

**CLEARWATER COUNTY  
COUNCIL AGENDA  
February 22, 2011**

**DELEGATIONS:**

**10:30 Rocky Mountain Regional Solid Waste Authority**

**11:00 Jubilee Insurance**

**1:15 Public Hearing Land Use Bylaw**

**2:00 Land Use Amendment - BLAKE**

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. February 8, 2011 Regular Meeting Minutes

**D. PUBLIC WORKS**

1. Public Works Manager's Report
2. Wastewater Services Petition
3. TWP Road 40-2 & HWY 761 Intersection
4. Capital Purchase of Two- ¾ Ton Units and One 1-ton Unit
5. Undeveloped Road Allowance – Charlton Permit
6. Taimi Road

**E FINANCE**

1. Accounts Payable Listing

**F. MUNICIPAL**

1. Municipal Manager's Report
2. 10:30 Rocky Mountain Regional Solid Waste Authority
3. 11:00 Jubilee Insurance
4. Bill C-544
5. Nordegg Leisure Residential Phase IV Lot Prices
6. Alberta Animal Services Contract
7. SE Recreation Grounds Concept Plan
8. Gimlet Community Hall Funding Request
9. Nordegg Fire Hall/Public Works Building Contract
10. North Saskatchewan Regional Advisory Committee

**11. INCAMERA**

- a. Draft TRAVIS Contract
- b. Draft SE Recreation Grounds Design Concepts
- c. Joint Council Meeting - Caroline
- d. Sewage Lagoon Update
- e. Land Development

**G. PLANNING**

1. 1:15 Public Hearing Land Use Bylaw
2. 2:00 Land Use Amendment - BLAKE

**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>
01/25/11	Access Roads Policy Review <ul style="list-style-type: none"><li>• To allow further policy review.</li></ul> <b>STATUS: In progress, Public Works</b>
02/08/11	Audit Committee <ul style="list-style-type: none"><li>• Council to discuss whether appropriate to develop audit committee.</li></ul> <b>STATUS: On Hold</b>

## ***AGENDA ITEM***

**DATE:** February 22, 2011

**ITEM:** Wastewater Services Petition

**PREPARED BY:** Rick Emmons / Marshall Morton

### **BACKGROUND:**

In November of 2001 the residents of Withrow approached Clearwater County with the request to have a study completed on the feasibility of constructing a municipal wastewater system. EXH Engineering (presently known as Genivar) completed the study along with the estimated costs. The study indicated that a communal sanitary system appeared to be feasible and the cost of which would be \$750,000.00 (or \$14,700.00/lot for 52 lots). A breakdown of the estimated costs in 2001 is as follows:

	<u>1<sup>st</sup> Year</u>	<u>Following 19 Years</u>
Local Improvement	\$735	\$735
Lot tie-in	\$1,500	\$0
Operation Cost	\$150	\$150
<b>Total</b>	<b>\$2,385</b>	<b>\$885</b>
<b>Total w/Funding</b>	<b>\$1,835</b>	<b>\$335</b>

Clearwater County presented the costs to the residents of Withrow, who turned down the proposal stating it was too expensive.

In late 2010, Clearwater County received a petition with 27 signatures requesting a study into the feasibility of supplying a communal wastewater system in the hamlet of Withrow. Withrow is a hamlet consisting of 42 lots (30 of which are occupied).

An engineering estimate of \$25,000.00 was provided, which would incorporate a basic feasibility study in giving some broad parameters on recommendations and estimated costs.

A quick analysis of Withrow provides a few options to be considered:

1. Install lift stations and pipe the waste water to the Leslieville lagoon (approx. 5kms away).
2. Complete a hydrology study on Blueberry Creek to ascertain whether the flow rates would accommodate black box technology.
3. Install a traditional lagoon system.

If the flow rates of Blueberry Creek did allow for option #2 (black box), a preliminary estimate would start at \$1,000,000.00 (\$500,000 for the black box infrastructure and \$500,000 for ground work).

Any sewage servicing options will involve the disruption of private property as each residence, as well as vacant lots will be required to tie into the main system. The installation of distribution lines in an established hamlet has various challenges for the contractor and the property owners due to the work required (i.e. - plowing through paved driveways, digging up the wife's favorite rose bushes, etc.) and re-establishing the residence's private property can be expensive (i.e. – will the residents accept re-seeding vs. laying sod or patching that paved driveway vs. a complete overlay).

Staff recommends that a meeting be held with the Withrow community prior to undertaking any preliminary engineering with the following items being discussed:

- Project cost and cost allocation per lot?
- Debenture financing and potential financing options?
- Operational costs and future increases (E.g. By 2015, the monthly wastewater fees will be \$42.00/month; adding \$504.00 per year for operational costs.)

### **RECOMMENDATION:**

To review the information and provide Administration with Council's direction.

Attachments - aerial photo  
EXH Report (2001)

November 27, 2001

D02/13097

Clearwater County  
P.O. Box 550  
Rocky Mountain House, Alberta  
T0M 1T0

**ATTENTION: Mr. Darrell Constantinoff**

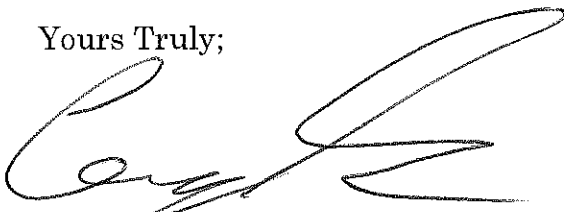
**Re: Hamlet of Withrow Sewage Review**

Attached you will find a copy of the above noted report on the Withrow sewage system.

This review looks at conceptual servicing for the community. Based on your review comments, we can revise this report, or proceed to a preliminary design phase of the study. The preliminary design phase would include a site survey, more detailed collection system alignment, up-dated cost estimates and geotechnical investigation of the preferred lagoon site option.

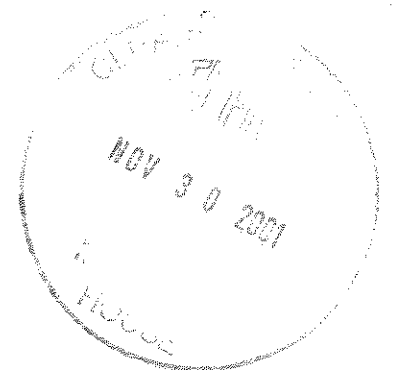
I hope you will find this information satisfactory. Please call if you have any questions.

Yours Truly;



Craig T. Suchy, P. Eng.  
**EXH Engineering Services Ltd.**

c. EXH Rocky



**CLEARWATER COUNTY  
HAMLET OF WITHROW  
REVIEW OF PROPOSED SEWAGE SYSTEM**

**EXH ENGINEERING SERVICES LTD.  
RED DEER, ALBERTA**

**November, 2001**

**Project No. 630085**

## Hamlet of Withrow Wastewater Treatment System Options

### Introduction

EXH Engineering Services Ltd has been retained by Clearwater County to carry out a preliminary engineering assessment for the provision of wastewater treatment for the Hamlet of Withrow. The Hamlet of Withrow is located in the eastern part of the County, in NE 28-39-4-W5M. 50 lots have been identified for serving.

The Hamlet is currently serviced with individual on-site sewage disposal systems consisting of holding tanks or disposal fields.

This preliminary report compiles and presents information on available options for the safe disposal of effluent, in accordance with applicable provincial legislation and guidelines.

### Available System Options

The following treatment options have been reviewed:

- On-site holding tanks
- Community Lagoon System
- Community Mechanical Pre-Treatment System

These options have been investigated only to determine general feasibility and preliminary cost estimates. Finalization of a design concept will require additional investigation and testing, particularly with respect to the topography, suitability of the insitu soils and the specific location of a sewage lagoon, storage pond and alternative treatment system.

### Individual Holding Tanks

Consideration of this option has consisted of review of the current regulations and pricing obtained from installers, suppliers and sewage haulers. The information provided herein is based on removal of existing holding tanks, with installation of new tanks by licensed contractors with appropriate permitting, and hauling/disposal done in accordance with all applicable statutes and codes of practice.

In this option, all costs would be born by the landowner, with no Provincial or Federal assistance programs available.

Estimated capital construction cost (typical):

22,700 liter holding tank connected to house	\$12,500
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Estimated annual operating (hauling) costs, typical family:

1,200 – 1,500 liters per day per family	\$ 2,900
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These estimates are based on a holding tank sized for 15 to 20 days storage, and an average sewage rate of 300 liters per person per day.

### Community System (Including Collection and Treatment Components)

A lagoon or mechanical pre-treatment system must be designed and constructed in accordance with the guidelines established by AEP, and requires a "Permit to Construct" and a "License to Operate" from that department.

A gravity piped system would generally consist of main lines with service lines to each lot and, depending on topography, a lift station and forcemain to convey the sewage to the treatment system. A low pressure sewer system would entail individual holding tanks and pumps on each lot, with these pumps pumping into a common forcemain to the point of treatment. The choice of system is normally dictated by site conditions, with a gravity system preferred from an operational perspective.

For the purpose of this conceptual review, a gravity collection system with a lift station and forcemain has been assumed.

Typical treatment systems for small Alberta communities involve a sewage lagoon with sufficient retention volume to allow annual discharge to a receiving stream. Other alternatives include a small mechanical pre-treatment system with discharge of effluent to a disposal field or storage pond.

### Treatment System Sizing

Legal plans indicate 51 Hamlet Residential Lots. In carrying out this review, EXH has assumed population estimates based on the potential for 51 homes, which does not allow for any additional growth for the community.

Assuming an average of 3 – 4 persons per home, and a per capita sewage generation rate of 350 lpcd, this results in a yearly sewage flow in the order of 22.8 million litres.

Based on AEP guidelines, a lagoon handling less than 250 m<sup>3</sup> per day does not require an anaerobic cell; treatment can be achieved with a single facultative cell with a maximum fluid depth of 1.5 m and a minimum storage time of 60 days. Total storage time of 12 months is required given the lack of a suitable well-defined drainage course to accept discharge. Storage cells may have a maximum depth of 3.0.

These requirements allow for 2 options: a two-cell system comprised of one facultative cell (60 day storage and 1.5 m depth) and one storage cell (12 months



storage and 3.0 m depth), or one facultative cell having a 12 month storage capacity at a depth of 1.5 m. In both cases an additional depth of 0.6 – 1.0 m was assumed for freeboard.

AEP guidelines set the thickness for native clay liners based on permeability using Darcy's Law, with current practise setting the minimum liner thickness at 1.0 m. A synthetic liner is also a possibility. Project quantities have been based on a native clay liner 1.0 m thick.

A discharge outlet will be required for the lagoon, or a field disposal system design, should water table results be suitable. The next stage of site evaluation will involve testing of preferred locations, consistent with current Alberta Environment guidelines.

The attached plan shows a conceptual lay-out for a treatment facility. A preliminary cost estimate is also attached.

### **Quantity and Cost Estimates**

Costs are provided for discussion purposes only, and actual costs will be a product of detailed design, contractor availability and other market factors.

Quantities for lagoon construction are based on the project criteria listed herein and quantities for the collection system are based on the option shown on the project plan. Costing is based on unit rates for similar projects in other areas and has been rounded. A 25% contingency has been applied to cover unforeseen requirements and engineering design fees.

Cost estimates are for construction components only. Land costs, administrative costs or similar components have not been included. No costs have been included for on-site grinder pumps, connections to dwellings, or other components on private property.

Based on the identified system, preliminary construction costs are estimated as:

Forcemain/Collection System	\$ 350,000
Lagoon/Earthworks	\$ 200,000
Subtotal	\$ 550,000
Contingency (25%)	\$ 140,000
Subtotal	\$ 690,000
GST (7%)	\$ 48,300
Total Construction Estimate	\$ 738,300

This estimate represents the approximate construction cost for the described system using year 2001 pricing and built to current standards.

The cost estimates for the mechanical pre-treatment and low-pressure collection system option are consistently in the order of \$700,000 as well.

*It must be noted that assumptions have been made that the sites for disposal will meet the requirements for set-back, soil suitability and discharge. The next phase of the study will further investigate these site conditions and refine the cost estimate. (For example, if the soils at the lagoon site are unsuitable to contain water, a synthetic liner may be required, greatly increasing project costs).*

Using the \$700,000 cost estimate, and applying an allowance for the purchase of land, the average cost to service 51 lots within the Hamlet is \$14,700. This does not include the work necessary on individual lots to tie into the sewer system. This is likely to be in the order of \$1,500, dependant on the existing configuration of plumbing on the lot.

The estimated annual operating costs for the gravity system with lagoon treatment are in the order of \$150 per residence.

There may also be a common benefit to providing a controlled discharge point to accept truck hauled sewage effluent from any country residential developments in this area of the County.

### **Available Funding**

There are currently two funding assistance programs available that may provide cost shared assistance to this project. Within Alberta, the "Alberta Municipal Water/Wastewater Partnership Program" provides 75% funding towards the treatment components of similar projects; the "New Infrastructure Program – Green Funding" may provide funding for the collection component.

Based on these two funding programs, the cost to service 51 lots within the Hamlet is reduced to \$3,700 per lot.

*Please note that the assumptions made on the use of the funding programs are subject to application and approval by the Provincial and Federal authorities.*

### **Conclusion**

Based on this preliminary review, and taking into account the assumptions made, it appears that a community system is the most economical solution to the provision of wastewater treatment that meets current regulations and guidelines.

## **APPENDIX A**

### **PROJECT SKETCHES**

Location – Hamlet of Withrow



## **APPENDIX B**

### SCHEDULE OF QUANTITIES

Clearwater County  
Hamlet of Withrow  
Sewage System

D2

Quantity Cost Estimate  
November, 2001

ITEM	ITEM OF WORK	UNIT	QUANTITY ESTIMATE	UNIT PRICE	ESTIMATED COST
<b>PART A - Sewage Mains</b>					
A.1	75 mm Forcemain (Supply and Install)	lin.m.	550	\$75.00	\$41,250.00
A.2	200 mm Gravity Mains	lin.m.	1400	\$80.00	\$112,000.00
A.3	Manholes; 3.0 - 3.5 m depth	each	15	\$2,500.00	\$37,500.00
A.4	Augered Crossings	lin.m.	200	\$300.00	\$60,000.00
A.5	Service Lines to Property (100 mm )	lin.m.	200	\$65.00	\$13,000.00
A.6	Gravel for Unsuitable Trench Subgrade	m <sup>3</sup>	50	\$35.00	\$1,750.00
A.7	Lift Station	each	1	\$60,000.00	\$60,000.00
A.8	150 mm Lagoon Inlet & Outlet Piping	lin.m.	250	\$100.00	\$25,000.00
<b>Sub Total Forcemain</b>					<b>\$350,500.00</b>
<b>PART B - Earthworks/Grading</b>					
B.1	Topsoil Stripping/Stockpiling	m <sup>3</sup>	6000	\$2.50	\$15,000.00
B.2	Place/Compact Clay Liner (1.0 m thick) Regardless of On-Site Source	m <sup>2</sup>	8000	\$4.00	\$32,000.00
B.3	Excavation and Site Grading for Drainage, incl. Ditching as Required	lump sum	1	\$5,000.00	\$5,000.00
B.4	Excavation and Place to Stockpile (Waste Material)	m <sup>3</sup>	12000	\$3.00	\$36,000.00
B.5	Excavation and Placement/Compaction (Berm Construction)	m <sup>3</sup>	21000	\$4.50	\$94,500.00
B.6	Replace Topsoil, if Required	m <sup>2</sup>	6000	\$2.50	\$15,000.00
<b>Sub Total Earthworks/Grading</b>					<b>\$197,500.00</b>
Part A - Forcemain					\$350,500.00
Part B - Earthworks/Grading					\$197,500.00
Sub-Total					\$548,000.00
Contingency (25%)					\$137,000.00
Sub-Total					\$685,000.00
GST (7%)					\$47,950.00
<b>Total Construction Estimate</b>					<b>\$732,950.00</b>



## ***AGENDA ITEM***

**DATE:** January 13, 2011

**ITEM:** Township Road 40-2 and Highway 761 Intersection

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

**BACKGROUND:** There have been some ratepayer concerns raised in regards to the road grade of Twp Rd 40-2 eastbound as it ties into Hwy 761. The concern is that traffic has difficulty stopping and then proceeding through the intersection particularly during winter driving conditions. This is due in part to the steep vertical grade of the township road.

