



# Land Use Bylaw

## Bylaw 25/050

September 9, 2025



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MAPS ATTACHED – HAMLETS AND TOWNSHIPS

## **User Guide**

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

The Land Use Bylaw establishes regulations for the use of land and buildings in Clearwater County. It regulates the type, location and intensity of land uses and buildings, and also outlines the process for land use designation, subdivision and development permits to develop property.

The Land Use Bylaw reflects County regulations, and policy, including Clearwater County's Municipal Development Plan (MDP). While the regulations were drafted in consideration of higher-level statutory regulations such as the *Municipal Government Act (MGA)*, these other Bylaws, regulations and Acts must also be observed when submitting an application. While referenced in the Land Use Bylaw where possible, it is up to the individual Applicant to ensure that relevant laws are observed.

As a reference document, the Land Use Bylaw's Table of Contents is an important index. The Bylaw is organized in thirteen (13) parts which group sections with related information. The thirteen (13) parts are as follows:

PART 1: GENERAL

PART 2: AUTHORITIES

PART 3: DEVELOPMENT CONTROL, SUBDIVISION AND PERMITS

PART 4: SUBDIVISION PROCESS

PART 5: APPEALS

PART 6: ENFORCEMENT

PART 7: AMENDMENTS

PART 8: GENERAL PARCEL AND DEVELOPMENT REGULATIONS

PART 9: SPECIFIC DEVELOPMENT REGULATIONS

PART 10: PARKING AND SIGN REGULATIONS

PART 11: LAND USE DISTRICTS

PART 12: HAMLET OF NORDEGG LOT AND BUILDING DESIGN REGULATIONS

PART 13: MAPS

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

1. To determine regulations applicable to a specific parcel, you must first find the parcel on the official Land Use District Maps (Part 13 of this Bylaw). The appropriate map will show the district that applies to the parcel.
2. Look up the corresponding regulations. Start with the regulations outlined in the specific Land Use District (Part 11). The base district identifies what uses are permitted or discretionary and contains most standards that apply. These development regulations can help guide the preparation of a subdivision and/or development permit application. Some uses and types of development have additional special regulations that may apply. These may be contained in Parts 8 and 9 of this Bylaw. It is recommended to check these sections (or at least the sub-sections of these Parts in the Table of Contents) to confirm whether these Parts apply to your application.
3. Part 10 outlines Parking and Sign regulations. If your application is proposing new signage and/or requires parking, information on the requirements are outlined in Part 10 of the Bylaw.
4. Most importantly, discuss your proposed land use or development with staff from Clearwater County's Planning and Development Department. They will be able to assist in utilizing the Land Use Bylaw to ensure your application aligns with it.

If you require assistance with the regulations or processes contained in the Land Use Bylaw, please call or visit Clearwater County's Planning & Development Department. The official and most recent version of the Land Use Bylaw and amendments is located at the County's offices and/or on the County website. This version of the Land Use Bylaw should be consulted in all cases where an officially certified version of the Bylaw is required.

## **PART 1: GENERAL**

### **1.1 Short Title**

1.1.1. This Bylaw may be cited as the “Clearwater County Land Use Bylaw.”

### **1.2 Previous Bylaw**

1.2.1. Bylaw No. 714/01 and amendments thereto are hereby repealed at such time as this Bylaw has received 3rd reading and signed in accordance with Municipal Government Act (MGA).

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

1.3.1. This Bylaw comes into effect upon the date of third and final reading.

1.3.2. No development shall be carried out within the County except in accordance with this Bylaw.

1.3.3. If one or more provisions of this Bylaw are for any reason declared to be invalid, all remaining provisions are to remain in full force and effect.

1.3.4. Any application for a Development Permit, which is deemed complete prior to the effective date of this Bylaw, shall be processed in accordance with Bylaw No 714/01.

1.3.5. The standard of measurement used in this Bylaw is metric and any reference to imperial measure is for convenience.

### **1.4 Purpose**

1.4.1. The purpose of this Bylaw is to regulate the use and development of land and buildings within the County to achieve the orderly development of land, and for that purpose, amongst other things:

- a) to divide the County into land use districts;
- b) to prescribe and regulate for each land use district the purposes for which land and buildings may be used;
- c) to outline duties for the development authorities, being the Development Officer, Municipal Planning Commission and Council;
- d) to establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;
- e) to provide the manner in which the notice of issuance of a Development Permit is to be given; and

- f) to provide a regulatory framework that supports the policies and objectives of the Municipal Development Plan (MDP) and ensure its implementation in planning and development decisions across the County.

## **1.5 Compliance with Other Laws**

- 1.5.1. Further to the privileges and requirements pursuant to this Bylaw, developments and uses on land in the Municipality are subject to the constraints of other relevant legislation and regulations including municipal, provincial and federal laws, and respecting any easements, covenants, agreements and other contracts affecting the land or development.

## **1.6 Land Use Policies**

- 1.6.1. Every action undertaken by the County and its Development and Subdivision Authorities must be consistent with any land use policies established pursuant to Part 17 of the *MGA*. Where the regulations of this Bylaw are in conflict with provincial regulations and/or the *MGA*, the provincial regulation and/or the *MGA* shall supersede this Bylaw.

## **1.7 Interpretation**

- 1.7.1. Compliance with regulations in this Bylaw shall be interpreted and applied as outlined:
  - a) “Shall” and “Must” are directive terms requiring mandatory compliance.
  - b) “Should” is a directive term which means an action is preferable, not mandatory, to achieve compliance but there may be circumstances when the action is not carried out or a different action is acceptable.
  - c) “May” is a discretionary term.
- 1.7.2. Words, terminology or phrases that are not defined in this Bylaw may be defined in the *Municipal Government Act*, the *Matters Related to Subdivision and Development Regulation*, the *Interpretation Act*, or the *Alberta Building Code*. Where no definition is provided, a standard English Dictionary shall be used.
- 1.7.3. When reference or specifics of other legislation is outlined in this Bylaw, this refers to other legislation as amended from time to time. If amendments to legislation referenced and outlined in this Bylaw occurs and this Bylaw is out of date, provincial, federal or other applicable updated legislation shall supersede this Bylaw.
- 1.7.4. Illustrations and diagrams are for illustrative purposes only and the language of the Bylaw prevails in a conflict.

## PART 2: AUTHORITIES

### 2.1 Development Authority

- 2.1.1. The Development Authority is hereby established to exercise development powers and perform duties on behalf of the County.
- 2.1.2. The office of the Development Officer is hereby established, and the Chief Administrative Officer (CAO) shall be the Development Officer for Clearwater County.
- 2.1.3. The role of the Municipal Planning Commission (MPC) is established by Clearwater County Bylaw 25/020.
- 2.1.4. The Development Authority shall consist of the following:
  - a) Council:
    - i. with respect to all Development Permit applications for Discretionary Uses within Direct Control (DC) Districts unless the District specifies an alternate Approving Authority;
    - ii. with respect to Development Permit applications for Permitted Uses within Direct Control (DC) Districts which involve variance requests in excess of 20% of the relevant numerical value, unless otherwise specified within the Direct Control District; and
    - iii. with respect to any planning applications for which a Bylaw is required.
  - b) Development Officer:
    - i. with respect to all Development Permit applications for Permitted Uses within all Districts, including Direct Control Districts unless otherwise specified within the Direct Control District, where the application either complies with the Land Use Bylaw or the variance request does not exceed 20% of the relevant numerical value.
  - c) Municipal Planning Commission:
    - i. with respect to all Development Permit applications for Discretionary Uses (with the exception of Direct Control (DC) Districts unless otherwise noted within the specific district);
    - ii. with respect to all Development Permit applications for Permitted Uses with variances where the numerical value of the variance is in excess of 20%;
    - iii. receive, consider and decide on requests for time extensions to Development Permits approved by the MPC that already had two time extension requests granted by the Development Officer and the Applicant is requesting a third time extension; and

- iv. render decisions on other Development Permits or matters referred to it by the Development Officer.

## **2.2 Development Officer**

### 2.2.1. The Development Officer shall:

- a) Advise and assist the Municipal Planning Commission, and if applicable, Council, on all matters in the planning of orderly, beneficial and economical development within the County that ensures consistency with the Municipal Development Plan and all other relevant statutory plans and Council strategic plans and policies;
- b) Determine whether a Development Permit is required for a proposed development;
- c) Determine whether a Development Permit application shall be deemed complete or incomplete, even in cases where an application is made for a Development Permit within a Direct Control (DC) District;
- d) Shall keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and any adopted statutory plans and all amendments thereto and ensure that copies of the same are available to the public at a reasonable charge as prescribed by Council in their fee schedule, and available on the Clearwater County website at any given time;
- e) Refer an application to any Clearwater County department or any other municipal, provincial, federal or inter-jurisdictional department, adjacent landowners, or any other relevant agency or body as required;
- f) Be a Designated Officer for the purpose of performing site inspections and carrying out remedial enforcement or other actions pursuant to the *MGA*;
- g) Keep and maintain a record of all Development Permit decisions and the reasons and conditions as outlined in the Development Permit;
- h) Deem a proposed land use that is not listed as a Permitted Use but is reasonably similar in character as the purpose to a listed Permitted Use in a particular district as a similar use;
- i) Consider and decide on all Development Permit applications for Permitted Uses, unless otherwise specified in the District, where the development meets all other requirements within the Bylaw, and may issue a Development Permit with or without conditions;

- j) Consider and render a decision on all Development Permit applications for Permitted Uses, that require a variance or relaxation of this Bylaw, except when variance requests exceed 20%. A variance shall only be granted provided that the proposed development shall not:
  - k) Unduly interfere with the amenities of the neighbourhood; or
  - l) Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - m) The proposed development conforms with the use prescribed for that land or building in the Bylaw.
  - n) Refer all Development Permit applications for Discretionary Uses, except in the Direct Control (DC) District, along with a review of whether the application conforms to this Bylaw and aligns with any relevant statutory plans, to the MPC;
  - o) Receive, consider and decide on requests for time extensions to Development Permits for the commencement of construction and operations approved within; and
  - p) Receive, consider and decide on requests for first and second-time extensions to Development Permits approved by the MPC for the commencement of construction and operations approved within. Any time extensions beyond the first two will be required to go back to the MPC.

### **2.3 Subdivision Authority**

- 2.3.1. The Municipal Planning Commission (MPC) is established as the Subdivision Authority of Clearwater County per the *Development and Subdivision Authorities Bylaw*.
- 2.3.2. An order, decision, notice, approval, Subdivision endorsement or other item issued by the MPC may be signed on its behalf by its chairperson, vice chairperson, a Development Officer or any other designate as determined by the Chief Administrative Officer (CAO).
- 2.3.3. The Development Officer shall receive, determine whether the application is complete, and process Subdivision applications on behalf of, and make recommendations to the MPC as the Subdivision Authority.

### **2.4 Subdivision and Development Appeal Board and Land and Property Rights Tribunal**

- 2.4.1. An appeal of the Development Authority or Subdivision Authority may be made to the appropriate appeal board being either the Subdivision and Development Appeal Board (SDAB) established and appointed by Clearwater County Council pursuant to Bylaw 1098/20 or the Land and Property Rights Tribunal (LPRT), whichever is applicable.

## **PART 3: DEVELOPMENT CONTROL, SUBDIVISION AND PERMITS**

### **3.1 Control of Development**

- 3.1.1. No development other than those listed in Section 3.2 shall commence within the County unless an application for it has been approved and a Development Permit has been issued.
- 3.1.2. All uses within this Bylaw are subject to the regulations for the district in which they are a listed use.
- 3.1.3. All development, including storage must be fully located on the property with no encroachments off the property will be permitted.

### **3.2 Development Not Requiring a Development Permit**

- 3.2.1. The following development shall not require a Development Permit:
  - a) the carrying out of works of maintenance or repair to any buildings, provided that such works do not include structural alterations or major works of renovation and provided that:
    - i. such works do not include additions to buildings and/or impact the existing building footprint and change setbacks from property lines;
    - ii. proposed changes do not constitute a change in the use and/or impact the intensity of the use of the building and/or lands; and
    - iii. alterations do not create additional dwelling units.
  - b) the completion of any development which has lawfully commenced before the adoption of this Land Use Bylaw or any amendment thereto, provided that the development is completed in accordance with the terms of any permit granted in respect of it;
  - c) the use of any such development as referred to in Subsection (b) for the purpose for which development was commenced;
  - d) unless otherwise restricted in a land use district, the erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used for vehicular traffic) less than 2 metres (6.5 feet) in front, side and rear yards, unless located in a hamlet, multi-lot subdivision or if impacting a visibility triangle at an intersection and excepting that livestock pasture fences are not subject to these height constraints;
  - e) the temporary erection, installation or use of machinery, structures or buildings such as a construction trailer, which is incidental to the construction or

alteration of a use which has received a permit subject to this Bylaw. This does not include a Show Home or Home Sales Centre;

- f) demolition of:
  - i. A building or structure where a Development Permit has been issued for a new development on the same site, and the demolition of the existing building or structure is outlined implicitly in that permit;
  - ii. A residential structure where a building permit by Alberta Safety Codes Authority (ASCA) has been issued for demolition, unless it is located within a hamlet and then a permit for demolition from Clearwater County is required.
- g) the development, construction, maintenance and repair of roads, pathways, sidewalks, buildings, public works, services, utilities, lease activities regulated by the AER and uses carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- h) stripping, site grading or excavation on a site where a Development Permit has been issued;
- i) a grass landing strip for personal aircraft use in rural areas (outside hamlet or development node boundaries);
- j) the keeping of animals (i.e. livestock) in country-residential land use districts provided they are in compliance with the Animal Control Bylaw;
- k) Personal Use Agriculture;
- l) development within the Public Airport (PA) District directly related to aviation and regulated by the *Aeronautics Act*, RSC 1985 c.A-2;
- m) day homes provided they meet all provincial legislation and other regulatory requirements;
- n) propane/fuel tanks on non-industrial and non-commercial land use designations provided that they are in compliance with all safety codes legislation;
- o) the temporary use of a Building or Site by or on behalf of the County or another government authority resulting from (and directly related to) the declaration of a state of emergency;
- p) a Confined Feeding Operation (CFO) approved by the Natural Resources Conservation Board;
- q) erection of flagpoles, towers or other poles not exceeding 5.0m (16.4 ft) in any districts so long as minimum setbacks are met;

- r) landscaping or landscape-related features that:
  - i. do not materially alter the natural surface drainage or existing grades;
  - ii. include driveways and fishponds for non-commercial purposes in all districts; or,
  - iii. includes dugouts in the Agricultural (A) District.
- s) Agricultural Operation uses on parcels designated Agricultural District and all other districts where Agricultural Operation is a listed Permitted Use;
- t) the placement of a Dwelling - Manufactured located in an approved manufactured home park in the Manufactured Home Park District "MHP", when in compliance with a previously approved Development Permit and/or Outline Plan.
- u) the placement of a Dwelling – Manufactured located in an industrial or construction camp as defined in the *Public Health Act – Work Camps Regulations*, when in compliance with a previously approved Development Permit;
- v) the development of a Temporary Work Camp when in compliance with a previously approved Development Permit and/or Outline Plan.
- w) the parking and use of a recreation/vehicle and other recreation equipment subject to the limits set out in Section 9.20 of this Bylaw;
- x) a Recreational Vehicle to be used on a property during active construction of a dwelling with an approved Development Permit for a dwelling on any property;
- y) the placement of signs and advertisements subject to the limits set out in Section 10.2 of this Bylaw;
- z) the use of a building or portion thereof as a temporary campaign office or a polling station, or any other official temporary use in connection with a federal, provincial or municipal election or referendum;
- aa) the construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;
- bb) the construction of roof mount, wall mount, or free-standing solar cells, with a rated output of up to a maximum of 30kW per parcel in the Agricultural (A) District;
- cc) the construction of a solar collector attached to a wall or roof of a building, with a rated output of up to a maximum of 30kW per parcel in any land use district;

- dd) a deck or patio provided it complies with the setbacks and lot coverage requirements of the associated district;
- ee) a retaining wall, provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metre at the highest point;
- ff) the construction of a Wind Energy Conversion System- small (WECS-small) in the Agricultural (A) District;
- gg) the construction, maintenance or repair of a Telecommunications Tower provided it meets the requirements of the Clearwater County Telecommunication Antenna System Siting Policy;
- hh) subject to compliance with all relevant provisions of this Bylaw, in any agricultural or industrial district, an accessory building not exceeding 46.45 square metres (500 sq ft) and in any other district an accessory building not exceeding 23.2 square metres (250 sq ft);
- ii) the temporary use of a sea-can in accordance with the specific use regulations for temporary sea-cans in this Bylaw;
- jj) a sea-can in the Agricultural (A) District in accordance with the specific use regulations for sea-cans in this Bylaw;
- kk) the construction of an agricultural building in the Agricultural (A) District;
- ll) the temporary or permanent storage of up to a maximum of:
  - i. 7 recreation vehicles on a parcel designated Agricultural (A) District.
  - ii. 4 recreation vehicles on a parcel designated Country Residential (CR) District or Country Residential Agricultural (CRA) District.
  - iii. 1 recreation vehicle on hamlet-designated parcels or leisure-residence district.
- mm) the development of a private greenhouse as an accessory building provided it is less than 23.2 square metres (250 sq ft);
- nn) direct market sales in accordance with section 9.6 of this bylaw.

