



# PARKLAND COUNTY LAND USE BYLAW

*BYLAW 2017-18*

*One Parkland: Powerfully Connected.*

**Consolidated for convenience only. Current as of June 19, 2020.**

In the event of a discrepancy between this consolidated Bylaw and the original Bylaws, the latter shall apply.

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## **PARKLAND COUNTY**

### **Land Use Bylaw 2017-18**

#### **CONSOLIDATION**

Land Use Bylaw 2017-18 was adopted by County Council on September 26, 2017 and became effective on that date. Land Use Bylaw 2017-18 is subject to change (amendment) by Council.

Pursuant to Section 69 of the *Municipal Government Act*, and Parkland County Bylaw 55-2003, the attached document is the consolidated Parkland County Land Use Bylaw 2017-18 with amendments in force up to and including June 19, 2020.

This document has been consolidated for convenience only. The official Land Use Bylaw 2017-18 and amendments thereto, are available from Legislative Services, and should be consulted for all purposes of interpretation and application, particularly with respect to the date on which a specific amendment took effect. Questions concerning the interpretation and application of Land Use Bylaw 2017-18 should be directed to Planning and Development Services Department of Parkland County.

Therefore, pursuant to Parkland County Bylaw 2014-30, I hereby authorize this version of Parkland County Land Use Bylaw 2017-18.

This consolidated version shall replace the previous consolidated version of Parkland County Land Use Bylaw 2017-18, dated May 31, 2019 and any other previous consolidated versions of Land Use Bylaw 2017-18.

A handwritten signature in blue ink, appearing to read "Barbara Williams".

Barbara Williams  
Manager, Legislative Services



## Summary of Amendments to Land Use Bylaw 2017-18

Bylaw Number	3 <sup>rd</sup> Reading Date	Legal	Applicant	Subject
<b>2017-22</b>	March 13, 2018	NW & NE-9-52-2-W5M	Highland Property Development	Amendment to Map 7: <ul style="list-style-type: none"> <li>• Redistricting approximately 48.5 ha (121 ac) of land within NW &amp; NE-9-52-2-W5M from the AGR - Agricultural Restricted District to the CRR - Country Residential Restricted District</li> </ul>
<b>2018-02</b>	March 27, 2018	-	TransAlta Corporation	Amendments to Map 5 and Schedule "D": <ul style="list-style-type: none"> <li>• Redistricting approximately 1,634 ha (4,037 ac) of land from RE - Resource Extraction District to the AGG - Agriculture General District, ANC - Agriculture/Nature Conservation District, or PC - Conservation District</li> <li>• Removing approximately 1378 ha (3,405 ac) of land from the Whitewood Direct Control District (DC Area 3)</li> </ul>
<b>2018-03</b>	March 27, 2018	-	Parkland County	Phase 1 Cannabis Definitions: <ul style="list-style-type: none"> <li>• Text Amendments to Section 20.2, 20.3, 4.1.2c), 11.1.2</li> </ul>
<b>2018-04</b>	May 22, 2018	NE-25-51-03-W5M	McLean	Amendment to Map 8: <ul style="list-style-type: none"> <li>• Redistricting the entire 63.644 hectare (157.27 acre) subject parcel of land at Plan NE-25-51-03-W5M from the ANC - Agriculture/Nature Conservation District to the AGG - Agricultural General District</li> </ul>
<b>2018-09</b>	June 26, 2018	-	Parkland County	<ul style="list-style-type: none"> <li>• Text amendments to Section 11.4, Section 11.4.2, Section 11.4.4, Section 16.3, Section 16.3(1), Section 16.8, Section 16.13, Section 16.13(1), Section 16.14, Section 17.1, Section 17.2</li> <li>• Correcting a rounding error to minimum parcel size within certain land use districts</li> <li>• Adding Recreational Vehicle Storage as a Discretionary Use in the CR – Country Residential District</li> <li>• Adding Recycling Depot Major as a Discretionary Use in the BI – Business Industrial District</li> <li>• Correcting minor wording, numbering, and formatting errors</li> </ul>
<b>2018-21</b>	November 27, 2018	-	Parkland County	Text amendments to Section 18 - Enforcement
<b>2018-25</b>	January 22, 2019	-	Parkland County	Amendments to Map 5 and Schedule "D": <ul style="list-style-type: none"> <li>• Redistricting approximately 2,193 hectares (5,419 acres) of land adjacent to the Whitewood mine area from RE – Resource Extraction District/DC – Whitewood Direct Control District (DC Area 3) to AGG – Agricultural General District or PC – Conservation District</li> </ul>

Bylaw Number	3 <sup>rd</sup> Reading Date	Legal	Applicant	Subject
2018-32	April 23, 2019	Sec. 11-53-26-W4M	EDS Group	Amendment to Map 9A: <ul style="list-style-type: none"> <li>• Redistricting approximately 22.52 hectares (55.67 acres) of land within NE-11-53-26-W4M from IRD – Industrial Reserve to BI – Business Industrial</li> <li>• Redistricting approximately 156.73 hectares (387.29 acres) of land within SE-11-53-26-W4M and SW-11-53-26-W4M and NW-11-53-26-W4M from IRD – Industrial Reserve District to MI – Medium Industrial District</li> </ul>
2019-01	May 14, 2019	-	Parkland County	Phase 2 Cannabis Text Amendments: <ul style="list-style-type: none"> <li>• Text amendments to Section 3.4 (Summary Table)</li> <li>• Text amendments to Sections 4.1, 4.2, 4.3, 5.3, 5.11, 6.1, 6.2, 7.1, 7.2, 7.3, 7.6, 7.7 (addition of cannabis related uses to certain districts)</li> <li>• Text amendments to Section 11, Section 12, Section 16 and Section 20</li> </ul>
2019-20	November 26, 2019	-	Parkland County	Text amendments to Sections 12.27.2, 12.27.3c) and 12.27.3e)
2019-22	May 12, 2020	-	Parkland County	Industrial Districts Amendments: <ul style="list-style-type: none"> <li>• Addition of Section 6.3 HCIC – Highway Commercial-Industrial Corridor District</li> <li>• Repeal and replacement of Section 7.1 BI – Business Industrial District</li> <li>• Repeal and replacement of Section 7.3 MI – Medium Industrial District</li> <li>• Addition of Section 10.4 – Industrial Frontage Overlay</li> <li>• Amendments to Section 20.2</li> <li>• Amendments to Section 20.3</li> </ul>
2020-04	May 26, 2020	Plan 082 0032 within SW-17-53-26-W4M	Parkland County	Legend Estates Amendments: <ul style="list-style-type: none"> <li>• Repeal of DC Area 7 (Legend Estates Direct Control District)</li> <li>• Addition of Section 10.5 – Legend Estates Overlay</li> <li>• Addition of Section 16.16</li> <li>• Amendments to Maps 9 and 9A: Redistricting the subject lands from DC Area 7 – Legend Estates Direct Control District to CRE – Country Residential Estate District</li> <li>• Repeal and replacement of Schedule I</li> </ul>

## Organization of Parkland County Land Use Bylaw

*The following is intended for information only and does not form part of the Parkland County Land Use Bylaw.*

The Land Use Bylaw establishes regulations for the use of land and buildings in Parkland County. It regulates the type, location and intensity of land use and buildings, and also outlines the process for rezoning land and applying for permits to develop property.

The Land Use Bylaw reflects only County regulation and policy, including Parkland County's Municipal Development Plan. Other bylaws, regulations and Acts of the County and governments of Alberta and Canada must also be observed. These are referenced in the Land Use Bylaw where possible, but it is up to the individual to ensure that all relevant laws are observed.

As a reference document, the Land Use Bylaw's Table of Contents is an important index. The Bylaw is organized in six (6) parts which group sections with related information. The six (6) parts are as follows:

**PART 1: INTRODUCTION** contains basic information on the legal framework of the Bylaw and this guide on how to use the Bylaw.

**PART 2: LAND USE DISTRICTS** contain general subdivision and development standards for each district. Overlays outline regulations to address items that may apply to specific areas in the County in conjunction with the base district regulations. The official Land Use District Maps identify overlay districts as well as the base districts.

**PART 3: DEVELOPMENT REGULATIONS** contains regulation for all uses and development types that apply in many base districts. These regulations generally supplement those in the Part 2 and are generally cross referenced.

**PART 4: PROCESS** provides information on the County's procedures related to development application and development appeal processes.

**PART 5: ADMINISTRATION** contains information on enforcement of the Land Use Bylaw and the process for amending it.

**PART 6: GLOSSARY** contains definitions, which include all the uses regulated by the Land Use Bylaw, as well as information on how to interpret the Bylaw regulations.

### Using the Land Use Bylaw to Determine Zoning and Regulations for a Specific Site

1. To determine the zoning regulations applicable to a specific site, you must first find the site on the official Land Use District Maps (Section 3). The appropriate map will show the land use district that applies to the site. It will also show if the site is subject to any overlay districts or area structure plans.
2. Look up the corresponding regulations. Start with the land use districts (Part 2). The base district identifies what uses are allowed as permitted or discretionary and contains most subdivision and development standards that apply to the uses, such as density and Parcel dimensions. These development regulations can help guide the design of a Plan of Subdivision. The land use district may also indicate if other regulations apply. Some uses and types of development have specific regulations contained in Part 3. It is a good idea to check other

sections in Part 2 to confirm if any apply to your situation, although such instances are normally referenced in the base district.

3. Look up any overlay districts that may apply to your site by referring to the overlay maps in Section 3.
4. Refer to Part 5: Administration and Part 6: Glossary for additional information on how to apply the regulations to a specific site.
5. Discuss your proposed land use or development with staff from Parkland County's Planning and Development Department.

#### **Using the Land Use Bylaw to Determine Where a Specific Use May Locate**

To determine the districts in which a specific use may occur, you must first determine its land use category. Then refer to the primary use tables in the base districts of Part 2 to determine the status of that category. Categories are either permitted, discretionary (may be allowed through a conditional use review), or prohibited. You should also check Part 3 because some uses are subject to additional regulations. Finally, although a base district might allow a use, a specific site may be subject to additional regulations from an overlay district. The regulations of the overlay district supersede the regulations of the base district and may affect the status of the use, so those regulations should be considered.

**If you require assistance with the regulations or processes contained in the Land Use Bylaw, please call or visit Parkland County's Planning & Development Department. The up-to-date version of the Land Use Bylaw and amendments is located at the County's offices. This version of the Land Use Bylaw should be consulted in all cases where an officially certified version of the Bylaw is required.**



## Format of Parkland County Land Use Bylaw

The following is intended for information only and does not form part of the Parkland County Land Use Bylaw.

### **Outline**

The format of Parkland County Land Use Bylaw follows a simple layout intended to facilitate its use. Major divisions within the Land Use Bylaw are called "Parts" and major divisions within Parts are called "Sections". The format of the divisions in the Land Use Bylaw is shown below.

## NAME OF PART

### Section #    Section Name

#### Section 1    **Subsection**

##### 1    Subsubsection

##### a)    Paragraph

##### 1.    Subparagraph

### **References in the Land Use Bylaw**

The reference number starts with the Part number and continues to the appropriate level for the reference. For example, 5.5.b) refers to paragraph b) of Subsection 5 of Section 5.

### **Referencing Other Documents**

When reference is made to a document outside of the Parkland County Municipal Bylaws, the referenced document's name is in italicized text, such as *Municipal Government Act*.

### **Definitions**

The Land Use Bylaw is written in "plain English" style and the meaning is intended to be clear. However, because it is also a statutory document and because of the need for terms with specific meanings, the Bylaw also provides guidance on how specific terms are used. Part 6: Glossary defines words that have a specific meaning in this Bylaw.

**If you require assistance with the regulations or processes contained in the Land Use Bylaw, please call or visit Parkland County's Planning & Development Department. The up-to-date version of the Land Use Bylaw and amendments is located at the County's offices. This version of the Land Use Bylaw should be consulted in all cases where an officially certified version of the Bylaw is required.**



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## **PART 1 INTRODUCTION**

SECTION 1 ENACTMENT

SECTION 2 APPROVING AUTHORITIES

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## SECTION 1 ENACTMENT

### 1.1 Title

1. This Bylaw may be cited as the "Parkland County Land Use Bylaw."

### 1.2 Purpose

1. This Bylaw:
  - a) divides the County into land use districts;
  - b) identifies Permitted and Discretionary Uses in each Land Use District;
  - c) prescribes general and specific regulations, for each land use district;
  - d) establishes the Development Authority;
  - e) establishes the method of making decisions on applications for development permits, including the issuing of development permits;
  - f) sets out the method of appealing a decision relative to this Bylaw; and
  - g) provides the manner in which notice of the issuance of a development permit is given.
2. The Bylaw shall be applied in a manner consistent with the County's statutory and local plans and the *Municipal Government Act*.

### 1.3 Control of Development

1. No person shall commence or continue a development, other than a development described in Subsection 16.2. without a Development Permit issued in accordance with this Bylaw.

### 1.4 Previous Bylaws

1. Parkland County Land Use Bylaw No 20-2009 is hereby repealed.

### 1.5 Effective Date

1. This Bylaw comes into force and takes effect upon the date of its final reading by the Council of Parkland County and has been signed in accordance with the *Municipal Government Act*.

### 1.6 Applications in Progress

1. A complete application for a subdivision approval or development permit received prior to the effective date of this Bylaw shall be processed in accordance with the Land Use Bylaw in effect on the date the application was deemed complete.
2. No amendment application to Bylaw No. 20-2009 shall be accepted after this Bylaw comes into force.

### 1.7 Severability

1. If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions of this Bylaw.

## 1.8 Compliance with Other Legislation

1. A person applying for, or in possession of, a subdivision approval or development permit is not relieved from the responsibility of ascertaining and complying with, or carrying out development in accordance with:
  - a) Statutory plan;
  - b) Other Municipal Bylaws, including:
    - i) the Community Standards Bylaw;
    - ii) the Animal Control Bylaw;
  - c) The *Alberta Safety Codes Act*, RSA 2000, c. S-4, and its regulations;
  - d) The *Environmental Protection Act*, RSA 2000, c. E-12;
  - e) The *Natural Resources Conservation Board Act*, RSA 2000, c. N-3;
  - f) Any other applicable federal, provincial or other municipal legislation; and
  - g) The conditions of any caveat, covenant, easement or other instrument affecting a building or land.

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## 1.9 Interpretation of this Bylaw

1. Unless otherwise stated, any reference to “the *Act*” in this Bylaw means the *Municipal Government Act*, RSA 2000 c. M-26. Any other Municipal bylaw referred to in this Bylaw means the current bylaw in effect, as amended, revised, consolidated, or replaced from time to time.
2. The headings given to sections, paragraphs and sub-sections in this Bylaw are for convenience of reference only; they do not form part of this Bylaw and shall not be used in the interpretation of this Bylaw.
3. The General Regulations, Section 11, apply to all Developments on all Sites except where the Specific Use regulations in Section 12 or the provisions of a District, Overlay, or Development Control Provision specifically modify the General Regulations;
4. In this Bylaw, notwithstanding the Land Use District labels in Part 2,
  - a) AGG, ANC, AGR, and AGI are Agricultural Districts;
  - b) CR, CRWL, CRR, CCR, CRE, LSR, RRH, MHR, and RC are Residential Districts;
  - c) LC and HR are Commercial Districts;
  - d) BI, MI, HI, and BIR are Industrial Districts;
  - e) Dwelling, Single Detached; Dwelling, Duplex; Dwelling, Triplex; Dwelling, Fourplex; Dwelling, Row Housing; Apartment; Group Home Limited; Group Home Major; Group Care Facility; Secondary Suite; Manufactured Home Park; and Manufactured Home are Residential Uses.
5. Where a Parcel contains more than one Land Use District, each districted area shall be treated as a separate entity for the purpose of determining compliance with the provisions of the Land Use District. Where districting does not follow a Property Line or a geographic feature, it is responsibility of the owner to provide the dimensions of each districted area on a site plan.

6. The purpose statements in each Land Use District describe the underlying intent of the District. Permitted and Discretionary Uses and regulations should support the objective of the District's purpose. The Development Authority shall consider the purpose section when interpreting regulations and determining its planning objective.
7. Fundamental Use Provisions within Land Use Districts are requisite qualifiers for specific or all Permitted and Discretionary Uses within the District. The purpose and intent of Fundamental Use Provisions are to:
  - a) Limit or restrict the nature or scope of the Use;
  - b) Ensure that Uses achieve a particular planning objective that is inherent of the Land Use District; and
  - c) Not be regulatory but to modify the scope of the use as it applies to that particular District.
8. Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
  - a) "shall" means mandatory compliance;
  - b) "should" means compliance in principle, but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of valid planning principles or circumstances unique to a specific application; and
  - c) "may" means discretionary compliance or a choice in applying policy.
9. Where a regulation involves two (2) or more conditions, provisions or events connected by a conjunction, the following shall apply:
  - a) "and" means all the connected items shall apply in combination;
  - b) "or" indicates that the connected items may apply singly or in combination.
10. Words used in the singular include the plural and vice-versa.
11. When a word is used in the masculine it will refer to either gender.
12. All other words shall have the meaning assigned to them in the *Act*.
13. All measurements in this Bylaw are metric.
14. In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
15. Drawings and graphic illustrations are provided to provide context and assistance in interpreting and understanding the intent of a particular part of this Bylaw. Where any conflict or inconsistency arises between a drawing or graphic illustration and the text of a provision, the text shall prevail.

## SECTION 2 APPROVING AUTHORITIES

### 2.1 Development Authority

1. The Development Authority of the County is the Director or Acting Director or the Manager of Development Planning, or any other person designated by the Director to exercise powers and perform duties on behalf of the Municipality pursuant to Section 624 of the *Act*.

### 2.2 Subdivision and Development Appeal Board

1. The Subdivision and Development Appeal Board shall perform such duties as are specified in the Subdivision and Development Appeal Board Bylaw and the *Act*.





## **PART 2    LAND USE DISTRICTS**

SECTION 3	ESTABLISHMENT OF LAND USE DISTRICTS
SECTION 4	AGRICULTURAL
SECTION 5	RESIDENTIAL
SECTION 6	COMMERCIAL
SECTION 7	INDUSTRIAL
SECTION 8	PARKS AND SERVICES
SECTION 9	DIRECT CONTROL PROVISIONS
SECTION 10	OVERLAYS

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## SECTION 3 ESTABLISHMENT OF LAND USE DISTRICTS

### 3.1 General Requirements

1. Land Use Districts and the associated District provisions are established for the County in accordance with Schedule A of this Bylaw.
2. The Land Use District Map constitutes part of Schedule A of this Bylaw. It divides the County into Districts and specifies the district provisions applicable to particular lands.
3. Provisions listed in PART 3 - DEVELOPMENT REGULATIONS comprising all general and specific development regulations, landscaping, parking and loading, and signage shall govern any Permitted and Discretionary Uses listed within a land use district.

### 3.2 Overlay and District Boundaries

1. The boundaries on the Land Use District Maps shall be interpreted as follows:
  - a) where a boundary follows a public roadway, railway, pipeline, power line or utility right-of-way or easement, it follows the centre line, unless otherwise indicated;
  - b) where a boundary is shown as approximately following the County boundary, it follows the County boundary;
  - c) where a boundary is shown as approximately following the edge or shorelines of any river, lake, creek or other water body, it follows the edge or shoreline. In the event of a change in the location of said edge or shoreline, it moves with same;
  - d) where a boundary is shown as approximately following a lot or Parcel line, it follows the lot or Parcel line;
  - e) where land use districts have been established in accordance with a proposed subdivision of land, the districts shall be understood to conform to the certificate of title or the plan or survey when registered in a land title office. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map;
  - f) when abutting lands are governed by different districts, the centre of roadway is the district boundary, unless the district boundary is shown clearly following the edge of the roadway; and
  - g) for circumstances not covered above, the location of the boundary shall be determined by any dimensions set out in this Bylaw and by measurements of the Land Use District Maps.
2. The district provisions of this Bylaw do not apply to roadways. Notwithstanding Subsection 3.2.1., when a roadway loses its designation through a road closure bylaw, the roadway lands shall have the same land use designation as the most restrictive district applicable to abutting lands, except when, immediately following road closure, the closed roadway is consolidated with an adjoining Parcel, in which case that adjoining Parcel's land use designation applies to affected portions of the roadway.
3. Where the application of the above interpretations does not determine the exact location of a land use district boundary, the Development Authority shall determine the exact location of the boundary in doubt or in dispute, in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require.

4. After the Development Authority has determined the exact location of a land use district boundary, the portion of the location of the boundary shall not be altered, except by an amendment to this Bylaw.
5. The Development Authority shall maintain a record of decisions with respect to boundaries.

### 3.3 Land Use District Maps

1. Schedule A, the Land Use Maps, divides the County into Districts and specifies Districts to particular lands.
2. Schedule A contains an Index Map and eleven (11) Land Use District Maps. These show the specific land use districts that apply to specific Parcel of land. Use the Index Map to locate a particular Parcel of land and to identify the appropriate Land Use District Map that applies.

### 3.4 Summary Table

1. Table 3.4-1 below is a summary table that is provided for reader convenience. For any discrepancies between the following table and any other section of the Bylaw, the latter shall govern.

#### Key

#### Land Uses:

D = Discretionary Use  
P = Permitted Use

#### Districts:

AGG – Agricultural General District	RC – Rural Centre District
AGI – Agricultural Industry Development District	HC – Highway Commercial District
ANC – Agricultural Restricted District	LC – Local Commercial District
AGR – Agricultural Restricted District	BI – Business Industrial District
BRR – Bareland Recreational Resort District	BIR – Regional Business Industrial District
CCR – Cluster (Conservation) Country Residential District	MI – Medium Industrial District
CR – Country Residential District	HI – Heavy Industrial District
CRE – Country Residential Restricted District	IR – Industrial Reserve District
CRWL – Country Residential Work / Live District	RE – Resource Extraction District
EUV – Entwistle Urban Village District	RIC – Rural Industrial / Commercial District
LSR – Lakeshore Residential District	PC – Conservation District
MHR – Manufactured Home Residential District	PS – Public Services District
RRH – Residential Row Housing District	PR – Recreation District
	DC – Direct Control

Table 3.4-1: Permitted and Discretionary Uses by Land Use District

\* See Industrial Frontage Overlay

LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
ABATTOIR	D																		D				D			
ACCOMMODATION AND CONVENTION SERVICES		D	D											D	D		P	D								
AGRICULTURAL SUPPORT SERVICES	D	P		D										D	D	P	D*	P	P				P			
AMUSEMENT AND ENTERTAINMENT SERVICES, INDOOR															D		D*									P
AMUSEMENT AND ENTERTAINMENT SERVICES, OUTDOOR															D		D*									P
ANIMAL HEALTH CARE SERVICES	D	D	D	D			D							D	D	D	P	D	P	P			P			
APARTMENT														D												
APIARY	P	P	P	P			D							D							P	P	P			
AQUACULTURE	D																				D	P	D			
AUCTIONEERING SERVICES															D		D		P	P	D	P	P			
AUTOMOTIVE, EQUIPMENT AND VEHICLE SERVICES, MAJOR	D	D												D	D	D	P*	D	P	P			D			
AUTOMOTIVE, EQUIPMENT AND VEHICLE SERVICES, MINOR	D	D												D	D	D	P*	D	P	P			D			
BED AND BREAKFAST HOME	P		P	P		D	P	D	D	P	D			P								D				
BEVERAGE PRODUCTION																	P		P							
BOARDING HOUSE	D		D	D		D	D	D	D	P				P												
BULK AGRICULTURAL CHEMICAL DISTRIBUTION																			P							
BULK FUEL DEPOT															D				P	P		D	D			

PARKLAND COUNTY LAND USE BYLAW  
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LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
CANNABIS CONSUMPTION FACILITY																										
CANNABIS CULTIVATION, MAJOR	D	P															P	P	P			D	D			
CANNABIS CULTIVATION, MINOR	P	P	D				D							D			P	P	P			D	D			
CANNABIS PROCESSING, MAJOR		P															P	P	P			D	D			
CANNABIS PROCESSING, MINOR		P															P	P	P			D	D			
CANNABIS RETAIL SALES														D	D	D	P		D							
CEMETERY	D		D	D			D																		P	
COMMUNITY RECREATION SERVICES	D	D	D	D	P	D	D	D	D		D	D	D	D			D	D	D						P	P
COMPUTER, ELECTRONIC, DATA PROCESSING SERVICES																	P		P							
CONCRETE / ASPHALT PLANT																			P	D						
CONVENIENCE RETAIL SERVICES					D							D		D	P	P	D*	P	D					D	D	D
COTTAGE INDUSTRY	D		D	D			D			D				D												
CREMATORIUM														D	D		D*		P				D		D	
CULTURAL FACILITIES	D		D	D										D	P		D*								P	P
DAY CARE SERVICES	D	D	D	D		D	D					D		P	D	D	D	D							P	
DETENTION AND CORRECTION SERVICES																									D	
DRIVE-THROUGH VEHICLE SERVICE		D													P		D*	D	D							
DRY-WASTE LANDFILL																									D	
DWELLING, DUPLEX						D	D						P	D												
DWELLING, FOURPLEX													P	D												

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LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
DWELLING, ROW HOUSING													P	D												
DWELLING, SINGLE DETACHED	P		P	P	D	P	P	P	P	P	P	P	P	P		D						D				
DWELLING, TRIPLEX													P	D												
EDUCATIONAL SERVICES							D					D		P	P										P	
FARM VACATION HOME	P		P	P																		D				
FUNERAL HOME															D		P*									
GENERAL COMMERCIAL RETAIL SERVICES		D												D	P		P	D	P							
GENERAL MANUFACTURING AND PROCESSING, INDOOR	D	P															P*	P	P	P	P	D	D			
GENERAL MANUFACTURING AND PROCESSING, OUTDOOR	D	P															P	P	P	P	P	D	D			
GOVERNMENT SERVICES	P	P	P	P			D					D		D	P	D	P*	P	D				D		P	
GROUP CARE FACILITY	D		D	D			D																			
GROUP HOME, MAJOR	D		D	D		D	D		D	D				D												
GROUP HOME, LIMITED	D		D	D		D	D	D	D	D		D	D	D												
HIGHWAY COMMERCIAL BUILDING																										
HOME BASED BUSINESS LEVEL 2	D		D	D		D	D	D	D	P	D	D	D	D								D				
HOME BASED BUSINESS LEVEL 3	D		D				D			P/D				D								D				
HOME DAY CARE	P		P	P	D		P					D		D												
HORTICULTURAL USE	D	P	D	D		D	D	D		D				D	D		P*	P	P		D	D	D			
INDOOR EATING ESTABLISHMENT		D			D							D		D	P	P	P	D	D			D				D
INDOOR PARTICIPANT RECREATION SERVICES		D			D	D	D	D				D		D	D	D	P	D		P		D			D	P

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LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
INDUSTRIAL, HEAVY																				P						
KENNEL	D		D	D			D										P*		P			P	D			
LIQUOR RETAIL SALES																	D*		D							
LIQUOR DISTRIBUTION SERVICES		D												D	D	D	P	D	P							
LIVESTOCK AUCTION MART	D																			P			P			
MANUFACTURED HOME PARK												P														
MANUFACTURED HOME, SINGLE WIDE	P/D		P	P		D	D			D	D	P		D								D				
MEDICAL TREATMENT SERVICES	D		D	D			D							D	P	P									P	
NATURAL RESOURCE EXTRACTION/PROCESSING	D		D	D			D												D	D	D	P	D			
NATURAL RESOURCE EXTRACTION/PROCESSING (MINOR)																										
NATURAL SCIENCE EXHIBITS	D		D	D			D								D									D	P	D
OUT-BUILDING	D		D	D			D		D	D	D															
OUTDOOR EATING ESTABLISHMENT					D									D	D	P										D
OUTDOOR PARTICIPANT RECREATION SERVICES	D		D	D	P	D	D	D				D				D						D		D	D	P
OUTDOOR SHOOTING RANGE	D																					D				
PARK					P	P	P	P	P	P	P	P	P	P										P		P
PERSONAL AND HEALTH CARE SERVICES	D	D			D							D		D	D	P	D*	D								
PROFESSIONAL, BUSINESS, FINANCIAL AND OFFICE SUPPORT SERVICES	D						D					D		D	D	P	P	P					D			
RECREATIONAL UNIT, PARK MODEL					P																					



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LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
RECREATIONAL VEHICLE STORAGE	D		D	D	D		D						D	D	D		P*		P				P			
RECYCLING DEPOT - MAJOR																	D*		P	D						
RECYCLING DEPOT - MINOR														D	D		P*		P	P					D	
RELIGIOUS ASSEMBLY	D		D	D	D	D	D	D	D			D		P	D	D									P	
RESIDENTIAL CARE FACILITY																										
RIDING ARENA	D		D	D		D	D																			
SECONDARY SUITE	D		D	D		D	D		D	D	D			D												
SEMI-PUBLIC USE			D																							D
SERVICE STATION					D										P	P	P		P							
SHOW HOME					D	P	P	P	D	P	D	D		D												
STORAGE, WAREHOUSING, AND DISTRIBUTION, OUTDOOR	D																P*	P	P	P		D	P			
STORAGE, WAREHOUSING, AND DISTRIBUTION, INDOOR	D																P*	P	P	P		D	P			
SILVICULTURE PROCESSING		P																								
SMALL ANIMAL BREEDING / BOARDING SERVICES	D		D	D			D								D		P*		P			P				
SOLAR FARM		P																								
SPECTATOR SPORTS ESTABLISHMENTS		D												D			D	D							D	
TOURIST CAMPGROUND, DESTINATION	D		D	D			D				D				D		D									D
TOURIST CAMPGROUND, ENROUTE	D		D	D			D				D				D		D									D
UTILITY SERVICES - MAJOR INFRASTRUCTURE	D				D	D						D		D	D	D	D			D			D		D	D

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LAND USE	AGG	AGI	ANC	AGR	BRR	CCR	CR	CRE	CRR	CRWL	LSR	MHR	RRH	RC	HC	LC	BI	BIR	MI	HI	IR	RE	RIC	PC	PS	PR
WASTE MANAGEMENT FACILITY DEVELOPMENT																										
WASTE MANAGEMENT FACILITY, MAJOR																				D					D	
WASTE MANAGEMENT FACILITY, MINOR																			P	P	D		P		D	
WIND ENERGY CONVERTER SYSTEM (WECS), MAJOR	D		D	D			D																			
WIND ENERGY CONVERTER SYSTEM (WECS), MINOR	P/D		P/D	P	D	D	D	D	D	P/D	D	D	D	D	P/D	P/D	P/D	P	P/D	P/D	P/D	P/D	P/D	D	P/D	P/D
WORK CAMP																						D	D			

## SECTION 4 AGRICULTURAL

### 4.1 AGG – Agricultural General District



#### 1. Purpose

The purpose of the Agricultural General District is to protect and enhance agricultural production while accommodating a range of supportive and compatible land uses.

#### 2. Uses

##### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- ii) That Manufactured Home, Single Wide as a Discretionary Use shall only be allowed within the following Multi-Parcel Subdivisions:
 

Flickinger Acres	NE 20-51-1-W5M
Jud Ranch	S ½ 17-52-1-W5M
- iii) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- iv) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems; and
- v) That Recreational Vehicle Storage shall not be within 150.0 m of a Multi-Parcel Residential Subdivision.

Bylaw No. 2018-03

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Apiary Bed and Breakfast Home Cannabis Cultivation, Minor Dwellings, Single Detached Farm Vacation Home Government Services Home Day Care Manufactured Home, Single Wide Wind Energy Converter System – Minor Accessory Uses for the uses listed in 4.1.2 b)	Abattoir Agricultural Support Services Animal Health Care Services Aquaculture Automotive Equipment and Vehicle Services <i>Automotive repair only on Lot A, Plan 5388 HW, Pt. NE-31-52-26-W4M, and Pt. NE-36-51-28-W4M (School bus operations)</i> <i>Only on the 8.09 hectares within SE-35-52-06-W5M</i> Cannabis Cultivation, Major Cottage Industry Cultural Facilities Day Care Services

Bylaw No. 2018-03

b) PERMITTED USES	c) DISCRETIONARY USES
	<p>General Industrial Manufacturing / Processing  <i>only on the Northern half of NW15-15-7-W5</i></p> <p>Group Care Facility</p> <p>Group Home, Limited</p> <p>Group Home, Major</p> <p>Home Based Business Level 2</p> <p>Home Based Business Level 3</p> <p>Horticultural Use</p> <p>Industrial Storage and Warehousing  <i>only on SW 3-52-27-W4 and 8.09 ha within SE 35-52-06-W5 (Tri Lakes Septic)</i></p> <p>Kennel</p> <p>Livestock Auction Mart</p> <p>Manufactured Home, Single Wide</p> <p>Medical Treatment Services</p> <p>Natural Resource Extraction/Processing</p> <p>Natural Science Exhibit</p> <p>Out-Building</p> <p>Outdoor Participant Recreation Services</p> <p>Outdoor Shooting Range</p> <p>Personal and Health Care Services  <i>only on Lot B, Plan 842 1539, Pt. NE 28-52-27-W4</i></p> <p>Professional, Business, Financial and Office Support Services  <i>only on Lot 1, Plan 782 1361, Pt. SW 27-52-27-W4</i>  <i>only on the 8.09 ha within S.E. 35-52-06-W5M as shown on Schedule "A" of Bylaw No. 2015-10 (Tri-Lakes Septic)</i></p> <p>Recreational Vehicle Storage</p> <p>Religious Assembly</p> <p>Riding Arena</p> <p>Secondary Suite</p> <p>Small Animal Breeding and/or Boarding Services</p> <p>Tourist Campground, Destination</p> <p>Tourist Campground, Enroute</p>

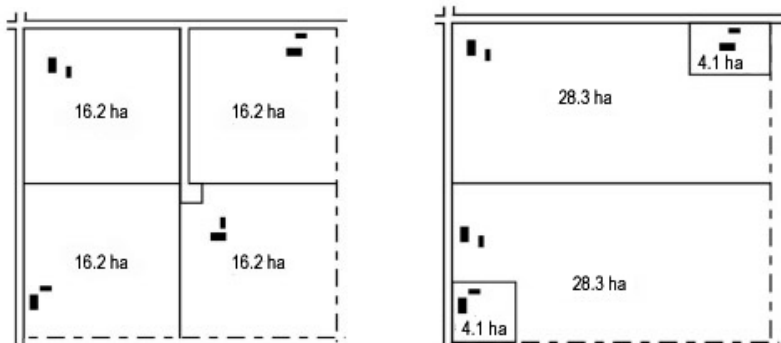
Bylaw No. 2018-03

b) PERMITTED USES	c) DISCRETIONARY USES
	Utility Service – Major Infrastructure Wind Energy Converter Systems – Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 4.1.2 c)

Bylaw No. 2018-09

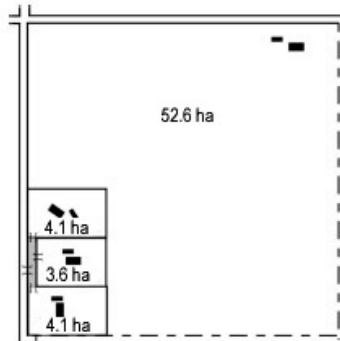
### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) Extensive Agriculture and Extensive Livestock shall have a minimum Parcel area of 16.0 ha more or less. The minimum Parcel Frontage shall be 400.0 m, more or less.
  - ii) Manufactured Home (single wide) and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel residential subdivision, unless greater area is required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of an existing farmstead and the applicant can demonstrate to the satisfaction of the County that existing farming operations on the remnant quarter section will not be restricted.
  - iii) Minimum Parcel Frontage shall be 30.0 m excepting that it may be 20.0 m fronting onto an internal cul-de-sac.
  - iv) The maximum width:depth ratio for a residential Parcel shall be 1:4.
  - v) For all other Permitted and Discretionary Uses the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Number and Size of Parcels
  - i) A maximum of three (3) subdivisions in addition to the remnant of the original quarter section shall be permitted per quarter section that may include the following:
    - (1) a maximum of four (4) 16 ha Parcels for Extensive Agriculture and Extensive Livestock that must have generally equal length and width;

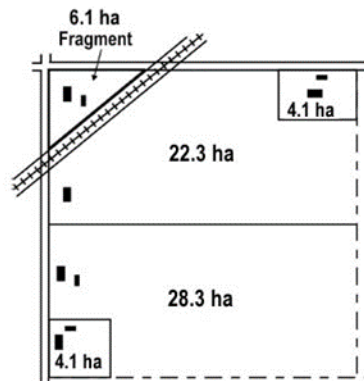


- (2) a maximum of two (2) residential Parcels; however, only one (1) residential Parcel will be permitted to be subdivided out of each 32.0 ha Parcel; or

- (3) a maximum of three (3) adjacent residential Parcels such that at least two (2) of the Parcels share a common approach onto a municipal road.



- c) Notwithstanding Subsection 4.1.3 b), the subdivision of a Parcel fragmented by a natural or man-made feature, such as a creek or Highway, may be supported if all the following criteria are met:
- i) the County is satisfied the size and characteristic of the fragmented land and the difficulty of access from the remainder of the land means the Parcel cannot be reasonably used with the balance of the title; and
  - ii) the Parcel is the entire area of the fragment.



- d) Notwithstanding, pursuant to the *Act*, the provisions of Section 14 of the Subdivision and Development Regulation will prevail for all quarter sections within 800.0 m from a controlled Highway.

#### 4. Development

- a) Setbacks for Principal Buildings
- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.

- iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) For Home Based Business Level 3, a minimum Setback of 152.0 m shall be maintained from the boundaries of the development to the boundaries of a multi-Parcel subdivision.
- d) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- e) For all other Permitted and Discretionary Uses the minimum building Setback requirement shall be determined by the Development Authority.

## 5. Other Development Regulations

- a) Dugouts shall not be located within 30.0 m of any public road, or as approved by the Development Authority, and shall not encroach upon or affect any watercourse or drainage easement, and shall meet the minimum Setback requirements of the applicable district.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- c) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

- d) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 6. Out-Building Regulations

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
  - i) Have a maximum floor area of 80 m<sup>2</sup>
  - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer or similar; and
  - iii) Be screened to the satisfaction of the Development Authority.





## 4.2 AGI – Agricultural Industry Development District

### 1. Purpose

The purpose of this district is to accommodate new agricultural-based and alternative energy-based development in rural or rural fringe areas that:

- a) manufactures or processes value added agricultural products;
- b) produces or imports materials, or grows biomass crops, for use in alternative energy feed stocks or products; or
- c) generates alternative energy.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure that any new principal developments:

- ii) support value added manufacturing or processing of agricultural or biomass inputs;
- iii) produce supplies or inputs that directly support the value added agriculture and/or alternative energy industries; or
- iv) provide for the generation of alternative energy.

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b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services	Accommodation and Convention Services
Apiary	Animal Health Care Services
Cannabis Cultivation, Major	Automotive Equipment and Vehicle Services
Cannabis Cultivation, Minor	Community Recreation Services
Cannabis Processing, Major	Day Care Services
Cannabis Processing, Minor	Drive Through Business
Extensive Agricultural Development	General Commercial Retail Services
General Industrial	Indoor Eating Establishment
Manufacturing/Processing	Indoor Participant Recreation Services
Government Services	Liquor Sales/Distribution Services
Horticultural Uses	Personal and Health Care Services
Silviculture Processing	Spectator Sports Establishments
Solar Farm	Accessory Uses for the uses listed in 4.2.2 c)
Accessory Uses for the uses listed in 4.2.2 b)	

### 3. Fundamental Use Provisions Interpretation

To ensure that a use meets the Fundamental Use Provisions, the Development Authority shall interpret the use based on the fundamental purpose of the proposed use, in accordance with the following principles:

- a) For the purposes of this District, value added agriculture production shall mean manufacturing or processing wherein an agricultural commodity undergoes physical changes, and as a result the consumer base for the commodity is expanded and/or the producers are able to capture a greater share of the revenue.
- b) For the purposes of this District, alternative energy shall mean energy generated from sources other than fossil fuel, and include biofuels or renewable energy sources such as sunlight, wind, and geothermal heat that are naturally replenished.
- c) For the purposes of this District, uses that directly support the value added agricultural and alternative energy industries shall mean any manufacturing or processing providing supplies or inputs that directly support these industries. Examples include processing of biomass to produce biofuels.
- d) In interpreting the use, the Development Authority may request the Applicant to provide a description explaining the nature of the use and how it would meet the qualifiers outlined in Fundamental Use Provisions.
- e) The Fundamental Use Provisions are to be applied to the principal use for new developments. The Provisions do not apply to Permitted and Discretionary Uses that exist on or before the lands being redistricted to this district.

### 4. Subdivision Regulations

- a) The Subdivision Authority shall determine the minimum and maximum parcel size and area requirements.

### 5. Development Regulations

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum setback of 8.0 m shall be provided from the front Property Line.
    - (2) Notwithstanding 5. a)(i)(1) above, for parcels adjacent to a Highway, the minimum setback from a Property Line abutting the Highway shall be determined by the Development Authority in consultation with Alberta Transportation.
  - ii) Minimum Side Yard Setback
    - (1) A minimum setback of 3.0 m shall be provided from a side Property Lines for parcels not adjacent to Multi-Parcel Residential Subdivisions.
    - (2) A minimum side yard setback of 15.0 m shall be provided from a side Property Lines for parcels with side yards that are adjacent to a Multi-Parcel Residential Subdivision.
  - iii) Minimum Rear Yard Setback

- (1) A minimum setback of 9.0 m shall be provided from a rear Property Lines for parcels not adjacent to Multi-Parcel Residential Subdivisions.
  - (2) A minimum rear yard setback of 15.0 m shall be provided from arear Property Lines for parcels with rear yards adjacent to a Multi-Parcel Residential Subdivision.
- b) Parking and Loading
  - i) Vehicular entrances and exits, as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
  - ii) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement, and to minimize impacts on adjacent land uses.
  - iii) No parking, loading, trash collection, outdoor service or display area shall be permitted within the first 6.0 m of a required front yard setback. Loading and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent residential properties or public roadway.
- c) Outdoor Storage
  - i) All outdoor storage that may present negative visual impact shall be mitigated by use of fencing or landscaping, or by being located in areas that will present minimal visual impact to existing residential developments.
- d) Screening
  - i) Any alternative or renewable energy systems may be located and screened, by land forms, natural vegetation or other means to minimize its visual impact on adjacent residences, public roads, or other public areas at the discretion of the Development Authority.
- e) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
- f) Pursuant to the MDP the Development Authority may require the applicant to provide a biophysical assessment. A biophysical Assessment:
  - i) shall be required for a site proposed for a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - ii) shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat, unique physical features, and overall ecosystem services, and shall recommend appropriate measures for protecting significant features.