Due to the topographic nature of the intersection, complete elimination of the problem is not economically feasible. Our engineers were tasked with providing a survey and a proposed grade line that could mitigate the majority of concerns. Upon review, they recommended a grade line that would require an additional 1.5 meter grade increase of the township road that would tie in over approximately 500 meters. This was estimated at a cost of approximately \$115,000.00. It would also require the acquisition of additional land to accommodate the fill slope.

Other options that could decrease the cost by reducing the amount of fill were discussed however these options are not recommended as a long term solution.

Another option could be to improve the east side of the intersection and use the excess cut material to improve the west side of the intersection. This has been estimated at \$ 215,000.00

The scenario at this intersection is not unique as there are multiple roads and intersections throughout the municipality that can be categorized as less than ideal due to topography. However, the historic traffic count data in 2008 and 2009 was 197 and 219. This is a significant amount of traffic volume for this intersection.

### **RECOMMENDATION:**

**Option 1-** That Council tables a decision regarding the intersection until the Council road tour has been completed this spring.

**Option 2 –** That Council authorizes the west side intersectional improvement estimated at \$115,000.00.

**Option 3-** That Council authorizes both an east and west side intersectional improvement estimated at \$215,000.00.

**Option 4-** That Council determines this intersection to be a lower priority and directs staff to continue monitoring traffic movements.



**AGENDA ITEM****DATE:** February 16, 2011**ITEM:** Capital Purchase of 2- ¾ Ton Units and One 1-ton Unit**PREPARED BY:** Ken Salmon/Scott Brettelle**BACKGROUND:** The administration has tendered our 2011 capital purchases of Two ¾ Tons and One 1-Ton trucks on Alberta Purchasing Connection website.

The following is a summary of the bids received;

	<u>¾ Ton Regular cab</u>
<b>Northwest Motors Dodge</b>	<b>\$ 25,878.00</b>
MGM Ford	\$ 27,072.25
Pike Wheaton GM	\$ 27,222.00
Rainbow Ford	\$ 27,261.00
Ron Hodgson GM	\$ 27,322.00
Western GM	\$ 27,420.00
Edwards Garage GM	\$ 27,423.00
CMP GM	\$ 27,428.25
Rocky Mountain Dodge	\$ 27,575.00
Edmonton Motor	\$ 27,793.00
Koch Ford	\$ 27,930.25

	<u>1-Ton Crew cab</u>
<b>Northwest Motors Dodge</b>	<b>\$ 30,685.00</b>
Rocky Mountain Dodge	\$ 30,965.00
MGM Ford	\$ 33,229.25
Rainbow Ford	\$ 33,410.00
Western GM	\$ 33,435.00
Ron Hodgson GM	\$ 33,903.00
Koch Ford	\$ 34,087.25
Edwards Garage GM	\$ 34,218.00
Pike Wheaton GM	\$ 34,290.00
Edmonton Motors GM	\$ 34,324.00

**RECOMMENDATION:** That Council reviews the above information and approves the purchase of the following;**2 Dodge 2500 series from Northwest Dodge @ \$25,878.00 each****1 Dodge 3500 series from Northwest Dodge @ \$30,685.00 each**

# AGENDA ITEM

**COUNCIL:** February 22, 2011

**ISSUE:** Issuance of Permit of Undeveloped Road Allowance (Twp. Rd 36-4, east of Highway 22) to Darl Charlton, road allowance lying between:

1. Part of the South East  $\frac{1}{4}$  of 30-36-6 W5M and part of the North East  $\frac{1}{4}$  of 19-36-6 W5M (approximately 275 meters or 1.37 acres more or less).

**PREPARED BY:** Barb Scott/Darrell Misner

**BACKGROUND:** Mr. Charlton approached Public Works concerning the permitting of the undeveloped road allowance lying immediately east of his acreage approaches at the east end of Twp. Road 36-4 (see attached aerial photo). Upon field review of the request, it was determined that Public Works had interest in a small portion of the requested area. Both the Clearwater County grader and the area school bus turned around at this location, but would not be affected by the request.

Mr. Charlton has requested that he be allowed to put a temporary fence and wire gate up across the undeveloped portion of this road allowance for grazing of his horses. Upon completion of the grazing, the gate would be opened. Mr. Charlton also understands the public nature of the road allowance and is agreeable to any and all public access through the wire gate (if closed). All fencing and gates would be set back far enough to allow continued use of the road allowance and his

approaches for grader and school bus turn  
arounds.

Public Works has reviewed this request and has  
no concerns with the issuance of this permit.

**RECOMMENDATION:** That Council considers the presentations made  
and advise Administration.

\$100 pd.  
on Jan 24/11

January 21, 2011

Clearwater County

Rocky Mountain House, Alberta

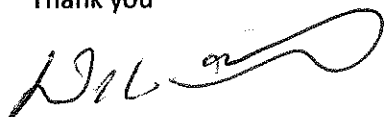
To whom it May Concern

Re : Permitting of Road Allowance

Please consider this as my application to lease the road allowance on Township 36-4, between John & Korrie Beck's property to the south and Mr, & Mrs. Edwin Alstott, lease to the east, and Richard Bugbee's property to the north which I now lease.

This would be leased for grazing purposes only and gated only when my horses are grazing.

Thank you



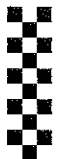
Darl Charlton

403-722-4349

Box 51 Site 3 RR 3

Rocky Mountain House, Ab

T4T 2A3



January 26, 2011

County of Clearwater

By fax  
4038457330  
Darrell

To whom it May Concern

Please be advised that I own the property to the south of SE30-36-6W5 and understand that Darl Charlton has applied to use the road allowance for grazing, on township 36-4, which runs between the two propertys. I do not have any objection to this application.

Thank you

John Beck

4038457330  
MAY 14  
DARRELL

30

3606301001  
NE30 36-6-W5M

3606292001  
NW29 36-6-W5M

3606304001  
SW30 36-6-W5M

3606303001  
SE30 36-6-W5M

3606294001  
SW29 36-6-W5M

3606303002  
SE30 36-6-W5M

Proposed Road Allowance Lease  
Approximately 275 Meters

Approximate  
Location of Gate

3606192002  
NW19 36-6-W5M

NW20 36-6-W5M

3606191001  
NE19 36-6-W5M

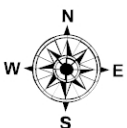
3606192001  
NW19 36-6-W5M

3606202001  
NW20 36-6-W5M



 Road Allowance Lease Area

**Application To Lease Road Allowance  
Lying Between  
S.E. 30-36-6 W5 and  
N.E. 19-36-6 W5  
Approximately 275 Meters  
1.37 Acres +/-**



## ***AGENDA ITEM***

**DATE:** February 11, 2011

**ITEM:** Taimi Road

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

### **BACKGROUND:**

During recent discussions with Reeve Alexander, he has raised some concerns with the proposed upgrade of the Taimi Road from Township Road 40-0 north 6.4Km to Highway 12. As staff are preparing to proceed with contract preparation for the 2011 portion of this we wish to clarify Council's expectations regarding this road.

As Council will recall, the proposed Taimi Road project includes an extensive grading project scheduled for this year with the granular base course and asphalt surfacing to follow in 2012. Upon completion, this road would provide a ban free link from Highway 11 to Highway 12.

The administration has included the grading portion of the Taimi Road in this year's budget with an estimated cost of \$1,305,100.00.0 .A significant portion of this cost is allocated to improving the large coulee at the north end of the project. The base course and asphalt portions have been included in the 2012 budget and are estimated at \$2,758,700.00.

As early tender release is recommended the administration would like Council to discuss the surfacing priorities in relation to this project. This tender could be available by mid-March pending Council's direction.

**RECOMMENDATION-** That Council reviews the information provided and provides direction as to tendering the grading portion of the Taimi Road for 2011.

# ***AGENDA ITEM***

## ***Agricultural Services and Landcare***

**DATE:** February 22, 2011

**ITEM:** Bill C-544 Horse Processing Ban

**PREPARED BY:** Matt Martinson

### **SUPPORTING DOCUMENTATION:**

-Private Members Bill C-544

-2011 Provincial A.S.B. emergent resolution

**BACKGROUND:** The Agricultural Service board and staff were recently informed of Bill C-544 and its potential impact on agriculture, rural communities, and the environment at the recent Agricultural Service Board Conference.

Bill C-544, a private members bill introduced by a B.C. Member of Parliament, proposes to amend two federal acts, The Health of Animals Act and the Meat Inspection Act.

The following additions are proposed under these acts

#### *Health of Animals Act*

14.1 – No person shall import horses for slaughter for human consumption.

18.1 – No person shall export from Canada, or send or convey from one province to another, horses for slaughter for human consumption.

#### *Meat Inspection Act*

9.1 No person shall import or export a horse-meat product for human consumption or send or convey a horse-meat product for human consumption from one province to another.

Canada currently processes 100 000 horses a year in five operating processing facilities across the country, with one operating in Alberta. Of these horses roughly half come from the U.S. since they have banned the use of processing horses for human consumption in 2007. If the above legislation was to pass it is almost certain that all of the currently operating horse processing facilities would be forced to close with the exception of the Quebec plants because there is a domestic market for horse products within that province.

#### *Drivers behind Bill C-544*



*Moral*

- Horses are viewed by some as companion animals or pets generating an emotional attachment not present in other livestock sectors utilized for food
- In the majority of North Americans do not consume horse meat, fueling negative perceptions

*Humane Processing*

- P.E.T.A. video from within horse slaughter plants released a few months before Bill tabled
- Horses, Deer, Elk, and Bison tend to be under a greater amount of stress prior to processing compared to Cattle, Hogs, and Chickens.
- Canada's meat processing sector is highly regulated, and considered to be one of the safest and humane systems in the world
- Deficiencies in operating procedures and equipment should be addressed through regulation improving the process

*Animal Health Product Residues*

- Not all animal health products used on horses contain processing hold back information like animal health products used on other livestock, putting consumers at risk
- Many horse owners do not consider recent vaccines or antibiotics when selling
- July 2010 C.F.I.A. implemented new regulations requiring treatment and owner information to accompany horses marketed into the meat sector

*Potential impacts of Bill C-544*

Much can be learned from the American experience with this same issue.

*Ag. Industry*

- Eliminating the horse meat sector will significantly impact agriculture, and communities where feeding and processing occurs
- There will be no options to manage and utilize surplus horses in provinces with no domestic consumption
- Livestock movement within Canada and the inspection of meat consumed domestically is regulated provincially
- Provincial buy in of proposed new federal legislation will be needed, along with a considerable increase in enforcement and inspection on a provincial and federal level
- All exported and almost all domestically consumed horse products are currently processed in one of 5 federally inspected plants
- Majority of processing facilities will shut down, remaining will not need to be federally inspected, and will fall under provincial regulation which may be to a lower standards then federal legislation

*Environmental and Social Concerns*

- With no marketing options for old, unwanted, unfit, or surplus horses many owners may choose to release these horses.
- In the U.S. horses have been released on public and private lands
- Feral horses have the potential to cause serious environmental damage by reducing biodiversity, causing soil erosion, and damaging riparian areas and degrading surface water.
- Environmental and social concerns through improper disposal by small landholders
- Nuisance, property damage, public/traffic safety concerns
- Local and provincial resources utilized to address these issues

*Humane Treatment*

- With no marketing options many owners may miss treat animals they can no longer adequately look after due to the cost of euthanizing and disposing
- Horses processed in provincially inspected facilities may be treated less humane then those processed in federally inspected facilities

*Potential Impacts on Clearwater County*

- Minimal economic impact with no commercial operations
- Though we do have a significant amount of pedigreed, rodeo stock, and recreation horse producers who will be impacted, as well as local meat buyer networks
- Clearwater does contain a significant recreational horse population owned by nonagricultural residences.
- Clearwater is an attractive place for local and out of county horse producers to release horses.
- Currently S.R.D. estimates 700 feral horses present between Nordeg and Sundre

Because of our significant agricultural and non-agricultural horse population and our attractive location for the release of unwanted horses the above social and environmental concerns of this bill have the potential to negatively impact Clearwater County. These problems cannot be avoided if the horse meat sector is essentially eliminated in Alberta unless other regulation or programs are established to deal with the utilization or disposal of surplus horses.

**Recommendation:**

That Council raises the above concerns regarding Bill C-544 during their March 15 meeting with M.P. Calkins and M.P. Richards

**EMERGENT RESOLUTION #1**  
**Bill C-544 – Banning of importation of horses for slaughter**

- WHEREAS Bill C-544, a bill to ban the importation of horses for slaughter in Canada, has been introduced to the House of Commons in the fall sitting of 2010; and
- WHEREAS Bill C-544 would have a negative impact on the horse slaughter business in Canada, and
- WHEREAS Bill C-544 would remove the right of Canadians and residents from other countries to eat horse meat; and
- WHEREAS Bill C-544 does not provide for the management of unwanted horses leaving them to die of starvation versus being processed for food in a world where over one quarter of the earth's human population struggles to find enough to eat

**THEREFORE BE IT RESOLVED**

**THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST**

that the Provincial Government lobby the federal government and members of the opposition parties of  
 Canada to withdraw or defeat Bill C-544 as presented by MP Alex Atmanenko

Sponsored by: Municipal District of Willow Creek No. 26

Moved by: Niel Wilson, Willow Creek

Seconded by: Harry Streeter, Ranchlands

Carried: **CARRIED**

Defeated: \_\_\_\_\_

Status: Federal

Department: Federal Minister of Agriculture and Director of CFIA

Accept as emergent: Moved by Niel Wilson, Willow Creek; seconded by Harry Streeter, Ranchlands

**Background:**

On October 20 several members of parliament presented petitions to the House of Commons to ban the importation of horses for slaughter for human consumption. The goal of those sponsoring these petitions is the eventual closure of existing horse slaughter plants in Canada through federal legislation.

Closure of horse slaughter plants affects employment and the right of the market place to choose the food that they wish to consume.

Closure of the horse slaughter industry will result in a massive increase of unwanted horse populations with no plan in place to manage the increase. Horses would be left to starve to death or die of disease due to over population.

Horse meat is a staple in many European countries as well as in some areas of eastern Canada. Horse meat is considered traditional by many cultures, dating back hundreds of years.

The banning of horse processing in the United States has led to the inhumane treatment of the aged equine populations and challenges pasture management requirements.

# Agenda Item

Date: February 22, 2011

Item: Leisure Residential Phase IV Lot Prices

Prepared by: Joe Baker

## Background:

The fourth phase of leisure residential acreages will likely be available for sale this summer and it is now necessary to assign some prices to the individual lots. Taking into account the costs for road building and installation of the electrical services, the prices for “similar” lots elsewhere in the County, and the demand for the last phase of leisure lots that were put on the market in 2007, I am putting forward the following lot price scenario for Council’s approval.