3.2.2. The following development shall not require a Development Permit as specified in Section 618 and 618(1) of the *MGA*, which includes:

- a) a highway or road;
- b) a well or battery within the meaning of the *Oil and Gas Conservation Act*;
- c) a pipeline or an installation or structure incidental to the operation of a pipeline;

- d) a designated area of Crown land; and,
- e) any other thing specified by the Lieutenant Governor in Council by regulation.

3.2.3. Notwithstanding the foregoing:

- a) when a development listed above does not require a Development Permit but does not comply with the requirements of this Bylaw and requires a variance, an application for a Development Permit must be made and a Development Permit, with or without conditions, issued prior to such development being commenced.
- b) where development of a structure or use that does not require a Development Permit pursuant to this Part is desired, the developer is encouraged to consult this Bylaw or the Development Officer so as to ensure that any other requirements of the Municipality and of this Bylaw are satisfied.

**3.3 Subdivision and Development Application Process**

- 3.3.1. The Development Officer will determine if an application for a Development Permit or Subdivision is complete.
- 3.3.2. If complete, the Development Officer will issue a notice of completeness to the applicant.
- 3.3.3. If incomplete, the Development Officer will provide a notice of incomplete application. This notice shall include a list of any outstanding or missing documents or information that shall be provided to deem the application complete. This notice should include a deadline for resubmission of the outstanding information. If the Development Officer does not provide the applicant with a written acknowledgement on the completeness of the application or make a determination of completeness, then the application is deemed to be complete within 20 days from receipt.
- 3.3.4. If the applicant provides the outstanding or missing documents and information by the deadline, the Development Officer will provide a notice of completeness.
- 3.3.5. If the applicant does not provide the outstanding or missing documents and information by the deadline in the notice of incomplete application, the application will be deemed refused and the Development Officer will provide a notice of deemed refusal.
- 3.3.6. The initial 20 days to review an application may be extended by an agreement in writing between the applicant and the Development Officer.
- 3.3.7. Despite issuing a notice of completeness, the Development Authority in reviewing the application may request additional information or documents the Development Authority considers necessary to review the application.

### **3.4 Development Applications**

- 3.4.1. Each application for a Development Permit shall be accompanied by a non-refundable processing fee of an amount determined by Council. An application will not be received until the application fee is paid in full.
- 3.4.2. Where a proposed development involves land for which Subdivision is required or is pending, the Development Officer may refuse to accept and process the application for a Development Permit until evidence is provided that the Subdivision has approval, and the appropriate title has been issued or is forthcoming.
- 3.4.3. An application for a Development Permit shall be accompanied by the following information where relevant to the application, as determined by the Development Officer:
- a) a legible and complete application form as prescribed by Development Officer;
  - b) a site plan completed in metric and at a scale to the satisfaction of the Development Officer showing;
    - i. the size and shape of the lot;
    - ii. North arrow;
    - iii. lot lines (property boundaries) shown with dimensions;
    - iv. proposed front, side and rear yard setback distances with dimensions;
    - v. site topography, drainage patterns and grades;
    - vi. location of existing / proposed buildings / structures;
    - vii. development density and site coverage calculations;
    - viii. location of existing / proposed on-site water and sewer services;
    - ix. location of all registered utility easements and right-of-ways;
    - x. location of all existing and proposed trees, landscaped areas and any other natural features on the site;
    - xi. dimensions and layout of existing and/or proposed parking spaces and loading areas;
    - xii. existing and proposed use of the existing and/or proposed buildings on the site.
  - c) floor plans that include all proposed levels of the subject development;
  - d) elevations to scale, that show colors, materials and proposed signage areas;
  - e) engineering plans or supporting studies for water and wastewater servicing on a parcel;
  - f) description of the proposed development;
  - g) the estimated commencement and completion dates;

- h) photographs of the subject lands;
- i) information regarding proximity to wastewater, landfill sites including transfer stations, gas or oil wells and sour gas facilities;
- j) a copy of the Certificate of Title dated within 30 days of the date of application indicating ownership and encumbrances;
- k) a signed consent form allowing access and right-of-entry to the lands by the Development Officer;
- l) signage details including total area, signage types, sizes, illumination and other details;
- m) a corporate record if the applicant is a corporation, indicating the name of the legal entity, the directors or shareholders and the persons having signing authority for the corporation,
- n) if the applicant is not the registered owner, a statement in writing, signed by the registered owner, consenting to the application and approving the applicant as the agent of the registered owner; and
- o) such other documents and information the Development Officer deems necessary to review the application.

3.4.4. In addition to the above, the Development Officer may require the following additional information depending on the proposed use or site context. This may include:

- a) a geotechnical or floodplain / hydrogeological study prepared by a Qualified Consultant, if in the opinion of the Development Authority, the site is potentially unstable or within a perceived floodplain;
- b) roadside Development Agreement from Alberta Transportation & Economic Corridors;
- c) a reclamation plan for aggregate extraction or other major surface extraction;
- d) historical resources clearance;
- e) grading plan;
- f) a plan of survey completed by a Qualified Consultant (surveyor) as proof of location of development;
- g) site lighting plan;
- h) site reclamation plan;
- i) wetland impact assessment;

- j) a Phase 1 Environmental Site Assessment (ESA) prepared by a Qualified Consultant if potential contamination is suspected;
- k) a biophysical overview and/or a biophysical impact assessment if there are natural features present that may require boundary delineation for potential Environmental Reserve (ER) or an Environmental Reserve Easement (ERE);
- l) a traffic impact assessment (TIA) prepared by a Qualified Consultant (engineer) if the development will have a potential impact on the adjacent road network and possibly require upgrades to this network;
- m) stormwater management studies or a master drainage plan prepared by a Qualified Consultant (engineer) if the development will have an impact on surface drainage and potential off-site drainage impacts;
- n) slope stability reports prepared by a Qualified Consultant (engineer) if the proposed development is within proximity of the toe of slope, toe of bank, top of slope or top of bank;
- o) acoustic study;
- p) a study addressing prevailing winds and their position on any proposed developments; and/or
- q) a landscape plan prepared by a Qualified Consultant (landscape architect) that includes:
  - i. boundaries and dimensions of the subject lands;
  - ii. locations and outlines to scale in metric of all parking areas, building areas, impervious surfaces, walkways and other plan aspects;
  - iii. location of all existing plants and/or trees to be retained;
  - iv. site details of all physical features to be added to the site including, but not limited to lighting, seating, waste bins, berms, walls, fences, outdoor furniture and decorative paving;
  - v. details on all proposed tree and plant species, ground covers and other landscape elements; and
  - vi. site details of proposed plantings with dimensions of size at initial planting.

3.4.5. The Subdivision Authority or Development Authority will review the reports prepared by a Qualified Consultant and the recommendations within, and assess the suitability of the application in light of the report, as a basis for:

- a) reasons to refuse or approve, with or without conditions, a Development Permit;
- b) reasons to amend or refuse an amendment to this Bylaw;

- c) reasons to approve, approve with conditions, or to refuse an application for Subdivision;
  - d) reasons to approve or refuse an application to adopt or amend a statutory plan.
- 3.4.6. In addition to all other application requirements stated in this Bylaw or allowed by Provincial legislation, the Development Authority may require the applicant to submit information to demonstrate compliance with all applicable Provincial or Federal requirements including, but not limited to, information related to the *Alberta Building Code* and *Alberta Fire Code*.

### **3.5 Referral of Development Applications**

- 3.5.1. A complete application may be referred to any agency, neighbouring municipality, adjacent landowner or person the Development Officer or MPC considers appropriate for comments or advice regarding the application.
- 3.5.2. Referrals shall include the date by which comments must be received by the Development Officer.
- 3.5.3. The Development Officer shall refer all applications for development to an adjacent municipality as directed by the Municipal Development Plan and/or the Intermunicipal Development Plan.
- 3.5.4. The Development Officer may refer a Development Permit application for a Discretionary Use or an application for a variance in excess of 20% to adjacent property owners indicating the location and nature of the proposed development or variance and ask for comment.
- 3.5.5. The Development Officer shall refer all applications for development which would result in permanent overnight accommodations, including dwellings or public facilities, to the Alberta Energy Regulator if any of the land which is the subject of the application is within 1.5 kilometres (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development.
- 3.5.6. Applications in proximity to Alberta Transportation & Economic Corridors shall be circulated as follows:
  - a) Subdivision applications within 1600.0 m (0.99miles) of the centreline of a Provincial highway;
  - b) Development Permit applications within 300.0 m (0.19 miles) from the right-of-way of a Provincial highway; and,
  - c) Development Permit applications within 800.0 m (0.50 miles) from the centre point of the intersection of the highway to another highway.

### **3.6 Decisions on Development Applications**

3.6.1. When making a decision for a Development Permit for a Permitted Use, the Development Authority:

- a) shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw; or,
- b) shall refuse the application if the proposed development does not conform to this Bylaw, giving reasons for the refusal.

3.6.2. In an approval of a development application, the Development Authority may impose any condition by which the development would be made to comply with the standards of the District which applies to the development application, other regulations and provisions in this Bylaw, the provisions of any statutory plan that has effect on the development, the *MGA*, and Matters Related to Subdivision and Development Regulation, including but not limited to:

- a) a Development Agreement pursuant to Section 650 of the *MGA* and the provisions of this Bylaw;
- b) servicing considerations;
- c) transportation improvements;
- d) landscaping and storm water management;
- e) the appearance of buildings; and
- f) FireSmart considerations.
  - i. All proposed developments within the forested area must have additional setbacks for fire defensible spaces per this Bylaw or at the discretion of the Development Authority and in consideration of FireSmart policies.

3.6.3. When making a decision for a Development Permit for a Discretionary Use, the Development Authority:

- a) may, in the discretion of the Development Authority, approve the application with or without conditions; or,
- b) may, in the discretion of the Development Authority, refuse the application; or,
- c) shall refuse the application if the proposed development does not conform to this Bylaw.

3.6.4. The Development Authority will consider the following when exercising discretion:

- a) alignment with relevant statutory plans and planning policies;

- b) referral comments; and,
  - c) effect on the use, enjoyment and value of neighbouring properties.
- 3.6.5. In an approval of a development application for a Discretionary Use, the Development Authority may impose any condition deemed appropriate having regard to, but not limited to, the circumstances and merits of the proposed development, this Bylaw, the purpose, scope and policies in any statutory plan or any other plan adopted or endorsed by Council that has effect on the development, the amenities of the neighbourhood and existing or proposed land uses in the vicinity of the development.
- 3.6.6. In the case where an application for a Development Permit or change in land use is refused by the Development Authority, SDAB or LPRT, another application with respect to the same lot for a Development Permit for the same or similar use or a change in land use designation, may not be made by the same or any other applicant within 6 months after the refusal, subject to the discretion of Council.
- 3.6.7. In the approval of a development application for a Discretionary Use and a development application for a development within a Direct Control District, the Development Authority may, in addition to the provisions of this Section, apply conditions including but not limited to:
- a) the construction, placement or use of signage or other advertising devices of any kind including their height, size and character;
  - b) the ground area, floor area, height, size and location of buildings;
  - c) the amount of land to be provided around or between buildings;
  - d) the landscaping of land or buildings;
  - e) the location, height and maintenance of fences and walls, including sound and vision barriers;
  - f) the provision and maintenance of:
    - i. off-street or other parking facilities;
    - ii. loading and unloading facilities, and any other areas that, in the opinion of the Council, may be necessary;
    - iii. water, wastewater and other utilities;
    - iv. stormwater management.
  - g) the design, character and appearance of buildings;
  - h) the location and amount of access from public roadways and ensuring that there is at least one means of physical access from each lot to a public roadway;

- i) the lighting of land, buildings or other things;
- j) the enlargement, alteration, repair, removal or relocation of buildings;
- k) the excavation or filling in of land;
- l) limiting the hours of operation;
- m) limiting the number of patrons;
- n) FireSmart considerations;
- o) the grading of the site or such other procedures as are necessary to protect the site from other developments or to protect other developments from the site development;
- p) ensuring development is compatible with surrounding development;
- q) the period of time during which the development may continue;
- r) the placement of any development or use on land:
  - i. subject to flooding or subsidence or that is low-lying, marshy or unstable;
  - ii. which contains or may contain significant archeological, paleontological or other historic resources identified by the County or Province;
  - iii. considered by the County to be environmentally significant, including land within a specified distance of land considered by the County to be environmentally significant; or
  - iv. in relationship to any other existing or proposed use or development.

3.6.8. The Development Authority must not approve an application that does not conform to the Alberta Energy Regulator (AER) setbacks unless the AER gives written approval to a lesser setback distance. When issuing a Development Permit for a residence in an area where there is a risk of sour gas as advised by the AER, the Development Authority may as a condition of approval require the applicant to sign a copy of the applicable declaration prescribed by the Development Authority.

3.6.9. An application for a Development Permit may, at the option of the applicant, be deemed to be refused when a decision thereon is not made within 40 days after the application has been “deemed complete” by the County, or within such longer period as the applicant may have approved in writing. If a decision is not made within 40 days, a time extension must be requested and accepted by the Development Authority in writing. The applicant may appeal a deemed refusal in writing as provided for in this Bylaw, as though the applicant had received a refusal.

### **3.7 Variances**

- 3.7.1. The Development Authority, in accordance with the Authorities section of this Bylaw may approve an application for a Development Permit notwithstanding that the proposed development does not comply with this Bylaw, if the proposed use conforms with the use prescribed for land or building in this Bylaw and in the opinion of the Development Authority the proposed development would not:
- a) unduly interfere with the amenities of the neighbourhood; or,
  - b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and,
  - c) the proposal conforms with the use prescribed for that land or building under this Bylaw.
- 3.7.2. All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, considering the criteria in section 3.7.1 and outlining the hardship that will be incurred if the variance is not granted.
- 3.7.3. A variance will be considered when the proposed variance or relaxation does not materially impact neighbouring parcels or cause potential nuisance effects to adjacent lots.
- 3.7.4. Depending on the percentage of the variance being proposed, the application shall be processed in accordance with the Authorities section of this Bylaw.
- 3.7.5. Unless provided for in 3.6.6, the Subdivision Authority may not approve the creation of a parcel that does not comply with the size of lot specified in the applicable Land Use District.
- 3.7.6. The Subdivision Authority may approve the creation of a residential parcel which includes the removal of all or part of an existing building site having a size larger than 2.83 hectares (7.0 acres) if a larger parcel is deemed necessary by the Subdivision Authority to encompass existing residential amenities and facilities, such as shelter belts, wastewater and water services and driveways.
- 3.7.7 Development Permit applications that are granted a variance shall include written rationale for the variance as part of the development permit approval.

### **3.8 Development Permit and Notice of Decision**

- 3.8.1. A Development Permit should be issued to the Applicant on the date that the decision was rendered by the Development Authority.
- 3.8.2. When a development application for a Permitted Use that complies with the provisions of this Bylaw is approved, the Development Officer:

- a) shall issue a Development permit to the applicant; and,
  - b) may advertise the decision in one issue of a local newspaper circulating in the area and/or on the County's website.
- 3.8.3. When a development application for a Permitted Use that does not comply with the provisions of this Bylaw and is granted a variance or relaxation, the Development Officer:
- a) shall issue a Development Permit to the applicant;
  - b) will issue a notice of decision to adjacent landowners in writing; and/or,
  - c) will advertise the decision in one issue of a local newspaper circulating in the County and/or on the County's website.
- 3.8.4. When a development application for a Discretionary Use is approved with or without conditions, the Development Officer:
- a) shall issue a Development Permit to the applicant; and,
  - b) will issue a notice of decision to adjacent landowners in writing; and/or,
  - c) will advertise the decision in one issue of a local newspaper circulating in the area and/or on the County's website.
- 3.8.5. When a development application is refused, the Development Officer shall send a notice of refusal of a Development Permit to the applicant outlining reasons for refusal.
- 3.8.6. A decision of the Development Authority must state whether the appeal lies with the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal (LPRT).

