelines* shall be required as follows:
- (a) Historic treatment shall be required within the “Primary Historic Treatment Area” as illustrated on Map No. 6 in the *Nordegg Development Plan*. This area is located along the primary route to the mine site, and includes the corridor from Highway 11 along Stuart Street into the historic Town Centre to the mine. Any additional areas along this route that are highly visible, at the discretion of the Development Officer, shall also adhere to the historic treatment requirements. The “Primary Historic Treatment Area” may be adjusted and increased at the discretion of the Development Officer subject to ongoing subdivision and redesignation;
  - (b) When considering permits for renovations, exterior building treatments, or additions to existing buildings or developments that do not currently conform to the *Nordegg Development Plan*, the Development Officer shall carry out a review and, where deemed appropriate, incorporate into any permit issued such requirements that allow conformance with the intent of the *Nordegg Development Plan* and any historical treatment. Owners of existing non-conforming developments shall be encouraged to bring facilities into conformance with the *Nordegg Development Plan*.
6. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials. Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District. Developed guidelines, such as “FireSmart” principles may be used at the discretion of the Development Officer to assess the appropriateness of any proposed development.
7. Boardwalks shall be required to the satisfaction of the Development Officer in keeping with the *Nordegg Development Plan* and associated *Design Guidelines*.

## J. LANDSCAPING

1. Approval to develop may be made subject to the Development Officer accepting a landscaping plan.

2. The Development Officer may require measures to retain natural vegetation and to protect sensitive soils on the site.
3. Any development may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
4. Where two or more buildings are located on a lot, the separation distances between them may be at the discretion of the Development Officer.
5. For any developed area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 10% unless otherwise approved by the Development Officer.

K. OFF-STREET PARKING

All lots are required to provide adequate parking, as per item 6.16, of this Land Use Bylaw, unless otherwise approved by the Development Officer. As outlined in the *Nordegg Development Plan* and associated *Design Guidelines*, shared parking facilities between adjacent lots shall be required at the discretion of the Development Officer.

L. OTHER REQUIREMENTS

1. Storage:  
It is intended that all storage of goods and equipment be contained in doors, however limited outside storage may be approved by the Development Officer if properly screened so as to not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.
2. Outdoor Lighting:  
Precautions must be taken to ensure that outside lighting does not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area. Adequate lighting shall be provided to allow for security of pedestrian traffic.
3. Signs:  
All signs are subject to the approval of the Development Officer. In considering a development application for a sign, the Development Officer shall ensure that the proposed sign is consistent with the natural and historical setting of the area, as outlined in the *Nordegg Development Plan* and associated *Design Guidelines* and shall have due regard to the visual impact of the sign in relation to features of the site and the surrounding area.
4. Electrical Service:  
All electrical service from the transformer to the dwelling or other building shall be underground.
5. Excavation:

No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.

6. Refuse:  
All garbage and refuse shall be properly stored in closed containers in a sanitary manner so as not to cause any odor or nuisance. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators or burn barrels shall be permitted. Fire pits are not permitted.
7. Visual Integrity:  
No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.
8. Miscellaneous:  
Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

#### M. DESIGN REVIEW PROCESS

1. A design review process and design review checklist similar to that outlined in the *Nordegg Development Plan - Design Guidelines* shall be adopted by the Development Officer in the review of any proposed development. The review process and checklist may be updated on occasion, at the discretion of the Development Officer, to meet changing circumstances and to maintain the original intent of the review process and checklist. The design review process shall be required on:
  - (a) All new construction and site development;
  - (b) All exterior alterations;
  - (c) Any alterations to site improvements;
  - (d) All public projects and improvements;
  - (e) Any other development or improvement as deemed by the Development Officer.
2. The main elements of the design review process shall include:
  - (a) A development permit pre-application meeting of the proponent with the Development Officer;
  - (b) Review of the development permit application package by the Development Officer, with input from design professionals and/or other individuals, groups, or committees deemed necessary, in an advisory role;
  - (c) Review of the development permit application by the Development Officer using evaluation criteria in a checklist format, or other format as deemed appropriate by the Development Officer, as developed in the *Nordegg Development Plan* and associated *Design Guidelines*. The

*Nordegg Development Plan* and associated *Design Guidelines* shall be considered a tool in the evaluation process, and the Development Officer may use discretion in applying the guidelines and intent of the document to any specific development or improvement;

- (d) The design review checklist, or equivalent document, shall be utilized by the applicant and the Development Officer when reviewing and evaluating the proposed development or improvement in regard to design;
- (e) The applicant shall provide sufficient evidence, plans, and drawings, as requested by the Development Officer, that illustrate the appearance of proposed building(s), improvement(s), or development(s), and to confirm they meet the intent of the *Nordegg Development Plan* and associated *Design Guidelines*, and the historic treatment requirements where necessary;
- (f) When considering the approval of an application for a development permit, the Development Officer must, among other things, be satisfied that the proposed development or improvement maintains consistency with Nordegg's historic legacy and natural mountain setting, while conforming to the spirit of the *Nordegg Development Plan* and associated *Design Guidelines*.

### 13.4 (23) NORDEGG INDUSTRIAL DISTRICT "NI"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE **AND REGULATE** INDUSTRIAL OPERATIONS APPROPRIATE FOR THE RURAL WEST COUNTRY IN THE VICINITY OF THE TOWNSITE OF NORDEGG.

#### A. PERMITTED USES

1. Public works garage and maintenance facilities
2. Public utility building or public facility required to serve this district

#### B. DISCRETIONARY USES

1. Ancillary building and uses
2. Asphaltic mix manufacture
3. Auto-wrecking and salvage
4. Automobile repair, cleaning, servicing, testing, and/or towing
5. Automobile sales and rentals
6. Bottle return depot
7. Bulk fuel, oil, fertilizer, feed and chemical storage and sales
8. Business office as part of main building or ancillary building in support of the principal use on a lot, and clearly supportive of the primary uses within this district
9. Commercial uses and sales secondary to the principal use on a lot, and clearly supportive of the primary uses within this district
10. Consignment, rental, sales and storage of industrial/agricultural equipment, vessels, structures, vehicles, tanks and pipes
11. Construction camp as primary use (permanent)
12. Construction camp as secondary use (temporary)
13. Excavation, stripping, clearing, and/or grading associated with a bona fide improvement on a lot within the immediate area of this District, but not intended for sale or hauling of excavated materials outside of this District
14. Gravel storage
15. Greenhouses and nurseries
16. Heavy industry contractors
17. Household, mini, and/or self-storage facilities
18. Industrial/agricultural equipment maintenance and repair
19. Industrial/agricultural fabrication and machining operations
20. Industrial/agricultural trucking and related facilities, including but not limited to, storage, warehousing, maintenance and repair
21. Industrial equipment storage
22. Manufacturing facilities
23. Outdoor storage
24. Radio, television, and other communications tower and related buildings not exceeding 75 square metres (800 sq. ft.)

