



# LAND USE BYLAW

## BYLAW NO. 13-14, AS AMENDED (OFFICE CONSOLIDATION) FEBRUARY 2018

Note:

This document has been prepared for convenience only. The official Bylaws, including all amendments, are available from the office of the County Administrator, and should be consulted for all purposes of interpretation and application.

Consolidated Copy Includes:

Bylaw No. 13-19 February 2014  
Bylaw No. 14-05 February 2014  
Bylaw No. 14-06 April 2014  
Bylaw No. 14-07 March 2014  
Bylaw No. 14-08 March 2014  
Bylaw No. 14-09 March 2014  
Bylaw No. 14-11 May 2014  
Bylaw No. 14-13 June 2014  
Bylaw No. 14-22 July 2014  
Bylaw No. 15-05 March 2015  
Bylaw No. 15-21 February 2016  
Bylaw No. 15-30 January 2016  
Bylaw No. 16-05 April 2016  
Bylaw No. 16-13 July 2016  
Bylaw No. 16-14 July 2016

Bylaw No. 17-03 April 2017  
Bylaw No. 17-04 February 2017  
Bylaw No. 18-01 February 2018



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## GUIDE TO USING THE COUNTY OF VERMILION RIVER LAND USE BYLAW

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The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be Used and Buildings can be either constructed or moved in) in the County of Vermilion River. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the County, Province or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the County into various Land Use Districts. Secondly, the text of the Land Use Bylaw details the Uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain Uses and/or within certain Districts. The following steps may assist the User:

1. Locate the subject property on the Land Use District maps. These maps divide the County into various Land Use Districts. Each Land Use District has a designation such as “A” for AGRICULTURAL or “C1” for COMMERCIAL. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the Uses and regulations of the land Use Bylaw or impose additional regulations. **PLEASE NOTE: Land Use Districts are often referred to as “Zones” or “Zoning.” In order to conform to the language of the Municipal Government Act, this document Uses the terms “District” and “Districting.”**
2. Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed alphabetically starting in Section 8. In each Land Use District you will find a list of permitted and discretionary Uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in Section 1.7 that should also be consulted to ensure that words and terms Used in the Land Use Bylaw are understood.
3. Review the table of contents to see if there are any general regulations that apply to the situation or Use in question. For example, Section 5 describes the enforcement procedure. Section 6.1 contains general regulations about accessory Buildings and Section 7.13 contains general regulations about Home Occupations, just to name a few.
4. Discuss your proposal/concern with Planning and Development staff. County staff are well trained and eager to assist you with your development/subdivision or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment

Amended by  
Bylaw 14-22

**NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW**



# 1 | General Administrative Procedures

## 1.1 Title

The title of this Bylaw shall be the Land Use Bylaw of the County of Vermilion River.

## 1.2 Scope

No development shall be permitted within the boundaries of the County of Vermilion River except in conformity with the provisions of this Bylaw.

## 1.3 Purpose

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

- (1) to divide the County into districts;
- (2) to prescribe and regulate for each district the purposes for which land and Buildings may be Used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given;
- (5) to implement the policies of the statutory plans of the County of Vermilion River;
- (6) to establish supplementary regulations governing certain specific land Uses; and
- (7) to establish the procedures for making amendments to this Bylaw.

## 1.4 Metric & Imperial Measurements

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information.

## 1.5 Compliance with Other Legislation

Section Amended by Bylaw 18-01
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- (1) In addition to the requirements of this Bylaw, an applicant must comply with all Federal, Provincial and Municipal legislation including requirements contained in a Development Permit or Agreement.
- (2) This Bylaw is consistent with the *Municipal Government Act* (hereinafter referred to as “the Act”), as amended, repealed or replaced from time to time.
- (3) Pursuant to Section 632(4), 633(3) statutory plans must be consistent.
- (4) Hierarchy of Plans
  - (a) Pursuant to Section 638 of the Act, in the event of a conflict or inconsistency between any of the following Acts, Statutory Plans, Bylaws and Policies listed, the Act, Plan, Bylaw or Policy listed closer to (1) in the hierarchy of plans below prevails to the extent of the conflict or inconsistency.
    - i. *Municipal Government Act*
    - ii. Provincial Regional Plans
    - iii. Intermunicipal Collaboration Framework
    - iv. Intermunicipal Development Plan
    - v. Municipal Development Plan
    - vi. Area Structure Plan and Site Development Plan
    - vii. Land Use Bylaw
    - viii. County Policies
- (5) The Bylaw shall be applied in a manner that supports the implementation of statutory plans and local plans, which have been adopted by the County, and is consistent with the County’s Municipal Development Plan, Alberta Land Stewardship Act Regional Plans, and the Municipal Government Act, as amended.
- (6) This Bylaw shall be Used in conjunction with County Policies and Procedures, as adopted and amended by County Council.
- (7) Nothing in this Bylaw exempts a person from their obligation to comply with:
  - (a) any Federal, Provincial, or Municipal legislation;
  - (b) any relevant caveat, Easement, instrument, agreement, or other legal requirement;
  - or
  - (c) any standards, policies, procedures; or
  - (d) other requirements of the Municipality.
- (8) The issuance of a Development Permit does not entitle a business to operate, which may require a license under a separate agency or organization, nor does it entitle the construction of a Building, which may require Safety Codes permits for Development of any structure regulated under the Safety Codes Act.



## 1.6 Repeal

This Bylaw comes into force on receiving Third and Final reading by Council and repeals **Land Use Bylaw No. 07-13** and any resolutions made thereunder or amendments thereto, which shall cease to have effect on the day this Bylaw comes into force.

## 1.7 Definitions

Section  
Amended by  
Bylaw 18-01

- (1) Where a specific Use applied for generally conforms to the wording of two (2) or more Uses, the Development Authority shall determine the Use that fits closest to the Development's character and purpose.
- (2) The following words, terms, and phrases, wherever they occur in this Bylaw have the meaning assigned to them as follows:

### A

**“ABUT OR ABUTTING”** means immediately contiguous or physically touching, and, when used with respect to a Lot or Site, means that the Lot or Site physically touches upon another Lot or Site sharing a Property Line or boundary line with it.

**“ACCESSORY BUILDING”** means a Building separate and Subordinate to the Main Building, the Use of which is incidental to the Main Building and is located on the same Lot. An Accessory Building to a Residential Use means a Garage, Carport, Shed, storage Buildings, hobby Greenhouse, sundeck, Patio, permanently installed private swimming pool or hot tub, and similar Buildings. Where an Accessory Building is attached to the Main Building by a Roof or an open or enclosed structure, except Carports where vehicular access to the Rear Yard is not obstructed, said Accessory Building is part of the Main Building and not an Accessory Building and shall, unless otherwise specified in this Bylaw, adhere to the yard and other requirements for Main Buildings.

**“ACCESSORY LIVING QUARTERS”** means Development of an Accessory Use to a structure in which the Main Use is Single-Detached Dwelling consisting of a self-contained Dwelling Unit that provides dependent Living Quarters intended for the sole Occupancy of one (1) or two (2) adult persons, which has access to the adjoining Dwelling Unit. Accessory Living Quarters may be attached or located within the main Habitable Dwelling Unit on the Lot and share some or all accessory areas with the main Dwelling Unit, including access to grade, but may not provide kitchen facilities other than a bar sink and an under-counter refrigerator; no cooking devices or other food storage facilities are permitted.

**“ACCESSORY USE”** see **“SUBORDINATE USE”**

**“ACT”** means the *Municipal Government Act, R.S.A. 2000, c. M26*, as amended or repealed and replaced from time to time.

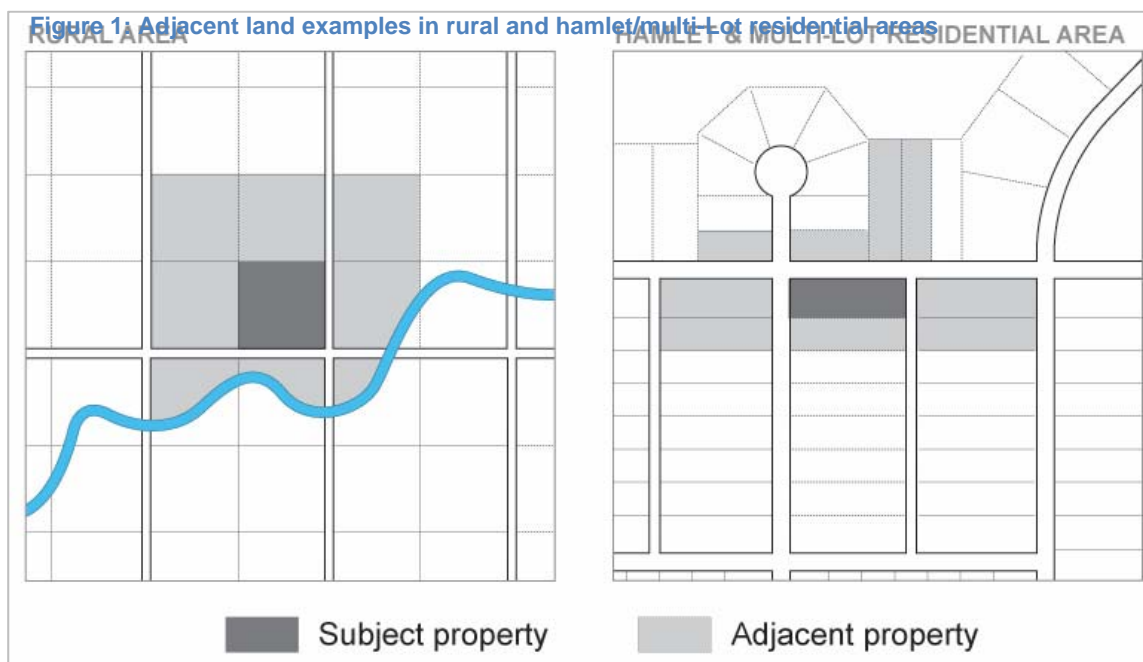
**“ADAPTIVE REUSE”** mean a process of retrofitting old Buildings for new ones, which allows structures to retain their historic or cultural integrity while meeting the needs of modern Occupants. Adaptive Reuse is different from restoration or preservation. While a restoration or preservation project involves restoring a Building to its original state, Adaptive Reuse actually changes the intent of a structure to meet the modern needs.

Still, some Adaptive Reuse projects do include restoration of the Building’s façade or parts of the interior to look as it did in times past. Older Buildings often showcase aesthetics that modern Buildings simply cannot afford. Built when skilled labor was cheap, these structures often boast a higher attention to detail than those built today. Architectural elements include sculpted stone, columns and capitals, elaborate masonry, vaulted ceilings, and carved wood, all of which can be prohibitively expensive today. Adaptive Reuse of such Buildings allows a Building to retain much of its character and aesthetics by incorporating these elements into the new framework.

**“ADJACENT LAND”** means land that is contiguous to a particular Lot or Parcel of Land; including land that would be contiguous if not for a Highway, a river, stream, railway, Road, utility right of way, or reserve land (*see Figure 1*), and any other land identified in this Bylaw as adjacent for the purpose of satisfying Sections 2.14 and 218.

**“ADULT ENTERTAINMENT ESTABLISHMENT”** means an establishment that provides live entertainment for its patrons, which includes the display of nudity.

**“ADULT USE”** means any of the following: adult bookstore, adult motion picture theatre, adult paraphernalia store, adult video store, and live nudity establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition, an Adult Use is any Use or combination of Uses that either have greater than twenty-five percent (25%) of the subject establishment’s inventory stock or twenty-five percent (25%) of the subject Premises’ gross floor area, or 18.6 m<sup>2</sup> (200 sq. ft.), whichever is greater, devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement. Adult Uses shall require a minimum separation of 300 m (984.25 ft) from a school or public Building or similar sensitive Uses.



**“AFFORDABLE HOUSING”** means Inclusionary Housing Dwelling Units that may be purchased or rented by those who meet the Affordability Guidelines as established in the County of Vermilion River Inclusionary Housing Bylaw, and whose expenditure for housing costs does not exceed 30% of the gross annual income of an Owner and 28% of the gross annual income of a renter in the previous calendar year. Housing costs includes: 1) for Owners: payments for principal and interest on a mortgage, Property taxes, and Condominium fees, if any, or 2) for renters: rent including heat, furnishings, if provided, but not utilities.

**“AGRI-BUSINESS”** means those commercial or industrial Uses, which may involve facilities or processes that, although in the opinion of the Development Authority, may not be able to co-exist compatibly in proximity to other Uses or population concentration due to: the potential for an adverse environmental impact beyond the immediate Site of the Agri-Business Use.

Such activities are characterized by wholesale or retail sales, and Outdoor Storage/display of agriculture-related equipment, inputs, and products, Parking Areas, outdoor lighting, and Signage, accessory structures (e.g., facilities, workshops), generate low to moderate traffic volumes, noises, odours, dust or other potential Nuisances associated with agriculture-related production or processing. Agri-Business may include, but is not limited to,

Agricultural Support Services, value-added, or related businesses such as implement dealers, Veterinary Clinics, farm machinery repair Shops, agricultural supply sales, marketing, storage, and distribution centres, plant and tree nurseries, and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins.

**“AGRICULTURAL INDUSTRY”** means an industrial activity involving the processing, cleaning, packing or storage of the results from Agricultural Production. Agricultural Industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture of processed foods resulting from Agricultural Production or abattoirs and, does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“AGRICULTURAL LAND, HIGHER CAPACITY”** means a quarter section consisting of at least 20.33 ha (50 ac) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, at least 60% of its land area rated within Canada Land Inventory (C.L.I.) classes 1-3 for soil capability for agriculture.

**“AGRICULTURAL LAND, LOWER CAPACITY”** means a quarter section consisting of less than 20.23 ha (50 ac) of land having a farmland assessment productivity rating of less than 41%; or, if no rating is available, up to 60% of its land area rated above Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture.

**“AGRICULTURAL OPERATION”** means an Agricultural Operation as defined in the *Agricultural Operation Practices Act*; (*MGA, Part 17, Section 616(a)*). Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility are excluded from this Use.

**“AGRICULTURAL PRODUCTION”** means the production of an Agricultural Operation. It shall also mean the agricultural product storage, service facilities and Farmsteads, which relate to the individual farm Unit. Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility are excluded from this Use.

**“AGRICULTURAL SUPPORT SERVICES”** means the Use of land and/or Buildings for the purpose of the supply of goods, materials, or services directly and primarily to Agricultural Operations. This includes but is not limited to the sale, servicing, and storage of seed, feed, fertilizer, chemical products, fuel, and agricultural machinery, but does not involve Salvage Yards and, does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“AGRI-TOURISM”** means a range of tourist activities associated with working extensive Agricultural Operations that may involve agricultural tours, special promotional events related to Agricultural Operations, and on-site tourist accommodation for not more than forty-five (45) tourists and, does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“AIRPORT”** means any area of land or water, including the frozen surfaces thereof, or other supporting surfaces used, or intended to be used, either in whole or in part for the arrival and departure or servicing of aircraft, and includes any Building, installation or equipment in connection therewith.

**“ALTERNATIVE ENERGY SYSTEM”** means any system that harnesses natural elements such as solar, water (including rainwater) or geothermal sources to generate electrical, thermal, or mechanical energy and only utilizes renewable resources consistent with the *Alberta Regulation 27/2008, Electric Utilities Act*, and *Micro-Generation Regulation* and does not include the Use of rainwater for irrigation and watering of plants.

**“AMUSEMENT ESTABLISHMENT, INDOOR”** means a Development providing recreational facilities with table games and/or electronic games played by patrons for entertainment. Indoor Amusement Establishments may include billiard parlours and electronic games arcades with tables and/or games, and bowling alleys.

**“AMUSEMENT ESTABLISHMENT, OUTDOOR”** means a Development providing recreational facilities outdoors played by patrons for entertainment. Outdoor Amusement Establishments may include amusement parks, go-cart tracks, and miniature golf courses. However, Outdoor Amusement Establishments do not include drive-in motion picture theatres, carnivals or circuses.

**“ANIMAL BREEDING AND/OR BOARDING FACILITY”** means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of four (4) or more animals over six (6) months in age that are not Livestock for profit or gain such as riding stables, Kennels, or similar facilities and Uses; but shall not apply to the keeping of animals in a Veterinary Clinic for the purpose of observation and/or recovery necessary to veterinary treatment.

**“ANIMAL HOSPITAL”** means a Building used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets, but shall not include long-term board facilities for animals nor Kennels.

**“ANTENNA”** means a structure designed for receiving and transmitting communication signals.

**“ANTENNA, AMATEUR RADIO”** means an installation consisting of an Antenna array, mounted on a metal tower or support structure, designed for receiving and transmitting radio signals by licensed amateur radio operators. For the purposes of this Bylaw, an amateur radio Antenna is considered to be an Accessory Use.

**“APARTMENT”** see **“DWELLING, APARTMENT”**.

**“APPROACH”** means an access/egress point from a Lot or Parcel of Land onto a Road or Highway built to the specifications of the relevant approving authority (i.e. County of Vermilion River or Alberta Transportation).

**“ARC, ROTOR”** means the largest circumferential path traveled by the Blades in a large Wind Energy Conversion System (WECS).

**“AREA STRUCTURE PLAN”** refers to a statutory document as identified in the MGA, Part 17, Section 633, which provides specific direction on how an area is to develop, identifying the specific mix and Density of Land Uses, utility services, as well as layout of streets, blocks, and Lots needed to create a well-designed and successful community, business, commercial or industrial area. Proponents of Area Structure Plans are directed to reference County Policy PD-011 for requirements in submitting an Area Structure Plan.

**“AUCTIONEERING ESTABLISHMENT”** means a Development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering Establishments do not include flea markets.

**“AUTOMOTIVE AND EQUIPMENT REPAIR SHOP, HEAVY”** means a Development where heavy trucks, agricultural equipment, construction equipment and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed.

**“AUTOMOTIVE AND EQUIPMENT REPAIR SHOP, LIGHT”** means a Development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and Equipment Repair Shops include transmission Shops, muffler Shops, tire Shops, automotive glass Shops, and upholstery Shops, but not body repair or paint Shops.

**“AUTOMOTIVE AND RECREATIONAL VEHICLE SALES/RENTALS ESTABLISHMENT”** means a Development where new or used automobiles, trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar Recreational

Vehicles or crafts are sold or rented, together with incidental Maintenance services and sale of parts. Automotive and Recreational Vehicle Sales/Rental Establishments include automobile, Recreational Vehicle, and motorcycle dealerships and rental agencies.

**“AUTO WRECKER”** means a Use where the primary activity is the storage and wrecking of vehicles, usually for parts or scrap metal re-sale.

**“AXIS ROTOR, HORIZONTAL”** means a large Wind Energy Conversion System (WECS) that has the rotor mounted on an axis parallel to the surface of the ground.

**“AXIS ROTOR, VERTICAL”** means a large Wind Energy Conversion System (WECS) that has the rotor mounted on an axis perpendicular to the surface of the ground.

## B

**“BACKYARD COTTAGE”** means Development of a Subordinate Use to a structure in which the Main Use is a Single-Detached Dwelling consisting of a self-contained Dwelling Unit that provides separate, independent Living Quarters for one (1) Household. Backyard Cottages may be attached, detached, and provide kitchen facilities, including cooking devices and 220-volt wiring. Backyard Cottages shall be located behind the Main Building and shall be located on the same Lot or Parcel as the Main Use. Garden Suites, Tiny Homes, and similar structures may be considered a Backyard Cottage at the discretion of the Development Authority.

**“BARE LAND CONDOMINIUM”** means a Condominium Development Subdivision containing Bare Land Condominium Units, created specifically through Subdivision and registered as a Condominium plan in accordance with the *Condominium Property Act, RSA 2000, c. 22*.

**“BARE LAND CONDOMINIUM UNIT”** means a bare land Unit as defined in the *Condominium Property Act, RSA 2000, c. 22*.

**“BASEMENT”** means the portion of a Development, which is wholly or partially below grade, having above grade no more than 1.8m (6.0 ft.) of its clear height lying below the finished level of the floor directly above. The Use of a Basement as a Secondary or Accessory Dwelling or Accessory Living Quarters in an existing house requires the Basement ceiling height to be 1.95m (6’-5”) and must conform to Table 9.5.3.1 of the Alberta Building Code, 2014 and be a minimum of 1.85m (6’-1”) to the underside beams and ductwork.



**“BED AND BREAKFAST ESTABLISHMENT”** means a Development within a Dwelling that contains a Dwelling Unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public. A Bed and Breakfast Establishment shall not include a Boarding House.

**“BERM”** means a landscaped earthen mound that is utilized to attenuate the noise and visual effects of Adjacent Land Uses and/or direct ground water flows as part of an engineered storm water management system.

**“BLADE”** means an element of a large Wind Energy Conversion System (WECS) rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

**“BLADE CLEARANCE”** in reference to a Horizontal Axis Rotor, means the distance from grade to the bottom of the Rotor’s Arc (see Arc, Rotor).

**“BOARDING HOUSE”** means a Building or portion thereof where meals are served for a remuneration involving no more than three (3) persons, exclusive of the Occupant and immediate family. For the purposes of this Bylaw, Boarding Houses shall not include an eating or Drinking Establishment, a Drive-In Restaurant, a refreshment stand, or other Similar Use.

**“BUFFER”** means Berms, fencing and planting with the function of Screening noise, views, dust, sprays and Uses between properties where off-site impacts may occur.

**“BUILDABLE AREA”** means the greatest horizontal area of a Building above grade within the glass line of Exterior Walls, or within the glass line of Exterior Walls and the centreline of firewalls.

**“BUILDING”** includes any structure constructed or placed on, in, over or under land, but does not include a Highway or Road or a bridge that forms part of a Highway or Road.

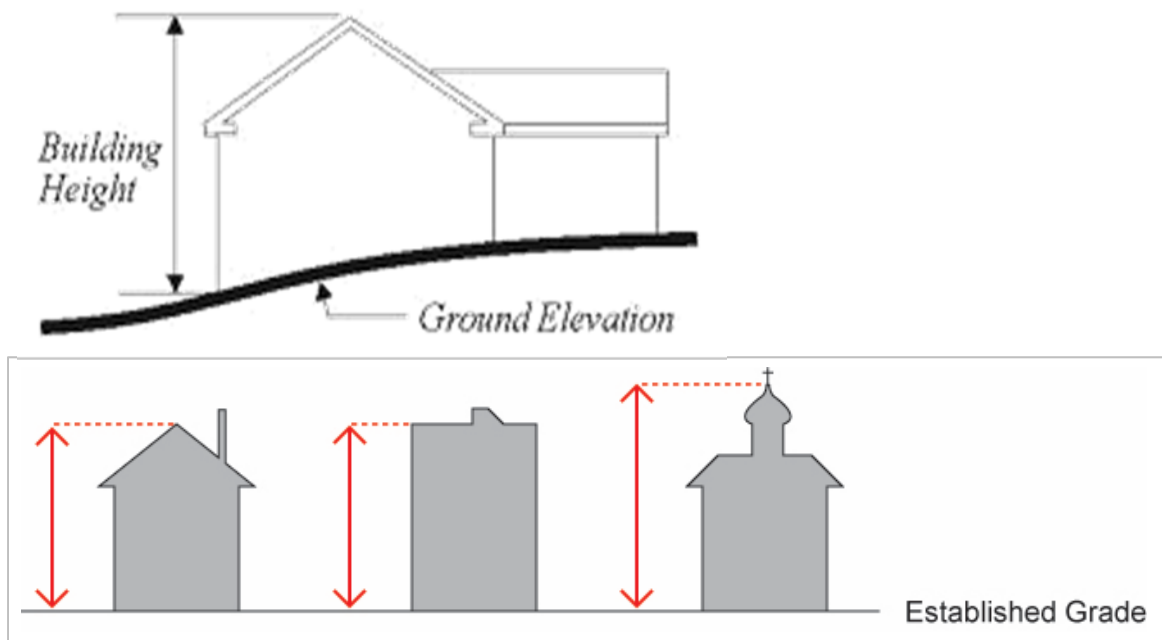
**“BUILDING CONVERSION”** means the act of changing an existing structure designed and built for non-Residential Use to Residential Uses or to a non-Residential Use other than the existing one within those allowed in the applicable Land Use District, but does not entail Structural Alterations to the existing structure.

**“BUILDING COVERAGE RATIO”** means the sum of the ground Floor Areas of all Buildings on a Lot divided by the area of the Lot, expressed as a percentage.



**“BUILDING HEIGHT”** means the vertical distance from the Established Grade to the highest point of a Building, excluding a stairway entrance, an elevator housing, a mechanical skylight, ventilating fan, chimney, steeple, firewall, parapet wall, flagpole, radio Antenna, or similar device not structurally essential to the Building (see Figure 2).

**Figure 2: Building Height**



**“BUILDING MATERIAL”** means all material accumulated on the Premises while constructing, altering, repairing, or demolishing any structure and includes, but is not limited to, earth, wood debris, vegetation, or rock displaced during such construction, alteration, or repair.

**“BUILDING REHABILITATION”** means the alteration, rehabilitation, Renovation, repair, addition, or change in Use of an existing Building that entails Structural Alterations to the existing structure, but does not include demolition of an existing structure. Building Rehabilitation does not apply to new construction.

**“BUILDING SEPARATION”** means the minimum distance between two Abutting Buildings measured from the final finish of Exterior Walls.

**“BULK FUEL STORAGE AND SALES”** means lands, Buildings and structures for the storage and distribution of fuels and oils including retail sales and key lock operations.

**“BUSINESS SUPPORT SERVICES ESTABLISHMENT”** means a Development providing support services to businesses. Business Support Services Establishments are characterized by one or more of the following features: the Use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office Maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business Support Services Establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

## C

**“CABIN”** means a one-room structure (not including a washroom, bathroom, or toilet) intended for short-term Occupancy, often rented for a short amount of time to the travelling or vacationing public. Cabin does not include Manufactured Homes, Recreational Vehicles, Motor Homes, and similar Recreational Vehicles, nor Backyard Cottage, Tiny Home, Boarding Houses or similar Uses.

**“CAMPGROUND”** means a Development where tents are erected and/or Recreational Vehicles are parked for the purpose of overnight or short-term accommodation. A Campground includes any Building, structure, tent, vehicle or enclosure accessory to the Main Use that is located on the land and used as an integral part of the Campground such as washhouses, gazebos, picnic shelters, etc.

**“CAMPSITE”** means a specified area or Site within a Campground or other recreational area intended for Occupancy by tents, tent trailers, Recreational Vehicles, campers, Motor Homes, or other similar Recreational Vehicles on a limited, short-term basis. This does not include Sites, Lots, or Parcels for Manufactured Homes, Cabins, Motels, Hotels, or Boarding Houses.

**“CANNABIS”** (Marijuana) means its preparations and derivatives, which are a Schedule II drug under the *Controlled Drug and Substances Act*, and, unless otherwise regulated for production and distribution for medical purposes, is subject to offences under that Act. Storefront operations selling Cannabis, commonly known as “dispensaries” and “compassion clubs” are not licensed by Health Canada under the current law and are illegal.

**“CARPORT”** means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed.

**“CARRIER”** means a company or applicant that provides wireless commercial or essential institutional communications services.

**“CEMETREY”** means Development of land for the interment or entombment of the deceased, and may include, at the discretion of the Development Authority, crematoriums, mausoleums and memorial parks or a Religious Assembly, and one attached or separate manse.

**“CHILD CARE FACILITY”** means a Development licensed by the Province that is intended to provide personal care, educational services, or supervision, without overnight accommodation, for seven (7) or more children at one time for more than three (3), but less than twenty-four (24) consecutive hours in a day. This definition includes daycare centres, drop-in centres, nursery schools, playschools, and out-of-school care for the provision of care before and after school hours, and during school holidays for both pre-school and school aged children, but excludes family Day Homes.

**”CLUSTERING”** means a Building pattern concentrating single or multi-storied Lots or Units on a particular portion of a Parcel. Clustering can have a variety of configurations, including independent, back-to-back, interlocking, closed, or open clusters.

**“CO-LOCATION”** means locating jointly on a Site, a tower, and accessory or ancillary Building together with other Wireless Communication Operators.

**“COMMERCIAL STORAGE”** means a self-contained Building or group of Buildings containing lockers available for rent for the storage of personal goods or a facility Used exclusively to store bulk goods of a non-hazardous nature. This Use does not include Outdoor Storage and, does not include storage in relation to a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“COMMERCIAL USE”** means a business through which products, services or entertainment are available to consumers, whether the public or other commercial establishments, and does not include the manufacturing of products. Without limiting the generality of the foregoing, Commercial Use shall include, in this Bylaw, Uses such as Animal Hospitals, Bed and Breakfast Establishments, Business Support Services Establishments, Campgrounds, Drive-In Businesses, Drive-In Restaurants, Eating and Drinking Establishments, Entertainment Establishments, general retail stores, Greenhouses, Health Services, Highway Commercial Uses, Hotels, Office Uses, Personal Service Shops, Recreation Camps, Recreational Vehicle Parks, and resorts. Commercial Use does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“COMMON PROPERTY”** means the components of a Multi-Lot Unit project where Use and Ownership is shared amongst the individual Unit Owners, such as parking, lobbies, hallways, recreation facilities, etc.

**“COMPOST FACILITY – CLASS I”** means a waste management facility where waste, not including hazardous waste, is decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter.

**“COMPOST FACILITY – CLASS II”** means a waste management facility where only vegetative matter or manure are decomposed through a controlled bio-oxidation process that results in a stable humus-like material but does not include a residential composter.

**“CONDOMINIUM”** means a form of legal Ownership, containing Units and Common Property, created specifically through Subdivision and registered as a Condominium plan in accordance with the *Condominium Property Act, RSA 2000, c. 22*.

**“CONFINED FEEDING OPERATION”** means a Confined Feeding Operation as defined in the *Agricultural Operation Practices Act*.

**“CONTRACTOR SERVICE, LIMITED”** means a Development where electrical, plumbing, heating, painting and similar Contractor Services are provided, primarily to individual Households. In addition, where goods normally associated with the Contractor Service may be stored and sold; where all materials are kept within an enclosed Building; and where there are no accessory manufacturing activities or parking or storage of more than four (4) vehicles.

**“CONTRACTOR SERVICE, GENERAL”** means a Development where Building, concrete, Landscaping, electrical, Excavation, drilling, heating, plumbing, paving, Road, oil field, pipeline, or similar services of a construction or industry services nature are provided, which have on-site storage of materials, construction equipment, or vehicles normally associated with the Contractor Service, and which is not a limited Contractor Service. Any sales, display, office or technical support service areas shall be accessory to the Main Use only.

**“COUNCIL”** means the Council of the County of Vermilion River.

**“COUNTRY RESIDENCE”** refers to an individual, freestanding, unattached Dwelling Unit that is the Main Building on a Lot, but does not include Residential Uses in a hamlet.

**“COUNTRY RESIDENTIAL LOT OR PARCEL”** means a subdivided Lot or Parcel of Land, not including Lots within a hamlet, on which the Main Use is a Country Residential

Use. In the case of vacant Lot, Parcel, and/or Farmstead separations, the Main Use will be a Country Residential Use under the Land Use District designated at time of subdivision.

**”COUNTRY RESIDENTIAL USE”** means Buildings used or designated for residence or limited Residential Use compatible with the natural character of the terrain, generating a Density of not more than 0.25 du/ac.

## D

**”DATE OF ISSUE”** means the date on which the notice of a decision of the Development Authority is published, or seven (7) working days after such a notice is mailed or sent electronically.

**”DAY CARE FACILITY”** means a provincially licensed Development providing daytime personal care, Maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage, but does not include overnight accommodation. Day care Facilities include day care centres, day nurseries, kindergartens, nursery school, play schools and after-school or baby-sitting programs that satisfy this definition. Day care facilities shall not include a Day Home, a Family Care facility, a Group Care Facility, or a school operated by a School Division.

**”DAY HOME”** means a provincially licensed facility operated from a Dwelling supplying supervision to a maximum of six (6) children under the age of eleven (11) years or senior citizens, including any resident children and seniors, for periods of more than three (3) but no more than fourteen (14) consecutive hours. A Day Home may supply an outside recreation space that is both Fenced and gated, and shall meet all fire regulations and health regulations.

**”DECK”** means any open structure attached to a Building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the *Safety Codes Act*. A deck shall not have railings higher than 1.25 m (4.1 ft.) or a Roof nor can it have walls.

**”DENSITY”** means a measure of the average number of persons or Dwelling Units per Unit of area.

**”DENSITY BONUS”** means an incentive for Developers to provide Inclusionary Housing, superior design standards, and additional recreational amenities within a Development in exchange for greater Density level than allowed under the existing Land Use District.

**“DESIGNATED DISTRICT”** means the Land Use District assigned to land or Property within an area of the county and subject to the regulations for the Designated District within this bylaw.

**“DEVELOPED PARCEL”** means a Lot or Parcel of real Property that has been altered by grading or filling of the ground surface or by Development or any improvement or other impervious surface area.

**“DEVELOPER”** means an Owner, agent or any person, firm or company required to obtain or having obtained a Development Permit to build on or improve on land or property.

**“DEVELOPMENT”** means:

- (a) a Natural Resource Extraction or Ground Disturbance Operations, as defined and regulated under this Bylaw and the provincial government, and the creation of either of them, or
- (b) a Building, or an addition to, or replacement, or repair of a Building and the construction or placing of any of them in, on, over or under land, or
- (c) a change of Use of land or a Building, or an act done in relation to land or a Building that results in or is likely to result in a change in the Use of the land or Building, or
- (d) a change in the intensity of Use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the intensity of Use of the land or Building; or
- (e) the demolition or removal of a Building; or
- (f) the placement of an already constructed or a partially constructed Building on a Lot or Parcel of Land; and
- (g) without restricting the generality of the foregoing, includes:
  - i. in the case of a Lot used for residential purposes, alterations made to a Building or an additional Building on the Lot whether or not the Building is a Dwelling or part of a Dwelling Unit,
  - ii. in the case of a Lot used for other than residential purposes, alterations or additions made to a Building on the Lot or a Use of the Lot which would increase either the capacity of the Building or the intensity of Use of the Lot,
  - iii. the display of advertisements or Signs on the exterior of a Building or on any land,
  - iv. any increase in the number of Households occupying and living in any Building or on any Site, and any construction or alterations or additions which would provide for an increase in the number of Households which could occupy and live in any Building or on any Site, including any increase in the number of Dwelling Units in a Building or on a Site,
  - v. the placing of refuse or waste material on any land,

- vi. the Use of land for the storage or repair of motor vehicles or other machinery or equipment,
- vii. the continued Use of land or of a Building for any purpose for which it is being used unlawfully when this Bylaw comes into effect,
- viii. the demolition or removal of a Building,
- ix. the placement of an already constructed or a partially constructed Building on a Lot or Parcel of Land,
- x. the Use of land for the parking of trailers, bunk houses, portable Dwellings, skid shacks, or any other type of portable Building whatsoever, whether or not the same has been placed or affixed to the land in any way,
- xi. the removal of topsoil from land,
- xii. the recommencement of the Use to which land or a Building has been previously put if that Use has been Discontinued for a period of more than six months, or
- xiii. the Use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery.

**“DEVELOPMENT AUTHORITY”** means the Development Authority of the County as established by the County’s Development Authority Bylaw and appointed by Council.

**“DEVELOPMENT AUTHORITY OFFICER”** means the Development Authority Officer of the County as established by the County’s Development Authority Bylaw.

**“DEVELOPMENT, CLUSTER”** means an alternative to conventional Subdivision for Single-Use or Mixed-Use Development that dedicates at least 40% of the gross-developable area as Open Space. Cluster Development Density is determined for an entire specified area, rather than on a Lot-by-Lot basis, allowing for greater flexibility in designing and arranging Lots or Units, as long as the Development meets the total Density requirement for the Land Use District, by Clustering Lots or Units together. Cluster Development incorporates Low Impact Development practices and requires preparation and approval of a Site Development Plan or Area Structure Plan for Development of more than four (4) Lots. (*see Figures 3, a-b*)

**“DEVELOPMENT, CONSERVATION”** means an alternative to conventional Subdivision for Residential Use Development that dedicates at least 80% of the gross-developable area as Open Space, recreation, environmental, or agricultural Uses, and which may have a higher net Density than conventional multi-Lot residential Developments by means of Clustering. Conservation Development incorporates Low-Impact Development practices and requires preparation and approval of a Site Development Plan or Area Structure Plan for Development of more than four (4) Lots or Parcels. (*see Figures 4, a-b*)





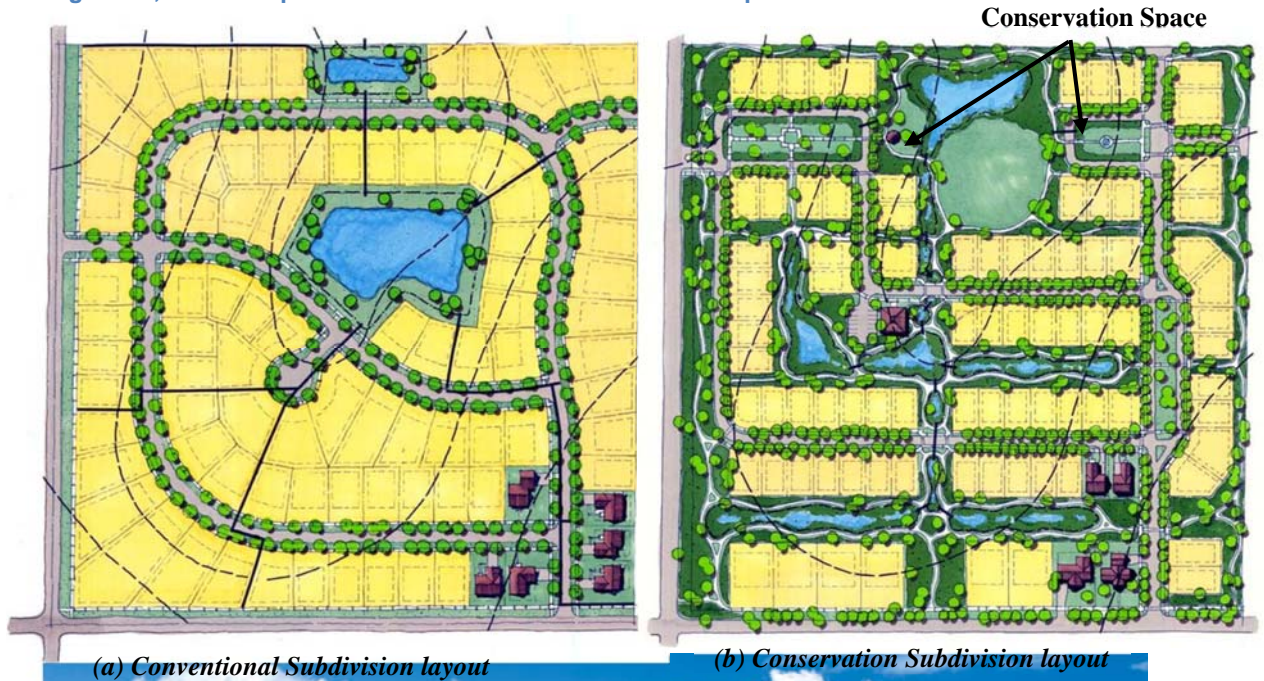
*(a) Industrial/Commercial Cluster Development Layout*

Figures 3, a-b. Examples of Commercial/Industrial Cluster Developments.



*(b) Industrial/Commercial Cluster Developments*

Figures 4, a-b. Example of a Residential Conservation Development



**“DEVELOPMENT CONSTRAINTS”** means those topographical features that present a barrier for the Development of the land without it resulting in an adverse impact to the environment or an adverse impact on the health and safety of person or Property. Such topographical features that can present a barrier for Subdivision or Development of land may include, but are not limited to, the following: treed areas, sloughs, poor quality farmland that is rocky or sandy land or slough areas, land with a farmland assessment ratio of 10% or less, or slopes in excess of 15% or slopes that are subject to slippage or mass movement. Development Constraints also refers to natural fragmenting features or topographical barriers identified by the County of Vermilion River Municipal Development Plan.

**“DEVELOPMENT PERMIT”** means a document authorizing a Development issued pursuant to this Land Use Bylaw

**“DISCONTINUED”** means the time at which, in the opinion of the Development Authority, substantial construction activity or Use, whether conforming or not conforming to this Bylaw, has ceased.

**“DOMESTIC PETS”** means animals which are not Livestock as defined in the Agricultural Operation Practices Act that are often kept within a Dwelling Unit. Such animals include dogs, cats, and similar animals.

**“DRINKING ESTABLISHMENT”** means a Development processing a Class A-Minors Prohibited liquor license, where the sale and consumption of liquor on-site are open to the public and where alcohol, rather than food, is the predominant item consumed. A Drinking Establishment does not include an Entertainment Establishment.

**“DRIVE-IN BUSINESS”** means a Development that serves customers traveling in motor vehicles driven onto the Site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the Premises. Drive-In Businesses include Service Stations, gas bars, Drive-In Restaurants, and drive-through vehicle service establishments such as lubrication Shops, Recycling Depots, and vehicle washing establishments.

**“DRIVE-IN RESTAURANT”** means an Eating and Drinking Establishment that is designed as a Drive-In Business. Drive-In Restaurants may have one or more of the following features: car attendant services, drive-through food pickup services, or parking primarily intended to allow for the on-Site consumption of food within a motor vehicle.

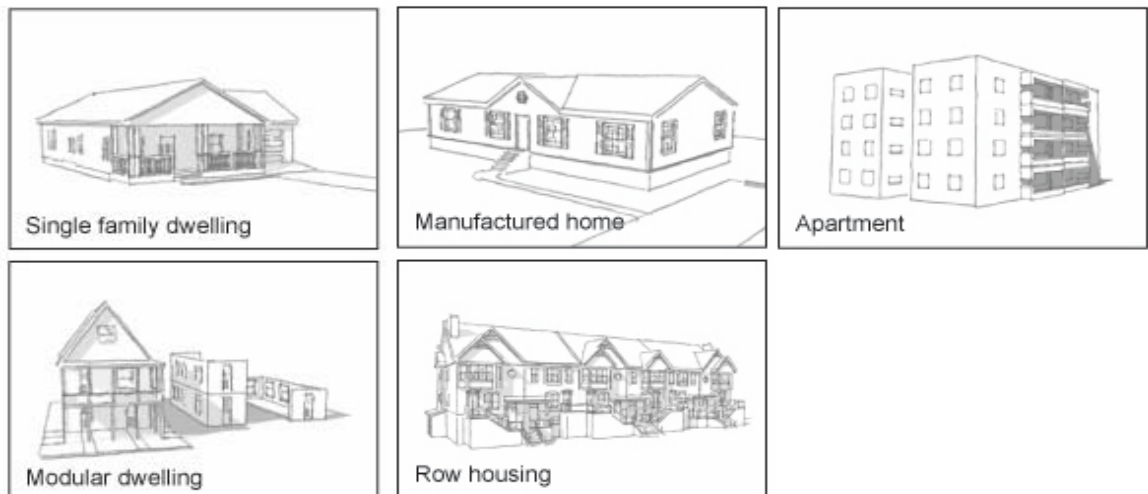
**“DUGOUT”** means the Excavation of land that results in man-made features that entrap water and includes Excavation for a water supply. Anything designed for a maximum depth shallower than 1.0 metre (3.28 feet) may be considered an ornamental pond for Landscaping purposes. Dugouts shall be in conformance with provincial legislation.

**“DWELLING”** means a Building or a portion of a Building containing one (1) or more Habitable Dwelling Units and their respective Accessory Use areas such that each constitutes a complete Dwelling Unit, and which, except for Secondary Suites, Accessory Living Quarters, or similar, is not separate from direct access to the outside by another separate Dwelling Unit (*see Figure 5*).

**“DWELLING, APARTMENT”** means a Dwelling containing three (3) or more Dwelling Units, but shall not mean Row Housing (*see Figure 5*).

**“DWELLING, COHOUSING”** means a Development that combines the privacy of Singly-Family Dwelling Units with extensive common facilities, such as kitchen, dining room, children’s playroom, activity rooms, and laundry facilities, thus enhancing a sense of community. Residents often come together to identify a Site and raise predevelopment funds, making the Development process much different from the usual Development of communities. Cohousing Dwellings shall be part of a community developed in a manner that is consistent to this process. Dwellings within a community developed through a different process, but with similar attributes, shall be considered “Cohousing inspired” communities.

Figure 5. Examples of Dwelling Types.





**“DWELLING, CONVERSION”** means a change in the Use of one (1) Household Dwelling or an accessory area, such as a Basement or attic, within an existing one (1) Household Dwelling into an additional Dwelling Unit through only minor, non-structural modifications.

**“DWELLING, DUPLEX”** means Development consisting of a Building containing only two (2) Dwelling Units placed, whether in whole or in part, side by side or with one (1) Dwelling placed over the other with individual and separate access from grade to each Dwelling.

**“DWELLING, FOURPLEX”** means Development consisting of a Building containing only four (4) Dwelling Units placed, whether in whole or in part, side by side or with one (1) Dwelling placed over the other with individual and separate access from grade to each Dwelling.

**“DWELLING, MODULAR”** or **“READY-TO-MOVE”** means a Single-Detached Dwelling constructed off-site, and under controlled conditions in large sections, but such sections or Units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side vertically. It does not refer to a type of Dwelling, but rather a method of construction, and extends to Manufactured Homes, Mobile Homes, and Single-Detached Dwellings (*see Figure 5*).

**“DWELLING, MOVE-IN/RELOCATION”** means the action of moving to a new place a Single-Detached Dwelling, which was built to meet Alberta’s Safety Codes and Alberta Building Code Standards, and has been attached to a permanent foundation on the existing location for more than six (6) months, as defined in the Alberta Building Code. Relocation does not include placement of a Manufactured Home or Modular Dwelling.

**“DWELLING, MULTI-FAMILY”** means a building containing three (3) or more Dwelling Units typically located one over the other and including garden Apartments, Apartment Buildings, and Condominiums and that share common walls or floor/ceilings with one or more Units. The land underneath the structure is not divided into separate Lots.

**“DWELLING, ROW HOUSING”** means a Building designed and built to contain three (3) or more Dwelling Units, each located on its own Lot, with a separate exterior entrance at grade that shares no more than two (2) party walls with adjacent Dwelling Units, and a vertical party wall that is insulated against sound transmission separates the Units. Row Housing does not share common floor/ceilings with other Dwelling Units (*see Figure 5*).

**“DWELLING, SEMI-DETACHED”** means Development consisting of one (1) Dwelling Unit placed, whether in whole or in part, side by side or over the main Dwelling Unit with individual and separate access from grade to each Dwelling.

**“DWELLING, SINGLE-FAMILY”** or **“DWELLING, SINGLE-DETACHED”** means a standalone Building consisting of one (1) Dwelling Unit intended or designed as a residence for one (1) Household constructed on-site. However, a Single-Detached Dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the Site for assembly on-site, and thus may be a Modular Dwelling (*see Figure 5*).

**“DWELLING, STACKED ROW HOUSING”** means a Development consisting of Row Housing, except that Dwellings may be arranged vertically two (2) deep, so that Dwellings may be placed over each other. Each Dwelling shall have separate and individual access, not necessarily directly, to grade, provided that no more than two (2) Dwellings may share access to grade.

**“DWELLING UNIT”** means a self-contained Unit having sleeping, cooking and toilet facilities, provides 220-volt wiring, and including Accessory Use areas, such as closets, hallways, laundry rooms, storage rooms, and utility spaces that is used or intended to be used exclusively for human habitation permanently, semi-permanently, or seasonally for one (1) Household. This definition shall include Single-Family Dwellings, Duplexes, Semi-Detached Dwellings, Row Housing, Apartments, Modular Dwellings, Mobile and Manufactured Homes, and similar factory or site built housing types, but shall not include Recreational Vehicles of any kind.

**“DWELLING UNIT, HABITABLE”** means those areas of a Dwelling Unit, usually of residential Occupancy, fit for human beings to live in on a permanent or temporary basis that provide for living, sleeping, eating, or cooking purposes, but does not include their Accessory Use areas, such as bathrooms, closets, hallways, laundry rooms, storage rooms, and utility spaces.

**“DWELLING UNIT, MAIN”** means a Residential Use that is the Main Use on a Lot or Parcel of Land.

**“DWELLING UNIT, SECONDARY”** means a standalone additional Dwelling Unit on a Lot or Parcel that is separate and subordinate to the main Dwelling, the Use of which is incidental to the main Dwelling, which has a permanent foundation. A Secondary Dwelling Unit is not contained within the same Building as the Main Dwelling or in an Accessory Building. A Secondary Dwelling Unit may be a Manufactured Home, Modular or Ready-To-Move Dwelling, or a Single-Detached Dwelling, and includes Backyard Collages, Tiny

Homes, and Accessory Living Quarters. A Secondary Dwelling Unit does not include a Secondary Suite.

**“DWELLING UNIT, TEMPORARY”** means a temporary, portable detached Dwelling Unit, located on a Lot containing an existing Single-Detached Dwelling.

## E

**“EASEMENT”** means a right to Use land, generally for access to other Property or as a right-of-way for a Public Utility.

**“EATING AND DRINKING ESTABLISHMENT”** means a Development where food and/or beverages are prepared and offered for sale to the public for consumption at an accessory outdoor seating area on or off the Site. An Eating and Drinking Establishment does not include either a Drinking Establishment or an Entertainment Establishment unless otherwise provided for in an approved Development Permit. An Eating and Drinking Establishment does not include an Adult Entertainment Establishment or Adult Uses.

**“ENTERTAINMENT ESTABLISHMENT”** means a Development where persons are entertained by performance acts such as music, theatre, or the like. An Entertainment Establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An Eating and Drinking Establishment may contain within it an Entertainment Establishment, but only if specifically provided for in an approved Development Permit. An Entertainment Establishment does not include either an Adult Entertainment Establishment or Adult Uses.

**“ENVIRONMENTALLY SIGNIFICANT AREA”** means those areas:

- (a) designed as Hazard Land;
- (b) that perform a vital environmental, ecological, or hydrological function, such as aquifer recharge;
- (c) that contain unique geological or physiographic features;
- (d) that contain significant, rare or endangered plant or animal species;
- (e) that are unique habitats with limited representation in the region or are a small remnant of once large habitats that have virtually disappeared;
- (f) areas that contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;
- (g) areas that contain large and relatively undisturbed habitats and provide shelter habitat for species that are intolerant of human disturbance;
- (h) areas that provide an important linking function and permit the movement of wildlife over considerable distances, including migration corridors and migratory stopover points;

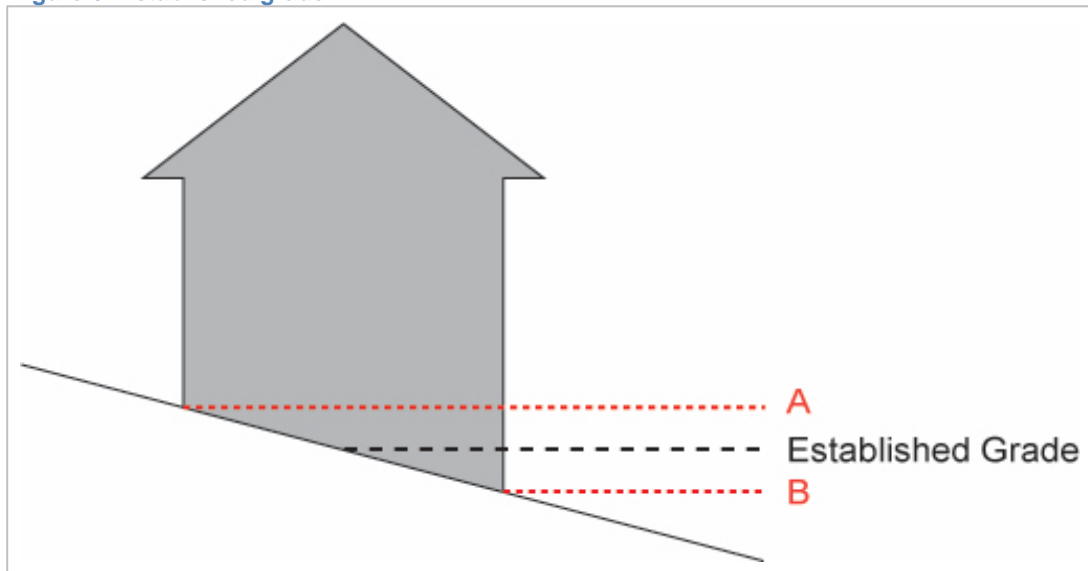
- (i) areas that are excellent representatives of one or more ecosystems or landscapes that characterize a natural region;
- (j) areas with intrinsic appeal due to widespread community interest or the presence of highly valued features or species, such as game species or sport fish; and
- (k) areas with lengthy histories of scientific research.

**“EQUIPEMENT FABRICATION”** means the assembly and required storage of industrial equipment, trailers and other similar equipment and may involve a sales component.

**“EQUIPMENT RENTAL ESTABLISHMENT”** means a Development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment Rental Establishments do not include Developments where motor vehicles or industrial equipment are rented or serviced.

**“ESTABLISHED GRADE”** means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the main Exterior Walls of a Building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both case of any artificial embankment or entrenchment (*see Figure 6*).

**Figure 6: Established grade**



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

**“EXTENSIVE AGRICULTURE”** means the Use of land or Buildings, including one Dwelling, for an Agricultural Operation, but not including Intensive Agriculture or a Confined Feeding Operation, which requires either a registration or an approval under Part 2 of the *Agricultural Operations Practices Act*.

**“EXTENSIVE RECREATION”** means a development where the prime reason for location is to take advantage of natural features including the availability of large areas of land to provide for non-facility oriented recreational activities. In the context of a large area of land, that is, anything over 32 ha (79.1 ac.), Extensive Recreation may include activities such as hunting, trail riding, snowmobiling, hiking and other similar Uses. In the context of a smaller area of land, that is, anything under 32 ha (79.1 ha), Extensive Recreation may include the provision of opportunities for viewing nature, fishing, relaxation, and rest; and may or may not include a Site where only one (1) or two (2) Recreational Vehicles or Campsites, and/or one (1) Cottage, Single Family Dwelling or Manufactured Home may be located.

**“EXTERIOR WALL”** means the outermost point of a Building projection, including, but not limited to, bay windows, oval windows, chimneys and verandas, but not including Roof overhangs less than 0.6 m (2.0 ft.).

## F

**“FAMILY CARE FACILITY”** means a facility that provides resident service in a Dwelling to six (6) or fewer individuals who are not related to the resident Household. These individuals are physically handicapped, aged, or disabled, and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not group homes.

**“FARM BUILDING”** means an Accessory Building that

- (a) does not contain a residential Occupancy,
- (b) is used in conjunction with an Agricultural Operation and situated on the same Lot or Parcel of Land in connection with such Agricultural Operations,
- (c) is not used or occupied by, or expected to be used or occupied by, the public or persons, other than the farmer or farmers that own the Building, their immediate family, and/or their employees, that may be in the Building from time to time during the natural course of Farming operations,



(d) and the Building is used for:

- i. housing Livestock,
- ii. storing, sorting, grading, or bulk packaging primary agricultural products,  
or
- iii. housing, storing, or maintaining machinery associated with the operation  
of the farm on which it is located.

**“FARMING”** means the Use of land or Buildings for an Agricultural Operation, but does not include Intensive Agriculture or Confined Feeding Operations.

**“FARM RESIDENCE”** refers to an individual, freestanding, unattached Single-Dwelling Unit with improvements accessory to the Dwelling Unit and situated on an unsubdivided Parcel of Land used in connection with Agricultural Operations.

**“FARMSTEAD”** means a Dwelling unit, together with improvements Used in connection with an Agricultural Operation and situated on an unsubdivided Parcel of Land in connection with such Agricultural Operations Uses.

**“FARMSTEAD, ABANDONED”** means an unoccupied farmyard that contains two (2) or more of the following: an abandoned residence, developed potable water source, an established sewage collection system, an existing shelterbelt, or any other features that would indicate a previously developed Farmstead.

**“FENCE”** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access.

**“FLOOD PLAIN”** means the area of land adjacent to a water body or man-made body of water that has been or may be covered by the 1:100 year flood or highest and most frequent rain event series relevant to flooding of the land.

**“FLOODWAY, 1:00 YEAR”** means the channel of a river or stream that the parts of the Flood Plain adjoining the channel that are reasonably required to efficiently carry and discharge the floodwater or flood flow of a river or stream. Although it can be referenced to as a 1:100 year flood, this does not mean that it will occur once every hundred years. A 1:100 year flood has a one (1%) chance of being equaled or exceeded in any given year.

**“FLOOR AREA”** means the total area of all floors of a Building above grade measured from within the final finish of Exterior Walls, but not including the Floor Area of Basements, attached Garages, Sheds, open porches or breezeways. All Dwelling Units in an Apartment shall be included in the calculation of Floor Area. In the case of Attached,

Semi-Detached, or Accessory Living Quarters, Floor Area shall be measured at the centreline for shared walls.

**“FRAGMENTED PARCEL”** means a Parcel of Land or a portion of a Parcel of Land that is separated from the balance of a titled Parcel by a natural barrier such as a river or a coulee or by a physical barrier such as a Highway, Road or railroad, which impedes reasonable or normal access.

**“FUR FARM”** means any land, Building, or Premises used for the keeping, breeding, or rearing of furbearing Livestock.

## G

**“GAME FENCE”** means a Fence specifically designed to keep exotic Livestock such as bison, elk, deer, llama, emu and similar animals within a confined space in an Agricultural Operation.

**“GARAGE”** means a Building to be used for the storage of vehicles such as a passenger car, a truck with a gross vehicle weight of two (2) tonnes or less, a Recreational Vehicle, a boat, or similar belongings.

**“GARBAGE”** means discarded or rejected ashes, bottles, metal cans or tins, crockery, glass, grass cuttings and other garden refuse, cloth, paper, food and food waste, trees, branches, wrappings, sweepings and other items of Household refuse, but does not include human or animal excrement, or industrial/commercial waster or dead animals therefrom.

**“GENERAL RETAIL ESTABLISHMENT”** means a Development where, among other goods, groceries, beverages, Household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold, except for any and all types of alcoholic beverages. Minor public services, such as postal services and film processing depots may also be provided.

**“GEOTHERMAL ENERGY”** means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperature of the earth.

**“GOVERNMENT SERVICES”** means a Development where municipal, provincial, or federal Government Services are provided directly to the public. Government Services do not include Protective and Emergency Services, major and minor utility services, and

public education facilities. Government Services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices.

**“GRAVEL PIT”** means an open-pit mine for the long-term mining extraction of gravel.

**“GREENHOUSE”** means a commercial establishment, with or without a Building, where vegetables, flowers and other plants are grown for sale as plants, and which may include a market garden or plant nursery, and does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“GROUP CARE FACILITY”** means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals are physically handicapped, aged, or disabled, and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not Group Homes.

**“GUEST HOUSE”** means an Accessory Building to a Single-Family Dwelling, which contains a Dwelling Unit or part of a Dwelling Unit which is used solely by members of the family or by temporary guests of the family occupying the Single-Family Dwelling.

**“GUEST RANCH”** means a working ranch where tourists are accommodated on a temporary basis for the purpose of experiencing and participating in the daily operation of the ranch, and may include temporary sleeping accommodation for no more than forty-five (45) tourists, physical/health fitness rooms and a restaurant limited to the seating of no more than forty-five (45) guests.

## H

**“HARDSHIP”** means an existing condition that makes it onerous to comply with the regulations of the Land Use Bylaw. This may be because of some unique aspect of the Property itself, be it shape or topographic constraints whether natural or man-made. A Hardship does not relate to the personal needs of the landowner and cannot be “self-created”.

**“HAZARD LANDS”** means lands that are unsafe for Development in their natural state such as Flood Plains and steep and unstable slopes; or that pose severe constraints on types of Development such as aeolian surficial deposits (a deposit that forms as a result of the accumulation of wind-driven products of the weathering of solid bedrock or unconsolidated alluvial, lacustrine, marine, or other deposits); and permanent wetlands, which may be

prone to flooding, shoreline erosion, or slope instability hazards; or any hazard that may result in life loss or injury, Property damage, social and economic disruption or environmental degradation such as floodways and lands in proximity to water bodies; and water courses with slopes greater than 10%.

**“HEALTH SERVICE”** means a Development where physical or mental Health Services are provided on an outpatient or on an in-patient basis. If the services are provided on an in-patient basis, the Use may also include accessory staff residences. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health Services include medical, chiropractic, and dental offices, health clinics and counseling services, hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**“HEAVY TRUCK AND EQUIPMENT STORAGE”** means the on-Lot storage, inside a single Accessory Building, of heavy trucks and equipment owned and operated by a resident or residents of the Single-Family Dwelling or Manufactured Home situated on the same Lot.

**“HIGHWAY”** means a Highway as defined in the *Public Highways Development Act, R.S.A.* 2000.

**“HIGHWAY COMMERCIAL USE”** means a Commercial Use intended to serve the motoring public and includes, but is not limited to, service or gas stations, Drive-In Restaurants, and Motels.

**“HOME, GROUP”** means a Building or portion of a Building used for the care or rehabilitation of adults or children which is not predominantly related to age or a physical disability or the care or rehabilitation of the aged or the physically disabled. Group Homes include halfway houses, addition rehabilitation centres, care which is an alternative to legal incarceration, or treatment for mental illness or mental instability.

**“HOME, MANUFACTURED”** means a detached, factory-built, Single-Family Dwelling place on a permanent foundation and manufactured in full compliance with both the Canadian Standards Association (CSA) Z-240 MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displayed CSA Z240MH Mobile Home label AND an Alberta Municipal Affairs label that certifies compliance to the ABC. Notwithstanding the requirement regarding labels, should a Building not have a label, it can still be considered a Manufactured Home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in Section 7.17 of this Bylaw be followed.

**“HOME, MOBILE”** means a Manufactured Home that is designed for transportation after fabrication on streets and Highways on its own wheels to the Site where it is to be occupied as a Dwelling Unit for one (1) Household, ready for Occupancy except for minor and incidental unpacking and assembling operations, location on permanent or semi-permanent foundations, connections to utilities and the like.

**“HOME, MOTOR”** means a motor vehicle equipped with Living Quarters behind the driver’s compartment, with kitchen facilities, beds, etc. for Recreational Use.

**“HOME OCCUPATION, MAJOR”** means Development consisting of the Use of an approved Dwelling and/or Accessory Building, by an Occupant of that Dwelling, for one or more activities in connection with any occupation, trade profession, or craft carried on by an Occupant of a Dwelling as a Use secondary to the Residential Use of the Building, and which does not change the character of or have any exterior evidence of such secondary Use other than a Sign as allowed in this Bylaw, and would normally attract more than five (5) clients per week, but does not include the on-site employment at the Dwelling or Accessory Buildings of more than two (2) paid assistants other than the Occupant and the Occupant’s family.

**“HOME OCCUPATION, MINOR”** means Development consisting of the Use of an approved Dwelling and/or Accessory Building, by an Occupant of that Dwelling, for one or more activities in connection with any occupation, trade profession, or craft carried on by an Occupant of a Dwelling as a Use secondary to the Residential Use of the Building, and which does not change the character of or have any exterior evidence of such secondary Use other than a Sign as allowed in this Bylaw, and would not normally attract more than five (5) clients per week, nor does include the employment of any paid assistant(s) at the Dwelling or Accessory Buildings other than the Occupants of the Dwelling.

**“HOME, PANELIZED”** means homes built with pre-fabricated wall, floor and/or Roof assemblies. Panels may be partially or fully completed in the factory, with windows, doors and siding often installed already. They are shipped flat to the Site where they are assembled, and the home is finished inside and out. The use of panels reduces on-Site construction time significantly. Panelized Home shall comply with the same standards as a Manufactured Home.

**“HOME PARK, MANUFACTURED”** means a Parcel of Land under single Ownership, which has been planned and divided into rentable spaces or Lots for the long-term accommodation of Manufactured Homes.

**“HOME, PRE-ENGINEERED”** means essentially “pre-packaged” homes. All major Building components are prepared in the factory and shipped to the Building Site ready for

assembly; including framing materials, doors, windows, roofing, siding, interior wall partitions and sub-flooring. The pre-engineered Building system emphasizes precision design and pre-cutting, and can be used for virtually any home design. Pre-Engineered Home shall comply with the same standards as a Manufactured Home.

**“HOME, SITE-BUILT”** means a Dwelling that is constructed primarily on the Site on which it is to be located. Although some components may be prefabricated off-site, the Dwelling is erected, framed, and finished by workers on location using stock materials.

**“HOME, TINY”** means a Development intended for separate, independent Living Quarters for one (1) Household that is a detached, self-contained Dwelling Unit the design and the structure of which, at the discretion of the Development Authority, is compatible with the Main Building and the neighborhood. A Tiny Home shall comply with the same standards as a Manufactured Home and shall be placed on a permanent foundation. A Tiny Home shall be located behind the Main Building.

**“HORTICULTURAL DEVELOPMENT”** means the intensive growing of specialized crops, either enclosed or not, and without restricting the generality of the above, may include:

- (a) Greenhouses;
- (b) Nurseries;
- (c) Tree farms;
- (d) Market gardens; and
- (e) Other similar Uses

Horticultural development does not include a Licensed Medical Marijuana Production Facility.

**“HOTEL”** means a Building containing Rentable Units, occupied or equipped to be occupied as a temporary abode for tourists or transients, which also may contain a General Retail Establishment, a Drinking Establishment, or an Eating and Drinking Establishment; however, a Hotel may include an Entertainment Establishment when specifically provided for in an approved Development Permit. A Hotel shall not include a Work Camp.

**“HOUSEHOLD”** means:

- (a) a person, or
- (b) two (2) or more persons related by blood, marriage, a common law relationship, or adoption, or
- (c) a group of not more than five (5) persons who are not related by blood, marriage, or adoption,

all living together as a single housekeeping group and using cooking facilities shared in common. A Household may also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children.

**“HOUSEHOLD REPAIR SERVICE”** means a Development where goods, equipment and appliances normally found within a Dwelling Unit may be repaired. Household Repair Services include radio, television, appliance and electronics repair Shops, and furniture refinishing and upholstery Shops, but not Personal Service Shops. Household Repair Services do not have any Outdoor Storage.

**“INCLUSIONARY HOUSING”** means “Inclusionary Housing” as defined in the *Municipal Government Act; RSA 200 c. M26*, as amended or repealed and replaced from time to time.

**“INDUSTRIAL HEMP”** means “the plants and plant parts of the genera Cannabis, the leaves and flowering heads of which do not contain more than 0.3% THC w/w, and includes the derivatives of such plants and plant parts,” as defined in *Industrial Hemp Regulations (SOR/98-156) (SOR/2013-119)*, as amended.

**“INDUSTRIAL PARK”** means an area designed and districted for the purposes of accommodating a cluster of industrial Development.

**“INDUSTRIAL USE, HEAVY”** means a Development which would be considered to be a Medium Industrial Use except that, in the opinion of the Development Authority, the Development may not be able to co-exist compatibly in proximity to other Uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the Industrial Use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be Offensive or hazardous to human health, safety or well-being. Heavy Industrial Uses also include the storage of toxic, flammable, or explosive products in significant quantities; rendering plants, petro-chemical industrial establishments, and alfalfa processing plants or large-scale Outdoor Storage that is unsightly or visually Offensive.

**“INDUSTRIAL USE, LIGHT”** means a Development that, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other Uses or population concentrations. Light Industry is usually less capital intensive than Heavy



Industrial or Medium Industrial Uses, and is more consumer-oriented than business-oriented. Light Industries require only a small amount of raw materials, area, and power. Light Industrial Use is where any of the following:

- (a) processing of raw materials, and/or
- (b) manufacture and/or assembly of semi-finished or finished goods, products, or equipment, and/or
- (c) cleaning, servicing, repairing, salvaging, and/or testing of materials, goods, and equipment normally associated with industrial or commercial business, and/or
- (d) cleaning, servicing, and/or repairing of goods and equipment associated with personal or Household Use, and/or
- (e) storing and/or transshipping of materials, goods, and equipment, and/or
- (f) distribution and/or sale of materials, goods, and equipment to institutions and/or industrial and commercial businesses for their direct Use and/or to General Retail Establishments and/or other retail establishments for resale to individual customers, and/or
- (g) training of personnel in general industrial operations,

takes place in such a manner that, in the opinion of the Development Authority, an adverse environmental impact is not created beyond the Building or structure in which the light industry is located. Light Industrial Uses do not produce significant toxic or noxious by-products as a result of the activity generated by the Use or Uses of the Lot, and said Use is compatible with other Industrial and Commercial Uses in a concentrated setting. Light Industrial Uses include motor vehicle body and paint Shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the Light Industrial Use activities identified above. The total Floor Area of such accessory activities shall not exceed thirty-three percent (33%) of the total Floor Area of the Building or Buildings devoted to the Light Industrial Use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place outdoors.

**“INDUSTRIAL VEHICLE AND EQUIPMENT SALES/RENTALS ESTABLISHMENT”** means a Development where new or used heavy vehicles, machinery, or mechanical equipment typically used in Building, Road, pipeline, oilfield, mining, construction, manufacturing, assembling, processing operations, and/or Agricultural Operations are sold or rented together with incidental Maintenance services and sale of parts. Industrial Vehicle and Equipment Sales/Rental Establishments do not include truck and Recreational Vehicle sales/rental establishments or automotive and minor Recreational Vehicles sales/rental establishments.



**“INSTITUTIONAL USE”** means Development which is used for a public or non-profit purpose and, without limiting the generality of the foregoing, may include such Uses as schools, places of Religious Assembly, indoor recreation facilities, libraries, community centres, hospitals, public offices and senior citizen housing.

**“INTENSIVE AGRICULTURE”** means an Agricultural Operation that operates on an intensive basis, and due to the nature of the operation, can use smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, Greenhouses, and Kennels, but does not include Confined Feeding Operations, and does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“INTENSIVE RECREATION”** means high-Density recreational activities such as fishing lodges, beach areas, marinas, riding stables, racetracks, sports fields, golf courses, arenas, swimming pools, tennis courts, and other similar activities.

## K

**“KENNEL”** means the grooming, boarding, or selling or any combination thereof, of Household pets. For additional provisions applicable to Kennels, see **“ANIMAL BREEDING AND/OR BOARDING FACILITY”**.

## L

**“LANDFILL”** means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern or a disposal well.

**“LANDFILL, CLASS II”** means a Landfill for the disposal of waste, not including hazardous waste.

**“LANDFILL, CLASS III”** means a landfill for the disposal of waste:

- (a) that is solid;
- (b) that, on disposal in a Landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect, and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal and dry timber or wood that has not been chemically treated, but does not include hazardous waste.

**“LANDSCAPING”** means the modification and enhancement of a Site through the Use of any or all of the following elements:

- (a) vegetation such as lawns, trees, shrubs, hedges, ground cover, ornamental plantings, or similar.
- (b) architectural such as Fences, Screening, walks, or other structures and materials used in landscape architecture.

