



Clearwater County

Regular Council Meeting - 11 Feb 2020

Agenda

9:00 AM - Tuesday, February 11, 2020

Council Chambers, 4340 – 47 Avenue, Rocky Mountain House, AB

Our Vision: Community, prosperity and natural beauty - connected.

Our Mission: Through proactive municipal leadership, we will invest innovatively to generate and support economic and population growth, to position Clearwater County for a sustainable, prosperous future.

	Page
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
3. ADOPTION OF MINUTES	
3.1. Regular Council Meeting - 28 Jan 2020 - Minutes - Pdf	3 - 7
3.2. Special Council Meeting - 30 Jan 2020 - Minutes - Pdf	8 - 9
4. DELEGATION/PRESENTATION	
4.1. 9:00 am - Barry McQueen, Past National President and Life Member, Kin Canada - Pdf	10
5. CORPORATE SERVICES	
5.1. Results of Enterprise Resource Planning (ERP) System Review - Pdf	11 - 18
6. PLANNING & DEVELOPMENT	
6.1. First Reading of Bylaw 1083/20 Clearwater County Land Use Bylaw - Pdf	19 - 252
6.2. First Reading of Bylaw 1076/20 for Application No. 01/20 to amend the Land Use Bylaw - Pdf	253 - 265
7. EMERGENCY & LEGISLATIVE SERVICES	
7.1. Bylaw 1084/20 Improvement District No. 12 & Clearwater County Intermunicipal Collaboration Framework - Pdf	266 - 276
7.2. Bylaw 1087/20 Yellowhead County - Clearwater County Intermunicipal Collaboration Framework - Pdf	277 - 285
8. CAO OFFICE	
8.1. 2020 Alberta Community Partnership Grant - Pdf	286 - 287
9. REPORTS	
9.1. CAO's Report	
9.2. Public Works Report	
9.3. Councillor Reports	
10. CLOSED SESSION*	

* For discussions relating to and in accordance with: a) the Municipal

Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act

10.1. DRAFT Correspondence; FOIP s.24 Advice From Officials

10.2. Leslieville Lands Conceptual Site Plan; FOIP s.24 Advice From Officials

10.3. Land Acquisition; FOIP s.16 Disclosure Harmful to Third Party Interest

10.4. 2019/2020 Intermunicipal Mediation Verbal Report; FOIP s.21 -
Disclosure Harmful to Intergovernmental Relations

11. ADJOURNMENT



MINUTES

Regular Council Meeting

9:00 AM - Tuesday, January 28, 2020

Council Chambers, 4340 – 47 Avenue, Rocky Mountain House,
AB

**COUNCIL
PRESENT:** Reeve Timothy Hoven
Councillor Jim Duncan
Councillor Cammie Laird
Councillor Daryl Loughheed
Councillor John Vandermeer
Councillor Theresa Laing
Councillor Michelle Swanson

**ADMINISTRATION
PRESENT:** Chief Administrative Officer - Rick Emmons
Director, Corporate Services - Murray Hagan
Executive Assistant - Tracy Haight
Communications Coordinator - Djurdjica Tutic
Director, Emergency & Legislative Services - Christine Heggart
Director, Planning & Development - Keith McCrae
Recording Secretary - Amber Williams
Development Officer - Eleanor Pengelly
Development Officer - Holly Bily
Senior Planner - Jose Reyes
Senior Planner - Kim Gilham
Administrative Assistant - Whitney Wedman
Systems Administrator - Mike Bell

APPLICANT: Bob Haagsma
Keith Winchell
Elsie Winchell

MEDIA: Diane Spoor
Adam Ophus

1 CALL TO ORDER
Reeve Hoven called the Meeting to order at 9:02 am.

2 ADOPTION OF AGENDA
Adoption of the January 28, 2020 Regular Meeting Agenda

**RES-31-2020 Motion by Councillor Daryl Lougheed that Items 6.1 *Results of Enterprise Resource Planning (ERP) System Review* and 7.3 *First Reading of Bylaw 1083/20 Clearwater County Land Use Bylaw* are removed from the January 28, 2020, Regular Meeting Agenda.
CARRIED**

**RES-32-2020 Motion by Councillor Theresa Laing that the January 28, 2020, Regular Meeting Agenda is adopted as amended.
CARRIED**

3 ADOPTION OF MINUTES

3.1 Regular Council Meeting January 14, 2020, Minutes

**RES-33-2020 Motion by Councillor Michelle Swanson that the January 14, 2020, Regular Meeting Minutes are adopted as amended.
CARRIED**

4 EMERGENCY & LEGISLATIVE SERVICES

4.1 Clearwater County - Mountain View County Intermunicipal Collaboration Framework Approval and Intermunicipal Development Plan Exemption

**RES-34-2020 Motion by Councillor John Vandermeer that Council grants first reading of Bylaw 1085/20 to adopt the Mountain View County and Clearwater County Intermunicipal Collaboration Framework.
CARRIED**

**RES-35-2020 Motion by Councillor Jim Duncan that Council grants second reading of Bylaw 1085/20 to adopt the Mountain View County and Clearwater County Intermunicipal Collaboration Framework.
CARRIED**

**RES-36-2020 Motion by Councillor Theresa Laing that Council gives permission for third reading of Bylaw 1085/20
CARRIED**

**RES-37-2020 Motion by Councillor Cammie Laird that Council grants third reading of Bylaw 1085/20 Mountain View County and Clearwater County Intermunicipal Collaboration Framework.
CARRIED**

**RES-38-2020 Motion by Councillor Daryl Lougheed that Council agrees, as per section 631(2) of the Municipal Government Act, that an Intermunicipal Development Plan is not required between Clearwater County and Mountain View County.
CARRIED**

5 CAO OFFICE

- 5.1 Rocky Mountain House (CYRM) Airport Commission - Council Appointment.

**RES-39-2020 Motion by Councillor Theresa Laing That Council appoints Councillor Cammie Laird to the Rocky Mountain House (CYRM) Airport Commission, effective January 28, 2020 to October 27, 2020.
CARRIED**

6 CORPORATE SERVICES

- 6.1 Results of Enterprise Resource Planning (ERP) System Review

Item removed from agenda.

7 PLANNING & DEVELOPMENT

- 7.1 Telecommunication Antenna System Siting Policy

**RES-40-2020 Motion by Councillor Michelle Swanson that Council adopts the Telecommunication Antenna System Siting Policy as amended to reflect no fee is required for the County to process a request for concurrence for an Antenna System siting proposal.
CARRIED**

- 7.2 Road Closure Application

A Resolution of Clearwater County for the purpose of closing a part of a road described in a surveyed road plan that council determines is no longer a use for the travelling public owing to the existence of an alternate route in accordance with Section 24 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended.

WHEREAS, the lands hereafter are no longer required for public travel;

NOW THEREFORE be it resolved that the Clearwater County Council does hereby close the following described road, subject to the right of access granted by other legislation:

Road Plan 4462 JY and Road Plan 832 3055 - A portion of road lying within NE 05-40-07-W5M (Title No. 842 058 458).

**RES-41-2020 Motion by Councillor Theresa Laing that Council approves the above Resolution to close a portion of Road Plan 4462JY and a portion of Road Plan 832 3055 lying within NE 05-40-07-W5M.
CARRIED**

**RES-42-2020 Motion by Councillor Jim Duncan that Council enters into a Future Land Acquisition Agreement with Keith & Elsie Winchell (Title Number 842 058 458).
CARRIED**

7.3 First Reading of Bylaw 1083/20 Clearwater County Land Use Bylaw

Item removed from agenda.

7.4 Application No. 05/19 to Amend the Land Use Bylaw – Bylaw 1066/19

RES-43-2020 Motion by Councillor Jim Duncan that Council grants second reading of Bylaw 1066/19 to amend the Land Use Bylaw 714/01 to redesignate Lot 6, Block 1, Plan 102 2159 consisting of +/- 3.5 acres in PT SE 30 35 08 W5M from Country Residential District 'CR' to Recreation Facility District 'RF'.

CARRIED

RES-44-2020 Motion by Councillor John Vandermeer that Council grants third reading of Bylaw 1066/19 to amend the Land Use Bylaw 714/01 to redesignate Lot 6, Block 1, Plan 102 2159 consisting of +/- 3.5 acres in PT SE 30 35 08 W5M from Country Residential District 'CR' to Recreation Facility District 'RF'.

CARRIED

8 REPORTS

8.1 CAO's Report

8.2 Public Works Report

8.3 Councillor Reports

Reeve Hoven and Councillors Duncan, Lougheed, and Laird reported on meetings and events attended between January 15 and January 27, 2020.

RES-45-2020 Motion by Councillor John Vandermeer that Council receives the January 28, 2020, CAO Report, Public Works Report and Councillors' Reports for information as presented.

CARRIED

Reeve Hoven recessed the meeting at 10:13 am.

Reeve Hoven called the meeting to order at 10:33 am.

9 CLOSED SESSION*

* For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act

9.1 2019/2020 Intermunicipal Mediation Verbal Report; FOIP s.21 - Disclosure Harmful to Intergovernmental Relations

RES-46-2020 Motion by Councillor Michelle Swanson that Council goes into CLOSED SESSION for Item 9.1 2019/2020 Intermunicipal Mediation Verbal Report; FOIP s.21 - Disclosure Harmful to Intergovernmental Relations at 10:33 am.

CARRIED

**RES-47-2020 Motion by Councillor Jim Duncan that Council goes into OPEN SESSION at 11:56 am.
CARRIED.**

Reeve Hoven recessed the meeting at 11:56 am

Reeve Hoven called the meeting to order at 12:30 pm

**RES-48-2020 Motion by Councillor Daryl Lougheed that Council goes into CLOSED SESSION for Item 9.1 2019/2020 Intermunicipal Mediation Verbal Report; FOIP s.21 - Disclosure Harmful to Intergovernmental Relations at 12:30 pm.
CARRIED**

**RES-49-2020 Motion by Councillor Michelle Swanson that Council goes into OPEN SESSION at 2:52 pm.
CARRIED**

Reeve Hoven recessed the meeting at 2:52 pm.

Reeve Hoven called the meeting to order at 3:00 pm.

10 ADJOURNMENT

**RES-50-2020 Motion by Councillor John Vandermeer that the Meeting adjourn at 3:00 pm.
CARRIED**

Reeve

CAO



MINUTES

Special Council Meeting

2:00 PM - Thursday, January 30, 2020

Council Chambers, 4340 – 47 Avenue, Rocky Mountain House,
AB

COUNCIL PRESENT: Reeve Timothy Hoven
Councillor Jim Duncan
Councillor John Vandermeer
Councillor Cammie Laird
Councillor Daryl Lougheed
Councillor Michelle Swanson (via electronic communication)

COUNCIL ABSENT: Councillor Theresa Laing

ADMINISTRATION PRESENT: Chief Administrative Officer - Rick Emmons
Director, Corporate Services - Murray Hagan
Recording Secretary - Tracy Haight
Director, Emergency & Legislative Services – Christine Heggart
Director, Public Works Operations – Kurt Magnus

1 CALL TO ORDER

Reeve Hoven called the Meeting to order at 2:00 pm.

2 ADOPTION OF AGENDA

Adoption of the January 30, 2020 Special Meeting of Council

**RES-51-2020 Motion by Councillor John Vandermeer that the January 30, 2020, Special Meeting Agenda is adopted as circulated.
CARRIED**

3 CLOSED SESSION*

*For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197(2) and b) the Freedom of Information and Protection of Privacy Act

3.1 2019/2020 Intermunicipal Mediation Verbal Report: FOIP s.21 Disclosure Harmful to Intergovernmental Relations

3.2 DRAFT Intermunicipal Regional Fire Rescue Services Agreement: FOIP s.23 Local Public Body Confidences

RES-52-2020 Motion by Councillor Jim Duncan that Council goes into CLOSED SESSION for Items 3.1 *2019/2020 Intermunicipal Mediation Verbal Report: FOIP s.21 Disclosure Harmful to Intergovernmental Relations*; and, 3.2 *DRAFT Intermunicipal Regional Fire Rescue Services Agreement: FOIP s.23 Local Public Body Confidences* at 2:01 pm.

CARRIED

RES-53-2020 Motion by Councillor Jim Duncan that Council goes into OPEN SESSION at 6:27 pm.

CARRIED

RES-54-2020 Motion by Councillor Daryl Lougheed that Council directs the County's Mediation Team to present Council's concerns with the Draft Intermunicipal Regional Fire Rescue Service Agreement to the Mediation Committee for discussion at the February 14, 2020, Mediation meeting.

CARRIED

RES-55-2020 Motion by Councillor Daryl Lougheed that Council approves extending the termination date of the current Intermunicipal Regional Fire Rescue Service Agreement from January 31, 2020, to March 30, 2020.

CARRIED

4 ADJOURNMENT

RES-56-2020 Motion by Councillor Cammie Laird that the Meeting adjourn at 6:29 pm.

CARRIED

CAO

Reeve



Agenda Item Report

Regular Council Meeting

AIR Type:	Delegation
SUBJECT:	9:00 am - Barry McQueen, Past National President and Life Member, Kin Canada
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Tracy Haight, Executive Assistant Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	None

STAFF RECOMMENDATION:

That Council provides Rocky Mountain House Kin Clubs (Kinsmen and Kinettes) with a Certificate of Recognition in appreciation of community service and, in celebration of Kin Canada's 100 Anniversary on February 20, 2020

BACKGROUND:

"Founded by Hal Rogers on February 20, 1920, Kin Canada is the nation's largest all-Canadian service club organization. Kinsmen, Kinette and Kin clubs across the country work to better their communities, enhance the well-being of Canadians and improve the environment. The Association boasts a proud history dedicated to fostering life-long friendships while 'Serving the Community's Greatest Need.'" - www.kincanada.ca

Barry McQueen, on behalf of Rocky Kinsmen and Kinette Clubs, will provide additional details on Kin Canada Day (February 20, 2020) and Kin Canada Week (February 16 - 22, 2020) and explain how the local clubs are serving community needs.



Agenda Item Report

Regular Council Meeting

AIR Type:	Presentation
SUBJECT:	Results of Enterprise Resource Planning (ERP) System Review
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT:	Corporate Services
WRITTEN BY:	Murray Hagan, Director, Corporate Services
REVIEWED BY:	Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (MGA Section 268.1) <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input checked="" type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
20200116 Executive Summary Clearwater Business Needs Assessment ERP Feasibility Report	

STAFF RECOMMENDATION:

That Council receives the [November 25, 2019 Clearwater County Business Needs Assessment and Enterprise Resource Planning \(ERP\) Feasibility Report](#), as presented by Metrix Group LLP, for information; and, that Council directs Administration to proceed to issue an Request For Proposal (RFP) with respect to replacing its ERP System.

BACKGROUND:

As previously shared with Council, Clearwater County entered into a consulting agreement in September, 2019 with Metrix Group LLP to lead Administration through a business needs assessment and ERP feasibility review.

Clearwater County currently utilizes two ERP systems, Diamond and Townsuite. The decision to engage consultants was based on Administrative concerns regarding functionality, support and business continuity risk related to each of these systems.

Phase 1 of the project has been completed and the results and recommendations are included in the attached Executive Summary report (click [here](#) to access the full report). Based on their findings, the consultants are recommending that Clearwater County proceed to Phase 2 which would involve issuing a Request for Proposal (RFP) to replace the existing ERP system.

Jessica Szewczuk, a senior manager with Metrix Group LLP and lead for the project, will be present at the meeting to present the report and answer any questions Council may have.



METRIX GROUP LLP

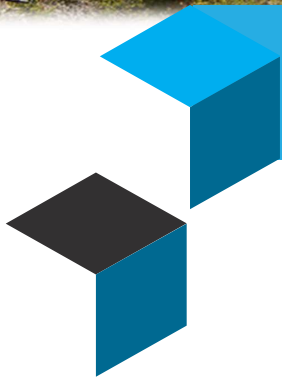
CHARTERED PROFESSIONAL
ACCOUNTANTS

CLEARWATER COUNTY

Business Needs Assessment & ERP Feasibility Report



DATED: NOVEMBER 25, 2019



Metrix Group LLP

12840 St. Albert Trail | Edmonton, AB T5L 4H6

Jessica Szewczuk, CPA, CA, CCMP

T: (780) 489-9606 | F: (780) 484-9689

Emails: jszewczuk@metrixgroup.ca



EXECUTIVE SUMMARY

Cornerstone to meeting the County of Clearwater’s (“the County”) mission,

“Through proactive municipal leadership, we will invest innovatively to generate and support economic and population growth to position Clearwater County for a sustainable, prosperous future.

are the strategic pillars of:

Governance Leadership: transparent and accountable to the general public; and,

Fiscal Responsibility: reduce the fiscal burden of future Councils, as well as the community for generations to come.”

In alignment with the it’s overarching strategy, the County identified the opportunity to better understand business needs and leverage an Enterprise Resource Planning (“ERP”) system that supports increasingly efficient processes, strong internal controls and integrates seamlessly with the various aspects of operations and data management, while also providing the best value for tax dollar investment (“the Project”).

The County engaged Metrix Group LLP (“Metrix”) to lead the various aspects of this Project. This document serves as the final deliverable in the first phase of this project and documents the following: key findings, key business processes, needs and gaps, possible data and system issues/limitations as well as a preliminary assessment of existing ERP feasibility for Diamond/Great Plains and TownSuite.

Key Findings

Organizational themes and key findings identified throughout the Project have been summarized below:

- **Strength of staff** and their tenure was universally identified as a benefit at all levels of stakeholder engagement throughout the Project. While an undoubted strength of the County, it represents an equal risk such that turnover of key personnel would likely leave the organization exposed and a loss of legacy information would be experienced. Further, this would also indicate the need to leverage subject matter experts and manage change throughout the integration to support an efficient and effective transfer of knowledge.
- **General ledger (“GL”) codes** are long, complex and outside of best practice. As identified in our recommendations below, a refresh of the chart of accounts would likely resolve several existing internal process issues. We note that this project is already underway with the County’s Finance staff.
- **Siloed processes and information** were identified as many departments expressed a lack of understanding of big picture functionality, processes or integration within the County. Generally, staff shared their perceived lack of efficient access to information that



would make their jobs easier. Further, the opportunity to integrate already collected data includes GIS, database and even information managed in spreadsheets. It is reasonable that these integrations may result in improved quality of life / service levels for residents the County including indicators to support asset maintenance costing, location of rentals, inventory management, proactively servicing road segments with high needs (i.e. frequent historical maintenance and/or deer strikes) among others.

- **Data integration** between modules and systems is not efficient or effective. For example, information only flows one way in the system and is not automated. Information must be “pushed” by staff from WorkTech (“WT”) to Great Plains / Diamond (“GP”). Information does not flow from GP to WT. This increases manual processing as employees have dual entry of information (WT and GP) particularly in instances of error correction or when grants / expenses are only entered into GP. When errors are caught (either throughout the month at various points or with quarterly financial reporting to Council) steps must be made to investigate and manually adjust the errors in all modules which adds stress, delays deliverables and confidence in system accuracy.
- **Manual / paper-based processes** are abundant in the County’s processes. While outside of the scope of an ERP implementation, they create opportunity for lost, misplaced, dually entered information in addition to multiple redundant copies of the same documents being available. This would be a foundational consideration moving forward.

While most departments identified a need for improvement / the ease of access of a paperless system, they were equally hesitant to employ these processes and indicated “the need for additional human resources to scan information”. While this result is highly unlikely based on our experience, it is an indicator of change management required surrounding this improvement should the County wish to pursue it.

Clear training on process improvements and functionality will need to be defined, co-created and communicated with each department prior to initiating any system changes including the required electronic document storage tool (TRIM, HPRM, SharePoint). Training will be inclusive of appropriate naming conventions, file structure, use, access etc. and will be further defined through exploration with the user group(s).

- **Reporting** lacks depth and breadth of capability. Specifically, despite the volume of information entered into the existing GP system, canned reporting results in difficulty / inability to retrieve pertinent information based on current use. Further, several key gaps exist including: monthly financial reporting for Leadership Team and Council, key performance indicator reporting, project / job reporting with a budget and forecast column. This has resulted in a number of manual work arounds and off-system management by the Directors and their staff with reliance on Microsoft Office which leaves room for error and is inefficient.
- **Technical support** from service providers (GP and TS) is underwhelming, lacks accountability, is costly and/or frequently results in delays. Internally, the County does not have a dedicated resource to resolving issues which often results in bottlenecked service and information requests with the Manager, Financial Services.



Recommendations

As a result of the research performed, stakeholder engagement, process mapping and other deliverables discussed in this report, our recommendations are outlined below.

- The existing functionality, set up and performance of the TownSuite ERP solution does not have an effective job costing or payroll system and is not effectively serving the County. Current performance questions the ability to scale to the needs of the County.
 - The existing functionality, set up and performance of the Great Plains / Diamond ERP solution is not effectively serving the County.
 - We note that concerns surrounding dissatisfaction with GP service levels, frequency of change and functionality / partnership continuity have been reiterated by several of our client municipalities. Given the velocity of change (change in ownership, supported partnerships with module functionality, decreasing levels of support) with GP, particularly in recent years, GP's business continuity is considered a significant risk. This represents a serious threat to the County's operations.
 - **It is our recommendation that Phase 2 of this Project pursues a comprehensive request for proposal process, service level agreement negotiation, vendor analysis and selection.** We recommend that this process is inclusive of receiving potential proposals from TownSuite and GP given their most recent upgrades, structure and recommended solutions.
 - The Phase 2 RFP is recommended to include consideration of a fully functional Human Resources Information System ("HRIS") which is inclusive of payroll, HR/payroll records management, performance measurement and key performance indicator management either as a built-in function or integration.
-
- Based on the findings documented throughout this report and the outcomes of Phase 2, we recommend **the following considerations for Phase 3:**
 - a) Dedication of 1 internal resource per department to champion the project and change deliverables.
 - b) Comprehensive review of chart of accounts (including consideration of research included in **Reimagine**, below).
 - c) Comprehensive process improvement in alignment with planning and training efforts for each department, with a focus on eliminating wasteful processes, encouraging paperless processes and electronic approvals. This is inclusive of supported paperless processes, document storage, where feasible.



- d) Cost / benefit analysis pertaining to allocation of an internal “help desk” resource to support ERP solutioning, technical bridging (between Finance, departments and software provider) and in creating efficiency with managing service requests. The primary function of the help desk would be to provide information and support to computer and software users from a combined finance / IT perspective such that internal trends and solutions can be managed efficiently and effectively. It is our experience that a dedicated resource ultimately reduces software consulting costs and builds internal capacity.

Reimagine

Throughout the course of the business needs assessment and ERP feasibility project, several over-arching themes and opportunities became apparent. While outside of the scope of this Project, we have summarized several opportunities for further examination outlined below:

- **Opportunity 1 - Chart of accounts.** Staff have identified that the existing general ledger structure is: long and complex, includes many inactive accounts and lacks clarity.

Foundationally a refresh project surrounding the chart of accounts, would resolve several of the current process issues identified in the report. This can be performed in the current system or as a precursor to a system transition. We note that this project is already underway with the County’s Finance staff.

- **Opportunity 2 - Dashboard reporting.** Through stakeholder engagement, we identified an opportunity for the County to enhance its ability to share information and support decision making for leadership and Council.

In our experience, the development of a dashboard to report on key performance measures is an effective, visual and engaging tool to execute this initiative.

- **Opportunity 3 - Purchase orders.** The County has expressed challenges in receiving timely budget reporting. This is largely based on a reliance on accounts payable to drive up to date reporting and has been solutioned by respective divisions and leaders, managing budgets outside of the ERP by using spreadsheets.

We note that accounts payable and invoicing is a delayed indicator of budget commitment and that a formal purchase order system is a best practise in the construction industry (as well as many others) that allows for accurate budget tracking and treasury management relating to committed funds.

Once approved, invoices applied against purchase orders can have automated approval so long as they fall within a predetermined acceptable threshold which would reduce workflow and bottleneaking in the AP process.



- **Opportunity 4 - Contracts for pre-approved sub-contractors.** It came to our attention through our engagement with Public Works, that pre-approved subcontractors which fall beneath the North West Partnership Trade Agreement (“NWPTA”) threshold do not have formal contracts in place with the County. There is also a risk that total contracts awarded to a vendor within the year may exceed the thresholds, even if the individual contracts are below.

We note it may be beneficial for the County to require seasonal contracts which at minimum include approved rates and service level agreements.

- **Opportunity 5 – Barcode system.** In our review, both Agriculture and Regional Waste expressed challenges with inventory (agricultural and chemical) and asset management (equipment, bin rentals). Current processes are largely manual and are supported by Microsoft Office. There is a risk of manual error, inventory / asset shrinkage, misplacement of assets and inefficiencies in tracking and ordering new quantities. It would be beneficial for the County to consider implementing a barcode system to manage these customer integrated services and sales. It would result in improved inventory and asset control, ordering and maximizing equipment rental income.



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	First Reading of Bylaw 1083/20 Clearwater County Land Use Bylaw
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Planning & Development Kim Gilham/Jose Reyes, Senior Planners Keith McCrae, Director Planning, Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (Municipal Government Act 2000) <input checked="" type="checkbox"/> County Bylaw or Policy (Land Use Bylaw)
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input checked="" type="checkbox"/> Environmental Stewardship <input checked="" type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Bylaw 1083-20 Land Use Bylaw Bylaw 1083-20 Schedule A Map List	

STAFF RECOMMENDATION:

That Council consider granting 1st reading of Bylaw 1083/20 and proceed to a public hearing.

BACKGROUND:

Council adopted Land Use Bylaw 714/01 in September of 2001. In 2011, following a major review and changes to Clearwater County's Municipal Development Plan (MDP), changes were also made to the County Land Use Bylaw to make both documents consistent. Several changes and additions have been made as necessary over the years.

Since the changes were made in 2011, Planning staff has made notes within their working documents where they have found information unclear, missing definitions and other grammatical and spelling errors within the document. Staff has now put a draft document together to present to Council to address some of these issues reported over the years.

This document is not meant to be a large update or to bring any major changes. The intention is to add some definitions and points of clarification within the document. After consulting with legal,

counsel, staff is proposing that a repeal and replace versus an amendment to the existing document created in 2001 be made. This action would allow the new document to contain all previous amendments and the proposed amendments under one bylaw number for simplification purposes.

Proposed changes to the document include the following:

1. **Municipal Government Act (MGA):** In 2017 the Provincial Government amended the MGA in order to clarify and streamline some sections. Thus, amendments to the LUB are being made to reflect a few of the MGA changes such advertising requirements and decision-making timelines.
2. **Definitions:** New definitions are being introduced for some land uses such as Business Parks, Child Care Facilities, Equestrian Centres and Highway Maintenance Yards. In addition, some definitions are being moved from the land use districts to the Definitions Section 1.7.
3. **Sea Containers:** A definition for Sea Containers is being added. In addition, a new section to regulate the placement of sea containers is being introduced (Sec. 7.14). Sea containers to a maximum of three are also being listed as a discretionary use in the Agriculture District "A", Intense Agriculture District "IA", Industrial District "I" and the Light Industrial District "LI".
4. **Accessibility to a municipal road or highway:** Sec. 3.5(10)(h) is being expanded to ensure that appropriate access from a municipal road is being provided for new developments.
5. **Holiday trailer/recreation vehicle:** Sec. 6.13(4) is being expanded to clarify that holiday trailer/recreation vehicles can only be parked on residential properties where a principal dwelling already exists. No changes are being proposed to Sec. 6.13 – Objects Prohibited or Restricted in Yards.
6. **Telecommunication Towers:** Sec. 7.9 is being amended to complement new Innovation, Science and Economic Development Canada (ISED) regulations as well as the new County Telecommunication Antenna System Siting Protocol Policy.
7. **Setbacks from Secondary Road Intersections:** The term "Secondary Road" is no longer used by the province. As a result, the figures included in Sec. 10.3 are being amended.
8. **Land Use Districts:** Some land uses are being amended to reflect the new definitions. The order/sequence of the districts is also being changed to allow for a better reading flow.
9. **Spelling and Grammar:** Spelling and grammatical changes have been made within the document and may not be indicated.