25. Recreational and commercial vehicle repair, service, sales and rental
26. Recycling depot
27. Redi-mix concrete plant
28. Security or gatekeepers suite or custodial quarters (temporary) as part of the principal use building or ancillary building
29. Support facilities for petroleum refining, gas processing, upgrading plants or related installations, but not including the primary facilities themselves
30. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
31. Timber and lumber milling and storage
32. Tire sales and service
33. Tradesperson's business, including contractors for plumbing, heating, electrical, carpentry, masonry, mechanical, auto-body and painting, excavation, construction, household repair services, trucking and the like
34. Warehouse
35. Other similar uses deemed appropriate and approved by the Development Officer

C. MINIMUM AND MAXIMUM LOT SIZE

Minimum Lot Size: 0.60 hectares (1.5 acres) unless otherwise approved by the Development Officer.

Maximum Lot Size: 3.50 hectares (8.6 acres) unless otherwise approved by the Development Officer.

D. MINIMUM TOTAL FLOOR AREA

Ancillary buildings - Suitable and appropriate for the intended use.

All other development - At the discretion of the Development Officer.

E. MAXIMUM TOTAL FLOOR AREA

As determined by the Development Officer.

F. MINIMUM DEPTH OF FRONT YARD

1. 15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

2. Where there is a service road next to a primary highway, the minimum front yard depth shall be determined by the Development Officer.

G. MINIMUM WIDTH OF SIDE YARD

7.5 metres (25 feet), except for a corner parcel, where the minimum side yard adjacent to a public road shall be determined as though it were a front yard, although Section 6.4 of the Land Use Bylaw applies.

H. MINIMUM DEPTH OF REAR YARD



7.5 metres (25 feet) unless otherwise approved by the Development Officer.

NOTE: An industrial development having characteristics, which are offensive due to noise, dust, odor or appearance, may be required to locate at a greater distance from any property line than stated in subsections F, G and H, at the discretion of the Development Officer.

I. MAXIMUM HEIGHT OF BUILDINGS

As determined by the Development Officer.

J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.
2. All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the wildland. All new development shall be required to utilize fire retardant roofing and exterior wall materials such as, but not limited to, metal or tile shingles (for roofs) and stucco, rock, brick, aluminum or other metal siding (for exterior walls). Wooden shakes and asphalt shingles shall be prohibited for use as roofing material on any structure within this district. Other regulations, guidelines, or development controls may be established by the Municipality for any new development within this District. Developed guidelines, such as "FireSmart" principles, may be used at the discretion of the Development Officer to assess the appropriateness of any proposed development.
3. Where two or more buildings are located on a lot, the separation distances between them may be at the discretion of the Development Officer, and, as a minimum, separation between buildings and construction of separating walls shall be in accordance with the Alberta Building Code.

K. LANDSCAPING & SCREENING

1. In addition to other provisions of this Bylaw, any approved use may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer.
2. Reclamation to standards acceptable to the Development Officer may be required following any land surface disturbing operation.

L. CONSTRUCTION CAMPS

Permanent residential uses, camping, or campgrounds are not intended for this district. Construction camps are intended to house construction crews, work crews, individual workers, and/or support staff on a shift-by-shift basis.

Construction camps are considered as discretionary uses and shall be considered by the Development Officer based upon the following criteria:

1. Construction Camp as Primary Use:

Includes a construction camp or work camp that is intended as the ultimate and primary use of a lot. Such a camp is intended as a permanent, ongoing operation and shall conform to the following:

- (a) Consist of portable and mobile accommodation units or trailers, with or without kitchen facilities;
- (b) Provide adequate potable water and sanitation facilities to the satisfaction of the Development Officer, and to meet Provincial requirements. All sewage disposal shall be conducted by means of holding tanks or some other Provincially approved system;
- (c) May operate as third-party rental accommodations to house workers on a temporary, part-time, or shift-by-shift basis;
- (d) Not house individual workers or residents on a full-time, ongoing, or permanent basis;
- (e) Not house immediate or extended family members that are not bone fide workers or staff in support of the operation;
- (f) Have siting of and setbacks from accommodations to the satisfaction of the Development Officer and to take into account adjacent land uses and operations.

2. Construction Camp as Secondary Use:

Includes a construction camp or work camp that is not established as the ultimate and primary use of a lot. Such a camp is secondary in nature to the primary use, and shall conform to the following:

- (a) Consist of portable and mobile accommodation units or trailers, with or without kitchen facilities;
- (b) Provide adequate potable water and sanitation facilities to the satisfaction of the Development Officer, and to meet Provincial requirements. All sewage disposal shall be conducted by means of holding tanks or some other Provincially approved system;
- (c) Be occupied by bone fide employees, staff or personnel directly related to or employed by the primary use or employer on a lot;
- (d) Not be used as third-party rental accommodations;
- (e) Not house individual workers or residents on a full-time, ongoing, or permanent basis;
- (f) Not house immediate or extended family members that are not bone fide workers or staff in support of the operation, primary use, or employer on a lot;
- (g) Have siting of and setbacks from accommodations to the satisfaction of the Development Officer and to take into account adjacent land uses and operations;

- (h) Require temporary development permits that shall not to be issued for a period greater than 12 month duration unless a new application for a development permit is made.

M. OTHER REQUIREMENTS

1. Excavation:

No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping, or approved site grading.

2. Site Grading Plan:

The applicant shall supply to the Development Officer, at the time of application for a development permit, a site grading plan to the satisfaction of the Development Officer.

3. Refuse:

All garbage and refuse shall be properly stored in closed weatherproof and animal proof containers in a sanitary manner so as not to cause any odor or nuisance, and shall be visually screened from all adjacent sites and public thoroughfares. No garbage or refuse other than vegetation removed when clearing land shall be burned and only after obtaining the necessary permit. No incinerators or burn barrels shall be permitted. Fire pits are not permitted.

4. Environmental:

Specific conditions addressing environmental constraints may be applied to any development within the area.

(a) The applicant shall supply to the Development Officer, at the time of application for a development permit, a stormwater management plan and an erosion and sediment control plan to the satisfaction of the Development Officer and meeting applicable Provincial and Federal requirements.

(b) The applicant shall supply to the Development Officer, at the time of application for a development permit relevant information describing any noxious, dangerous, or offensive feature of the proposed development in relation to airborne pollutants or odors, noise, and release of any toxic, radioactive or environmentally hazardous materials, and an acceptable plan describing methods and/or facilities to mitigate such a feature.

(c) At the discretion of the Development Officer, uses which involve the storage of hazardous materials may be considered where the Development Officer is satisfied contaminants can be safely stored and contained on site.

(d) Industrial uses that emit significant airborne pollutants or noxious odors, or that have unacceptable fire or explosive risks, shall not be allowed within the District. No use or operation shall cause or create

the emission of odorous matter or vapor or toxic matter in amounts or quantities that exceed the level prescribed by the Province of Alberta within the Clean Air Act and the regulations pursuant thereto.

- (e) Applications for development, which may produce smoke, fumes, noise, vibration, dust, or odors, or involve the use of highly flammable chemical materials, shall be referred to Alberta Environment and other agencies for their respective comments to the satisfaction of the Development Officer.
- (f) No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the boundary line of the site which contains it, such as related to noise, odor, earthborne vibrations, heat, or high brightness light sources.
- (g) Applications for approval of a use employing flammable chemical materials shall be accompanied by the plan approved by the Provincial Fire Marshall.