## Nordegg Leisure Residential Lot Prices (Phase IV)

Block 6	Lot 29	1.00 acres	.406 ha	\$ 74,962.00
Block 6	Lot 30	0.99 acres	.401 ha	\$ 74,575.00
Block 6	Lot 31	1.01 acres	.410 ha	\$ 75,348.00
Block 6	Lot 32	1.16 acres	.471 ha	\$ 81,144.00
Block 7	Lot 15	1.09 acres	.442 ha	\$ 78,439.00
Block 7	Lot 16	1.15 acres	.466 ha	\$ 80,758.00
Block 7	Lot 17	1.20 acres	.485 ha	\$ 82,690.00
Block 7	Lot 18	1.32 acres	.535 ha	\$ 87,326.00
Block 7	Lot 19	1.32 acres	.535 ha	\$ 87,326.00
Block 7	Lot 20	1.32 acres	.535 ha	\$ 87,326.00
Block 7	Lot 21	1.33 acres	.539 ha	\$ 87,713.00
Block 10	Lot 31	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 32	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 33	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 34	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 35	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 36	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 37	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 38	0.99 acres	.401 ha	\$ 74,575.00

Block 10	Lot 39	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 40	0.99 acres	.401 ha	\$ 74,575.00
Block 10	Lot 41	0.99 acres	.401 ha	\$ 74,575.00

There would be a total of twenty-two new lots made available for sale this year. The new lots are all fully treed and have been serviced with power and access. These lots are designed for the development of seasonal use cottages.

The suggested prices reflect an increase of 40% over the prices that were charged for Phase III in 2007.

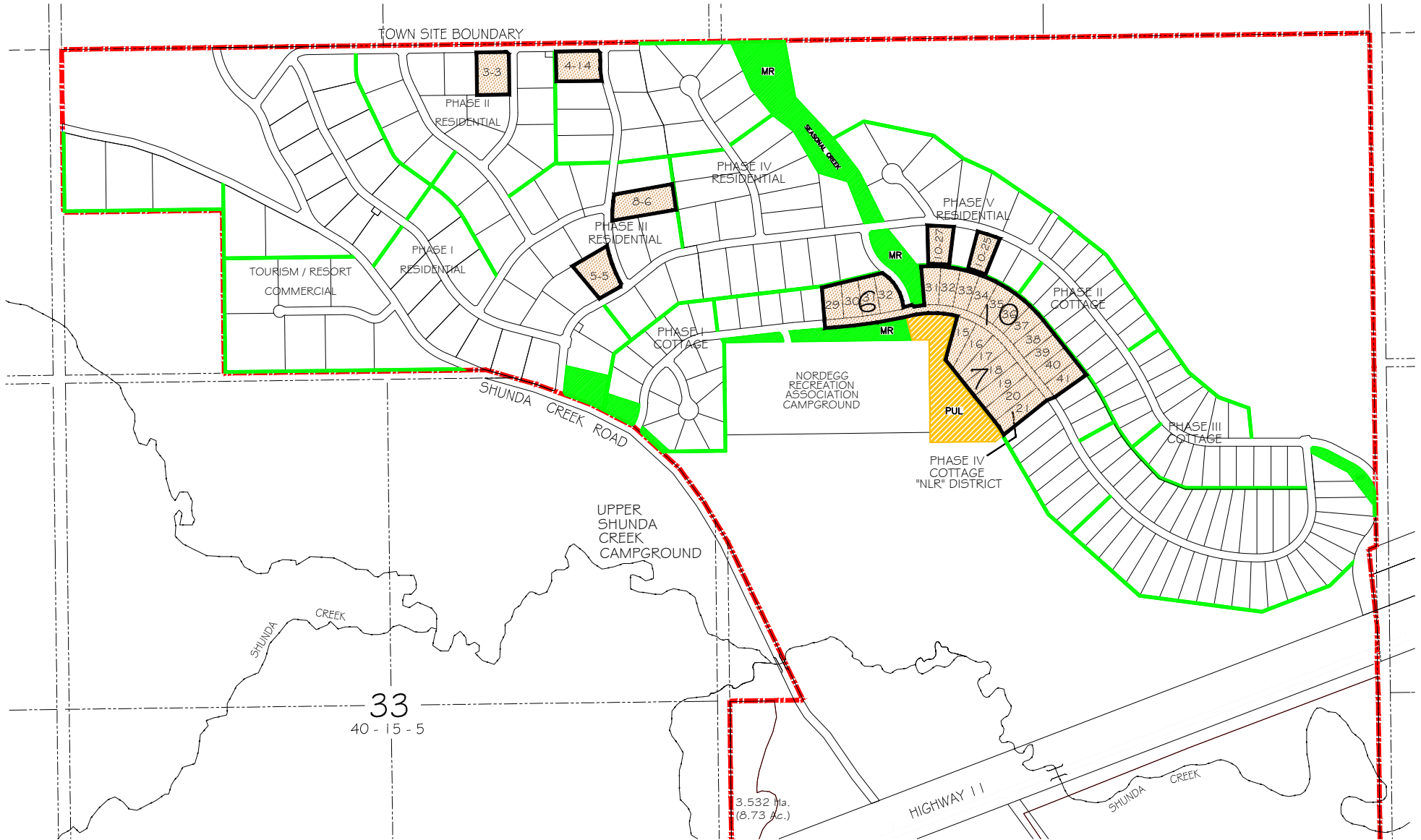
Over the past two years (2009 and 2010) there were a total of six lots taken back due to failure to meet the development conditions. Two of these lots are Nordegg Leisure Residential and four are Nordegg Rural Residential. These lots would be placed in the same draw as the above mentioned twenty-two cottage lots. One of the NRR lots has had the power run in and a well drilled and consequently the suggested price has been adjusted to reflect that.

Block 10	Lot 25	1.22 acres	.492 ha	\$ 83,462.00
Block 10	Lot 27	1.38 acres	.557 ha	\$ 89,645.00
Block 3*	Lot 3	2.07 acres	.839 ha	\$167,121.00
Block 4	Lot 14	2.00 acres	.809 ha	\$144,883.00
Block 5	Lot 5	2.02 acres	.817 ha	\$145,636.00
Block 8	Lot 6	2.43 acres	.982 ha	\$158,054.00

I have attached a map showing the location of the Phase IV Leisure Residential Lots as well as the six lots that were taken back for resale.

**Recommendation:** That Council grants approval to the suggested price scenarios for the Phase IV Leisure Residential lots and the six lots being put up for resale.

# NORTH NORDEGG SUBDIVISION



# Agenda Item

Date: **January 11, 2011**  
Item: **Alberta Animal Services Contract**  
Prepared by: **Tyler McKinnon**

## **Background:**

Clearwater County contracts Alberta Animal Services (AAS) for bylaw enforcement pertaining to dogs. The contracted enforcement activities include regular patrols in the County, paid at a fixed monthly cost.

Additional costs are occasionally incurred for court time as well as boarding/vet fees. When these fees are incurred, they are passed on to the dog's owner wherever possible. In cases where the animal is not claimed, or the owner is not determined, the fees are paid by Clearwater County. Special patrols, outside of the regularly scheduled patrols, also carry an additional charge. The rates for these additional charges are outlined in the contract.

Special patrols are sometimes required but, as there is an additional cost associated with these patrols, they must be authorized by the County Office. As a means of controlling cost, current practice is to only authorize special patrols when they are deemed to be of an emergency nature. AAS has also been given direction that authorization from the County Office is assumed if the request for a special patrol originates with an emergency agency such as an Ambulance Service, Fire Service or RCMP.

The contract between the County and AAS is up for renewal; a copy of the proposed contract has been attached for Council's review. This contract maintains the status quo as far as rates and service provision. The only addition from the previous contract is the addition of Section 24 which notes "*either party may terminate this agreement, without cause, with two months written notice*". Previous to this, Clearwater County's contract with AAS had a clause for termination with cause, but no clause addressing termination without cause.

The new agreement would take effect January 1<sup>st</sup>, 2011 and terminate on December 31<sup>st</sup>, 2013.

## **Recommendation**

That Council authorize the Reeve and CAO to sign the proposed contract.





# ALBERTA ANIMAL & MUNICIPAL ENFORCEMENT SERVICES



F6

## Contract

Between: CLEARWATER COUNTY  
BOX 550  
4340 47 AVENUE  
ROCKY MOUNTAIN HOUSE, ALBERTA  
T4T 1A4  
(Hereby called the Municipality)

AND

ALBERTA ANIMAL SERVICES  
4640 61 STREET  
RED DEER, ALBERTA  
T4N 2R2  
(Hereby called the Contractor)

Effective from: JANUARY 1, 2011 to DECEMBER 31, 2013

**In this contract the term “Animal” shall mean any domesticated animal that the Municipality agrees to have the Contractor impound or deal with under their current Municipal Bylaws.**

- The Contractor
- a) provides services relevant to Animal Control and wishes to enforce the Animal Control Bylaw within the Municipality.
  - b) wishes to provide Bylaw Enforcement Services within the Municipality.

The Municipality is prepared to permit the Contractor to enforce Bylaws and apprehend Animals under the following terms and conditions.



# ALBERTA ANIMAL & MUNICIPAL ENFORCEMENT SERVICES



1. The Contractor shall provide and maintain a building for the impounding of Animals and shall provide cages or pens, together with exercise pens which shall be properly heated and cleaned. These pens will be of adequate size to comply with all applicable Bylaws and regulations and shall meet the reasonable requirements of the Alberta SPCA and the Municipality.
2. The Contractor shall provide an office and shall be open during normal business hours.
3. The Contractor shall use his best endeavors to apprehend Animals running at large within the Municipality.
4. The Contractor shall, as soon as possible after an Animal is apprehended, notify the owner if such information is readily available.
5. The Contractor shall properly house, feed, and care for all Animals impounded, and shall comply with all Alberta SPCA standards.
6. The Contractor shall provide the necessary personnel and equipment for the above-mentioned purposes. The Contractor shall use his best endeavors to provide such further services as may be required to apprehend Animals running at large within the Municipality and shall investigate complaints in the Municipality as allowed within the time frame of this contract.
7. The Contractor will retain all impounded Animals for not less than three business days, at the expiration of which time the Contractor may dispose of the Animal as he sees fit. If the Animal is deemed as dangerous or seriously ill, the Contractor may dispose of the Animal prior to the said three days. The Contractor will attempt to contact the owner, if known, before this action is followed through.
8. The owner of any impounded Animal may redeem the same in the following manner:
  - a) payment of the impound fees, current boarding fees, Municipal Licensing Fee, and if applicable;
  - b) the fine for such Animal as specified.
9. The Contractor shall retain all impoundment and boarding fees. All licensing fees and fines collected will be forwarded to the Municipality.
10. The Contractor shall pick up any injured Animal and deliver the same to a veterinary surgeon **only with authorization from Municipal Administration**. The Municipality will be responsible for any fees of such veterinary surgeon if the same cannot be recovered from the owner of the Animal.
11. The Contractor acknowledges that it is the “prime contractor” as defined in the Occupational Health and Safety Act. The Contractor assumes all the responsibilities of the “prime contractor” and shall as a condition of the agreement implement a safety plan that will ensure compliance with the Occupational Health and Safety Act and regulations by other contractors and employees, as defined under the Act, present on the premises.

# Agenda Item

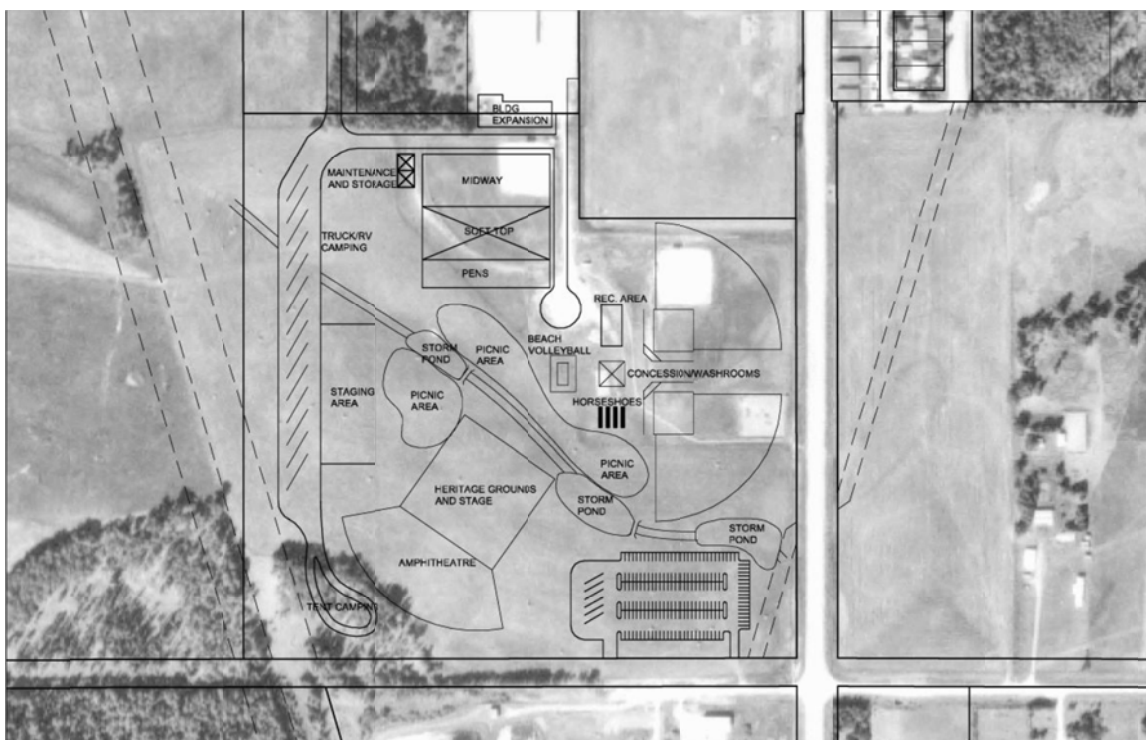
Date: February 22, 2011  
 Item: South East Recreation Grounds Concept  
 Prepared by: Mike Haugen

## Background:

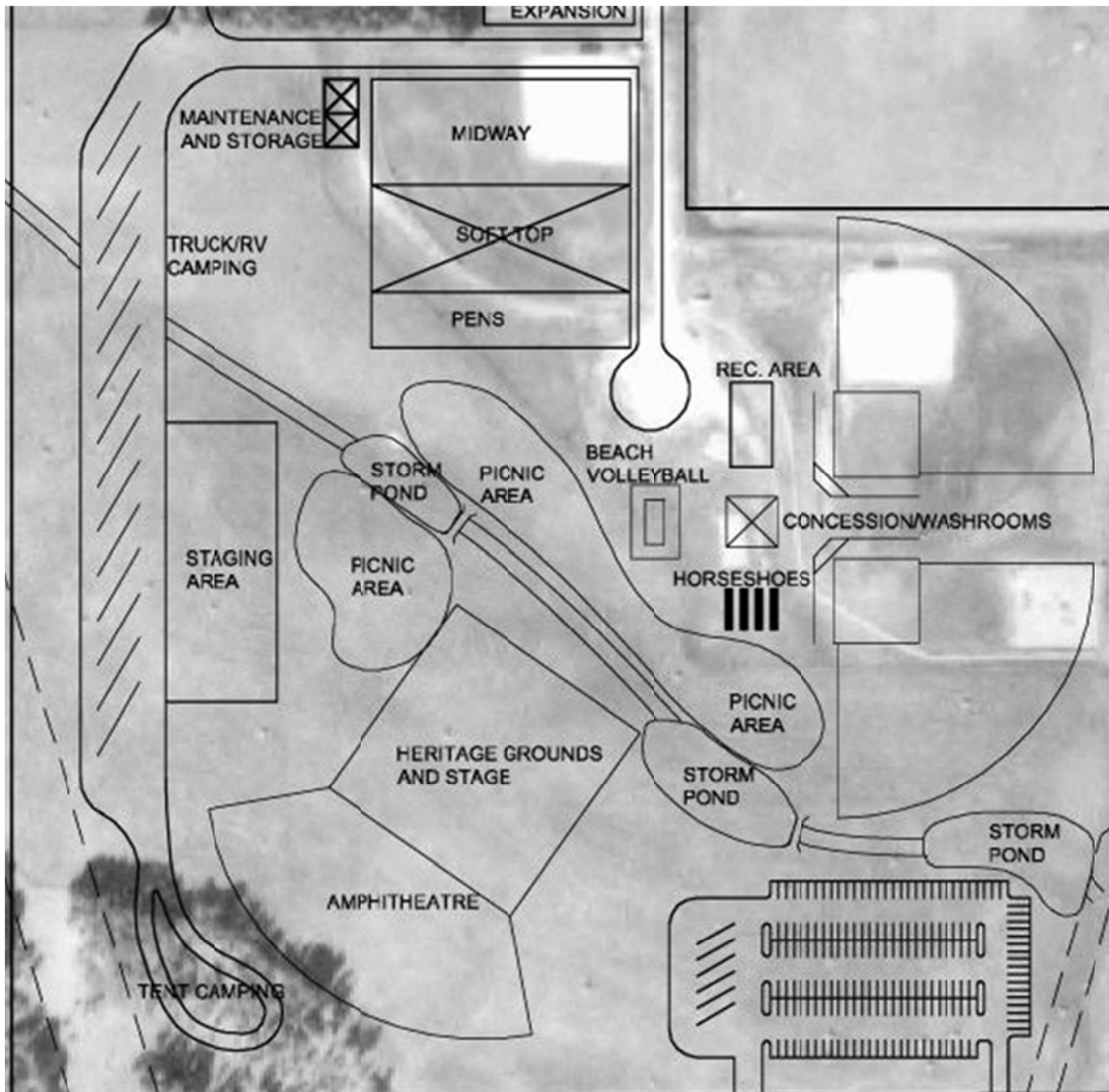
Council has requested a review of the previously completed concept plan for the South East Recreation Grounds proposed for the area immediately south of the Village of Caroline.