## 4.3 ANC - Agriculture/Nature Conservation District



### 1. Purpose

The purpose of this district is:

- To accommodate development that is sensitive to areas with distinctive natural features, and natural resources;
- Balance development with landscape connectivity, water quality and quantity, and other environmental considerations; and
- Provide opportunities for compatible agricultural and supportive land uses.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems.

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b) PERMITTED USES	c) DISCRETIONARY USES
Apiary Bed and Breakfast Home Dwelling, Single Detached Farm Vacation Home Government Services Home Day Care Manufactured Home, Single Wide Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 4.3.2 b)	Accommodation and Convention Services <i>only on Pt. NE &amp; SE 35-50-2-W5</i> Animal Health Care Services Boarding House Cannabis Cultivation, Minor Cemetery Community Recreation Services Cottage Industry Cultural Facilities Day Care Services Group Care Facility Group Home, Limited Group Home, Major Home Based Business Level 2 Home Based Business Level 3 Horticultural Use Kennel

b) PERMITTED USES	c) DISCRETIONARY USES
	Medical Treatment Services Natural Resource Extraction/Processing Natural Science Exhibits Out-Building Outdoor Participant Recreation Services Recreational Vehicle Storage <i>only on Block 4, Plan 4992RS, Pt. NE and NW-08-51-25-W4</i> Religious Assembly Riding Arena Secondary Suite Semi-Public Use <i>only on Block 4, Plan 4992RS, Pt. NE and NW-08-51-25-W4</i> Small Animal Breeding and/or Boarding Services Tourist Campground, Destination Tourist Campground, Enroute Wind Energy Converter Systems – Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 4.3.2 c)

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### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) Extensive agriculture and extensive livestock shall have a minimum Parcel area of 64 ha more or less.
  - ii) Manufactured Home (single wide) and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of developable land and a maximum Parcel area of 4.0 ha for a single Parcel residential subdivision, unless greater area is required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of a farmstead and the applicant can demonstrate to the satisfaction of the County that existing farming operations will not be restricted.
  - iii) The maximum width:depth ratio for a residential Parcel shall be 1:4.
  - iv) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)

- i) Manufactured Home (single wide) and Dwelling, Single Detached shall have a maximum of one (1) single Parcel residential subdivision from an unsubdivided quarter section.
- ii) For all other Permitted and Discretionary Uses, the Parcel density requirement shall be determined by the Subdivision Authority.

#### 4. Development

- a) Setbacks for Principal Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) For Home Based Business Level 3 a minimum Setback of 152.0 m shall be maintained from the boundaries of the development to the boundaries of a Multi-Parcel subdivision.
- d) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- e) For all other Permitted and Discretionary Uses the minimum building Setback requirement shall be determined by the Development Authority.

## 5. Other Development Regulations

- a) Dugouts shall not be located within 30.0 m of any public road, or as otherwise approved by the Development Authority, and shall not encroach upon, or affect, any watercourse or drainage easement, and shall meet the minimum Setback requirements of the applicable district.
- b) Notwithstanding Section 4.3.4. and pursuant to Section 11.3., the rear and side yard building Setbacks on Pt. NE 35-50-27-W4M shall be 15.0 m from the upper valley break of the North Saskatchewan River, as determined in the March 1996 report prepared by J.R. Paine and Associates Ltd. entitled Geotechnical Investigation and Top of Slope Assessment, Tranquility Ridge Estates Acreage Residential Subdivision.
- c) Notwithstanding Section 4.3.4., the minimum building Setback requirement from the upper valley crest of the Pembina River for NW 31-54-6-W5M shall be 1.5 times the height of the bank as measured from the toe of the slope to the upper valley crest.
- d) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- e) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- f) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 6. Regulations for an Out-Building

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
  - i) Have a maximum floor area of 80 m<sup>2</sup>;
  - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer or similar; and
  - iii) Be screened to the satisfaction of the Development Authority.

## 4.4 AGR – Agricultural Restricted District



### 1. Purpose

To permit agricultural production and related farming activities while providing limited opportunity on a discretionary basis for compatible non-farm related land uses, and to prevent premature or scattered subdivision.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- ii) That notwithstanding 4.4.2 b) and c), the following uses are neither Permitted nor Discretionary Uses within the Jackfish Lake Area Structure Plan and surrounding Osborne Acres:
  - (1) Agricultural Support Services
  - (2) Natural Resource Extraction/Processing
  - (3) Outdoor Participant Recreation Services
  - (4) Tourist Campground, Destination
  - (5) Tourist Campground, Enroute
- iii) That notwithstanding 4.4.2 a) and b) the following are neither Permitted nor Discretionary Uses within the AGR District surrounding Osborne Acres:
  - (1) Dwelling, Single Detached
  - (2) Manufactured Home, Single Wide
  - (3) Secondary Suite (on Parcels smaller than 28.3 ha (70 acres))
  - (4) Out-Buildings
- iv) That Recreational Vehicle Storage shall not be within 150.0 m of a Multi-Parcel Residential Subdivision;
- v) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- vi) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems.

b) PERMITTED USES	c) DISCRETIONARY USES
Apiary Bed and Breakfast Home Dwelling, Single Detached Farm Vacation Home Government Services	Agricultural Support Services Animal Health Care Services Boarding House Cemetery Community Recreation Services



b) PERMITTED USES	c) DISCRETIONARY USES
<p>Home Day Care</p> <p>Manufactured Home, Single Wide  <i>Not a Permitted or Discretionary Use surrounding Osborne Acres.</i></p> <p>Wind Energy Converter System – Minor</p> <p>Accessory Uses for the uses listed in 4.4.2 b)</p>	<p>Cottage Industry</p> <p>Cultural Facilities</p> <p>Daycare Services</p> <p>Group Care Facility</p> <p>Group Home, Limited</p> <p>Group Home, Major</p> <p>Home Based Business Level 2</p> <p>Horticultural Use</p> <p>Kennel</p> <p>Medical Treatment Services</p> <p>Natural Resource Extraction/Processing</p> <p>Natural Science Exhibits</p> <p>Out-Building</p> <p>Outdoor Participant Recreation Services</p> <p>Personal and Health Care Services  <i>Only on Lot B, Plan 8421539</i>  <i>Pt. NE-28-52-27-W4M</i></p> <p>Recreational Vehicle Storage</p> <p>Religious Assembly</p> <p>Riding Arena</p> <p>Secondary Suite</p> <p>Small Animal Breeding and/or Boarding Services</p> <p>Tourist Campground, Destination</p> <p>Tourist Campground, Enroute</p> <p>Wind Energy Converter Systems – Major</p> <p>Wind Energy Converter System – Minor</p> <p>Accessory Uses for the uses listed in 4.4.2 c)</p>

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### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) Extensive Agriculture and Extensive Livestock shall have a minimum Parcel area of 60.0 ha, more or less.
  - ii) Manufactured Home (single wide) and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of developable land and a maximum Parcel area of 4.0 ha for a single Parcel residential subdivision, unless greater area is required to include shelterbelts, natural features, private on-site sewage disposal and water

services, buildings or other improvements related to the residential component of a farmstead and the applicant can demonstrate to the satisfaction of the County that existing farming operations will not be restricted. The maximum width:depth ratio for a residential Parcel shall be 1:4.

- iii) Horticultural Use shall have a minimum Parcel area of 16.0 ha more or less.
  - iv) For all other Permitted and Discretionary Uses the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
- i) Manufactured home, single wide and dwelling, single detached shall have a maximum of one (1) single Parcel residential subdivision from an un-subdivided quarter section.
  - ii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel density requirements shall be determined by the Subdivision Authority.

#### 4. Development

- a) Setbacks for Principal Buildings
- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.

- c) Proposed Development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- d) For all other Permitted and Discretionary Uses the minimum building Setback requirement shall be determined by the Development Authority.

## **5. Other Development Regulations**

- a) Dugouts shall not be located within 30.0 m of any public road, or as otherwise approved by the Development Authority, shall not encroach upon, or affect, any watercourse or drainage easement, and shall meet the minimum Setback requirements of the applicable district.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- c) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## **6. Regulations for an Out-Building**

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
  - i) Have a maximum floor area of 80 m<sup>2</sup>;
  - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer or similar; and
  - iii) Be screened to the satisfaction of the Development Authority.

## SECTION 5 RESIDENTIAL

### 5.1 BRR - Bareland Recreational Resort District



#### 1. Purpose

To provide for condominium Recreational Vehicle resort development in association with amenity features, and in compliance with an approved plan in accordance with the County's statutory plan hierarchy.

#### 2. Uses

##### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Dwelling, Single Detached shall be limited to pre-existing structures;
- ii) That Outdoor Participant Recreation Services does not include any development or part thereof where the use of firearms are discharged; and
- iii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Community Recreation Services Outdoor Participant Recreation Services Park Recreational Unit, Park Model Accessory Uses for the uses listed in 5.1.2 b)	Convenience Retail Services Dwelling, Single Detached Home Day Care Indoor Eating Establishment Indoor Participant Recreation Services Outdoor Eating Establishment Personal and Health Care Services Recreational Vehicle Storage Religious Assembly Service Station Show Home Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.1.2 c)

#### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) A minimum Parcel area of 235.0 m<sup>2</sup> shall be required for each Bareland Condominium unit.
  - ii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel density requirements shall be determined by the Subdivision Authority.

#### **4. Development**

- a) Setbacks for External Parcels
  - i) A minimum Setback of 20.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - ii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iii) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - iv) Minimum front yard Setback shall be 3.5 m from an internal subdivision road.
  - v) Minimum side yard Setback shall be 1.5 m.
  - vi) Minimum rear yard Setback shall be 1.5 m.
- b) Setbacks for Internal Parcels
  - i) A minimum front yard Setback shall be 3.5 m from an internal subdivision road or parking area.
  - ii) A minimum side yard Setback shall be 1.0 m.
  - iii) A minimum rear yard Setback shall be 1.0 m.
- c) Parcel Coverage
  - i) Recreation vehicle(s), recreational unit, park model(s) and building(s) shall not cover more than 65% of a Bareland Condominium unit.
- d) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

#### **5. Other Development Regulations**

- a) A minimum of 10% of the gross condominium Parcel area shall be set aside for common space recreation area and no portion of any Bareland Condominium unit shall be included in this open space.
- b) Development of land within a Bareland Condominium shall be considered the same as the development of land within a fee simple subdivision, with each unit of land treated as an individual Parcel.
- c) Accessory buildings shall be limited to one story and shall not exceed 3.5 m in height from the inside wall grade to the peak of the roof.
- d) Accessory buildings shall not be used for accommodation purposes.

- e) Development within a Bareland Condominium shall be subject to all of the provisions of this district unless otherwise determined through a negotiated development agreement with the County.
- f) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- g) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 5.2 CCR - Cluster (Conservation) Country Residential District



### 1. Purpose

To permit clustering of higher density smaller Parcels (minimum 0.2 ha) to encourage the preservation of ecologically sensitive areas, historic sites, agricultural land, the rural community character or other unique characteristics of the land being subdivided, while promoting more sustainable provision of roads where municipally operated piped water and sewer systems are available.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwellings, Single Detached Park Show Home Accessory Uses for the uses listed in 5.2.2 b)	Bed and Breakfast Home Boarding House Community Recreation Services Day Care Services Dwelling Duplex Group Home, Limited Group Home, Major Home Based Business Level 2 Horticultural Use Indoor Participant Recreation Services Manufactured Home, Single Wide Outdoor Participant Recreation Services Religious Assembly Riding Arena Secondary Suite Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.2.2 c)

### 3. Subdivision

- a) Parcel Area Requirement
  - i) For a dwelling, single detached, a minimum Parcel area of 0.2 ha and a maximum Parcel area of 1.2 ha shall be provided.
  - ii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Width and Depth Requirements
  - i) For a dwelling, single detached, minimum Parcel width shall be 30.0 m. Minimum Parcel width for Parcels fronting onto an internal cul-de-sac shall be 20.1 m.
  - ii) The maximum width:depth ratio for a residential Parcel shall be 1:4.
- c) Parcel Density Requirement
  - i) For a dwelling, single detached, Parcel density requirements shall be a maximum of one (1) Parcel per 0.5 ha of contiguous developable land.
  - ii) For all other Permitted and Discretionary Uses, the Parcel density requirement shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks for Principal and Accessory Buildings for residential Parcels:
  - i) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 5.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback for a principal building of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
  - vii) A minimum side yard and rear yard Setback for an Accessory building shall be 3.0 m from the edge of the Parcel, not adjacent to any roadway.
- b) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- c) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.



## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 5.3 CR – Country Residential District

### 1. Purpose

The purpose of this district is:

- To provide for traditional Multi-Parcel country residential communities;
- To accommodate residential development that meets varied housing and lifestyle needs; and
- To accommodate certain agricultural pursuits.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That the following uses shall not be located within a Multi-Parcel Residential Subdivision:
  - (1) Animal Health Care Service
  - (2) Cemetery
  - (3) Government Services
  - (4) Home Based Business Level 3
  - (5) Indoor Participant Recreation Services
  - (6) Medical Treatment Services
  - (7) Natural Sciences Exhibit
  - (8) Outdoor Participant Recreation Services
  - (9) Recreational Vehicle Storage
  - (10) Utility Services – Major Infrastructure
- ii) That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- iii) That Manufactured Home, Single Wide shall not be allowed within a Multi-Parcel Subdivision with the exception of the following:

(1) Annedale Acres	NE 18-53-2-W5M
(2) Bowen Lake Estates	NW 3-53-2-W5M
(3) Brookside Estates	N ½ and SE 26-53-4-W5M
(4) Cherlyn Heights	S ½ of SE 32-53-1-W5M
(5) Highland Acres II	NE 17-53-3-W5M
(6) Lake Isle Estates	Pt. N ½ 25-53-6-W5M
(7) Meso West II	N ½ 24-53-3-W5M
(8) Meso West III	N ½ 24-53-3-W5M
(9) Silver Sands Estates	NE 20-53-1-W5M

- (10) Summerview Heights SE 25-53-6-W5M
- (11) West 80 Estates S ½ and NW 17-53-2-W5M
- (12) Westland Park I SE 22-53-3-W5M
- (13) Plan 792 0114 NE 10-53-1-W5M
- iv) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- v) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than two systems.

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d) PERMITTED USES	e) DISCRETIONARY USES
Bed and Breakfast Home Dwellings, Single Detached Home Day Care Park Show Home Accessory Uses for the uses listed in 5.3.2 b)	Animal Health Care Services Apiary Boarding House Cannabis Cultivation, Minor Cemetery Community Recreation Services Cottage Industry Day Care Services Dwelling Duplex <i>only on Pt. NW 35-53-27 W4</i> Educational Services Government Services Group Care Facility Group Home, Limited Group Home, Major Home Based Business Level 2 Home Based Business Level 3 Horticultural Use Indoor Participant Recreation Services Kennel Manufactured Home Single Wide Medical Treatment Services Natural Resource Extraction/Processing Natural Science Exhibit Out-Building Outdoor Participant Recreation Services Professional, Business, Financial and Office Support Services <i>only on Block 14, Plan 4134RS Riverview Acres</i>

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d) PERMITTED USES	e) DISCRETIONARY USES
	Religious Assembly Riding Arena Recreational Vehicle Storage Secondary Suite Small Animal Breeding and/or Boarding Services Tourist Campground, Destination Tourist Campground, Enroute Wind Energy Converter Systems – Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.3.2 c)

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### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) Extensive agriculture and extensive livestock shall have a minimum Parcel area of 16.0 ha, more or less. The minimum Parcel Frontage shall be 400.0 m , more or less.
  - ii) Manufactured Home, Single Wide and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel or Multi-Parcel Residential Subdivision, unless greater area is required to include shelterbelts, buildings or other improvements related to the residential component of a farmstead. Minimum Parcel width at the Parcel front shall be 30.0 m excepting that it may be 20.0 m fronting onto an internal cul-de-sac.
  - iii) The maximum width:depth ratio for a residential Parcel shall be 1:4.
  - iv) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) Extensive Agriculture and Extensive Livestock shall have a maximum of two (2) 32.0 ha Parcels or a maximum of four (4) 16.0 ha Parcels, more or less, from a quarter section.
  - ii) Manufactured Home and Dwelling, Single Detached for single Parcel residential subdivision shall have a maximum of three (3) single residential Parcels from an un-subdivided quarter section or a maximum of one (1) single residential Parcel from an existing 32.0 ha Parcel, more or less but not less than 28.0 ha unless significant physical features dictate otherwise at the discretion of the Subdivision Authority.
  - iii) For all other Permitted and Discretionary Uses, including Multi-Parcel Residential Subdivision, the Parcel density requirement shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks for Dwellings, Single Detached

- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.7 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) Proposed Development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and Development Permits may be issued, having regard for the limitations of the Parcel.
- d) For Discretionary Uses, the minimum building Setback requirement shall be determined by the Development Authority.

## 5. Other Development Regulations

- a) Accessory Buildings may be Permitted or Discretionary consistent with Subsection 11.1.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

- c) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## **6. Regulations for an Out-Building**

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
- c) Have a maximum floor area of 53.5 m<sup>2</sup>
  - i) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer;
  - ii) Be located within the rear 30% of the Parcel if located on a Multi-Parcel Subdivision; and
  - iii) Be screened to the satisfaction of the Development Authority.



## 5.4 CRE - Country Residential Estate District

### 1. Purpose

To provide for the development of fully serviced Multi-Parcel Residential Subdivisions that are designed to accommodate higher density country residential estate development.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That the following uses shall not be located within a Multi-Parcel Subdivision:
  - (1) Community Recreation Services
  - (2) Indoor Participant Recreation Services
  - (3) Outdoor Participant Recreation Services
- ii) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwellings, Single Detached Park Show Home Accessory Uses for the uses listed in 5.4.1 b)	Bed and Breakfast Home Boarding House Community Recreation Services Group Home, Limited Home Based Business Level 2 Horticultural Use Indoor Participant Recreation Services Outdoor Participant Recreation Services Religious Assembly Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.4.1 c)

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### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) Dwelling, single detached shall have a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel subdivision, unless greater area is required to include shelterbelts, buildings or other improvements related to the residential use of a farmstead. Minimum Parcel width at the front of the Parcel shall be 30.0 m.
  - ii) Dwelling, single detached (Multi-Parcel Residential Subdivision) shall have a minimum Parcel area of 0.2 ha and a maximum Parcel area of 1.2 ha, with a minimum Parcel

width of 32.0 m excepting that it may be 20.0 m where fronting onto an internal cul-de-sac.

- iii) For a dwelling, single detached the maximum width:depth ratio for a Parcel shall be 1:4.
- iv) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, including Multi-Parcel Residential Subdivision, the Parcel density requirement shall be determined by the Subdivision Authority.

#### 4. Development

- a) Setbacks for Principal and Accessory Buildings for residential Parcels:
  - i) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 5.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback for a principal building of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
  - vii) A minimum side yard and rear yard Setback for an Accessory building shall be 3.0 m from the edge of the Parcel, not adjacent to any roadway.
- b) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- c) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

#### 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat



and unique physical features, and shall recommend appropriate measures for protecting significant features.

- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 5.5 CRR - Country Residential Restricted District



### 1. Purpose

The purpose of this district is to accommodate residential subdivision/development that is sensitive to the health of waterbodies, natural areas, and their associated ecosystems.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwellings, Single Detached Park Accessory Uses for the uses listed in 5.5.2 b)	Bed and Breakfast Home Boarding House Community Recreation Services Group Home, Limited Group Home, Major Home Based Business Level 2 Out-Building Religious Assembly Secondary Suite Show Home Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.5.2 c)

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### 3. Subdivision

#### a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) Manufactured home, single wide and dwelling, single detached shall have a minimum Parcel area of 0.4 ha and a maximum Parcel area of 2.4 ha for a single Parcel or Multi-Parcel Residential Subdivision, unless greater area is required to include shelterbelts, buildings or other improvements related to the residential component of a farmstead. Minimum mean Parcel width shall be 30.0 m for Parcels of less than 0.8 ha. For Parcels of 1.2 ha or greater within the Jackfish Lake Area Structure Plan the minimum mean Parcel width shall be 60.0 m.
- ii) For a residential Parcel, the maximum width: depth ratio for a Parcel shall be 1:4.
- iii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.

- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) For a manufactured home, single wide and dwelling, single detached Parcel density requirements shall be a maximum of one (1) Parcel per 1.2 ha of contiguous developable land. For the purposes of this section, net hectares of contiguous developable land shall be determined as those lands meeting the criteria for country residential subdivision less land is required for environmental and municipal reserves and roads.
  - ii) For all other Permitted and Discretionary Uses, the Parcel density requirement shall be determined by the Subdivision Authority.

#### 4. Development

- a) Setbacks for Principal Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- d) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 6. Regulations for an Out-Building

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
  - i) Have a maximum floor area of 53.5 m<sup>2</sup>;
  - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer;
  - iii) Be located within the rear 30% of the Parcel if located on a Multi-Parcel Subdivision; and
  - iv) Be screened to the satisfaction of the Development Authority.



## 5.6 CRWL - Country Residential Work / Live District

### 1. Purpose

To accommodate the development of all levels of Home Based Businesses within a tradition country residential setting, while ensuring compatibility with surrounding residential land uses.

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That any nuisance factors associated with any Home Based Business does not extend beyond the boundaries of the parcel;
- ii) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- iii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems.

b) PERMITTED USES	c) DISCRETIONARY USES
Bed and Breakfast Home Boarding House Dwellings, Single Detached Home Based Business Level 2 Home Based Business Level 3 <i>if the Parcel is further than 150.0 m from the boundary of an existing Multi-Parcel Residential Subdivision (excluding rural centres) and not districted CRWL.</i> Park Show Home Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 5.6.2 b)	Cottage Industry Group Home, Limited Group Home, Major Home Based Business Level 3 Horticultural Use Manufactured Home, Single Wide Out-Building Secondary Suite Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.6.2 c)

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### 2. Subdivision

#### a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) Manufactured home, single wide and dwelling, single detached shall have a minimum Parcel area of 0.8 ha and a maximum Parcel area of 4.0 ha for a single Parcel or Multi-Parcel Residential Subdivision.
- ii) Minimum mean Parcel width shall be 30.0 m for Parcels of less than 0.8 ha. For Parcels 0.8 ha or greater the minimum mean Parcel width shall be 60.0 m. The maximum width:depth ratio for a residential Parcel shall be 1:4.

### 3. Development

- a) Setbacks for Principal Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
  - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) Parcel Coverage
  - i) The maximum Parcel coverage, including the dwelling, all Accessory buildings and all development associated with the home based business including outdoor storage, shall be 30% of the area of the Parcel.
- d) Parking and Loading
  - i) In addition to Section 14, parking shall include the location of parking and number of stalls provided for the summation of the residential and home based business uses.
  - ii) Each Parcel must provide adequate space to allow vehicles to turn around on the property, in accordance with Section 14.2 Parking Space Dimension Requirements.
  - iii) Refer to off-street loading Section 14.4.
- e) For all other Permitted and Discretionary Uses the minimum building Setback requirement shall be determined by the Development Authority.

#### 4. Other Development Regulations

- a) In addition to any other application requirements stipulated elsewhere in this Bylaw, all development permit applications shall include details on the following:
  - i) there must be a dwelling in order to have a home based business;
  - ii) at all times the privacy and enjoyment of nearby dwellings shall be preserved and, subject to the purpose of this district, an approved Home Based Business Level 3 shall not unreasonably affect the residential amenities of the neighbourhood;
  - iii) no use in this district shall involve the manufacture, assembly, storage or transportation of explosives, flammable liquids, toxic chemicals, and diesel fuel and gasoline products or other hazardous materials;
  - iv) the siting and design of buildings, landscape treatment, location and screening of storage and parking areas, and the scale and design of signage shall recognize the surrounding natural setting, residential land uses and aesthetics along adjacent roadways;
  - v) the Development Authority may stipulate the times of the day or week during which an approved home based business use may operate;
  - vi) a Home Based Business Level 3 shall not include more intensive industrial type of uses that present exterior impacts such as noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter, and storage of hazard or combustible materials which shall be located in an industrial district; and
  - vii) as required by the Development Authority, all required yards and all open spaces on the site, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the following landscape standards:

PLANTING	STANDARD
<b>Minimum Landscaping Area</b>	A minimum of 10% of the lot shall be landscaped and a landscaped strip at least 4.0 m in width shall be provided in front yards and side yards.
<b>Buffer of Trees along Property Lines</b>	One tree for every 60.0 m <sup>2</sup> of landscaped area, to a minimum of four trees. The species of trees to be planted shall be such that they provide a year round buffer.
<b>Low Lying Shrubs</b>	One shrub for every 60.0 m <sup>2</sup> of landscaped area, to a minimum of six shrubs.
<b>Screening</b>	Where because of the height of materials stored a screen planting would not be sufficient to block the view from adjacent residential developments, a fence, earth berm or combination thereof, with sufficient height to substantially block the view, shall be substituted for the landscaped strip required under the minimum landscaping area above.

*Note: Where the calculation of the required number of trees and shrubs results in fractions of trees and shrubs, the values shall be rounded up to the next whole number.*

- b) All other site regulations and requirements not specifically identified herein shall be based upon the type of development proposed and shall be at the discretion of the Development Approving Authority.
- c) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- d) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.





## 5.7 EUV - Entwistle Urban Village District

### 1. Application

This Section applies to the areas designated as EUV – Entwistle Urban Village District in Schedule B Entwistle Urban Village Map. The area designated as EUV – Entwistle Urban Village District encompasses Sub Districts R1, R2, R3, C1, and UR.

### 2. Purpose

To accommodate for a wide range of compatible residential and commercial uses that are traditional in Entwistle. Uses, which may or may not be compatible, are included as Discretionary Uses so they can be considered by taking specific site circumstances and effects into account. Further the district is to be split into the following sub-districts as shown on Schedule B of this Bylaw.

### 3. R1 – Residential – Single Family

#### a) Purpose

This district is generally intended to accommodate dwellings, single detached.

#### b) Uses

##### i) Fundamental Use Provision

The Fundamental Use Provision are requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 3 b) ii. And iii. shall ensure:

- (1) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system.

ii) PERMITTED USES	iii) DISCRETIONARY USES
Dwelling, Single Detached Accessory Uses for the uses listed in 5.7.3 b) ii)	Bed and Breakfast Home Day Care Services Home Based Business Level 2 Home Day Care Manufactured Home, Single Wide Religious Assembly Secondary Suite Show Home Wind Energy Converter System – Minor Accessory Uses for the uses listed in to 5.7.3 b) iii)

#### c) Development Regulations for Sub District R1

##### i) Setbacks for Dwelling, Single Detached Dwelling and Manufactured Homes

- (1) A minimum front yard setback shall be 6.0 m.

- (2) A minimum side yard setback shall be 10% of the average parcel width but not less than 3.0 m.
- (3) A minimum rear yard setback shall be 8.0 m except the Development Authority may vary the setback requirement, to a maximum of 10%, for parcels located on curves or cul-de-sacs.

**d) Setbacks for all Other Permitted and Discretionary Uses**

- i) The minimum building setback requirement shall be determined by the Development Authority.

**e) Parcel Coverage**

- i) Coverage of all buildings shall not exceed 50% of the total parcel area.

**f) Minimum Floor Area**

- i) Dwelling, Single Detached (not including attached garage)

Number of Storeys	Minimum Floor Area
1 Storey	79.0 m <sup>2</sup>
1.5 Storey and Split Level	Upper Floor - 37.0 m <sup>2</sup> Lower Floor - 70.0 m <sup>2</sup>
2 Storey	Upper Floor - 60.0 m <sup>2</sup> Lower Floor - 60.0 m <sup>2</sup>
Bi-Level	Upper Floor - 79.0 m <sup>2</sup>

**g) Building Height**

- i) For a Dwelling, Single Detached, the height of all structures shall not exceed 9.0 m.

## 4. R2 – Residential Medium Density District

**a) Purpose**

This district is intended to accommodate a variety of low to medium density housing types. The dwellings shall be of a low profile/elevation thereby making such developments compatible with adjacent dwellings, single detached residential neighbourhoods.

**b) Uses**

- i) Fundamental Use Provision

The Fundamental Use Provision are requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 4 b) ii) and iii) shall ensure:

- (1) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system.

ii) PERMITTED USES	iii) DISCRETIONARY USES
Dwelling, Duplex	Community Recreation Services
Dwelling, Fourplex	Day Care Services
Dwelling, Row House	Group Home, Limited
Dwelling, Single Detached	Group Home, Major

ii) PERMITTED USES	iii) DISCRETIONARY USES
Dwelling, Triplex Accessory Uses for the uses listed in 5.11.4 b) i)	Home Based Business Level 2 Religious Assembly Secondary Suite Show Home Wind Energy Converter System– Minor Accessory Uses for the uses listed in 5.11.4 b) ii)

**c) Development Regulations for Sub District R2**

- i) Setbacks for Duplex, Triplex, Fourplex and Row Housing Development
  - (1) Minimum Front Yard Setback
    - I. A minimum front yard setback of 6.0 m shall be provided, except the Development Authority may vary the setback requirement for corner or double fronting parcels
    - II. A minimum front yard setback of 4.5 m shall be provided for a flanking front yard.
    - III. A minimum front yard setback of 5.0 m shall be provided for a flanking front yard where an attached garage faces the flanking street.
  - (2) A minimum side yard setback of 10% of the average parcel width but not less than 3.0 m shall be provided.
  - (3) A minimum rear yard setback shall be 6.0 m.

**5. R3 – Residential High Density District**

**a) Purpose**

This district is generally intended to accommodate medium to high density housing. This land use district will normally be located adjacent to collector and Arterial Roadways to reduce the impact of higher density development on single family residential land use districts.

**b) Uses**

i) PERMITTED USES	ii) DISCRETIONARY USES
Apartment Dwelling, Duplex Dwelling, Fourplex Dwelling, Row Housing Dwelling, Single Detached Dwelling, Triplex Accessory Uses for the uses listed in 5.11.5 b) i)	Day Care Services Group Care Facility Group Home, Limited Group Home, Major Home Day Care Religious Assembly Show Home Wind Energy Converter System, Minor

i) PERMITTED USES	ii) DISCRETIONARY USES
	Accessory Uses for the uses listed in 5.11.5 b) ii)

**c) Development Regulations for Sub District R3**

- i) Setbacks for Duplex, Triplex, Fourplex and Row Housing Development
  - (1) Minimum Front Yard Setback
    - I. A minimum front yard setback of 6.0 m shall be provided, except the Development Authority may vary the setback requirement for corner or double fronting parcels
    - II. A minimum front yard setback of 5.0 m shall be provided for a flanking front yard where an attached garage faces the flanking street.
  - (2) A minimum side yard setback of 10% of the average parcel width but not less than 3.0 m shall be provided.
  - (3) A minimum rear yard setback shall be 6.0 m.

**6. C1 – Main Street Commercial**

**a) Purpose**

This district is generally intended to accommodate a variety of office, retail and service commercial outlets to serve the Village.

**b) Uses**

i) PERMITTED USES	ii) DISCRETIONARY USES
Accommodation and Convention Services Convenience Retail Services Indoor Eating Establishment Professional, Business, Financial and Office Support Services Wind Energy Converter System (WECS) – Minor Accessory Uses for the uses listed in 5.11.6 b) i)	Dwelling Unit – attached to a commercial use General Commercial Retail Services Park Accessory Uses for the uses listed in 5.11.6 b) ii)

**7. UR – Urban Reserve**

**a) Purpose**

This land use district is generally intended to reserve those areas within the Village that are rural in character or land use for development that is urban in land use and density. When development on lands within this land use district is proposed, other than for the uses and developments prescribed in this land use district, and at any time when subdivision on lands within this land use district is proposed, such development or subdivision will require redistricting the subject lands to the appropriate land use district.

**b) Uses**

i) PERMITTED USES	ii) DISCRETIONARY USES
Park Accessory Uses for the uses listed in 5.11.7 b) i)	Dwelling, Single Detached that existed prior to this Bylaw; Wind Energy Converter System, Minor Accessory Uses for the uses listed in 5.11.7 b) ii)

**c) Development Regulations for Sub-District UR**

- i) No subdivision shall be permitted except as required in the *Act*, or for municipal purposes.
- ii) No subdivisions, reclassifications or development other than those prescribed in Section 5.7.7, for Urban Reserve District shall take place until an outline plan or area structure plan for the area has been completed and is to the satisfaction of the Development Authority or Council.

**8. Development Regulations for All Sub-Districts**

**a) Setbacks for Apartments**

- i) Minimum Front Yard Setback
  - (1) A minimum 6.0 m front yard setback shall be provided for a one (1) storey building.
  - (2) A minimum 7.5 m front yard setback shall be provided for a two (2) storey building.
  - (3) A minimum 9.0 m front yard setback shall be provided for a three (3) storey building.
  - (4) The Development Authority may vary the setback requirement for corner parcels.
- ii) A minimum side yard setback shall be one-half the height of the building or 15% of the average parcel width, whichever is greater.
- iii) A minimum rear yard setback shall be 7.5 m.

**b) Setbacks for Commercial Development**

- i) No minimum yard setbacks are required, except where development abuts a residential district.
- ii) Minimum side yard setback shall be 1.5 m or 40% of the height of the building, whichever is greater, abutting a residential district.

**c) Setbacks for all Other Permitted and Discretionary Uses**

- i) The minimum building setback requirement shall be determined by the Development Authority.

**d) Parcel Coverage**

- i) For a dwelling, single detached, coverage of all buildings shall not exceed 50% of the total parcel area.

- ii) For a duplex, triplex, fourplex, and row housing, the maximum parcel coverage for all buildings shall be 45% of the area of the parcel with all Accessory buildings. The Development Authority may vary the parcel coverage in the case of corner or double fronting parcels.
- iii) For an apartment, the maximum parcel coverage for all buildings shall be 45% of the area of the parcel with all Accessory buildings.
- iv) For commercial uses, parcel coverage for all buildings shall not exceed 90% of the parcel area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

e) Minimum Floor Area

- i) Dwelling, Single Detached (not including attached garage)

Number of Storeys	Minimum Floor Area
1 Storey	79.0 m <sup>2</sup>
1.5 Storey and Split Level	Upper Floor - 37.0 m <sup>2</sup> Lower Floor - 70.0 m <sup>2</sup>
2 Storey	Upper Floor - 60.0 m <sup>2</sup> Lower Floor - 60.0 m <sup>2</sup>
Bi-Level	Upper Floor - 79.0 m <sup>2</sup>

- ii) For duplex, triplex, fourplex, and row housing, the minimum floor area for a Dwelling Unit shall be as follows:
    - (1) in the case of duplex housing, not less than 79.0 m<sup>2</sup>;
    - (2) in the case of triplex, not less than 75.0 m<sup>2</sup> for each unit;
    - (3) in the case of horizontal housing or row housing, not less than 72.0 m<sup>2</sup> for a one bedroom unit, and an additional 11.0 m<sup>2</sup> per unit for each additional bedroom in the unit thereafter; and
    - (4) in the case of vertical or stacked row housing, not less than 50.0 m<sup>2</sup> for a bachelor unit with an additional 11.0 m<sup>2</sup> for each bedroom in the unit thereafter.
  - iii) For an apartment buildings and vertical or stacked housing, the minimum floor area for a Dwelling Unit shall be not less than 50.0 m<sup>2</sup> for a bachelor unit and an additional 11.0 m<sup>2</sup> for each bedroom in the unit included thereafter.
- f) Building Height
- i) For a dwelling, single detached, the height of all structures shall not exceed 9.0 m.
  - ii) For a duplex, triplex, fourplex, row housing and apartment, the height of all structures shall not exceed 10.6 m.
  - iii) For commercial uses, a maximum building height shall be 10.6 m except for hotels, which shall be 16.5 m.
- g) Proposed development on substandard parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the parcel.
- h) For all other Permitted and Discretionary Uses the minimum building setback requirement shall be determined by the Development Authority.

- i) Within the DC (Direct Control) District, Development Authority is delegated to the County's Development Officers to consider applications for the following uses as per Section 5.7.4 of this Land Use Bylaw governing development in this district:
  - i) Decks;
  - ii) Sheds;
  - iii) Garages;
  - iv) Single detached dwellings; and/or
  - v) Variances to these listed uses.
- j) The minimum landscaped area for row/cluster housing shall be 25% of the parcel.
- k) Amenities
  - i) A minimum of 10% of the open space required shall be provided for recreational purposes, and recreational equipment shall be provided on this area to the satisfaction of the Development Authority.
  - ii) Each Dwelling Unit in row/cluster housing shall have one yard which serves as an outdoor living area for the occupants and this yard shall have a depth of 7.5 m.
  - iii) Within the 7.5 m outdoor living area there shall be a privacy zone of 4.5 m which is contained by a fence or other means of enclosure at least 1.5 m in height.
- l) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- m) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 – Development Regulations.

## 9. Subdivision

- a) Parcel Dimension Requirements for Manufactured Home and Dwelling, Single Detached (for purposes of new parcel creation only)
  - i) The minimum parcel depth shall be 34.0 m.
  - ii) Minimum Parcel Width
    - (1) In the case of roadway and lane systems, 15.0 m for internal parcels and 17.0 m shall be provided for corner parcels.
    - (2) In the case of lane less systems, 18.0 m for internal parcels and 20.0 m shall be provided for corner parcels.
- b) Parcel Area Requirement for Duplex, Triplex, and Row Housing (for purposes of new parcel creation only)

- i) Subject to the minimum parcel area requirements for duplexes and triplexes where all Dwelling Units in these developments are contained within the same parcel, as stipulated in Subsections (ii), (iii) and (iv) below, the minimum parcel width shall be 11.0 m and the minimum parcel depth shall be 36.0 m.
  - ii) For a vertical duplex, the minimum parcel area shall be 570.0 m<sup>2</sup>.
  - iii) For a side-by-side duplex, the minimum parcel area shall be 670.0 m<sup>2</sup> located on an interior parcel and 740.0 m<sup>2</sup> if located on a corner or double fronting parcel.
  - iv) For a triplex, the minimum parcel area shall be 700.0 m<sup>2</sup> located on an interior parcel and 770.0 m<sup>2</sup> if located on a corner or double fronting parcel.
  - v) For row housing, a minimum parcel area of 1,000.0 m<sup>2</sup> is required for the entire development. Where a row housing development has been subject to a condominium plan or a Bareland Condominium plan, there shall be no minimum area for each individual condominium unit.
- c) Parcel Area Requirement for Apartment (for purposes of new parcel creation only)
- i) The minimum parcel area shall be the product of the minimum parcel width and depth and the maximum parcel area shall be 1,225.0 m<sup>2</sup>.
- d) Parcel Area Requirements for Commercial Uses (for purposes of new parcel creation only)
- i) Minimum parcel width shall be 6.0 m.
  - ii) Minimum parcel depth shall be 30.0 m.
- e) Parcel area requirements for all other Permitted and Discretionary Uses shall be determined by the Subdivision Authority.
- f) Parcel Density Requirement for Duplex, Triplex, Fourplex, and Row Housing (for purposes of new parcel creation only)
- i) Maximum density shall be 24 units per ha (10 units per ac) of the parcel upon which the development is proposed.
- g) Parcel Density Requirement for Apartment (for purposes of new parcel creation only)
- i) Maximum density shall be 74 units per ha (33 units per ac) of the parcel upon which the development is proposed.
- h) Parcel density requirements for all other Permitted and Discretionary Uses shall be determined by the Subdivision Authority.





## 5.8 LSR – Lakeshore Residential District

### 1. Purpose

To provide for development and redevelopment of smaller, pre-existing Parcels along the lakeshore of Wabamun Lake, Jackfish Lake and Isle Lake. The district is intended to not allow for new subdivisions.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwellings, Single Detached Park Accessory Uses for the uses listed in 5.8.2 b)	Bed and Breakfast Home Community Recreation Services Home Based Business Level 2 Manufactured Home Single Wide Out-Building Secondary Suite Show Home Tourist Campground, Destination Tourist Campground Enroute Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.8.2 c)

### 3. Subdivision

- a) This district is intended for smaller, pre-existing Parcels and no re-subdivision of existing Parcels shall be permitted.

### 4. Development

- a) Minimum front yard Setback shall be
  - i) 7.5 m for the principal dwelling adjacent to an internal subdivision road;
  - ii) 6.0 m for Accessory buildings where the vehicle doors face the internal subdivision road or 3.0 m for Accessory buildings and garages where the vehicle doors do not face the road; and
  - iii) as determined by Alberta Transportation when the front yard is adjacent to a Highway.

- b) Minimum side yard Setback shall be
  - i) 3.0 m for internal Parcels;
  - ii) 6.0 m for those Parcels where the side yard is adjacent to municipal reserve, environmental reserve, lake shore, or internal subdivision road; and
  - iii) as determined by Alberta Transportation when the side yard is adjacent to a Highway.
- c) Minimum rear yard Setback shall be
  - i) 6.0 m for the principal dwelling and Accessory buildings adjacent to a municipal reserve, environmental reserve or lake shore;
  - ii) 6.0 m for an Accessory building adjacent to an internal subdivision road where the vehicle doors face an internal subdivision road, or 1.5 m for Accessory buildings and garages where the vehicle doors do not face the road; and
  - iii) as determined by Alberta Transportation when the side yard is adjacent to a Highway.
- d) The maximum Parcel coverage, including the principal and all Accessory buildings, shall be 40% of the area of the Parcel.
- e) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 6. Regulations for an Out-Building

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size, and reasonable compatibility.
- b) An Out-Building shall:
  - i) Have a maximum floor area of 53.5 m<sup>2</sup>;
  - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer;

- iii) Be located within the rear 30% of the Parcel if located on a Multi-Parcel Subdivision;  
and
- iv) Be screened to the satisfaction of the Development Authority.