### **3.9 Development Permits and Their Validity**

- 3.9.1. When an application for development has been approved, the Development Officer shall immediately issue a Development Permit.
- 3.9.2. So that a reasonable opportunity is provided for an appeal to be made, a Development Permit does not come into effect until 21 days after the date of decision on the Development Permit. Any development prior to expiry of this period is done solely at the risk of the applicant.
- 3.9.3. If an appeal is filed within the time limits provided for in this Bylaw, the Development Permit is suspended until it is upheld, either in whole or as varied, by the Subdivision and Development Appeal Board (SDAB) or Land and Property Rights Tribunal (LPRT).
- 3.9.4. If the authorized development does not commence within 12 months from the date of a Development Permit being issued, or of a development approval order being granted

by the SDAB or LPRT, and thereafter completed within 24 months after commencement, the permit is deemed to be void, unless an extension beyond this period has been granted by the Development Authority.

- 3.9.5. A development once begun shall not be abandoned or left for an extended period in what the Development Officer considers to be an unfinished condition.
- 3.9.6. A Development Permit for a use shall be declared void if the use is discontinued for a period of 12 consecutive months or more.
- 3.9.7. A Development Officer may suspend, revoke or modify a Development Permit if:
- a) there is a contravention of any condition of the Development Permit;
  - b) the application contained a misrepresentation, or incorrect information; material facts were not disclosed, or the landowner requests the cancellation; or,
  - c) the permit was issued in error.
- 3.9.8. Where a development has commenced, but the Development Permit has subsequently been revoked, the Development Officer may require all work to cease. If work is required to cease, no further work may proceed unless a new Development Permit is issued subject to a new or revised development application being made and, at the discretion of the Development Officer, additional or new application fees being paid.
- 3.9.9. A Development Permit shall indicate that only work approved within the Development Permit is authorized and does not relieve any person from:
- a) complying with any provisions of this Bylaw not specifically stated on the Development Permit;
  - b) complying with all other applicable municipal bylaws and provincial and federal legislation and regulations.; and,
  - c) complying with any easement, covenant, agreement, contract or other instrument affecting the development.

### **3.10 Development Agreements**

- 3.10.1. The Development Authority may require that, as a condition of development approval, the applicant enter into an agreement to do all or any of the following:
- a) to construct or pay for the construction of a road required to give access to the development;
  - b) to construct or pay for the construction of:

- i. a pedestrian walkway system to serve the development, or,
  - ii. pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development,
  - iii. or both (i) and (ii);
- c) to install or pay for the installation of a public utility described in Section 616(v)(i) to (ix) of the *MGA* that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
- d) to construct or pay for the construction of:
  - i. off-street or other parking facilities; and,
  - ii. loading and unloading facilities;
- e) to pay an off-site levy or redevelopment levy imposed by bylaw;
- f) to give security deposit to ensure that the terms of the agreement under this section are carried out;
- g) to pay for all or a portion of the cost of an improvement constructed or paid for in whole or in part by the County at any time prior to the date of approval of the Development Permit or Subdivision approval application, or to construct or pay for all or a portion of an improvement with an excess capacity;
- h) in the event the application may be withdrawn, payment of all costs and expenses incurred by the County prior to withdrawal of the application;
- i) the terms of any agreement which constituted a condition of Subdivision approval for the lands under consideration; and
- j) further conditions as the Development Authority deems necessary or advisable having regard for the nature of the proposed development.

3.10.2. The Development Agreement may be registered by a caveat against the title of an affected lot and must be discharged once the conditions of the Development Agreement have been completed and the applicable maintenance periods have been completed.

### **3.11 Development Securities**

3.11.1. The Development Authority may require that a refundable security deposit, in the form of a cash deposit, a renewable and irrevocable letter of credit or other form acceptable to the Development Authority, be provided. The security deposit and the Development Agreement shall be used to ensure compliance with the provisions of this Bylaw or any Development Permit or Subdivision approval conditions, and/or to ensure that the

construction of offsite improvements or infrastructure is completed to County standards.

- 3.11.2. All expenses incurred by the County to draw upon or renew a letter of credit, shall be reimbursed by the developer/landowner by payment of an invoice or from the proceeds of the letter of credit.
- 3.11.3. Any letter of credit shall allow for partial draws by the County if the conditions of the Development Permit are not completed to the satisfaction of the Development Authority. The County shall hold the guaranteed security deposit until the conditions of the Development Permit have been met to the satisfaction of the Development Authority. Once all the conditions of the Development Permit are met the guaranteed security deposit will be released. The County shall provide an accounting to the owner indicating how the proceeds of the letter of credit were applied within sixty (60) days of completing the conditions of the Development Permit.

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

- 3.12.1. The Development Authority may approve a temporary Development Permit for a Discretionary Use subject to:
  - a) the owner or applicant agreeing to remove such a building or cease the use of land in accordance with the terms and conditions affixed in the Development Permit; and,
  - b) the use of the building or land conforming with the Discretionary Uses prescribed in the District for which the site is designated.
- 3.12.2. A temporary Development Permit issued for a Discretionary Use shall be valid for a period of no more than 1 year, subject to one written extension granted by the Development Authority.
- 3.12.3. The Development Authority may require that the security deposit be held by the County for the duration of time that the temporary Development Permit is issued in order to allow the County to remove the temporary use if the owner/applicant does not comply with the temporary Development Permit.

### **3.13 Non-Conforming Buildings and Uses**

- 3.13.1. If a Development Permit has been issued on or before the day on which this Bylaw or an amendment of this Bylaw comes into force and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the Development Permit continues in effect in spite of the coming into force of the Bylaw.

- 3.13.2. A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- 3.13.3. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- 3.13.4. A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- 3.13.5. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
- c) to make it a conforming building;
  - d) for routine maintenance of the building, if the Development Authority considers it necessary; or,
  - e) in accordance with a Land Use Bylaw that provides minor variance powers to the Development Authority for the purposes of this section.
- 3.13.6. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- 3.13.7. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## PART 4: SUBDIVISION PROCESS

### 4.1 Requirements for Subdivision Applications

- 4.1.1. A subdivision application shall be accompanied by the following information where relevant to the application, as determined by the Subdivision Authority:
- a) completion of an application form, in a clear and legible manner as prescribed by Clearwater County for the subdivision application being applied for and signed for by the landowner and applicant;
  - b) submission of the appropriate application fee for the proposed Subdivision based on the number of lots being proposed as per the Clearwater County fee schedule;
  - c) a proposed plan of Subdivision showing the subdivision or other instrument of subdivision (Survey Sketch) prepared by a Qualified Consultant for developed parcels or a drawing prepared on an aerial photograph or suitable equivalent to the satisfaction of the Development Officer that:
    - i. indicates the location, dimensions and boundaries of the land to be subdivided;
    - ii. provides a clear outline of the proposed parcel(s) which the Applicant wishes to register in a Land Titles Office;
    - iii. clear locations, dimensions and boundaries of each parcel to be created, any proposed reserve land, utility right-of-ways for public utilities and any other right-of-ways that apply to the subject lands;
    - iv. shows the uses, location and dimensions of buildings on the land that is the subject of the application;
    - v. identifies any buildings within the parcel that are proposed to be moved or demolished;
    - vi. shows the locations of any rivers, streams, watercourses, lakes or other bodies of water that is contained within the boundaries of the parcel(s) that is/are the subject of the subdivision application;
    - vii. identifies the location of any existing or proposed wells, the locations and details of any private sewage disposal systems and the distances from these wells or systems to existing and proposed buildings and property lines; and,
    - viii. shows the existing and proposed access to the proposed lots and the remainder of the titled area.
  - d) a copy of the current land title for the land that is the subject of the application pulled within 30 days of the date of application from Alberta Land Titles;
  - e) consent to authorize the Subdivision Authority to carry out a site inspection of the lands subject to the subdivision application in accordance with 653(2) of the *MGA*;

- f) should the County require a third-party review of any technical studies provided by the applicant that may be necessary to support the Subdivision application review process, the applicant will be required to cover any costs to the County for the third-party review.
- 4.1.2. The Subdivision Authority shall require a map of the proposed Subdivision area from Alberta Energy Regulator sources indicating that there are no abandoned oil and gas wells in the project area, and/or written confirmation that the licensee responsible for each well has been contacted and the exact well location confirmed. Any additional information discussed with the licensee that may have led to a change in the setback area should also be included.
- 4.1.3. The Subdivision Authority may also require an Applicant to submit any or all of the following depending on relevant site and contextual conditions:
- a) a plan of the parcel(s) to be subdivided that shows geographic contours at contour intervals of 1.0m (3.2 ft) or less;
  - b) information prepared by a Qualified Consultant regarding the suitability of the site to support the provision and availability of potable water on or to the subject parcel to be subdivided if the parcel is not serviced by a centralized water distribution system;
  - c) an environmental impact assessment completed by a Qualified Consultant;
  - d) a description of how utilities will be provided such as power, gas, telephone and internet;
  - e) information prepared by a Qualified Consultant regarding the suitability of the site to support the provision and availability of an on-site sewage disposal system;
  - f) a stormwater management and/or master drainage plan prepared by a Qualified Consultant;
  - g) a Hydrogeological assessment prepared by a Qualified Consultant or provincial floodplain mapping (if available) showing the 1:100-year floodplain;
  - h) a geotechnical report prepared by a Qualified Consultant showing ground/slope stability;
  - i) mapping showing the location of any sour gas facilities situated within 1.5 km (0.93 mi) if applicable;
  - j) information regarding any statutory or non-statutory plans (conceptual scheme) that are approved for the lands that are subject to the subdivision application; and;

- k) Any other such supporting information as may be required at the discretion of the Subdivision Authority in order to appropriately and accurately evaluate the application and determine compliance with provincial legislation, statutory County policies and the Land Use Bylaw.

4.1.4. Preparation and approval of a conceptual scheme or area structure plan (ASP) may be required prior to a decision being rendered on a subdivision application.

4.1.5. All new subdivisions within hamlet boundaries will be required to connect to municipal services, where available. If services are not currently available, a deferred services agreement will be registered on title as a condition of subdivision approval.

#### **4.2 Referral of Subdivision Applications**

4.2.1. The Subdivision Authority shall circulate a determined or deemed complete subdivision application internally to relevant County departments and externally to Government departments, persons and local authorities required by the *Matters Related to Subdivision and Development Regulations* and County policies.

4.2.2. The Subdivision Authority shall circulate a determined or deemed complete subdivision application to adjacent landowners and potentially a larger surrounding radius depending on the nature of the subdivision application. The notice shall include the nature of the application, contact information as to how the landowner can obtain more information about the application and the manner and time in which submissions regarding the application can be made to the Subdivision Authority.

#### **4.3 Decision on Subdivision Applications**

4.3.1. All comments received during the subdivision application, circulation and review process shall be considered by the Subdivision Authority, but the Subdivision Authority is not bound by them unless specified in the *Matters Related to Subdivision and Development Regulation*.

4.3.2. The Subdivision Authority must make a decision on an application for subdivision within:

- a) 21 days from the date of an application being determined complete by the Subdivision Authority or deemed complete if no referrals were made in accordance with the *Matters Related to Subdivision and Development Regulation*;
- b) 60 days from the date of an application being determined to be complete by the Subdivision Authority or deemed complete; or,
- c) a defined period of time as agreed to between the Subdivision Authority and the Applicant specified in a written agreement.

- 4.3.3. Per Section 656 of the MGA a decision of a Subdivision Authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the Subdivision Authority is required by the *Matters Related to Subdivision And Development Regulations* to give a copy of the application.
- 4.3.4. A decision of the Subdivision Authority must specify whether an appeal lies with the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal (LPRT).
- 4.3.5. A written decision by the Subdivision Authority must include the reasons for the decision, including an overview of how the Subdivision Authority considered any submissions made to it by the adjacent landowners and the matters listed in the *Matters Related to Subdivision and Development Regulations*.
- 4.3.6. An application for Subdivision must not be approved if it would result in permanent additional overnight accommodation or public facilities, as defined by the Alberta Energy Regulator (AER), within 100 metres (328 feet) of a gas or oil well unless that permanent overnight accommodation or public facility would be within a lesser distance approved in writing by the AER or in the opinion of the Subdivision Authority is considered to be an infill development. For the purposes of this section, an oil or gas well does not include an abandoned well as defined by the AER and distances are measured from the well head to the building or proposed building site.

#### **4.4 Post-Subdivision Approval**

- 4.4.1. An applicant for subdivision approval must submit to the Subdivision Authority the plan of subdivision or other instrument that effects the subdivision within one year from the latest of the following dates:
  - a) the date on which the subdivision approval is given to the application;
  - b) if there is an appeal to the SDAB or the LPRT, the date of the decision of the appeal board or the Tribunal, as the case may be, or the date on which the appeal is discontinued;
  - c) if there is an appeal to the Court of Appeal, the date on which the judgment of the Court is entered or the date on which the appeal is discontinued.
- 4.4.2. The Subdivision Authority has the ability to provide one or more extensions to the one 1-year time period to the applicant prior to the date of an approval expiring. If an approval has expired, a new application must be made. Extensions are subject to the County fee schedule.

#### **4.5 Resubmission of Subdivision Applications**

- 4.5.1. If an application for subdivision has been refused by the Subdivision Authority or an appeal has been subsequently refused by either the SDAB or LPRT, the Subdivision Authority may refuse to accept subsequent similar subdivision applications for the same land for a period of six (6) months from the date of refusal unless, in the opinion of the Subdivision Authority:
- a) the reasons for refusal have been adequately addressed through changes to the application or contextual changes to the overall site, adjacent properties or infrastructure deficiencies; and/or,
  - b) other circumstances or higher-level statutory plans have changed significantly that result in a resubmission subsequently now aligning with County policies and objectives.

## **PART 5: APPEALS**

### **5.1 Development Permit and Stop Order Appeals**

5.1.1. The decision of the Development Authority on an application for a Development Permit or a Stop Order may be appealed if a Development Authority:

- a) fails or refuses to issue a Development Permit to a person;
- b) issues a Development Permit subject to conditions; or,
- c) issues a Stop Order under Section 645 of the *MGA*.

5.1.2. An appeal may be commenced by filing a notice of appeal within 21 days:

- a) after the date on which the written decision is given for a Development Permit; or,
- b) if no decision is made with respect to the development application within the 40-day period, or within any extension of that period under Section 684 of the *MGA*; or,
- c) after the date on which the Stop Order is made under Section 645 of the *MGA*.

Notices of appeal are made to either the Land and Property Right Tribunal (LPRT) or the Subdivision and Development Appeal Board (SDAB) per Section 685 of the *MGA*. Notices of appeal to the SDAB will not be accepted without payment of the appeal fee.

### **5.2 Subdivision Approval Appeals**

5.2.1. The decision of the Subdivision Authority on an application for subdivision approval may be appealed in accordance with Section 678 of the *MGA*:

- a) by the applicant for the approval;
- b) by a Government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
- c) by a school board with respect to:
  - i. the allocation of municipal reserve and school reserve or money in place of the reserve;
  - ii. the location of school reserve allocated to it; or,
  - iii. the amount of school reserve or money in place of the reserve.

5.2.2. An appeal may be commenced by filing a notice of appeal within 14 days after receipt of the written decision of the Subdivision Authority or deemed refusal by the Subdivision Authority with either the LPRT or the SDAB per Section 678(2) of the *MGA*. Notices of appeal to the SDAB will not be accepted without payment of the appeal fee.

## **PART 6: ENFORCEMENT**

### **6.1 General**

- 6.1.1. For the purpose of Section 542 of the *MGA*, a Development Officer and an Officer are designated officers for the purposes of carrying out inspections, remedial actions and enforcement.
- 6.1.2. A Development Officer or Officer may exercise their discretion to take enforcement steps including issuing oral and written warnings, written orders, municipal tags and violation tickets, and the decision to take one or more steps does not limit or preclude other legal enforcement steps.
- 6.1.3. No person shall prevent or obstruct a Development Officer or Officer from carrying out any official duty pursuant to this Land Use Bylaw.
- 6.1.4. If a Person prevents, obstructs or interferes with a Development Officer or an Officer carrying out any official duty under this *Land Use Bylaw* or if a person refuses to produce anything to assist in the inspection, remedial action or enforcement action, then the County may apply to the Court of King's Bench for an order pursuant to Section 543 of the *MGA*.

### **6.2 Right of Entry: Inspections, Remedial and Enforcement Action**

- 6.2.1. After providing Reasonable Notice of a minimum of 48 hours to the Owner or Occupant of Land or a Structure in accordance with Section 542 of the *MGA*, a Development Officer or an Officer may enter into or onto any Land or Structure at a Reasonable Time for the purpose of determining if the requirements of this Land Use Bylaw, Part 13 or 17 of the *MGA* or its regulations, a Development Permit, Subdivision approval or Development Agreement are being complied with or for the purpose of carrying out remedial or enforcement action authorized by this Land Use Bylaw, the *MGA* or an Injunction Order.
- 6.2.2. Notwithstanding 6.2.1, in an emergency or extraordinary circumstance, the Development Officer or Officer does not need to provide Reasonable Notice to the Owner or Occupant, and the Development Officer or Officer may enter into or onto any Land or Structure without the consent of the Owner or Occupant at any time.