The following are layout drawings of the proposed development.

The concept portrayed here had a total estimated cost of approximately \$2.3 million.



The project was designed to facilitate rural themed and community events and received many letters of support from local community groups. The site was designed to accommodate livestock events.



Funding for this project was proposed to come from three sources, each account for 1/3 of the total cost. These sources were: Major Community Facilities Program (Provincial); Recreation Infrastructure Canada Program (Federal); and, Recreation Reserves (Municipal).

The County successfully obtained MCFP funding, however was unsuccessful in obtaining RInC funding. Given the lack of funding the project did not go forward.

Council has approved funding of \$1 million for the project in Council's 2011 budget. This will be a combination of MCFP and Municipal funding on a 50-50 basis.

As the amount of funding for the project has decreased, the current concept will be revised accordingly, with a long-term outlook of staging development.

**Recommendation**

That Council acknowledge the information as presented.

# Agenda Item

Date: March 22, 2011  
Item: Gimlet Community Centre Funding Request  
Prepared by: Tyler McKinnon

## **Background:**

The Gimlet Community Centre has submitted a request for capital grant funding to be used towards the replacement of eight hall windows which were vandalized on February 12, 2011. A copy of the request has been attached for Council's information, as well as a copy of Council's "Capital Grant Funding for Community Halls/Associations" policy.

The Centre is requesting that Clearwater County provide \$1,921.50 in funding towards the project, which covers 100% of the estimated replacement costs. The Gimlet Community Centre representative has noted that, over the past few years, they have upgraded the hall with the installation of a new sidewalk, a railing, a new garbage bin, a BBQ pit and shack, new fencing and trees along the property boundary, new pens and fencing in the rodeo area, new stripping chutes, new picnic tables and chairs.

Community Centre representatives have noted that they have not had time to collect details around the cost or timing of these past projects. This is, in part, due to the unexpected nature of the repair work required as well as a desire on their part to present their request to Council as quickly as possible in the hopes that they may replace the windows as soon as possible.

Council's policy states:

*"On approved projects the County will generally provide funding on a 50/50 cost share basis. Community Halls are expected to match County funds with cash, materials, labour, donated equipment, or other "gifts-in-kind". County funding will generally not exceed \$15,000.00 per project." 50% funding for this project would cost \$960.75*

A copy of Gimlet Community Centre's 2009 Financial Statement has been attached for Council's information. The Community Centre has not previously accessed Council's Community Halls/Associations Capital Grant. In January, Council approved \$1,071.80 grant funding for the Withrow Community Subdivision, should Council wish to provide the requested funding, there is currently \$28,928.20 remaining in the 2011 approved grant budget.

## **Recommendation**

That Council approve \$960.75 funding, from the 2011 Community Halls/Associations Capital Grant budget, for the Gimlet Community Centre.

# Clearwater County

## CAPITAL GRANT FUNDING FOR COMMUNITY HALLS/ASSOCIATIONS

**EFFECTIVE DATE:** October 12, 2010

**SECTION:** Administration

### **POLICY STATEMENT:**

To outline the requirements of and manner by which Clearwater County will provide capital funding to Community Halls/Associations.

### **PROCEDURE:**

1. County staff are hereby directed to include an annual budget of thirty thousand dollars (\$30,000), which may be made available to community groups for capital projects, subject to Council's approval.
2. To the greatest extent possible, community groups should be proactive in their funding requests and submit their requests for consideration prior to October 15 for inclusion in the County's budget process.
3. Funding under this policy will be used for capital projects as defined within this Policy. Requests for program funding should be made to the respective recreation board.
4. For the purposes of this Policy, a project shall be deemed to be a capital project if it is a:
  - a. structural upgrade or expansion of the hall building;
  - b. major equipment essential to the operation of the hall (e.g. stoves, coolers, furnace) where the cost of the equipment exceeds \$2000 and has a life expectancy of more than 5 years; or,
  - c. major equipment or improvements that enhance the level of service available through the hall (e.g. playground equipment, sidewalks, parking lot paving, etc.) where the cost of the project exceeds \$2,000.00.
5. Applications for funding must be in writing, and should be on the application attached hereto as "Appendix A". Applications should include:
  - a. a description of the project;
  - b. the purpose of the project and the benefit the project will have to the Hall;
  - c. a project budget outlining revenues, expenses and the sources thereof;
  - d. the amount of funding being requested from the County;
  - e. a schedule of when the work will be completed;

- f. a demonstration of hall activity (i.e. – bookings list, etc); and,
  - g. multiple quotations regarding the project.
6. Other than the cost of insurance (as described in the County's Community Hall and Community Groups Insurance policy) the County will not provide funding for operating costs including regular maintenance (painting, janitorial, etc).
7. The County should be viewed as a “funder of last resort”. When applying for grant funding from Clearwater County, Community Hall Associations shall demonstrate that they have raised, or attempted to raise funds from other sources. Examples of funding sources that groups should consider using or applying for are, but not limited to:
  - a. funds from Hall revenues;
  - b. funds from provincial grants (e.g. Community Lottery Boards, Wildrose Foundation, Community Facility Enhancement Program (CFEP), etc.);
  - c. corporate donations, and;
  - d. donations from the community at large (donations may be either cash or gifts in kind, such as donated equipment, donated labour or services such as plumbers, carpenters, architects, etc.).
8. On approved projects the County will generally provide funding on a 50/50 cost share basis. Community Halls are expected to match County funds with cash, materials, labour, donated equipment, or other “gifts-in-kind”. County funding will generally not exceed \$15,000.00 per project.
9. Donations in kind of labour and equipment will be ascribed a value based on current Provincial standards used for the Community Facility Enhancement Program.
10. Funding preference will be given to applicants that have not recently been granted funding under this policy.
11. Grant funds provided by Council should be accounted for within 60 days of the completion of the project. Failure by a community hall/association to account for the funds may result in the group being ineligible for future grants, until such time as the accounting is complete.



**APPENDIX A**

**EVENT GRANT APPLICATION**

Organization: \_\_\_\_\_

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

Contact Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Project Description:**

Please describe the project and the benefit it will have. Please include a timeline of when the work will be completed.

**Project Budget:**

**Revenues** (Please include donations. Do not include requested County funding):

Source	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>Total Revenues:</b>	\$ <span style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; vertical-align: middle;"></span>



Gimlet Community Centre  
2009 Financial Statement

Financial Statement

January 1, 2009 to December 31, 2009

Opening bank balance January 1, 2009		23 050.32
<b>Income</b>		
Cutter Ride	9 306.14	
Horseback Ride	2 030.00	
Rodeo	29 927.50	
Hall Rent	875.00	
Outstanding Cheques	235.80	
Memory Plaques	80.00	
Memory Book	2 190.00	
Donations	150.00	
<b>Total Income</b>	<b>44 794.44</b>	<b>44 794.44</b>
<b>Expenses</b>		
Cutter Ride	9 576.60	
Fun Family Cutter Ride	141.18	
Horseback Ride	1 311.50	
Rodeo	24 489.76	
Christmas 2008 DVD	1 700.00	
Christmas Concert	518.30	
Hall Maintenance/Repairs	845.67	
CARA	250.00	
Office	878.90	
Bank Charges	25.00	
<b>Total Expenses</b>	<b>39 799.91</b>	<b>39 799.91</b>
Closing bank balance December 31, 2009		28 044.85
		67 844.76
	<b>Total Income</b>	<b>44 794.44</b>
	subtract <b>Total Expenses</b>	<b>39 799.91</b>
	<b>Total Increase</b>	<b>4 994.53</b>
Plus opening bank balance		23 050.32
Closing bank balance		28 044.85

*I Charlene Schultz have reviewed and  
approve this financial statement*

*Charlene Schultz*

*Nov. 22 2010*

# Council Agenda Item

## REPORT

**Date:** February 22, 2011

**TO:** Ron Leaf, CAO

**FROM:** Cammie Laird – Regional Fire Chief

**Item:** Nordegg Fire / Public Works Building Report & Proposal

### BACKGROUND:

The Nordegg FD / PW building project has been in progress as part of the 2010 business cycle and has been carried over to 2011 along with the budget for the project. This is a cost shared project between Fire @ 75% and Public Works @ 25%.

#### Step #1:

This project started conceptually in fall of 2009, and was proposed as a capital budget items in 2010, which was carried over for 2011 budget cycle.

#### Step #2:

In November 2010 the RFP – Request For Proposal for this project was advertised in accordance with the North West Trade Agreement guidelines.

#### Step #3:

The Nordegg FD / PW Building project RFP opening was conducted on December 16, 2010 @ 09:00 a.m. Clearwater County received nine (9) proposals, with Pearl Rose Construction Ltd. having the lowest valid bid.

The following is a summary of the proposals received starting with the low bid:

1. <b><i>Pearl Rose Construction Ltd.</i></b>	<b>\$1,600,000</b>
2. <i>United Construction Comp. Inc.</i>	\$1,867,000
3. Scott Builders Inc.	\$1,910,071
4. <b><i>Phoenix Construction Inc.</i></b>	<b>\$2,260,000</b>
5. Shunda Consulting & Cont. Mng. Ltd.	\$2,267,162
6. Canadian General Contractors	\$2,281,113
7. Pentagon Structures Ltd.	\$2,883,000
8. Trumbley & Hampton Inc.	\$3,672,990
9. RGT Integrated Projects	\$3,899,623

Note: Most RFPs received did not have all the project components included in the listed prices (Above). The proposed costs are not an accurate depiction of the project cost as a whole.

#### Step #4:

Staff is utilizing MPE Engineering Ltd. to assist with the process due to their knowledge of project management and the local Nordegg area. They have historically assisted with the projects within the Nordegg town site and are currently assisting with on-going and future 2011 projects. They provide connectivity to those projects which affords the County some cost savings. MPE's involvement with this project will be to continue to provide project reviews and recommendation to staff throughout the process.

#### Step #5:

MPE Engineering Ltd. conducted an analysis of the proposals received as per the County's RFP guidelines for selection. The RFP process makes allowances for some additional discussion and negotiation processes for RFPs that most closely fulfill the RFP guidelines. The intent of this process was to ensure that staff had an equitable comparison of the proposals including associated proposed costs. (Apples to Apples comparison).

Step #6:

Once all the information on the RFPs' was synthesized staff and MPE shortlisted to United / Scott / Phoenix. We conducted reference checks and invited them to an interview process on January 27, 2011. The intent of this process was to clarify discrepancies in the proposals and amend the total project costs for a more inclusive proposal based on our clarifications. Staff also provided each of these companies with County expectations in the contractor's capability to fulfill the contract.

Step #7:

After the interviews Scott & Phoenix were invited to provide additional clarifications following the interviews regarding the overall project, including site work.

The cost comparisons of the two tenders upon completion of consolidation of the project:

- 1. Scott Builders Inc. \$2,232,063
- 2. Phoenix Construction Inc. \$2,260,000

Step #8:

Staff and MPE were able to provide a comprehensive project cost break down:

Building Costs: (Phoenix)	\$2,652,800
Servicing Costs:	\$247,128
Site Work Costs:	\$465,556
<b>Total:</b>	<b>\$3,365,484</b>

Step #9:

**Budget Implications:**

<b>Project Costs Share &amp; Break Down</b>			
<b>Nordegg Quarry Road</b>			
PW Share calculated at 25%			841,371
FD Share calculated at 75%			2,524,113
<b>Total:</b>			<b>3,365,484</b>
Total Budget 2011			3,066,666
Difference			<b>298,817</b>

Step #10:

(Feb. 10, 2011) CRFRS staff has presented this information to the Committee for their review and recommendation. It was the CRFRS Committee's direction to recommend that the County award the project to Phoenix Construction as proposed.

Step #11:

- a. MPE & Phoenix have revised the building and site designs as per staff and committee direction. Staff has been in consultation with Joe Baker – West Country Manager; to ensure we are developing in accordance with the Nordegg design criteria.  
**(Please see attached) Note:** This building is a steel frame building for the shop area and wood frame for the office / administration area.
- b. Public Works has developed an action plan for providing site clearing and the installation of the approach. Once the Council approves the project staff will move forward on this

site work internally in the next couple weeks in conjunction with MPE and the project plan for the site.

- c. The Phoenix project time lines remain un-altered. Intended project start is mid March 2011 with a completion date of December 2011. The intent is to start site work and building pilings on a structural slab in mid-March.

Next Steps: Upon Council approval:

- a. Formally award the contract.
- b. Continue with design and engineering for the project.
- c. Public works will work on preliminary site work.
- d. Meet with CRFRS Committee (March 16, 2011).(Update & Project Planning)
- e. Mid-March – Building Permits & Site Prep & Building Construction & Servicing

**DISCUSSION:**

Phoenix is confident in their ability to complete the Nordegg FD / PW Building project as described and they have forwarded a reasonable and methodical plan to achieve our established goals. Staff has conducted reference checks and has some experience with this organization which was favorable.

The consolidated project cost for this project is \$3,365,484. This cost includes the building, services, site work, and contingencies. The total 2011 budget for this project is \$3,066,666, which makes a shortfall of \$298,817. Shortfall options are to either take the \$298,817 from general reserves or from contingency. Please note that \$255,000 remains in general reserves as a result of not purchasing the ATU site in 2010.