## 5.9 MHR - Manufactured Home Residential District



### 1. Purpose

To provide for the development of fully serviced manufactured home parks, including Parkland Village.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Dwelling, Single Detached shall be limited to a Manufactured Home Double Wide or Modular Home only;
- ii) That a Wind Energy Conversion System – Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwelling, Single Detached Manufactured Home Park Manufactured Home, Single Wide Park Accessory Uses for the uses listed in 5.9.2 b)	Community Recreation Services Convenience Retail Services Day Care Services Educational Services Government Services Group Home, Limited Home Based Business Level 2 Home Day Care Indoor Eating Establishment Indoor Participant Recreation Services Outdoor Participant Recreation Services Personal and Health Care Services Professional, Business, Financial and Office Support Services Religious Assembly Show Home Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.9.2 c)

### 3. Development

- a) Separation Distance and Setback
  - i) Manufactured homes and Accessory buildings shall be separated from each other by at least 6.0 m side-to-side and 3.0 m from either front or rear stall line provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing.
  - ii) The above mentioned minimum distance separations and Setback requirements also apply to Accessory buildings.
  - iii) The above mentioned minimum distance separations and Setback requirements may be reduced by the Development Authority or as previously approved by the Development Authority.
- b) Parking
  - i) Visitor parking requirements shall be a ratio of at least one (1) space to every four (4) manufactured home space. A separate area shall be established to the satisfaction of the Development Authority for storage of Recreational Vehicles and equipment.
  - ii) Two (2) off-street parking stalls shall be provided for each manufactured home space.
- c) Parcel Identification
  - i) Each manufactured home space shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs, or hedges.
- d) Infrastructure
  - i) Interior roads shall be hard surfaced, well drained, and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 20.0 m.
- e) Landscaping
  - i) Landscaping of the site may be required by the Development Authority. Screen fences or walls may be erected, where deemed necessary by the Development Authority, around laundry yards, refuse collection points and playgrounds.
  - ii) Stalls shall be set back a minimum of 15.0 m from the property boundary of the park site. This Setback strip shall be landscaped or fenced to the satisfaction of the Development Authority.
- f) Access and Recreation
  - i) In a manufactured home park, 10% of the gross Parcel area shall be devoted to recreational use or as determined by the Development Authority.
  - ii) All manufactured home parks may be required to provide all season pedestrian access throughout the manufactured home park.
- g) Lighting
  - i) Street lighting in a manufactured home park shall be to the satisfaction of the Development Authority.
- h) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.

- i) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

#### **4. Other Development Regulations**

- a) Commercial uses/developments, in the use class table under Section 5.9.2, may be permitted if they provide a direct service to the residents of the manufactured home park.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- c) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 5.10 RRH - Residential Row Housing District

### 1. Purpose

To provide for the development of fully serviced row housing development.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system.

b) PERMITTED USES	c) DISCRETIONARY USES
Dwellings, Duplex Dwelling, Fourplex Dwelling, Row Housing Dwelling, Single Detached Dwelling, Triplex Park Accessory Uses for the uses listed in 5.10.2 b)	Community Recreation Services Group Home, Limited Home Based Business Level 2 Recreational Vehicle Storage Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.10.2 c)

### 3. Subdivision

#### a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) For row housing, a minimum Parcel area of 1.0 ha is required for the entire development. Where a row housing development has been subject to a condominium plan or a Bareland Condominium plan, there shall be no minimum area for each individual condominium unit.
- ii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.

#### b) Parcel Density Requirement (for purposes of new Parcel creation only)

- i) For row housing, a maximum Dwelling Unit density of 22 Dwelling Units per ha shall be required.
- ii) For all other Permitted and Discretionary Uses the Parcel density requirement shall be determined by the Subdivision Authority.

### 4. Development

- a) Other than allowed for row housing developments, the minimum building Setback requirement for all other Permitted and Discretionary Uses shall be determined by the Development Authority.

- b) Setbacks for Row Housing
  - i) A minimum front yard Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
  - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
  - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - v) A minimum Setback of 7.5 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
  - vi) A minimum Setback of 7.5 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) Where a row housing development has been subject to a condominium plan or a Bareland Condominium plan, minimum Setbacks shall be measured from the individual buildings to the boundaries of the plan. There shall be no minimum Setback requirements between the individual buildings and the condominium unit boundaries, except as required by Alberta Safety Codes.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.





## 5.11 RC - Rural Centre District

### 1. Purpose

To provide for a range of residential and non-residential land uses that are traditional in the following Rural Centres: Carvel, Duffield, Fallis, Gainford, Keephills, Magnolia and Tomahawk, excluding Entwistle. Uses which may have a higher impact on surrounding areas, are included as Discretionary Uses so they can be considered by taking specific locational circumstances and potential impacts into account.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Manufactured Home, Single Wide is neither a Permitted nor a Discretionary Use within the Hamlet of Keephills;
- ii) That a Wind Energy Converter System - Minor, as a Discretionary Use, is limited to no more than one system; and
- iii) That Recycling Depot Major, as a Discretionary Use, shall not be located adjacent to a Provincial Highway.

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b) PERMITTED USES	c) DISCRETIONARY USES
Bed and Breakfast Home Boarding House Day Care Services Dwelling, Single Detached Park Religious Assembly Accessory Uses for the uses listed in 5.11.2 b)	Accommodation and Convention Services Agricultural Support Services Animal Health Care Services Apartment Apiary Automotive, Equipment and Vehicle Services Bulk Fuel Depot Cannabis Cultivation, Minor Cannabis Retail Sales Cemetery Community Recreation Services Convenience Retail Services Cottage Industry Crematorium Cultural Facilities Dwelling, Duplex Dwelling, Fourplex Dwelling, Row Housing

b) PERMITTED USES	c) DISCRETIONARY USES
	Dwelling, Triplex General Commercial Retail Services Group Home, Limited Group Home, Major Home Day Care Horticultural Use Indoor Eating Establishment Indoor Participant Recreation Services Liquor Sales/Distribution Services Manufactured Home, Single Wide Medical Treatment Services Outdoor Eating Establishment Personal and Health Care Services Professional, Business, Financial and Office Support Services Recreational Vehicle Storage Recycling Depot – Minor Secondary Suite Show Home Spectator Sports Establishments Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 5.11.2 c)

### 3. Subdivision

- a) For residential Parcels (excluding Keephills) that are not served by a sewage collection system or water distribution system, a minimum area of 1,860.0 m<sup>2</sup> with a minimum width of 30.0 m shall be required. For residential Parcels in Keephills, the minimum area of 4,047.0 m<sup>2</sup> with a minimum width of 30.0 m shall be required.
- b) For residential Parcels served by a water distribution system but not a sewage collection system, a minimum area of 1,400.0 m<sup>2</sup> with a minimum width of 30.0 m shall be required.
- c) For residential Parcels served by a sewage collection system but not a water distribution system, a minimum area of 930.0 m<sup>2</sup> and a minimum width of 30.0 m shall be required.
- d) For residential Parcels served by a water distribution system and a sewage collection system, a minimum area of 465.0 m<sup>2</sup> and a minimum width of 15.0 m shall be required.
- e) No dwelling shall be permitted on a Parcel where the area or width of which is less than the minimum prescribed for this district, except that a Parcel with separate title in the Land

Titles Office may be used at the discretion of the Development Authority provided that the development complies with all other requirements of this Bylaw.

- f) Parcels that are to be used for non-residential purposes shall have an area as approved by the Subdivision Authority.

#### 4. Development

- a) Setbacks for Principal and Accessory Buildings (within all rural centres excluding Keephills)
  - i) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - ii) A minimum front yard Setback shall be 7.5 m.
  - iii) Side Yard Setback
    - (1) A minimum side yard Setback of 10% of average Parcel width but not less than 3.0 m, whichever is greater shall be provided.
    - (2) A side yard Setback of 4.5 m shall be provided from a flanking roadway, including garages where the vehicle doors do not face a flanking roadway and in those instances where the garage doors are, in the opinion of the County, significantly angled towards the flanking roadway or lane.
  - iv) Rear Yard Setback
    - (1) A rear yard Setback of 6.0 m shall be provided for all residential buildings, Accessory buildings and all garages where the vehicle doors face a public lane or roadway.
    - (2) A rear yard Setback of 1.5 m shall be provided for Accessory buildings and garages where the vehicle doors do not face a public lane or roadway.
- b) Setbacks within Keephills for Principal Buildings
  - i) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - ii) A minimum Setback of 45.0 m shall be provided from the Property Line of adjacent Arterial Road right-of-ways.
  - iii) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
- c) Setbacks within Keephills for Accessory Buildings
  - i) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
  - ii) A minimum Setback of 45.0 m shall be provided from the Property Line of adjacent Arterial Road right-of-ways.
  - iii) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
- d) Setbacks within Keephills for Principal and Accessory Buildings Adjacent to an Internal Subdivision Road
  - i) A minimum front yard Setback shall be 7.5 m.
  - ii) A minimum side yard Setback shall be 6.0 m.

- iii) A minimum rear yard Setback shall be 6.0 m.
- e) Parcel Coverage in all Rural Centres
  - i) The area of land covered by buildings (including garages and other Accessory buildings) shall not exceed 40% of the total Parcel area.
- f) For Discretionary Uses, the Development Authority shall determine the minimum building Setback requirement.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## SECTION 6 COMMERCIAL

### 6.1 HC - Highway Commercial District

#### 1. Purpose

To accommodate a diverse range of high quality commercial, recreation and tourism type of uses to serve the travelling public and that will benefit from exposure to high traffic volumes.

#### 2. Uses

##### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 2 b) and c) shall ensure:

- i) That Recreational Vehicle Storage shall not be within 150.0 m of a Multi-Parcel Residential Subdivision;
- ii) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- iii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- iv) That Recycling Depot Major, as a Discretionary Use, shall not be located Adjacent to a Provincial Highway.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Convenience Retail Services Cultural Facilities Drive Through Business Educational Services General Commercial Retail Services Government Services Indoor Eating Establishment Medical Treatment Services Service Station Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 6.1.2 b)	Accommodation and Convention Services Agriculture Support Services Amusement and Entertainment Services Animal Health Care Services Auctioneering Services Automotive Equipment and Vehicle Services Bulk Fuel Depot Cannabis Retail Sales Crematorium Day Care Services Funeral Home Horticultural Use Indoor Participant Recreation Services Liquor Sales/Distribution Services Natural Science Exhibit Outdoor Eating Establishment

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
	Personal and Health Care Services Professional, Business, Financial and Office Support Services Recreational Vehicle Storage Recycling Depot – Minor Religious Assembly Security Suite Small Animal Breeding / Boarding Services Tourist Campground, Destination Tourist Campground, Enroute Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 6.1.2 c)

### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
  - ii) Minimum Parcel width shall be 60 m.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, the Parcel density requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
    - (3) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
    - (4) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.

- ii) Minimum side yard Setback shall be 6.0 m or 7.5 m from a side Parcel Property Line adjacent to a residential development.
  - iii) Minimum rear yard Setback shall be 6.0 m or 7.5 m from a rear Parcel Property Line adjacent to a residential development.
- b) Parcel Coverage
  - i) The maximum Parcel coverage shall not exceed 50% the Parcel area provided that provisions have been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- c) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the site, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping Standards shall comply with Subsection 13.2 of this Bylaw.

## 5. Other Development Regulations

- a) The design, character and appearance of all buildings shall be appropriate and compatible with the surrounding area and shall be constructed of durable materials designed to maintain the initial quality throughout the life of the project.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- c) Servicing
  - i) Except as allowed for in an area structure plan, for all developments, sanitary sewage shall be provided in compliance with the Alberta Private Sewage Systems Standard of Practice and to the satisfaction of the Approving Authority.
  - ii) For all developments the availability and suitability of on-site water shall be confirmed and shall be licensed pursuant to the provisions of the *Water Act*.
  - iii) For all developments storm drainage facilities shall be provided to the satisfaction of the Approving Authority.
  - iv) Utility right-of-way and/or easement agreements may also be required as a condition of approval for new subdivisions or development to allow for connection to a municipal or regional water and/or wastewater system.
- d) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 6.2 LC – Local Commercial District

### 1. Purpose

To permit a variety of small scale, local, day to day retail and service commercial outlets requiring minimal services and accessible to rural locations.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Agriculture Support Services Convenience Retail Services Indoor Eating Establishment Medical Treatment Services Outdoor Eating Establishment Personal and Health Care Services Professional, Business, Financial and Office Support Services Service Station Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 6.2.2 b)	Animal Health Care Services Automotive Equipment and Vehicle Services Cannabis Retail Sales Day Care Services Dwelling, Single Detached Government Services Indoor Participant Recreation Services Liquor Sales/Distribution Services Outdoor Participant Recreation Services Religious Assembly Security Suite Utility Services – Major Infrastructure Wind Energy Converter System – Minor Accessory Uses for the uses listed in 6.2.2 c)

### 3. Subdivision

- a) Parcel Area Requirements (for purposes of new Parcel creation only)
  - i) Minimum Parcel width shall be 30.0 m.
  - ii) Minimum Parcel depth shall be 35.0 m.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)



- i) For all Permitted and Discretionary Uses, the Parcel density requirements shall be determined by the Subdivision Authority.

#### **4. Development**

- a) Parcel Coverage
  - i) Developments shall not exceed 30% of the Parcel area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- b) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
    - (3) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
    - (4) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - ii) Minimum side yard Setback shall be 3.0 m.
  - iii) Minimum rear yard Setback shall be 7.5 m, except it shall be increased by 1.0 m in depth for each storey above the first storey.
- c) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13.2 of this Bylaw.

#### **5. Other Development Regulations**

- a) Development shall be designed to ensure the privacy of adjacent residential development.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- c) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 6.3

# HCIC – Highway Commercial Industrial Corridor District



## 1. Purpose

The purpose of this district is to accommodate a diverse range of high quality office, commercial, retail and recreation type of uses in major employment areas in order to support the local employees and industries. Typically, this district will be located on Highway corridors within a major employment area in Parkland County.

## 2. Uses

### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 2 (b) and (c) shall ensure:

- i) Permitted Uses in this district will be considered Discretionary when Outdoor Storage is proposed to form part of the development.
- ii) Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems;

b) PERMITTED USES	c) DISCRETIONARY USES
Accommodation and Convention Services	Community Recreation Services
Amusement and Entertainment Services, Indoor	Cultural Facilities
Animal Health Care Services	Natural Science Exhibit
Automotive, Equipment and Vehicle Services, Minor	Wind Energy Converter System – Minor (See Fundamental Use Provisions)
Beverage Production	Accessory Uses for the uses listed in 6.1.2 c)
Cannabis Retail Sales	
Convenience Retail Services	
Day Care Services	
Drive Through Vehicle Service	
Educational Services	
General Commercial Retail Services	
General Manufacturing and Processing, Indoor	
Government Services	
Indoor Eating Establishment	
Indoor Participant Recreation Services	
Liquor Retail Sales	
Outdoor Eating Establishment	

b) PERMITTED USES	c) DISCRETIONARY USES
Personal and Health Care Services Professional, Business, Financial and Office Support Services Service Station Accessory Uses for the uses listed in 6.1.2 b)	

### 3. Subdivision

- a) The Parcel density requirements and the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (5) A minimum Setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
    - (3) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - i) The combined side yard building Setback shall total at least 12.0m with a minimum side yard building Setback of 3.0m
  - ii) The minimum rear yard Setback shall be 9.0m
  - iii) Notwithstanding 6.2.4(a)(ii) and (iii), the minimum building Setback shall be 15.0m from a property line that is shared with a property districted residential.
- b) Outdoor Storage
  - i) Outdoor Storage related to the Principal Use on the Parcel shall be adequately screened from view to lessen the visual impact on adjacent properties and public roadways.
- c) Outdoor Display Area
  - i) Notwithstanding Section 6.3.4(b) of this Bylaw, equipment and materials related to a Principal Use on a Parcel may be displayed provided that the location and commodities to be stored are identified as an Outdoor Display Area on an approved Landscape Plan.
  - ii) Outdoor Display Areas are intended to allow for the orderly showcase of equipment or materials related to the business or industry of that Parcel.
  - iii) Outdoor Display Areas shall be limited to the commodity manufactured, sold, or leased on the Parcel.

- d) Landscaping
  - i) As required by the Development Authority, all required yards and open spaces on the Parcel, excluding parking spaces and on-site circulation, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13 of this Bylaw.
- e) Building Features
  - i) The design, character and appearance of all buildings shall be appropriate and compatible with the surrounding area and shall be constructed of durable materials designed to maintain the initial quality throughout the life of the project.
  - ii) The building face nearest the Highway should incorporate a combination of the following elements: façade articulation, colour, material, and / or texture. In addition to these elements, landscaping (as required by Section 13.0 of this Bylaw) can be used to add visual interest.
  - iii) The primary entrance should be clearly visible to visiting patrons through the use of architectural detail or differentiating colours.
- f) Parking and Loading Requirements
  - i) Loading bays shall be to the rear or side of the Building. Building design should obscure loading bays from the view of the front of the building as much as possible. Screening and landscaping can be utilized toward these ends.
  - ii) Pedestrian circulation shall be factored into overall parking lot design. Consideration for safe passage to points of entry including, but not limited to, landscaped boulevards, painted crosswalks, and directional signage, is encouraged.
  - iii) All parking and loading areas shall meet the requirements of Section 14 of this Bylaw.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a Major Development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 – DEVELOPMENT REGULATIONS.
- c) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.

## SECTION 7 INDUSTRIAL

Bylaw No. 2019-22

### 7.1 BI - Business Industrial District

BI

#### 1. Purpose

The purpose of this district is to accommodate a range of industrial and commercial uses which may have outdoor storage or work activities, in fully serviced business and industrial parks. Typical uses in this district do not create any nuisance factors that extend beyond the boundaries of the parcel to ensure that the development is compatible with other non-industrial uses. For any development within this district, a high landscaping standard is required to improve the appearance of new industrial and commercial development throughout the County, including along high-visibility Highways and County main roads.

#### 2. Uses

##### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 2 b) and c) shall ensure:

- i) The Industrial Frontage Overlay applies to any privately-held Parcel districted Business Industrial adjacent to Highway 16, Highway 16A, or Highway 60. For the purposes of the Overlay, Parcels separated from a Highway by a Municipal Reserve parcel will be deemed adjacent. Section 10.4 of this Bylaw identifies Permitted and Discretionary Uses allowable within the Overlay. (\*) See Section 10.4 for permissible uses in the Industrial Frontage Overlay.
- ii) Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- iii) Recycling Depot Major, as a Discretionary Use, shall not be located Adjacent to a Provincial Highway.

Bylaw No. 2018-09

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Animal Health Care Services	Accommodation and Convention Services
Automotive, Equipment and Vehicle Services, Major	Amusement and Entertainment Services, Indoor*
Automotive, Equipment and Vehicle Services, Minor	Cannabis Retail Sales*
Beverage Production	Community Recreation Services*
Cannabis Cultivation, Major	Convenience Retail Services*
Cannabis Cultivation, Minor	Crematorium
Cannabis Processing, Major	Cultural Facilities*
Cannabis Processing, Minor	Day Care Services*
Computer, Electronic, Data Processing Services	Drive Through Vehicle Service*
Fleet Service and Storage	Kennel
	Liquor Retail Sales*

b) PERMITTED USES	c) DISCRETIONARY USES
Funeral Home General Commercial Retail Services General Manufacturing and Processing, Indoor General Manufacturing and Processing, Outdoor* Government Services Horticultural Use* Indoor Eating Establishment Indoor Participant Recreation Services Liquor Distribution Services Professional, Business, Financial and Office Support Services Recreational Vehicle Storage* Recycling Depot - Minor Security Suite Service Station Storage, Warehousing and Distribution, Indoor Storage, Warehousing and Distribution, Outdoor* Accessory Uses for the uses listed in 7.1.2 b)	Personal and Health Care Services* Recycling Depot – Major Small Animal Breeding/Boarding Wind Energy Converter System – Minor <i>(See Fundamental Use Provision)</i> Accessory Uses for the uses listed in 7.1.2 c)

### 3. Subdivision

- a) The Parcel density requirements and the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
    - (3) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.

- ii) The combined side yard building Setbacks shall total at least 12.0 m with a minimum side yard building Setback of 3.0 m.
  - iii) Minimum rear yard Setback shall be 9.0 m.
  - iv) Notwithstanding 7.1.4(a)(ii) and (iii), the minimum building Setback shall be 15.0 m from a property line that is shared with a property districted residential.
- b) Parcel Coverage
  - i) The maximum Parcel coverage shall be 60% of the area of the Parcel.
- c) Parking and Loading
  - i) Vehicular entrances and exits, as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
  - ii) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.
  - iii) No parking, loading, storage, or trash collection area, shall be permitted within the first 6.0 m of a required front yard Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent sites or public roadway.
- d) Outdoor Storage
  - i) Outdoor storage and screening shall comply with Section 13.3. Industrial Landscaping Requirements.
- e) Outdoor Display Area
  - i) Notwithstanding Section 7.1.4(d) of the Bylaw, equipment and materials related to a Principal Use on a Parcel may be displayed provided that the location and commodities to be stored are identified as an Outdoor Display Area on an approved Landscape Plan.
  - ii) Outdoor Display Areas are intended to allow for the orderly showcase of equipment or materials related to the business or industry of that Parcel.
  - iii) Outdoor Display Areas shall be limited to the commodity manufactured, sold, or leased on the Parcel.
- f) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13.3 of this Bylaw.
- g) Design, Character and Appearance of Buildings and Structures
  - i) All developments within the district shall comply with Subsection 11.2 of this Bylaw.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the

Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.

- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.
- c) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.





## 7.2 BIR - Regional Business Industrial District

### 1. Purpose

- a) The purpose of this district is to accommodate a range of industrial and industrial support services that typically provide logistics, manufacturing/processing, professional office, or research and development functions. Developments within this District typically require larger parcels adjacent to regional transportation routes. For any development within this district, a high landscaping standard is required to improve the appearance of new development along high-visibility Highways and County main roads.

### 2. Uses

- a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 7.2.2 b) and c) shall ensure:

- i) nuisances are contained within the building envelopes.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services Cannabis Cultivation, Major Cannabis Cultivation, Minor Cannabis Processing, Major Cannabis Processing, Minor Convenience Retail Services General Industrial Manufacturing/Processing Government Services Horticultural Use Industrial Storage and Warehousing Professional, Business, Financial and Office Support Services Security Suite Wind Energy Converter System (WECS) – Minor (1 system) Accessory Uses for the uses listed in 7.22.2 b)	Accommodation and Convention Services Animal Health Care Services Automotive Equipment and Vehicle Services Community Recreation Services Day Care Services Drive Through Business General Commercial Retail Services Indoor Eating Establishment Indoor Participant Recreation Services Liquor Sales/Distribution Services Personal and Health Care Services Spectator Sports Establishments Accessory Uses for the uses listed in 7.22.2 c)

### 3. Subdivision Regulations

- a) Parcel Area Requirement (for purposes of new parcel creation only):
  - i) Minimum parcel area shall be the area contained in the existing titled area, unless otherwise approved by the Subdivision Authority.

- ii) Minimum parcel width shall be 30.0 m.

Bylaw No. 2018-09

#### 4. Development Regulations

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
    - (2) A minimum setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
    - (3) A minimum setback from a Highway shall be determined by the Development Authority in consultation with Alberta Transportation.
  - ii) The combined side yard building Setback shall total at least 12.0 m with a minimum side yard building of 3 m.
  - iii) Minimum rear yard setback shall be 9.0 m.
  - iv) Notwithstanding 7.2.4(a)(ii) and (iii), the minimum building Setback shall be 15 m from a property line that is shared with a property districted as residential.
- b) Parking, Loading and Storage
  - i) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.
  - ii) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within the first 6.0 m of a required front yard setback.
- c) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13.3 of this Bylaw.
  - iii) The Development Authority may accept special design features to enhance the aesthetic quality of the parcel in lieu of the landscaping requirements outlined in Subsection 13.3, provided that such features meet or exceed the intended purpose of landscaping; for example, enhanced entrance and gate features, or installation of art pieces.
- d) Design, Character and Appearance of Buildings and Structures
  - i) All development within the District shall comply with Subsection 11.2 of this Bylaw.
- e) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
- f) The Development Authority may request an emergency response plan as a condition of a development permit to ensure that emergency services requirements for fire, rescue, and ambulance are met.

- g) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

## 7.3 MI - Medium Industrial District



### 1. Purpose

The purpose of this district is to provide for a broad range of compatible industrial uses on fully serviced Parcels, some of which may require outdoor storage or activities. Any nuisance factor should not extend beyond the boundaries of the Parcel.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.3.2 b) and c) shall ensure:

- i) Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- ii) All activities associated with Abattoir, as a Discretionary Use, must be enclosed within a building.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services Animal Health Care Services Auctioneering Services Automotive, Equipment and Vehicle Services, Major Automotive, Equipment and Vehicle Services, Minor Beverage Production Bulk Agricultural Chemical Distribution Bulk Fuel Depot Cannabis Cultivation, Major Cannabis Cultivation, Minor Cannabis Processing, Major Cannabis Processing, Minor Concrete / Asphalt Plant Computer, Electronic, Data Processing Services Crematorium Fleet Services and Storage General Commercial Retail Services General Manufacturing and Processing, Indoor	Abattoir ( <i>See Fundamental Use Provisions</i> ) Convenience Retail Services Drive-Through Vehicle Service Indoor Eating Establishment Wind Energy Converter System – Minor Accessory Uses for the uses listed in 7.3.2 c)

b) PERMITTED USES	c) DISCRETIONARY USES
General Manufacturing and Processing, Outdoor Horticultural Use Kennel Liquor Distribution Services Recreational Vehicle Storage Recycling Depot, Major Recycling Depot - Minor Service Station Small Animal Breeding/Boarding Storage, Warehousing and Distribution, Indoor Storage, Warehousing and Distribution, Outdoor Waste Management Facility, Minor Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 7.3.2 b)	

### 3. Subdivision

- a) The Parcel density requirements and the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
    - (3) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - ii) The combined side yard building Setback shall total at least 12.0 m with a minimum side yard building Setback of 3.0 m.
  - iii) Minimum rear yard Setback shall be 9.0 m.
  - iv) Notwithstanding 7.3.4(a)(ii) and (iii), the minimum building Setback shall be 15.0 m from a property line that is shared with a property districted as residential.

Bylaw No. 2018-09

- b) Parcel Coverage
  - i) The maximum Parcel coverage shall be 60% of the area of the Parcel excluding yard storage.
- c) Parking and Loading
  - i) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.
  - ii) No parking, loading, storage, or trash collection area shall be permitted within the first 6.0 m of a required front yard Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent sites or public roadway.
- d) Outdoor Storage
  - i) Outdoor storage and screening shall be as per Subsection 13.3 Industrial Landscaping Requirements.
- e) Outdoor Display Area
  - i) Notwithstanding Section 7.3.4(d) of this Bylaw, equipment and materials related to a Principal Use on a Parcel may be displayed provided that the location and commodities to be stored are identified as an Outdoor Display Area on an approved Landscape Plan.
  - ii) Outdoor Display Areas are intended to allow for the orderly showcase of equipment or materials related to the business or industry of that Parcel.
  - iii) Outdoor Display Areas shall be limited to the commodity manufactured, sold, or leased on the Parcel.
- f) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13.3 of this Bylaw.
- g) Design, Character and Appearance of Buildings and Structures
  - i) All development within the district shall comply with Subsection 11.2 of this Bylaw.

## 5. Other Development Regulations

- a) Industrial uses shall not create any nuisance effect beyond their property boundaries.
- b) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
- c) The Development Authority may request an emergency response plan as a condition of a development permit to ensure that emergency services requirements for fire, rescue, and ambulance are met.

- d) The minimum Setback requirement for all Permitted and Discretionary Uses may be increased at the discretion of the Development Authority.
- e) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- f) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 7.4 HI - Heavy Industrial District



### 1. Purpose

The purpose of the Heavy Industrial District is to provide for large scale industrial uses that due to their large land requirements and potential negative impacts such as noise, odour, risk of toxic emissions, fire or explosion hazard, are incompatible with other non-industrial land uses, but may be compatible with extensive agricultural operations.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.24.2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- iii) That Recycling Depot Major, as a Discretionary Use, shall not be located Adjacent to a Provincial Highway.

b) PERMITTED USES	c) DISCRETIONARY USES
Animal Health Care Services Auctioneering Services Automotive Equipment and Vehicle Services Bulk Fuel Depot General Industrial Manufacturing/Processing Indoor Participant Recreation Services Industrial, Heavy Industrial Storage and Warehousing Livestock Auction Mart Recycling Depot - Minor Waste Management Facility, Minor Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 7.24.2 b)	Concrete/Asphalt Plant Natural Resource Extraction/Processing Recycling Depot, Major Utility Services – Major Infrastructure Waste Management Facility, Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 7.24.2 c)

### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)



- i) Minimum Parcel area shall be the area contained in the existing titled area, unless otherwise approved by the Subdivision Authority.
- ii) The minimum Parcel width shall be 50.0 m.

#### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 15.0 m shall be provided from the Property Line of an adjacent internal subdivision road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
    - (3) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
    - (4) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - ii) Minimum side and rear yard Setbacks shall be 15.0 m for Parcels not adjacent to a Highway and as determined by Alberta Transportation for Parcels adjacent to a Highway.
  - iii) The Development Authority may require a minimum Setback of 457.0 m from the limits of a heavy industrial facility to the outside boundary of the Parcel on which the facility is situated when the Parcel is located adjacent to a land use which is deemed incompatible.

#### 5. Other Site Development Regulations

- a) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a risk assessment report of the proposed development.
- b) The Development Authority may request an emergency response plan as a condition of a development permit to ensure that emergency services requirements for fire, rescue, and ambulance are met.
- c) The minimum Setback requirement for all Permitted and Discretionary Uses may be increased at the discretion of the Development Authority.
- d) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat

and unique physical features, and shall recommend appropriate measures for protecting significant features.

- e) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 7.5 IR – Industrial Reserve District

### 1. Purpose

The purpose of this district is to accommodate existing development and other limited uses that will not impede the future use or planned development of these lands.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.5.2 b) and c) shall ensure:

- i) That General Industrial Manufacturing/Processing is limited to existing approved Developments;
- ii) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- iii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems.

b) PERMITTED USES	c) DISCRETIONARY USES
Apiary General Industrial Manufacturing/Processing Wind Energy Converter System - Minor Accessory Uses for the uses listed in 7.5.2 b)	Aquaculture Auctioneering Services Horticultural Use Natural Resource Extraction/Processing Waste Management Facility, Minor Wind Energy Converter System – Minor Accessory Uses for the uses listed in 7.5.2 c)

### 3. Subdivision

- a) For all Permitted and Discretionary Uses, the Parcel density requirements and the minimum and maximum Parcel area requirements shall be determined by the Development Authority.

### 4. Development

- a) For all Permitted and Discretionary Uses, the minimum Setback requirements shall be determined by the Development Authority.

### 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the

Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.

- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses shall be subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 7.6 RE - Resource Extraction District

### 1. Purpose

To permit agricultural production and related farming activities while permitting uses associated with the large scale exploration, extraction, processing and reclamation of coal resources located in the vicinity of Wabamun Lake and falling within a mine permit area designated by the Alberta Energy Regulator.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.6.2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems;
- iii) That Dwellings, Single Detached shall only be allowed in locations outside of a mine license area as designated by the Energy Utilities Board; and
- iv) That Manufactured Home, Single Wide shall only be allowed in locations outside of a mine license area as designated by the Energy Utilities Board.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Apiary Aquaculture Auctioneering Services Kennel Natural Resource Extraction/Processing Small Animal Breeding and or Boarding Services Wind Energy Converter System - Minor Accessory Uses for the uses listed in 7.6.2 b)	Bed and Breakfast Home Bulk Fuel Depot Cannabis Cultivation, Major Cannabis Cultivation, Minor Cannabis Processing, Major Cannabis Processing, Minor Dwelling, Single Detached Farm Vacation Home General Industrial Manufacturing/Processing Home Based Business Level 2 Home Based Business Level 3 Horticultural Use Indoor Participant Recreation Services Industrial Storage and Warehousing Manufactured Home, Single Wide Outdoor Participant Recreation Services Outdoor Shooting Range

b) PERMITTED USES	c) DISCRETIONARY USES
	Wind Energy Converter System – Minor Work Camp Accessory Uses for the uses listed in 7.6.2 c)

Bylaw No. 2018-09

### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) For extensive agriculture and extensive livestock, a minimum Parcel area of 64.8 ha more or less, shall be required.
  - ii) For manufactured home and dwelling, single detached, a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel residential subdivision, unless greater area is required to include shelterbelts, buildings or other improvements related to the residence on a farmstead shall be required.
  - iii) For all other Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) A manufactured home and dwelling, single detached shall have a maximum of one (1) single Parcel residential subdivision from an un-subdivided quarter section.
  - ii) For all other Permitted and Discretionary Uses, the Parcel density requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) The Development Authority, taking into consideration the merits of the application, site characteristics, and adjacent land uses shall establish the Setback requirement.
- b) For Home Based Business Level 3 a minimum Setback of 150.0 m shall be maintained from the boundaries of the development to the boundaries of a multi-Parcel subdivision.

### 5. Other Site Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## 7.7 RIC - Rural Industrial / Commercial District



### 1. Purpose

To accommodate lower intensity industrial and commercial development requiring minimal servicing outside of business and industrial parks.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.7.2.b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system; and
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems.

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services Animal Health Care Services Apiary Auctioneering Services Industrial Storage and Warehousing Livestock Auction Mart Recreational Vehicle Storage Waste Management Facility, Minor Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 7.7.2 b)	Abattoir Aquaculture Automotive, Equipment and Vehicle Services Bulk Fuel Depot Cannabis Cultivation, Major Cannabis Cultivation, Minor Cannabis Processing, Major Cannabis Processing, Minor Crematorium General Industrial Manufacturing/Processing Government Services Horticultural Use Indoor Eating Establishment Kennel Natural Resource Extraction/Processing Professional, Business, Financial and Office Support Services Utility Services, Major Infrastructure Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Work Camp



b) PERMITTED USES	c) DISCRETIONARY USES
	Accessory Uses for the uses listed in 7.7.2 c)

### 3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) For all Permitted and Discretionary Uses, the Parcel density requirements shall be determined by the Subdivision Authority.

### 4. Development

- a) Setbacks
  - i) Minimum Front Yard Setback
    - (1) A minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent internal subdivision road.
    - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
    - (3) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
    - (4) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
  - ii) Minimum side yard and rear yard Setbacks shall be 9.0 m or 15.0 m from a side Parcel line adjacent to a residential development.
- b) General Industrial Manufacturing/Processing and Industrial Storage and Warehousing
  - i) All loading, service, trash collection and Accessory storage areas, and trucking yards may be required to be located to the rear or sides of the principal building, and may be required to be screened from view from any public roadway other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.
- c) Landscaping
  - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
  - ii) Landscaping standards shall comply with Subsection 13.2 of this Bylaw.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

## SECTION 8 PARKS AND SERVICES

### 8.1 PC – Conservation District



#### 1. Purpose

To accommodate Development that supports the protection, preservation, and enhancement of the County's high priority landscapes, environmentally significant areas, and other natural areas.

#### 2. Uses

##### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 8.1.2.b) and c) shall ensure:

- i) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems.

b) PERMITTED USES	c) DISCRETIONARY USES
Park  Accessory Uses for the uses listed in 8.1.2 b)	Convenience Retail Services  Natural Sciences Exhibit  Outdoor Participant Recreation Services  Wind Energy Converter System – Minor (See Fundamental Use Provisions)  Accessory Uses for the uses listed in 8.1.2 c)

#### 3. Subdivision

##### a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel area and density requirements shall be determined by the Subdivision Authority.

#### 4. Development

- a) The Development Authority, taking into consideration the merits of the application, site characteristics, and adjacent land uses shall establish the Setback requirement.

#### 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.

- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 8.2 PS - Public Services District

### 1. Purpose

To accommodate for a range of uses that support the promotion of active, inclusive, safe, vibrant, and connected communities within Parkland County as a whole.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 8.2.2.b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems; and
- iii) That Recycling Depot, Major, as a Discretionary Use, shall not be located adjacent to a Provincial Highway

b) PERMITTED USES	c) DISCRETIONARY USES
Cemetery Community Recreation Services Cultural Facilities Day Care Services Educational Services Government Services Medical Treatment Services Natural Science Exhibits Religious Assembly Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 8.2.2 b)	Convenience Retail Services Crematorium Detention and Correction Services Dry Waste Landfill Indoor Participant Recreation Services Outdoor Participant Recreation Services Recycling Depot - Minor Spectator Sports Establishments Utility Services – Major Infrastructure Waste Management Facility, Major Waste Management Facility, Minor Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 8.2.2 c)

### 3. Subdivision

- a) Parcel Dimension Requirement (for purposes of new Parcel creation only)
  - i) The minimum Parcel width shall be 30.0 m.
- b) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel area and density requirements shall be determined by the Subdivision Authority.

#### **4. Development**

- a) Setbacks
  - i) The minimum Setback for the front, rear and side yard shall be 6.0 m, except where a Parcel is adjacent to a multi-Parcel residential development it shall be 15.0 m.
- b) Parcel Coverage
  - i) The maximum Parcel coverage shall be 75%.

#### **5. Other Development Regulations**

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
  - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## 8.3 PR - Recreation District

### 1. Purpose

To accommodate Development that supports growth in recreation and tourism to enhance the character of the County's unique landscapes.

### 2. Uses

#### a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 8.3.2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems; and
- iii) That Outdoor Participant Recreation Services does not include any development or part thereof where firearms are discharged.

b) PERMITTED USES	c) DISCRETIONARY USES
Amusement and Entertainment Services Community Recreation Services Cultural Facilities Indoor Participant Recreation Services Outdoor Participant Recreation Services Park Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 8.3.2 b)	Convenience Retail Services Indoor Eating Establishment Natural Sciences Exhibit Outdoor Eating Establishment Semi-Public Use Tourist Campground, Destination Tourist Campground, Enroute Utility Services – Major Infrastructure Wind Energy Converter System – Minor <i>(See Fundamental Use Provisions)</i> Accessory Uses for the uses listed in 8.3.2 c)

### 3. Subdivision

#### a) Parcel Area Requirement (for purposes of new Parcel creation only)

- i) For all Permitted and Discretionary Uses, the minimum and maximum Parcel area and density requirements shall be determined by the Subdivision Authority.

### 4. Development

#### a) Setbacks

- i) The minimum Setback requirement for all Permitted and Discretionary Uses shall be determined by the Development Authority.

## 5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.



## SECTION 9 DIRECT CONTROL

### 9.1 Direct Control District (DC)

1. General Purpose
  - a) To enable Council to exercise particular control over the use and development of land and buildings in any such manner as Council may consider necessary, in an area designated as a Direct Control District on the Land Use District Maps in Schedule C to I of this Bylaw.
2. Interpretation and Process
  - a) For lands where Direct Control Districts are applied in combination to an underlying District:
    - i) The sole districting on the lands is Direct Control whereas the underlying District prescribes the uses and regulations for the Direct Control District;
    - ii) Where provisions of the Direct Control appear to be in conflict with the regulation or use class of any underlying District or any other provision, the provision of the Direct Control shall take precedence;
    - iii) Where Council has delegated the decision of the Development Permit application to the Development Authority:
      - (1) the Development Authority is responsible for carrying out the directions of Council in accordance with the language, textual passages, and schedules within the District;
      - (2) Notwithstanding a Use classified as being Permitted or Discretionary within the underlying District, all Uses shall be considered and, may be approved, in accordance with the Council's direction;
      - (3) Notwithstanding the directions set out within the district, if general regulations are not provided within the Direct Control, the Development Authority shall apply general regulations of the Land Use Bylaw in effect at the time of application unless the Direct Control district specifies otherwise. The Development Authority shall interpret and apply general regulations in a manner that most appropriately reflects the spirit and intent of the Direct Control district.
      - (4) The Development Authority cannot exercise discretion unless Council has specifically granted discretion within the Direct Control District.
  - b) For lands districted as Directed Control and are not combined with an underlying District:
    - i) Uses and regulations are prescribed within the Direct Control District.
    - ii) Where Council has delegated the decision of the Development Permit application to the Development Authority:
      - (1) the Development Authority is responsible for carrying out the directions of Council in accordance with the language, textual passages, and schedules within the District;
      - (2) notwithstanding a Use classified as being Permitted or Discretionary within the underlying District, all Uses shall be considered and, may be approved, in accordance with the Council's direction;

- (3) notwithstanding the directions set out within the district, if general regulations are not provided within the Direct Control, the Development Authority shall apply general regulations of the Land Use Bylaw in effect at the time of application unless the Direct Control Site Specific district specifies otherwise. The Development Authority shall interpret and apply general regulations in a manner that most appropriately reflects the spirit and intent of the Direct Control Site Specific district;
    - (4) the Development Authority cannot exercise discretion unless Council has specifically granted discretion within the Direct Control District.
  - c) For lands Districted as Direct Control and no uses nor regulations are prescribed and is not combined with underlying District, Council:
    - i) Shall determine the land Uses that may be allowed within the Direct Control District; and
    - ii) May impose such development standards and conditions of approval it considers appropriate in order to regulate the Development being considered.
  - d) Application
    - i) Council shall consider the application and designation of Direct Control Districts to those specific sites or areas of the County where:
      - (1) Council wishes to exercise particular control over the Use and Development of land and buildings;
      - (2) development regulation and control by means of the other land use districts provided for in this Bylaw may be inappropriate or inadequate having regard to existing or future developments and to the interests of the applicant, the County and the public generally; or
      - (3) an approved statutory plan for the area could be more effectively implemented through the application of a Direct Control District; or
      - (4) a proposed development is of a unique form or nature not contemplated or reasonably regulated by another land use district provided for in this Bylaw.
    - ii) In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following information:
      - (1) support rationale explaining why the Direct Control District is desirable for the site, having regard for the conditions of application set out in Subsection 9.1.2 a);
      - (2) a list of uses proposed for the site;
      - (3) a narrative documenting the opinions and concerns of surrounding landowners and residents obtained through a public consultation program, and how the proposed development responds to those concerns, together with a summary of the methods used to obtain such input;
      - (4) plans and elevations, where applicable, that would help to substantiate the need for the district; and
      - (5) any other information as may be required by Council.
    - iii) Notwithstanding Subsection 9.1.2 b), Council may consider an application for this district, if in the opinion of Council, the application is of such a nature as to enable a decision to be made without the required information.

## 9.2 Acheson Industrial Area Direct Control District Regulations (DC Area 1)

1. These regulations shall be known as the "Acheson Industrial Area Direct Control District Regulations."
2. These regulations shall apply to those lands in the County, legally described as follows:
  - a) NE-35-52-26-W4M
  - b) SE-02-53-26-W4M
3. Any development permit application on any portion of the lands for a Waste Management Facility - Minor, and any accessory buildings or uses shall be decided upon (refused or approved with or without conditions) solely by Council. Prior to making a decision on such application, Council may require any and all information it deems necessary to make a proper decision. As part of its decision making process, Council shall hold at least one (1) public meeting to obtain comment and input from any interested or affected party.
4. Any development application for Indoor Participant Recreation Services and Outdoor Participant Recreation Services on any portion of a reclaimed Waste Management - Minor shall be decided upon (refused or approved with or without conditions) solely by Council. Prior to making a decision on such application, Council may require any and all information it deems necessary to make a proper decision. As part of its decision making process, Council shall hold at least one (1) public meeting to obtain comment and input from any interested or affected party.
5. Any development approval granted by Council for the lands may be amended, replaced or altered by Council from time to time.
6. With the exception of Developments consisting of Uses identified in 9.2.3 and 9.2.4, Council delegates its authority to the Development Authority to regulate and control the use and development of the lands. The Development Authority shall have regard generally to the requirements and specifications of the underlying land use district of the Land Use Bylaw, as amended. Deemed approved uses as defined in the underlying land use districts shall also be considered deemed approved for the purposes of this Direct Control District. The Development Authority shall at all times ensure that any approvals for the use and development of the lands shall comply with the Acheson Industrial Area Structure Plan as may be amended from time to time.