**“LAND SUITABILITY ANALYSIS”** is a GIS-based process applied to determine the suitability of a specific site for considered Use, in other words it reveals the suitability of an area regarding its intrinsic characteristics (suitable or unsuitable) for a specific Use (residential, non-residential). A Land Suitability Analysis (LSA) may also consider other criteria, including environmental, social and economic factors.

**“LAND USE”** means the various ways in which human beings make use of and manage the land and its resources for different types of activities, such as economic, residential, recreational, conservational, and governmental purposes.

**“LAND USE BYLAW”** means a County Bylaw that divides the County into Land Use Districts and establishes procedures for processing and deciding upon Development applications. It regulates the Use and Development of both land and Buildings within the Municipality, in order to ensure orderly, efficient Development. A Land Use Bylaw is required for every Municipality in Alberta as per the requirements in the Municipal Government Act, as amended.

**“LAND USE DISTRICT”** means a classification that determines what type of activities are allowed to occur on the land and properties located within an area of the County with the Use of land or Property within each Land Use District being reasonably uniform.

**“LANE”** means a right-of-way on which motorized vehicles are normally allowed to operate which is 10 m (32.8 ft.) or less in width.

**“LATTICE TOWER”** means a non-solid structure made up of vertical, horizontal and diagonal members assembled in triangular or square faced sections that can be stacked to obtain height. The structure can stand by itself (self-supporting), on a foundation, or it may be of the type requiring supporting assistance of cables (guyed tower).

**“LEADING WALL”** means the outermost part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.

**“LIBRARY AND CULTURAL EXHIBIT”** means a Development where literary, artistic, municipal, and/or similar reference materials in the form of books, manuscripts,

recordings, and films are stored, collected, available, and distributed for public Use, viewing, or enjoyment; or a Development where works or objects of historical, scientific, or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits include libraries, museums, and art galleries.

**“LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY”** means the Use of land, Buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import Industrial Hemp, including related research, under the *Industrial Hemp Regulations (SOR/98-156)*, as amended, or any subsequent legislation that may be enacted in substitution.

**“LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY PREMISES”** means a location registered under the *Industrial Hemp Regulations (SOR/98-156)* or as amended, as a Licensed Industrial Hemp Production Facility and includes all areas of the Site that are used in the business operated at the Site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the Parking Areas and the landscaped areas located outside of the Building or Buildings, which accommodate the primary activities of the Licensed Industrial Hemp Production Facility.

**“LICENSED CANNABIS FOR MEDICAL PURPOSES PRODUCTION FACILITY”** means the Use of land, Buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import marijuana for medical purposes, including related research, under the *Access to Cannabis for Medical Purposes Regulations (SOR/2016-230)*, as amended, or any subsequent legislation that may be enacted in substitution.

**“LICENSED CANNABIS FOR MEDICAL PURPOSES PRODUCTION FACILITY PREMISES”** means a location registered under the *Access to Cannabis for Medical Purposes Regulations, SOR/2016-230*, (Canada) or as amended, as a Licensed Cannabis for Medical Purposes Production Facility; and includes all areas of the Site that are used in the business operated at the Site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the Parking Areas and the landscaped areas located outside of the Building or Buildings, which accommodate the primary activities of the Licensed Cannabis for Medical Purposes Production Facility.

**“LINE, FRONT”** means the boundary line of a Lot lying adjacent to a Highway or Road. In the case of a Corner Lot, the shorter of the two boundary lines adjacent to the Highway or Road shall be considered the Front Line or as required by the Development Authority.

**“LINE, LOT”** means the boundary (Property) line of a Lot or Parcel of Land, including the Front Line, Rear Line, and Side Line of the Lot.

**“LINE, REAR”** means the boundary line of a Lot lying opposite to the Front Line of the Lot and/or farthest from a Highway or Road.

**“LINE, SIDE”** means the boundary line of a Lot lying between a Front Line and a Rear Line on a Lot or Parcel. In the case of a Corner Lot, the longer of the two boundary lines adjacent to the Highway or Road shall be considered a Side Line or as required by the Development Authority.

**“LIQUOR SALES AND STORAGE ESTABLISHMENT”** means a Development or a part of a Development used for the retail sale of any and all types of alcoholic beverages to the public for consumption off Premises. This Use may include the retail sales of related products such as soft drinks and snack foods.

**“LIVESTOCK”** means Livestock as defined in the Agricultural Operation Practices Act.

**“LIVESTOCK SALES YARD”** means any enclosed area of land, with or without Accessory Buildings or structures, upon which Livestock is collected for sale or for market distribution.

**“LIVING QUARTERS”** means a self-contained Habitable Dwelling Unit, but does not include Basement, Garage or Carport, Patio, or atrium.

**“LOT”** means a recognized Subdivision of Property with a written legal description that addresses permissions or constraints upon its Development. It is common for a Lot and a Parcel of Land to share the same space and have common boundaries, but this is not always the case. For instance, it is possible for a Parcel of Land to contain more than one Lot, or portions of Lots. A Lot may be:

- (a) a quarter section,
- (b) a river Lot, lake Lot, or settlement Lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office;
- (c) a separate Ownership of a space or Unit within a Building or on bare land described in a Certificate of title, if the boundaries of the portion are described in the Certificate of title by reference to a plan of Subdivision;
- (d) settlement Lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office; or

- (e) a portion of a Parcel of Land described in a certificate of title, if the boundaries of the portion are described in the certificate of title by reference to a plan of Subdivision.

**“LOT, AGRICULTURAL”** means an unsubdivided Lot approved by the Alberta Farm Fuel Benefit Program (AFFB), as provided for in the *Fuel Tax Act*, evidenced by a valid AFFB Program registration number.

**“LOT, CORNER”** means a Lot having frontage on two or more rights-of-way, other than lands, or in the case of a Bare Land Condominium Development, a Unit as described in the *Condominium Property Act* having two contiguous Property Lines Abutting Common Property used as Road access. For the purposes of this definition, a Road shall not include a Lane (*see Figure 7*).

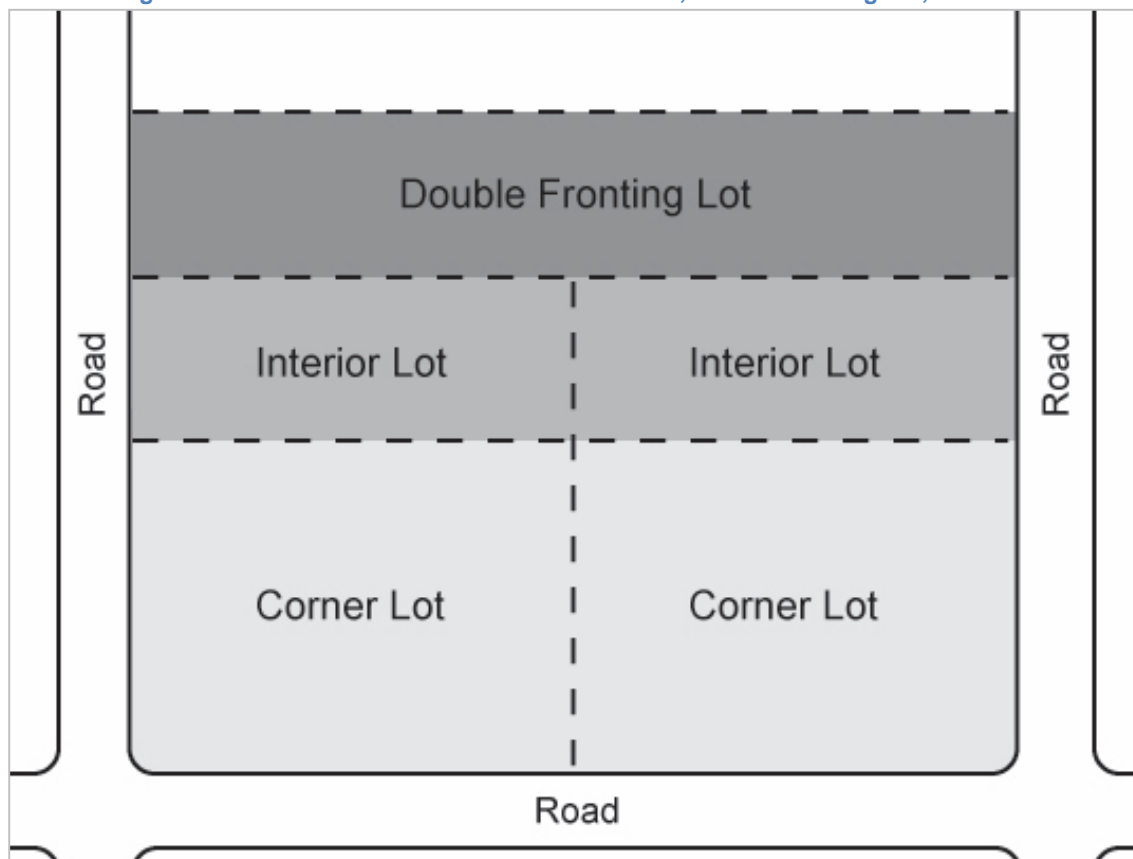
**“LOT COVERAGE”** means the percentage of a Lot covered by all Buildings on the Lot.

**“LOT, DOUBLE FRONTING”** means a Lot that Abuts two Roads, which has frontage on each Road; except alleys as defined in the *Traffic Safety Act, R.S.A. 2000*, as amended, which are parallel or nearly parallel where Abutting the Lot, but does not include a Corner Lot (*see Figure 7*).

**“LOT, INTERIOR”** means a Lot, which Abuts a Road only on the Front Line (*see Figure 7*).

**“LOT, LAKE FRONT”** means a developable Lot or Parcel that is adjacent to a river or water body or, whether or not separated by a conservation or environmental reserve Easement.

Figure 7: Illustration of lot definitions: Corner Lot, Double Fronting Lot, and Interior Lot



**“LOT, MINIMUM AREA”** means the minimum area required to ensure there is adequate space to accommodate the Building area, water, drainage or sewage disposal, and any required systems to provide servicing after accounting for the Setback requirements from the County, relevant agencies, provincial policies, and any other applicable Setbacks or required Easements.

**“LOT, RESERVE”** means a dedication of land as outlined in the *Municipal Government Act*.

**“LOT, SUBSTANDARD”** means any Lot, which is smaller in area or in any dimension than the minimum area or dimension stipulated in the regulations of the District in which the Lot is located.

**“LOT, VACANT”** means an unoccupied Parcel of Land, developed or undeveloped, at time of Subdivision.

**“LOT WIDTH”** means the distance between the Side Lines of a Lot measured at a distance from the Front Line equal to the minimum required Front Yard for the applicable Land Use District where the Lot or Parcel of Land is located. In a Lot with a curved Front Line, the Lot Width shall be measured from the mid-point of the Front Line and the mid-point of the Rear Line, at a distance from the Front Line equal to the minimum required Front Yard for the applicable Land Use District where the Lot or Parcel of Land is located.

**“LOW-IMPACT DEVELOPMENT (LID)”** means a land-planning and engineering design approach to managing storm water runoff, which emphasizes use of on-site natural features to protect water quality. Low Impact Developments are designed to reflect natural hydrology, minimize impervious surfaces, treat storm water in small-decentralized structures, preserve portions of the Site in natural conditions, and use natural topography for drainage ways and storage.

## M

**“MAIN BUILDING”** means a Building in which, in the opinion of the Development Authority, within the Designated District is conducted the Main Use or Uses of the Site on which it is erected.

**“MAINTENANCE”** means the upkeep of the physical form of any Building that does not require a permit pursuant to the *Safety Codes Act*. Maintenance may include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the current habitable Floor Area.

**“MAIN USE”** means a Use that, in the opinion of the Development Authority, within the Designated District is the main purpose for which the Site is ordinarily used.

**“MANUFACTURING”** means establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products.

**“MANURE STORAGE FACILITY”** means a Manure Storage Facility as defined in the *Agricultural Operation Practices Act*.

**“MEDIUM INDUSTRIAL USE”** means Development that may involve the manufacturing, processing, fabrication, storage, transportation, distribution, or wholesaling of goods and services, and which does not emit noise, smoke, odour, dust, or vibration beyond the boundaries of the Lot on which the Medium Industrial Use is located. For the purpose of this Bylaw, dust refers to matter in fine, powdery, dry particles



produced as a direct result of the activity generated by the Medium Industrial Use on the Lot rather than that produced because of travel that takes place to and from the Lot. A Medium Industrial Use may also include the retail of goods and/or services to the public, so long as any such retail component is accessory to the main Medium Industrial Use. The total Floor Area of such accessory activities shall not exceed thirty-three percent (33%) of the total Floor Area of the Building or Buildings devoted to the Medium Industrial Use.

**“MIXED-USE DEVELOPMENT”** means a Development designed to accommodate more than one type of Use on the same Site or Building with no more than 60% of the gross Floor Area (GFA) devoted to any single Land Use category (e.g., residential, commercial, industrial). The composition of Uses will typically be retail or office on the main floor, with Residential Uses above. In these Developments, Residential Uses are not generally considered appropriate to be on the same floor as Commercial Uses; however, Residential Uses may be allowed on the main floor at the discretion of the Development Authority, and provided that the Commercial Use is located at the street front and the Uses have separate entrances.

**“MOTEL”** means a Development where members of the travelling public are lodged for brief amounts of time, normally not exceeding seven (7) days, in Rentable Units, and where access to each of the Rentable Units is individually available from the outside, either at grade or via stairways. A Motel may include minor Eating and Drinking Establishments and convenience retail stores, may include a liquor store, an Entertainment Establishment, or an establishment where there is a dance floor. A Motel shall not include a Work Camp.

**“MUNICIPAL GOVERNMENT BOARD”** means the Municipal Government Board established under Part 12 of the *Municipal Government Act*, and includes any panel of the Board.

**“MUNICIPALITY”** means the County of Vermilion River.

## N

**“NATURAL AREA”** means an area of land and/or water especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means. Areas such as groomed parks, recreational areas for sports, and schoolyards are not included in this definition.

**“NATURAL RECREATION USE”** means a recreational Development conducted on a single Site where the prime reason for location is to take advantage of natural physical features, including the availability of large areas of land, to provide for Passive Recreation or a wilderness retreat with the exclusion of the use of Off-Highway Vehicles.

**“NATURAL RESOURCE EXTRACTION INDUSTRY”** means Development for the on-site removal, extraction, and primary processing of raw materials found on or under the Site. Typical uses include gravel or Sand Pits, clay pits, oil and gas wells, and stripping of topsoil. This Use does not include the processing of raw materials transported to the Site and, does not include a Licensed Medical Marijuana Production Facility and/or Industrial Hemp Production Facility.

**“NON-CONFORMING BUILDING”** means a Building:

- (a) that is lawfully constructed or is lawfully under construction at the date a Land Use Bylaw, or any amendment thereof, affecting the Building or the land on which the Building is situated becomes effective, and
- (b) that on the date this Land Use Bylaw becomes effective does not, or when constructed will not, comply with this Land Use Bylaw.

**“NON-CONFORMING USE”** means a lawful specific Use:

- (a) being made of land or a Building, or intended to be made of a Building lawfully under construction, at the date a Land Use Bylaw, or any amendment thereof, affecting the land or Building becomes effective, and
- (b) which on the date that this Land Use Bylaw becomes effective does not; or in the case of a Building under construction, will not; comply with this Land Use Bylaw.

**“NUISANCE”** means any act, deed, omission, or thing, which is, or could reasonably be expected to be, annoying, troublesome, destructive, harmful, inconvenient, or injurious to another person and/or their Property; or anything troublesome or bothersome to other people for which complaints are received either by the Municipality’s office or the Royal Canadian Mounted Police, whether or not such act or deed or omission or thing constitutes Nuisance at common law.

## O

**“OBNOXIOUS”** means, when used in reference to a Development, a Use that by its nature or from the manner in which it is carried out, in the opinion of the Development Authority may create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, or creates a condition which, in the opinion of the Development Authority, may be or may become a Nuisance,

or which adversely affects the amenities of the neighbourhood, or which may interfere with the order and enjoyment of any community, land, or Building.

**“OCCUPANCY”** means the utilization of a Building, land, or Property or part thereof for the Use or Uses for which it has been approved under an Occupancy Permit and the conditions contained therein, including, but not limited to, the shelter or support of persons or Property.

**“OCCUPANCY, PERMIT”** means the final permit required from the County before any Development may be utilized; as a means of assuring that all work has been completed in accordance with the approved plans, and all permit conditions have been fulfilled and that all work has been inspected and conforms to the requirements of all applicable regulations, and indicating it to be in a condition suitable for Occupancy.

**“OCCUPANT”** means any person occupying or having control over the condition of any Property and the activities conducted on any Property, be such person the Owner, lessee, tenant, or agent of the Owner; whether such person resides thereon or conducts a business thereon.

**“OFFENSIVE”** means, when used with reference to a Development , a Use which by its nature, or from the manner in which it is carried out, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the order and enjoyment of any community, land, or Building.

**“OFF-HIGHWAY VEHICLES”** means any motorized mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp land or other natural terrain and, when designed for such travel. Off-Highway Vehicles may include, but is not limited to:

- (a) 4-wheel vehicles;
- (b) low pressure tire vehicles;
- (c) motorcycles and related 2-wheel vehicles;
- (d) amphibious machines;
- (e) all-terrain vehicles;
- (f) miniature motor vehicles;
- (g) snow vehicles;
- (h) mini-bikes; and

- (i) any other means of transportation that is propelled by any power other than muscular power or wind; but does not include motor boats or any other vehicle exempt from being an Off-Highway Vehicle by regulation.

**“OFFICE USE”** means a Development where government, professional, management, administrative, consulting, and financial services may be provided. Office Uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office Uses also include insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices, and similar financial institutions as well as the offices of governmental and public agencies.

**“OFF-STREET”** means, when used as an adjective, that the defined thing is not located on a Road or Highway, but rather a Lot and, further, that it is not directly accessory to a particular Use or Development on a Lot.

**“OPEN SPACE”** means land and water areas that are retained in an essentially undeveloped state and often serve one or more of the following Uses: conservation of resources, ecological protection, recreation purposes, historic or scenic purposes, enhancement of community values and safety, or maintenance of future Land Use options.

**“OWNER”** means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- (b) in the case of any other land, the person shown as the Owner of land on the Municipality's assessment role prepared under the Act;

## P

**“PARCEL OF LAND”** means the aggregate of one or more areas of land, identified for taxation purposes, as described in certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles office.

**“PARKING AREA”** means the area set aside for the storage and/or parking of vehicles. Components of Parking Areas include Parking Spaces, loading spaces, aisles, entrances and exits to the Parking Area, and traffic islands where they are part of the Parking Area. A Parking Area may be within a Building.

**“PARKING LOT”** means a Parking Area, which is located on a Lot and not accessory to a particular Use or Development.

**“PARKING SPACE”** means an area set aside for the parking of one (1) vehicle.

**“PARK MODEL”** means a type of Recreational Vehicle allowed only in Districts where it is provided for either as a permitted or a discretionary Use. However, Park Models may be Used as Temporary Dwelling Units within the Municipality subject to a Development Permit being issued that specifically identifies the period allowed for the Temporary Dwelling Unit Use and approves the Park Model from the two types described below, as recognized by the Recreational Vehicle industry:

- (a) Park Model Trailer 102 is a Unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special Highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These Units are designed for infrequent towing, and are not normally fitted with a 12-volt system for fixtures and appliances. Once on Site in the set-up mode it normally must be connected to the local utilities. This style is normally built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area normally does not exceed 37.2 m<sup>2</sup> (400 sq. ft.). It conforms to the CSA Z-240 Standard for Recreational Vehicles.
- (b) Park Model Recreational Unit is a Unit built on a single chassis mounted on wheels, which may be removed and returned to the factory. The Unit is designed to facilitate occasional relocation, with Living Quarters for a temporary residence or seasonal Use, and normally must be connected to those utilities necessary for the operation of installed fixtures and appliances. It normally has a Floor Area, including lofts, not exceeding 50 m<sup>2</sup> (540 sq. ft.) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode. Park Model recreational Units usually require a special tow vehicle and a special permit to move on the Road as the width of the Unit is greater than 2.6 m (8.5 ft.). It conforms to the CSA Z-241 Standard for Recreational Vehicles.

**“PATIO”** means any developed surface adjacent to a Building on a Site, which is less than 0.6 m (2.0 ft.) above ground level.

**“PERSONAL SERVICE SHOP”** means a Development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal Service Shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair Shops, dry cleaning establishments, and laundromats.

**“PREMISES”** means all land associated with a single assessment Unit’s location. Premises also shall include the Parking Areas and the landscaped areas located outside of

the Building or Buildings, which accommodate the primary Uses as defined in the *Trespass to Premises Act, RSA. 2000, T-7*.

**“PRIVATE CLUB”** means a Development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-Site Dwellings nor Hotel or Motel Rentable Units. Private Clubs may include Eating and Drinking Establishments and rooms for assembly.

**“PROPERTY”** means any lands, including any Buildings, structures, or Premises, or any personal Property located thereupon within the County boundaries as defined in section 284(1)(r) of the *Municipal Government Act; RSA 2000 c. M26*, as amended or repealed and replaced from time to time.

**“PROPERTY LINE”** means either a natural object, like a river or lake, or an imaginary line that defines the perimeter of a Lot or Parcel of Land.

**“PROTECTIVE AND EMERGENCY SERVICES”** means a Development where the administration of the protection of persons and Property from injury, harm, or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and Emergency Services include police stations, detention centres, fire stations, and accessory training facilities.

**“PUBLIC EDUCATION FACILITY”** means a Development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public Education Facilities include the administration offices, storage, and maintenance operations of the School Division. Public Education Facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or “charter schools”, and their administrative offices and maintenance facilities.

**“PUBLIC OR QUASI-PUBLIC BUILDING”** means a Building which is owned or leased by a department or agency of the federal or provincial government, or the Municipality for purposes of public administration and services and shall also include a Building for the purpose of assembly, instruction, culture or enlightenment, or for community activities.

**“PUBLIC OR QUASI-PUBLIC USE”** means a Use by a department or agency of the federal or provincial government, or the Municipality, for public administration and services and shall also include Uses for the purpose of assembly, instruction, culture, or enlightenment, or for community related activities.

**“PUBLIC PARK”** means a Development designed or reserved for active or Passive Recreational Use, including all natural and man-made Open Space and Landscaping, facilities, playing fields, and Buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the Public Park. Public Parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped Buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

**“PUBLIC-SERVICING RECREATION AREA”** means a Campground, day Use area, picnic site, lodge, hiking and skiing trail and other Similar Uses as developed by either private or public interests.

**“PUBLIC UTILITY”** means a Public Utility as defined in the Act.

**“PUBLIC UTILITY BUILDING”** means a Building in which the proprietor of a Public Utility, as defined in the Act, maintains its office or offices and/or maintains or stores any equipment used in connection with the Public Utility.

## R

**“RECREATION CAMP”** means a Development that contains accommodation facilities and is used wholly or partly for recreational purposes. Recreation Camp includes, but it is not limited to, trail riding ranches and Guest Ranches, rural experience camps, survival training camps, fishing and hunting camps, religious camps and camps for disabled persons.

**“RECREATION FACILITY, INDOOR”** means a Development for sports and active recreation within an enclosed Building. Indoor Recreation Facilities include such facilities as ice arenas, gymnasiums, curling rinks, swimming pools, and similar, though smaller, facilities. As well, Indoor Recreation Facilities may also include meeting rooms, eating, and Drinking Establishments as Accessory Uses.

**“RECREATION, PASSIVE”** means opportunities for low-impact, non-motorized activities that occur in a natural setting that 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.

**“RECREATION SERVICES, INDOOR”** means Development whose Main Use is to offer equipment, instruction in, or programs for physical fitness and recreation where the



clients participate in the recreation activities and may include the supplementary retail sale of associated products. A restaurant may be incorporated as an Accessory Use. Such Uses may include dance studios, fitness centres, gyms, martial arts clubs, shooting ranges, and yoga or cross-fit studios.

**“RECREATIONAL USE”** means a Development conducted on a unified basis on a single Site where the prime reason for location may be to take advantage of natural features. A Recreational Use may include the provision of day to day sporting and athletic facilities and the structures incidental thereto such as ski slopes, golf courses, archery, trap and rifle ranges, racetracks, boating, swimming, picnicking, athletic, and Similar Uses, and may include a refreshment stand incidental to the primary Use. However, Recreational Use does not include Extensive Recreation, or a Campground, a Recreational Vehicle Park or a Recreation Camp.

**“RECREATIONAL VEHICLE”** means a vehicular type primarily designed to provide temporary Living Quarters for recreational camping or travel Use, which has its own motor or is mounted or drawn by another vehicle. Recreational Vehicle includes travel trailers, camping trailers, truck campers, fifth wheels, or Motor Homes and duly licensed travel trailers, slide-in campers, chassis-mounted campers, boats, personal watercraft, all-terrain vehicles, snowmobiles, and tent trailers mounted on any sort of transportation device such as skids or wheels up to a maximum interior space of 75 m<sup>2</sup> (807.3 sq. ft.). Recreational Vehicle does not include Manufactured Homes, Park Models, a Garage package, or a Cabin. Any vehicle larger than 75 m<sup>2</sup> (807.3 sq. ft.) in interior space is a Manufactured Home for the purposes of this Bylaw. Recreational Vehicles conform to the CSA Z-240 and CSA Z-241 Standards for Recreational Vehicles and requires issuance of a Use and Occupancy Permit under this Bylaw.

**“RECREATIONAL VEHICLE CAMPGROUND”** means a Development consisting of Stalls or Sites for the location of more than three (3) Recreational Vehicles, for more than four (4) consecutive days and not normally more than twenty (20) days in a year, and may include Sites for the erection of tents for similar periods.

**“RECREATIONAL VEHICLE CAMPGROUND, SEASONAL”** means a Development consisting of Stalls or Sites for the location of more than three (3) Recreational Vehicles, for a minimum of four (4) consecutive days and normally for no longer than an entire season operating between April and October.

**“RECREATIONAL VEHICLE CAMPGROUND, WORK CAMP”** means a Development consisting of Stalls or Sites for the location of more than three (3) Recreational Vehicles, Used to house camp workers by various contracting firms on a

temporary basis. The Units may be dismantled and moved from the Site from time to time.

**“RECREATIONAL VEHICLE PARK”** means a Development on which three or more Recreational Vehicles are harboured, without regard to whether a fee or charge is paid or made, and shall include any Building, structure, tent, vehicle or enclosure used or intended for Use as part of the equipment of such Recreational Vehicle Park. A Recreational Vehicle Park may include a Campground within it.

**“RECREATIONAL VEHICLE STORAGE”** means a Development, which provides Fenced or indoor, secure, on-site storage of more than three (3) Recreational Vehicles, boats and Off-Highway Vehicles.

**“RECYCLING OPERATIONS DEPOT”** means a Development where bottles, cans, newspapers, and similar non-hazardous Household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed Building or an enclosed compound.

**“RECYCLING DROP-OFF”** means a Development used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to cardboard, newspapers, plastics, paper, metal, and similar Household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling.

**“REFUSE”** includes:

- (a) all solid and liquid waste, debris, junk or effluent belonging to or associated with a house or Household or any industry, trade or business;
- (b) vehicle parts or accessories;
- (c) furniture, appliances, machinery or parts thereof;
- (d) animal excrement; and
- (e) any unused or unusable material that by reason of its state, condition or excessive accumulation, in the opinion of Designated Officer, appears:
  - i. to have been discarded or abandoned; or
  - ii. to be useless or of no particular value; or
  - iii. to be used up or worn out in whole or part.

**“RELIGIOUS ASSEMBLY”** means a Development where worship and related religious, philanthropic, and social activities occur. Accessory Developments include rectories, manses, classrooms, and dormitories. Religious Assembly includes churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

**“RENOVATION”** means an addition to, deletion from, or change to any Building, which does not require a permit other than a plumbing permit or an electrical permit pursuant to the *Safety Codes Act*.

**“RENTABLE UNIT”** means a separate Unit of a Hotel or Motel Used or intended to be used for the temporary accommodation of one or more persons.

**“RESIDENTIAL USE”** includes the occupation and Use of land, Buildings, or structures as Dwellings, whether on a seasonal or year-round basis.

**“RESTRICTED EXTENSIVE RECREATIONAL USE”** means hiking trails, cross-country ski trails, minimum facility Campgrounds, picnic grounds, golf courses and driving ranges providing no accessory facilities.

**“RETAIL HOME SALES BUSINESS”** means the business of selling or the offering for sale of Manufactured Homes, Mobile Homes or package homes, or any of the units or materials constituting those homes, to an individual for use as a residence.

**“RF TECHNOLOGY”** means technology operating in the electromagnetic radiating frequency bands.

**“ROAD”** means a right-of-way on which motorized vehicles are normally allowed to operate, or a Road as defined in the Act, but does not include a Highway or a Lane.

**“ROAD, ARTERIAL”** means an Arterial Road as designated in the County’s Municipal Development Plan.

**“ROAD, COLLECTOR”** means a Collector Road as designated in the County’s Municipal Development Plan.

**“ROAD, INTERNAL”** means a contributed asset, public Road the primary function of which is to provide access to individual Lots within a multi-Lot Subdivision.

**“ROOF”** means the top of any enclosure, above or within the vertical walls of a Building.

**“RURAL COMMERICAL USE”** means the retailing or distribution of goods or services relating to Farming or other agricultural activities, but does not include the processing of raw materials or operation of an Industrial Park.

**“RURAL INDUSTRY”** means light and/or medium industry that provides services to Agricultural Operations, Natural Resource Extraction and Ground Disturbance Operations, or the oil and gas activities in the Municipality. Notwithstanding the

generality of the foregoing, Rural Industry shall include sawmills, fertilizer plants, sand, gravel, and mineral processing and stockpiling, and other agricultural and resource processing oriented facilities; including business establishments engaged in servicing, repairing, or retailing of goods, the Use of land and/or Buildings for the purpose of the supply of goods, materials or services directly and primarily to Agricultural Operations and Natural Resource Extraction and Ground Disturbance Operations. This also includes, but is not limited to, the sale and storage of seed, fertilizer, chemical products, fuel, and agricultural machinery.

## S

**“SALVAGE YARD”** means land or Buildings where motor vehicles, tires, machinery, and parts are disassembled, repaired, stored, and/or resold.

**“SAND PIT”** means an open-pit mine for the long-term extraction of sand.

**“SCREENING”** see **“BUFFER”**

**“SEA CAN”** means a container, including a sea/land/rail shipping container, which is used as an Accessory Building and/or Use Subordinate to the Main Building or Use on a Lot or Parcel. A Sea Can shall not be used for a Dwelling or any part of a Dwelling; and, notwithstanding any other provision of this Bylaw to the contrary, not attached, in any way, to a Main Building unless an approved Development Permit for Building Conversion has been issued and the relevant permits under the *Safety Codes Act* have been obtained. Use and/or Occupancy of a Sea Can for Residential Use requires issuance of a Use and Occupancy Permit pursuant to the provisions of this Bylaw.

**“SERVICE STATION”** means a Development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service Stations may also include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint Shops. Service Stations, which do not include any facilities for servicing or repairing of motor vehicles, are often referred to as gas bars.

**“SETBACK”** means, depending on the context of the term, the minimum horizontal distance between Buildings or a Lot boundary and Buildings.

**“SHED”** means a simple roofed Building with one or more sides unenclosed, typically made of wood or metal, used as a Farm Building. Shed may include hut, lean-to, outhouse, outbuilding, shack; potting Shed, woodshed, tool Shed, and garden Shed.

**“SHIPPING CONTAINER”** see **“SEA CAN”**

**“SHOOTING RANGE, INDOOR”** means a Building designed to be used as a Shooting Range, as defined in the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, in connection with a business licensed under the *Firearms Act (S.C. 1995, c. 39)*.

**“SHOOTING RANGE, OUTDOOR”** means a specialized facility designed to be used as a Shooting Range, as defined in the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, in connection with a business licensed under the *Firearms Act (S.C. 1995, c. 39)*.

**“SHOP”** means a Building designed and built for Light Industrial Use or the storage of vehicles larger than that allowed in a Garage.

**“SHOW HOME”** means a Dwelling Unit which is used temporarily for the purpose of illustrating to the public the type and character of Dwelling Units to be constructed in other parts of the Municipality. Show Homes may contain offices for the sale of other Lots or Dwelling Units in the Municipality and must be located within a Dwelling which is either a permitted or a discretionary Use in the District in which they are located.

**“SIGN”** means any visual medium, including its structure and other component parts, used on a permanent or temporary basis to convey information, to advertise, or to attract attention to a product, service, place, activity, person, institution or business. Without limiting, the generality of the foregoing, Signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or Signs painted on or attached to a licensed motor vehicle.

**“SIGN, A-FRAME”** means a type of Sign commonly referred to as “sandwich boards”, composed of two hinged or otherwise joined boards, which leans on the ground.

**“SIGN AREA”** means the total face area of a Sign intended for the letters or graphics of the message. In the case of a double-faced Sign, only half of the area of each Sign face shall be used in calculating Sign area.

**“SIGN, CANOPY”** means a Sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy.

**“SIGN, FASCIA”** means a Sign attached to or placed flat against an exterior vertical surface of a Building, and projects no more than 0.3 m (1.0 ft.) from the surface of the

Building, and does not project above the Roof or parapet. Fascia Signs are also called wall Signs.

**“SIGN, FREESTANDING”** means a Sign supported by one or more uprights, braces, or pylons, and stands independently of another structure.

**“SIGN, INFLATABLE”** means a Sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary Sign for special events or promotions.

**“SIGN, MULTI-TENANT”** means a Freestanding Sign containing Sign areas for two or more tenants or Occupants located on the same non-residential Site or in the same non-residential Building in a designated single, shared Sign area. A Multi-tenant Sign may include changeable Sign areas.

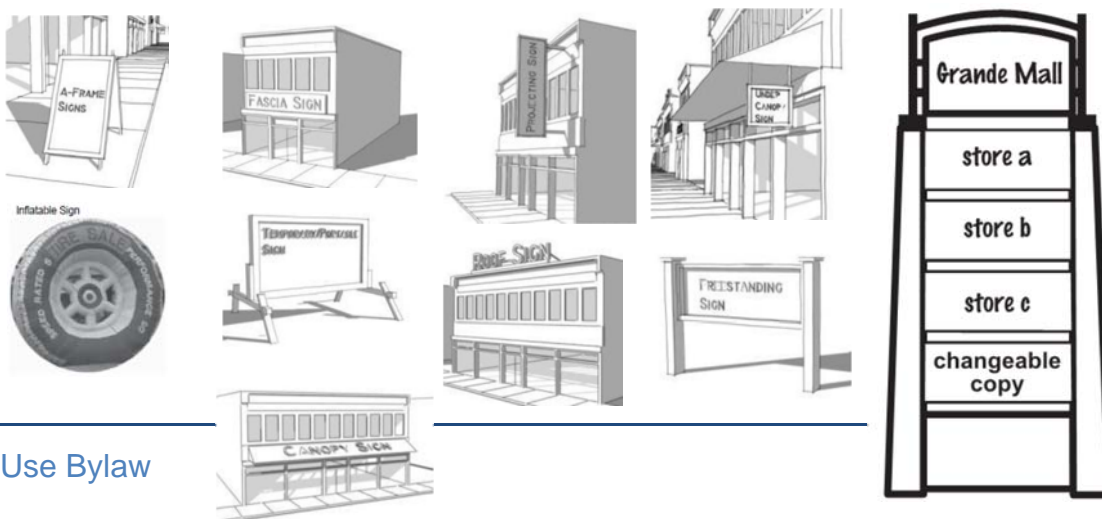
**“SIGN, OFF-SITE”** means a Sign that advertises goods, products, services, or facilities not available on the Site where the Sign is located, and which also may direct persons to another location.

**“SIGN, PROJECTING”** means a Sign affixed to a Building or part thereof and extending beyond the Building by more than 0.3 m (1.0 ft.). This does not include a Sign attached to the ground.

**“SIGN, ROOF”** means a Sign erected upon, against or directly above the Roof of a Building or the top of a parapet wall.

**“SIGN, TEMPORARY/PORTABLE”** means a Sign on a standard or column fixed to its own self-contained base and capable of being moved manually.

**Figure 8. Examples of Sign Types.**



**“SIGN, TRAILER”** means a Sign affixed to the sides or top of a commercial trailer for the purposes of advertisement, where the trailer is parked and disconnected from the vehicle for longer than seven (7) days in one location.

**“SIGN, UNDER-CANOPY”** means a Sign that is attached to the bottom surface or edge of a canopy.

**“SIMILAR USE”** means a Use, which, in the opinion of the Development Authority, closely resembles another specified Use with respect to the type of activity, structure and its compatibility with the surrounding environment.

**“SINGLE-USE DEVELOPMENT”** means a Development designed to accommodate only one (1) type of Land Use on the same Site.

**“SITE”** means the land, whether Lot(s) or Parcel(s), where a Development is built.

**“SOLAR ARRAY”** means multiple solar panels used in conjunction to produce electricity.

**“SOLAR COLLECTOR, GROUND MOUNT”** means a device used to convert energy contained within the sun's rays into electrical (photovoltaic) or heat energy and may be a single unit or an array of units into a single collector as a standalone structure mounted on the ground or a tower/pole.

**“SOLAR COLLECTOR, ROOF MOUNT”** means a device used to convert energy contained within the sun's rays into electrical (photovoltaic) or heat energy and may be a single unit or an array of units into a single collector mounted on the Roof of a main or Accessory Building.

**“STALL”** means an area of land upon which a Manufactured Home is to be located, and which is reserved for the exclusive use of the residents of that particular Manufactured Home, located within a Manufactured Home Park.

**“STOCKPILE SITE”** means an open land area where one or a combination of sand, gravel, soil and rock fragments are stored for off-site Use.



**“STORAGE, INDOOR”** means a self-contained Building or group of Buildings available for the storage of goods. This Use includes mini-storage or private storage facilities. Indoor Storage does not include “warehouse”.

**“STORAGE, OUTDOOR”** means a Development where a Site or a portion of a Site is designed for the more or less permanent or continuous storage of goods, materials and/or equipment, or the display and sale of goods and materials, including vehicles for hire or sale, located outside permanent Buildings or structures on the Site. Typical Uses may include lumber storage and lumberyard, pipe yards, or vehicle or heavy equipment storage compounds, but does not include a Salvage Yard or a Parking Lot. Outdoor Storage covering 50% or more of a Site is considered a Main Use.

**“STORAGE SITE”** means a waste management facility where waste other than hazardous waste is:

- (a) stored,
- (b) stored, compacted, shredded, ground or processed, or
- (c) collected and held for removal to another waste management facility.

**“STOREY”** means the space between one floor of a multi-Storey Building and the next floor above it. The upper limit of the top Storey shall be the ceiling above the topmost floor. A Basement shall not be considered a Storey.

**“STRATA SPACE”** means a volumetric space, namely a strata Unit or Lot, independent of physical structures and determined by planes or curved surfaces having a defined geodetic elevation divided by Property Lines that are registered in a Strata Space Plan, as defined in the *Land Titles Act, RSA 2000, c. L-4*. Strata allow Ownership of Lots or Parcels that may be side-by-side or one above the other or overlapping in many different configurations.

**“STRATA SPACE PLAN”** means a type of Subdivision plan and a form of legal Ownership containing Strata Spaces created specifically through Subdivision, and registered as a Strata Space Plan in accordance with the *Land Titles Act, RSA 2000, c. L-4*.

**“STRUCTURAL ALTERATIONS”** means the addition to, deletion from, or change to any Building, which requires a permit other than a plumbing permit or an electrical permit pursuant to the *Safety Codes Act*.

**“SUBDIVISION”** means the division of a lot, tract, or Parcel of Land into two or more Lots, plats, Sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building Development.

**“SUBDIVISION AND DEVELOPMENT APPEAL BOARD”** means a Subdivision and Development Appeal Board appointed pursuant to County’s Subdivision and Development Appeal Board Bylaw and the Act.

**“SUBDIVISION AUTHORITY”** means the Subdivision Authority established pursuant to the Act through the Municipality’s Subdivision Authority Bylaw.

**“SUBORDINATE BUILDING”** means a Building, or structure that is incidental and dependent on the Main Building on Site. Subordinate Buildings consist of less than 40% of the net Buildable Area of the Main Building and are located on the same Lot or Parcel as the Main Building they serve.

**“SUBORDINATE USE”** means a Use of a Lot, Parcel, Building, or structure that is incidental and dependent on the Main Use on Site. Subordinate Uses occupy less than 40% of the net Buildable Area than the Main Use and are located on the same Lot, Parcel, Building, or Structure as the Main Use they serve.

**“SUITE, CAREGIVER”** means a self-contained Dwelling Unit, located within the main Habitable Dwelling Unit for the sole Occupancy of one (1) or two (2) adult persons whose function is to provide assistance to a person or persons residing in the main Dwelling Unit or with challenges resulting from illness, disability or aging .

**“SUITE, GARAGE”** means a self-contained Dwelling Unit located above a detached Garage, which is located in a Rear Yard and is a Subordinate Use to a Single-Detached Dwelling. Garage Suites have an entrance, which is separated from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the Accessory Building.

**“SUITE, GARDEN”** see **“BACKYARD COTTAGE”**

**“SUITE, IN-LAW”** see **“ACCESSORY LIVING QUARTERS”**

**“SUITE, SECONDARY”** means Development consisting of a self-contained Habitable Dwelling Unit located within, and accessory to, a structure in which the Main Use is Single-Detached Dwelling, which may or may not share access to the outside and/or other facilities with the main Dwelling Unit.

**“SUITE, SURVEILLANCE”** means a Dwelling Unit for the sole Occupancy of one (1) or two (2) adult persons whose function is to provide surveillance for the Maintenance

and security of the Development, provided that the Dwelling Unit is specifically used in conjunction with the protection of private Property.

## T

**“TEMPORARY DEVELOPMENT”** means a Development for which a Development Permit has been issued and which is to exist for a limited time only.

**“TIE DOWN”** means an apparatus Used to firmly secure a Manufactured Home to the ground. This apparatus usually consists of steel cables attached to the Manufactured Home and concrete pylons strategically placed on the accommodating Site.

**“TRANSPORTATION FACILITIES”** means the Use of land or Buildings for public transportation related activities.

**“TRUCKING AND CARTAGE ESTABLISHMENT”** means a Development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and Cartage Establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9 lbs.).

## U

**“UNDEVELOPED LOT”** means a Lot, which does not contain a residence, Building, or structure.

**“UNIT”**, other than when referred to as a Dwelling Unit, means the portions of land or a Building designated with a right of exclusive Use within a Condominium or strata Subdivision plan, registered in the name of an Owner on a Certificate of title.

**“UNSERVICED INDUSTRIAL USE”** means an Industrial Use dependent on on-site servicing similar to and compatible with the other Uses prescribed in the Crossroads Direct Control (CDC) District requiring a relatively large Lot where any actual or potential Nuisance factor generated by the Use/Development is contained within the boundaries of the Site.

**“UNSERVICED INDUSTRIAL PARK”** means an area planned for the Development of multiple Lots for unserviced Industrial Uses, which may include an internal public Road.

**“USE”** means the purpose or activity for which a Site, a Parcel of Land, or a Lot and any Buildings or structures located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

## V

**“VARIANCE”** means an alteration, departure, or change from any provision, regulation, element, or standard prescribed by the Land Use Bylaw or any statutory or non-statutory plan, and any relevant policy adopted by the County applicable to a specific Lot or Parcel, excepting its Use, without changing the provisions of the Land Use Bylaw, Plan, or Policy, or the Land Use District for the Lot or Parcel. A Variance may only be granted when the applicant has been able to give persuasive reasons beyond desire, convenience, or profit, as a demonstration of undue Hardship that evidence how the proposed deviations from the regulations within the Land Use Bylaw for the District satisfy the need for the variance without constituting an advantage or privilege in relation to other properties in the same Land Use District. Variances cannot be granted to allow a Use that is not already permitted within the Land Use District nor can a Variance be used to provide relief from a self-induced Hardship or be based solely on economic Hardship.

**“VARIANCE, MAJOR”** means a special permission granting relief from one or more regulations or standards of the Land Use Bylaw that, in the opinion of the Development Authority, such relaxation could impede the proposed Development to conform to the general intent and purpose of the Land Use Bylaw or any statutory or non-statutory plan and relevant policy adopted by the County applicable to the location of a proposed Development. A Major Variance is recognized as having potential impact on the larger area and may affect enforcement of the Land Use Bylaw elsewhere in the County, therefore requiring approval from County Council and a public hearing.

**“VARIANCE, MINOR”** means a special permission granting relief from one or more regulations or standards of the Land Use Bylaw that, in the opinion of the Development Authority, such relaxation does not impede the proposed Development to conform to the general intent and purpose of the Land Use Bylaw or any statutory or non-statutory plan and relevant policy adopted by the County applicable to the location of a proposed Development.

**“VEHICLE REPAIR ESTABLISHMENT”** means Development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, Recreational Vehicles,

and trucks, including the sale, installation or servicing of related accessories and parts. This Use class includes transmission Shops, muffler Shops, tire Shops, automotive glass Shops, upholsterer Shops, and body repair and/or paint Shops.

**“VETERINARY CLINIC”** means a Development used for the care and treatment of animals where the service primarily involves in-patient care and major medical procedures involving hospitalization for periods of time. This Use includes animal shelters and animal crematoriums.

## W

**“WAREHOUSE FACILITIES”** means a Development for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.

**“WAREHOUSE SALES ESTABLISHMENT”** means a Development used for the storage and distribution of goods, merchandise, substances or articles, and may include facilities for a retail outlet, but shall not include manufacturing. Warehouse Sales Establishments include furniture stores, carpet stores, major appliance stores, and Building Materials stores.

**“WIND ENERGY CONVERSION SYSTEM, LARGE”** means a Wind Energy Conversion System consisting of a wind turbine, tower and associated control or conversion electronics, which has a rated capacity equal to or greater than 300 Kw, whose primary purpose is to generate and provide electrical power for resale.

**“WIND ENERGY CONVERSION SYSTEM, MICRO”** means a small-scale wind turbine, which is small in height and diameter and can be installed on the Roof of a Building or structure.

**“WIND ENERGY CONVERSION SYSTEM, SMALL”** refers to a Wind Energy Conversion System (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for Use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

**“WIND ENERGY CONVERSION SYSTEM, TOTAL HEIGHT”** means the height from grade to the highest vertical extension of the Rotor’s Arc (see Arc, Rotor) in a large Wind Energy Conversion System (WECS).

**“WIND TURBINE TOWER”** refers to the guyed or freestanding structure that supports a wind turbine generator above grade.

**“WIND TURBINE TOWER HEIGHT”** means height above grade of the fixed portion of the Wind Turbine Tower, excluding the wind turbine and Blades.

**“WIRELESS COMMUNICATIONS FACILITY”** means a facility providing communication service using RF Technology to transmit and receive voice, picture, text and data, in either digital or analog form, on a system of elevating support structures. These structures include monopoles, Lattice Towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, Antennas, Antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, Antenna de-icing equipment, Antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems.

**“WORK CAMP”** means a temporary residential complex used to house workers, usually but not necessarily for a contracting firm or project, on a temporary basis of more than twenty-eight (28) days and less than one (1) year. A Work Camp is usually made up of a number of Buildings, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities.

## Y

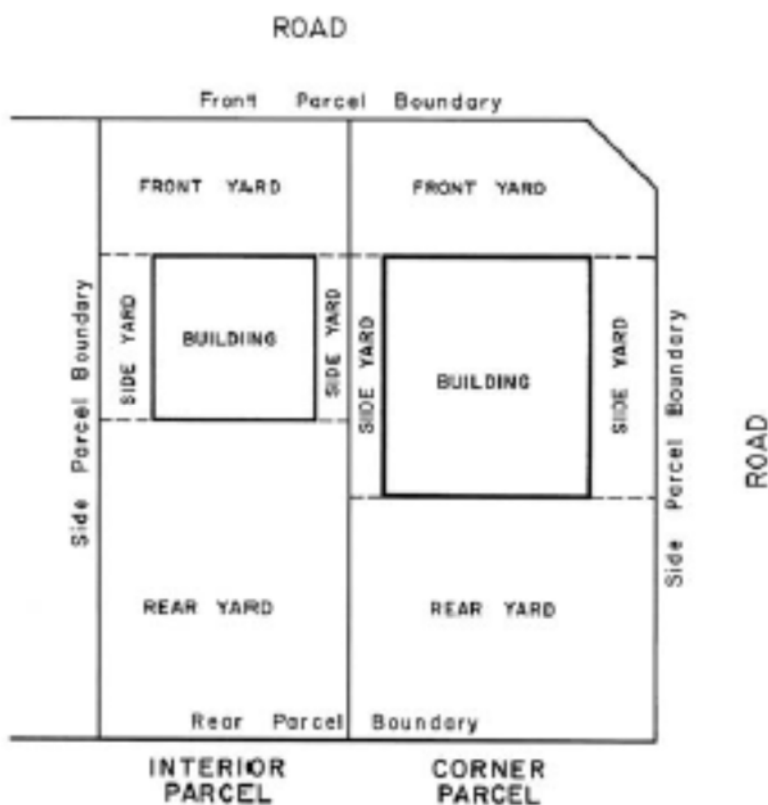
**“YARD”** means a portion of a Parcel required as open space that is to remain unoccupied by any Building, unless otherwise provided for in this Bylaw.

**“YARD, FRONT”** means a Yard extending across the full width of a Lot, from the Front Line to the nearest Exterior Wall of the Main Building situated on the Lot. In the case of a curved Front Line, the Front Yard will also form a curve.

**“YARD, REAR”** means a Yard extending across the full width of a Lot, from the Rear Line of the Lot to the nearest wall of the Main Building situated on the Lot. In the case of a curved Rear Line, the Rear Yard will also form a curve.

**“YARD, SIDE”** means a Yard extending across the length of a Lot, from the nearest wall of the Main Building situated on a Lot to the Side Line, and lying between the Front Yard and Rear Yard on the Lot.

Figure 9. Yards.



All other words and expressions have the meanings respectively assigned to them in the Act or in common law.

## 1.8 Definitions Not Provided

In instances where specific land Uses:



- (1) Do not conform to the wording of any land Use; or
- (2) Generally conform to the wording of two or more land Uses;

The Development Authority Officer shall Use his/her discretion to include these land Uses in a land Use category that is most appropriate in character and purpose.

## 1.9 Development Authority

- (1) For the purposes of this Bylaw, the Development Authority shall be the person or persons appointed to be the Development Authority pursuant to the municipality's Development Authority Bylaw, with their duties and responsibilities that are specified in this Bylaw.
- (2) The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereof.
- (3) For the purposes of Section 542 of the Act, the Development Authority is hereby declared to be the designated officer.

## 1.10 Development Authority Officer

- (1) The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development authority Officer is hereby established.
- (2) The Development Authority Officer shall be appointed by resolution of Council.
- (3) The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.
- (4) The Development Authority Officer shall:
  - (a) keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; and
  - (b) keep a register of all applications for development, the decisions thereon and the reasons therefor.

- (5) The Development Authority Officer is hereby declared to be a designated officer for the purposes of inspection, remedy, enforcement or action pursuant to Section 542 of the Act.

## **1.11 Council**

The Council of the County of Vermilion River shall perform such duties as are specified for it in this Bylaw.

## **1.12 Subdivision Authority**

For the purposes of this Bylaw, the Subdivision Authority shall be the person or persons appointed to be the Subdivision Authority pursuant to the municipality's Subdivision Authority Bylaw, with their duties and responsibilities that are specified in this Bylaw.

## **1.13 Subdivision and Development Appeal Board**

The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in Section 3 of this Bylaw.

# 2 | Development Permits, Rules and Procedures

## 2.1 Control of Development

- (1) No development other than that designated in **Section 2.2** shall be undertaken within the County unless an application for it has been approved and a development permit has been issued.
- (2) Notwithstanding subsection (1) above, where a variance to any regulation in this Bylaw is required for any development listed in **Section 2.2**, a development permit is required.
- (3) In addition to a development permit, various authorizations, permits or approvals under Federal and Provincial legislation other than the Act may be required such as under the *Highway Development Act* or the *Safety Codes Act*. This Bylaw in no way alleviates or removes any requirements for such authorizations, permits or approvals. It shall be the responsibility of any landowner and/or developer to obtain such authorizations, permits or approvals under any other Federal or Provincial legislation as may be necessary.

Amended by  
Bylaw 15-21

## 2.2 Development Not Requiring a Permit

- (1) The following development shall not require a development permit:
  - (a) the carrying out of works of maintenance or repair to any Building, provided that such works do not include structural alterations or major works of renovation that would require a Building permit;
  - (b) the completion of a Building which was lawfully under construction at the date of the first publication of the notice required by the Act, provided that the Building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the Building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice;

- (c) the Use of any such Buildings as referred to in subsection (b) for the purpose for which construction was commenced;
- (d) the erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure, unless the gate, fence, wall or other means of enclosure exceeds the regulations indicated in **Section 7.10** of this Bylaw; and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure, unless the fencing material is razor wire. An approved development permit shall always be necessary before razor wire is Used as a fencing material;
- (e) a temporary Building or sign, the sole purpose of which is incidental to the erection or alteration of a Building, for which a permit has been issued under this Bylaw;
- (f) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (g) on parcels of land exceeding 32 ha (80 ac.) Used for farming and not intensive agriculture or a confined feeding operation, the construction of accessory farm Uses such as corrals and game fences, but not including residences, machine shops, barns, granaries, dugouts or similar developments or any proposed development within 40 m (134 ft.) of the centre line of a County Road or within the setbacks established in **Section 6.3** of this Bylaw;
- (h) a Building or structure with a gross floor area of under 13.5 m<sup>2</sup> (145 sq. ft.) which is not on a permanent foundation.
- (i) construction with a total value of under \$3500.00, including the nominal value of labour;
- (j) a deck or patio provided that no construction occur above 1.0 m (3.3 ft.) in height above grade, and provided further that such deck or patio not be located in a front yard;
- (k) Except on lands affected by an Intermunicipal Development Plan, unless those lands are within an Agricultural (A) District, a Highway Development (HD) District, or a Collector Road (SR) District, and except in both the Country Residential One (CR1) and Country Residential Two (CR2) Districts, grading and/or landscaping, not including the removal of top soil, where the proposed grades will not adversely affect the drainage of the subject or adjacent parcels of land, including the hard-surfacing of part of a Lot in a Residential District for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft.) in width;
- (l) a home occupation which complies with all of the regulations of this Bylaw;
- (m) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned Lots for no more than thirty (30) days,

or such time as regulated under provincial or federal legislation provided that:

- (i) such signs are removed within seven (7) days after the election date,
  - (ii) such signs do not obstruct or impair vision or traffic,
  - (iii) such signs are not attached to fences, trees, or utility poles; and
  - (iv) such signs indicate the name and address of the sponsor and the person responsible for removal;
- (n) the placement of one (1) sign on internal Sites, or two (2) signs on corner Sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale or rent, with removal to be within one (1) month after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m<sup>2</sup> (6.5 sq. ft.) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;
- (o) development within a basement which does not change or add to the Uses within a Dwelling;
- (p) the development of land for a confined feeding operation or a manure storage facility if the confined feeding operation or manure storage facility is the subject of an approval, registration or authorization under the Agricultural Operation Practices Act;
- (q) the demolition or removal of any Building or structure for which erection a development permit would not be required pursuant to subsections (d) through (j) above, both inclusive.
- (2) Notwithstanding any other provision in Section 2.2, the Development Authority may, at its sole discretion, waive the requirement for a development permit for:
- (a) Buildings accessory to extensive agriculture; or
  - (b) Sea Cans within the Agricultural (A) District on parcels greater than 2.02 ha (5.0 ac);

if after reviewing the development permit application, it is determined by the Development Authority that the proposed development will not:

- (i) materially interfere with the amenities of, or change the character of, the area;
- (ii) materially interfere with or affect the Use and enjoyment of adjacent properties;
- (iii) adversely impact the environment;
- (iv) result in excessive demand on municipal services, utilities and road access; and
- (v) will comply with all regulations in this Land Use Bylaw, including regulations in the applicable District, unless a variance has been granted by the Development Authority.

## 2.3 Non-Conforming Buildings and Uses

- (1) A non-conforming Use of land or a Building may be continued, but if that Use is discontinued for a period of six (6) consecutive months or more, any future Use of the land or Building must conform with this Bylaw.
- (2) A non-conforming Use of part of a Building may be extended throughout the Building but the Building, whether or not it is a non-conforming Building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
- (3) A non-conforming Use of part of a Lot may not be exceeded or transferred in whole or in part to any other part of the Lot and no additional Buildings may be constructed upon the Lot while the non-conforming Use continues.
- (4) A non-conforming Building may continue to be Used but the Building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming Building,
  - (b) for the routine maintenance of the Building, if the Development Authority considers it necessary, or
  - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 2.3(6) of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) Pursuant to the Act, when:
  - (a) on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a development permit has been issued; and
  - (b) the enactment of the Bylaw would render the development in respect of which the permit was issued a non-conforming Use or non-conforming Building;the development permit continues in effect.
- (6) If a non-conforming Building is damaged or destroyed to the extent of more than seventy-five (75) percent of the value of the Building above its foundation, the Building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The Use of land or the Use of a Building is not affected by a change of ownership, tenancy, or occupancy of the land or Building.

## 2.4 General Development Permit Application Requirements

Section  
Amended by  
Bylaw 18-01

- (1) An application for a Development permit shall be submitted to the Development Authority in writing, on the corresponding application form provided by the Municipality and must be fully completed and signed by the applicant and registered Owner(s).
- (2) A fee established by Council shall accompany each application for a Development Permit. This fee may vary dependent on whether a Development Permit application has followed an enforcement action pursuant to Part 5 of this Bylaw.
- (3) Development Permit applications will only be processed when it is completed in its entirety. In order for an application to be considered complete, all required items, AND any applicable additional supportive information either requested when making an application or during the process of reviewing an application, must be submitted to the satisfaction of the Development Authority.
- (4) The Development Authority must, within twenty (20) days after the receipt of the application for a Development Permit, determine whether the application is complete. This time period may be extended by an agreement in writing between the applicant and the Development Authority.
- (5) If the Development Authority does not make a determination referred to in Subsection (4) above, within the time required, the application is deemed to be complete.
- (6) A written notice must be issued to the applicant for the following:
  - (a) Acknowledgement that the application is complete.
  - (b) Acknowledgement that the application is incomplete, and request of any outstanding documents and information referred to in the notice must be submitted by the date set out in the notice or a later date agreed on between the applicant and the Development Authority, in order for the application to be considered complete.
  - (c) Acknowledgement that the application is complete, if the Development Authority determines that the information and documents submitted under subsection (b) are completed.
  - (d) Acknowledgement that the application is deemed refused, if the application fails to submit all the outstanding information and documents on or before the date referred to in the notice under subsection (b).
- (7) Despite the Development Authority issuing an acknowledgement that an application is complete, during the course of review the Development Authority may request any additional information it considers necessary during the decision making process.
- (8) Notwithstanding the provisions under Section (6) above, when, in the opinion of the Development Authority, sufficient details of the proposed Development have not been included with the application for a Development Permit, the Development Authority may, at its sole discretion may make a decision on the application with the information it has available.



- (9) Required items for an application may include:
- (a) At the discretion of the Development Authority, a public participation summary pursuant to section 2.18 of this Bylaw;
  - (b) If applicable, a business registration form;
  - (c) A site plan, to scale, showing the legal description; north arrow; municipal address; location and dimensions of Property Lines; existing utility rights-of-way and Easements; Fences; driveways; paved areas; proposed Front, Rear, and Side Yards, if any; any provisions for Off-Street loading and vehicle parking; access and egress points to the Site; and any encumbrance such rights-of way;
  - (d) Existing and proposed Building dimensions, to scale, including, but not limited to, the house, Garage, Decks and any covered structures such as Carports;
  - (e) The type and location of water supply and sewage and waste water disposal facilities;
  - (f) A statement of existing and proposed Uses;
  - (g) A statement of ownership of the land and the interest of the applicant therein;
  - (h) The signatures of at least one of the registered landowners listed on the Certificate of title;
  - (i) The estimated commencement and completion dates;
  - (j) The estimated cost of the project or contract price;
  - (k) An application fee as established by resolution of Council;
  - (l) Written consent from the registered Owner authorizing the right-of-entry by the Development Authority to such lands or Buildings as may be required for investigation of the proposed Development;
  - (m) Information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and Alberta Energy Regulator Directive 079;
  - (n) Floor plans, elevations, and sections of any proposed Buildings;
  - (o) Drainage, grading and Landscaping plans which provide pre- and post-construction Site elevations;
  - (p) A mitigation plan detailing how vegetation, topography disturbance, erosion, or any impacts due to Development are to be minimized;
  - (q) In the case of an application for a Development Permit on Crown Land, Provincial authorization for the Development; and
  - (r) Any other information as required by the Development Authority.
- (10) The Development Authority may also require additional supportive information in order to assess the conformity of a proposed Development with this Bylaw before consideration of the Development Permit application shall commence. Such information may include:
- (a) A Real Property Report, or other documentation indicating the exact location of all structures on the Property (prepared within the last five (5) years, in a form that is acceptable to the Development Authority);
  - (b) A storm water management plan approved by Alberta Environment and Parks (or other appropriate provincial authority);

- (c) A certified geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;
  - (d) A certified biophysical assessment prepared, stamped and signed by a professional registered in the Province of Alberta, on the impacts of the proposed Development on wildlife habitat or natural environments;
  - (e) A reclamation plan for aggregate extraction or site grading and Excavation;
  - (f) An environmental assessment to determine potential contamination and mitigation;
  - (g) In the case of the placement of an already constructed or partially constructed Building on a Lot or Parcel of Land, information relating to the age and condition of the Building and its compatibility with the District in which it is to be located;
  - (h) For Subdivisions adjacent to water bodies and watercourses, an engineering and/or geotechnical study to determine adequate Setbacks based on soil conditions and slope stability prepared, stamped and signed by a registered professional engineer or hydrogeologist, registered in the Province of Alberta;
  - (i) An environmental impact assessment describing a Development's potential environmental effects;
  - (j) A cumulative effects assessment prepared, stamped and signed by a professional, registered to practice in the Province of Alberta, describing a Development's potential cumulative effects;
  - (k) The identification of all rights-of-way and Easements within or Abutting the subject property; and/or
  - (l) Any additional information as the Development Authority deems necessary.
- (11) In the case of an application for a Development Permit on Crown Land, the County will require Provincial authorization prior to the issuance of a Development Permit.

## 2.5 Industrial Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, each application for industrial development shall be accompanied by the following information:
- (a) type of industry;
  - (b) estimated number of employees;
  - (c) estimated water demand and anticipated source;
  - (d) estimated gas demand and anticipated source;
  - (e) type of effluent and method of treatment;
  - (f) type of air emissions and method of abatement;
  - (g) estimated noise generated by the development and method of abatement;

- (h) estimated light generated by the development and (if necessary) method of abatement;
  - (i) transportation routes to be Used and estimated traffic impact,
  - (j) reason for specific location;
  - (k) means of solid waste disposal;
  - (l) any accessory works required (pipeline, railway spurs, power lines, etc.);
  - (m) anticipated residence location of employees;
  - (n) municipal servicing costs associated with the development;
  - (o) physical suitability of Site with respect to soils, slopes and drainage;
  - (p) if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
  - (q) servicing requirements and provisions for meeting them;
  - (r) costs associated with providing new or upgraded municipal services associated with the development,
- and/or any other information as may be reasonably required by the Development Authority.

## 2.6 Commercial & Recreation Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, each application for a commercial or recreation developments may be required, at the discretion of the Development Authority, to be accompanied by the following information:
  - (a) physical suitability of Site with respect to soils, slopes and drainage;
  - (b) the size and number of parcels and proposed phasing (if any);
  - (c) servicing requirements and provisions for meeting them;
  - (d) estimated water demand and anticipated source;
  - (e) estimated gas demand and anticipated source;
  - (f) type of effluent and method of treatment;
  - (g) type of air emissions and method of abatement;
  - (h) estimated noise generated by the development and method of abatement;
  - (i) estimated light generated by the development and (if necessary) method of abatement;
  - (j) costs associated with providing new or upgraded municipal services associated with the development;
  - (k) the requirements and provisions for employee and customer parking and for Site access;
  - (l) a landscaping plan;
  - (m) cross-sections and elevations for each Building;
  - (n) a list of proposed Uses;
  - (o) transportation routes and estimated traffic impact;

and/or any other information as may be reasonably required by the Development Authority.

## 2.7 Resource Extraction Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require, where not required to do so by the Province, that each application for a development permit for resource extraction development be accompanied by the following information:
  - (a) a reclamation plan and a statement indicating the projected final Use of the Site. In those cases where the proponent is required to do so by the Province, the proponent shall submit a copy of the reclamation plan to the County;
  - (b) for Class I Pits on Private Land under 5 ha. (12.5 ac.) in area: proof of approval from Alberta Environment and Sustainable Resource Development;
  - (c) for Class II Pits on Private Land under 5 ha. (12.5 ac.) in area: a reclamation deposit in the amount of \$2,000 per acre for each acre of working pit;
  - (d) statement indicating the number of years the pit is proposed to be in operation;
  - (e) anticipated generation of motor vehicle traffic estimated on a daily, weekly or monthly basis;
  - (f) number of vehicles that will be Used in the hauling of materials and the proposed hauling route to and from the Site;
  - (g) type and number of equipment to be Used for each activity to be carried out on the Site;
  - (h) access locations to and from the Site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
  - (i) dust control measures to be implemented, including the suppressant materials or methods to be Used either on the pit floor and on stockpiles as well as the proposed frequency of application;
  - (j) projected impacts of dust or emissions (asphalt, gravel crushing, concrete or other) and the methods to be Used for controlling such dust or emission;
  - (k) proposed frequency for cleaning settled dust from, in and around gravel crushing plants;
  - (l) provisions for loading and parking;
  - (m) descriptions of any noxious, toxic, radioactive, flammable or explosive materials to be stored or Used on the Site;
  - (n) location of garbage and storage areas and proposed fencing and screening for the same, as well as the proposed method for disposing of garbage;

- (o) provision of a written security plan that identifies potential dangerous situations, area and typical procedures to be Used for monitoring the Site during periods of activity and also when activity on the Site is suspended;
  - (p) proposed methods to be Used to restrict public access, protect wildlife, neighbouring livestock and domestic animals;
  - (q) quality and quantity of well water and soil tests for the water systems that may be Used in conjunction with the proposed development;
  - (r) amount of water required for the proposed development on a daily, weekly or monthly basis and the proposed water source;
  - (s) engineering studies which demonstrate the suitability of the proposed method of water supply;
  - (t) engineering studies which demonstrate the suitability of the proposed method of effluent disposal;
  - (u) engineering studies which demonstrate the suitability of the proposed method of surface water management;
  - (v) method proposed for controlling noise, dust and drainage from the Site both during and after completion of the operation;
  - (w) profiles and cross sections showing the original ground level, the proposed depth of any excavation, the finished grade elevation, the depth of the overburden and water table elevations;
  - (x) the method intended to be Used for excavation of the materials contained within the land, backfilling, terracing, compacting, leveling, reclaiming the Site and equipment to be Used in connection therewith;
  - (y) the method to be Used for supporting pit walls;
  - (z) size, number and location of stockpiles of topsoil, overburden and gravel;
  - (aa) proposed days and hours of operation for each activity and any known or regularly anticipated periods of inactivity; and
  - (bb) if the proposal is located within the heritage overlay area, then a Historic Resource Impact Assessment and/or clearance from the Alberta Culture and Community Spirit.
- (2) Without limiting the requirements of the Development Authority, the proponent will also be required to enter into:
- (a) a haul road agreement with the County; and
  - (b) a development agreement with the County.

## 2.8 Excavation and Stripping of Land and/or Stockpiling of Materials Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require each application for the excavation, stripping or grading of land proposed without any other development on the same land, to be accompanied by the following information:
  - (a) location and area of the Site where the excavation is to take place;
  - (b) the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the Site;
  - (c) the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
  - (d) identification of potential for outdoor noise and the discharge of substances into the air;
  - (e) a reclamation plan including information regarding the condition in which the Site is to be left when the operation is complete, the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the Site; and
  - (f) potential long-term costs of new or upgraded municipal services associated with the development.
- (2) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require each application for the stockpiling of any material proposed, with or without any other development on the same land, to be accompanied by the following information:
  - (a) location and area of the Site where the stockpiling of material is to take place;
  - (b) the type of materials to be stockpiled on the Site;
  - (c) the anticipated height of all stockpiles;
  - (d) statement indicating the number of years the pit is proposed to be in operation;
  - (e) anticipated generation of motor vehicle traffic estimated on a daily, weekly or monthly basis;
  - (f) number of vehicles that will be Used in the hauling of materials and the proposed hauling route to and from the Site;
  - (g) type and number of equipment to be Used for each activity to be carried out on the Site;

- (h) access locations to and from the Site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
- (i) provisions for loading and parking;
- (j) descriptions of any noxious, toxic, radioactive, flammable or explosive materials to be stored or Used on the Site;
- (k) engineering studies which demonstrate the suitability of the proposed method of surface water management for the stockpiling of snow;
- (l) method proposed for controlling noise, dust and drainage from the Site both during and after completion of the operation;
- (m) a reclamation plan including information regarding the condition in which the Site is to be left when the operation is complete, the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the Site; and
- (n) potential long-term costs of new or upgraded municipal services associated with the development.

## 2.9 Wind Energy Conversion System Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require each application for a wind energy conversion system to be accompanied by the following information:
  - (a) a fully dimensioned and scaled Site plan showing and labeling information including the location of overhead utilities on or abutting the subject Site, contours of the land and access roads;
  - (b) a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour and the landscape;
  - (c) the manufacturer's specifications for the wind energy conversion system, including:
    - (i) the system's rated output in kilowatts,
    - (ii) safety features and sound characteristics, and
    - (iii) type of material Used in tower, place, and/or rotor construct;
  - (d) an analysis of the potential for noise at:
    - (i) the Site of installation,
    - (ii) the boundary of the Lot containing the development, and
    - (iii) any habitable Dwelling within 2.0 km (1.2 miles) of the subject Site;
  - (e) a report regarding any public information meetings or other processes conducted by the developer;



- (f) any impacts to the local road system including required approaches from public roads having regard to County standards;
- (g) a preliminary reclamation/decommissioning plan; and
- (h) appropriate reports and/or approvals from:
  - (i) Alberta Utilities Commission,
  - (ii) Transport Canada,
  - (iii) NavCanada,
  - (iv) Alberta Energy, and
  - (v) Alberta Environment and Sustainable Resource Development.