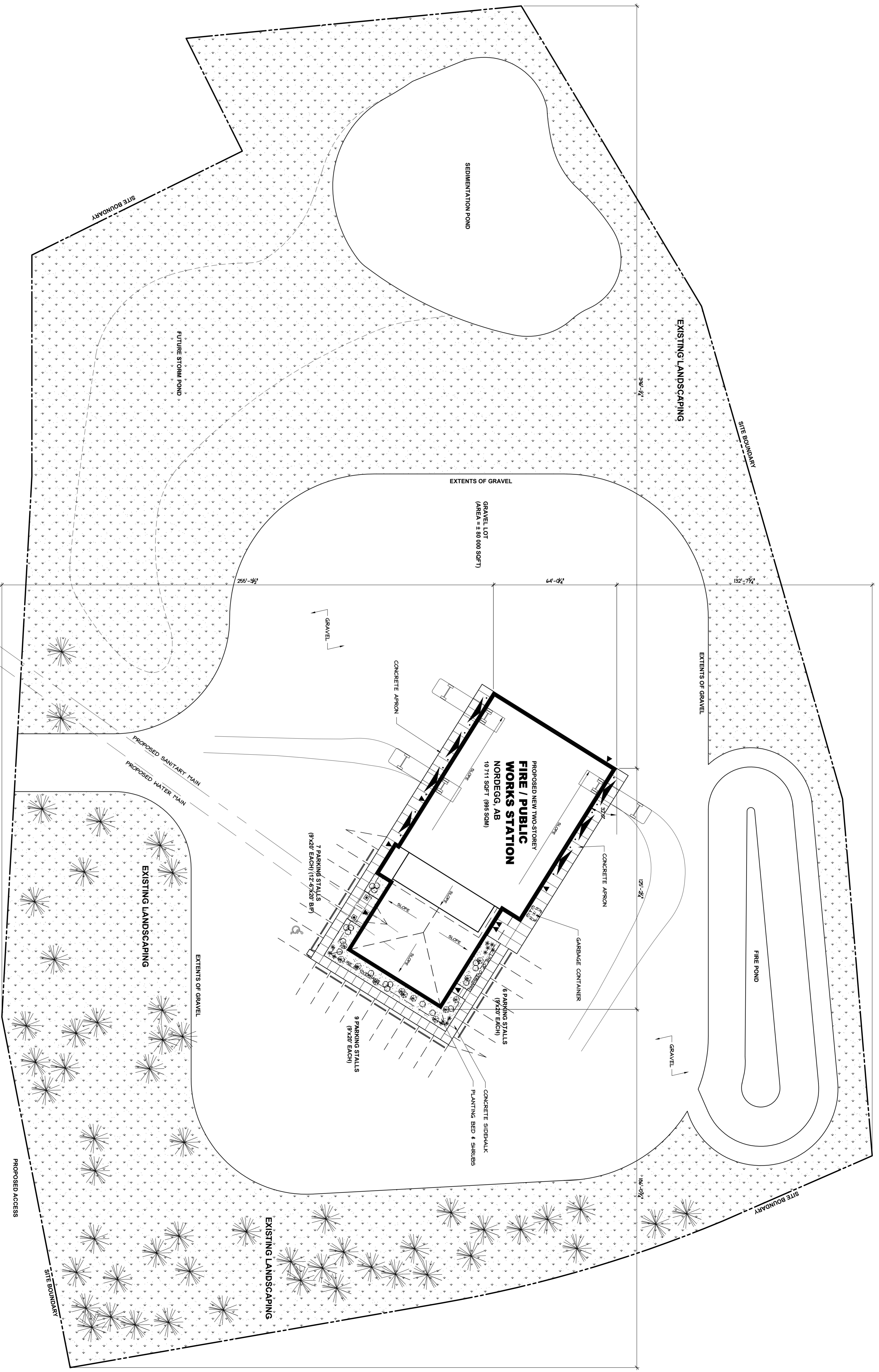
**RECOMMENDATIONS:**

That County Council approve the following resolutions:

1. Moved by \_\_\_\_\_ That Council approves awarding the Nordegg Joint FD / PW building project to Phoenix Construction as presented and supported by the 2011 capital budget funds.
2. Moved by \_\_\_\_\_ That Council approves the reallocation of \$298,817 from general reserves to the Nordegg Joint FD / PW building project as part of the 2011 capital budget funds.

Respectfully Submitted:

Cammie Laird - Regional Fire Chief  
 Mike Haugen – Community & Protective Services Manager  
 Marshall Morton – County Manager of Public Works



QUARRY ROAD

QUARRY ROAD

**SITE PLAN**  
 N.T.S.  
 35.6 ACRES

**LEGAL DESCRIPTION**  
 SE 34-01-18-3  
 NORDEGG, AB.

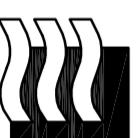
**Proposed NORDEGG FIRE / PUBLIC WORKS STATION**  
 NORDEGG, Alberta

LEADER  
 DRAWN  
 CHECKED  
 FILE NAME  
 PLOT DATE

TB  
 BR  
 ASS

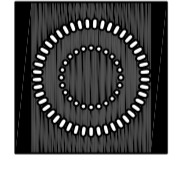
PROJECT NO.  
 SCALE  
 REVISION

10-296  
 N.T.S.  
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 Wednesday, February 16, 2011 2:36:43 PM



**GENIVAR**

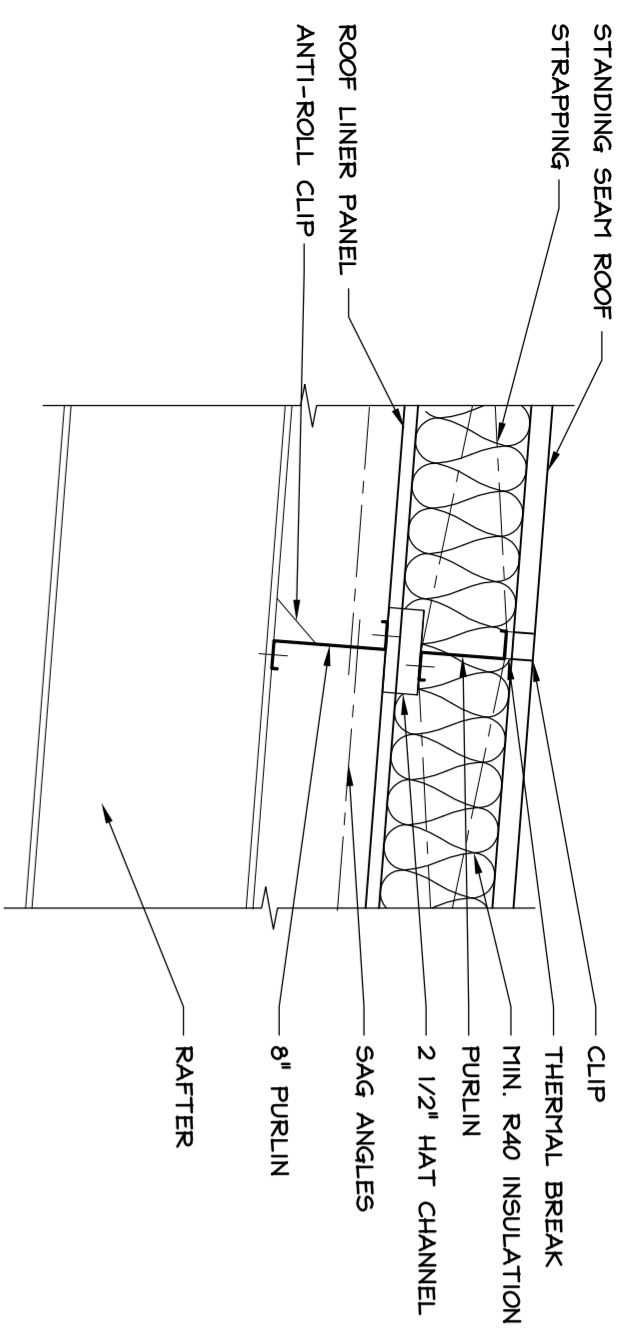
**Rick Balbi**  
 Architect



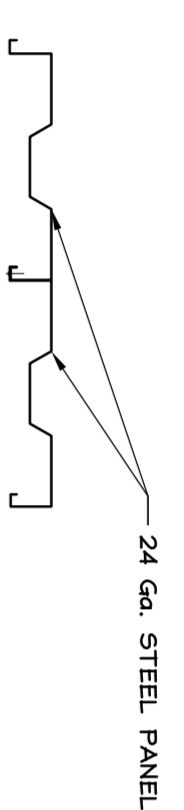
**PHOENIX**  
 Construction Inc.

LOCATION OF EXISTING SERVICES

PROPOSED SANITARY MAIN  
 PROPOSED WATER MAIN  
 PROPOSED RAIN WATER MAIN

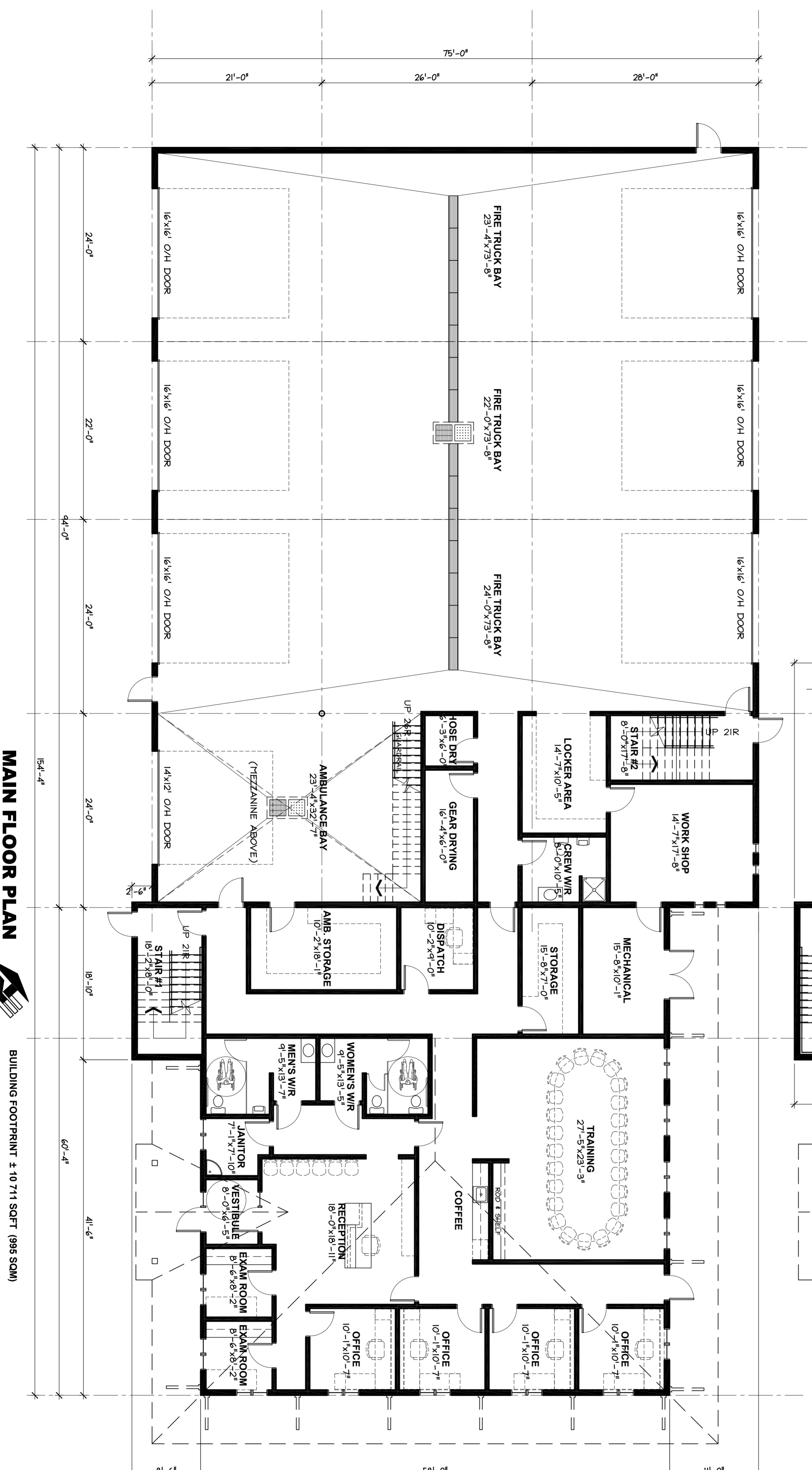
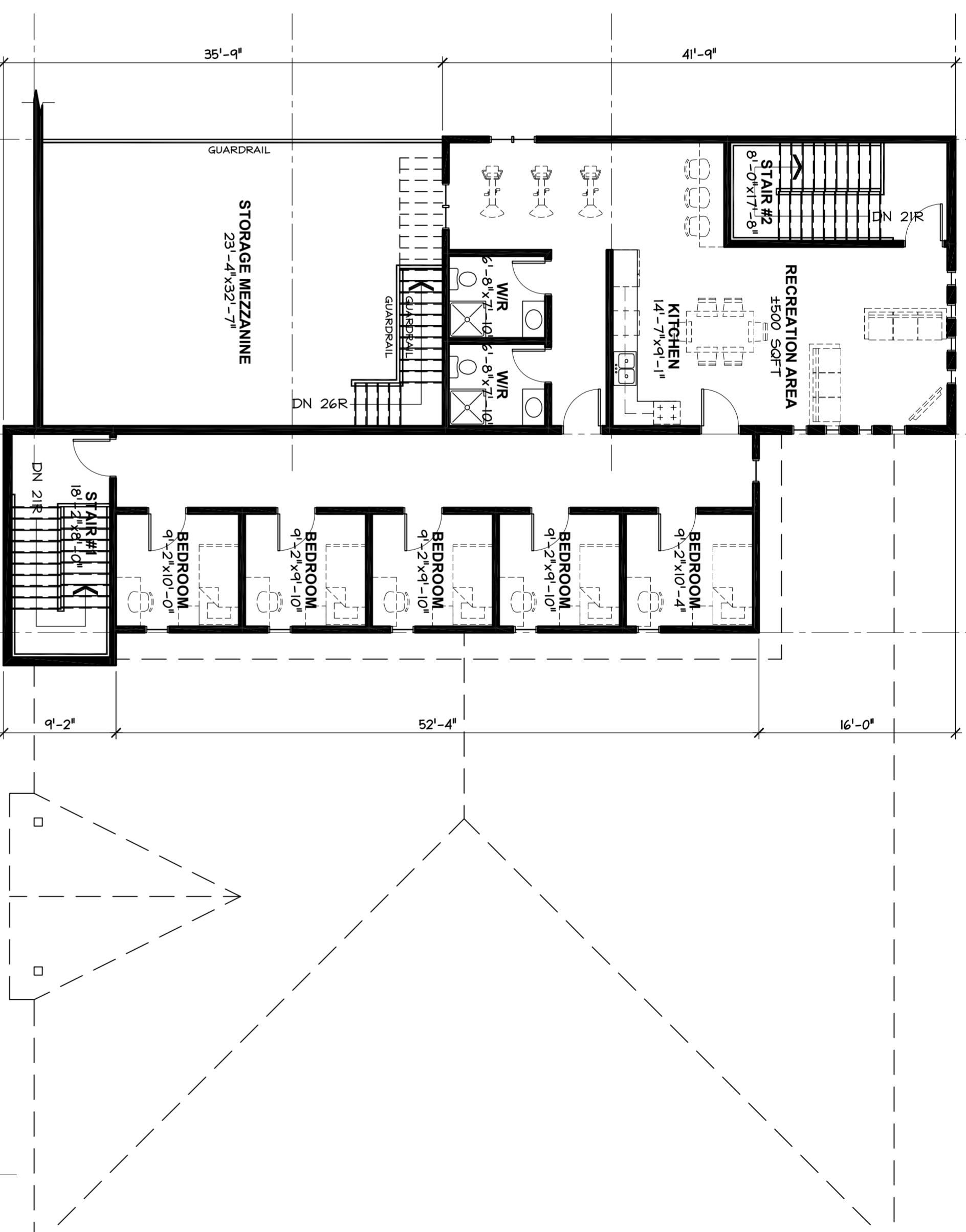


**ROOF DETAIL**  
N.T.S.



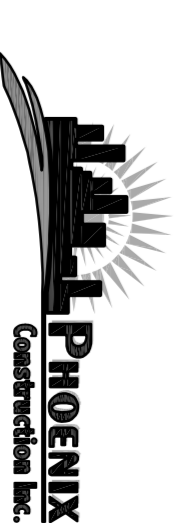
**WALL PANEL DETAIL**  
N.T.S.