### 9.3 Highvale End Land Use Direct Control District Regulations (DC Area 2)

1. These regulations shall be known as the "Highvale End Land Use Direct Control District Regulations."
2. These regulations shall apply to those lands in the County shown as DC Area 2 on the Land Use Bylaw Map.
3. The intent of these regulations is to allow Council the flexibility and control necessary to plan and regulate all aspects of the development of the region relative to the requirements of the requirements of the Highvale End Land Use Area Structure Plan, as may be amended from time to time.
4. The purpose of the Area Structure Plan is to provide a set of goals and policies to establish an acceptable pattern of land use, transportation and service infrastructure, natural spaces and restored land quality for the area subsequent to the reclamation of the land base after the completion of the open pit coal mining and completion of power generation at the Highvale and Sundance Plants.
5. At the time of the adoption of these regulations, the underlying land use district of Land Use Bylaw shall apply. As such, the underlying district for the defined area shall be RE - Resource Extraction.
6. As reclamation proceeds, the Land Use Bylaw shall be amended to reflect the underlying land use districts as outlined on Figure 13 of the Area Structure Plan, attached to and forming part of these regulations.
7. The Development Authority shall, when rendering decisions on development proposals within this area, reflect land use planning direction established by Council through the Highvale End Land Use Area Structure Plan, as may be amended from time to time.
8. The appropriateness of subdivision proposals on lands covered by this regulation shall be determined by Council. The Subdivision Authority shall, when rendering decisions on subdivision proposals within this area, reflect the evaluation of appropriateness by Council, as well as the requirements and land use planning direction established in the Highvale End Land Use Area Structure Plan, as may be amended from time to time.

## 9.4 Whitewood Direct Control District Regulations (DC Area 3)

1. All land uses within the Whitewood Direct Control District, as shown as DC Area 3 on the Land Use Bylaw Map in Schedule A, will only be allowed by the Development Authority after it is determined that the proposed use is suitable and meets the following guidelines for development.
  - a) Agricultural
    - i) Annual croplands – Topography should be flat to very gently rolling. Areas should be well drained and without a high water table. Accessibility and the ability of the land to accept heavy machinery must be shown.
    - ii) Pasture – Land can be flat to gently rolling and must be able to carry heavy machinery and be reasonably well drained.
    - iii) Grazing – Undulating lands with slopes in excess of those normally found in pasture areas may be grazed or may be suitable of wildland use. These may be poorly drained areas provided they will grow vegetation for grazing.
    - iv) Intensive agricultural operations – Intensive uses may be permitted subject to the use being suitable having regard to topography, drainage, waste management access, markets, etc.
  - b) Residential
    - i) Residential Development may be considered subject to the following:
      - (1) the subject property is confirmed, to the satisfaction of the Development Authority, to be located outside of the historic Whitewood Mine Permit Boundary (C2000-25), and License No. C2003-6 area; and
      - (2) all new residential development shall comply with Subsection 7.6.2 of this Bylaw.
    - ii) Resort residential lands may be required to provide the following mitigative measures to render them suitable to the satisfaction of the Development Authority:
      - (1) visual separation from Highway 16 and noise attenuation measures, depending upon development densities;
      - (2) pipe and power line rights-of-way should be planted with appropriate vegetation and should be integrated as recreation land for trail development;
      - (3) a proper hierarchy of roads, including local and collector systems;
      - (4) Setbacks from steep slopes should be adequate to ensure avoidance of subsidence;
      - (5) tree cover should be maintained in ravine areas, although “view windows” may be cut at strategic locations to afford views of Lake Wabamun. Walkway development to public areas on the lakeshore should also occur; and
      - (6) geotechnical reports and other data to ensure that any proposed development can be adequately serviced.
    - iii) urban residential uses are not allowed outside of the Village of Wabamun and the Summer Villages of Kapasiwin, Lakeview, and Point Alison.
  - c) Industrial

- i) Berming, where it remains in place after mining, should be retained and landscaped. Major signage may be placed on adjacent berms subject to approval of the County and relevant Provincial Agencies.
  - ii) Building heights, roof lines, materials for cladding, fenestration, and general site design will be controlled on a site specific basis by the County.
  - iii) A road hierarchy within the industrial area should ensure safe and efficient movement of industrial traffic. Road standards will be determined by Parkland County at the time of development.
- d) Commercial
  - i) Highway commercial uses should be developed on relatively flat, well-drained lands with good stability characteristics in close proximity to through-traffic areas.
  - ii) Highway visibility and acceptable signage should be assured for Highway commercial uses.
  - iii) Proponents of Highway commercial uses may be required to develop service road systems.
  - iv) Local commercial uses should be located near intersections to allow service of the largest number of users.
  - v) Local commercial uses should be developed in a controlled and aesthetically pleasing manner and should contain appropriate traffic controls for pedestrian safety.
- e) Recreation
  - i) Day Use Areas
    - (1) the area designated in Section 10-53-4-W5M requires flat, well-drained surfaces able to withstand the foot traffic implied by such uses.
    - (2) treed visual buffers along the lake road and a bicycle path connection to the Village of Wabamun are desirable and adequate parking areas will be necessary.
    - (3) the day use area in Section 09-53-4-W5M may be developed on undulating terrain with walking trail systems that connect the adjacent land areas that are suitable for more intensive development. Picnic areas should be developed and adequate parking areas will be necessary.
    - (4) all day use areas should be visually separated from adjacent roads with proper crossing allowances on the lake road being provided.
  - ii) Marina/Beach
    - (1) These areas must be carefully planned to provide for beach development and picnic areas while separating incompatible uses such as boat launching and swimming.
    - (2) Adequate parking areas should be developed off-site but adjacent to these sub-districts.
    - (3) Fencing, treed buffers and/or landscaped berms should be developed to separate these areas from adjacent roads and the CN railway line.
  - iii) Interpretative Centre
    - (1) land for the building and parking areas should be flat while the picnic areas may be flat to gently undulating.

- (2) site development criteria relating to parking, bus staging areas, picnic areas, and landscaping will be provided by the County at the time of development.
- iv) Off Highway Vehicle Park
  - (1) terrain in this area should be very strongly rolling subject only to soil stability being assured. Drainage in gully areas need not be perfect, and wet areas should be re-vegetated with species suitable for wildlife habitat.
- v) Open Space
  - (1) these areas will include a variety of landforms from roughly undulating to extensive wet areas. They are generally not capable of sustaining intensive development and will be protected for the development of trail systems to connect more active areas and for habitats for wildlife.
  - (2) any development of linear systems for the use of man should be sensitive to the predominant wildland use of these areas.
- 2. Interim Land Uses
  - a) Crop production, pasture and grazing are uses that will be permitted in most sub-districts on an interim basis. The limiting factors to these interim uses are the environmental sensitivity and topography of particular areas.
  - b) Interim uses on any specific land area will be treated as Discretionary Uses and will be assessed as to their suitability only after reclamation of the land area is complete.
- 3. Subdivision And Development
  - a) all applications for subdivision must be made to the County and applications for development permits shall be submitted to the County.
  - b) each application will be assessed on its individual merits recognizing that the integrity of the entire area must be protected.
  - c) lands being reclaimed must have the actual reclamation approved by the Provincial Development and Reclamation Authorities prior to any development proposals being considered.
  - d) applications for subdivision or development on land areas that have been, or are to be mined, and where post-mining reclamation is to occur, will not be approved until reclamation is complete to a stage that, in the opinion of the County, the land can sustain the development or uses proposed and that the integrity of the Whitewood Direct Control District will not be compromised.
  - e) any other land uses proposed will require amendment to these regulations.

## 9.5 Keephills Direct Control District Regulations (DC Area 4)

1. These regulations shall be known as the "Keephills Power Plant Direct Control District Regulations."
2. These regulations shall apply to those lands in the County, as shown as DC Area 4 on the Land Use Bylaw Map in Schedule A and legally described as follows:
  - a) NE 30-51-3-W5M
  - b) All of Section 31-51-3-W5M, excepting thereof all that portion of the northwest quarter of Section 31-51-3-W5M described as follows: commencing at the intersection of the west boundary of the said quarter section with the south limit of Road Plan 3243RS; thence southerly along the west boundary 100.0 m; thence easterly and at right angles thereto 200.0 m; thence northerly and parallel with the west boundary to a point on the south limit; thence westerly along the south limit to the point of commencement containing 2.0 ha more or less.
  - c) Section 36-51-4-W5M
3. Any development permit application on any portion of the lands specifically related to the construction and operation of a power plant and any associated developments and uses not otherwise reasonably regulated under other land use districts contained in the Land Use Bylaw, shall be decided upon (refused or approved with or without conditions) solely by Council. Prior to making a decision on such an application, Council may require any and all information it deems necessary to make a proper decision. As part of its decision making process, Council may hold at least one (1) public meeting to obtain comment and input from any interested or affected party.
4. Any development approval granted by Council for the lands may be amended, replaced or altered by Council from time to time.
5. With the exception of Developments consisting of Uses identified in 9.5.3, Council delegates its authority to the Development Authority to regulate and control the use and development of the lands and in doing so the Development Authority shall have regard generally to the requirements and specifications of the underlying land use district of the Land Use Bylaw, as amended. Deemed approved uses as defined in the underlying land use districts shall also be considered deemed approved for the purposes of this Direct Control District. The Development Authority shall at all times ensure that any approvals for the use and development of the lands shall comply with the Highvale End Land Use Area Structure Plan, as may be amended from time to time.
6. The adoption of this regulation hereby rescinds that portion of the Highvale End Land Use Direct Control Regulation pertaining to Section 36-51-4-W5M only, adopted by Council on September 23, 1997.



## 9.6 Eden Lake Direct Control District Regulations (DC Area 5)

1. These regulations shall be known as the "Eden Lake Direct Control District Regulations."
2. These regulations shall apply to that area of the County which is adjacent to or within the vicinity of Lake Eden, and designated as a DC Area 5 on Land Use District Map 7 in Schedule A of this Land Use Bylaw and which area is legally described as follows:
  - a) Lot 1, Block 1, Plan 852 0616 and those portions of the government road allowance and road plan 304 NY located adjacent to and east of the said Lot 1. (hereinafter referred to as "the lands").
3. The intent of these regulations is to enable the lands to be developed or used in a manner which will allow major, comprehensively planned, designed and environmentally sensitive recreational and residential development to occur in a properly planned, controlled and timed manner.
4. No use, development or subdivision on any portion of the lands shall be approved by the Development Authority until such time as a detailed development plan for the portion of the lands to be used, developed or subdivided shall have been approved by Council.
5. Any detailed development plan approved by Council for the lands may be amended, replaced or altered by Council from time to time.
6. The Development Authority, except as is otherwise provided for in these regulations, shall have the sole and exclusive authority to regulate and control the use and development of the lands and buildings on the lands. In doing so the Development Authority shall have regard generally to the requirements and specifications of the underlying land use districts of the Land Use Bylaw and shall at all times ensure that any approvals for the use, development or subdivision of the lands shall comply with the detailed development plan or plans approved by Council.
7. All applications for subdivision of all or any portion of the lands shall be referred to Council for recommendation and the Subdivision Approving Authority, and in considering each application for subdivision approval, shall be bound by the recommendations of Council.

## 9.7 Osprey Bay Direct Control District Regulations (DC Area 6)

1. All land uses south of the railroad within the Osprey Bay Direct Control District, as shown as DC Area 6 on the Land Use Bylaw map in Schedule A will only be allowed by the Development Authority after it is determined that the proposed use is suitable and meets the followings guidelines for development.
  - a) Residential
    - i) The purpose of this district is to allow for the accommodation, maintenance, alteration, replacement and repair of the existing eight (8) Dwelling Units.
      - (1) Three (3) Dwelling Units on Roll No. 2840000; and
      - (2) Five (5) Dwelling Units on Roll No. 2840004.
    - ii) Single detached dwellings may be considered by Council on a discretionary basis subject to the following:
      - (1) The subject development is confirmed, to the satisfaction of Council, to be located outside of the Lake Wabamun Floodplain Area as per Section 10.3 of this Bylaw.
      - (2) The subject development is replacing a demolished structure or adding over 10% of the building footprint to an existing structure.
      - (3) Developments which are not replacing a demolished structure or adding to an existing structure will be subject to the Parcel density requirement of one (1) Dwelling Unit per Parcel.
    - iii) Accessory buildings and additions may be considered by the Development Authority on a discretionary basis subject to the following:
      - (1) The accessory building is less than 54.0 m<sup>2</sup>.
      - (2) The subject development is an addition to an existing Dwelling Unit that is less than 10% of the building footprint of the structure.
    - iv) Development may be required to provide the following mitigative measures to render them suitable to the satisfaction of the Development Authority or Council:
      - (1) Setbacks from steep slopes should be adequate to ensure avoidance of subsidence;
      - (2) Tree cover should be maintained, although “view windows” may be cut at strategic locations to afford views of Lake Wabamun.
      - (3) Geotechnical reports and other data to ensure that any proposed development can be adequately serviced.
  2. Subdivision
    - a) Notwithstanding Subsection 1.a)i) of this District, subdivision may be considered by Council on a discretionary basis subject to the following:
    - b) Initial subdivision within this District will be considered only when there is a District wide application. Subdivision for this District will consist of Bareland Condominium units to accommodate single detached dwellings, private access thereto, and public or common areas.
    - c) Parcel Area Requirement (for purposes of new Parcel creation only)
      - i) For all uses, the minimum and maximum Parcel area requirements shall be determined by Council.

- d) Parcel Density Requirement (for purposes of new Parcel creation only)
  - i) The maximum Parcel density requirements shall be one (1) Dwelling Unit per Bareland Condominium unit.
- 3. Development
  - a) Each application will be assessed on its individual merits recognizing that the integrity of the entire area must be protected.
  - b) Setbacks for Parcels
    - i) For all uses the minimum building Setback requirement shall be determined by the Development Authority or Council.
  - c) Safety Codes
    - i) Due to the proximity of buildings within the Osprey Bay Direct Control District additional safety codes requirements may be necessary in order to meet the intent of the *Alberta Safety Codes Act*.
  - d) Parcel Coverage
    - i) Building(s) shall not cover more than 65% of any subdivided Condominium unit.
- 4. Other Development Regulations
  - a) Accessory buildings shall have a building footprint that is less than 175.0 m<sup>2</sup>.
  - b) A minimum of 10% of the gross Condominium Parcel area shall be set aside for common space recreation area and no portion of any Individual Condominium unit shall be included in this common space dedication.
  - c) Development of land within a Condominium Parcel shall be considered the same as the development of land within a fee simple subdivision, with each unit of land treated as an individual Parcel.
  - d) Development within a Condominium shall be subject to all the provisions of this district unless otherwise determined through a negotiated Development Agreement with the County.
  - e) As this district is located within an area defined as environmentally significant in the Environmental Conservation Plan a biophysical assessment shall be required for any proposed subdivision.
    - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
  - f) All new uses, and/or redevelopment, shall be subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

Section 9.8 Legend Estates Direct  
Control District (DC Area 7) was  
repealed as per Bylaw No. 2020-04

## SECTION 10 OVERLAYS

### 10.1 Acheson Industrial Commercial Area Overlay

The purpose of this Overlay is to establish guidelines for development for the purpose of ensuring that the integrity of Osborne Acres residential subdivision is maintained by meeting the intent and goals of the Acheson Industrial Area Structure Plan.

1. Application
  - a) this Overlay applies to all lands included in the Industrial/Commercial Overlay and the boundaries are as shown on Schedule F.
  - b) where provisions of the Overlay appear to be in conflict with the regulation of any underlying district or any other Section of this Bylaw, the provisions of this overlay shall take precedence and be applied in addition to the regulations of the underlying district and other sections of this Bylaw.
2. The design of an earthen berm shall comply with the current Alberta Safety Codes.
3. The Permitted and Discretionary Uses are those specified by the underlying districts.
4. Development Regulations and Submission Requirements (for developments within the Acheson Industrial/Commercial Overlay Area)
  - a) any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control device.
  - b) the maximum building height shall be 18.0 m.
  - c) the development shall not generate noise, smoke, steam, odor, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority.
  - d) for the area immediately to the north, east and south and within 200.0 m of Osborne Acres Residential Subdivision, a constructed berm minimum 2.0 m in height from the existing grade with minimum 2.0 m screen fence and noise attenuation is required.
  - e) on-site visual buffering of the edge of industrial properties adjacent to Osborne Acres, in the use of fencing, plant materials and berming shall be incorporated into the adjacent property areas to the satisfaction of the Development Authority. Every application for a development permit shall be accompanied by a landscaping plan containing information regarding all physical features, proposed shrubs, trees, berm contours and fences.
  - f) all landscaping and screening requirements shall meet the requirements of Section 13.0 of this Bylaw.
  - g) the owner of the property, or his successors or assignees shall be responsible for landscaping / berming and proper maintenance. As a condition of the development permit, the applicant may be required to provide an irrevocable letter of credit in the amount of 100% of the estimated cost. If the landscaping / berming is not completed in accordance with the approved permit, then the County may use the security to complete the requirements.

- h) as a condition of a development permit, all berming, landscaping and planting required must be carried out to the satisfaction of the Development Authority within one (1) growing season of the issuance of the Development Completion Certificate.
  - 5. The following Setbacks shall apply for developments that fall within the boundary of the Acheson Industrial Commercial Area Overlay:
    - a) minimum front yard Setbacks
      - i) a minimum Setback of 12.0 m shall be provided from the Property Line of an adjacent local road.
      - ii) a minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road.
      - iii) a minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road.
      - iv) a minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
    - b) minimum side yard Setback shall be 9.0 m from a side Parcel Property Line adjacent to a residential development.
    - c) minimum rear yard Setback shall be 9.0 m from a side Parcel Property Line adjacent to a residential development.
- Bylaw No. 2018-09
- 6. BI – Business Industrial designated lands that fall within the Acheson Industrial Commercial Area Overlay, the following minimum standards shall apply:
    - a) sites smaller than 0.8 ha, a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped; and,
    - b) on sites larger than 0.8 ha, a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard Setbacks of the site shall be landscape.
- Bylaw No. 2018-09
- 7. For MI – Medium Industrial designated lands that fall within the Acheson Industrial Commercial Area Overlay, the following minimum standards shall apply:
    - a) on sites smaller than 0.8 ha, a minimum of 5%, or as otherwise required by the Development Authority, of the site area shall be landscaped.
    - b) on sites larger than 0.8 ha, a minimum of 30%, or as otherwise required by the Development Authority, of the required front and side yard Setbacks of the site shall be landscaped.

## 10.2 Atim Creek / Big Lake Floodplain Overlay

The purpose of this Overlay is to provide for the safe and efficient use of lands within the defined Atim Creek / Big Lake Floodplain Area, within Parkland County, through the regulation of future land use and subdivision.

1. Application
  - a) This Overlay applies to those lands identified as within the Atim Creek Flood Plain Area, which is defined as the 1:100 year Flood Plain plus 0.5 m consistent with the 'Big Lake Basin Task Force: Floodplain Delineation for Atim Creek from Campsite Road to Big Lake Study' (Sameng, March 2007) as shown on Schedule G. As the floodplain elevation along Atim Creek varies, reference to the 2007 Study should be undertaken in all cases.
  - b) This Overlay applies to those lands identified as within the Big Lake Flood Plain Area, which is defined as the 1:100 year Flood Plain (653.30 m ASL) plus 0.5 m (653.80 m ASL) consistent with the 'Big Lake Basin Task Force: Floodplain Delineation for Atim Creek from Campsite Road to Big Lake Study' (Sameng, March 2007) as partially shown on Schedule G.
2. Regardless of the underlying land use district, only the following uses shall be considered on a discretionary basis within the Atim Creek/Big Lake Floodplain Overlay:
  - a) private open space;
  - b) environmental reserve or natural areas;
  - c) existing uses, provided such uses were approved by the County prior to the passing of this Bylaw;
  - d) alterations or the reconstruction of an existing building or structure may be permitted within the building footprint that existed at the time of passing of this Bylaw;
  - e) forestry;
  - f) public utilities;
  - g) passive outdoor recreation;
  - h) golf courses with environmental protection plan, excluding a clubhouse; and
  - i) notwithstanding 2.a) through 2.i) above, the landowner of the golf course located at SE-20-53-26-W4M and NE-17-53-26-W4M may complete the following within the identified floodplain overlay area consistent with the 'Floodplain Delineation Review of Edmonton Springs Golf Course Study' (Sameng, 2013):
    - i) undertake additions, alterations or the reconstruction of the existing clubhouse approved by the County prior to passing of this Bylaw only within the identified 2.47 ha of land area above the floodplain plus 0.5 m factor of safety (653.8 m ASL). Before a building permit is issued, detailed flood proofing techniques must be approved by the Building Inspector. All openings unless part of flood-proofing techniques must be a minimum of 0.5 m above the 653.8 m elevation. At the time of the foundation inspection and before further construction takes place, the permit holder (owner/contractor) is required to provide a certificate from a surveyor verifying that the said openings are above the required elevation.
    - ii) as part of undertaking an addition, alteration or reconstruction of the existing clubhouse, the landowner shall connect the clubhouse to municipal services within Range Road 264 consistent with the servicing policies of the County's Big Lake Area

Structure Plan. The new water supply system and sanitary sewer system shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. The existing on-site well and sanitary sewage system shall be reclaimed in accordance with current standards.

- iii) the private access roadway, approved by the County prior to passing of this Bylaw, shall provide access from Range Road 264 to the clubhouse area (2.47 ha) identified as being above the floodplain plus 0.5 m factor of safety. The access roadway shall provide a depth of flooding not to exceed 1.0 m below the floodplain plus 0.5 m factor of safety.
- iv) a private parking lot, approved by the County prior to passing of this Bylaw is constructed within the 3.07 ha clubhouse, parking and access road area. In those areas of the parking lot that are below the floodplain plus a 0.5 m factor of safety, the parking lot shall provide a depth of flooding not to exceed 1.0 m below the floodplain plus 0.5 m factor of safety.
- v) grading and landscaping within the 3.07 ha clubhouse, parking and access road area, subject that the grading and landscaping has a negligible impact.

### 10.3 Lake Wabamun Floodplain Overlay

The purpose of this Overlay is to provide for the safe and efficient use of lands within the defined Lake Wabamun Flood Plain Area, within Parkland County, through the regulation of future land use and subdivision.

1. Application
  - a) this Overlay applies to those lands identified as within the Lake Wabamun Flood Plain Area, which is defined as the 1:100 year Flood Plain (725.17 m ASL) elevation plus 1.0 m, which will be verified at the time of subdivision or development through a topographical survey conducted by a professional land surveyor.
2. Only the following uses shall be considered on a discretionary basis within the Lake Wabamun Overlay:
  - a) private open space;
  - b) environmental reserve or natural areas;
  - c) existing uses, buildings and structures provided such uses, buildings and structures were approved by the County prior to the passing of this Bylaw;
  - d) forestry;
  - e) public utilities;
  - f) passive outdoor recreation;
  - g) golf courses with environmental protection plan excluding a clubhouse; and
  - h) Dwelling, Single Detached and Accessory buildings, provided such uses, buildings and structures are located 1.0 m above the 1:100 year Flood Plain and mitigating measures are taken to the satisfaction of the Development Authority.



Bylaw No. 2019-22

## 10.4 Industrial Frontage Overlay

The purpose of this Overlay is to elevate the Highway corridor experience in a major employment area and establish an area of compatibility for industrial, commercial, office, and retail activities. The Industrial Frontage Overlay area contains Parcels with high-visibility from major Highway. The Industrial Frontage Overlay area will have buildings and sites that are of a high aesthetic standard, contributing positively to the general corridor area, and encouraging diverse economic growth.

1. Application
  - a) This Overlay applies to all privately-held Parcels districted Business Industrial adjacent to Highway 16, Highway 16A, or Highway 60. For the purposes of this Overlay, Parcels separated from a Highway by a Municipal Reserve parcel will be deemed adjacent.
  - b) Where provisions of the Overlay appear to be in conflict with the regulation of the underlying Business Industrial District or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying district and other sections of this Bylaw.
2. The following Permitted and Discretionary uses shall be considered within the Industrial Frontage Overlay:

a) PERMITTED USES	b) DISCRETIONARY USES
Accommodation and Convention Services Amusement and Entertainment Services, Indoor Animal Health Care Services Automotive, Equipment and Vehicle Services, Major Automotive, Equipment and Vehicle Services, Minor Beverage Production Cannabis Cultivation, Major Cannabis Cultivation, Minor Cannabis Processing, Major Cannabis Processing, Minor Cannabis Retail Sales Community Recreation Services Computer, Electronic, Data Processing Services Convenience Retail Services Cultural Facilities Day Care Services	Wind Energy Converter System – Minor Accessory Uses for Uses Listed in 1.3(c)

a) PERMITTED USES	b) DISCRETIONARY USES
Drive Through Vehicle Service Funeral Home General Commercial Retail Services General Manufacturing and Processing, Indoor Government Services Indoor Eating Establishment Indoor Participant Recreation Services Liquor Retail Sales Liquor Distribution Services Personal and Health Care Services Professional, Business, Financial and Office Support Services Recycling Depot - Minor Security Suite Service Station Storage, Warehousing and Distribution, Indoor Accessory Uses for Uses Listed in 1.3(b)	

3. Outdoor Storage

- a) Outdoor Storage related to the Principal Use should not be located between the Principal Building and a Provincial Highway.
- b) Notwithstanding the above, where, in the opinion of the Development Authority, it is not possible or practical for the effective development of the Parcel due to existing site constraints, Outdoor Storage related to the Principal Use may be located between the Principal Building and a Provincial Highway when products, equipment, vehicles, or materials to be stored are adequately screened from view or identified as an Outdoor Display Area (as per Section 10.4.4 Outdoor Display Area).
- c) Outdoor Storage related to the Principal Use shall be adequately screened from view to lessen the visual impact on adjacent properties and public roadways.

4. Outdoor Display Area

- a) Notwithstanding Section 10.4.3(a) of this Bylaw, equipment and materials related to a Principal Use on a Parcel may be located between the Principal Building and a Provincial Highway provided that the location and commodities to be stored are identified as an Outdoor Display Area on an approved Landscape Plan.
- b) Outdoor Display Areas are intended to allow for the orderly showcase of equipment or materials related to the business or industry of that Parcel.
- c) Outdoor Display Areas shall be limited to the commodity manufactured, sold, or leased on the Parcel.

5. Building Features

- a) The design, character and appearance of all buildings shall be appropriate and compatible with the surrounding area and shall be constructed of durable materials designed to maintain the initial quality throughout the life of the project.
- b) The building face nearest the Highway should incorporate a combination of the following elements: façade articulation, colour, material, and / or texture. In addition to these elements, landscaping (as required by Section 13.0 of this Bylaw) can be used to add visual interest.
- c) The primary entrance should be clearly visible to visiting patrons through the use of architectural detail or differentiating colours.

6. Parking and Loading Requirements

- a) All activities associated with the shipping, loading, and receiving of raw materials, partially processed and finished goods, and related equipment shall be enclosed from view or screened to lessen the visual impact on adjacent properties and major transportation corridors.
- b) Loading bays shall be to the rear or side of the building. Building design should obscure loading bays from the view of the front of the building as much as possible. Screening and landscaping can be utilized toward these ends.
- c) Pedestrian circulation should be factored into overall parking lot design. Consideration for safe passage to points of entry including, but not limited to, landscaped boulevards, painted crosswalks, and directional signage, is encouraged.
- d) All parking and loading areas shall meet the requirements of Section 14 of this Bylaw.

## 10.5 Legend Estates Overlay

The purpose of this Overlay is to provide for the safe and efficient use of lands within the Legend Estates subdivision area, within Parkland County, through the regulation of future land use and subdivision.

1. Application
  - a) this Overlay applies to those lands identified within Schedule A – Land Use Maps and shown on Schedule I – Legend Estates Overlay Map; and
  - b) where provisions of this Overlay appear to be in conflict with the regulation of any underlying district or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying district and other sections of this Bylaw.
2. Regardless of the underlying land use district, all uses provided in the underlying land use district applicable to lands located within this Overlay shall be discretionary.
3. In addition to the regulations provided in any underlying land use district and those provided under PART 3 – DEVELOPMENT and PART 4 – PROCESS of this Bylaw, the following additional requirements apply to lands located within this Overlay:
  - a) Regardless of the development proposed, the Development Authority may require an applicant for a development permit to submit information from a qualified, registered professional engineer or architect indicating that the following factors have been considered in both the design and construction of any building applied for:
    - i) best practices and/or guidelines for building in flood-susceptible areas;
    - ii) the flood-proofing of Habitable Rooms, electrical panel and heating units, and operable windows;
    - iii) basement drainage; and
    - iv) other requirements respecting suitability of the site for the proposed development.
  - b) Regardless of the development proposed, the Development Authority or Subdivision Authority may require an applicant for a development permit or subdivision application to submit information from a qualified, registered professional engineer relating to the site and the drainage from the site, including, but not limited to:
    - i) a Site Drainage and Grading Plan;
    - ii) a soil compaction and quality report certifying the lands are suitable for the development;
    - iii) a Stormwater Management Study; and
    - iv) any other information that, in the opinion of the Development Authority or Subdivision Authority, are required to determine if the site is suitable for the proposed development or subdivision.
  - c) In addition to the authority provided under PART 4 – PROCESS of this Bylaw, the Development Authority or Subdivision Authority may, as a condition of any approval with respect to land within this Overlay, impose requirements relating to development constraints, including, but not limited to, drainage and fill or soil compaction.



## **PART 3    DEVELOPMENT REGULATIONS**

- SECTION 11    GENERAL REGULATIONS
- SECTION 12    SITE SPECIFIC USE REGULATIONS
- SECTION 13    LANDSCAPING
- SECTION 14    PARKING AND LOADING
- SECTION 15    SIGNS

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## SECTION 11 GENERAL REGULATIONS

Bylaw No. 2018-09

### 11.1 Accessory Developments

1. Interpretation
  - a) Developments that are naturally or normally incidental, subordinate, and strictly devoted to the principal use is considered to be an Accessory Development;
  - b) An Accessory Development falls under the Use Class of its Principal Use and therefore is either Accessory to a Permitted Use or Accessory to a Discretionary Use.
2. Notwithstanding any other provision in this Bylaw, the following Uses, unless specifically listed as a Permitted or Discretionary Use in the Land Use District where the Parcel is located, are prohibited as Accessory Uses to any other use:
  - a) Automotive, Equipment, and Vehicle Services
  - b) Boarding House;
  - c) Cannabis Consumption Facility;
  - d) Cannabis Cultivation, Major
  - e) Cannabis Cultivation, Minor
  - f) Cannabis Processing, Major
  - g) Cannabis Processing, Minor
  - h) Cannabis Retail Sales;
  - i) Detention and Correction Services;
  - j) General Industrial Manufacturing/Processing;
  - k) Group Home, Major;
  - l) Group Care Facility;
  - m) Horticultural Use;
  - n) Industrial Storage and Warehousing;
  - o) Outdoor Shooting Range;
  - p) Kennel;
  - q) Liquor Sales/Distribution Services;
  - r) Outdoor Participant Recreation Services;
  - s) Security Suite;
  - t) Small Animal Breeding/Boarding Services;
  - u) Specialized Botanical Production Facility;
  - v) Tourist Campground, Destination;
  - w) Tourist Campground, Enroute;
  - x) Waste Management Facility;

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- y) Waste Management Facility, Major;
  - z) Waste Management Facility, Minor;
  - aa) Wind Energy Converter System, Major;
  - bb) Wind Energy Converter System, Minor; and
  - cc) Work Camp.
3. For properties districted as Residential, the combined maximum building coverage for Accessory Buildings shall be:
    - a) 180.0 m<sup>2</sup> on Parcels up to 0.40 ha
    - b) 280.0 m<sup>2</sup> on Parcels up to 1.21 ha
    - c) 326.0 m<sup>2</sup> on Parcels up to 2.02 ha
    - d) 375.0 m<sup>2</sup> on Parcels up to 4.04 ha
    - e) 425.0 m<sup>2</sup> on Parcels up to 16.19 ha
    - f) 650.0 m<sup>2</sup> on Parcels larger than 16.19 ha.
  4. Accessory buildings that are attached or butting up to the Principal Building are not calculated as accessory building area.
  5. Accessory buildings attached to the Principal Building are considered to be part of the Principal Building and shall comply with the Setbacks applicable to the principal building for the applicable land use district.
  6. Accessory buildings in a non-residential district shall be subject to the development regulations for the district and when abutting a Parcel in a Multi-Parcel Residential Subdivision, shall not exceed 8.0 m in height from the inside wall grade to the top of the roof.
  7. An accessory building, when located in a Multi-Parcel Residential Subdivision, shall not exceed 8.0 m in height from the inside wall grade to the peak of the roof.

## 11.2 Design, Character and Appearance of Buildings and Structures

1. The quality of exterior treatment and design of all buildings, where development permit approval is required, shall be to the satisfaction of the Development Authority.
2. Pursuant to 11.2.1, the Development Authority may consider the following when reviewing development proposals in all land use districts:
  - a) all buildings shall be attractive in appearance, with façades that apply compatible and harmonious exterior finishing and, where applicable, buildings shall comply with any architectural/design guidelines in an area structure plan;
  - b) the predominant building material shall consist of durable and appropriate materials;
  - c) the design, character and appearance of all buildings shall be consistent with the purpose of the land use district in which it is located with respect to their compatibility with any other buildings existing in the vicinity; and
  - d) the finish and appearance of all buildings on the Parcel, including accessory buildings, shall complement the other structures located on the same Parcel.



3. Pursuant to Subsections 11.2.1 and 11.2.2, the Development Authority may consider the following when reviewing development applications for industrial or commercial uses:
  - a) exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers, and materials handling equipment be screened from view from any public roadway other than a public lane, or from adjacent sites if, in its opinion, such projections are inconsistent with the character and appearance of surrounding development; and
  - b) for industrial or commercial uses, all buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Authority may require that the appearance of metal or concrete block walls exposed to public view from beyond the site be improved where, in its opinion, such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.

### 11.3 Development on/or Adjacent to Hazard Lands

1. No development shall be permitted within the 1:100 year Flood Plain of the North Saskatchewan and Pembina Rivers, Wabamun Lake, Atim Creek, Big Lake or other water body or natural feature, unless in strict compliance with Section 10.2, Section 10.3, and this Section of the Bylaw.
2. As part of a development permit application, or Land Use Bylaw amendment application, the location of the top of bank shall be determined by survey of a geotechnical engineer, or any other method determined to be satisfactory to the Development Authority.
3. A development permit application may be subject to a Slope Stability Assessment, Biophysical Assessment as per the Municipal Development Plan, Environmental Risk Assessment or Environmental Impact Assessment, at the discretion of the Development Authority, that reviews the suitability of the resulting development to the subject site and considers the effect of the resulting development on the stability of the slope, including potential mitigation measures for the site and proposed structure(s).
4. When considering a development permit application involving land in or near an Environmentally Sensitive Area, as defined by the Municipal Development Plan, the Development Authority may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.
5. Notwithstanding Subsection 11.3.3, no development permit/subdivision application may be approved that could directly or indirectly result in development occurring within the minimum Setback(s) required pursuant to Subsection 11.3.6.
6. Buildings Setbacks from hazard lands shall be as follows:
  - a) a minimum of 30.0 m;
  - b) a minimum of 50.0 m, in industrial land use districts;
  - c) a lesser distance specified in a geotechnical analysis required pursuant to Subsection 11.3.2; or
  - d) a lesser distance that in the discretion of the Development Authority, is considered acceptable, from the top of bank, as determined pursuant to Subsection 11.3.2, or any other escarpment or steep slope where the grade exceeds 30%.

## 11.4 Dwelling Units on a Parcel

1. One (1) Dwelling shall be allowed on a Parcel smaller than 28.0 ha
2. Two Dwellings may at the discretion of the Development Authority be located on a Parcel provided that:
  - a) The Parcel is at least 28.0 ha in size;
  - b) The Parcel is Districted Agricultural;
  - c) The Parcel is not located in a Multi-Parcel Residential Subdivision containing four (4) or more Parcels; and
  - d) The Dwellings must be uses allowed within the District.
3. Three Dwellings may be located on a Parcel provided that:
  - a) The Parcel is at least 28.0 ha in size;
  - b) The Parcel is Districted as Agricultural;
  - c) The principal onsite Building is a Dwelling, Duplex or a Dwelling, Single Detached with a Secondary Suite;
  - d) The third Dwelling must be a Manufactured Home, Single Wide; and
  - e) The Dwelling must be allowed within the District.
4. Additional detached Dwelling(s), in accordance with 11.4.4(2) and (3) above shall be subject to the development regulations for the applicable district.
5. The Development Authority shall not approve a development permit application for more than one Dwelling unless it the additional Dwelling(s) is/are designed, sited, constructed, finished and clad in a manner that is visually compatible and harmonious with the residential character of the surrounding residential developments.
6. Notwithstanding Section 11.4.2(a), 11.4.2(b), and 11.4.3(b), the Development Authority may waive these requirements if, in their opinion, the additional Dwelling is reasonably compatible with nearby Developments, satisfies Section 16.11.1, and is supported by policies within a Statutory Plan.

## 11.5 Fencing

1. For residential properties, the erection/placement of fences not subject to Section 16.2 of this Bylaw shall be in accordance with the following:
  - a) fencing in a Multi-Parcel Residential Subdivision shall be:
    - i) no higher than 2.0 m in side, rear and front yards on lands 0.4 ha or more; and
    - ii) no higher than 1.0 m in front yards on lands less than 0.4 ha.
2. Fencing on a Commercial and Industrial Parcel shall be:
  - a) considered at the discretion of the Development Authority if over 2.0 m in height;
3. For all Land Use Districts:
  - a) fences shall complement the character and quality of the principal building;
  - b) the heights of fences shall be measured from grade to the highest part of the fence;

- c) notwithstanding b) above, for a fence that is to be constructed on top of a retaining wall or within 1.0 m of the top of a retaining wall, the maximum height of the fence shall be determined from a point that is one-half the height of the retaining wall to the highest part of the fence;
- d) notwithstanding anything in this subsection, no fence is allowed in the front or side yard of a Parcel if, in the opinion of the Development Authority, the fence will block or impede traffic sight lines.
- e) the Development Authority may require an alternate siting of the fence in order to provide unimpeded traffic sight lines.
- f) the Development Authority may require a site to be fenced and secured if the Development Authority is of the opinion the development poses a potential safety hazard.

## **11.6 Identification of Property Boundaries for Lands Adjacent to Municipal and/or Environmental Reserves**

1. This Section of the Bylaw shall apply to private lands adjacent to municipal and/or environmental reserves and public utility lots.
2. As part of the development permit application the Development Authority may require property boundaries to be identified by fencing, hedges, earthen berms, or landscaping features to the satisfaction of the Development Authority.

## **11.7 Relocation of Any Building or Structure**

1. Except as otherwise provided for in this Bylaw, no person shall relocate a building or structure, or portion thereof, onto a site without first obtaining a development permit for the moved-in building or structure. The moved-in building or structure shall comply with the appropriate land use district regulations.
2. In any district except CRE – Country Residential Estate, a previously owned building or structure to be relocated onto an existing residential use Parcel shall be treated as a Discretionary Use.
3. The Development Authority shall not approve a development permit for a relocated previously owned building or structure unless it is designed, constructed, sited, finished and clad in a manner that is visually compatible, in the opinion of the Development Authority, with the existing residential dwelling, single detached, manufactured home or accessory building, lands and the neighbourhood in general.
4. To assist in the assessment of the compatibility of a moved-in building with surrounding development, and in addition to the requirements of Section 16.3 of this Bylaw, a development permit application for a relocated building shall include:
  - a) recent colour photographs showing all sides of the building;
  - b) a statement of the age, size and structural condition of the building; and
  - c) a statement of any proposed improvements to the building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a drawing of proposed landscaped areas.
5. Any modifications, renovations or improvements required to the design, construction, siting, finishing and cladding of the relocated building shall comply with this Bylaw and shall be listed as conditions of the development permit.

6. The conditions shall be completed within 120 days of the relocation or in a timely fashion as determined by the Development Authority.

## **11.8 Stripping, Filling, Excavation and Grading**

1. The Development Authority will consider every application to excavate land as a Discretionary Use within the relevant land use district of this Bylaw which affects the subject land unless exempted from Subsection 16.2.
2. The regulations contained within this subsection are intended to apply primarily to those situations where site stripping, filling, excavation, grading and/or re-contouring (including construction of artificial water bodies and dugouts) is proposed
  - a) independent of, or prior to, other development on the same Parcel or site; or
  - b) as part of a resource extraction use on the same Parcel or site.
3. A development permit application for site stripping, filling, excavation, grading and/or re-contouring (including construction of artificial water bodies and dugouts) shall include the following information:
  - a) location and area of the site on which the development is proposed;
  - b) existing land use and vegetation;
  - c) type of stripping or grading proposed, showing the dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns;
  - d) location on the Parcel where the excavation, stripping or grading is to be made on the Parcel; and
  - e) the condition in which the excavation, stripping or grading is to be left when the operation is complete (including submission of site grading or re-contouring plans if required by the Development Authority) or the use of the area from which the topsoil is removed.
4. Where, in the process of development, areas require levelling, filling or grading, the topsoil shall be removed before work commences, stockpiled and replaced following the completion of the work.
5. Developments involving the construction of artificial water bodies or dugouts may require, as a condition of development approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding are put in place as the developer shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the artificial water body or dugout on the developer's property.
6. The Development Authority shall require the following information to accompany every application to excavate land:
  - a) a plan illustrating the location, boundaries of the site and depth of excavation;
  - b) plans showing pre and post-elevations and cross sections;
  - c) a description of the proposed operation;
  - d) the existing land use and vegetation; and
  - e) the proposed timing and phasing program.