5. Storage Vessels:

Any storage vessel with a water capacity exceeding 7570 litres (1,660 Imperial Gallons) containing liquified petroleum or similar products shall meet all applicable Federal or Provincial safety standards, and shall be set back at least 15.0 metres (50 feet) from all property lines.

6. Signs:

All signs are subject to the approval of the Development Officer.

7. Temporary Uses:

Permanent residential uses are not intended for this district. Security or gatekeepers suites or custodial quarters, and temporary construction camps may be subject to, but not necessarily limited to, the following provisions in the issuing of a development permit, at the discretion of the Development Officer:

- (a) The primary use for a site be in place and active prior to allowing any form of temporary accomodations.
- (b) The temporary accomodation be demonstrated to be directly related to the primary use on the site, or be required for bone fide security purposes.
- (c) The maximum total floor area of the security or gatekeepers suite or custodial quarters be limited to 40 square metres (430 sq. ft.), be limited to one only for any site, and be part of a principal use building or ancillary building, or as allowed otherwise at the discretion of the Development Officer.
- (d) Temporary development permits for temporary uses shall not be issued for a period of greater than 12 month duration unless a new application for a development permit is made.

8. Fencing:

All fences are subject to the approval of the Development Officer.

9. Miscellaneous:

Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

### 13.4 (24) SAUNDERS ALEXO DISTRICT "SA"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE APPROPRIATE TYPES OF LAND USE AND DEVELOPMENT WITHIN THE SAUNDERS ALEXO DEVELOPMENT NODE IN ACCORDANCE WITH THE DAVID THOMPSON INTEGRATED RESOURCE PLAN, THE CORRIDOR DEVELOPMENT NODES VISION STATEMENT AND THE SAUNDERS ALEXO OUTLINE PLAN.

#### A. PERMITTED USES

1. Natural open spaces and uses

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Cemetery
3. Historical and cultural interpretive centre
4. Gravel and sand pit
5. Highway maintenance yard
6. Public utility: waste transfer station, sewage lagoon and sewage treatment facility, water treatment plant and associated facilities, public utilities and public utility buildings
7. Radio, television and other communication or observation tower and building
8. Heliport
9. Dude ranch or vacation farm
10. Building for cooking, dining, assembly, crafts and related activities
11. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
12. Institutional, religious and educational camps and facilities
13. Livestock-keeping in association with an approved use, including shelters
14. Campgrounds, recreational vehicle parks and related facilities
15. Public and private open space including picnic and playgrounds
16. Public and quasi-public buildings and uses and government field office and installations
17. Equestrian, riding facilities and outfitters base camps
18. Shops and stores
19. Skiing developments
20. Golf course, driving range and clubhouse
21. Food concession, convenience or confection store
22. Intensive and extensive recreational facilities
23. River marina/access and approach
24. Miniature golf course
25. Off-road vehicle and trail development
26. Restaurant and/or beverage lounge

27. Highway commercial uses catering to the travelling public
28. Caretakers/manager accommodation for security purposes where ancillary to an approved use
29. Seasonal multiple staff accommodation where ancillary to an approved use
30. Signs, approved by Alberta Transportation where applicable
31. Scientific and academic research facility
32. Other appropriate similar uses approved by the Development Officer

C. MINIMUM LOT OR LEASE AREA

1.0 hectare (2.5 acres) or as otherwise required by the Development Officer.  
(Note: Also see Section I, below for permitted campground and cabin densities).

D. MINIMUM DEPTH OF FRONT YARDS

15 metres (50 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

E. MINIMUM DEPTH OF SIDE YARD

6 metres (20 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

F. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) or as otherwise required by the Development Officer.

G. MINIMUM TOTAL FLOOR AREA

1. 35 square metres (375 sq. ft.) for a detached cabin without a kitchenette, 40 square metres (430 sq. ft.) for a detached cabin with a kitchenette.
2. 95 square metres (1,000 sq. ft.) for a caretaker/manager accommodation, 75 square metres (800 sq. ft.) for a manufactured home.
3. Other buildings as required by the Development Officer.

H. HEIGHT OF BUILDINGS

8 metres (26 feet) or as otherwise required by the Development Officer.

I. CAMPGROUND AND RV PARK DEVELOPMENT DENSITIES

1. The maximum allowable densities for campgrounds and recreational vehicle (RV) parks is 20 campsites per hectare (8 sites/acre) up to an area of 4 hectares (10 acres), thereafter, the maximum allowable density is 17 sites per hectare (7 sites/acre). If the campground or RV park facility is serviced by common piped water and/or sewage collection systems, the density may be increased as required by the Development Officer, with due regard to adjacent uses and for the need to retain adequate vegetation cover.



2. Pursuant to Subsection 1 above, each campsite shall contain a minimum area of 300 square metres (3,200 sq. ft.) and a minimum average width of 10 metres (33 feet) unless common piped water and/or sewer systems exist, whereby minimum areas and widths may be decreased as required by the Development Officer.
3. The maximum allowable density for detached cabins is 15 units per hectare (6 units/acre). If the detached cabin facility is serviced by a communal water and/or wastewater ~~common piped water and/or sewage collection~~ system, with due regard to the impact on adjacent uses the Development Officer may approve a higher density. ~~may be increased as required by the Development Officer.~~
4. Pursuant to Subsection 3 above, each detached cabin site shall contain a minimum area of 370 square metres (4,000 sq. ft.) and a minimum average width of 12 metres (40 feet) unless served by a communal water and/or wastewater ~~common piped water and/or sewage collection~~ system exist, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density ~~requirements~~ for other uses shall be as required ~~may be varied where circumstances warrant~~ by the Development Officer.

#### J. LOCATION OF DEVELOPMENT

1. Suitable locations for proposals for development are provided by the "Saunders Alexo Development Node Outline Plan". Proposals for development must be consistent with the Outline Plan and be environmentally conforming to the natural features of the area. Attention must be given to the site topography, level of servicing and comply with the policies of the Outline Plan.
2. In determining the suitability of a site for a proposed development, in addition to the requirements provided in Part Three: Development Control and Permits, the developer at his own expense, may be required to undertake the following environmental tests and analysis; a topographic analysis, slope stability and engineering test, near surface groundwater and percolation test, potable water quantity and quality analysis and other tests and analysis, as required by the Development Officer, in addition to other respective Government Agencies.

#### K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The design, character and appearance of the buildings shall be new construction only, being appropriate for and compatible with the surrounding area and having the exterior completed to a standard and style and with using finishing materials as required by the Development Officer.

L. LANDSCAPING

1. Approval for development may be made conditional to the preparation of a landscape plan for the site by the applicant as required by the Development Officer, who may specify measures to retain natural vegetation, protect sensitive features and provide additional landscaping on the site.
2. The provision of adequate screening, buffering, fencing, berming and landscaping of a visually pleasing nature for a development may be required as determined by the Development Officer.
3. Where two or more buildings are located on a lot or lease area, the separation distances between the buildings shall be as required by the Development Officer.
4. For any development area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 60% unless otherwise required by the Development Officer.