**SECOND FLOOR PLAN**  
1/8" = 1'-0"  
SECOND FLOOR AREA ± 1 611 SQFT (150 SQM)



**MAIN FLOOR PLAN**

BUILDING FOOTPRINT ± 10 711 SQFT (995 SQM)



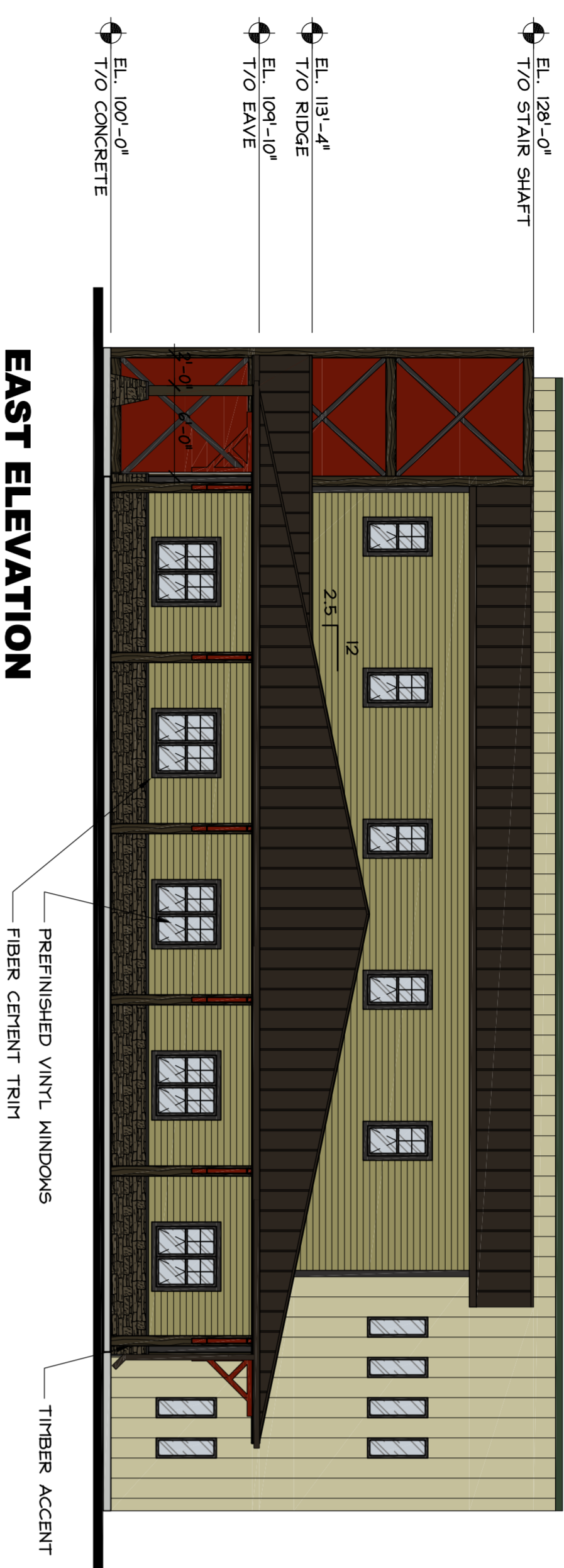
**Rick Balbi Architect**



**Proposed NORDEGG FIRE / PUBLIC WORKS STATION**  
NORDEGG, Alberta

LEADER: TB PROJECT NO. 10-296  
DRAWN: N.T.S.  
CHECKED: A.S. SCALE: 1/8" = 1'-0"  
FILE NAME: P:\m\ndg  
PLOT DATE: Wednesday, February 16, 2011 2:21:53 PM





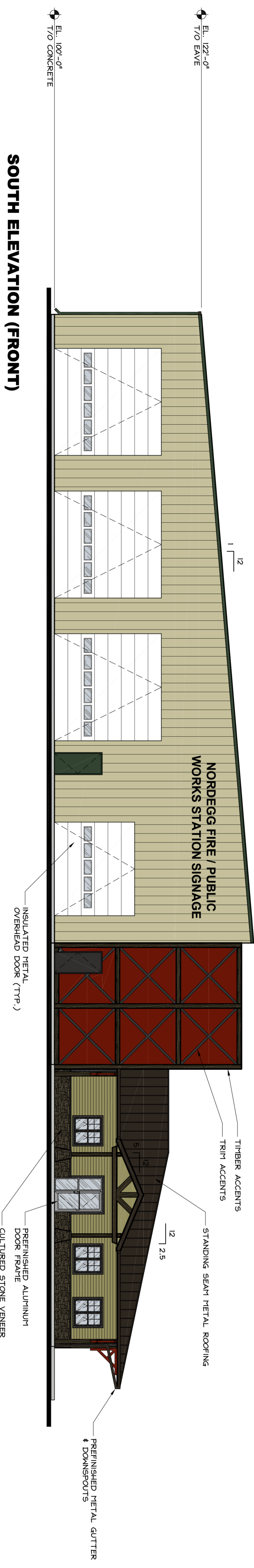
**EAST ELEVATION**

PREFINISHED VINYL WINDOWS  
FIBER CEMENT TRIM  
TIMBER ACCENT



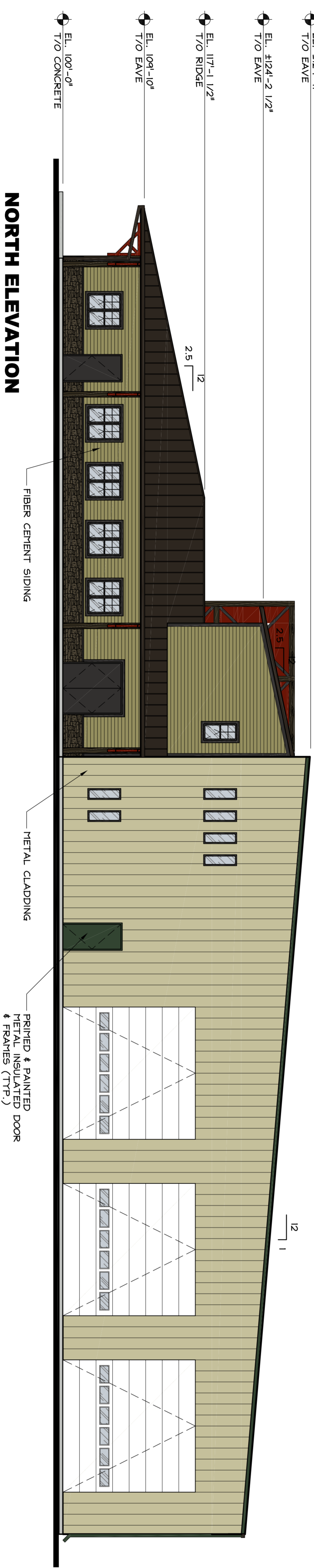
**WEST ELEVATION**

STANDING SEAM METAL ROOFING



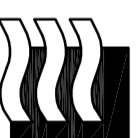
**SOUTH ELEVATION (FRONT)**

INSULATED METAL OVERHEAD DOOR (TYP.)  
TIMBER ACCENTS  
TRIM ACCENTS  
STANDING SEAM METAL ROOFING  
12  
2.5  
PREFINISHED METAL GUTTER  
& DOWNSPOUTS  
PREFINISHED ALUMINUM DOOR FRAME  
CULTURED STONE VENEER



**NORTH ELEVATION**

FIBER CEMENT SIDING  
METAL CLADDING  
PRINTED & PAINTED METAL SIGNAGE (TYP.)  
& FRAMES (TYP.)  
PRINTED & PAINTED METAL DOOR



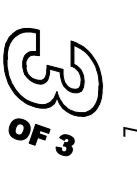
**GENIVAR**

**Rick Balbi Architect**



**Proposed NORDEGG FIRE / PUBLIC WORKS STATION**  
NORDEGG, Alberta

LEADER  
DRAWN  
CHECKED  
FILE NAME  
PLOT DATE  
10-296  
N.T.S.  
L  
PROJECT NO.  
SCALE  
REVISION  
TBS  
AES  
Pain/ndg  
Wednesday, February 16, 2011 2:22:28 PM



# Agenda Item

**Date:** February 18, 2011  
**Item:** North Saskatchewan Regional Advisory  
Committee  
**Prepared by:** Ron Leaf

## **Background:**

As outlined on the attached “Call for Nominations”, the AAMDC has requested nominations from members municipalities located within the North Saskatchewan drainage basin for submission to the Minister of Sustainable Resource Development for membership on the North Saskatchewan Regional Advisory Committee (RAC).

The Minister of SRD ultimately decides which members will sit on the Committee and it is anticipated that Minister Knight will announce membership on the N. Sask. RAC within the next 6 – 12 months.

Should Council choose to submit a name for consideration staff will need to complete the documentation and submit to the AAMDC prior to March 2.

## **Recommendation:**

1. That Council nominates a Council member for membership on the North Saskatchewan Regional Advisory Council.



# MEMBER BULLETIN

January 19, 2011

## Call for Nominees: North Saskatchewan Regional Advisory Council

Are you interested in developing recommendations to Cabinet on the regional plan for the North Saskatchewan region? Are you familiar with the Land-use Framework and the Alberta Land Stewardship Act? Are you prepared to commit the time necessary to attend all RAC meetings?

The Government of Alberta will form the North Saskatchewan regional advisory council (RAC) within the next year. In anticipation of this, the AAMDC is seeking the names of rural municipal representatives from that area who may be interested in nomination. Historically, the Minister of Sustainable Resource Development has asked the AAMDC to nominate three individuals for each RAC that has been formed. Ultimately, the minister makes the selection and has the authority to choose individuals outside the AAMDC nominations. However, for both the Lower Athabasca RAC and the South Saskatchewan RAC, at least one AAMDC nominee has been selected.

To ensure we nominate individuals that are interested in and qualified for appointment to the RAC, the AAMDC is calling on members to submit nominees. Nominees for the RAC must come from municipalities within the boundaries of the North Saskatchewan region. They are:

Beaver County	County of Two Hills	MD of Wainwright
Brazeau County	County of Vermilion River	Parkland County
Camrose County	County of Wetaskiwin	Smoky Lake County
Clearwater County	Flagstaff County	Strathcona County
County of Minburn	Lamont County	Sturgeon County
County of St. Paul	Leduc County	
County of Thorhild	MD of Provost	

If your municipality would like to present an individual for consideration, please submit the following information to [kate@aamdc.com](mailto:kate@aamdc.com) by **March 2, 2011**:

1. Name and contact information for individual
2. Council resolution endorsing individual
3. Short resume
4. Statement of interest:
  - a. Describe your background and what you could contribute to the development of the regional plan
  - b. Describe your previous experience, any training related to the tasks, and any previous involvement in the Land-use Framework process.
  - c. Describe the reasons you are interested in this opportunity.
  - d. Identify if you are a member of any related organizations or agencies (besides AAMDC).

Once all nominees are collected, the AAMDC Board of Directors will select three individuals to put forth to the Minister, should he request the association's input. Since submission may be one year away, the nominees will be contacted at that time to ensure they are still interested and available to participate.

Attached is a summary of the AAMDC's estimate of the role of a RAC member. This information was extrapolated from the terms of references for previously-formed RACs. However, please note that this is not information directly related to the North Saskatchewan RAC, and may not be entirely accurate once it is formed. This information is provided only to help inform the nomination of individuals.

Enquiries may be directed to:

Kate Hovland  
Policy Analyst  
780.955.4094

Kim Heyman  
Director of Advocacy & Communications  
780.955.4079

**Attachment:** Anticipated role of a RAC member

## Anticipated Role of a RAC Member

### MANDATE

A Regional Advisory Council is established under the Land-use Framework to provide the Government of Alberta advice on the development of a regional plan. Advice could fall in many areas, potentially including:

- Trade-off decisions regarding land uses;
- Thresholds to address cumulative effects;
- Short, medium and long-term strategies to achieve vision and outcomes (e.g. restricting activities, criteria for density, etc.); and
- Stakeholder consultation recommendations.

### ACTIVITIES AND DELIVERABLES

Some activities of the RAC could include:

- Providing an appraisal of the current state of the region;
- Identifying regional issues;
- Reviewing existing local plans; and
- Participating in the Government of Alberta consultation processes.

### ROLE OF MEMBERS

Members are expected to provide perspectives from their area of expertise and interest. Members are NOT representing their respective company, organization or sector position.

Members are responsible for familiarizing themselves with background materials, attending all meetings, understanding their role, understanding the region, discussing innovative strategies to address regional challenges, considering stakeholder input, and committing to the development and timely delivery of the regional plan.

### CONFIDENTIALITY

Members must refrain from commenting to the media on the RAC's work. RAC members agree to respect the confidentiality of any information identified as confidential that is distributed. RAC members agree to respect the confidentiality of discussions that occur in RAC meetings.

# Agenda Item

**Date:** February 22, 2011

**Item:** **Public Hearing 1:15 P.M.**

Land Use Bylaw Update - Bylaw No. 931/11

Proposed amendments to the Land Use Bylaw for the purpose of making it consistent with the new Municipal Development Plan adopted in 2010.

**Prepared by:** Keith McCrae

## **Background:**

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**". This document contains proposed amendments to the LUB intended to bring consistency with the policy direction of the new MDP. The proposed changes/additions are shown in yellow while ~~strikethrough~~ represents wording to be removed. The document contains many minor wording changes that are simply intended to clarify or to bring full consistency in terms used in both the MDP and the LUB.

Some of the more significant proposed changes to the LUB are summarized below, together with references to applicable MDP and LUB section and page numbers shown in *Italics*.

1. **Revised definition of "Fragmented Parcel"** - same as definition in the MDP.  
*LUB 1.7 (pg. 7)*

The new MDP provides expanded opportunities for the possible creation of fragmented parcels. In addition to permanent water bodies, possibilities now include severance by road, railroad, deep ravine, or naturally occurring permanent wetland. See *MDP 6.2.9 (pg. 17)* and definition on *(pg. 45)*.

**2. New definition of “Residential Estate Subdivision”** – same as definition in MDP. *LUB 1.7 (pg.14)*

The new MDP introduced a change in policy direction regarding the creation of rural residential multi-lot subdivisions.

- No more tradition multi-lot subdivisions except where an approved Area Structure Plan (ASP) or Outline Plan provides for them. *MDP 6.2.10 (pg. 18)*
- Replaced by “Residential Estate Subdivisions” – smaller, clustered, fully serviced residential parcels. *MDP 6.2.13 (pg. 18)* and definition *(pg. 46)*.

**3. New definition of “Traditional Country Residential Subdivision”** – same as definition in the MDP.

*LUB 1.7 (pg. 15)*

The new MDP introduced a change in policy direction regarding the creation of rural residential multi-lot subdivisions.

- No more traditional multi-lot subdivisions except where an approved ASP or Outline Plan provides for them. *MDP 6.2.10 (pg. 18)*

Also, remove the definition for “Grouped Country Residential Subdivision” as it is a term no longer used in the MDP. *LUB 1.7 (pg. 8)*

**4. The first residence on a farm parcel is no longer a deemed approved use.**

*LUB – various sections*

The new MDP requires adequate setbacks from development to roads *MDP 9.2.10 (pg. 30)* and it also deals with not approving certain types of development on or near hazard lands, i.e.; flooding, steep slopes, sour gas, etc. *MDP 4.2.18+19 (pg. 11)*

To be consistent with MDP, remove this use from the deemed approved list in the LUB. *LUB 3.2(1)(i) (pg. 19)* and adjust *3.2.2 (pg. 20)*. Also, amend the Agriculture District “A” and the Intensive Agriculture District “IA” accordingly.

*LUB 13.4.1 (pg. 78) and 13.4.2 (pg. 82)*

This means that a first residence on a farm parcel is still a permitted use but now requires a development permit prior to construction. Farming and non-

residential farm buildings are still considered deemed approved uses and do not require a development permit.

**5. Parcel size variance only allowed for farmstead removals.**

*LUB 3.9(2 & 3) (pg. 29)*

The new MDP sets specific minimum and maximum parcel sizes for rural residential lots. The only provision for a possible variance is in regard to a first parcel out to remove an existing farmstead, if a larger parcel is deemed necessary to encompass existing residential amenities or facilities. *MDP 6.2.6 (pg. 17)*

To keep the LUB consistent with the MDP two new points have been added under the variance provisions in Section 3.9 and reference to a 10% variance on parcel size has been removed. *LUB 3.9(2 and 3) (pg. 17)*

**6. Required to meet water and wastewater service provisions.**

*LUB 6.20 (pg. 50)*

New policy direction in the MDP requires new multi-lot subdivisions (Residential Estate Subdivisions) to be fully serviced. *MDP 6.2.14 and 9.2.19*

Add Section 6.20 to the LUB addressing the fact that all development shall meet the servicing requirements of the MDP, and also meet all provincial requirements.