## 2.10 Referral of Application

Section  
Amended by  
Bylaw 18-01

- (1) Historical or archaeological Sites identified as Historic Resource Value pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
- (2) In addition to any Sites identified in Subsection (1) above, an application for a Development Permit within the County that may, in the opinion of the Development Authority, impact on or is proposed to be located in any Historical Resource Value Site, will require that project details be provided to Alberta Culture and Tourism in a Historic Resources Application submitted through the Online Permitting and Clearance (OPaC) system for approval.
- (3) Development Permit applications within 800.0 m (2625.0 ft.) of the right-of-way of a Provincial Highway shall be referred to Alberta Transportation for comments prior to a Development Permit being issued.
- (4) Area Structure Plans or Site Development Plans proposals within 1.6 km (5,249 ft) of a Provincial Highway shall be referred to Alberta Transportation for comments prior to a Development Permit being issued.
- (5) All applications for Development Permits on Sites adjacent to another Municipality shall be submitted to the other Municipality for comments prior to rendering a decision. The Development Authority shall not be bound by the recommendations of the other Municipality.
- (6) All Subdivision proposals and all Development Permit applications for significant discretionary Uses within 3.2 km (2.0 miles) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a Development Permit being issued or a Subdivision being approved. The Development Authority shall not be bound by the recommendations of the other municipality.
- (7) Development Permit applications for Uses within 3.2 km (2.0 miles) of a Confined Feeding Operation may be referred to the County Agricultural Fieldman for comments and for assistance in calculating any necessary Development Setback distance.
- (8) The Development Authority may refer any application for a Development permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.

## 2.11 Decisions on Development Permit Applications

Section Amended by Bylaw 18-01
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- (1) The Development Authority shall:
  - (a) Receive and review all applications for Development Permits;
  - (b) Consider and decide on all applications for Development Permits for permitted and discretionary uses;
  - (c) Regarding decisions on Development Permit applications within a Direct Control District, the Development Authority shall:
    - i. Issue decisions for Development applications on Development Permit applications within a Direct Control (DC District) for those Uses listed in Direct Control Districts as directed by Council.
    - ii. Refer to the Council for its consideration and decision Development Permit applications for significant discretionary Uses within a Direct Control (DC District).
- (2) The Development Authority, in making a decision on a Development Permit application for:
  - (a) A permitted Use that conforms to the Land Use Bylaw in force at the time of application, as amended:
    - i. May approve the application unconditionally;
    - ii. May approve the application subject to those conditions he/she considers appropriate;
    - iii. May approve the application permanently or for a limited amount of time; or
    - iv. Shall refuse the application, if the proposed Development does not conform to the Land Use Bylaw in force at the time of application, as amended.
  - (b) A discretionary Use, as designated in the Land Use Bylaw in force at the time of application, as amended:
    - i. May approve the application, if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the Site;
    - ii. May refuse the application even though it meets the requirements of this Bylaw; or
    - iii. Shall refuse the application, if the proposed Development does not conform to the Land Use Bylaw in force at the time of application, as amended;
    - iv. Shall refuse the application, if the proposed Variance does not conform to the Land Use Bylaw in force at the time of the application, as amended.

- (3) The Development Authority may approve an application for a development permit even though the proposed Development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a Structural Alteration of a Non-Conforming Building, if, regarding the circumstances and merits of the application, in the opinion of the Development Authority:
  - (a) The proposed Development would not:
    - i. Unduly interfere or disturb the order and enjoyment of the amenities of the neighbourhood; or
    - ii. Materially interfere with or affect the Use, enjoyment, or value of neighbouring Parcels of Land; or
  - (b) The proposed Development is similar to the Uses prescribed for that land or Building in this Bylaw; or
  - (c) The suitability of the design, character, and appearance of the proposed Development is compatible with and complementary to the surrounding properties; or
  - (d) The proposed Development preserves the purpose and intent of any statutory plan adopted by the County; or
  - (e) The proposed Development preserves the purpose and intent of any non-statutory plan and relevant policy adopted by the County that is applicable to that land or Building in this Bylaw.
- (4) In reviewing a Development Permit application for a permitted or discretionary Use, the Development Authority shall consider any technical study as may be required in Section 2.4 and/or as prescribed in the designated Land Use District, or any of provisions made under this Bylaw, or any statutory or not statutory plan and relevant policy adopted by the County.
- (5) A Development Permit may be issued on a temporary basis for a period specified by the Development Authority, which shall be specified on the permit. Upon the expiry of such time, the Use allowed shall be Discontinued and any Buildings that were erected because of the Development Permit shall be removed, and the Site restored to its original condition prior to the issuance of the Development Permit.
- (6) An application to extend the duration of a Temporary Development Permit shall be dealt with as a new Development Permit application. There shall be no obligation to approve a Development Permit on the basis that the previous permit had been issued.
- (7) Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for a discretionary Use when the Development Authority deems is necessary to do so.
- (8) The Development Authority shall refuse a Development Permit for a Use or Development that is not listed as permitted or discretionary within the proposed Land Use District.
- (9) Notwithstanding Subsection (8) above, in the case where a proposed Use or Development is not defined and provided for in any Land Use District in this Bylaw,

- the Development Authority may allow the Use or Development as a discretionary Use, if at his/her sole discretion it is determined that the proposed Use or Development is similar in character and purpose to a defined permitted or discretionary Use provided for in a particular Land Use District in this Bylaw.
- (10) An application for a Development Permit shall be deemed refused when a decision is not made by the Development Authority within forty (40) days after receipt and acceptance of a complete application by the Development Authority, unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Authority.
  - (11) Where the Development of land involves a Subdivision of land, issuance of a Development Permit is subject to the provisions in Section 6.22 of this Bylaw.
  - (12) Notwithstanding Subsection (11) above, the Development Authority may consider a Development Permit application on existing registered Lots.
  - (13) The Development Authority may suspend or revoke a Development Permit:
    - (a) At any time, where the permit was issued on the basis of incorrect or inconsistent information, fraud, non-disclosure, or misrepresentation on the part of the applicant;
    - (b) If the applicant fails to comply with conditions of the approval outlined in a Development Permit;
    - (c) The conditions of approval outlined in a Development cease to be complied with;
    - (d) Any person undertakes, causes, or permits any Use and Occupancy or Development on a Lot or Parcel contrary to the conditions of a permit;
    - (e) The Development does not comply with the Development agreement or restrictive covenant;
    - (f) If, in the opinion of the Development Authority, it appears that a Development Permit has been obtained by misrepresentation, the Development Authority may suspend, revoke, or modify the Development Permit;
    - (g) If requested to do so by the applicant, or
    - (h) Within 14 days of issue of the permit, where the permit was issued in error.
  - (14) In the case of refusal of an application for a Development Permit, whether refused pursuant to this Part or ultimately after appeal pursuant to Part 3 of this Bylaw, the Development Authority may, at his/her sole discretion, either accept or refuse the submission of another application for a permit on the same Lot or Parcel of Land for the same or a Similar Use submitted by the same or any other applicant during the six (6) months following the date of the refusal.
  - (15) All Development in the County, in addition to the requirements of this Bylaw, shall satisfy any other requirements of Provincial or Federal Legislation or Regulations, including, without limiting the foregoing, the *Safety Codes Act and Regulations* made under the Act, as well as the *Water Act* and applicable *Regulations*.
  - (16) Conditions of Development Permits:
    - (a) The Development Authority may require that as a condition of issuing a Development Permit, the applicant enter into an agreement to construct or pay

for the construction of Roads, pedestrian walkways or Parking Areas which serve the Development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent Development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.

- (b) The Development Authority may require a Developer to pay an off-site levy in respect of land that is to be developed or subdivided, in accordance with County Bylaws.
- (c) The Development Authority shall impose as conditions those mitigation and other necessary measures required by an environmental assessment carried out pursuant to the *Canadian Environmental Assessment Act* to minimize any potential adverse environmental effects.
- (d) The Development Authority shall impose as conditions those mitigation and other necessary measures considered necessary to minimize any potential impacts, based on the results technical study as may be required in Section 2.4, and/or prescribed in the designated Land Use District, or any of provisions made under this Bylaw, or any statutory or non-statutory plan and relevant policy adopted by the County.
- (e) The Development Authority shall impose conditions requiring the applicant to make satisfactory arrangements for the supply of gas, water, electric power, telephone, sewer service, vehicular, and pedestrian access and any other utility, service, or facility, including payment of installation or construction costs by the applicant.
- (f) The Development Authority may impose a condition that the applicant enter into an agreement with the County for any of the following:
  - i. To construct or pay for the construction or improvement of a public Roadway required to give access to the Development;
  - ii. To construct or pay for the construction of a pedestrian walkway system to serve the Development; or a pedestrian walkway that will connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves or is proposed to serve and adjacent Development, or both;
  - iii. To specify the location, standard, and number of vehicular and pedestrian access locations to a Site from public Roadways;
  - iv. To install or pay for the installation of utilities to municipal standards necessary to serve the Development;
  - v. To construct or pay for utilities, Roadways, and improvements with an excess capacity pursuant to the Act, Section 650;
  - vi. To construct or pay for the construction of servicing and community facilities, and Garbage, loading and unloading facilities; and
  - vii. To give security to the County to ensure terms of the agreement under this Subsection (15) are carried out.

- (g) The Development Authority shall impose a condition requiring the applicant to repair or reinstate, or to pay for the repair or reinstatement, to original condition any street furniture, curbing, sidewalk, boulevard landscaping, and tree planting which may be damaged, destroyed, or otherwise harmed by the Development.
- (h) The Development Authority shall impose conditions respecting the paving, Fencing, and Landscaping of the Lot or Parcel and adjacent public Roadways during and after its Development, including requiring that the applicant provides security in the amount of 125% of the estimated paving, Fencing, and Landscaping costs. The condition of the security being that, if these works are not completed in accordance with the regulations under this Bylaw and applicable County Standards within one (1) year after the completion of the Development, then the amount fixed shall be paid to the County for its use in completing the works.
- (i) The Development Authority shall impose conditions respecting the time within which a Development or any part of it is to be completed; and
- (j) The Development Authority shall impose conditions limiting the length of time that a Development Permit may continue in effect.
- (k) The County Council may impose the following conditions in a Development Permit approved by it:
  - i. any of the conditions that the Development Authority may impose in a Development Permit;
  - ii. a condition imposing a Development standard that is more restrictive or onerous than the regulations of this Bylaw, having regard to:
    - 1. the nature of the Development,
    - 2. any applicable Federal, Provincial, or Municipal legislation, including the Municipal Development Plan, any applicable statutory plan, and
    - 3. the provisions of this Bylaw; and
    - 4. any relevant caveat, Easement, instrument, agreement, or other legal requirement under the Land Titles Act registered against the certificate of title.
  - iii. such other conditions as it considers appropriate to the circumstances.
- (l) The County may register a caveat in respect of an agreement under this Section (15) against the Lot or Parcel that is subject of the Development Permit. The caveat may be discharged when the agreement has been complied with.



## 2.12 Powers of Variance

Section  
Amended by  
Bylaw 18-01

- (1) In addition to the application requirements of Sections 2.4 to 2.9, when an application for a Development Permit is submitted for a permitted or discretionary Use that does not comply with the provisions of this Land Use Bylaw; with respect to District regulations or standards, structure size, or location on the Lot or Parcel; a Property Owner may submit an application for a Variance from the Bylaw requirement to the Development Authority.
- (2) All applications for a Variance permit shall be submitted to the Development Authority in writing, on the application form provided by the Municipality, which must be fully completed and signed by the applicant and registered Owner(s).
- (3) A fee as established by Council shall accompany each application for a Variance permit. This fee may vary dependent on whether the Development Permit application in connection to a Variance request has followed an enforcement action pursuant to Part 5 of this Bylaw.
- (4) Variance Request Approvals
  - (a) Minor Variances may be approved at the discretion of the Development Authority.
  - (b) The Development Authority, at its sole discretion, may refer to Council for approval requests for Major Variances.
  - (c) Major Variances may require a circulation of the application to adjacent Property Owners.
  - (d) Any Variance request that will require an amendment to the Land Use Bylaw is subject to approval by County Council.
- (5) Development Permit applications with Variances are evaluated and considered on a case-by-case basis. A request for a Variance does not guarantee its approval in whole or in part.
- (6) The Development Authority may permit a Variance of less than ten percent (10%) to the Lot Coverage, Building Height, and Setbacks for all structures without processing a Variance application.
- (7) The Development Authority may allow a Variance in regards to Front, Rear and Side Yard Setbacks, Lot area, Lot Coverage, Lot Width, Building Height, Landscaping, and parking requirements of up to 10% without notifying the adjacent/affected landowners.
- (8) The Development Authority must notify the adjacent/affected landowners of any Development Permit application requesting a Variance exceeding 20% of the Land Use Bylaw regulations or standards. In addition, provide one (1) week for the landowners to submit written comments. If no comments are received in this time, the Development Authority may conclude that there are no objections to the Variance.
- (9) The Development Authority may grant a Variance on a Development Permit application, if it can be shown that compliance with the Bylaw is unreasonable and causes undue Hardship. The burden to prove undue Hardship is that of the applicant.
- (10) Before the granting of a Variance, it must be demonstrated that every other option available for compliance has been sought first.



- (11) When Variances are granted, the Variance will be for no more than the minimum adjustment required to resolve the problem. For example, if an applicant is asking for a Setback Variance (which meets all the criteria required by law) of 3 metres (10 ft), and the problem could be corrected by a 1.5 metre (5 ft) Variance, only a 1.5 metre (5 ft) Variance will be granted.
- (12) A Variance shall be considered only in cases of undue Hardship or practical difficulties particular to the character or situation of land or Building, which is not generally common to other lands in the same Land Use District.
- (13) Variances cannot be granted to allow a Use that is not already permitted within the Land Use District nor can a Variance be used to provide relief from a self-induced Hardship or be based solely on economic Hardship.
- (14) The Development Authority cannot vary Use and Density provisions. If a proposed Development does not conform to the Use and Density requirements within the applicable District, then an application for a Variance Request Permit and a Land Use Bylaw amendment will be required prior to Development approval.
- (15) A Variance may only be granted if, in the opinion of the Development Authority:
  - (a) The proposed Variance would not result in a Development that will:
    - i. unduly interfere with the amenities of the neighbourhood;
    - ii. materially interfere with or affect the Use, enjoyment or value of neighbouring Parcels of land; and
    - iii. the proposed Development conforms with the Use prescribed for that land or Building in this Bylaw.
  - (b) The Building Site has irregular Lot Lines creating an odd shape, is a Substandard Lot, or has Development Constraints that may create difficulties in locating a structure within the required Setbacks, in which case the Development Authority may permit the Development and vary the Setback or average the Setbacks.
- (16) Variance Request Applications for Minor or Major Variances must be accompanied by the following:
  - (a) a complete Variance Permit Request application form.
  - (b) a complete Development Permit application, including receipt of applicable fees.
  - (c) the applicable Variance Request Application fee.
  - (d) Variance Permit Request Site Plan checklist, including Landscaping and Parking Areas.
  - (e) elevation drawings.
  - (f) any other supporting documents as requested by the Development Authority.
- (17) When considering a Variance request, the Development Authority shall:
  - (a) not grant a Variance that would infringe the Airport regulations; and
  - (b) have regard to the purpose and intent of the Land Use District and the nature of Developments on adjacent properties.

- (18) The Development Authority shall specify the nature of the decision on a Variance Permit Request application in the Variance Permit approval and the Development Permit approval.
- (19) Any Variance approved is subject to the provisions under this Section.
- (20) Variance requirements for Signs shall be in accordance with the provisions in Section 6.19 of this Bylaw.

## 2.13 Validity of Development Permits

- (1) When a development permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.
- (2) When the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.
- (3) If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit, except where approval has been granted for a permitted Use or, where a license, permit, approval or other authorization is granted by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Utilities Commission to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted Use and/or, by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Utilities Commission, shall validate, amend or revoke, as the case may be, a suspended development permit.

## 2.14 Notice of Decision

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- (1) A copy of the decision, together with a written notice specifying the date on which the decision was made and containing any other information required by the regulations will be given or sent to the applicant on the same day the decision is made. The Development Authority shall send a notice by regular postal service of the decision to the applicant and display a notice in a place available to public view in the County office, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.
- (2) A notice of decision shall be sent via electronic means if:
  - (a) The applicant has consented to receive documents from the County via electronic means and has provided an email address, website, or other electronic address to the County for said purpose.

- (b) It is possible to make a copy of the document from the electronic transmission.
  - (c) A document sent by electronic means is considered to have been received within seven (7) days of the date it was sent.
- (3) In addition to Subsection (1) above, within five (5) working days after a decision on a Development Permit application for a discretionary Use or after a Variance has been granted, the Development Authority Officer shall:
  - (a) mail a notice in writing to all adjacent landowners and any other landowners who, in the sole opinion of the Development Authority, may be affected, to notify them of the decision and right of appeal;
  - (b) publish a notice of the decision in a newspaper circulating in the Municipality stating the legal description of the Property, municipal address of the application, nature of the approved Development, and right of appeal; and
  - (c) when the Lot or Parcel subject to the approved Development Permit is located within a multi-Lot Country Residential Subdivision, mail a notice in writing to all Owners of Lots or Parcels within that multi-Lot Country Residential Subdivision stating the legal description of the Property, municipal address of the application, nature of the approved Development, and right of appeal.
- (4) When the Development Authority refuses an application for a Development Permit, the decision shall contain the reasons for the refusal, the period within which an appeal can be made, and to whom the applicant, if so desired, may appeal.
- (5) The decision of the Development Authority must state:
  - (a) Whether an appeal lies to a Subdivision and Development Appeal Board or to the Municipal Government Board, and
  - (b) If an application for Development Permit is refused, the reasons for refusal.

## 2.15 Commencement and Completion

- (1) If the development authorized by a development permit is not commenced within twelve (12) months from the date of its issuance and carried out with reasonable diligence within two (2) years of the date of issuance, the permit is deemed void, unless an extension to this period has previously been granted by the Development Authority.
- (2) Upon application to the Development Authority, prior to the expiry of an approved development permit application, the Development Authority may grant an extension to the effective period of a development permit for a period that shall not exceed twelve (12) months.
- (3) When a development permit expires, a new application is required. The new application will be reviewed and a decision issued based on the current merits of the proposed development in relation to current municipal, provincial and federal

regulations, requirements, policies and practices. The Development Authority shall not be obliged to approve a development permit based on a previous approval.

- (4) In cases where a Use is discontinued, or intended to be discontinued for a period of six (6) months or more, any subsequent Use of the land or Building shall comply with this Bylaw and shall require a new development permit.

### **2.16 Developer's Responsibility**

- (1) A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to Building, grades, sewers, sanitary and storm water disposal, water mains, electricity and all other permits required in connection with the proposed development.
- (2) The applicant shall be financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents or contractors to any public or private property.
- (3) The applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes, sidewalks and adjacent private properties.
- (4) No Building or Use shall be Used or occupied and no change in the existing occupancy classification of a Building shall be made until the developer, proposed User or proposed occupant of said Building or Use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.

### **2.17 On-Site and Off-Site Services and Improvements**

- (1) Where any on-Site services or improvements, or any off-Site local improvements are required to service a proposed development, a developer shall not begin the work nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken according to the standards and specifications of the County. In order to satisfy the Development Authority, the developer will be required to enter into a development agreement with the County as a condition of development permit approval.
- (2) No development permit shall be considered valid for a development to be serviced by private sewer and water systems until the systems have been approved by the appropriate agency.

- (3) All future development areas must be serviced to the satisfaction of the Development Authority.
- (4) All infrastructure improvement costs associated with the development will be borne by the proponent of the development.

## 2.18 Public Participation Requirements

- (1) that citizens and the parties or organizations that could be affected by a decision on their Development are provided with the opportunity to provide their comments. The method used will vary depending on the specific Development, and may include, but are not limited to public notices, comment periods, workshops, charrettes, public hearings, and newsletters, surveys and media releases, or any other mechanism for public participation currently provided for in County Bylaws or Policies and the Municipal Government Act and Regulations, as amended.
- (2) In addition to the information requirements indicated in Section 2.4, at the discretion of the Development Authority applications for significant discretionary Uses may be required to seek public input through appropriate techniques, as outlined in Subsection 2.18(1) of this Bylaw.
- (3) Where, in the opinion of the Development Authority, a proposed Development will have a significant impact on surrounding properties, the Development Authority may require the applicant to hold a public open house to inform affected residents and landowners of the proposed Development .
- (4) In addition to the requirements in Subsections (1), (2), (3), and (4) above, and prior to considering an application complete, the applicant shall provide a written summary, prepared to the Development Authority's satisfaction, which indicates the type of public participation process employed. The summary shall contain all the materials distributed along with any comments received during the process, and how the public input has been incorporated, or not, into the Development and the reasons for it.

## 2.19 Use and Occupancy Permit Requirements

- (1) No Development, Building, or Use, in addition to complying with a Development Permit, shall be used or occupied and no change in the existing Occupancy classification of a Building shall be made until a Use and Occupancy Permit has been issued in accordance with the Occupancy or Use stated on the permit application.
- (2) Failure to obtain a Use and Occupancy Permit prior to Occupancy will constitute a contravention of this Land Use Bylaw and may result in penalties being imposed pursuant to Part 5 of this Bylaw and/or issuance of an order to vacate.
- (3) The landowner, Developer, and/or applicant shall submit a complete application for a Use and Occupancy Permit to the Development Authority.

- (4) To be deemed complete, Use and Occupancy Permit Applications must be accompanied by the following:
  - (a) A copy of a Final Building Inspection Report, issued by a Safety Codes Officer, not more than six (6) months before the date on the permit application.
  - (b) Copies of Permit Services Reports indicating that all disciplines are compliant, issued by a Safety Codes Officer.
  - (c) The Development Authority shall issue an Occupancy Permit on the prescribed form, if satisfied that:
    - i. The Development has been completed in accordance with the approved plans and Development Permit,
    - ii. The Development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and Development Permit.
- (5) An incomplete Use and Occupancy Permit application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- (6) A Use and Occupancy Permit application shall not be issued until all required inspections are completed and acceptable to the Safety Codes Officers involved.
- (7) After the Safety Codes Officer inspects the Building or structure and finds no violations of the provisions of the Alberta Building Code, the *Safety Codes Act*, and all applicable Provincial and County Regulations, upon an application being submitted, the Development Authority should issue a Use and Occupancy Permit within ten (10) working days that contains the following:
  - (a) Development Permit number.
  - (b) address of the structure.
  - (c) name and address of the Owner.
  - (d) type of Use and/or Occupancy the permit is issued for.
  - (e) description of that portion of the structure for which the permit is issued.
  - (f) a statement that the described portion of the structure has been inspected for compliance with the requirements of the Alberta Building Code, the *Safety Codes Act*, and all applicable Provincial and County regulations for the Occupancy and division of Occupancy and the Use for the proposed Occupancy.
  - (g) name of the Safety Codes Officer contained in the Final Building Inspection Report and report number.
  - (h) Land Use Bylaw number and District under which the permit was issued.
  - (i) Use and Occupancy, in accordance with the provisions of the Alberta Building Code, the *Safety Codes Act*, and the Land Use District contained in the Final Building Inspection Report.
  - (j) type of construction as defined in Final Building Inspection Report.
  - (k) any special inspections and conditions of the Development Permit.

- (8) The Development Authority shall not issue a Use and Occupancy Permit for any Use or Development on any Lot within any Land Use District until the requirements of this Bylaw pertaining to the Use or Development have been met.



# 3 | Appeals

Section  
Amended by  
Bylaw 18-01

## 3.1 Development Appeals and Procedures

- (1) An appeal on a decision of the Development Authority may be made within twenty-one (21) days after receipt of written notice issued under Section 2.18 of this Bylaw to the Subdivision and Development Appeal Board:
  - (a) where a Development Authority:
    - i. refuses or fails to make a decision on a Development Permit application within forty (40) days of receipt of a completed application or prior to the expiry date of an agreement between the applicant(s) and the Development Authority Officer to extend the 40-day period herein described; or
    - ii. issues a Development Permit subject to conditions; or
    - iii. issues a Development Permit for a discretionary Use, or for a permitted Use pursuant to this Bylaw; or
    - iv. issues an order under Section 1.14 of this Bylaw.
  - (b) when the applicant for a Development Permit, or a person is affected by an order under Section 1.14; or
  - (c) when any other person affected by an order, decision, or Development Permit made or issued by a Development Authority.
- (2) Notwithstanding Subsections (1)(i) and (1)(ii) above, no appeal lies in respect of the issuance of a Development Permit for a permitted Use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted or it was deemed to be refused under Section 2.11.
- (3) Notwithstanding Subsections (1)(i) and (1)(ii) above, no appeal lies to the Subdivision and Development Appeal Board in respect of the issuance of a Development Permit by Council in the Direct Control District. If the decision is made by a Development Authority, the appeal is limited to whether the Development Authority followed the directions of Council, and if the Subdivision and Development Appeal Board finds that the Development Authority did not follow the directions it may, in accordance with the directions, substitute the decision for the Development Authority's decision.
- (4) An appeal shall be made by serving a written notice of appeal to the Clerk of the Subdivision and Development Appeal Board within twenty-one (21) days after:
  - (a) the date of the receipt of written notice issued under Section 2.14 of this Bylaw of the order or decision or the issuance of the Development Permit; or

- (b) if no decision is made with respect to the application within the 40-day period or within any extension issued under Section 684 of the Act.
- (5) With respect to an order under section 645 of the Act, within twenty-one (21) days after the date on which the order is made.
  - (a) The date of notification of an order or decision or the issuance of a Development Permit is deemed to be seven (7) days from the date the order or decision or the notice of issuance of the Development Permit is mailed or sent electronically.
  - (b) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

## 3.2 Appeal Hearing Procedure

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days' notice in writing of the appeal hearing to:
  - (a) the appellant;
  - (b) the Development Authority from whose order, decision or Development Permit the appeal is made;
  - (c) the applicant and/or landowner(s);
  - (d) those adjacent landowners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
  - (e) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection and before the commencement of the appeal hearing all relevant documents and materials respecting the appeal, including:
  - (a) the application for the Development Permit, the decision, and the notice of appeal; or
  - (b) the order of the Development Authority under Part 5 of this Bylaw or Section 645 of the Act, as the case may be.
- (4) At the appeal hearing referred to in this Section, the Subdivision and Development Appeal Board shall hear:
  - (a) the appellant or any other person acting on his/her behalf;
  - (b) the Development Authority from whose order, decision or Development Permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
  - (c) any other person who was served with notice of the hearing pursuant to Subsection (2) above, and who wishes to be heard or a person acting on his/her behalf; and

- (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on his/her behalf.

### 3.3 Decision on Development Appeals

- (1) In determining an appeal, the Subdivision and Development Appeal Board:
  - (a) shall comply with any applicable Land Use policies and applicable statutory plans;
  - (b) shall comply with the Province's Land Use Policies and applicable regional plans;
  - (c) shall comply with the Inclusionary Housing requirements in this Bylaw;
  - (d) may confirm, revoke or vary the order, decision or Development Permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
  - (e) must have regard for, but is not bound by, the Subdivision and Development Regulation;
  - (f) may make an order or decision or issue or confirm the issuance of a Development Permit notwithstanding that the proposed Development does not comply with the Land Use Bylaw if, in the opinion of the Subdivision and Development Appeal Board, the proposed Development would not:
    - i. unduly interfere with the amenities of the neighbourhood;
    - ii. materially interfere with or affect the Use, enjoyment or value of neighbouring Parcels of Land; and
    - iii. the proposed Development conforms with the Use prescribed for that land or Building in this Bylaw.
- (2) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (3) If the decision of the Development Authority to approve a Development Permit application is reversed by the Subdivision and Development Appeal Board, the Development Permit shall be null and void.
- (4) If the decision of the Development Authority to refuse a Development Permit application is reversed by the Subdivision and Development Appeal Board, the Development Authority shall forthwith approve the Development Permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) If the decision of the Development Authority to approve a Development Permit is varied by the Development Appeal Board, the Development Authority shall forthwith approve the Development Permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (6) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
  - (a) to a judge of the Court of Appeal; and

- (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

### 3.4 Subdivision Appeals and Procedures

- (1) A notice of appeal on a decision of the Subdivision Authority may be made within fourteen (14) days after receipt of written notice issued under Section 2.14 of this Bylaw to:
  - (a) the Municipal Government Board if:
    - i. the land that is the subject of the application is within the Green Area, as classified by the Minister responsible for the Public Lands Act, or
    - ii. the land that is the subject of the application contains, is adjacent to or is within the prescribed distance of a Highway, a water body, a sewage treatment or waste management facility or a historical site or
    - iii. in any other circumstances described in the regulations under section 694(1)(h.2) of the Act.
  - (b) the Subdivision and Development Appeal Board:
    - i. for all other instances; or
    - ii. when a relevant agency or organization has entered into a written agreement to vary the distances in Subsection (1)(a) above, under the Subdivision and Development Regulations.
  - (c) for the purpose of Subsection (a) and (b), the date of receipt of the decision is deemed to be seven (7) days from the date the decision is mailed.
  - (d) if a notice of appeal is filed with the wrong Appeal Board, the Appeal Board that receives the application must refer the appeal to the appropriate Appeal Board. The appropriate Appeal Board then must hear the appeal as if the notice of appeal had been filed with it, and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the Appeal Board that first received the application.
- (2) An appeal shall be made by serving a written notice of appeal to the Clerk of the appropriate Board within fourteen (14) days after:
  - (a) the date of the receipt of written notice issued under Section 2.14 of this Bylaw of the decision of the Subdivision Authority; or
  - (b) deemed refusal by the Subdivision Authority, in accordance with Section 681 of the Act, as amended.
  - (c) if no decision is made with respect to the application within the time prescribed by the Subdivision and Development Regulations, or within any extension issued under Section 681 of the Act.
- (3) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

### 3.4 Subdivision Appeals and Procedures

- (1) A Subdivision and Development Appeal Board hearing an appeal under section 678 of the Act must hold the hearing within thirty (30) days after receiving a notice of appeal.
- (2) The Municipal Government Board hearing an appeal under section 678 of the Act must hold the hearing within sixty (60) days after receiving a notice of appeal.
- (3) The Appeal Board hearing the appeal shall give at least five (5) days' notice in writing of the appeal hearing to:
  - (a) the applicant for Subdivision approval;
  - (b) the Subdivision Authority that made the decision;
  - (c) the applicant and/or landowner(s);
  - (d) if land that is the subject of the application is adjacent to the boundaries of another Municipality, that Municipality;
  - (e) any school board to whom the application was referred;
  - (f) every relevant agency or organization that was given a copy of the application pursuant to the *Subdivision and Development Regulations*; and
  - (g) such other persons as the Appeal Board specifies.
  - (h) Subsections (4), (5) and (6) do not apply to an appeal of the deemed refusal of an application under section 653.1(8) of the Act.
- (4) At the appeal hearing referred to in this Section, the Appeal Board shall hear:
  - (a) a person or entity that was notified pursuant to Subsection (3) above;
  - (b) the Subdivision Authority from whose order, decision or Development Permit the appeal is made, or if a person is designated to act on behalf of the Subdivision Authority, that person;
  - (c) each Owner of Adjacent Land to the land that is the subject of the appeal, or a person acting on any of those persons' behalf.; and
  - (d) any other person or entity who claims to be affected by the order, decision or permit and that the Appeal Board agrees to hear, or a person acting on his/her behalf.

### 3.6 Decisions on Subdivision Appeals

- (1) In determining an appeal, the Board hearing the appeal:
  - (a) must act in accordance with any applicable *Alberta Land Stewardship Act* regional plan;
  - (b) must have regard to any statutory plan;
  - (c) must comply with the County of Vermilion River Inclusionary Housing Bylaw
  - (d) must conform with the Uses of land referred to in a Land Use Bylaw;
  - (e) must be consistent with the Land Use policies;
  - (f) must have regard to, but is not bound by, the Subdivision and Development Regulations;

- (g) may confirm, revoke, or vary the approval or decision or any condition imposed by the Subdivision Authority, or make or substitute an approval, decision or condition of its own;
  - (h) may, in addition to the other powers it has, exercise the same power as a Subdivision Authority is permitted to exercise pursuant to Part 17 of the Act, or the Regulations or Bylaws under Part 17 of the Act, as amended.
- (2) In the case of an appeal of the deemed refusal of an application, in which the Subdivision Authority considered complete, the Board must determine whether the documents and information that the applicant provided met the requirements of section 653.1(2) of the Act.
- (3) Subsection (2) above, does not apply to an appeal of the deemed refusal of an application under section 653.1(8) of the Act, in which an application was considered incomplete and the applicant failed to submit all the outstanding information and documents required to be considered complete.
- (4) The Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (5) When on an appeal the Municipal Government Board or the Subdivision and Development Appeal Board approves an application for Subdivision approval, the applicant must submit the plan of Subdivision or other instrument to the Subdivision Authority from whom the appeal was made for endorsement by it.
- (6) If a Subdivision Authority fails or refuses to endorse a plan of Subdivision or other instrument submitted to it pursuant to Subsection (3), the member of the board that heard the appeal who is authorized to endorse the instrument may do so.

# 4 | Amendment to the Land Use Bylaw

## 4.1 Application for Amendment

- (1) Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended.
- (2) Council may at any time initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority Officer to prepare an amendment application, reports and recommendations.
- (3) Any person may apply to have this Bylaw amended by applying in writing, using the application form provided by the County of Vermilion River, and request that the Development Authority submit the application to Council.
- (4) An applicant proposing to amend this Bylaw for a purpose of clarification of an existing provision must provide the following information:
  - (a) pay the County of Vermilion River an application and advertising fee as set by Council;
  - (b) undertake in writing on a form provided by the County of Vermilion River to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
  - (c) reasons in support of the application;
  - (d) drawings showing the subject Site, the proposed District and the proposed Use and development to be proposed on the Site, if applicable;
  - (e) the program of land servicing, if applicable;
  - (f) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable; and



- (g) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.
- (5) A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
  - (a) pay the County of Vermilion River an application and advertising fee as set by Council;
  - (b) undertake in writing on a form provided by the County of Vermilion River to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
  - (c) reasons in support of the application;
  - (d) drawings showing the subject Site, the proposed District and the proposed Use and development to be proposed on the Site, if applicable;
  - (e) the program of land servicing, if applicable;
  - (f) information regarding any potential impact of the development that would be allowed by the proposed amendment on the existing natural or man-made environment;
  - (g) information respecting the suitability of the subject Site for the development that would be allowed by the proposed amendment;
  - (h) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable;
  - (i) sign a statement authorizing the right of entry by the Development Authority to such lands and/or Buildings as may be required for investigation of the proposed amendment; and
  - (j) any other information deemed necessary by the Development Authority or Council.
- (6) Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
  - (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
  - (b) prepare a detailed report including all maps and relevant materials for Council to consider.
- (7) In order to carry out any necessary investigation or analysis of the problems involved in or related to the amendment, the Development Authority may refer the application to such agencies as they consider necessary for comment.

- (8) Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
  - (a) he/she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
  - (b) he/she wishes to withdraw the application for an amendment.
- (9) As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.
- (10) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (11) Council may request such information as it deems necessary to reach a decision on the proposed amendment.
- (12) Notwithstanding anything in this Section, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.
- (13) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding the enactment of Bylaws.
- (14) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.

## 4.2 Public Hearing Process

- (1) At the discretion of Council, first reading of a proposed amendment may be given before the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of County Council.
- (2) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.
- (3) Notice shall be provided for proposed bylaws, amendments, resolutions, meetings and public hearings in conformity with the requirements of section 606 and 606.1 of the Act.

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# 5 | Enforcement, Penalties and Fines

## 5.1 Contravention and Stop Orders

(1) Where the Development Authority finds that a development or Use of land or Buildings is not in accordance with:

- (a) the Municipal Government Act or the regulations; or
- (b) a development permit or subdivision approval or
- (c) this Bylaw;

the Development Authority may, in accordance with the Act, by notice in writing, order the registered owner, the person in possession of the land or Buildings, or the person responsible for the contravention, or all or any of them to:

- i. stop the development or Use of the land or Buildings in whole or in part as directed by the notice; and/or
- ii. demolish, remove or replace the development; and/or
- iii. take such other measures as are specified in the notice so that the development or Use of the land or Buildings is in accordance with the Municipal Government Act, the regulations, a development permit, subdivision approval or this Bylaw,

within the time frame specified by the notice, as the case may be.

(2) Where a notice is issued under Section 5.1(1), the notice shall state the following and any other information considered necessary by the Development Authority:

- (a) The date on which the order was made;
- (b) an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being cared out;
- (c) the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
- (d) a time frame in which the contravention must be corrected prior to the County of Vermilion River pursuing action; and
- (e) advise the person of his/her right to appeal the notice to the Subdivision and Development Appeal Board.
- (f) Must be given or sent to the person or persons referred to in Section 1.14.1(a) on the same day the decision is made.

(3) Where a person fails or refuses to comply with an order directed to him/her pursuant to Section 5.1(1) or an order of the Subdivision and Development Appeal Board, the Development Authority may, in accordance with Section 542 the Act, enter upon the land or Building and take such action as is necessary to carry out the order.

(4) Where the Development Authority carries out an order, the County shall, as part of its process, ask the courts to allow it to cause the costs and expenses incurred in carrying out

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the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

- (5) The County may register a Caveat under the Land Titles Act pursuant to the Order against the certificate of title that is subject to the Order in accordance with Section 646(2) of the Act.

## 5.2 Enforcement

- (1) This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.
- (2) A person who:
- (a) contravenes any provision of the Act or the regulations under the Act;
  - (b) contravenes this Bylaw;
  - (c) contravenes an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act;
  - (d) contravenes a development permit or subdivision approval or a condition attached thereto, and/or
  - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw
- is guilty of an offense and is liable to a fine prescribed in Section 566 of the Act.
- (3) If a person is found guilty of an offense under **Section 5.1** of this Bylaw (Section 557 of the Act), the court may, in addition to any other penalty imposed, order the person to comply with:
- (a) the Act and the regulations under the Act;
  - (b) this Bylaw;
  - (c) an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act; and/or
  - (d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- (4) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
- (a) delivered personally to the person or their agent it is directed to; or
  - (b) mailed by regular mail to the last known address of the person it is directed to; or
  - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

## 5.3 Violation Tickets and Fines

- (1) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (2) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- (3) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the County.
- (3) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$150.00 for the first offence and \$300.00 for a second or subsequent offence. **Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.**
- (4) The violation ticket shall be served upon the alleged offender personally or delivered by regular mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (5) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (6) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$200.00, plus court costs, for each offence.





# 6 | General Provisions

## 6.1 Accessory Buildings in Districts Other Than the R, R1, R2, MHP, CR1, and CR2 Districts Development Regulations

Section  
Amended by  
Bylaw 15-21

The intent and purpose of these regulations is to encourage smart growth and sustainable development within the County. To preserve and enhance the rural character of the landscape and support the goals and objectives established in the County's plans, policies, and regulations.

- (1) An accessory Building shall not be Used as a Dwelling unless a development permit has been issued allowing the Use of the accessory Building as a garage suite and the garage suite meets the provisions of **Section 7.11** of this Bylaw.
- (2) Sea cans shall comply with the provisions of **Section 7.32** and all applicable District regulations. Accessory Buildings shall be located such that the minimum distances shown on **Figure 6** are provided.
- (3) Accessory Buildings shall be located as follows;
  - (a) No closer to the front property line than the principal Building.
  - (b) In no case shall an accessory Building or structure be located within any setbacks as shown in **Figure 6**, on an easement, or an utility right-of-way (ROW).
- (4) The siting of an accessory Building on a Lot with topographic constraints, such that the Building cannot feasibly be located in the rear or side yards of the Lot, shall be as required by the Development Authority.
- (5) The siting of an accessory Building on an irregularly-shaped Lot shall be as required by the Development Authority.
- (6) Regulations
  - (a) Minimum Lot Area – As required by the designated land Use district.
  - (b) Minimum Shelterbelt and Planting Setback – As required by the designated setbacks shown in Table 1, excluding provincial highways, which are subject to

Alberta Transportation regulations. Setbacks from roadways are measured from ROW centreline.

- (c) Minimum Front Yard – Shall be no closer than the front line of the principal Building, unless the structure and Lot meet the criteria in Section (4) above.
  - (d) Minimum Side Yard – 6 m (20 ft.) from Lot line.
  - (e) Minimum Back Yard – 7.6 m (25 ft.) from Lot line.
  - (f) Minimum Sight Distance – As required by the designated setbacks shown in **Table 1** or as required by Alberta Transportation Highway Design Guide, Chapter G.4, where applicable.
  - (g) The height of a detached accessory Building should not exceed 10.4 m (34 ft.) except for an agricultural structure such as a silo, grain bin, elevator, where restricted by the Airport Height Regulations (**Section 11**, Schedule a), or at the discretion of the Development Authority.
  - (h) The height of an attached accessory Building shall not exceed the height of the principal Building, or at the discretion of the Development Authority.
- (7) Where a structure is attached to the main Building on a Lot by a roof, an open or enclosed structure, a floor, or a foundation it is to be considered a part of the main Building and is not an accessory Building.
- (8) With respect to garage suites:
- (a) In such cases where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties, the height of the accessory Building shall not exceed the height of the principal Building and shall meet the provisions in Section 6.1(6) above.
- (9) Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in **Table 1** apply to all accessory Buildings, in addition to the applicable District regulations, at the discretion of the Development Authority.
- (10) All landscaping, screening, buffering, and planting must be carried out to the satisfaction of the Development Authority and shall be provided subject to the requirements of any applicable Federal, Provincial, and Municipal regulations and policies.
- (a) Landscaping adjacent to structures should incorporate FireSmart Vegetation Management Strategies.
  - (b) Shelterbelts and buffers should follow Agriculture and Agri-Food Canada Design Guidelines. (Figure 7)

- 11) Notwithstanding any regulation in this Section to the contrary, a fence or hedge may be constructed along a boundary line of a Lot or immediately adjacent to a main Building.
- 12) Exceptions
  - (a) At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.
  - (b) Radio and television towers and antennas, and similar telecommunication structures are subject to specific district requirements as established in **Section 7.35** of this Bylaw.
  - (c) The Fire Smart Setback provisions of these regulations may be modified at the discretion of the Development Authority.
- 13) Non-conforming Use
  - (a) Will apply to those accessory Use Buildings, which are already in existence at the time these regulations come into effect and do not meet the requirements established within these regulations, pursuant to Section 2.3 of this Bylaw.
  - (b) Non-conforming accessory Use Buildings could be allowed to encroach into the setbacks established within these regulations at the discretion of the Development Authority.

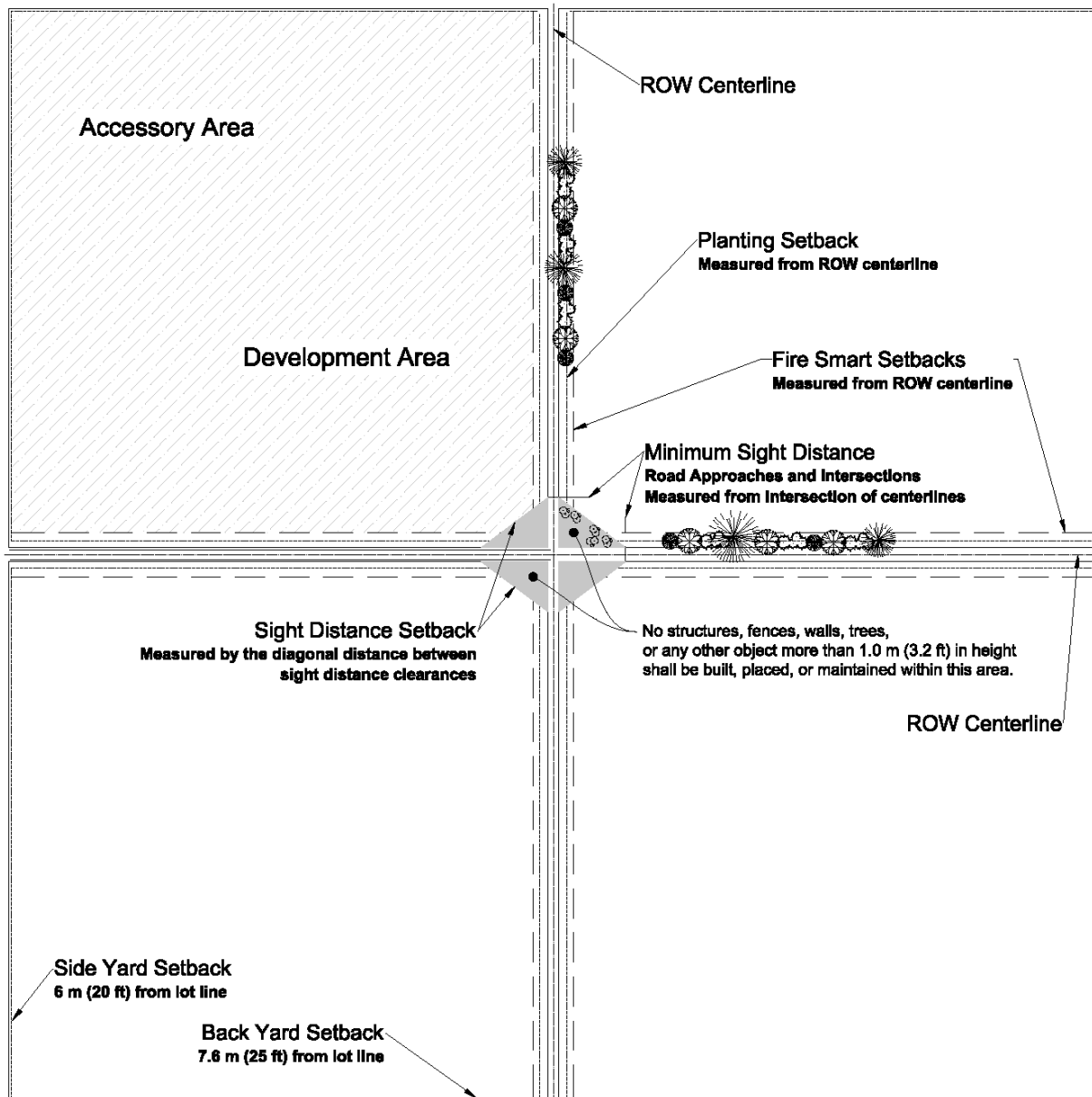


Figure 6: Siting and Setbacks in Districts Other Than the R, R1, R2, MHP, CR1, and CR2 Districts.

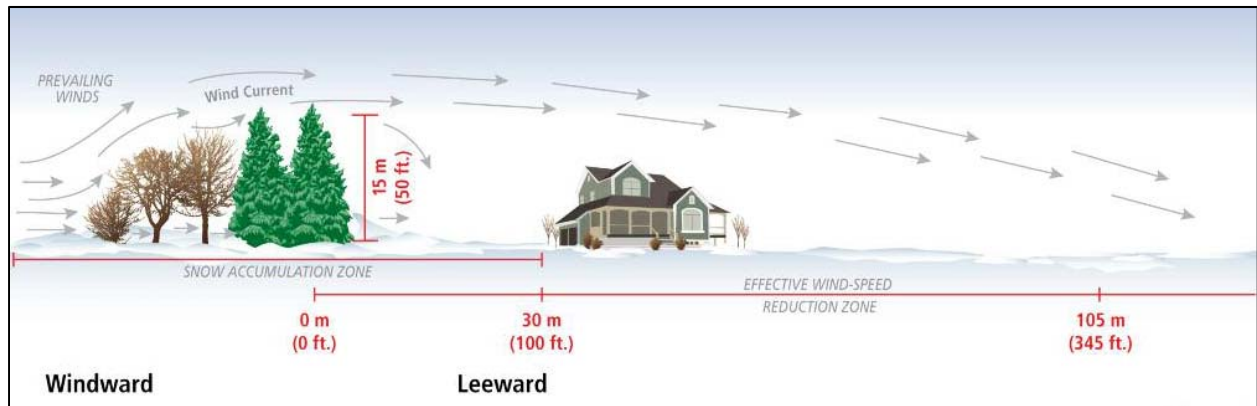


Image: Shelterbelts Design Guidelines for Farmyard, Field, Roadside, Livestock, Wildlife, and Riparian Buffer Plantings on the Prairies © Her Majesty the Queen in Right of Canada, 2010.

**Figure 7: Shelterbelt Setbacks**

Posted Speed (km/h)	Planned Road ROW (m)	Shelterbelt Planting Setback* (m)	and FireSmart Setback* (m)	Minimum Sight Distance Clearance Road Approaches and Intersections** (m)
40	20	25	40–55	120
50	30	30	45–60	150
60	30	30	45–60	175
80	30	30	45–60	300
100	60	65	80–95	300

**Table 1: Designated Setbacks from Roadways in Districts Other Than the R, R1, R2, MHP, CR1, and CR2 Districts**

\* Measured from Right-Of-Way centreline. \*\* Measured from intersection point of Right-Of-Way centrelines.

*Footnote:*

*ROW* — Right-Of-Way

*Shelterbelt and Planting Setback* — Minimum distance for vegetation buffers. Should incorporate Prairie Shelterbelt Program Guidelines and Best Management Practices.

*FireSmart Setback* — Minimum recommended setback for fire prevention. Should incorporate FireSmart Vegetation Management Strategies.

*Sight Distance Clearance* — Minimum safety distance clearance for locating road approaches at intersections.

*Sight Distance Setback* — Shall be the resulting diagonal between sight distance clearances at the intersection of roads, as shown in **Figure 6**.

## 6.2 Accessory Buildings to Residential Uses in the R, R1, R2, MHP, CR1, and CR2 Districts Development Regulations

Section  
Amended by  
Bvlaw 15-21

The intent and purpose of the development regulations is to encourage smart growth and sustainable development within the County. To preserve and enhance the rural character of the landscape and support the goals and objectives established in the County's plans, policies, and regulations.

- (1) Accessory Buildings include storage sheds, garages and carports, greenhouses, sea cans, or other similar Uses or Buildings.
- (2) An accessory Building shall not be Used as a Dwelling unless a development permit has been issued allowing the Use of the accessory Building as a garage suite, and the garage suite meets the provisions of **Section 7.11** of this Bylaw.
- (3) Sea cans shall comply with the provisions of **Section 7.32** and all applicable District Regulations.
- (4) Accessory Buildings shall be located such that the minimum distances shown on **Figure 7** are provided.
- (5) Accessory Buildings shall be located as follows:
  - (a) No closer to the front property line than the principal Building.
  - (b) In no case shall an accessory Building or structure be located within any setbacks as shown in **Figure 7**, on an easement, or an utility right-of-way.
- (6) The siting of an accessory Building on a Lot with topographic constraints, such that the Building cannot feasibly be located in the rear or side yards of the Lot, shall be as required by the Development Authority.
- (7) The siting of an accessory Building on an irregularly-shaped Lot shall be as required by the Development Authority.
- (8) Regulations:
  - (a) Minimum Lot Area – As required by the designated land Use district.
  - (b) Minimum Planting Setback –1.5 m (5 ft.) from Lot line, as shown in **Figure 7**, excluding provincial highways, which are subject to Alberta Transportation regulations.
  - (c) Minimum Front Yard – Shall be no closer than the front line of the principal Building, unless the structure and Lot meet the criteria in Section (6) above.

- (d) Minimum Side Yard – 0.9 m (3 ft.) from Lot line provided that overhanging eaves shall not be less than 0.6 m (2 ft.) from any Lot line.
- (e) Minimum Back Yard – 0.9 m (3 ft.) from Lot line provided that overhanging eaves shall not be less than 0.6 m (2 ft.) from any Lot line.
- (f) Sight Distance – As required by Alberta Transportation Highway Design Guide, Chapter G.4.
  - i. Sight Distance Setback – Shall be the resulting diagonal between sight distance clearances at the intersection of roads, as shown in **Figure 7**.
- (g) Maximum height – shall not exceed 5 m (16.5 ft.), except at the discretion of the Development Authority.
- (9) An accessory Building attached to the main Building shall be considered as part of the main Building and is subject to the same minimum yard requirements as the main Building.
- (10) The exterior treatment of the accessory Building shall be consistent and complement with the principal Building.
- (11) Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks in **Figure 7** apply to all accessory Buildings, along with the applicable District regulation's except at the discretion of the Development Authority.
- (12) Notwithstanding the provisions made in Section 8 above, all garages and carports shall be located a minimum of 6 m (20 ft.) from any Lot line where the garage doors that provide vehicle access face that Lot line.
- (13) The distance from the doors of an attached garage that provide vehicle access or the entrance of an attached carport to the front line shall not be less than the required front yard setback.
- (14) With respect to garage suites:
  - (a) In such cases where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties, the height of the accessory Building shall not exceed the height of the principal Building and shall meet the provisions in Section 6.2(8) above.
- (15) All landscaping, screening, buffering, and planting must be carried out to the satisfaction of the Development Authority and shall be provided subject to the requirements of any applicable Federal, Provincial, and Municipal regulations and policies.



- (a) Landscaping adjacent to structures should incorporate Fire Smart Vegetation Management strategies.
- (16) With respect to swimming pools:
  - (a) The minimum front and side yards of a swimming pool shall be the same as for the main Building, and the minimum rear yard for a swimming pool shall be 1.5 m (5 ft.).
  - (b) All swimming pools must be enclosed by a non-climbable fence not less than 1.8 m (5.9 ft.) in height either around the pool area or perimeter of the Lot and shall include a security gate.
  - (c) All swimming pools shall meet the minimum standards of any applicable Provincial regulations regarding swimming pools.
  - (d) There shall be no mechanical or electrical equipment Used which would interfere with the enjoyment of adjacent properties.
- (17) Development permits for non-permanent structures including but not limited to portable garage shelters shall be issued on a temporary basis for a period not to exceed three (3) years.

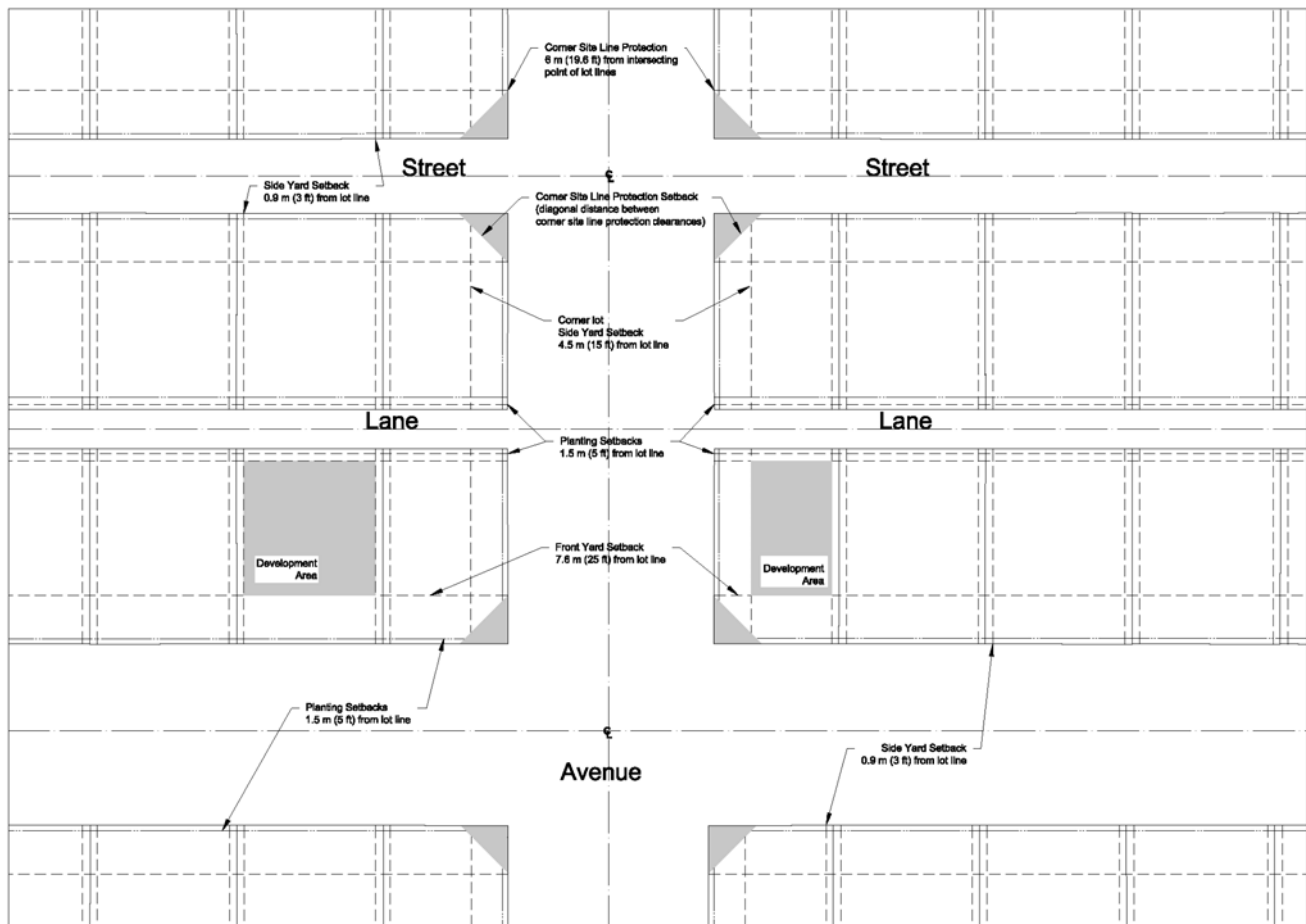


Figure 8: Siting and Setbacks in the R, R1, R2, MHP, CR1, and CR2 Districts

## 6.3 Arterial Roads, Collector Roads and Rural Roads

- (1) Development permits within 800 m (1/2 mile) of the boundary of the right-of-way of a Provincial Highway shall be issued subject to approval by Alberta Transportation, as required pursuant to Provincial legislation and regulation.
- (2) On a Lot located at the intersection of a collector road with a rural road, no development shall be permitted within the areas illustrated in Figure 6.
- (3) On a Lot located at the intersection of two collector roads, no development shall be permitted within the areas illustrated in Figure 6.
- (4) On a Lot located in the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 9.

Amended by  
Bylaw 15-21

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Bylaw 15-21

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Bylaw 15-21

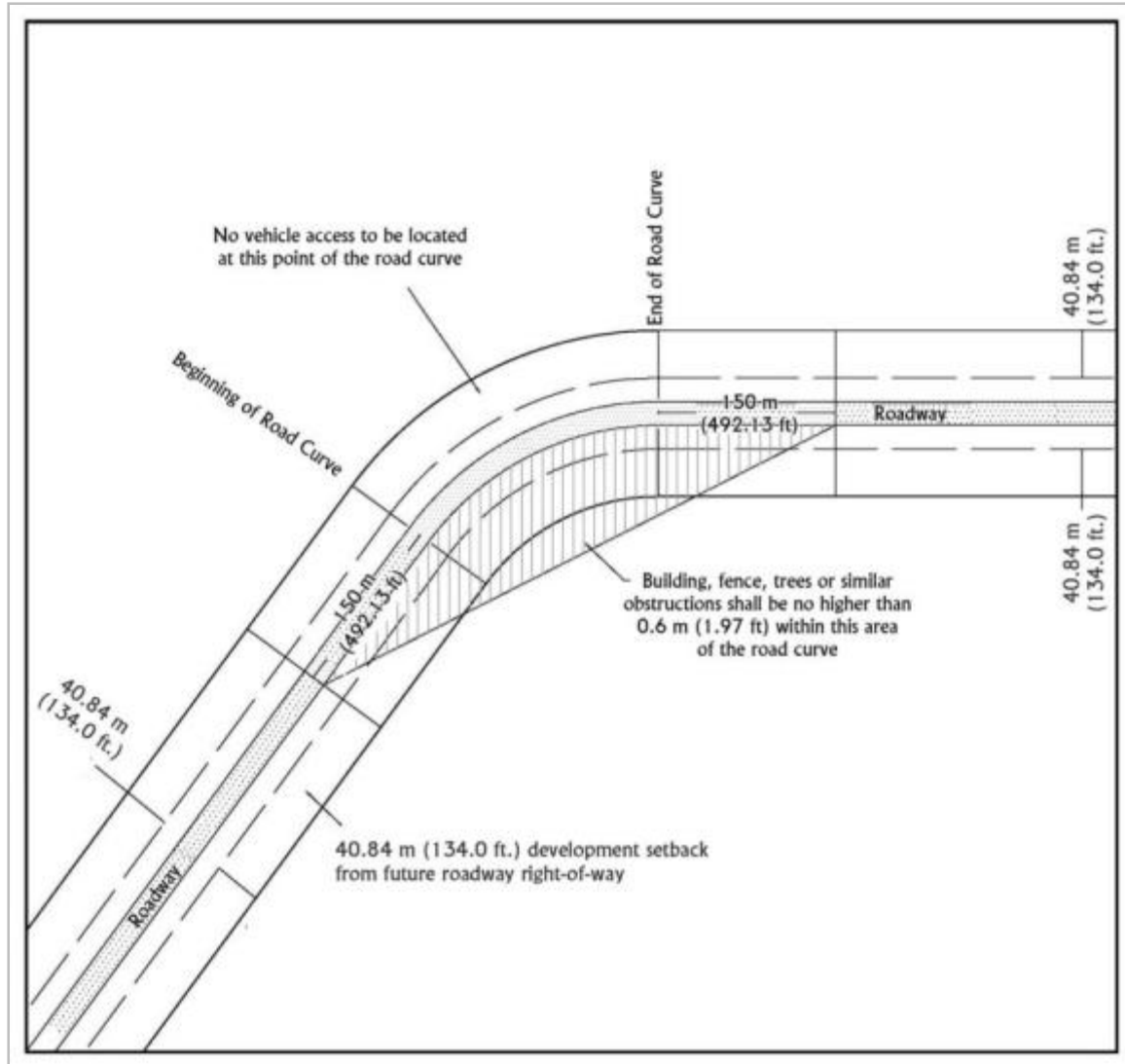


Figure 9: Building and Access Setback Requirements Near Curves on Highways

Amended by  
Bylaw 15-21

- (5) No development shall be located so that access or egress to a collector road is within 150 m (492 ft.) of the beginning or end of a road curve of greater than twenty (20) degrees curvature or within 150 m (492 ft.) of the intersection of two (2) roads, as illustrated in Figures 6 and 9 (above).
- (6) Ingress to or egress from a collector road shall not be permitted where it would be:
  - (a) less than 150 m (492 ft.) from an existing approach on the same side of the road;
  - (b) less than 150 m (492 ft.) from a bridge;

- (c) less than 150 m (492 ft.) from an at-grade railway crossing;
- (d) at a point where the gradient of the road is in excess of three percent (3%) when the existing surveyed road has been constructed to collector road standards and in the case of an existing surveyed road not constructed to collector road standards, ingress to or egress from will be permitted only if construction to collector road standards is expected within two (2) years and the grade will be less than three percent (3%).

Amended by  
Bylaw 15-21

- (7) The planting of trees adjacent to collector roads shall be in accordance with the requirements of Figures 6 and 9 (above).
- (8) Where a collector road intersects an arterial road, Provincial regulations shall apply to development adjacent to the collector road where it intersects.

Amended by  
Bylaw 15-21

- (9) Access or egress to Development shall be located within the Minimum Site Distance, as listed in Table 1 and shown Figure 6.

## 6.4 Buffering

- (1) At the sole discretion of the Development Authority, buffering in the form of additional setback, fencing, berming, landscaping or the like shall be required as a condition of any commercial or industrial development in proximity to residential Uses.

## 6.5 Corner and Double Fronting Lots in Residential Districts

- (1) Within the MHP, CR1, CR2, R, R1 and R2 Districts, the following regulations shall apply:
  - (a) In the case of double fronting Lots, the front yard shall be that portion of the Lot abutting the road on which the front yards of adjacent Lots face. If adjacent Lots have front yards facing both roads, front yards shall be considered to be on both roads and the Lot may thus have no rear yard.
  - (b) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner Lot or on a double fronting Lot provide two minimum required front yards, after having regard to the orientation of adjacent Lots and to the location of accesses to the development.
  - (c) Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner Lot, the minimum

required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).

- (d) Notwithstanding subsection (c), features under 0.5 m (1.6 ft.) in height may project to the sideline where a second minimum front yard is not required on a corner Lot (see **Figure 11**, following page).

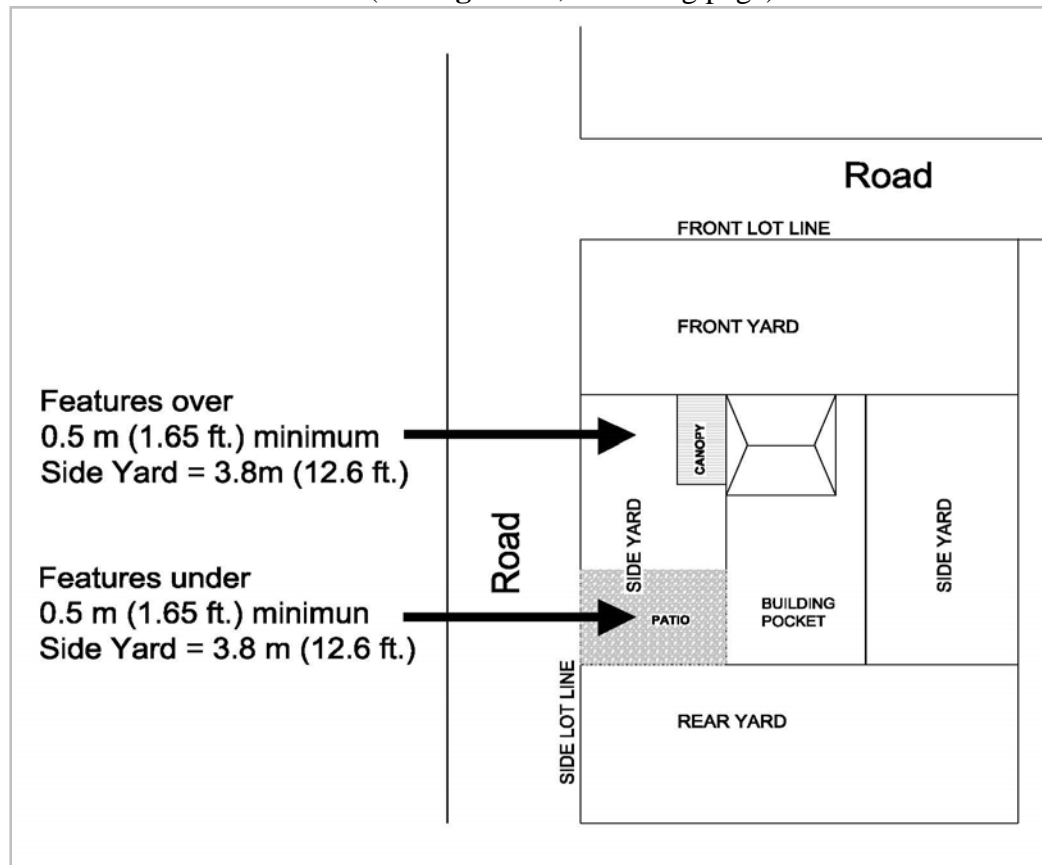


Figure 11: Permitted Encroachments within Side Yards on a Corner Site

## 6.6 Corner Sites and Site Line Protection

- (1) Within the MHP, CR1, CR2, R, R1 and R2 Districts, on corner Sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) or a road and a straight line joining points on the road right-of-way lines 6.0 m (19.6 ft.) from their intersection (see **Figure 12**, following page).

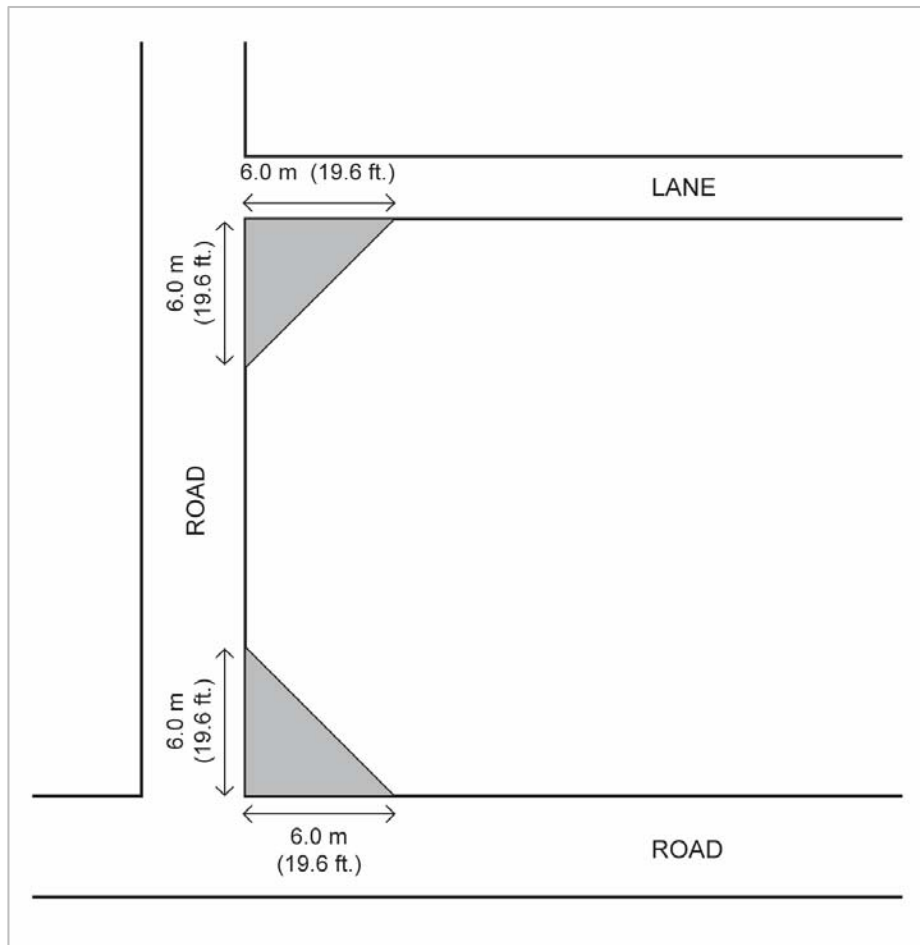
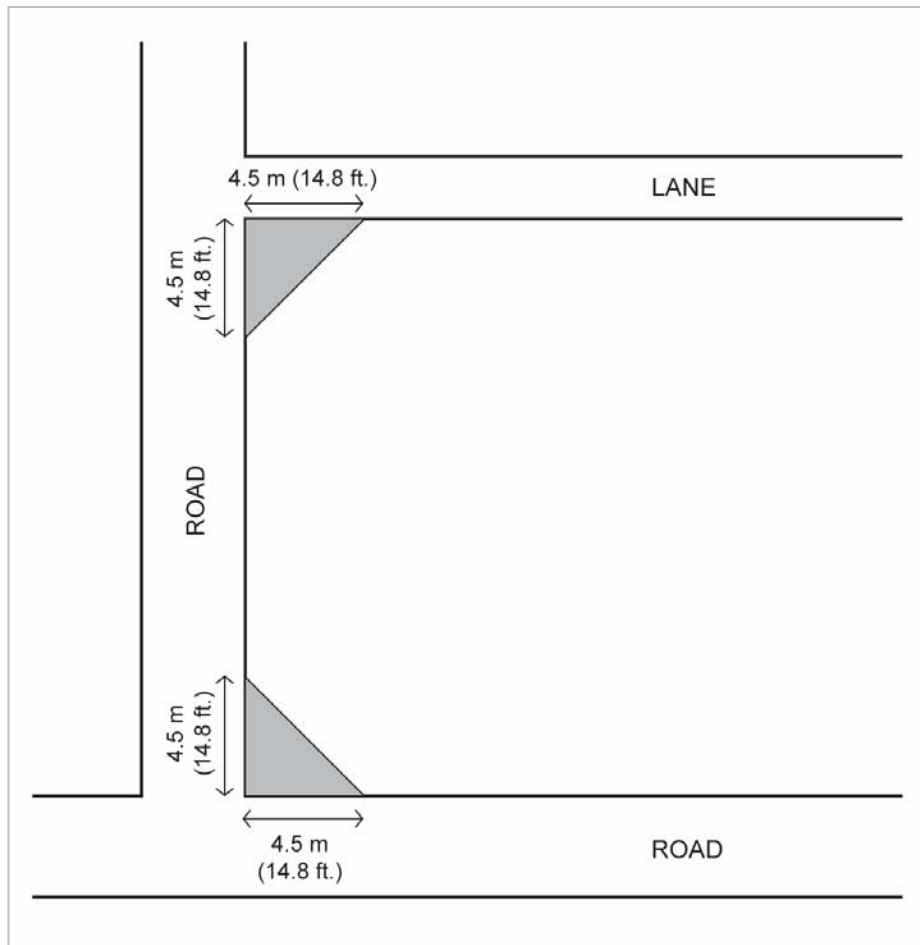


Figure 12: Corner Site line protection in Residential Districts

- (2) Within the MHP, CR1, CR2, R, R1 and R2 Districts, at the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 6.0 m (19.6 ft.) from their intersection.
- (3) Within the HD, HDS, M, B, B2, C1, M1, MH and PR Districts, on corner Sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) or a road and a straight line joining points on the road right-of-way lines 4.5 m (14.8 ft.) from their intersection (see **Figure 6**).