7. The Development Authority may also require the following additional information:
  - a) a plan showing land reclamation proposals, where applicable, upon the eventual completion of the operation; and
  - b) a written explanation of the precautions to be taken to ensure minimal dust and environmental disturbance.
8. Unless lot grading is exempted by Subsection 16.2 from the requirement of a development permit, every application for site grading is considered a Discretionary Use within the designated land use district of this Bylaw which affects the subject land.
9. The Development Authority may require, as a condition of a development permit, that a developer submit a lot grading and drainage plan to the County for approval.
10. Grading of a Parcel associated with an approved development shall conform to the lot grading and drainage plan approved by the County.
11. As part of a required lot grading development permit, an applicant shall submit plans and commentary in addition to the information requirements of Subsection 16.3, as follows:
  - a) proposed access and hauling activities;
  - b) the location and dimensions of the proposed disturbed areas;
  - c) the existing land use and vegetation;
  - d) a description of the site restoration; and
  - e) proposals for preventing nuisance from weeds, dust, and erosion.
12. In considering whether to approve lot grading as a Discretionary Use as described in Subsection 11.8.8, the Development Authority may have due regard for:
  - a) the general purpose of the district in which the site is located and the future use of the site as proposed in a reclamation plan;
  - b) the provisions of the Municipal Development Plan and any relevant statutory plans;
  - c) a statement of the effect on water courses and drainage patterns;
  - d) any Geotechnical Report;
  - e) conservation of designated historical resources;
  - f) environmentally sensitive areas;
  - g) conditions related to dust control and weed control;
  - h) conservation of water courses, maintenance of positive drainage, and potential drainage effects on adjacent or nearby properties; and
  - i) the safety and the potential nuisance effect on adjacent properties.
13. The proposed building grade shall, to the extent practical, retain the natural contour of the land, minimize the necessity to use retaining walls, and ensure positive drainage to appropriate receiving water courses.
  - a) If a person alters the approved lot drainage on a site so that water drains onto adjacent Parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.

- b) Any retaining wall over 1.0 m in height must be designed and inspected after construction by a professional engineer. The landowner shall provide to the municipality the design and inspection report, both bearing the seal and signature of a professional engineer.

## 11.9 Tree Clearing

1. In all districts, tree clearing is considered to be a Discretionary Use within the designated land use district of this Bylaw which affects the subject land, and shall require a development permit unless exempted by this Bylaw.
2. Notwithstanding Subsection 11.9.1, the following shall not require a development permit for tree clearing:
  - a) clearing of trees for agricultural developments in the AGG – Agricultural General District;
  - b) tree farms;
  - c) clearing of trees on a portion of land within a Parcel to establish a building or structure as well as access to said building or structure;
  - d) in accordance with the landscaping provisions of a development permit;
  - e) clearing of trees for public utilities or roads.
3. For the purposes of this Bylaw, tree clearing does not include commercial logging operations which are considered to be a natural resource extraction industry.
4. A 30.0 m of Setback from water bodies shall be restricted from Tree Clearing.
5. As part of an application for tree clearing, an applicant shall be required to provide the following information:
  - a) reasons for the proposed tree clearing;
  - b) a description of the vegetation to be cleared;
  - c) a Site Plan with dimensions showing the area to be cleared and any significant natural features on and adjacent to the area to be cleared;
  - d) a proposed schedule for tree clearing and hauling;
  - e) the proposed access and haul routes for removing timber; and
  - f) plans for site restoration.
6. When considering an application for tree clearing, the Development Authority shall have regard for the environmental significance of the area to be cleared and the potential impacts on adjacent lands, particularly as follows:
  - a) Visual and geotechnical impacts along the North Saskatchewan River Valley and the Pembina River Valley.
  - b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover. The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife

habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

## SECTION 12 SPECIFIC USE REGULATIONS

### 12.1 Antennas, Satellite Dishes and Telecommunication Towers

1. Without limiting the scope of 2.1, the Development Authority may review applications for the siting of Telecommunication Towers and has the authority to issue a letter of support or non-support in accordance with the spirit and intent of this Bylaw. Such considerations may include, but shall not be limited to:
  - a) aesthetics;
  - b) opportunity to co-locate on an existing Telecommunication Tower;
  - c) consultation with affected land owners
  - d) whether or not the Telecommunication unduly interferes with the amenities of the areas which may include, but shall not be limited to:
    - i) the natural environment;
    - ii) residential communities; and
    - iii) recreational opportunities.
2. Notwithstanding any other provision of this Bylaw, but subject to Section 12.1.1, Industry Canada regulates the telecommunication industry in Canada is the authority that approves the location of Telecommunication Towers.
3. In consideration of Section 12.1.1, the Development Authority may request the following:
  - a) identification of any other similar structures within an 8.0 km radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures is not a viable alternative for co-location;
  - b) details regarding lighting.
4. Pursuant to Subsection 16.2, satellite dishes that conform to all other provisions of this Bylaw do not require a development permit.
5. No satellite dish antenna which is accessory to the principal use of a site shall be located in, or encroach onto, a front or side yard in any residential district.
6. Location restrictions for satellite dish antennas may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority that compliance would interfere with signal reception.
7. Amateur radio antenna with a height of 15.0 m or more in Multi-Parcel Residential districts other than CR – Country Residential District shall be considered a Discretionary Use.
8. Antennas shall not be illuminated unless required by Industry Canada Regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.
9. The tower base shall be Setback from abutting Parcels and roadways by a distance of the height of the tower plus 10% percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
10. Guy wire anchors shall be Setback at least 28.0 m from the Property Line.
11. All equipment shelters must meet the County's Setback distances to roads and Property Lines.



## 12.2 Apiary and Aquaculture

1. An Apiary shall not be located within 150.0 m of a school or other public meeting place.
2. The Development Authority may waive 12.2.1 if, the Development Authority is of the opinion that the Apiary will be reasonably compatible based on the merits of the application and the characteristics of the area.
3. An apiary shall not be within 30.0 m of or within a Multi-Parcel Residential, commercial or industrial subdivision.
4. The Development Authority may waive 12.2.3 if, the Development Authority is of the opinion that the Apiary will be reasonably compatible based on the merits of the application and the characteristics of the area.
5. Aquaculture shall not be within 300.0 m of a school or other public meeting place and a Multi-Parcel Residential, commercial or industrial subdivision.

## 12.3 Bed and Breakfast Home

1. Signage for a Bed and Breakfast Home shall be in accordance with Subsection 15.3.
2. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
3. Minimal exterior modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighbourhood.
4. No more than three (3) guest rooms shall be allowed in a Bed and Breakfast Home.
5. The operation of the Bed and Breakfast Home shall be subordinate and incidental to the principal use of a Dwelling, Single Detached or Modular Home. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the Bed and Breakfast Home.

## 12.4 Boarding House

1. There shall be no food preparation or cooking for guests within any area except the common kitchen. All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
2. Minimal exterior modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighbourhood.

## 12.5 Cottage Industry

1. Cottage Industry uses may be a Discretionary Use in certain Districts, if in the opinion of the Development Authority the potential intensity of the use is compatible with the nature and character of the area and will not adversely impact the quality of life for the residents in neighbouring subdivisions;
2. The scale and intensity of the Cottage Industry use, including details of building size, use and type; number of commercial vehicles; and number of employees on site shall be approved at the discretion of the Development Authority if in the Development Authority's opinion they do not interfere with the rural and/or agricultural characteristics of the surrounding landscape;

3. Potential adverse impacts to adjacent landowners caused by noise, odour, waste or other nuisances generated by the Cottage Industry use shall be adequately mitigated to the satisfaction of the Development Authority;
4. All outdoor storage related to the Cottage Industry that may present visual impact shall be screened by means of fencing, landscaping or locating in areas not visible to adjacent residential dwellings;
5. The Cottage Industry use shall provide adequate on-site parking for clients and employees;
6. The display or placement of signage on the premises for a Cottage Industry shall be in accordance with Subsection 15.3; and
7. The Development Authority may require the applicant to conduct and document public engagement prior to submitting a development permit application for a Cottage Industry use, if in the Development Authority's opinion the proposal may increase the intensity of the land use relative to the surrounding areas, or may affect adjacent land uses by increasing noise, dust, odour, emissions, waste, traffic or lighting.

## 12.6 Demolition

1. Demolition or removal of a Building or portion thereof shall be considered a change in intensity of the use and/or the resultant Building.
2. The resultant building of the partial demolition and use shall be subject to the provisions of this Bylaw.
3. As a change in intensity, a Demolition shall be subject to Development Permit approval.
4. Upon application for Demolition, the Development Authority may require a demolition plan detailing the following:
  - a) footprint of building and site plan of property on which the building is to be demolished;
  - b) measures to be taken to ensure that the demolition is done in a safe and efficient manner and what measures are to be taken to ensure the disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition are mitigated or minimal;
  - c) timelines for completion of Demolition and site restoration project;
  - d) salvage operation and stockpiling of building demolition material and fill from excavation;
  - e) site restoration and land reclamation upon building demolition (filling, grading, landscaping, etc.);
  - f) any information considered to be appropriate which may include, but not limited to, any applications requirements as required in accordance with Section 16.3 of this Bylaw

## 12.7 Development Adjacent to Confined Feeding Operations

1. Confined Feeding Operations are regulated by the Natural Resources Conservation Board in accordance with provincial regulations and are exempt from municipal control under this Bylaw.
  - a) Notwithstanding the aforementioned, development of a Confined Feeding Operation shall be consistent with the land use provisions of the Municipal Development Plan.

- b) The minimum distance of separation between a new or expanding Confined Feeding Operation and a multi-Parcel residential development, any urban centre, school, hospital, Hamlet, or a Direct Control District shall be the greater of
  - i) 0.8 km, or
  - ii) the Minimum Distance Separation (MDS) Formula as described in the *Agricultural Operation Practices Act* (AOPA), Standards and Administration Regulation, Section 3. The MDS formula is outlined in its entirety in the AOPA, Standards and Administration Regulation, Schedule 1.
- c) Notwithstanding any other provision of this Bylaw that requires a minimum Setback, the minimum distance of separation between a proposed Dwelling Unit and a Confined Feeding Operation, allowed under the AOPA, shall be equivalent to the required distance of separation between a proposed Confined Feeding Operation from an existing Dwelling Unit as determined by the Natural Resources Conservation Board.
- d) Where more than one (1) minimum Setback distance is applicable under this Bylaw, the greater distance shall prevail.
- e) In all land use districts, where Multi-Parcel Residential development is allowed, it shall be a Discretionary Use if it is within the minimum distance separation for a Confined Feeding Operation allowed under the AOPA.

## 12.8 Home Based Business

- 1. The following provisions shall apply to all Home Based Business Level 1:
  - a) the business must be located in the principal building or accessory building(s) approved by the Development Authority;
  - b) no storage of goods, materials, commodities or finished products shall be permitted except within the dwelling;
  - c) no variation from the external appearance and residential character of land or buildings shall be permitted;
  - d) no use of signage;
  - e) no on-site attendance of clients; and
  - f) no person other than the resident(s) of the property may work on-site in the business.
- 2. The following provisions shall apply to all Home Based Business Level 2:
  - a) no outside storage of goods, materials, commodities or finished products shall be permitted;
  - b) no variation from the external appearance and residential character of land or buildings shall be permitted;
  - c) the use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area;
  - d) the display or placement of signage on the premises of a Home Based Business Level 2 shall be in accordance with Subsection 15.3;

- e) the Home Based Business Level 2 use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority;
  - f) at all times the privacy of the adjacent residential dwellings shall be preserved and the home based business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.;
  - g) the parking of one (1) commercial vehicle with one (1) accessory trailer such as dual axle gravel truck with pup, trailer carrying a small backhoe, bobcat, or similar, tractor unit only (no trailer), or a three (3) ton truck or like type vehicle may only be allowed by the Development Authority on a discretionary basis; and
  - h) only the resident and the resident's family who permanently reside in the residential dwelling on the subject Parcel may be permitted as employees.
3. The following provisions shall apply to Home Based Business Level 3:
- a) with the exception of the CRWL – Country Residential Work/Live District, a Home Based Business Level 3 shall not be located within a Multi-Parcel Residential Subdivision (excluding rural centres) or row housing development and/or if the location of the development is within 150.0 m of a Multi-Parcel Residential Subdivision (excluding Rural Centres) or row housing development;
  - b) outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;
  - c) the display or placement of signage on the premises of a Home Based Business shall be in accordance with Subsection 15.3;
  - d) the home based business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials considered offensive or excessive by the Development Authority;
  - e) at all times the privacy of the adjacent residential dwellings shall be preserved and the Home Based Business use shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc.;
  - f) the parking of any commercial vehicles, including the number considered and location, shall be at the discretion of the Development Authority, notwithstanding, the parking of school buses in excess of the number allowed shall be as per the Community Standards Bylaw; and
  - g) in addition to the resident and the resident's family who permanently reside in the residential building on the subject Parcel, up to four (4) additional other employees may be permitted as part of the approval and operation of a Home Based Business Level 3, if deemed appropriate by the Development Authority.

## 12.9 Kennel

1. A kennel shall not be within or adjacent to a Multi-Parcel Residential Subdivision or closer than 300.0 m from the boundary of a Multi-Parcel Residential Subdivision or a row house development.

- a) The Development Authority may waive this requirement if a Highway, Arterial Road or secondary road bisects the 300.0 m separation distance.
2. The application for a development permit shall address the following:
  - a) pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority;
  - b) no facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m of any Property Line of the Parcel on which the facility is to be sited;
  - c) Notwithstanding any Section in this Bylaw regulating fence height, all exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.8 m;
  - d) all facilities, including buildings and exterior exercise areas, shall be required to be sited behind the principal building; and
  - e) all facilities shall be visually screened from existing dwellings on adjoining Parcels to the satisfaction of the Development Authority.
  - f) The Development Authority may regulate the hours that the animals are allowed outdoors.

## **12.10 Liquor Sales / Distribution Services**

1. The Development Authority shall not approve a development permit for liquor sales/distribution services 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 neighbourhood.
2. In evaluating the appropriateness of a development permit application for Liquor Sales/Distribution Services, the Development Authority shall consider such factors as
  - a) compatibility of proposed use with adjacent and neighbouring land uses;
  - b) impact of proposed use on existing traffic volumes and patterns of flow;
  - c) appropriate vehicle parking and site access/egress requirements (the location of access/egress points shall not route traffic through residential areas); and
  - d) appropriate site security/fencing requirements.

## **12.11 Manufactured Home, Single Wide**

1. Manufactured Home, Single Wide shall have Canadian Standard Association Certification.
2. A Manufactured Home, Single Wide shall only be allowed to locate in the following locations designated acceptable for manufactured home placement and use:
  - a) within a fully serviced Manufactured Home Park or manufactured home subdivision;
  - b) within "resort/lakefront" Multi-Parcel Residential Subdivisions where the majority of Parcel sizes are less than 1,858.0 m<sup>2</sup>;
  - c) on individual Parcels of land not contained or located within a Multi-Parcel Residential Subdivision;
  - d) within all residential subdivisions of three (3) Parcels or less; or
  - e) rural centres, excluding Keephills.

## 12.12 Natural Resource Extraction / Processing

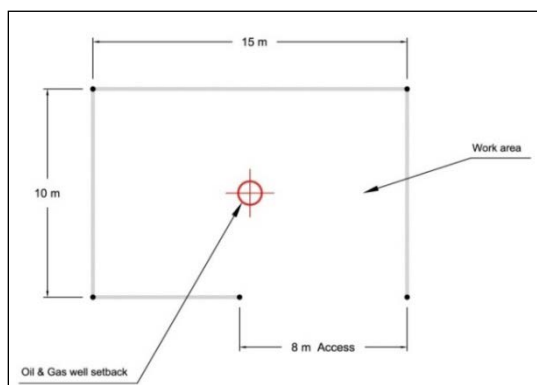
1. Sand and/or gravel developments contained within the Natural Resource Extraction / Processing use shall not be within a Multi-Parcel Residential Subdivision.
2. There shall be no sand and/or gravel developments within 300.0 m of the boundary of a Multi-Parcel Residential Subdivision.
3. The Development Authority may consider a variance or a waiver Section 12.12.2 provided that:
  - a) No crushing, processing, washing, or similar is occurring within the 300.0 m requirement;
  - b) Extraction and reclamation activities within the 300.0 m requirement may only occur between 8:00 a.m. and 5:00 p.m. Monday to Friday;
  - c) The applicant/owner provides appropriate measures, to the satisfaction of the Development Authority, to mitigate any nuisance or potential nuisance from the Pit Area; and
  - d) The Development Authority is satisfied that extraction and reclamation activities occur expeditiously and in a manner that poses minimum affect to residents within the Multi-Parcel Residential Subdivision.
4. The Development Authority shall require as a condition of development permit approval for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, that the applicant(s) acquire all necessary provincial permits and approvals pertinent to the proposed development. Further, the applicant(s) shall be required to supply a copy of any such provincial permit or approval to the County for its records.
5. In considering whether to approve aggregate extraction as a Discretionary Use, the Development Authority may also consider the uniqueness of each application for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, and have additional due regard for the following:
  - a) the purpose of this Bylaw and the general purpose of the district in which the development is located and the future use of the site as proposed in a reclamation plan;
  - b) the provisions of the Municipal Development Plan and any relevant statutory plan;
  - c) relevant guidelines prepared by Alberta Environment and their comments on applications made for provincial approval;
  - d) the desirability to utilize the aggregate resource as a regional benefit;
  - e) conservation of topsoil for agricultural use on this or another site;
  - f) conservation of designated historical resources;
  - g) conservation of trees and maintenance of habitat;
  - h) conservation of environmentally significant and sensitive areas, including areas identified in the Environmental Conservation Plan;
  - i) conservation of watercourses; and
  - j) the safety and potential nuisance effect(s) on adjacent properties, including both operation and hauling activities.
6. Hours of Operation

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- a) The hours of operation for the pit, including extraction, reclamation and the processing (crushing) of materials shall be specified by the Development Authority. The Development Authority shall have regard to, but not bound by, the following guidelines:
  - i) No operation between 6:00 p.m. Saturday and 5:59 a.m. Monday.
- 7. Dust and Noise
  - a) The applicant shall
    - i) prevent noise from becoming an annoyance to neighbouring landowners at the request of and to the satisfaction of the Development Authority. Required prevention may include, but not be limited to, locating stockpiles to act as sound barriers and using methods of minimizing or reducing noise created by machinery and equipment. Installation of noise monitors shall be required as a condition of a development permit. Noise that exceeds the level as specified in the Community Standards Bylaw is an indication that noise may be an annoyance; and
    - ii) ensure compliance with the *Environmental Protection & Enhancement Act* regarding dust and air quality.
- 8. The applicant(s) shall locate appropriate safety and traffic signage on and about the subject site and road accesses, to the satisfaction of the Development Authority.
- 9. An Industrial Haul Agreement, between Parkland County (Public Works Operations Department) and the land owner/developer of aggregate extraction incorporating, but not limited to, such things as haul routes, maintenance, dust control, security, signage, participation in the Alberta Sand and Gravel Association central truck registry numbering system, notification to local residents, and other related clauses is required as a condition of a development permit.
- 10. Hours for Hauling
  - a) The removal of sand and/or gravel from the pit location (hauling) shall take place only within the hours specified by the Development Authority. The Development Authority shall have regard to but is not bound by the following guidelines:
    - i) 6:00 a.m. to 6:00 p.m. Monday to Friday
    - ii) 8:00 a.m. to 4:00 p.m. Saturday
    - iii) No hauling on Sunday
- 11. No new aggregate extraction or expansion of an existing operation shall be located within 20.0 m of any public road, unless otherwise approved by the Development Authority. The Development Authority may require certain buffering/screening measures occur within this Setback.
- 12. All stripping, excavation, and grading shall be in conformance with Subsection 11.8 of this Bylaw.
- 13. The applicant shall keep the area, subject to the development permit, in a clean and tidy condition free from rubbish and non-aggregate debris, including any required screening or buffering to the satisfaction of the Development Authority, at all times.

## 12.13 Reclaimed Gas and Oil Wells

1. The purpose of establishing Setbacks around well sites is to allow for the maintenance of the well site to occur, to protect the well site and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the Setbacks and access area associated with a well site, into a subdivision and development proposals may help in determining an effective subdivision design, the location of building sites, siting of underground utilities and grading of land.
2. Setbacks from an abandoned well shall be established in accordance with the Subdivision and Development Regulations and the most current Directive as adopted by the Alberta Energy Regulator.
3. Both the subdivision application and development permit application may require the registration of a Restrictive Covenant, against the title of the property that contains a reclaimed well identifying the Setback requirements identified in Section 12.13.2.
4. For all other gas and oil wells, all applicable provisions under Section 11 of the Subdivision and Development Regulation shall be complied with.



## 12.14 Recreational Vehicle Storage

1. The following provisions shall apply to Recreational Vehicle Storage where allowed for in this Bylaw:
  - a) a minimum Setback of 6.0 m shall be required from any Property Line;
  - b) storage shall be as required under the Alberta Fire Code pertaining to water for fire suppression, fencing and access, etc.;
  - c) vehicle entrances and exits, as well as internal vehicle routes shall be designed in a manner that provides a safe and clearly defined circulation pattern;
  - d) all on-site roadways, parking, loading and storage areas shall have a durable hard surface of asphalt, gravel or similar material and the same shall be drained, developed to the satisfaction of the Development officer and the Parkland County Engineering Department;
  - e) where on-site parking or storage is illuminated, all lighting shall be positioned in such a manner that lighting falling onto abutting properties is minimized;
  - f) any developed portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a



manner that no surface water shall drain onto public roadway or other neighbouring property;

- g) there shall be no storage of hazardous materials or goods on site;
- h) no day use or over-night accommodation shall be allowed on site;
- i) the storage of Recreational Vehicles shall not include storage for the salvage of, or for derelict Recreational Vehicles;
- j) the Recreational Vehicle compound shall be fenced with a minimum 1.83 m high chain link fence around the periphery of the storage area;
- k) any proposed sanitation dump shall be in accordance with the Alberta Safety Code;
- l) landscaping, if required by the Development Authority, shall be as follows:
  - i) on sites smaller than 1.0 ha a minimum of 10%, or as otherwise required by the Development Authority, of the site shall be landscaped. On sites larger than 1.0 ha, a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard Setbacks of the site shall be landscaped;
  - ii) one tree for every 40.0 m<sup>2</sup> of landscaped area, to a minimum of four trees, at a proportion of approximately 1:1 deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with the Minimum Tree Sizes can be used;
  - iii) one shrub for every 60.0 m<sup>2</sup> of landscaped area shall be provided to a minimum of six shrubs, at a proportion of approximately 2:1 of deciduous and coniferous shrubs;
  - iv) deciduous trees shall be a minimum of 63.0 mm caliper measured 450.0 mm from ground level. Coniferous trees shall be 2.5 m in height.

## 12.15 Recycling Depots

1. The following shall apply to a Recycling Depot – Major:
  - a) A Recycling Depot – Major shall not be approved without the construction of a principal building for the enclosed/interior receiving, sorting and/or processing of materials;
  - b) If outdoor storage is an accessory component of the operation, all outdoor storage areas shall be screened from adjacent properties and roadways;
  - c) All outdoor storage or stockpiles of materials shall not be vertically higher than the approved screening;
  - d) The owner/applicant may be required to provide a Debris and Dust Control Plan;
  - e) If household waste and/or organics are received as an accessory use of the operation, there shall be no outdoor storage. Household waste and organics must be regularly removed from the site;
  - f) The owner/applicant may be required to undertake mitigating measures to minimize any odour escaping the facility, at the discretion of the Development Authority.

## 12.16 Secondary Suite

1. One Secondary Suite may be developed on a Parcel where allowed.

2. The minimum floor area for a Secondary Suite shall be 30.0 m<sup>2</sup> and the maximum floor area of a secondary area shall be 92.0 m<sup>2</sup>.
3. The Development Authority shall, in its opinion, be satisfied that there exists on the hosting Parcel, a suitable development site upon which to site the Secondary Suite. The Development Authority shall be satisfied that the Secondary Suite can and will, where possible, be properly connected to services (e.g. gas, power, water, sewage disposal) associated with the existing host residence without jeopardizing existing services associated with either the hosting Parcel or adjacent and neighbouring Parcels.
4. A Secondary Suite shall be designed, sited, constructed and finished in a manner that is visually compatible, in the opinion of the Development Authority, with the residential character of adjacent and neighbouring lands and/or the neighbourhood in general. The following guidelines may be considered by the Development Authority:
  - a) the suite should not be placed in front of the primary residence or placed in a manner which could obstruct the view from a house on an adjacent property ;
  - b) The suite shall not be placed on any easements and shall not be placed on a gas line;
  - c) the suite shall be sited in accordance with Setback regulations for a principal building;
  - d) the site shall be graded to avoid ponding under or around the suite.
5. A Secondary Suite that is a garden suite shall have a separation distance of at least 5.0 m from any other Dwelling.
6. The separate entrance to the Secondary Suite (an additional Dwelling Unit located within and Accessory to a Dwelling, Single Detached) shall be accessed either from a common indoor landing or directly from the side or rear of the building.
7. A Secondary Suite (an additional Dwelling Unit located within and Accessory to a Dwelling, Single Detached) shall be developed in such a manner that the exterior of the principal building containing the Secondary Suite shall appear as a single dwelling.
8. A Secondary Suite shall not be developed within the same principal dwelling containing a Group Home.
9. A Secondary Suite shall not be permitted within the second dwelling located on the same Parcel.
10. A Secondary Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

## **12.17 Service Stations, Gas Bars and Bulk Fuel Stations**

1. Minimum Site Area
  - a) A Service Station shall have a minimum site area 1,500.0 m<sup>2</sup>.
  - b) A gas bar shall have a minimum site area of 1,200 m<sup>2</sup>.
  - c) A gas bar or Service Station including a car wash shall have a minimum Site Area of 2,700 m<sup>2</sup>.
  - d) Where a gas bar forms part of a commercial complex or centre, the minimum Site Area containing gas bar buildings and pump areas shall in no case be less than 1,000.0 m<sup>2</sup>.

- e) Where a Service Station or gas bar is combined with a convenience store, the minimum site area for the total site shall in no case be less than 2,000.0 m<sup>2</sup>.
- f) A bulk oil station shall be no less than 2,700.0 m<sup>2</sup>.
- 2. The proposed location and design of all fuel storage tanks shall be approved by the appropriate Provincial Agency.
- 3. All parts of the site to which vehicles may have access shall be drained to the satisfaction of the Development Authority.
- 4. The site area of a gas bar and Service Station shall be landscaped to the satisfaction of the Development Authority.

## 12.18 Shipping Containers

- 1. The following provisions shall apply to Shipping Containers where allowed for in this Bylaw:
  - a) a Shipping Container may be used for storage as an accessory building and the square footage to be calculated as per Section 11.1.3. The Shipping Container shall be subject to the issuance of a Building Permit;
  - b) a Shipping Container shall be allowed to the side or rear of buildings on the same Parcel and shall not be placed within required Setbacks;
  - c) Shipping Containers shall be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority;
  - d) the exterior of the Shipping Container shall be painted, sided or finished in a manner to match the primary residence to the satisfaction of the Development Authority;
  - e) Shipping Containers shall not be stacked.
- 2. Subsection 12.18.1 does not apply to Shipping Container, Trans-shipping.

## 12.19 Show Home

- 1. The person wishing to construct or use an unoccupied Dwelling Unit for the purpose of a Show Home for the sale of other dwellings within the approved subdivision shall make application to the Development Officer for a development permit allowing the use of the building as a Show Home.
- 2. Development permits may be issued prior to the registration of a phase of a subdivision providing that the phase has received approval by the Subdivision Approving Authority, there is a Development Agreement in place and there is a gravel surfaced road constructed from the municipal road to the show Parcel in accordance with the Development Agreement.
- 3. The conditions of the development permit for the Show Home may include the following:
  - a) Advertising signs and features providing details of these features including location, type and number were submitted as part of the application. All advertising signs and features shall be removed immediately upon the cessation of use of the building as a Show Home.
  - b) The Show Home shall not be open to the public for viewing unless and until the road to the Show Home is graveled to municipal standards and, in subdivisions that are to be fully serviced, the Show Home is connected to municipal sewer and water.

- c) There shall be signs posted at adjacent occupied residences by the Show Home builder indicating that these homes are private and not for viewing.
- d) The Show Home shall not be operated as a Show Home or sales office for a period in excess of twelve (12) months unless the Development Permit is renewed at the discretion of the Development Authority.
- e) A Show Home is regulated by the regulations of the land use district in which it is located.
- f) The appearance of the Show Home shall, in the opinion of the Development Officer, be compatible with the character of other buildings in the vicinity and include hard surface access for pedestrians.
- g) A Show Home shall be located in close proximity to the entrance to the subdivision, not within a cul-de-sac or the terminal end to the internal subdivision road.

## 12.20 Small Animal Breeding / Boarding

1. A Small Animal Breeding / Boarding facility shall not be located within or adjacent to a Multi-Parcel Residential Subdivision or row housing development.
2. The conditions of the development permit shall include the following:
  - a) Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of the Development Authority.
  - b) All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
  - c) No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m of any Property Line of the Parcel on which the facility is to be sited.
  - d) All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.8 m.
  - e) All facilities, including buildings and exterior exercise areas, may be required to be sited behind the principal building.
  - f) All facilities shall be visually screened from existing dwellings on adjoining Parcels to the satisfaction of the Development Authority.
3. The Development Authority may regulate the hours that the animals are allowed outdoors.

## 12.21 Tourist Campground

1. For the purposes of this Section, tourist campgrounds may be considered as falling into two category types, Enroute and Destination. Enroute campgrounds are designed primarily for short-term occupancy for those travelers on their way to another destination. Destination campgrounds are intended for prolonged visits, located near amenity areas and accompanied by a range of ancillary and recreational facilities.
2. Roads leading to a proposed campground may be required as a condition of development approval, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed campground.

3. In determining the appropriateness and suitability of a site for a proposed campground development, the Development Authority shall consider such factors as accessibility, compatibility with adjacent land uses, environmental sensitivity and physical suitability/serviceability of the site itself.
4. There shall be a minimum distance separation of 300.0 m between any tourist campground facility and the boundary of a Multi-Parcel Residential Subdivision or Confined Feeding Operation.
  - a) Notwithstanding the foregoing, tourist campground facilities within 300.0 m of the boundary of a multi-parcel subdivision, may be considered on SW 18-52-2-W5
  - b) Notwithstanding the foregoing, tourist campground facilities within 300.0 m of the boundary of a multi-Parcel subdivision, may be considered on Lot A, Plan 3803NY (NW 03-53-4-W5M) where the property owner shall meet the following:
    - i) There shall be no Recreational Vehicles located within 3m of the north Property Line of the subject site and appropriate visual screening shall be installed and maintained to the satisfaction of the Development Officer, within this 3 m separation between the Recreational Vehicles and the north Property Line.
    - ii) The property owners shall ensure that the septic system is inspected by a qualified plumbing inspector at three (3) year intervals and that these reports are forwarded to the County's private sewage inspector for review.
    - iii) The property owners shall enter into a Road Maintenance Agreement with Parkland County.
5. The following criteria and standards may be used by the Development Authority in determining an appropriate density for a proposed campground development:
  - a) Areas with natural amenities (e.g. wilderness, water bodies, and vegetation) shall be developed at a lower density.
  - b) In areas where there is little natural vegetation, densities shall be lower to provide more privacy between sites.
  - c) Where terrain is sensitive to development, the Permitted density shall be lower to preserve the natural balance.
  - d) Long-term occupancy campgrounds shall be at a lower density because the Recreational Vehicles tend to be larger and contain accessory uses; in most cases, the on-location activities will have more impact on the environment.
6. The following criteria and standards may be used by the Development Authority in determining an appropriate site design for a proposed campground development:
  - a) The site plan for a proposed campground shall detail internal circulation requirements, street widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas and campsite areas.
  - b) The number of access points to the campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow.
  - c) The location of access points shall not route traffic through residential areas.

- d) Access points shall be designed to accommodate two-way traffic and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required.
  - e) All campgrounds and sites shall have clear access and identification for firefighting, ambulance and police.
  - f) For campgrounds proposed to be open year-round, provision shall be made in the design of internal roads for snow removal and snow storage.
  - g) For Destination campgrounds, particularly long lease arrangements, parking space is required for visitors. The location of visitor parking shall not interfere with pedestrian safety.
  - h) Each campsite shall have a minimum area of at least 186.0 m<sup>2</sup> with an open and graded parking space sufficient to permit a clearance of 4.5 m between sides and 3.0 m between ends of adjacent recreation vehicles.
    - i) Notwithstanding the foregoing, each campsite within the tourist campground facilities on Lot A, Plan 3803NY (NW 03-53-4-W5M) shall have a minimum area of at least 42.5 m<sup>2</sup> with an open and graded parking space sufficient to permit a clearance of 4.5 m between sides and 3.0 m between ends of adjacent recreation vehicles.
  - i) Campsites shall be accessible by means of a driveway at least 3.0 m wide where the driveway is for one-way traffic, or at least 6.0 m wide where the driveway is for two-way traffic, and so constructed that automobiles and trailers will not become mired.
  - j) Recreational facilities shall not be located where they would intrude on the privacy of adjacent campers.
  - k) Noise control measures may also be required and may include the use of berms, natural barriers and screens and locating noise-insensitive aspects of the campground closest to the noise source.
  - l) Within the campground development, a circular one-way system with gently curving roads, sensitive to topography and site characteristics is preferred, and shall be "signed" to avoid confusion.
7. A site plan with clearly identified streets, site numbers, and parking areas may be required to be provided for camper convenience and in cases of emergency.

## 12.22 Waste Management Facility or Dry Waste Landfill

- 1. The Development Authority shall not issue a Development Permit for a Waste Management Facility or Dry Waste Landfill within 450 m of an Educational Services Use, Medical Treatment Services Use, Residential Use or District, or a food establishment.
- 2. The Development Authority shall establish such conditions of approval that it deems appropriate and in that regard may consider, but shall not be limited to, such requirements as listed below:
  - a) requirements of an Industrial Haul Agreement with the County accompanied by such security as considered necessary by the County;
  - b) limitations on the years, months, weeks, days and/or hours of operation;

- c) requirement to provide and maintain sufficient dust control to the satisfaction of the County as established in the Industrial Haul Agreement;
- d) posting of adequate signage, including company name and emergency phone numbers, to warn of possible site or operational hazards and dangers;
- e) requirement to identify and/or number trucks or equipment involved in any hauling aspects of the development;
- f) limitations on the height of the landfill development;
- g) any stripping, filling, excavation and grading associated with a landfill development to be subject to the provisions of Subsection 11.8;
- h) landfill development to be subject to all provincial requirements and approvals.

## 12.23 Wind Energy Converter Systems (WECS)

1. The following shall apply to all Wind Energy Converter Systems (WECS) – MAJOR:
  - a) Prior to making a decision on a development application for a WECS, the Development Authority should refer to and consider the input of the following agencies and departments:
    - i) Alberta Energy Regulator (AER);
    - ii) Transport Canada;
    - iii) Navigation Canada;
    - iv) Alberta Community Development;
    - v) Alberta Environment and Sustainable Resource Development; and
    - vi) Adjacent municipalities.
  - b) The Development Authority may approve multiple WECS on a case-by-case basis having regard for
    - i) proximity to other immediate land uses;
    - ii) density of WECS;
    - iii) underlying land uses; and
    - iv) information received through the circulation process.
  - c) As a condition of approval, the County may require a bond or irrevocable letter of credit to ensure the reclamation/decommissioning plan is implemented. The condition may include a periodic review of the bond or letter of credit to ensure the amount is sufficient to implement the reclamation/decommissioning plan.
  - d) A WECS shall comply with all the Setbacks that govern the principal use of the district in which it is located.
  - e) A WECS shall be located not less than twice the height of the WECS, as measured from the ground to the highest point of rotor's arc, from a Dwelling Unit.
  - f) Where, in the opinion of the Development Authority the Setbacks referred to in Subsections 12.23.d) are not sufficient to reduce the impact of a WECS upon a public roadway, the Development Authority may increase the required Setback.

- g) A WECS shall be located so that the horizontal distance measured at grade from the tower to any property boundary is at least the total height of the WECS plus ten percent (10%).
  - h) In the case of multiple WECS', Setbacks may be increased from the minimum Setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.
  - i) The minimum vertical blade clearance from grade shall be 7.5 m for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.
  - j) To ensure public safety, the Development Authority may require the following:
    - i) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
    - ii) no ladder or permanent tower access device shall be located less than 3.6 m from grade;
    - iii) a locked device shall be installed on the tower to preclude access to the top of the tower; and
    - iv) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate.
  - k) The use of tubular towers, with locked door access, will preclude the above requirements.
  - l) All power lines on the site of the approval to the substation or grid should be underground.
  - m) Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.
  - n) No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's identification or municipal symbol.
2. The following shall apply to all Wind Energy Converter Systems (WECS) – MINOR:
- a) A freestanding WECS-MINOR shall be Setback from all Property Lines a distance equal to the total tower height plus ten percent (10%).
  - b) A WECS-MINOR and tower shall not exceed 15.0 m from grade to its highest point.
  - c) No illumination of a WECS-MINOR shall be allowed unless required by Navigation Canada.
  - d) A Development Permit issued for a WECS-MINOR may require, as a condition of development approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding are put in place as the developer shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the freestanding tower on the developer's property.

## 12.24 Work Camp

- 1. Federal, Provincial or municipal work camps do not require a development permit.
- 2. For a Work Camp that does not fall under Section 12.24.1, a development permit for a Work Camp may:



- a) be issued for a period of no more than two (2) years.
  - b) continuation of that use beyond the first two (2) years will be at the discretion of the Development Authority taking into consideration any complaints and the nature of complaints being received by the Development Authority regarding the development within the first two years.
3. An application for a development permit for a work camp must provide the following information:
  - a) the location, type and purpose of the camp;
  - b) adjacent land uses;
  - c) the method of supplying water, and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Alberta Private Sewage Treatment and Disposal Regulation and be to the satisfaction of the Alberta Health Services;
  - d) the number of persons proposed to live in the camp;
  - e) the MLL (miscellaneous lease) number issued by Alberta Environment and Sustainable Resource Development;
  - f) the start date for development, date of occupancy by residents, and removal date for the camp;
  - g) reclamation measures once the camp is no longer needed; and
  - h) letters of support from the adjacent land owners or residents, or relevant agencies (RCMP) when required by the Development Authority.
4. As a condition of approval, the Development Authority may include conditions to uphold all conditions in the Land Use Bylaw, and may also include the following:
  - a) requirement for County road upgrading (if required) or entering into a road use agreement with respect to impact on the roadway used to provide access to the camp, such as dust control and other matters;
  - b) requirements to limit noise to daytime hours (generally 7am to 11 pm), with the exception of generator noise, which must be mitigated by shielding or other method when it may be detrimental to an adjacent property;
  - c) requirement to maintain any existing natural buffers (trees, etc.); and
  - d) requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.

## 12.25 Outdoor Shooting Ranges

1. An Outdoor Shooting Range may be considered by the Development Authority for approval if public engagement is undertaken by the applicant in accordance with Policy C-AO51 and to the satisfaction of the Development Authority. In this regard, an applicant for an Outdoor Shooting Range shall adhere to the same requirements as a Major Development as defined in Policy C-AO51.
2. In determining an application for Development Permit approval, the Development Authority shall consider:

- a) the potential Nuisance Effect the Development may have on nearby properties;
  - b) proximity to environmentally significant areas, designated natural areas, animal and bird habitats, and migratory bird sanctuaries;
  - c) the design of the Development including, but not limited to, setbacks, sound attenuation walls, trenches, berms, partial enclosures, direction of fire, and similar design features;
  - d) the effect in which the surrounding landforms influence the manner in which sound carries.
3. An Outdoor Shooting Range shall comply with the following:
- a) any buildings and areas for shooting shall be at least 30.0 m from any Parcel Boundary.
  - b) parking shall be provided in accordance with Section 14 of this Bylaw.
4. In addition to Section 16.4 of this Bylaw, the Development Authority shall require the applicant to submit:
- a) a site plan illustrating the location of the range and any buildings on the Parcel, landscaping, berming, noise attenuation, direction of fire, parking, and any other details as deemed necessary by the Development Authority; and
  - b) an area plan that identifies lands within a 3 km radius illustrating land uses, existing buildings, and any other information as identified in 12.25.1 and 12.25.2 or as deemed necessary by the Development Authority.
5. The Development Authority may require the applicant to submit:
- a) a report or evidence that the proposed range will conform to the Firearms Act, Shooting Clubs and Shooting Ranges regulations, or other relevant legislation; and
  - b) any information deemed necessary.

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## 12.26 Cannabis Cultivation, Major

1. Cannabis Cultivation, Major use may be a Permitted or Discretionary Use in certain Industrial Districts, subject to the standard development regulations, design and character, landscaping, parking and loading, signage and other applicable requirements of the respective Industrial Districts.
2. Cannabis Cultivation, Major use may be a Discretionary use in certain Agricultural Districts if, in the opinion of the Development Authority, the potential intensity of the use is appropriate and reasonably compatible with the nature and uses of the surrounding properties.
3. When evaluating the appropriateness for a proposed Cannabis Cultivation, Major use in certain Agricultural Districts where it is a Discretionary use, the Development Authority shall consider:
  - a) The proposed site shall be suitable and appropriate for the scale and intensity of the proposed facility. To assess site suitability, the Development Authority may consider factors such as, but not limited to, size of the property, site servicing, distances to nearby residences, access to transportation networks, agricultural soil capacity, environmentally significant areas, and other unique site conditions.
  - b) Cannabis Cultivation, Major will be encouraged to locate in areas with a soil class of 3 – 6 when located in Prime Agricultural areas as identified by Parkland County's Municipal Development Plan Bylaw 2017-14.

- c) Cannabis Cultivation, Major use shall not be located within 150.0 m from the boundary of a Multi-Parcel Residential Subdivision.
    - i) The 150.0 m separation distance shall be measured from the boundary of the proposed development area to the boundary of the Multi-Parcel Residential Subdivision.
  - d) Landscaping and screening measures may be required at the discretion of the Development Authority to minimize any adverse visual impact to nearby residences and public roadways.
  - e) Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any nearby residences or public roadways.
  - f) Vehicular entrances and exits as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
  - g) Hours of heavy equipment traffic may be restricted at the discretion of the Development Authority to minimize any adverse impact to any nearby residences.
  - h) The Development Authority may require the applicant to conduct and document public engagement prior to submitting a development permit application for a Cannabis Cultivation, Major use if, in the Development Authority's opinion, the development may present significant adverse impact to nearby properties.
- 4. Cannabis Cultivation, Major use shall incorporate Dark Sky compliant practices and measures to minimize light pollution to nearby properties.
  - 5. The proposed development shall meet all federal, provincial and all other relevant statutory requirements prior to commencement of the operation, and provide evidence of applicable federal and provincial approvals to the satisfaction of the Development Authority.

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## 12.27 Cannabis Cultivation, Minor

- 1. Cannabis Cultivation, Minor use may be a Permitted or Discretionary Use in certain Industrial Districts, subject to the standard development regulations, design and character, landscaping, parking and loading, signage and other applicable requirements of the respective Industrial Districts.