PLANNING DIRECTION:

Sec 639 of the Municipal Government Act states: "Every municipality must pass a land use bylaw."

Sec 640(1) of the Municipal Government Act states: "A land use bylaw may prohibit or regulate and control the use and development of land and buildings in a municipality."

RECOMMENDATION:

That Council consider granting first reading to Bylaw 1083/20 and proceed to a public hearing.

BYLAW NO. 1083/20

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

WHEREAS Section 640 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, authorizes the Council of a Municipality to enact a Land Use Bylaw to prohibit or regulate and control the use and development of land and buildings in a municipality.

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

1. That the document titled "Clearwater County Bylaw 1083/20 – The Land Use Bylaw" as described in Schedule "A" and forming part of this Bylaw be adopted;
 2. That the numbering sequence for the "Clearwater County Bylaw 1083/20 – The Land Use Bylaw" be determined as appropriate;
 3. That the Land Use Bylaw No. 714/01 and all amendments thereto is hereby rescinded;
- and
4. That this Bylaw shall take effect upon the final passing thereof.

READ a first time this ____ day of _____, 2020.

PUBLIC HEARING held this _____ day of _____ A.D., 2020.

READ a second time this ____ day of _____, 2020.

READ a third time and finally passed this ____ day of _____, 2020.

REEVE

CHIEF ADMINISTRATIVE OFFICER

CLEARWATER COUNTY

BYLAW NO. ~~714/011083/20~~

Formatted: Not Highlight

THE LAND USE BYLAW



Prepared by:
Parkland Community Planning Services
&
Clearwater County

~~Adopted September 25, 2001~~
~~Amendments & Grammatical Changes February 22, 2011~~
~~Amendments July 9, 2013~~
~~Amendments May 24, 2016~~
~~Office Consolidation June 27, 2017~~
~~Amendments March 27, 2018~~
~~Amendments October 9, 2018~~
~~Amendments ????????~~

Formatted: Not Highlight

Formatted: Not Highlight

BYLAW NO. 1083/20

**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, Statutes of Alberta, 2018 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. 1083/20.

The Land Use Bylaw No. 714/01 and all amendments thereto is hereby rescinded.

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

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

READ A FIRST TIME THIS DAY OF A.D.

READ A SECOND TIME THIS DAY OF A.D.

READ A THIRD TIME AND PASSED THIS DAY OF A.D.

Reeve

Chief Administrative Officer (CAO)

NOTE

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

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

PART ONE: GENERAL.....	1
1.1 Short Title.....	1
1.2 Previous Bylaw	1
1.3 Effect and Application of this Bylaw.....	1
1.4 Purpose.....	1
1.5 Compliance with Other Laws	2
1.6 Land Use Policies	2
1.7 Definitions.....	2
PART TWO: AUTHORITIES	16
2.1 Development Officer.....	16
2.2 Municipal Planning Commission	16
2.3 Subdivision and Development Appeal Board	16
PART THREE: DEVELOPMENT CONTROL AND PERMITS	17
3.1 Control of Development.....	17
3.2 Development Not Requiring a Development Permit (“Deemed Approved”).....	17
3.3 Development Applications	19
3.4 Referral of Development Applications	20
3.5 Decisions on Development Applications.....	21
3.6 Notice of Decision	24
3.7 Development Permits and Their Validity.....	24
3.8 Development Agreements.....	26
3.9 Variances	27
3.10 Development Permit for Temporary Buildings and Uses of Land.....	28
3.11 Real Property Report Compliance Certificate.....	28
3.12 Non-conforming Buildings and Uses	29
PART FOUR: APPEALS	30
4.1 Appeal Procedure.....	30
4.2 Appeal Hearing.....	31
4.3 Decision	32

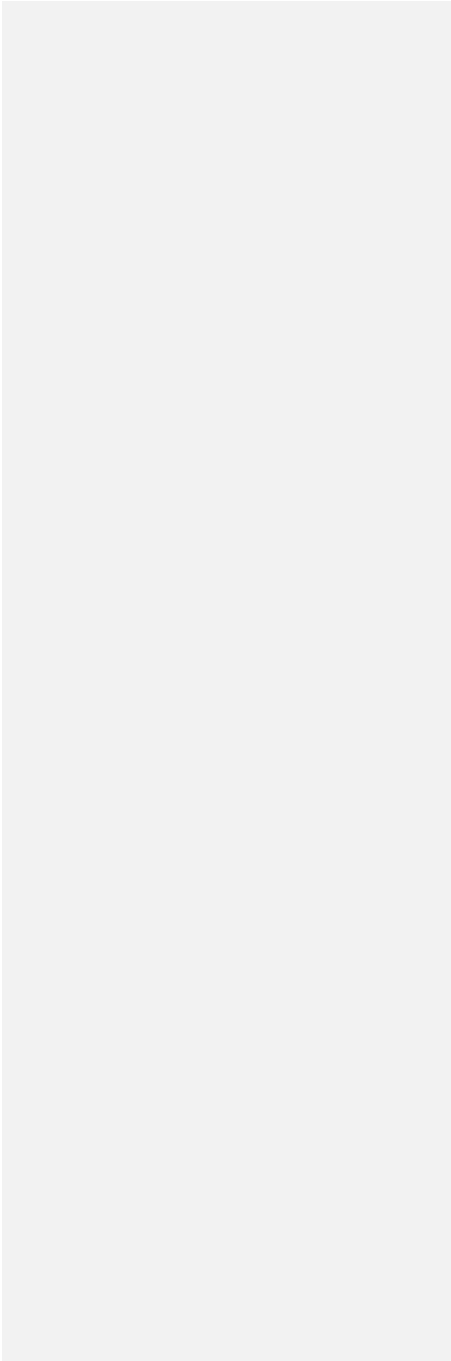
PART FIVE: ENFORCEMENT	33
5.1 General	33
5.2 Interpretation.....	33
5.3 Right of Entry	35
5.4 Written Warning	35
5.5 Stop Order	36
5.6 Municipal Tag.....	37
5.7 Service of Written Warning, Stop Order, and Municipal Tags	38
5.8 Violation Ticket.....	38
5.9 Offences	39
5.10 Penalties	40
PART SIX: GENERAL PARCEL AND DEVELOPMENT REGULATIONS	41
6.1 Applicability	41
6.2 Development on Substandard Lots	41
6.3 Ancillary Buildings.....	41
6.4 Residential Shops.....	42
6.5 Corner Lots.....	42
6.6 Moved or Relocated Buildings	43
6.7 Number of Dwelling Units Allowed Per Parcel	43
6.8 Number of Main Buildings Per Lot in Non-Residential Districts.....	46
6.9 Building Setbacks.....	46
6.10 Building Heights.....	47
6.11 Site Elevation/Grade.....	47
6.12 Projections into Yards within Hamlets	47
6.13 Objects Prohibited or Restricted in Yards	48
6.14 Building Design, Character and Appearance	49
6.15 Landscaping and Screening.....	50
6.16 Fences and Wind Screens.....	51
6.17 Off-Street Parking and Loading Requirements	51
6.18 Signs	52
6.19 Lighting and Illumination	54

6.20	<i>Water and Wastewater</i>	54
PART SEVEN: SPECIAL LAND USE PROVISIONS		55
7.1	<i>Farm Subsidiary Business</i>	55
7.2	<i>Dude Ranch or Vacation Farm</i>	55
7.3	<i>Bed and Breakfast Establishments</i>	56
7.4	<i>Home Occupations</i>	56
7.5	<i>Historical and Archeological Sites</i>	57
7.6	<i>Surveillance Suites</i>	57
7.7	<i>Alcohol Sales</i>	58
7.8	<i>Guest Houses</i>	58
7.9	<i>Telecommunication Towers</i>	59
7.10	<i>Small Animal Breeding and Kennels</i>	59
7.11	<i>Trout Ponds</i>	59
7.12	<i>Cannabis Production Facility</i>	60
7.13	<i>Cannabis Retail Sales</i>	61
7.14	<i>Sea Container (Sea-Can)</i>	61
PART EIGHT: ENVIRONMENTAL SETBACKS AND REPORTS		62
8.1	<i>Development On or Near Slopes</i>	62
8.2	<i>Subdivision and Development Near Water</i>	62
8.3	<i>Flood Prone Lands</i>	63
8.4	<i>Environmentally Significant Lands</i>	64
8.5	<i>Environmental Audits</i>	65
8.6	<i>Environmental Review</i>	66
8.7	<i>Remote Area - Wild Land/Urban Interface Developments</i>	67
PART NINE: RESOURCE OPERATIONS AND SETBACKS		68
9.1	<i>Site Alterations</i>	68
9.2	<i>Top Soil Removal and Natural Resource Extraction/Processing</i>	69
9.3	<i>Gas and Oil Wells</i>	70
9.4	<i>Sour Gas Facilities</i>	70
PART TEN: INFRASTRUCTURE SETBACKS AND REGULATIONS		71
10.1	<i>Development Setbacks from Wastewater Treatment Plants</i>	71

10.2	<i>Development Setbacks from Landfills and Waste Sites</i>	71
10.3	<i>Setbacks from Roads and Intersections</i>	71
	PART ELEVEN: CONFINED FEEDING OPERATIONS	73
11.1	<i>Confined Feeding Operations</i>	73
	PART TWELVE: AMENDMENT	74
12.1	<i>Application for Bylaw Amendment</i>	74
12.2	<i>Amending Bylaw Process</i>	74
	PART THIRTEEN: LAND USE DISTRICTS	77
13.1	<i>Establishment of Districts</i>	77
13.2	<i>Boundaries</i>	78
13.3	<i>Crown Land Transferred to Private Ownership</i>	79
13.4	<i>District Regulations</i>	79
13.4 (1)	<i>AGRICULTURE DISTRICT "A"</i>	80
13.4 (2)	<i>INTENSIVE AGRICULTURE DISTRICT "IA"</i>	83
13.4 (3)	<i>COUNTRY RESIDENCE DISTRICT "CR"</i>	85
13.4 (4)	<i>COUNTRY RESIDENCE AGRICULTURE DISTRICT "CRA"</i>	87
13.4 (5)	<i>INDUSTRIAL DISTRICT "I"</i>	89
13.4 (6)	<i>LIGHT INDUSTRIAL DISTRICT "LI"</i>	91
13.4 (7)	<i>HAMLET COMMERCIAL DISTRICT "HC"</i>	93
13.4 (8)	<i>HAMLET RESIDENTIAL DISTRICT "HR"</i>	95
13.4 (9)	<i>INSTITUTIONAL DISTRICT "P"</i>	97
13.4 (10)	<i>RECREATION FACILITY DISTRICT "RF"</i>	99
13.4 (11)	<i>LEISURE RESIDENCE DISTRICT "LR"</i>	103
13.4 (12)	<i>HIGHWAY DEVELOPMENT DISTRICT "HD"</i>	106
13.4 (13)	<i>MANUFACTURED HOME PARK DISTRICT "MHP"</i>	108
13.4 (14)	<i>FORESTRY DISTRICT 1 "F1"</i>	112
13.4 (15)	<i>FORESTRY DISTRICT 2 "F2"</i>	113
13.4 (16)	<i>COUNTRY RESIDENTIAL MINOR INDUSTRIAL DISTRICT "CRMI"</i>	114
13.4 (17)	<i>NORDEGG RURAL RESIDENCE DISTRICT "NRR"</i>	116
13.4 (18)	<i>NORDEGG TOURIST RECREATION DISTRICT "NTR"</i>	121
13.4 (19)	<i>NORDEGG MEDIUM DENSITY RESIDENTIAL DISTRICT "NR-2"</i>	128

13.4 (20)	NORDEGG LEISURE RESIDENCE DISTRICT "NLR"	130
13.4 (21)	NORDEGG PUBLIC AND INSTITUTIONAL DISTRICT "NPI"	138
13.4 (22)	NORDEGG SERVICE COMMERCIAL DISTRICT "NSC"	144
13.4 (23)	NORDEGG INDUSTRIAL DISTRICT "NI"	150
13.4 (24)	SAUNDERS ALEXO DISTRICT "SA"	156
13.4 (25)	SHUNDA GOLDEYE DISTRICT "SG"	160
13.4 (26)	BIGHORN CANYON DISTRICT "BC"	164
13.4 (27)	WHITEGOAT LAKES DISTRICT "WL"	168
13.4 (28)	DIRECT CONTROL DISTRICT "DC"	172
13.4 (29)	PUBLIC AIRPORT DISTRICT "PA"	173
13.4 (30)	RECREATION RESIDENTIAL DISTRICT "RR"	175
13.4(31)	RESIDENTIAL ESTATE DISTRICT "RE"	177
13.4(32)	NORDEGG LOW DENSITY RESIDENCE DISTRICT "NLDR"	179
13.4(33)	NORDEGG MIXED USE RESIDENCE/RESORT COMMERCIAL DISTRICT "NMUR"	186
13.4(34)	DIRECT CONTROL DISTRICT ONE "DC-1"	193
PART FOURTEEN: FORMS AND DECLARATIONS		195
14.1	Establishment of Forms.....	195
PART FIFTEEN: LAND USE DISTRICT MAPS.....		196
15.1	Land Use District Map Sheets.....	196
15.2	Schedules.....	196
<u>SUPPLEMENTARY REGULATIONS: LIST OF FIGURES</u>		197
(Note: These figures follow Section 10.3 Setbacks from Roads and Intersections)		
Figure 1	Setbacks from Rural Roads and Their Intersections	
Figure 2	Setbacks from Rural and Secondary Roads and Their Intersections	
Figure 3	Setbacks from Primary Highway and Rural Roads Intersections	
Figure 4	Setbacks from Secondary Roads Intersections	
Figure 5	Setbacks from Primary Highway Intersections	
Figure 6	Setbacks from Primary Highway and Secondary Road Intersections	
Figure 7	Setbacks from Road Curves and Corner	
PART SIXTEEN: OVERLAY DISTRICTS		197

16.1 *Purpose and Application* 197
16.2 *Airport Vicinity Overlay District* 199



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~~ 7 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 undertaken 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.

“ACCESSORY DWELLING UNIT” means a building or a portion of a building containing one or more habitable rooms that constitute a self-contained living accommodation unit that is separate and subordinate to the primary use of the building or site.

“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.

“AGGREGATE EXTRACTION/PROCESSING” means development for the removal, extraction, processing and transmission of the following for commercial purposes: sand, gravel, clay, peat, earth, shale, stone, marl, limestone, sandstone, marble, granite or other non-metallic ores.

“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.

“AIRSIDE COMMERCIAL” means commercial operations, including but not limited to charter flight services and flight schools, that require access to the airport runway and taxiways.

“AIRPORT COMMISSION” means the Airport Commission, established jointly by the Town of Rocky Mountain House and Clearwater County for the Rocky Mountain House (CYRM) Airport.

“AMUSEMENT PARK” means a large outdoor area with fairground rides, shows, refreshments, games of chance or skill, and other entertainments.

“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. Regarding a residential use may include a private garage, a storage shed, sea can when finished to the satisfaction of the development officer, and greenhouse, but does not include a guest house. Regarding non-residential uses in Development Nodes may include a building for cooking, dining, assembly, crafts and related activities.

“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.

“ARTIST STUDIO” means development used for the purpose of small scale, on-site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramics, jewelry, toy manufacturing, sculpture and painting. An artist studio shall not include a gallery for the display and sale of items produced. An artist studio may be located within a dwelling or private garage. ~~An artist studio shall not include a gallery for the display and sale of items produced.~~

“ASPHALT PLANT” means a plant used for the manufacture of asphalt, macadam and other forms of coated roadstone, sometimes collectively known as blacktop or asphalt concrete.

“BASEMENT” means the lowest storey of a building which is partially or wholly below ground level.

“BED AND BREAKFAST” means the accessory use of a principal dwelling unit in which short term overnight means the accessory use of a principal dwelling unit in which short term overnight accommodation and limited meals are provided to overnight guests.

“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.

“BEE KEEPING” means the use of a parcel for the commercial production of natural honey and other products the hive produces.

“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 **person** in the principal residence or to receive care from a **caregiver** 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.

“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).

“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.

“BUSINESS PARK” means a comprehensively planned commercial development with common functional characteristics that may contain a range of business activities in a number of buildings.

Formatted: Font color: Auto, Not Strikethrough

Formatted: Font color: Auto

Formatted: Font color: Auto, Not Strikethrough

Formatted: Font color: Auto

“BREEZEWAY” means a roofed often open passage connecting two buildings (such as a house and garage) or halves of a 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 an area which has been planned and improved to be used and maintained for a seasonal and/or short-term period for campers locating tents, recreational vehicles or both, within a defined area. Related facilities that are ancillary to and support the campground may be included on-site, such as an administrative office, a laundromat, picnic grounds, playgrounds and boating facilities. This does not include the use of manufactured homes (single or doublewide), park model trailers, cabins, motels, hotels, boarding or lodging houses, or recreational vehicle storage. The area must have access to a maintained road to Clearwater County standard.

“CANNABIS” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time. Cannabis does not include industrial hemp as defined under the Industrial Hemp Regulations (Canada) as amended from time to time.

“CANNABIS LOUNGE” means a development, or any part thereof, licensed to sell cannabis to the public, for consumption within the premises as authorized by Federal or Provincial Legislation, as amended from time to time.

“CANNABIS PRODUCTION FACILITY” means the use of land, or buildings for the cultivation, processing, testing, destruction, packaging and shipping of cannabis as permitted and licensed by the *Federal Government of Canada*. This does not include personal production of cannabis as provided for by the federal government.

“CANNABIS RETAIL SALES” means the retail sale of non-medical cannabis products or its derivatives that are authorized by Federal or Provincial Legislation, as amended from time to time.

“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

Formatted: Font color: Auto, Not Strikethrough

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.

“CHILD CARE FACILITY” means a development intended to provide care, educational activities and supervision for groups of seven or more children under thirteen (13) years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least twelve (12) consecutive weeks each year. This includes daycares, pre-schools, out-of-school care, and other programs where the primary purpose is the care of children.

“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.

“COMMERCIAL GUEST CABIN” means a building that is separate from the main building that contains sleeping accommodations, and may have bathroom or kitchen facilities, for temporary guests.

“COMMERCIAL GUEST LODGE” means one or more buildings, usually in the country to provide accommodations for visitors that is hotel-like in nature. The building(s) may have attached or detached bathroom and kitchen facilities.

“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 road **right of ways** 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.

“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.

“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 **479/95 998/14**.

“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.

“DILAPIDATED” means a building or object in a state of disrepair or ruin as a result of age or neglect.

“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.

7

“DUGOUT” means an excavation or an opening less than one acre in size for the purpose of agricultural use. Dugouts shall be in conformance with provincial legislation.

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

“EATING ESTABLISHMENT” means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and may include such uses as a restaurant, café, cafeteria, coffee shop, or snack bar.

“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 a written report that indicates 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.

“EQUESTRIAN CENTRE” means facilities (buildings, shelters or other structures) at which horses are exercised or trained, training in equestrian skills or equestrian competitions or shows are held.

“EXCAVATION” means any breaking of ground, except common household gardening and ground care.

“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 belts.

“EXHIBITION GROUNDS” means an area of land where events are held such as rodeos, fairs, concerts, etc. The grounds may include structures and parking facilities.

“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 or any buildings associated with a cannabis production facility.

“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, sod farming or cannabis production facilities.

“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 a site as a use secondary and subordinate to the agricultural use and employing not more than two employees. This shall not include a cannabis production facility.

“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.

“FISHPOND” means an excavation or an opening less than one acre in size for the purpose of stocking fish.

“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, verandas or breezeways.

“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 **adjacent to a registered public road or road allowance** between the front property line of a parcel and the frontwall of a 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.

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

“GRADE” means the elevation at which the development and the lowest point of the finished ground surface meet.

“GROUNDSIDE COMMERCIAL” means commercial operations, including but not limited to retail, recreational, rental, service, repair and light fabrication operations in support of the airport and its users that do not require access to airport runways and taxiways.

“GUEST COTTAGE” means a building that is separate from the main building that contains sleeping accommodations, but no kitchen or cooking facilities, for the use of members of the family or temporary guests. Use in the “NLDR” and “NMUR” districts.

“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.

“HANGAR” means a private storage structure intended to house an airplane(s) and associated equipment. A hangar may include an accessory dwelling unit not intended for long term occupancy.

“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 (19,913 sq. ft.), has a generally accepted boundary and name, and contains parcels of land that are used for non-residential purposes.

“HIGHWAY MAINTENANCE YARD” means a facility used for the storage of materials and equipment related to highway maintenance.

“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. The area must have access to a maintained road to Clearwater County standard. 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 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 either with attached or detached bathroom and kitchen facilities 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.

“INDUSTRIAL, STORAGE AND WAREHOUSING” means development used for either indoor or outdoor storage, warehousing, distribution or trans-shipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical facilities would include pipe yards, vehicle or heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centres. Generally, no additional processing would occur on site.

“INTEGRATED RECREATION/TOURIST RESORT” means a commercial development which offers a combination of fixed roof guest accommodation and recreational

Formatted: Font: Not Bold

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 or cannabis production facilities.

“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.

“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, purposes of sale or for personal use.

Formatted: Font color: Auto

“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.

“LICENSED PREMISES” means all areas associated with the operations of the licensee, including, but not limited to; areas liquor may be sold or consumed, and any store room, lobby, kitchen, hallway or other service areas used by the licensee in support of the areas where liquor may be sold or consumed. A licensed premise does not include a cannabis lounge.

“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.

“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.

“MANSE” means a house provided for a minister of certain Christian churches.

“MARKET GARDEN” means the growing of vegetables, herbs or fruit for commercial purposes, but does not include a cannabis production facility.

“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 AGRICULTURAL PURSUIT” means a use associated with Country Residence Agriculture “CRA” District, and isolated Country Residence “CR” District parcels wherein a small number of livestock are permitted for the exclusive use and enjoyment of the occupant(s) of the lot. It is the sole responsibility of the occupant(s) to ensure the livestock are properly contained, on the subject land, with adequate fencing at all times.

No sales of the livestock, or sales of the production associated with the livestock, is permitted.

“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 and assembled on 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.

“ONE OR TWO SUITE RENTAL UNITS” means a dwelling unit in which the occupant rents or leases one or two self-contained suites on a short-term basis.

“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.

“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/**downhill** skiing, hiking, backpacking, canoeing, kayaking, rafting, fishing, hunting, dog sledding, snowmobiling **motor-cross, trails** and ATV's.

“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.

“POWERSPORTS SALES/SERVICE CENTRE” means the retail sale of all-terrain vehicles, snowmobiles, motorcycles, or similar light recreational vehicles, together with incidental maintenance services/ testing, sales of parts and accessories.

“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.

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

“PROFESSIONAL OFFICE” means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include, but are not limited to, the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners and other consultants, dentists, doctors, clerical services and secretarial agencies. This excludes government services, the

servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product.

“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.

“PUBLIC UTILITY” means the components of sewage, stormwater, or solid waste disposal systems or a telecommunication, electrical power, water, or gas distribution system. It includes a landfill, waste transfer and associated facilities, sewage lagoon and other sewage treatment facilities, water treatment plant and associated facilities, and public utility building.

“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.

“RETAIL SHOP OR STORE” means a facility used for the retail sale of a wide variety of consumer goods including such things as groceries and beverages, electronic goods, furniture and appliances, hardware and home improvement supplies, household goods, printed matter, confectionary, pharmaceutical and personal care items, office supplies, stationery, etc. Retail shop or store does not include Cannabis retail sales.

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

“REAL PROPERTY REPORT” means a legal document prepared by a qualified professional (surveyor) that illustrates in great detail the location of significant visible improvements relative to property boundaries. It generally takes the form of a plan or illustration of the various physical features of a property including a written statement detailing the surveyor’s opinion or concerns.

“RECREATION VEHICLE or RV” 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.

“REGULATION AUTHORITY, PROVINCIAL AND/OR FEDERAL” means any Provincial or Federal regulatory body which may have guidelines, permit requirements, and/or restrictions on land and/or development. Such organizations may include, but are not limited to, Alberta Environment and Parks (AEP), Alberta Transportation (AT),

Alberta Energy Regulator (AER), Natural Resource Conservation Board (NRCB), NavCanada, Canadian Pacific Railway (CP), Canadian National Railway (CN).

“RESIDENCE” means, within the context of a building, a dwelling unit of one or more habitable rooms that constitute a self-contained living accommodation unit having sleeping, cooking and bathroom facilities. “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. The size of residential shops will be determined by the Development Authority, subject to Section 6.4 of this Bylaw.

“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.

“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.

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

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

“ROAD, MUNICIPAL” means a road under Clearwater County’s control and maintainance.

“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.

“SEA CONTAINER (SEA-CAN)” means an intermodal cargo container for marine, rail and truck transport.

“SECURITY/SURVEILLANCE SUITE” means a dwelling unit or portion of a building used to provide accommodation for security personnel, managers or custodians.

Formatted: Font color: Auto, Not Strikethrough

“SECONDARY SUITE” means a developed living accommodation contained within the loft of a private garage.

“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 yard to the rear yard between the side boundary of the parcel and the wall of a building thereon.

“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.

“TEMPORARY CAMP DWELLINGS” means temporary dwelling units intended to house temporary or seasonal workers on or near a worksite.

“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.

“TRADESPERSON” means a worker that specializes in a particular occupation that requires work experience, on-the-job training and often formal vocational education. A tradesperson conducts businesses that include contractors for plumbing, heating, electrical carpentry, auto-body, mechanical, masonry, excavation, construction, trucking and the like.

“TREE FARM” means a place where plants are propagated and grown to usable size. They include retail nurseries which sell to the general public, wholesale nurseries which sell only to businesses such as other nurseries and to commercial gardeners, and private nurseries which supply the needs of institutions or private estates.

“TWO-FAMILY RESIDENTIAL DWELLING” means a building containing two dwelling units, stacked one above the other, each having separate entrance at or near grade.

“UNSUBDIVIDED QUARTER SECTION” is defined pursuant to the definition provided in the Subdivision and Development Regulation (AR 43/2002).

“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.