*LUB 6.20 (pg.50)*

**7. Setback provisions near water and wetlands.**

*LUB 8.2 (pg. 56)*

The new MDP provides more emphasis/direction on the protection of the environment. It includes policies regarding setbacks from permanent water bodies, wetlands, and unnamed streams. *MDP 4.2.23 (pg. 11) and 12.2.15 - 20 (pg. 41)*

Amendments to Section 8.2 of the LUB are necessary to bring it in line with the MDP and provide clear direction on when, where, how, and how much setback or buffer to provide in regard to a subdivision or development near water or near a wetland.

*LUB 8.2 (pg. 56)*

**8. List of features considered environmentally significant.**

*LUB 8.4 (pg. 58)*



The new MDP refers to “environmentally significant lands and features” and lists what they are in Section 4.2.22, and ways to conserve them in 4.2.23. (i.e.; ER and MR dedication, ER Easements, conserving shorelines, escarpments, etc.) *MDP (pg.11)*

Add Section 8.4 to the LUB which provides an identical list of environmentally significant lands as contained in the MDP. *LUB 8.4 (pg. 58)*

## **9. Confined Feeding Operations - NRCB Jurisdiction.**

*LUB Part Eleven (pg. 69)*

The new MDP reflects the approving authority of the Province (Natural Resources Conservation Board - NRCB) over all confined feeding operations (CFO). The County has no jurisdiction over CFO’s and is simply a referral agency. Our MDP does provide direction to the NRCB for their consideration on the placement of CFO’s. *MDP 8.2.4 thru 8 (pg. 23)*

This required a change to Part Eleven of the LUB by removing the existing CFO policies and replacing them with 11.1 and 11.2. This wording is consistent with the MDP direction regarding CFO’s. *(pg. 70)*

**Note: 10, 11, 12 and 13 all deal with reduced rural residential parcel sizes in the MDP.**

## **10. Revised first residential parcel sizes in Agriculture District “A”**

*LUB 13.4(1)(D) (pg. 80)*

The new MDP policy represents a reduction in parcel size for first parcel out subdivisions as follows:

- To encompass an existing farmstead – Min. 2.25 ac. Max 7.00 ac. - unless a larger size is deemed necessary to encompass existing residential amenities and features.
- For a vacant parcel – Min. 2.25 ac. Max 5.00 ac. – no variance provisions.

Amend the acceptable lot size in the “A” District to be consistent with the MDP.

*LUB 13.4(1)(D) (pg. 80)*

## **11. Revised parcel sizes in the Country Residence District “CR”**

*LUB 13.4(3)(C) (pg. 84)*

The new MDP policy reduces parcel sizes for traditional country residential parcels.

*MDP 6.2.11 (pg. 18)*

- Min 2.25 ac. - Max 3.60 ac. – unless provided for in an approved ASP or Outline Plan as per Section 6.2.10 of the MDP.

Amend acceptable lot size in the “CR” District to be consistent with the MDP.

*LUB 13.4(3)(C) (pg. 84)*

## **12. Revised parcel sizes in the Country Residence Agriculture District “CRA”**

*LUB 13.4(4)(C) (pg. 86)*

The new MDP policy reduces parcel sizes for traditional country residential parcels.

*MDP 6.2.11 (pg. 18)*

- Min 3.60 ac. - Max 5.00 ac. – unless provided for in an approved ASP or Outline Plan as per Section 6.2.10 of the MDP.

Amend acceptable lot size in the “CRA” District to be consistent with the MDP.

*LUB 13.4(4)(C) (pg. 86)*

## **13. Revised parcel sizes in the Recreation Residential “RR” District**

*LUB 13.4(30)(C) (pg. 182)*

The new MDP policy reduces parcel sizes for traditional country residential parcels.

*MDP 6.2.11 (pg. 18)*

- Min 2.25 ac. - Max 3.60 ac. – unless provided for in an approved ASP or Outline Plan as per Section 6.2.10 of the MDP.

Amend acceptable lot size in the “RR” District to be consistent with the MDP.

*LUB 13.4(30)(C) (pg. 182)*

## **14. Create a new Residential Estate District “RE”**

*LUB 13.4.31 (pg. 184)*

New MDP policy direction has been set for rural residential multi-lot subdivisions, now referred to as Residential Estate Subdivisions. Sections 6.2.13 thru 16 of the MDP provide direction on the creation of new multi-lot residential developments. Also, Appendix “A” provides a formula for calculating the number of parcels that may be allowed on a particular quarter section.

*MDP 6.2.13 thru 16 (pg. 18) and Appendix “A” (pg. 48)*

An amendment to the LUB is required to establish a new land use district, the “RE” District, 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 agricultural pursuits. This District is consistent with the MDP.

*LUB 13.4(31) (pg. 184)*

**Other Significant Amendments** – As a result of previous discussions during the Municipal Development Plan Review, Council identified some points of clarification to be addressed in the Land Use Bylaw Update, as follows:

- The addition of the existing Nordegg Design Guidelines as part of the Nordegg Rural Residential District “NRR” and the Nordegg Tourist Recreation District “NTR”. The same way the existing Nordegg Leisure Residence District “NLR” is set up. – See *LUB Sections 13.4(17) (pg. 121), 13.4(18) (pg. 127) and 13.4(20) (pg. 136)*.
- Changes to the LUB intended to clarify the policy intent regarding the approval of “Residential Shops” vs. “Private Garages”. This includes new definitions for “Residential Shop” and “Private Garage” in Section 1.7 and the addition of Section 6.3(2)(3) wherein the maximum floor area, wall height, and overall height requirements for a private garage are prescribed. Also, Section 6.4 is added in regard to residential shops wherein the maximum floor area, wall height, and overall height, shall be determined by the development authority upon consideration of a set of criteria. *LUB 1.7 (pg. 13 + 14), 6.3(2)(3) (pg. 38) and 6.4 (pg. 38)*  
(*These two proposed changes are a result of previous discussions with Council during the MDP review process.*)

**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.**

**First Reading:**

At the regular Council meeting held on January 11, 2011, Council reviewed and gave first reading to Bylaw 931/11. As required by legislation, notice of today’s Public Hearing was advertised in the local newspapers and comments were invited from referral agencies.

The Draft Land Use Bylaw labeled as “**Schedule A**” was placed on the County website along with a summary sheet of the proposed changes and was also made available at the County office for pick up. The Summary Sheet outlined the proposed amendments to the LUB intended to bring consistency with the policy direction of the new MDP.

This Public Hearing is an opportunity for members of the public and agencies to comment on the proposed changes to the Land Use Bylaw to bring into consistency with the County's Municipal Development Plan.

Upon consideration of the comments and representations made at today's Public Hearing, Council will deliberate and identify any amendments they wish to make to the Bylaw prior to considering its adoption (2<sup>nd</sup> and 3<sup>rd</sup> readings to Bylaw 931/11).

**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:

The Clearwater County Land Use Bylaw No. 714/01 shall be amended as per attached Schedule "A".

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 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 11<sup>th</sup> day of January 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., 2011.

\_\_\_\_\_  
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 28<sup>th</sup> DAY OF August, 2001 A.D.

READ A SECOND TIME THIS 25<sup>th</sup> DAY OF September, 2001 A.D.

READ A THIRD TIME AND PASSED THIS 25<sup>th</sup> DAY OF September, 2001 A.D.

Original Signed by Milton Elliot  
Reeve

Original Signed by Brian Irmen  
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.

DRAFT



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**Figure 2 Setbacks from Rural and Secondary Roads and Their Intersections**

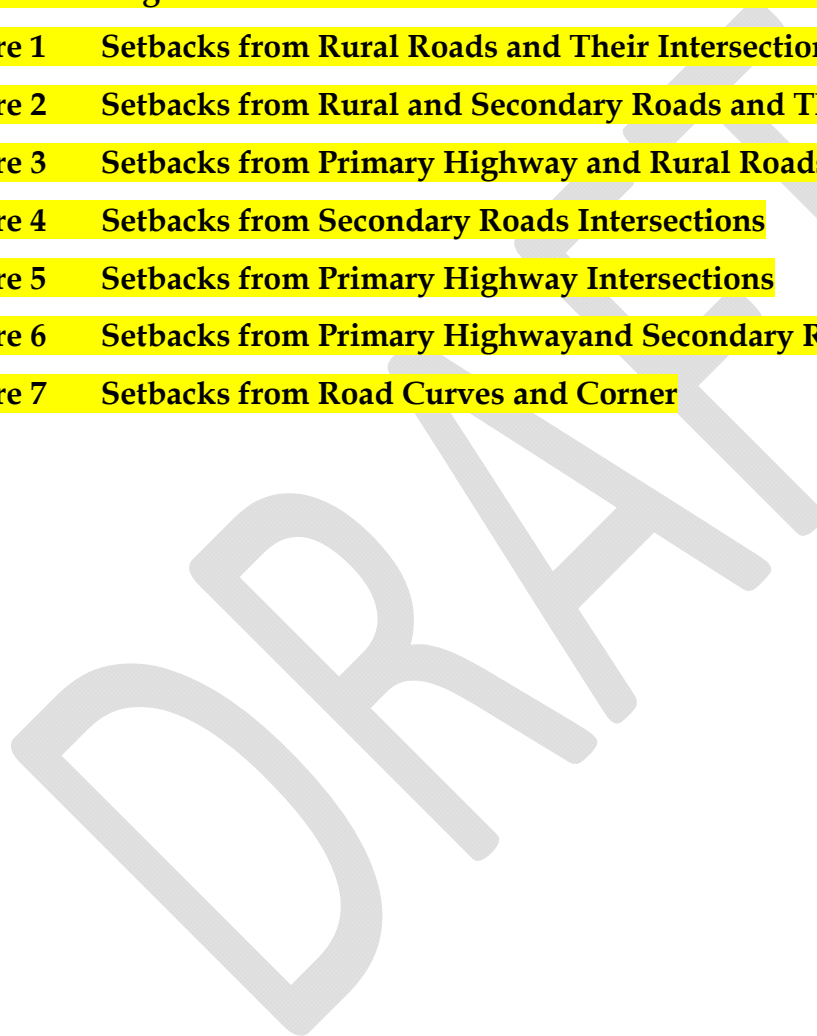
**Figure 3 Setbacks from Primary Highway and Rural Roads Intersections**

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**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 1,850 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 931/11)~~
- (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.

- ~~(6)~~ (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) a suitable building site exists, preferably in the same yard as the first/principal residence;
  - (b) suitable access can be provided;
  - (c) suitable services can be provided;
  - (d) the development will be compatible with existing and planned land uses in the vicinity; and
  - (e) 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:
- (a) the ~~temporary second dwelling~~ residence is for a bona fide need; and
  - (b) 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) | commerical 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.~~

### **11.1 Confined Feeding Operations**

(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 ACCEPTABLE LOT SIZE

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~~ EXTENSIVE 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 or outline 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 or outline 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~~ 12.2 metres (~~100~~ 40 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~~ **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 restrained 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 or outline 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



# Agenda Item

**Date:** February 22, 2011

**Item:** **Appointment Time 2:00 p.m.**  
**First Reading of Bylaw 934/11**  
Application No. 01/11 to amend the Land Use Bylaw  
For the redesignation of 6.69 acres described as Plan 962-1321, Block 1,  
Lot 6, PT NW 05-40-09-W5  
From Country Residence Agriculture District "CRA" to Country  
Residence District "CR" for the purpose of splitting the existing parcel  
into three parcels  
Dale Blake

**Prepared by:** Marilyn Sanders

## **Background:**

The subject land is located approximately 15 miles west of the Town of Rocky Mountain House in the "Horburg" area. Dale Blake holds title to Lot 6, Block 1, Plan 962-1321 containing 6.69 acres and presently zoned Country Residence Agriculture District "CRA". The subject parcel is one of the 17 existing acreage lots in the Horburg area. In addition, the "Nelson Outline Plan" approved by Council in 1999, provides for the creation of 20 additional country residential parcels (CR & CRA) on the property northeast of the subject lands. Back in 2001, Council authorised Parkland Community Planning Services to undertake preliminary work on an Area Structure Plan for Horburg. The work resulted in the creation of a future land use strategy map that was never officially adopted as the project was put on hold due to other priorities. This map recognized the potential for further subdivision of some of the existing Country Residence Agriculture District "CRA" lots into "CR" lots. The subject lands were identified through this project as having potential for further subdivision. The land use strategy also recognizes the potential for future multi-lot country residential subdivision in the Horburg area.

The application before Council today is for the redesignation of all of the 6.69 acre parcel lying south of the main access road into the area from the Country Residence Agriculture District "CRA" to the Country Residential District "CR" for the purpose of splitting the lot into 3 parcels. High Country Surveys have prepared a proposed subdivision plan showing the configuration of the 3 lots. The proposal would see 2 new vacant parcels to be created southwest of the existing building site.

**Planning Direction:**

The Municipal Development Plan (2010) adopted in July 2010. The Rural Residential goals and policies adopted outline the opportunities for subdivision potential in the County. One of the goals is to promote rural residential development that contributes to a sustainable settlement pattern. The unadopted Horburg Area Structure Plan Land Use Strategy Map identifies the settlement pattern contemplated at the time the strategy map was prepared.

Municipal Development Plan (2010) Policy 6.2.10 states that a traditional multi-lot rural residential subdivision may be approved only on lands within:

- (a) the Ferrier-Garth Area Structure Plan;
- (b) the Law Area Structure Plan;
- (c) the Nordegg Development Plan;
- (d) a residential outline plan approved by the County prior to the adoption of the Municipal Development Plan (2010);
- (e) any land designated in the Land Use Bylaw as Country Residence District or Country Residence Agriculture District prior to the adoption of the Municipal Development Plan (2010); and
- (f) a plan adopted pursuant to policy 6.2.21.

Policy 6.2.11 requires traditional country residential parcels with individual private services to be a minimum of 0.91 hectares (2.25 acres) and a maximum of 1.46 hectares (3.6 acres).

This proposal appears to be consistent with Goal 6.1.3 of the MDP regarding a sustainable settlement pattern however the future Land Use Strategy prepared in 2001 is not an officially approved Area Structure Plan or Outline Plan. The 2.23 acre parcel sizes proposed are slightly less than the minimum required in Policy 6.1.11 of the MDP of 2.25 acres.

Policy 6.2.21 of the MDP states that Clearwater County may undertake or require to be undertaken a study of an area considered to have potential for rural residential development. The study shall:

- (a) assess the potential for rural residential development;
- (b) identify the form or forms of residential subdivision that may be appropriate, including parcel sizes and the methods of water and wastewater services required; and
- (c) if the study recognizes that forms of residential development may be appropriate, recommend the type of statutory or non-statutory plan that should be used to implement the recommendations of the study and the additional forms of public consultation to be used in the preparation of the plan.



# CLEARWATER COUNTY

## Application for Amendment to the Land Use Bylaw

Application No. 11/01  
#19 HORBURG DRIVE

I / We hereby make application to amend the Land Use Bylaw.

APPLICANT: DALE BLAKE

ADDRESS & PHONE: SITE 147, Box 2, RR #4 Rocky Mtn House T4T 2A4

REGISTERED OWNER: SAME

ADDRESS & PHONE: —

### AMENDMENT REQUESTED:

- CHANGE OF LAND USE DISTRICT FROM: CRA TO: CR  
 LEGAL DESCRIPTION OF PROPERTY: P1 NW 1/4; Sec. 05 ; Twp. 40 ; Rge. 09 .; W5M  
 OR: LOT: 6, BLOCK 1, REGISTERED PLAN NO.: 962-1321  
 OR: CERTIFICATE OF TITLE NO.: — (Site Plan is attached)  
 SIZE OF AREA TO BE REDESIGNATED: 6.69 (Hectares / Acres)

### 2. REVISION TO THE WORDING OF THE LAND USE BYLAW AS FOLLOWS:

AMEND LAND USE DISTRICT TO ALLOW FOR.  
SPLITTING THE EXISTING PARCEL INTO 3 LOTS PER.  
CONCEPT PLAN FOR HORBURG AREA.