Amended by  
Bylaw 15-21



**Figure 13: Corner Site line protection in Commercial, Industrial and Public Districts**

- (4) At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 4.5 m (14.8 ft.) from their intersection.
- (5) Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in subsections (1), (2), (3) and (4).

## 6.7 Design, Character and Appearance of Buildings

- (1) The exterior finish on all Buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority.



- (2) Pursuant to subsection (1), the Development Authority may consider the following when reviewing development proposals in all districts:
  - (a) the design, character and appearance of all Buildings with respect to their compatibility with any other Buildings existing in the vicinity;
  - (b) the design of the Building must be consistent with the purpose of the land Use district in which it is located; and/or
  - (c) the Building shall comply with any provisions of any statutory plan which sets out specific guidelines as to the design, character, appearance or Building materials to be Used within a district or area;
- (3) The Development Authority shall encourage Buildings to be Sited and constructed so as to maximize passive solar energy gain.
- (4) The Subdivision Authority or the Development Authority may, where it desires to achieve a higher standard of design and appearance in a specific Area Structure Plan, Subdivision, or Development, require the developer to provide detailed architectural control guidelines.
- (5) The Subdivision Authority may require at the time of subdivision that the developer register a restrictive covenant against the subdivision in order to ensure ongoing conformance with the architectural control guidelines.

## 6.8 Dwelling Units on a Parcel

- (1) The number of Dwelling units permitted on any Parcel of Land shall not normally exceed one (1).
- (2) Notwithstanding the provisions of Section 6.8.1 above, the development authority may issue a development permit for the construction or location of more than one (1) Dwelling unit on a parcel if additional Dwelling units are permitted or discretionary within the applicable land Use district and the second or additional Dwelling unit:
  - (a) is the second or additional single detached Dwelling on an agricultural Lot in the Agricultural (A), Highway Development (HD) or Highway Development Special Purpose (HDS) Districts if the placement of the second or additional Dwelling conforms to the historically precedented religious/cultural practices and/or settlement pattern of the applicant(s). For the purpose of this section, in order for a Lot to be deemed an agricultural Lot the landowner must demonstrate that they have been approved for the Alberta Farm Fuel Benefit Program, as provided for in the Fuel Tax Act;

- (b) is contained in a Building that, or in Buildings each of which, are designed for or divided into two (2) or more Dwelling units;
  - (c) is a surveillance suite as defined in this Bylaw;
  - (d) is a temporary Building or Use as defined in this Bylaw;
  - (e) is a garage, garden, in-law or secondary suite as defined in this Bylaw and meets the requirements for such development as established in Section 7.9, 7.10, 7.12 and 7.30, as applicable.
- (3) Notwithstanding the provisions of Section 6.8.1 above, a second or additional Dwelling shall be allowed on a Lot when the additional Dwelling is a manufactured home located within a manufactured home park.
  - (4) Notwithstanding the provisions of Subsections 6.8.1, 6.8.2 and 6.8.3 above, a second or additional single detached Dwelling should be encouraged to be located in a manner such that the additional Dwelling could be subdivided from the balance of the Lot in the future.

## 6.9 Existing Substandard Lots

- (1) Development on existing substandard Lots may be considered by the Development Authority. Compliance with the Alberta Safety Codes Act and any other Provincial legislation or regulations will be required.

## 6.10 Landscaping

- (1) In all land Use districts except the Agriculture (A) District, no person shall commence or continue the removal of topsoil without first obtaining an approved development permit.
- (2) Development permit applications for landscaping shall be accompanied by a general parcel grading plan, drainage plan and, if applicable, indicate any existing or proposed retaining wall construction.
- (3) The developer shall provide upon occupancy of the development, a minimum topsoil coverage of 15.2 cm (6 in.) and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (4) In any commercial, industrial, or residential land Use district other than the Multi-Lot Country Residential (CR) District, 90% of all areas of a parcel not covered by Buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.

- (5) Commercial Buildings in residential areas must be screened by a solid or opaque fence of not less than 1.8 m (6.0 ft.) in height adjacent to residential properties, or otherwise screened by landscaping or other architectural features, to the satisfaction of the Development Authority.
- (6) In the case of car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided at least 1.5 m (4.9 ft.) in height and no higher than 2.1 m (6.9ft.) adjacent to residential areas.
- (7) In the case of apartments or row houses all off-street parking shall include a landscaped area, and in residential areas, a wall, hedge or wooden fence of not less than 1.2 m (3.9 ft.) in height and not more than 2.1 m (6.9 ft.) in height, shall be provided along the side property lines, all to the satisfaction of the Development Authority.
- (8) In any residential land Use district, acceptable landscaping for the front yard shall include manicured lawns, rock gardens, xeriscapes, vegetable gardens and ornamental plants, or a combination thereof.
- (9) In any commercial land Use district, off-street parking Lots shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.8 sq. m (2000 sq. ft.) of parking Lot area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.
- (10) All required landscaping and planting must be carried out to the satisfaction of the Development Authority and within 1 year (weather permitting) of occupancy or commencement of operation of the proposed development.
- (11) As a condition of a development permit, the Development Authority may require that the developer provide a financial guarantee, in a form acceptable to the County of Vermilion River, up to the value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence.
- (12) One of the responsibilities of landowners and/or occupants in the County of Vermilion River, including Hamlets, is the landscaping of all boulevards, buffer strips, utility Lots, walkways, medians, and public service land from the property line to the curb.

Subsection  
added by  
Bylaw 14-22

## 6.11 Historical and Archaeological Sites

- (1) Historical Sites or archaeological Sites identified pursuant to Provincial legislation shall be protected in accordance with guidelines established by the Province.

## 6.12 Objects Prohibited or Restricted in Yards

- (1) No person shall keep or permit in any part of any yard in any R, R1 or R2 District:
  - (a) any dismantled or wrecked vehicle for more than fourteen (14) successive days;
  - (b) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
  - (c) any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- (2) No fur bearing animals, fowl or livestock other than small domestic pets such as cats and dogs shall be permitted on multi-Lot country residential Lots except as described within the regulations of the R, R1 or R2 Districts, as applicable.
- (3) The matters of pollution and adverse effects on other properties shall be such that no Use be allowed which may be offensive to a neighbouring owner or municipality. The word “offensive“ here implies sight, smell and/or anything which may adversely affect a neighbouring owner or municipality.
- (4) No person shall keep or maintain a recreational vehicle in a front yard except that a recreational vehicle may be maintained in a front yard on a hard surfaced (concrete, gravel or asphalt) driveway or concrete pad.
- (5) No person shall keep or permit in any part of any yard any more than one (1) vehicle, loaded or unloaded, of a gross vehicle weight in excess of 4,800.0 kg (10,560 lbs) for longer than is reasonably necessary to load or unload the vehicle.
- (6) No person shall keep or permit in a yard adjacent to a Dwelling, either:
  - (a) a propane tank that is larger than 68.2 kg (150 lbs.);
  - (b) more than four (4) propane tanks; or
  - (c) any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.);without first obtaining a development permit.
- (7) Notwithstanding Subsection (4) above, on Lots in a residential district which are:
  - (a) greater than 1.2 ha (3 ac.) in area; and
  - (b) where the proponent can prove to the satisfaction of the Development

Authority that the location and Use of the propane tanks meets acceptable fire code and safety standards;

the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a capacity which exceeds 68.2 kg (150 lbs.) to be located on a Lot.

- (8) Notwithstanding Subsection (4) above, in Commercial Districts, where the applicant for a development permit can prove to the satisfaction of the Development Authority that the location and Use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.) to be located either:
  - (a) within an individual Lot; or
  - (b) within each recreational vehicle stall located in an approved campground/recreational trailer park.
- (9) All development permit applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.), to be located within individual stalls, in approved campground or recreational vehicle park, will be required to include an Emergency Response Plan, prepared by the developer, at no cost to the municipality. The Emergency Response Plan will be circulated to the municipality's Fire Department for approval prior to issuance of a development permit.
- (10) Development permits issued for more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.) will only be granted for a period of one year. New development permit applications must be submitted annually if the proponent wishes to extend the development period.

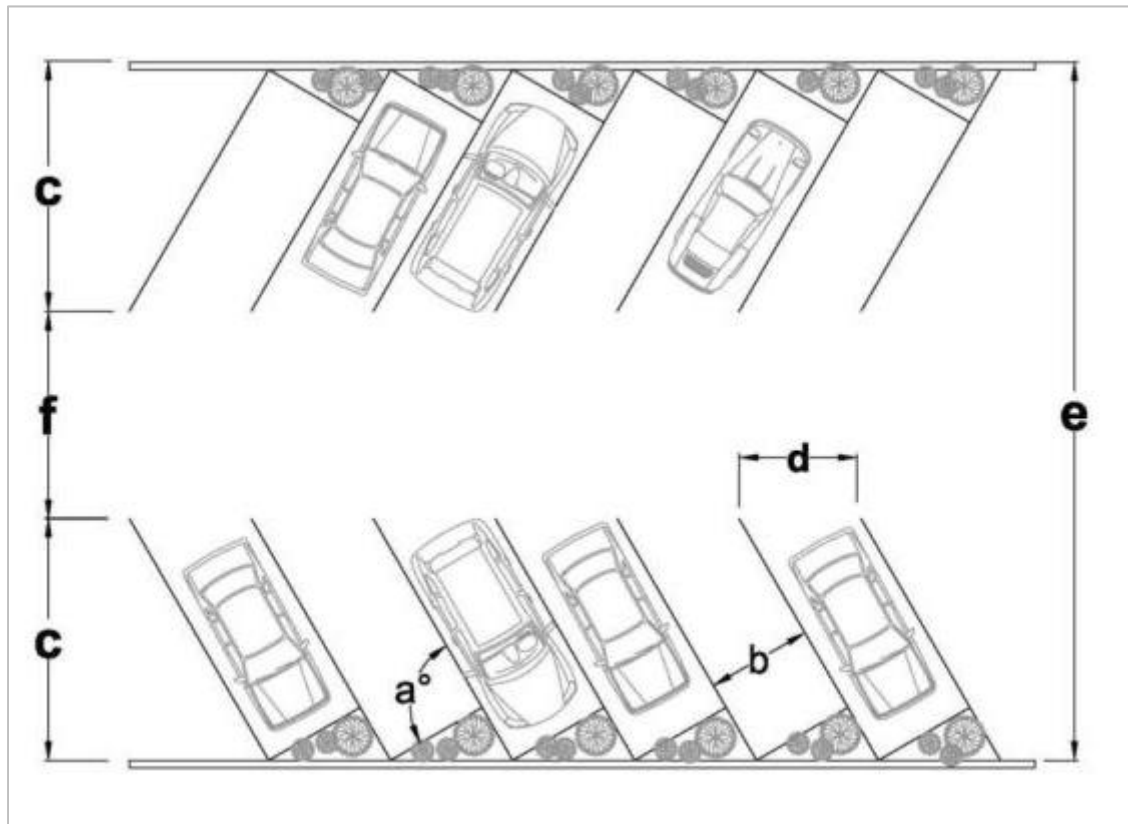
## 6.13 Parking and Loading Regulations

Amended by  
Bylaw 15-21

- (1) In all Districts, vehicular entrances and exits onto roads shall only be permitted at locations approved by the Development Authority and in conformity with all relevant County specifications or policies. Permits shall be obtained from Alberta Transportation for all approaches onto Highways.
- (2) In all Districts, an off-street parking space shall be provided in accordance with the minimum requirements of each Use as determined by the Development Authority. The following specifications shall be adhered to:

Parking Angle in Degrees	Width of Stall	Depth of Stall (Perpendicular to Maneuvering Aisle)	Width of Stall (Parallel to Maneuvering Aisle)	Overall Depth	Width of Maneuvering Aisle (one-way)
a	b	c	d	e	f
0	2.7 m (8.86 ft.)	2.7 m (8.86 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)
30	2.7 m (8.86 ft.)	5.2 m (17.06 ft.)	5.5 m (18.04 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)
45	2.7 m (8.86 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)
60	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)
90	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	2.7 m (8.86 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)

**Table 2: Parking stall requirements**



**Figure 14: Diagram showing the definitions of column headings in Table 2, above**

- (3) An off-street parking area:
  - (a) shall be designed to the satisfaction of the Development Authority with regard to the dimensions, and layout of parking stalls and maneuvering aisles; and
  - (b) shall have adequate street access, curbs and curb cuts (where required) located to the satisfaction of the Development Authority; and
  - (c) shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.

- (4) All parking areas shall conform to the minimum parking standards set out in the following pages.

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

All developed parcels are required to provide a minimum number of parking stalls based on the Use of the parcel. In determining the parking requirement for a parcel:

- (a) if a specific Use is not mentioned below, the requirement shall be the same as for a similar Use, as determined by the Development Authority; and
- (b) if a parcel consists of multiple Uses, the required parking shall be the sum of the requirements for each Use, unless it is demonstrated to the satisfaction of the Development Authority that a shared parking facility with a reduced number of spaces will be sufficient. The required parking may be combined or shared parking provided that a legal agreement is entered into between the Users or land owners, and further that the parking arrangements are acceptable to the Development Authority;
- (c) other than as noted below, no parking space may be located within a required front yard in the R, R1 or R2 Districts; and
- (d) the minimum number of parking stalls for any development shall be as follows:

### Residential Uses

One or two unit Dwelling	2 per Dwelling unit
Multi-unit Dwelling with one bedroom or less per unit	1.5 per Dwelling unit plus 1 visitor space per 7 units
Multi-unit Dwelling with two or more bedrooms per unit	2 per Dwelling unit plus 1 visitor space per 7 units
Dwelling with self-contained units for senior citizens only	2 for every 3 Dwelling units
Garage, garden, in-law, secondary and surveillance suites	1 per suite
Manufactured home parks	2 per manufactured home unit plus 1 visitor space per 7 manufacture home unit

**Table 3: Parking Requirements for Residential Uses**



## Commercial Uses

Office Uses and government services	1 per 40.0 m <sup>2</sup> (430.0 ft. <sup>2</sup> ) of gross leasable area
Health Services	1 per 30.0 m <sup>2</sup> (325.0 ft. <sup>2</sup> ) of gross leasable area <u>or</u> 3 for each full time or part-time professional, whichever is greater
Eating and drinking establishments	
Eating and drinking establishments (except those as noted below)	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Restaurants	1 per 13.0 m <sup>2</sup> (140.0 ft. <sup>2</sup> ) of gross leasable area plus 1 per 3 employees on maximum shift
Nightclubs	1 per 13.0 m <sup>2</sup> (140.0 ft. <sup>2</sup> ) of gross leasable area plus 1 per 3 employees on maximum shift
Bars and neighbourhood pubs	1 per 13.0 m <sup>2</sup> (140.0 ft. <sup>2</sup> ) of gross leasable area plus 1 per 3 employees on maximum shift
Drive-in restaurants	1 per 3.0 m <sup>2</sup> (32.3 ft. <sup>2</sup> ) of gross leasable area or 1 per 5 seating spaces, whichever is greater
Other drive-in businesses	8

**Table 4: Parking Requirements for Commercial Uses**

## Places of Public Assembly

Theatre, auditorium, hall, church or other cultural or recreational facility	1 per 7.5 seating spaces or 1 per 7 sq. m (75 sq. ft.) Used by the patrons, whichever is greater
--	--

**Table 5: Parking Requirements for Public Assembly Uses**

## Schools

Elementary school or junior high school

1 per school employee during regular school hours, plus 8

Senior high school (not including an associated auditorium, gymnasium or swimming pool)

4 per 10 students

**Table 6: Parking Requirements for Industrial Uses**

## Industrial Uses

Manufacturing or industrial plant, wholesale, warehousing and storage Building and yard, service or repair establishment, research laboratory or public utility Building

1 per employee on maximum shift. This may be varied by the Development Authority to no less than 1 per 3 employees if it can be shown that fewer stalls are needed.

**Table 7: Parking Requirements for Industrial Uses**

## Hospitals and Similar Uses

Hospital, sanatorium, group care facilities, nursing home, convalescent home and senior citizens lodge

1 per 100 sq. m (1,076 sq. ft.) of floor area or 1 per four beds and 1 for every two employees on maximum shift, whichever is greater.

**Table 8: Parking Requirements for Hospitals and Similar Uses**

## (6) Off-Site and Communal Parking Facilities

In Districts other than a residential district, and subject to approval by the Development authority, required parking for any development(s) may be provided on another parcel, separate from the development(s) in accordance with the following:

- (a) the parking, in the opinion of the Development Authority, must be suitable, easily accessible and within a reasonable distance of the associated development(s).
- (b) Future Use of the parcel must be ensured to the satisfaction of the Development Authority. This may be done by a restrictive covenant registered on the title, a suitable bond posted by the developer(s), or by any other legal method.
- (c) At the option of the Development Authority, in lieu of off-street parking, a developer shall pay the County to provide equivalent public parking. The Development Authority shall determine the amount of money in lieu of parking, based on current market values, and the money shall be Used to provide off-street public parking.

- (7) Off-Street Loading Facilities
- (a) Off-street loading spaces shall be required for all non-residential developments and apartments.
  - (b) A loading space shall be designed and located so vehicles using it can park and maneuver within the parcel.
  - (c) A loading space shall be at least 4.0 m (13.12 ft.) wide, 8.0 m (26.24 ft.) long, and 4.3 m (14.10 ft.) high.
  - (d) A loading area shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.
  - (e) Loading spaces shall be provided in accordance with the following:

Retail, industrial and the like, under 465 sq. m (5,000 sq. ft.); and	1 space
between 465 sq. m (5,000 sq. ft.) and 2,323 sq. m (25,000 sq. ft.); and	2 spaces
each additional 2,323 sq. m. (25,000 sq. ft.) or fraction thereof;	1 space
Office, place of assembly, institution, club, school, or any other Use up to 2,787 sq. m (30,000 sq. ft.); and	1 space
each additional 2,787 sq. m. (30,000 sq. ft.) or fraction thereof	1 additional space
neighbourhood commercial stores	1 loading space

- (8) Sight line calculations shall be in accordance with the Roads and Transportation Association of Canada methods for determining crossing sight distances for roadways.

## 6.14 Pipeline and Other Utility Corridor Setbacks

- (1) Any development involving pipeline and/or power line rights-of-way shall be Sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy Regulator and Alberta Utilities Commission.

Amended by  
Bylaw 14-22

## 6.15 Projections into Yards

- (1) Except as provided in this Section, and except for fences as noted in **Section 7.10** of this Bylaw, no portion of a Building shall be located or project into a required yard.

- (2) The following features may project into a required front yard:
  - (a) eaves, gutters, sills, bay windows, canopies, chimneys and fire escapes may project a maximum of 0.6 m (2 ft.);
  - (b) steps, unenclosed decks and balconies may project a maximum of 2 m (6.6 ft.).
- (3) The following features may project into a required side yard:
  - (a) eaves, gutters and sills may project a maximum of 0.6 m (2 ft.);
  - (b) in side yards no required for vehicular access, bay windows, unenclosed balconies, chimneys, decks, fire escapes and steps may project a maximum of 0.6 m (2 ft.).
- (4) The following features may project in to a required rear yard:
  - (a) eaves, gutters, sills, bay windows, fire escapes and chimneys may project a maximum of 1.5 m (5 ft.).
- (5) Notwithstanding any provision of this Section, no projections shall be permitted into a yard required to be Used as a parking space, vehicle loading and unloading space, driveway or any maneuvering space for a vehicle.
- (6) Notwithstanding any provision of this Section, exterior finishes such as siding, brick, stone and parging may project a maximum of 150 mm (6 in.) into a required yard.

## 6.16 Protection from Exposure Hazards

- (1) The location of any anhydrous ammonia (AA) or liquefied petroleum gas (LPG) tank with a water capacity exceeding 9082 l (2000 gal.) shall be in accordance with the requirements of the Development Authority, but in no case be less than a minimum distance of 122 m (400 ft.) from assembly, institutional, commercial or residential Buildings.
- (2) AA or LPG containers with a water capacity of less than 9082 l (2000 gal.) shall be located in accordance with regulations under the Safety Codes Act.
- (3) Flammable liquids tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- (4) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial legislation or regulations.

## 6.17 Sanitary Facilities

- (1) All Buildings erected, placed or moved into Districts established in this Bylaw to be Used for a Dwelling or a commercial or industrial purpose shall be provided with sanitary facilities to the satisfaction of any relevant Provincial legislation or regulations.

## 6.18 Setbacks from the Landfill and Composting (LC) District

- (1) Notwithstanding any other regulation in this Bylaw to the contrary, no school, hospital, food establishment or residence shall be located within 800 m (2625 ft.) of land within the Landfill and Composting (LC) District.

## 6.19 Sign Regulations

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

- (1) Limitations
  - (a) Except as provided in **Section 2.2** of this Bylaw, no person shall erect, relocate or structurally alter or enlarge any sign, including an election sign, unless he has complied with the requirements of this Section and any other relevant provisions of this Bylaw, and has been issued a development permit in respect thereof.
  - (b) The Development Authority may issue a development permit for a sign as part of the development permit for the Use or the Building to which the sign pertains, provided the development permit application indicates that there is to be a sign and provided further that all information requirements for a development permit application for a sign are met to the satisfaction of the Development Authority.
  - (c) Provisions for election signs and property for sale or rent signs are provided in **Section 2.2** of this Bylaw.
- (2) Information Requirements for a Development Permit for a Sign

In addition to the requirements of Part 2 of this Bylaw, a development permit application for a sign shall include the following information:

- (a) written consent from the property owner,

- (b) two copies of colour drawings, drawn to scale, showing the sign, any structural supports, and the dimensions, thickness, area, and colours, of the sign,
  - (c) any animation, moving copy, or other moving features of the sign, if applicable,
  - (d) method of illumination, if applicable,
  - (e) mounting details,
  - (f) the location and size of all other existing and proposed signs on the Building façade or Site,
  - (g) mounting heights and clearances to grade, and
  - (h) the amount of projection of the sign from a Building, if any.
- (3) Signs as Permitted or Discretionary Uses
  - (a) No sign, other than an off-Site sign in the Districts indicated in Subsection (b) below, or a sign which is otherwise exempted from the requirement of obtaining a development permit as indicated in **Section 2.2** of this Bylaw, shall be allowed unless it is accessory to an existing Use.
  - (b) Notwithstanding any other provision of this Bylaw to the contrary, except as otherwise indicated in this section, off-Site signs shall be considered to be discretionary developments in all Commercial Districts, in all Industrial Districts, and in the Urban Reserve (UR) District.
- (4) Procedures for the Consideration of Development Permit Applications for Signs
 

All development permit applications for signs shall follow the process outlined in **Part 2** of this Bylaw and be subject to appeal if applicable in accordance with **Part 3** of this Bylaw.
- (5) General Sign Regulations
  - (a) A sign shall not be erected, operated, Used or maintained if, in the opinion of the Development Authority:
    - (i) its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device or other official sign, or otherwise poses a potential hazard to traffic,
    - (ii) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those Used by police, fire, or other emergency vehicles, or
    - (iii) it would be situated within the area regulated by Section 6.6 of this Bylaw.
  - (b) A sign shall be integrated with the Building on which it is to be located and compatible with the general architectural lines and forms of the nearby Buildings or of adjoining developments.

- (c) Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.
  - (d) A sign or sign structure shall be set back a minimum of 0.5 m (1.6 ft.) from any property boundary and no part of a sign may encroach onto an adjacent Lot or a road or lane.
  - (e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 m<sup>2</sup> (193.6 sq. ft.).
  - (f) At the discretion of the Development Authority a maximum of five (5) signs may be allowed on a Lot, including temporary signs and portable signs.
  - (g) Signs will not be allowed on fences in Residential Districts or Commercial Districts.
- (6) Care and Maintenance of Signs
- (a) All signs shall be maintained in good and safe structural condition and shall be periodically repainted.
  - (b) Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair they may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, order the owner of the land and the owner or operator of the sign to:
    - (i) remove the sign and all related structure components within what the Development Authority deems to be a reasonable period of time, or
    - (ii) take such measures as they may specify in the notice to alter and/or refurbish and/or repair the sign.
  - (c) Failure to remove the sign or to comply with the measures specified in the notice described in Subsection (b) above may result in the issuance of a violation ticket as described in this Bylaw.
  - (d) The notice described in Subsection (b) above shall be considered to be a stop order for the purposes of this Bylaw.
- (7) Type of Signs
- (a) A-Frame Signs
    - (i) Notwithstanding any other provision of this Bylaw to the contrary, A-frame signs shall be allowed only in Commercial Districts.
    - (ii) The maximum area of each A-frame sign face which is located on a sidewalk shall be 0.7 m<sup>2</sup> (7.5 sq. ft.). Figure 27 illustrates area and height requirements for A-frame signs.

- (iii) The maximum area of each A-frame sign face located in another location, approved by the development authority, shall be 1.5 m<sup>2</sup> (16.0 sq. ft.)
- (iv) The maximum height of an A-frame sign which is located on a sidewalk shall be 1.0 m (3.3 ft.).
- (v) No A-frame sign shall be located on a sidewalk in such a manner so as to obstruct pedestrian flow.
- (vi) The maximum height of an A-frame sign placed in other locations shall be 1.8 m (6 ft.), measured perpendicular distance from the ground to the highest point of the sign when set up.
- (vii) No more than one (1) A-frame sign shall be allowed per business frontage.
- (viii) Where the back of an A-frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (ix) The area around an A-frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-frame sign.
- (x) A-frame signs are not to be Used in conjunction with projecting signs at grade level.

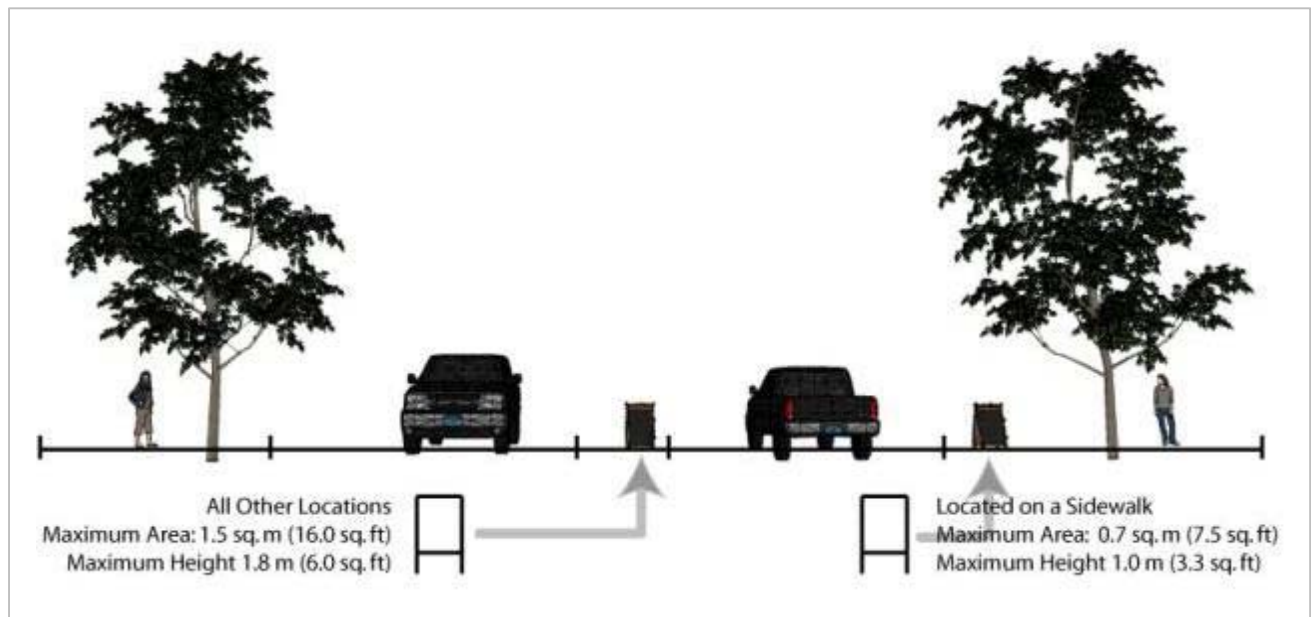


Figure 15: A-frame Sign Height and Area Requirements



(b) Canopy Signs

Where a canopy is constructed solely as a support structure for a sign, the following regulations shall be adhered to:

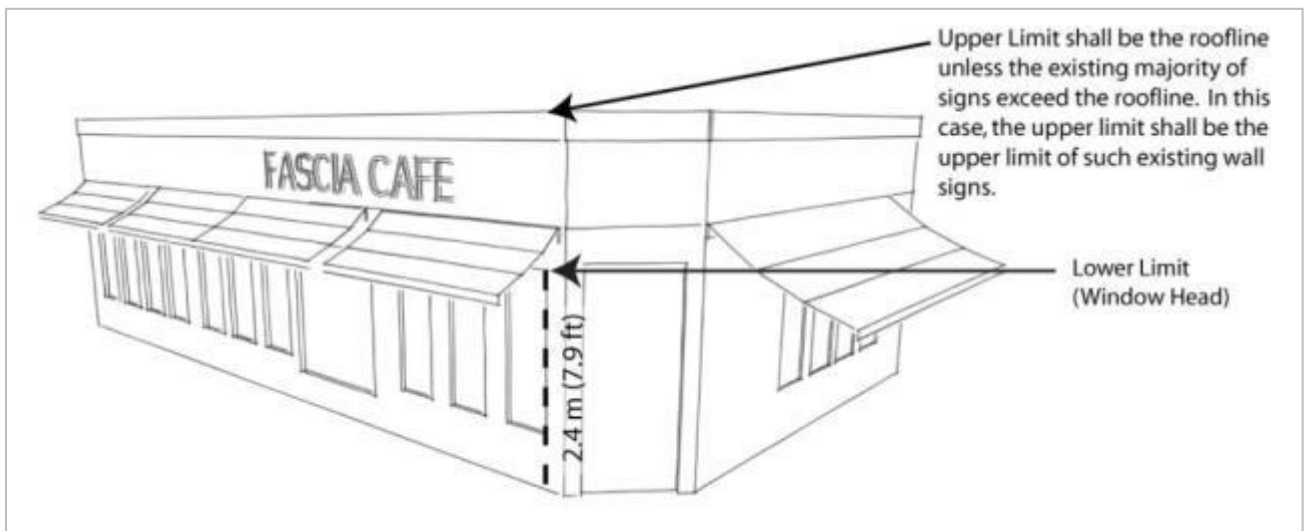
- (i) the maximum area of all canopy signs on one face of a canopy shall not exceed 50% of the area of the face of the canopy,
- (ii) the bottom of the canopy shall be not less than 2.5 m (8.2 ft.) above grade,
- (iii) no part of the canopy shall project over a road or lane,
- (iv) unless otherwise approved by the Development Authority, the vertical dimension of the canopy shall not exceed 1.5 m (4.9 ft.),
- (v) signs suspended under a canopy shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade,
- (vi) each tenant of a Building shall be allowed one (1) under-canopy sign of no more than 0.5 m<sup>2</sup> (5.4 sq. ft.) in area, and
- (vii) all canopy signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires or similar support elements are visible from a road or lane.

(c) Freestanding Signs

- (i) The sign area for a single or multi-faceted freestanding sign shall be the average of the total area of all freestanding sign faces.
- (ii) One (1) freestanding sign per business frontage may be erected on a Site having a minimum business frontage of 15.0 m (49.2 ft.) at road level.
- (iii) Notwithstanding Subsection (b) above, a maximum of one (1) freestanding sign may be allowed per Site except:
  - (A) where a Site has more than a 90.0 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected at the discretion of the Development Authority.
  - (B) where a Site is considered by the Development Authority to be a double fronting Site, each frontage may have freestanding signs providing that the freestanding signs are at least 90.0 m (295.3 ft.) apart.
  - (C) Additional signs may be allowed at the discretion of the Development Authority.
- (iv) The total sign area of all freestanding signs on a Site shall not exceed 0.3 m<sup>2</sup> (3.2 sq. ft.) in area for each lineal metre of frontage, to a maximum of 8.4 m<sup>2</sup> (90 sq. ft.).
- (v) The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.).
- (vi) Where a freestanding sign and a projecting sign are located along the same frontage of a Site, a minimum distance of 10.0 m (32.8 ft.) shall be maintained between the signs.

- (vii) Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any Site line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent Site, road or lane.
- (d) **Portable Signs**
  - (i) Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any Site line and no part of a portable sign shall encroach onto or overhang an adjacent Site, road or lane.
  - (ii) No more than one (1) portable sign shall be located on a Site.
  - (iii) Notwithstanding Subsection (ii) above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located closer than 15.0 m (49.2 ft.) to another portable sign.
  - (iv) All portable signs shall be double-faced.
  - (v) No portable sign shall exceed a height of 2.5 m (8.2 ft.) above grade.
  - (vi) Portable signs shall not be placed on a Site so as to conflict with or take up space for parking, loading, or walkways.
  - (vii) Notwithstanding any other provision of this Bylaw to the contrary, portable signs shall not be allowed in any Residential District.
- (e) **Projecting Signs**
  - (i) No projecting sign shall project over another Site, a road, or a lane.
  - (ii) A projecting sign shall have a vertical clearance of a minimum of 3.05 m (10 ft.) from grade.
  - (iii) No more than one (1) projecting sign of 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup> in size shall be allowed for each frontage of a commercial or industrial Use.
  - (iv) All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.
- (f) **Roof Signs**
  - (i) Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the Building itself.
  - (ii) No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.

- (iii) All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the Building on which the roof sign is located.
- (g) Fascia Signs
  - (i) The portion of a wall which can be Used for or which can be covered by a wall sign on the front of a Building shall be the space defined by the following lower and upper limits:
    - (A) the lower limit of the portion shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 m (7.9 ft.) above grade,



**Figure 16: Fascia Sign placement on a One Storey Building**

- (B) in the case of a one storey Building, the upper limit of the portion shall be either:
  1. the roofline of a flat-roofed Building, or, where there is an existing majority of wall signs which exceed the roofline, the upper limit of such existing wall signs, or
  2. a maximum of 0.8 m (31.5 inches) above the line of the eaves, if there is a parapet wall, provided that the sign does not project above the upper edge of the parapet, or

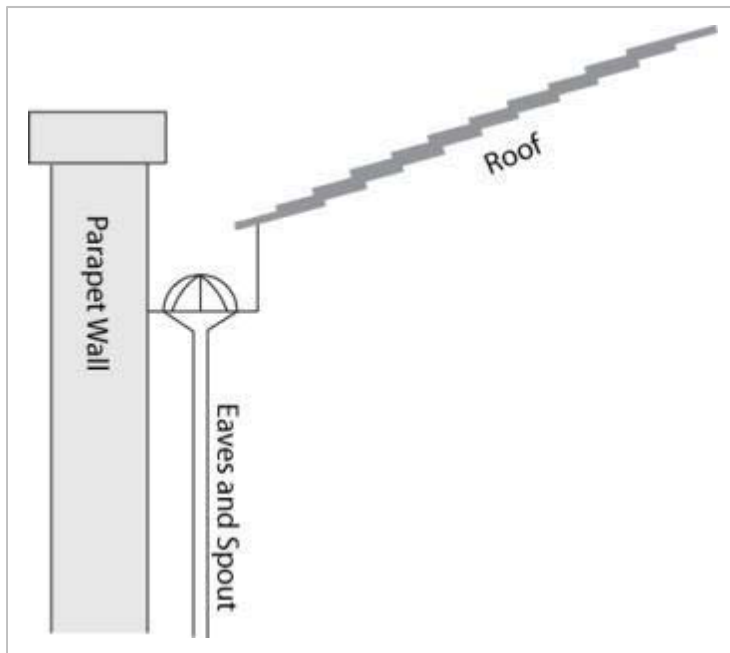


Figure 17: Example of a Parapet Wall and Eaves

3. the line of the eaves,
- (C) in the case of a Building that is not a one storey Building, the upper limit of the portion shall be the window sill of the second storey or, in the absence of any windows on the second storey, 0.8 m (31.5 inches) above the floor elevation of the second storey.

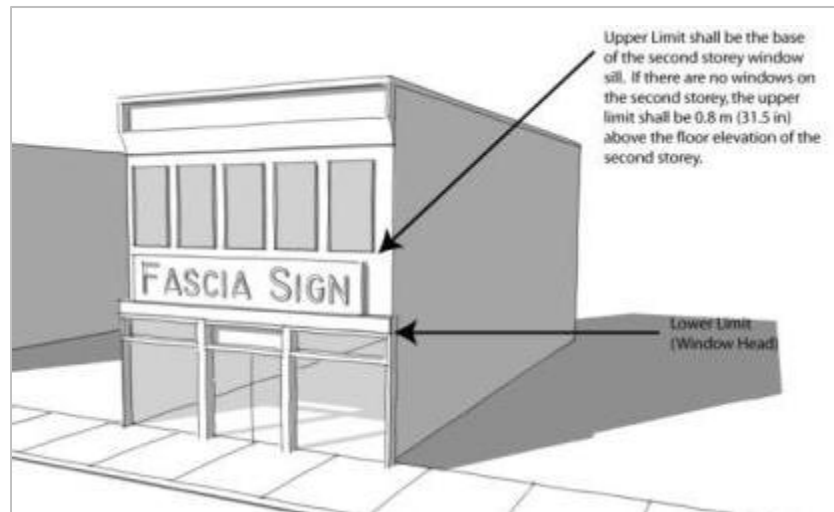


Figure 18: Fascia Sign Placement on a Two Storey Building

- (ii) Notwithstanding Subsection (a) above, a wall sign may be located:
  - (A) below the area defined in Subsection (a) above, provided:
    - 1. the sign consists of individual letters, symbols, or logos that are directly attached to the Building face,
    - 2. the sign states no more than the name of the Building or the principal tenant of the Building, and
    - 3. the sign area does not exceed 20% of the Building face below the area defined in Subsection (a) above,
  - (B) between the second storey window lintel and the third storey window sill, or, in the case of a two storey Building, between the second storey window lintel and the roof or parapet, provided:
    - 1. the sign states no more than the name of the Building or the principal tenant of the Building, and
    - 2. the sign area does not exceed 2.5 m<sup>2</sup> (26.9 sq. ft.), or
  - (C) above the third storey window sill, provided:
    - 1. the sign states no more than the name of the Building or principal tenant of the Building, and
    - 2. there is no more than one (1) sign per Building face above the third storey.
- (iii) A wall sign may be allowed on the side wall of a Building facing a road where a development is located on a corner Site provided that the sign is integrated with the other signage on the Building and is of the same height and width.
- (iv) Any other location for a wall sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed wall sign with adjacent developments.

- (h) Inflatable Signs
  - (i) A small inflatable style sign can be placed on an approved temporary sign location, and does not require a development permit, provided it is, no larger than 5.5 m<sup>2</sup> (59.2 sq. ft.) as applicable.
  - (ii) Larger inflatable signs require that a development permit be applied for, and approval obtained before installation.
  - (iii) One inflatable sign may be located on a Site and must be tethered or anchored so that it is touching the ground surface to which it is anchored.
  - (iv) The maximum height of an inflatable sign shall be the allowed height of a freestanding sign for the Site.
  - (v) An inflatable sign can only be located on a Site twice in a calendar year and not for longer than 30 consecutive days.
  - (vi) Inflatable signs cannot be located on the roof of a structure.
- (8) Signs in or Adjacent to Residential Districts
  - (a) Except as provided in Subsections (b) and (c) below, no sign shall be permitted in Residential Districts except for places of worship, schools or other public institutions.
  - (b) An approved major home occupation may display a sign, not larger than 0.2 m<sup>2</sup> (2 sq. ft.) in the window of the Dwelling.
  - (c) An approved bed and breakfast may display a sign, not larger than 0.2 m<sup>2</sup> (2.0 sq. ft.). If outside, the sign shall be placed in a location that is satisfactory to the Development Authority. Alternatively, the sign may be displayed from inside a window of the Dwelling.
  - (d) One (1) freestanding sign per Site may be allowed for the purpose of identifying the name of a multi-family Dwelling, a manufactured home park, a neighbourhood, or a subdivision, provided:
    - (i) the sign area does not exceed 5.0 m<sup>2</sup> (53.8 sq. ft.),
    - (ii) the height of the sign does not exceed 2.0 m (6.6 ft.), and
    - (iii) the sign is not internally illuminated, though it may be lit from the front.
  - (e) Name or number signs shall have a surface area of no more than 0.3 m<sup>2</sup> (3.0 sq. ft.).
  - (f) When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.
  - (g) When, in the opinion of the Development Authority, a proposed sign in any District adjacent to a Residential District might be objectionable to a resident in the Residential District, the Development Authority may impose such other requirements as they deem necessary, to protect the amenities of the Residential District.

(9) Signs Relating to Institutional Uses

In any District where a place of worship or a school or another institutional Use is allowed, one (1) sign of not more than 5.0 m<sup>2</sup> (53.8 sq. ft.) in area shall be allowed to be erected on the Site occupied by the place of worship, school, or other institutional Use.

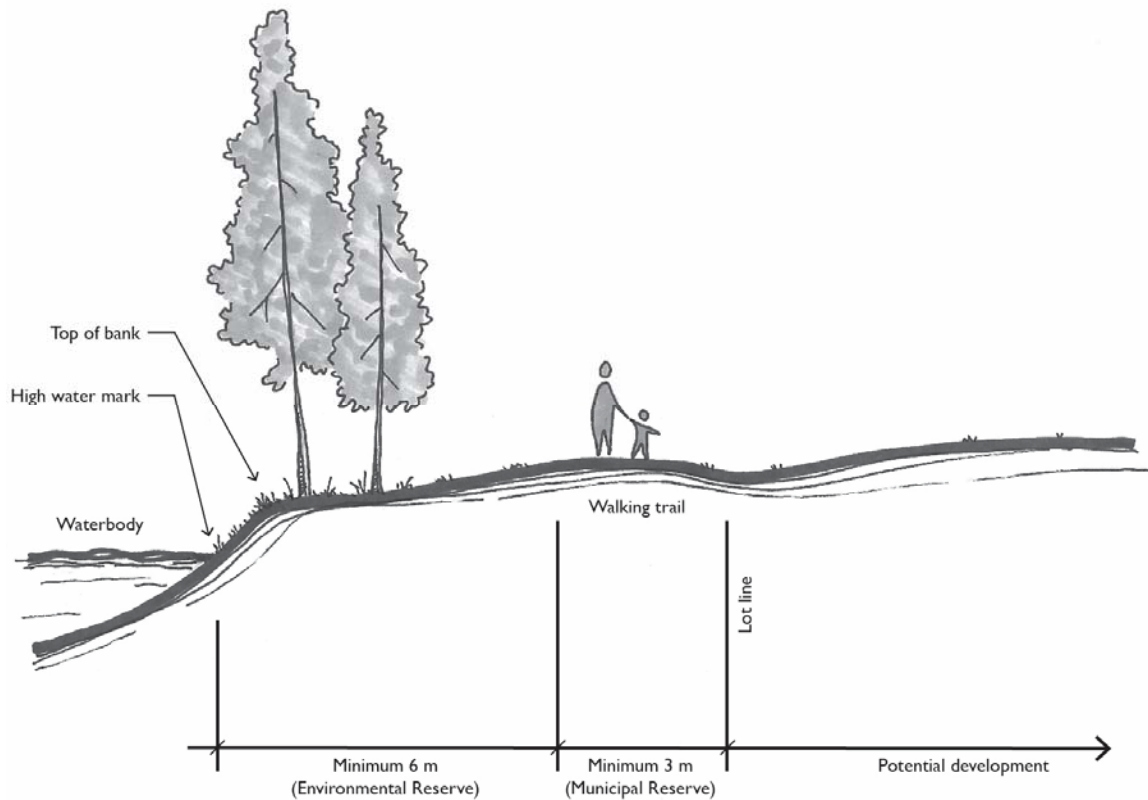
## 6.20 Site Conditions and Buffering Requirements

- (1) The proponent for a development may be required to submit a Site drainage plan and/or elevation plan to ensure that finished grades on the Site shall prevent drainage from one Site to adjacent Sites except where drainage conforms to an acceptable local standard or a subdivision drainage plan.
- (2) The Development Authority may prescribe setback and/or buffering requirements for Uses, which may be physically or visually incompatible with nearby land Uses.
- (3) The Development Authority may require or approve screening for Uses, which involve the outdoor storage of goods, machinery, vehicles, Building materials, waste materials, and other similar materials.
- (4) In considering the approval of an application, the Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary for the purpose of ensuring buffering, erosion and/or dust control.
- (5) The location of any shelter belts shall be determined by the Development Authority.
- (6) The County will require Environmental Reserves, an Environmental Reserve Easement or a combination thereof adjacent to bodies of water and lands containing significant environmental features.
- (7) The amount of Reserves/Easement lands shall be at the discretion of the County and the Subdivision Authority who will normally base environmental reserve and environmental reserve easement requirements on the following:
  - (a) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (see **Appendix A**); or
  - (b) If this reserve/easement amount is disputed by the proponent of a development or subdivision then the developer may provide the County and the Subdivision Authority with a biophysical, engineering and/or

geotechnical study which indicates that an alternative reserve/easement amount is appropriate for the subject Site. If the report from the engineer indicates that a lesser reserve/easement would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser reserve/easement area then the Approving Authority may, at their sole discretion, approve a subdivision with a lesser reserve/easement area.

- (8) Notwithstanding **Subsection (6)**, additional reserves/easements may be required by the County based on the recommendations of any engineering and/or geotechnical study provided for the subject Site.
- (9) Normally, no Buildings of any kind shall be allowed within required setback areas.
- (10) However, notwithstanding (9) the width of the required development setback shall be at the sole discretion of the Development Authority who will normally base setback requirements on the following:
  - (a) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (see **Appendix A**); or
  - (b) If this setback amount is disputed by the proponent of a development then the developer may provide the approving Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative setback amount is appropriate for the subject Site. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Approving Authority may, at their sole discretion, approve the development with a lesser reserve/easement area.





**Figure 19: Setbacks from Watercourses and Water Bodies**

- (11) The Development Authority may require the applicant to submit as part of a development permit application an assessment by a registered professional engineer practicing in Alberta indicating the stability of the soils and slopes for the development proposed, and how sufficient stability for the development can be ensured in order to determine the appropriate setback distance and/or Site specific Building requirements.
- (12) If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Development Authority may, at their sole discretion, approve a development with a lesser setback.
- (13) If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the developer constructs those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.

- (14) If any development is damaged or threatened with damage from flooding from a water body, a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (15) If any development is damaged or threatened with damage from erosion or the effects of erosion, or from flooding or the effects of flooding, whether or not a development permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (16) The Development Authority will not approve a development permit application for the development or placement of permanent Buildings within the 1:100 year flood way of any lake, river, creek, and watercourse or water body.
- (17) Development shall not be permitted on steep slopes (in excess of 15%), on unstable slopes or land characterized by soil instability, or on lands exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique Site requirements warrant otherwise by providing a geotechnical report provided by a professional engineer registered in the Province of Alberta.
- (18) Applicants seeking development approval must consider locations of abandoned wells, including setback areas. The County of Vermilion River requires a minimum setback of 100 metres from all abandoned wells for residential and public facility developments. All other development classifications will be required to Use the lease area as the setback guidelines. Any reclaimed wells require a 5 metre setback from the well location.

Subsection  
added by  
Bylaw 14-22

## 6.21 Sour Gas Facilities

- (1) No development shall be allowed within 100 m (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by Alberta Energy Resources Conservation Board (ERCB).
- (2) In the case of a Level 2 sour gas facility as determined by the ERCB:
  - (a) no permanent Dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility; and
  - (b) no institutional Use shall be allowed within 500 m (1640 ft.) of the sour gas facility.
- (3) In the case of Level 3 sour gas facility as determined by the ERCB:

- (a) no permanent Dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility;
- (b) no residential development with a density of more than eight (8) Dwelling units per quarter section shall be allowed within 500 m (1640 ft.) of the sour gas facility; and
- (c) no institutional Use shall be allowed within 1500 m (4921 ft.) of the sour gas facility.

## 6.22 Subdivision of Land

- (1) Where the Development involves a Subdivision of land, no Development Permit shall be issued until an application for Subdivision has been submitted to the Subdivision Authority and the Development Authority has received written evidence that the necessary Subdivision has the approval of the Subdivision Authority. The Subdivision Authority of the County shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the Act.
- (2) Subdivision approvals must be consistent with the County of Vermilion River Municipal Development Plan (MDP), the provisions of any growth plans, statutory plans, and Land Use Bylaw that affects the land proposed to be subdivided. Development that does not conform to the Municipal Development Plan, growth plans, statutory plans and Land Use Bylaws which affect the land proposed to be subdivided will not be approved. If a Development, resulting from a proposed Subdivision does not comply with the Municipal Development Plan or the provisions of this Bylaw; however, it is felt to be conforming to the spirit and intent of the goals, objectives, and policies of the MDP; approval may be granted at the discretion of the Subdivision Authority.
- (3) Subdivision approvals must comply with part 17 and 17.1 of the Municipal Government Act and the Regulations therein.
- (4) Environmental reserve taken at time of subdivision must remain in its natural state except as permitted in accordance with Part 17, Division 9 of the Municipal Government Act. In some instances, conservation Easements may be considered in place of environmental reserves, as provided for in the Section 22 of the Environmental Enhancement and Protection Act.
- (5) Environmental reserves will be taken according to Section 664 of the Municipal Government Act; either in the form of a Lot (Ownership transferred to the Municipality) or as an environmental reserve Easement (private Ownership is retained). The County may require any Owner or Developer to provide hazard land as environmental reserve as part of a Subdivision application.
- (6) Property taxes must be up to date prior to final endorsement of any Subdivision within the County.
- (7) The Developer may be required to provide for Inclusionary Housing in accordance with provincial regulation.

- (8) The County shall generally take the full amount (10%) of municipal reserves owing as a result of Subdivision, in accordance with Provincial legislation and County Policy.
- (9) Subdivisions shall not be approved where access to existing graded and graveled or paved Roads does not exist, or where construction of Roadway and access to the Site, which are required to meet County standards, is not undertaken by the landowner/Developer.

## 6.23 Subdivision Application Requirements

Subsection  
added by  
Bylaw 18-01

- (1) All Subdivision applications for lands within the County shall comply with the provisions under this Section.
- (2) Preparation and approval of an Area Structure Plan or Site Development Plan by a Registered Professional Planner (RPP) is required for multi-Lot Subdivisions that will result in a total of four (4) or more Lots or Parcels, including the remainder per quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed Subdivision.
- (3) All drawings and plans submitted in respect to Development involving a Subdivision of land shall comply with the Drawing Submissions Standards set forth in the County of Vermilion River General Municipal Servicing Standards (County Policy PD-014, Schedule A).
- (4) A subdivision application may be submitted by:
  - (a) the registered Owner of the land to be subdivided; or
  - (b) a person with written authorization to act on behalf of the registered Owner.
- (5) Multi-Lot Subdivisions shall be developed in accordance with the applicable provisions of Land Use District for the proposed Lot or Parcel at time of Subdivision application.
- (6) If the proposed Subdivision requires an environmental assessment under the Canadian Environmental Assessment Act, the applicant shall file an environmental assessment in accordance with the Canadian Environmental Assessment Act. A copy of the environmental assessment shall be submitted with the Subdivision application.
- (7) If the proposed Subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall file and obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and / or approvals or licenses shall be submitted with the Subdivision application.
- (8) A map indicating the current Land Use District designation for the Adjacent Lands within 0.8 km (0.5 mi.) of the land proposed to be subdivided shall be submitted with the Subdivision application.
- (9) Information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and Alberta Energy Regulator Directive 079.
- (10) The tentative plan of Subdivision shall:
  - (a) clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to register in a Land Titles Office;

- (b) show the location, dimensions and boundaries of:
    - i. each new Lot to be created;
    - ii. the reserve land, if any;
    - iii. the rights-of-way of each Public Utility; and
    - iv. other rights-of-way.
  - (c) show the Use, location, and dimensions of existing Buildings on the land that is the subject of the application, if any, and specify whether the Buildings are proposed to be demolished or moved;
  - (d) show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the bounds of the proposed Parcel of Land;
  - (e) identify the location of any existing or proposed wells, the locations and type of any private sewage disposal systems, and the distance from these to existing or proposed Buildings and Property Lines; and
  - (f) information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed Subdivision;
  - (g) the existing and proposed access to the proposed Parcels and the remainder of the titled area.
- (11) The County may also require an applicant to submit to the Subdivision Authority any or all of the following:
- (a) a map of the land that is to be subdivided and shows topographic contours at not greater than 1.5 m (4.9 ft) intervals related to the geodetic data;
  - (b) if the proposed Subdivision is not to be served by a water distribution system, information supported by the report of a qualified professional, registered in the province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;
  - (c) an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system, prepared and signed by a qualified professional registered in the Province of Alberta;
  - (d) a storm water management plan, to be prepared at the discretion of the Development Authority, which must be approved by Alberta Environment and Parks including:
    - i. topography;
    - ii. location of associated watershed and of the Development in relation to it;
    - iii. proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);
    - iv. proposed major drainage systems (direction of surface drainage/flow rate);
    - v. proposed on-site detention/retention facility (location/size/capacity);

- vi. location of outflow/outfall Structures; and
- vii. any related modeling and calculation information.
- (e) if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
- (f) information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the intended method of providing sewage disposal facilities to each Lot in the proposed Subdivision;
- (g) information respecting the land surface characteristics of land within 0.8 km (0.5 mi.) of the land proposed to be subdivided;
- (h) if any portion of the Parcel of Land affected by the proposed Subdivision is situated within 1.5 km (0.93 mi.) of a sour gas facility, a map showing the location of the sour gas facility; and
- (i) an approved Area Structure Plan or Site Development Plan that relates the application to future Subdivision and Development of adjacent areas.
- (12) All proposed Parcels being created shall not, in the opinion of the Subdivision Authority, prejudice the future efficient Development of the remnant Parcel.
- (13) The Development Authority may require the applicant for a proposed multi-Lot Subdivision to provide the Subdivision Authority a public participation summary pursuant to Section 2.18 of this Bylaw.

## 6.24 Subdivision Design Standards

### (1) Single-Lot Subdivisions Standards

#### (a) Residential

- i. Single-Lot Subdivisions for Residential Uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of Subdivision, which shall guide the Subdivision Authority.
- ii. One Country Residential, Farmstead, or Farm Residence Lot or Parcel; from a minimum of 0.8 ha (2 ac.) to a maximum of 2.0 ha (5 ac.) in size, whether vacant or developed; may be subdivided from each quarter section for Country Residential Use without amendment to the Land Use Bylaw.
- iii. Single-Lot or Parcel Subdivisions for Country Residential Use, Country Residence, Farmstead, or Farm Residence, at the discretion of the Subdivision Authority, may also include undeveloped lands such as sloughs, bush and even low quality pasture, or land that because of natural topography such as sloughs, ravines, or water bodies, would otherwise be cut off from the remainder of the Parcel. If the farmland assessment of the land is below 10%, such additions may also increase the size of the vacant Country Residential Parcel beyond the 2.0 ha (5 ac.) to a maximum of 4 ha (10 ac.) subject to the policies in the Municipal Development Plan.

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added by  
Bylaw 18-01

- iv. In determining, the suitability of an application for single-Lot or Parcel Subdivision for Country Residential Use, Country Residence, Farmstead, or Farm Residence, adequate year-round access by an all-weather Road must be available.
- v. Notwithstanding the above-noted criteria, the Development Authority may consider a Development Permit application for Country Residential Use, Country Residence, Farmstead, or Farm Residence on existing registered Lots.
- vi. Clustering, Development, arrangement, location, and orientation of Buildings, main and accessory, are subject to the provisions of Sections 6.1 and 6.2 of this Bylaw, as applicable.
- vii. Country residential Subdivisions should be located in proximity to gas, electrical, and telephone lines, which have existing spare capacity to sustain the additional usage. Subdivisions shall have direct access to existing maintained Roads.
- viii. Approach and / or access to a Country Residential Subdivision shall meet the County's General Municipal Servicing Standards requirements.
- ix. Where a Subdivision for Country Residential Use is proposed, the Developer shall be required to enter into a Development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and Development.

(b) Non-Residential

- i. Single-Lot Subdivisions for non-Residential Uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of Subdivision, which shall guide the Subdivision Authority.
- ii. Non-Residential Uses shall be encouraged to locate in designated areas that are designed and serviced to accommodate additional Development.
- iii. Non-Residential Uses shall be encouraged to locate on lower capability agricultural land, in proximity to paved County Roads or provincial Highways, and in areas with access to existing water and power services wherever possible.
- iv. Clustering, Development, arrangement, location, and orientation of Buildings, main and accessory, are subject to the provisions of Sections 6.1 and 6.2 of this Bylaw, as applicable.
- v. The County may refer Subdivision applications to the relevant Provincial Agencies Authority considered necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the Subdivision is intended.
- vi. Approach and / or access to a non- residential Subdivision shall meet the County's General Municipal Servicing Standards requirements.



- vii. Where a Subdivision for non-Residential Use is proposed, the Developer may be required to enter into a Development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and Development.

(2) Multi-Lot Subdivisions

(a) Residential

- i. Multi-Lot Subdivisions for Residential Uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of Subdivision, which shall guide the Subdivision Authority.
- ii. Preparation and approval of a Site Development Plan or Area Structure Plan may be required for multi-Lot Residential Use Subdivisions, depending on the magnitude and complexity of the proposed Development.
- iii. Multi-Lot Residential Use Subdivisions should locate in proximity to existing hamlets, planned rural hamlets, and existing multi-Lot Development areas that have the capacity to support additional Development.
- iv. Multi-Lot Residential Use Subdivisions will be required to provide multi-modal trail networks to the satisfaction of the Subdivision Authority at time of Subdivision.
- v. Multi-Lot Residential Use Subdivisions shall be clustered or grouped to reduce potential land Use conflicts and minimize servicing costs. To that end, the County will be open to innovative design in the Development of multi-Lot Country Residential Development such as Cluster or Conservation designed Subdivisions, or similar as to reduce as much as possible Development costs and minimizing the conversion of agricultural land into non-Agricultural Uses.
- vi. Multi-Lot Residential Use Subdivisions shall ensure that necessary public facilities and services to support new Development are available and adequate, based on adopted level of service standards, at the time that the impacts of new Development occur.
- vii. Clustering, Development, arrangement, location, and orientation of Buildings, main and accessory, are subject to the provisions of Sections 6.1 and 6.2 of this Bylaw, as applicable.
- viii. Approach and / or access to multi-Lot Residential Use Subdivisions shall meet the County's General Municipal Servicing Standards requirements.
- ix. Where a Subdivision for multi-Lot Residential Use is proposed, the Developer shall be required to enter into a Development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and Development.

(b) Non-Residential



- i. Multi-Lot Subdivisions for non-Residential Uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of Subdivision, which shall guide the Subdivision Authority.
- ii. Multi-Lot non-Residential Use Subdivisions should locate within existing multi-Lot Development areas that have the capacity to support additional Development.
- iii. Compatible non-Residential Uses shall be clustered together into or in proximity of existing multi-Lot Development (Parks) to reduce potential Land Use conflicts and minimize servicing costs, whenever possible. To that end, the County will be open to innovative design in the Development of multi-Lot commercial, rural/agricultural, or industrial parks such as cluster designed Subdivisions and eco-parks, or similar as to reduce as much as possible Development costs and minimizing the conversion of agricultural land into non-Agricultural Uses.
- iv. Clustering, Development, arrangement, location, and orientation of Buildings, main and accessory, are subject to the provisions of Sections 6.1 and 6.2 of this Bylaw, as applicable.
- v. Approach and / or access to multi-Lot non-Residential Use Subdivisions shall meet the County's General Municipal Servicing Standards requirements.
- vi. Where a Subdivision for multi-Lot non-Residential Use is proposed, the Developer shall be required to enter into a Development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and Development.
- vii. Multi-Lot non-Residential Use Subdivisions shall ensure that necessary public facilities and services to support new Development are available and adequate, based on adopted level of service standards, at the time that the impacts of new Development occur.

## 6.25 Decisions on Subdivision Applications

### (1) Decision Time Frame

- (a) A Subdivision Authority must, within twenty (20) days after the receipt of the application for a Subdivision approval, determine whether the application is complete. This time period may be extended by an agreement in writing between the applicant and the Subdivision Authority.
- (b) If the Subdivision Authority does not make a determination referred to in Subsection 1(a) above, within the time required, the application is deemed to be complete.
- (c) A written notice must be issued to the applicant for the following:
  - i. Acknowledgement that the application is complete.

Subsection  
added by  
Bylaw 18-01

- ii. Acknowledgement that the application is incomplete and request any outstanding documents and information referred to in the notice, which must be submitted by the date set out in the notice or a later date agreed on between the applicant and Development Authority, in order for the application to be considered complete.
  - iii. Acknowledgment that the application is complete, if the Subdivision Authority determines that the information and documents submitted under subsection (ii) are completed.
  - iv. Acknowledgement that the application is deemed refused and the reason for refusal, if the application fails to submit all the outstanding information and documents on or before the date referred to in subsection (ii).
- (d) On receipt of acknowledgement under Subsection (c) above, that the application for Subdivision approval is complete, the Subdivision Authority shall:
  - i. Give a copy of the application to the Government departments, persons and local authorities required by the Subdivision and Development Regulations, and
  - ii. Give notice of the application to adjacent landowners to the land that is subject of the application.
- (2) Conditions of Subdivision
  - (a) Development agreements, performance bonds, caveats, Easements, covenants and restrictions agreements, and/or restrictive covenants, as applicable, shall be required as a condition of approval for Subdivision of land within the County.
  - (b) The County shall generally take the full amount (10%) of municipal reserves owing as a result of Subdivision, in accordance with Provincial legislation and County Policy.
  - (c) Where the County wishes to ensure public access to a water body, environmental reserve in the form of a Lot or Public Utility Lot will be taken.
  - (d) An environmental reserve or Easement of not less than 30 m (98 ft.) in width from the high-water mark of water bodies and/or the top of bank of lakes and rivers shall be required as a condition of Subdivision approval. The use of conservation Easements may be considered as an alternative to traditional environmental reserve during the Subdivision process.
  - (e) A private sewage inspection will be required, at no cost to the County, prior to endorsement of all Subdivisions within the County where the Site is affected by a private sewage disposal system.
  - (f) School reserves shall be provided at the time of Subdivision in accordance with agreements between the County and the relevant School Divisions.
- (3) Decisions on Applications

- (a) In making a decision as to whether to approve an application for Subdivision, the Subdivision Authority must consider, with respect to the land that is the subject of the application, the following:
    - i. The Municipal Government Act;
    - ii. Regional Plans under the Alberta Land Stewardship Act (ALSA);
    - iii. The Subdivision and Development Regulation;
    - iv. the applicable policies in the County's Municipal Development Plan;
    - v. Other statutory plans and bylaws;
    - vi. its topography;
    - vii. its soil characteristics;
    - viii. storm water collection and disposal;
    - ix. any potential for the flooding, subsidence, or erosion of the land;
    - x. its accessibility to a Road;
    - xi. the availability and adequacy of a water supply, sewage disposal system, and solid waste disposal;
    - xii. in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed Subdivision boundaries, Lot sizes and Building Sites comply with the requirements of the Alberta Private Sewage Disposal Systems Regulation, as amended or repealed or replaced from time to time, in respect of Lot size and distances between Property Lines, Buildings, water sources and private sewage disposal systems;
    - xiii. the Use of land in the vicinity of the land that is the subject of the application;
    - xiv. any other matters referred to it by the County and relevant Provincial Agencies Authority consider necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the Subdivision is intended; and
    - xv. any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the Subdivision is intended.
  - (b) When reviewing applications to redesignate land for Subdivisions, Council shall have regard, among other matters, to Section 6.23 of this Bylaw and applicable County Subdivision and Development Standards.
  - (c) The written decision of the Subdivision Authority provided under Section 656 of the Act must include the reasons for the decision, including an indication of how the Subdivision Authority has considered:
    - i. any submissions made to it by the adjacent landowners, and
    - ii. the matters listed in Sections 6.22 and 6.23, pursuant to Section 7 of the Subdivision and Development Regulation.
- (4) Notice of decision
  - (a) A decision of a Subdivision Authority must be given in writing to the applicant and to the relevant agencies and organizations, persons and local

authorities to which the Subdivision Authority is required by the Subdivision and Development Regulations.

- (b) A decision of a Subdivision Authority shall be sent by electronic means if:
  - i. The applicant has consented to receive documents from the Subdivision Authority by electronic means and has provided an email address, website or other electronic address to the Subdivision Authority for this purpose and
  - ii. It is possible to make a copy of the document from the electronic transmission.
  - iii. A document sent by electronic means is considered to have been received seven (7) days after it was sent.
- (c) A decision of a Subdivision Authority must state:
  - i. whether an appeal lies to a Subdivision and Development Appeal Board or to the Municipal Government Board, and
  - ii. if an application for Subdivision approval is refused, the reasons for the refusal.
- (d) If an application for Subdivision approval is refused, the Subdivision Authority may refuse to accept for consideration, with respect to the same land or part of the same land, a further application for Subdivision approval submitted to it within the 6-month period after the date of the Subdivision Authority's decision to refuse the application.

(5) Endorsement and Conditions Met

- (a) An applicant for Subdivision approval must submit to the Subdivision Authority the plan of survey or other instrument that effects the Subdivision within one (1) year of either:
  - i. the date of Subdivision approval;
  - ii. the date of an Appeal Board's decision; or
  - iii. the date the judgment is entered, or the appeal is discontinued by the Court of Appeal.
- (b) On being satisfied that a plan of survey or other instrument complies with a Subdivision approval and that any conditions imposed have been met, the Subdivision Authority must endorse the plan or other instrument in accordance with the Subdivision and Development Regulation, as amended.
- (c) The Subdivision Authority may provide up to a one (1) year time extension to the applicant for Subdivision in order to meet conditions of Subdivision approval to a maximum of three (3) extensions per application.
- (d) If the plan of survey or other instrument is not submitted within the time prescribed or further authorized by a time extension, the Subdivision approval is void and a new application must be made to the Subdivision Authority.

(6) Registration

- (a) If the plan of survey or other instrument is not registered in a land titles office within one (1) year after the date on which it is endorsed, the Subdivision

approval of the plan or instrument and the endorsement are void and the plan or instrument may not be accepted by a Registrar for registration.

- (b) The Subdivision Authority may provide a one (1) year time extension to the applicant for Subdivision in order to register the plan or instrument to a maximum of three (3) extensions per application.

## 6.26 Two or More Land Use Districts on a Lot Parcel

Subsection  
added by  
Bylaw 18-01

- (1) Where a Lot or a Parcel of Land contains more than one Land Use District, each Land Use area shall be treated as a separate entity in determining compliance with the provisions of the Land Use District. Where designation does not follow a Property Line, the applicant shall provide the dimensions of each Land Use area on a site plan.
- (2) Where a Land Use District boundary is uncertain, it shall be located based on the following:
  - (a) the municipal boundaries; or
  - (b) the edge of a Property Line or Parcel boundary; or
  - (c) the edge, shoreline, or high-water mark of a river, lake, or other water body, or a topographic contour line, or a top of bank line. In the event of change in a line, the Land Use District boundary shall continue to align with the edge or shoreline; or
  - (d) the centre line of a Road, Lane, railway, pipeline, power line, utility right-of-way, or Easement.
- (3) Where a Land Use District boundary is shown to be generally parallel to or, as an extension to any of the features listed above, it shall be considered as such.
- (4) Where the Land Use District boundary is in dispute, its location shall be determined by the Development Authority on the basis of the scale of the land use maps.
- (5) Where the Development Authority is unable to determine a Land Use District boundary or overlay boundary by applying the above provisions, they shall fix the boundary in doubt or dispute in a manner otherwise consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. The decision of the Development Authority may be appealed to the Subdivision and Development Appeal Board.

## 6.27 Water Supply, Sanitary Facilities and Natural Gas

Subsection  
added by  
Bylaw 15-21

- (1) All development within the County shall be provided, at no cost to the County, with sanitary facilities to the satisfaction of all Provincial legislation or regulations.
- (2) A development permit shall not be issued for residential, commercial, industrial or recreational Uses unless the Development Authority is satisfied that water supplies

of sufficient quality and quantity are or will be made available to support the proposed development.

- (3) It is County policy to promote the Use of reclaimed water to the maximum extent possible in order to supplement existing surface and ground water supplies to help meet water needs. The primary condition on the Use of reclaimed water is protection of public health.
  - (a) Reclaimed water systems will constitute a variance and shall comply with the requirements in Section 2.12 of this Bylaw.
    - i. In order to receive a variance, an alternative solution proposal shall demonstrate an equivalent or greater level of performance as required by the most current Provincial Standards adopted or as amended.
  - (b) Reclaimed Water Systems shall be designed, constructed, and installed in accordance with the most current Provincial Standards adopted or as amended.