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 998/14, 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 997/14, being the Municipal Planning Commission Bylaw, and amendments thereto and shall be a Development Authority pursuant to Bylaw 998/14, 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 1036/18, 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"
 - (i) *(deleted per Bylaw 931/11)*
 - (j) 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 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 keeping of poultry in any hamlet or multi-lot residential subdivision as long as it complies with the Clearwater County Chicken Bylaw (Bylaw 1020/17);
- (n) 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;
- (o) 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;
- (p) 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;
- (q) the placement of signs and advertisements subject to the limits set out in Section 6.17 of this Bylaw;
- (r) 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;
- (s) the construction and maintenance of that part of an utility placed in or upon a public right-of-way or public utility easement;
- (t) 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.);
- (u) 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 facility or use that is “deemed approved” pursuant to this 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) any farm building and any other development or use that is “deemed approved” is subject to those sections of this Bylaw which deal with issues other than the “use” of land or building;
 - (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 submitted to the Development Officer using the appropriate form prescribed by the Development Officer.
- (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.
- (6) 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.
- (7) A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.
- (8) An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.
- (9) The time period referred to in subsection (7) may be extended by an agreement in writing between the applicant and the development authority or, if applicable, in accordance with this bylaw.

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 Regulator 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 in 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 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 neighbourhood; 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 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;~~ its accessibility to a municipal road or highway, constructed to appropriate County or provincial standards. In addition, the following shall apply:
 - (i) the Development Authority shall not approve a development permit unless provision for access is included with the application for development permit.
 - (ii) all access shall be to the approval of the Development Authority with respect to location, design, and construction standards.
 - (iii) where a site abuts two roads, either existing or proposed, access to the site shall be to the road of lesser traffic volume, unless otherwise approved by the Development Authority.
 - (iv) the Development Authority may impose a condition of the development permit, requiring the applicant to enter into a development agreement with the County to construct or pay for the construction or upgrading of a road or walk necessary to serve the development.
- (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) subject to flooding or subsidence or that is low-lying, marshy or unstable;
 - (ii) which contains or may contain significant archeological, paleontological or other historic resources identified by the County or Province;

- (iii) considered by the County to be environmentally significant, including land within a specified distance of land considered by the County to be environmentally significant; 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 **or on the County's website.**
- (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 **or on the County's website.**
- (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 **or on the County's website.**
- (4) When a development application is refused, the Development Officer shall send a notice of decision to the applicant outlining reasons for refusal.

- (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 deemed complete, the Development Officer shall issue a development permit as per Section 3.3 above.
- (2) So that a reasonable opportunity is provided for an appeal to be made, a development permit does not come into effect until ~~14~~ 21 days ~~after~~ from 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 Development Authority 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.
 - (d) Any other agreement as required by the Municipality.
- (4) To ensure compliance with a development agreement, the Municipality may register a caveat against the certificate of title 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.

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

- (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 or 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, unauthorized with no remedial action required, unauthorized 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 not 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 5.5 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 clerk of the SDAB within ~~14~~ 21 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~~ seven 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 clerk 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 clerk 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 5.5.
- (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.

PART FIVE: ENFORCEMENT

5.1 General

- (1) In accordance with the provisions of the Municipal Government Act, R.S.A. 2000 Chapter M-26, this Part Five of the Land Use Bylaw outlines the procedures for enforcing the provisions of the Land Use Bylaw, Part 17 of the Municipal Government Act and its regulations, a Development Permit, a Subdivision approval or Development Agreement.
- (2) For the purpose of Sections 542 and 646 of the Municipal Government Act, an Officer and Development Officer are designated officers for the purposes of carrying out inspections, remedial actions and enforcement.
- (3) A Development Officer may enforce the provisions of the Land Use Bylaw, Part 17 of the Municipal Government Act and its regulations, a Development Permit, a Subdivision approval or Development Agreement by taking any or all of the following enforcement actions:
 - (a) Issuing a Written Warning,
 - (b) Issuing a Stop Order,
 - (c) Obtaining an Injunction Order, and
 - (d) Any other lawful and authorized action to enforce compliance.
- (4) An Officer may enforce the provisions of the Land Use Bylaw, Part 17 of the Municipal Government Act and its regulations, a Development Permit, a Subdivision approval or Development Agreement by taking any or all of the following enforcement actions:
 - (a) Issuing a Written Warning,
 - (b) Issuing a Municipal Tag,
 - (c) Issuing a Violation Ticket,
 - (d) Obtaining an Injunction Order, and
 - (e) Any other lawful and authorized action to enforce compliance.
- (5) Nothing within this Part Five shall limit or prevent the County from issuing a Stop Order in lieu of or in addition to issuing a Violation Ticket or taking any other enforcement action.

5.2 Interpretation

- (1) For the purpose of this Part Five, the following terms have the following definitions:
 - (a) **Building** has the same meaning as defined in the *Municipal Government Act*

- (b) **Bylaw Officer** means an individual employed by the County in the position of bylaw officer;
- (c) **Development Agreement** means an agreement entered into pursuant to Section 650, 651 or 655 of the *Municipal Government Act*;
- (d) **Development Officer** means:
 - i. a person authorized to exercise the responsibilities of a Development Officer pursuant to this Bylaw; and
 - ii. the Municipal Planning Commission where authorized to act as a Development Officer pursuant to this Bylaw; and
 - iii. 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.
- (e) **Emergency** means a situation where there is imminent danger or risk to public safety or of serious environmental harm to property;
- (f) **Injunction Order** means an injunction order obtained pursuant to Section 554 of the *Municipal Government Act*;
- (g) **Land** means the aggregate of one or more areas of land described in a certificate of title issued by the Land Titles Office;
- (h) **Municipal Tag** means a municipal tag issued by the County pursuant to the *Municipal Government Act* and this Part Five;
- (i) **Occupant** means an individual or other party who occupies Land or a Building pursuant to a lease, license or other agreement with or authorization from the Owner;
- (j) **Officer** means a Bylaw Officer, Peace Officer and member of the Royal Canadian Mounted Police;
- (k) **Owner** means the registered owner of Land pursuant to the *Land Titles Act*;
- (l) **Peace Officer** means an individual employed by the County in the position of Peace Officer in accordance with the *Peace Officer Act*, R.S.A. 2006, Chapter P-3.5;
- (m) **Person** means any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators or other legal representatives of a Person to whom the context can apply according to law;
- (n) **Reasonable Notice** means not less than 48 hours except in the case of an Emergency or extraordinary circumstance when no notice needs to be given;
- (o) **Reasonable Time** means any time between 9 am and 6 pm on any weekday, with the exception of statutory holidays, or as otherwise agreed to in writing by the Owner or Occupant of the subject Land or Building;
- (p) **Specified Penalty** has the same meaning as defined in the *Provincial Offences Procedure Act* (Alberta);
- (q) **Stop Order** means an order issued pursuant to Section 645 of the *Municipal Government Act*;

- (r) **Violation Ticket** means a violation ticket issued pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedures Act* (Alberta);
- (s) **Written Warning** means a written warning issued pursuant to this Part Five.

5.3 Right of Entry: Inspections, Remedial and Enforcement Action

- (1) After providing Reasonable Notice to the Owner or Occupant of Land or a Building in accordance with Section 542 of the *Municipal Government Act*, an Officer or Development Officer may enter into or onto any Land or Building at a Reasonable Time for the purpose of determining if the requirements of this Land Use Bylaw, Part 17 of the *Municipal Government Act* or its regulations, a Development Permit, Subdivision approval or Development Agreement are being complied with or for the purpose of carrying out remedial or enforcement action authorized by this Land Use Bylaw, the *Municipal Government Act* or an Injunction Order.
- (2) Notwithstanding 5.3(1), in an Emergency or extraordinary circumstance, the Officer or Development Officer does not need to provide Reasonable Notice to the Owner or Occupant and the Officer or Development Officer may enter upon or into Land or a Building without the consent of the Owner or Occupant at any time.
- (3) No Person shall prevent or obstruct an Officer or Development Officer from carrying out any official duty pursuant to this Land Use Bylaw.
- (4) If a Person prevents, obstructs or interferes with an Officer or Development Officer carrying out any official duty under this Land Use Bylaw or if a person refuses to produce anything to assist the Officer or Development Officer in the inspection, remedial action or enforcement action, then the County may apply to the Court of Queen's Bench for an order pursuant to Section 543 of the *Municipal Government Act*.

5.4 Written Warning

- (1) Where the Development Officer or Officer determines that a development, land use or use of a Building is in contravention of this Land Use Bylaw, Part 17 of the *Municipal Government Act* and its regulations, a Development Permit, a Subdivision approval or Development Agreement, he/she may issue a Written Warning to the Owner(s) and/or Occupant(s) of the subject Land and/or Building and/or the person responsible for the contravention.
- (2) The Written Warning shall:
 - (a) Describe the subject Land or Building by municipal address or location and/or legal description,
 - (b) State the nature of the contravention,

- (c) State what remedial measures or action must be taken to remedy the contravention,
- (d) State a time within which the Owner(s) and/or Occupant(s) must complete the remedial measures or action which, unless a matter posing a safety risk to life or property, must not be less than seven (7) days from the date of delivery of the Written Warning,
- (e) Advise that if the Written Warning is not adhered to, the County may undertake further enforcement measures pursuant to the Land Use Bylaw and the *Municipal Government Act*.

5.5 Stop Order

- (1) Where the Development Officer determines that a development, land use or use of a Building is in contravention of this Land Use Bylaw, Part 17 of the *Municipal Government Act* and its regulations, a Development Permit, a Subdivision approval or Development Agreement, he/she may issue a Stop Order to any or all of the Owner(s) and/or Occupant(s) of the subject Land and/or Building and/or the person responsible for the contravention.
- (2) The Stop Order shall:
 - (a) Describe the subject Land or Building by municipal address or location and/or legal description,
 - (b) State the nature of the contravention,
 - (c) Direct the Owner(s), Occupant(s) and/or person(s) responsible for the contravention to:
 - i. Stop the development or use of the Land or Building in whole or in part as directed by the Stop Order,
 - ii. Demolish, remove or replace the development,
 - iii. Carry out any other actions required by the Stop Order so that the development or use of Land or Building is brought into compliance with this Land Use Bylaw, Part 17 of the *Municipal Government Act* and its regulations, a Development Permit, a Subdivision approval and/or Development Agreement within the time set out in the Stop Order,
 - (d) Unless a matter posing a safety risk to life or property, the time period for bringing the development, Land or Building into compliance must not be less than fourteen (14) days from the date of delivery of the Stop Order,
 - (e) Advise that the party(ies) to whom the Stop Order is issued may appeal the Stop Order to the Subdivision Development Appeal Board in accordance with Section 685 of the *Municipal Government Act*,
 - (f) Advise that if the Stop Order is not adhered to, the County may undertake further enforcement measures pursuant to the Land Use Bylaw and the *Municipal Government Act* including but not limited to:

- i. entering onto or into the Land or Building and performing the necessary remedial action pursuant to Section 542 and 646 of the *Municipal Government Act*,
 - ii. obtaining an Injunction Order,
 - iii. issuing a Municipal Tag,
 - iv. issuing a Violation Ticket, and/or
 - v. registering the Stop Order on the certificate of title to the subject Land pursuant to Section 646 of the *Municipal Government Act*,
- (g) Advise that the costs and expenses incurred by the County in enforcing the Stop Order may be added to the tax roll of the subject Land whereby the amount will be deemed to be a property tax imposed under Division 2 of Part 10 of the *Municipal Government Act* from the date that it was added to the tax roll and will form a special lien against the Land in favor of the County from the date it was added to the tax roll, in accordance with Section 553 of *the Municipal Government Act*.

5.6 Municipal Tag

An Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Officer has reasonable and probable grounds to believe has contravened any provision of this Land Use Bylaw, Part 17 of the *Municipal Government Act* and its regulations, a Development Permit, a Subdivision approval or Development Agreement.

- (1) The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
 - (a) The Person's name,
 - (b) The offence,
 - (c) The appropriate voluntary penalty for the offence as specified in this Bylaw,
 - (d) That the voluntary penalty shall be paid within (14) days of issuance of the Municipal Tag to avoid further prosecution;
 - (e) the method by which the tag may be paid; and
 - (f) Any other information as may be required by the Chief Administrative Officer.
- (2) Where a contravention of this Bylaw is of a continuing nature, further Municipal Tags may be issued by the Officer provided, however, that no more than one Municipal Tag shall be issued for each day that the contravention continues.
- (3) Where a Municipal Tag has been issued in accordance with this Bylaw, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the County Cashier the penalty within the time frame specified in the Municipal Tag.

- (4) The voluntary penalty issued on a Municipal Tag shall be 50% of the Specified Penalty amount for a first offence if payment is received within the time frame noted in 5.7 (3)(d).
- (5) Nothing in this Bylaw shall prevent an Officer from immediately issuing a Violation Ticket.

5.7 Service of Written Warning, Stop Orders and Municipal Tags

- (1) In any case where an Officer or Development Officer issues a Written Warning, Stop Order or Municipal Tag to any Person pursuant to this Part Five, the Officer or Development Officer shall effect such service either:
 - (a) by causing a written copy of the Written Warning, Stop Order or Municipal Tag to be personally delivered to the Person named in the Written Warning, Stop Order or Municipal Tag,
 - (b) in the case of an individual, by causing a written copy of the Written Warning, Stop Order or Municipal Tag to be delivered and left with a person of at least 18 years of age at the Person's residence,
 - (c) in the case of a corporation, by sending a written copy of the Written Warning, Stop Order or Municipal Tag by registered mail to the registered office of the corporation, or by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address,
 - (d) by causing a written copy of the Written Warning, Stop Order or Municipal Tag to be delivered to and left in a conspicuous place at or about the subject Lands or Building; or
 - (e) by causing a written copy of the Written Warning, Stop Order or Municipal Tag to be mailed or delivered to the last known address of the Person as disclosed in the land registry system established by the Land Titles Act of Alberta as shall appear to the Officer or Development Officer most appropriate in the circumstances,and such service shall be adequate for the purposes of this Bylaw.

5.8 Violation Ticket

- (1) An Officer is hereby authorized and empowered to issue a Violation Ticket to any Person where the Officer has reasonable and probable grounds to believe that Person has contravened any provision of this Land Use Bylaw, Part 17 of the *Municipal Government Act* and its regulations, a Development Permit, a Subdivision approval or Development Agreement.

- (2) Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag is not paid within the prescribed time, an Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to either Part 2 or Part 3 of the Provincial Offences Procedures Act.
- (3) A violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person or corporation responsible for the contravention in accordance with the Provincial Offences Procedure Act.
- (4) If a Violation Ticket is issued in respect to an offence, the Violation Ticket may:
 - (a) Specify the fine amount established by this Bylaw for the offence, or
 - (b) Require a Person to appear in Court without the alternative of making a voluntary payment.
- (5) Where a Violation Ticket has been issued to a Person and the Violation Ticket specifies the penalty amount to be imposed, the Person may make a voluntary payment in the amount equal to the penalty amount specified in the Violation Ticket. The recording of the payment of a penalty made to the County or the Provincial Court of Alberta shall constitute an acceptance of a guilty plea and constitutes a conviction for the offence and the imposition of a fine in the amount of the specified penalty.

5.9 Offences

- (1) Any Person who
 - (a) Violates or contravenes or causes, allows or permits a contravention of Part 17 of the *Municipal Government Act* or its regulations,
 - (b) violates or contravenes or causes, allows or permits a contravention of any provision of the Land Use Bylaw,
 - (c) contravenes or fails to comply with a Development Permit or any conditions forming part of the Development Permit,
 - (d) contravenes or fails to comply with a Subdivision approval or any conditions forming part of a Subdivision approval,
 - (e) contravenes or fails to comply with the provisions of a Development Agreement,
 - (f) fails to comply with the directions set out in a Stop Order within the time frame specified,
 - (g) authorizes or proceeds with any development that is at variance with the description, specification or plans that were the basis for the issuance of the Development Permit,
 - (h) authorizes or proceeds with any subdivision that is at variance with the description, specification or plans that were the basis for the issuance of the subdivision approval,

45

- (i) continues development after a Development Permit has expired or has been revoked or suspended,
- (j) continues with subdivision after the subdivision approval has expired, been revoked or suspended,

is guilty of an offence and is liable upon summary conviction to a fine in an amount specified in this Bylaw under section 5.9.

- (2) All offences created under the Bylaw shall be interpreted to be strict liability offences.
- (3) Where a contravention of the Bylaw is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.

5.10 Penalties

- (1) A Person who is convicted of an offence pursuant to this Bylaw is liable upon summary conviction to a fine in an amount:
 - (a) For a first offence, a Specified Penalty of not less than \$500.00
 - (b) For a second offence of the same offence, a Specified Penalty of not less than \$1050.00
 - (c) For a third or subsequent offence of the same offence a mandatory court appearance shall be required with a Specified Penalty of not less than \$2,500.00.
- (2) Payment of any penalty or fine imposed pursuant to this Bylaw does not relieve a Person from the necessity of paying any fees, charges or costs for which that Person is liable under the provisions of this Bylaw or any other bylaw or enactment.

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 Development on Substandard Lots

- (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 the 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 or as required by Section 10.3 and Figures 1 to 4 of the Supplementary Regulations.
- (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.
- (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.
- (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.

6.5 Corner Lots

- (1) On a corner lot in any Hamlet Residential District "HR" 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.

6.6 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.

6.7 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 the Agriculture District "A" 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 the Agriculture District "A" 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 a 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 agriculture 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 a confined feeding operation **on the site, or for a bona fide need;**
 - (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 Residence District “CR” and a Country Residence Agriculture District “CRA” if:
- (a) the temporary 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 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 the parcel of land 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 "MHP", 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.
- (13) In a Public Airport District "PA", the construction or location of additional accessory dwelling units or security/operator dwelling units on a parcel of land may be approved at the discretion of the Rocky Mountain House Airport Commission and to the satisfaction of the Development Authority.

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.

6.9 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.

6.10 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.

6.11 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.

6.12 Projections into Yards within Hamlets

- (1) Within a Hamlet Residential District "HR", 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 "HR", 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 "HR", 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 "HR", 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).

6.13 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, without a development permit, on the front yard of a lot in a residential district, **but only when a principal residence already exists on the parcel of land.**
- (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 "HD" or Hamlet Commercial "HC" 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.

6.14 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.

6.15 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.

6.16 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 rear 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.

6.17 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 m² (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 m² (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) 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 m² (1,000 sq. ft.)
 - (m) commercial recreational facilities..... 1 per 4 participants plus 1 per
20 m² 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.

6.18 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 leasing 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.

6.19 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 if 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 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 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 Antenna Systems / 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.~~
- (1) Innovation, Science and Economic Development Canada (ISED) is responsible for regulating radiocommunication in Canada. The Minister may, taking into account all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Further, the Minister may approve the erection of all masts, towers and other antenna-supporting structures. In making its decision regarding transmission, communication and related facilities, Innovation, Science and Economic Development Canada considers the following:
 - (a) the input provided by the land-use authority;
 - (b) Health Canada's Safety Code 6 guidelines respecting limits of exposure to radiofrequency electromagnetic fields;
 - (c) compliance with appropriate environmental legislation, which includes the *Canadian Environmental Assessment Act*; and
 - (d) compliance with Transport Canada's painting and/or lighting requirements for aeronautical safety and NAV CANADA's comments regarding impact on the provision of their national air navigation system, facilities and other services located off-airport.
- (2) The participation of the County in the consultation process does not transfer any federal decision-making authority, nor does it confer a right of veto in the location of the radiocommunication facility.
- (3) Clearwater County will address local consultation requirements and preferences regarding antenna system siting and/or design with an Telecommunication Tower and Antenna System Siting Policy.

7.10 Small Animal Breeding and Kennels

- (1) Notwithstanding the list of permitted uses in the applicable land use districts, with the exception of the agriculture district, small animal breeding facilities containing no more than four (4) animals over the age of 6 months, 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 Fish Ponds

- (1) No trout fish pond shall be created, including for private use, without approval of an application to create a trout fish pond and all necessary approvals from the Province.

Formatted: Font color: Auto, Not Strikethrough
Formatted: Font color: Auto

7.12 Cannabis Production Facility

- (1) Clearwater County should direct cannabis production facilities to locate in a business park.
- (2) All cannabis production facilities, applying for a development permit, within a business park, must be located outside of a 50 metre radius of any of the following attributes:
 - (a) an existing residence;
 - (b) an existing recreational zoned property;
 - (c) an existing religious assembly;
 - (d) an existing school as defined by the School Act revised statutes of Alberta 2000, chapter s-3 and amendments thereto;
 - (e) an existing child care facility;
 - (f) an existing community hall;
 - (g) an existing public recreation facility; and
 - (h) an existing library.

- (3) All cannabis production facilities applying for a development permit on an industrial parcel not located within a business park, must be located outside of a 300 metre radius of any of the following attributes:
- (a) an existing residence;
 - (b) an existing recreational zoned property;
 - (c) an existing religious assembly;
 - (d) an existing school as defined by the School Act revised statutes of Alberta 2000, chapter s-3 and amendments thereto;
 - (e) an existing child care facility;
 - (f) an existing community hall;
 - (g) an existing public recreation facility; and
 - (h) an existing Library.
- (4) Cannabis production facilities shall:
- (a) be contained in a fully enclosed building or buildings specifically referenced in the producer's federal license for production;
 - (b) be the only use permitted on a parcel, with the allowance for an ancillary building on the parcel;
 - (c) must not have any outside storage of goods, materials, and supplies;
 - (d) no use or operation shall cause or create conditions that may be objectionable or dangerous beyond the building that contains it.
 - (e) follow the Federal Government Directive on Physical Security Requirements for Controlled Substances.
- (5) The Development Officer or Municipal Planning Commission shall not approve a development permit for a Cannabis Production Facility unless, in its opinion, it is satisfied that the proposed use is appropriate and compatible with adjacent and neighboring land uses.
- (6) In evaluating the appropriateness of a development permit application for a Cannabis Production Facility, the Development Officer or Municipal Planning Commission shall consider:
- (a) compatibility with adjacent and neighboring 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) any other matters considered appropriate.

7.13 Cannabis Retail Sales

- (1) Cannabis Retail Sales shall not be located within 100 metres of any of the following buildings or uses:
 - (a) an existing provincial health care facility;
 - (b) an existing school as defined by the School Act revised statutes of Alberta 2000, chapter s-3 and amendments thereto;
 - (c) an existing parcel of land designated as school reserve;
 - (d) an existing recreational facility including a playground;
 - (e) an existing religious assembly;
 - (f) an existing childcare facility;
 - (g) an existing community hall; and
 - (h) an existing library.
- (2) Cannabis Retail Sales shall not be located within 100 metres of any other Cannabis Retail Sales.
- (3) In evaluating the appropriateness of a development permit application for Cannabis Retail Sales, the Development Officer or Municipal Planning Commission shall consider:
 - (a) compatibility with adjacent and neighboring 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 by the Development Authority.

7.14 SEA CONTAINER (SEA-CAN)

- (1) A Sea Container shall:
 - (a) only be located on a parcel where there is an existing principal use;
 - (b) not be used as a standalone dwelling unit;
 - (c) only be allowed in the land use districts where they are listed as a permitted or discretionary use;
 - (d) be used for storage purposes only and shall not contain any dangerous or hazardous materials;
 - (e) be painted to match the color(s) of the principal building or be sandblasted and/or painted to the satisfaction of the Development Authority;

- (f) be screened from the view of adjacent dwellings or public roads. Sea Containers shall not be used as a method of screening additional uses on a parcel; and
- (g) not display advertising, company logos, names or other marketing without an approved sign permit.

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 (2) 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 river or stream, the minimum setback of any property line of a parcel of land being created for private ownership:
 - (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;

70

- (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 or decrease the setback depending on site conditions, including but not limited to slope and environmental sensitivity.
- (2) 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 be 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) Building setbacks from naturally occurring water bodies and/or wetlands shall be no less than 6 metres (20 feet). The Development Authority may grant reductions in the minimum building setbacks from the high water mark of a water body or naturally occurring wetlands if the development incorporates measures to minimize the impacts of the proposed development on the wetlands.

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 advised 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 Significant Lands

- (1) Environmentally 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.

- (2) When reviewing an application for development on environmentally 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 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 an 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)~~ Provincial Legislation. Operators are cautioned that terms such as *borrow* and *borrow pit* may have different meanings in reference to regulatory requirements under ~~other~~ different Provincial Legislation ~~(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~~ different Provincial Legislation.

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~~ any other board or agency as deemed necessary.
- (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 by 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 is 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~~ Alberta Energy Regulator (AER), 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~~ AER 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~~ AER 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~~ AER 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~~ AER 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~~ AER and subdivision authority.
- (2) The Development Officer must not approve an application that does not conform to the ~~Energy Resources Conservation Board~~ AER setbacks unless the ~~Energy Resources Conservation Board~~ AER 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 as advised by the ~~Energy Resources Conservation Board~~ AER, 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.

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 Director Public Works Infrastructure where in his/her 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

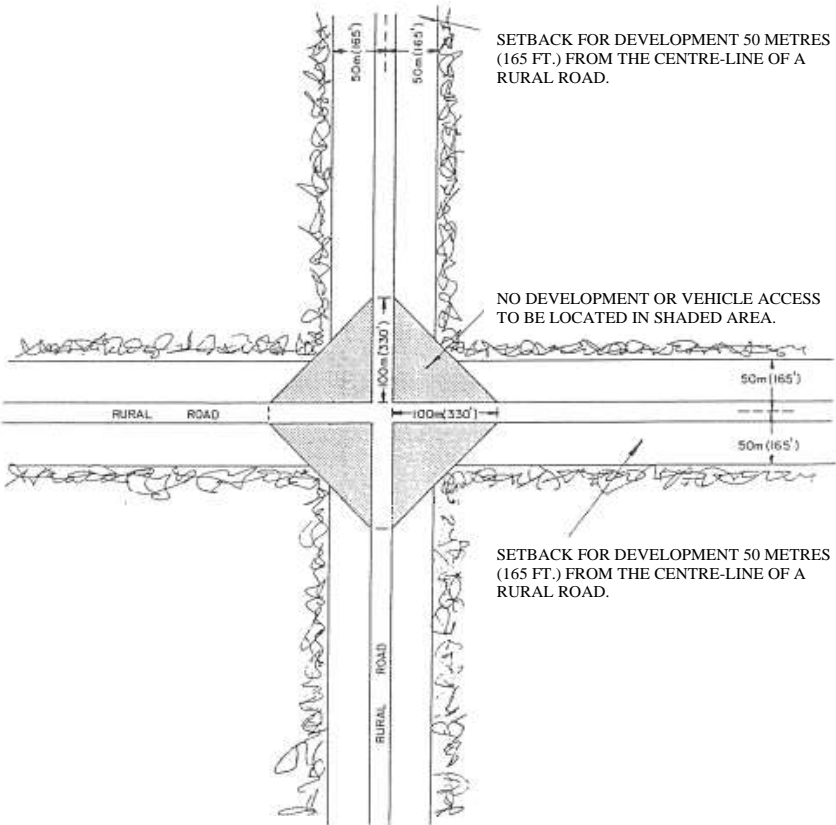
80

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.

MUNICIPAL

SETBACKS FROM RURAL ROADS AND THEIR INTERSECTIONS



SETBACK FOR DEVELOPMENT 50 METRES (165 FT.) FROM THE CENTRE-LINE OF A RURAL ROAD.

NO DEVELOPMENT OR VEHICLE ACCESS TO BE LOCATED IN SHADED AREA.