### **6.3 Written Orders and Penalties**

- 6.3.1 Where the Development Officer or Officer determines that a development, land use or use of a structure is not in accordance with Part 17 of the *MGA*, the regulations under Part 17 of the *MGA*, this Bylaw, a Development Permit, a Subdivision approval, or a Development Agreement the Development Officer or Officer may issue a written order in accordance with the *MGA*.

6.3.2 Where a Development Officer or an Officer reasonably believes that an offence has been committed or is occurring, the Development Officer or Officer may notify and penalize the owner of the land or structure, the person in possession of the land or structure, the person responsible for the violation or all or any of them by issuing a Municipal Tag or a Violation Ticket.

#### **6.4 Municipal Tag**

6.4.1. The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:

- a) the Person's name;
- b) the offence;
- c) the appropriate voluntary penalty for the offence as specified in this Bylaw;
- d) that the voluntary penalty shall be paid within (14) days of issuance of the Municipal Tag;
- e) the method by which the tag may be paid; and
- f) any other information as may be required by the Chief Administrative Officer.

6.4.2. Where a contravention of this Bylaw is of a continuing nature, further Municipal Tags may be issued by the Development Officer or Officer provided, however, that no more than one Municipal Tag shall be issued for each day, or part day that the contravention continues.

6.4.3. Where a Municipal Tag has been issued in accordance with this Bylaw, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the County the penalty within the time frame specified in the Municipal Tag.

6.4.4. The voluntary penalty issued on a Municipal Tag shall be 50% of the Specified Penalty amount for a first offence if payment is received within the time frame noted in 6.4.1 (d).

6.4.5. If payment of the Municipal Tag is not received by the County within 14 days of the issuance, a provincial Violation Ticket may be issued, and prosecution would proceed in a Provincial Court.

6.4.6. Nothing in this Bylaw shall prevent an Officer from immediately issuing a Violation Ticket.

## **6.5 Service of Written Orders and Municipal Tags**

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

## **6.6 Violation Ticket**

- 6.6.1. An Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedures Act* where a Municipal Tag has been issued and the penalty specified on the Municipal Tag(s) is not paid within the prescribed time.
- 6.6.2. A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person or corporation responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.

## **6.7 Offences**

- 6.7.1. Any Person who:
- a) violates or contravenes or causes, or allows a contravention of any provision of the Land Use Bylaw;
  - b) contravenes or fails to comply with a Development Permit or any conditions forming part of the Development Permit;

- c) contravenes or fails to comply with a Subdivision approval or any conditions forming part of a subdivision approval;
- d) contravenes or fails to comply with the provisions of a Development Agreement,
- e) fails to comply with the directions set out in an Order within the time frame specified;
- f) authorizes or proceeds with any development that deviates from the description, specification or plans that were the basis for the approval of the Development Permit;
- g) authorizes or proceeds with any subdivision that deviates from the description, specification or plans that were the basis for the subdivision approval;
- h) continues development after a Development Permit has expired or has been revoked or suspended;
- i) continues with subdivision after the subdivision approval has expired or has been revoked or suspended; or
- j) operates a business without a Business Development Permit;
  - i. proof of one transaction or advertisement is sufficient to establish that a person is engaged in or operates the business is guilty of an offence and is liable upon summary conviction to a fine in an amount specified in this Bylaw under section 6.8.

6.7.2. All offences created under the Bylaw shall be interpreted to be strict liability offences.

6.7.3. Where a contravention of the Bylaw is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.

## **6.8 Penalties**

6.8.1. A person who is found guilty of an offence is liable to a fine of \$500.00 for a First Offence, and fines or penalties in accordance with Section 566(1) of the *MGA*.

6.8.2. A Person who is convicted of an offence pursuant to this Bylaw is liable upon summary conviction to a fine in an amount:

<b>Description of Offence</b>	<b>First Offence</b>	<b>Second Offence</b>	<b>Third Offence</b>
Residential-Related Offences: Contravention of Development Permit Conditions, Approved Site Plan or Commencement of Development Without a Permit	\$500.00	\$1,000	\$2,000
Industrial/Commercial/Institutional/Recreational: Contravention of Development Permit Conditions, Approved Site Plan or Commencement of Development Without a Permit	\$2,000	\$3,000	\$5,000
Failure to Obtain Signage Permit or Failure to Follow Sign Development Permit Conditions	\$500.00	\$1,000	\$1,500

6.8.3. Payment of any penalty or fine imposed pursuant to this Bylaw does not relieve a Person from the necessity of paying any fees, charges or costs for which that Person is liable under the provisions of this Bylaw or any other bylaw or enactment.

## PART 7: AMENDMENTS

### 7.1 Amending the Land Use Bylaw

- 7.1.1. Council or Administration may initiate a Land Use Bylaw amendment on any parcel of land within the County, provided notification to the affected properties and adjacent landowners is completed in accordance with Section 692 of the *MGA*.
- 7.1.2. Any person may make application to the County for an amendment to the Land Use Bylaw in accordance with the *MGA*. The application shall include:
- a) completion of an application form, in a clear and legible manner as prescribed by Clearwater County for the redesignation application being applied for and signed for by the landowner and applicant;
  - b) a statement of the nature of the amendment requested;
  - c) the purpose and reasons for the amendment;
  - d) how the application aligns with the County's Municipal Development Plan's (MDP); and
  - e) an application fee as per the Clearwater County fee schedule.
- 7.1.3. If the application to amend the Bylaw is for a redesignation of land, the Development Officer may require, in addition to the requirements outlined in 7.1.2:
- a) the submission of an Outline Plan, conceptual plan or area structure plan (ASP) for the area to be redesignated to the level of detail specified by the Development Officer that may include but is not limited to:
    - i. overview of the phases if the land is to be developed in different phases;
    - ii. the size of future lots to be proposed at subsequent Subdivision stages;
    - iii. the location of proposed roads and other utility infrastructure;
    - iv. integration of the development with existing environmentally sensitive areas and overview of areas to be preserved; and,
    - v. a shadow conceptual scheme plan of future development on the subject lands including potential building footprints;
  - b) the payment of a fee equal to the costs by the County to review the proposed Redesignation and/or Outline Plan, or if necessary, prepare an Outline Plan;
  - c) information on the proposed servicing for a Redesignation involving increased intensity of use on the subject lands;

- d) a legal description or a plan showing the location and dimensions of the land requested for redistricting which may be required to be prepared by a Qualified Consultant, to the satisfaction of the Development Officer;
- e) If the redesignation is for the operation of a proposed business, a business plan that describes the business operation;
- f) copies of any restrictive covenants or caveats registered on the subject lands;
- g) consent to authorize the Development Officer to carry out a site inspection of the lands subject to the subdivision application in accordance with Section 653(2) of the *MGA*;
- h) a signed peer review authorization form authorizing the County to charge the Applicant for any third-party reviews of technical studies as may be required to support the Subdivision application review process;
- i) a geotechnical study completed by a Qualified Consultant;
- j) a noise attenuation study completed by a Qualified Consultant;
- k) a traffic impact assessment completed by a Qualified Consultant;
- l) a stormwater management report or master drainage plan completed by a Qualified Consultant;
- m) information prepared by a Qualified Consultant regarding the suitability of the site to support the provision and availability of potable water on or to the subject parcel to be subdivided if the parcel is not serviced by a centralized water distribution system;
- n) a description of how utilities will be provided such as power, gas, telephone and internet;
- o) information prepared by a Qualified Consultant regarding the suitability of the site to support the provision and availability of an on-site sewage disposal system;
- p) a Hydrogeological assessment prepared by a Qualified Consultant or provincial floodplain mapping (if available) showing the 1:100-year floodplain;
- q) analysis on the impact of community services including, but not limited to fire, police and other emergency response services; and,
- r) any additional technical information that the Development Authority may require to effectively evaluate the suitability of the proposed land use

redesignation that may include information related to transportation, nuisance effects, the environment, utilities and other municipal services.

- 7.1.4. If a statutory plan or higher-level plan is required to be adopted or amended prior to a redesignation in the Bylaw, for the redesignation to align with the statutory plan or higher-level plan, the statutory plan or higher-level plan must be amended prior to or concurrently with the redesignation application being considered by Council.
- 7.1.5. An application for an amendment to the Land Use Bylaw will only be taken to Council when the applicant has provided all necessary documentation to the satisfaction of the Development Officer and the applicable fees, and all necessary supporting studies have been submitted.
- 7.1.6. An application for amendment may be referred to the Municipal Planning Commission for review and comment prior to a public hearing of the application before Council at the discretion of the Development Officer.
- 7.1.7. If in the opinion of the Development Officer, the proposed land use amendment will have or is perceived to have significant impacts on neighbouring uses, the Development Officer may require additional public consultation in advance of the application being scheduled for a public hearing and to provide a consultation report. The Development Officer will work with the applicant to determine the appropriate level of consultation which may include an open house, charette, workshop, mail-outs or other form of consultation.
- 7.1.8. Administration shall conduct an annual review of the Land Use Bylaw in its entirety and report to Council with recommended amendments and recommended public engagement strategy.

## **7.2 Bylaw Amendment Process**

- 7.2.1. Council may grant first reading to a Bylaw amendment in accordance with the *MGA* once a report has been made to Council.
- 7.2.2. Following first reading of an amending bylaw, the Council shall establish the date, time and place for a public hearing on the proposed bylaw.
- 7.2.3. Following first reading of an amending bylaw, the Development Officer shall advertise and notify per Section 606 of the *MGA* requirements and the *Clearwater County Advertising Bylaw*.
- 7.2.4. The Public Hearing will be held in accordance with *County Procedures Bylaw* and the *MGA*.
- 7.2.5. After giving consideration to the representation made to it at the public hearing, the Municipal Development Plan and any Intermunicipal Development Plan or other

statutory plan affecting the proposed bylaw, and any other matters it considers appropriate, Council may:

- a) pass the bylaw;
- b) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing;
- c) refer the bylaw for further information or comment to any person or authority Council desires to refer the bylaw to; or,
- d) defeat the bylaw.

7.2.6. After third reading of an amending bylaw, the Development Officer shall send a copy of the bylaw to:

- a) the applicant;
- b) the owner(s) of land if not the applicant; and,
- c) an adjacent municipality if it received notice pursuant to this section.

7.2.7. If an application to amend this Bylaw for a change in a land use designation is refused, the Development Officer may refuse to accept a subsequent application for a change in the land use designation to the same parcel of land until a period of 6 months has expired unless, in the opinion of the Development Officer, the circumstances of the application have changed significantly.

7.2.8. If the subdivision or development for which land was redesignated does not occur within 1 year of the date of passage of the bylaw that redesignated the land, Council may initiate a bylaw to redesignate the land back to its former district.

## **PART 8: GENERAL PARCEL AND DEVELOPMENT REGULATIONS**

### **8.1 Applicability**

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

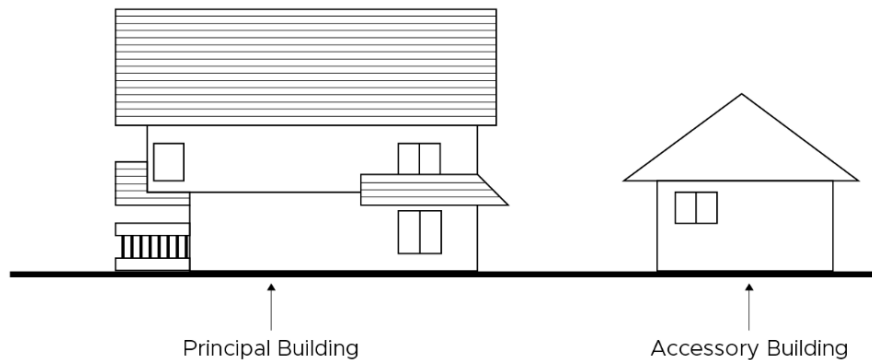
### **8.2 Development on Substandard Lots**

- 8.2.1. Development on substandard lots existing at the time of passage of this Bylaw may be approved at the discretion of the Development Authority.

### **8.3 Accessory Buildings**

- 8.3.1. Unless a Development Permit is not required pursuant to this Bylaw, an accessory building or use shall not be developed or approved prior to the issuance of a Development Permit, where required, for the principal use or building on the site.
- 8.3.2. Accessory Buildings must be secondary and subordinate to the Principal Building or use on the same site or when more than one lot is owned by the same landowner and directly adjacent to a parcel with the principal use or building.
- 8.3.3. The determination of whether a use, building or structure is considered accessory shall be at the discretion of the Development Authority.
- 8.3.4. Accessory Buildings shall be similar to, and complement, the Principal Building in exterior colour, finishings, materials and design.
- 8.3.5. An Accessory Building shall not be located on an easement, utility right-of-way or undeveloped road allowance.
- 8.3.6. Where an Accessory Building or structure is attached to the Principal Building, it shall be considered to be a part of the Principal Building and shall be required to meet the setbacks and other regulations that apply to the Principal Building.
- 8.3.7. In Non-residential Districts:
- a) With the exception of any agricultural district, no Accessory Building or any portion thereof shall be erected or placed within the front yard of any lot unless otherwise approved by the Development Authority.
  - b) An Accessory Building shall be located so that it meets the minimum side and rear yard requirements of the district in which the property is located, unless otherwise approved by the Development Authority.

- c) If an Accessory Building has vehicle entrance doors, they shall be located so that driveway to the vehicle entrance doors shall be no less than 6.0 metres (19.7 feet) in length unless the minimum setback requirement of the land use district within which the parcel is located requires a greater setback.



*Figure 1: Accessory Building*

8.3.8. In Residential Districts:

- a) no Accessory Building or any portion thereof shall be erected or placed within the front yard and/or side yard of any parcel, except at the discretion of the Development Officer where such placement would be consistent with the use or configuration of the lot but may not encroach onto the minimum setback from the front lot line in the District which the subject parcel is designated;
- b) an Accessory Building having vehicle entrance doors shall be located so that the vehicle entrance doors shall be no less than the minimum setback requirement of the land use district within which the parcel is located. At no time shall they be less than 6.0 metres (19.7 feet) from the property boundary upon which they open except where otherwise approved by the Development Officer due to the configuration of the lot or because, in the opinion of the Development Officer, a lesser setback would improve the use of the lot and would not unduly impact the use of adjoining properties. Where garage doors face a lane, the building shall be not less than 1.0 metre (3.28 feet) from the property boundary with the lane; and,
- c) an Accessory Building that services the purpose of a boat house shall be located no closer than 6.0 metres (19.69 feet) from the boundary of the parcel which is parallel with or is closest to the bank, unless otherwise approved by the Approving Authority.

#### **8.4 Building Site Design & Vehicular Access and Flow**

- 8.4.1. Vehicular and pedestrian entrances and exits shall be located and designed in a manner that provides a clearly defined and efficient onsite and off-site vehicular circulation pattern.
- 8.4.2. Loading bays shall be located in such a manner as not to impede the efficient flow of on-site traffic and pedestrian movement and to minimize impacts on adjacent land uses.

#### **8.5 Corner Lots**

- 8.5.1. A lot abutting two streets or more shall have a front yard setback on each street in accordance with front yard regulations of the applicable land use district in this Bylaw.
- 8.5.2. On a corner lot, in all districts, no fence, wall, tree, hedge or other structure exceeding 1.0m (3.28 ft.) in height above grade shall be permitted in a corner visibility triangle created by the property lines that form the corner and a straight line connecting the two points 6.0m (19.7 ft) back along these property lines measured from their intersection.
- 8.5.3. In the case of any corner lot or parcel where two yards are regarded as front yards, where provided for in a Land Use District the Development Officer may declare one to be a side yard and shall then require a side yard setback that is at least equal to the side yard required for an internal lot in that district.

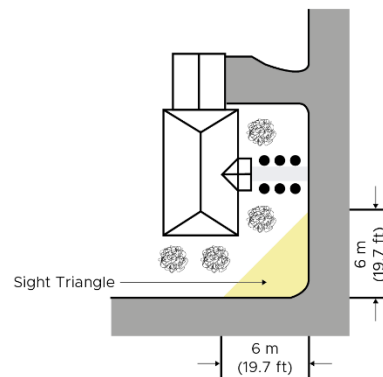


Figure 2: Corner Lot Setbacks

#### **8.6 Moved, Relocated Buildings and Dwelling – Relocated**

- 8.6.1. Any person desiring to move a building onto or within a parcel of land shall first apply for a Development Permit either as the use or in the case of dwellings, as a Dwelling – Relocated, unless otherwise exempted pursuant to Section 3.2.
- 8.6.2. Approval of a Development Permit for the relocation of a building may not be granted unless the Development Authority is satisfied that:

- a) the building and the proposed location of the building meets the requirements of the land use district in which the building is to be located; and,
  - b) the building is compatible with the character of the neighbourhood to which the building is to be relocated.
- 8.6.3. The Development Officer may determine the character and appearance of a building to be moved or relocated by means of recent photographs, drawings or other illustrative information required from the applicant or from an inspection of the building and site or both.
- 8.6.4. In considering an application to move a building onto a parcel of land or relocate a building within a parcel of land, the Development Officer may consider comments obtained from a referral of the application to adjacent landowners.
- 8.6.5. The Development Officer may impose, as a condition of a Development Permit to move or relocate a building, conditions to undertake alterations, repairs or maintenance of the building and/or prepare the proposed site.
- 8.6.6. The Development Officer may require a security deposit in an amount determined sufficient to ensure completion of all renovations set out as conditions of approval.
- 8.6.7. Any renovations or any conditions imposed by the Development Officer to a moved-in or relocated building shall be completed within 24 months of the issuance of the Development Permit. Non-compliance shall result in forfeiture of the security deposit to ensure completion of the work.