M. OFF-STREET PARKING

One space per guest room for recreational facilities; all other developments, as specified in Part Six: General Parcel and Development Regulations.

N. SIGNS AND ADVERTISING

Shall be appropriate and reflective of the natural character of the area and comply with Part Six: General Parcel and Development Regulations.

### 13.4 (25) SHUNDA GOLDEYE DISTRICT "SG"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE APPROPRIATE TYPES OF LAND USE AND DEVELOPMENT WITHIN THE SHUNDA GOLDEYE DEVELOPMENT NODE IN ACCORDANCE WITH THE DAVID THOMPSON IRP, THE CORRIDOR DEVELOPMENT NODES VISION STATEMENT AND THE SHUNDA GOLDEYE OUTLINE PLAN.

#### A. PERMITTED USES

1. Natural open spaces and uses

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Historical and cultural interpretive centre
3. Gravel and sand pit
4. Highway maintenance yard
5. Public utility: waste transfer station, sewage lagoon and sewage treatment facility, water treatment plant and associated facilities, public utilities and public utility buildings
6. Radio, television and other communication or observation tower and building
7. Heliport
8. Dude ranch or vacation farm
9. Building for cooking, dining, assembly, crafts and related activities
10. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
11. Institutional, religious and educational camps and facilities
12. Livestock-keeping in association with an approved use including shelters
13. Campgrounds and related facilities
14. Public and private open space including picnic and playgrounds
15. Public and quasi-public buildings and uses and government field offices and installations
16. Equestrian and riding facilities
17. Local shops and stores, being complementary and secondary to Nordegg's commercial service centre status
18. Skiing developments
19. Golf course, driving range and clubhouse
20. Food concession, convenience or confection store
21. Intensive and extensive recreational facilities
22. Miniature golf course
23. Trail development
24. Restaurant and/or beverage lounge
25. Highway commercial uses catering to the travelling public

26. Caretaker/manager accommodation for security purposes where ancillary to an approved Use
27. Seasonal multiple staff accommodation where ancillary to an approved use
28. Signs, approved by the Alberta Transportation where applicable
29. Scientific and academic research facility
30. Other appropriate similar uses approved by the Development Officer

C. MINIMUM LOT OR LEASE AREA

1.0 hectare (2.5 acres) or as otherwise required by the Development Officer.  
(Note: Also see Section I, below for permitted campground and cabin densities).

D. MINIMUM DEPTH OF FRONT YARDS

15 metres (50 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

E. MINIMUM DEPTH OF SIDE YARD

6 metres (20 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

F. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) or as otherwise required by the Development Officer.

G. MINIMUM TOTAL FLOOR AREA

1. 35 square metres (375 sq. ft.) for a detached cabin without a kitchenette, 40 square metres (430 sq. ft.) for a detached cabin with a kitchenette.
2. 95 square metres (1000 sq. ft.) for a caretaker/manager accommodation, 75 square metres (800 sq. ft.) for a manufactured home.
3. Other buildings as required by the Development Officer.

H. HEIGHT OF BUILDINGS

8 metres (26 feet) or as otherwise required by the Development Officer.

I. CAMPGROUND AND RV PARK DEVELOPMENT DENSITIES

1. The maximum allowable densities for campgrounds and recreational vehicle (RV) parks is 20 campsites per hectare (8 sites per acre) up to an area of 4 hectares (10 acres), thereafter, the maximum allowable density is 17 sites per hectare (7 sites/acre). If the campground or RV park facility is serviced by common piped water and/or sewage collection systems, the density may be increased as required by the Development Officer, with due regard to adjacent uses and for the need to retain adequate vegetation cover.

2. Pursuant to Subsection 1 above, each campsite shall contain a minimum area of 300 square metres (3,200 sq. ft.) and a minimum average width of 10 metres (33 feet) unless common piped water and/or sewer systems exist, whereby minimum areas and widths may be decreased as required by the Development Officer.
3. The maximum allowable density for detached cabins is 15 units per hectare (6 units per acre). If the detached cabin facility is serviced by a communal water and/or wastewater ~~common piped water and/or sewage collection~~ system, the density may be increased as required by the Development Officer, with due regard to the impact on adjacent land uses.
4. Pursuant to Subsection 3 above, each detached cabin site shall contain a minimum area of 370 square metres (4,000 sq. ft.) and a minimum average width of 12 metres (40 feet) unless serviced by a communal water and/or wastewater ~~common piped water and/or sewage collection~~ system exists, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density ~~requirements~~ for other uses shall be required ~~may be varied where circumstances warrant~~ by the Development Officer.

#### J. LOCATION OF DEVELOPMENT

1. Suitable locations for proposals for development are provided by the “*Shunda Goldeye Outline Plan*”. Proposals for development must be consistent with the Outline Plan and be environmentally conforming to the natural features of the area, which is an appropriate use for the intended site. Attention must be given to the site topography, level of servicing and comply with the policies of the Outline Plan.
2. In determining the suitability of a site for a proposed development, in addition to the requirements provided in Part Three, Development Control and Permits, the developer at his own expense, may be required to undertake the following environmental tests and analysis; a topographic analysis, slope stability and engineering test, near surface groundwater and percolation test, potable water quantity and quality analysis and other tests and analysis, as required by the Development Officer, in addition to other respective Government Agencies.

#### K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The design, character and appearance of the buildings shall be new construction only, being appropriate for and compatible with the surrounding area and having the exterior completed to a standard and style and with using finishing materials as required by the Development Officer.

#### L. LANDSCAPING

1. Approval for development may be made conditional to the preparation of a landscape plan for the site by the applicant as required by the Development Officer, who may specify measures to retain natural vegetation, protect sensitive features and provide additional landscaping on the site.
2. The provision of adequate screening, buffering, fencing, berming and landscaping of a visually pleasing nature for a development may be required as determined by the Development Officer.
3. Where two or more buildings are located on a lot or lease area, the separation distances between the buildings shall be as required by the Development Officer.
4. For any development area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 60% unless otherwise required by the Development Officer.

M. OFF-STREET PARKING

One space per guest room for recreational facilities, all other developments, as specified in Part Six: General Parcel and Development Regulations.

N. SIGNS AND ADVERTISING

Shall be appropriate and reflective of the natural character of the area and comply with Part Six: General Parcel and Development Regulations.

### 13.4 (26) BIGHORN CANYON DISTRICT "BC"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE **AND REGULATE** APPROPRIATE TYPES OF LAND USE AND DEVELOPMENT WITHIN THE BIGHORN CANYON DEVELOPMENT NODE IN ACCORDANCE WITH THE DAVID THOMPSON INTEGRATED RESOURCE PLAN, THE CORRIDOR DEVELOPMENT NODES VISION STATEMENT AND THE BIGHORN CANYON OUTLINE PLAN.