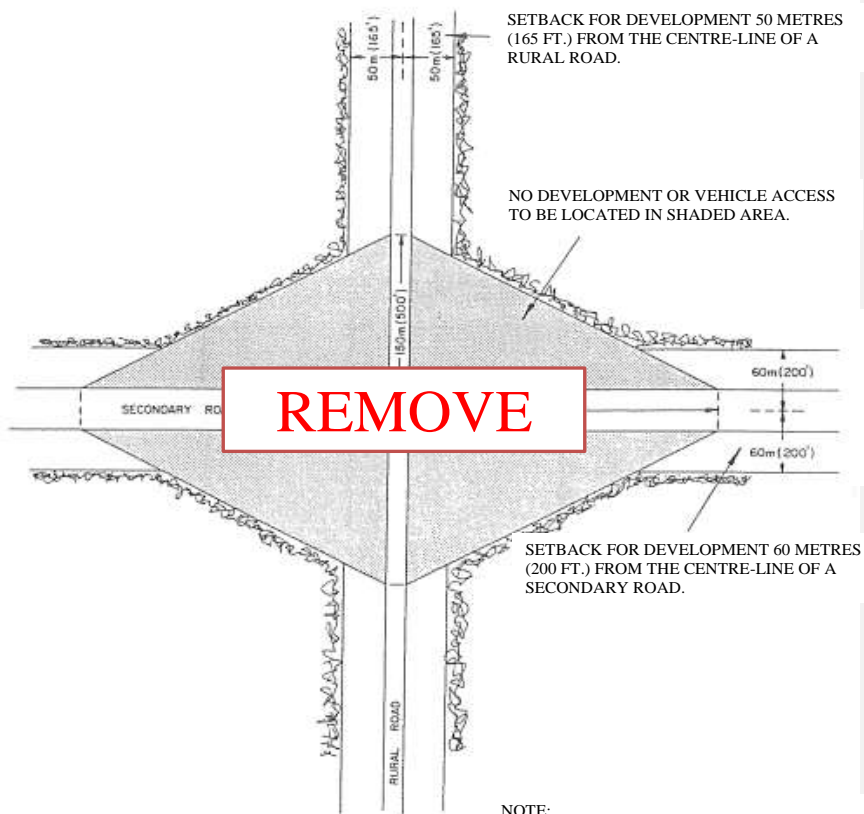
SETBACK FOR DEVELOPMENT 50 METRES (165 FT.) FROM THE CENTRE-LINE OF A RURAL ROAD.

NOTE:
ACCESS TO A PUBLIC ROAD SHALL NOT BE PERMITTED WHERE THE SIGHT DISTANCE IS LESS THAN 150 METRES (500 FT.) IN BOTH DIRECTIONS.

NOTE:
SETBACK DISTANCES APPLY TO ANY PERMANENT BUILDINGS AND, AT INTERSECTIONS, TO FEED STACKS, NEW SHELTERBELTS AND OTHER OBSTRUCTIONS TO VISIBILITY OVER 1 METRE (3 FT.) HIGH.

FIGURE 1

**SETBACKS FROM RURAL AND SECONDARY ROADS
AND THEIR INTERSECTIONS**

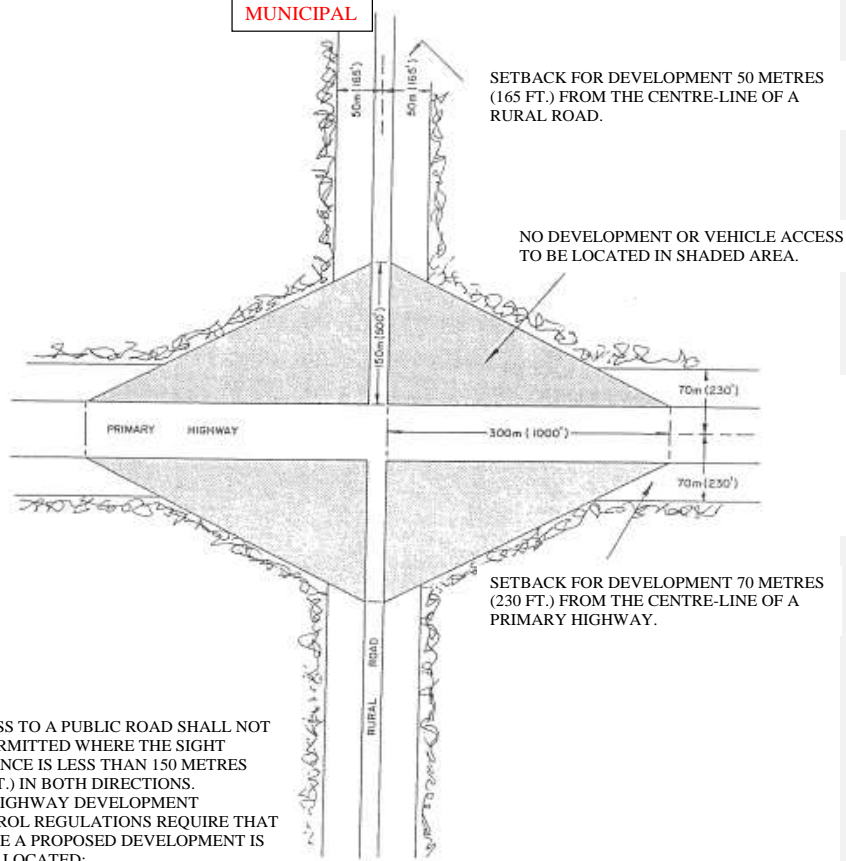


NOTE:
ACCESS TO A PUBLIC ROAD SHALL NOT BE PERMITTED WHERE THE SIGHT DISTANCE IS LESS THAN 150 METRES (500 FT.) IN BOTH DIRECTIONS.

NOTE:
SETBACK DISTANCES APPLY TO ANY PERMANENT BUILDINGS AND, AT INTERSECTIONS, TO FEED STACKS, NEW SHELTERBELTS AND OTHER OBSTRUCTIONS TO VISIBILITY OVER 1 METRE (3 FT.) HIGH.

FIGURE 2

**SETBACKS FROM PRIMARY HIGHWAY
AND RURAL ROAD INTERSECTIONS**



NOTE:

- 1) ACCESS TO A PUBLIC ROAD SHALL NOT BE PERMITTED WHERE THE SIGHT DISTANCE IS LESS THAN 150 METRES (500 FT.) IN BOTH DIRECTIONS.
- 2) THE HIGHWAY DEVELOPMENT CONTROL REGULATIONS REQUIRE THAT WHERE A PROPOSED DEVELOPMENT IS TO BE LOCATED:
 - A) WITHIN 300 METRES (1,000 FT) OF A HIGHWAY, OR
 - B) WITHIN 800 METRES (1/2 MILE) OF AN INTERSECTION WITH A HIGHWAY,
 A PERMIT SHALL BE OBTAINED FROM ALBERTA TRANSPORTATION.

NOTE:

SETBACK DISTANCES APPLY TO ANY PERMANENT BUILDINGS AND, AT INTERSECTIONS, TO FEED STACKS, NEW SHELTERBELTS AND OTHER OBSTRUCTIONS TO VISIBILITY OVER 1 METRE (3 FT.) HIGH.

FIGURE 3

SETBACKS FROM SECONDARY ROAD INTERSECTIONS

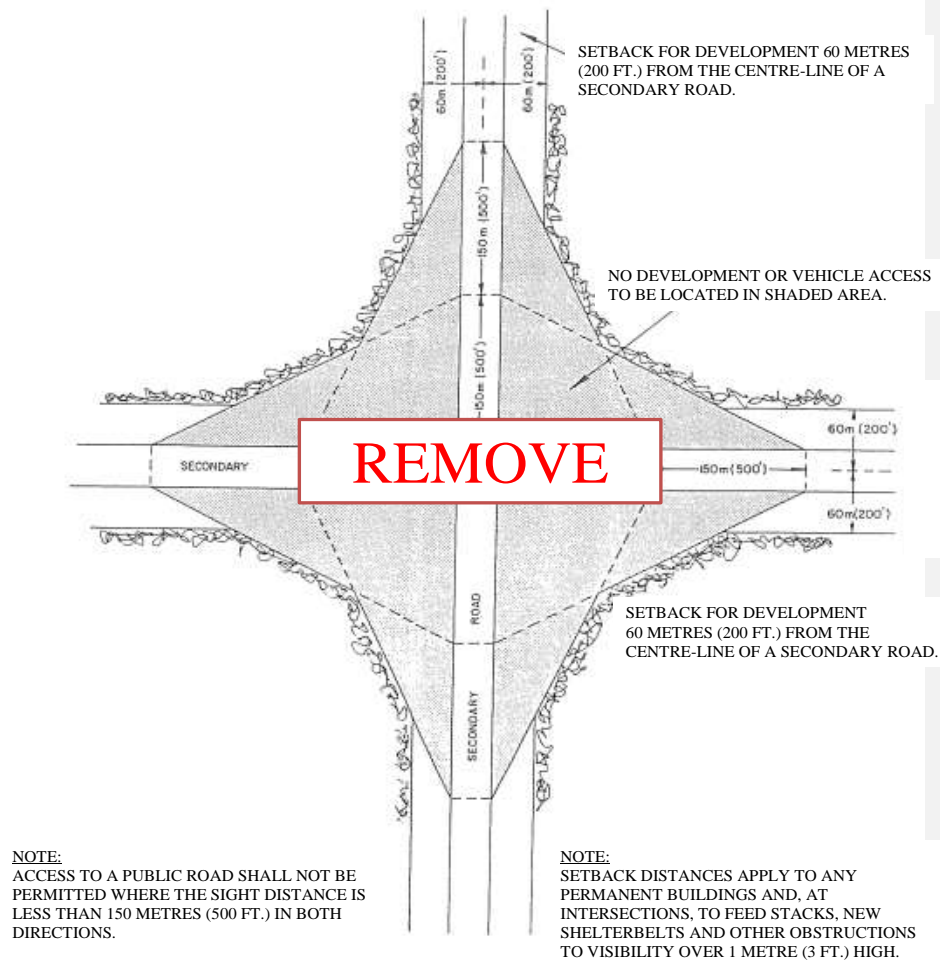
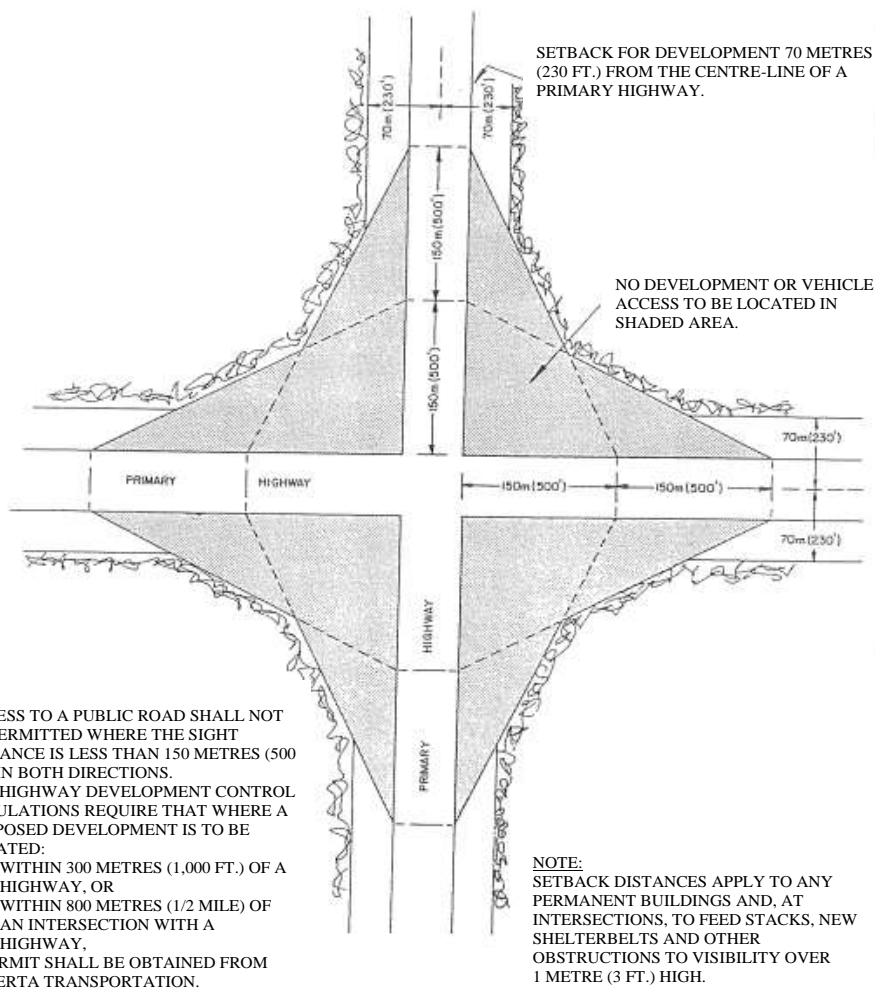


FIGURE 4

SETBACKS FROM **PRIMARY** HIGHWAY INTERSECTIONS



NOTE:

- 1) ACCESS TO A PUBLIC ROAD SHALL NOT BE PERMITTED WHERE THE SIGHT DISTANCE IS LESS THAN 150 METRES (500 FT.) IN BOTH DIRECTIONS.
- 2) THE HIGHWAY DEVELOPMENT CONTROL REGULATIONS REQUIRE THAT WHERE A PROPOSED DEVELOPMENT IS TO BE LOCATED:
 - A) WITHIN 300 METRES (1,000 FT.) OF A HIGHWAY, OR
 - B) WITHIN 800 METRES (1/2 MILE) OF AN INTERSECTION WITH A HIGHWAY.
 A PERMIT SHALL BE OBTAINED FROM ALBERTA TRANSPORTATION.

FIGURE 5

**SETBACKS FROM PRIMARY HIGHWAY
AND SECONDARY ROAD INTERSECTIONS**

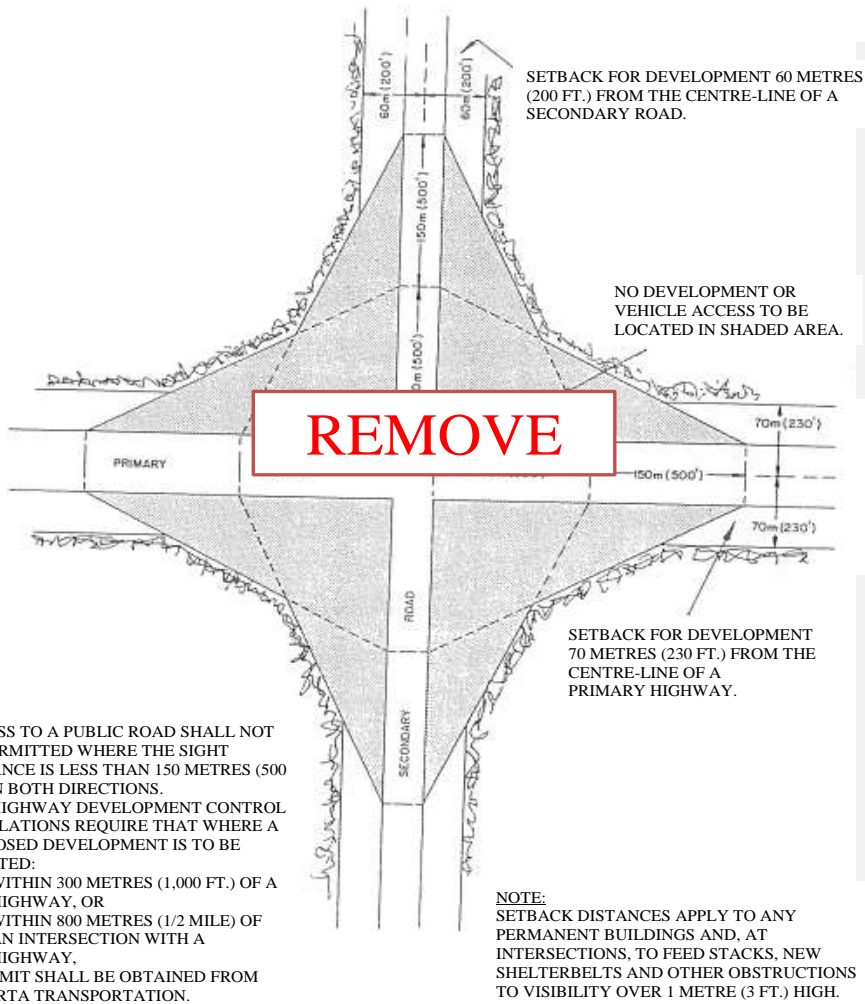
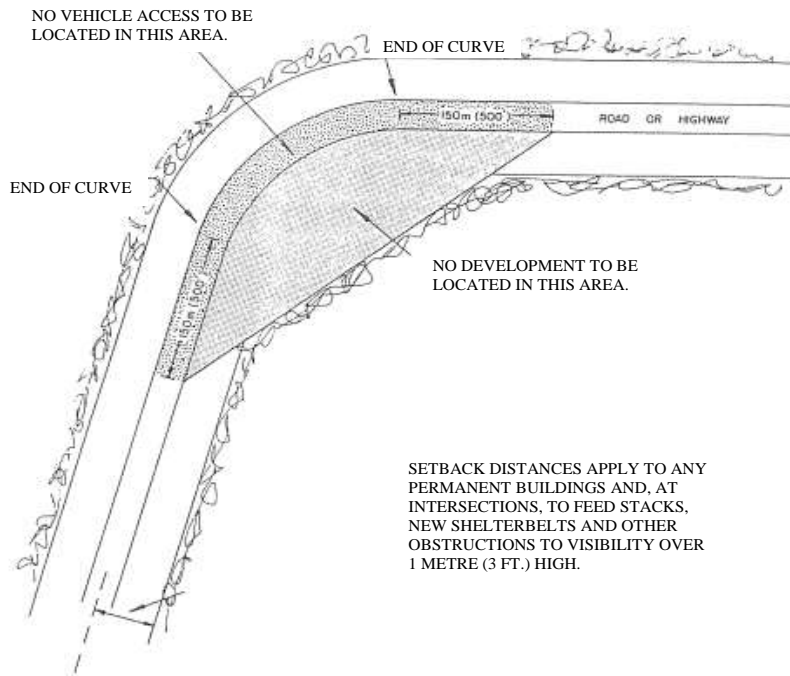


FIGURE 6

SETBACKS FROM ROAD CURVES AND CORNERS



SETBACK FOR DEVELOPMENT:

- 70 METRES (230 FT.) FROM THE CENTRE-LINE OF A PRIMARY HIGHWAY
- 60 METRES (200 FT.) FROM THE CENTRE-LINE OF A SECONDARY ROAD
- 50 METRES (165 FT.) FROM THE CENTRE-LINE OF A RURAL ROAD

FIGURE 7

PART ELEVEN: CONFINED FEEDING OPERATIONS

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 from the date in which it was deemed complete~~ 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 sub-clauses (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;
 - (a) the date, time and place of the public hearing;
 - (b) 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

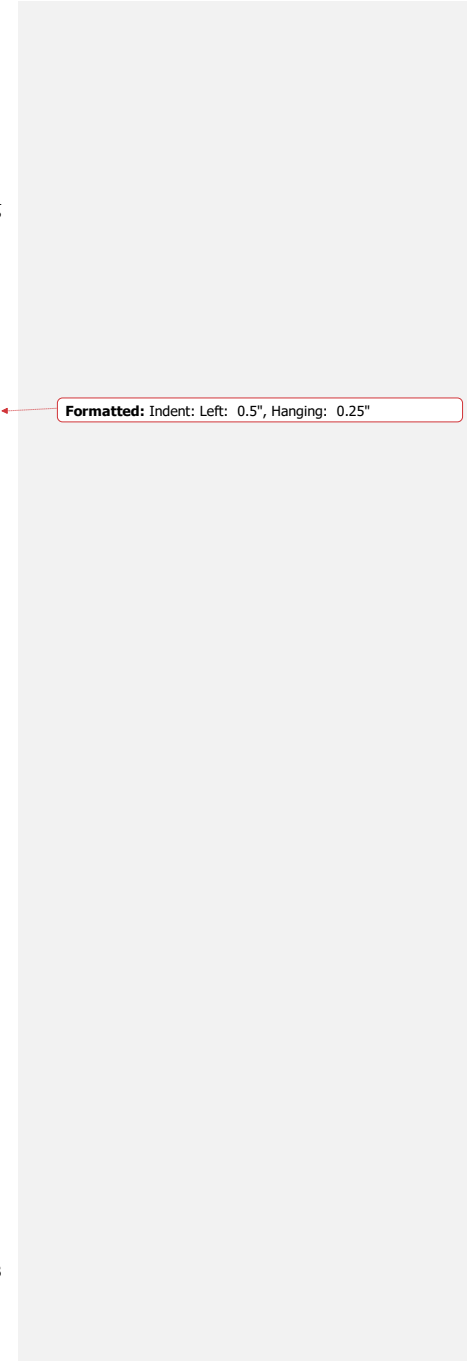
usage by councillors, members of committees, employees and advisors of the Municipality.

77

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) Intensive Agriculture District "IA"
 - (3) Country Residence District "CR"
 - (4) Country Residence Agriculture District "CRA"
 - ~~(5) Recreation Residential District "RR"~~
 - ~~(6) Residential Estate District "RE"~~
 - ~~(7) Country Residential Minor Industrial District "CRMI"~~
 - ~~(8) Industrial District "I"~~
 - ~~(9) Light Industrial District "LI"~~
 - ~~(10) Hamlet Commercial District "HC"~~
 - ~~(11) Hamlet Residential District "HR"~~
 - ~~(12) Institutional District "P"~~
 - ~~(13) Recreation Facility District "RF"~~
 - ~~(14) Leisure Residence District "LR"~~
 - ~~(15) Highway Development District "HD"~~
 - ~~(16) Manufactured Home Park District "MHP"~~
 - ~~(17) Public Airport District "PA"~~
 - ~~(18) Forestry District 1 "F1"~~
 - ~~(19) Forestry District 2 "F2"~~
 - ~~(20) Country Residential Minor Industrial District "CRMI"~~
 - (18) Nordegg Rural Residence District "NRR"
 - (19) Nordegg Tourist Recreation District "NTR"
 - (20) Nordegg Medium Density Housing District "NR-2"
 - (21) Nordegg Leisure Residence District "NLR"
 - (22) Nordegg Low Density Residence District "NLDR"
 - (23) Nordegg Mixed Use Residence / Resort Commercial District "NMUR"
 - (24) Nordegg Public and Institutional "NPI"
 - (25) Nordegg Service Commercial "NSC"
 - (26) Nordegg Industrial District "NI"
 - (27) Saunders Alexo District "SA"
 - (28) Shunda Goldeye District "SG"
 - (29) Bighorn Canyon District "BC"
 - (30) Whitegoat Lakes District "WL"
 - (31) Forestry District 1 "F1"
 - (32) Forestry District 2 "F2"
 - ~~(33) Direct Control District "DC"~~
 - ~~(34) Recreation Residential District "RR"~~
 - ~~(35) Residential Estate District "RE"~~
 - (34) Direct Control District One "DC-1"



- (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 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).
- (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 are as 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

Subsection 13.4(1) through 13.4(31) are the 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 GOOD AGRICULTURAL LAND.

A. PERMITTED USES

1. First residence
2. Farming and non-residential farm buildings
3. Second residence on a lot that is 32 hectares (80 acres) or larger

NOTE:

1. In the Agriculture District "A", farming and non-residential farm buildings, are "deemed approved" uses.
2. On a residential parcel in the Agriculture District "A", a minor agricultural pursuit for the exclusive enjoyment of the occupants is a "deemed approved" use.

B. DISCRETIONARY USES

1. Ancillary building or use
2. ~~Bed and breakfast~~
3. Cemetery
- 4.
5. Community hall/centre
6. Drive-in theatre
7. Gravel and sand pit
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
10. Highway maintenance yard
11. 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.)
12. Public utility: ~~landfill, waste transfer and associated facilities, sewage lagoon and other sewage treatment facilities, water treatment plant and associated facilities, public utility building~~
13. Recreation facility: publicly owned
14. Recreation facility or use for a local and/or private clientele or club only and not occupying more than 1 hectare (2.5 acres)
15. ~~Sea containers (sea cans) to a maximum of three~~
16. Tree farm and/or sod farm

Formatted: Not Highlight

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. Second and additional residences on a lot on which all of the requirements of Section 6.6 are satisfied
2. Abattoir
3. Airport or heliport occupying 2 hectares (5 acres) or less
4. Agricultural equipment service and sales
5. Auto-wreckers providing proper screening is employed
6. Dude ranch or vacation farm
7. Equestrian centre ~~Riding or roping and livestock showing stable or arena~~
8. Farm subsidiary business
9. Game farming or game ranching for viewing, tourism or recreational purposes
10. Home occupation
11. Kennel
12. Market gardening
13. Off-parcel drainage works
14. Sawmill or postmill with annual volume of at least 530 cubic metres (1/4 million board feet) of standing timber
- ~~15. Sod farm~~
15. Top soil stripping and sales
16. Tradesperson's business, ~~including contractors for plumbing, heating, electrical carpentry, auto body, mechanical, masonry, excavation, construction, trucking and the like.~~
17. Unoccupied and unserviced manufactured home storage (one only)
18. Veterinary clinic
19. Zoo

D. ACCEPTABLE LOT SIZE

1. Except as provided for in subsections 2, 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.
2. Regarding a first residential parcel out of an unsubdivided quarter section or out of the largest agricultural parcel within a previously subdivided quarter section that does not already contain a residential subdivision:
 - (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.

E. MINIMUM DEPTH OF FRONT YARD

As required and/or approved pursuant to Section 10.3 and Figures 1 to 4 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) INTENSIVE AGRICULTURE DISTRICT "IA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE 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

NOTE: In any "IA" District farming and non-residential farm buildings are "deemed approved".

B. DISCRETIONARY USES

1. Ancillary building or use
2. ~~Bed and breakfast~~
- 3.
4. Equestrian Centre
5. 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
6. Guest house
7. ~~Market garden~~ing~~~~
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~~
4. ~~Sod farming~~
5. ~~Tree farming or nursery~~
9. ~~Tree farm and/or sod farm~~
10. Sea containers (sea cans) to a maximum of three

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. Second residence and additional on that lot on which all of the requirements of Section 6.6 are satisfied
2. Abattoir
3. Dude ranch or vacation farm
4. Farm subsidiary occupation
5. Home occupation
6. Kennel
7. Off parcel drainage works
8. Sawmill or postmill with an annual volume of at least 530 cubic metres (1/4 million board feet) of standing timber

- 9. Topsoil stripping for sale
- 10. Tradesperson's business

- 11. Unoccupied and unserviced manufactured home storage (one only)
- 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 4 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 TRADITIONAL COUNTRY RESIDENTIAL PARCELS WHILE NOT PERMITTING ANY AGRICULTURAL PURSUITS.