**8.7 Number of Dwelling Units Allowed Per Parcel**

- 8.7.1. Except as otherwise provided for in this Bylaw, the following number of dwellings are allowed on parcels:

Land Use Designation	# of Dwelling Units Allowed
Agricultural (A) District	<p>Less than or equal to 32.4 ha (80.0 ac): Maximum 2 dwelling units allowed provided the regulations of 8.7.3 are met.</p> <p>Greater than 32.4 ha (80.0 ac): Maximum 3 dwelling units allowed provided the regulations of 8.7.3 are met.</p> <p>This can be a combination of any dwelling types; however, they must not exceed the total the maximum allowed number of dwelling units.</p>
Country Residential Agricultural (CRA) District	Maximum one principal dwelling and one Dwelling – Secondary Suite.

Country Residential (CR) District	Maximum one principal dwelling and one Dwelling – Secondary Suite.
Industrial/Commercial/Institutional Land Use Districts	Maximum one Dwelling – Security/Surveillance for Industrial or Institutional Land Use Districts where it is listed as a use.  Commercial Districts: At the discretion of the Development Authority based on an approved Development Permit for a Dwelling – Mixed Use.
Hamlet Residential (HR) District	Maximum one Principal Dwelling and one Dwelling – Secondary Suite if the site has a Dwelling – Single Detached located on it.  If application is for a Dwelling – Bed and Breakfast, Dwelling – Mixed use, Dwelling – Multi-unit or Dwelling – Boarding House, total allowable # of dwelling units is at the discretion of the Development Authority.
Recreational/Leisure Residence Districts	At the discretion of the Development Authority.
Manufactured Home Park (MHP) District	At the discretion of the Development Authority.
David Thompson Development (DTN) Node District	At the discretion of the Development Authority.
All Other Districts	At the discretion of the Development Authority.
These regulations do not apply to multi-unit temporary accommodations such as Hotels, Integrated Recreation/Tourist Resort or Campground – Major or Campground – Minor.	

8.7.2. No dwelling units or additional dwelling units may be constructed or placed on a parcel of land unless a Development Permit for such purpose has been issued, it meets the allowable density provisions of this Bylaw and complies with the Safety Codes Act.

8.7.3. In considering if an additional dwelling or a multi-unit dwelling may be allowed on a parcel of land, the Development Officer must be satisfied that:

- a) a suitable building site exists, preferably in the same yard as the first/principal residence;
- b) suitable access can be provided;
- c) suitable services can be provided;
- d) suitable parking, common amenity areas, access to green space and appropriate amenities are nearby;

- e) the development will be compatible with existing and planned land uses in the vicinity; and
- f) other applicable provisions in the Land Use Bylaw and Municipal Development Plan can be met.

8.7.4. In respect to a single parcel of land, a development application may be approved to allow:

- a) the construction or location of two or more dwelling units if each of the dwelling units is contained in a building designed for or divided into two or more dwelling units and the parcel of land is located in a district which permits such multiple units as listed uses;
- b) the development of a manufactured home park on a parcel of land that is designated Manufactured Home Park district, including the placement of single and/or double wide manufactured home units in the park;
- c) the development of two or more dwelling units in a building or buildings, as defined in the *Condominium Property Act*, subject to a condominium plan to be registered in Alberta Land Titles and located in a district that permits such multiple units; and,
- d) the construction or location of a residence intended to replace an existing residence, subject to any conditions of time, servicing and occupancy as the Development Officer may require so as to allow habitation of the older residence until the new residence is occupied.

8.7.5. In a Public Airport District “PA”, the construction or location of additional accessory dwelling units or a dwelling – airport suite on a parcel of land may be approved to the satisfaction of the Development Authority.

## **8.8 Building Setbacks**

8.8.1. Unless otherwise provided by this Bylaw, all buildings erected or placed on a lot shall meet the minimum yard requirements of the district in which the lot lies with the exception of:

- a) where each of the dwelling units of a building containing two or more dwelling units is to be contained in separate parcels or titles, no side yards shall be required on a side which abuts an adjacent unit (such as a duplex or townhouse); and
- b) where the proximity of two or more buildings or uses on separate but adjacent lots would form a suitable commercial shopping centre, industrial complex or institutional facility, no side yards may be required on a side which abuts an adjacent unit at the discretion of the Development Officer.