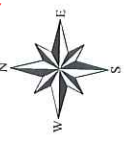
### 3. REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

- EXCELLENT LOCATION FOR RESIDENTIAL/RECREATIONAL PARCELS
- BETTER USE OF EXISTING LAND BASE - SOILS ARE NOT CONDUCIVE TO FORAGE GROWTH FOR HORSES ON A CRA PARCEL - YEAR ROUND FEEDING.
- CONSISTENT WITH AREA DEVELOPMENT - LOTS CONVERTING FROM CRA TO CR.

DATE: JANUARY 27, 2011 APPLICANT'S SIGNATURE [Signature]  
APPLICATION FEE OF 500.00 DATE PAID: JANUARY 27, 2011 RECEIPT NO. 70173

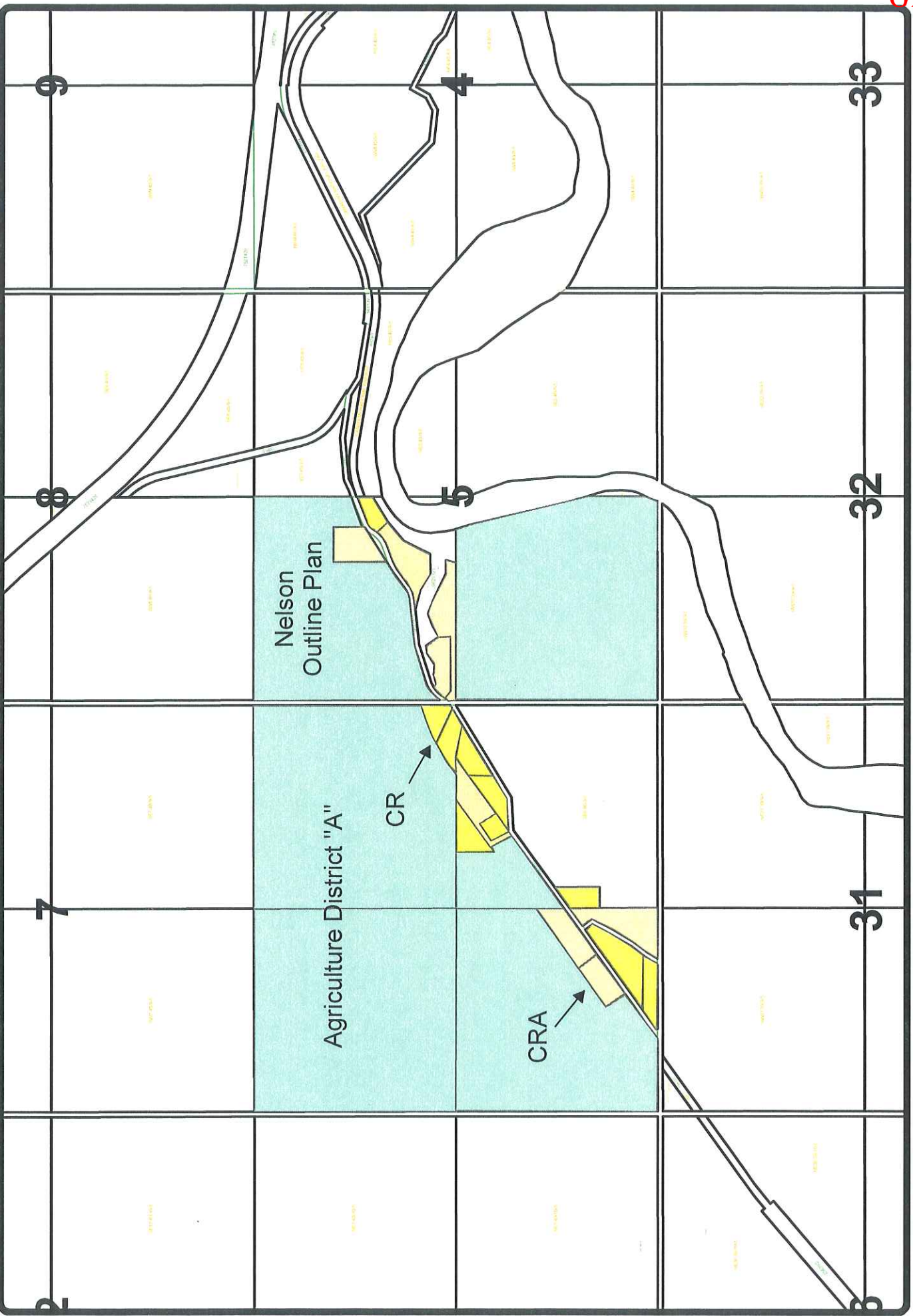
[Signature]  
SIGNATURE OF DEVELOPMENT OFFICER  
IF FEE RECEIVED





1:20,000

# Horburg - Land Use Districting as of Jan 2011



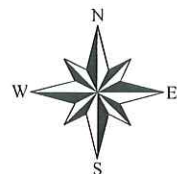


**Area Subject to Application**  
**Redistrict 6.69 +/- acres**  
**From Country Residence Agriculture**  
**District "CRA"**  
**To Country Residence District "CR"**

**Horburg Road (Road Plan 6241-BM)**

**North Saskatchewan River**

**Application #01/11 to Amend the Land Use Bylaw**  
**Redistrict 6.69 acres +/-**  
**All of Plan 962-1321, Blk 1, Lot 6, PT NW 05-40-09-W5M**  
**From Country Residence Agriculture District "CRA"**  
**To Country Residence District "CR"**  
**Dale Blake**



**BYLAW NO. 934/11**

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Land Use Bylaw, being Bylaw No. 714/01.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, and;

WHEREAS, a Council is authorized to prepare, to adopt, and to amend a Land Use Bylaw to regulate and control the use and development of land and buildings within the Municipality;

WHEREAS, the general purpose of the Country Residence District "CR" is to accommodate country residences while not permitting any agricultural pursuits.

NOW, THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

That all of Plan 962-1321, Block 1, Lot 6 in the NW 05-40-09-W5, as outlined in red on the attached Schedule "A" be redesignated from Country Residence Agriculture District "CRA" to Country Residence District "CR"

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.

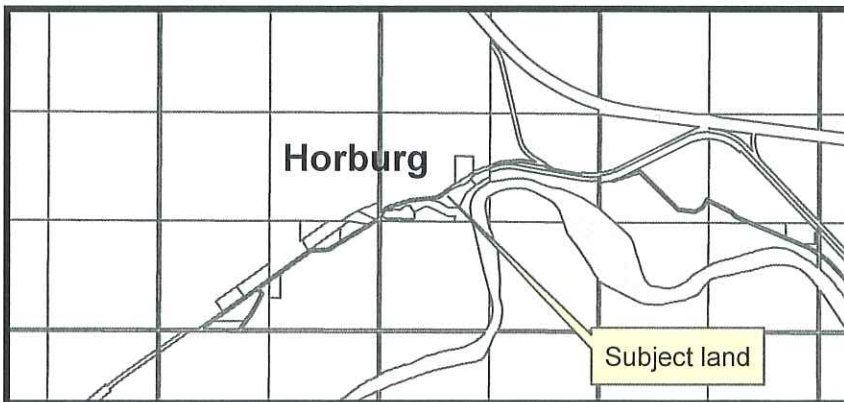
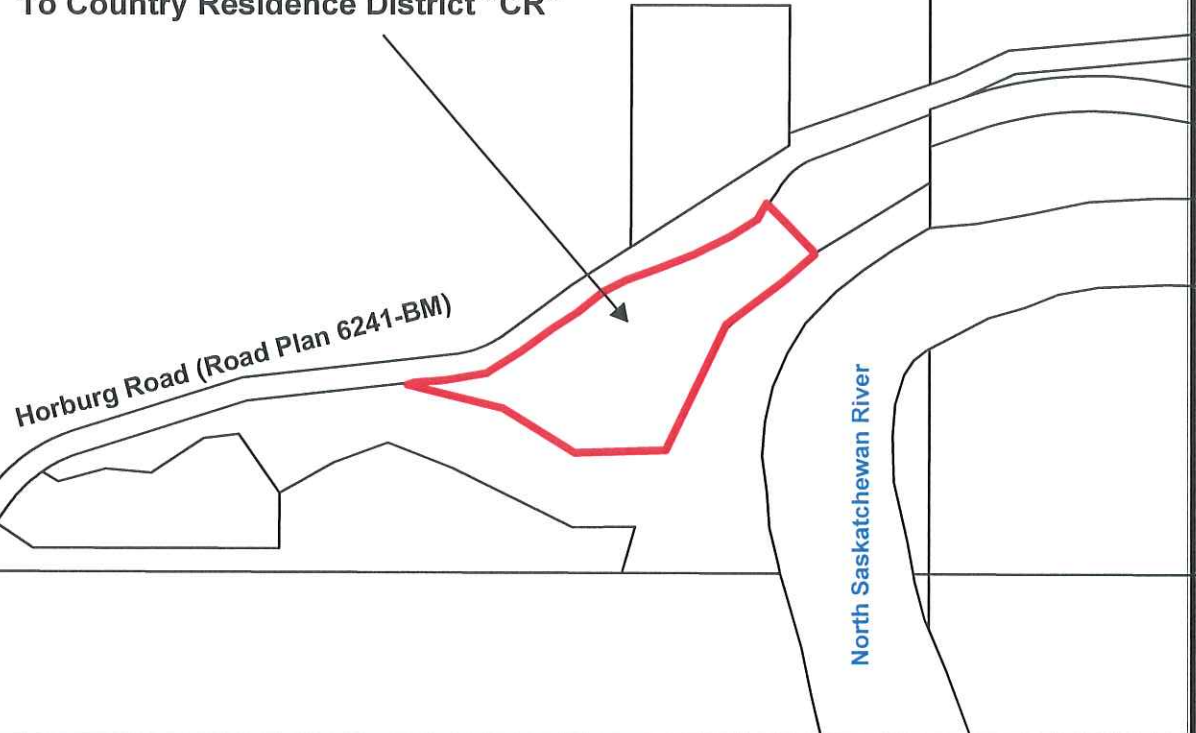
READ A THIRD AND FINAL TIME this \_\_\_ day of \_\_\_\_\_ A.D., 2011.

\_\_\_\_\_  
REEVE

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

# NW 05-40-09-W5

**Area Subject to Application**  
**Redistrict 6.69 +/- acres**  
**From Country Residence Agriculture**  
**District "CRA"**  
**To Country Residence District "CR"**



**Bylaw No. 934/11**  
**Schedule "A"**

**Application #01/11 to Amend the Land Use Bylaw**  
**Redistrict 6.69 acres +/-**  
**All of Plan 962-1321, Blk 1, Lot 6, PT NW 05-40-09-W5M**  
**From Country Residence Agriculture District "CRA"**  
**To Country Residence District "CR"**  
**Dale Blake**





# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

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 \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Jan 5/11	Strategic Plan (Russ Happel)	✓	✓				20 km
Jan 6/11	Council Budget Review	✓	✓				4 km
Jan 10/11	Ag Services Strategic Plan	✓	✓				4 km
Jan 11/11	Regular Council				✓		4 km
Jan 12/11	Clearwater/Rocky Lagoon Meet.	✓					4 km
* Jan 14/11	Rocky Senior Housing						
Jan 19/11	PAMZ Board Meeting	✓					172 km
Jan 20/11	Weyerhaeuser Advisory Meet	✓					215 km
Jan 21/11	RDRWA Board Meeting	✓	✓				172 km
Jan 24/11	Nordegg Historical Meeting	✓					4 km
Jan 24/11	Medicine River Watershed Supper	✓					40 km
Jan 25/11	Regular Council				✓		4 km

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### Remuneration Calculation

1 Westview @ \$60 = 60.00 ✓ 9 Meetings @ \$140.00 = 1260.00 ✓ 4 Meetings @ \$112.00 = 448.00 ✓ 2 Meetings @ \$254.00 = 508.00 ✓ Supervision = 550.00 ✓ Sub Total = _____ <b>TOTAL = 2826.00</b>	643 Kms @ \$0.52 = 334.36 ✓ Lunch @ \$16.00 = _____ Less Christmas ADS 102.67 ✓ Sub Total = _____ <b>TOTAL = 231.69</b>
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Signature {Councilor / Board Member} ..... Bob Bryant .....

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ... ~~2010~~ 2011 .....

Name of Councilor / Board Member Jim Duncan

Payment Periods

- |                |          |          |          |
|----------------|----------|----------|----------|
| <u>January</u> | 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	Milage @ \$0.52/km
5	Strategic Planning	✓	✓				50
5	Rec Board			✓			20
6	Budget	✓					40
7	SDAB hearing	✓					40
10	ASB	✓	✓				40
11	Reg Council				✓		40
18	ASB convention	✓					340
19	ASB convention	✓	✓				8
20	ASB convention	✓	✓				
21	ASB convention	✓	<del>8</del>			✓	292
25	Reg Council				✓		40
26	ASB Strategic Plan						40
31	Caroline Meet + Grant	✓					110

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### Remuneration Calculation

<u>9</u>	Meetings @ \$140.00=	<u>1260.00</u>	<u>1052</u>	Kms @ \$0.52=	<u>547.04</u>
<u>4</u>	Meetings @ \$112.00=	<u>448.00</u>	<u>1</u>	Lunch @ \$16.00=	<u>16.00</u>
<u>2</u>	Meetings @ \$254.00=	<u>508.00</u>		Less Christmas ADS	<u>(102.67)</u>
	Supervision=	<u>550.00</u>			
	Sub Total=			Sub Total=	
	<b>TOTAL=</b>	<u>2766.00</u>		<b>TOTAL=</b>	<u>460.37</u>

Signature {Councilor / Board Member}

Jim Duncan

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ....2011.....

Name of Councilor / Board Member .....

*EARL GRAHAM*

Payment Periods

- |                |          |          |          |
|----------------|----------|----------|----------|
| <u>January</u> | 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 \$40.00	Next 4 Hours \$111.00	Next 4 Hours \$111.00	Regular Council Meeting \$251.00	Lunch \$16.00	Mileage @ \$0.52 / km
Jan 4/11	RDRMVG.	✓			✓	✓	181
Jan 5/11	STAT PLAN	✓	✓				74
Jan 6/11	BUDGET	✓	✓				92
Jan 10/11	Ag Board.	✓	✓				92
Jan 11/11	General				✓		92
Jan 12/11	Lagoon Comm.	✓					92
<del>Jan 13/11</del>	<del>SPG. BOD</del>						
Jan 13/11	Spog. BOD	✓					90
Jan 20/11	RDRMVG.	✓	✓			✓	457
Jan 20/11	SPIRT			✓			0
Jan 25/11	BREAKFAST CHAMBER			✓			0
Jan 25/11	COUNCIL				✓		92
Jan 26/11	SPOG BOD	✓	✓				92
Jan 26/11	RDRWA-WMP	✓	✓				201
Jan 31/11	RDRMVG Conf Call	✓					0

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### Remuneration Calculation

10	Meetings @ \$140.00=	1400.00	1553	Kms @ \$0.52=	807.56
8	Meetings @ \$112.00=	896.00	2	Lunch @ \$16.00=	32.00
2	Meetings @ \$254.00=	508.00	Less Christmas ADS		(102.67)
	Supervision=	550.00			
	Sub Total=			Sub Total=	
	<b>TOTAL=</b>	<b>3354.00</b>		<b>TOTAL=</b>	<b>736.89</b>

Signature {Councilor / Board Member}

*Earl Graham*