# 7 | Special Provisions

## 7.1 Auto Wreckers

- (1) Notwithstanding any other provisions of this Bylaw, Auto wreckers and salvage yards shall be screened from adjacent properties by a solid perimeter fence of at least 2.0 m (6.5 ft.) in height, and not more than 5.0 (16.25 ft.), with no material piled higher than the height of the perimeter fence.
- (2) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the Site. All landscaping shall be to the satisfaction of the Development Authority.
- (3) As a condition of approval for an auto wrecker and salvage yard, the Development Authority may impose restrictions on hours of operation, siting of machinery and facilities, and/or any other feature of the development, so as to mitigate the impact noise on adjacent properties and developments.
- (4) No auto wrecker and salvage yard facility, including the storage and stockpiling of vehicles, debris or any materials, shall be located so as to cause contamination of adjacent properties or environmental features such as water bodies or watercourses.

## 7.2 Bare Land Condominiums

Sub-Section  
Amended by  
Bvlaw 18-01

- (1) A Bare Land Condominium Development Subdivision must comply with the County's Bare Land Condominium Policy, as amended, along with any applicable regulations of this Bylaw, including the regulations of the designated Land Use District, any relevant caveat, Easement, instrument, agreement, or other legal requirement, and any applicable standards, policies, procedures.
- (2) An application for a Bare Land Condominium Subdivision shall include a Site Development Plan or Area Structure Plan to be approved prior to submitting a Subdivision or Development application.
- (3) An application for a Bare Land Condominium Subdivision shall comply with Sections 6.23 and 6.24 of this Bylaw and applicable County Standards.
- (4) The Development Authority may relax Bylaw standards or regulations, including Site coverage and Yard or Setback requirements, beyond the maximum relaxation requirements in this bylaw where the relaxations only affect internal Bare Land Condominium boundaries and properties. No relaxations to Land Use District minimum and maximum requirements shall be permitted at the outer boundaries of a Bare Land Condominium Development and/or adjacent to properties not associated with the project.



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- (5) Internal Roads that serve Bare Land Condominium Subdivisions are contributed assets and shall meet the County's General Municipal Servicing Standards requirements, and must allow for safe and efficient movement of emergency vehicles.

### 7.3 Basic Campgrounds

- (1) Where a campground proposal will ultimately exceed sixty (60) campsites and/or cabins and is located on a parcel greater than 8.0 ha (19.8 ac), a development concept plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any specific development. The development concept plan shall include detailed plans and specifications (i.e. servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.
- (2) A minimum of 10% of the gross Lot area of the campground shall be set aside for a common recreation area and shall be developed and maintained as a park, playground or other Useable open space. No portion of any other Use and/or facility shall be included in this area.
- (3) Visitor parking shall be provided in common areas within a campground area, to the satisfaction of the Development Authority.
- (4) All campgrounds shall be provided with safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to a Development Officer for the purposes of accommodating emergency, fire and maintenance vehicles.
- (5) Within a campground development, the roadway system will be sensitive to the topography and Site characteristics of the Site and shall be "signed" to avoid confusion.
- (6) All campsites shall be accessible by means of an access at least 3.0 m (9.8 ft.) in width where the access is for one-way traffic, or at least 6.0 m (19.7 ft.) in width where the access is for two-way traffic.
- (7) Trees and natural vegetative cover shall not be removed without an approved development permit or development concept plan. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.
- (8) Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2.0 m (6.6 ft.), to the satisfaction of the Development Authority.

- (9) Fires shall only be permitted in facilities which have been provided for such purpose or where open fires are allowed by the County's fire department.
- (10) Fireplaces, fire pits, charcoal and other barbeque equipment, wood burning stoves, or any other cooking facilities shall be located, constructed, maintained and Used to minimize fire hazard and smoke nuisance in the campground and the neighbouring properties.
- (11) Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service Buildings.
- (12) A suitable access and egress shall be provided so that every campground may be readily serviced in emergency situations. Twenty-four (24) hour emergency communication service (e.g. telephones) shall be provided.
- (13) Pedestrian walkways having a width of not less than 1.2 m (3.9 ft.) shall be provided from campground stalls to all service Buildings, facilities, refuse collection areas and recreation areas. The walkways shall be well drained, well lighted, and the surface shall be constructed to a standard to the satisfaction of the Development Authority.
- (14) The storage, collection and disposal of solid waste in campgrounds shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.
- (15) Campgrounds with less than sixty (60) campsites and no permanent cabins shall be required to provide sewage disposal and water service facilities to the satisfaction of the Development Authority.
- (16) Campgrounds with more than sixty (60) campsites and with permanent cabins shall provide on-Site services as follows:
  - (a) A water supply system shall be provided for each campsite designed to accommodate the campground User occupying a self-contained recreational vehicle or a cabin and shall be connected to a community water supply system. The water system for a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.
  - (b) Alternatively, a campground may provide one or more easily accessible supply outlets for filling potable water storage tanks. The water supply outlets shall be located within 100.0 m (328.1 ft.) of the campsites. The water supply outlets shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.

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- (c) An adequate and safe sewage disposal system shall be provided in a campground for each campsite designed to accommodate the campground User occupying a self-contained vehicle or cabin and shall be connected to a community sewage system and/or sanitary dumping station, to the satisfaction of the Development Authority. The sewage disposal system in a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority, and shall comply with all applicable Provincial and County regulations, and shall be maintained to the standards of the regulatory approvals.
    - (d) A campground shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. The sanitary dumping stations shall be designed and maintained to County regulations and standards to the satisfaction of the County Engineer and the Development Authority. Each station shall provide a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be separated from any campsite or cabin by a distance of not less than 20.0 m (65.6 ft.).
    - (e) In no case shall less than one (1) toilet and lavatory be provided for each sex for every ten (10) campsites.
  - (17) Campgrounds, containing campsites, cabins, hotels and/or motels are considered temporary occupancies, and consequently, the maximum occupancy is two hundred and forty (240) days per calendar year.
  - (18) The minimum size for a tenting campsite shall be:
    - (a) 7.5 m (24.6 ft.) in width;
    - (b) 18.3 m (60.0 ft.) in depth; and
    - (c) 213 m<sup>2</sup> (2292.7 sq. ft.) in area.
  - (19) The minimum size for a recreation vehicle/travel trailer or cabin campsite shall be:
    - (a) 10.0 m (32.8 ft.) in width
    - (b) 25.0 m (82 ft.) in depth; and
    - (c) 250 m<sup>2</sup> (2691 sq. ft.) in area.
  - (20) A recreational vehicle/travel trailer on a campsite shall be separated a minimum of 3.0 m (9.8 ft.) from:
    - (a) another recreational vehicle/travel trailer on an adjacent Site;
    - (b) other structures; and
    - (c) an interior roadway.
  - (21) Each campsite shall provide two parking spaces on the campsite.

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- (22) All campsites shall be required to provide an acceptable form of ground cover to prevent erosion.

## 7.4 Bed and Breakfast and Guest Ranch Operations

- (1) A bed and breakfast establishment or a guest ranch, which shall be considered to be major home occupations, shall, in addition to the regulations for major home occupations, comply with the following regulations:
- (a) A bed and breakfast establishment or guest ranch shall not change the principal character or external appearance of the Dwelling involved, and shall have a maximum of three (3) sleeping units.
  - (b) Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
  - (c) In addition to any other parking requirements of this Bylaw, one (1) additional off-street parking space shall be provided for each sleeping unit.
  - (d) A bed and breakfast establishment or guest ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

## 7.5 Commercial Development in the Agricultural (A) District

- (1) A development permit for a commercial Use within the Agricultural (A) District may be issued if, in the opinion of the Development Authority:
- (a) it directly serves the agricultural community; and/or
  - (b) it will not conflict with surrounding land Uses.
- (2) All Site regulations and development requirements, including any requirements for buffers, shall be based upon the type of development and shall be at the discretion of the Development Authority.
- (3) At the time of the development permit application, the proponent of a commercial development shall identify all municipal servicing costs associated with the proposed development.

## 7.6 Confined Feeding Operations and Manure Storage Facilities

- (1) Confined feeding operations and manure storage facilities for which an approval, a registration or an authorization is required pursuant to the Agricultural Operations Act are not regulated by this Bylaw but by that Act and by the Natural Resources Conservation Board pursuant to that Act. Please refer to the Agricultural Operations Act and the Regulations under the Agricultural Operations Act for these developments.

## 7.7 Country Residential Uses and Farmsteads

- (1) Preparation and approval of an Area Structure Plan may be considered as a prerequisite for multi-Lot country residential subdivision depending on the magnitude and complexity of the proposed development.
- (2) Appropriate reclassified land for multi-Lot country residential Use shall be developed in accordance with the provisions outlined in the Country Residential One (CR1) District or the Country Residential Two (CR2) District of this Bylaw.
- (3) When reviewing applications to reclassify land for multi-Lot country residential Use, Council shall have regard, among other matters, to the following:
- (4) Notwithstanding the above-noted criteria, the Development Authority may consider a development permit application for country residential Use on existing registered Lots.
- (5) One vacant country residential parcel, generally from 0.8 ha (2 ac.) to 2.0 ha (5 ac.) in size, may be subdivided from each quarter section without amendment to the Land Use Bylaw. However, the country residential parcel may, at the discretion of the Subdivision Authority, also include undeveloped lands such as sloughs, bush and even low quality pasture, or land which because of natural topography such as sloughs, ravines or water bodies, would otherwise be cut off from the remainder of the farm unit. Such additions may also increase the size of the vacant country residential parcel beyond the 2.0 ha (5 ac.) to a maximum of 4 ha (10 ac.) if the farmland assessment of the land is below 10%. In this respect, the Subdivision Authority shall be guided by the policies in the Municipal Development Plan.
- (6) For the purpose of land Use and subdivision, farmsteads shall generally be from 0.8 ha (2 ac.) to 2.0 ha (5 ac.) in size. However, farmsteads may incorporate within their boundaries those natural and man-made features that form part of the residence-related portion of a farm operation, such as shelterbelts, small tree stands, gardens, small corrals, driveways, fences, Buildings, structures, water supply and sub-surface sewage disposal facilities, and other features which are normally considered to be part of the farm yard. By including those above named features, the size of a farmstead parcel may exceed the 2.0 ha (5 ac.) criterion. In this respect, the

Subdivision Authority shall be guided by the policies in the Municipal Development Plan.

- (7) When farmsteads are subdivided from a quarter section, they may, at the discretion of the Subdivision Authority, also include undeveloped lands such as sloughs, bush and even low quality pasture associated with the farmstead, or land which because of natural topography such as sloughs, ravines or water bodies, would otherwise be cut off from the remainder of the farm unit. Such additions may also increase the size of the farmstead parcel beyond 2.0 ha (5 ac.) to a maximum of 4 ha (10 ac.) if the farmland assessment of the land is below 10%. In this respect, the Subdivision Authority shall be guided by the policies in the Municipal Development Plan.
- (8) In determining the suitability of an application for a farmstead subdivision, adequate year-round access by an all-weather road must be available.

Amended by  
Bylaw 15-21

## 7.8 Crime Prevention Through Environmental Design

- (1) During the review of a development permit application, the Development Authority may consider the following Crime Prevention Through Environmental Design (CPTED) principles, and make recommendations for the proposed development:
  - (a) the reduction of concealment opportunities;
  - (b) the provision of lighting to minimize unlit areas;
  - (c) the placement of windows to maximize informal surveillance; and
  - (d) easily-identified street addresses.

## 7.9 Day Use and Picnic Areas

- (1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the Site. Exact numbers of such facilities shall be at the discretion of the Development Authority.
- (2) Day Use and picnic facilities shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy Use areas from damage.
- (3) Where the day Use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the Uses.
- (4) Parking areas should be physically separated from the rest of the day Use or picnic areas by landscaping or natural vegetation buffers.

## 7.10 Fences, Walls and Hedges

- (1) Notwithstanding any regulation respecting required yards to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a Lot.
- (2) No fence, wall, hedge or any combination thereof in any Residential District shall be constructed that is higher, measured from the average ground level 0.3 m (1 ft.) back from the Lot line on whichever side of the fence the ground level is lower, than:
  - (a) 2.0 m (6.6 ft.) for the portion of the fence, wall or hedge that does not extend beyond the foremost portion of the principal Building into the front yard setback, as depicted in Figure 20;
  - (b) 1 m (3.3 ft.) for the portion of the fence, wall or hedge that does extend beyond the foremost portion of the principal Dwelling into the front yard setback, as depicted in Figure 20;
  - (c) 1 m (3.3 ft.) for that portion of the fence, wall or hedge that does extend into an 8 m (26.25 ft.) sight triangle on a corner Lot having two or more intersecting roads, as depicted in Figure 20.
- (3) All apartment or row housing developments shall provide, to the satisfaction of the Development Authority, a wall, hedge or wooden fence of not less than 1.22 m (4.0 ft.) nor more than 2.0 m (6.6 ft.) in height, along any side or rear lines adjacent to any residential Use.
- (4) All drive-in businesses, car washing establishments, service stations and gas bars shall provide, to the satisfaction of the Development Authority, solid fences of not less than 1.22 m (4.0 ft.) in height nor more than 2.0 m (6.6 ft.) in height, along any side or rear property lines adjacent to any residential district.

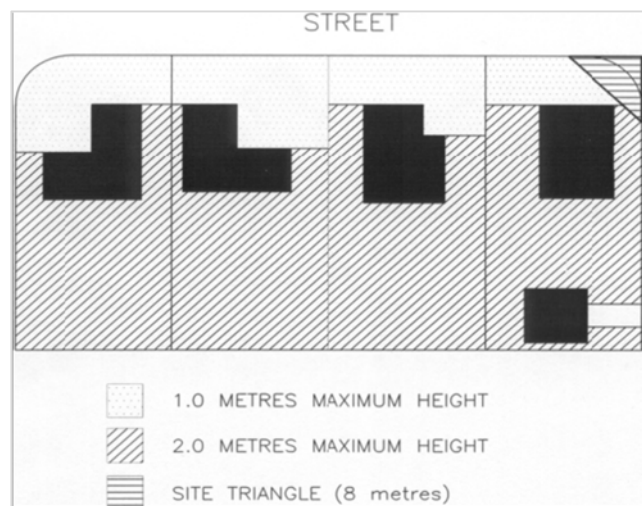


Figure 20: Fencing Regulations



- (5) All other commercial developments shall provide, to the satisfaction of the Development Authority, a wooden fence of not more 2.0 m (6.6 ft.) in height along any side or rear lines adjacent to any residential district.
- (6) Neither razor wire nor barbed wire shall be allowed within Residential Districts.
- (7) Razor wire shall not be Used in the municipality without a development permit having been issued to allow its Use.
- (8) Other than in the Agricultural (A) and Controlled Urban Development (CUD) Districts, barbed wire shall be Used as a fencing material only if a development permit has been issued to allow its Use.
- (9) In all Districts outside of the Hamlets, all fences, walls and hedges, other than game fencing and corrals on parcels over 32 ha (80 ac.), shall be not less than 15.24 m (50.0 ft.) from the centre line of adjacent roads.

## 7.11 Garage Suites

- (1) A garage suite shall be restricted to a Site occupied by a single detached Dwelling.
- (2) A garage suite shall not be constructed on a Lot with a Duplex, Row housing or apartment housing.
- (3) A maximum of one (1) garage suite shall be permitted on any single detached Dwelling Lot.
- (4) A garage suite shall remain accessory to and subordinate to the main Dwelling and shall not exceed 80.0 m<sup>2</sup> (860.0 sq. ft.).
- (5) A garage suite shall remain accessory to and subordinate to the Use of the garage and the floor areas of the garage suite.
- (6) The minimum floor area for an at-grade garage suite is 30.0 m<sup>2</sup> (322.9 sq. ft.).
- (7) The minimum floor area for an above-grade suite is 30.0 m<sup>2</sup> (322.9 sq. ft.).
- (8) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.
- (9) A garage suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet and bathing facilities.



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- (10) A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
  - (11) At-grade garage suites shall be a maximum height of 4.5 m (14.8 ft.).
  - (12) Above-grade garage suites shall be a maximum height of 5.5 m (18.0 ft.) for suites with a flat roof, and 7.3 m (24.0 ft.) for suites with a sloped roof, provided that the maximum height is not higher than the height of the main Dwelling.
  - (13) A minimum of three (3) on-Site parking spaces shall be required for Lots with approved garage suite development. Tandem parking may be permitted at the discretion of the Development Authority.

## 7.12 Garden Suites

- (1) A garden suite shall be restricted to a Site occupied by a single detached Dwelling.
- (2) A garden suite shall not be constructed on a Lot with a Duplex, Row housing or apartment housing.
- (3) A maximum of one (1) garden suite shall be permitted on any single detached Dwelling Lot.
- (4) A garage suite shall remain accessory to and subordinate to the main Dwelling and shall not exceed 80.0 m<sup>2</sup> (860.0 sq. ft.).
- (5) The minimum floor area for a garden suite is 30.0 m<sup>2</sup> (322.9 sq. ft.).
- (6) A garden suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet and bathing facilities.
- (7) Garden suites shall be a maximum height of 4.5 m (14.8 ft.).
- (8) A minimum of three (3) on-Site parking spaces shall be required for Lots with approved garden suite development. Tandem parking may be permitted at the discretion of the Development Authority.

## 7.13 Home Occupations

- (1) All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in his/her opinion, the Use is or has become detrimental to the amenities of the neighbourhood in which it is located.

- (2) A permit issued for a home occupation is valid for one year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
- (3) A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provision of this Bylaw or conditions of the approval of the development permit.

(4) General Regulations

All home occupations shall comply with the following requirements;

- (a) In addition to a development permit application, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the Dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
- (b) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
- (c) Home occupations shall not involve:
  - (i) activities that Use or store hazardous material in quantities exceeding those found in a normal household; or
  - (ii) any Use that would, in the opinion of the Development Authority, materially interfere with or affect the Use, enjoyment or value of neighbouring properties.
- (d) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the Lot on which the home occupation is located shall be produced by the home occupation.
- (e) Advertising signs may be limited in size and number by the Development Authority.
- (f) The Use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.
- (g) No Use shall cause an increasing the demand place on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a Dwelling and its home occupation substantially exceeds the average for residence in the area.
- (h) No Use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the area in which the home occupation is located.

- (i) In the Residential Districts, no more than one (1) commercial vehicle, up to the size of a tandem truck, to be Used in conjunction with the home occupation, shall be parked or maintained on the Site. The parking space for the commercial vehicle shall be either within a garage or adequately screened and Sited behind the main Building to the satisfaction of the Development Authority.
- (j) In the Agricultural (A), Highway Development (HD), Highway Development Special Purpose (HDS), Collector Road (SR), Controlled Urban (CUD) and Country Residential (CR2) Districts, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be Used in conjunction with a major home occupation, shall be parked or maintained on the Site.

## (5) Additional Regulations Affecting Minor Home Occupations

In addition to the requirements of subsection (4) above, a minor home occupation shall comply with the following regulations:

- (a) A minor home occupation shall not occupy more than 20% of the gross floor area or 30 m<sup>2</sup> (323 sq. ft.) of the main Building, whichever is greater.
- (b) Except in the Agricultural (A) and Controlled Urban (CUD) Districts, there shall be no outdoor business activity or outdoor storage of material or equipment associated with the minor home occupation allowed on the Site. Storage related to the minor home occupation shall be allowed in either the Dwelling or accessory Buildings.
- (c) Up to five (5) business visits per day are allowed.
- (d) Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
- (e) A minor home occupation shall not employ any person on-Site other than the occupants of the Dwelling.

## (6) Additional Regulations Affecting Major Home Occupations

In addition to the requirements of subsection (4) above, a major home occupation shall comply with the following regulations:

- (a) The number of non-resident employees working on-Site shall not exceed two (2).
- (b) Up to ten (10) business visits per day are allowed in the Agricultural (A) and Controlled Urban (CUD) Districts. In all other Districts, up to eight (8) business visits per day are allowed.
- (c) Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes thereunder.

Amended by  
Bylaw 15-21

- (d) Within the Agricultural (A), Highway Development (HD), Highway Development Special Purpose (HDS), Collector Road (SR), Controlled Urban Development (CUD), County Residential (CR2), and Urban Expansion (UE), major home occupations may occupy large, shop-type Buildings in which trucks are parked, or in which small commercial of industrial home occupations which might, in other circumstances, be considered to be rural commercial Uses, may be allowed.

## 7.14 Industrial Developments

- (1) The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of a rural industrial Use or an industrial Use in the Agricultural (A) District.
- (2) All Site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.
- (3) A development permit for an industrial Use in the Agricultural (A) District may only be issued if, in the opinion of the Development Authority, the applicant can satisfy the Development Authority with respect to any concerns about:
  - (a) The type and level of exhaust that may be emitted into the atmosphere by the proposed development;
  - (b) Servicing requirements and provisions for meeting them; and
  - (c) Any costs associated with providing new or upgraded municipal services associated with the proposed development.

## 7.15 In-Law Suites

- (1) An in-law suite shall be restricted to a Site occupied by a single detached Dwelling or a semi-detached Dwelling.
- (2) An in-law suite is prohibited from being constructed within a duplex, multi-attached Dwelling or apartment housing.
- (3) A maximum of one in-law suite shall be permitted on any single detached Dwelling of semi-detached Dwelling Lot.

- (4) An in-law suite shall remain accessory to and subordinate to the main Dwelling and shall not exceed 80.0 m<sup>2</sup> (861.0 sq. ft.).
- (5) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
- (6) An in-law suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (7) An in-law suite does not have an entrance separate from the entrance to the main Dwelling.
- (8) The minimum floor area for an in-law suite is 30.0 m<sup>2</sup> (322.9 sq. ft.).

## 7.16 Manufactured Home Parks

### (1) Reclassification

A development permit application for the purpose of creating a manufactured home park shall not be approved until such time as the subject land has been reclassified to the Manufactured Home Park District in this Bylaw.

### (2) Site Plan

All development permit applications for a manufactured home park must, in addition to the requirements of Section 2.4 of this Bylaw, include a Site plan showing the following:

- (a) location and dimensions of stalls;
- (b) internal roadway systems;
- (c) parking and storage areas;
- (d) recreation areas;
- (e) the location of water supply and sewage disposal facilities, and garbage collection areas;
- (f) existing topography, vegetation and watercourses;
- (g) common areas and facilities; and
- (h) Uses of land on surrounding properties.

### (3) Parking and Storage

- (a) A minimum of one (1) parking space shall be provided on each manufactured home stall.

- (b) Each manufacture home park shall provide a visitors' parking area. One (1) space must be provided in this area for every two (2) manufactured home stalls.
- (c) A central area with 14 m<sup>2</sup> (150 sq. ft.) of space for each manufactured home must be provided for the storage of recreational vehicles, boats, off-highway vehicles, etc.
- (d) Individual manufactured home owners may construct storage sheds on their stalls for outdoor equipment, tools, etc.

## (4) Garbage and Recycling

The manufactured home park operator must provide a central collection area for garbage and recycling within the park. Also, the operator is responsible for regularly transferring the garbage and recycling from the park to a waste disposal Site. The location of the central collection area must be clearly indicated on the Site plan.

## (5) Internal Roadways and Pedestrian Access Ways

- (a) Internal roadways shall be provided in the manufactured home park to allow access to individual homes and other facilities. A minimum right-of-way of 9 m (30 ft.) is required. Roadways shall be well drained and maintained to the satisfaction of the Development Authority.
- (b) Safe, convenient, all-season pedestrian access ways of at least 1 m (3.3 ft.) in width must be provided between homes, on roadways and to facilities.

## (6) Recreation Areas

A minimum of ten percent (10%) of the gross Lot area must be developed for safe playgrounds or other recreational Uses.

## (7) Landscaping

All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent Buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.

## (8) Lighting

Street lighting shall be to the same standard as that in a conventional residential neighbourhood.

## (9) Manufactured Home Parks in the Rural Area

- (10) Manufactured Home Parks in Hamlets

## 7.17 Manufactured Homes

- (1) Before a development permit is issued for a manufactured home, the Development Authority shall normally receive verification that the home fully complies with both the CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC). If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- (2) Should an inspection by an Alberta Safety Codes officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.
- (3) In addition to the requirements of subsection (1) and (2) above, a manufactured home must meet the following aesthetic regulations:
  - (a) The height of the main floor above grade shall be consistent with the height of the main floor of Dwellings in the immediate and general area.
  - (b) The roof pitch shall be consistent with the roof pitch of Dwellings in the immediate and general area.
  - (c) Exterior finishing materials Used on the roof and exterior walls shall be consistent with the materials Used on Dwellings in the immediate and general area and in good condition.
  - (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of Dwellings in the immediate or general area.
  - (e) The design of each manufactured home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with Dwellings in the immediate area.
  - (f) Every manufactured home shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed.
  - (g) The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single detached Dwellings in the immediate and general area.
  - (h) All accessory structures, such as patios, porches, additions and skirting, shall be:

- (a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes, and
  - (b) considered as part of the main Building; and
  - (c) erected only after obtaining a development permit.
- (i) The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority.
- (j) No accessory Building, Use or parking space shall be located in the front yard of a manufactured home Use.
- (k) For the purposes of storage, any furniture, domestic equipment or seasonally Used equipment shall be stored in adequate covered storage or screening either individually on the Lot or communally, and shall conform to the Alberta Building Codes (ABC) standards.
- (l) The following regulations also apply to manufactured home Uses located in residential subdivisions and manufactured home parks:
  - (a) The hitch and wheels are to be removed from the manufactured home.
  - (b) All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
  - (c) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
  - (d) Minimum Lot area and width may be less in the case of existing registered substandard Lots, with the approval of the Development Authority.
- (4) Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a Site.
- (5) With the exception of driveways, no accessory Building or Use shall be located in the front yard of a manufactured home park or any residential District.

## 7.18 Motels

- (1) A person applying to develop a Site as a motel where permitted under this Bylaw shall comply with the following provisions of this section.
- (2) Site Requirements for Motels



MINIMUM SITE AREA	YARDS	MINIMUM FLOOR AREA / UNIT
One Storey		
139 m <sup>2</sup> (1500 sq. ft.)	Front 7.6 m (25 ft.)	26.5 m <sup>2</sup> (285 sq. ft.)
	Side 3 m (10 ft.)	
	Rear 3 m (10 ft.)	
Two Storey		
93 m <sup>2</sup> (1000 sq. ft.) per floor	Front 7.6 m (25 ft.)	26.4 m <sup>2</sup> (285 sq. ft.)
	Side 3 m (10 ft.)	
	Rear 3 m (10 ft.)	

**Table 9: Site Requirements for Motels**

(3) Space Between Buildings

Except in the case of rentable units and any other Buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.7 m (12 ft.) of clear and unoccupied space shall be provided between each rentable unit and any other Building on the Site.

(4) Driveways

Each rentable unit shall face onto or abut a driveway not less than 6 m (20 ft.) in width and shall have unobstructed access thereto.

(5) Entrances and Exits

Not more than one (1) motor vehicle entrance and one motor vehicle exit to a road, each with a minimum of width of 7.6 m (25 ft.) measured at its minimum dimension shall be permitted, provided however, that one combined motor vehicle entrance and exit may be permitted, not less than 9 m (30 ft.) in width.

(6) Maintenance of Site and Buildings and Business

The owner, tenant, operator or person in charge of a motel shall at all times:

- (a) maintain the Site and the Buildings, structure and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- (b) maintain garbage facilities to the satisfaction of the Development Authority;
- (c) Maintain an appropriate fence where required, no less than 1 m (3.3 ft.) in height around the boundaries of the Lot; and
- (d) shall landscape and keep the Site landscaped, to the satisfaction of the Development Authority.

## 7.19 Multi-Dwelling Developments

- (1) The following application procedure applies to apartments and duplex development:
  - (a) Before any development permit application can be considered by the Development Authority, the applicant must submit:
    - (i) design plans and working drawings including elevations which have been done or endorsed by a registered architect;
    - (ii) Site plans showing the proposed:
      - (A) location and position of structures on the Site, including any “For Rent” or identification signs;
      - (B) location and number of parking spaces, exits, accesses and drives from public roads;
      - (C) location of an access to refuse storage areas and incinerators and the fencing and landscaping of such facilities; and
      - (D) landscaping plan of the entire Site which shall show intended surfacing for drives and parking areas.
  - (b) The plans identified above will append the application and, once approved, shall be deemed conditions of approval. The Development Authority may require a performance bond from the developer if deemed necessary.

## 7.20 Natural Resource Extraction Industries

- (1) A development permit will be required for natural resource extraction developments including but not limited to: borrow pits, sand, gravel, clay, top soil, gypsum, granite, peat, salt or any other mineral extraction operation.
- (2) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, peat, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- (3) Where not required to do so by Provincial agencies, the proponent of a natural resource extraction industry shall be required to submit a reclamation plan to the

Development Authority for their approval prior to the issuance of a development permit.

- (4) Where not required to do so by the Province, the proponent of a natural resource extraction industry shall, at the discretion of the Development Authority, be required to post with the County security in the form of either cash or an irrevocable letter of credit to ensure that reclamation will be completed.
- (5) A disturbed area shall be reclaimed to:
  - (a) at least its former capability for agriculture; or
  - (b) any other Use which the Development Authority feels will be beneficial to the County.
- (6) The following conditions of approval may be included when processing an application for a natural resource extraction industry:
  - (a) limitation of hours of operation;
  - (b) requirement to enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads Used in direct relation to the operation;
  - (c) posting of adequate signage, including company name and emergency telephone numbers, to warn of possible Site or operational hazards and dangers;
  - (d) methods of minimizing noise in relation to the activities of the operation; and
  - (e) payment of an aggregate levy to the County as outlined by the County's Community Aggregate Payment Levy Bylaw.
- (7) Extraction operations, such as sand, gravel and other mineral resource workings shall be permitted to proceed only after the issuance of proper licenses that indicate compliance with the appropriate Provincial and Federal legislation and regulations.
- (8) The County shall discourage residential, commercial or industrial development to occur on known commercial deposits of sand and gravel or other mineral resources if that development will prevent the future extraction of the resource.
- (9) Council shall urge the Provincial and Federal agencies to comply with the policies of this section and the overall intent of the County's statutory plans when developing natural resource extraction activities that are exempt from County control under the Municipal Government Act.
- (10) Resource processing should be handled as a form of industrial development, and be subject to the industrial regulations contained in Section 7.14 of this Bylaw.

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## 7.21 Pet Keeping and Animal Breeding and/or Boarding Facilities

- (1) The keeping of more than four (4) dogs on any Lot, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where animal breeding and/or boarding facilities are listed as discretionary Use in this Bylaw.
- (2) The maximum number of dogs to be kept on-Site in each of the above Districts shall be at the discretion of the Development Authority.
- (3) In determining the number of dogs, pups less than six (6) months of age shall not be included.
- (4) An exercise area shall be provided for each dog as follows:
  - (a) breeds weighing 16 kg (35 lbs.) or less – at least 2.3 m<sup>2</sup> (25.0 sq. ft.) per dog; and
  - (b) breeds weighing more than 16 kg (35 lbs.) – at least 4.6 m<sup>2</sup> (50.0 sq. ft.) per dog.
- (5) No Building or exterior exercise area to be Used to accommodate dogs shall be allowed within 25.0 m (82 ft.) of any Lot line of the Lot for which an application is made.
- (6) All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.83 m (6 ft.).
- (7) All dogs in animal breeding and/or boarding facilities shall be kept within Buildings or a fenced area at all times when not leashed.
- (8) All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
- (9) Pens, rooms, exercise runs and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.
- (10) A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.
- (11) All facilities and operations shall be in compliance with applicable Provincial regulations.

- (12) All development permits issued for animal breeding and/or boarding facilities shall be subject to cancellation if any of the above requirements, or any other condition of the development permit, is not adhered to.

## 7.22 Private Liquor Sale and Storage Facilities

Amended by  
Bylaw 15-21

- (1) A person applying to develop a Site as a private liquor store and/or storage facility where allowed under this Bylaw shall comply with the following provisions:
- (a) All applications shall comply with County development policies for the districts identified, which allow for the Use, in addition to the provisions established in **Section 2.4** of this Bylaw.
  - (b) Sale of alcoholic beverages is for consumption off the premises. Products to be sold only at retail.
  - (c) Liquor Retail facilities and premises must meet the conditions set out in *Schedule 2* of the *Gaming and Liquor Regulation*.
  - (d) Accessory Buildings and Uses when located on the same Lot or Parcel of Land as the main structure and customarily incident thereto, provided the Provincial and Municipal Regulations requirements are met.
  - (e) All sales, businesses, servicing, storage, or processing shall be conducted within a completely enclosed Building except where the nature of the activity makes it impossible, as for example, off-street loading, vehicle parking for customers while on the premises, and the sale of automobile fuel at service stations.
  - (f) The retail and storage space shall be a minimum of 56 m<sup>2</sup> (600.0 sq. ft.) No more than 40 percent (40%) of the floor space is to be Used for storage.
  - (g) Uses, processes, or equipment owned or contracted, operating on the premises shall be limited to those that are not objectionable due to odour, dust, bright lights, smoke, noise, or vibration.
  - (h) Lot must front onto an arterial or collector street.
  - (i) Off-street parking shall comply with regulations in **Section 6.13** of this Bylaw and meet the County of Vermilion River's **General Municipal Servicing Standards**.
  - (j) The applicant must demonstrate they have the required approval from the Alberta Gaming and Liquor Commission (AGLC). **A copy of the current license as issued by the AGLC shall be provided to the Development Authority before occupation for the proposed Use can occur.**
  - (k) The applicant shall provide the Development Authority with an annual update or notice of termination of approval from the AGLC.

- (l) The sale of alcohol is permitted at facilities within the identified district(s) in accordance with the hours specified by the Provincial and County regulations at the discretion of the Development Authority or applicable provincial regulations as amended.
- (m) Establishments shall operate in a manner that does not constitute a nuisance as defined under the Land Use Bylaw or any other bylaw and / or policy approved by the County.

Subsection  
Added by  
Bylaw 15-21

## (2) Site Plan Requirements

- (a) All applications shall include a Site plan. Said Site plan shall be a detailed and scaled drawing showing the locations and dimensions of the areas to be Used for the sale and storage of alcoholic beverages. Such areas will be referred to as areas for alcoholic beverages.
- (b) The areas for the sale and storage of alcoholic beverages shall be limited to and must conform to the submitted Site plan included in the approved redesignation. Said Site plan will be referred to as the original Site plan.
- (c) The original Site plan shall not be amended to add additional areas for alcoholic beverages without the approval of a new application by the Development Authority.

Subsection  
Added by  
Bylaw 15-21

## (3) Nonconforming Status

- (a) Legal nonconforming status of Buildings and Uses shall comply with regulations established in **Section 2.3** of this Bylaw.

## 7.23 Recreational Uses

- (1) Recreational development shall be required to:
  - (a) maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent Uses which may be incompatible; and
  - (b) install, when necessary, adequate on-Site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

## 7.24 Recreational Vehicle Campgrounds

In addition to the requirements of Section 7.3, Recreational Vehicle Campgrounds, both Seasonal and Year-round, shall comply with the following regulations:

- (1) Each recreational vehicle parking space shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m<sup>2</sup> (2,691 ft.<sup>2</sup>).
- (2) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
- (3) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
- (4) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.
- (5) The developer shall provide on-Site potable water supply which meets all applicable Provincial water requirements.
- (6) The developer shall provide sewage disposal facilities which all applicable Provincial regulations.
- (7) All spaces for recreational vehicles designated for year-round Use must have on-Site connections to municipal sewer and water systems.
- (8) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
- (9) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- (10) The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle campground area as a playground or recreational area. This area is to be clearly marked and free from all traffic hazards.
- (11) All spaces for recreational vehicles or tents shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.
- (12) The maximum number of recreational vehicles allowed per space shall be one (1).

- (13) A Site plan detailing the protection of existing treed areas and Site topography is required prior to issuance of a development permit.
- (14) Spaces for day Use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.
- (15) All other Site requirements shall be as required by the Development Authority.
- (16) Minimum Yard Setbacks:  
  
Front, side, corner and rear yard setbacks on the Site shall be 7.6 m (25.0 ft.) or 10% of the Lot width, whichever is lesser.
- (17) Developers will be encouraged to include on their Site plan an overflow area which provides that may be Used temporarily, on an overflow basis, for a maximum of four (4) consecutive nights to accommodate recreational events which may result in a need for temporary additional tenting or recreational vehicle spaces.

## 7.25 Recreational Vehicle Campground, Workcamps

Provisions in this section apply to Recreational Vehicle Campground, Workcamps.

- (1) Each space for a recreational vehicle shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250 m<sup>2</sup> (2691 sq. ft.).
- (2) All spaces for recreational vehicles shall maintain a minimum setback of 30.0 m (98.5 ft.) from the shoreline of any body of water.
- (3) Minimum Yard Setbacks  
  
Front, side, corner and rear yard setbacks on the Site shall be 7.6 m (25 ft.).
- (4) The maximum number of recreational vehicles permitted per space shall be one (1).
- (5) All recreational vehicle campground, workcamps shall be considered temporary developments.
- (6) All recreational vehicle campground, workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.



- (7) A development permit for a recreational vehicle campground, workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority then the permit will no longer be considered valid. The permit must be renewed after the three (3) year period. An application may be made for continuance of the Use for one (1) additional year, after which a new development permit approval is required.
- (8) The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground, workcamp that it, at its discretion, deems reasonable to ensure that the development will be temporary.
- (9) In addition to the requirements of Sections 2.4 and 2.6 of this Bylaw, an application for a development permit for a recreational campground, workcamp must provide the following information:
  - (a) the location, type and purpose of the camp;
  - (b) adjacent land Uses;
  - (c) the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems;
  - (d) the number of persons proposed to live in the camp;
  - (e) the start date of the development, the date of occupancy by residents, and removal date for the camp; and
  - (f) reclamation measures to be completed once the camp is no longer needed, to the satisfaction of the Development Authority.
- (10) Because of the number of temporary workers and related traffic impacts, the applicant will also be required to provide a report which details the following:
  - (a) discussions with and impact on the local RCMP;
  - (b) discussions with and impact on the local Emergency Medical Services;
  - (c) discussions with and impact on the local Fire Department; and
  - (d) discussions with and impact on the local road system, including a Traffic Impact Assessment.
- (11) As a condition of approval, the Development shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
- (12) As a condition of approval, the Development Authority may require that the developer construct, upgrade or pay to construct or upgrade any necessary municipal infrastructure to service the development.
- (13) All internal roads shall be the responsibility of the developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20

ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.

- (14) The developer shall provide on-Site potable water supply in accordance with all applicable Provincial regulations.
- (15) The developer shall provide sewage disposal facilities in accordance with all applicable Provincial regulations.
- (16) All stalls designated for year-round Use must have on-Site connections to municipal sewer and water systems.
- (17) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- (18) A Site plan detailing the protection of existing treed areas and Site topography is required prior to issuance of a development permit.
- (19) All other Site requirements shall be as required by the Development Authority.
- (20) All recreational vehicle campground, workcamps must:
  - (a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost of the developer;
  - (b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and, when required, Alberta Transportation;
  - (c) be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;
  - (d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by, and to the satisfaction of, the Development Authority, taking into account adjacent land Uses;
  - (e) if required by the Development Authority, provide on-Site security staff to the satisfaction of the Development Authority;
  - (f) provide and develop all parking on the Lot to the satisfaction of the Development Authority. Normally, on-Site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;
  - (g) post security with the municipality sufficient to ensure removal of the development and/or reclamation of the Site if needed after the recreational vehicle campground, workcamp has been removed from the Site; and

- (h) be separated from adjacent land Uses.
- (21) Maximum Site coverage shall be such that space is available for all the parking on the Site, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- (22) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (23) The development must comply with current Building and Fire Code requirements as amended from time to time.

## 7.26 Recreational Vehicles

- (1) The placement of up to three (3) recreational vehicles on a parcel in CR1, CR2, R, R1 and R2 Districts shall be allowed without a development permit for a period of no longer than six months.
- (2) The year-round placement of three (3) recreational vehicles on a parcel in the Agricultural (A) and Controlled Urban (CUD) Districts shall be allowed without a development permit.
- (3) Notwithstanding subsections (1) and (2) above, a development permit may be approved, at the discretion of the Development Authority, for up to one (1) additional recreational vehicle on an annual basis.
- (4) Additional recreational vehicles shall be permitted within the CR1, CR2, R, R1, R2, A and CUD Districts for a maximum of four (4) consecutive days.
- (5) No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle park.

## 7.27 Recreational Vehicles Located in Recreational Vehicle Campgrounds

- (1) No recreational vehicle, whether located within a recreational vehicle park or on a Lot, may have associated with it any more than two (2) accessory structures, Buildings or other paraphernalia, in addition to fences, benches, fire pits and picnic tables. A small shed with a maximum size of 18.58 m<sup>2</sup> (200 sq. ft.) and a screened or roofed patio around or beside the recreational vehicle is permitted.

- (2) No structure accessory to a recreational vehicle shall be Used as sleeping quarters.
- (3) Except for a recreational vehicle on a Lot, the total gross floor area or ground area covered by all accessory structures, Buildings or other paraphernalia (other than those indicated in subsection (1) shall not exceed 50% of the Lot size.

## 7.28 Relocation of Buildings Other Than Manufactured Homes

- (1) No person shall move or cause to be moved an existing Dwelling onto a Lot until such time as a development permit has been issued.
- (2) No person shall place on a Parcel of Land a Building formerly erected or placed on a different parcel, including portable pre-fabricated Buildings, without an approved development permit.
- (3) Any application for a “moved-in Building“ considered by the Development Authority shall:
  - (a) be accompanied by recent colour photographs of the structure; and
  - (b) indicate if the Building will meet current requirements of the Alberta Building Code (ABC), and if it does not, how the Building will be brought up to these requirements; and
  - (c) meet all other requirements or conditions as required by the Development Authority.
- (4) The Development Authority may, at his/her discretion, require, prior to the approval of a development permit for a relocated Building, that an inspection of the proposed relocated Building be completed by the Development Authority or a designated officer to determine its suitability for relocation in the County.
- (5) When reviewing an application to move an existing Dwelling onto a Lot, the Development Authority shall, among other matters, have regard to the following:
  - (a) age of the Building;
  - (b) structural condition of the Building;
  - (c) siting on the Lot;
  - (d) road access; and
  - (e) availability of services including power, water supply and sewage disposal facilities.

## 7.29 Residential Cluster Conservation Design Requirements

- (1) A land suitability analysis (LSA) of the proposed development Site which illustrates:
  - (a) Primary Conservation areas;
  - (b) Secondary Conservation areas;
  - (c) Low priority Conservation areas; and
  - (d) Open Space areas;

must be included with all Area Structure Plans and Development Concept Plans for Multi-Lot Residential (Cluster) Conservation Developments if the proposed development would exceed the maximum density of 1.54 Dwellings per net ha (0.6 Dwellings per net acre) or where the development proposed is:

- (i) not located within a Hamlet area; and
- (ii) the developer proposed Lots which are smaller than 0.3 ha (0.74 ac) in area.

The purpose of the LSA is to ensure that important Site features have been identified and that the open space proposed will meet the open space requirements of these policies.

- (2) The LSA shall include information about:
  - (a) Site and property boundaries;
  - (b) all streams, rivers, lakes, wetlands and other hydrogeological features (including seasonal water flows and ponding areas) within and adjacent to the Site;
  - (c) topographic contours of no less than 3.0 m (9.8 ft.) intervals;
  - (d) all environmentally sensitive areas identified by Alberta Environment and Sustainable Resource Development;
  - (e) general vegetation characteristics;
  - (f) soil drainage;
  - (g) soils information including farmland assessment information and soil suitability for private sewage disposal;
  - (h) existing roads and road structures; and
  - (i) potential connections of open space, green spaces and trails.

This information shall be Used to determine Primary, Secondary and Low Priority Conservation areas.

- (3) Normally, at least 50% of the gross developable area shall be left as open space in cluster residential developments. However, at the discretion of the Development Authority and the Subdivision Authority, this percentage may be reduced based on the results of the biophysical analysis submitted with the application.

- (4) The location and percentage of open space in the development must be illustrated on the development concept.
- (5) The following are considered Primary Conservation areas, and must be included within Open Space areas:
  - (a) the 1:100 year floodplain;
  - (b) water features and buffer zones which meet the minimum ER width requirements identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Width (see Appendix A);
  - (c) slopes greater than 15%;
  - (d) populations of endangered or threatened species, or habitat for such species;
  - (e) hazard lands and the environmental reserve modifier areas identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Width (see Appendix A);
  - (f) environmentally sensitive areas (ESAs), as identified by Albert Environment and Sustainable Resource Development; and
  - (g) Heritage resources such as municipally, provincially and nationally identified heritage Sites as well as archaeological Sites, cemetreies, burial grounds and other historically significant Sites.
- (6) The following are considered Secondary Conservation areas, and may be included within open space areas:
  - (a) existing healthy, native forests of at least 0.4 ha (10.0 ac) contiguous area;
  - (b) other significant natural features and scenic view sheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties;
  - (c) agricultural lands with a farmland assessment ration of 55% or great of at least 2.0 ha (5.0 ac) contiguous area; and
  - (d) existing trails that connect neighbouring areas.
- (7) All remaining lands will be considered Low Priority Conservation areas. These areas are not required to be included within the Open Space areas.
- (8) If the entire Site of a development proposal is identified as low priority conservation area, development should be directed to previously cleared and/or disturbed areas.
- (9) The following Uses are suitable for Open Space areas:
  - (a) conservation of natural, archaeological or historical resources;
  - (b) conservation of meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented Uses;
  - (c) walking or bicycle trails, provided they are constructed of porous paving and pervious materials;

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- (d) passive recreation such as open fields;
  - (e) active recreation;
  - (f) agriculture, horticulture or pasture Uses, provided that all applicable best management practices are Used to minimize environmental impacts, and such activities are not conducted within Primary Conservation areas;
  - (g) non-structural storm water management practices and structural storm water management practices that allow for filtered groundwater;
  - (h) sewage disposal fields comprised of single or multiple septic tanks;
  - (i) enclosed sewage treatment facilities; and
  - (j) easements for drainage, access and underground utility lines.
- (10) The Development Concept Plan for a residential conservation development shall include an Open Space Management Plan. The open space can be managed in a number of ways, including, but not limited to:
- (a) municipal ownership (in Municipal and/or Environmental Reserve parcels);
  - (b) as common unit (or units) within a bare land condominium plan; or
  - (c) as a commonly owned unit, provided that a conservation easement is placed on the lands.
- (11) The Development Concept Plan will clearly indicate who shall be responsible for maintaining and managing the Open Space areas and how funding for the maintenance and management shall be collected, including any legal instrumentation of such responsibilities and funding. The Plan will also indicate how, if the maintenance and/or management of the Open Space areas becomes neglected and/or if funding provisions cannot be enforced, the County shall assume responsibility for maintenance and management of the Open Space areas, and further, how the costs of such maintenance and management, including administrative costs, interest and penalties, will be charged back against the landowners within the development.
- (12) Since such Open Space areas are not developable, their value will be reduced for assessment and municipal taxation purposes.
- (13) Private recreation facilities shall be encouraged within the residential conservation (cluster) area in order to provide residential recreational amenities that are not lake-intensive. Public recreation facilities (facilities open to the general public) shall only be developed if they are compatible with the environment and with nearby Uses and developments.
- (14) Though the form of ownership of the individual residential Dwelling units may be the normal fee simple ownership, other forms, including such as co-operatives, bare land condominiums, rental accommodation, societies, joint ownerships, shall be considered. The form of ownership, and the implications of the form of ownership



for the management and maintenance of any services and utilities, shall be identified in the Development Concept Plan for a particular development.

- (15) The Development Concept Plan will:
  - (a) allocate responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and long-term capital improvements. Facility may include water treatment facilities, recreation facilities and trail networks; and
  - (b) provide a strategy for the enforcement of the Plan.
- (16) Any changes to the Area Structure Plan or Development Concept Plan must be approved by the County of Vermilion River. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
- (17) In the event that the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the County may assume the responsibility for maintenance, enter into the premises to take corrective action, and charge the cost to the previously responsible party. The County may also bill for administrative costs and penalties associated with the maintenance.
- (18) The Development Authority may require the Open Space be protected by a legally binding instrument such as a Conservation Easement which is recorded with the deed. The form of protection and the organization or entity to which the instrument will be registered shall be identified in the Development Concept Plan for a particular development. The instrument will be registered to one of the following:
  - (a) a land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions; or
  - (b) a government entity with an interest in pursuing goals compatible with the purposes of this policy. If the entity accepting the easements is not the County of Vermilion River, then a third right of enforcement favouring the County shall be included in the easement.
- (19) The instrument for permanent protection shall include clear restriction on the Use of Open Space. These restrictions shall include all restrictions included in this policy as well as any further restrictions the applicant chooses to place on the Use of the Open Space.

## 7.30 Residential Cluster Conservation Uses



- (1) Residential (cluster) conservation Uses must conform to provisions in applicable statutory plans, development concept plans and/or regional plans affecting the subject lands.
- (2) A subdivision to create a multi-Lot residential development within the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject Site is submitted by the developer and approved by Council. At the discretion of the Development Authority a Development Concept Plan may be accepted instead of an Area Structure Plan.
- (3) A Land Use Bylaw amendment to re-district land to the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject Site is submitted by the developer and approved by Council. At the discretion of Council, a Development Concept Plan may be accepted instead of an Area Structure Plan.
- (4) The Area Structure Plan or Development Concept Plan submitted as a requirement for the approval of a re-districting application or a multi-Lot country residential subdivision for a residential (cluster) conservation Use shall include a land suitability assessment, which provides information about the environmental features of the Site both in map form and with some text describing the features of the map (or maps). The Site design of the development must reflect the findings of the LSA and be designed to ensure that the development has a Low Net Environmental Impact.
- (5) The purpose of the LSA is to ensure that the important Site features have been identified. The LSA should include:
  - (a) Site and property boundaries;
  - (b) all streams, rivers, lakes, wetlands, and other hydro-geological features (including seasonal water flow and ponding areas) within and adjacent to the Site;
  - (c) topographic contours of no less than 30 m (9.8 ft.) intervals;
  - (d) all environmentally sensitive areas which have been or may be identified by Alberta Environment and Sustainable Resource Development;
  - (e) general vegetation characteristics;
  - (f) soil drainage;
  - (g) soils information including farmland assessment information and soil suitability for private sewage disposal for the Site;
  - (h) existing roads and road structures;
  - (i) potential connections of open space, green spaces, and trails (if applicable);
  - (j) Environmentally Significant Areas (ESAs); and
  - (k) Heritage Resources including municipally, provincially and nationally recognized heritage Sites as well as any additional resources identified as a result of a Heritage Resource Impact Assessment.

- (6) The LSA may be Used to determine primary, secondary, and low priority conservation areas if the developer applies for density bonusing.
- (7) Residential conservation development shall not be allowed on land having critical development constraints. The following list of development criteria shall be Used in determining the suitability of land for seasonal/permanent residential development:
  - (a) Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where reserves of potable water are inadequate in the opinion of the Development Authority.
  - (b) Development shall be prohibited on slopes in excess of 15% or unstable slopes subject to soil slippage or other mass movement.
  - (c) Development shall be prohibited in areas characterized by wetlands, swamps, muskeg, or saturated soils.
  - (d) Development shall also be prohibited in areas subject to periodic flooding or on soils which become saturated due to flooding.
  - (e) Development maybe prohibited on soils which have extremely fast percolation rates (2 min./1 inch or faster) and/or would promote the possibility of groundwater contamination.
- (8) Development for multi-Lot residential (cluster) conservation purposes shall be prohibited:
  - (a) on Sites where adequate year-round access is not available by paved roads in good condition, developed to current County standards;
  - (b) on Sites where necessary services are not provided at the sole expense of the developer;
  - (c) within 30.0 m (98.4 ft.) 100 ft. (30.48 m) of a lake.
- (9) The natural topography and vegetation of the development area shall be conserved wherever possible as illustrated in **Figures 23 and 24**.
- (10) Development will be directed to lands that are identified to be of lesser environmental significance, such as those areas which may be identified as low priority conservation areas.
- (11) Wildlife corridors or connections between all conservation areas shall be maintained wherever possible.
- (12) The natural landscape and topography shall be considered and incorporated into the overall design of the development.

- (13) Internal road access shall be provided to each residential parcel, though the roads may be private in accordance with the policies of this area.
- (14) The Municipality will require hard surfaced roads in all new multi-Lot country residential developments developed to current County standards.
- (15) All new developments shall provide and pay for infrastructure and servicing improvements, as well as the extension of services to facilitate the development.
- (16) Transportation, communication, and public utility Uses shall be considered discretionary. Such Uses shall only be developed in such a manner as shall not adversely affect the environment, surface or ground water quality, or existing developments.
- (17) All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
- (18) No development shall be permitted on Reserve lands if the development does not serve the interests of the general public.
- (19) All development shall be required to maintain a buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible Uses.
- (20) Spaces for day Use, hiking trails, overnight camping, and similar activities shall be suitably organized and clearly marked. Adequate lake access, boat launching, and parking facilities shall be provided where applicable.
- (21) Any proposed facilities such as change houses, sewage disposal, garbage disposal, and on-Site water supply shall be required to have approval from authorities having jurisdiction, and shall be of sufficient size and quality to handle anticipated Use.
- (22) The clearing of vegetation shall be minimized to lessen the impact of the development on sensitive riparian areas and encourage biodiversity.

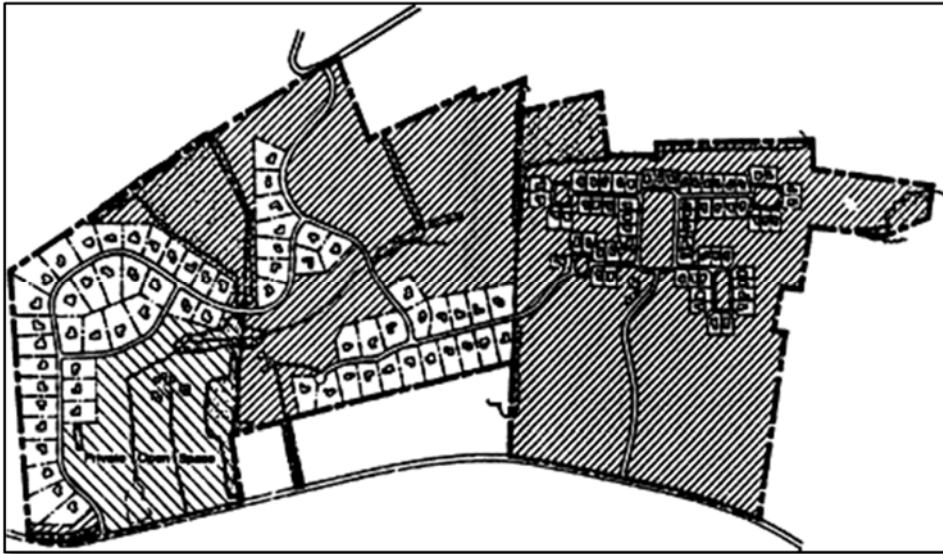


Figure 21: Cluster Conservation Subdivision Example #1



Figure 22: Cluster Conservation Subdivision Example #2

- (23) Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction.

Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.

- (24) Further information may be obtained from appropriate Provincial government offices.
- (25) All multi-Lot residential developments in the Residential (Cluster) Conservation District shall be either:
  - (a) low density multi-Lot residential developments, with a maximum density 1.54 Dwellings per net ha (0.6 Dwellings per net ac) The minimum Lot area is 0.3 ha (0.74 ac.) and the maximum Lot area is 4.04 ha (10.0 ac.); or
  - (b) cluster residential developments, with a maximum density 2.47 Dwellings per net ha (1.0 Dwelling per net ac.). The minimum Lot area shall be at the discretion of the Development Authority and the maximum Lot area shall normally be 0.2 ha (0.5 ac.). In order to qualify for this type of residential development the design of the development must conform to the requirements for density bonusing outlined in Section 7.29.
- (26) The maximum density of **low density multi-Lot residential developments** within areas identified as residential (cluster) conservation areas shall be determined by the Subdivision Authority and the Development Authority on a Site by Site basis. The maximum residential density shall be based on:
  - (a) the land suitability assessment (LSA) undertaken for the Site. Residential density will be determined on a Site by Site basis having regard for Site conditions, environmental considerations and impacts, and other factors that may be considered in the design of the proposal;
  - (b) the maximum number of allowed Dwelling units will normally be determined by dividing net developable area of the Site by the minimum residential parcel size of 0.3 ha (0.74 ac.);
  - (c) the net developable area shall be the total gross area of the Site, less the area of:
    - (i) bodies of open water over 500.0 sq. m (5382.0 sq. ft.) in area or greater;
    - (ii) anticipated rights-of-way for roads and utilities;
    - (iii) Environmental Reserve and/or Environmental Reserve Easement areas (if applicable); and
    - (iv) Municipal Reserve areas (if applicable);
  - (d) the suitability and availability of municipal services and infrastructure necessary to support the proposal; and
  - (e) the compatibility of the proposed density with that of the surrounding area and the character of the existing community (if applicable).



- (27) The maximum density for **cluster residential developments** within areas identified as residential (cluster) conservation areas or on Sites where a developer wishes to qualify for density bonusing, shall be determined by the Subdivision Authority and the Development Authority on a Site by Site basis. The maximum residential density shall be based on the design requirements for cluster residential developments identified in the following section.

## 7.31 Residential Uses

- (1) In all residential districts, residential development shall not be allowed on land having critical development constraints. The following list of development criteria shall be Used in determining the suitability of land for seasonal and permanent residential development:
- (a) groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where reserves of potable water are inadequate in the opinion of the Development Authority;
  - (b) development shall be prohibited on slopes in excess of 15%
- (2) Development for multi-Lot country residential purposes shall be prohibited:
- (a) on Sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition
  - (b) on Sites where necessary services are not provided at the sole expense of the developer
  - (c) within 30.5 m (100.0 ft.) of a lake, the North Saskatchewan River or the Battle River. If the developer disputes the required setback then the developer may provide the Development Authority with a biophysical study which indicates that an alternative setback area is appropriate for the subject Site. The Development Authority will then carefully consider the additional information and make a determination regarding the most appropriate setback area for the Site.
- (3) All development shall be located on Lots large enough to support on-Site water supply and sewage disposal systems. All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
- (4) Any proposed facilities such as change houses, sewage disposal, garbage disposal and on-Site water supply shall be required to have approval from authorities having jurisdiction, and shall be sufficient size and quality to handle anticipated Use.

- 
- (5) The clearing of vegetation shall be minimized and occur only after obtaining a development permit.
  - (6) Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
  - (7) Further information may be obtained from appropriate Provincial government offices.
  - (8) Where there is an approved Area Structure Plan, regulations in that Plan will apply.

## 7.32 Sea Cans and Shipping Containers

- (1) A maximum of one (1) sea can or shipping container may be permitted, at the discretion of the Development Authority on residential parcels 1.2 ha (3.0 ac) or greater in area.
- (2) Notwithstanding 7.32(1) above, one (1) sea can or shipping container may be permitted, at the discretion of the Development Authority, on residential parcels less than 1.2 ha (3.0 ac) in area, for a temporary period for the purpose of storing construction materials during the construction of the principal Building on the residential parcel.
- (3) The maximum number of sea cans or shipping containers that may be placed on an agricultural, commercial or industrial Use parcel is at the discretion of the Development Authority.
- (4) Notwithstanding any other provision in this Bylaw, in the Agricultural (A) District on parcels larger than 0.8 ha (2.0 ac) in area a maximum of two (2) sea cans or shipping containers may be placed on a parcel without a development permit.
- (5) If a temporary development permit for a sea can or shipping container has been approved by the Development Authority then the sea can or shipping container may be placed on a Site for a period of six (6) months. After that period has expired the developer will be required to apply to the County for an extension for the permit.

Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.

- (6) Sea cans or shipping containers may not be stacked. The maximum height for a sea can or shipping container allowed on a parcel is 3.0 m (10.0 ft.).
- (7) Sea cans or shipping containers located in a residential district may be a maximum of 6.0 m (20.0 ft.) in length.
- (8) The exterior finish of a sea can or shipping container Sited within a commercial or residential district must be consistent with the finish of the primary Building.
- (9) Sea cans or shipping containers cannot be Used as a Dwelling, bunk house or guest house within the County.
- (10) No human or animal habitation will be permitted within a sea can or shipping container.

## 7.33 Secondary Suites

- (1) A secondary suite shall:
  - (a) be an accessory Use to the main Dwelling on a Lot;
  - (b) create minimal structural change to the front exterior of the main Dwelling, so that the Building appears as a single Dwelling unit;
  - (c) have a minimum floor area of 30.2 sq. m (325 sq. ft.);
  - (d) have a maximum floor area equal to no more than 40% of the floor area of the main Dwelling, if the secondary suite is not a basement suite, except that if the secondary suite is a basement suite, the maximum size shall be determined at the sole discretion of the Development Authority;
  - (e) contain sleeping, cooking, and bathroom facilities;
  - (f) have full utility services through service connection from the main Dwelling;
  - (g) comply with the Alberta Building Code and all other Provincial and Municipal regulations;
  - (h) be provided with parking in accordance with Section 6.1.9; and



- (i) where applicable, not be considered in the maximum density prescribed for the district in which the secondary suite is located.

The County acknowledges that some newer subdivisions have restrictive covenants registered on title that restrict the number of Dwelling units allowed on a Lot. The County shall endeavor to enforce those restrictive covenants of which it is aware, but shall not be obligated to do so.

- (2) The Lot on which a secondary suite is located shall:
  - (a) be limited to one secondary suite per one family Dwelling; and
  - (b) not be subdivided (in title) as a result of the presence of a secondary suite.
- (3) A secondary suite shall not be developed within the same Dwelling containing a group care facility, family care facility, guest ranch or bed and breakfast establishment.
- (4) Where there is more than one approved one family Dwelling on a Lot, each approved one family Dwelling may contain a secondary suite, unless the Dwelling contains a group care facility, family care facility, guest ranch or bed and breakfast establishment.
- (5) A one family Dwelling must exist on a Lot prior to the approval of a development permit for a secondary suite.

## 7.34 Service Stations and Gas Stations

- (1) A person applying to develop a Site as a service station or gas station establishment where allowed under this Bylaw shall comply with the following provisions of this section.
- (2) Service and gas stations shall be located in such a manner that:
  - (a) No entrance or exit thereto for motor vehicles shall be within 61 m (200 ft.) of an entrance to or exit from a public or quasi-public Use.
  - (b) No part of any Building or any pump or other accessory Building, structure or Use shall be within 6.0 m (20 ft.) of a side or rear property line.
  - (c) There shall be a front yard of not less than 12.0 m (40 ft.), and no gasoline pump shall be located closer than 6.0 m (20.0 ft.) to the front property line.
  - (d) Storage tanks shall be set back from adjacent Building in accordance with applicable Provincial requirements

- (3) Lot Area and Coverage
  - (a) The minimum Site area shall be 743.0 m<sup>2</sup> (8000 sq. ft.) and the maximum Building coverage shall be 25% of the Site area. For service stations including car washes the minimum Site area shall be 1115 m<sup>2</sup> (12,000 sq. ft.).
  - (b) In the case of a service station designed and built as part of a shopping centre, the ratio of Building space to parking space shall be as determined by the Development Authority.
- (4) Surfacing
  - (a) All parts of the Site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- (5) Lighting
  - (a) Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the Site only and not on any adjoining properties.
- (6) Use and Maintenance of Service Station Site and Building

The owner, tenant, operator or person in charge of a service station shall at all times:

  - (a) Be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the Use of garage space available on any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the Site of a service station by reason of dust, noise, gases, odour, smoke or vibration.
  - (b) Be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or when repaired or serviced thereat, and without restricting the generality of the foregoing, shall see:
    - (i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service stations, and
    - (ii) that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.
  - (c) Maintain on the boundaries of the Site, where required by the Development Authority, an appropriate fence not less than 1.5 m (5.0 ft.) in height.

## 7.35 Small Radio Communication Facilities

- (1) A Small Radio Communication Facility, where allowed as a discretionary Use under this Bylaw, shall require an application for a development permit and may be approved provided that the structure and apparatus:
  - (a) have Industry Canada approval;
  - (b) be camouflaged and, as far as possible, have the appearance and aesthetic of other Buildings permitted in the District;
  - (c) meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Authority;
  - (d) be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
  - (e) be a free-standing, ground-mounted unit;
  - (f) notwithstanding (e) above, a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a Building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point;
  - (g) be located in a rear or side yard only;
  - (h) not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device; and
  - (i) be landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Authority may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Authority, such measures would reduce potential negative visual impact of the structure on adjacent properties.
- (2) All Telecommunication Facilities shall have landscaping that reflects the typical landscaping in the District.
- (3) The development of all Telecommunication Facilities shall follow the regulations of Industry Canada including public consultation as required.

## 7.36 Alternative Energy Systems

- (1) In addition to all other applicable general and Land Use District regulations, the provisions of this Section shall apply to Alternative Energy Systems developed within all Land Use Districts in the County of Vermilion River.
- (2) Permit required.

Sub-Section  
Amended by  
Bvlaw 18-01

- (a) Alternative Energy Systems (AES) shall require a Development Permit to be issued. An application for an AES shall include the following information where applicable:
    - i. The manufacturers specifications indicating;
      1. the Small Wind Energy System (SWES) rated output in kilowatts,
      2. safety features and sound characteristics,
      3. type of material used in tower, Blade, and/or rotor construction,
      4. Canadian Standards Association (CSA) or Underwriters Laboratories of Canada (ULC) approval, if applicable.
      - 5.
    - ii. Potential for electromagnetic interference;
    - iii. Nature and function of over-speed controls which are provided;
    - iv. Specifications on the foundation and/or anchor design, including location and anchoring of any guy wires;
    - v. Information demonstrating that the system will be used primarily to reduce on-site consumption of non-renewable energy sources such as electricity, natural gas, propane, or similar;
    - vi. A site plan indication the location of existing Buildings, improvements, Roads, Lanes, and Public Utilities both on the applicant's Property and all adjacent properties.
- (3) Use.
  - (a) Ground mounted Solar Collectors shall be regarded as Accessory Buildings for the purposes of this Bylaw and shall be regulated as such.
- (4) Land Use.
  - (a) Alternative Energy Systems are a discretionary Use in all Land Use Districts within the County of Vermilion River.
- (5) Location.
  - (a) No aboveground portion of any component of any Alternative Energy System shall be located in a Front Yard.
  - (b) Regarding Solar Energy Collection Systems:
    - i. Solar Collectors whether ground or roof mounted shall require a Development Permit to be issued.
    - ii. Solar Collectors may be installed on the Roof of any Building or may be ground mounted in a Rear or Side Yard.
      1. If a Roof mounted Solar Collector requires raising of the top of the Collector panel for solar alignment, the raised portion of the Collector panel shall not project above the highest roofline by more than 0.3 metres (1 ft). Projections beyond 0.3 metres (1 ft) shall require application for a Variance.
    - iii. Any accessory structure or vegetation on an Abutting Lot or Parcel shall not be located so as to block the Solar Collector's access to solar

energy. The portion of a Solar Collector that is protected is the portion which:

1. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the Lot Line; and
2. has an area not greater than one-half of the heated Floor Area of the structure, or the largest of the structures, to be served.

(c) Subsection (iii) above does not apply to any structure or vegetation existing in an Abutting Lot or Parcel at the time of installation of the Solar Energy Collection System, or the effective date of this Bylaw, whichever is later. Said Subsection controls any structure erected on, or vegetation planted in, Abutting Lots or Parcels after the installation of the Solar Energy Collection System.

(6) Operation.

- (a) Any Alternative Energy System shall be operated and shielded so as to prevent any electro-magnetic interference. Any system found in violation of this policy shall be required to cease operation until such time as the problem is resolved.

(7) Signage.

- (a) Brand names or advertising associated with any Alternative Energy System or the system's installation shall not be visible from any public area, including Lanes, streets, and Highways.

(8) Screening.

- (a) All Alternative Energy System shall be located and screened, to the extent possible, by land forms, natural vegetation, or other Landscaping means consistent with the County's General Municipal Servicing Standards, Section H, and the applicable County's Land Use Bylaw regulations to minimize its visual impact on adjacent Development and public areas. Towers and other supporting structure shall be painted a single, neutral, non-reflective, non-glossy color (e. g., earth tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.

(9) Reclamation.

- (a) Upon abandonment or termination of any Alternative Energy System's Use, the entire facility and all components associated with the system, including towers or support structures, shall be removed and the Site restored to its pre-construction condition.

(10) Compliance.

- (a) All plumbing, reservoirs, pumps, and other equipment associated with solar or geo-thermal heating or cooling systems shall require plumbing, electrical, and Building permits as required under the Safety Codes Act and must meet all applicable provincial plumbing, electrical, and Building code regulations and any other municipal requirements.

(11) Other Agencies.

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- (a) No Alternative Energy System that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owned generator. A copy of the letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
  - (12) Installation.
    - (a) All Alternative Energy System shall follow best installation practices to ensure quality and safety of installations.
  - (13) Geothermal systems:
    - (a) shall be closed loop systems. Open loop systems (pump & dump) are not allowed.
    - (b) must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided that documented evidence be provided that shows that the exception meets or exceeds the CSA-C448 standard.
    - (c) installations must be stamped by a qualified Professional Engineer registered under the 'Engineering, Geological, or Geophysical Professions Act' of the Province of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
    - (d) heat-transfer fluids used within a geothermal system shall be of the most environmentally friendly type available at the time of installation such as propylene glycol. In no case may an ethylene glycol based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.
  - (14) Wind Conversion Systems (WECS), Large
    - (a) In addition to the requirements set forth in Section 2.4 of this Bylaw, all applications for a Development Permit for a WECS shall be accompanied by:
      - i. at the discretion of the Development Authority, a public participation summary pursuant to Section 2.18.
      - ii. if applicable, a business registration form;
      - iii. a fully dimensioned and scaled site plan showing and labeling the information including the location of overhead utilities on or Abutting the subject Site, contours of the land, and access Roads;
      - iv. a visual representation including scale elevations, photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour, and the landscape;
      - v. the manufacturer's specifications for the Wind Energy Conversion System, including:
      - vi. the system's rated output in kilowatts,
      - vii. safety features and sound characteristics, and
-

- viii. type of material used in tower, place, and/or rotor construction.
- ix. an analysis of the potential for noise at:
  - x. the Site of the installation,
  - xi. the boundary of the Lot containing the Development, and
  - xii. any habitable Dwelling within 2.0 km (1.2 miles) of the subject Site;
  - xiii. any impacts to the local Road system including required Approaches from public Roads having regard to County standards; and
  - xiv. a preliminary reclamation/decommissioning plan.
- (b) When making an application for a Development Permit for a WECS, the Developer shall provide to the Development Authority appropriate reports and/or approvals from the following:
  - i. Safety Codes Council
  - ii. Transport Canada
  - iii. Nav Canada
  - iv. Alberta Culture and Tourism
  - v. Alberta Electrical Systems Operator
  - vi. Alberta Energy
  - vii. Alberta Utilities Commission
  - viii. Alberta Environment and Parks
  - ix. Alberta Health
  - x. Alberta Transportation
- (c) Prior to making a decision on an application for a Development Permit for a WECS, the Development Authority shall consider input from:
  - i. any adjacent Municipality should the proposed Development be located within 2 km (1.2 miles) of the Municipality; and
  - ii. landowners within 2 km (1.2 miles) of the proposed Development.
- (d) In order to obtain input from landowners, the Development Authority shall hold a public meeting after advertising it in accordance with the requirements for Public Hearings in this Bylaw.
- (e) Should a WECS discontinue producing power for a minimum of two (2) years, the WECS operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the WECS be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of Section 5.1 of this Bylaw.
- (f) A WECS shall comply with all the Setbacks related to Roads and Highways that govern the principal Use in the District in which it is located.
- (g) Where, in the opinion of the Development Authority, the Setbacks referred to in Subsection (f) above are not sufficient to reduce the impact of a WECS from a Road or Highway, the Development Authority may increase the required Setback.
- (h) A WECS shall be located not less than four (4) times the total height of the WECS from a Dwelling on another Parcel of Land.