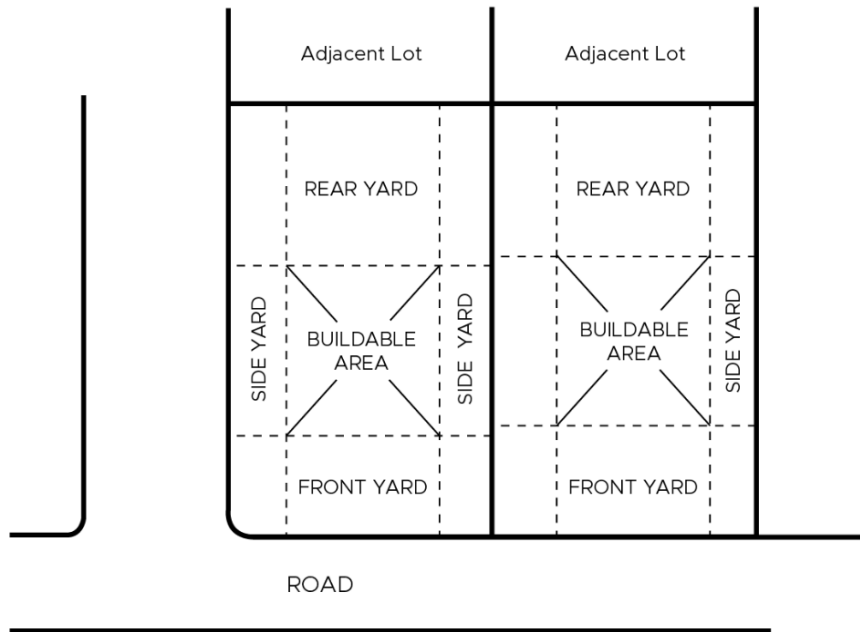


Figure 3: Yards - Front, Side and Rear

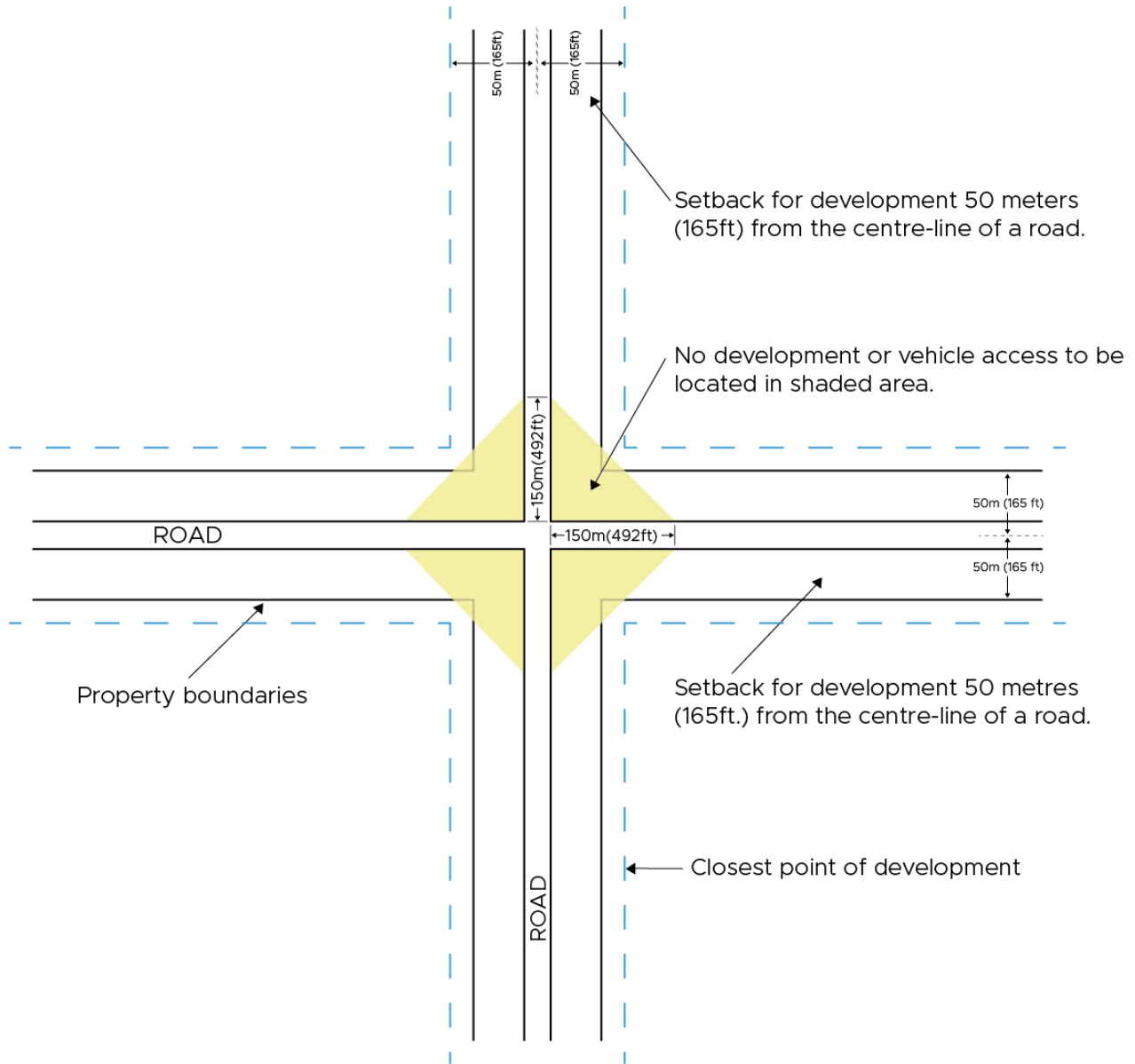


Figure 4: Setbacks for County Road Allowances

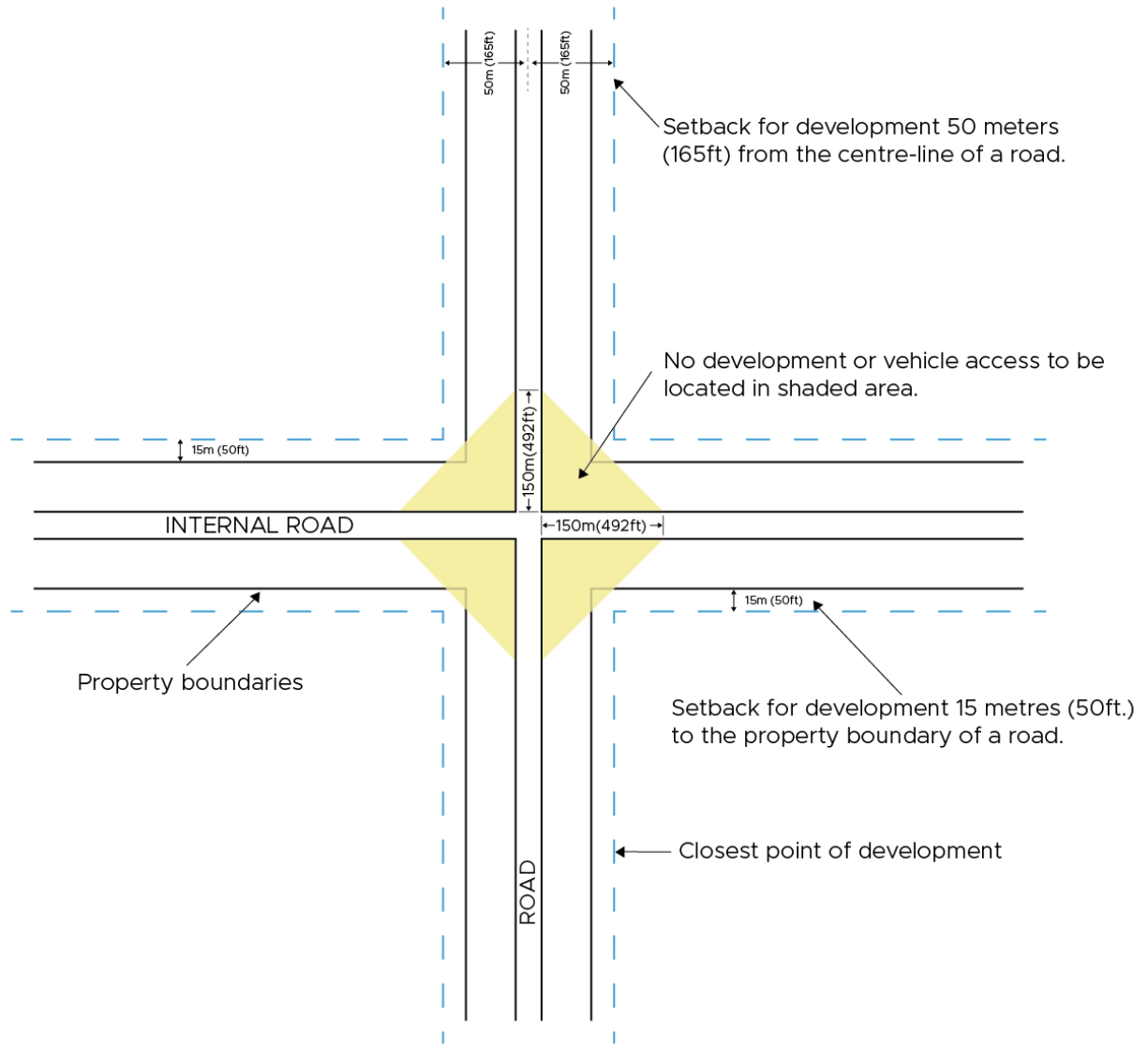


Figure 5: Setbacks to County Road Allowances and Internal Subdivision

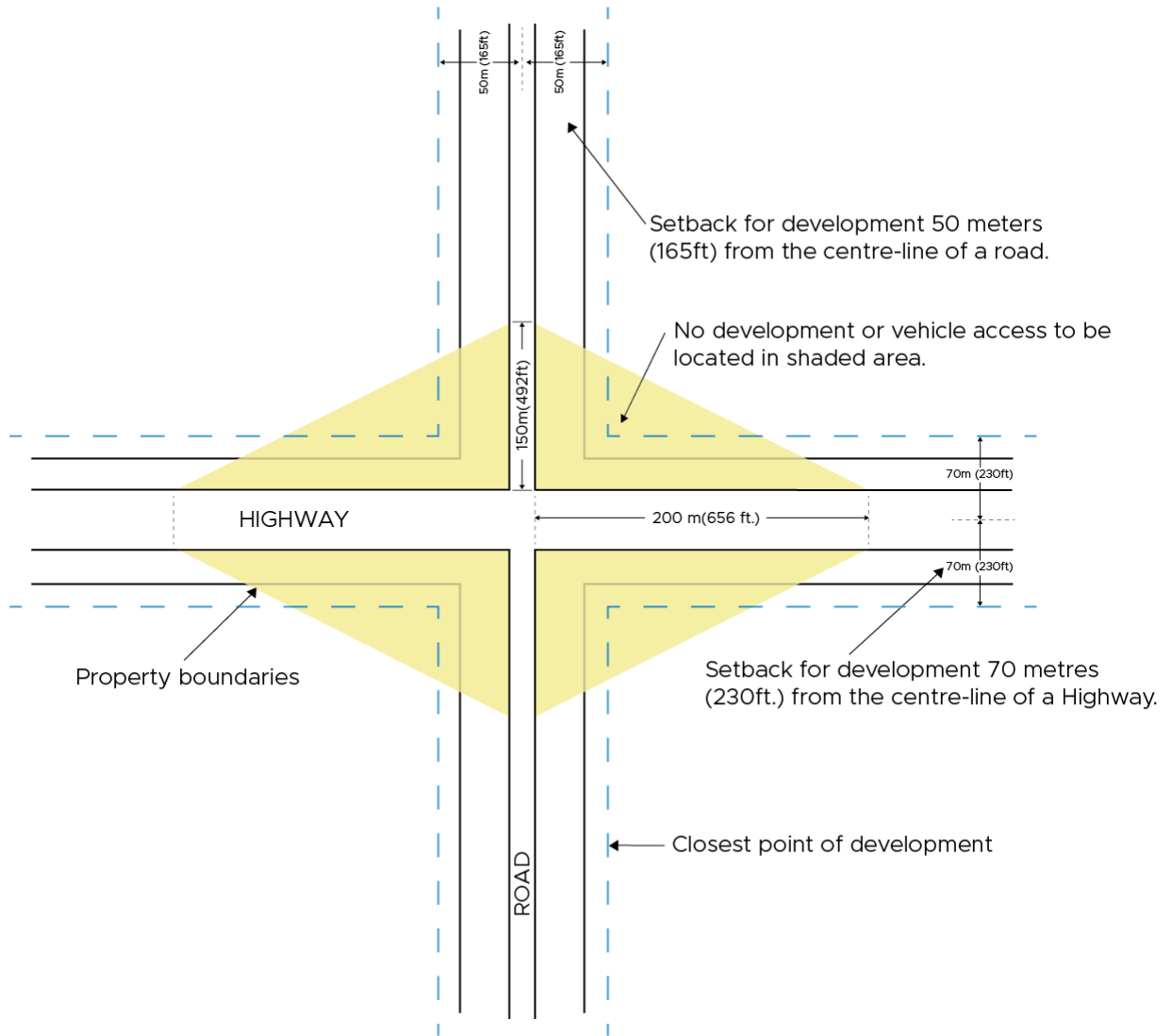


Figure 6: Setbacks to Highways and County Road Allowances

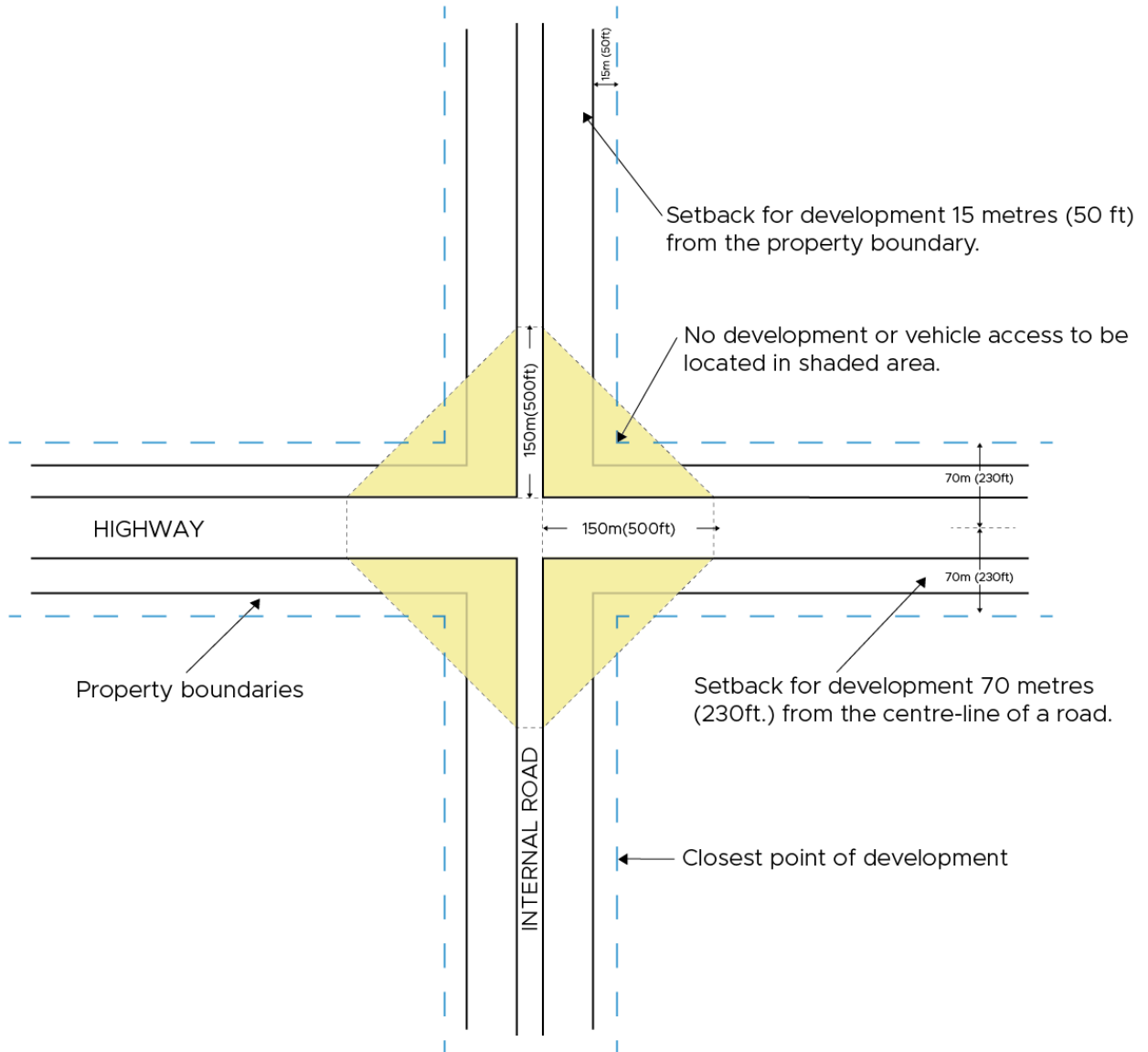


Figure 7: Setbacks to Highways and Internal Roads

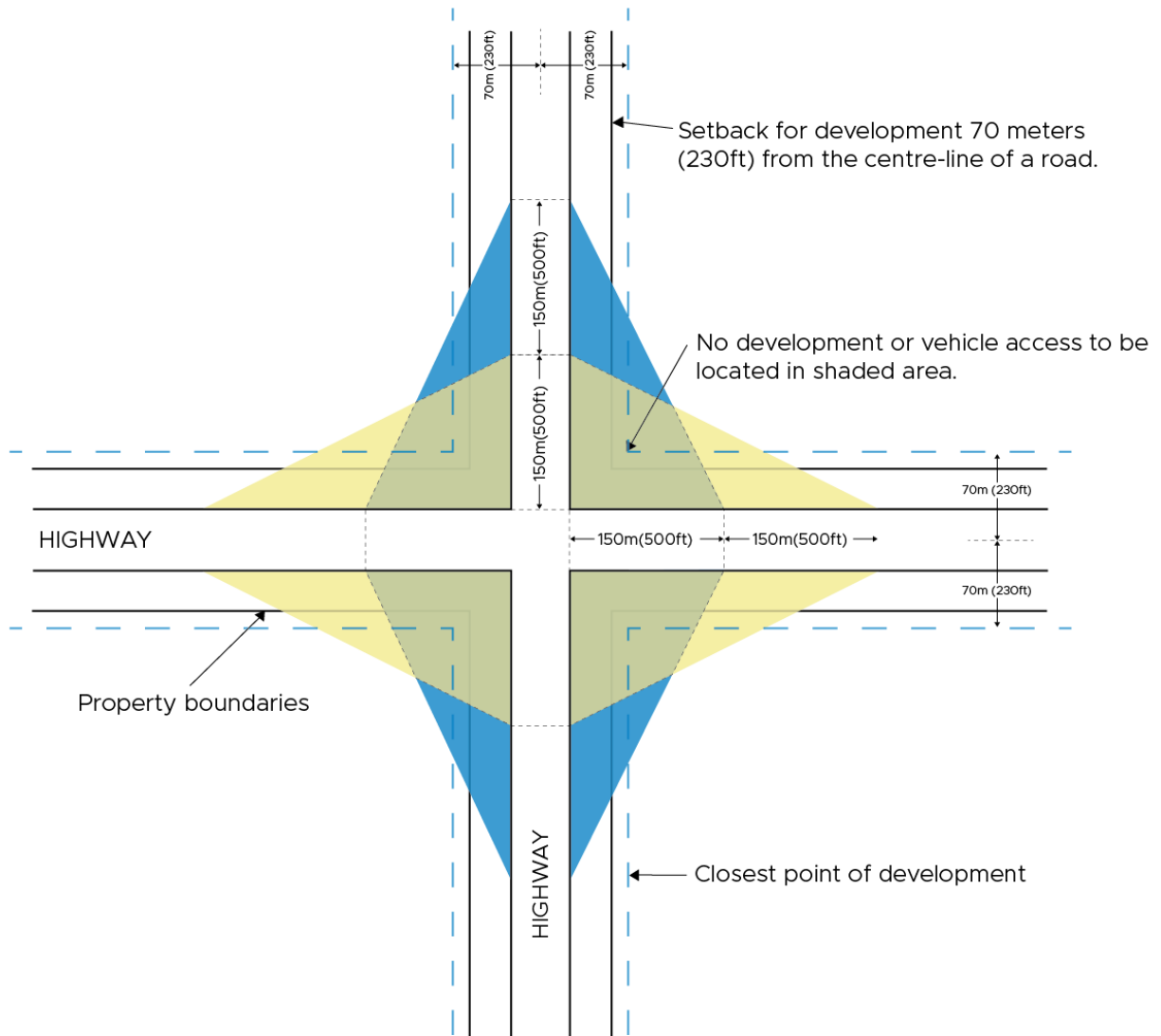


Figure 8: Highway Setbacks

## 8.9 Building Heights

- 8.9.1. Subject to this section and the regulations in each land use district the Development Officer may regulate the height of any building.
- 8.9.2. Except as otherwise provided for in section 8.9.4 no non-residential building shall be constructed higher than which can be serviced effectively by the local fire department. No residential building shall be constructed with more than two floors above grade, except where approved by the Development Officer acting on the advice of a Fire Officer.
- 8.9.3. To determine building heights in terms of the maximum limits established in districts, the measurement shall be taken from the building grade to the highest point of the building or structure. Building grade is the average grade of the overall structure on all sides.
- 8.9.4. The following may not be considered by the Development Officer when reviewing the overall height restrictions of a development: industrial processing towers, chimney or smoke stacks, steeples or spires, belfries, domes, monuments, elevator housing, roof stairway entrances, water or other tanks, ventilating equipment, satellite dishes, telecommunication towers, amateur radio antenna, flag poles, clearance markers, or a firewall, parapet wall or guardrail that is no greater than 1 metre (3.28 feet) above the roof, and any other vertical extension deemed by the Development Officer to be exempted.

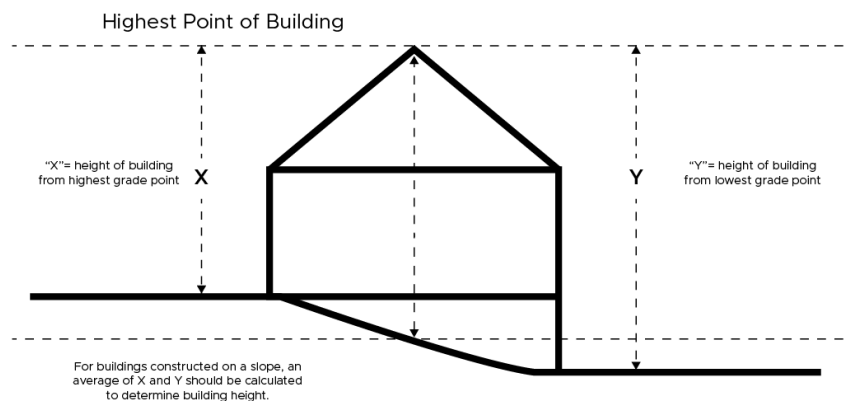


Figure 9: Building Height

## 8.10 Development Setbacks from Roads and Intersections

- 8.10.1. The Development Authority may require a larger setback from any internal subdivision road or road, which may be re-aligned in the direction of the proposed building or development.
- 8.10.2. On a parcel of land located adjacent to a public road, internal subdivision road or provincial highway, development shall be sited in accordance with the setback regulations of the subject land use district, unless otherwise approved by the Development Authority or Alberta Transportation & Economic Corridors.
- 8.10.3. No development, access or egress is allowed on a lot located on the inside of a curve on a public road as illustrated in Figure 10.

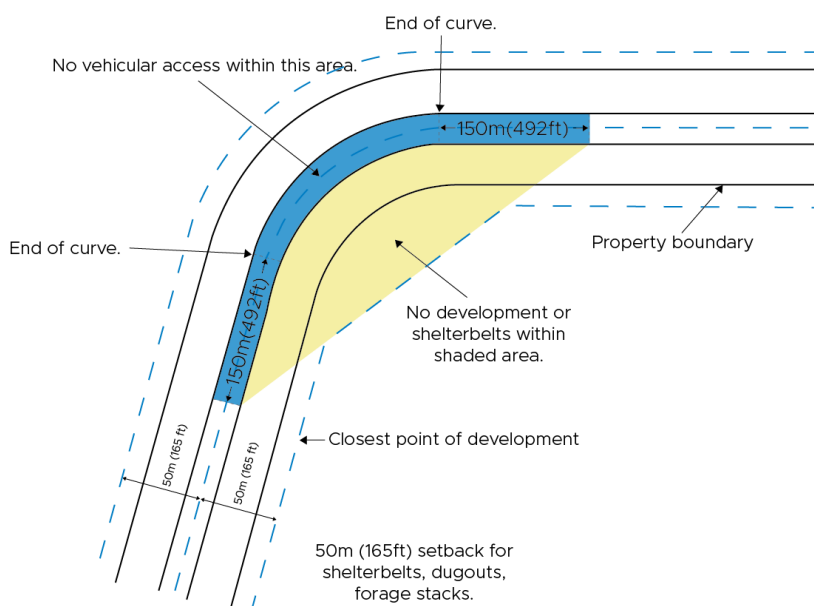


Figure 10: Road Curve Setbacks

- 8.10.4. The Development Authority may not approve an application for a Development Permit affecting land within 300 metres (1,000 feet) of a provincial highway or within 800 metres (1/2 mile) of a provincial highway intersection unless the applicant provides a copy of a highway vicinity development approval from Alberta Transportation & Economic Corridors.
- 8.10.5. The Development Authority may issue a Development Permit for a development, which does not meet the setback requirements outlined in the land use district, if the parcel was created prior to this Bylaw coming into effect, which under this Bylaw would not

have a building site due to the new setback requirements. The development shall not have an adverse impact on adjacent land uses and development.

- 8.10.6. Lots abutting an internal subdivision road or a service road shall not be subject to the setbacks required for public roads but shall be subject to setback requirements otherwise stated in this Bylaw. In this regard, an internal subdivision road is a road that is not in an Agriculture District and is not part of the grid system, contained in a public road allowance.

### **8.11 Development Setbacks from Wastewater Treatment, Landfill and Waste Sites**

- 8.11.1. Subdivision and Development applications must comply with the setback requirements outlined in Section 17 of the *Matters Related to Subdivision and Development Regulation*.

### **8.12 Site Elevation/Grade**

- 8.12.1. Each newly created parcel in a hamlet or multi-parcel subdivision shall be graded to align with overall stormwater plans for the area to ensure appropriate drainage flow to the satisfaction of the County.
- 8.12.2. The developer of a site is responsible to ensure that grading is completed to provide effective site drainage. The Development Authority may require a developer to submit a site grading or drainage plan to be prepared by a Qualified Consultant (PEng).
- 8.12.3. The Development Officer may specify an elevation at which any new development is to be constructed in order to facilitate proper site drainage and connection to any existing or proposed sewer system.
- 8.12.4. If a person alters the approved lot drainage on a site so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.

### **8.13 Projections into Yards within Hamlets**

- 8.13.1. Within a hamlet residential district, chimneys, cornices, eaves, gutters, steps, sills and cantilevered projections, such as a window bays, may project a maximum of 0.6 metres (1.97 feet) into any side yard setback, but no cantilevered projection, with or without a window, may encroach within 1.22 metres (4 feet) from the property line.
- 8.13.2. Within a hamlet residential district, balconies, unenclosed porches, verandas, decks, cornices, eaves, steps, stairways, window bays and other similar projections may project a maximum of 2 metres (6.56 feet) into a front or rear yard setback.

- 8.13.3. Within a hamlet residential district, setback distances do not apply to unenclosed patios or decks, whether affixed or not affixed to the main building or attachment thereto, where no portion of the patio or deck is more than 0.6 metres (1.97 feet) above grade, except that a projection into a front yard shall not exceed 2.5 metres (8.2 feet).