#### A. PERMITTED USES

1. Natural open spaces and uses

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Historical and cultural interpretive centre
3. Gravel and sand pit
4. Public utility: waste transfer station, sewage lagoon and sewage treatment facility, water treatment plant and associated facilities, public utilities and public utility buildings
5. Radio, television and other communication or observation tower and building
6. Dude ranch or vacation farm
7. Building for cooking, dining, assembly, crafts and related activities
8. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
9. Institutional, religious and educational camps and facilities
10. Livestock-keeping in association with an approved use including shelters
11. Campgrounds and related facilities
12. Public and private open space including picnic and playground
13. Public and quasi-public buildings and uses and government field offices and installations
14. Equestrian and riding facilities
15. Shops and stores, appropriate for the area
16. Cross country skiing developments
17. Food concession, convenience or confection store
18. Intensive and extensive recreational facilities
19. Miniature golf course
20. Restaurant and/or beverage lounge
21. Highway commercial uses catering to the travelling public
22. Caretaker/manager accommodation for security purposes where ancillary to an approved use
23. Seasonal multiple staff accommodation where ancillary to an approved use
24. Signs, approved by Alberta Transportation where applicable
25. Scientific and academic research facility



26. Other appropriate similar uses approved by the Development Officer.

C. MINIMUM LOT OR LEASE AREA

1.0 hectare (2.5 acres) or as otherwise required by the Development Officer.  
(Note: Also see Section I, below for permitted campground and cabin densities).

D. MINIMUM DEPTH OF FRONT YARDS

15 metres (50 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

E. MINIMUM DEPTH OF SIDE YARD

6 metres (20 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.

F. MINIMUM DEPTH OF REAR YARD

7.5 metres (25 feet) or as otherwise required by the Development Officer.

G. MINIMUM TOTAL FLOOR AREA

1. 35 square metres (375 sq. ft.) for a detached cabin without a kitchenette, 40 square metres (430 sq. ft.) for a detached cabin with kitchenette.
2. 95 square metres (1,000 sq. ft.) for a manager/caretaker accommodation, 75 square metres (800 sq. ft.) for a manufactured home.
3. Other buildings as required by the Development Officer.

H. HEIGHT OF BUILDINGS

8 metres (26 feet) or as otherwise required by the Development Officer.

I. CAMPGROUND AND RV PARK DEVELOPMENT DENSITIES

1. The maximum allowable densities for campgrounds and recreational vehicles (RV) parks is 20 campsites per hectare (8 sites/acre) up to an area of 4 hectares (100 acres), thereafter, the maximum allowable density is 17 sites per hectare (7 sites/acre). If the campground or RV Park facility is serviced by common piped water and/or sewage collection systems, the density may be increased as required by the Development Officer, with due regard to adjacent uses and for the need to retain adequate vegetation cover.
2. Pursuant to Subsection 1 above, each campsite shall contain a minimum area of 300 square metres (3,200 sq. ft.) and a minimum average width of 10 metres (33 feet) unless common piped water and/or sewer systems exist, whereby minimum area and widths may be decreased as required by the Development Officer.

3. The maximum allowable density for detached cabins is 15 units per hectare (6 units/acre). If the detached cabin facility is serviced by a communal water and/or wastewater system, ~~common piped water and/or sewerage collection systems~~, the density may be increased as required by the Development Officer, with due regard to the impact on adjacent uses.
4. Pursuant to Subsection 3 above, each detached cabin site shall contain a minimum area of 370 square metres (4,000 sq. ft.) and a minimum average width of 12 metres (40 feet) unless serviced by a communal water and/or wastewater system ~~common piped water and/or sewer systems exist~~, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density ~~requirements~~ for other uses shall be ~~may be varied where circumstances warrant~~ by the Development Officer.

#### J. LOCATION OF DEVELOPMENT

1. Suitable locations for proposals for development are provided by the "Bighorn Canyon Outline Plan". Proposals for development must be consistent with the Outline Plan and be environmentally conforming to the natural features of the area, which is an appropriate use for the intended site. Attention must be given to the site topography, level of servicing and comply with the policies of the Outline Plan.
2. In determining the suitability of a site for a proposed development, in addition to the requirements provided in Part Three: Development Control and Permits, the developer at his own expense, may be required to undertake the following environmental tests and analysis; a topographic analysis, slope stability and engineering test, near surface groundwater and percolation test, potable water quantity and quality analysis and other tests and analysis, as required by the Development Officer, in addition to other respective Government Agencies.

#### K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The design, character and appearance of the buildings shall be new construction only, being appropriate for and compatibly with the surrounding area and having the exterior completed to a standard and style and with using finishing materials as required by the Development Officer.

#### L. LANDSCAPING

1. Approval for development may be made conditional to the preparation of a landscape plan for the site by the applicant as required by the Development Officer, who may specify measures to retain natural vegetation, protect sensitive features and provide additional landscaping on the site.

2. The provision of adequate screening, buffering, fencing, berming and landscaping of a visually pleasing nature for a development may be required as determined by the Development Officer.
3. When two or more buildings are located on a lot or lease area, the separation distances between the buildings shall be as required by the Development Officer.
4. For any development area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 60% unless otherwise required by the Development Officer.

M. OFF-STREET PARKING

One space per guest room for recreational facilities, all other developments, as specified in Part Six: General Parcel and Development Regulations.

N. SIGNS AND ADVERTISING

Shall be appropriate and reflective of the natural character of the area and comply with Part Six: General Parcel and Development Regulations.

### 13.4 (27) WHITEGOAT LAKES DISTRICT "WL"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE APPROPRIATE TYPES OF LAND USE AND DEVELOPMENT WITHIN THE WHITEGOAT LAKES DEVELOPMENT NODE IN ACCORDANCE WITH THE DAVID THOMPSON INTEGRATED RESOURCE PLAN, THE CORRIDOR DEVELOPMENT NODES VISION STATEMENT AND THE WHITEGOAT LAKES OUTLINE PLAN.

#### A. PERMITTED USES

1. Natural open spaces

#### B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Historical and cultural interpretive centre
3. Gravel and sand pit
4. Public utility: waste transfer station, sewage lagoon and sewage treatment facility, water treatment plant and associated facilities, public utilities and public utility buildings
5. Radio, television and other communication or observation tower and building
6. Heliport
7. Building for cooking, dining, assembly, crafts and related activities
8. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
9. Institutional, religious and educational camps and facilities
10. Livestock-keeping in association with an approved use, including shelters
11. Campgrounds and related facilities
12. Public and private open space including picnic and playgrounds
13. Public and quasi-public buildings and uses and government field offices and installations
14. Equestrian and riding facilities
15. Craft and souvenir shops and stores
16. Cross country skiing developments
17. Food concession, convenience or confection store
18. Intensive and extensive recreational facilities
19. Miniature golf course
20. Restaurant and/or beverage lounge
21. Highway commercial uses catering to the travelling public
22. Caretakers residence for security purposes where ancillary to an approved use
23. Signs, approved by Alberta Transportation where applicable
24. Scientific and academic research facility
25. Other appropriate similar uses approved by the Development Officer