A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings

B. DISCRETIONARY USES

1. **Bed and breakfast**
- 2.
3. Guest house
4. Home occupation
5. Local community centre or hall
6. Manufactured home in a grouped "CR" subdivision intended for manufactured homes or on an isolated "CR" lot.
7. Minor agricultural uses only as provided for in Section 3.2(1)
8. Playground and/or other outdoor recreation facilities to serve this district
9. Public building or use required to serve this district
10. Residential shop

C. ACCEPTABLE LOT SIZE

1. For residential use, 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. 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 4 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 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 AGRICULTURE DISTRICT "CRA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE 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. **Bed and breakfast**
- 2.
3. Greenhouse with a floor area less than 100 square metres (1,100 sq. ft.) on an isolated "CRA" lot
4. Guest house
4. Guest house
5. Home occupation
6. Livestock shelter ancillary to a permitted use
7. Local community centre or hall
8. Manufactured home in a grouped subdivision intended for manufactured homes or on an isolated "CRA" lot
9. Playground or outdoor recreation facility to serve this district
10. Public building or use required to serve this district
11. Tradedperson's business carried out in a building independent of the residence. The business area shall not exceed 75 square metres (800 sq. ft.) and shall not employ assistants who are not part of the immediate household
12. Residential shop

C. ACCEPTABLE LOT SIZE

1. For residential use, 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 6.2.6 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. 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 4 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 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~~ Asphalt plant
6. Auction mart, livestock sales yard and related holding pens
7. Auto-wrecking and salvage
8. Cannabis production facility
- 9.
10. Construction camp (temporary)
11. Electricity generating facility
12. Fertilizer manufacture, storage and sales
13. Grain milling, cleaning, drying and elevator
14. Gravel and sand pit, crushing, screening and washing
15. Heavy industry contractors
16. Industrial equipment storage
17. Manufacturing and processing plants occupying at least 500 square metres (5,500 sq. ft.) of enclosed or developed plant space
18. Mining, quarrying and primary processing of mined products
19. Petroleum refining or gas processing and upgrading plants or related installations
20. Public works garage and maintenance facilities
21. Public utility building or facility required to serve this district
22. Railway trackage and related installations
23. Redi-mix concrete plant
24. Sales secondary to the principal use on a lot.
25. Sea containers (sea cans) to a maximum of three
26. Security ~~or gatekeepers residence~~ / surveillance suite
27. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
28. Tannery or taxidermy
29. Timber and lumber milling and storage
30. Tradesperson's business

Formatted: Not Highlight

- 31. Veterinary clinic and animal shelter
- 32. 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 4 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 6.5 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. Cannabis production facility
- ~~6.~~ Consignment, rental, sales and storage of industrial/agricultural equipment, Consignment, rental, sales and storage of industrial/agricultural equipment,
- ~~7.6.~~ Consignment, rental, sales and storage of industrial/agricultural equipment, vessels, structures, vehicles, tanks and pipe
- ~~8.7.~~ Farm implement dealership
- ~~9.8.~~ Industrial/agricultural fabrication and machining operations
- ~~10.9.~~ Industrial/agricultural trucking and related facilities, including but not limited to storage, warehousing and maintenance and repair
- ~~11.10.~~ Kennels ~~for boarding and breeding~~
- ~~12.11.~~ Maintenance and repair of industrial/agricultural equipment
- ~~13.12.~~ Recycling depot
- ~~14.13.~~ Redi-mix concrete plant
- ~~15.14.~~ Sea containers (sea cans) to a maximum of three
- ~~16.15.~~ Security ~~suite as part of the main building~~ / surveillance suite
- ~~17.16.~~ Temporary work camp
- ~~18.17.~~ 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 4 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 6.5 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. Licensed premises
5. Motel/hotel ~~licensed premises~~
6. Pool hall
7. Post office
8. Restaurant, coffee shop or cafe
9. Retail shop or store

B. DISCRETIONARY USES

1. Arcade
2. Automobile sales and service
3. Bulk oil and gasoline sales
4. Cannabis retail sales
- 5.
6. Community centre/hall
7. Curling rink
8. 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
9. Fire hall
10. Government office
11. Grain elevator
12. Hockey/ice arena
13. Laundromat
14. Professional office
15. Public utility building or use
16. Storage, display and sales lot
17. ~~Tradesperson's shop~~
18. 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 6.5.
- 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. Detached dwelling, except on public land
2. Ancillary buildings

B. DISCRETIONARY USES

1. Boarding or lodging house
2. **Child care facility**
- ~~3.~~ Community hall or club
Community hall or club
- ~~4.~~3. Community hall or club
- ~~5.~~4. Duplex
- ~~6.~~5. Home occupation
- ~~7.~~6. Manufactured home
- ~~8.~~7. Multiple housing: apartment, fourplex, townhouse, rowhouse
- ~~9.~~8. Park and/or public open space
- ~~10.~~9. Playground and/or other outdoor recreation uses
- ~~11.~~10. Public or quasi-public use
- ~~12.~~11. Social care facility

C. MINIMUM LOT AREA

1. For detached dwellings or manufactured homes on lots that:
 - (a) are not served by a communal wastewater system and not by a communal water distribution system, an area of at least 1,850 square metres (19,915 sq. ft.) with a width of at least 30 metres (100 feet);
 - (b) are served by a communal water distribution system but not a communal wastewater system, an area of at least 1,400 square metres (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 wastewater system and a communal water distribution system, an area of at least 465 square metres (5,000 sq. ft.) with a width of at least 12.2 metres (40 feet).
2. A lot intended to be used as a site for townhouse or rowhouse dwelling units must be served by a communal wastewater system and a communal 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).

97

3. A lot intended to be used for a multiple dwelling unit building must be served by a communal 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 6.5.
- 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 6.5.
- 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 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. Cemetery
4. Child care facility
5. Church, without manse within hamlets
6. Church, with or without one attached manse outside of hamlets
- 7.
8. Correction, detention or remand facilities
9. Detached manse associated with a church on the same lot
10. Guest and patron lodge or cabins associated with a permitted use
11. Institutional, religious or private youth camp, retreat or outdoor education facility
12. Keeping of livestock for use in association with a permitted use including shelters and enclosures for the same
13. Museum
14. 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
15. Public or private open space
16. Public or quasi-public building in character with one or more of the approved uses
17. School or college whether public or private
18. Single family residence if ancillary to the principal use
19. Social care facility
20. Other ancillary buildings and/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 4 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 6.5.
- 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 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

2. Farming, except intensive agriculture
2. Farming, except intensive agriculture
2. Farming, except intensive agriculture
3. Picnic grounds
4. Playground
5. Natural or landscaped open space
- ~~6. Skiing (cross country) development~~
6. Sports field

B. DISCRETIONARY USES

1. Amusement park
2. Ancillary buildings and uses
3. Arts and crafts centre
4. Clubhouse
5. Commercial guest cabins
6. Commercial guest lodge
7. Convenience or confection store to serve the principal use
- 8.
- ~~8. Downhill ski facility~~
9. Dude ranch or vacation farm
- ~~10. Equestrian centre~~
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

15. Hostel

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, BMC and stockcar tracks~~

~~21. Off road vehicle area and trails development~~

20. Open air skating rink

21. Outdoor theatre

~~22. Outdoor recreation/tourism operations~~

23. Pro-shop if ancillary to a principal use of land or buildings

24. Public utility building to serve this district

25. Public washrooms to serve this district

26. Recreation equipment rental and sales associated with principal use

27. Recreation equipment storage facilities

28. ~~Security /surveillance suite~~

29. Residence of a temporary and portable type ancillary to an approved

29. Residence of a temporary and portable type ancillary to an approved concession and not to exceed 30 square metres (300 sq. ft.)

30. Restaurant and/or beverage lounge ancillary to a principal use

~~32. Riding and equestrian facility~~

31. Rifle range

33. Shower and laundry facility

33. Shower and laundry facility

34. Skeet and trap facility

35. Swimming pool if ancillary to a principal use

36. Tennis court if ancillary to a principal use

37. Waterslide

38. Zoo

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 4 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 setback 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 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 (1) 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.
7. Condominiumized clustered leisure/recreation accommodation (private, commercial, time-shared or multiple interest in title)
8. Condominiumized holiday trailer/recreation vehicle park
9. Holiday trailer/recreation vehicle park complex on a parcel with multiple interests in title and time-shared or exclusive use provisions
10. 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 leisure residence:

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 leisure residence.

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 4 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. Cannabis retail sales
3. Commercial holiday trailer/recreation vehicle park or campground to serve the short stay needs of motorists rather than as destination sites for tourists
- 4.
5. Government weigh scales
6. Greenhouse with a floor area of less than 100 square metres (1,100 sq. ft.)
 4. Highway maintenance building and equipment storage
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. **Sea containers (sea cans) to a maximum of three**
8. Service station, cafe, drive-in restaurant, motel and other commercial uses which, in the opinion of the Development Officer, provide appropriate services to motorists
9. Signs, where approved by Alberta Transportation or the Director of Public Works, as the case may be
10. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
11. Security/surveillance suite

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 4 of the Supplementary Regulations.
2. As required by the Development Officer or Alberta Transportation, 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.
5. Community centre to serve this district
6. Convenience store not larger than 75 square metres (800 sq. ft.)
7. Home occupation
8. Security / surveillance suite

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 ~~47~~ 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 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.

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 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 a 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 MUNICIPAL GOVERNMENT ACT.

A. PERMITTED

1. Farming
2. Sawmill and/or planer mill
3. Trapping

B. DISCRETIONARY USES

1. Ancillary buildings and uses
- 2.
3. Government field offices or installations
4. Gravel pit and/or sand pit
5. Institutional and religious camps and/or centres
6. Integrated recreation/tourist accommodation resort
7. Intensive recreation development
8. Landfill and waste transfer facilities
9. Natural resources harvesting or extraction
10. Outdoor recreation uses and related facilities
11. Private and/or public tenting and holiday trailer/recreation vehicle park or campground
12. Public and quasi-public buildings, utilities and uses
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 4 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 MUNICIPAL GOVERNMENT ACT.

A. PERMITTED

No development authorization from the Municipality is required for all buildings, development and uses for which Alberta 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 RESIDENTIAL PARCELS HAVING ASSOCIATED MINOR SMALL SCALE INDUSTRIAL USES APPROVED PRIOR TO THE ADOPTION OF THE MUNICIPAL DEVELOPMENT PLAN.

A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings

B. DISCRETIONARY USES

- ~~1.~~ Guest house
Guest house
- ~~2.1.~~ Guest house
- ~~3.2.~~ Home occupation
- ~~4.3.~~ Manufactured home
- ~~5.4.~~ Minor agricultural pursuits
- ~~6.5.~~ 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
- ~~7.6.~~ Minor small scale industrial uses
- ~~8.7.~~ Playground or outdoor recreation facility to serve this district
- ~~9.8.~~ Public building or use required to serve this district
- ~~10.9.~~ Residential shop

C. ACCEPTABLE LOT SIZE

1.75 to 3.0 hectares (4.0 to 7.0 acres).

D. MINIMUM TOTAL FLOOR AREA

1. 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 ~~4~~ 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 6.5 applies.

116

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 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.

118

13.4 (17) NORDEGG RURAL RESIDENCE DISTRICT "NRR"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT AND REGULATE RESIDENCES IN THE FORESTED SLOPES OF COLISEUM MOUNTAIN IN THE NORTHERN PORTION OF THE NORDEGG TOWNSITE.

A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings

B. DISCRETIONARY USES

1. ~~Bed and breakfast~~
2. ~~Home occupation~~
Home occupation
- ~~3.2. Home occupation~~
- 4.3. Playground or outdoor recreation facility to serve this district
- 5.4. Public building or use
- 6.5. 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
 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 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.
 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

120

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.

121

**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 manufactured 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. Use and storage of a holiday trailer/recreational vehicle shall conform to Section 6.13.~~
18. All sewage disposal shall be conducted by means of holding tanks or some other Provincially approved system.

19. 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.
20. All dwellings or other buildings shall be finished on the exterior with non flammable building materials. Wooden shakes and shingles are not permitted.
21. All dwellings or other buildings shall have one metre of rock placed around the perimeter of the structure. Decks also require a metre of rock placed around the outside perimeter in addition to rock being placed under the deck.
22. 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.
2. Detached residence ancillary to permitted use
3. Other buildings ancillary to permitted use
4. Personal service ancillary to permitted use
5. Recreation facility ancillary to permitted use
6. Recreation equipment rental and sales associated with principal use
7. Souvenir/gift shop ancillary to permitted use
8. Public building or use
9. Removal of trees outside of designated building envelope
10. 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~~

125

~~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 sledging, 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 detached residence 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 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.
 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 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 6.1.7 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.~~
All signs are subject to the approval of the Development Officer. In considering a development permit 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.
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 rented 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 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 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 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 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 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 from 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 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 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 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 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. Ancillary building
2. Detached dwelling
3. Duplex dwelling

B. DISCRETIONARY USES

- 1.
2. Home occupation
3. Parks and playgrounds
4. Parking facilities for uses in this District
5. Public buildings, uses, utilities and services

C. MINIMUM PARCEL SIZE

Detached dwellings:	464.50 square metres (5,000 sq. ft.)
Duplex (side by side units):	557.70 square metres (6,000 sq. ft.)
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

Detached dwellings:	15.24 metres (50 feet) mean width
Duplex (side by side units):	18.24 metres (60 feet) mean width
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
 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 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 6.17 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 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
Either one carport or one single car detached garage
- ~~2.~~1. Either one carport or one single car detached garage
3. Public utility building to serve this district
4. Public or private park, playground or outdoor recreational facility to serve this district
5. Removal of trees outside of designated building envelope
6. 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 4 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:
 - (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, 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 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, whichever is less.
2. Carport to be attached to side of the leisure residence.
- 3.2. Garage to be detached from leisure residence.
- 4.3. Garage to be located to the side or rear of the leisure residence.
- 5.4. Rear garage to be located a minimum of 3.05 metres (10 feet) from the rear wall of the leisure residence.
- 6.5. Side garage to be located a minimum of 1.52 metres (5 feet) from the side wall of the leisure residence.

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

136

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.

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 6.17 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 permit 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 6.13.

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 and assembled on 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 are not 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.

141

13.4 (21) NORDEGG PUBLIC AND INSTITUTIONAL "NPI"

THE PURPOSE OF THIS DISTRICT IS TO 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. Emergency and community services
3. Parks, playgrounds, picnic grounds
4. Public and quasi-public buildings and uses
5. Public utilities
6. Natural or landscaped public open space
7. Skiing (cross-country) development
8. Skating rink
9. Sports field

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
Other recreation structures, facilities and uses similar in type or function to
- 16-15. 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 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 borrowed 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 6.17, 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 permit 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. Ancillary buildings
2. Cannabis retail sales
- 3.
4. 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
5. Hotel, motel, licensed premises
6. Laundromat
7. 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 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 borrowed 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 6.17, 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 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. 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 permit 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. Cannabis production facility
- 10. Commercial uses and sales secondary to the principal use on a lot, and clearly supportive of the primary uses within this district
- 11.—Consignment, rental, sales and storage of industrial/agricultural equipment, Consignment, rental, sales and storage of industrial/agricultural equipment, Consignment, rental, sales and storage of industrial/agricultural equipment,
- 12.11. Consignment, rental, sales and storage of industrial/agricultural equipment, vessels, structures, vehicles, tanks and pipes
- 13.12. Construction camp as primary use
- 14.13. Construction camp as secondary use
- 15.14. 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
- 16.15. Gravel storage
- 17.16. Greenhouses and nurseries
- 18.17. Heavy industry contractors
- 19.18. Household, mini, and/or self-storage facilities
- 20.19. Industrial/agricultural equipment maintenance and repair
- 21.20. Industrial/agricultural fabrication and machining operations
- 22.21. Industrial/agricultural trucking and related facilities, including but not limited to, storage, warehousing, maintenance and repair
- 23.22. Industrial equipment storage
- 24.23. Manufacturing facilities
- 25.24. Outdoor storage

Formatted: Font color: Auto
Formatted: Font color: Auto
Formatted: Font color: Black

- 26.25. Recreational and commercial vehicle repair, service, sales and rental
- 27.26. Recycling depot
- 28.27. Redi-mix concrete plant
- 29.28. Security/surveillance suite

- 30.29. Support facilities for petroleum refining, gas processing, upgrading plants or related installations, but not including the primary facilities themselves
- 31.30. Storage, display and sales lot for pre-fabricated buildings and recreation vehicles
- 32.31. Timber and lumber milling and storage
- 33.32. Tire sales and service
- 34.33. Tradesperson's business

- 35.34. Warehouse
- 36.35. 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 4 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 6.5 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.

J. 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 movable 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 bona 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 movable 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 bona 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 bona 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 surveillance suites or custodial quarters, and 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 accomodations.
- (b) The 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 surveillance 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.

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.

Formatted: Not Highlight

Formatted: Font color: Auto, Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

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
3. Campgrounds, recreational vehicle parks and related facilities
3. Campgrounds, recreational vehicle parks and related facilities
4. Caretakers/ manager accommodation for security purposes where ancillary to an approved use
5. Cemetery
6. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
- 7.
8. Dude ranch or vacation farm
9. Equestrian centre
10. Food concession, convenience or confection store
11. Golf course, driving range and clubhouse
12. Gravel and sand pit
13. Highway commercial uses catering to the travelling public
14. Highway maintenance yard
15. Historical and cultural interpretive centre
16. Heliport
17. Institutional, religious and educational camps and facilities
18. Intensive and extensive recreational facilities
19. Livestock-keeping in association with an approved use, including shelters
20. Miniature golf course
21. Off-road vehicle and trail development
22. Public utility
23. Public and private open space including picnic and playgrounds
23. Public and private open space including picnic and playgrounds
23. Public and private open space including picnic and playgrounds
24. Public and quasi-public buildings and uses and government field office and installations
25. Restaurant and/or beverage lounge
26. River marina/access and approach

160

- 27. Scientific and academic research facility
 - 28. Seasonal multiple staff accommodation where ancillary to an approved use
 - 29. Shops and stores
 - 30. Signs, approved by Alberta Transportation where applicable
 - 31. Skiing developments
 - 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 4 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 4 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. 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, with due regard to the impact on adjacent uses the Development Officer may approve a higher density.
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 system, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density for other uses shall be as required 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
3. Campgrounds and related facilities
- 4.
5. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
6. Dude ranch or vacation farm
7. Equestrian centre
8. Food concession, convenience or confection store
9. Golf course, driving range and clubhouse
10. Gravel and sand pit
11. Heliport
12. Highway commercial uses catering to the travelling public
13. Highway maintenance yard
14. Historical and cultural interpretive centre
15. Institutional, religious and educational camps and facilities
16. Intensive and extensive recreational facilities
17. Licensed premises
18. Livestock-keeping in association with an approved use including shelters
19. Local shops and stores, being complementary and secondary to Nordegg's commercial service centre status
20. Miniature golf course
21. Public utility
22. Public and private open space including picnic and playgrounds
22. Public and private open space including picnic and playgrounds
22. Public and private open space including picnic and playgrounds
23. Public and quasi-public buildings and uses and government field offices and installations
24. Restaurant and
25. Seasonal multiple staff accommodation where ancillary to an approved use

- 26. **Security/surveillance** suite
 - 27. Scientific and academic research facility
 - 27. Scientific and academic research facility
 - 28. Signs, approved by the Alberta Transportation where applicable
 - 29. Skiing developments
 - 30. Trail development
 - 31. 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 4 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 4 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. 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 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 system, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density for other uses shall be required 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.~~
- ~~3.2.~~ Campgrounds and related facilities
- ~~4.3.~~ Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
- ~~5.~~ Cross country skiing developments
Cross country skiing developments
Cross country skiing developments
- ~~6.4.~~ Cross country skiing developments
- ~~7.5.~~ Dude ranch or vacation farm
- ~~8.6.~~ Equestrian centre
- ~~9.7.~~ Food concession, convenience or confection store
- ~~10.8.~~ Gravel and sand pit
- ~~11.9.~~ Highway commercial uses catering to the travelling public
- ~~12.10.~~ Historical and cultural interpretive centre
- ~~13.11.~~ Institutional, religious and educational camps and facilities
- ~~14.12.~~ Intensive and extensive recreational facilities
- ~~15.13.~~ Livestock-keeping in association with an approved use including shelters
- ~~16.14.~~ Miniature golf course
- ~~17.15.~~ Public utility
- ~~18.16.~~ Public and private open space including picnic and playground
- ~~19.17.~~ Public and quasi-public buildings and uses and government field offices and installations
- ~~20.18.~~ Restaurant and/or beverage lounge
- ~~21.19.~~ Security/ surveillance suite
- ~~22.20.~~ Scientific and academic research facility
- ~~23.21.~~ Seasonal multiple staff accommodation where ancillary to an approved use
- ~~24.22.~~ Shops and stores, appropriate for the area
- ~~25.23.~~ Signs, approved by Alberta Transportation where applicable
- ~~26.24.~~ 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 4 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 4 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. 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, 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, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density for other uses shall be 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
3. Campgrounds and related facilities
3. Campgrounds and related facilities
- 4.
5. Commercial guest lodge, tourist resort, hotel, motel, cabins, hostel and other accommodations
6. Craft and souvenir shops and stores
7. Cross country skiing developments
8. Equestrian centre
9. Food concession, convenience or confection store
10. Gravel and sand pit
11. Heliport
12. Highway commercial uses catering to the travelling public
13. Historical and cultural interpretive centre
14. Institutional, religious and educational camps and facilities
15. Intensive and extensive recreational facilities
16. Licensed premises
17. Miniature golf course
18. Public utility
19. Livestock-keeping in association with an approved use, including shelters
20. Public and private open space including picnic and playgrounds
21. Public and quasi-public buildings and uses and government field offices and installations
22. Restaurant
23. Security/ surveillance suite
24. Signs, approved by Alberta Transportation where applicable
25. Scientific and academic research facility
26. Other appropriate similar uses approved by the Development Officer

172

- 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 4 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 4 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. 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, 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, whereby minimum areas and widths may be decreased, and therefore the density increased, as required by the Development Officer.
5. The maximum allowable density for other uses shall be as required 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.

175

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 PROVIDES FOR THE SAFE AND EFFECTIVE OPERATION OF A SMALL SCALE PUBLIC AIRPORT.

A. PERMITTED USES

1. Ancillary uses and ancillary buildings
2. Airport
3. Airside commercial
4. Groundside commercial
5. Hangar
6. Public use
7. Temporary camp dwellings for use by seasonal staff on the Province's (Air Tanker Base Operations) lease
8. Signs, for onsite establishments only

B. DISCRETIONARY USES

1. Accessory dwelling unit
2. Eating establishment
3. Security/~~operator dwelling unit~~ surveillance suite

~~C. DEFINITIONS~~

~~For the purpose of this District:~~

- ~~1. "ACCESSORY DWELLING UNIT" means a building or a portion of a building containing one or more habitable rooms that constitute a self-contained living accommodation unit that is separate and subordinate to the primary use of the building or site.~~
- ~~2. "AIRSIDE COMMERCIAL" means commercial operations, including but not limited to charter flight services and flight schools, that require access to the airport runway and taxiways.~~
- ~~3. "AIRPORT COMMISSION" means the Airport Commission, established jointly by the Town of Rocky Mountain House and Clearwater County for the Rocky Mountain House (CYRM) Airport.~~
- ~~4. "EATING ESTABLISHMENT" means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and may include such uses as a restaurant, café, cafeteria, coffee shop, or snack bar.~~
- ~~5. "GROUNDSIDE COMMERCIAL" means commercial operations, including but not limited to retail, recreational, rental, service, repair and light fabrication operations in support of the airport and its users that do not require access to airport runways and taxiways.~~

- ~~6. "HANGAR" means a private storage structure intended to house an airplane(s) and associated equipment. A hangar may include an accessory dwelling unit not intended for long term occupancy.~~
- ~~7. "SECURITY/OPERATOR DWELLING UNIT" means a detached or accessory dwelling unit intended for usage by a facility operator or for security purposes.~~
- ~~8. "TEMPORARY CAMP DWELLINGS" means temporary dwelling units intended to house temporary or seasonal workers on or near a worksite.~~

D. PARKING

- 1. Parking requirements will be determined at the discretion of the Rocky Mountain House Airport Commission at time of development permit application, based on the requirements stated in Section 6.17.

E. DEVELOPMENT REGULATIONS

- 1. Signage shall be limited to flush mounted signs affixed to a building face with a maximum area of 2 square metres (6.6 sq. ft.) advertising only on site operations. Signage shall be limited to 1 sign per lease, and shall not be lit, unless express permission has been granted by the Rocky Mountain House Airport Commission.
- 2. All development shall be setback 10 metres (32.8 feet) from any exterior property boundary of the CYRM site
- 3. Setbacks on individual lease lots will be determined at the discretion of the Rocky Mountain House Airport Commission at time of development permit application.

F. ACCESSORY DWELLING UNITS

For the purposes of this District,

- 1. Approval of accessory dwelling units is at the discretion of the Rocky Mountain House Airport Commission.
- 2. Accessory dwelling units are subject to the Safety Codes Act.

G. PROCEDURE

- 1. The Development Authority will not accept or process any development permit application occurring at the CYRM Airport unless the application has been authorized by the Rocky Mountain House Airport Commission. No permit for development in the Public Airport District will be issued without Airport Commission consent.
- 2. The Development Officer shall send notification of any development permit application and notice of decision occurring at the CYRM Airport to the Town of Rocky Mountain House.

13.4 (30) RECREATION RESIDENTIAL DISTRICT "RR"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE SMALLER DETACHED DWELLINGS ON PRIVATELY OWNED PARCELS IN A CLUSTERED SUBDIVISION.

A. PERMITTED USES

1. Detached dwelling
2. Ancillary buildings.

B. DISCRETIONARY USES

- 1.
2. Playground or outdoor recreation facility to serve this district.
3. Public buildings or use.

C. ACCEPTABLE LOT SIZE

1. For a detached dwelling: 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 4 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
Home occupation
- ~~2.1.~~ Home occupation
- ~~3.2.~~ Local community centre or hall
- ~~4.3.~~ Park, playground and/or other outdoor recreation facilities
- ~~5.4.~~ Public building or use
- ~~6.5.~~ 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. A side yard abutting another side, front or rear yard: 3 metres (10 feet).

181

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 to complement the detached dwelling.

13.4 (32) NORDEGG LOW DENSITY RESIDENCE DISTRICT "NLDR"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE THE DEVELOPMENT OF PRIVATE DWELLINGS AND SECONDARY SUITES IN THE HISTORIC TOWN CENTRE OF NORDEGG.

FURTHER THIS DISTRICT HAS SPECIFIC REQUIREMENTS FOR LANED AND LANELESS TYPE LOTS.

A. PERMITTED USES

1. Detached single family dwelling

B. DISCRETIONARY USES

1. Artist studio within dwelling or private garage
- 2.
3. Guest cottage
4. Private garage
5. Secondary suite over a private garage
6. One ancillary building (shall be incidental to a permitted use and may be described as a wood shed, tool shed, personal workshop, equipment enclosure, gazebo, conservatory or greenhouse)

~~* See Subsection K. Definitions~~

C. MINIMUM HABITABLE FLOOR AREA

1. For detached single family dwelling, 75 square metres (807 sq. ft.) on the ground floor.
2. Other buildings as required by the Development Officer.

D. BUILDING HEIGHT

Unless otherwise approved by the Development Officer:

1. Dwellings shall be minimum 1 storey, maximum 2.5 storeys except dwellings on corner lots shall be less than 2 storeys.
2. Minimum and maximum building heights shall be measured in numbers of storeys. Each storey is not to exceed 2.7 metres (9 feet) floor to ceiling.
3. Notwithstanding the above, the maximum overall height of a dwelling shall not exceed 9.5 metres (31 feet) from the lots average grade elevation.
4. Detached garages shall be less than 2 storeys.
5. Covered walkways between garage and dwelling shall not exceed height of the garage.

E. PERMITTED ENCROACHMENTS

1. Porches are required in the front of a dwelling and shall not extend more than 2.4 metres (7.9 feet) into the front yard setback.