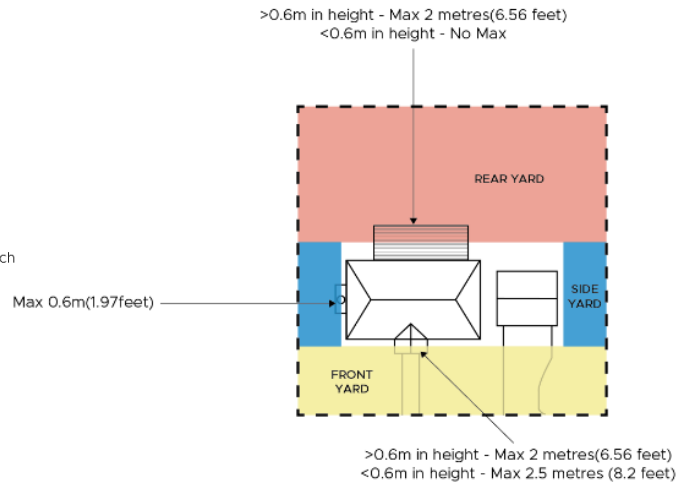
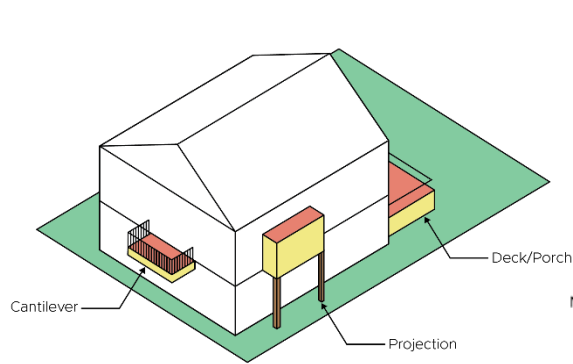


Figure 11: Projections into Yards

Figure 12: Projections into Yards - Aerial View

#### 8.14 Objects Prohibited or Restricted in Yards

- 8.14.1. No person shall allow a motor vehicle used for stock car races, a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on a parcel in a residential district or on any parcel of land which is primarily used for residential purposes for greater than 72 hours, and, for any other district, not less than 30 metres (100 feet) from a public roadway unless it is screened to the satisfaction of the Development Officer.
- 8.14.2. No person shall keep or permit in any residential district an object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area. Considerations of neighbours and complaint history should be a consideration in the opinion of the Development Officer.
- 8.14.3. No person shall keep or permit on a parcel of land in hamlet or country residential districts the storage of materials used in construction of a development on that parcel of land beyond the period which, in the opinion of the Development Officer, is necessary for the completion of the development. Considerations of neighbours and complaint history should be a consideration in the opinion of the Development Officer.

## **8.15 Building Design, Character and Appearance**

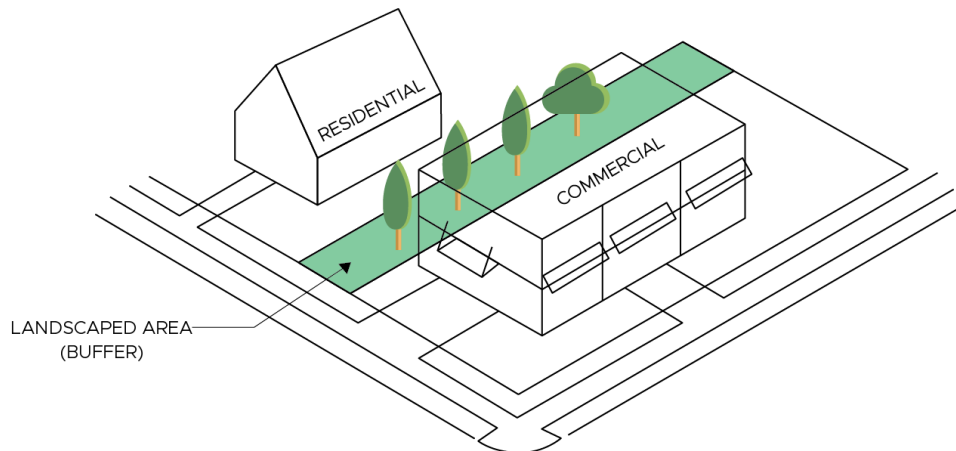
- 8.15.1. In all developments, the design, character and appearance of buildings, including but not limited to the use of exterior finishing materials and façade design, shall be to the satisfaction of the Development Authority.
- 8.15.2. The Development Authority may impose conditions to ensure that:
- a) the design, character and appearance of a building is compatible with other buildings in the vicinity, unless in the opinion of the Development Officer it is setting a new standard of design, character and appearance for a particular locality;
  - b) the finish and appearance of all the buildings on the lot, including accessory buildings, should complement the other structures located on the same lot;
  - c) the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located; and,
  - d) the development complies with any provision of a statutory plan, community plan or design standards otherwise adopted or approved by Council applicable to the site or land use district within which the development lies.
- 8.15.3. The exterior finishing materials of a development shall be those as shown on the approved plans for that development. Once constructed, the façade of the building or buildings shall be maintained to the standard and appearance as approved by the Development Officer such that any changes may be subject to the approval of the Development Officer if in the opinion of the Development Authority the changes warrant a Development Permit.
- 8.15.4. The Development Officer shall ensure, as far as is reasonably practical, that exterior materials will be used which will ensure that the standard of the building will be similar to or better than the standard of surrounding development. The Development Authority may require that the appearance of an exterior wall, which is exposed to public view from beyond the site, be improved where, in the opinion of the Development Officer, that the appearance of the wall is inconsistent or incompatible with the appearance and finishing standards of surrounding development.
- 8.15.5. Roof lines and building facades shall be articulated and varied to reduce the mass and linear appearance of large commercial, industrial or multi-residential buildings.
- 8.15.6. For Commercial, Industrial and Institutional development:

- a) exterior finish shall be wood, prefabricated materials, stone, brick, architecturally finished block or concrete, stucco or other more permanent and durable materials, to the satisfaction of the Development Authority;
- b) all sides of a building exposed to the view from a highway, road, or green space shall be treated as a principal façade and finished in a pleasing architectural manner that incorporates a variety of materials and changes in building articulation; and,
- c) mechanical equipment shall be screened or incorporated into the roof envelope.

### **8.16 Landscaping**

8.16.1. If a landscaping plan is required, no landscaping work shall be commenced until the landscaping plan is approved by the Development Authority; and shall include the following:

- a) boundaries and dimensions of the subject site;
- b) location and dimensions of all the buildings, parking areas, driveways and entrances;
- c) adjacent land uses;
- d) location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments;
- e) location of any utilities or right-of-ways;
- f) location of existing plant materials to be maintained;
- g) location of new plant materials;
- h) grading and site contours;
- i) all other physical features existing or proposed, including berms, retaining walls, outdoor furniture, decorative paving, water features with to-scale measurements indicating proposed dimensions;
- j) all ground cover materials proposed for the landscaped area (mulch, sod, pavers, planting beds etc.);
- k) Site area proposed to be landscaped, and percentage of site coverage; and,
- l) an outline of the proposed alignment with FireSmart landscaping principles.



*Figure 13: Buffer between residential and commercial development*

8.16.2. The owner of the property, or his/her successor or assignees, shall be responsible for landscaping and its proper maintenance. As a condition of a development approval, the applicant shall enter into a Development Agreement with the County respecting the landscaping that will be required by the Development Authority. Under this agreement, the owner shall provide the County with a security deposit acceptable to the County of a value of 25% of the estimated cost of the work, as deemed acceptable to the County, to ensure that the landscaping is carried out with reasonable diligence. The conditions of the security deposit shall be that:

- a) if the landscaping is not completed in accordance with this Bylaw and the landscaping plan within one year from the date the Development Permit is issued, the County may use the security deposit to complete the approved landscape development;
- b) upon completion of the landscaping, the security deposit amount will be reduced to 25% of the value of the original security deposit provided and shall be held for a further two (2) full growing seasons during which time if the landscaping does not survive the owner must replace the planting with a similar type of species and with a similar calliper width or the County shall draw from the remaining security deposit to replace the necessary landscaping. The letter of credit shall be released

when the landscaping has been completed to the satisfaction of the Development Officer and the 2 full growing seasons has expired.

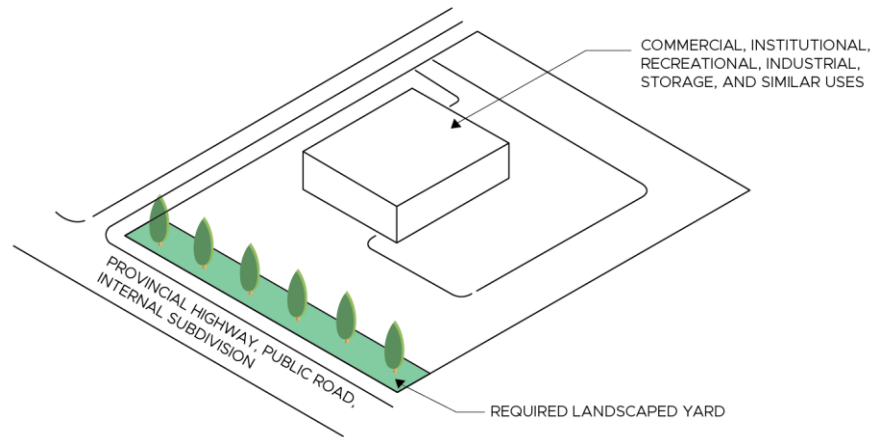


Figure 14: Buffer area to the road

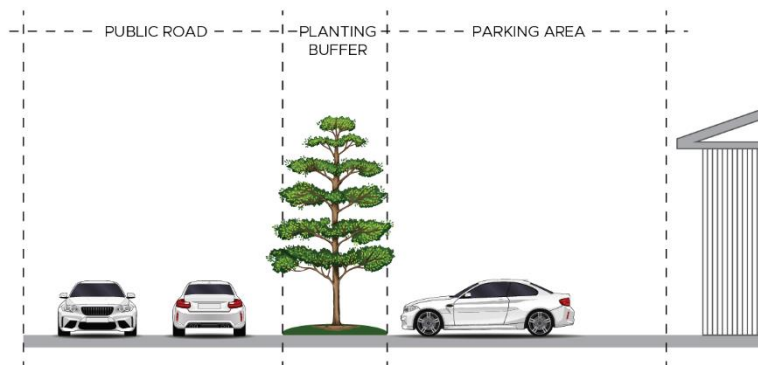


Figure 15: Buffer area to the road: cross section

## 8.17 Fences and Screening

8.17.1. In addition to the Corner Lots and Development Setbacks from Roads and Intersections restrictions of this Bylaw, **in hamlets**:

- a) no fence within 7.5 metres (24.6 feet) of the right-of-way of a public road, excluding lanes, shall be more than 1.0 metre (3.28 feet) high. An exception may be made by the Development Officer for the portion of the side and rear yard which abuts the flanking street of a corner parcel;
- b) at the intersection of lanes, a 3 metres (10 feet) sight triangle shall be maintained whereby no fence, any planting, growth or any object placed shall materially impede vision over a height of 1 metre (3 feet); and,

- c) no fence shall be higher than 1.83 metres (6 feet) unless approved by the Development Officer for safety, security, screening or other reason.
- 8.17.2. At the intersections of public roads, internal roads and primary highways, no fence, hedge, shelterbelt or other planting or growth shall unduly restrict the vision of approaching traffic in alignment with the Corner Lots section of this Bylaw.
- 8.17.3. Screening in the form of fences, hedges, landscaped berms or other means shall be required along the property lines of all commercial and industrial lots where such lines are shared with a residential property line or are adjacent to lanes that abut a neighbouring residential property. Such screening shall be at least 1.83 m (6 ft) high. The extent of the screening shall be at the discretion of the Development Authority
- 8.17.4. For bulk outdoor storage associated with industrial or commercial land uses, where because of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof to the satisfaction of the Development Authority, shall be required.
- 8.17.5. A higher fence or a fence with barbed or other security features for an industrial-related land use may be approved for public safety, security, and privacy or buffering purposes. Where barbed wire fences are proposed, they should not abut public open spaces and should incorporate landscaping to provide a degree of buffering.

## **8.18 Lighting and Illumination**

- 8.18.1. Lighting fixtures for exterior illumination, which are not illuminating public uses, shall be installed with the light directed and/or deflected away from public roads and adjacent lots with consideration for dark sky lighting principles.
- 8.18.2. No flashing, strobe or revolving lights, which may impact the safety of motorists using adjacent public roadways, shall be installed on any property, with the exception of those regulated at either the provincial or federal level (such as for Telecommunications Towers).
- 8.18.3. Any development application that provides for access by the public must include a lighting plan which incorporates Crime Prevention Through Environmental Design (CPTED) to encourage safety and security through the development.
- 8.18.4. Stand-alone lighting fixtures in institutional, commercial and industrial areas shall not exceed 7.62m (25 ft.) in height.
- 8.18.5. Stand-alone lighting fixtures in residential areas shall not exceed 6.0m (19.6 ft.) in height.

- 8.18.6. A detailed lighting plan prepared by a Qualified Professional (lighting consultant) may be required for more comprehensive multi-residential, commercial, industrial or institutional developments at the discretion of the Development Officer.
- 8.18.7. Precautions must be taken to ensure that outside lighting does not interfere with adjoining uses or detract significantly from the natural features of the site and the surrounding area.

### **8.19 Servicing Requirements**

- 8.19.1. All development shall meet the provision of water and wastewater services in accordance with the Municipal Development Plan, and in doing so meet provincial standards and regulations respecting the provision of water and wastewater services. No development will be approved if appropriate municipal servicing is not available or a suitable alternative provision is not provided by the applicant.
- 8.19.2. The developer/landowner(s) shall be responsible for ensuring that setback distances and separation between water sources and sewage disposal systems on their property meet all regulations in accordance with the *Alberta Private Sewage Systems Standard of Practice*.
- 8.19.3. The Developer shall enter into a Development Agreement for the construction, upgrading, contribution toward, or extension of existing County services as a condition of a Subdivision or Development Permit approval in accordance with Section 650 of the *MGA*.
- 8.19.4. The County may require that an approved subdivision application enter into a Deferred Services Agreement as a condition of approval. This condition would mean that if piped servicing becomes available to a particular subdivision, the landowner would be required to connect to the County's servicing system.
- 8.19.5. In hamlets, all new development for dwelling units, commercial, industrial or institutional uses shall be tied into municipal servicing. In exceptional cases where servicing is not immediately available, the Development Authority may consider registration of a Deferred Servicing Agreement on the lot subject to the development.

### **8.20 Bareland Condominium**

- 8.20.1. Structures constructed on bare land condominium units shall comply with the general regulations of this Bylaw, including the regulations for the land use district in which the unit is located.
- 8.20.2. For the purposes of this Bylaw, a bare land condominium plan is treated as a plan of subdivision.

## **PART 9: SPECIFIC DEVELOPMENT REGULATIONS**

### **9.1 Campgrounds (Major and Minor)**

9.1.1. The following details shall be incorporated into the application submission for a proposed Campground – Major or Campground – Minor development, to the satisfaction of the Development Authority:

- a) a site plan for a proposed campground shall identify the location of each campsite and detail the location, design standards and site requirements of any common accessory uses and services, such as washrooms, laundromat, recreational buildings, retail store, food concession, fire pits, fire wood storage, lighting, water supply, wastewater disposal facilities, solid waste collection facilities and any other similar uses or services that may be associated with or required within a campground. In addition, it should include internal circulation requirements, road widths, pedestrian circulation, site access and egress, emergency access, parking areas, and storage areas;
- b) all campgrounds and sites shall have clear access and identification for emergency services;
- c) the number of access points to the campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow. A secondary emergency egress may be required for safety, depending on the capacity of the campground;
- d) campsites shall be accessible by means of a driveway at least 3.0 m wide where the driveway is for one-way traffic, or at least 6.0 m wide where the driveway is for two-way traffic;
- e) roads shall be developed to a standard and to the satisfaction of the Development Authority for the purpose of accommodating emergency, fire and maintenance vehicles;
- f) minimum recreational vehicle/camping site specifications shall be:
  - i. 6.0 m in width;
  - ii. 18.0 m in depth; and,
  - iii. 108 m<sup>2</sup> in area.
- g) minimum separation between individual campsites is 3.0m;
- h) allowable density:

- i. 20 campsites per hectare (8 sites/acre) up to an area of 4 hectares (10 acres), thereafter, the maximum allowable density is 17 sites per hectare (7 sites/acre).

9.1.2. Adjacent site conditions, the interface with neighboring uses, accessibility to natural areas, physical suitability, serviceability and environmental protection will be key considerations when determining the appropriateness and suitability of a site for a proposed campground development.

9.1.3. Public road access to a proposed campground shall be required, as a condition of development approval, to be constructed or upgraded to a condition acceptable to the County.