- C. MINIMUM LOT OR LEASE AREA  
1.0 hectare (2.5 acres) or as otherwise required by the Development Officer.  
(Note: Also see Section I, below for permitted campground and cabin densities).
- D. MINIMUM DEPTH OF FRONT YARDS  
15 metres (50 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.
- E. MINIMUM DEPTH OF SIDE YARD  
6 metres (20 feet) or as otherwise required by the Development Officer, but being subject to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations of this Bylaw.
- F. MINIMUM DEPTH OF REAR YARD  
7.5 metres (25 feet) or as otherwise required by the Development Officer.
- G. MINIMUM TOTAL FLOOR AREA
1. 35 square metres (375 sq. ft.) for a detached cabin without a kitchenette, 40 square metres (430 sq. ft.) for a detached cabin with a kitchenette.
  2. 95 square metres (1,000 sq. ft.) for a manager/caretaker accommodation, 75 square metres (800 sq. ft.) for a manufactured home.
  3. Other buildings as required by the Development Officer.
- H. HEIGHT OF BUILDINGS  
8 metres (26 feet) or as otherwise required by the Development Officer.
- I. CAMPGROUND AND RV PARK DEVELOPMENT DENSITIES
1. The maximum allowable densities for campgrounds and recreational vehicle (RV) parks is 20 campsites per hectare (8 sites/acre) up to an area of 4 hectares (10 acres), thereafter, the maximum allowable density is 17 sites per hectare (7 sites/acre). If the campground or RV park facility is serviced by common piped water and/or sewage collection systems, the density may be increased as required by the Development Officer, with due regard to adjacent uses and for the need to retain adequate vegetation cover.
  2. Pursuant to Subsection 1 above, each campsite shall contain a minimum area of 300 square metres (3,200 sq. ft.) and a minimum average width of 10 metres (33 feet) unless common piped water and/or sewer systems exist, whereby minimum areas and widths may be decreased as required by the Development Officer.
  3. The maximum allowable density for detached cabins is 15 units per hectare (6 units/acre). If the detached cabin facility is serviced by a communal water

- and/or wastewater system, ~~common piped water and/or sewage collection systems~~, the density may be increased as required by the Development Officer, with due regard to the impact on adjacent uses.
4. Pursuant to Subsection 3 above, each detached cabin site shall contain a minimum area of 370 square metres (4,000 sq. ft.) and a minimum average width of 12 metres (40 feet) unless serviced by a communal water and/or wastewater system, ~~common piped water and/or sewer systems exist~~, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
  5. The maximum allowable density requirements for other uses shall be as required ~~may be varied where circumstances warrant~~ by the Development Officer.

#### J. LOCATION OF DEVELOPMENT

1. Suitable locations for proposals for development are provided by the "Whitegoat Lakes Outline Plan". Proposals for development must be consistent with the Outline Plan and be environmentally conforming to the natural features of the area, which is an appropriate use for the intended site. Attention must be given to the site topography, level of servicing and comply with the policies of the Outline Plan.
2. In determining the suitability of a site for a proposed development, in addition to the requirements provided in Part Three, Development Control and Permits, the developer at his own expense, may be required to undertake the following environmental tests and analysis; a topographic analysis, slope stability and engineering test, near surface groundwater and percolation test, potable water quantity and quality analysis and other tests and analysis, as required by the Development Officer, in addition to other respective Government Agencies.

#### K. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The design, character and appearance of the buildings shall be new construction only, being appropriate for and compatibly with the surrounding area and having the exterior completed to a standard and style and with using finishing materials as required by the Development Officer.

#### L. LANDSCAPING

1. Approval for development may be made conditional to the preparation of a landscape plan for the site by the applicant as required by the Development Officer, who may specify measures to retain natural vegetation, protect sensitive features and provide additional landscaping on the site.
2. The provision of adequate screening, buffering, fencing, berming and landscaping of a visually pleasing nature for a development may be required as determined by the Development Officer.

3. Where two or more buildings are located on a lot or lease area, the separation distances between the buildings shall be as required by the Development Officer.
4. For any development area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 60% unless otherwise required by the Development Officer.

M. OFF-STREET PARKING

One space per guest room for recreational facilities, all other developments, as specified in Part Six, General Parcel and Development Regulations.

N. SIGNS AND ADVERTISING

Shall be appropriate and reflective of the natural character of the area and comply with Part Six, General Parcel and Development Regulations.



### 13.4 (28) DIRECT CONTROL DISTRICT "DC"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO AUTHORIZE AND ALLOW COUNCIL TO EXERCISE PARTICULAR AND SPECIFIC DIRECTION AND CONTROL OVER THE USE AND DEVELOPMENT OF LAND OR BUILDINGS IN PARTICULAR AREAS OF THE MUNICIPAL DISTRICT. THIS DISTRICT IS NOT INTENDED TO BE USED IN SUBSTITUTION FOR ANY OTHER LAND USE DISTRICT IN THIS BYLAW THAT COULD BE USED TO ACHIEVE THE SAME RESULT.

#### USES AND REQUIREMENTS

The determination of appropriate uses and applicable development requirements within an area designated as a Direct Control District shall be as established and prescribed by Council upon review and deliberation on a development proposal.

### 13.4 (29) PUBLIC AIRPORT DISTRICT "PA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO PROVIDE AN AREA THAT ALLOWS SAFE MOVEMENT AND STORAGE OF AIRCRAFT, THE LOCATION AND OPERATION OF FACILITIES THAT PROVIDE FOR THE SAFE MOVEMENT AND STORAGE OF AIRCRAFT, AND FACILITIES AND USE RELATED, ACCESSORY AND COMPATIBLE WITH AIRCRAFT AND AIRCRAFT OPERATIONS.

#### A. PERMITTED USES

1. Uses listed as permitted uses in the "A" Agriculture District
- ~~2. Extensive agriculture~~

#### B. DISCRETIONARY USES

1. Ancillary uses and ancillary buildings
2. Intensive agriculture
3. Industrial - related to aircraft and aviation uses
4. Cemetery
5. Maintenance yard
6. Warehousing
7. Home occupation
8. Recreation facility
9. Public use

### 13.4 (30) RECREATION RESIDENTIAL DISTRICT "RR" ~~(Bylaw 819/05)~~

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE ~~PERMIT~~ SMALLER DETACHED DWELLINGS ON PRIVATELY OWNED PARCELS IN A CLUSTERED SUBDIVISION.

#### A. PERMITTED USES

1. Detached dwelling ~~having no more than 93 m<sup>2</sup> (1,000 sq. ft.) ground floor area.~~
2. Ancillary buildings.

#### B. DISCRETIONARY USES

1. Playground or outdoor recreation facility to serve this district.
2. Public buildings or use.

#### C. ACCEPTABLE LOT SIZE

1. For a detached dwelling: ~~1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 m (165 feet)~~ 0.91 hectares to 1.46 hectares (2.25 acres to 3.6 acres) unless:
  - (a) an applicable statutory plan in accordance with Section 6.2.20 of the Municipal Development Plan provides for a parcel size between 1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 metres (165 feet); or
  - (b) for a parcel created prior to the adoption of the Municipal Development Plan, 1 to 1.5 hectares (2.5 to 4 acres) with a minimum mean lot width of 50 metres (165 feet).
2. For any other use: as required by the Development Officer.