2. Balconies, stoops, bay windows, covered walkways, stairs, handicapped ramps, and window wells are allowed:
 - (a) a maximum of 2.4 metres (7.9 feet) from the front of a dwelling; and
 - (b) on a corner lot, a maximum of 2.0 metres (6.6 feet) from the side of a dwelling.
3. Landmark lighting, benches and trees shall be located within 3.5 metres (12 feet) from a boulevard.

F. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. No dwelling shall be a manufactured home. A modular home is permitted provided it meets all the requirements of this land use district.
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 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.
4. No two similar elevations or colors shall be within 4 properties of one another on the same side of the street or across the street.
5. Dwelling front entry must be facing the street.
6. All development shall be reviewed in accordance with the Hamlet of Nordegg Low Density Residence District (NLDR) Architectural Guidelines in conjunction with the Nordegg Development Plan and the associated Nordegg Development Plan - Design Guidelines.
7. Dwellings and garages shall be constructed on permanent foundations.
8. The exterior finish of any building shall be fully completed and finished within 12 months from the date of commencement of construction of the dwelling.
9. Any 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.
10. Connection to municipal water and wastewater is required on each lot. No private water wells are permitted. No private sewage treatment systems are permitted.
11. 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 exterior building materials shall be in accordance with the Hamlet of Nordegg Low Density Residence District (NLDR) Architectural Guidelines.
12. Other regulations, guidelines, or development controls may be established by the municipality for any new development within this district.

G. LANDSCAPING AND FENCING

1. Development approval of landscaping 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.
2. 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.
3. Fencing shall be as required in the Hamlet of Nordegg Low Density Residence District (NLDR) Architectural Guidelines.

H. OTHER REQUIREMENTS

1. Parking spaces shall be provided as per the Nordegg Development Plan – Design Guidelines. Parking spaces shall be no less than 2.5 metres by 5.5 metres (8.2 feet by 18 feet). One parking space is required where net residential area is less than 90 m² (969 sq. ft.), two if greater than 90 m² (969 sq. ft.).
2. No holiday trailer/recreation vehicle or commercial vehicle may be parked or stored on a lot in the Nordegg Low Density Residence District “NLDR”.
3. 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.
4. Garbage/refuse containers shall be located within lane right-of-way or inside garage. All garbage/refuse and recycling shall be properly stored in closed weatherproof and bear resistant containers in a sanitary manner so as not to cause any odor or nuisance.
5. Composting is not permitted.
6. No person shall knowingly leave or store any refuse, food product, pet food, birdseed, grain or salt in a manner which could constitute a lure, attraction or enticement of wildlife.
7. No person may accumulate, store or collect any wildlife attractants in a manner that poses or may pose a risk to the safety of any person.
8. No animals shall be kept on the property except a maximum of two cats and two dogs. All 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.
9. 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.

10. 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.
11. Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

I. SITE SPECIFIC - LANED LOTS

1. Acceptable lot size:
For residential use, an area of at least 550 square metres (5,920 sq. ft.).
2. Lot coverage:
The maximum lot coverage is fifty percent (50%) of the area of a lot. Lot coverage shall be calculated by totaling the footprint of the dwelling and any other buildings allowed on the property.
3. Detached single family dwelling:
Building setback for detached single family dwelling with or without attached garage:
 - (a) from a front property line shall be a minimum of 5.0 metres (16.4 feet) and maximum of 6.0 metres (19.7 feet);
 - (b) from a rear property line shall be a minimum of 13.0 metres (42.6 feet);
 - (c) from a side property line on an internal lot shall be a minimum of 1.2 metres (4.0 feet); and
 - (d) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
4. Private garage:
Unless otherwise approved by the Development Officer, a maximum of one private garage shall be located on a lot and shall be allowed only as a discretionary use. If allowed by the Development Officer, the following shall be adhered to:
 - (a) maximum floor area of 60 square metres (646 sq. ft.) or 60% of the footprint of the dwelling, whichever is less;
 - (b) garages and parking will be from the rear;
 - (c) no side driveways or parking in front yards shall be allowed;
 - (d) attached garages are considered part of the principal building and shall comply with setback provisions of a single family dwelling as stated above, except that:
 - i) attached garages shall be a minimum of 4.5 metres (14.8 feet) from the front of the dwelling;
 - (e) a private garage may contain a secondary suite in a loft over the private garage;
 - (f) setback requirements for detached garages:
 - i) shall be located a minimum of 6.0 metres (19.7 feet) from a dwelling;
 - ii) shall be a minimum of 6.0 metres (19.7 feet) from the rear property boundary;

- iii) without a loft shall be a minimum of 0.6 metres (2.0 feet) from the side property boundaries;
 - iv) with a loft shall be a minimum of 1.2 metres (4.0 feet) from the side property boundaries; and
 - v) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
5. Guest cottage and ancillary building:
 Unless otherwise approved by the Development Officer, a maximum of one ancillary building and one guest cottage shall be located on a lot and shall be allowed only as discretionary uses. If allowed by the Development Officer, the following shall be adhered to:
- (a) a guest cottage shall not exceed 37.2 square metres (400 sq. ft.) on the main floor and may contain a loft;
 - (b) an ancillary building shall have a maximum floor area of 18.6 square metres (200 sq. ft.);
 - (c) guest cottages and ancillary buildings:
 - i) shall be located to the rear of the dwelling;
 - ii) shall be located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling;
 - iii) shall be located a minimum of 6.0 metres (19.7 feet) from a rear property boundary;
 - iv) ancillary buildings shall be a minimum of 0.6 metres (2.0 feet) from the side property boundaries;
 - v) guest cottages shall be a minimum of 1.2 metres (4.0 feet) from the side property boundaries; and
 - vi) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).

J. SITE SPECIFIC - LANELESS LOTS

- 1. Acceptable lot size:
 For residential use, an area of at least 330 square metres (3,500 sq. ft.).
- 2. Lot coverage:
 The maximum lot coverage is fifty percent (50%) of the area of a lot. Lot coverage shall be calculated by totalling the footprint of the dwelling and any other buildings allowed on the property.
- 3. Detached single family dwelling:
 Building setback for detached single family dwelling:
 - (a) from a front property line shall be a minimum of 5.0 metres (16.4 feet) and a maximum of 6.0 metres (19.7 feet);
 - (b) from a rear property line shall be a minimum of 6.0 metres (19.7 feet);
 - (c) from a side property line shall be a minimum of 1.2 metres (4.0 feet); and

- (d) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
4. Private garage:
Unless otherwise approved by the Development Officer, a maximum of one private garage shall be located on a lot and shall be allowed only as a discretionary use. If allowed by the Development Officer, the following shall be adhered to:
- (a) garages shall be attached to the dwelling;
 - (b) attached garages are considered part of the principal building and shall comply with setback provisions of a detached single family dwelling as stated above, except that:
 - i) garages shall be a minimum of 4.5 metres (14.76 feet) from the front of the dwelling;
 - (c) maximum floor area of 26.8 square metres (288 sq. ft.); and
 - (d) a private garage may contain a secondary suite in a loft over the private garage.
5. Guest cottage and ancillary building:
Unless otherwise approved by the Development Officer, a maximum of one ancillary building and one guest cottage shall be located on a lot and shall be allowed only as discretionary uses. If allowed by the Development Officer, the following shall be adhered to:
- (a) a guest cottage shall not exceed 37.2 square metres (400 sq. ft.) on the main floor and may contain a loft;
 - (b) an ancillary building shall have a maximum floor area of 18.6 square metres (200 sq. ft.);
 - (c) guest cottages and ancillary buildings:
 - i) shall be located to the rear of the dwelling;
 - ii) shall be located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling;
 - iii) ancillary buildings shall be a minimum of 0.6 metres (2.0 feet) from the rear and side property boundaries;
 - iv) guest cottages shall be a minimum of 1.2 metres (4.0 feet) from the rear and side property boundaries; and
 - (d) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).

~~K. — DEFINITIONS~~

~~“ARTIST STUDIO” means development used for the purpose of small scale, on-site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramics, jewelry, toy manufacturing, sculpture and painting. An artist studio shall not include a gallery for the display and sale of items produced. An artist studio may be located within a dwelling or private garage.~~

~~“GUEST COTTAGE” means a building that is separate from the main building that contains sleeping accommodations, but no kitchen or cooking facilities, for the use of members of the family or temporary guests.~~

~~“SECONDARY SUITE” means a developed living accommodation contained within the loft of a private garage.~~

13.4 (33) NORDEGG MIXED USE RESIDENCE / RESORT COMMERCIAL DISTRICT "NMUR"

THE PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND REGULATE THE DEVELOPMENT OF A MIX OF LOW DENSITY RESIDENTIAL USES AND SMALL SCALE RESORT ACCOMMODATIONS IN BUILDINGS THAT RESEMBLE A HISTORICAL SINGLE FAMILY DWELLING IN THE HISTORIC TOWN CENTRE OF NORDEGG.

FURTHER, THIS DISTRICT HAS SPECIFIC REQUIREMENTS FOR LANED AND LANELESS TYPE LOTS.

A. PERMITTED USES

1. Detached single family dwelling

B. DISCRETIONARY USES

1. Ancillary building (shall be incidental to a permitted use and may be described as a wood shed, tool shed, personal workshop, equipment enclosure, gazebo, conservatory or greenhouse)
2. Artist studio within dwelling or private garage
3. Bed and breakfast
4. Bed and breakfast inn
- 5.
6. Guest cottage
7. One or two suite rental units
8. Secondary suite over a detached garage
9. Recreational facilities subordinate to a commercial operation within the district
10. Two-family residential dwelling
~~* See Subsection K. Definitions~~

C. MINIMUM HABITABLE FLOOR AREA

1. For detached single family dwelling, 75 square metres (807 sq. ft.) on the ground floor.
2. Other buildings as required by the Development Officer.

D. BUILDING HEIGHT

Unless otherwise approved by the Development Officer:

1. Dwellings shall be minimum 1 storey, maximum 2.5 storeys except dwellings on corner lots shall be less than 2 storeys.
2. Minimum and maximum building heights shall be measured in numbers of storeys. Each storey is not to exceed 2.7 metres (9 feet) floor to ceiling.

3. Notwithstanding the above, the maximum overall height of a dwelling shall not exceed 9.5 metres (31 feet) from the lots average grade elevation.
4. Detached garages shall be less than 2 storeys.
5. Covered walkways between garage and dwelling shall not exceed height of the garage.

E. PERMITTED ENCROACHMENTS

1. Porches are required in the front of a dwelling and shall not extend more than 2.4 metres (7.9 feet) into the front yard setback.
2. Balconies, stoops, bay windows, covered walkways, stairs, handicapped ramps, and window wells are allowed:
 - (a) a maximum of 2.4 metres (7.9 feet) from the front of a dwelling; and
 - (b) on a corner lot, a maximum of 2.0 metres (6.6 feet) from the side of a dwelling.
3. Landmark lighting, benches and trees shall be located within 3.5 metres (12 feet) from a boulevard.

F. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

1. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
2. No dwelling shall be a manufactured home. A modular home is permitted provided it meets all the requirements of this land use district.
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 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.
4. No two similar elevations or colors shall be within 4 properties of one another on the same side of the street or across the street.
5. Dwelling front entry must be facing the street.
6. All development shall be reviewed in accordance with the Hamlet of Nordegg Mixed Use Residence/Resort Commercial District (NMUR) Architectural Guidelines in conjunction with the Nordegg Development Plan and the associated Nordegg Development Plan - Design Guidelines.
7. Dwellings and garages shall be constructed on permanent foundations.
8. The exterior finish of any building shall be fully completed within 12 months from the date of commencement of construction.
9. Any 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.
10. Connection to municipal water and wastewater is required on each lot. No private water wells are permitted. No private sewage treatment systems are permitted.

11. 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 exterior building materials shall be in accordance with the Hamlet of Nordegg Mixed Use Residence/Resort Commercial District (NMUR) Architectural Guidelines.
12. Other regulations, guidelines, or development controls may be established by the municipality for any new development within this district.

G. LANDSCAPING AND FENCING

1. Development approval of landscaping 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.
2. 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.
3. Fencing shall be as required in the Hamlet of Nordegg Mixed Use Residence/Resort Commercial District (NMUR) Architectural Guidelines.

H. OTHER REQUIREMENTS

1. Parking spaces shall be provided as per the Nordegg Development Plan – Design Guidelines. Parking spaces shall be no less than 2.5 metres by 5.5 metres (8.2 feet by 18 feet). Parking space requirements are:
 - (a) one space where net residential area is less than 90 m² (969 sq. ft.);
 - (b) two spaces where net residential area is greater than 90 m² (969 sq. ft.);and
 - (c) one space per Bed and Breakfast unit or Bed and Breakfast Inn unit in addition to the parking requirements of the owner's dwelling.
2. No holiday trailer/recreation vehicle or commercial vehicle may be parked or stored on a lot in the Nordegg Mixed Use Residence/Resort Commercial District "NMUR".
3. 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.
4. Garbage/refuse containers shall be located within the lane right-of-way or inside garage. All garbage/refuse and recycling shall be properly stored in closed weatherproof and bear resistant containers in a sanitary manner so as not to cause any odor or nuisance.
5. Composting is not permitted.
6. No person shall knowingly leave or store any refuse, food product, pet food, birdseed, grain or salt in a manner which could constitute a lure, attraction or enticement of wildlife.

7. No person may accumulate, store or collect any wildlife attractants in a manner that poses or may pose a risk to the safety of any person.
8. No animals shall be kept on the property except a maximum of two cats and two dogs. All 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.
9. 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.
10. 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.
11. Such other requirements as the Development Officer may decide having regard to the nature of the proposed development.

I. SITE SPECIFIC - LANED LOTS

1. Acceptable Lot Size:
For residential use, an area of at least 550 square metres (5,920 sq. ft.).
2. Acceptable Lot Coverage:
The maximum lot coverage is fifty percent (50%) of the area of a lot. Lot coverage shall be calculated by totaling the footprint of the dwelling and any other buildings allowed on the property.
3. Detached Single Family Dwelling:
Building setback for a detached single family dwelling, two-family residential dwelling, bed and breakfast or bed and breakfast inn:
 - (a) from a front property line shall be a minimum of 5.0 metres (16.4 feet) and maximum of 6.0 metres (19.7 feet);
 - (b) from a rear property line shall be a minimum of 13.0 metres (42.6 feet);
 - (c) from a side property line on an internal lot shall be a minimum of 1.2 metres (4.0 feet); and
 - (d) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
4. Private garage:
Unless otherwise approved by the Development Officer, a maximum of one private garage shall be located on a lot and shall be allowed only as a discretionary use. If allowed by the Development Officer, the following shall be adhered to:
 - (a) maximum floor area of 60 square metres (646 sq. ft.) or 60% of the footprint of the dwelling, whichever is less;
 - (b) garages and parking will be from the rear;
 - (c) no side driveways or parking in front yards shall be allowed;

- (d) attached garages are considered part of the principal building and shall comply with setback provisions of a single family dwelling as stated above, except that:
 - i) attached garages shall be a minimum of 4.5 metres (14.8 feet) from the front of the dwelling;
 - (e) a private garage may contain a secondary suite in a loft over the private garage;
 - (f) setback requirements for detached garages:
 - i) shall be located a minimum of 6.0 metres (19.7 feet) from a dwelling;
 - ii) shall be a minimum of 6.0 metres (19.7 feet) from the rear property boundary;
 - iii) without a loft shall be a minimum of 0.6 metres (2.0 feet) from the side property boundaries;
 - iv) with a loft shall be a minimum of 1.2 metres (4.0 feet) from the side property boundaries; and
 - v) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
5. Guest cottage and ancillary building:
 Unless otherwise approved by the Development Officer, a maximum of one ancillary building and one guest cottage shall be located on a lot and shall be allowed only as discretionary uses. If allowed by the Development Officer, the following shall be adhered to:
- (a) a guest cottage shall not exceed 37.2 square metres (400 sq. ft.) on the main floor and may contain a loft;
 - (b) an ancillary building shall have a maximum floor area of 18.6 square metres (200 sq. ft.);
 - (c) guest cottages and ancillary buildings:
 - i) shall be located to the rear of the dwelling;
 - ii) shall be located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling;
 - iii) ancillary buildings and guest cottages shall be a minimum of 6.0 metres (19.7 feet) from the rear property boundary;
 - iv) ancillary buildings shall be a minimum of 0.6 metres (2.0 feet) from the side property boundaries;
 - v) guest cottages shall be a minimum of 1.2 metres (4.0 feet) from the side property boundaries; and
 - vi) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
- J. SITE SPECIFIC - LANELESS LOTS
- 1. Acceptable Lot Size:
 For residential use, an area of at least 330 square metres (3,500 sq. ft.).

2. Acceptable Lot Coverage:
The maximum lot coverage is fifty percent (50%) of the area of a lot. Lot coverage shall be calculated by totaling the footprint of the dwelling and any other buildings allowed on the property.
3. Detached Single Family Dwelling:
Building setback for a detached single family dwelling:
 - (a) from a front property line shall be a minimum of 5.0 metres (16.4 feet) and maximum of 6.0 metres (19.7 feet);
 - (b) from a rear property line shall be a minimum of 6.0 metres (19.7 feet);
 - (c) from a side property line on an internal lot shall be a minimum of 1.2 metres (4.0 feet); and
 - (d) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).
4. Private garage:
Unless otherwise approved by the Development Officer, a maximum of one private garage shall be located on a lot and shall be allowed only as a discretionary use. If allowed by the Development Officer, the following shall be adhered to:
 - (a) garages shall be attached to the dwelling;
 - (d) attached garages are considered part of the principal building and shall comply with setback provisions of a single family dwelling as stated above, except that:
 - i) attached garages shall be a minimum of 4.5 metres (14.8 feet) from the front of the dwelling;
 - (c) maximum floor area of 26.8 square metres (288 sq. ft.);
 - (d) a private garage may contain a secondary suite in a loft over the private garage.
5. Guest cottage and ancillary building:
Unless otherwise approved by the Development Officer, a maximum of one ancillary building and one guest cottage shall be located on a lot and shall be allowed only as discretionary uses. If allowed by the Development Officer, the following shall be adhered to:
 - (a) a guest cottage shall not exceed 37.2 square metres (400 sq. ft.) on the main floor and may contain a loft;
 - (b) an ancillary building shall have a maximum floor area of 18.6 square metres (200 sq. ft.);
 - (c) guest cottages and ancillary buildings:
 - i) shall be located to the rear of the dwelling;
 - ii) shall be located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling;
 - iii) ancillary buildings shall be a minimum of 0.6 metres (2.0 feet) from the rear and side property boundaries;

- iv) guest cottages shall be a minimum of 1.2 metres (4.0 feet) from the rear and side property boundaries; and
- v) in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet).

~~K. DEFINITIONS~~

~~“GUEST COTTAGE” means a building that is separate from the main building that contains sleeping accommodations, but no kitchen or cooking facilities, for the use of members of the family or temporary guests.~~

~~“ARTIST STUDIO” means a portion of a dwelling or private garage used for the purpose of small scale, on site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramics, jewelry, toy manufacturing, sculpture and painting. An artist studio shall not include a gallery for the display and sale of items produced.~~

~~“TWO FAMILY RESIDENTIAL DWELLING” means a building containing two dwelling units, stacked one above the other, each having separate entrance at or near 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.~~

~~“BED AND BREAKFAST INN” means a private dwelling where four to six rooms are lent and one or more meals is provided to registered guests.~~

~~“ONE OR TWO SUITE RENTAL UNITS” means a dwelling unit in which the occupant rents or leases one or two self-contained suites on a short term basis.~~

~~“SECONDARY SUITE” means a developed living accommodation contained within the loft of a private garage.~~

13.4 (34) DIRECT CONTROL DISTRICT ONE "DC-1"

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 COUNTY. 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.

A. SPECIFIC PURPOSE OF THIS DISTRICT

To establish a site specific Direct Control District to accommodate a recreational motor sport vehicles sales, service and repair business (i.e. all terrain vehicles, snowmobiles and motorcycles), test track area and related facilities.

B. AREA OF APPLICATION

This District shall apply to approximately 3.73 hectares (9.21 acres) of property described as Plan _____, Block __, Lot __, within Part SE 06-39-04-W5M as shown on Bylaw 1003/15 Schedule "B".

C. RECISSION OF DIRECT CONTROL DISTRICT ONE "DC-1"

Upon adoption of a hamlet area structure plan or outline plan, Council may redistrict the lands referred to in Section 13.4 (34) B from the Direct Control District One "DC-1" to an appropriate land use district.

D. PERMITTED USES

1. Farming

E. DISCRETIONARY USES

1. Ancillary Building
2. Ancillary Use
- 3.
4. Powersports Sales/Service Centre
5. Security/surveillance suite

~~* DEFINITIONS IN THIS DISTRICT~~

~~POWERSPORTS SALES/SERVICE CENTRE means the retail sale of all terrain vehicles, snowmobiles, motorcycles, or similar light recreational vehicles, together with incidental maintenance services/testing, sales of parts and accessories.~~

~~SURVEILLANCE SUITE means a single residential unit forming part of a development and used solely to accommodate a person or persons related as a family, or employee whose official function is to provide surveillance for the maintenance and safety of the commercial development.~~

F. DEVELOPMENT REGULATIONS

Standards of development shall be at the discretion of Council.

G. PROCEDURE

1. Notwithstanding the procedure established for development permit applications in Part Three: Development Control and Permits, application for development in respect of the lands referred to in Section 13.4 (34) B. shall be referred by the Development Officer to Council for its approval or refusal.
2. Notwithstanding the procedure established for the issuance of development permits in Part Three: Development Control and Permits, Council shall decide on all applications for Development Permits with the aforementioned lands referred to in Section 13.4 (34) B. Council may approve a development permit application with or without conditions, or may refuse an application for development permit.
3. There is no appeal to the Subdivision and Development Appeal Board for a decision of Council on an application for development permit in respect of the lands referred to in Section 13.4 (34) B.

PART FOURTEEN: FORMS AND DECLARATIONS

14.1 Establishment of Forms

- (1) For the purposes of administering this Bylaw, the Development Officer shall prepare the forms and notices 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 the forms and notices are designed, authorized and issued.

PART FIFTEEN: LAND USE DISTRICT MAPS

15.1 Land Use District Map Sheets **Will be Updated

15.2 Schedules - Updated Map List Attached

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

SUPPLEMENTARY REGULATIONS: LIST OF FIGURES

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

Figure 1 Setbacks from Rural Roads and Their Intersections

Figure 3 Setbacks from Highway and Rural Roads Intersections

Figure 7 Setbacks from Road Curves and Corner

~~**Figure 6 Setbacks from Primary Highway and Secondary Road Intersections**~~

Figure 7 Setbacks from Road Curves and Corner

200

PART SIXTEEN: OVERLAY DISTRICTS

16.1 Purpose and Application

- (1) The purpose of Part Sixteen of the Land Use Bylaw is to facilitate the implantation of specific goals and objectives of adopted statutory plans or any other policy plan adopted by Council.
- (2) Generally Overlay Districts are put in place to protect, preserve and enhance either natural or man- made environments having development, historic or environmental significance or existing developed areas subject to infill or redevelopment proposals.
- (3) All of the Overlays contained within this Part are applied and interpreted in the same manner that the underlying District; its purpose, regulations and standards are read in conjunction with the Overlay, but that the underlying District is considered subordinate where there is a discrepancy between the two Districts.

16.2 Airport Vicinity Overlay District

THE GENERAL PURPOSE OF THE DISTRICT IS TO PROTECT LANDS ADJACENT TO THE YRM AIRPORT FROM USES INCOMPATIBLE WITH THE OPERATION AND FUTURE DEVELOPMENT OF THE AIRPORT.

A. PERMITTED USES

1. All uses listed as permitted in the underlying District

B. DISCRETIONARY USES

1. All uses listed as discretionary in the underlying District

C. AREA

The area included in this Overlay District will be limited to the area identified in the attached map outlining the areas that may potentially impact the safe movement of aircraft. This map was developed in reference to the Transport Canada Guide - Land Use in the vicinity of Aerodromes - TP1247E. (*See Airport Vicinity Overlay District Map*)

D. MAXIMUM HEIGHT OF BUILDINGS

No building or structure shall be erected, on any lands described within this Overlay District that exceed 15 metres (49.2 feet) in height, or as determined by the Rocky Mountain House Airport Commission.

201

(4) That the Public Airport District "PA" be applied to all of the land within the current airport boundary as outlined in red on attached Schedule "A" hereby redesignating the subject lands from the Agriculture District "A". These lands are described as follows: SE, SW, NW, and west half of NE, 11-40-07-W5, and the west half of 14-40-07-W5.