- (i) A WECS shall be located so that the horizontal distance measured at grade from the outside of the Rotor Arc to any Lot boundary other than a Road or Highway is at least 7.5 m (24.6 ft.).
- (j) In the case of WECS, Setbacks may be amended from the minimum Setback requirements in the Land Use District in which the WECS is located depending upon the number of WECS in a group and the proximity of the WECS to any existing Dwelling.
- (k) The minimum vertical Blade clearance from grade shall be 7.4 m (24.3 ft.) for a WECS employing a horizontal Axis Rotor unless otherwise required by the Development Authority.
- (l) To ensure public safety, the Development Authority may require that:
  - i. a secure Fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a WECS tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
  - ii. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
  - iii. a locked device be installed on the tower to preclude access to the top of the tower; and
  - iv. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.
  - v. The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.
- (m) All power lines on the Site of a WECS to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
- (n) Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the sole requirements of the Development Authority.
- (o) No lettering, advertising or other symbol shall appear on the towers or Blades. On other parts of the WECS, the only lettering or symbol allowed will be the manufacturer's and/or Owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.
- (p) The Development Authority may approve a WECS on a case-by-case basis having regard for:
  - i. information provided in the application;
  - ii. the proximity of the proposed Development to other Land Uses;
  - iii. the cumulative effect of all WECS approved or proposed in the area;
  - iv. underlying utilities; and
  - v. information received from the circulation of the application and from the public.
- (q) A letter of credit may be required to address the decommissioning and reclamation of Sites should a location be taken out of service. The amount of



- security and term will be reviewed on a case-by-case basis to determine reclamation costs.
- (15) Wind Conversion Systems (WECS), Micro
    - (a) Notwithstanding any other provision in this Land Use Bylaw, micro Wind Energy Conversion Systems, which are systems which have a rated capacity of less than 0.5 kW, may only be roof-mounted or ground-mounted within a Side or Rear Yard.
    - (b) Micro Wind Energy Conversion Systems shall be required to conform to Setback requirements for Accessory Buildings.
    - (c) Maximum height shall be the maximum height provisions that apply within the District in which the micro Wind Energy Conversion System is located.
    - (d) One micro Wind Energy Conversion System is allowed per Lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the Site.
  - (16) Wind Conversion Systems (WECS), Small
    - (a) Small Wind Energy Conversion Systems (Small WECS) shall only be allowed as accessory Developments.
    - (b) For Property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the Wind Turbine Tower Height shall be limited to 25.0 m (82.0 ft.). For Property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on Wind Turbine Tower Height, subject to the Setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.
    - (c) The turbine base shall be no closer to the Property Line than the height of the Wind Turbine Tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft.) to the Property boundaries of the installation Site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive Setback requirements from adjacent properties if such adjacent Property Owner agrees to grant an Easement binding on current and future Owners.
    - (d) The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited Dwelling (both at the time of installation or during operation), for wind speeds below 10 m per second (22 mph); except during short-term events such as utility outages and/or severe wind storms.
    - (e) Development Permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the Wind Turbine Tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted.

Documentation of this analysis supplied by the manufacturer shall be accepted.

- (f) Small WECS must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small Wind Turbine Towers shall not be artificially lit except as required by Nav Canada.
- (g) Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.
- (h) No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owned generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
- (i) One (1) small WECS is allowed per single detached Dwelling on a Lot.
- (j) A letter of credit may be required to address the decommissioning and reclamation of Sites should a location be taken out of service. The amount of security and term will be reviewed on a case-by-case basis to determine reclamation costs.

## 7.37 Surveillance Suites

- (1) The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
  - (a) A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the main Use of the subject parcel. Moreover, in the opinion of the Development Authority, the placement of a surveillance suite shall be compatible with all existing, main development/land Uses on adjacent properties and shall not interfere with future main development/land Uses of adjacent properties.
  - (b) Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one surveillance suite per associated development or parcel.
  - (c) Detached surveillance suites shall be Sited in accordance with siting regulations specified in the land Use district within which the subject parcel

is located or in accordance with the following requirements, whichever are more stringent:

- (i) a minimum of 1.8 m (6.0 ft.) from any Buildings; and
- (ii) a minimum of 1.8 m (6.0 ft.) from the rear and side property lines; and
- (iii) no closer than the front line of the main Building to the front property line.
- (d) The maximum floor area of any non-basement surveillance suite, as defined in this Bylaw, shall be 46.6 m<sup>2</sup> (500.0 sq. ft.).
- (e) The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development(s)/Use(s) with which the suite is associated as well as all development(s)/Use(s) on adjacent properties.

## 7.38 Uses on Lands Adjacent to Arterial Roads

Most of the lands within the County adjacent to Arterial Roads are in the Highway Development (HD) District or the Business (B) District.

Notwithstanding any other provision of this Bylaw to the contrary, including the discretionary Uses for lands adjacent to arterial roads, gravel pits and storage-type businesses, or Uses which would normally include extensive storage areas, such as auto wreckers or pipe storage yards, will be very carefully regulated on lands adjacent to arterial roads. Specifically, the land adjacent to the arterial road should not merely be developed and maintained in an aesthetically pleasing or safe manner. Rather, such land should be occupied by Buildings rather than storage areas, or the land shall be extensively buffered by means of berming and solid fencing, so that the Use is not visible from the arterial road.

To that end, if all other provisions of this Bylaw are satisfied, developments with Buildings adjacent to the arterial road and storage areas in the rear away from the arterial road will generally be acceptable and, subject to the discretion of the Development Authority, approved. However, the Development Authority will generally not approve developments with pits or storage areas adjacent to or visible from the arterial road.

## 7.39 Vehicle Washing Establishments

- (1) A person applying to develop a Site as a car washing establishment where allowed under this Bylaw shall comply with the following provisions of this Section.
- (2) Site Location

In addition to those Districts where vehicle washing establishments are permitted or discretionary, a vehicle washing establishment may be allowed as a discretionary Use as part of a shopping centre if the Development Officer is satisfied that it will not adversely affect an adjoining land Use or the function of the shopping centre in relation to traffic circulation.

(3) Site Area

The minimum Site area shall be 557.4 m<sup>2</sup> (6,000 sq. ft.) and shall contain storage space for ten (10) vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes, a minimum Site area shall be 111.5 m<sup>2</sup> (1,200 sq. ft.).

(4) Site and Building Requirements

All Site and Building requirements shall be to the satisfaction of the Development Authority.

## 7.40 Shooting Ranges

(1) Shooting Ranges, Outdoor

(a) Permit required.

- i. Shooting Ranges shall require a Development Permit to be issued.  
Indoor Shooting Ranges shall also require an Occupancy Permit.

(b) Additional approvals.

- i. (i) Provide evidence of approval to operate issued by the provincial minister in accordance to Section 29 of the Firearms Act (S.C. 1995, c. 39) or the Alberta Chief Firearms Officer under the Shooting Clubs and Shooting Ranges Regulations, as amended.

(c) Site plan required.

- i. Submit site plan in accordance with the Shooting Clubs and Shooting Ranges Regulations (SOR/98-212), 3(2)(a), that shows the geographical location and layout of the Shooting Range and the portion of the surrounding area that could be affected by shooting on the Shooting Range, as well as the Land Use of that portion. Including location of Signage, lighting, topographical features (e.g., water bodies, topography, trees, baffles, or Berms) and areas of significant environmental conditions, such as strong winds, which can affect normal operating conditions.

(d) Lighting.

- i. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting mitigation is required.

Sub-Section  
Added by  
Bvlaw 18-01

- (e) Dust reduction.
  - i.
- (f) Separation from Occupied Buildings.
  - i. An Outdoor Shooting Range shall not be constructed or newly located within:
    - 1. one-half (½) mile (800 m) of an occupied Building; and
    - 2. four hundred (400 m) metres (1,312 ft) of an existing Dwelling Unit for Residential Use, which is not located on the same Property as the Shooting Range.
  - ii. Occupied Buildings shall not be newly constructed or newly located in proximity of an existing Outdoor Shooting Range as follows:
    - 1. occupied Buildings not less than one-half (½) mile (800 m); and
    - 2. Dwelling Units for Residential Use, not located on the same Property as the Shooting Range, not less than four hundred (400 m) metres (1,312 ft).
- (g) Security.
  - i. Perimeter identification shall be equivalent in visual impact to a Fence line or survey line.
    - 1. in wide open terrain (e.g., prairie areas), no additional perimeter identification beyond Signage is required. Fencing of the perimeter is not required.
    - 2. in the case of boundaries defined by water courses, regularly spaced warning Signs placed above the high water mark will suffice.
  - ii. If under normal operating conditions fired projectiles or subsequent ricochets are able to leave the active range area, a downrange safety area (forward of the firing point) is required that meets the RCMP Range Design and Construction Guidelines Safety Area Design Criteria. Safety areas cannot overlap onto areas of human habitation or regular human activity, including but not limited to Dwellings, Buildings, businesses, or human activity sites (e.g., public camp ground, recreational areas, or similar sites).
- (h) Environment.
  - i. Provide a Phase I Environmental Site Assessment Report that includes any potential off-site and/or downstream impacts and all mitigation measures identified during the environmental or similar assessment to satisfaction of the Development Authority.
- (i) Reclamation.
  - i. Provide a reclamation plan for the range Site addressing environmental safety and fire & emergency management, and outlining mitigation measures in accordance with Alberta Health, Safety Codes Council, Minister of Public Services and Procurement, and any additional provincial and federal regulations, as applicable.

- (j) Signage.
  - i. Signs shall serve to warn people approaching the Site about the presence of a Shooting Range and the associated dangers of approaching it in accordance with the RCMP Range Design and Construction Guidelines for Range and Safety Area Signs.
  - ii. Signage location shall be identified in the site plan.
  - iii. In all instances, the Signs shall be of durable construction, such that they can resist weathering.
  - iv. Signs shall meet County Sign Regulations (Section 4.21 of this Bylaw, as amended).
- (k) Perimeter Setback.
  - i. Seventy-five (75 m) metres, (200 ft).
  - ii. Storage of debris, equipment, and other materials shall not be permitted in the perimeter Setback.
- (l) Perimeter Buffer.
  - i. Fifteen (15 m) metres, (50 ft).
- (m) Structure.
  - i. Outdoor Shooting Ranges must be designed to contain all projectiles fired on-site in accordance with the RCMP Range Design and Construction Guidelines.
- (n) Hours of operation.
  - i. Daily, from 9:00 a.m. to 8:00 p.m.
- (2) Shooting Ranges, Indoor
  - (a) In addition to meeting the requirements in Section 7.48(1) above, where provided for in this Bylaw, Indoor Shooting Ranges must:
    - i. meet all applicable regulations for similar Buildings within their Designated District.

## 7.41 Multi-Lot Country Residential Uses and Farmsteads

Sub-Section  
Added by  
Bvlaw 18-01

- (1) Preparation and approval of a Site Development Plan or Area Structure Plan is required for Multi-Lot Country Residential Subdivisions that will create four (4) or more Lots or Parcels, including the remainder of the quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed development.
- (2) Multi-Lot Country Residential Use Subdivisions shall be developed in accordance with the provisions of Land Use District designated at time of Subdivision.
- (3) An application for a Multi-Lot Country Residential Use or Farmstead Subdivision shall comply with Section 6.23 and 6.24 of this Bylaw and applicable County Standards.
- (4) Where a Subdivision for Multi-Lot Country Residential Use is proposed, the Developer shall be required to enter into a development agreement with the County

wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and development.

- (5) Farmstead Subdivisions shall require redesignation to the designated District by the relevant authority.
- (6) Where a Subdivision for a Farmstead is proposed, the Developer may be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the Subdivision and development.

## 7.42 Work Camps

- (1) All work camps shall be considered temporary developments.
- (2) All work camps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (3) No development permit for a work camp shall be approved unless:
  - (a) it is for a temporary period of time as specified by the Development Authority;
  - (b) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost to the developer;
  - (c) the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed and the subject Site returned to its state before the work camp was developed upon its removal; and
  - (d) it is an accessory development to an approved industrial or commercial development for construction employees and located on the Site of that industrial or commercial development.
- (4) The Development Authority may establish whatever conditions for the approval of a work camp that it, at its sole discretion, deems reasonable to ensure the work camp will be a temporary development.
- (5) The Development Authority may, at its sole discretion, establish any conditions of approval for a work camp to ensure that the Site of the development will be restored to its previous situation after the development ceases operations.
- (6) Work camps shall not be allowed in close proximity to residential developments, determined at the sole discretion of the Development Authority.
- (7) All parking must be provided on the Lot and areas for parking developed to the satisfaction of the Development Authority.



- (8) All points of access and egress shall be located to the satisfaction of the Development Authority.
- (9) Maximum parcel coverage shall be such that space is available for all the parking on the Lot, together with the applicable setbacks and such area as required for landscaping as determined by the Development Authority.
- (10) Adjacent Buildings in work camps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.
- (11) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

## 7.43 Licensed Industrial Hemp Production Facility

Sub-section  
amended by  
Bylaw 18-01

- (1) The desirable compatibility between **Licensed Industrial Hemp Production Facilities**, and mitigation of possible adverse land Use impacts, with surrounding land Uses shall be recognized using this section. However, facilities shall comply with all County Land Use Bylaw and policies requirements and any applicable Federal and Provincial regulations.
  - a) All applications shall comply with County development policies for the identified district in addition to the provisions established in **Section 2.5** of this Bylaw.
  - b) The production of Industrial Hemp as defined in the *Industrial Hemp Regulations (IHR)*, *SOR/98-156* (Canada), as amended or any subsequent legislation that may be enacted in substitution.
  - c) Buildings and Uses accessory to permitted Uses.
- (2) Any Licensed Industrial Hemp Production Facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
  - (a) In addition to the requirements of this Section, a Licensed Industrial Hemp Production Facility must meet all applicable requirements of the identified district, which allows for the Use.

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- (b) Only facilities licensed by Health Canada under the *IHR (SOR/98-156)*, or as amended, will be permitted.
  - (c) A copy of the current license for the Licensed Industrial Hemp Production Facility as issued by Health Canada shall be provided to the Development Authority before a permit can be issued.
  - (d) A Licensed Industrial Hemp Production Facility shall be the primary Use of the Lot(s) or parcel(s).
  - (e) The Licensed Industrial Hemp Production Facility must not operate in conjunction with another Use on the Lot(s) or parcel(s).
  - (f) Marijuana products must not be smoked, ingested, or otherwise consumed on the Premises of a Licensed Industrial Hemp Production Facility.
  - (g) Permitting
  - (3) The Development Authority may require an applicant for a Development Permit for a Licensed Industrial Hemp Production Facility to have any or all of the following information be prepared by a qualified professional and have it included with the application:
    - i) Waste Management Plan
    - ii) Environmental Assessment
    - iii) Traffic Impact Assessment
    - iv) Water/Wastewater Report
    - v) Storm Water Management Plan
    - vi) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
  - (4) The development permit for a Licensed Industrial Hemp Production Facility shall be limited as follows:
    - i) The first Development Permit shall not exceed a 3-year term.
    - ii) Any subsequent Development Permit shall not exceed a 5-year term.

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- (5) The Licensed Industrial Hemp Facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations in **Section 6.13** of this Bylaw and meet the County of Vermilion River's **General Municipal Servicing Standards**.
  - (6) Shall meet all requirements for said facilities (such as, but not limited to security and premises) as listed under the *IHR (SOR/98-156)*.
  - (7) Shall maintain the neighbourhood characteristics and appearance.
  - (8) Shall be designed and located to minimize any impacts on the natural environment.
  - (9) Shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land Use nuisance effects.
  - (10) There shall be no outdoor storage of goods, material, or supplies.
  - (11) Solid waste material must be disposed of in accordance with the *Controlled Drugs and Substances Act (S.C. 1996, c. 19)* and *Industrial Hemp Regulations (SOR/98-156)*, as amended or any subsequent legislation that may be enacted in substitution.
  - (12) All activities related to the Licensed Industrial Hemp Production Facility shall occur within a fully enclosed stand-alone Building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
  - (13) A Licensed Industrial Hemp Production Facility's Exterior Lighting and Noise levels should meeting the following:
    - (a) The illumination of parking areas, walkways, signs, and other structures associated with Licensed Industrial Hemp Production Facilities shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under the *IHR (SOR/98-156)*.
    - (b) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under the *IHR (SOR/98-156)*.
  - (14) When making an application for a development permit for a Licensed Industrial Hemp Production Facility, the developer shall; in addition to the above sections,
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those applicable to the identified district, and sections 2.5 of this bylaw provide in the application and Site drawings the following:

- (a) A *Licensed Industrial Hemp Production Facility Site*, for the purposes of this Section, means the Lot(s) or parcel(s) on which the Licensed Industrial Hemp Production Facility is located or is proposed to be located.
- (b) A *School Site*, for the purposes of this Section, means the Lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein “Institutional” is listed as a permitted Use.
- (c) A *Residential Parcel*, for the purposes of this Section, means any parcel wherein a “Dwelling” is listed as a permitted Use excepting those wherein a “Dwelling Unit” is listed and described as accessory to a/the Use or accessory to the principal Use.
- (d) A Licensed Industrial Hemp Production Facility Site shall meet the minimum separation distance of 1600m between an existing Dwelling, School Site, or Residential Parcel and the Licensed Industrial Hemp Production Facility Site:
  - i. The minimum separation distance between an existing Dwelling and a Licensed Industrial Hemp Production Facility Site shall be established by measuring the shortest distance between the external wall of the nearest Dwelling and the boundary of the Licensed Industrial Hemp Production Facility Site.
  - ii. The minimum separation distance between an existing Residential Parcel or School Site and a Licensed Industrial Hemp Production Facility Site shall be established by measuring the shortest distance between the boundary of a Residential Parcel or School Site and the boundary of the Licensed Industrial Hemp Production Facility Site.
- (e) A Dwelling, Residential Parcel, or School Site constructed or created after the approval of a Licensed Industrial Hemp Production Facility shall not be considered a Dwelling, Residential Parcel, or School Site for the purposes of interpreting Section 9.4.4 and shall constitute a variance and is subject to the provisions of **Section 2.12** of this Bylaw.
- (f) Minimum Lot size: shall be at the discretion of the Development Authority.
- (g) Minimum setback from any watercourse: 30 m.

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- (h) Maximum Lot coverage: 60%
  - (i) Maximum height:
    - i. Principal Building: 10 m (32.81 ft.)
    - ii. Accessory Building: Subject to Section 6.1 of this Bylaw.
  - (j) Minimum front setback: 45 m (147 ft.) from any property line next to a ROW.
  - i. A Building or structure Used for security purposes for a Licensed Industrial Hemp Production Facility may be located in the front yard and must comply with the required minimum setbacks.
  - (k) Minimum side setback: 6 m (20 ft.) from Lot line.
  - (l) Minimum rear setback: 7.6 m (25 ft.) from Lot line.
  - (m) Minimum Planting Setback: As required by the established ROW, excluding provincial highways, which are subject to Alberta Transportation, regulations, measured from ROW centreline.
  - (n) Buffers shall be required for all Licensed Industrial Hemp Production Facilities. Buffers can combine separation, vegetation, and fencing to mitigate the impacts on farming and adjacent activities.
  - (o) Parking and loading requirements for a Licensed Industrial Hemp Production Facility shall be provided based on Section 6.13 of this Bylaw, the General Municipal Servicing Standards (PD 014, Schedule A), and any applicable requirements and regulations under the Industrial Hemp Regulations (SOR/98-156), as amended.
  - (p) No outdoor signage or advertising shall be permitted.
  - (q) All applications must comply with the development regulations in these provisions and the identified district(s).
  - (r) All applications under these provisions must conform to the submitted Site plan included in the approved Redesignation. Said Site plan shall be a detailed and scaled drawing showing the locations and dimensions of the

area to be Used for conducting business, storage, loading / unloading, landscape, buffers, approaches, parking, and location of other services.

- (s) The areas identified in the submitted Site plan and included in the approved Redesignation, shall be developed or upgraded to meet municipal standards. Said Site plan will be referred thereon to as the original Site plan.
  - (t) (20) The original Site plan shall not be amended to add additional areas without the approval of a new application by the Development Authority.
- (15) A Site, Building or structure established, operated, or maintained as a Licensed Industrial Hemp Production Facility shall comply with the provisions made for in this Section in addition to any other applicable Federal, Provincial, and Municipal regulations as per **Section 1.5** of this Bylaw. Non-compliance to the previous may be abated as provided for in **Part 5, Sections 5.1–5.3** of this Bylaw. This is not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of this Section prohibit or restrict other Federal or Provincial law or County policy to be enacted upon.

## 7.44 Licensed Cannabis for Medical Purposes Production Facility

Sub-Section  
Amended by  
Bvlaw 18-01

- (1) The desirable compatibility between Licensed Cannabis for Medical Purposes Production Facilities, and mitigation of possible adverse land use impacts, with surrounding land uses shall be recognized using this section. However, facilities shall comply with all County Land Use Bylaw and policies requirements and any applicable Federal and Provincial regulations.
  - (a) All application for Licensed Cannabis for Medical Purposes Production Facilities shall comply with County development bylaws and policies in addition to the provisions established in Section 2.4 and / or Section 2.6 of this Bylaw.
  - (b) At the discretion of the Development Authority, redesignation to an appropriate land use district may be required.
  - (c) The production of cannabis/marihuana in accordance with the Access to Cannabis for Medical Purposes Regulations (ACMPR), SOR/2016-230 (Canada), as amended, or any subsequent legislation that may be enacted in substitution.
  - (d) The provisions under this section apply to Buildings and uses accessory to discretionary uses where Licensed Cannabis for Medical Purposes Production Facilities is a discretionary use within a land use district.

- (e) Where provisions affect or are in conflict with the regulations of any district or any section of this Bylaw, the provisions of this section shall take precedence and be applied in addition to the regulations of the district and other applicable sections of this Bylaw.
- (2) Any Licensed Cannabis for Medical Purposes Production Facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
  - (a) In addition to the requirements of this Section, a Licensed Cannabis for Medical Purposes Production Facility must meet all applicable requirements of the designated district, which allows for the use.
  - (b) Only facilities licensed by Health Canada under the ACMPR (SOR/2016-230) or as amended will be permitted.
  - (c) A copy of the current license for the Licensed Cannabis for Medical Purposes Production Facility as issued by Health Canada shall be provided to the Development Authority before a permit can be issued.
  - (d) The Licensed Cannabis for Medical Purposes Production Facility must not operate in conjunction with another approved use on the lot(s) or parcel(s).
  - (e) Cannabis products shall not be smoked, ingested, or otherwise consumed on the Premises of a Licensed Cannabis for Medical Purposes Production Facility.
  - (f) The Licensed Cannabis for Medical Purposes Production Facility must not permit any person who is not an adult, as defined under the ACMPR (SOR/2016-230) or as amended, to be present anywhere on the Licensed Cannabis for Medical Purposes Production Facility Premises, unless accompanying an adult authorized user to the designated waiting area(s).
- (3) The Development Authority may require an applicant for a Development Permit for a Licensed Cannabis for Medical Purposes Production Facility to have any or all of the following information be prepared by a qualified professional and have it included with the application:
  - (a) Waste Management Plan
  - (b) Environmental Assessment
  - (c) Traffic Impact Assessment
  - (d) Water/Wastewater Report
  - (e) Storm Water Management Plan
  - (f) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
- (4) Wastewater and storm drainage management for Licensed Cannabis for Medical Purposes Production Facilities shall take place on a holding tank that meets Provincial Regulation.
- (5) The development permit for a Licensed Cannabis for Medical Purposes Production Facility shall be limited as follows:
  - (a) The first Development Permit shall not exceed a 3-year term
  - (b) Any subsequent Development Permit shall not exceed a 5-year term.



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- (6) The Licensed Cannabis for Medical Purposes Production Facility must include suitable landscaping and parking requirements, as determined by the Development Authority.
    - (a) Parking shall comply with regulations in Section 6.13 of this Bylaw and meet the County of Vermilion River's General Municipal Servicing Standards.
  - (7) Shall meet all requirements for said facilities (such as, but not limited to security and premises) as required under the ACMPR (SOR/2016-230).
  - (8) Shall maintain the neighbourhood characteristics and appearance.
  - (9) Shall be designed and located to minimize any impacts on the natural environment.
  - (10) Shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
  - (11) There shall be no outdoor storage of goods, material, or supplies.
  - (12) Garbage containers and waste material shall be contained within an enclosed building.
    - (a) Solid waste material must be secured in accordance with the Controlled Drugs and Substances Act (S.C. 1996, c. 19) and Access to Cannabis for Medical Purposes Regulations (SOR/2016-230), as outlined in Health Canada's Directive on Physical Security Requirements for Controlled Substances (Security Directive) until destroyed.
  - (13) All activities related to the Licensed Cannabis for Medical Purposes Production Facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of medical marijuana and any other goods, materials, and supplies.
  - (14) Facilities shall operate in accordance to the hours specified by the provincial and county regulations for the identified district. The Development Authority shall specify the hours of operation unless Federal or Provincial regulations outline these hours.
  - (15) A Licensed Cannabis for Medical Purposes Production Facility's Exterior Lighting and Noise levels should meeting the following:
    - (a) The illumination of parking areas, walkways, signs, and other structures associated with Licensed Cannabis for Medical Purposes Production Facilities shall be arranged to meet the requirements under the Access to Cannabis for Medical Purposes Regulations (SOR/2016-230).
    - (b) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and / or policy approved by the County and the requirements under the Access to Cannabis for Medical Purposes Regulations (SOR/2016-230).
  - (16) When making an application for a development permit for a Licensed Cannabis for Medical Purposes Production Facility, the developer shall; in addition to the above sections, provide information for the identified district, and sections 2.4 and 2.6 of this bylaw; provide in the application and site drawings the following:
    - (a) A Licensed Cannabis for Medical Purposes Production Facility Site, for the purposes of this Section, means the lot(s) or parcel(s) on which the Licensed
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- Cannabis for Medical Purposes Production Facility is located or is proposed to be located.
- (b) A School Site, for the purposes of this Section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein “Institutional” is listed as a permitted use.
  - (c) A Residential Parcel, for the purposes of this Section, means any parcel wherein a “Dwelling” is listed as a permitted use excepting those wherein a “Dwelling Unit” is listed and described as accessory to a/the use or accessory to the principal use.
  - (d) A Licensed Cannabis for Medical Purposes Production Facility Site shall meet the minimum separation distance of 800m between an existing Dwelling, School Site, or Residential Parcel and the Licensed Cannabis for Medical Purposes Production Facility Site:
    - i. The minimum separation distance between an existing Dwelling and a Licensed Cannabis for Medical Purposes Production Facility Site shall be established by measuring the shortest distance between the external wall of the nearest Dwelling and the boundary of the Licensed Cannabis for Medical Purposes Production Facility Site.
    - ii. The minimum separation distance between an existing Residential Parcel or School Site and a Licensed Cannabis for Medical Purposes Production Facility Site shall be established by measuring the shortest distance between the boundary of a Residential Parcel or School Site and the boundary of the Licensed Cannabis for Medical Purposes Production Facility Site.
  - (e) A Dwelling, Residential Parcel, or School Site constructed or created after the approval of a Licensed Cannabis for Medical Purposes Production Facility shall not be considered a Dwelling, Residential Parcel, or School Site for the purposes of interpreting Section 15(d) and shall constitute a variance and is subject to the provisions of Section 2.12 of this Bylaw.
  - (f) Minimum lot size: shall be at the discretion of the Development Authority.
  - (g) Minimum setback from any watercourse: 30 m.
  - (h) Maximum lot coverage: 35%
  - (i) Maximum height:
    - i. Principal Building: 5 m (16.5 ft.)
    - ii. Accessory Building: Subject to Section 6.1 of this Bylaw.
  - (j) Minimum front setback: As required by the established ROW, excluding provincial highways, which are subject to Alberta Transportation, regulations, measured from ROW centreline.
    - i. A building or structure used for security purposes for a Licensed Cannabis for Medical Purposes Production Facility may be located in the front yard and must comply with the required minimum setbacks.
  - (k) Minimum side setback: 6 m (20 ft.) from lot line.
  - (l) Minimum rear setback: 7.6 m (25 ft.) from lot line.

- (m) Minimum Planting Setback: As required by the established ROW, excluding provincial highways, which are subject to Alberta Transportation, regulations, measured from ROW centreline.
  - (n) Buffers shall be required for all Licensed Cannabis for Medical Purposes Production Facilities. Buffers can combine separation, vegetation, and fencing to mitigate the impacts on farming and adjacent activities.
  - (o) Parking and loading requirements for a Licensed Cannabis for Medical Purposes Production Facility shall be provided based on Section 6.13 of this Bylaw, the General Municipal Servicing Standards, and any applicable requirements and regulations under the Access to Cannabis for Medical Purposes Regulations (SOR/2016-230), as amended.
  - (p) No outdoor signage or advertising shall be permitted.
  - (q) All applications must comply with the development regulations in these provisions and the identified districts.
  - (r) All applications under these provisions must conform to the submitted site plan included in the approved Redesignation or permit application. Said site plan shall be a detailed and scaled drawing showing the locations and dimensions of the area to be used for conducting business, storage, loading / unloading, landscape, buffers, approaches, parking, and location of other services.
  - (s) The areas identified in the submitted site plan and included in the approved Redesignation or permit application, shall be developed or upgraded to meet municipal standards. Said site plan will be referred thereon to as the original site plan.
  - (t) The original site plan shall not be amended to add additional areas without the approval of a new application by the Development Authority.
- (17) A site, building or structure established, operated, or maintained as a Licensed Cannabis for Medical Purposes Production Facility shall comply with the provisions made for in this Section in addition to any other applicable Municipal, Provincial, and Federal regulations as per Section 1.5 of this Bylaw. Non-compliance to the previous may be abated as provided for in Part 5, Sections 5.1–5.3 of this Bylaw. This is not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of this Section prohibit or restrict other Federal or Provincial law or County policy to be enacted upon.

# 8 | Land Use District Regulations

## 8.1 Establishment of Land Use Districts

- (1) For the purposes of this Bylaw, the County of Vermilion River is divided into the following districts:

Agricultural (A) District  
Highway Development (HD) District  
Highway Development Special Purpose (HDS) District  
Collector Road (SR) District  
Controlled Urban Development (CUD) District  
Industrial Development (M) District  
Business (B) District  
Lloydminster Fringe Business (B2) District  
Manufactured Home Park (MHP) District  
Country Residential One (CR1) District  
Country Residential Two (CR2) District  
Urban Expansion (UE) District  
Landfill and Composting (LC) District  
Large Lot Residential (R) District  
Low-Medium Density Residential (R1) District  
Medium-High Density Residential (R2) District  
Commercial (C1) District  
Rural Industrial (RM) District  
Light Industrial (M1) District  
Heavy Industrial (MH) District  
Parks and Recreation (PR) District  
North Gateway Direct Control (NGDC) District  
Crossroads Direct Control (CDC) District

- (2) The boundaries of the districts listed in this Bylaw are as delineated in the LAND USE DISTRICT MAP, which is Part 10 of this Bylaw.
- (3) Where uncertainty exists as to the boundaries of districts as delineated in the LAND USE DISTRICT MAP, the following rules shall apply:

**Rule 1** Where a boundary is shown as following a street or lane, it shall be deemed to follow the centre line thereof.

**Rule 2** Where a boundary is shown as approximately following a Lot line, it shall be deemed to follow the Lot line.

**Rule 3** In circumstances not covered by Rules 1 and 2, the location of the district boundary shall be determined:

- (a) where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set, or
  - (b) where no dimensions are set out on the LAND USE DISTRICT MAP with respect to such boundary, by measurement of and Use of the scale shown on the LAND USE DISTRICT MAP.
- (4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Council, either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to the measurements and directions as the circumstances may require.
- (5) After the Council has fixed a District boundary pursuant to the provisions of subsection 8.1.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (6) The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

## 8.2 Agricultural (A) District

The Purpose of this District is to allow activities associated with primary production, and to preserve valuable agricultural land from development that is incompatible with primary production.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River excepting land in the other Districts.

### (2) PERMITTED USES

- (a) Extensive agriculture
- (b) Buildings and Uses accessory to permitted Uses
- (c) Single detached Dwellings

### (3) DISCRETIONARY USES

- (a) Abattoirs
- (b) Agricultural support services
- (c) Agri-tourism
- (d) Animal breeding and/or boarding establishments
- (e) Bed and breakfast establishments
- (f) Cemeteries
- (g) Churches
- (h) Country residences
- (i) Day homes
- (j) Family care facilities
- (k) Farmsteads
- (l) Garage suites
- (m) Group care facilities
- (n) Group homes
- (o) Guest ranches
- (p) Home occupations, major
- (q) Home occupations, minor
- (r) In-law suites
- (s) Institutional Uses
- (t) Intensive agriculture
- (u) Licensed Industrial Hemp Production Facility
- (v) Manufactured homes
- (w) Natural resource extraction industries
- (x) Outdoor storage

Amended by  
Bylaw 15-21

- (y) Public education facilities
- (z) Public or quasi-public Buildings and Uses
- (aa) Public utilities and public utility Buildings
- (bb) Recreational Uses
- (cc) Recreational vehicle campgrounds
- (dd) Rural commercial Uses
- (ee) Secondary suites
- (ff) Veterinary services
- (gg) Wind energy conversion systems
- (hh) Workcamps
- (ii) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (jj) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

### (a) Minimum Lot Area - Permitted Uses

Extensive agriculture - one quarter section except where the Lot is subject to:

- (i) an approved discretionary Use,
- (ii) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or
- (iii) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.

The subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.

### (b) Minimum Lot Area - Discretionary Uses - as required by the Development Authority

### (c) Minimum Front Yard

The minimum front yard shall be 40 m (134 ft.) from the centre line of any adjoining road.

### (d) Minimum Side Yard

Ten percent (10%) of the mean Lot width provided that no side yard need exceed 6 m (20 ft.) except for a corner Lot where the side yard requirement shall be at the discretion of the Development Authority.

### (e) Minimum Rear Yard - 7.6 m (25 ft.)



Added by  
Bylaw 15-21

- (f) Maximum height – 10.5m (34.5 ft.) except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport height Regulations (Section 11, schedule A), or as per Section 2.12.
- (g) Wind energy conversion systems shall be governed by the regulations contained in Section 6.2.14 of Schedule A of this Bylaw.
- (h) Notwithstanding any other provision of this Bylaw to the contrary, no Dwelling, nor any institutional, public or health service Use, nor any other Use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.

## (5) EXCEPTIONS

Added by  
Bylaw 15-21

- (a) At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeple, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.



## 8.3 Highway Development (HD) District

Amended by  
Bylaw 14-06

The Purpose of this District is to allow for predominately agricultural and commercial development with limited residential development that is most suitability located in the vicinity of arterial roads while protecting the Provincial investment in Highway Infrastructure.

### (1) DISTRICT BOUNDARIES

Amended by  
Bylaw 14-06

This District comprises all the land in the County of Vermilion River within 805 m (1/2 mi.) of the right-of-way of Highways 16, 17, 41, and 45. This district also includes some lands, adjacent to provincial highways located within the Hamlets. Approval of development within the District may be regulated by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement of any development permit issued in this District.

### (2) PERMITTED USES

- (a) Extensive agriculture
- (b) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Abattoirs
- (b) Agricultural support services
- (c) Agri-tourism
- (d) Animal breeding and/or boarding establishments
- (e) Bed and breakfast establishments
- (f) Cemeteries
- (g) Churches
- (h) Commercial Uses
- (i) Commercial Storage
- (j) Country residences
- (k) Day homes
- (l) Family care facilities
- (m) Farmsteads
- (n) Garage Suites
- (o) Group care facilities
- (p) Group homes
- (q) Guest ranches
- (r) Highway maintenance yards, signs, weigh scales, and campsites
- (s) Home occupations, major
- (t) Home occupations, minor

Amended by  
Bylaw 16-14

Amended by  
Bylaw 15-21

- (u) In-law suites
- (v) Institutional Uses
- (w) Intensive agriculture
- (x) Licensed Medical Marijuana Production Facility
- (y) Licensed Industrial Hemp Production Facility
- (z) Manufactured homes
- (aa) Motels
- (bb) Natural resource extraction industries
- (cc) Outdoor storage
- (dd) Private Liquor Sale and Storage Facilities
- (ee) Public education facilities
- (ff) Public or quasi-public Buildings and Uses
- (gg) Public utilities and public utility Buildings
- (hh) Recreational Uses
- (ii) Recreational vehicle campgrounds
- (jj) Restaurants
- (kk) Rural commercial Uses
- (ll) Secondary Suites
- (mm) Service stations
- (nn) Single detached Dwellings
- (oo) Veterinary services
- (pp) Workcamps
- (qq) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses or required to serve the traveling public
- (rr) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

### (a) Minimum Lot Area - Permitted Uses

Extensive agriculture - one quarter section except where the Lot is subject to:

- (i) an approved discretionary Use,
- (ii) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or
- (iii) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.

The subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.

### (b) Minimum Lot Area - Discretionary Uses - as required by the Development Authority

(c) Minimum Front Yard

The minimum front yard shall be 71 m (234 ft.) from the centre line of any adjacent arterial road or 40 m (134 ft.) from the arterial road right-of-way, whichever is the greater.

(d) Minimum Side and Rear Yards - as required by the Development Authority

(d) The location of any shelterbelts shall be determined by the Development Authority.



## 8.4 Highway Development Special Purpose (HDS) District

The Purpose of this District is to regulate development in the area of the future Highway #16 Lloydminster re-alignment.

### (1) DISTRICT BOUNDARIES

This District comprises a 0.8 km (0.5 mi.) wide area of land in the County of Vermilion River in which will be located the future right-of-way of the Highway 16 Lloydminster re-alignment. Approval of development within the District may be regulated by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement of any development permit issued in this District.

### (2) PERMITTED USES

- (a) Extensive agriculture
- (b) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Highway maintenance yards, signs, weigh scales, and campsites
- (b) Natural resource extraction industries
- (c) Public utilities and public utility Buildings
- (c) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses or required to serve the traveling public
- (d) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) Minimum Lot Area - Permitted Uses

Extensive agriculture - one quarter section except where the Lot is subject to:

- (i) an approved discretionary Use,
- (ii) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or
- (iii) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.



The subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.

- (b) Minimum Lot Area - Discretionary Uses - as required by the Development Authority

- (c) Minimum Front Yard

The minimum front yard shall be 71 m (234 ft.) from the centre line of any adjacent arterial road or 40 m (134 ft.) from the arterial road right-of-way, whichever is the greater.

- (d) Minimum Side and Rear Yards - as required by the Development Authority

- (e) The location of any shelterbelts shall be determined by the Development Authority.

## 8.5 Collector Road (SR) District

The Purpose of this District is to allow development in the vicinity of designated collector roads.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River within 152 m (500 ft.) of the right-of-way of Collector Roads.

### (2) PERMITTED USES

The permitted Uses shall be those outlined in the abutting District, but subject to the requirements of subsection 8.5(4).

### (3) DISCRETIONARY USES

The discretionary Uses shall be those outlined in the abutting District, but subject to the requirements of subsection 8.

### (4) REGULATIONS

#### (a) Minimum Lot Area

- (i) Extensive agriculture - as required in the Agricultural District
- (ii) Single Detached Dwellings - 1858 sq. m (20,000 sq. ft.) for unserviced Lots in an existing hamlet, otherwise, in accordance with the regulations in the abutting District
- (iii) Farmsteads - as required in the Special Provisions of this Bylaw
- (iv) Manufactured Home Parks, Parks, Campgrounds, Tourist Trailer Parks - 1.2 ha (3 ac.)
- (v) Commercial Uses - 1858 sq. m (20,000 sq. ft.) for unserviced Lots in an existing hamlet
- (vi) All other Uses - as required by the Development Authority

#### (b) Minimum Yards

- (i) In hamlets, the minimum yards shall be as required by the Development Authority
- (ii) In other locations:
  - (A) Front - 50 m (165 ft.) from the centre line of any adjacent road or as shown in Figures 7, 8, and 9 of this Schedule where there is an intersection or sharp curve
  - (B) Side - As required for the Front Yard if the Side Yard is adjacent to

- a Collector Road - 18 m (60 ft.) in other cases
- (C) Rear - 18 m (60 ft.)

(c) Provision of Service Roads and Additional Right-of-way

Applicants for subdivision or development along collector roads may be required to provide additional right-of-way or service roads, at the discretion of the Subdivision Authority.

## 8.6 Controlled Urban Development (CUD) District

The Purpose of this District is to allow development around incorporated Towns and Villages without compromising urban growth patterns that may extend into this District in the future.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River within the area so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Extensive agriculture
- (b) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Agri-tourism
- (b) Animal breeding and/or boarding establishments
- (c) Bed and breakfast establishments
- (d) Cemeteries
- (e) Churches
- (f) Country residences
- (g) Day homes
- (h) Family care facilities
- (i) Farmsteads
- (j) Garage suites
- (k) Group care facilities
- (l) Group homes
- (m) Guest ranches
- (n) Home occupations, major
- (o) Home occupations, minor
- (p) In-law suites
- (q) Institutional Uses
- (r) Intensive agriculture
- (s) Manufactured homes
- (t) Natural resource extraction industries
- (u) Outdoor storage
- (v) Public education facilities
- (w) Public or quasi-public Buildings and Uses
- (x) Public utilities and public utility Buildings
- (y) Recreational Uses
- (z) Recreational vehicle campgrounds

- (aa) Secondary suites
- (bb) Single detached Dwellings
- (cc) Veterinary services
- (dd) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (ee) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

- (a) All applications for development permits within the Controlled Urban Development District shall be submitted to the adjacent urban municipality for comments prior to the Development Authority rendering a decision on the permit. The Development Authority shall give due consideration to such comments but shall not be bound by the recommendation of the municipality.
- (b) Minimum Lot Area - Permitted Uses - as required in the Agricultural District
- (c) Minimum Lot Area - Discretionary Uses - as required by the Development Authority
- (d) Minimum Front Yard  
  
The minimum front yard shall be 40 m (134 ft.) from the centre line of any adjacent road.
- (e) Minimum Side and Rear Yards - as required by the Development Authority
- (f) The location of any shelterbelts shall be determined by the Development Authority

## 8.7 Industrial Development (M) District

The Purpose of this District is to allow the development of industries which require large tracts of land and which may not be appropriate to develop within an urban municipality.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River as indicated on the Land Use District Map.

### (2) PERMITTED USES

Amended by  
Bylaw 15-21

- (a) Extensive agriculture
- (b) Manufacturing
- (c) Medium industry
- (d) Storage
- (e) Warehousing
- (f) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

Amended by  
Bylaw 15-21

- (a) Auto wreckers
- (b) Heavy Industry
- (c) Licensed Industrial Hemp Production Facility
- (d) Offices
- (e) Outdoor storage
- (f) Primary manufacture of:
  - (i) gravel, including its crushing
  - (ii) metals
  - (iii) wood
  - (iv) natural gas and its derivatives
- (g) Public utilities and public utility Buildings
- (h) Sewage treatment facilities and sewage disposal plants
- (i) The following Uses provided that they are unlikely to have restrictive effects upon the development of the industrial area and are compatible with the industrial Uses:
  - (i) commercial Uses
  - (ii) municipal Uses
  - (iii) offices
  - (iv) recreational Uses
- (j) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (k) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

- (a) All Site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.
- (b) Some developments may produce, directly or indirectly, noise, odour, fumes, dust, smoke unsightly appearance, or other effects that may be detrimental to other land Uses in or outside this District. These Uses may be restricted by the Development Authority to particular areas of the District, or may be subject to special regulations or conditions of approval.
- (c) Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances shown in figure 6, Section 6.1, apply to the all developments, at the discretion of the Development Authority.

Added by  
Bylaw 15-21

## 8.8 Business (B) District

The Purpose of this District is to allow development of extensive land using industrial, warehousing, service, and commercial Uses in various locations which have very good accessibility where the demand for large Lots for such Use is increasing.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map. As well as County approval, any development within this District may require an approval by a Provincial agency. If such Provincial approval is required, issuance of the Provincial approval will be a condition of the approval of any development permit in this District.

### (2) PERMITTED USES

- (a) Agri-tourism
- (b) Commercial Uses
- (c) Extensive agriculture
- (d) Highway maintenance yards, signs, weigh scales, and campsites
- (e) Institutional Uses
- (f) Participant recreation facilities
- (g) Public or quasi-public Buildings and Uses
- (h) Public utilities and public utility Buildings
- (i) Recreational Uses
- (j) Veterinary services
- (k) Buildings and Uses accessory to permitted Uses

Amended By  
Bylaw 15-21

### (3) DISCRETIONARY USES

- (a) Auctioneering establishments
- (b) Automotive and minor recreational vehicle sales/rentals and service
- (c) Bulk fuel storage & sales
- (d) Dwellings existing as of the date of the approval of this Bylaw
- (e) Health Services
- (f) Home occupations, major
- (g) Home occupations, minor
- (h) Intensive agriculture
- (i) Licensed industrial hemp production facility
- (j) Light Industry
- (k) Licensed medical marijuana production facility
- (l) Outdoor storage
- (m) Private liquor sales and storage facilities

Amended by  
Bylaw 15-21



- (n) Signs that advertise businesses not located on the Lot on which the sign is located
- (o) Service stations
- (p) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses or required to serve the traveling public
- (q) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

### (a) Minimum Lot Area - Permitted Uses

Farming - one quarter section except where the Lot is subject to:

- (i) an approved discretionary Use,
- (ii) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or
- (iii) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.

### (b) Minimum Lot Area - Discretionary Uses - as required by the Development Authority

### (c) Minimum Front Yard

The minimum front yard shall be 71 m (234 ft.) from the centre line of any adjacent arterial road or 40 m (134 ft.) from the arterial road right-of-way, whichever is the greater.

### (d) Minimum Side and Rear Yards - as required by the Development Authority

### (e) The location of any shelterbelts shall be determined by the Development Authority

### (f) In the consideration of any development proposal, adequate access to Highway #16 or Highway #17 will be an issue. Any development approval may be conditional upon the developer providing or agreeing to being responsible for the provision of whatever access or access improvements Alberta Transportation or the County may require to any road.

### (g) Development proposals may be circulated to the City of Lloydminster or Town of Vermilion for comment prior to any consideration for approval. The comments of the City or Town will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the City's or Town's comments or recommendations.

(5) EXCEPTIONS

- (a) Notwithstanding any other provision of this Bylaw to the contrary, a grain elevator and grain handling facility may be constructed in that portion of NW 27-50-6-W4 lying to the south of the Canadian National Railways right-of-way to a maximum height of 72 m (236.2 ft.), together with Uses accessory to a grain elevator and a grain handling facility. As a condition of the approval of a development permit for such a facility, the Development Authority may impose such conditions as deemed, in his discretion, necessary to allow the Vermilion Airport to continue to function.
- (b) Notwithstanding any other provision of this Bylaw to the contrary, Dwellings existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the Building.



## 8.9 Lloydminster Fringe Business (B2) District

The Purpose of this District is to allow development of extensive land using industrial, warehousing, service, and commercial Uses in the vicinity of Highway #16 very near the City of Lloydminster.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map. Approval of development within the District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement of any development permit issued in this District.

### (2) PERMITTED USES

- (a) Agri-tourism
- (b) Agricultural support services
- (c) Bed and breakfast establishments
- (d) Extensive agriculture
- (e) Highway maintenance yards, signs and weigh scales
- (f) Home occupations, major
- (g) Home occupations, minor
- (h) Institutional Uses
- (i) Intensive agriculture
- (j) Natural resource extraction industries
- (k) Offices
- (l) Public or quasi-public Buildings and Uses
- (m) Public utilities and public utility Buildings
- (n) Recreational Uses
- (o) Recreational vehicles campgrounds
- (p) Rural commercial Uses
- (q) Veterinary services
- (r) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Dwellings existing as of the date of the approval of this Bylaw
- (b) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses or required to serve the traveling public
- (c) Buildings and Uses accessory to discretionary Uses

## (4) REGULATIONS

Amended by  
Bylaw 18-01

- (a) Minimum Lot Area – 1 ac. To 5 ac. (0.40-2.0 ha)

- (b) Minimum Front Yard

The minimum front yard shall be 71 m (234 ft.) from the centre line of any adjacent arterial road or 40 m (134 ft.) from the arterial road right-of-way, whichever is the greater.

- (c) Minimum Side and Rear Yards - as required by the Development Authority

- (d) The location of any shelterbelts shall be determined by the Development Authority

- (e) In the consideration of any development proposal, adequate access to Highway #16 will be an issue. Any development approval may be conditional upon the developer providing or agreeing to being responsible for the provision of whatever access or access improvements Alberta Transportation or the County may require to any road.

- (f) Development proposals may be circulated to the City of Lloydminster for comment prior to any consideration for approval. The comments of the City will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the City's comments or recommendations."

## (5) EXCEPTIONS

- (a) Notwithstanding any other provision of this Bylaw to the contrary, Dwellings existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the Building.

## 8.10 Manufactured Home Park (MHP) District

The Purpose of this District is to provide the opportunity for the development of serviced and unserviced mobile home parks.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map - Schedule C.

### (2) PERMITTED USES

- (a) Manufactured homes
- (b) Recreational Uses associated with a manufactured home park
- (c) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Day homes
- (b) Home occupations, minor
- (c) Public or quasi-public Buildings and Uses
- (d) Public utilities and public utility Buildings
- (e) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (f) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) For manufactured home parks with individual water supply and sewage disposal facilities:
  - (i) Minimum Lot Area - 2.02 ha (5 ac.)
  - (ii) Minimum Stall Dimensions and Yards
    - (A) Area - 1858 sq. m (20,000 sq. ft.)
    - (B) Width - 30 m (100 ft.)
    - (C) Front yard - 7.6 m (25 ft.)
    - (D) Rear yard - 7.6 m (25 ft.)
    - (E) Side yard - 10% of stall width
- (b) For manufactured home parks with communal water supply and sewage disposal facilities:

(i) Minimum Lot Area - 1.2 ha (3 ac.)

(b) Minimum Stall Dimensions and Yards

		<u>Single Wide</u>	<u>Double Wide</u>
(A)	Area	325 sq. m (3500 sq. ft.)	372 sq. m (4000 sq. ft.)
(B)	Width	10.6 m (35 ft.)	12 m (40 ft.)
(C)	Front yard	4.5 m (15 ft.)	4.5 m (15 ft.)
(D)	Rear yard	4.5 m (15 ft.)	4.5 m (15 ft.)
(E)	Side yard	10% of stall width	10% of stall width

(c) All other Uses - as required by the Development Authority

## 8.11 Country Residential One (CR1) District

The Purpose of this District is to allow multi-Lot country residential development.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Single detached Dwellings
- (b) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Bed and breakfast establishments
- (b) Day homes
- (c) Family care facilities
- (d) Garage suites
- (e) Group care facilities
- (f) Group homes
- (g) Home occupations, major
- (h) Home occupations, minor
- (i) In-law suites
- (j) Institutional Uses
- (k) Manufactured homes
- (l) Parks and playgrounds
- (m) Public education facilities
- (n) Public or quasi-public Buildings and Uses
- (o) Public utilities and public utility Buildings
- (p) Recreational Buildings and Uses
- (q) Sea cans
- (r) Secondary suites
- (s) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (t) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) Minimum Lot Area
  - (i) Single detached Dwellings and manufactured homes - 0.4 ha (1 ac.)



- (ii) All other Uses - as required by the Development Authority
- (2) Minimum Floor Areas
  - (i) Single detached Dwellings - 84 m<sup>2</sup> (900 sq. ft.)
  - (ii) All other Uses - as required by the Development Authority
- (3) Minimum Yards
  - (i) For one family Dwellings with access via an internal subdivision road network:
    - (A) Front - 7.6 m (25 ft.)
    - (B) Rear - 7.6 m (25 ft.)
    - (C) Side - 7.6 m (25 ft.)
  - (ii) For development adjacent to a collector road - 50 m (165 ft.)
  - (iii) For development adjacent to an arterial road - 71 m (234 ft.)
  - (iv) For development adjacent to a road which is neither an arterial road, nor a collector road, nor an internal subdivision road - 40 m (134 ft.)
  - (v) All other Uses and situations - as required by the Development Authority
- (4) No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept on a Lot in the Country Residential District.

## 8.12 Country Residential Two (CR2) District

The Purpose of this District is to allow multi-Lot country residential development on large Lots on which, at the discretion of the Development Authority, large scale home occupations may be allowed which would not normally be allowed in the Country Residential District.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Single detached Dwellings
- (b) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Bed and breakfast establishments
- (b) Day homes
- (c) Family care facilities
- (d) Garage suites
- (e) Group care facilities
- (f) Group homes
- (g) Home occupations, major
- (h) Home occupations, minor
- (i) In-law suites
- (j) Institutional Uses
- (k) Manufactured homes
- (l) Parks and playgrounds
- (m) Public education facilities
- (n) Public or quasi-public Buildings and Uses
- (o) Public utilities and public utility Buildings
- (p) Recreational Buildings and Uses
- (q) Sea cans
- (r) Secondary suites
- (s) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (t) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) Minimum Lot Area

- (i) Single detached Dwellings and manufactured homes - 2.0 ha (5 ac.) of developable land (i.e., land which does not include sloughs, draws, gulleys, lands with high water table, or other lands which would not normally be suitable for residential development)
  - (ii) All other Uses - as required by the Development Authority
- (2) Minimum Floor Areas
  - (i) Single Detached Dwellings - 84 sq. m (900 sq. ft.)
  - (ii) All other Uses - as required by the Development Authority
- (3) Minimum Yards
  - (i) For single detached Dwellings with access via an internal subdivision road network:
    - (A) Front - 7.6 m (25 ft.)
    - (B) Rear - 7.6 m (25 ft.)
    - (C) Side - 7.6 m (25 ft.)
  - (ii) For development adjacent to a collector road - 50 m (165 ft.)
  - (iii) For development adjacent to an arterial road - 71 m (234 ft.)
  - (iv) For development adjacent to a road which is neither an arterial road, nor a collector road, nor an internal subdivision road - 40 m (134 ft.)
  - (v) All other Uses and situations - as required by the Development Authority
- (4) No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept on a Lot in the Country Residential Two District.
- (5) Notwithstanding any other provision of this Bylaw to the contrary, no more than 3 Lots for residential Uses may be allowed on that portion of NW 17-50-2-W4 lying to the south of Highway #16.

## 8.13 Urban Expansion (UE) District

The Purpose of this District is to protect the immediate vicinity of the City of Lloydminster and the Town of Vermilion, to provide for the orderly and efficient expansion of the City's and the Town's urban Uses. This District is located within an area identified in Inter-municipal Development Plans (IDPs) and there may be an Area Structure Plan (ASP) Bylaw approved to replace this district and regulate development within specific areas.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River within the area so designated on the Land Use District Map.

This District designation applies to area around two specific Urban Municipalities

- A. City of Lloydminster
- B. Town of Vermilion

### A. CITY OF LLOYDMINSTER

#### AREA STRUCTURE PLANS

The following separate ASPs, which may be amended from time to time and that where outlined to regulate specific areas indicated in the IDP for the County of Vermilion River and the City of Lloydminster, provide the regulations and policies that apply and these ASPs are called:

Central Urban Expansion Area and  
North Urban Expansion Area and  
South Urban Expansion Area

### B. TOWN OF VERMILION

### (2) PERMITTED USES

- (a) Bed and breakfast establishments
- (b) Day homes
- (c) Extensive agriculture
- (d) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Agri-tourism
- (b) Cemeteries
- (c) Churches
- (d) Country residences

- (e) Farmsteads
- (f) Guest ranches
- (g) Home occupations, major
- (h) Home occupations, minor
- (i) Institutional Uses
- (j) Intensive agriculture
- (k) Natural resource extraction industries
- (l) Public education facilities
- (m) Public or quasi-public Buildings and Uses
- (n) Public utilities and public utility Buildings
- (o) Recreational Uses
- (p) Recreational vehicle campgrounds
- (q) Veterinary services
- (r) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (s) Buildings and Uses accessory to discretionary Uses“

## (4) REGULATIONS

- (a) All applications for development permits for discretionary Uses within this District shall be submitted to the City of Lloydminster or Town of Vermilion for comments prior to the Development Authority rendering a decision on the permit. The Development Authority shall give due consideration to such comments but shall not be bound by the recommendation of the City or Town.
- (b) Minimum Lot Area
  - (i) Extensive agriculture - as provided for in the Agricultural District
  - (ii) Farmsteads - as provided for in the Special Provisions
  - (iii) Recreational Uses - 64 ha (160 ac.)
  - (iv) Other Uses - as required by the Development Authority
- (c) Minimum Front Yards
 

The minimum front yard shall be 71 m (233 ft.) from the centre line of any adjacent arterial road, 50 m (164 ft.) from the centre line of any adjacent collector road, and 40 m (131 ft.) from the centre line of any other road which is neither a collector road nor an arterial road.
- (d) Minimum Side and Rear Yards - as required by the Development Authority
- (e) The location of any shelterbelts shall be determined by the Development Authority.
- (f) In the consideration of any development proposal, the disposal of storm water may

be an issue. The Development Authority may require the submission of a storm water management plan acceptable to the County prior to considering any approval of any development, and the Development Authority may require as a condition of the approval of any development that the developer provide or agree to being responsible for the provision of whatever storm water management facilities the storm water management plan may recommend.

- (g) Notwithstanding any other regulations of this Bylaw to the contrary, no development that conflicts with an Intermunicipal Development Plan shall be allowed within this Urban Expansion (UE) District.



## 8.14 Landfill and Composting (LC) District

The Purpose of this District is to regulate landfill and composting development within the County. The interpretation of definitions of Uses in this District shall be consistent with their Use in the Alberta Environmental Protection and Enhancement Act, and the applicable regulations under that Act.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River within the area so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Compost facilities – Class I
- (b) Compost facilities – Class II
- (c) Extensive agriculture (excluding a Dwelling)
- (d) Landfills – Class II
- (e) Landfills – Class III
- (f) Public utilities and public utility Buildings
- (g) Buildings and Uses accessory to permitted Uses (excluding Dwellings)

### (3) DISCRETIONARY USES

- (a) Recycling depots
- (b) Storage Sites
- (c) Buildings and Uses accessory to discretionary Uses (excluding Dwellings)

### (4) REGULATIONS FOR COMPOST FACILITIES AND LANDFILLS

- (a) All relevant provincial authorizations shall be in place prior to commencement of operation.
- (b) Hours of public access and hours of operation for heavy machinery shall be restricted to between 7:00 a.m. and 11:00 p.m.
- (c) Litter catchment fences, satisfactory to the Development Authority, shall be placed immediately downwind (from the generally prevailing winds) of any working face to capture litter.
- (d) Perimeter fencing, consisting of a continuous chain-link fence or similar material with appropriate gate or gates and satisfactory to the Development Authority, shall



be placed around the working area for security purposes. Any gates shall be closed and locked when the compost facility or landfill is not open to the public.

- (e) The applicant shall adopt a program satisfactory to the Development Authority to retrieve litter that accumulates on Site or any litter that escapes from the Site.
- (f) If the working area would be visible from a road, there must be a visual buffer satisfactory to the Development Authority between the road and the working area to reduce visibility. The buffer may consist of a soil berm and/or a tree shelterbelt, and may be either natural or constructed.
- (g) The Site shall be manned when open to the public.
- (h) The applicant shall submit a reclamation and closure plan on terms acceptable to the Development Authority.
- (i) The developer shall enter into a development agreement with the County which, in addition to the matters indicated in Section 655(1)(b) of the Act, shall deal with:
  - (i) routing of any traffic that accesses the development,
  - (ii) road maintenance, including dust control,
  - (iii) directional signage, and
  - (iv) security for the above, and for compliance with the conditions of the development permit.

## (5) ADDITIONAL REGULATIONS FOR LANDFILLS

In addition to the requirements of Section 6.3.14.4, the developer of a landfill shall ensure that waste deposited in the working area is promptly compacted and covered to minimize odour and to minimize wind blowing litter.

## (6) ADDITIONAL REGULATIONS FOR DISCRETIONARY USES AND VARIANCES

In consideration of a development permit for a discretionary Use or for a permitted Use where the development does not comply with the regulations of this Bylaw, the Development Authority may, without in any way restricting his or her discretion, impose conditions on any approval requiring that the applicant and/or developer:

- (a) implement mitigating actions to reduce negative impact of the development on the environment,
- (b) enter into a development agreement including those matters referred to in subsection 8.5(4)(i) above,

- (c) implement recommendations contained in any Environmental Site Assessment to minimize the impact or risk from the proposed development, and
- (d) provide security satisfactory to the Development Authority to ensure the financial viability of the reclamation and closure plan.

(7) REDISTRICTING INFORMATION

In addition to the other requirements of this Bylaw, prior to Council approving an amendment to this Bylaw changing land within the County to the LC District, the applicant may be required to submit an Environmental Site Assessment and a hydrogeological report relating to the proposed Use and the environmental conditions of the Site.



## 8.15 Large Lot Residential (R) District

The Purpose of this District is to allow development of low density single family Dwellings on large Lots and associated Uses at the discretion of the Development Authority.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Single detached Dwellings
- (b) Day homes
- (c) Family care facilities
- (d) Group care facilities
- (e) Group homes
- (f) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Garage suites
- (b) Garden suites
- (c) Home occupations, major
- (d) Home occupations, minor
- (e) In-law suites
- (f) Institutional Uses
- (g) Public education facilities
- (h) Public utilities and public utility Buildings required to serve the immediate area
- (i) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (j) Buildings and Uses accessory to discretionary Uses
- (k) Secondary suites

### (4) REGULATIONS

- (a) Relating to single detached Dwellings
  - (i) Minimum Lot area – 550 sq. m (5,920 sq. ft.)
  - (ii) Minimum Lot width – 15.25 m (50 ft.) and in the case of irregularly shaped Lots, an average of 15.25 m (50 ft.)

- (iii) Minimum front yard – 7.6 m (25 ft.)
  - (iv) Minimum rear yard – 7.6 m. (25 ft.)
  - (v) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.) and 1.2 m (4 ft.) for the common side yard.
  - (vi) Minimum side yard for yard not adjacent to a road – 1.2 m (4 ft.) or 10% of Lot width, whichever is less
  - (vii) On Lots without lane access a side yard clearance of 3 m (9.84 ft.) is required for vehicle access for each Dwelling unit. This may be reduced to the minimum side yard clearance providing vehicle access to the rear yard is provided. In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required
  - (viii) Minimum floor area – 97.5 sq. m (1050 sq. ft.) for 1 storey - 97.5 sq. m (1050 sq. ft.) for 1½ storey on the main floor -111.5 sq. m (1200 sq. ft.) for 2 storeys, provided the first storey has an area of at least 74.3 sq. m (800 sq. ft.)
  - (ix) Maximum Site coverage – 50%
  - (x) Maximum Height - Main Buildings – 10.5 m (34.5 ft.) or 2 1/2 stories
  - (xi) Fencing will be required adjacent to the side and rear yards of residential development adjacent to a park or Municipal Reserve Lot.
- (b) Relating to Other Uses – at the discretion of the Development Authority

## 8.16 Low-Medium Density Residential (R1) District

The Purpose of this District is to allow development of low density single family Dwellings with some duplexes, manufactured homes, and associated Uses within the hamlets at the discretion of the Development Authority.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map – Schedule C.

### (2) PERMITTED USES

- (a) Single detached Dwellings
- (b) Day homes
- (c) Family care facilities
- (d) Group care facilities
- (e) Group homes
- (f) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Duplexes
- (b) Garage suites
- (c) Garden suites
- (d) Home occupations
- (e) Institutional Uses
- (f) Manufactured homes
- (g) Public education facilities
- (h) Public utilities and public utility Buildings required to serve the immediate area
- (i) Secondary suites
- (j) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses.
- (k) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) Relating to Single Detached Dwellings
  - (i) Minimum Lot area – 372 sq. m (4,005 sq. ft.)
  - (ii) Minimum Lot width – 15.25 m (50 ft.) and in the case of irregularly shaped Lots, an average of 15.25 m (50 ft.)

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- (iii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)
  - (iv) Minimum side yard for yard not adjacent to a road – 1.2 m (4 ft.) or 10% of Lot width, whichever is less
  - (v) On Lots without lane access a side yard clearance of 3 m (9.84 ft.) is required for vehicle access for each Dwelling unit. This may be reduced to the minimum side yard clearance providing vehicle access to the rear yard is provided. In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.
  - (vi) Minimum floor area – 84 sq. m (904 sq. ft.) for 1 storey
    - 93 sq. m (1001 sq. ft.) for 1½ storey
    - 111.5 sq. m (1200 sq. ft.) for 2 storeys, provided the first storey has an area of at least 74 sq. m (796 sq. ft.)
  - (vii) Maximum Site coverage – 50%
- (b) Relating to Duplexes
- (i) Minimum Lot area – 325 sq. m (3,500 sq. ft.) per Dwelling unit
  - (ii) Minimum Lot width – 10.6 m (35 ft.) per Dwelling unit
  - (iii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)
  - (iv) Minimum side yard for side not adjacent to a road – 1.2 m (4 ft.) or 10% of Lot width, whichever is less on one side, and nil on the other side (where the Dwelling units of a duplex adjoin)
  - (v) On Lots without lane access a side yard clearance of 3 m (9.84 ft.) is required for vehicle access for each Dwelling unit. This may be reduced to the minimum side yard clearance providing vehicle access to the rear yard is provided. In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.
  - (vi) Minimum floor area – 83.6 sq. m (900 sq. ft.) per Dwelling unit
- (c) Relating Manufactured Homes
- (i) Minimum Lot area – 372 sq. m (4,005 sq. ft.)

- (ii) Minimum Lot width – 15.25 m (50 ft.) and in the case of irregularly shaped Lots, an average of 15.25 m (50 ft.)
- (iii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)
- (iv) Minimum side yard for yard not adjacent to a road – 1.2 m (4 ft.) or 10% of Lot width, whichever is less
- (v) On Lots without lane access a side yard clearance of 3 m (9.84 ft.) is required for vehicle access for each Dwelling unit. This may be reduced to the minimum side yard clearance providing vehicle access to the rear yard is provided. In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.
- (vi) Minimum floor area – 97.5 sq. m (1050 sq. ft.)
- (d) Relating to Single Detached Dwellings, Duplexes and Manufactured Homes
  - (i) Minimum front yard – 6 m (20 ft.)
  - (ii) Minimum rear yard – 7.6 m. (25 ft.)
  - (iii) Maximum Site coverage – 40%
  - (iv) Maximum Height
    - Main Buildings – 10.5 m (34.5 ft.) or 2 1/2 stories
  - (v) Fencing will be required adjacent to the side and rear yards of residential development adjacent to a park or Municipal Reserve Lot.
- (e) Relating to Other Uses – at the discretion of the Development Authority





## 8.17 Medium-High Density Residential (R2) District

The purpose of this district is to allow subdivision and development of primarily medium density housing within the hamlets, with higher density housing at the discretion of the Development Authority.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Day homes
- (b) Duplexes
- (c) Family care facilities
- (d) Fourplexes
- (e) Group care facilities
- (f) Group homes
- (g) Row housing
- (h) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Apartments
- (b) Churches
- (c) Home occupations, major
- (d) Home occupations, minor
- (e) Institutional Uses
- (f) Public education facilities
- (g) Public or quasi-public Buildings and Uses required to serve the immediate area
- (h) Public utilities and public utility Buildings required to serve the immediate area
- (i) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses
- (j) Buildings and Uses accessory to discretionary Uses
- (k) Secondary suites

### (4) REGULATIONS

- (a) Relating to Duplexes – same as for duplexes in the R1 District

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- (b) Relating to manufactured homes – same as for manufactured homes in the R1 district.
  - (c) Relating to Fourplexes
    - (i) Maximum Site Coverage – 30%
    - (ii) Maximum Height – 11 m (36 ft.) or 3 storeys, whichever is the lesser
    - (iii) Minimum Lot size per duplex – 740 sq. m (7965 sq. ft.)
    - (iv) Minimum Floor Area per Dwelling unit – 83.6 sq. m (900 sq. ft.)
    - (v) Minimum Required Yards
      - (A) Front – 7.6 m (25 ft.)
      - (B) Side for side adjacent to a road – 4.5 m (15 ft.)
      - (C) Side for yard not adjacent to a road – 1.2 m (5 ft.) or 10% of Lot width, whichever is less
      - (D) Rear – one-half the height of the Building or 7.6 m (25 ft.), whichever is the greater
      - (E) Minimum Proportion of Site Covered in Landscaping – 30%.
  - (d) Relating to Row housing
    - (i) Minimum Lot Requirements for Row Housing – at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the Site is located, and all other requirements of this section.
    - (ii) Maximum density – 40 Dwelling units per ha (16 per ac.)
    - (iii) Minimum Yard Requirements
      - (A) Front yard – 7.6 m (25 ft.)
      - (B) Side yard for side adjacent to a road – 4.5 m (15 ft.)
      - (C) Side yard for side not adjacent to a road – 1.2 m (5 ft.) or 10% of Lot width, whichever is less
      - (D) Rear yard – 7.6 m (25 ft.)
    - (iv) Maximum Lot Coverage – 30%
    - (v) Each Dwelling unit shall have an outdoor living area immediately adjacent to it and accessible to it via an entranceway. The minimum depth of this area shall be 7.6 m (25 ft.). Within this area, there shall be a privacy zone measuring a

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minimum of 4.5 m (14.75 ft.) in depth, contained by a fence with a minimum height of 1.5 m (5 ft.).