#### D. MAXIMUM FLOOR AREA

1. For a detached dwelling the maximum ground floor area shall be no more than 93 square metres (1,000 sq. ft.).
2. A detached dwelling may also have a loft/second floor which shall be no larger than 42 square metres (452 sq. ft.).
3. For any other use: as required by the Development Officer.

#### E. MINIMUM FLOOR AREA

1. For a detached dwelling the minimum ground floor area shall be not less than 32.5 square metres (350 sq. ft.).

#### F. MINIMUM DEPTH OF FRONT YARD

- 7.5 metres (25 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

- G. MINIMUM WIDTH OF SIDE YARD  
5 metres (15 feet) except for a corner site where the side yard shall be determined as though it were a front yard.
- H. MINIMUM DEPTH OF REAR YARD  
7.5 metres (25 feet) unless otherwise approved by the Development Officer.
- I. MAXIMUM HEIGHT OF BUILDINGS  
1. Detached dwelling: 9 metres (29.5 feet).  
2. Ancillary building: 5 metres (16 feet).  
3. All other buildings: as required by the Development Officer.
- J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS  
1. A detached dwelling shall be of new construction and the architecture, exterior finish, materials and appearance of buildings shall complement the natural features and character of the site.  
2. The Development Officer may require buildings to be of certain construction materials in order to comply with “FireSmart” principles.
- K. LANDSCAPING  
1. Notwithstanding any other provision contained in this Bylaw, landscaping shall be to standards acceptable to the Development Officer with the purpose of achieving an acceptable blend of natural and decorative landscaping designed to complement the natural features of the area within which the development is located.  
2. The clearing of vegetation and replacement with landscaping, including landscaping using specified materials, may be required by the Development Officer in order to meet “FireSmart” principles.

**13.4 (31) RESIDENTIAL ESTATE DISTRICT "RE"**

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE RESIDENTIAL DEVELOPMENT, OUTSIDE OF A HAMLET SETTING, WHICH IS SERVED BY A COMMUNAL WATER AND/OR WASTEWATER SYSTEM, WHILE NOT PERMITTING ANY AGRICULTURAL PURSUITS.

**A. PERMITTED USES**

1. Detached dwelling
2. Ancillary buildings

**B. DISCRETIONARY USES**

1. Home occupation
2. Local community centre or hall
3. Park, playground and/or other outdoor recreation facilities
4. Public building or use
5. Utility building

**C. ACCEPTABLE LOT SIZE**

1. For residential use:
  - (a) residential estate parcels with both communal water and wastewater services: a minimum of 0.20 hectares (0.50 acres) and a maximum of 0.61 hectares (1.50 acres); and
  - (b) residential estate parcels with a communal water system and individual engineered wastewater systems approved by the appropriate Provincial Government department and Clearwater County: a minimum of 0.50 hectares (1.25 acres) and a maximum of 0.81 hectares (2.00 acres).
2. For non-residential uses, as required by the Development Officer subject to a minimum lot frontage of 15 metres (50 feet).

**D. MINIMUM FLOOR AREA**

1. Detached dwelling: main floor - 93 square metres (1,000 sq. ft.).
2. Other buildings: as required by the Development Officer.

**E. MINIMUM DEPTH OF FRONT YARD**

7.5 metres (25 feet).

**F. MINIMUM DEPTH OF REAR YARD**

12 metres (40 feet).

**G. MINIMUM WIDTH OF SIDE YARD**

1. A side yard abutting a street: 6 metres (20 feet).
2. An side yard abutting another side, front or rear yard: 3 metres (10 feet).

#### H. MAXIMUM HEIGHT OF BUILDINGS

1. Detached dwelling: 8 metres (26 feet).
2. Ancillary buildings: 5 metres (16 feet).

#### I. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings shall be new unless otherwise approved by the Development Officer.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards by the County and shall complement the natural features and character of the site to the satisfaction of the Development Officer.
3. Ancillary buildings and additions shall be designed ~~fabricated so as to~~ complement the detached dwelling.

## PART FOURTEEN: FORMS AND DECLARATIONS

### 14.1 Establishment of Forms

- (1) For the purposes of administering this Bylaw, the Development Officer shall prepare ~~such the~~ forms and notices ~~as he/she may deem~~ necessary to administer this Bylaw.
- (2) Any such forms and notices are deemed to have the full force and effect of this Bylaw in the execution of the purposes for which ~~they~~ the forms and notices are designed, authorized and issued.
- ~~(3) The forms contained in Attachment A are provided for purpose of convenience and information. They may not be the most recent forms used by the Municipality in the administration of this Bylaw. A copy of the most recent forms may be obtained from the office of the Municipality.~~

### ATTACHMENT A

#### FORMS AND NOTICES

- ~~(a) Application for a Development Permit~~
- ~~(b) Development Permit~~
- ~~(c) Notice of Decision of the Development Officer~~
- ~~(d) Notice of Refusal of a Development Permit~~
- ~~(e) Decision of the Subdivision and Development Appeal Board~~
- ~~(f) Application for Amendment to the Land Use Bylaw~~



## PART FIFTEEN: LAND USE DISTRICT MAPS

### 15.1 Land Use District Map Sheets

### 15.2 Schedules

1. Clearwater Estates
2. Ferrier Acres
3. Ferrier/Garth & Woodland Estates
4. Hamlet of Alhambra
5. Hamlet of Leslieville
6. Burrington Subdivision
7. Hamlet of Condor
8. Hamlet of Withrow
9. Public Airport District
10. Misty Valley
11. Nordegg - North
12. Brouwer & Speight Subdivisions
13. Echo Canyon Subdivision
14. Hucul Subdivision
15. Como Subdivision
16. Eagle Ridge Subdivision
17. Raven Ridge Subdivision
18. James River Retreat
19. Everdell Subdivision
20. Law Subdivision
21. Cartier Creek
22. Wimbledon
23. Horburg
24. West Subdivision
25. Bristow Subdivision
26. Forestry Districts
27. Rocky/Clearwater Intermunicipal Development Plan
28. Bighorn Canyon Development Node
29. Whitegoat Lakes Development Node
30. Shunda/Goldeye Development Node
31. Saunders/Alexo Development Node

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ....2010.....

Name of Councilor / Board Member .....**Pat Alexander**.....