(5) That the Public Airport Overlay District be applied to a portion of lands in close proximity to the airport as outlined in purple on attached Schedule "A". Even though the overlay district would be applied these lands would remain zoned Agriculture District "A" under the Land Use Bylaw. Said lands affected are described as follows:

A portion of NW 01-40-07-W5

A portion of SW 01-40-07-W5

A portion of NE 02-40-07-W5

A portion of SE 02-40-07-W5

NE 10-40-07-W5

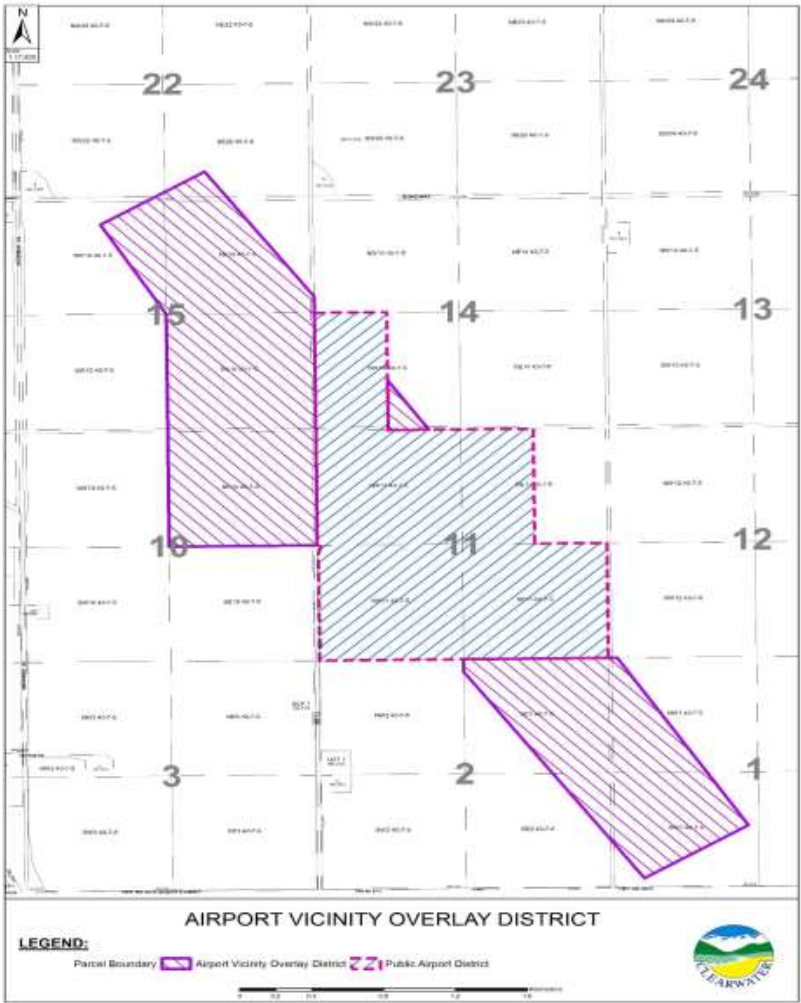
A portion of NE 15-40-07-W5

A portion of NW 15-40-07-W5

SE 15-40-07-W5

A portion of SE 22-40-07-W5

Airport Vicinity Overlay District Map



- ALDER GREEN LAND USE ZONING
- ALFORD CREEK PLACE LAND USE ZONING
- ASPEN RIDGE ESTATES LAND USE ZONING
- BEAVER CREEK ESTATES LAND USE ZONING
- BLUEBERRY MEADOWS
- BOUNDARY LAND USE ZONING
- BRISTOW - DIRECT CONTROL ZONING
- CARTIER CREEK LAND USE ZONING
- CLEARWATER ESTATES LAND USE ZONING
- CLEARWATER HEIGHTS LAND USE ZONING
- CLIFFSIDE ESTATES LAND USE ZONING
- CONDOR CORNER LAND USE ZONING
- COUGAR RIDGE ESTATES LAND USE ZONING
- COUNTRY LANE ESTATES LAND USE ZONING
- COUNTRY MEADOWS ESTATES LAND USE ZONING
- CRANBERRY ACRES LAND USE ZONING
- DEVELOPMENT NODES
- EAGLE RIDGE LAND USE ZONING
- EASTVIEW ESTATES LAND USE ZONING
- ECHO CANYON LAND USE ZONING
- ECHO VALLEY LAND USE ZONING
- EDEN VALLEY LAND USE ZONING
- EVERDELL ESTATES LAND USE ZONING
- EVERGREEN ESTATES LAND USE ZONING
- FERRIER ACRES EAST LAND USE ZONING
- FERRIER GARTH LAND USE ZONING
- FERRIER WEST & ASPEN RIDGE LAND USE ZONING
- FORESTRY DISTRICT ZONING

- FOX RUN LAND USE ZONING
- GATEWAY INDUSTRIAL LAND USE ZONING
- GREEN VALLEY ESTATES LAND USE ZONING
- GREENWOOD PLACE LAND USE ZONING
- HAMLET OF ALHAMBRA LAND USE ZONING
- HAMLET OF CONDOR LAND USE ZONING
- HAMLET OF LESLIEVILLE EAST LAND USE ZONING
- HAMLET OF LESLIEVILLE LAND USE ZONING
- HAMLET OF WITHROW LAND USE ZONING
- HARDINDELL AREA LAND USE ZONING
- HIDDEN ACRES LAND USE ZONING
- HILL CREST PLACE LAND USE ZONING
- HILLSIDE ESTATES LAND USE ZONING
- HORBURG AREA LAND USE ZONING
- JAMES RIVER RETREAT LAND USE ZONING
- KODIAK LAKE ESTATES LAND USE ZONING
- LAST HILL ESTATES LAND USE ZONING
- LOBSTICK ACRES LAND USE ZONING
- MACKLEN ESTATES LAND USE ZONING
- MEADOW ESTATES LAND USE ZONING
- MEADOW PONDS ESTATES
- MISTY VALLEY - EAST
- MISTY VALLEY - WEST
- MOUNTAINVIEW HEIGHTS LAND USE ZONING
- MYOWN RIVER RANCHES LAND USE ZONING
- NORDEGG INDUSTRIAL LAND USE ZONING
- NORDEGG NORTH LAND USE ZONING
- NORTHLAND PLACE LAND USE ZONING
- OWL CANYON ESTATES LAND USE ZONING

- PACIFIC HEIGHTS LAND USE ZONING
- PARADISE ACRES LAND USE ZONING
- PINE RIDGE ESTATES LAND USE ZONING
- PUBLIC AIRPORT DISTRICT ZONING
- RAINBOW ESTATES & AREA LAND USE ZONING
- RAVEN RIDGE LAND USE ZONING
- RICINUS RIDGE LAND USE ZONING
- RIDGELAND ESTATES LAND USE ZONING
- RIVERSIDE ESTATES LAND USE ZONING
- ROCKY-CLEARWATER INTERMUNICIPAL DEV AREA
- SANCTUM RETREAT LAND USE ZONING
- SILVER RIDGE LAND USE ZONING
- SKYVIEW ESTATES LAND USE ZONING
- SOUTH 40 ESTATES LAND USE ZONING
- SOUTH RAVEN HEIGHTS LAND USE ZONING
- SPRUCE PARK ESTATES LAND USE ZONING
- SUNNYNOOK ESTATES LAND USE ZONING
- TAY RIVER LAND USE ZONING
- TRAGONDALE LAND USE ZONING
- VOYAGUER FLATS LAND USE ZONING
- WEST COUNTRY ESTATES LAND USE ZONING
- WEST FERRIER LAND USE ZONING
- WEST RIDGE ESTATES LAND USE ZONING
- WESTWOOD PLACE LAND USE ZONING
- WILD ROSE PLACE LAND USE ZONING
- WILLOW ESTATES LAND USE ZONING
- WIMBLEDON LAND USE ZONING
- WOODLAND ESTATES LAND USE ZONING



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	First Reading of Bylaw 1076/20 for Application No. 01/20 to amend the Land Use Bylaw
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT:	Planning & Development
WRITTEN BY:	Jose Reyes, Senior Planner
REVIEWED BY:	Keith McCrae, Director Planning, Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input checked="" type="checkbox"/> County Bylaw or Policy (Clearwater County Land Use Bylaw No. 714/01 and Municipal Development Plan (2010))
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Governance Leadership <input checked="" type="checkbox"/> Fiscal Responsibilities <input checked="" type="checkbox"/> Environmental Stewardship <input checked="" type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Application to Amend Land Use Bylaw, Bylaw 1076/20 with Schedule "A", Institutional District "P", Aerial Photos and Site Photo.	

STAFF RECOMMENDATION:

That Council consider granting 1st reading of Bylaw 1076/20 and proceed to a public hearing.

BACKGROUND:

Clearwater County holds title to Lot 1, Block 6, Plan 8122203, containing 11.1 ha (27.4 acres) of land. The subject land is located to the east of Highway 761 along Railway Avenue within the hamlet of Leslieville. Erik Hansen, Director Public Works Infrastructure has made application, on behalf of Clearwater County, to redesignate the parcel from the Manufactured Home Park District "MHP" / Hamlet Residential District "HR" to the Institutional District "P".

The County's ultimate intention is to construct a public building to house the "Leslieville Public Services Facility" on the subject lands. If the Land Use Amendment is successful, the County will then submit a development permit application to the Planning Department for review and potential approval.

Legal and physical access to the proposal is by way of Railway Avenue, adjacent to the north property boundary. The land is currently vacant but contains a pipeline held by Prairie Storm Energy Corp. This pipeline does not contain sour gas.

Surrounding land uses within are institutional, hamlet residential and agriculture.

Therefore, this application is to rezone the subject land to Institutional District “P” parcel as shown on Schedule “A” of the Bylaw.

PLANNING DIRECTION:

Clearwater County’s Land Use Bylaw

Section 1.7 Definitions

“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.

Section 13.4(9) Institutional District “P”

The general 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.

Section 13.4(9) B 15

Discretionary Uses

Public or quasi-public building in character with one or more of the approved uses.

Clearwater County’s Municipal Development Plan

Section 7.2.2 states:

Clearwater County encourages infill and redevelopment within hamlets for uses that strengthen the social and economic fabric of the hamlet as a community centre for the surrounding areas.

Section 10.2.9 states:

For areas in which it has development control, Clearwater County:

- (a) shall monitor the ability of fire suppression and fire fighting services and facilities; and
- (b) from time to time may replace and add to fire equipment and infrastructure.

Section 12.2.3 states:

To provide information relevant to a proposed redesignation, subdivision or development of land, Clearwater County may require the applicant to have prepared and submitted by a qualified professional engineer any or all of the following:

- (a) a geotechnical study;
- (b) a traffic impact study;
- (c) a water supply study;
- (d) a utility servicing study;
- (e) a stormwater management plan;
- (f) an environmental assessment; and
- (g) any other study or plan required by the County.

Section 12.2.4 states:

Clearwater County will consider, where applicable, the following when evaluating an application to redesignate, subdivide or develop land:

- (a) impact on adjoining and nearby land uses;
- (b) impact on natural capital, including agricultural land;
- (c) impact on the environment;
- (d) scale and density;
- (e) site suitability and capacity;
- (f) road requirements and traffic impacts, including access and egress considerations, including Subdivision and Development Regulations related to land in the vicinity of a highway;
- (g) utility requirements and impacts;
- (h) open space needs;
- (i) availability of protective and emergency services;
- (j) FireSmart provisions;
- (k) impacts on school and health care systems;
- (l) measures to mitigate effects;
- (m) County responsibilities that may result from the development or subdivision; and
- (n) any other matters the County considers relevant.

RECOMMENDATION:

That Council consider granting first reading to Bylaw 1076/20 and proceed to a public hearing.



CLEARWATER COUNTY
Application for
Amendment to the Land Use Bylaw

Application No. 01-20

Bylaw # 1076/20

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

APPLICANT: Clearwater County

ADDRESS & PHONE: Po Box 550 4340 47th Ave Rocky Mountain House AB

403-845-4444

REGISTERED OWNER: Fred G. Pattison and Donna M. Pattison

ADDRESS & PHONE: Box 135 Leslieville, AB T0M 1H0 (403)729-3804

AMENDMENT REQUESTED:

- CHANGE OF LAND USE DISTRICT FROM: "MHP" "HR" TO: Institutional District "P"
 LEGAL DESCRIPTION OF PROPERTY: SW 1/4 Sec. 23 Twp. 39 Rge. 5 W5M
 OR: LOT: 1 BLOCK 6 REGISTERED PLAN NO.: 8122203
 OR: CERTIFICATE OF TITLE NO.: _____ (Site Plan is attached)
 SIZE OF AREA TO BE REDESIGNATED: 11.1 (Hectares / Acres) 27.4

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

Change in use from Manufactured Home Park District MHP & Hamlet Residential District "HR" to Institutional District "P"

3. REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

Leslieville Public Service Building

DATE: January 24, 2020 APPLICANT'S SIGNATURE [Signature]

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the Land Use Bylaw amendment application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F-25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.

APPLICATION FEE OF N/A DATE PAID: _____ RECEIPT NO. _____

[Signature]
 SIGNATURE OF DEVELOPMENT OFFICER
 IF APPLICATION COMPLETE

IMPORTANT NOTES ON REVERSE SIDE

BYLAW NO. 1076/20

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 Institutional District "P" is to permit and regulate the development of private or public facilities intended to provide cultural social, religious, educational or rehabilitative services.

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 +/- 27.4 acres of Lot 1, Block 6, Plan 8122203 as outlined in red on the attached Schedule "A" be redesignated from the Manufactured Home Park District "MHP" / Hamlet Residential District "HR" to the Institutional District "P".

READ A FIRST TIME this ____ day of _____ A.D., 2020.

REEVE

MUNICIPAL MANAGER

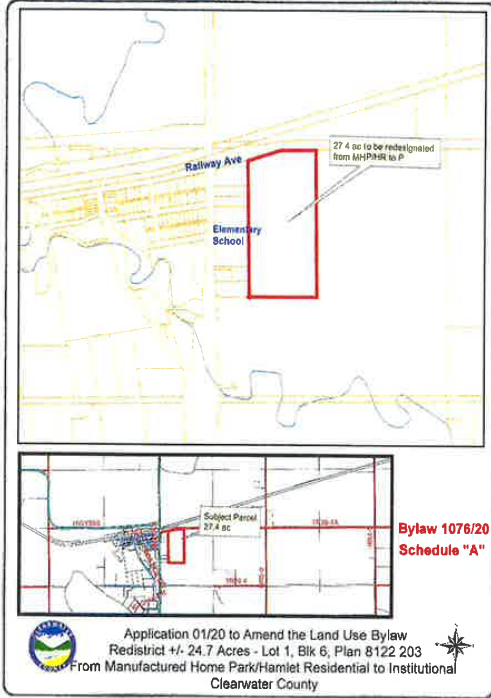
PUBLIC HEARING held this ____ day of _____ A.D., 2020.

READ A SECOND TIME this ____ day of _____ A.D., 2020.

READ A THIRD AND FINAL TIME this ____ day of _____ A.D., 2020.

REEVE

MUNICIPAL MANAGER



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

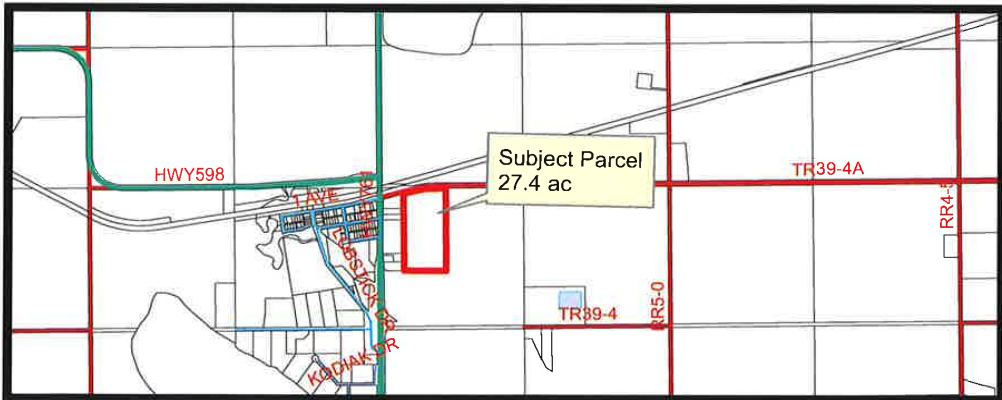
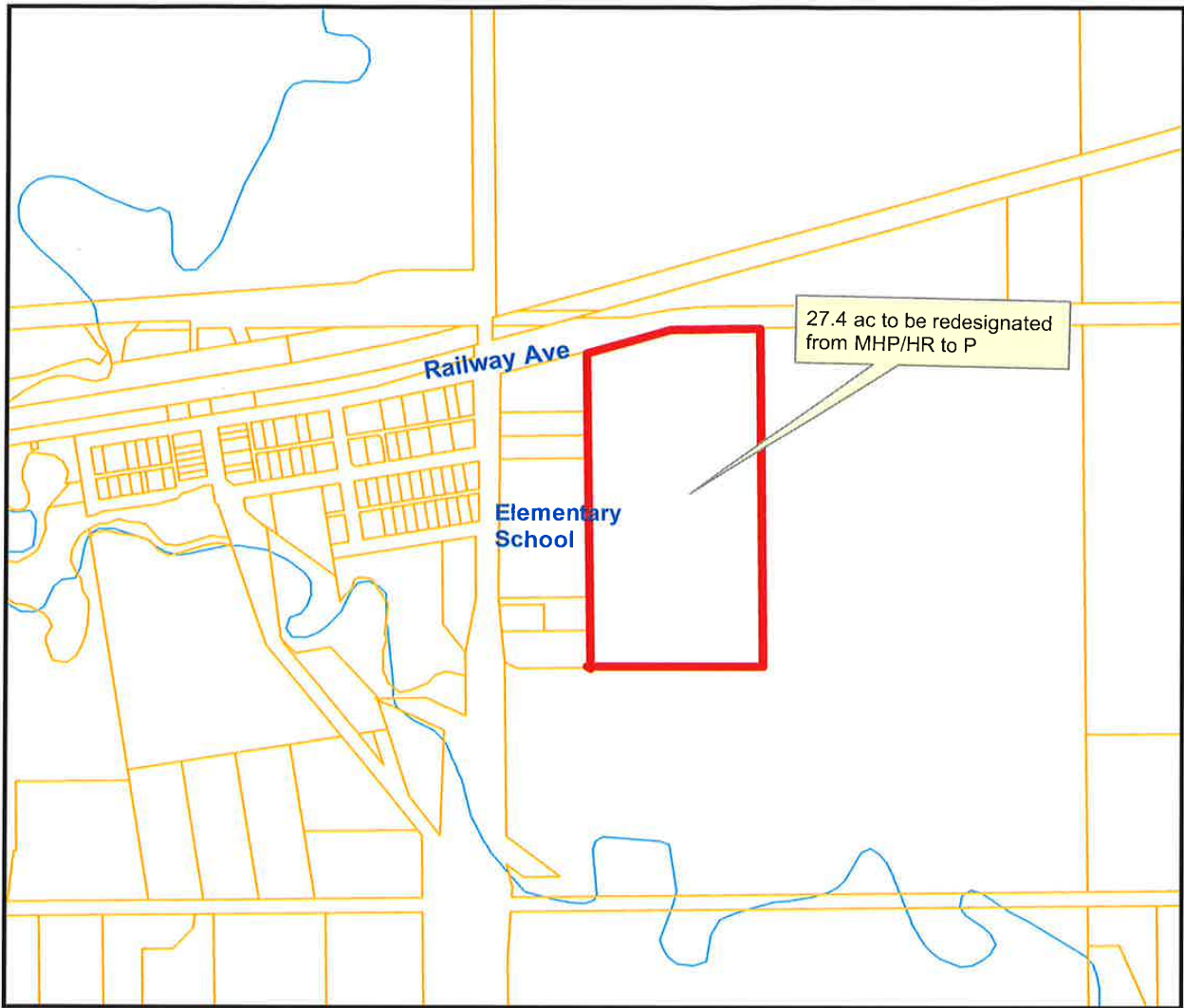
1 to 4 hectares (2.5 to 10 acres), unless otherwise approved by the Development Officer except in hamlets where lots shall be at least 300 square metres (3,500 sq. ft.) and have a frontage width of at least 10 metres (35 feet).

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 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.

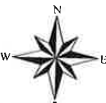
5. For any developed area, the minimum surface area that may be retained free of buildings, roads, parking lots and other fixed roof or hard surface installations shall be 65% of the total lot, unless otherwise approved by the Development Officer.

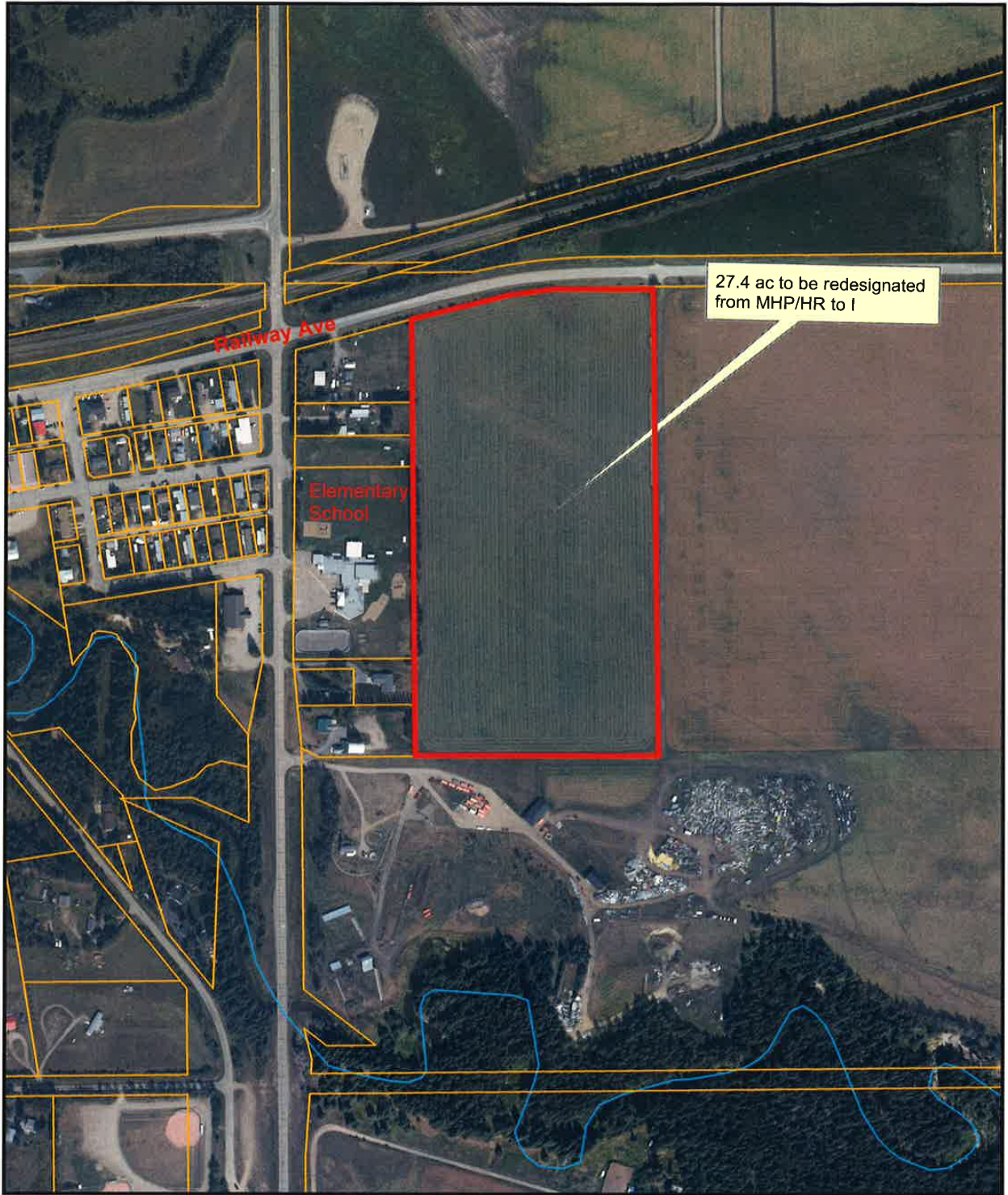


**Bylaw 1076/20
Schedule "A"**



Application 01/20 to Amend the Land Use Bylaw
 Redistrict +/- 24.7 Acres - Lot 1, Blk 6, Plan 8122 203
 From Manufactured Home Park/Hamlet Residential to Institutional
 Clearwater County





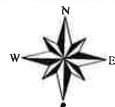
27.4 ac to be redesignated from MHP/HR to I

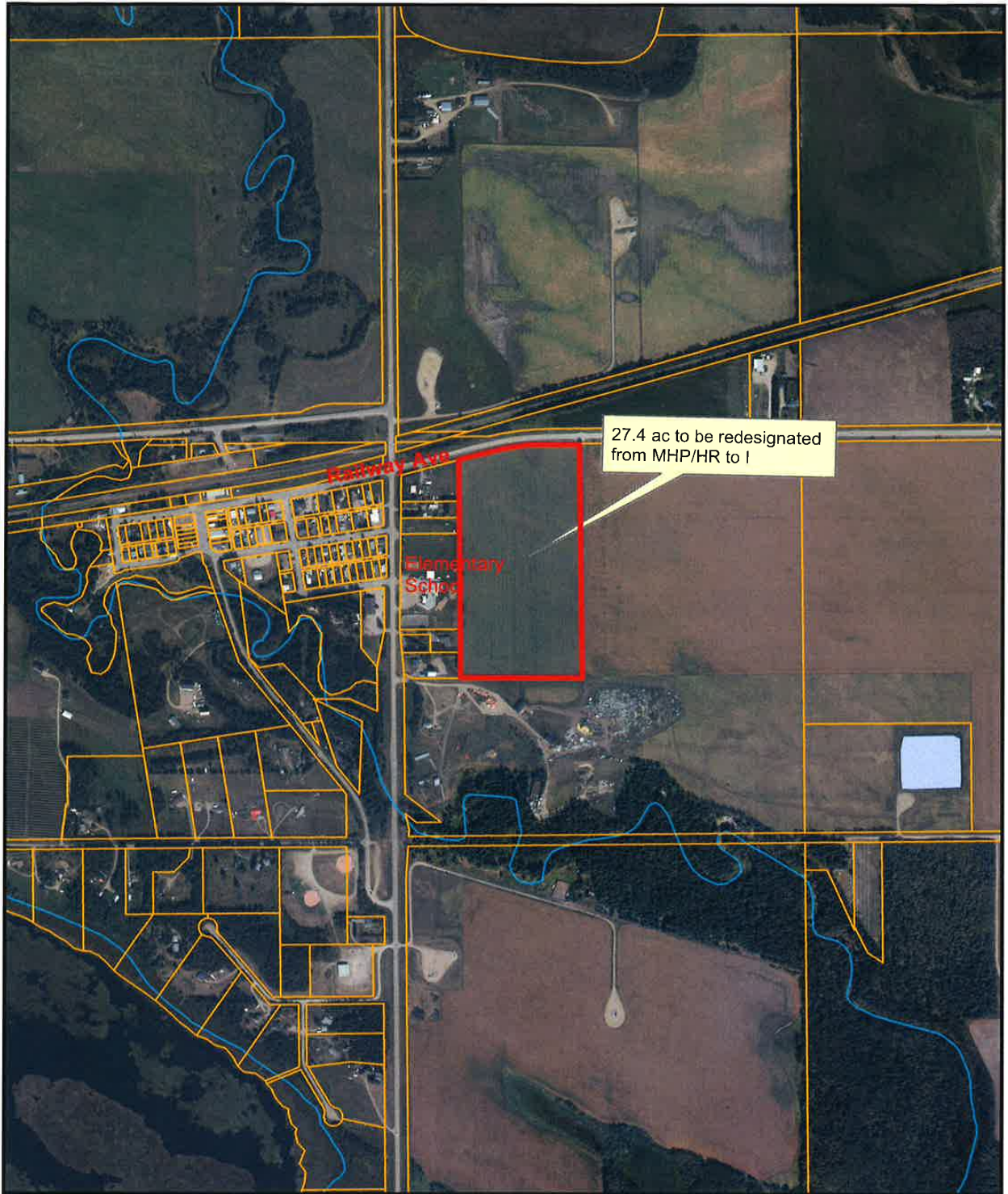
Railway Ave

Elementary School



Application 01/20 to Amend the Land Use Bylaw
Redistrict +/- 24.7 Acres - Lot 1, Blk 6, Plan 8122 203
From Manufactured Home Park/Hamlet Residential to Institutional
Clearwater County





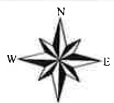
27.4 ac to be redesignated from MHP/HR to I

Railway Ave

Elementary School



Application 01/20 to Amend the Land Use Bylaw
Redistrict +/- 24.7 Acres - Lot 1, Blk 6, Plan 8122 203
From Manufactured Home Park/Hamlet Residential to Institutional
Clearwater County



Subject Site





Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Bylaw 1084/20 Improvement District No. 12 & Clearwater County Intermunicipal Collaboration Framework
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Emergency & Legislative Services Christine Heggart, Director Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (MGA s. 708.28 & 631) <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
ICF - Clearwater and ID No 12 1084-20 ID12 CWC ICF Bylaw DM Pickering letter - ID 12 exemption	

STAFF RECOMMENDATION:

1. That Council reviews and considers granting first, second, permission for third and third reading of Bylaw 1084/20 to adopt the Improvement District No. 12 and Clearwater County Intermunicipal Collaboration Framework.

BACKGROUND:

Attached for Council's consideration is a draft of the Improvement District 12 - Clearwater County Intermunicipal Collaboration Framework (ICF) and associated bylaw to adopt the ICF.

As Council will recall Clearwater County and ID 12 received a Ministerial exemption from the requirements of an IDP (letter attached), prior to the amendments of IDP requirements in province's Bill 25 the *Red Tape Reduction Implementation Act*.