- (f) Relating to Apartments
  - (i) Maximum density – 85 Dwelling units per ha (34 per ac.)
  - (ii) Minimum Lot Area – 800 m<sup>2</sup> (8611 sq. ft.)
  - (iii) Maximum Building Height – 11.0 m (36 ft.)
  - (iv) Maximum Lot Coverage – 30%
  - (v) Maximum Floor/Area Ratio – 0.60
  - (vi) Minimum Yard Requirements
    - (A) Front yard – 9.1 m (30 ft.)
    - (B) The greater of 40% of the Building height or 15% of the Lot width
    - (C) Rear yard – 9.1 m (30 ft.)
  - (vii) A minimum of 10% of the Lot area shall be landscaped to the satisfaction of the Development Authority
  - (viii) Each development shall provide, outside of required side yards, landscaped area on the basis of the following formula:
    - (A) for each bachelor Dwelling unit – 18.5 m<sup>2</sup> (200 sq. ft.)
    - (B) For each one bedroom Dwelling unit – 28.0 m<sup>2</sup> (300 sq. ft.)
    - (C) For each two bedroom Dwelling unit – 70 m<sup>2</sup> (750 sq. ft.)
    - (D) For each Dwelling unit with three or more bedrooms – 93.0 m<sup>2</sup> (1000 sq. ft.)
- (f) Relating to Other Uses – at the discretion of the Development Authority



## 8.18 Commercial (C1) District

The Purpose of this District is to allow development of extensive land using industrial, warehousing, service, and commercial Uses in various locations, which have very good accessibility where the demand for large Lots for such Uses is increasing.

Sub-Section  
Amended by  
Bylaw 15-21

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map.

As well as County approval, any development within this District may require an approval by a Provincial agency. If such Provincial approval is required, issuance of the Provincial

### (2) PERMITTED USES

- (a) Agri-tourism
- (b) Commercial Uses (excepting those listed as Discretionary Uses in this District)
- (c) Dwelling units in Buildings where there is a commercial Use on the ground floor
- (d) Farming
- (e) Highway maintenance yards, signs, weigh scales, and campsites
- (f) Institutional Uses
- (g) Participant recreation facilities
- (h) Public or quasi-public Buildings and Uses
- (i) Public utilities and public utility Buildings
- (j) Recreational Uses
- (k) Veterinary services
- (l) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Bulk fuel storage and sales
- (b) Dwellings existing as of the date of the approval of this Bylaw
- (c) Home occupations, major
- (d) Home occupations, minor
- (e) Intensive agriculture
- (f) Licensed Medical Marijuana Production Facility
- (g) Light industry
- (h) Natural resource extraction industries
- (i) Outdoor storage
- (j) Private liquor sale and storage facilities

- 
- (k) Signs that advertise businesses not located on the Lot on which the sign is located
  - (l) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses or required to serve the traveling public
  - (m) Buildings and Uses accessory to discretionary Uses
- (4) REGULATIONS
- (a) Minimum Lot Area – Permitted Uses
    - Farming — one quarter-section except where the Lot is subject to:
      - (i) an approved discretionary Use,
      - (ii) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or
      - (iii) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.
  - (b) Minimum Lot Area — Discretionary Uses
    - As required by the Development Authority
  - (c) Minimum Front Yard — As required by the designated setbacks shown in **Table 1** in **Section 6.1**; excluding provincial highways, which are subject to Alberta Transportation regulations. Setbacks from roadways are measured from right-of-way centreline.
  - (d) Minimum Side and Rear Yards — as required by the Development Authority
  - (e) The location of any shelterbelts shall be determined by the Development Authority
  - (f) In the consideration of any development proposal, adequate access to Highway # 16 or Highway # 17 will be an issue.
    - (i) Any development approval may be conditional upon the developer providing or agreeing to being responsible for the provision of whatever access or access improvements Alberta Transportation or the County may require to any road.
  - (g) Development proposals may be circulated to the City of Lloydminster or Town of Vermilion for comment prior to any consideration for approval. The comments of the City or Town will be carefully considered by the Development Authority; however, the Development

Authority will not be bound by the City's or Town's comments or recommendations.

(2) EXCEPTIONS

- (a) Notwithstanding any other provision of this Bylaw to the contrary, a grain elevator and grain handling facility may be constructed in that portion of NW 27- 50-6-W4 lying to the south of the Canadian National Railways right-of-way to a maximum height of 72 m (236.2 ft.), together with Uses accessory to a grain elevator and a grain handling facility. As a condition of the approval of a development permit for such a facility, the Development Authority may impose such conditions pursuant to **Section 11** that in his discretion are necessary to allow the Vermilion Airport to continue to function.
- (b) Notwithstanding any other provision of this Bylaw to the contrary, Dwellings existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the Building.





## 8.19 Rural Industrial (RM) District

The Purpose of this District is to allow the development of rural industry and associated Uses within the rural portions of the County.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Agricultural support services
- (b) Extensive agriculture
- (c) Intensive agriculture
- (d) Rural industries
- (e) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Licensed Industrial Hemp Production Facility
- (b) Natural resource extraction industries
- (c) Outdoor storage
- (d) Public utilities and public utility Buildings
- (e) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted Uses.
- (f) Buildings and Uses accessory to discretionary Uses

Amended by  
Bylaw 15-21

### (4) REGULATIONS

- (a) All Site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.
- (b) Some developments may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land Uses in or outside this District. These Uses may be restricted by the Development Authority to particular areas of the District, or may be subject to special regulations or conditions of approval.
- (c) Notwithstanding any provision to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances shown in Figure 6,

Amended by  
Bylaw 15-21

Section 6.1, apply to all development, at the discretion of the Development Authority.

## 8.20 Light Industrial (M1) District

The Purpose of this District is to allow for development of light industrial Uses in the County.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (f) Equipment rental establishments
- (g) Extensive agriculture
- (h) Light industry
- (i) Medium industry
- (j) Offices
- (k) Outdoor storage
- (l) Public or quasi-public Buildings and Uses
- (m) Public utilities and public utility Buildings
- (n) Storage Buildings
- (o) Warehousing
- (p) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted Uses.
- (b) Buildings and Uses accessory to discretionary Uses
- (c) Licensed Industrial Hemp Production Facility

Amended by  
Bylaw 15-21

### (4) REGULATIONS

- (a) Minimum Lot area – 4000 sq. m (43,055 sq. ft.)
- (b) Minimum Lot width – 15.25 m (50 ft.)
- (c) Required Yards
  - (i) Minimum front yard – 12 m (40 ft.), except for Lots with a depth of less than 38 m (125 ft.), the minimum front yard shall be 6 m (20 ft.)
  - (ii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)

- (iii) Minimum side yard for yard not adjacent to a road – 3.0 m (10 ft.) or half the height of the Building, whichever is the greater
- (iv) Minimum rear yard – 6 m (20 ft.)
- (d) Maximum height – 15.25 m (50 ft.), except for communications towers, which shall have a maximum height of 30.5 m (100 ft.)
- (e) Maximum Site coverage – 60%
- (f) If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter
- (g) In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority.
- (h) Notwithstanding any provision to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances shown in Figure 6, Section 6.1, apply to all development, at the discretion of the Development Authority.

Amended by  
Bylaw 15-21

## 8.21 Heavy Industrial (MH) District

The Purpose of this District is to allow for development of heavy industrial Uses in the County.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Equipment rental establishments
- (b) Extensive agriculture
- (c) Light industry
- (d) Medium industry
- (e) Offices
- (f) Outdoor storage
- (g) Public or quasi-public Buildings and Uses
- (h) Public utilities and public utility Buildings
- (i) Storage Buildings
- (j) Warehousing
- (k) Buildings and Uses accessory to permitted Uses, not including Dwelling units of any kind

### (3) DISCRETIONARY USES

Amended by  
Bylaw 15-21

- (a) Heavy industry
- (b) Licensed Industrial Hemp Production Facility
- (c) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses.
- (d) Buildings and Uses accessory to discretionary Uses, not including Dwelling units of any kind

### (4) REGULATIONS

- (a) Minimum Lot area – 4000 sq. m (43,055 sq. ft.)
- (b) Minimum Lot width – 15.25 m (50 ft.)
- (c) Required Yards
  - (i) Minimum front yard – 12 m (40 ft.), except for Lots with a depth of less than 38 m (125 ft.), the minimum front yard shall be 6 m (20 ft.)

- (ii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)
- (iii) Minimum side yard for yard not adjacent to a road – 3.0 m (10 ft.) or half the height of the Building, whichever is the greater
- (iv) Minimum rear yard – 6 m (20 ft.)
- (d) Maximum height – 15.25 m (50 ft.), except for communications towers, which shall have a maximum height of 30.5 m (100 ft.)
- (e) Maximum Site coverage – 60%
- (f) If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter
- (g) In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority.
- (h) Notwithstanding any provision to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances shown in Figure 6, Section 6.1, apply to all development, at the discretion of the Development Authority.“

Amended by  
Bylaw 15-21

## 8.22 Parks and Recreation (PR) District

The Purpose of this District is to allow for development of a variety of public and non-public recreation Uses and parks, and also to allow for utilities.

### (1) DISTRICT BOUNDARIES

This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

### (2) PERMITTED USES

- (a) Institutional Uses
- (b) Parks and playgrounds
- (c) Public or quasi-public Buildings and Uses
- (d) Public utilities and public utility Buildings
- (e) Recreational Uses
- (f) Buildings and Uses accessory to permitted Uses

### (3) DISCRETIONARY USES

- (a) Billboards
- (b) Greenhouses and plant nurseries
- (c) Health services
- (d) Participant recreation services
- (e) Recreational vehicle campgrounds
- (f) Restaurants, but only as accessory Uses to a permitted Use or another discretionary Use
- (g) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary Uses.
- (h) Buildings and Uses accessory to discretionary Uses

### (4) REGULATIONS

- (a) Minimum Lot area – 371 sq. m (3993 sq. ft.)
- (b) Required Yards
  - (i) Minimum front yard – 7.6 m (25 ft.)
  - (ii) Minimum side yard for yard adjacent to a road – 4.5 m (15 ft.)
  - (iii) Minimum side yard for yard not adjacent to a road – 3.0 m (10 ft.) or half the height of the Building, whichever is the greater



- (iv) Minimum rear yard – 7.6 m (25 ft.)
- (c) Maximum height – 20 m (65.6 ft.)
- (d) All lands within the Parks and Recreation District shall be landscaped and fenced to the satisfaction of the Development Authority.

## 8.23 North Gateway Direct Control (NGDC) District

### (1) General Purpose and Intent

This land Use district is intended specifically to provide for land Use(s), subdivision(s) and development(s) in accordance with and as specified in the North 41 Gateway Area Structure Plan (ASP), being Bylaw No. 10-11, and any amendment thereto. The NGDC District applies to the lands within the North 41 Gateway ASP boundary as indicated on Figure 9 of the ASP and will be assigned to these lands when the County considers it appropriate to do so, a prerequisite of which being the submission of subdivision and/or development permit applications deemed by the County to be in their complete form and consistent with this ASP.

The purpose of the North 41 Gateway ASP is to establish the future road layout, land Uses and related provisions and highway access management in relation to Highway 41 for these lands. The vision is to create a realistic supply of unserved, large-Lot commercial/industrial land along Highway 41 at the northern entrance to the Town of Vermilion as well as to west and north of the existing waste transfer station and the old landfill. The remainder of the ASP area provides for unserved, large-Lot country residential Lots. Lots adjacent to Highway 41 will be expected to adhere to a reasonable standard of development and landscaping to maintain a positive visual image at the Town's northern gateway.

This land Use district, in tandem with the ASP on which it is based, provides the ways and means necessary to ensure that the future Use, subdivision and development of the subject lands occurs in a planned manner and that the processing of subsequent subdivision and development permit applications can be carried out with efficiency and clarity. Council, at their discretion, who may delegate their discretion to the Subdivision Authority or Development Authority, may allow for the Uses, subdivision and development provided for these lands within the North 41 Gateway ASP.

### (2) Section 8.22(2) applies to the lands designated Unserved Commercial/Industrial on Figure 9 of the North 41 Gateway Area Structure Plan, being Bylaw 10-11, and amendments thereto.

#### (a) Permitted Uses

- (i) Accessory Buildings
- (ii) All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this land Use district was assigned and came into force
- (iii) Contractor service, general
- (iv) Contractor service, limited
- (v) Heavy truck and equipment storage
- (vi) Natural resource extraction industries

- 
- (vii) Outdoor storage
  - (viii) Public utilities and public utility Buildings
  - (ix) Public utility Buildings
  - (x) Recreational vehicle storage
  - (xi) Recycling depot
  - (xii) Recycling drop-off
  - (xiii) Transportation facilities
  - (xiv) Warehouse facilities
- (b) Discretionary Uses
- (i) Accessory Uses
  - (ii) Agricultural support services
  - (iii) Equipment fabrication
  - (iv) Retail establishment with retail floor space not exceed 190.0 m2 (2,045.0 sq. ft.) associated with a permitted or discretionary Use
  - (v) Animal breeding and/or boarding facility
  - (vi) Intensive agriculture
  - (vii) Stockpile Site
  - (viii) Surveillance suites
  - (ix) Temporary Buildings and Uses
  - (x) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses, and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.
- (3) Section 8.22(3) applies to the lands designated Unserviced Commercial/Industrial – Surface Storage Only on Figure 9 of the North 41 Gateway Area Structure Plan, being Bylaw 10-11, and amendments thereto.
- (a) Permitted Uses
- (i) Accessory Buildings
  - (ii) Heavy truck and equipment storage
  - (iii) Natural resource extraction industries
  - (iv) Outdoor storage
  - (v) Public utilities and public utility Buildings
  - (vi) Recreational vehicle storage
  - (vii) Transportation facilities
- (b) Discretionary Uses
- (i) Accessory Uses
  - (ii) Contractor service, general
  - (iii) Contractor services, limited
  - (iv) Temporary Buildings and Uses
  - (v) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses,

and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.

- (4) Section 8.22(4) applies to the lands designated Country Residential on Figure 9 of the North 41 Gateway Area Structure Plan, being Bylaw 10-11, and amendments thereto.
  - (a) Permitted Uses
    - (i) Accessory Buildings
    - (ii) All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this land Use district was assigned and came into force
    - (iii) Bed and breakfast establishments
    - (iv) Boarding houses
    - (v) Home occupation, minor
    - (vi) Manufactured homes
    - (vii) Public utilities
    - (viii) Single detached Dwellings
  - (b) Discretionary Uses
    - (i) Accessory Uses
    - (ii) Home occupation, major
    - (iii) Public utility Buildings
    - (iv) Temporary Buildings and Uses
    - (v) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses, and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.
- (5) Minimum Site Provisions – Specific to Unserviced Commercial/Industrial
  - (a) The minimum Site area shall be 1.0 ha. The minimum Site area may be increased at the discretion of the Subdivision or Development Authorities, as the case may be, who shall take into account the general purpose and intent of this land Use district, the location and setbacks of adjacent land Uses and Buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this land Use district and as prescribed elsewhere in this Bylaw. In the case of the areas within the Unserviced Commercial/Industrial – Surface Storage Uses Only designation on Figure 9, minimum Site area is 2.0 ha.
  - (b) The minimum front yard distance shall be 15.0 m from the front yard property line adjacent to an internal subdivision road and 30.0 m from the property line adjoining any other road.

- (c) The minimum side yard distances shall be 6.0 m, except for a corner parcel where the side yard requirement shall be at least 15.0 m from a side yard bounded by an internal road and 30.0 m bounded by any other road.
  - (d) The minimum rear yard distance shall be 7.6 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 15.0 m.
  - (e) All development within the Lot shall not exceed 0.5 times the Site area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- (6) Minimum Site Provisions – Specific to Country Residential

For the lands within the Country Residential designation on Figure 9 of the North 41 Gateway Area Structure Plan, being Bylaw 10-11, and amendments thereto:

- (a) The minimum Site area shall be 2.0 ha.
  - (b) The minimum front yard distance shall be 15.0 m from the front yard property line adjacent to an internal subdivision road and 30.0 m from the property line adjoining any other road.
  - (c) The minimum side yard distance shall be 15.0 m, except where a side yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 30.0 m.
  - (d) The minimum rear yard distance shall be 15.0 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 30.0 m.
  - (e) All development within the Lot shall not exceed 0.2 times the Site area.
  - (f) No more than one (1) Dwelling shall be allowed per Lot.
  - (g) No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept.
- (7) Building Height

The height of a Building shall be at the discretion of the Development Authority who shall take the following into account in determining height:

- (a) The topography of the parcel upon which the Building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the Building.
- (b) The height of a Building shall be in proportion with the principal and accessory Buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
- (c) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.

(8) Design, Character and Appearance of Buildings

The design, siting, external finish, architectural appearance and landscaping generally, of all Buildings, including any accessory Buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent Buildings, and adequate protection afforded to the amenities of adjacent properties. As a condition of a development permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.

(9) Other Provisions

- (a) No activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the Use, enjoyment or value of neighbouring properties by reason of noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.
- (b) To determine if the subject land is suitable for and can physically support/sustain the proposed Use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The development Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.
- (c) To the level of detail determined by the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed Use, subdivision and/or development, including intended hours of operation, so that their applications can be thoroughly evaluated in accordance with this land Use district.

- (d) Upon receipt of a completed application, the Development Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed Building or other improvement that is the subject of the application.
- (e) The Development Authority may:
  - (i) As a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County.
  - (ii) As a condition of approval, require financial guarantees, in a form and an amount acceptable to the County, from the applicant to secure performance of any of the conditions of the approval; and/or,
  - (iii) Revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, disposal of sewage and road access, or any of them.
- (f) In the case of new construction, the Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the Building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer upon completion of the Building foundation and prior to commencement of framing or further structural construction to ensure that the Building(s) is (are) Sited according to the provisions of the development permit and any other relevant provisions of the Bylaw.
- (g) The Development Authority may stipulate the times of the day or week during which an approved Use or development may operate as well as the length of time its approval remains in effect.
- (h) As a condition of approval, the Development Authority may require that an approved Use or development be screened from public thoroughfares and adjacent residential Uses by a solid wall, fence or other means in a manner and to a height satisfactory to them.
- (i) The Development Authority may issue a temporary development permit where the Development Authority is of the opinion that the proposed Use is of a temporary nature.

- (j) If at any time, in the opinion of the Development Authority, any of the provisions of this land Use district have not been complied with, the Development Authority may utilize the enforcement mechanisms available under the Municipal Government Act.
- (k) Unless contrary to any provisions of this land Use district, or the North 41 Gateway Area Structure Plan to which this land Use district is tied, or if this land Use district or the North 41 Gateway Area Structure Plan to which this district is tied already specifies provisions, in which case, this land Use district and the North 41 Gateway Area Structure Plan to which this district is tied shall prevail, all other provisions in the Land Use Bylaw shall apply.





## 8.24 Crossroads Direct Control (CDC) District

### (1) General Purpose and Intent

This land Use district is intended specifically to provide for land Use(s), subdivision(s) and development(s) in accordance with and as specified in the Crossroads Area Structure Plan (ASP), being Bylaw No. 10-15, and any amendments thereto. The CDC District applies to the lands within the Crossroads ASP boundary as indicated on Figure 12 of ASP and will be assigned to these lands when the County considers it appropriate to do so, a prerequisite of which being the submission of subdivision and/or development permit applications deemed by the County to be in their complete form and consistent with this ASP.

The purpose of the Crossroads ASP is to establish the future road layout, land Uses and related provisions and highway access management in relation to Highway 41 for these lands. The vision is to create a realistic supply of unserved, large-Lot commercial/industrial land along Highway 41, Highway 16 and surrounding the Auction Mart. The ASP area also sets aside a small area for unserved, large-Lot country residential Lots. The majority of the ASP area south of Highway 16 is to remain agricultural. Lots adjacent to Highway 16 and Highway 41 will be expected to adhere to a reasonable standard of development and landscaping to maintain a positive visual image along these primary highway corridors and Highway 16.

The land Use district, in tandem with the ASP on which it is based, provides the ways and means necessary to ensure that the future Use, subdivision and development of the subject lands occurs in a planned manner and that the processing of subsequent subdivision and development permit applications can be carried out with efficiency and clarity. Council, at their discretion, who may delegate their discretion to the Subdivision Authority or Development Authority, may allow for the Uses, subdivision and development provided for these lands within the Crossroads ASP.

### (2) Section 8.22(2) applies to the lands designated Unserved Commercial/Industrial on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto.

#### (a) Permitted Uses

- (i) Accessory Buildings
- (ii) All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this land Use district was assigned and came into force
- (iii) Contractor service, general
- (iv) Contractor service, limited
- (v) Heavy truck and equipment storage
- (vi) Natural resource extraction industries

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- (vii) Outdoor storage
  - (viii) Public utilities and public utility Buildings
  - (ix) Recreational vehicle storage
  - (x) Recycling depot
  - (xi) Recycling drop-off
  - (xii) Transportation facilities
  - (xiii) Warehouse facilities
  
  - (b) Discretionary Uses
    - (i) Accessory Uses
    - (ii) Agricultural support services
    - (iii) Equipment fabrication
    - (iv) Retail establishment with retail floor space not exceed 190.0 m<sup>2</sup> (2,045.0 sq. ft.) associated with a permitted or discretionary Use
    - (v) Animal breeding and/or boarding facility
    - (vi) Intensive agriculture
    - (vii) Stockpile Site
    - (viii) Surveillance suites
    - (ix) Temporary Buildings and Uses
    - (x) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses, and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.
  
  - (3) Section 8.22(3) applies to the lands designated Unserviced Industrial on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto.
    - (a) Permitted Uses
      - (i) Accessory Buildings
      - (ii) Agricultural support services
      - (iii) All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this land Use district was assigned and came into effect
      - (iv) Animal breeding and/or boarding facilities
      - (v) Auctioneering establishment
      - (vi) Contractor service, general
      - (vii) Contractor service, limited
      - (viii) Equipment fabrication
      - (ix) Heavy truck and equipment storage
      - (x) Natural resource extraction industries
      - (xi) Outdoor storage
      - (xii) Public utilities and public utility Buildings
      - (xiii) Recreational vehicle storage
      - (xiv) Recycling depot
      - (xv) Recycling drop-off facilities
-

- (xvi) Stockpile Sites
- (xvii) Transportation facilities
- (xviii) Veterinary clinics
- (xix) Warehouse facilities
- (b) Discretionary Uses
  - (i) Abattoirs
  - (ii) Accessory Uses
  - (iii) Car wash establishments
  - (iv) Intensive agriculture
  - (v) Retail establishment with retail floor space not exceed 190.0 m2 (2,045.0 sq. ft.) associated with a permitted or discretionary Use
  - (vi) Surveillance suites
  - (vii) Temporary Buildings and Uses
  - (viii) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses, and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.
  - (ix) Unserved industrial Uses
  - (x) Unserved industrial parks
- (4) Section 8.22(4) applies to the lands designated Country Residential on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto.
  - (a) Permitted Uses
    - (i) Accessory Buildings
    - (ii) All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this land Use district was assigned and came into force
    - (iii) Bed and breakfast establishments
    - (iv) Boarding houses
    - (v) Home occupation, minor
    - (vi) Manufactured homes
    - (vii) Public utilities
    - (viii) Single detached Dwellings
  - (b) Discretionary Uses
    - (i) Accessory Uses
    - (ii) Home occupation, major
    - (iii) Public utility Buildings
    - (iv) Temporary Buildings and Uses
    - (v) Those Use which, in the opinion of the Development Authority or Subdivision Authority, are similar to the permitted or discretionary Uses, and which conform to the general purpose and intent of this land Use district and the North 41 Gateway Area Structure Plan upon which it is based.

(5) Minimum Site Provisions – Specific to Unserviced Commercial/Industrial and Unserviced Industrial

For the lands within the Unserviced Commercial/Industrial Designation on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto:

- (a) The minimum Site area shall be 1.0 ha. The minimum Site area may be increased at the discretion of the Subdivision or Development Authorities, as the case may be, who shall take into account the general purpose and intent of this land Use district, the location and setbacks of adjacent land Uses and Buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this land Use district and as prescribed elsewhere in this Bylaw. In the case of the areas within the Unserviced Industrial designation on Figure 12, minimum Site area is 2.0 ha.
- (b) The minimum front yard distance shall be 15.0 m from the front yard property line adjacent to an internal subdivision road and 30.0 m from the property line adjoining any other road.
- (c) The minimum side yard distances shall be 6.0 m, except for a corner parcel where the side yard requirement shall be at least 15.0 m from a side yard bounded by an internal road and 30.0 m bounded by any other road.
- (d) The minimum rear yard distance shall be 7.6 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 15.0 m.
- (e) All development within the Lot shall not exceed 0.5 times the Site area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(6) Minimum Site Provisions – Specific to Country Residential

For the lands within the Country Residential designation on Figure 9 of the North 41 Gateway Area Structure Plan, being Bylaw 10-11, and amendments thereto:

- (a) The minimum Site area shall be 2.0 ha.
- (b) The minimum front yard distance shall be 15.0 m from the front yard property line adjacent to an internal subdivision road and 30.0 m from the property line adjoining any other road.

- (c) The minimum side yard distance shall be 15.0 m, except where a side yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 30.0 m.
- (d) The minimum rear yard distance shall be 15.0 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 30.0 m.
- (e) All development within the Lot shall not exceed 0.2 times the Site area.
- (f) No more than one (1) Dwelling shall be allowed per Lot.
- (g) No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept.

## (7) Building Height

The height of a Building shall be at the discretion of the Development Authority who shall take the following into account in determining height:

- (a) The topography of the parcel upon which the Building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the Building.
- (b) The height of a Building shall be in proportion with the principal and accessory Buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
- (c) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of fire fighting equipment and personnel.

## (8) Design, Character and Appearance of Buildings

The design, siting, external finish, architectural appearance and landscaping generally, of all Buildings, including any accessory Buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent Buildings, and adequate protection afforded to the amenities of adjacent properties. As a condition of a development permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.

## (9) Other Provisions

- (a) In areas designated Unserviced Commercial/Industrial or Country Residential on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto, no activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the Use, enjoyment or value of neighbouring properties by reason of noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials
- (b) In areas within the Unserviced Industrial designation on Figure 12 of the Crossroads Area Structure Plan, being Bylaw 10-15, and amendments thereto, no activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the Use, enjoyment or value of neighbouring properties by reasons of excessive/unreasonable noise, smoke, steam, odour, glare, dust, vibration refuse matter or other noxious emissions or containment of hazardous materials.
- (c) To determine if the subject land is suitable for and can physically support/sustain the proposed Use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The development Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.
- (d) To the level of detail determined by the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed Use, subdivision and/or development, including intended hours of operation, so that their applications can be thoroughly evaluated in accordance with this land Use district.
- (e) Upon receipt of a completed application, the Development Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed Building or other improvement that is the subject of the application.
- (f) The Development Authority may:
  - i. As a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County.

- ii. As a condition of approval, require financial guarantees, in a form and an amount acceptable to the County, from the applicant to secure performance of any of the conditions of the approval; and/or,
  - iii. Revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, disposal of sewage and road access, or any of them.
- (g) In the case of new construction, the Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the Building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer upon completion of the Building foundation and prior to commencement of framing or further structural construction to ensure that the Building(s) is (are) Sited according to the provisions of the development permit and any other relevant provisions of the Bylaw.
- (h) The Development Authority may stipulate the times of the day or week during which an approved Use or development may operate as well as the length of time its approval remains in effect.
- (i) As a condition of approval, the Development Authority may require that an approved Use or development be screened from public thoroughfares and adjacent residential Uses by a solid wall, fence or other means in a manner and to a height satisfactory to them.
- (j) The Development Authority may issue a temporary development permit where the Development Authority is of the opinion that the proposed Use is of a temporary nature.
- (k) If at any time, in the opinion of the Development Authority, any of the provisions of this land Use district have not been complied with, the Development Authority may utilize the enforcement mechanisms available under the Municipal Government Act.
- (l) Unless contrary to any provisions of this land Use district, or the Crossroads Area Structure Plan to which this land Use district is tied, or if this land Use district or the Crossroads Area Structure Plan to which this district is tied already specifies provisions, in which case, this land Use district and the Crossroads Area Structure Plan to which this district is tied shall prevail, all other provisions in the Land Use Bylaw shall apply.





# 9 | Overlays

## 9.1 Environmentally Sensitive Areas Overlay

### (1) Purpose

The Environmentally Sensitive Areas Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

The purpose of the Environmentally Sensitive Areas Overlay is to identify areas in the County where either:

- (i) the physical characteristics of the land may make development difficult or unfeasible, or
- (j) the land has been designated as environmentally sensitive or significant.

Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development Sites.

### (2) Applicability

Within the Environmentally Sensitive Areas Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan, the regulations of this Section apply in addition to the other regulations of this Bylaw.

### (3) Uses

Within the Environmentally Sensitive Areas Overlay, the Uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and this Bylaw.

### (4) Regulations

The Development Authority shall require that any proposal for development within the Environmentally Sensitive Areas Overlay area be accompanied, by either or both, of a flood susceptibility analysis or a bank stability analysis by registered professional engineers that assess the suitability of the subject Site and the proposed development from the points of view of flood susceptibility and/or bank stability. Further, if a development is approved after such an analysis is provided, the Development Authority shall require that any recommendations of the analysis be implemented by the landowner/developer and registered against the title of the

subject lands so as to warn future landowners of the engineering requirements for development.

# 10 | Land Use District Maps

The following maps represent the Land Use District Map for the County of Vermilion River.

## 10.1 County Map

Amended by  
Bylaw 13-19

Amended by  
Bylaw 14-05

Amended by  
Bylaw 14-08

Amended by  
Bylaw 14-11

Amended by  
Bylaw 14-22

Amended by  
Bylaw 15-05

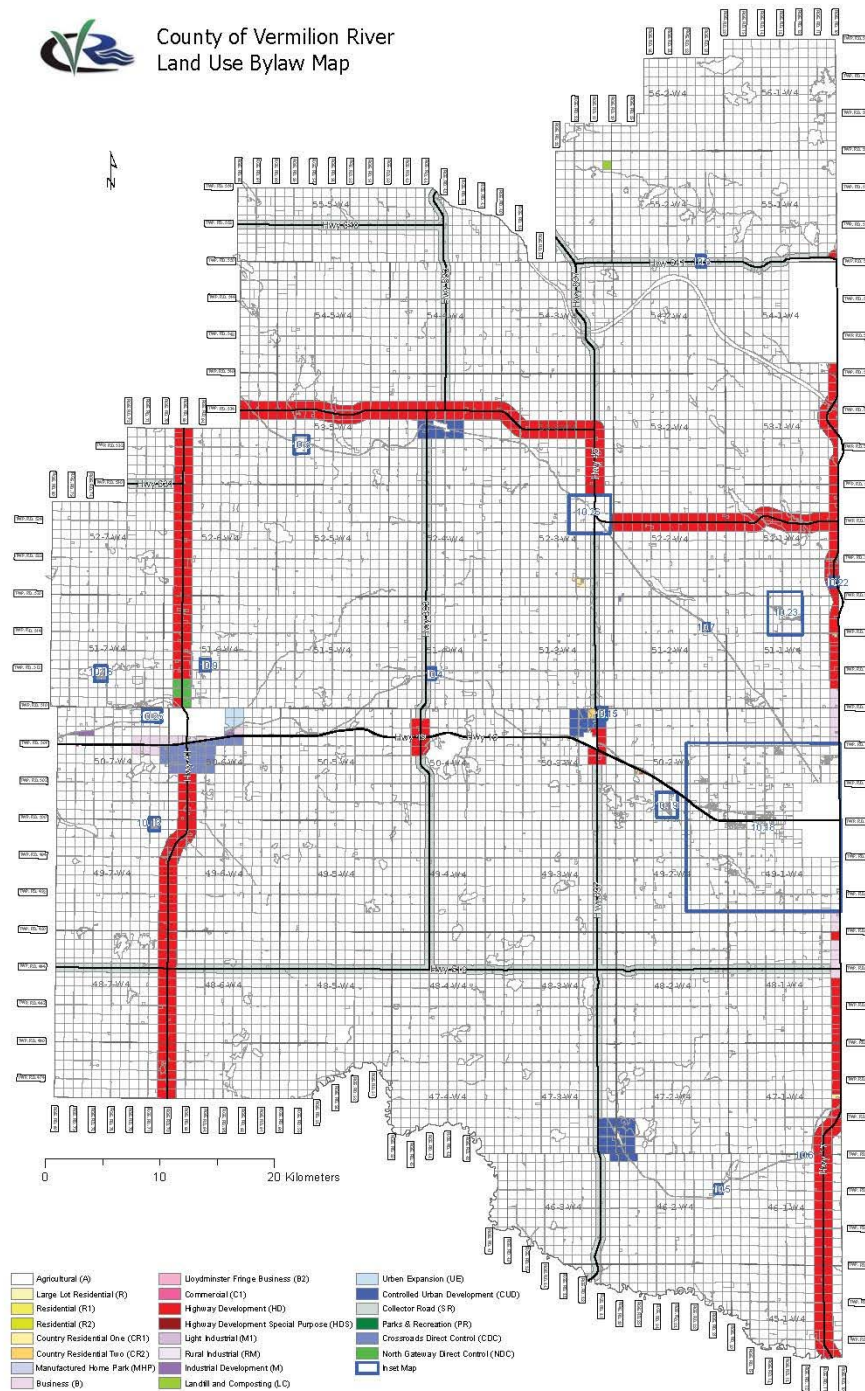
Amended by  
Bylaw 15-30

Amended by  
Bylaw 15-21

Amended by  
Bylaw 16-05

Amended by  
Bylaw 16-14

Amended by  
Bylaw 18-01



10.2 Blackfoot

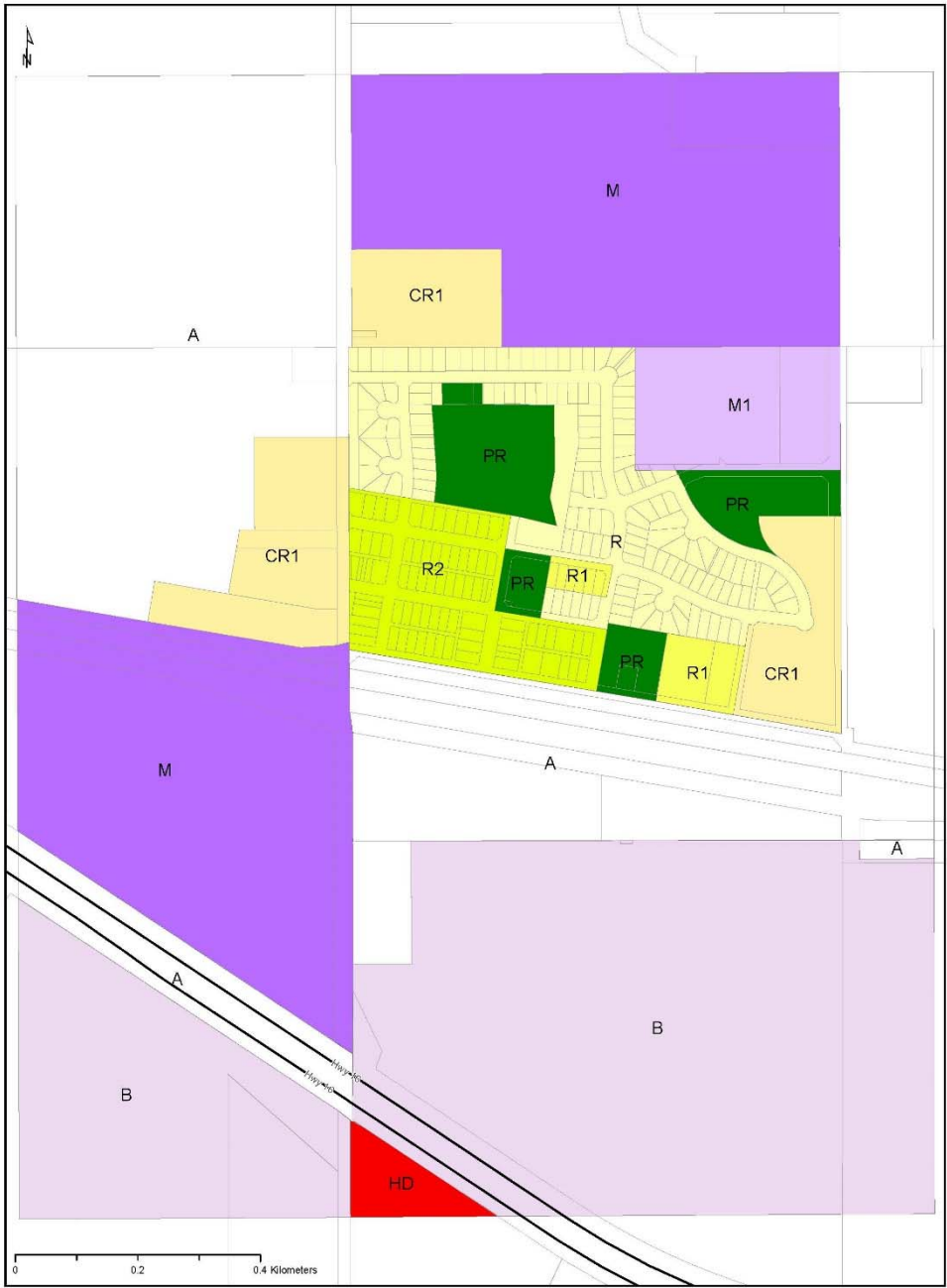


County of Vermilion River  
Land Use Bylaw Map - Blackfoot

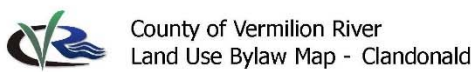
Inset Number 10.2

- |                           |                               |                            |
|---------------------------|-------------------------------|----------------------------|
| Agricultural (A)          | Residential (R2)              | Highway Development (HD)   |
| Large Lot Residential (R) | Country Residential One (CR1) | Light Industrial (M1)      |
| Residential (R1)          | Business (B)                  | Industrial Development (M) |
|                           |                               | Parks & Recreation (PR)    |

Amended by  
Bylaw 14-22



10.3 Clandonald



Inset Number 10.3

Amended by  
Bylaw 14-22



10.4 Islay

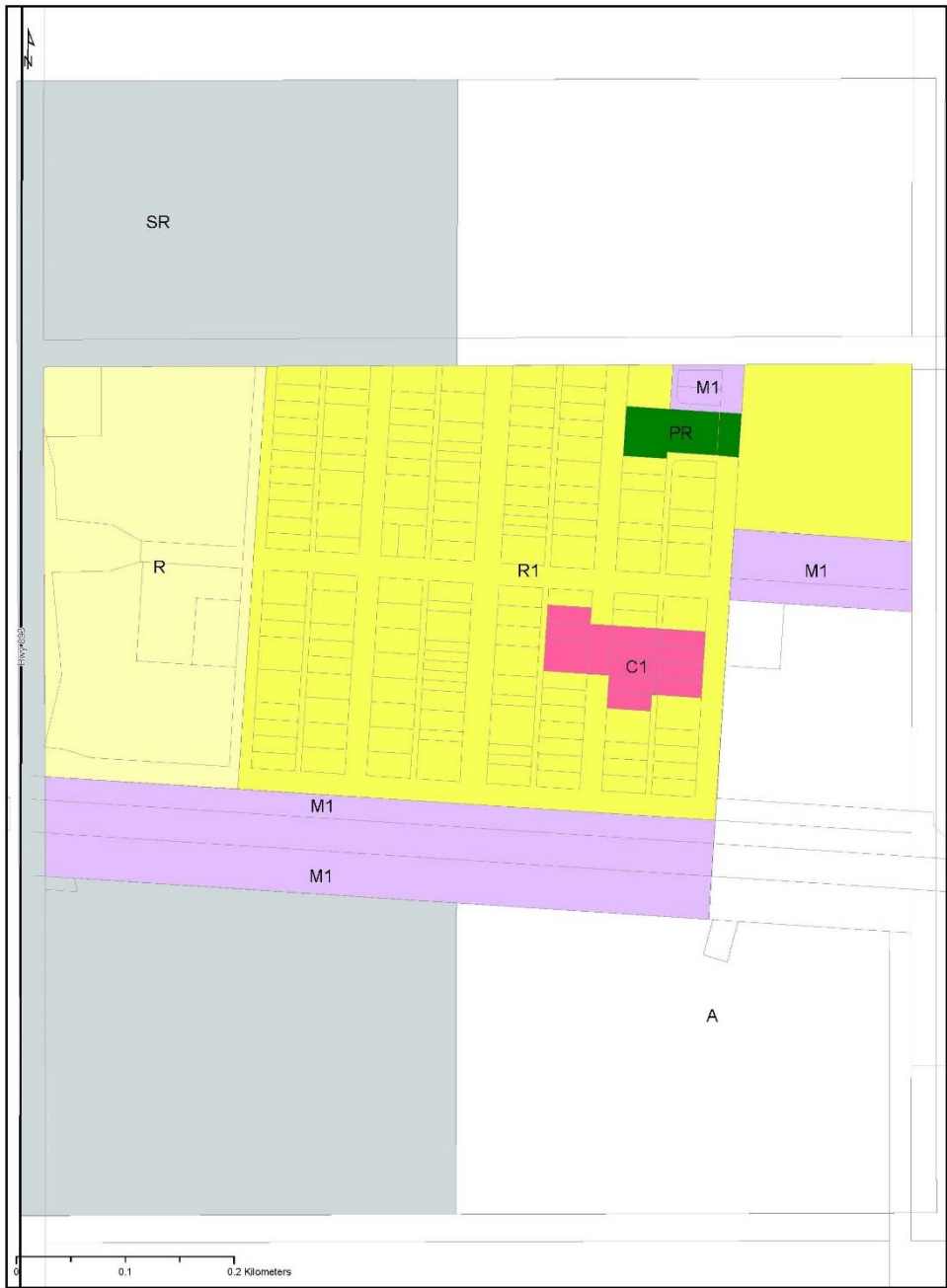


County of Vermilion River  
Land Use Bylaw Map - Islay

Inset Number 10.4


- Agricultural (A)
- Residential (R1)
- Light Industrial (M1)
- Large Lot Residential (R)
- Commercial (C1)
- Collector Road (SR)
- Parks & Recreation (PR)

Amended by  
Bylaw 14-22





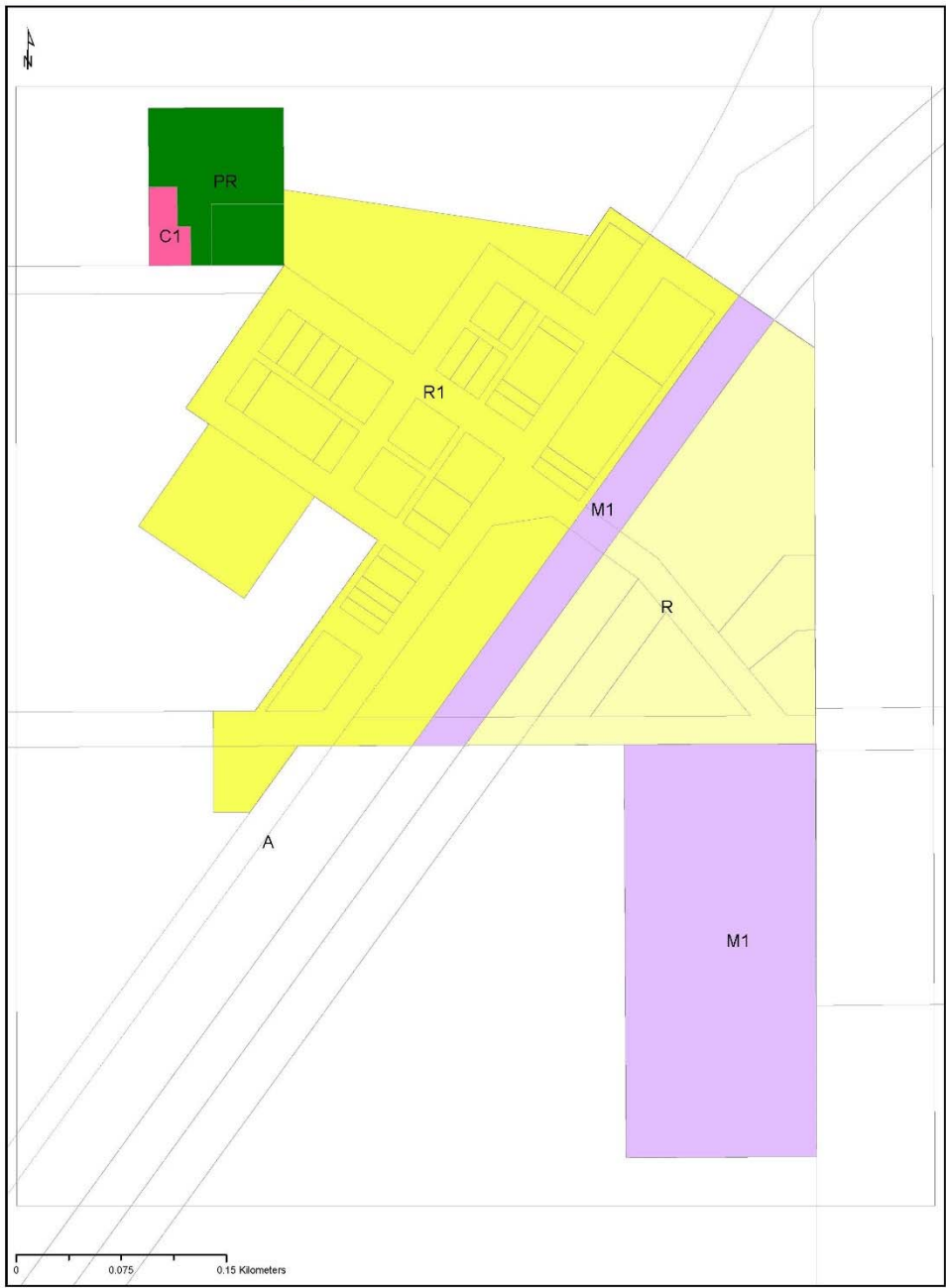
10.5 McLaughlin

 County of Vermilion River  
Land Use Bylaw Map - McLaughlin

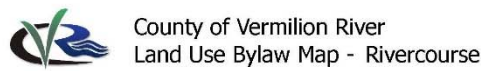
Inset Number 10.5

Agricultural (A)    Residential (R1)    Light Industrial (M1)  
Large Lot Residential (R)    Commercial (C1)    Parks & Recreation (PR)

Amended by  
Bylaw 14-22



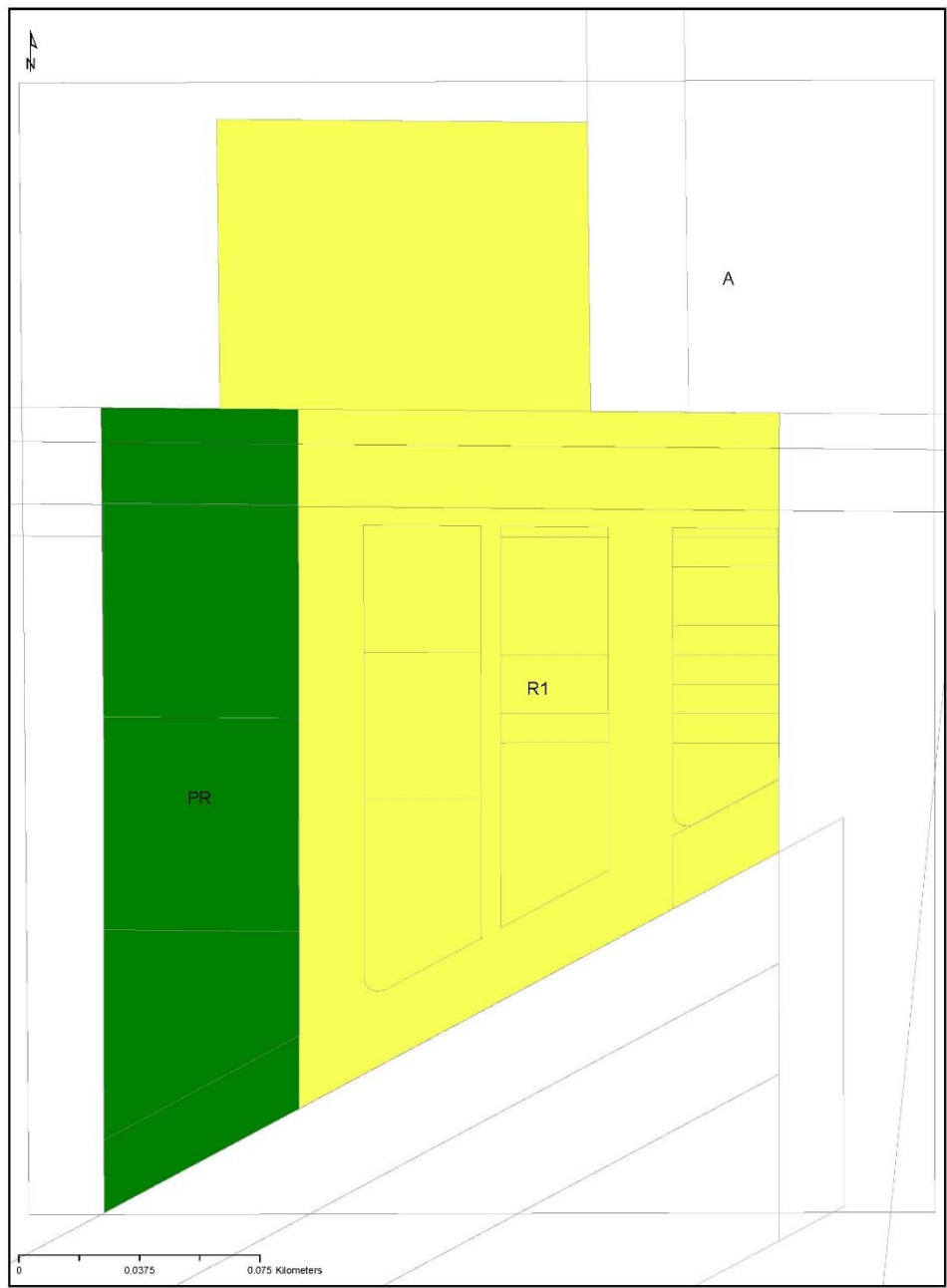
10.6 Rivercourse



Inset Number 10.6

Agricultural (A) Parks & Recreation (PR)  
Residential (R1)

Amended by  
Bylaw 14-22



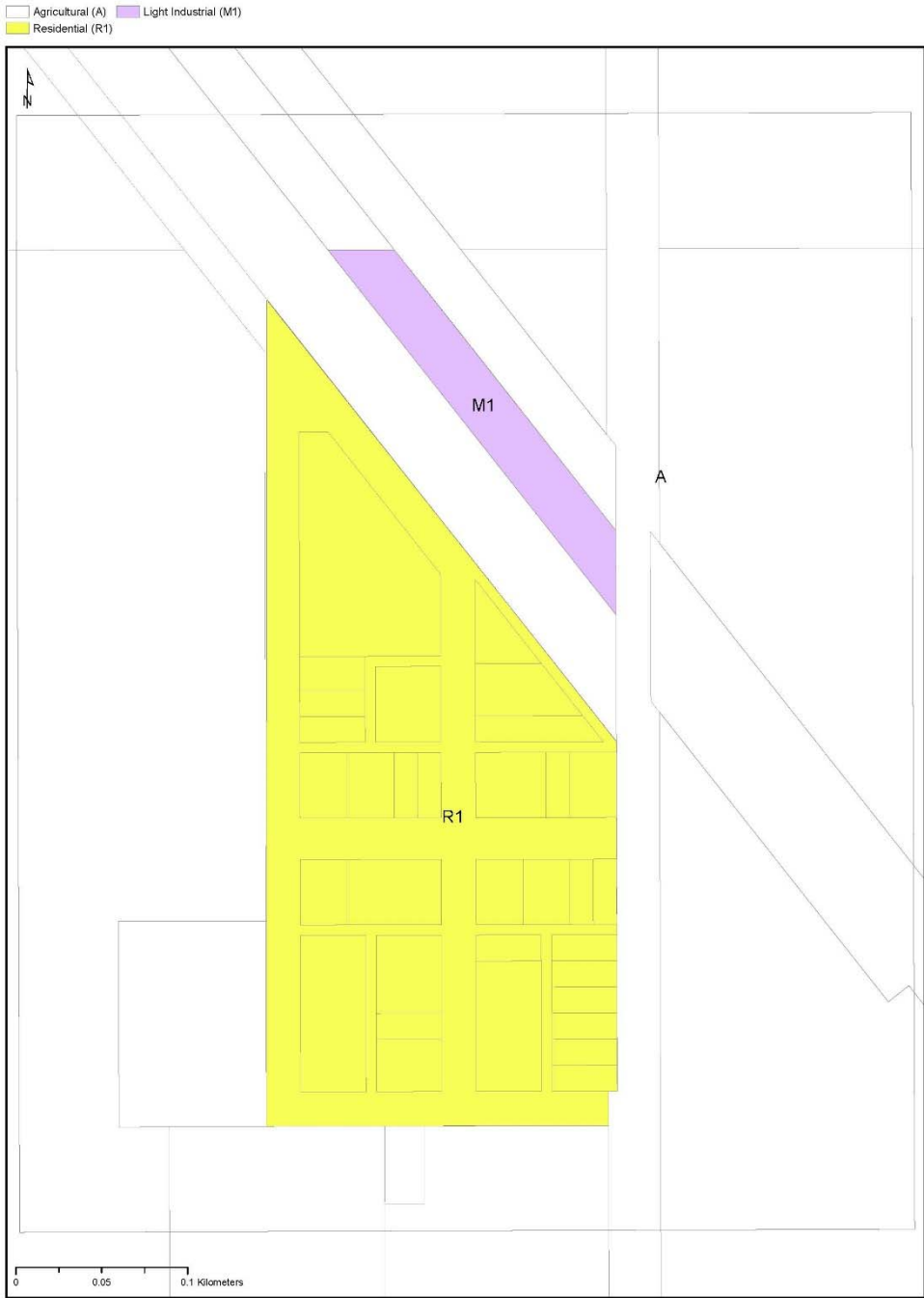
10.7 Streamstown



County of Vermilion River  
Land Use Bylaw Map - Streamstown

Inset Number 10.7

Amended by  
Bylaw 14-22



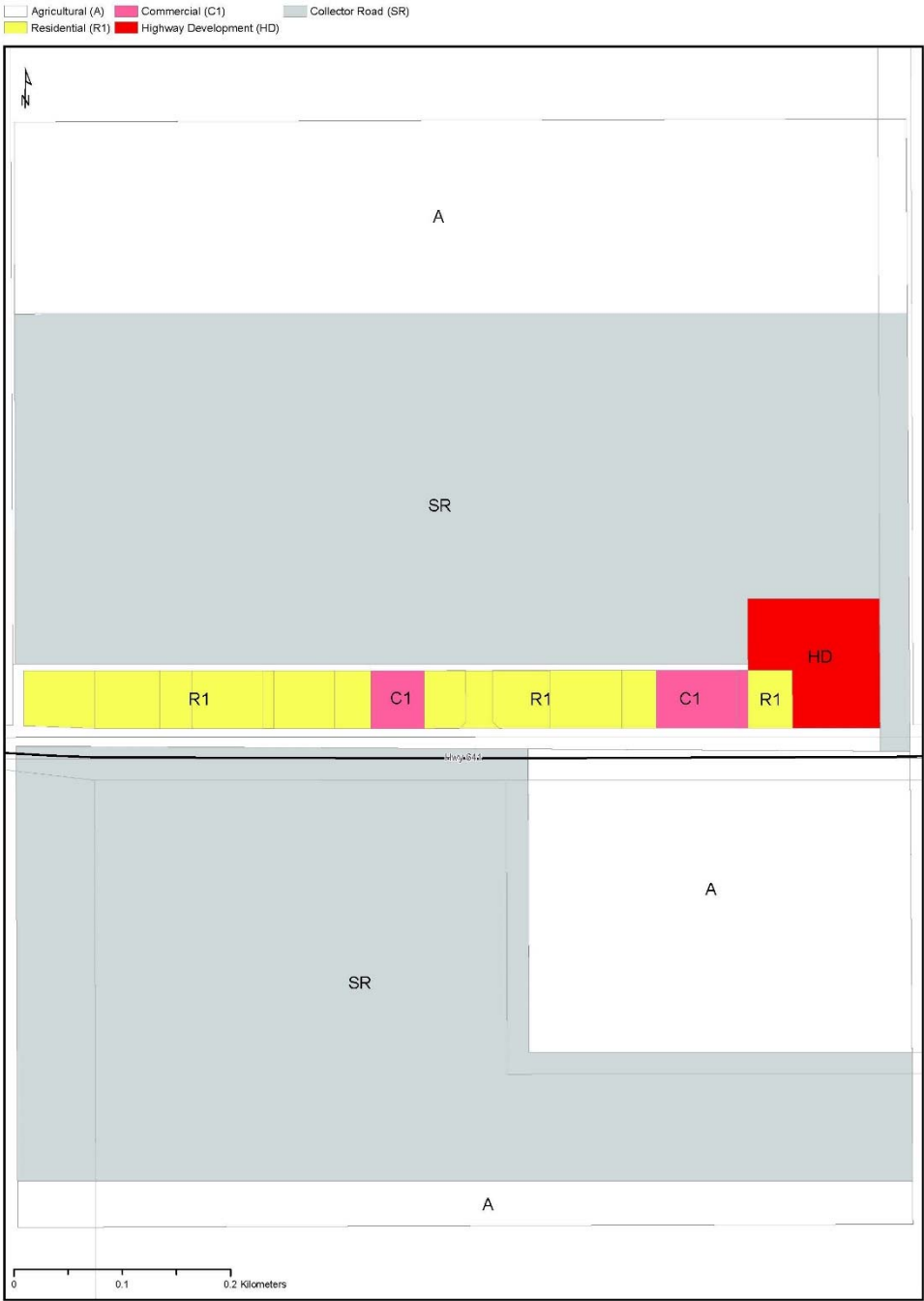
10.8 Tulliby Lake



County of Vermilion River  
Land Use Bylaw Map - Tulliby Lake

Inset Number 10.8

Amended by  
Bylaw 14-22



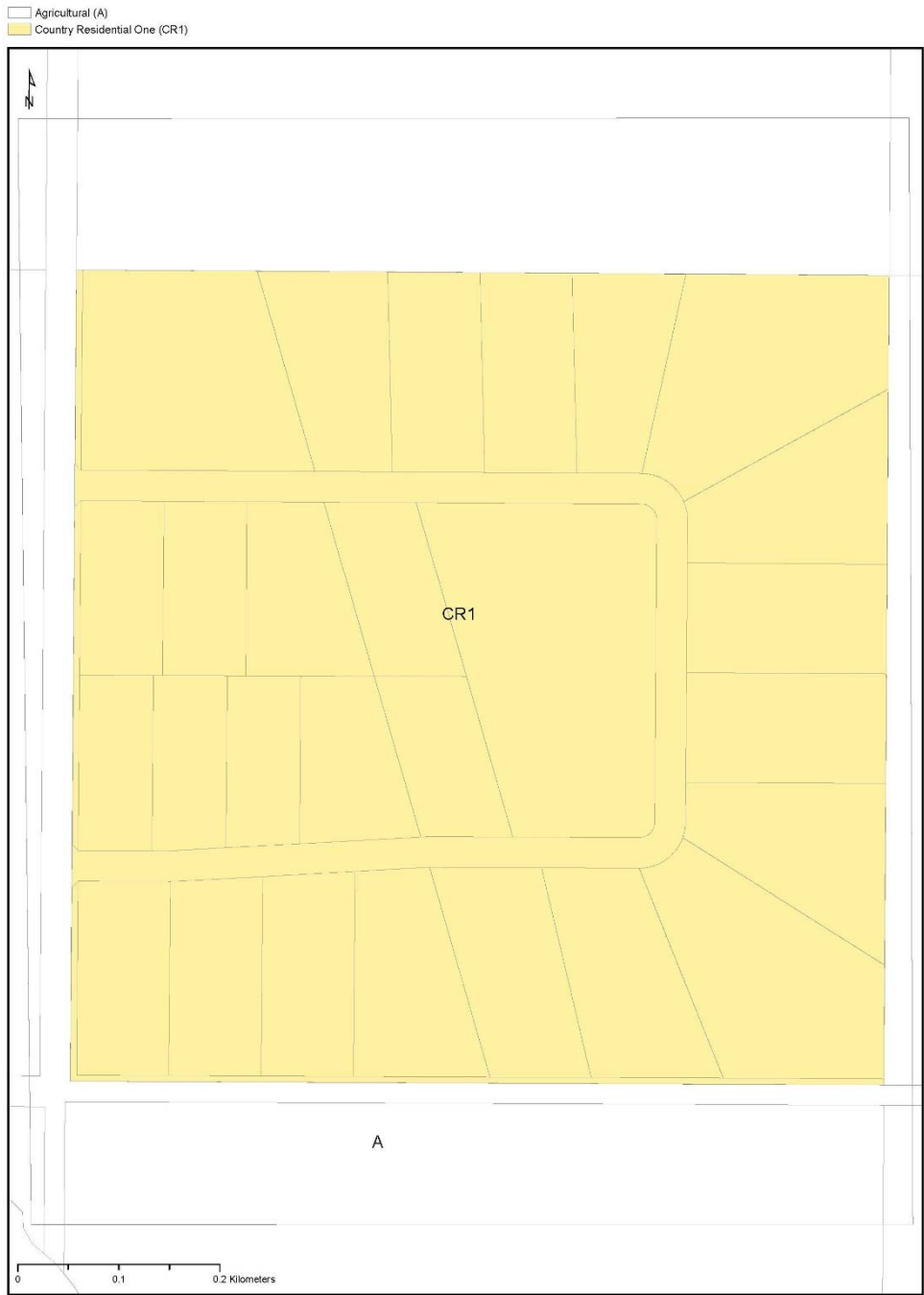
10.9 Clover View Acres



County of Vermilion River  
Land Use Bylaw Map - Clover View Acres

Inset Number 10.9

Amended by  
Bylaw 14-22



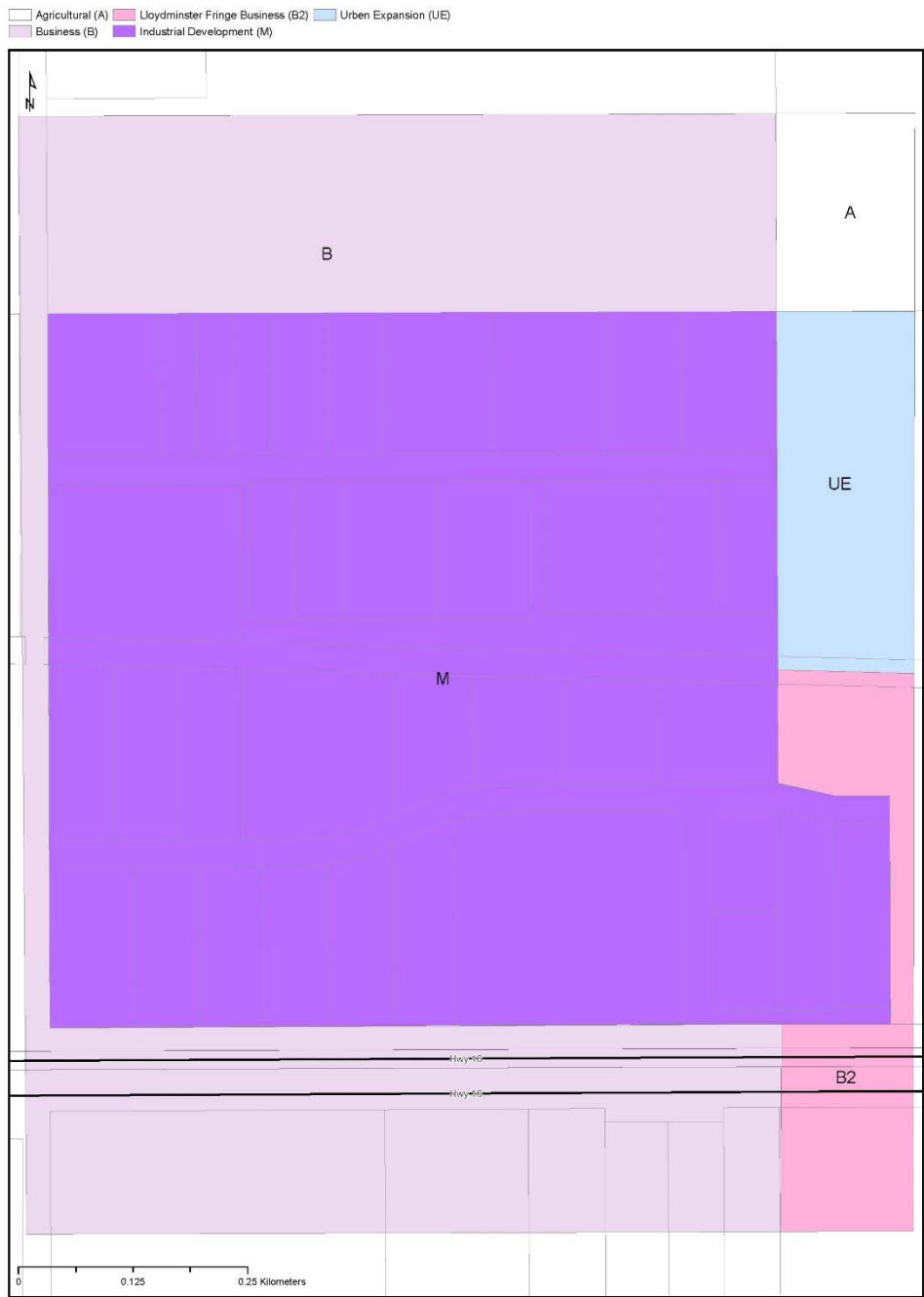
10.10 County Energy Park



County of Vermilion River  
Land Use Bylaw Map - County Energy Park

Inset Number 10.10

Amended by  
Bylaw 14-22



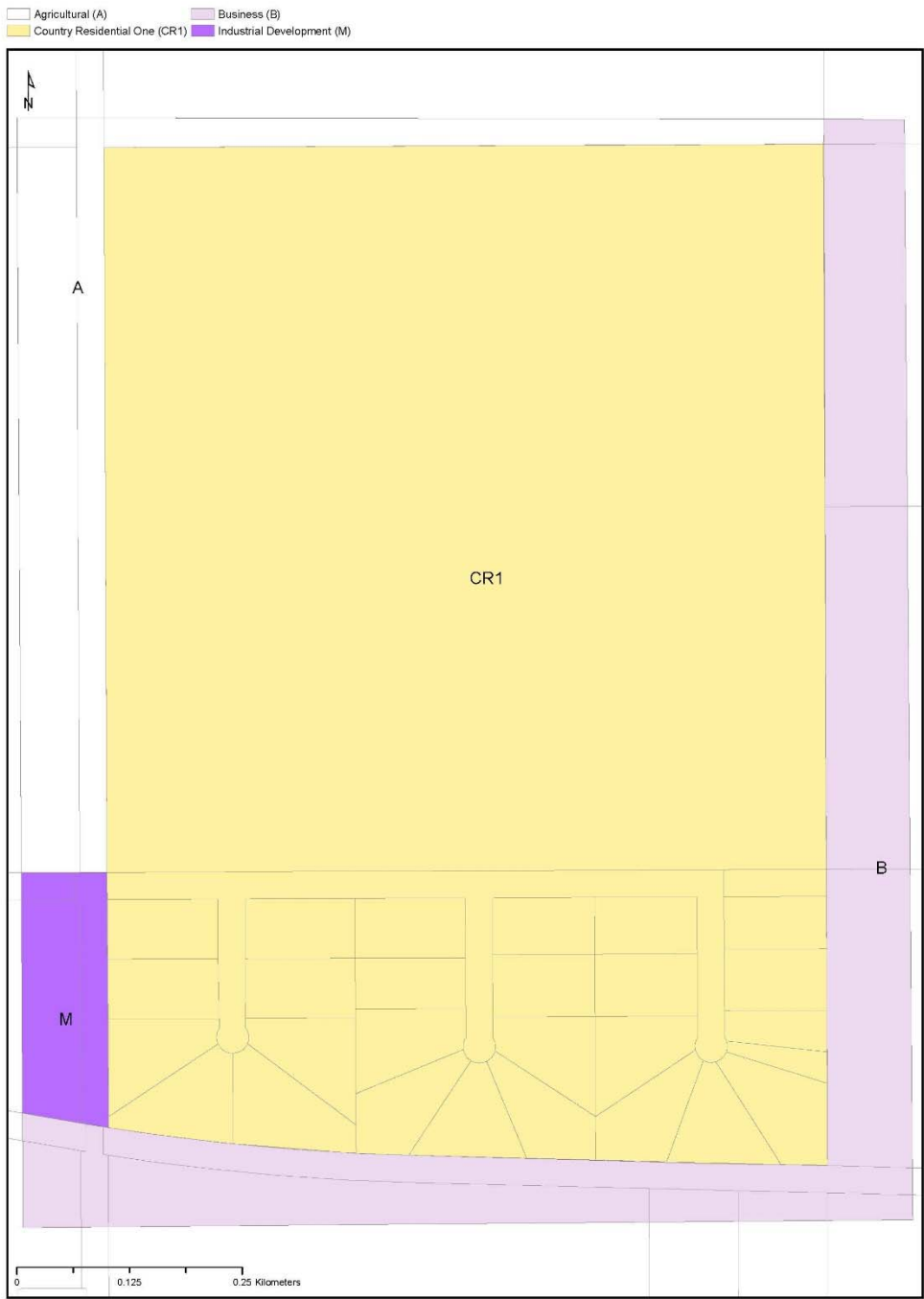
10.11 Deerfoot Estates



County of Vermilion River  
Land Use Bylaw Map - Deerfoot Estates

Inset Number 10.11

Amended by  
Bylaw 14-22



## 10.12 Devonia Business and Kams Industrial Park



County of Vermilion River

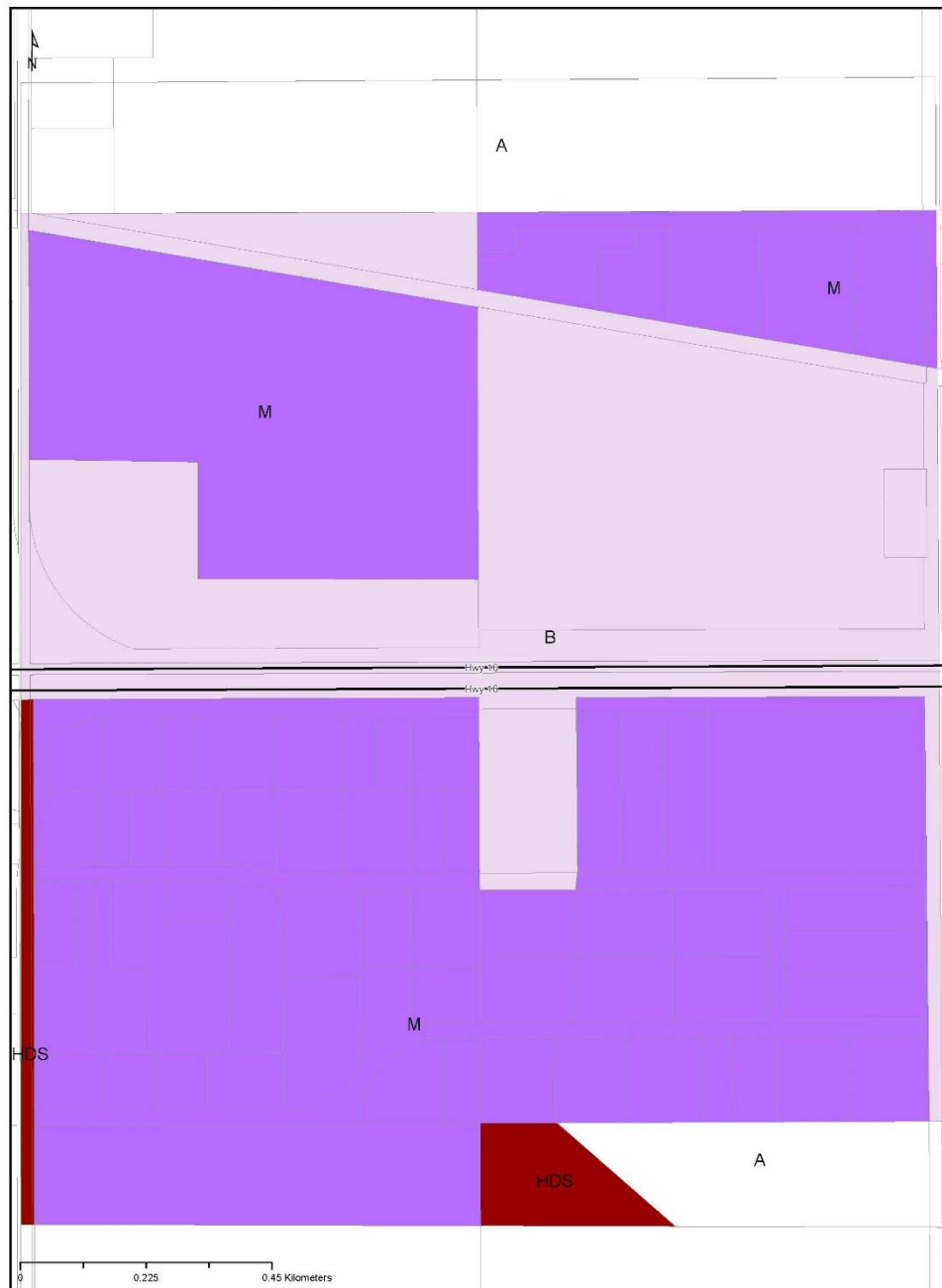
Land Use Bylaw Map - Devonia Business and Kams Industrial Park