### Payment Periods

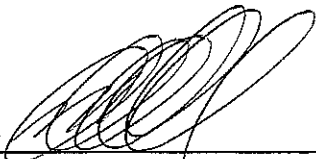
January	February	May	June
March	April	July	August
September	October	<b>November</b>	December

**Supervision Rate – \$550.00 Monthly**  
**Reeve Supervision Rate - \$850.00 Monthly**

Date	Type of Meeting Attended	First 4 Hours \$138.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
Nov 1	<b>Orientation</b>				<b>X</b>		<b>76</b>
Nov 2	<b>Orientation</b>				<b>X</b>		<b>76</b>
Nov 4	<b>Regional Fire</b>	<b>X</b>					<b>76</b>
Nov 7	<b>To Edm</b>	<b>X</b>				<b>X</b>	<b>193</b>
Nov 8	<b>NSWA</b>	<b>X</b>	<b>X</b>				<b>193</b>
Nov 9	<b>Council</b>				<b>X</b>		<b>76</b>
Nov 10	<b>Orientation Town</b>	<b>X</b>	<b>X</b>				<b>76</b>
Nov14	<b>AAMDC</b>				<b>X</b>		<b>195</b>
Nov 15	<b>AAMDC</b>				<b>X</b>		
Nov 16	<b>AAMDC</b>				<b>X</b>		
Nov 17	<b>AAMDC + NSWA</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>212</b>
Nov 23	<b>Council</b>				<b>X</b>		<b>76</b>
Nov 25	<b>Chamber</b>	<b>X</b>				<b>X</b>	<b>76</b>
Nov 25	<b>RPAP</b>		<b>X</b>				
Nov 30	<b>Meet Mayor + SDAB</b>	<b>X</b>	<b>X</b>			<b>X</b>	<b>76</b>

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## Remuneration Calculation

7	Meetings @ \$138.00=	966.00 ✓	1401	Kms @ \$0.52=	728.52 ✓
6	Meetings @ \$111.00=	666.00 ✓	4	Lunch @ \$16.00=	64.00 ✓
7	Meetings @ \$251.00=	1757.00 ✓	FALL CONV. Hotel (RECEIPTS ON FILE)		
	Supervision=	850.00 ✓			767.41 ✓
	<b>Sub Total=</b>	_____		<b>Sub Total=</b>	_____
	<b>TOTAL=</b>	<u>4239.00</u>		<b>TOTAL=</b>	<u>1559.93</u>

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2010.....

Name of Councilor / Board Member ..... Bob Bryant .....

Payment Periods

January                      February                      May                      June  
 March                      April                      July                      August  
 September                      October                      November                      December

Supervision Rate – \$550.00 Monthly  
 Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$138.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
* Dec 1/10	Rocky Senior Housing Council						
Dec 1/10	Rocky Waste Authority @County	✓					4km.
Dec 4/10	Parade of Lights	✓					
Dec 6/10	Rocky Public Library	✓					4km.
Dec 6/10	Town/County Joint Meet	✓					4km
Dec 9/10	Clearwater Budget Review	✓	✓				4km.
Dec 13/10	Clearwater Budget Review	✓	✓				4km.
Dec 14/10	Regular Council	✓	✓				4km.
Dec 16/10	MPC.	✓	✓				4km
Dec 16/10	PAMZ Executive Meeting <sup>Red Deer.</sup>	✓					160km

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### Remuneration Calculation

1 Westview Mtg @ 58	58.00 ✓			
9 Meetings @ \$138.00=	1242.00 ✓	188	Kms @ \$0.52=	97.76 ✓
4 Meetings @ \$111.00=	444.00 ✓		Lunch @ \$16.00=	
— Meetings @ \$251.00=	—			
Supervision=	550.00 ✓			
Sub Total=			Sub Total=	
<b>TOTAL=</b>	<b>2294.00</b>		<b>TOTAL=</b>	<b>97.76</b>

Signature {Councilor / Board Member} ..... R. J. Bryant .....



# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ....2010.....

Name of Councilor / Board Member ..... EARL GRAHAM .....

Payment Periods

January                      February                      May                      June  
 March                      April                      July                      August  
 September                      October                      November                      December

Supervision Rate - \$550.00 Monthly  
 Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$138.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
Nov 30/10	AG SOCIETY	✓					22
Dec 1/10	ORIENTATION/WYA.	✓	✓				92
Dec 2/10	RDR MD &	✓	✓			✓	448
Dec 6/10	JOINT COUNCIL	✓					92
Dec 9/10	BUDGET	✓	✓				92
Dec 10/10	CAAMDFE.	✓	✓				317
Dec 13/10	BUDGET	✓	✓				92
Dec 14/10	COUNCIL				✓		92
Dec 16/10	MPC.	✓	✓			✓	92
Dec 9/10	SPIRT				✓		90

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### Remuneration Calculation

8	Meetings @ \$138.00=	1104.00 /	1429	Kms @ \$0.52=	743.08 /
7	Meetings @ \$111.00=	777.00 /	2	Lunch @ \$16.00=	32.00 /
1	Meetings @ \$251.00=	251.00 /			
	Supervision=	550.00 /			
	Sub Total=			Sub Total=	
	<b>TOTAL=</b>	<b>2682.00</b>		<b>TOTAL=</b>	<b>775.08</b>

Signature {Councilor / Board Member} .....





# Clearwater County Councilor and Board Member Remuneration Statement

For the Year of ...2010.....

Name of Councilor / Board Member .....

*Dick Wymenga*  
Payment Periods

- |           |          |          |          |
|-----------|----------|----------|----------|
| January   | February | May      | June     |
| March     | April    | July     | August   |
| September | October  | November | December |

**Supervision Rate – \$550.00 Monthly  
Reeve Supervision Rate - \$850.00 Monthly**

Date	Type of Meeting Attended	First 4 Hours \$138.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
1	Solid Waste Authority	✓					53
2	Community futures	✓					100
6	Lagoon issue	✓					53
7	SdA B	✓					53
9	Budget				✓		53
9	Red Cross, Red Deer		✓				160
13	Budget				✓		53
14	Council				✓		53
16	Community futures strategy planning	✓	✓				160

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## Remuneration Calculation

5	Meetings @ \$138.00=	690.00 ✓		738		Kms @ \$0.52= 383.76 ✓
2	Meetings @ \$111.00=	222.00 ✓				Lunch @ \$16.00=
3	Meetings @ \$251.00=	753.00 ✓				
	Supervision=	550.00 ✓				
	Sub Total=	2215.00				Sub Total=
	<b>TOTAL=</b>	<b>2215.00</b>				<b>TOTAL= 383.76</b>

Signature {Councilor / Board Member} .....

*Dick Wymenga*



# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2010.....

Name of Councilor / Board Member .....**Pat Alexander**.....

Payment Periods

January	February	May	June
March	April	July	August
September	October	November	<i>December</i>

Supervision Rate – \$550.00 Monthly  
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$138.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
Dec 1	Waste Orientation	X					75
Dec 2	Daycare + NSRP	X				X	75
Dec 6	Joint Town County	X					75
Dec 7	Museum	X					75
Dec 8	Reeves + Mayors	X					213
Dec 9	Budget				X		75
Dec 10	CAAMDC	X	X				395
Dec 13	Budget				X		75
Dec 14	Council				X		75
Dec 15	NSWA	X	X	X			392

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### Remuneration Calculation

7	Meetings @ \$138.00=	966.00 ✓	1525		Kms @ \$0.52= 793.00 ✓
3	Meetings @ \$111.00=	333.00 ✓	1		Lunch @ \$16.00= 16.00 ✓
3	Meetings @ \$251.00=	753.00 ✓			
	Supervision=	850.00 ✓			
	<b>Sub Total=</b>	/			<b>Sub Total=</b> /
	<b>TOTAL=</b>	<u>2902.00</u>			<b>TOTAL=</b> <u>809.00</u>