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- 2. Cannabis Cultivation, Minor use may be a Permitted or Discretionary use in the Rural Centre District, Country Residential District, and certain Agricultural Districts if, in the opinion of the Development Authority, the potential intensity of the use is appropriate and reasonably compatible with the nature and uses of the surrounding properties.
- 3. When evaluating the appropriateness for a proposed Cannabis Cultivation, Minor use in certain Agricultural and Country Residential Districts where it is a Permitted or Discretionary use, the Development Authority shall consider:
  - a) Cannabis Cultivation, Minor use shall not be located within 150.0 m of:
    - i) a Multi-Parcel Residential Subdivision;
    - ii) a provincial healthcare facility;
    - iii) a school or building containing Educational Services; or,
    - iv) a school reserve or municipal and school reserve.

b) Cannabis Cultivation, Minor use shall incorporate Dark Sky compliant practices and measures to minimize light pollution to nearby properties.

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c) The total square metres of Cannabis Cultivation, Minor use shall be included in the calculation for Accessory Development as per Section 11.1.3.

d) Cannabis Cultivation, Minor shall be designed, sited, constructed and finished in a manner that is visually compatible, in the opinion of the Development Authority, with the residential character of adjacent and neighbouring lands.

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e) Cannabis Cultivation, Minor will not be supported in a dwelling.

f) Landscaping and screening measures may be required at the discretion of the Development Authority to minimize any adverse visual impact to nearby residences and public roadways.

g) The proposed development shall meet all federal, provincial and all other relevant statutory requirements prior to commencement of the operation, and provide evidence of applicable federal and provincial approvals to the satisfaction of the Development Authority.

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## 12.28 Cannabis Retail Sales

1. Cannabis Retail Sales use shall not be located within 100.0 m of any parcel that contains:

- a) a provincial healthcare facility;
- b) a school or building containing Educational Services; or,
- c) a school reserve or municipal and school reserve.

2. When evaluating the appropriateness of a proposed Cannabis Retail Sales use, the Development Authority shall consider:

- a) compatibility of the proposed use with adjacent and neighbouring land uses;
- b) impact of the proposed use on existing traffic volumes and patterns of flow;
- c) appropriate vehicle parking and site access/egress requirements (the location of access/egress points shall not route traffic through residential areas); and
- d) appropriate site security/fencing requirements.

The separation distance shall be measured from the exterior wall of the Cannabis Retail Sales development to the nearest point of the parcel boundary containing the above facilities, buildings or reserves.

3. The proposed development shall meet all federal, provincial and all other relevant statutory requirements prior to commencement of the operation, and provide evidence of applicable federal and provincial approvals to the satisfaction of the Development Authority.

## SECTION 13 LANDSCAPING

### 13.1 General Landscaping Regulations

1. The Development Authority may require that site landscaping be provided in conjunction with, and addressed as part of, any development permit in industrial and commercial districts except for an agricultural operation. The intent of site landscaping is to contribute to a reasonable standard of appearance for developments from the initial placement of landscaping through to its mature state, provide a positive overall image for the County, and encourage good environmental stewardship.
  - a) Landscaping shall be required as a condition of a development permit involving existing development if the consequence of the proposed development enlarges or increases the intensity of use as determined by the Development Authority.
2. As a condition of the development permit for all development, the Development Authority shall require all landscaping to be completed within one (1) year of the issuance of the Development Completion Certificate. This includes paving required for a commercial business operation and if necessary, landscaping as per a landscape plan submitted as part of the development permit consistent with Subsection 13.4 to the satisfaction of the Development Authority. The owner, developer and/or successor or assignees, shall be solely responsible for the necessary landscaping and proper maintenance of the development Parcel.
  - a) The provision of site landscaping is a permanent obligation of a development permit and shall be installed and maintained in accordance with accepted horticultural practices and consistent with the approved landscape plan, if it is required as a condition of the development permit.
3. As per Parkland County Policy all commercial and industrial outdoor lighting installations and outdoor luminary replacements requiring an electrical permit shall be Dark Sky compliant.

### 13.2 Commercial Landscaping Requirements

1. Notwithstanding the remainder of this Section, all development on lands designated LC – Local Commercial, HC – Highway Commercial, or RIC – Rural Industrial/Commercial District shall be subject to the following landscape standards:

Table 13.2-1: LC, HC, and RIC Landscape Standards

PLANTING	STANDARD
<b>Minimum Landscaping Area for Commercial Sites</b>	On sites smaller than 1.0 ha, a minimum of 10%, or as otherwise required by the Development Authority, of the site area shall be landscaped.  On sites larger than 1.0 ha, a minimum of 60%, or as otherwise required by the Development Authority, of the required front and side yard Setbacks of the site shall be landscaped.
<b>Minimum Landscaping Area for Commercial Parking Lots</b>	For a parking and loading requiring 40 or more parking spaces, a minimum landscaped area of 1.0 m <sup>2</sup> per on-site parking space shall be provided for visual relief from the expanse of hard surfacing.

PLANTING	STANDARD
<b>Trees</b>	One tree for every 40.0 m <sup>2</sup> of landscaped area, to a minimum of four trees, at a proportion of approximately 1:1 of deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with the Minimum Tree Sizes can be used.
<b>Shrubs</b>	One shrub for every 60.0 m <sup>2</sup> of landscaped area shall be provided, to a minimum of six shrubs, at a proportion of approximately 2:1 of deciduous and coniferous shrubs.
<b>Minimum Tree Sizes</b>	Deciduous trees shall be a minimum 63.0 mm caliper measured 450.0 mm from ground level. Coniferous trees shall be 2.5 m in height.

*Note: Where the calculation of the required number of trees and shrubs results in a fraction, the values shall be rounded up to the next whole number.*

### 13.3 Industrial Landscaping Requirements

1. Notwithstanding the remainder of this Section, all development on lands designated BI – Business Industrial shall be subject to the following landscape standards:

Table 13.3-1: Business Industrial Landscape Standards

Planting	Standard
<b>Minimum Landscaping Area for Industrial Sites</b>	A minimum uninterrupted landscaped yard of 6.0 m in width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5 m, extending to the nearest portion of the principal building.
<b>Minimum Landscaping Area for Industrial Parking Lots</b>	For a parking and loading requiring 40 or more parking spaces, a minimum landscaped area of 1.0 m <sup>2</sup> per on-site parking space shall be provided for visual relief from the expanse of hard surfacing.
<b>Trees</b>	One tree for every 40.0 m <sup>2</sup> of landscaped area, to a minimum of four trees, at a proportion of approximately 1:1 of deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with the minimum tree sizes can be used.
<b>Shrubs</b>	One shrub for every 60.0 m <sup>2</sup> of landscaped area shall be provided, to a minimum of six shrubs, at a proportion of approximately 2:1 of deciduous and coniferous shrubs.
<b>Minimum Tree Sizes</b>	Deciduous trees shall be a minimum 63.0 mm caliper measured 450.0 mm from ground level.  Coniferous trees shall be a minimum 2.5 m in height.

Planting	Standard
Screenings	For bulk outdoor storage, including but not limited to auto wrecking, lumber Yards, pipe storage and similar uses, where because of height of materials stored, a screen planting would not be sufficient to block the view from adjacent residential Developments, a fence, earth berm or combination thereof, with sufficient height to substantially block the view, shall be substituted for the landscape strip required under minimum landscaping area for industrial Parcels, above.

*Note: Where the calculation of the required number of trees and shrubs results in a fraction, the values shall be rounded up to the next whole number.*

- Notwithstanding the remainder of this Section, all development on lands designated MI – Medium Industrial shall be subject to the following landscape standards:

Table 13.3-2: Medium Industrial Landscape Standards

Planting	Standard
Minimum Landscaping Area for Industrial Sites	A minimum uninterrupted landscaped yard of 6.0 m width shall be required adjacent to any public roadway. This includes yards adjacent to public lands or reserve lands that are adjacent to public roadways. Where side lot lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be at the discretion of the Development Authority.
Minimum Landscaping Area for Industrial Parking Lots	For a parking and loading requiring 40 or more parking spaces, a minimum landscaped area of 1.0 m <sup>2</sup> per on-site parking space shall be provided for visual relief from the expanse of hard surfacing.
Trees	One tree for every 60.0 m <sup>2</sup> of landscaped area, to a minimum of four trees, at a proportion of approximately 1:1 of deciduous and coniferous trees, provided that where new tree plantings are otherwise required, existing trees that comply with the minimum tree sizes can be used.
Shrubs	One shrub for every 80.0 m <sup>2</sup> of landscaped area shall be provided, to a minimum of six shrubs, at a proportion of approximately 2:1 of deciduous and coniferous shrubs.
Minimum Tree Sizes	Deciduous trees shall be a minimum caliper 60.0 mm measured 457.2 mm from ground level.  Coniferous trees shall be a minimum 2.5 m in height.
Screenings	For bulk outdoor storage, including but not limited to auto wrecking, lumber Yards, pipe storage and similar uses, because of height of materials stored, a screen planting would not be sufficient to block the view from adjacent residential Developments. A fence, earth berm or combination thereof, with sufficient height to substantially block the view, shall be substituted for the landscape strip required under minimum landscaping area for industrial Parcels, above.

*Note: Where the calculation of the required number of trees and shrubs results in a fraction, the values shall be rounded up to the next whole number.*

## 13.4 Landscape Plan

1. At the discretion of the Development Authority, a landscape plan may be required as part of the submission for a development permit and the plan must be prepared by a certified landscape architect, an arborist, or a person qualified to perform such work.
2. Where a landscape plan is required by this Bylaw as a condition of the development permit, development may commence upon receipt of the landscape plan once all other conditions of the development permit have been met.
3. The landscape plan shall include information for the proposed site as well as all adjacent boulevards and existing property, drawn at a scale of 1:500 or larger, which clearly indicates and accurately identifies the following:
  - a) name of the project and/or applicant;
  - b) name and/or endorsement stamp of the Landscape Architect or the County approved landscape professional;
  - c) site area in hectares proposed to be landscaped, as well as the percentage of the Parcel area;
  - d) north arrow, the Property Lines, dimensions of the subject site and identification of adjacent land uses;
  - e) detailed grading plan showing side slope grades, drainage swale grades, existing grades on adjacent lands and all proposed site elevations;
  - f) location of all existing and proposed utilities and easements, including storm sewers, catch basins for site drainage and overhead utilities.
  - g) location of all existing and proposed buildings, parking areas, driveways and entrances;
  - h) location of all existing plant materials to be retained on the subject site;
  - i) location of all new plant materials being proposed for the subject site;
  - j) proposed trees, shrubs, flower beds and ground covers labeled with a key to a cross referenced plant list identifying the common and botanical names, quantity, size and method of planting, grass mix for sod and/or seed;
    - i) vegetation planting details for installation;
    - ii) location of all proposed landscape furniture and/or landscape amenities for the subject site including height of fencing and screen walls; and
  - k) all other physical features, existing or proposed, including berms, walls, fences, outdoor furniture, lighting and decorative paving;
  - l) location of all outdoor lighting.
4. Where an approved plan in accordance with the County's plan hierarchy requires an area to be naturalized or a natural area enhanced, a landscape plan prepared by a landscape architect or a person qualified to perform such work shall be submitted with the development application to the satisfaction of the Development Authority.
5. Any changes to an approved landscape plan require a new approval of the Development Authority prior to the landscaping being installed.



6. The Development Authority may consider an application for a development permit that does not provide all the information required by Subsection 13.4.3 if, in the opinion of the Development Authority, the information provided is sufficient to show that the landscaping provisions of the Bylaw can be met.

### 13.5 Landscaping Approval

1. Landscaping, including location, design, extent of plantings and other landscaping treatments provided, shall be subject to approval of the Development Authority, taking into consideration, in its sole discretion, the following criteria:
  - a) landscaping shall be clustered in planting beds to represent a natural arrangement on the site;
  - b) as required by the Development Authority, any undeveloped portion of a site may be required to be graded, contoured and seeded, or left to recover to its natural condition;
  - c) all plant material shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock" by the Canadian Nursery Trade Association; and
  - d) all tree/shrub planting required pursuant to Subsections 13.2 and 13.3 shall be suitable to Edmonton region plant hardiness zones.

### 13.6 Letter of Credit for Landscaping

1. As a condition of a development permit approval, a guaranteed security is required from the property developer/owner in the form of an irrevocable and automatically renewable letter of credit in the amount of 100% of the estimated landscaping cost, to ensure that the landscaping is provided and installed in accordance with recognized horticultural practices.
2. The projected cost of the landscaping shall be calculated by the developer/owner and shall be based on information provided in the approved landscape plan. If in the reasonable opinion of the Development Authority, these projected costs are inadequate, the Development Authority may establish a higher landscaping cost for the purposes of determining the value of the landscaping security.
3. Where development on a site is approved in phases, the landscaping security need only be provided on that portion of the site approved in each phase plus the amount required to minimally landscape the balance of the site should future development not proceed in a timely fashion. The landscaping security shall be required in subsequent phases on the remainder of the site at the time these phases are approved for development.
4. In the event that the developer/owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition, and the proceeds from the letter of credit are insufficient for Parkland County to complete the required work, should it elect to do so, then the developer/owner shall pay such deficiency to Parkland County immediately upon being invoiced. Parkland County shall provide an accounting to the developer/owner indicating how the proceeds of the letter of credit were applied, within sixty (60) days of completing or maintaining the landscaping.
5. Upon receipt of a written request from the parties involved in the development, including but not limited to the property developer/owner, condominium association or the issuer of the letter of credit, an inspection of the finished landscaping may be scheduled by the Development Authority. Landscaping inspections shall comply with the following:

- a) inspections shall be conducted only during the normal growing season, approximately May 15th through October 15th;
- b) the Development Authority shall perform the landscaping inspection within thirty (30) days of receipt of the inspection request subject to a) above; and
- c) upon approval of the landscaping by the Development Authority, the letter of credit, unless otherwise drawn upon, shall be fully released.

## SECTION 14 PARKING AND LOADING

### 14.1 General Parking and Loading Regulations

1. Where required, vehicular entrances and exits onto municipal roads shall only be permitted at locations approved by the Development Authority. A permit shall be obtained from Alberta Transportation for access onto Highways.
2. Parking stalls and loading spaces shall be so constructed that
  - a) every access to an off-street parking space or loading area shall be hard-surfaced if the access is from a street or public lane that is hard-surfaced;
  - b) adequate access to, and exit from, each stall is provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority; and
  - c) curb cuts will be provided and located as necessary to the satisfaction of the Development Authority.
3. Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Authority.
4. Where a building is enlarged or altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provisions shall be made for the additional parking spaces pursuant to Subsection 14.3. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.
5. Off-street parking areas shall be separated from public road right-of-ways by a minimum 1.0 m, to provide space for landscaping in accordance with Section 13 of this Bylaw.
6. Parking spaces and areas shall be clearly marked to the satisfaction of the Development Authority.
7. Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for loading and unloading shall be provided and maintained on the site to the satisfaction of the Development Authority.
8. On Parcels less than 0.8 ha, the parking of a second school bus may be considered on a discretionary basis as an accessory use only.
9. On Parcels 0.8 ha or more, the parking of more than two school buses may be considered on a discretionary basis as an accessory use only.

### 14.2 Parking Space Dimension Requirements

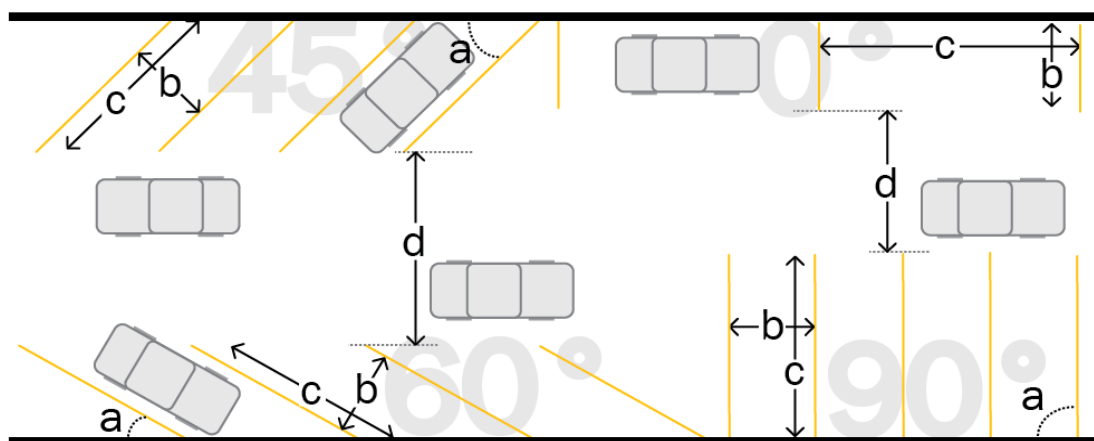
1. Size of parking spaces and aisles shall be provided as required by the Development Authority with consideration to the following standards:
  - a) Except as provided in (b) below, each required off-street parking space shall be a minimum of 2.6 m in width and a minimum of 5.5 m in length, exclusive of access driveways or aisles, ramps, columns, or office work areas. Such spaces shall have a vertical clearance of at least 2.0 m. For parallel parking, the length of the parking spaces shall be increased to 7.0 m, except that an end space with an open end shall be a minimum of 5.5 m.

- b) For parking spaces other than parallel parking spaces, up to 15% of the required parking spaces may be of a length shorter than that required under a) above, to a minimum of 4.6 m.
- c) Aisles shall be a minimum of 7.0 m wide for 90 degree parking; 5.5 m wide for 60 degree parking; and 3.5 m wide for 45 degree and parallel parking.
- d) The Development Authority may increase any of the requirements within this section if, in his/her discretion, the proposed Development warrants larger parking spaces and/or drive-aisles. In exercising discretion, the Development Authority shall consider the nature of the development in relation to typical vehicle traffic associated with the use. This may include provisions for larger trucks including pick-up trucks and tractor trailer units.

Table 14.2-1: Parking Stall Design Standards

Parking Angle (Degrees) (a)	Minimum Stall Width (b)	Minimum Stall Length (c)	Minimum Aisle Width (d)
0° (Parallel)	2.6 m	7.0 m (or 5.5 m for open end spaces)	3.7 m
45°	2.6 m	5.5 m (or 4.6 m for a maximum of 15% of total stalls provided)	3.7 m
60°	2.6 m	5.5 m (or 4.6 m for a maximum of 15% of total stalls provided)	5.5 m
90°	2.6 m	5.5 m (or 4.6 m for a maximum of 15% of total stalls provided)	7.0 m

Figure 14.2-1: Illustration of Parking Design Standards



## 14.3 Number of Vehicle Parking Stalls Required

1. Off-street parking spaces shall be provided as required by the Development Authority with consideration given to the following standards:

Table 14.3-1: Parking Requirements for Residential Land Uses

Land Use	Minimum Parking Requirement
Dwelling, Single Detached	2 parking space per Dwelling Unit
Dwelling, Row Housing	For a parking and loading requiring 40 or more parking spaces, a minimum landscaped area of 1.0 m <sup>2</sup> per on-site parking space shall be provided for visual relief from the expanse of hard surfacing.
Dwelling, Duplex	1 parking space per bed-sitting Dwelling Unit 1 parking space per 1 bedroom Dwelling Unit 2 parking spaces per 2+ bedroom Dwelling Unit 1 guest parking space per 7 Dwelling Units
Manufactured Home, Single Wide	2 parking spaces per Dwelling Unit
Manufactured Home Park	2 parking space per Dwelling Unit

- Guest parking for apartments and row housing shall be available at an entrance of the site and shall be clearly identified as guest parking.
- Guest parking for manufactured home parks shall be conveniently located on the site.
- Parking for housing for seniors citizens, regardless of housing type shall be provided at a minimum of one (1) stall per four (4) sleeping units.

Table 14.3-2: Parking Requirements for Commercial Land Uses

Land Use	Minimum Parking Requirement
Accommodation and Convention Services	1 parking space per sleeping unit; plus 1 parking space per three employees on maximum shift
Amusement and Entertainment Services	1 parking space per 10.0 m <sup>2</sup>
Commercial School (Educational Services)	2.2 parking spaces per 100.0 m <sup>2</sup>
Day Care Services	1 parking space per 2 employees
Drive Through Business	8 parking spaces, except where more are required under other requirements of this section
Eating and Drinking Establishments	1 parking space per 4 seats
Horticultural Use	2.2 parking spaces per 100.0 m <sup>2</sup>
Professional, Business, Financial, and Office Support Services	3.4 parking spaces per 100.0 m <sup>2</sup> of gross floor area or 3 parking spaces for each full or part-time professional, whichever is greater
Any development within a Commercial Use Class not listed separately in this table, with a floor area of:	Less than 1,000.0 m <sup>2</sup> 1 parking space per 30.0 m <sup>2</sup> of gross floor area or 1,000.0 m <sup>2</sup> to 4,000.0 m <sup>2</sup> 1 parking space per 20.0 m <sup>2</sup> of gross floor area or Greater than 4,000.0 m <sup>2</sup> 1 parking space per 17.0 m <sup>2</sup> of gross floor area

Land Use	Minimum Parking Requirement
<b>Shopping Centre</b>	1 stall per 30 m <sup>2</sup> of gross floor area; <i>or</i> The Development Authority may, at its discretion, determine the parking requirements based on a parking and transportation study prepared by a qualified transportation engineer.
<b>Multi-Tenant Building</b>	1 stall per 45 m <sup>2</sup> of gross floor area; or The Development Authority may, at its discretion, determine the parking requirements based on a parking and transportation study prepared by a qualified transportation engineer.

Table 14.3-3: Parking Requirements for Industrial Land Uses

Land Use	Minimum Parking Requirement
<b>General Industrial Manufacturing / Processing</b>	1 parking space per 100.0 m <sup>2</sup> of gross floor area <i>or</i> 3 parking spaces per tenant or establishment, whichever is greater
<b>Industrial Storage and Warehousing</b>	1 parking space per 100.0 m <sup>2</sup> up to 2,000.0 m <sup>2</sup> ; plus 1 parking space per each additional 500.0 m <sup>2</sup>
<b>Multi-Tenant Buildings</b>	1 stall per 45 m <sup>2</sup> of gross floor area; <i>or</i> The Development Authority may, at its discretion, determine the parking requirements based on a parking and transportation study prepared by a qualified transportation engineer.

Table 14.3-4: Parking Requirements for Community, Educational, Recreational and Cultural Services Land Uses

Land Use	Minimum Parking Requirement
<b>Community Recreation Services</b>	10 parking spaces per 100.0 m <sup>2</sup> of gross floor area, which shall not be reduced by including parking required or provided on an adjacent site; plus 2.2 parking spaces for each additional 10.0 m <sup>2</sup> where there is a multiple purpose area, room or space within the community recreation facility, which exceeds 100.0 m <sup>2</sup> in gross floor area, provided that such multiple purpose areas shall not include dressing rooms, change rooms, washrooms, storage areas, cooking or kitchen areas which are normally incidental to the primary function of community recreation; plus where a Community Recreation Services parking area immediately abuts a parking area for a school, a maximum of 50% of the additional parking spaces required may be provided by including the parking on the abutting school site

Land Use	Minimum Parking Requirement
<b>Educational Services</b>	<p>For Elementary and Junior High Schools:            1 parking space for each employee; plus            15% of the above for guest parking  <i>or</i>            1 parking space per 10 seating spaces in the gymnasium, based on non-fixed seats, whichever is the greater</p> <p>For Senior High Schools, with an auditorium, gymnasium or swimming pool:            1 parking space for each employee; plus            15% of the above for guest parking; plus            1 parking space for every 25 students  <i>or</i>            1 parking space per 10 seating spaces in the gymnasium, based on non-fixed seats, whichever is the greater</p> <p>For Senior High Schools, without an auditorium, gymnasium or swimming pool:            1 parking space for each employee; plus            1 parking space for every 20 students</p>
<b>Funeral Home</b>	1 parking space per 5 seats of public seating, plus 1 space per Funeral Home vehicle
<b>Medical Treatment Services</b>	1.1 parking spaces per 100.0 m <sup>2</sup> of gross floor area <i>or</i> 1 parking space per four (4) beds; plus 1 parking space for every 2 employees on maximum shift, whichever is greater
<b>Indoor Participant Recreation Services, Natural Science Exhibits, Outdoor Participant Recreation Services, Cultural Facilities, Spectator Sports Establishments</b>	1 parking space per 3.5 seats <i>or</i> 3.1 parking spaces per 10.0 m <sup>2</sup> of gross floor area used by the patrons, whichever is greater
<b>Religious Assembly</b>	1 parking space per 10 seats

- For cemetery and funeral home, an arrangement of the required parking spaces, suitable to the Development Authority without the normally required provision of maneuvering aisles may be allowed.
- Where a development on a Parcel contains more than one use of a building or development, the required number of parking spaces shall be the sum of the requirements for each of the uses.
- In the case of a use not specified in Table 14.3-1 through Table 14.3-4, the number of parking spaces provided shall be the same as for a similar use as determined by the Development Authority.
- Where there are a fractional number of stalls required by this Bylaw, the next highest number of parking spaces shall be provided.
- Notwithstanding this section, where a parking study is required, the Development Authority may determine the number of parking stalls required for a development.

## 14.4 Off-Street Loading Requirements

- A loading space shall be designed and located so that all vehicles using that space can be parked and maneuvered entirely within the bounds of the site without backing to or from adjacent streets.

2. The Development Authority, having regard to the types of vehicles that are likely to use the loading space, may change minimum loading space dimensions.
3. Loading space requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific loading facility requirements are set.

## **14.5 Vehicular-Oriented Uses**

1. Vehicle-oriented uses shall include drive-in food services, gas bars, services stations, drive-through vehicular services and other developments providing drive-in services in which patrons generally remain inside their vehicles.
2. Vehicle-oriented uses shall be located only where the Development Authority is satisfied that the development will not adversely affect the functioning of surrounding public roadways.
3. Queuing space shall be provided as follows:
  - a) for drive-in food services, and other development having a service window, a minimum of six (6) inbound queuing spaces shall be provided for vehicles approaching the service window; and
  - b) queuing lanes shall provide sufficient space for turning and maneuvering, and be maintained by the registered owner or lessee.

## **14.6 Parking Spaces and Loading Zones for Vehicles Used by Physically Disabled Persons**

1. Parking spaces for physically disabled persons shall be located as close as possible to ramps, walkways, and building entrances.
2. Parking shall be arranged in such a way that users of wheelchairs are not required passing behind parked cars.
3. For conditions requiring more than two (2) parking spaces for vehicles used by physically disabled persons, no more than two (2) stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.
4. Required number and design of parking spaces and loading zones for vehicles used by physically disabled persons for any use shall be included as part of and not in addition to, the applicable minimum parking requirement and shall conform to the requirements of the Alberta Building Code.



## SECTION 15 SIGNS

### 15.1 General Signs Regulations

1. A sign requiring a sign permit according to Subsection 15.4 of this Bylaw or the County's Sign Control Bylaw No. 10-90 (for signs located on road allowances) shall be considered an Accessory Use in all districts, and no person shall place, replace, erect or use any sign without first obtaining a sign permit.
2. Off-site directional or advertisement signage shall not be allowed on private property, excepting in the case of major agricultural, commercial or industrial developments where, in the opinion of the Development Authority, volumes of vehicular traffic frequenting such developments may warrant such signage.
3. The Development Authority may, by notice in writing,
  - a) direct the owner to correct the condition of any sign or remove any sign within thirty (30) days of receipt of the notice where, in the opinion of the Development Authority, that condition or sign constitutes a violation of this Bylaw or any permit hereunder, has become unsightly or is unsafe;
  - b) order the owner to stop work on a sign if it is proceeding in contravention of this Bylaw; and/or
  - c) order the owner to stop work on a sign if a permit has not been issued.

### 15.2 Sign Permit and Requirements

1. Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
2. Flashing, animated or interiorly illuminated signs shall not be permitted in developments where they might, in the opinion of the Development Authority, affect residents in adjacent housing or residential areas; or interfere with the interpretation of traffic signs or controls.
3. Signs shall not be permitted within 0.8 km of a Highway unless prior approval from Alberta Transportation has been obtained.
4. Any directional or advertisement signage located within the right-of-way of a public road shall be in accordance with the County's Sign Control Bylaw No. 10-90.

### 15.3 Sign Requirements for a Level 1, 2 or 3 Home Based Business or Bed and Breakfast

1. Signage associated with a Home Based Business Level 1, 2 or 3 or Bed and Breakfast Home shall be regulated in accordance with the following requirements:
  - a) one (1) on-site, commercially produced identification type sign is permitted containing either the name of the resident or the name of the home based business (no telephone numbers, logos or advertising permitted);
  - b) sign dimensions shall be 1.0 m in length and 0.6 m in height;
  - c) sign construction, coloring and lettering shall be as follows:
    - i) sign constructed using 19 mm, 660 high-density plywood;

- ii) sign finish consisting of a high-density reflective finish or equivalent, with die cut lettering or silkscreen lettering;
  - iii) minimum letter size of 10.0 cm, all upper case, uniform letter style; and
  - iv) sign coloring consisting of green lettering and a green and yellow border stripe upon a white reflective background.
- d) the sign shall be located in the front yard adjacent to the front Property Line and either supported on independent posts or attached to existing fencing in an attractive fashion; and
- e) no off-site directional or advertisement signage associated with a home based business is permitted.

## 15.4 Sign Permit Approval

1. No person shall place, replace, erect or use any sign without first obtaining a sign permit, except as per Subsection 16.2 or where stated otherwise in this Bylaw.
2. The Development Authority may issue a sign permit if the sign complies with the provisions of this Bylaw and the County's Sign Control Bylaw No. 10-90.
3. An application for a sign permit shall include the following:
  - a) the name and address of
    - i) the sign company responsible for the sign;
    - ii) the owner of the sign; and
    - iii) the registered owner of the land or premises upon which the sign is to be erected.
  - b) a Site Plan designating the following location details:
    - i) location of the proposed signage; and
    - ii) the distance to public roadways;
    - iii) the distance to aerial power lines from freestanding signs.
  - c) a plan showing the following construction details:
    - i) the overall dimensions of the sign and the total sign area;
    - ii) the height of the top and the bottom of sign above the average ground level at the face of the building or sign;
    - iii) the method of illumination; and
    - iv) such other considerations as the Development Authority may deem to be relevant.
  - d) Non-refundable application fees in accordance with a schedule as set from time to time by resolution of Council, as required.
4. Whenever the conditions of installation require unusual structural provisions, the Development Authority may require that a structural drawing be prepared by and bear the seal of a professional engineer.
5. The Development Authority shall attach as conditions of development permit approval those conditions necessary to resolve any development concerns or issues identified with respect to those items listed in Subsection 15.3.3.

## 15.5 Sign Owner's Responsibility

1. Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Development Authority shall in any way relieve the owner from full compliance with this Bylaw or other applicable legislation.
2. All signs shall be kept in a safe, clean and tidy condition, and may be required to be renovated or removed if not properly maintained.
3. The owner of a sign shall permit Development Authority representatives to enter the owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this Bylaw.
4. Unless otherwise allowed in this Bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.
5. Parkland County reserves the right to impound any sign that is does not comply with this Bylaw. Section 18 of this Bylaw shall be applied to any impounded sign.

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## **PART 4    PROCESS**

SECTION 16    DEVELOPMENT APPLICATION PROCESS

SECTION 17    DEVELOPMENT APPEAL PROCESS

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## SECTION 16 CONTROL OF DEVELOPMENT

### 16.1 Control of Development

1. Except as otherwise provided for in Subsection 16.2, no development shall be commenced or continued unless a development permit has been issued, the development permit has not expired and the development is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.
2. A development permit shall not be valid unless it conforms to this Bylaw and the *Act*.
3. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other safety code approvals or licenses that may be required by other regulatory departments or agencies.
4. No development shall be allowed on environmental reserve areas unless otherwise provided for in this Bylaw.
5. Pursuant to Section 684 in the *Act*, an application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a Development Authority is not made within forty (40) days after receipt of the complete application unless the applicant has entered into an agreement with the Development Authority to extend the 40 day period.
6. Fees payable regarding development permit applications and appeals shall be established by resolution of Council of Parkland County.

### 16.2 Development Not Requiring a Development Permit

1. Pursuant to Subsection 16.1, developments designated as "deemed approved" and therefore not requiring a development permit include
  - a) those uses and developments exempted under Section 618 of the *Act* and regulations thereto;
  - b) Extensive Agriculture Development;
  - c) Extensive Livestock Development on parcels districted Agriculture or on parcels 20 acres or larger and districted Residential;
  - d) the use of a building, or part thereof, as any official temporary use in connection with a federal, provincial or municipal election, referendum or census;
  - e) personal use tennis court or swimming pool, where there is an existing permitted dwelling, single detached or manufactured home;
  - f) the carrying out of routine maintenance to any building, provided that such works do not include or constitute structural alterations;
  - g) the completion/continuation of a development that was initiated in accordance with a lawful development permit issued before the effective date of this Bylaw provided that the development is completed/continuous in accordance with the terms and conditions of that permit;
  - h) the construction, completion, alteration, maintenance or repair of a street, lane or utility undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;

- i) the installation, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal authorities on land that is publicly owned or controlled. Such public works, services, and utilities include, but are not limited to, utility services such as sewage and/or waste water treatment lagoons, transmission lines, natural gas lines, regulating stations, telephone/cable lines, water and sewage lines, public roadways, or similar;
  - j) the construction of an accessory building or structure less than 10.0 m<sup>2</sup> in area, excluding a deck, provided that:
    - i) it is not located on a registered easement or right-of-way; and
    - ii) the Accessory Building complies with all applicable Development regulations ;
  - k) the construction of unenclosed decks, providing:
    - i) it is not located on a registered easement or right-of-way; and
    - ii) all Setbacks as required in the Land Use Bylaw, are maintained.
  - l) the erection, construction or maintenance of a temporary building which is necessary only for the construction, alteration, maintenance or marketing of a building for which a development permit has been issued;
  - m) the erection, assembly, or maintenance of a Temporary Structure as defined by this Bylaw;
  - n) a television or communication aerial (not used for commercial purposes) less than 15.0 m in height and sited on a Parcel of at least 0.4 ha in size (refer to Section 12.1.5);
  - o) a satellite dish, light standard, or flagpole and structures less than 4.5 m in height from grade, when located and sited on a Parcel containing a single detached dwelling, duplex or manufactured home, in accordance with the accessory building Setback provisions;
  - p) the extraction and processing exclusively by Parkland County, or its authorized agents, of sand, gravel, or other earth materials and including asphalted or concrete mixtures for any County purpose within Parkland County; and/or
  - q) the extraction and processing exclusively by the Government of Alberta, or its authorized agents, of sand, gravel, or other earth materials for any road construction for Provincial or County purposes within Parkland County.
  - r) the construction of an agricultural building, provided the agricultural building complies with all applicable Development Regulations.
  - s) A Home Based Business Level 1 provided that:
    - i) No individual other than the resident of the dwelling operates the Home Based Business Level 1;
    - ii) No client or customer is received in the dwelling for business purposes; and
    - iii) The use is entirely contained within the dwelling.
2. Notwithstanding this Section and the provisions of this Bylaw, any development within 30.0 m of a County road, Highway or associated intersection thereof, may be subject to the provisions of the County's Roadside Improvement Bylaw No. 24-95 as amended from time to time.
3. This Section does not negate the requirement of obtaining a Building Permit where required under the County's Building Permit Bylaw and the *Safety Codes Act*.



4. Deemed Approved developments that do not require minimum Setbacks and do not require development permits include the following:
- a) landscaping including, but may not be limited to:
    - i) ornamental water features two feet deep or less;
    - ii) retaining walls of 1.0 m in height or less, as measured from the base of the retaining wall, where the existing natural surface drainage pattern on or off site is not altered;
    - iii) placement of topsoil not exceeding 16.0 cm in depth;
    - iv) dugouts or ponds on Parcels of land exceeding 15.0 ha, where there is continued use of the land for agriculture; or
    - v) placing of clean topsoil for agricultural purposes on Parcels of land exceeding 15.0 ha, where there is continued use of the land for agriculture;
    - vi) development as part of a signed Development Agreement; independent of, or prior to, other development on the same Parcel or site and related to a multi-Parcel subdivision approval.
  - b) ornamental water features two feet deep or less, retaining walls of 1.0 m in height or less, as measured from the base of the retaining wall, where the existing natural surface drainage pattern on or off site is not altered, except where landscaping forms part of a development which requires a development permit (see Subsection 11.8) for excavation and grading regulations;
  - c) minor structures not exceeding 1.8 m in height, which are ancillary to residential uses, where there is an existing permitted dwelling, single detached, or manufactured home, such as a barbecue, composting bin, lawn sculpture or bird feeder;
  - d) asphalted, concrete, brick, stone, wood or aggregate driveways, sidewalks or steps and patios/decks, constructed no higher than 61.0 cm above the average ground elevation, where there is an existing permitted dwelling, single detached, or manufactured home;
  - e) seasonal or holiday decorations;
  - f) erection, construction, maintenance or alteration of a gate, fence, wall or other structural means of enclosure, which is no higher than 1.8 m on the side or rear yards and no higher than 1.0 m on the front yard, for Parcels smaller than 0.4 ha, and which is no higher than 1.8 m on the front yard for Parcels for Parcels larger than 0.4 ha;
  - g) lands adjacent to a roadway junction or intersection shall be subject to the provision of the County's roadside Improvement Bylaw No. 24-95, as amended from time to time;
  - h) the erection/placement of signage in accordance with the following requirements or situations:
    - i) a sign, signboard, billboard or advertising material on or adjacent to a Highway, provided a permit has been issued by Alberta Transportation;
    - ii) official notices, signs, placards or bulletins required or permitted to be placed pursuant to the provisions of federal, provincial or municipal legislation;
    - iii) municipal address numbers or letters displayed on premises to which they refer;
    - iv) signs or advertisements related to the functions or work of the municipality or other public authority;

- v) a temporary, non-illuminated sign or advertisement not exceeding 1.5 m<sup>2</sup> in size, relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of the construction of a building or similar work or the announcement of any local event, provided that the advertisement is removed within fourteen (14) days of the completion of the event or works advertised;
- i) temporary/transient hawking and peddling of food products (fruit, vegetables, meat or fish), Christmas trees, flowers or other miscellaneous items;
- j) the erection/placement of an earthen berm in accordance with the following requirements or situations:
  - i) unless otherwise provided for in this Bylaw, the provision of an earthen berm in any district shall be as required by the Development Authority;
  - ii) a development permit application for an earthen berm shall require a lot grading plan; and
  - iii) the design of an earthen berm shall comply with the current Alberta Safety Codes.

### 16.3 Application for Development Permit

1. Except as provided for in Subsection 16.3.1, an application for a development permit shall be made to the Development Authority, in writing, using the development permit application form provided by Parkland County, and shall include the following:
  - a) the application must be signed by the applicant (registered owner of the land or his/her representative or agent certified as such) accompanied with a current copy of the Certificate of Title of the land, searched and dated not more than fourteen (14) days prior to the date on which the application is made;
  - b) a non-refundable application fee to cover administrative processing costs, as established in the development permit Application Fee Schedule, as adopted by resolution of Council. The Development Authority, upon request at the time of application, may waive the application fee when an application is made by a Parkland County community-based/related group;
  - c) a statement of the intended uses of the proposed development;
  - d) a statement of the estimated commencement and completion dates;
  - e) a Site Plan for the land to be developed, in duplicate when required, drawn to a scale of 1:2000 or such other scale as the Development Authority may require, showing such information deemed necessary by the Development Authority which may include the following:
    - i) legal description of subject property and all abutting properties;
    - ii) identification of all abutting roads and existing and/or proposed access to the development;
    - iii) identification of all rights-of-way and easements within and abutting the subject property;
    - iv) identification of all drainage courses and/or the proposed storm water drainage plan;
    - v) the location of any proposed development on the site;
    - vi) location and dimensions of existing and/or proposed buildings including front, rear and side yard Setbacks;

- vii) existing and proposed services;
    - viii) proposed off-street parking and loading facilities, showing the location and of all aisles and stalls, the dimensions of all aisles, the number of stalls, typical stall dimensions and the location of any lighting standards and curbing;
    - ix) landscape plan, in accordance with Section 13 of this Bylaw;
    - x) location and access to garbage pick-up;
    - xi) sign location and details;
    - xii) the design and location of sidewalks, patios, playgrounds, and other similar features;
    - xiii) north arrow, scale, and date of drawing; and
    - xiv) schedule showing area of site, building Floor Area, number of units, number of parking and Loading Spaces and a calculation of site coverage and Floor Area ratio;
  - f) when required by the Development Authority, floor plans and elevations of the proposed development in duplicate, drawn to a scale of 1:100 or such other scale as the Development Authority may require;
  - g) the Development Authority may require a Real Property Report to verify the location of an existing building that is subject of a development permit application;
  - h) confirmation from the Alberta Energy Regulator (AER) for buildings larger than 47.0 m<sup>2</sup> or larger, identifying the presence or absence of abandoned wells; and
  - i) Provide additional information as required by the Development Authority deems necessary in order to evaluate any application in accordance with this Bylaw.
2. In addition to the development permit application requirements stipulated in Subsection 16.3.1, with respect to land that is the subject of an application for a development permit, the Development Authority may request information regarding
- a) its topography;
  - b) its soil characteristics;
  - c) its potential for flooding, subsidence or erosion;
  - d) a Stormwater Management Study, prepared by a qualified professional, describing how storm water runoff will be managed, in terms of both runoff rates and volumes and water quality, its potential for flooding, subsidence and/or erosion;
  - e) its accessibility to a public roadway or Highway, constructed to appropriate municipal or provincial standards;
  - f) the availability and adequacy of municipal services which, without restricting the generality of the foregoing, may include fire protection, education services, student transportation, and police protection;
  - g) the need to maintain an adequate separation distance between different or incompatible land uses. A plan outlining a buffering or interface treatment to minimize impacts of commercial and industrial land uses on neighbouring land uses may be required. A noise attenuation study, conducted by a qualified professional, may be required. The separation distance shall be as prescribed by the Development Authority, recognizing the type and magnitude of both the proposed development and surrounding land uses;

- h) an Environmental Impact Assessment prepared by a qualified professional, for development proposed in or near an environmentally sensitive area or if the proposed development may, in the opinion of the Development Authority, results in potentially significant environmental impacts. The Environmental Impact Assessment must address all potential impacts of the development and the extent to which these impacts may be mitigated through the design of the development, construction procedures and operational (or management) practices;
  - i) the necessity/requirement of a Site Grading Plan or detailed Geotechnical Engineering study, prepared by a qualified professional, for development on lands that may be prone to flooding, erosion, slope stability or other hazard risk that confirms that the site is suitable for the proposed development and describing any measures to be taken to safeguard the proposed development; and
  - j) such other matters as the Development Authority deems appropriate.
- 3. In addition to the development permit application requirements stipulated in Subsections 16.3.1 and 16.3.2, the Development Authority may require any of the following additional information depending upon the nature of the application and other circumstances:
  - a) photographic prints or slides showing the site in its existing state;
  - b) a plan of survey prepared by an Alberta Land Surveyor;
  - c) a Phase I Environmental Site Assessment, conducted in accordance with the Canadian Standards Association, where the potential for prior contamination of a site exists. Follow-up assessments and remedies may be required based on the results of the Phase I Environmental Site Assessment;
  - d) a Reclamation Plan for a major surface disturbance;
  - e) a Traffic Impact Assessment, conducted by a qualified professional, may be required to determine the traffic impact of the development on external roadways and adjacent lands and any upgrading that would be required to these roadways as a result of the proposed development;
  - f) a Biophysical Site Assessment;
  - g) Floodplain Information
    - i) Floodplain Delineation Analysis Study;
    - ii) when an application for a Development Permit is submitted for the development of a Parcel of land partially or wholly contained within one of the Floodplain Overlay Schedules under this Bylaw, the Development Authority may require that the application contain information regarding the grade elevation of the proposed building site, the building and all openings, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level service of datum.
    - iii) prior to the issuance of Development Permit for the construction of any development within a Floodplain Overlay Schedule under this Bylaw, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:

- (1) Canada Mortgage and Housing Corporation guidelines for building in flood-susceptible areas;
    - (2) the flood-proofing of habitable rooms, electrical panel and heating units, and openable windows;
    - (3) basement drainage; and
    - (4) site drainage.
  - h) a Slope Stability Analysis Study;
  - i) a Groundwater Supply Study, conducted by a qualified professional, when potable water is to be provided through a private or communal water system. If a communal system is proposed, details must be provided as to how the system will be managed and operated;
  - j) percolation and near surface water table testing, conducted by a qualified professional, where an onsite wastewater system is proposed; and
  - k) any other information that is deemed necessary by the Development Authority.
4. In this Bylaw, there are specific use classes which require a separate set of regulations in order to control development. These use classes may be required to address specific development permit requirements and/or comply with supplementary development regulations, as the case may be. The following table provides a list of specific use classes and outline how they are regulated in this Bylaw:

Table 16.3-1: Specific Use Classes and Supplementary/Specific Regulations

Specific Use Class	Section Number of Supplementary and/or Specific Development Permit Requirements	Section Number of Specific Development Regulations
Aggregate Extraction	5	12.12
General Industrial Manufacturing / Processing and Industrial Storage and Warehousing	16.5	Section 13
Home Based Business	16.6	12.8
Wind Energy Converter Systems	16.7	12.23

- Bylaw No. 2018-09
5. The Development Authority must, within 20 days after receipt of an application for a development permit, make a determination whether the application is complete.
- Bylaw No. 2018-09
6. An application for development permit is complete if,
- a) in the opinion of the Development Authority, the application contains the documents and information necessary to review the application and in accordance with this Section, or
  - b) the Development Authority does not make a determination within the time period referred to in Section 16.3.5 or Section 16.3.7.
- Bylaw No. 2018-09
7. The time period to determine if the application is complete referred to in Section 16.3.5 may be extended by an agreement in writing between the applicant and the Development Authority.