Inset Number 10.12

Agricultural (A)
  Highway Development Special Purpose (HDS)
  Business (B)
  Industrial Development (M)

Amended by  
Bylaw 14-13

Amended by  
Bylaw 14-22





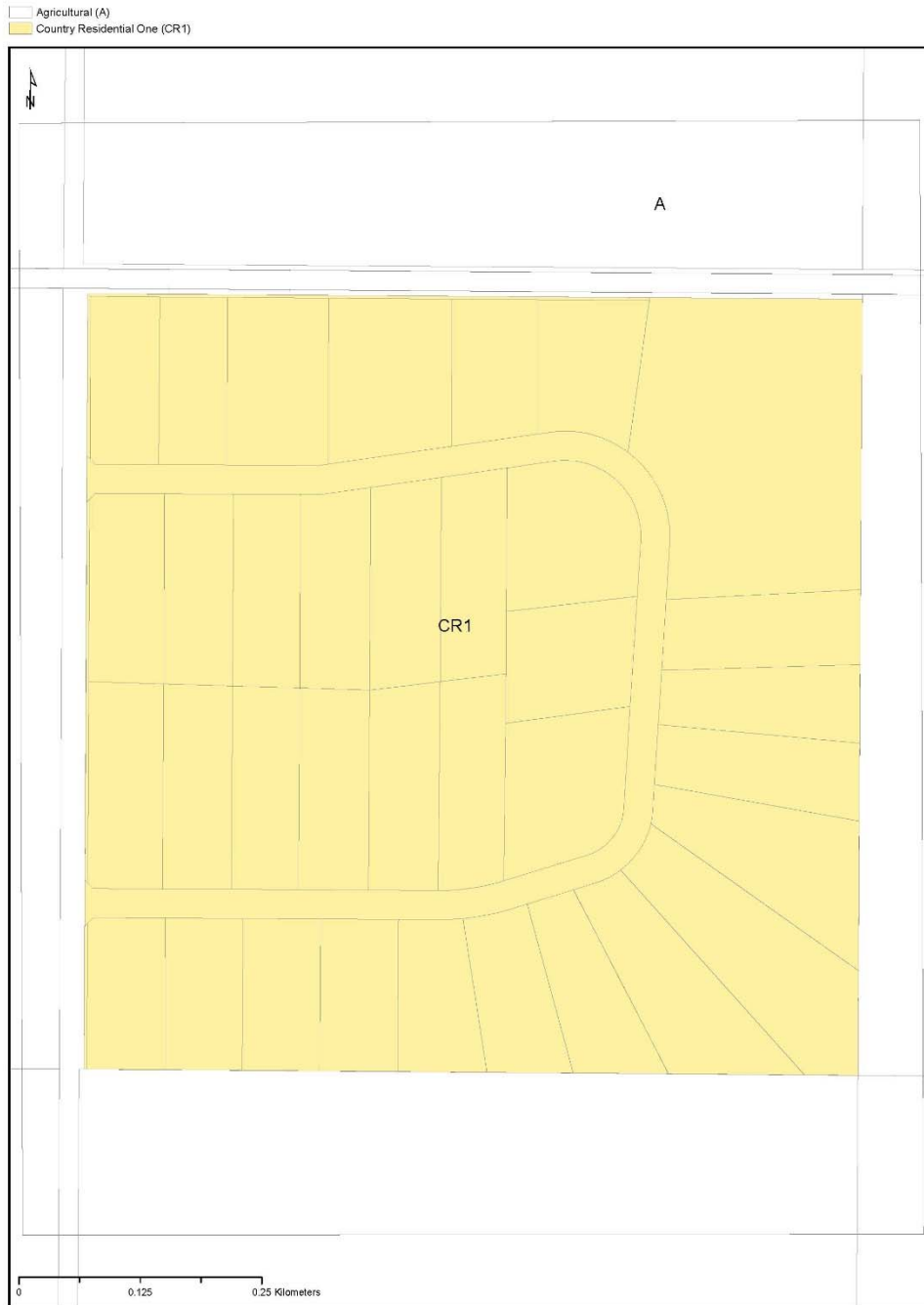
## 10.13 Grandview Estates




County of Vermilion River  
Land Use Bylaw Map - Grandview Estates

Inset Number 10.13

Amended by  
Bylaw 14-22

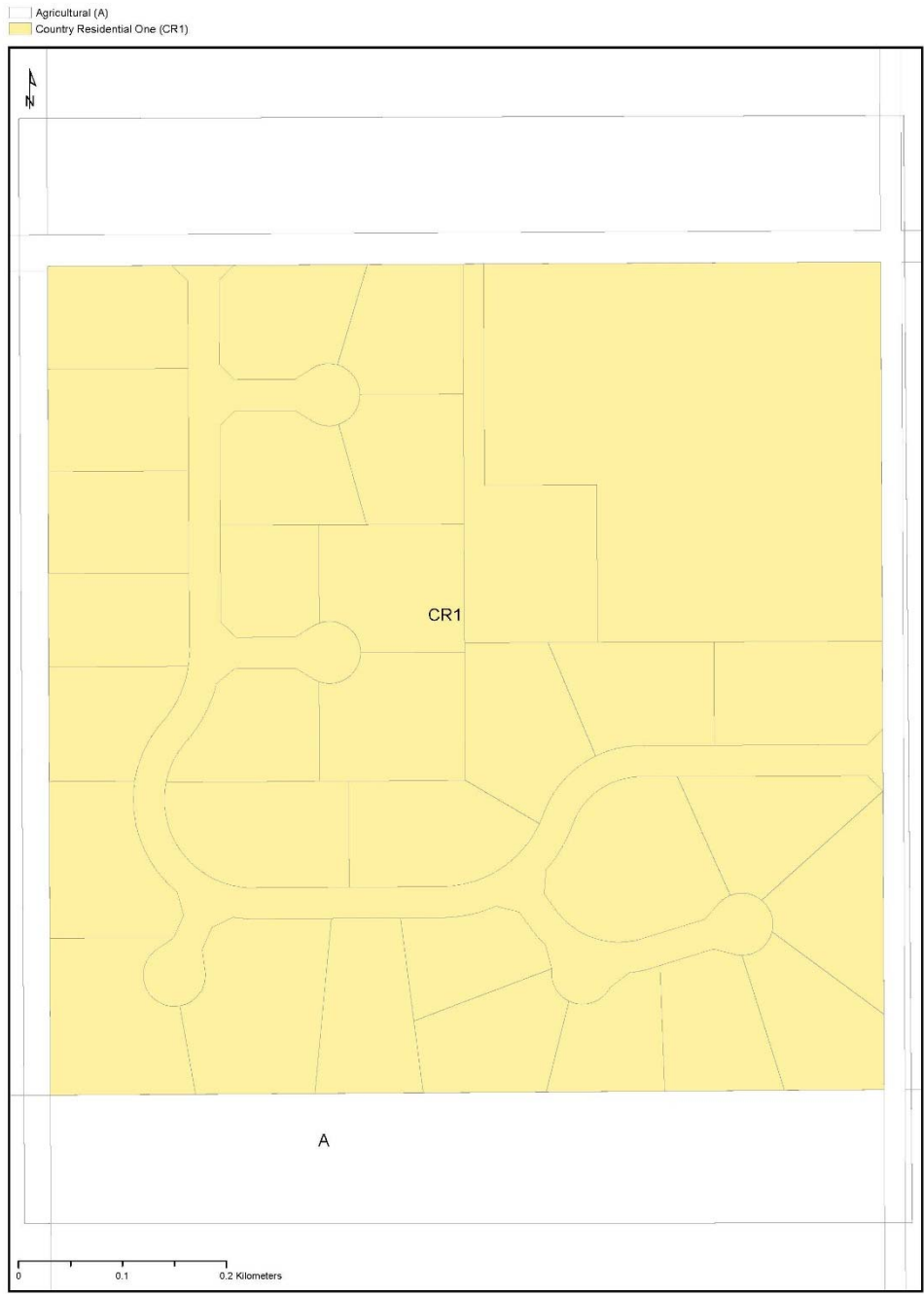


10.14 Hawstone Estates

 County of Vermilion River  
Land Use Bylaw Map - Hawstone Estates

Inset Number 10.14

Amended by  
Bylaw 14-22



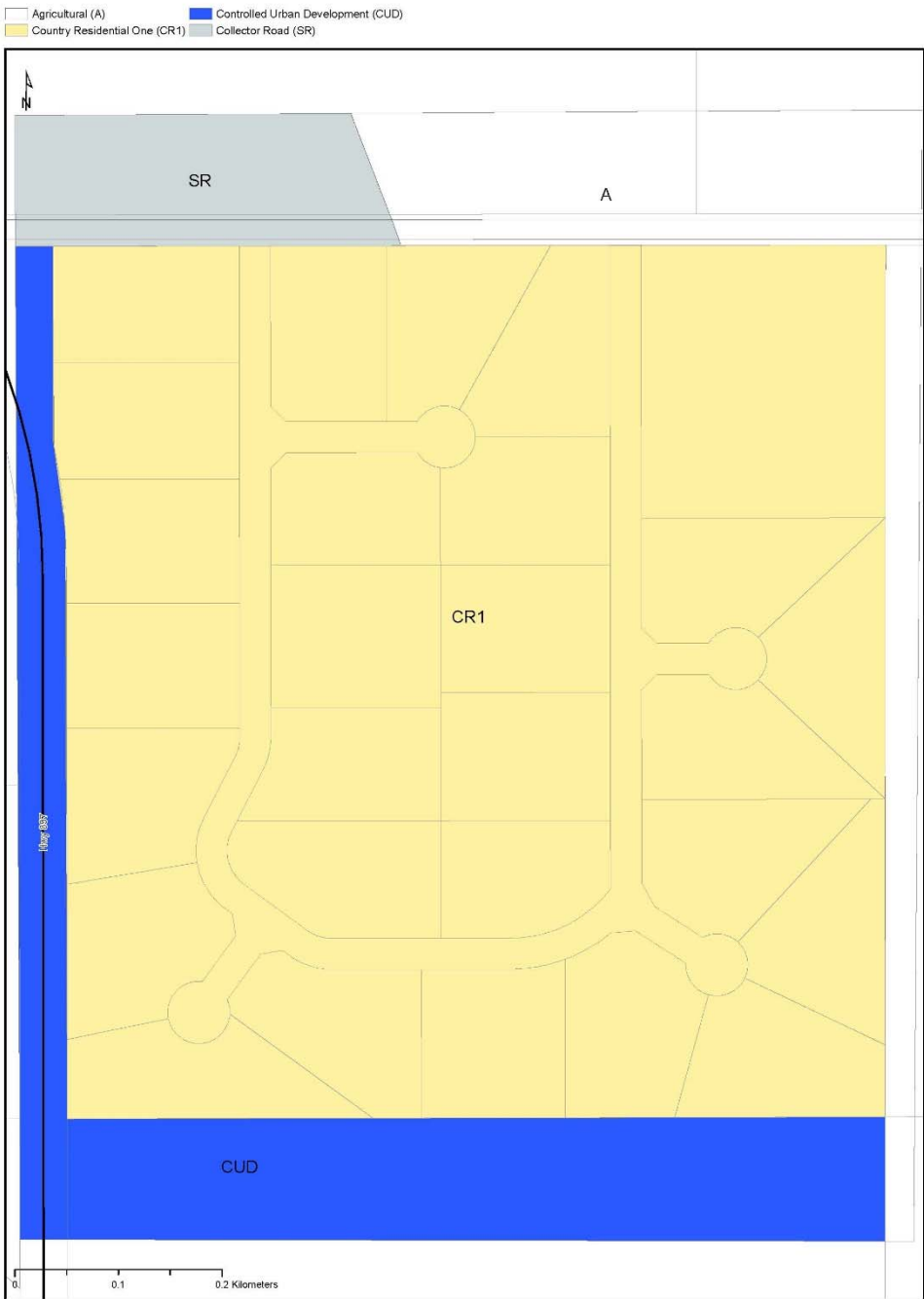
10.15 Horizonview Acres



County of Vermilion River  
Land Use Bylaw Map - Horizonview Acres

Inset Number 10.15

Amended by  
Bylaw 14-22



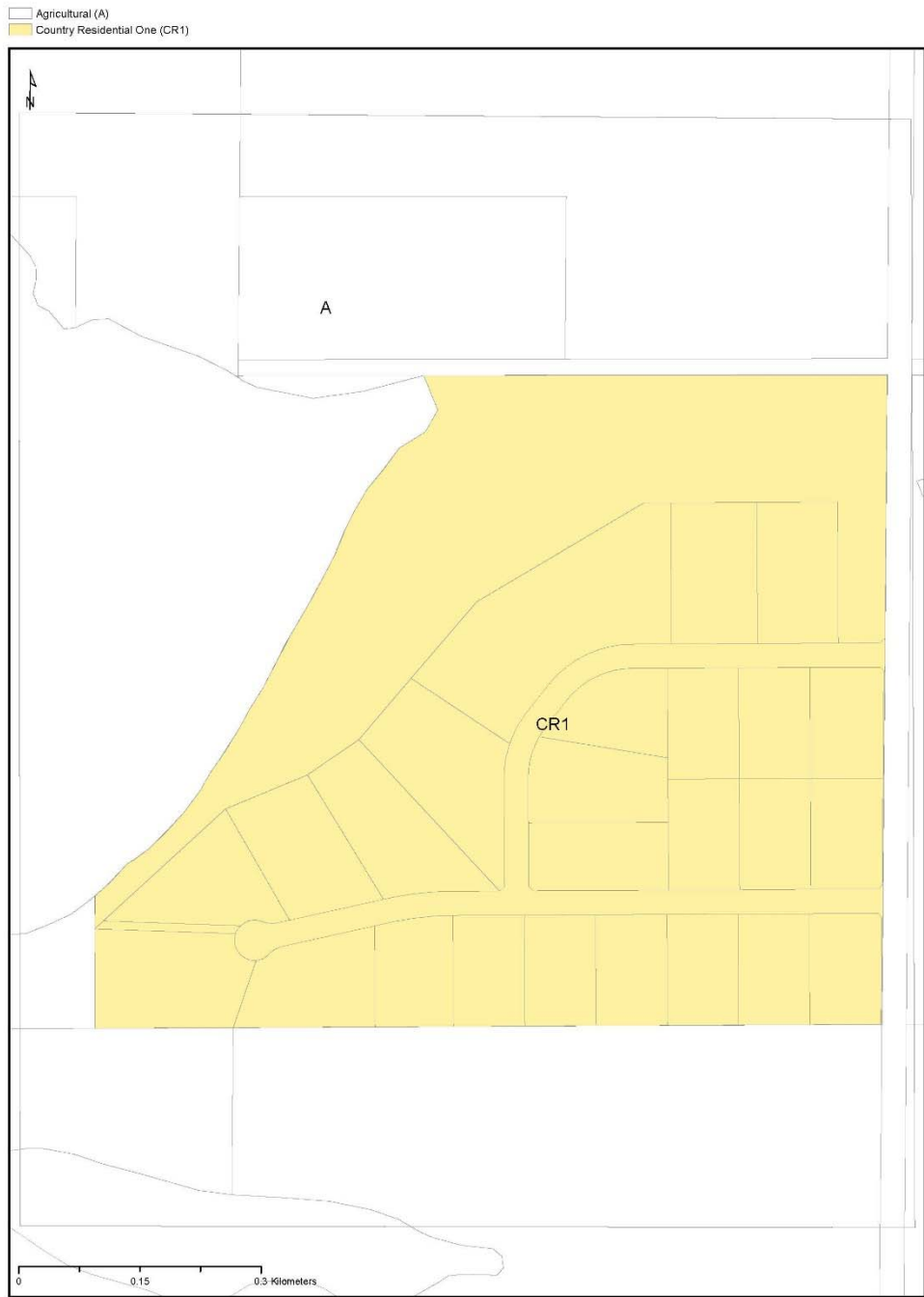
10.16 Indian Lake Meadows



County of Vermilion River  
Land Use Bylaw Map - Indian Lake Meadows

Inset Number 10.16

Amended by  
Bylaw 14-22



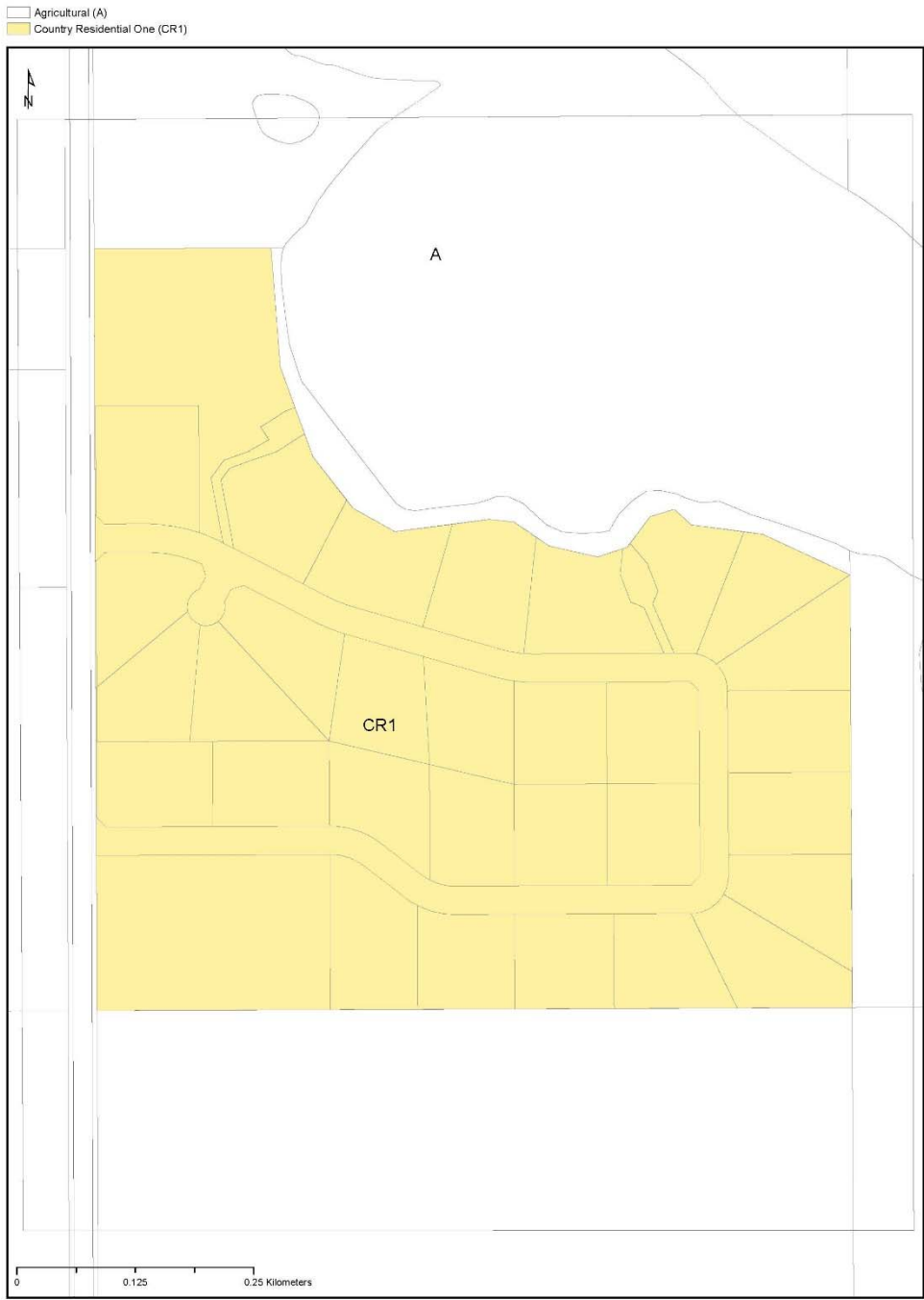
10.17 Lakeview Estates



County of Vermilion River  
Land Use Bylaw Map - Lakeview Estates

Inset Number 10.17

Amended by  
Bylaw 14-22



## 10.18

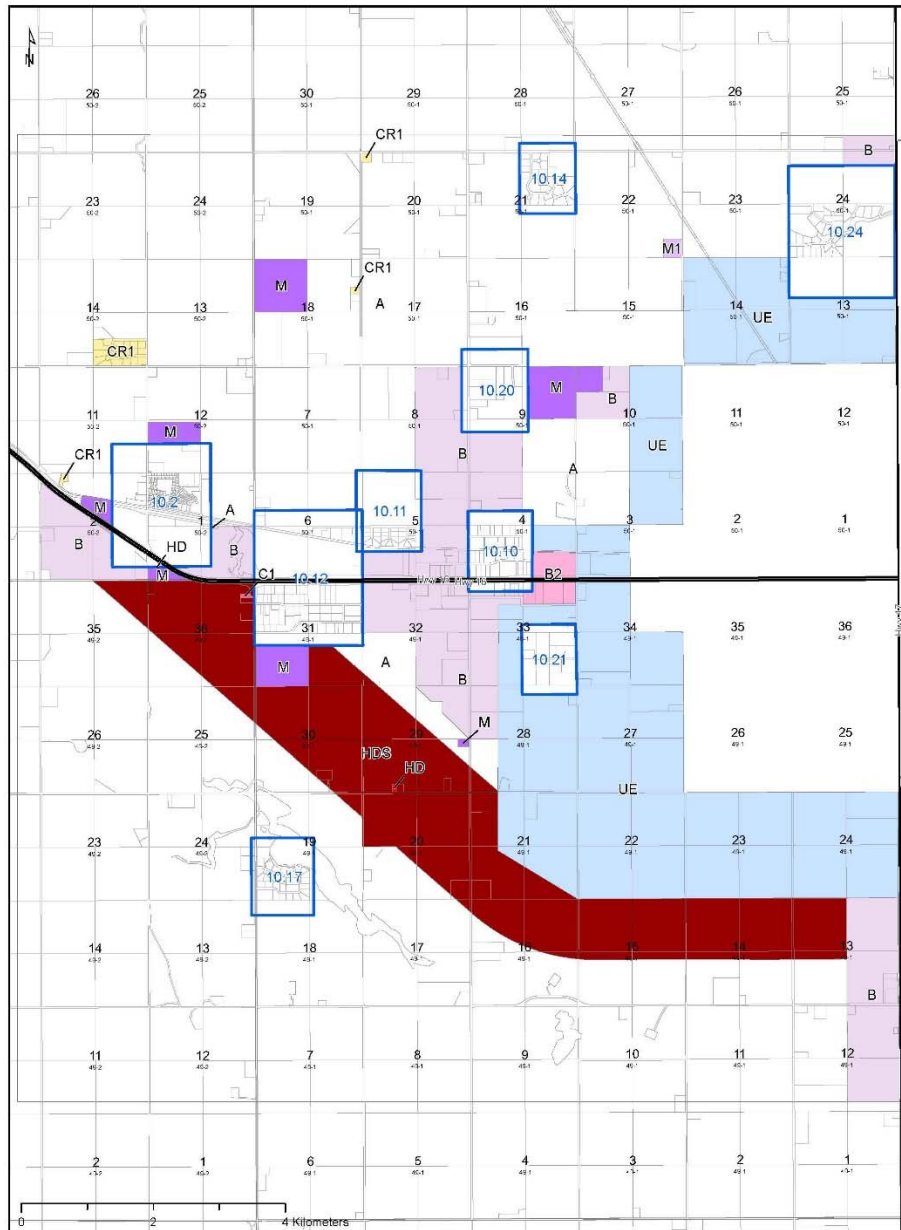
## Lloydminster Fringe Area



County of Vermilion River  
Land Use Bylaw Map - Lloydminster Fringe Area

Inset Map 10.18

- |                               |                                   |   |                                    |
|-------------------------------|-----------------------------------|---|------------------------------------|
| Inset Map                     | Country Residential Two (CR2)     | Highway Development Special Purpose (HDS) | Controlled Urban Development (CUD) |
| Agricultural (A)              | Manufactured Home Park (MHP)      | Light Industrial (M1)                     | Collector Road (SR)                |
| Large Lot Residential (R)     | Business (B)                      | Rural Industrial (RM)                     | Parks & Recreation (PR)            |
| Residential (R1)              | Lloydminster Fringe Business (B2) | Industrial Development (M)                | Crossroads Direct Control (CDC)    |
| Residential (R2)              | Commercial (C1)                   | Landfill and Composting (LC)              | North Gateway Direct Control (NDC) |
| Country Residential One (CR1) | Highway Development (HD)          | Urban Expansion (UE)                      |                                    |



Added by  
Bylaw 14-22

Added by  
Bylaw 15-30

Amended by  
Bylaw 16-13

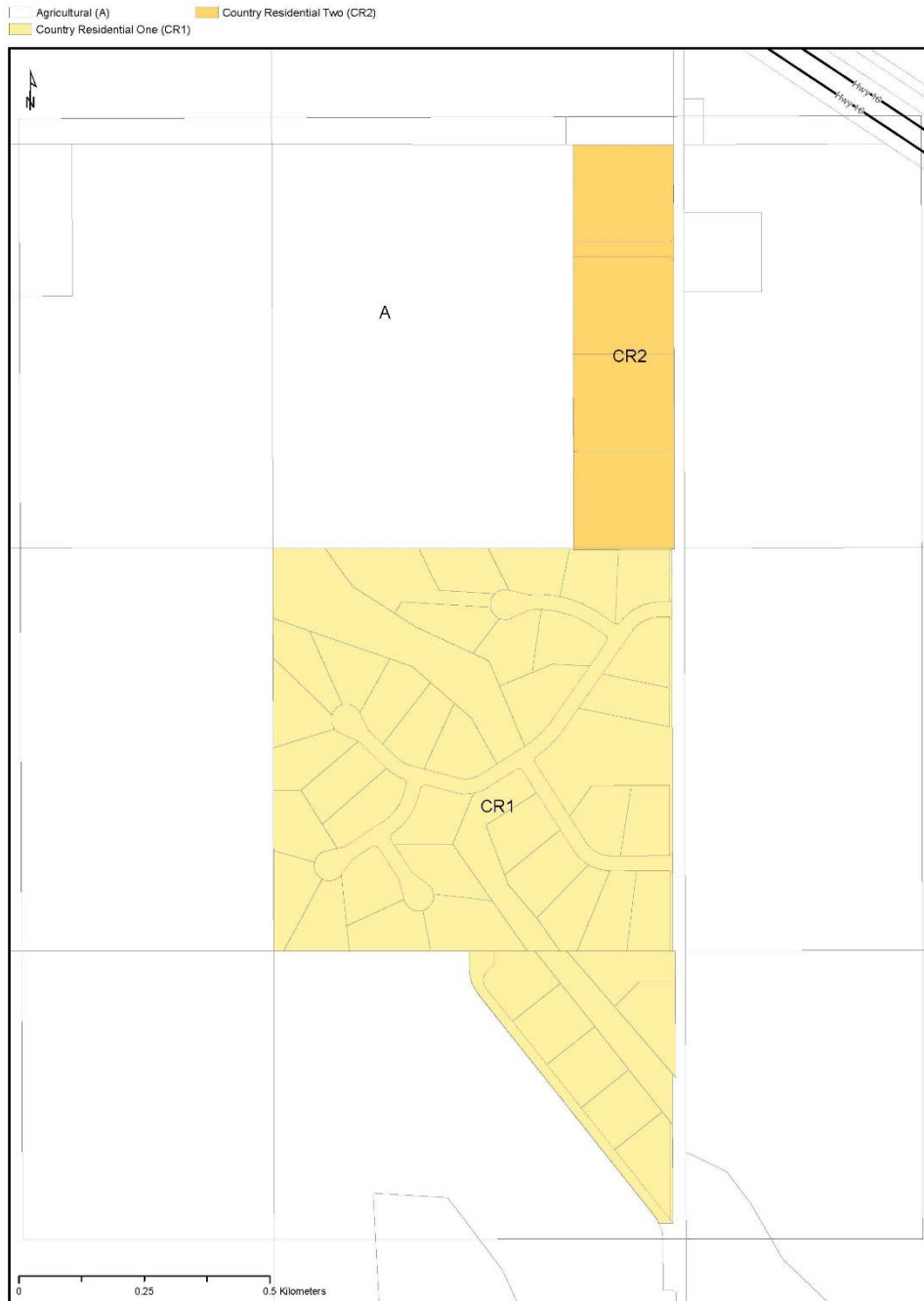
## 10.19 Morning Gold Estates and Denwood Acres



County of Vermilion River  
Land Use Bylaw Map - Morning Gold Estates and Denwood Acres

Inset Number 10.19

Added by  
Bylaw 14-22



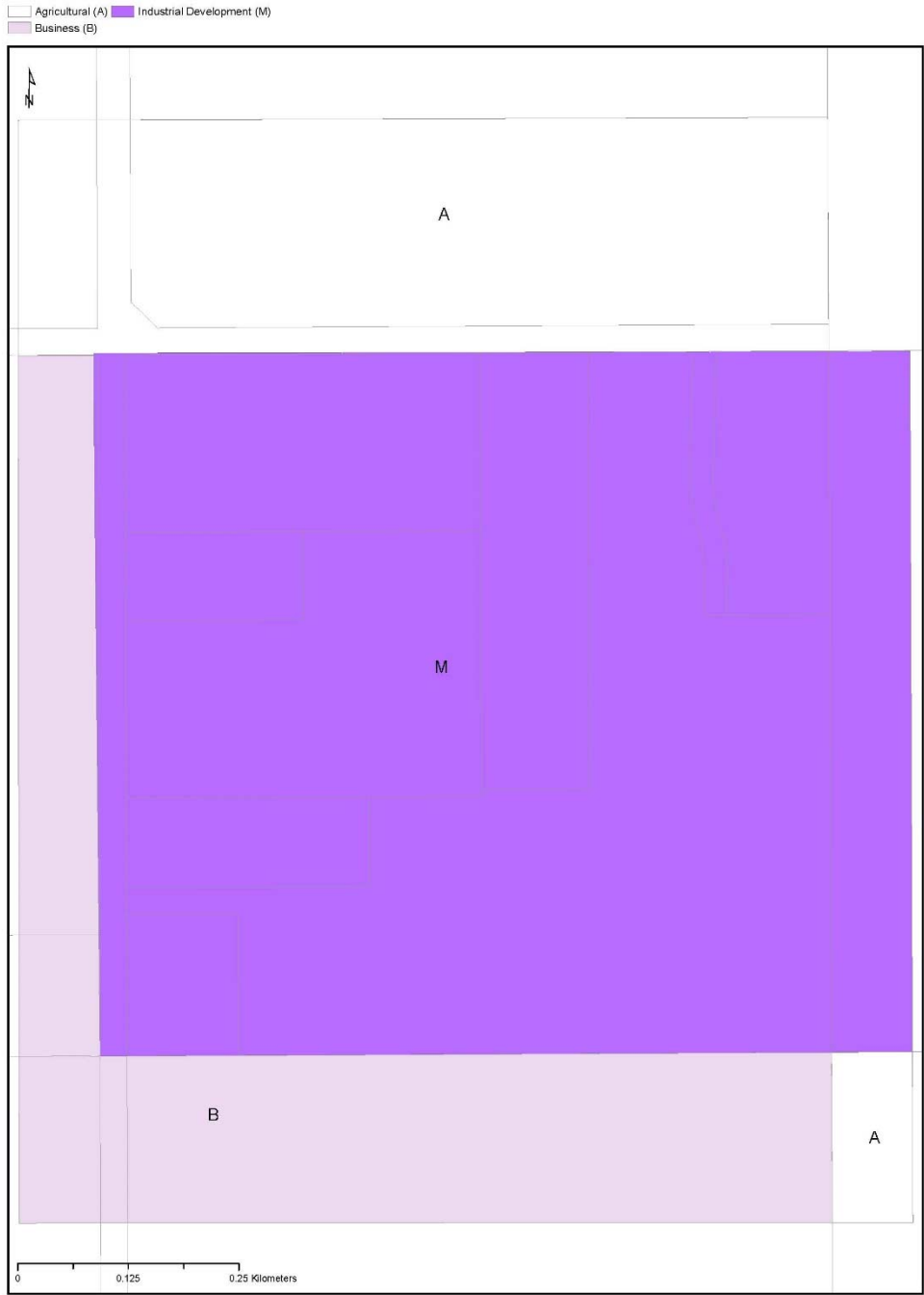
10.20 Reinhart Industrial Park



County of Vermilion River  
Land Use Bylaw Map - Reinhart Industrial Park

Inset Number 10.20

Added by  
Bylaw 14-22





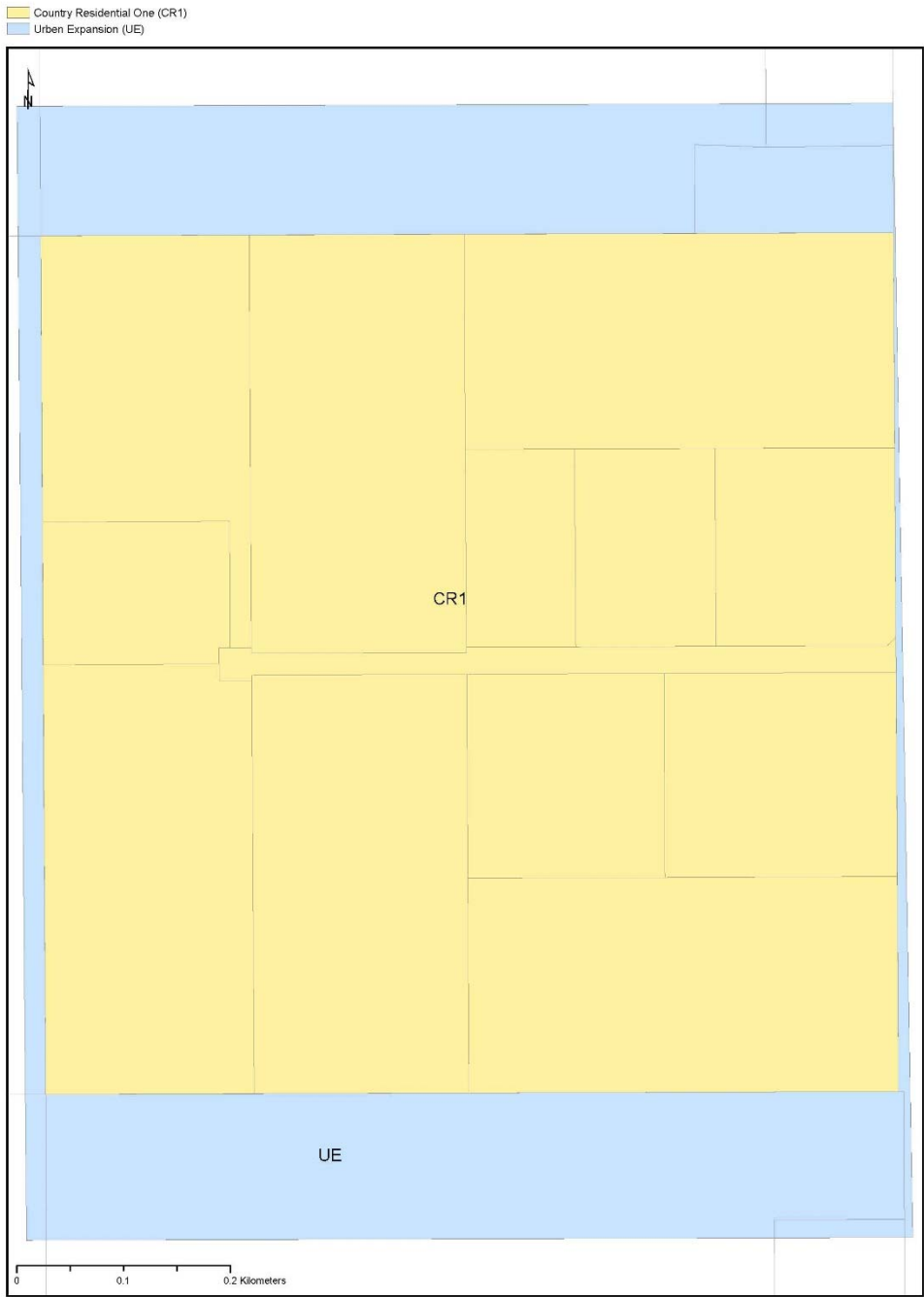
10.21 Robinwood Acres



County of Vermilion River  
Land Use Bylaw Map - Robinwood Acres

Inset Number 10.21

Added by  
Bylaw 14-22



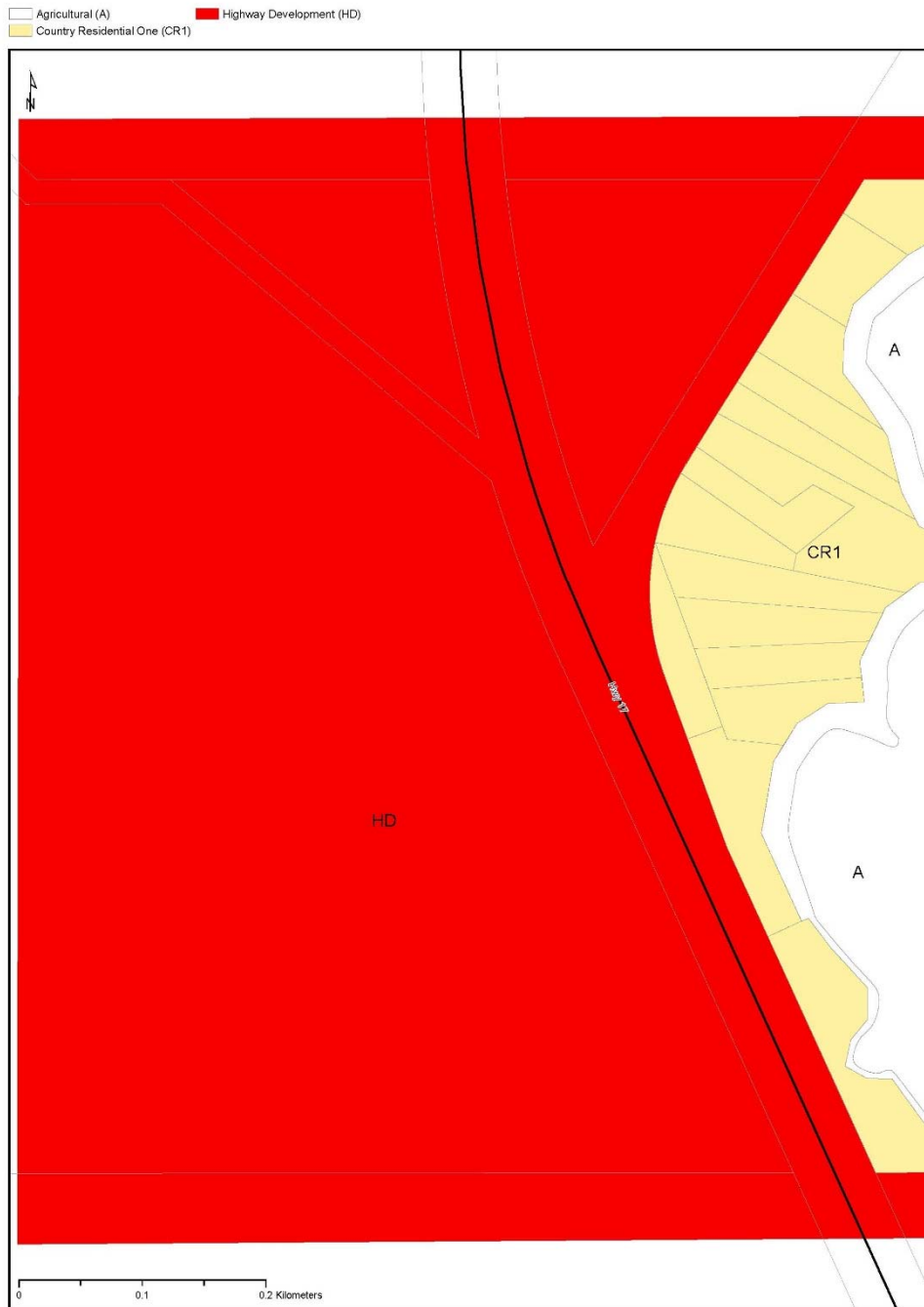
## 10.22 Sandpiper Estates



County of Vermilion River  
Land Use Bylaw Map - Sandpiper Estates

Inset Number 10.22

Added by  
Bylaw 14-22



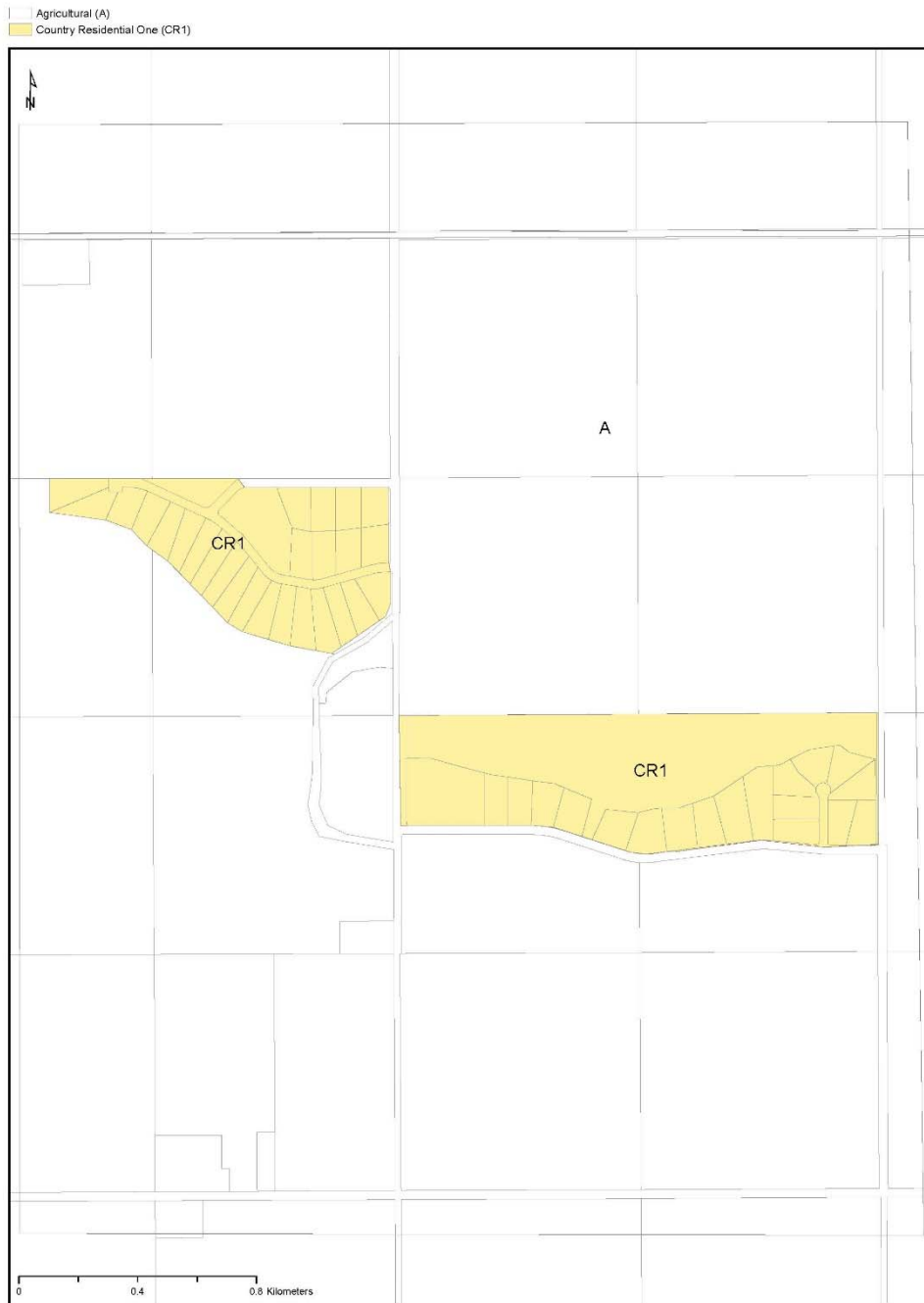
## 10.23 Silver Willow Estates and Ravine View



County of Vermilion River  
Land Use Bylaw Map - Silver Willow Estates and Ravine View

Inset Number 10.23

Added by  
Bylaw 14-22



## 10.24

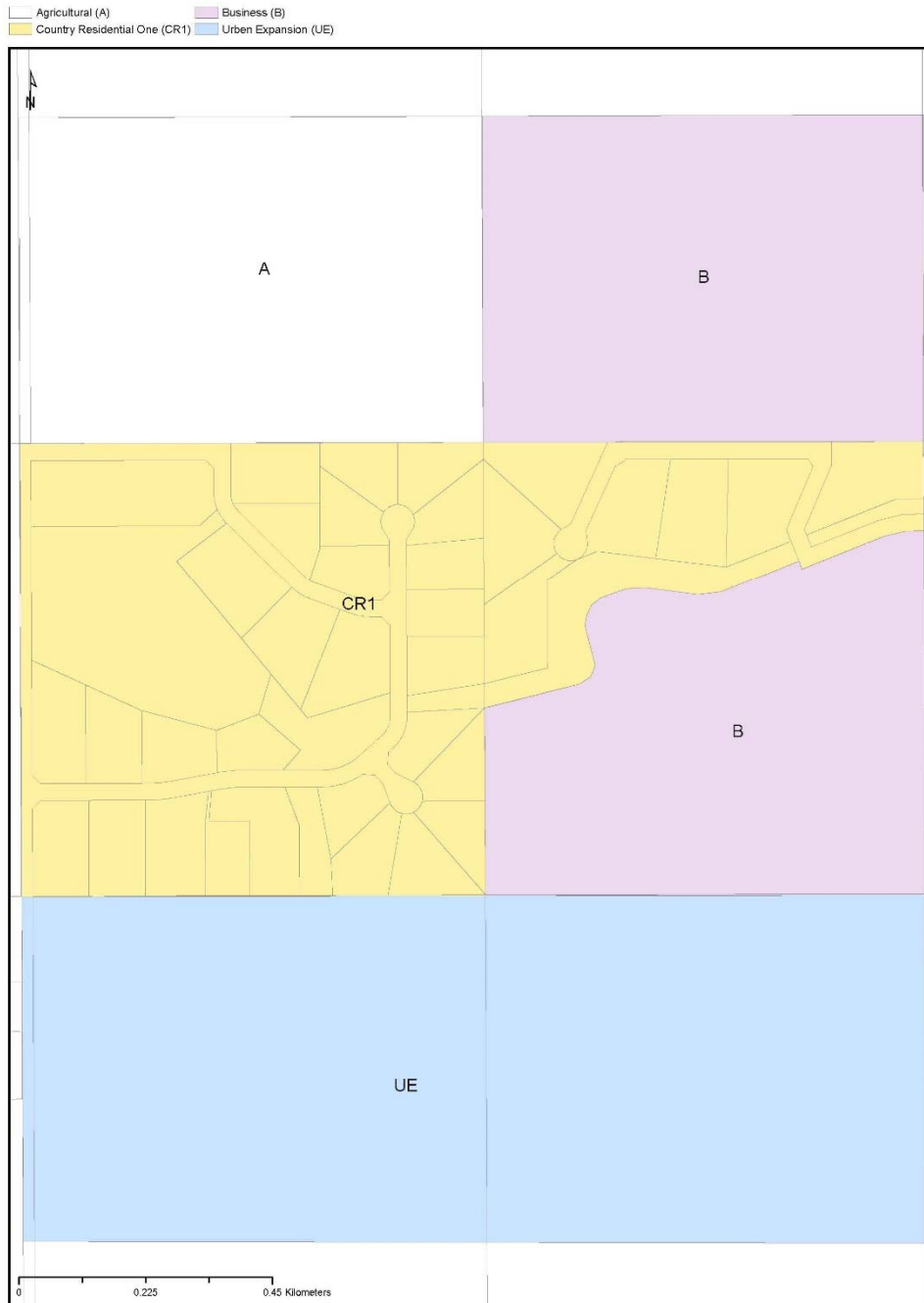
## Willow Creek and Creekside Estates



County of Vermilion River  
Land Use Bylaw Map - Willow Creek and Creekside Estates

Inset Number 10.24

Added by  
Bylaw 14-22



## 10.25

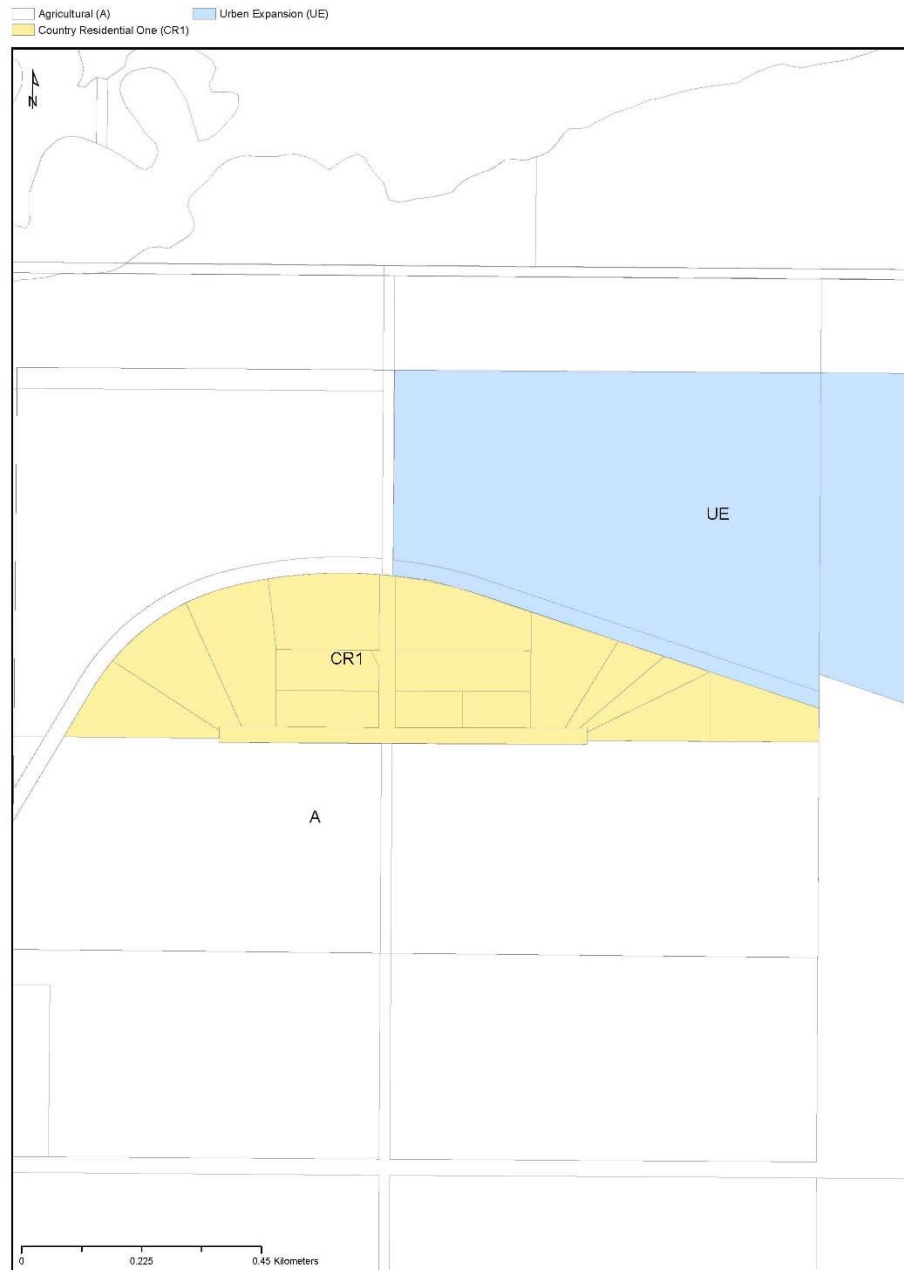
## Brennan Acres

Added by  
Bylaw 15-21



County of Vermilion River  
Land Use Bylaw Map - Brennan Acres

Inset Number 10.25



## 10.26

## Village of Marwayne ASP

Added by  
Bylaw 15-21



County of Vermilion River  
Land Use Bylaw Map - Village of Marwayne ASP

Inset Number 10.26





# 11 | Schedule A Airport Area Height Regulations

## 11.1 Vermilion Airport

### (1) Definitions

- (a) In this Subsection 7.1, the following additional definitions apply:
  - (i) “airport” means the Vermilion Airport within the Protection Area;
  - (ii) “airport reference point” means the middle point of the airport runway as shown on the map in **Subschedule 11.1.2**;
  - (iii) “approach surface” means the approach surface described in Subschedule 7.1.2;
  - (iv) “basic strip” means a basic strip as described in **Subschedule 11.1.2**;
  - (v) “outer surface” means the outer surface as described in **Subschedule 11.1.2**;
  - (vi) “protection area” means the Vermilion Airport Vicinity Protection Area described in **Subschedule 11.1.1**;
  - (vii) “transitional surface” means a transitional surface as described in **Subschedule 11.1.2**.
- (b) For the purposes of this Subsection, the elevation of the airport reference point is deemed to be 615 m (2017.7 ft.) above sea level.

### (2) Applicability

- (a) This Subsection applies to a development wholly or partly within the boundary of the Protection Area.

### (3) Establishment of Protection Area

- (a) The area described in Subschedule 11.1.1 is established as the Vermilion Airport Vicinity Protection Area.

### (4) Height Limitations

- (a) A development permit shall not be issued for a development in the Protection Area if the highest point of the development will exceed in elevation at the location of



that point any of the following surfaces that project immediately above the surface of the land at that location:

- (i) the approach surfaces of the runway of the airport;
  - (ii) the transitional surfaces of the runway of the airport;
  - (iii) the outer surface.
- (b) For the purposes of this subsection,
- (i) if the proposed development is a railway, the highest point of the development shall be deemed to be 6 m (19.7 ft.) higher than the actual height of the rails, and
  - (ii) if the development is a road, the highest point of the development shall be deemed to be 4.5 m (14.8 ft.) higher than the actual height of the part of the highest part of the travelled portion of the road.

---

## SUBSCHEDULE 11.1.1

### VERMILION AIRPORT VICINITY PROTECTION AREA

The Vermilion Airport Vicinity Protection Area consists of the land in the County of Vermilion River No. 24 described below:

In Township 50, Range 6, West of the 4th Meridian:

North half of Section 27;  
North half of the Southeast Quarter of Section 27;  
South half of Section 34.

In Township 51, Range 6, West of the 4th Meridian:

Southwest Quarter of Section 4;  
South half of Section 5.

## SUBSCHEDULE 11.1.2

### HEIGHT LIMITATIONS

(1) Basic Strip

The basic strip associated with the airport runway is an area 304 m (997.4 ft.) in width and 1341 m (4399.6 ft.) in length, the location of which is shown on the map in Subschedule 11.1.2.

(2) Approach Surfaces

There is an approach surface associated with each end of the basic strip and in each case the surface is an imaginary surface consisting of an inclined plane that

- (a) commences and abuts the end of the basic strip,
- (b) rises at an angle of 1.15 degrees (1:50) measured from an imaginary horizontal surface at the elevation of the end of the basic strip,
- (c) diverges outward on each side as it rises, at an angle of 8.53 degrees measured from the respective projected lateral limits of the basic strip, and
- (d) ends at its intersection with the outer surface.

(3) Transitional Surfaces

There is a transitional surface associated with each lateral limit of the basic strip, and in

each case the transitional surface is an imaginary surface consisting of an inclined plane that:

- (a) commences at and abuts the lateral limit of the basic strip,
- (b) rises at an angle of 8.14 degrees (1:7) measured from the lateral limit of the basic strip, and
- (c) ends at its intersection with the outer surface or an approach surface.

(4) Outer Surface

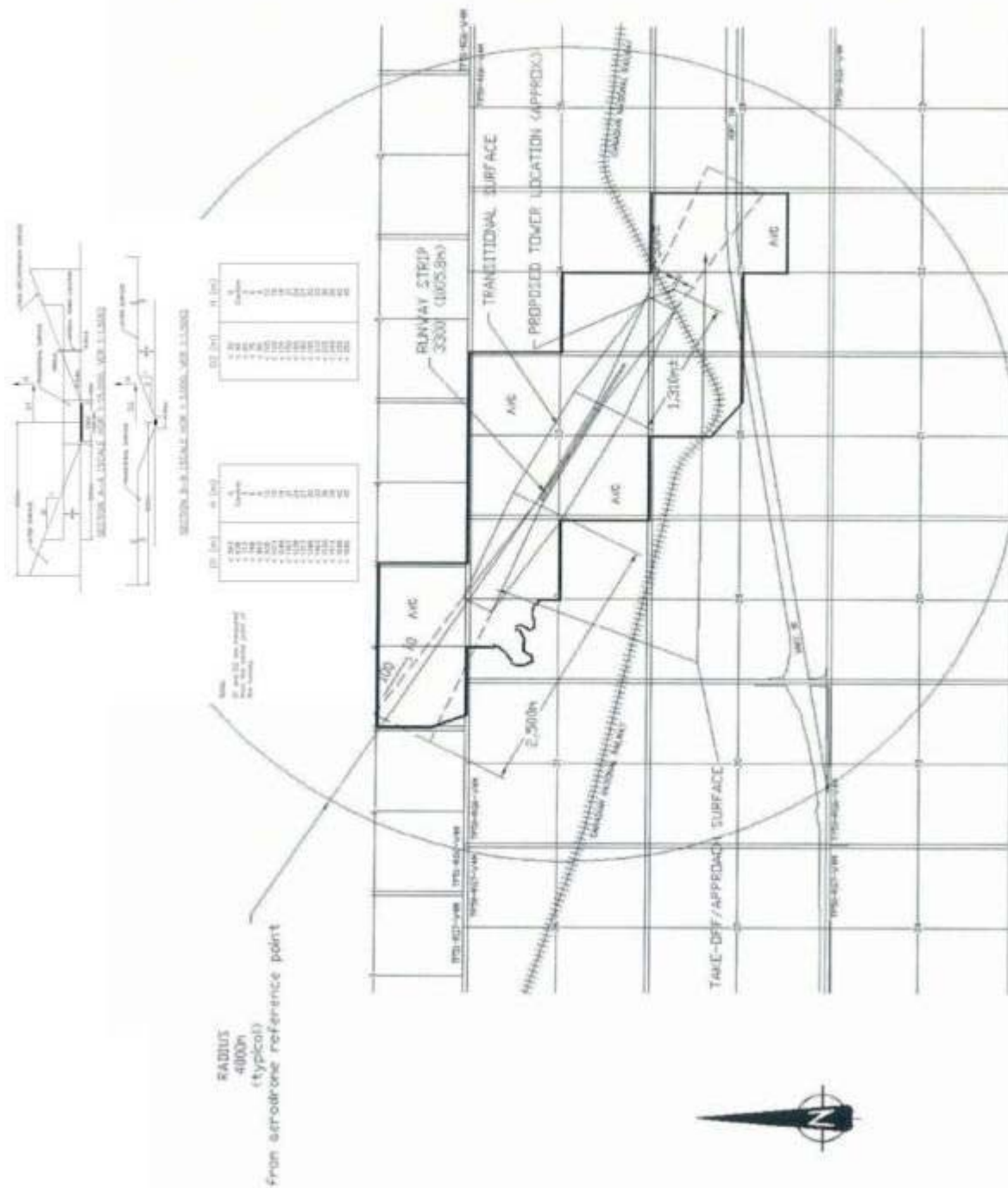
The outer surface of the Protection Area is an imaginary surface consisting of a common plane established at a constant elevation of 45 m (147.6 ft.) above the elevation of the airport reference point.

(5) General

The area location of the approach surfaces and transitional surfaces are represented on the map shown in **Subschedule 11.1.3**, but if any discrepancy exists between the description of the approach surfaces and transitional surfaces in this Subschedule and their location on the map in **Subschedule 11.1.3**, the description in this Subschedule prevails.

## Land Use Bylaw Map – 11.1.2

Land Use Bylaw Map – Vermilion Airport Vicinity Protection Area



## 11.2 Lloydminster Airport

### (1) Definitions

- (a) In this Subsection, the following additional definitions apply:
  - (i) “airport” means the Lloydminster Airport within the Protection Area;
  - (ii) “airport runway” means the area of land within the airport that is Used or intended to be Used for the take-off and landing of aircraft;
  - (iii) “airport zoning reference point elevation” means the lowest threshold elevation point of the runway as shown on the map in **Subschedule 11.2.2**;
  - (iv) “basic strip” means a basic strip as described in **Subschedule 11.2.2**;
  - (v) “outer surface” means the outer surface as described in **Subschedule 11.2.2**;
  - (vi) “protection area” means the Lloydminster Airport Vicinity Protection Area as described in **Subschedule 11.2.1**;
  - (vii) “take-off/approach surface” means a take-off/approach surface as described in **Subschedule 11.2.2**;
  - (viii) “transitional surface” means a transitional surface as described in **Subschedule 11.2.2**.
- (b) For the purposes of this Subsection, the airport zoning reference point elevation is deemed to be 657.8 m (2158.1 ft.) above sea level.

### (2) Applicability

- (a) This Schedule applies to a proposed development in the part of the municipality within the Protection Area notwithstanding
  - (i) that a development permit could otherwise be issued in accordance with this Bylaw, or
  - (ii) that the development is exempted under this Bylaw from requiring a development permit.

### (3) Establishment of Protection Area

- (a) The area described in Subschedule 7.2.1 is established as the Lloydminster Airport Vicinity Protection Area.

### (4) Height Limitations

- (a) A development permit shall not be issued for a development in the Protection Area if the highest point of the development will exceed in elevation at the location of

that point any of the following surfaces that project immediately above the surface of the land at that location:

- (i) the take-off/approach surfaces of the runway of the airport;
  - (ii) the transitional surfaces of the runway of the airport;
  - (iii) the outer surface.
- (b) For the purposes of this Section,
- (i) if the proposed development is a railway, the highest point of the development shall be deemed to be 6 m (19.7 ft.) higher than the actual height of the rails, and
  - (ii) if the development is a road, the highest point of the development shall be deemed to be 4 m (13.1 ft.) higher than the actual height of the part of the road.

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## SUBSCHEDULE 11.2.1

### LLOYDMINSTER AIRPORT VICINITY PROTECTION AREA

The Lloydminster Airport Vicinity Protection Area consists of the land in the County of Vermilion River No. 24 described below:

in Township 50, Range 1, West of the 4th Meridian:

Northeast Quarter of Section 8;  
East half of Northwest Quarter of Section 8;  
North half of Section 9;  
North half of Section 10;  
Southwest Quarter of Section 13;  
South half of Section 14;  
Northwest Quarter of Section 14;  
Section 15;  
Section 16;  
South half of Section 17.

## SUBSCHEDULE 11.2.2

### HEIGHT LIMITATIONS

(1) Basic Strip

The basic strip associated with the airport runway is an area 150 m in width and 1820 m in length, the location of which is shown on the map in **Subschedule 11.2.3**.

(2) Take-off/Approach Surfaces

There are take-off/approach surfaces associated with each end of the basic strip, and in each case the surface is an imaginary surface consisting of an inclined plane that

- (a) commences at and abuts the end of the basic strip,
- (b) rises at an angle of 1.15 degrees (1:50) measured from the end of the basic strip,
- (c) diverges outward on each side as it rises, at an angle of 8.53 degrees (3:20) measured from the respective projected lateral limits of the basic strip, and
- (d) the ends at its intersection with the outer surface.

(3) Transitional Surfaces

There is a transitional surface associated with each lateral limit of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane

that

- (a) commences at and abuts the lateral limit of the basic strip,
- (b) rises at an angle of 8.14 degrees (1:7) measured from the lateral limit of the basic strip, and
- (c) ends at its intersection with the outer surface or a take-off/approach surface.

(4) Outer Surface

The outer surface of the Protection Area is an imaginary surface consisting of a common plane established at a constant elevation of 45 m (147.6 ft.) above the airport zoning reference point elevation and extending to the outer limits of the Protection Area.

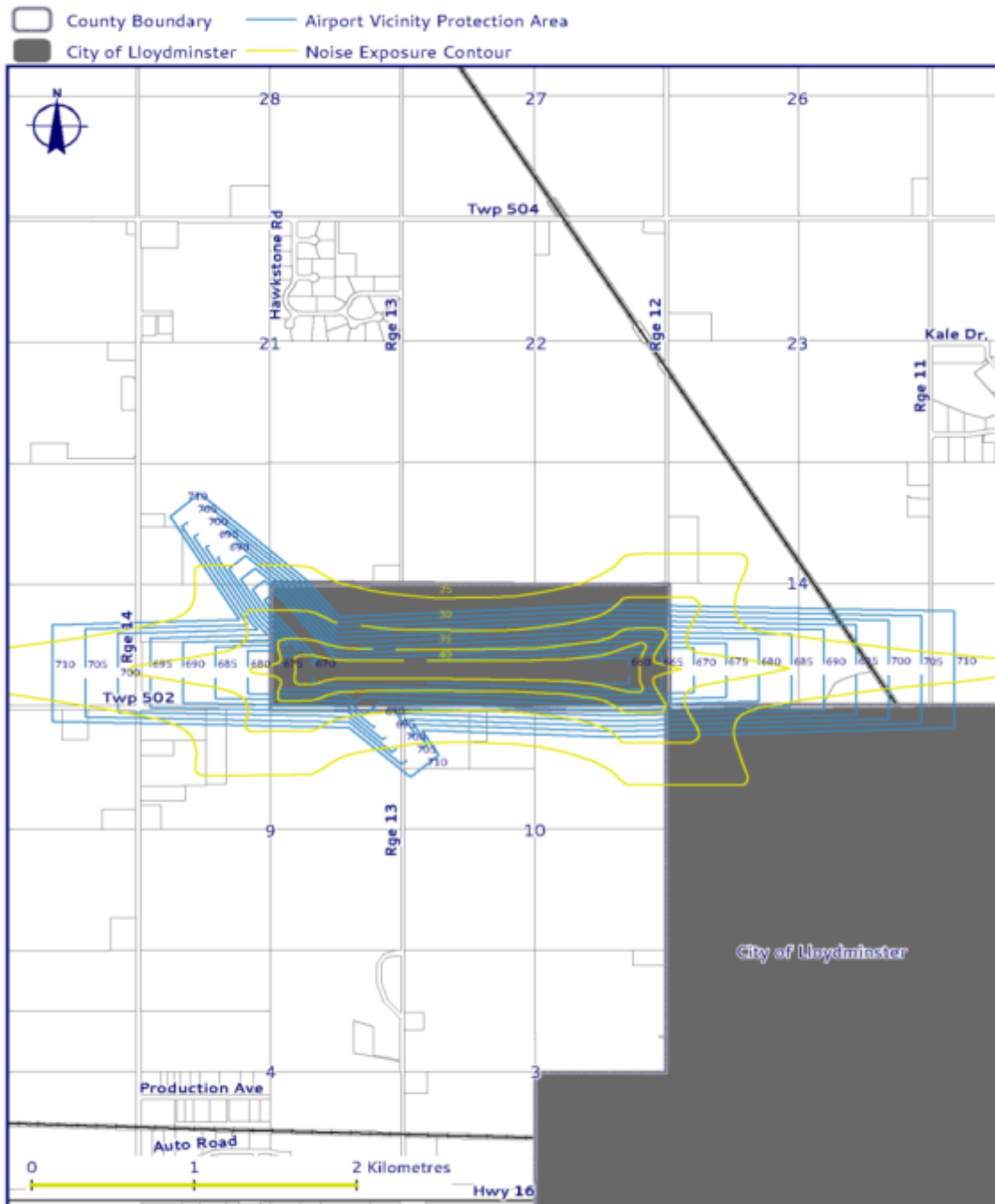
(5) General

The area location of the take-off/approach surfaces and transitional surfaces are represented on the map shown in **Subschedule 11.2.3**, but if any discrepancy exists between the description of the take-off/approach surfaces or transitional surfaces in this Subschedule and their location on the map in **Subschedule 11.2.3**, the description in this Subschedule prevails.



## County of Vermilion River

### Land Use Bylaw Map – Lloydminster Airport Vicinity Protection Area



Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Altalis  
 Geographic coordinate system and projection: UTM, NAD 83 Datum: Zone 12N  
 FOR MORE INFORMATION: [www.murplan.ab.ca](http://www.murplan.ab.ca) | #208, 1751-107 Avenue NW Edmonton, AB T5S 1E5 | 780.486.1991



## APPENDIX A

### Sustainable Resource Development Guidelines for Environmental Reserves and Environmental Reserve Easements

## Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

**Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.**

Water Feature	Minimum ER Width <sup>1</sup>	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland <sup>2</sup>	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River ( $\geq 15$ m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream ( $\leq 3$ m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

<sup>1</sup> Sustainable Resource Development views the term "swamp" to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).

<sup>2</sup> In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

**Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.**

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> <li>The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less.</li> <li>The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley.</li> </ul>	<ul style="list-style-type: none"> <li>Residential development within a floodplain is discouraged.</li> <li>Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines).</li> <li>The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.</li> </ul>
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes ( $>15\%$ )	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	