Intermunicipal Collaboration Framework

Between

Improvement District No. 12

and

Clearwater County

February 2020

WHEREAS Improvement District No. 12 (Jasper National Park) and Clearwater County share a common boundary; and

WHEREAS Improvement District No. 12 (Jasper National Park) and Clearwater County have reviewed their common interests and are desirous of working together when appropriate to provide services to their residents; and

WHEREAS the *Municipal Government Act* stipulates that municipalities that have a common boundary must create an Intermunicipal Collaboration Framework with each other that describes the services to be provided under it that benefit residents in more than one of the municipalities that are parties to the framework.

NOW THEREFORE, by mutual covenant of the municipalities hereto it is agreed as follows:

A. DEFINITIONS

The following are the definition of terms used in this document:

1. “Chief Administrative Officer” or “CAO” means in the case of Clearwater County the person appointed by Council to the position of chief administrative officer or their delegate and in the case of the Improvement District No. 12 the person appointed by the Minister of Municipal Affairs to the position of chief administrative officer or their delegate.
2. “Initiating party” means the municipality who gives notice in the event of any dispute.
3. “Intermunicipal Collaboration Framework” or “ICF” means a document that 2 or more municipalities are required to develop under the *Municipal Government Act*, that facilitates cooperation and ensures that services are provided to residents efficiently.
4. “Intermunicipal Development Plan” or “IDP” means a statutory plan developed jointly by 2 or more neighboring municipalities to coordinate land use planning decisions for an area of land in proximity to the boundaries of the municipalities, and which meets the requirements of the *Municipal Government Act*.
5. “Framework” means this ICF.
6. “Mediation” means a process involving a neutral party as the mediator who assists the municipalities and any other persons brought in by them to reach mutually acceptable settlement on the matter.
7. “Mediator” means a person or persons appointed to facilitate resolution of a dispute between the municipalities.
8. “ID No. 12” means Improvement District No. 12 (Jasper National Park).
9. “Municipalities” means ID No. 12 and Clearwater County.

B. TERM AND REVIEW

1. In accordance with the *Municipal Government Act*, this Intermunicipal Collaboration Framework shall come into force on final adoption of matching bylaws or resolutions by each municipality, which bylaws or resolutions contain the Framework.
2. The Framework may be amended by mutual consent of both municipalities unless specified otherwise in this Framework.
3. It is agreed by the municipalities that Clearwater County Council and ID No. 12's CAO shall review the terms and conditions of this Intermunicipal Collaboration Framework agreement at least once every five years, commencing no later than 2022.

C. THE PRINCIPLES OF INTERMUNICIPAL COOPERATION

1. Both ID No. 12 and Clearwater County are committed to fostering intermunicipal cooperation in a non-adversarial, informal and cost-effective manner.
2. Clearwater County Council and ID No. 12's CAO shall be the bodies responsible for reviewing this Framework.
3. Clearwater County's CAO and the ID No. 12's CAO will communicate to each other in a timely manner any items that might be of significance for intermunicipal cooperation or for this Framework.
4. The municipalities will comply with the *Municipal Government Act*, section 708.4, in aligning their bylaws with this Framework.

D. GENERAL TERMS

1. Both municipalities agree that in consideration of the shared services outlined in Section E, any costs in the future that require Intermunicipal agreements shall be dealt with on a case by case basis.

E. MUNICIPAL SERVICES

1. Both municipalities have reviewed the services that benefit the residents in more than one municipality.
2. Based on the review, the municipalities have not identified any shared services.

F. FUTURE PROJECTS & AGREEMENTS

1. In the event that either municipality initiates the development of a new project and/or service that may require a new cost-sharing agreement, the initiating party's Chief Administrative Officer will notify the other municipality's Chief Administrative Officer, in writing within 90 days.
2. The initial notification should include a general description of the project, estimated costs and timing of expenditure. The other municipality will advise if there are objections to cost-sharing for the project and the reasons.
3. Both municipalities recognize that the decision to participate or not to participate lies with the respective municipalities.
4. If the municipalities mutually agree to the new project or service, then a new replacement framework will be created and notify the Minister within 90 days.

G. INTERMUNICIPAL DEVELOPMENT PLAN

1. ID No. 12 and Clearwater County are exempt from creating an Intermunicipal Development Plan by the Minister of Municipal Affairs in accordance with Ministerial Order MSL 047/18.

H. DISPUTE RESOLUTION

1. The municipalities are committed to resolving any disputes in a non-adversarial, informal and cost-efficient manner.
2. The municipalities shall make all reasonable efforts to resolve all disputes by negotiation and agree to provide, without prejudice, open and timely disclosure of relevant facts, information and documents to facilitate negotiations.
3. The municipalities will provide notice in writing to each other prior to any news releases related to the dispute.
4. In the event of a dispute, the municipalities agree that they shall undertake a process to promote the resolution of the dispute in the following order:
 - a. negotiation, followed by;
 - b. mediation, followed by;
 - c. binding arbitration.
5. If any dispute arises between the municipalities regarding the interpretation, implementation or application of this Framework or any contravention or alleged contravention of this Framework, the dispute will be resolved through the Dispute Resolution Process outlined herein.

6. If the Dispute Resolution Process is invoked, the municipalities shall continue to perform their obligations described in this Framework until such time as the Dispute Resolution Process is complete.

Notice of Dispute

7. In the event a municipality believes there is a dispute under this Framework, that municipality shall give written notice (“Dispute Notice”).

The Dispute Note must state:

- a. The municipality wishes to engage in the Dispute Resolution Process set out in this Framework; and
 - b. the relevant information concerning the dispute.
8. The Dispute Notice must be sent to the other municipality in accordance with Part I “Correspondence” of this Framework.

Negotiation

9. No later than twenty-one (21) days after receipt of the Dispute Notice, the Chief Administrative Officers, of each municipality, must appoint representatives to participate in at least one meeting, in person or by electronic means, to attempt to negotiate a resolution of the dispute (the “Negotiation Period”).
10. The Chief Administrative Officer may appoint different or additional representatives throughout the Dispute Resolution Process.
11. Each party will provide notice of the representatives selected in accordance with Part I of this Framework.
12. After each meeting between the representatives, the representatives will:
 - a. make a presentation to; and
 - b. seek direction from their respective Council.
13. Council’s decision with respect to the issues in dispute will be communicated to the other municipality in accordance with the provisions in Part I “Correspondence” of this Framework.
14. The Negotiation Period may be as long as three (3) months.
15. If the municipalities cannot resolve the dispute through negotiation or the Negotiation Period expires, the dispute will be referred to mediation.

Mediation

16. The process for resolving the dispute through mediation (the “Mediation Period”) will be as follows:
 - a. Twenty-one (21) days after the end of the Negotiation Period, the municipality that sent the Dispute Notice will prepare and provide to the other municipality a Mediation Report.
 - b. This report must include:
 - i. An outline of the dispute;
 - ii. The facts agreed upon by the municipalities;
 - iii. The facts and issues that remain in dispute; and
 - iv. A proposed mediator
 - c. If the other municipality objects to the mediator proposed in the Mediation Report, the municipalities will have an additional seven (7) days to select a mutually agreed upon mediator.
 - d. The initiating party will provide the mediator with following:
 - i. a copy of the Mediation Report; and
 - ii. all records, documents and information that the mediator may reasonably request.
 - e. The municipalities’ representatives must meet with the mediator at such reasonable times as may be required.
 - f. The parties’ representatives will, through the intervention of the mediator, negotiate in good faith to resolve their dispute.
 - g. The Mediation Period will end no later than six (6) months after receipt of the Dispute Notice.
 - h. The proceedings involving the mediator are without prejudice.
 - i. The mediator’s fees and expenses and the cost of the facilities required for mediation shall be shared equally between the municipalities.
 - j. After the mediation, each representative will:

- i. make a presentation to; and
 - ii. seek direction from their respective Council.
- k. Council’s decision with respect to the issues in dispute will be communicated to the other party in accordance with the provisions in Part I of this Framework.

17. In the event that:

- a. The municipalities do not agree on the appointment of a mediator within one (1) month of receipt of the Mediation Report; or
- b. The dispute has not been resolved within 6 months after receipt of the Dispute Notice; or
- c. Both municipalities consent.

The municipalities shall commence the process for binding arbitration.

Binding Arbitration

18. The process for resolving the dispute through binding arbitration (the “Arbitration Period”) shall follow the requirements of the *Arbitration Act*.

I. CORRESPONDENCE

- 1. Notice under this Framework shall be provided in writing to the mailing addresses of each respective municipality and addressed for the attention of the Chief Administrative Officer.
- 2. Notices will be sent either by courier or postal service. Regardless of the method of delivery, any notice is deemed to be received seven (7) business days after it has been sent. A party will endeavour to send courtesy copies of correspondence by electronic means to the attention of the Chief Administrative Officer, but such delivery method will not affect the calculation of days set out above.

IN WITNESS WHEREOF the Municipalities have hereunto executed this Framework under their respective corporate seals and by the hands of their proper officers duly authorized in that regard.

Signed this ____ day of _____, 2020 in _____, Alberta.

IMPROVEMENT DISTRICT No. 12

CLEARWATER COUNTY

Per:

Per:

Gary Sandberg, Assistant Deputy
Minister

Tim Hoven, Reeve

Travis Nosko, C.A.O.

Rick Emmons, C.A.O.

BYLAW NO. 1084/20

BEING A BYLAW TO ADOPT THE IMPROVEMENT DISTRICT No. 12 AND COUNTY - CLEARWATER COUNTY INTERMUNICIPAL COLLABORATION FRAMEWORK

WHEREAS, the Council of Clearwater County is authorized under the Municipal Government Act, RSA 2000, Chapter M-26, as amended, to work collaboratively with neighbouring municipalities to ensure the efficient provision of municipal services for all residents; and

WHEREAS, Improvement District No. 12 and Clearwater County have worked collaboratively on the preparation of an intermunicipal collaboration framework between the two municipalities; and

WHEREAS, the Council of Clearwater County deems it desirable and appropriate to adopt the Improvement District No. 12 – Clearwater County Intermunicipal Collaboration Framework;

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

That the document titled “Improvement District No. 12 - Clearwater County Intermunicipal Collaboration Framework” dated February 2020 as attached and forming part of this Bylaw be adopted;

and

That this Bylaw shall take effect upon the final passing thereof.

READ a first time this ____ day of _____, 2020.

READ a second time this ____ day of _____, 2020.

READ a third time and finally passed this ____ day of _____, 2020.

REEVE

CHIEF ADMINISTRATIVE OFFICER

Deputy Minister
18th Floor, Commerce Place
10155 – 102 Street
Edmonton, Alberta T5J 4L4
Canada
Telephone 780-427-4826
Fax 780-422-9561

January 30, 2019

AR95675

Mr. Rick Emmons
Chief Administrative Officer
Clearwater County
P.O. Box 550
Rocky Mountain House AB T4T 1A4

Dear Mr. Emmons: ^{Rick}

Thank you for your letter of October 17, 2018, requesting an exemption to the creation of an Intermunicipal Development Plan (IDP) between Clearwater County and Improvement District No. 12.

I am pleased to inform you Clearwater County and Improvement District No. 12 have met the requirements for an IDP exemption.

For more information on IDPs, please contact Luis Esteves, Planning Advisor, toll-free at 310-0000, then 825-468-4279, or by email at luis.esteves@gov.ab.ca.

Should you have any questions regarding Intermunicipal Collaboration Frameworks, please contact Michael Scheidl, Manager, Intermunicipal Relations, toll-free at 310-0000, then 780-415-1197, or by email at michael.scheidl@gov.ab.ca.

Sincerely,



Brad Pickering
Deputy Minister

cc: Honourable Shaye Anderson, Minister of Municipal Affairs
Jennifer Maskoske, Improvement District Advisor, Municipal Affairs
Michael Scheidl, Manager, Intermunicipal Relations, Municipal Affairs
Luis Esteves, Planning Advisor, Municipal Affairs



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Bylaw 1087/20 Yellowhead County - Clearwater County Intermunicipal Collaboration Framework
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Emergency & Legislative Services Christine Heggart, Director Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (MGA s. 708.28 & 631) <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
1087-20 YHC CWC ICF Bylaw ICF - YHC and CWC	

STAFF RECOMMENDATION:

1. That Council reviews and considers granting first, second, permission for third and third reading of Bylaw 1087/20 to adopt the Yellowhead County and Clearwater County Intermunicipal Collaboration Framework.

BACKGROUND:

Attached for Council's consideration is a draft of the Yellowhead County - Clearwater County Intermunicipal Collaboration Framework (ICF) as well as the associated bylaw to adopt the ICF.

As Council will recall Clearwater County and Yellowhead County received a Ministerial exemption from the requirements of an IDP, prior to the recent amendments of IDP requirements in province's Bill 25 the *Red Tape Reduction Implementation Act*. As a result, there is no need for a subsequent resolution to indicate/agree an IDP is not required.

BYLAW NO. 1087/20

BEING A BYLAW TO ADOPT THE YELLOWHEAD COUNTY - CLEARWATER COUNTY INTERMUNICIPAL COLLABORATION FRAMEWORK

WHEREAS, the Council of Clearwater County is authorized under the Municipal Government Act, RSA 2000, Chapter M-26, as amended, to work collaboratively with neighbouring municipalities to ensure the efficient provision of municipal services for all residents; and

WHEREAS, Yellowhead County and Clearwater County have worked collaboratively on the preparation of an intermunicipal collaboration framework between the two municipalities; and

WHEREAS, the Council of Clearwater County deems it desirable and appropriate to adopt the Yellowhead County – Clearwater County Intermunicipal Collaboration Framework;

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

That the document titled “Yellowhead County - Clearwater County Intermunicipal Collaboration Framework” dated February 11, 2020 as attached and forming part of this Bylaw be adopted;

and

That this Bylaw shall take effect upon the final passing thereof.

READ a first time this ____ day of _____, 2020.

READ a second time this ____ day of _____, 2020.

READ a third time and finally passed this ____ day of _____, 2020.

REEVE

CHIEF ADMINISTRATIVE OFFICER

Intermunicipal Collaboration Framework between
Yellowhead County
and
Clearwater County

February 11, 2020

Table of Contents

1. Definitions 3

2. Term and Review 3

3. Intermunicipal Cooperation 4

4. Municipal Services 4

5. Collaboration Process 5

6. Intermunicipal Development Plan 5

7. Indemnity 5

8. Dispute Resolution 6

9. Correspondence 6

10. Authorizations 7

DRAFT

WHEREAS, Yellowhead County and the Clearwater County share a common border; and

WHEREAS, Yellowhead County and the Clearwater County share common interests and are desirous of working together to provide services to their ratepayers; and

WHEREAS, the *Municipal Government Act* stipulates that municipalities that have a common boundary must create a framework with each other that identifies the services provided by each municipality and the funding arrangements for these services.

NOW THEREFORE, by mutual covenant of the parties hereto it is agreed as follows:

1. Definitions

1. In this Agreement

- a. "Committee" means Intermunicipal Collaboration Committee as defined in Section 3 of this Agreement.
- b. "In Scope Services" means services that both parties may consider for joint cost sharing or management and are identified in Section 3 of this Agreement.
- c. "Service Agreement" means a legally binding agreement such as a Contract, Agreement or Memorandum of Understanding that is signed by both parties.
- d. "Capital Costs" means new facilities, expansions to existing facilities and intensification of use of existing facilities.
- e. "Out of Scope" means services that both parties have agreed will not form part of this Agreement and are defined in Section 3 of this Agreement.
- f. "Party" means Clearwater County and Yellowhead County.
- g. "Year" means calendar year beginning on January 1st and ending on December 31st.

2. Term and Review

1. In accordance with the *Municipal Government Act*, this is a permanent Agreement and shall come into force on final adoption of matching bylaws or resolutions by each municipality, which bylaws or resolutions contain the Framework.
2. The Framework may be amended by mutual consent of both municipalities unless specified otherwise in this Framework.
3. It is agreed that Yellowhead County and Clearwater County shall meet at least once every four years, or upon request by either party, commencing no earlier than ninety (90) calendar days and no later than one-hundred and eighty (180) calendar days after a municipal election to review the terms and conditions of the agreement.

3. Intermunicipal Cooperation

1. Yellowhead County and Clearwater County agree to create a recommending body known as the Intermunicipal Collaboration Committee (hereinafter referred to as the Committee).
2. The Committee shall consist of four members, being two Councillors from each County.
3. The Chief Administrative Officers will be advisory staff to the Committee and responsible to develop agendas and recommendations on all matters. Chief Administrative Officers will be responsible for forwarding all recommendations from the Committee to their respective Councils.
4. The Committee will meet on an as needed basis, and parties will give thirty (30) calendar days of a notice for a Committee meeting. Meeting requests will be directed to the Chief Administrative Officer for the respective municipality.

4. Municipal Services

1. Yellowhead County and Clearwater County have agreed that the best and most efficient way to provide services to residents is to continue providing services through the various arrangements that each County currently has with their respective neighbours.
2. Both Counties have reviewed the services offered to residents. Based on the review it has been determined that each County will continue to provide the following services to their residents independently:
 - i. Agricultural Services
 - ii. Animal Control
 - iii. Assessment Services
 - iv. Bylaw Enforcement
 - v. Campgrounds
 - vi. Cemeteries
 - vii. Communications
 - viii. Community Peace Officers
 - ix. Cultural Services
 - x. Emergency Services
 - xi. Information Technology
 - xii. Municipal Administration
 - xiii. Planning and Development Services
 - xiv. Policing Services
 - xv. Purchasing and Procurement
 - xvi. Recreation
 - xvii. Rural Road Maintenance
 - xviii. Transportation
 - xix. Water/Wastewater
 - xx. Solid Waste
3. The Counties have worked collaboratively in the past with the following agreements in place to serve residents of both counties:

a) Mutual Aid Fire Agreement

Yellowhead County and Clearwater County have an agreement (2016) in place for peacetime disaster mutual aid provision (see Appendix Two).

b) Memorandum of Understanding – Sasquatch Program

Yellowhead County and Clearwater County have an MOU (2015) in place for the protection and improvement of the environment as it relates to the West Country and Sasquatch Program (see Appendix Two).

5. Collaboration Process

1. In the event that either municipality initiates the development of a new project and/or service that may require a new cost-sharing agreement, the initiating party's Chief Administrative Officer will notify the other municipality's Chief Administrative Officer, in writing within 90 days.
2. Once either municipality has received written notice of a new project, a Committee meeting must be held within 30 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
3. The Committee will be the forum used to address and develop future mutual aid agreements and/or cost sharing agreements. In the event that the Committee is unable to reach an agreement, the dispute shall be dealt with through the procedure outlined within Section 8 of this document.
4. Both municipalities recognize that the decision to participate or not to participate lies with the respective municipalities.
5. If the municipalities mutually agree to the new project or service, then a new replacement framework will be created and notify the Minister within 90 days.

6. Intermunicipal Development Plan

1. Yellowhead County and Clearwater County are exempt from creating an Intermunicipal Development Plan and agree, as per section 631(2) of the Municipal Government Act, that an Intermunicipal Development Plan is not required.

7. Indemnity

1. Yellowhead County shall indemnify and hold Clearwater County, its employees and agents from any and all claims, actions and costs whatsoever that may arise directly or indirectly out of any act or omission of Yellowhead County, its employees or agents in the performance of this Agreement.
2. Clearwater County shall indemnify and hold harmless Yellowhead County, its employees and agents from any and all claims, actions and costs whatsoever that may arise directly or indirectly out of any act or omission of Clearwater County, its employees or agents in the performance of this Agreement.

8. Dispute Resolution

1. Clearwater County and Yellowhead County commit to resolving any disputes in a non-adversarial, informal and cost-efficient manner.
2. Both Counties shall make all reasonable efforts to resolve all disputes by negotiation and agree to provide, without prejudice, open and timely disclosure of relevant facts, information and documents to facilitate negotiations.
3. Any dispute arising out of the implementation of this Agreement will firstly be addressed by the administrations of both Clearwater County and Yellowhead County. Where a dispute cannot be resolved to the satisfaction of both parties after thirty (30) calendar days, the dispute will be referred to the Chief Administrative Officers of both Counties.
4. Where a dispute cannot be resolved to the satisfaction of both Chief Administrative Officers after thirty (30) calendar days, the dispute will be referred to the Committee.
5. Where a dispute cannot be resolved to the satisfaction of the Intermunicipal Collaboration Committee after thirty (30) calendar days, the dispute will be referred to the Mayor/Reeve and Council of both Counties.
6. Where a dispute cannot be resolved to the satisfaction of the Mayor/Reeve and Council of both Counties, Yellowhead County and Clearwater County will seek the assistance of a mediator acceptable to both parties. The costs of mediation shall be shared equally between the Counties.
7. In the event that a dispute cannot be resolved through steps outlined above, the dispute may be referred to a single arbitrator mutually acceptable to both parties. Failing mutual agreement, either party may apply to a Judge of the Court of Queen's Bench of Alberta to appoint an arbitrator whose decision shall be final and binding upon both parties.
8. The process for resolving the dispute through binding arbitration shall follow the requirements of the *Arbitration Act*.

9. Correspondence

1. Written notice under this Agreement shall be addressed as follows:
 - a. In the case of Yellowhead County to:
Yellowhead County
c/o Chief Administrative Officer
2716 pt Avenue
Edson, AB T7E 1N9
 - b. In the case of the Clearwater County to:
Clearwater County
c/o Chief Administrative Officer
Box 550, 4340 47 Avenue
Rocky Mountain House, AB T4T 1A4
2. In addition to 9(1), notices may be sent by electronic mail to the Chief Administrative Officer.

10. Authorizations

IN WITNESS WHEREOF the parties have affixed their corporate seals as attested by the duly authorized signing officers of the parties as of the first day above written.

CLEARWATER COUNTY

YELLOWHEAD COUNTY

Tim Hoven, Reeve

Jim Eglinski, Mayor

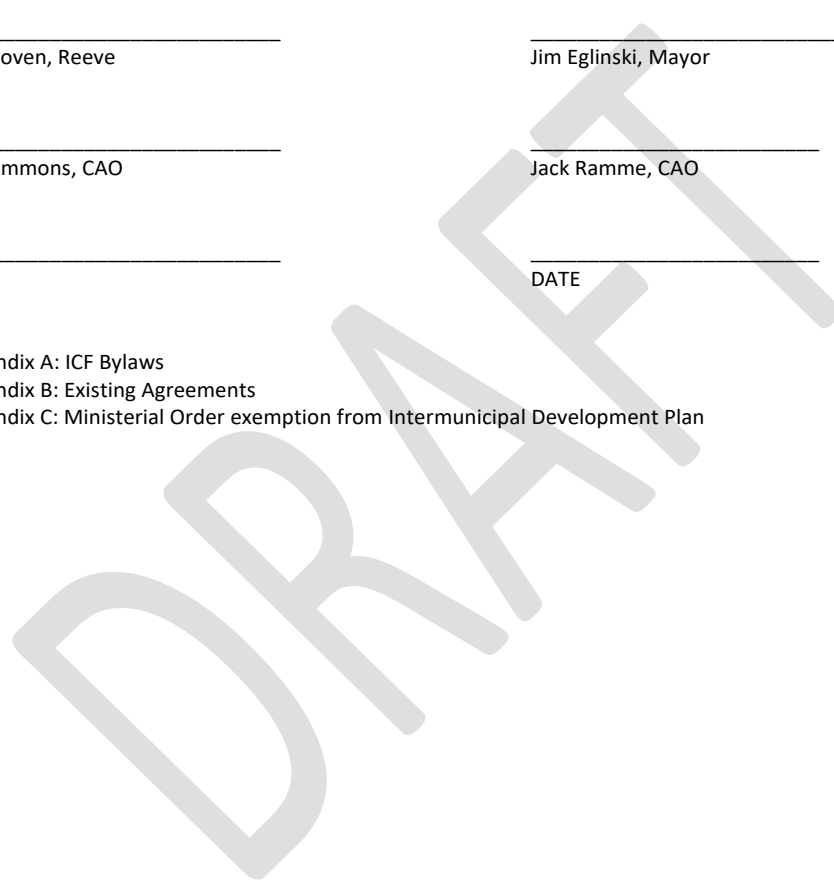
Rick Emmons, CAO

Jack Ramme, CAO

DATE

DATE

- Appendix A: ICF Bylaws
- Appendix B: Existing Agreements
- Appendix C: Ministerial Order exemption from Intermunicipal Development Plan





Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	2020 Alberta Community Partnership Grant
PRESENTATION DATE:	Tuesday, February 11, 2020
DEPARTMENT:	CAO Office
WRITTEN BY:	Rick Emmons, CAO
REVIEWED BY:	Christine Heggart, Director
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (MGA s. 100-112) <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input checked="" type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	None

STAFF RECOMMENDATION:

That Council endorses Clearwater County's 2020 Alberta Community Partnership application, in partnership with the Village of Caroline, for a Municipal Restructuring - Restructuring Study Stream Grant.

BACKGROUND:

As Council is aware, the Village of Caroline made the following motion at their January 24, 2020 regular meeting:

Motion 044 01 20

Moved by Councilor Sumyk that if the January 31, 2020 deadline is not met for the Fire Service, the Village is requesting to Clearwater County Council immediately begin amalgamation processes.

Administration reviewed with Municipal Affairs representatives the appropriate starting point for municipal amalgamation discussions and they recommended first applying for the ACP - Municipal Restructuring stream for a study.

Municipal Affairs defines amalgamation as follows:

when 2 or more municipalities with shared borders join together to become one municipality.

Municipalities may do this voluntarily if they believe they can operate better as one municipality

The objective of the [Alberta Community Partnership \(ACP\) program](#) is to improve the viability and long-term sustainability of municipalities, including new or enhanced regional municipal services; improved municipal capacity to respond to municipal and regional priorities; and effective intermunicipal relations through joint and collaborative activities.

The ACP grant - Municipal Restructuring (MR) stream provides up to \$200,000 for eligible municipalities involved with regional governance and municipal restructuring processes such as amalgamation, dissolution or viability reviews.

Administration proposes applying for an ACP MR grant for a *Village of Caroline - Clearwater County Amalgamation Study and Action plan*, which would include the a review of:

Sustainable governance – practices and procedures, compliance with legislation, citizen engagement, and strategic planning.

Operational and administrative capacity – capacity to operate on a daily basis and support council decisions.

Financial stability – capacity to generate and manage revenues sufficient to provide necessary infrastructure and services to the public.

Service delivery – capacity to provide essential services that meet residents' expectations and appropriate standards.

Infrastructure –capacity to effectively and efficiently manage public infrastructure on behalf of residents (review asset management plan).

Community well-being – review of local community characteristics that contribute to the vitality of the community and the long-term viability of the municipality.

Risk management – capacity to identify and manage key risks on behalf of residents.

If after the Study, municipal Councils agree that amalgamation is appropriate, a business case on the intent of the amalgamation and further community engagement and transition plans would be developed.

Municipal Affairs indicated to Administration as well that the process of amalgamation takes some time, and includes partnership, community dialogue and will, and negotiation to an end result in the best interest of the broader community.

As the deadline for ACP MR grant applications was February 3, 2020 - County Administration went ahead and submitted a preliminary application. The ACP MR grant application is only considered complete once all Council(s) within the partnership agree by resolution to endorse the application and resolutions are submitted to Municipal Affairs.