- Bylaw No. 2018-09 8. If the Development Authority determines the application is complete in accordance with Section 16.3.6(a), the Development Authority must issue to the applicant an acknowledgment in accordance with Section 16.13.8 that the application is complete.
- Bylaw No. 2018-09 9. If the Development Authority determines that the application is incomplete, the Development Authority must issue to the applicant a notice in accordance with Section 16.13.9 that the application is incomplete.
- Bylaw No. 2018-09 10. Notwithstanding the date set out in the notice referred to in Section 16.3.9, the Development Authority, and applicant may agree on a later date for the application to be considered complete.
- Bylaw No. 2018-09 11. If the Development Authority determines that the information and documentation submitted under Section 16.3.9 is complete, the Development Authority must issue to the applicant an acknowledgement in accordance with Section 16.13.8 that the application is complete.
- Bylaw No. 2018-09 12. If the applicant fails to submit all the outstanding information and documentation on or before the date referred to in Section 16.3.9, the application is deemed to be refused.
- Bylaw No. 2018-09 13. If an application is deemed to be refused under Section 16.3.12, the Development Authority must issue to the applicant a notice in accordance with Section 16.13.10.
- Bylaw No. 2018-09 14. Notwithstanding Sections 16.3.6 and 16.3.11, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

Bylaw No. 2018-09 **16.3(i) Application to Subdivide**

15. An application proposing to subdivide land shall be in accordance with the relevant sections of the Municipal Government Act.
16. The Subdivision Authority must, within 20 days after receipt of an application for subdivision approval, make a determination whether the application is complete.
17. An application to subdivide is complete if,
- a) in the opinion of the Subdivision Authority, the application contains the documents and information necessary to review the application, or
  - b) the Subdivision Authority does not make a determination within the time period referred to in Section 16.3 (1).1 or Section 16.3 (1).4.
18. The time period to determine if the application is complete referred to in Section 16.3 (1).1 may be extended by an agreement in writing between the applicant and the Subdivision Authority.
19. If the Subdivision Authority determines the application is complete in accordance with Section 16.3 (1).3(a), the Subdivision Authority must issue to the applicant an acknowledgment in accordance with Section 16.13 (1).1 that the application is complete.
20. If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority must issue to the applicant a notice in accordance with Section 16.13 (1).2 that the application is incomplete.
21. Notwithstanding the date set out in the notice referred to in Section 16.3 (1).6, the Subdivision Authority, and applicant may agree on a later date for the application to be considered complete.

22. If the Subdivision Authority determines that the information and documentation submitted under Section 16.3 (1).6 is complete, the Subdivision Authority must issue to the applicant an acknowledgement in accordance with Section 16.13 (1).1 that the application is complete.
23. If the applicant fails to submit all the outstanding information and documentation on or before the date referred to in Section 16.3 (1).6 or 16.3 (1).7, the application is deemed to be refused.
24. If an application is deemed to be refused under Section 16.3 (1).9, the Subdivision Authority must issue to the applicant a notice in accordance with Section 16.13 (1).3.
25. Notwithstanding Sections 16.3 (1).3 and 16.3 (1).5, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

## **16.4 Application for Aggregate Extraction**

1. In addition to the development permit application requirements stipulated in Subsections 16.3.1 and 16.3.2, for an application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction use, the Development Authority shall require the applicant to submit plans and a narrative including the following information:
  - a) the location and area of the site on which the excavation is to take place;
  - b) the expected life of the deposit if applicable;
  - c) the existing land use;
  - d) a site analysis of the geology, groundwater, surface water, natural vegetation and wildlife features of the site;
  - e) the proposed extraction, operation, and staging of the aggregate extraction use (including years, dates, hours of operation, guidelines for meeting recommended noise levels, aesthetics, etc.);
  - f) the proposed access and hauling activities (including number of trucks, tonnage, hours of hauling, methods of preventing/controlling/reducing erosion or dust, etc.);
  - g) a copy of the development and reclamation plans that are to be submitted by the applicant(s) to Alberta Environment and Sustainable Resource Development for the development and reclamation of the aggregate extraction use; and
  - h) details of the proposed community consultation, including the pre-application consultation with potentially affected landowners, and the further communications that will be carried out to inform landowners of the ongoing aggregate extraction use and to address any issues or concerns landowners may have regarding the aggregate extraction use.

## **16.5 Application for General Industrial Manufacturing / Processing and Industrial Storage and Warehousing**

1. In addition to the development permit application requirements stipulated in Subsections 16.3.1 and 16.3.2, a development permit application for General Industrial Manufacturing/Processing or Industrial Storage and Warehousing may be required to provide the following information:
  - a) the number of employees;



- b) the estimated water demand and anticipated source;
- c) the type of effluent and method of treatment and disposal;
- d) the nature of site disturbance and/or reclamation;
- e) the type, volume, frequency of vehicle movements and the transportation routes to be utilized;
- f) the need for off-site Infrastructure improvements;
- g) any other information required by the Development Authority respecting the site or adjacent lands; and
- h) at the discretion of the Development Authority, the applicant applying for a use pursuant to this Section may be required to provide a Site Plan approved by or reflecting necessary approvals from the appropriate provincial agencies having jurisdiction prior to a development permit being issued by the Development Authority.

## **16.6 Application for a Home Based Business**

1. An application for a development permit for a Home Based Business Level 2 or 3, shall be made to the Development Authority and shall include the following:
  - a) a detailed description of the business, including the types of operations or activities that will take place at the site;
  - b) the detailed description of the materials, equipment and/or vehicles that will be used, where they will be stored on site and, if stored outside, what Screening will be provided from the road and neighbours;
  - c) the number of resident and non-resident employees visiting or working at the property;
  - d) the number of business visits per day to the property;
  - e) the number of parking spaces on the property; and
  - f) other measures that will be undertaken to avoid potential nuisance effects for neighbours.

## **16.7 Application for Wind Energy Converter Systems**

1. In addition to the development permit application requirements stipulated in Subsections 16.3.1 and 16.3.2, a development permit application for a single Wind Energy Converter System (WECS) shall be accompanied by
  - a) a site plan showing and labeling the information outlined in this section, and the location of overhead utilities on or abutting the subject lot or Parcel;
  - b) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;
  - c) the manufacturer's specifications indicating
  - d) the WECS rated output in kilowatts;
  - e) safety features and sound characteristics;
  - f) type of material used in tower, blade, and/or rotor construction;



- g) an analysis of the potential for noise, both at the site of the installation and at the boundary of the property containing the development (Provincial Noise Standards must be met);
  - h) specifications for the foundations and/or anchor design, including location and anchoring of any guy wires; and
  - i) any information regarding general public safety.
- 2. All development applications for a Multiple Wind Energy Converter System (WECS) shall be accompanied by all requirements of Subsection 16.7.1 and:
  - a) an analysis of the visual impact of the project, especially with respect to the scenic qualities of the County landscape. The analysis will include the cumulative impact, if other WECS are in the area, and the impact of overhead transmission lines;
  - b) the results of the public consultation process;
  - c) the status of the applicant's circulation to NAV Canada, Transport Canada, Alberta Energy Regulator and any other government departments required for provincial approval;
  - d) any impacts to the local road system, including required approaches from public roads; and
  - e) a plan outlining how the site will be decommissioned and reclaimed.

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## **16.7(i) Application for Cannabis Cultivation, Major**

- 1. In addition to the development permit application requirements stipulated in Subsection 16.3, a development permit application for a Cannabis Cultivation, Major use in applicable Agricultural Districts may be required to provide the following information at the discretion of the Development Authority:
  - a) operational details such as number of employees, hours of operation, types of activities, among others;
  - b) details on on-site water and septic management systems;
  - c) traffic impact study showing the type, volume, frequency of vehicle movements and the transportation routes to be utilized, and the need for any off-site road infrastructure improvements;
  - d) storm water management system and fire suppression ponds, if applicable;
  - e) landscaping and screening from residences and public roads;
  - f) public consultation summary;
  - g) biophysical assessments if the property intersects with an environmentally significant area; and,
  - h) any other information required by the Development Authority respecting the site or adjacent lands.

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## **16.8 Incomplete Application for Development Permit and Subdivision**

- 1. The Development Authority shall process applications for development permit in accordance with Section 16.3.5 to 16.3.14.

2. The Subdivision Authority shall process applications to subdivide in accordance with Section 16.3 (1).
3. An application for a development permit or a subdivision shall not be considered complete until such time that the Development Authority or the Subdivision Authority respectively is satisfied that the documentation and information is sufficient and of a quality necessary to adequately review the merits of the application. The sufficiency and quality of the information and documentation shall be at the discretion of respective decision-making Authority taking into consideration the nature, characteristics, and complexity of the application.
4. Application fees for development permit or to subdivide is for processing an application. Processing an application includes, among other things, determining whether the application is complete in accordance with Section 16.3.5 to 16.3.14 for a development permit or in accordance with Section 16.3 (1) to subdivide. If an application is deemed incomplete in accordance with Sections 16.3.9 or 16.3 (1).6 or deemed refused in accordance with Section 16.3.12 or 16.3 (1).9, the respective decision-making Authority may not return any portion of the application fee to the applicant.
5. A development permit application or an application to subdivide shall not be deemed to be complete until all applicable fees have been paid in full to Parkland County.

## **16.9 Decisions on Development Permit Application**

1. The Development Authority shall receive all applications for Development Permits and determine whether or not the submitted applications are complete.
2. The Development Authority shall review each application for a Development Permit to determine the type of use the development constitutes. The Development Authority shall make this determination based on:
  - a) the merits of the application submission regardless of the use applied for by the applicant;
  - b) the definition of the Use as expressed within Part 6 of this Bylaw; and
  - c) the spirit and intent of the defined Use.
3. Subject to Section 16.11 and any other variance provisions contained within this Bylaw, the Development Authority shall refuse an application which does not conform to this Bylaw.
4. The Development Authority shall issue a Development Permit with or without conditions for a Permitted Use if the application conforms to this Bylaw.
5. The Development Authority may issue a Development Permit with or without conditions for Discretionary Use if the application conforms to this Bylaw.
6. The Development Authority may refuse a Development Permit application for a Discretionary Use on its merits even though it conforms to this Bylaw.
7. If the Development Authority refuses an application for a Development Permit, the decision shall contain reasons for the refusal.

## 16.10 Non-Conforming Buildings and Uses

1. If a development permit has been issued on or before the day on which this Land Use Bylaw or a Land Use Amendment Bylaw comes into force, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the Bylaw coming into force.
2. A non-conforming use of land or a building may be continued but if that is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
3. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
4. A non-conforming use of part of a Parcel may not be extended or transferred in whole or in part to any other part of the Parcel and no additional buildings may be constructed on the Parcel 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 those instances where the Development Authority deems a minor variance to enlarge, add to, rebuild or structurally alter the building is warranted and compatible with adjacent land uses.
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 Land Use Bylaw.
7. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## 16.11 Variance Authority

1. Pursuant to Section 640(6) of the *Act*, the Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw, if in the opinion of the Development Authority the proposed development would not:
  - a) unduly interfere with the amenities of the neighbourhood;
  - b) materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and
  - c) conform with the use prescribed for that land or building under this Bylaw.
2. In the event that a regulation is varied, relaxed, or waived, the Development Authority shall specify the nature of the approved variance in the development permit approval.
3. Notwithstanding Section 16.11.1, a Development Officer shall be limited to the following variance provisions:

- a) in exercising discretion, the Development Authority shall consider the general purpose and intent of the applicable land use district and the underlying planning objective of the regulation to be varied, relaxed, or waived.
- b) a variance, relaxation, or waiver of a regulation shall be applied to any regulation, at the discretion of the Development Authority, unless the regulation is part of a Fundamental Use Provision

## 16.12 Development Permit Conditions

1. Pursuant to Section 650 of the *Act*, as a condition of a development permit being issued, the applicant may be required to enter into an agreement with the County to do any or all of the following:
  - a) to construct or pay for the construction and/or upgrading of public roadways required to give access to the development;
  - b) to construct or pay for the construction of
    - i) a pedestrian walkway system to serve the development, or
    - ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
  - c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
  - d) to construct or pay for the construction of
    - i) off-street or other parking facilities, and
    - ii) loading and unloading facilities;
  - e) to pay an off site levy or redevelopment levy; and
  - f) provide a guaranteed security to ensure compliance with the requirements of the agreement.
2. The agreement may also require an irrevocable letter of credit issued by a Canadian Chartered Bank or the Alberta Treasury Branch from the applicant to secure performance of any of the conditions of a development permit. Such an agreement shall be executed prior to the commencement of the development.
3. The Development Authority may impose conditions to the approval of a Permitted Use only to ensure compliance with this Bylaw.
4. The Development Authority may impose such conditions, as a Development Authority deems appropriate for the approval of a Discretionary Use or if a regulation is varied, relaxed, or waived. Such conditions must achieve a planning objective. This includes, but is not limited to, limitations on the hours of operation of any Discretionary Use.
5. The Development Authority may impose conditions upon the approval of any use where a license, permit, approval or other authorization has been granted by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Energy Regulator.

6. The Development Authority may, as a condition of Development Permit, require the posting of cash or a letter of credit, in a form and in an amount satisfactory to the County, as security for ensuring that any or all obligations under a Development Permit are fulfilled to the satisfaction of the Development Authority.
7. The Development Authority may, provided a security is required as a condition of the same Development Permit in accordance with 16.12.6 above, establish, as a condition of Development Permit, circumstances in which the County may call on such securities and in such amounts. This includes, but is not limited to:
  - a) If the applicant/owner/developer has failed to comply with any provisions and/or conditions of the Development Permit/Land Use Bylaw;
  - b) The Development Permit is cancelled or suspended; or
  - c) Work has been commenced under the Development Permit but has not been properly completed within a reasonable period of time, as determined by the County.

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## **16.13 Notice of Development Permit Applications and Decisions**

1. Notification of an application to Council for a Direct Control Development Permit shall be:
  - a) Published in two (2) consecutive issues of the newspaper circulating in the area of the municipality in which the land is located; and
  - b) Mailed by ordinary mail to each owner of properties adjacent to the subject site of the proposed development.
2. Notification of the issuance of a Development Permit for a Discretionary Use, or for a Development Permit for a Permitted Use where the provisions of the Land Use Bylaw were relaxed, waived, or varied by the Development Authority shall be provided as follows:
  - a) Within five (5) days of the issuance of the Development Permit, notice shall be mailed by ordinary mail to each registered owner of land within 100.0 m from the boundary of the property subject to the Development Permit; or
  - b) Within 14 days of the issuance of the Development Permit, notice of the decision shall be published in one (1) issue of the newspaper circulating in the area of the municipality in which the land is located.
3. Notwithstanding 16.13.2.(a) and 16.13.4, the Development Authority may notify additional registered owners of land that, as determined by the Development Authority, may be affected by the Discretionary Use or the variance, relaxation, or waiver.
4. The Development Authority may provide written notification to all registered owners of land within an 800.0 m radius of a proposed development if in their opinion it is a major development.
5. Notwithstanding Subsection 16.13.2, when adjacent lands are located within a municipality other than Parkland County, written notifications of the approved development shall be sent to that municipal office.
6. For the purposes of Subsection 16.13, the registered owner shall be that which appears on the Parkland County tax record on file in the County Office.
7. If an application for development permit is refused, the Development Authority shall notify the applicant stating the reasons for refusal.

8. If the Development Authority determines that an application is complete in accordance with Section 16.3.6(a) or 16.3.11, the Development Authority must issue an acknowledgement in writing by either regular mail or electronic mail within five (5) days of the Development Authority making its determination. The acknowledgement must:
  - a) specify the date on which the application is deemed complete,
  - b) identify the development subject to the application,
  - c) state the legal land description, and
  - d) state the applicant's name.
9. If the Development Authority determines that an application is incomplete in accordance with Section 16.3.9, the Development Authority must issue to the applicant a notice by either regular mail or electronic mail within 20 days after receipt of an application for development permit or within the period referred to in Section 16.3.10. The notice must:
  - a) provide reason(s) why the Development Authority has determined the application to be incomplete,
  - b) specify any outstanding documentation and information considered necessary in order to review the application, and
  - c) set out a date for which any outstanding documentation and information must be submitted.
10. If an application for development permit is deemed refused in accordance with Section 16.3.13, the Development Authority must issue to the applicant a notice in writing and by regular mail within twenty (20) days of receipt of the requested information and documentation or of the date set out on the notice referred to in Section 16.3.9. The notice must specify:
  - a) that the application is refused,
  - b) the date on which the application was deemed to be refused; and
  - c) the reason(s) for the refusal.

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### **16.13(i) Notice of Subdivision Applications**

1. If the Subdivision Authority determines that an application is complete in accordance with Section 16.3 (1).3(a) or 16.3 (1).4, the Subdivision Authority must issue an acknowledgement in writing by either regular mail or electronic mail within five (5) days of the Subdivision Authority making its determination. The acknowledgement must:
  - a) specify the date on which the application is deemed complete,
  - b) state the legal land description, and
  - c) state that the County is required to render a decision within 60 days after which the application has been deemed complete or in accordance with an time extension agreement.
2. If the Subdivision Authority determines that an application is incomplete in accordance with Section 16.3 (1).6, the Subdivision Authority must issue to the applicant a notice by either regular mail or electronic mail within 20 days after receipt of an application to subdivide or within the period referred to in Section 16.3 (1).4. The notice must:

- a) provide reason(s) why the Subdivision Authority has determined the application to be incomplete,
  - b) specify any outstanding documentation and information considered necessary in order to review the application, and
  - c) set out a date for which any outstanding documentation and information must be submitted.
3. If an application to subdivide is deemed refused in accordance with Section 16.3 (1).9, the Subdivision Authority must issue to the applicant a notice in writing and by regular mail within twenty (20) days of receipt of the requested information and documentation or of the date set out on the notice referred to in Section 16.13 (1).2(c). The notice must specify:
  - a) that the application is refused,
  - b) the date on which the application was deemed to be refused; and
  - c) the reason(s) for the refusal.

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## **16.14 Issuance, Validity and Cancellation of Development Permits**

1. Once an application for a Development Permit has been approved by the Development Authority, the Development Permit shall not be valid unless and until:
  - a) Any conditions of approval, except those of a continuing nature, have been fulfilled; and
  - b) no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time specified in this Land Use Bylaw.
2. The Development Authority shall suspend a Development Permit upon receipt of a filed notice of appeal to the Subdivision and Development Appeal Board. The Development Permit remains suspended until: :
  - a) The Chair of the Subdivision and Development Appeal Board has signed the decision of appeal and the time for filing a leave to appeal application to the Court of Appeal has passed without a leave to appeal being filed;
  - b) The Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
  - c) The Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
  - d) The appeal is otherwise resolved; and
  - e) Any conditions of approval, except those of a continuing nature, have been fulfilled.
3. The Development Authority shall not issue a temporary or otherwise time limiting Development Permit for a permanent structure.
4. A Development Permit is not considered valid if a Development Permit was approved for a use and with a condition that specifies an expiration date and that date has passed.
5. Continuation of the same or similar use beyond the expiration date must be reconsidered by the Development Authority and, subject to the provisions of the Land Use Bylaw in effect, be authorized by the Development Authority under a separate Development Permit approval.

6. Unless otherwise specified on the face of the development permit or in the conditions of development approval, if the Development authorized by a Development Permit is not commenced and diligently pursued within twelve (12) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.
7. Where an application for a development permit is deemed refused or cancelled by the Development Authority, or on a refusal from an appeal to the Subdivision and Development Appeal Board;
  - a) the submission of another application for a development permit for the same or similar use on the same Parcel by the same or any other applicant may not be made for a period of twelve (12) months from the date of issue of the refusal, or cancellation.
  - b) except where Council has by resolution waived the twelve (12) month waiting period.
  - c) Section 16.14.7(a) does not apply for deemed refusals under 16.3.12.
  - d) If necessary, the determination of what constitutes same or similar use shall be made by referring the matter to the Development Authority.
8. If a use to which a Building, or a portion of a Building, is put ceases for a period of six (6) months or less, the re-establishment of the same or similar use in the premises does not require a Development Permit, unless:
  - a) structural changes are made or proposed to be made; or
  - b) there is a change in the intensity of the use.
9. If a use to which a Building, or portion of a Building, is put ceases operation for more than six (6) months, the re-establishment of a use in the building requires the use to be authorized by a new Development Permit.
10. Clauses 16.14.8) and 16.14.9) do not apply to the use of Dwelling Units for residential purposes.
11. The Development Authority may cancel a development permit following its approval if:
  - a) any person undertakes development, or causes or allows any development to take place on a Parcel that is contrary to the development permit;
  - b) the application for the development permit contained a material misrepresentation;
  - c) material facts were not disclosed during the application for development permit;
  - d) the development permit was issued as a result of a material error; or
  - e) the landowner requests, by way of written notice to the Development Authority, the cancellation of the development permit.
12. Notwithstanding Section 16.14.11, the Development Authority shall not cancel a development permit that has been appealed to the Subdivision and Development Appeal Board, the Alberta Court of Appeal, the Supreme Court of Canada, or until a decision is rendered or the appeal is otherwise resolved.

## 16.15 Compliance Certificates

1. The registered owner, or a person with a legal or equitable interest in a Parcel, may apply to the Development Authority for a Compliance Certificate.



2. The applicant for a Compliance Certificate shall submit an original Real Property Report signed by an Alberta Land Surveyor within five years of the date of application.
3. The Development Authority may issue a Compliance Certificate if he/she is satisfied the buildings as shown on the Real Property Report are located in accordance with the regulations of this Bylaw or the building setbacks specified in any development permit.
4. The Compliance Certificate shall only cover those buildings, or parts thereof, shown on the Real Property Report as provided by the applicant.
5. The Development Authority may refuse to issue a Compliance Certificate if there is insufficient information from the applicant to determine if buildings as shown are located in accordance with the yard and building setback regulations of this Bylaw or the yard or building setbacks specified in any development permit which may have been issued for the site.
6. A Compliance Certificate is not a Development Permit.
7. The Development Authority may refuse to process an application for a Compliance Certificate if, in the opinion of the Development Authority, processing the Compliance Certificate application may negatively affect the interests of the County. Should the Development Authority not process an application for Compliance Certificate, all fees shall be returned to the applicant.

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## **16.16 Expert and Professional Qualifications**

1. Where, in accordance with this Bylaw, an applicant is required to submit information to the County that has been prepared or reviewed by an expert or professional, including, but not limited to, a professional engineer, architect, arborist or Alberta Land Surveyor, the Development Authority or Subdivision Authority may, in their sole opinion, determine whether the expert or professional is properly qualified or whether the information submitted by the expert or professional is sufficient for the intended purpose and may reject information on either basis.

## SECTION 17 DEVELOPMENT APPEAL PROCESS

Bylaw No. 2018-09

### 17.1 Procedure for Appeals

1. If the Development Authority:
  - a) Fails or refuses to issue a development permit to a person,
  - b) Issues a development permit subject to conditions, or
  - c) issues an order under Section 645 of the Municipal Government Act,  
the person applying for the permit affected by the order under Section 645 may appeal to the Subdivision and Development Appeal Board.
2. In addition to an applicant under Section 17.1, any person affected by an order, decision, or development permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board.
3. In accordance with Section 684 of the Municipal Government Act, the Development Authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under Section 16.3 of this Land Use Bylaw.
4. A time period referred to in Section 17.1.3 may be extended by an agreement in writing between the applicant and the Development Authority.
5. If the Development Authority does not make a decision referred to in Section 17.1.3, within the time required under Section 17.1.3 or Section 17.1.4, the application is, at the option of the applicant, deemed to be refused.
6. A development appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of appeal, containing reasons, with the secretary of the Subdivision and Development Appeal Board and in accordance with Section 686 of the Municipal Government Act.
7. In the case of a conflict between any information expressed in this section and the Municipal Government Act, the latter shall govern.
8. *The Municipal Government Act* shall govern over any information not specifically expressed within Section 17.1.



## **PART 5    ADMINISTRATION**

SECTION 18    ENFORCEMENT

SECTION 19    BYLAW AMENDMENTS

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## SECTION 18 ENFORCEMENT

### 18.1 General

1. When deciding to prosecute a violation of, or enforce compliance with, this Bylaw a Development Officer, Designated Officer or Community Peace Officer must be satisfied there is sufficient evidence to provide a realistic prospect of conviction or enforcement and will consider whether or not further prosecution or enforcement is in the public interest.

### 18.2 Offences

1. Any owner, lessee, tenant or occupant of land, a building, a structure or a sign thereon, who, with respect to such land, building, structure:
  - a) contravenes; or
  - b) causes, allows or permits a contravention of any provision of this Bylaw; commits an offence.
2. It is an offence for any person to:
  - a) construct a building or structure;
  - b) commence a Use or change of intensity of Use;
  - c) make an addition or alteration thereto;
  - d) not comply with the directions of an Order, or
  - e) o place a Sign on land;
  - f) for which a development permit is required but has not been issued or is not valid under this Bylaw.

### 18.3 Non-Compliance

1. If, after a development permit has been issued, the Development Authority becomes aware that:
  - a) the application for the development contains a misrepresentation;
  - b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
  - c) the development permit was issued in error;
  - d) the application was withdrawn by way of written notice from the applicant; and/or
  - e) one or more condition(s) imposed in the development permit have not been complied with

the Development Authority may cancel, suspend or modify as considered appropriate, the development permit by notice, in writing, to the holder of the permit.
2. A person whose development permit is cancelled, suspended or modified under this Subsection may appeal to the Subdivision and Development Appeal Board in accordance with Section 17.

## 18.4 Enforcement

1. The Development Authority and/or a Designated Officer of the municipality may issue warnings or orders and take actions or measures, consistent with the authority granted by the Municipal Government Act, to enforce this Bylaw.
2. Where a Community Peace Officer or Bylaw Enforcement Officer of the municipality believes, on reasonable and probable grounds, that a person has committed an offence with respect to this Bylaw, the officer may issue a summons by means of a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34, and as amended from time to time.

## 18.5 Offences and Specified Penalties

1. A Violation Ticket may be issued for a non-compliant development or development without approval.

Table 18.5-1: Penalties

Section	Offence	Minimum	Maximum
1.3	Commercial / Industrial Business	\$200.00	\$500.00
1.3	Development prior to permit approval	\$100.00	\$950.00
11.8	Stripping/Grading/Filling	\$200.00	\$500.00
12.12	Natural Resource Extraction	\$500.00	\$950.00
12.14	Recreational Vehicle Storage	\$100.00	\$500.00
12.16	Secondary Suite	\$150.00	\$400.00
12.21	Tourist Campground	\$200.00	\$500.00
12.24	Work Camp	\$200.00	\$500.00
12.8	Home Based Business	\$100.00	\$200.00
12.9	Kennel	\$150.00	\$300.00
16.2	Fences	\$100.00	\$300.00
18.2.2(d)	Fail to comply with an Order	\$250.00	\$500.00
18.3	Non-compliance with Development Permit conditions	\$100.00	\$950.00

2. Where there is no specified penalty listed for an offence in 18.5.1 (a), the minimum fine shall be \$100.00.
3. Where any person contravenes the same provision of this Bylaw twice within a twelve (12) month period, the specified penalty payable in respect of the second contravention is double the amount shown in Section 18.5.1.
4. Where any person contravenes the same provision of this Bylaw three or more times within a twelve (12) month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Section 18.5.1.
5. Payment of any fine, or other penalty imposed by a Court of competent jurisdiction shall not relieve any person from the requirement to remedy the conditions that constitute the original offence or to pay any fees, charges or costs associated to the enforcement of this Bylaw.

6. Pursuant to Section 7(i)(ii) of the *Municipal Government Act*, a person who violates any provisions of this Bylaw, or permits a contravention of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine in an amount not to exceed \$10,000.00.

## SECTION 19 BYLAW AMENDMENTS

### 19.1 Procedures for Amendments

1. Any person may apply to amend this Bylaw by making an application for amendment and submitting it to the Planning and Development Department for processing and referral to Council.
2. Council may, on its own initiative, give first reading to a Bylaw to amend this Bylaw.
3. All amendments to this Bylaw shall be made by Council, by Bylaw and in conformance with the *Act*.
4. Council shall establish, by resolution, the applicable fees for applications for amendment and Council may waive or refund part or the entire application fee referred to in Subsection 19.2.1.

### 19.2 Contents of an Amendment Application

1. The application for amendment shall be accompanied by an application fee, as described on the Parkland County fee schedule, and contain the following information:
  - a) the name, address and phone number of the applicant;
  - b) a signed authorization of the registered owners(s) consenting to the application for amendment as well as the name, address and phone number of the registered owner(s) of any lands that are the subject of the amendment application;
  - c) a copy of the Certificate of Title for the lands, dated not more than thirty (14) days prior to the date on which the application is made;
  - d) a statement giving the reasons in support of the application;
  - e) drawings as required by the County; and
  - f) where the proposed amendment is pertaining to a change in text and no land is specifically affected, the requirements of b), c) and e) shall be applied accordingly.
2. Parkland County may require other information deemed necessary to properly evaluate the application which may include the following:
  - a) a statement describing how the Municipal Development Plan, an area structure plan, or intermunicipal development plan, and other relevant statutory and non-statutory plans affecting the application, and this Bylaw have been considered;
  - b) a Comprehensive Outline Plan that describes the land uses proposed for the property, the stages (or phases) of development if the land is to be developed in stages (or phases), the size of the Parcels proposed, the location of proposed roads and other utility infrastructure and how the proposed development will integrate with the natural topography and features of the property such as existing treed areas, watercourses, wetlands and ravines;
  - c) a Geotechnical Report prepared by an engineer registered with APEGA, addressing the following but not limited to:
    - i) slope stability;
    - ii) groundwater;
    - iii) sewage;



- iv) shallow water table; and
- v) flood Plain analysis
- d) a Noise Attenuation Study conducted by a qualified professional;
- e) assessment of impact on environmentally significant areas;
- f) a Phase I Environmental Site Assessment (ESA);
- g) an analysis of the impact on community services and protective and emergency services;
- h) assessment of effects on the natural environment including potential mitigation measures;
- i) staging, implementation schedule, and duration of construction for any proposed development;
- j) municipal land, right-of-way or easement requirements, and
- k) any known concerns and opinions of affected area residents, land owners, and adjacent municipalities regarding the application.

### 19.3 Advertising Requirements

1. On first reading being given to a Bylaw to amend this Bylaw, the Administration shall
  - a) arrange for notice of the Public Hearing to be published in two (2) issues of a newspaper circulating in the County, the publication date of the second issue being not less than five (5) days prior to the commencement of the public hearing; and
  - b) mail not less than fourteen (14) days preceding the date of the public hearing, notice to
    - i) the applicant;
    - ii) the registered owner(s) of the land if not the applicant, the registered owner(s) of adjacent land if the proposed Bylaw provides for a change of district or change of provisions of a district;
    - iii) if the subject amendment lands are adjacent to lands in another municipality, notice to that municipality; and
    - iv) any other authorities who, in the opinion of the Development Authority, may be affected.
2. The notice of the Public Hearing shall contain the following information:
  - a) the date, time and place of the Public Hearing;
  - b) the purpose of the proposed bylaw;
  - c) that a copy of the proposed bylaw and any public documents applicable to the proposed Bylaw may be inspected at the County Office during regular office hours; and
  - d) the procedure to be followed at the Public Hearing.

### 19.4 Public Hearing

1. At the public hearing, Council shall hear from any person or group of persons, or person acting on his or their behalf, who
  - a) mailed notice of the public hearing and who wishes to be heard; and
  - b) claims to be affected by the proposed bylaw, and whom Council agrees to hear.

## **19.5 Decision on Amendments**

1. Council, after considering the representations made to it at the Public Hearing, and the Municipal Development Plan, area structure plan, or intermunicipal development plan affecting the application, and this Bylaw, may:
  - a) make such changes as it considers necessary to the proposed Bylaw, and proceed to pass the proposed bylaw, or
  - b) defeat the proposed bylaw.
2. Prior to third reading of the proposed bylaw, Council may require the applicant to enter into a development agreement in respect of the proposal which initiated the application for amendment to this Bylaw.

## **19.6 Resubmission Interval**

1. Where an application for an amendment to this Bylaw has been defeated by Council, another application for the same or substantially the same amendment shall not be considered within one (1) year of the date of the refusal unless Council otherwise directs.



# PART 6 GLOSSARY

## SECTION 20 TERMS AND WORDS

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## SECTION 20 TERMS AND WORDS

### 20.1 Definitions

1. Those terms and words in this Bylaw, which are defined in the *Act*, have the same meaning as expressed in the *Act*.
2. Individual uses with common functional or physical impacts or characteristics have been grouped into use class definitions. These use classes define the range of uses that are either Permitted or Discretionary within the various districts of this Bylaw. The following guidelines shall be applied in interpreting use class definitions:
  - a) typical uses listed in a use class definition as examples are not intended to be exclusive or restrictive; and
  - b) where a specific use does not conform to any use class definition or generally conforms to the wording of two or more use class definitions, the Development Authority will determine the most appropriate use class based on purpose and character. In such a case, the use will be considered Discretionary provided that it is listed as a Permitted or Discretionary use in the appropriate district.
3. The following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

### 20.2 General Definitions



**ACCESSORY** means subordinate, incidental to, and exclusively devoted to a principal Use or principal Building.

**ACT** means the *Municipal Government Act* being the Revised Statutes of Alberta, 2000, Chapter M-26.1 and amendments thereto.

**ADJACENT LAND** means land or a portion of land that is contiguous to the Parcel of land that is subject to a development application and/or subdivision application and includes land or a portion of land that would be contiguous if not for a public roadway, a Highway, river or stream, or reserve Parcel.

**AGRICULTURAL BUILDING** means a freestanding structure on a Parcel two acres or greater in size, that is used solely to house livestock, storage and repairs of agricultural equipment, storage of farm produce and livestock feed. This use class would include developments such as animal shelters, hay/feed sheds, granaries, but does not include a riding arena, detached garage or if a building is partially used for personal, residential use.

**APPLICANT** means the registered owner of the land or his or her representative or agent certified as such.

**AREA STRUCTURE PLAN** means a statutory plan prepared pursuant to Section 634 of the *Municipal Government Act*.

**ARTERIAL ROADS** means those municipal roads identified in Schedule J.



**BARELAND CONDOMINIUM** means a condominium development containing Bareland Condominium Units, created specifically through subdivision and registered as a condominium plan in accordance with the *Condominium Property Act*, RSA 2000, c. C-22.

**BARELAND CONDOMINIUM UNIT** means a bare land unit as defined in the *Condominium Property Act*, RSA 2000, c. C-22.

**BUILDING** includes anything constructed or placed on, in, over or under land but does not include a Highway or public roadway or a bridge forming part of a Highway or public roadway.

**BUILDING HEIGHT** means the vertical distance between building grade and the highest point of a building excluding elevator housing, mechanical skylight, ventilating fan, steeple, chimney, fire wall, parapet wall, flagpole or any similar device not structurally essential to the building.

**BYLAW** means the Parkland County Land Use Bylaw.



Bylaw No. 2018-03

**CANNABIS** means all or part of a plant from the *Cannabis genus*, including any products that contains any part thereof. This does not include hemp.

**CANOPY** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

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

**CHATTEL** means a moveable item of personal property.

**COLLECTOR ROAD** means those municipal Roads as identified in Schedule K.

**COMPLIANCE CERTIFICATE** means a stamped Real Property Report or a letter signed by the Development Authority confirming that all buildings on the property have met the regulations and provisions under this Bylaw and/or any applicable Development Permit(s).

**CONFINED FEEDING OPERATION** as defined by the *Agricultural Operation Practices Act*, Section 1(b.6) 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 track or exhibition grounds.

**CONTIGUOUS** means the development of areas immediately adjacent to one another without intervening vacant land or undevelopable lands.

**CORNER** means the intersection of any two Property Lines of a Parcel.

**CORNER PARCEL** see **PARCEL, CORNER**.

**COTTAGES** means a development of a Parcel consisting of a group of recreational cottages, cabins and yurts providing self-contained living quarters for the purpose of temporary accommodation, but does not include summer homes. The maximum square footage for a cottage, cabin or yurts shall not exceed 70.0 m<sup>2</sup>.

**COUNCIL** means the Council for Parkland County.

**COUNTY** means Parkland County.

**COUNTY ROADS** means Parkland's County officially recognized road network.

**COVERAGE** – when applied to lot/site/parcel Coverage, it means the portion of the land area covered by all Buildings except for steps, eaves, chattels, driveways, drive aisles, and at grade parking areas that are not part of a Garage, Carport, or other parking structure.

**CURB CUT** means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a Parcel.



**DEEMED APPROVED DEVELOPMENT** means those developments specified in Subsection 16.2 for which a development permit is not required under this Bylaw.

**DESIGNATED OFFICER** means a Development Officer, Bylaw Enforcement Officer or any other official appointed by the Council or the Chief Administrative Officer to enforce the provisions of this Bylaw, pursuant to the provisions under Section 210 of the *Act*.

**DEVELOPABLE LAND** means that area of land that is the subject of a proposed subdivision less the total of land required to be provided for roads and public utilities under and land required to be provided as reserve land, pursuant to the provisions under Section 688(1) of the *Act*.

**DEVELOPER** means an owner, Agent or any person, firm or company required to obtain or having obtained a development permit.

**DEVELOPMENT** means:

- a. an excavation or stockpile and the creation of them; or
- b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or
- c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or

- d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**DEVELOPMENT AUTHORITY** means a Development Authority established pursuant to Section 2.1 of this Bylaw.

**DEVELOPMENT PERMIT** means a document that is issued pursuant to this Bylaw authorizing a development.

**DISCONTINUED** means the time at which, in the opinion of the Development Authority, substantial construction activity or a non-conforming use or conforming use has ceased.

**DOUBLE FRONTING LOT** means a corner lot which abuts two public roadways, excluding lane, but also includes a site which abuts two public roadways which are parallel or nearly parallel where abutting the site.

**DWELLING OR 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 having sleeping, cooking and toilet facilities and intended as a permanent residence.

**DWELLING UNIT, ADDITIONAL** means a second dwelling on Parcels 28.3 ha, or greater, where a principal building is located.



**EASEMENT** means a right to use land, generally for access to other property or as a right-of-way for a public utility.

**EAVES** means the projecting overhang at the lower edge of a roof.

**EXCAVATION** means the removal of earthen materials for the purpose of leveling lands or the digging of a hole or cavity for the purpose of a dugout or pond not exempt in Section 16.2.



**FARMSTEAD** means the habitable residence and other improvements used in connection with the raising or production of crops, livestock or poultry, and situated on the same land used in connection with the above farming operations.

**FENCE** means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or to provide sound abatement.

**FILLING** means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a Parcel for the purposes of altering/modifying Drainage Grades or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.



**FLANKING PROPERTY LINE** means a site Property Line which abuts the longer public roadway on a corner or double fronting lot.

**FLANKING ROADWAY** means the street or Lane adjacent to the side yard of a Parcel.

**FLOOD PLAIN** means the area of land bordering a water body or watercourse that would be inundated by a 1:100 year flood as determined by Alberta Environment and Sustainable Resource Development.

**FLOOR AREA** means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

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

**FRONTAGE** means the length of a street boundary measured along the front lot line. On double fronting lots all sides of a Parcel adjacent to streets shall be considered Frontage.

**FRONT PROPERTY LINE** means the Property Line adjacent to:

- a. the public roadway other than a Lane, and, in the case of more than one Property Line adjacent to the public roadway, the front Property Line shall be the shorter of the two; and
- b. the internal subdivision road when the Parcel abuts an internal subdivision road.



**GARAGE** means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

**GRADE, BUILDING** means the ground elevation established for the purpose of regulating the number of stories and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

**GRADE, DRAINAGE** means the ground elevation established in a lot drainage plan attached to an approved development permit for the purpose of controlling the flow of surface water on the Parcel.

**GROSS LEASABLE AREA** means the total floor area of the building contained within the outside surface of the exterior and basement walls, and includes enclosed and heated malls but excludes mechanical and utility rooms, public washrooms, stairwells and elevators.



**HAMLET** means any area declared by a Bylaw of Parkland County to be a Hamlet. These include Carvel, Duffield, Fallis, Gainford, Keephills, Magnolia and Tomahawk.

**HAZARD LANDS** means land that consists of a swamp, gully, ravine, coulee or natural drainage course, or land that is subject to flooding or is, in the opinion of the Subdivision Authority and Development Authority, unstable.

**HIGHWAY** means land used or surveyed for use as a public Highway or road, and includes a bridge forming part of a public Highway or road and any structure incidental to the public Highway or road or bridge, subject to the direction, control and management of Alberta Transportation.

**HIGHWAY COMMERCIAL BUILDING** means a Commercial building intended primarily for the use of the travelling public and which is located on a Parcel adjacent to a major route designated as a public Highway pursuant to the *Public Highway Development Act*.



Bylaw No. 2019-01

**INDUSTRIAL HEMP** means a cannabis plant – or any part of that plant – in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves.

**INTERNAL SUBDIVISION ROAD** means a public roadway providing access to lots within a Multi-Parcel Subdivision and which is not designated as a Township or Range Road.

**INTERIOR PARCEL** see PARCEL, INTERIOR.



**LANDSCAPING** means to preserve or change the natural features of a site by adding top soil of no more than six (6) inches in depth, lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways, residential, commercial and industrial lighting (luminary replacements) or other structures and materials as used in landscape architecture.

**LANE** means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m and is not less than 6.0 m wide, and which provides a secondary means of access to a Parcel or Parcels, or as defined as an alley in the *Highway Traffic Act*.

**LIVESTOCK** means cattle, swine, poultry, sheep, goats, horses, game and similar animals.

**LOADING SPACE** means an off-street space on the same Parcel as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.



**MAJOR DEVELOPMENT** means a new commercial, industrial, resource extraction, institutional, recreational, or multi-unit residential project that may create off-site impacts in terms of traffic generation, environmental, municipal infrastructure, or similar effects.

**MANUFACTURED HOME SPACE** means an area set aside and designated within a Manufactured Home Park for the installation and placement of a Manufactured Home, including space for the exclusive accessory use by the owner or occupant of that Manufactured Home. It may also mean a Parcel in a subdivision designed for Manufactured Homes.

**MASTER SITE DEVELOPMENT PLAN** means a non-statutory document providing a comprehensive plan for a large-scale Major Development that provides a framework for future development, offsite impacts, and provisions for public infrastructure.

**MODULAR HOME** means a dwelling which is prefabricated or factory built, and may be assembled on the Parcel in sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. A Modular Home is not manufactured home, single wide.

**MOTOR VEHICLE** means a road vehicle powered by an internal combustion engine.

**MULTI-PARCEL RESIDENTIAL SUBDIVISION** means a subdivision of land, registered by plan of survey or descriptive plan, containing a cluster of four (4) or more residential Parcels where the residential Parcels are predominantly 4.1 ha (10.0 ac) in size or less, and have been created for, or are being principally used for, residential purposes.

**MULTI-TENANT** means three or more units separated by partition walls that separate one tenant's space from another or from the building's common area such as a public corridor.

**MUNICIPAL DEVELOPMENT PLAN** means a statutory plan adopted by Council as a Municipal Development Plan.



**NUISANCE EFFECT** means an interference with the common right of the general public or an indefinite number of persons; an unreasonable interference with the health, safety, peace, or comfort of the community. Specific conditions which may be characterized as nuisances may include, but shall not be limited to unreasonable noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter, and storage of hazard or combustible.



Bylaw No. 2019-22

**OUTDOOR DISPLAY AREA** means outdoor areas used for the display of examples of equipment, vehicles, finished products, or items related to the Principle Use located on the Parcel.

Bylaw No. 2019-22

**OUTDOOR STORAGE** means the storage of products, equipment, vehicles, or materials in an open area.

**OUTLINE PLAN** means a document as prepared to a professional standard and encompassing an entire quarter section, more or less, unless unique physical site circumstances such as a naturally occurring water body, manmade right-of-way or similar physical impediment warrant a lesser area, and shall detail all of the following:

- a. the location, dimension and boundaries of the existing Parcel of land to be subdivided;

- b. the portions thereof which the applicant proposed to register and all subsequent stages;
- c. the location, area and proposed dimensions of all Parcels, roads and points of access to all the proposed Parcels;
- d. contour information, related to a geodetic datum at an interval of two (2) m is to be superimposed over the plan;
- e. the location, dimensions, numbers and other designations shall be noted in respect to Highways, secondary roads, public roadways, and rights-of-way or easements (including pipelines, well sites, power transmission and distribution lines and railway lines) on record in Land Titles which exist on or adjacent to the lands subject of the plan;
- f. the location of all existing buildings or structures on or immediately adjacent to the lands;
- g. the location, siting and plotting of natural and man-made physical features such as sloughs and/or other bodies of water, rivers, creeks and intermittent streams, muskeg or swamp, organic areas, subsidence information on valley banks, top of bank, wooded areas, manmade water bodies, major drainage ditches, gravel and/or clay deposits, and land under cultivation;
- h. proposed methods of handling surface drainage through preliminary storm water management;
- i. proposed methods of on-site servicing for potable water and sewage; and
- j. the location, dimensions and areas of all proposed municipal and environmental reserve Parcels and public utility lots.



**PARCEL** means the aggregate of the 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.

**PARCEL AREA** means the total area of a Parcel.

**PARCEL, CORNER** means a Parcel having a Frontage on two or more public roadways at their intersection or junction (see diagram below).

**PARCEL DEPTH** means the average distance between the front and rear Property Lines (see diagram below).

**PARCEL, INTERIOR** means a Parcel which is bounded by only one street (see diagram below).

**PARCEL WIDTH** means the distance between the site Property Lines of a Parcel at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road. For rectangular and pie Parcels this distance should be measured at front yard Setback line and at rear yard Setback line (see diagrams below).

**PARKING FACILITY** means the area set aside for the storage and parking of vehicles and includes Parking Stalls, Loading Spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility.

**PARKING STALL** means a space set aside for the parking of one motor vehicle.

**PASSIVE RECREATION** means Recreational opportunities in a natural setting which require minimal development or facilities, and the importance of the environment or setting for the activities is greater than in developed or active recreation settings.

**PIT AREA** means an opening or excavation or working of the surface or subsurface for the purpose of removing any sand or gravel and is located within the TOTAL MINE AREA.

**PRINCIPAL BUILDING** means a building that accommodates the principal use of the Parcel.

**PRINCIPAL USE** means the primary or main purpose for which a Building or land is used.

**PROJECTION** means any portion of a principal or accessory building that projects over or onto the required front, side or rear yard and may include a chimney, balcony, sill, cornice, canopy, bay or bow window.

**PROPERTY LINE** means a line of record bounding a Parcel that divides one Parcel from another Parcel or from a public roadway or any other public space.



**REAL PROPERTY REPORT** means a document showing building location and other site data prepared by a Registered Alberta Land Surveyor according to the standards of the Alberta Land Surveyors Association.

**REAR PROPERTY LINE** means the Property Line furthest from the front Property Line;

**RECREATIONAL EQUIPMENT** includes a utility trailer, boat, all-terrain vehicle, utility trailer, boat trailer, snow mobile, and the like, but does not include Recreational Vehicle.

**RECREATIONAL VEHICLE** means a vehicle designed for recreational use, such as camping. The following is considered a Recreational Vehicle: travel trailers, 5th wheel trailers, tent trailers, pop-up trailers, Class A, B, or C Motorhomes, buses converted with intent of personal and recreational purposes, truck-mounted campers, camper vans, and the like.

**RESIDENTIAL PARCEL** means a Parcel of land 4.0 ha in size or less which has been created for, or is being principally used for, residential purposes.

**ROAD** means all Arterial, Major Collector, Minor Collector or Local roads as defined by Parkland County Engineering Standards.

**RURAL CENTRE** means a historically established and defined residential settlement which may or may not presently have Hamlet status, but which is characterized by a surveyed settlement plan comprised of a predominance of very small and generally substandard residential Parcels.



**SCREENING** may include, but may not be limited to a fence, earth berm, hedge, shelter belt, or exterior finish used to visually and/or physically separate areas or functions.

**SEA CAN** see **SHIPPING CONTAINER**.

**SEPARATION DISTANCE** means the horizontal distance to be maintained between different land uses or constructions.

**SETBACK** means the perpendicular distance as measured between that part of a building nearest to the front, side or rear Property Line of the building site. In the case of a Front Setback, it means the distance measured perpendicularly from the front Property Line of the Parcel to the nearest point of the building excluding the eaves and/or projections. In the case of a Rear Setback, it means the distance measured perpendicularly from the rear Property Line of the Parcel to the nearest point of the building excluding the eaves and/or projections. In the case of a Side Setback, it means the distance measured perpendicularly from the side Property Line of the Parcel to the nearest point of the building excluding eaves and/or projections. For the purposes of this definition, in the case of a roof projection, the roof support/supporting post shall be considered the closest point if applicable.

**SHIPPING CONTAINER** means a shipping container, originally used to transport goods, now used as an accessory building for storage provided that a building permit can be issued under Alberta Safety Codes.

**SHOPPING CENTRE** – for the purposes of parking means a development comprising 3 or more commercial use facilities that operate as a unit and share a common parking area.

**SHORELINE** means the line or contour depicting the mean high water mark as identified on a township plan or survey plan.

**SIDE PROPERTY LINE** means a Property Line other than a front or rear Property Line.

**SIGN** means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

**SITE** means one or more Parcels for which an application is being made, and may include streets, Lanes, walkways and any other land surface upon which development is proposed.

**SITE AREA** means the total area of a site.

**SITE PLAN** means a plan submitted in support of a development permit application, the approval of which may require a development servicing agreement, including matters such as engineering drawings for sewer, storm drainage, water, roads, etc.

**SOLAR ENERGY SYSTEMS** means a system of components that convert sunlight energy into useable electrical or heat energy.

**STATUTORY PLAN** means a Municipal Development Plan, Area Structure Plan or Area Redevelopment Plan pursuant to the *Municipal Government Act*.

**STRIPPING OF SOIL** means the removal and stock pile of top-soil on a lot or Parcel, either for future reclamation purposes and/or possible sale under an approved development permit.

**STRUCTURAL ALTERATIONS** means any change to the roof, foundation or exterior walls of a structure that results in the expansion of the usable floor area of a structure or reduces existing Setback distances.

**STOREY** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of a floor and the ceiling above it. A basement or a loft is deemed not to be a storey.

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

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means the same as defined in the *Act*.

**SUBDIVISION AUTHORITY** as established pursuant to the *Act*, means that person(s) defined by the Subdivision Authority Bylaw of Parkland County.

**SUBSTANDARD PARCEL** means a Parcel which does not meet the provisions of this Bylaw pertaining to Parcel size.



**TELECOMMUNICATION TOWER** means a structure for transmitting or receiving television, radio, telephone, internet or other electronic communications.

**TEMPORARY STRUCTURE** means a structure incidental and subordinate to the principal use which at no time shall be used as a dwelling and is not intended to remain as a permanent structure. Limited to “pre-assembled” or “ready to assemble” structures that do not require Building Permit approval under the *Alberta Safety Codes Act*. Including, but not limited to garden sheds, carports, gazebos, play structures and tarped structures that are 55.0 m<sup>2</sup> or less in area. This use does not include site built structures, or structures constructed off-site and then delivered to a property.

**TIME LIMITED PERMIT** means a development permit issued on a time limited basis as specified within the permit, with the ability for the time duration of the permit to be renewed or extended prior to the expiry of the time limit.

**TOTAL MINE AREA** means the extraction areas to be mined and reclaimed including any associated infrastructure and stockpiles.

**TREE CLEARING** means the cutting down and/or removal of trees other than for commercial logging. It does not include the removal of any landscaping required by this Bylaw.



**UNAUTHORIZED** means a valid Development Permit has not been issued for a Development.

**UNINHABITABLE** means a structure which has been constructed or altered to such an extent that it is not suitable for residential occupancy, to the satisfaction of the Development Officer. Typically this means that the cooking facilities (i.e., stove) and associated electrical wiring have been removed by a qualified electrician.

**UNINHABITABLE RESIDENCE** means a single detached dwelling or Dwelling Unit other than a single wide mobile home, double wide mobile home or modular home, that is no longer used for residential/accommodation or domestic purposes and has had all cooking/eating facilities removed enabling the building to be utilized as an accessory building.

**UTILITY** means the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas or oil distribution system;



**YARD** means the part of a Parcel unoccupied by any portion of a Building. A Yard is not a Setback.

## 20.3 Use Class Definitions



**ABATTOIR** means the use of land or building in which animals are slaughtered and may include the packing, treating, storing and sale of the product.

**ACCOMMODATION AND CONVENTION SERVICES** means development to serve the traveling public primarily used for the provision of rooms or suites for temporary sleeping accommodation such as hotels (rooms have access from a common interior corridor and are not equipped with individual kitchen facilities), motels (temporary lodging or kitchenette where each room or suite has its own exterior access), country inns (more rooms than bed and breakfast); or, development which provides permanent facilities for meetings, seminars, conventions, product and trade fairs and other exhibitions with or without eating and drinking facilities. This use class does not include Boarding Houses.

**AGRICULTURAL SUPPORT SERVICES** means development providing products or services directly related to the agricultural industry. Without restricting the generality of the foregoing, this shall include such facilities as: grain elevators, feed mills, farm implement dealerships (not including Automotive, Equipment and Vehicle Services) or crop spraying.



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

Bylaw No. 2019-22

**AMUSEMENT AND ENTERTAINMENT SERVICES, INDOOR** means an indoor development, having a room, area or building used for the purpose of providing entertainment and amusement to patrons on a commercial fee for admission/service basis.

Bylaw No. 2019-22

**AMUSEMENT AND ENTERTAINMENT SERVICES, OUTDOOR** means an indoor or outdoor development, having a room, area or building used for the purpose of providing entertainment and amusement to patrons on a commercial fee for admission/service basis.

**ANIMAL HEALTH CARE SERVICES** means a development such as a hospital or shelter used for the temporary accommodation, care, treatment or impoundment of animals. This use class would include pet clinics, animal veterinary clinics and veterinary offices.

**APARTMENT** means a development consisting of at least three (3) Dwelling Units contained on a single Parcel within a building in which the Dwelling Units are arranged in a horizontal or vertical configuration which share a common hallway and access.

**APIARY** means a commercial development consisting of beehives in which bees are kept or raised for the production of honey.

**AQUACULTURE** means a Development where land is devoted to the hatching, raising and breeding of fish or other aquatic plants or animals.

**AUCTIONEERING SERVICES** means those developments specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment. This use class does not include Livestock Auction Marts.

**AUTOMOTIVE, EQUIPMENT AND VEHICLE SERVICES** means development used for the rental, lease, sale, storage, service, restoration, inspection and/or mechanical repair of automobiles, trucks, trailers, motorcycles, snowmobiles, motor homes, tent trailers, boats, travel trailers or similar light Recreational Vehicles. Uses and facilities would also include transmission shops, muffler shops, autobody paint and repair facilities, Highway Service Stations and fleet services involving vehicles for the delivery of people, goods or services and may include key lock retail sales. This use class does not include Bulk Fuel Depots.

Bylaw No. 2019-22

**AUTOMOTIVE, EQUIPMENT AND VEHICLE SERVICES, MAJOR** means development used for the rental, lease, sale, storage, service, restoration, inspection and/or mechanical repair of heavy equipment vehicles, such as: industrial vehicles, farm implement vehicles, semi trucks & trailers, busses, among others.

Bylaw No. 2019-22

**AUTOMOTIVE, EQUIPMENT AND VEHICLE SERVICES, MINOR** means development used for the rental, lease, sale, storage, service, restoration, inspection and/or mechanical repair of light vehicles, such as: automobiles, trucks, trailers, motorcycles, snowmobiles, motor homes, tent trailers, boats, travel trailers, among others.



**BED AND BREAKFAST HOME** means a development within and secondary to a single detached dwelling or modular home where temporary lodging or sleeping accommodation with no more than three (3) guest rooms is provided with a breakfast meal to the travelling public. This use does not include a boarding facility, hotel, motel, or guest house.

Bylaw No. 2019-22

**BEVERAGE PRODUCTION** means a micro-distillery, brewery, or coffee roaster, where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place. This use includes distribution, retail or wholesale, on or off the premises, and can include an **Indoor Eating Establishment** or tasting room where guests may sample alcoholic beverages without charge.

**BOARDING HOUSE** means a Development consisting of a Building containing sleeping units where lodging or sleeping accommodation, with or without meals, is provided for remuneration. This use class does not include Group Homes.

**BULK AGRICULTURAL CHEMICAL DISTRIBUTION** means the land, building and structure for the bulk storage and distribution of fertilizer and other agricultural chemicals.

**BULK FUEL DEPOT** means lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include Service Stations and key lock retail sales.



Bylaw No. 2018-03

**CANNABIS CONSUMPTION FACILITY** means a development, or any part thereof, licensed to sell Cannabis to the public for consumption within the premises.

Bylaw No. 2019-01

**CANNABIS CULTIVATION, MAJOR** means a development that has a plant canopy area greater than 200.0 m<sup>2</sup> and is used principally for the production, cultivation, and growth of Cannabis as licensed by Health Canada. This use class does not preclude the packaging, storage and transporting of products and materials related to cultivation of Cannabis. This does not include Industrial Hemp.

Bylaw No. 2019-01

**CANNABIS CULTIVATION, MINOR** means a development that has a plant canopy area 200.0 m<sup>2</sup> or less and is used principally for the production, cultivation, and growth of Cannabis as licensed by Health Canada. This use class does not preclude the packaging, storage and transporting of products and materials related to cultivation of Cannabis. This does not include Industrial Hemp.

Bylaw No. 2019-01

**CANNABIS PROCESSING, MAJOR** means a development that is used principally for one or more of the following: making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products of cannabis as licensed by Health Canada. This use class does not preclude the storage and transporting of products and materials related to Cannabis processing. This does not include Industrial Hemp.

Bylaw No. 2019-01

**CANNABIS PROCESSING, MINOR** means a development that is used principally to process a maximum of 600.0 kg of dried cannabis (or equivalent) in one (1) calendar year. This includes one or more of the

following: making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products as licensed by Health Canada. This use class does not preclude the storage and transporting of products and materials related to Cannabis production. This does not include Industrial Hemp.

Bylaw No. 2018-03 **CANNABIS RETAIL SALES** means a development, or any part thereof, used for the retail sale of Cannabis as  
Bylaw No. 2019-01 licensed by the Province of Alberta. Does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; Cannabis Processing, Minor; or Convenience Retail. This does not include Industrial Hemp.

**CEMETERY** means a Development where land is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

**COMMUNITY RECREATION SERVICES** means development for recreational, social, or multi-purpose use primarily intended for local community purposes. Typical facilities would include community halls and community centres operated by a local residents' organization.

**CONCRETE / ASPHALT PLANT** means the processing, manufacturing, recycling, and sales of concrete and asphalt and the accessory manufacture and sales of products made from concrete and asphalt.

Bylaw No. 2019-22 **CONVENIENCE RETAIL SERVICES** means development used for the retail sale of general consumer products. The business premises shall not exceed 275m<sup>2</sup> in gross floor area.

Bylaw No. 2019-22 **COMPUTER, ELECTRONIC, DATA PROCESSING SERVICES** means a development that may include the use of land, building or structure, or part thereof, for the research, development, input, prototypical manufacturing, processing and printing of data and which may include the design, manufacturing and warehousing of electronic equipment or software.

**COTTAGE INDUSTRY** means one or more low intensity activities of a gainful nature demanding a skilled trade or craft or related to an agricultural and/or horticultural operation on a parcel. Cottage Industry shall maintain, and be compatible with, the rural residential and/or agricultural character of the surrounding landscape. Cottage Industry may be the principal use of the parcel, or secondary to existing principal uses such as residential dwelling. A Cottage Industry use shall not be located within a Multi-Parcel Residential Subdivision. Typical Cottage Industry requiring skilled trade may include workshops or storefronts selling custom made products or offering related services. Typical agriculture and horticulture related Cottage Industry may include growing, packing and sale of food products, small-scale wineries and breweries, and minor food establishments including cafes and diners.

**CREMATORIUM** means a building fitted with the proper appliances for the purpose of the cremation of human remains and includes everything incidental or ancillary thereto.

**CULTURAL FACILITIES** means development for the collection of literary, artistic, musical and similar reference materials, or, a building intended for live theatrical, musical, or dance performances. Typical facilities would include libraries, museums, art galleries, auditoriums, theatres and concert halls.



**DAY CARE SERVICES** means development licensed by the Province to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care for seven (7) or more children, kindergartens, nursery schools and play schools.

**DETENTION AND CORRECTION SERVICES** means development for the purpose of holding or confining and treating or rehabilitating persons. Typical facilities would include prisons, mental institutions, jails, remand centres, asylums and correction centres.

**DRIVE THROUGH BUSINESS** means an establishment that services customers travelling in motor vehicles driven onto the Parcel where such business is carried on, where normally the customer either remains in the vehicle for service or parks his vehicle for a short period for the purpose of doing business at the premises. Service Stations are included in this use class.

Bylaw No. 2019-22 **DRIVE-THROUGH VEHICLE SERVICE** means development providing rapid cleaning, lubrication, and maintenance or repair services to motor vehicles, where the customer typically remains within their vehicle or waits on the premises.

**DRY-WASTE LANDFILL** means any landfill development wherein only solid, inert waste/garbage is placed, and which is not reasonably expected to undergo physical, chemical and/or biological changes to such an extent as to originate substances which may have a negative environmental impact. Clay, sand, silt, gravel and other naturally occurring, uncontaminated aggregate fill materials are not considered dry-waste landfill for the purposes of this Bylaw.

**DWELLING, DUPLEX** means a Development consisting of a residential Building containing only two dwellings placed side by side or with one dwelling placed over the other in whole or in part, with individual and separate access to each dwelling. This type of development shall be designed and constructed as two dwellings at the time of initial construction of the building and intended as a permanent residence. It is also known as semi-detached dwelling.

**DWELLING, FOURPLEX** means a Development consisting of a residential Building containing four Dwelling Units located immediately adjacent to each other and sharing a common wall and each having a separate entrance at grade and intended as a permanent residence.

**DWELLING, ROW HOUSING** means a Development consisting of a residential Building designed and built to contain three or more Dwelling Units with a separate exterior entrance at grade that shares no more than two party walls with adjacent Dwelling Units and intended as a permanent residence. No part of a Dwelling Unit is placed over another in part or in whole and every Dwelling Unit shall have separate, individual direct access to grade. For the purposes of this Bylaw, garden linked, row and townhouse units are considered to be row housing dwellings. Row housing units are adjoined by a vertical party wall that is insulated against sound transmission. Row housing units have the following features:

- a. they are adjoined by a vertical party wall that is insulated against sound transmission; and
- b. each Dwelling Unit has a minimum floor area of 80.0 m<sup>2</sup>.

**DWELLING, SINGLE DETACHED** means a Development consisting of a residential Building containing one Dwelling with or without an attached garage and/or attached carport and is separated from any other Dwelling. Modular Homes, Double wide Manufactured homes and a dwelling constructed onsite are all considered Single Detached Dwellings. Where a Secondary Suite is a Permitted or Discretionary Use within a District, a Dwelling, Single Detached may also contain a Secondary Suite.

**DWELLING, TRIPLEX** means a Development consisting of a residential Building containing three Dwelling Units located immediately adjacent to each other and sharing a common wall and each having a separate entrance to grade.



**EDUCATIONAL SERVICES** means development for instruction and education purposes, involving assembly for educational, training or instruction purposes and includes administration offices, dormitory and accessory buildings. Typical facilities would include public and separate schools, private schools or seminaries, community colleges, universities, technical and vocational facilities.

Bylaw No. 2018-03 **EXTENSIVE AGRICULTURE DEVELOPMENT** means a system of tillage including the associated clearing of  
Bylaw No. 2019-01 land for agricultural production purposes, which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming as well as farm related uses. Extensive Agriculture Development does include the off-site removal and export of logs or trees. This use class does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; or Cannabis Processing, Minor. This includes Industrial Hemp.

**EXTENSIVE LIVESTOCK DEVELOPMENT** means a farming operation on at least 16.0 ha of land involving the rearing of livestock either in conjunction with or separate from an Extensive Agricultural Development, where the number of animals on the subject Parcel falls below the registration threshold of a Confined Feeding Operation as per the AOPA, Agricultural Operations, Part 2 Matters Regulation, Schedule 2.



**FARM VACATION HOME** means a single detached dwelling located on land whose primary use is agricultural where temporary lodging or sleeping accommodation, with no more than three guest rooms, is provided, with any or all meals prepared in the residential kitchen, on a daily basis to registered guests for not longer than fourteen days by the occupant and his immediate family for a remuneration.

Bylaw No. 2019-22 **FLEET SERVICE AND STORAGE** means a development using fleet vehicles for the delivery of people, goods, or services. This use includes the storage, maintenance, and dispatch, of the vehicles, but does not allow for the lease or sale.

**FUNERAL HOME** means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.



Bylaw No. 2019-22 **GENERAL COMMERCIAL RETAIL SERVICES** means development used for the rental, sale, and repair, of household goods.

Bylaw No. 2018-03 **GENERAL INDUSTRIAL MANUFACTURING / PROCESSING** means development principally associated with manufacturing, assembling, fabrication, processing and research/testing activities. Without restricting the generality of the foregoing, typical facilities would include plants involved with natural gas or its derivatives; pulp and paper products; stone, clay, glass, plastic, wood, rubber or metal products; cement or lime products; automotive assembly or fabrication. This use class does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; or Cannabis Processing, Minor.

Bylaw No. 2019-22 **GENERAL MANUFACTURING AND PROCESSING, INDOOR** means development principally associated with manufacturing, assembling, fabrication, processing, packaging, and related research/testing activities, where no nuisance factors exceed the building envelope.

Bylaw No. 2019-22 **GENERAL MANUFACTURING AND PROCESSING, OUTDOOR** means development principally associated with manufacturing, assembling, fabrication, processing, packaging and related research/testing activities, where no nuisance factors exceed the site boundaries.

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

**GROUP CARE FACILITY** means supervised residential Dwelling Unit, licensed or approved under provincial legislation, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health professionals.

**GROUP HOME, LIMITED** means development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for six (6) residents or less, excluding staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The use class does not include homes or halfway houses for persons under jurisdiction of the Federal or Provincial justice systems; nor does it include treatment facilities such as detoxification centres.

**GROUP HOME, MAJOR** means development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for seven (7) residents or more, excluding staff, for foster children or disabled persons, or

for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The use class does not include homes or halfway houses for persons under jurisdiction of the Federal or Provincial justice systems; nor does it include treatment facilities such as detoxification centres.



**HIGHWAY COMMERCIAL BUILDING** means a Commercial building intended primarily for the use of the travelling public and which is located on a Parcel adjacent to a major route designated as a public Highway pursuant to the *Public Highway Development Act*.

**HOME BASED BUSINESS LEVEL 1** means an office within the residential dwelling for a person who occupies the dwelling. It does not include the visiting of clients to the site, parking of commercial vehicles, any outside storage, or any employees except the resident and the resident's family who permanently reside in the dwelling. The use is entirely contained within the dwelling and has no external impact on the neighbourhood. Typical uses include self-employed persons providing professional and office support services.

**HOME BASED BUSINESS LEVEL 2** means an occupation, trade, or craft for gain or support, and is secondary to the principal residential use. It may include some client visits and the parking of one commercial vehicle and may not include on-site employees except the resident and the resident's family who permanently reside in the dwelling. Typical secondary uses may include massage therapy, spa/esthetics services, dog grooming, landscaping/snow removal, dressmaking, hairdressing, home crafts and handicrafts, picture framing, delivery services, mobile food vendors or caterers, individual instruction to students, off-site mobile repairs and installation, janitorial services, mobile entertainment services and the carrying out of minor household appliance repair and automotive repair (does not include autobody repair).

**HOME BASED BUSINESS LEVEL 3** means trade or craft for gain or support and is secondary to the principal residential use. A Home Based Business Level 3 includes all home based businesses not considered Home Based Businesses, Level 1 or Level 2. It must include the resident who permanently resides in the dwelling and may include up to four (4) employees who do not reside on the property. Typical secondary uses may include contractor services, parking of commercial vehicles in excess of Home Based Business Level 2, automotive and autobody repair and on-site fabrication. This use class does not include more intensive Industrial type of uses that present exterior impacts such as noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter, and storage of hazard or combustible materials which should be located in an industrial district.

**HOME DAY CARE** means when a Dwelling Unit is used to provide a facility and/or program for the care, maintenance and supervision of six or fewer children under the age of 15 years, by a person who resides in the Dwelling Unit and who is either related or unrelated to the children involved, for periods of more than three but less than twenty-four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare.



Bylaw No. 2018-03 **HORTICULTURAL USE** means a Commercial horticultural operation other than a Confined Feeding Operation that, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include horticultural uses like nurseries, greenhouses, market gardens, tree farms, and specialty crops (not including Cannabis).



Bylaw No. 2019-22 **INDOOR EATING ESTABLISHMENT** means a commercial development where foods and beverages are prepared and served for consumption by the public on the premises and may include a drive-through component for consumption off-site.

**INDOOR PARTICIPANT RECREATION SERVICES** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical facilities would include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges; bowling alleys and racquet clubs, indoor soccer fields.

Bylaw No. 2018-03 **INDUSTRIAL, HEAVY** means a manufacturing or processing facility whereby external effects are likely to be felt beyond the boundaries of the site and possibly the district or neighbourhood. External effects include, but are not limited to, noise, vibration, light, noise, dust, odour, humidity, smoke, fumes, steam, heavy traffic, and other impacts that affect the safety, use, amenities and enjoyment of property. Without restricting the generality of the foregoing, these uses would generally be related to the oil and gas industry and would include for example: upgraders, plants for the manufacture of petroleum products, fertilizers, chemicals and the processing of natural gas and its derivatives.

Bylaw No. 2018-09

Bylaw No. 2018-03 **INDUSTRIAL STORAGE AND WAREHOUSING** means development (including a security suite as defined by this Bylaw used solely for security purposes) 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, heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centres. Generally no additional processing would occur on site. This use class does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; or Cannabis Processing, Minor.

Bylaw No. 2019-01



**KENNEL** means development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.





**LIQUOR SALES / DISTRIBUTION SERVICES** means development used principally for the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the *Alberta Liquor Control Act*.

Bylaw No. 2019-22

**LIQUOR RETAIL SALES** means development used principally for the retail sale to the public of any and all types of alcoholic spirits or beverages as defined by the *Alberta Liquor Control Act*.

Bylaw No. 2019-22

**LIQUOR DISTRIBUTION SERVICES** means development used principally for the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the *Alberta Liquor Control Act*.

**LIVESTOCK AUCTION MART** means development specifically intended for the auctioneering of livestock and may include the temporary holding of the livestock. This use class does not include on-site slaughtering.



**MANUFACTURED HOME PARK** means a development for manufactured homes not having a registered plan of subdivision of individual Parcels. Spaces, or spaces with individual manufactured homes already sited on them, may be rented. Ownership and responsibility for the maintenance of internal roads, underground services, communal areas and buildings, snow clearance and garbage collection, together with general park management, rests with the management. This does not include the situation where an additional agricultural Dwelling Unit is located on a Parcel where the principal building is a Manufactured Home.

**MANUFACTURED HOME, DOUBLE WIDE** means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts with each of the two parts being moved from one point to another individually and put together on a Parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A double-wide manufactured home does not include a single wide manufactured home, holiday trailers or recreation vehicle.

**MANUFACTURED HOME, SINGLE WIDE** means a building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another as a single unit which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association and has a length to width ratio of 3:1 or greater. A single-wide manufactured home does not include a double wide manufactured home, holiday trailer, park model or Recreational Vehicle.

**MEDICAL TREATMENT SERVICES** means a Development where the primary purpose is to provide surgical or other medical treatment for the sick, injured, or infirm. This use also may include outpatient services and



accessory staff residences. Typical facilities would include hospitals, sanatoriums, nursing homes, convalescent homes, psychiatric hospitals, auxiliary hospitals and detoxification centres.

**NATURAL RESOURCE EXTRACTION/PROCESSING** means the extraction of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt found on or under the site, or accessible from the site. Processing may include crushing, washing, screening and the preparation of asphalt. For the purposes of sand and/or gravel Developments, the Total Mine Area must be 5.0 ha or greater.

**NATURAL RESOURCE EXTRACTION/PROCESSING (MINOR)** means the extraction of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt found on or under the site, or accessible from the site. Processing may include crushing, washing, screening and the preparation of asphalt. The Total Mine Area must be smaller than 5.0 ha.

**NATURAL SCIENCE EXHIBITS** means development for the preservation, confinement, exhibition or viewing of plants, animals and other objects in nature. Typical facilities would include zoos, botanical gardens, arboretums, planetariums, aviaries and aquariums.



**OUT-BUILDING** means a secondary Building that precedes the Development of a Dwelling, Single Detached. An Out Building is a detached garage, shop, or similar. An Out Building is not a Shipping Container.

Bylaw No. 2018-03

**OUTDOOR EATING ESTABLISHMENT** means a commercial development where foods and beverages are prepared and served for consumption on-site by the public either outside or inside the confines of the establishment. This use class does not include Cannabis Consumption Facility.

**OUTDOOR PARTICIPANT RECREATION SERVICES** means development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. This use class does not include Outdoor Shooting Ranges. Typical facilities include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, miniature golf establishments, Scout/Guide camps, religious outdoor retreat camps and parks, paint-ball parks, gymkhana/rodeos.

**OUTDOOR SHOOTING RANGE** means a development consisting of a facility that is outdoors and designed for the safe discharge of firearms for the purposes of sport shooting, target practice, training, or shooting competitions.



**PARK** means a development of public land specifically designed or reserved for the general public for active or Passive Recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to

arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

Bylaw No. 2019-22

**PERSONAL AND HEALTH CARE SERVICES** means development used for the provision of physical and mental health services on an out-patient basis, of a preventative, diagnostic treatment, therapeutic, rehabilitator or counseling nature. It may also mean development related to the care and appearance of the body.

Bylaw No. 2019-22

**PROFESSIONAL, BUSINESS, FINANCIAL AND OFFICE SUPPORT SERVICES** means development primarily used for the provision of services to businesses, professional, management, administrative, consulting and financial services.



**RECREATIONAL UNIT, PARK MODEL** means a recreational unit that is designed for seasonal use, generally in just one location, and built to the CSA Z-241 Standard. It is built on a single chassis mounted on wheels, which may be removed. It is designed to facilitate occasional relocation, with living quarters for seasonal use, and must be connected to those utilities necessary for the operation of fixtures and appliances.

**RECREATIONAL VEHICLE STORAGE** means development of a yard for the outdoor storage of more than five Recreational Vehicles or Recreational Equipment or combination thereof. This use does not include the sale, service, restoration, inspection and/or mechanical repair of the recreational units.

**RECYCLING DEPOT - MAJOR** means a development consisting of a principal building used for the enclosed/interior receiving, sorting, and storage of materials for recycling, prior to their removal for processing on a different Parcel. The materials may include dimensional lumber, drywall, asphalt shingles, asphalt and concrete, scrap metal, plastics, wire and cardboard, but must not include adhesives or sealants, aerosols, motor vehicles or motor vehicle parts, tires or petroleum and petroleum based products. This use class is not a landfill, waste disposal facility or recycling plant for any materials or components of these materials. This use class does not include composting.

**RECYCLING DEPOT - MINOR** means development used for the buying and temporary storage of bottles, cans, tetra-packs, newspapers and similar household goods for reuse, where all storage is contained within an enclosed building.

**RELIGIOUS ASSEMBLY** means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**RESIDENTIAL CARE FACILITY** means housing within a single detached housing form that allows for congregate living for residents who require some need for support services to maintain their social and functional independence.

**RIDING ARENA** means a building or an area of land used for the purposes of training, exercising, handling, and care of horses.



**SECONDARY SUITE** means a development consisting of:

- a. an additional Dwelling Unit located within and Accessory to a Dwelling, Single Detached;
- b. a Garage Suite that is Accessory to a Dwelling, Single Detached ; or
- c. a Garden Suite, that is Accessory to a Dwelling, Single Detached and located on a Parcel greater than 0.8 ha in area.

A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal on-site Dwelling Unit. A Secondary Suite shall have a separate entrance from the entrance of the principal Dwelling, either from a common indoor landing or directly into the Secondary Suite. This use does not include Boarding Houses.

**SECURITY SUITE** means an accessory development that provides accommodation for the sole purpose of security personnel. A security suite shall contain no more than one bedroom and be no larger than 56.0 m<sup>2</sup>.

**SEMI-PUBLIC USE** means a development that is used by an association or organization for the meeting, social or recreational activities of its members, and which may or may not include the general public. Typical semi-public uses include but are not limited to lodges, clubs, and service clubs;

Bylaw No. 2019-22 **SERVICE STATION** means a development primarily used for the fueling and charging of motor vehicles, and may include activities related to the servicing and cleaning of these vehicles. This development may include an **Indoor Eating Establishment** and **Convenience Retail Services**.

**SHOW HOME** means a permanent dwelling used for the temporary purpose of exhibiting the type or character of a dwelling or dwellings to be constructed and sold in other parts of a subdivision or development area. Show Homes may contain offices for the sale of other Parcels or dwellings in the area.

**SILVICULTURE PROCESSING** means the processing of cultivated forest commodities.

**SOLAR ENERGY SYSTEMS** means a system of components that convert sunlight energy into useable electrical or heat energy.

**SOLAR FARM** means an installation or area of land in which a large Solar Energy System is installed in order to generate alternative energy.

**SMALL ANIMAL BREEDING / BOARDING SERVICES** means development used for the breeding, boarding, caring or training of small animals, other than dogs, normally considered household pets. Typical facilities include pet boarding and pet training establishments.

Bylaw No. 2018-03 **SPECTATOR SPORTS ESTABLISHMENTS** means development providing facilities intended for sports and athletic events that are held primarily for public entertainment, where patrons attend on a recurring basis. Typical facilities would include coliseums, stadiums, arenas, animal racing tracks and vehicle racing tracks.

Bylaw No. 2019-22

**STORAGE, WAREHOUSING, AND DISTRIBUTION, INDOOR** means a development primarily used for indoor storage and distribution of raw materials, partially processed and finished goods, and related equipment. This use class does not preclude activities associated with the shipping/loading of materials from occurring outdoors.

Bylaw No. 2019-22

**STORAGE, WAREHOUSING, AND DISTRIBUTION, OUTDOOR** means a development primarily used for outdoor storage and distribution of raw materials, partially processed and finished goods, and related equipment. This use may include a security suite as defined by this Bylaw.



**TOURIST CAMPGROUND, DESTINATION** means development of land which has been planned and improved for the seasonal use of holiday trailers, motor homes, tents, cottages, campers and similar Recreational Vehicles, and is not used as accommodation for residential use.

**TOURIST CAMPGROUND, ENROUTE** means development of land which has been planned and improved for the seasonal short term occupancy of holiday trailers, motor homes, tents, campers and similar Recreational Vehicles for those travelers on their way to another destination and is not used as year round storage, or accommodation for residential use.



**UTILITY SERVICES - MAJOR INFRASTRUCTURE** means development for public or private utility infrastructure purposes which is likely to have a major impact on the environment or adjacent land uses by virtue of their emissions, effect or appearance. Typical facilities would include sewage and/or water treatment plants, power generating stations, cooling plants, and incinerators.

**UTILITY SERVICES – MINOR INFRASTRUCTURE** means development for public or private utility infrastructure purposes which is both basic and common to the development of a municipality and has relatively minor impact on the environment or adjacent land uses by virtue of their emissions, effect or appearance. Typical facilities would include natural gas lines and regulating stations, telephone exchanges and lines, water and sewer lines, public roadways, local electrical transmission and distribution facilities, and television cable lines.



**WASTE MANAGEMENT FACILITY DEVELOPMENT** means development providing landfill facilities including dry-waste landfill, industrial, sanitary and modified sanitary landfill sites, and/or associated composting and/or contaminated soil remediation operations.

**WASTE MANAGEMENT FACILITY, MAJOR** means a site used primarily for the storage, processing, treatment and disposal of solid and/or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and/or appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, recycling facilities, incinerators, sewage lagoons, wrecking and scrap metal yards, and similar uses.

**WASTE MANAGEMENT FACILITY, MINOR** means a site used for the storage, recycling, disposal and filling of clean clay, waste concrete and paving materials, non-noxious scrap building materials, and similar non-hazardous wastes which normally do not generate any environmental pollution to the site and surrounding lands. This includes a dry waste site.

**WIND ENERGY CONVERTER SYSTEM (WECS), MAJOR** means more than two (2) rotating machines converts the kinetic energy in wind into mechanical energy. If the mechanical energy is used directly by machinery, such as a pump or grinding stones, the machine is usually called a windmill. If the mechanical energy is then converted to electricity, the machine is called a wind generator, wind turbine, wind power unit (WPU) or wind energy converter (WEC).

**WIND ENERGY CONVERTER SYSTEM (WECS), MINOR** means up to two (2) wind energy systems consisting of a wind turbine, tower, and associated control or conversion electronics which is intended to primarily reduce on-site consumption of utility power for a single site. A Wind Energy Converter System, MINOR may be free standing or attached to a principal or accessory building.

For the purpose of this Bylaw the following applies to both WECS-MAJOR and WECS-MINOR:

- a. **BLADE** means an element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.
- b. **BLADE CLEARANCE** means in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.
- c. **HORIZONTAL AXIS ROTOR** means a wind energy conversion system, typical of conventional or traditional windmills, where the rotor is mounted on a downward 5 percent angle to the earth's surface.
- d. **OVER SPEED CONTROL** a device which prevents excessive rotor speed.
- e. **ROTOR'S ARC** means the largest circumferential path traveled by a WECS' blade.
- f. **TOTAL HEIGHT** means the height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.
- g. **TOWER** means the structure which supports the rotor above grade.
- h. **VERTICAL AXIS ROTOR** means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

**WORK CAMP** means one or more buildings established to accommodate persons who are employed in mining, lumbering, construction, drilling, resource exploration and any similar industry, and includes land on which the building or buildings are situated.