9.1.4. The following standards shall differentiate a Campground – Major vs. Campground - Minor:

	<b>Campground – Minor</b>	<b>Campground – Major</b>
<b>Requirement:</b>		
# of Sites	Maximum of 20 sites	Minimum of 21 sites or more
Locational Considerations	When located in an Agricultural District, it is considered a secondary use to the principal dwelling and as such can only occur on parcels that include an existing dwelling unit.	Recreational and commercially designated parcels as listed in the land use districts
Season	April 1 <sup>st</sup> – November 30, unless year-round is approved at the discretion of the Development Authority	Year Round
Setbacks	In accordance with the subject land use district	In accordance with the subject land use district
Staff	No minimum staff requirement	A minimum of one full-time staff member must be on-site at all times
Minimum Parcel Size	Greater than 32.4 ha (80.0 acres)	At the discretion of the Development Authority
Parking	See Parking section of this Bylaw	See Parking section of this Bylaw
Year-Round Storage of Recreational Vehicles	Maximum of five allowed to be stored year-round	Year-round storage is permitted

Servicing Requirements	Servicing not required for operations April 1 to November 30. Year-round operations require sanitary sewage disposal facilities and potable water facilities.	Sanitary sewage disposal facilities and potable water facilities required.
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9.1.5. Separation Distances and Buffering:

- a) there shall be a minimum distance separation of 300.0 m between any Campground – Major and Confined Feeding Operations or 1000.0 m between any parcel designated Aggregate Resource Extraction/Processing Direct Control District to the satisfaction of the Development Authority; and,
- b) a Campground-Major may require buffering in the form of setbacks, berming or year-round vegetation to mitigate the various impacts on or from surrounding land uses. A landscape plan may be required to be prepared by a Qualified Consultant at the discretion of the Development Authority.

9.1.6. The storage, collection and disposal of solid waste in a Campground – Major or Campground – Minor shall be conducted as to not create health hazards, rodent harborage, insect breeding areas, and/or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of a Development Officer and made to be inaccessible by wildlife.

9.1.7. For Campgrounds – Major which propose to be open year-round, applications must include provisions in the design of internal roads for snow removal and snow storage sites.

**9.2 Confined Feeding Operations**

9.2.1. Operators of Confined Feeding Operations are responsible for obtaining the necessary provincial licenses, permits, and approvals prior to operation.

9.2.2. In directing and approving land uses that may be incompatible with a confined feeding operation, Clearwater County shall refer the application to the NRCB to determine the applicable minimum distance separation.

9.2.3. The County may choose to provide comment to the NRCB on any proposed new or expanded CFO(s) in alignment with the County’s Municipal Development Plan.

9.2.4. Within the following exclusionary zones, the County shall indicate its opposition to an application for a new operation and may indicate its opposition to an application to expand an existing confined feeding operation on:

- a) all land within 3.2 kilometres (2 miles) of a corporate boundary of a Town, Village or Summer Village, or as otherwise directed in an intermunicipal development plan adopted by the County;
- b) all land within 3.2 kilometres (2 miles) of a hamlet the boundaries of which may be defined in a statutory plan or Outline Plan approved by the County; and,
- c) all land within 0.8 kilometres (0.5 miles) of an area contained in an area structure plan that provides for multi-lot residential development.

### **9.3 Data Processing Centre**

9.3.1. All necessary approvals shall be provided by the Alberta Utilities Commission and copies are required as part of an application for Development Permit approval.

9.3.2. A fire safety/emergency response plan shall be required as a condition of Development Permit approval to the satisfaction of the Fire Chief.

9.3.3. A noise attenuation study conducted by a Qualified Consultant shall be required by the Development Authority. At the discretion of the Development Authority, a noise mitigation plan that may include a noise monitoring system may also be required.

### **9.4 Day Homes**

9.4.1. A Day Home:

- a) shall not be located in a dwelling unit containing a Home Occupation – Major;
- b) may require privacy screening that prevents visual intrusion into any outdoor play area; and,
- c) shall not require a Development Permit.

### **9.5 Development On or Near Slopes**

9.5.1. For the purposes of this section, “toe of slope”, “toe of bank”, “top of slope” or “top of bank” is as determined by the Development Officer, who may consult with Alberta Environment and Protected Areas or require a technical study from a Qualified Consultant (geotechnical engineer and/or land surveyor).

9.5.2. Notwithstanding the yard requirements prescribed in the land use districts, subject to 9.5.3, a building or structure shall not be permitted or caused to be built or placed within 15.24 metres (50 feet) of the toe of slope, toe of bank, top of slope or top of bank having a grade that equals or exceeds 15%.

- 9.5.3. The required setback from the toe of slope or top of bank may be increased or decreased by the Development Officer upon the submission of a report from Alberta Environment and Protected Areas, a geotechnical engineering firm or Qualified Consultant (geotechnical engineer) that indicates a lesser setback is suitable or a greater setback is required or dependent on surrounding site conditions at the Development Officer's discretion.
- 9.5.4. The Development Officer may require an applicant to provide a geotechnical assessment of the proposed development of the site and buildings, completed by a Qualified Consultant, which provides mitigation strategies.
- 9.5.5. No trees or vegetation shall be cleared within 15.24m (50 ft) of the toe or top of slope where the removal may have an impact on the overall slope stability.

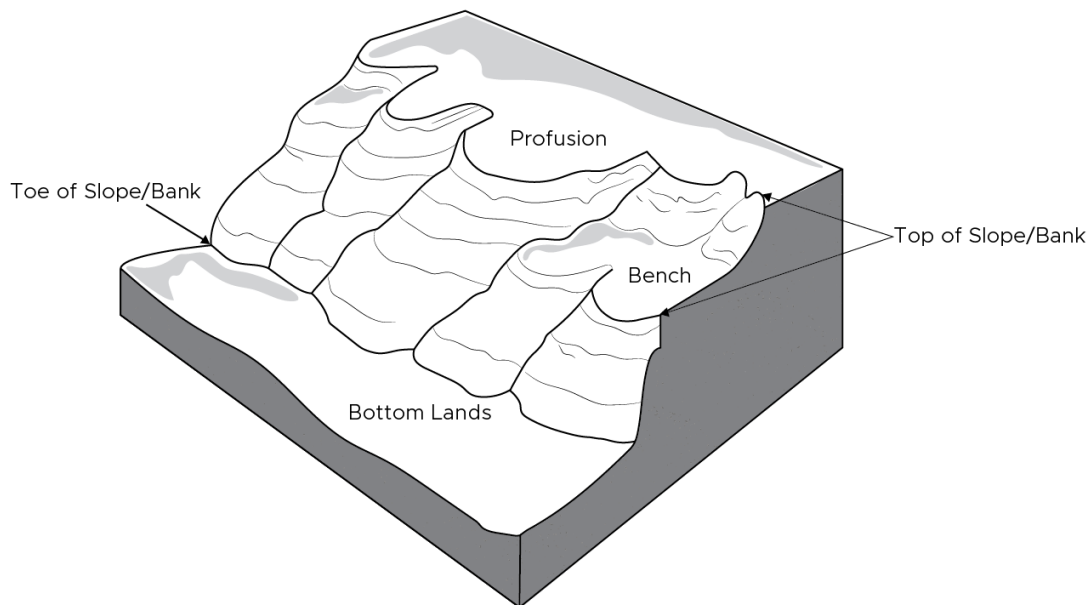


Figure 16: Bank and Slope

## 9.6 Direct Market Sales

- 9.6.1. Direct Market Sales shall be approved as an Exempted Use (No Development Permit Required), provided that:
- the sales are for a personal endeavour (i.e. hobby), and not related to a business / commercial land use;
  - for non agricultural parcels, the sales are not the primary use of the parcel of land;
  - the sales will not unduly impact other adjacent land uses;

- d) the use does not adversely affect traffic safety; and
- e) the applicant demonstrates appropriate measures to mitigate potential negative effects on adjacent and nearby land uses.

9.6.2. For non agricultural parcels, should a stand or structure be used for the direct market sales; the structure shall be under 23.2 m<sup>2</sup> (250 sq ft) or a Development Permit shall be required. The structure shall not be permanent and must be moveable if adjacent to a road.

## **9.7 Dugouts and Fishponds**

9.7.1. All dugouts and fishponds (for non-commercial purposes) shall be completed in alignment with all provincial and environmental regulations to ensure they do not impact natural drainage flows, environmentally sensitive areas or provincial water bodies and/or wetlands.

9.7.2. Although dugouts and fishponds for non-commercial purposes do not require a Development Permit, provided they do not require any variances to the Bylaw, they may require *Water Act* approval. Contact Alberta Environment and Protected Areas prior to commencing development.

9.7.3. Dugouts shall not be located within any drainage easement.

9.7.4. No dugout shall be located less than the required setback distance outlined in a specific land use district from any public roadway.

## **9.8 Dwelling – Bed and Breakfast**

9.8.1. A Dwelling – Bed and Breakfast operating as a dude ranch / vacation farm (incorporating agricultural / ranching activities into the overall experience) in an agricultural land use district shall be operated as a secondary use to the principal ranching/farming (Agricultural Operation) use of the land and shall not change the principal character of the subject land.

9.8.2. Dwelling – Bed and Breakfast operating as a dude ranch / vacation farm in an agricultural district shall not accommodate more than eight guests at any one time.

9.8.3. Dwelling – Bed and Breakfast operating as a dude ranch / vacation farm shall be allowed on a given parcel or lot.

9.8.4. In reviewing a development application for a Dwelling – Bed and Breakfast, the factors to be considered include, but are not limited to:

- a) the size of the parcel;
- b) the impact of the proposed use on the existing water and wastewater systems;

- c) consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use;
  - d) potential traffic generation, and parking requirements as outlined in this Bylaw;
  - e) buffering or other techniques designed to limit any interference with other uses of the peaceful enjoyment of neighbouring parcel; and,
  - f) amenities offered that would enhance the proposed land use.
- 9.8.5. In residential districts, a Dwelling – Bed and Breakfast may be allowed provided that it is secondary to the residential use of the dwelling, and it will not interfere with the use and enjoyment of the neighbouring properties.
- 9.8.6. A Dwelling – Bed and Breakfast shall comply with the following standards:
- a) any alteration to the residential structure shall be limited to ensure that the dwelling remains within the character of the area within which it is located, and any alterations are to be approved by the Development Authority; and
  - b) an identification sign must identify rather than advertise the establishment and not exceed 0.6 square metres (6.46 sq ft) in size unless otherwise approved by the Development Officer.

## **9.9 Dwelling – Guest House / Room**

- 9.9.1. An application for a Development Permit for a guest house may be approved on a parcel of land in a district for which a guest house is listed as a Discretionary Use but only when a principal residence already exists on the parcel of land.
- 9.9.2. A guest house may be a separate building or form part of a building that is separate from the principal residence but shall not include a kitchen.
- 9.9.3. A maximum of 1 guest house is permitted on parcels less than 32.4 ha (80.0 acres)
- 9.9.4. A maximum of 2 guest houses are permitted on parcels greater than or equal to 32.4 ha (80.0 acres).

## **9.10 Dwelling – Manufactured**

- 9.10.1. All Dwelling - Manufactured must have CSA (Canadian Standards Association) approval with the appropriate sticker denoting this standard. If a particular mobile home has been damaged or structurally altered, the mobile home must be certified as safe by a building inspector to the satisfaction of the Development Authority.
- 9.10.2. All Dwelling – Manufactured in the County must be placed on a concrete foundation, blocking or piles and appropriately skirted from grade to floor level to the satisfaction of the Development Authority.

9.10.3. Skirting shall match the finish of the Dwelling - Manufactured and be completed within 60 days of the Dwelling – Manufactured being located on a site.

**9.11 Dwelling – Secondary Suite**

- 9.11.1. Dwelling – Secondary Suites can be located within either a primary dwelling on a subject lot or in a separate standalone structure provided that the maximum floor area is 120m<sup>2</sup> (1291 square feet) and shall not exceed the size of the principal dwelling on a parcel.
- 9.11.2. A maximum of one Dwelling - Secondary Suite may be developed in conjunction with a principal dwelling on a parcel where permitted.
- 9.11.3. The Development Authority shall be satisfied that the Secondary Suite will be properly connected to services (e.g. gas, power, water, provincially approved sewage disposal) associated with the existing host residence without jeopardizing existing services associated with either the hosting Parcel or adjacent and neighbouring Parcels.
- 9.11.4. A Dwelling - Secondary Suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling in cases where this is the type of secondary suite proposed.
- 9.11.5. A Dwelling - Secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or Subdivision.
- 9.11.6. Where landowners intend to convert their bona fide need Development Permit approval under Land Use Bylaw 714/01 to a secondary suite, the applicant may apply for variances to the restrictions within this Bylaw for a Dwelling – Secondary Suite. These applications will be at the discretion of the Development Authority.

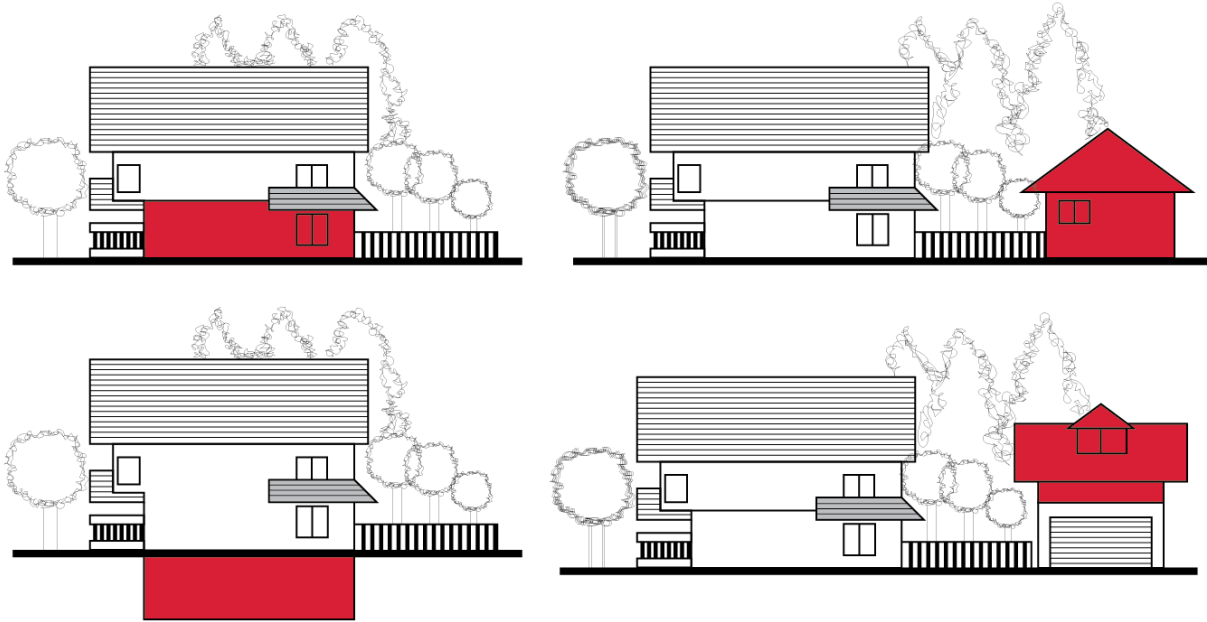


Figure 17: Secondary Suite

### 9.12 Dwelling – Security / Surveillance

- 9.12.1. A Development Permit for a Dwelling – Security / Surveillance may be issued if the proposed development is subordinate to the principal use of the subject parcel.
- 9.12.2. The placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/ land uses of adjacent properties.
- 9.12.3. Where a surveillance suite is attached to the principal building by a roof, an open or enclosed structure, floor or foundation, it is to be considered a part of the principal building.
- 9.12.4. The minimum and maximum floor area of any detached surveillance suite shall be 50 m<sup>2</sup> (538.2 sq ft) and 113 m<sup>2</sup> (1,216.0 sq ft) respectively.

### 9.13 Environmentally Significant Areas

- 9.13.1. When reviewing an application for development on environmentally significant areas, the Development Officer may consider any or all of the following:
  - a) the impact of the proposed development on the subject and surrounding lands;
  - b) The results of a required biophysical impact assessment or other environmental study required at the discretion of the Development Officer and completed by a Qualified Consultant;

- c) the soil and slope conditions of the area surrounding the subject property;
  - d) any information on the past history of the subject property and surrounding area from a geotechnical perspective; and,
  - e) comments and recommendations from Alberta Environment and Protected Areas.
- 9.13.2. As part of the Development Permit application, the Development Officer may require a geotechnical study, prepared by a Qualified Consultant (geotechnical engineer), addressing the proposed development. The geotechnical study will establish building setbacks from property lines based upon the land characteristics of the subject property.
- 9.13.3. The Development Officer may require all or any of the following as conditions of approval for a Development Permit application on land which is considered environmentally significant:
- a) a certificate from a Qualified Consultant (geotechnical engineer) certifying that the design of the proposed development was undertaken with full knowledge of the soil and slope conditions of the subject property;
  - b) a certificate from a Qualified Consultant (geotechnical engineer) when the proposed development includes cut and/or fill sections on slopes and/or including the addition of fill to the subject property;
  - c) that measures be taken to ensure that infiltration into area slopes, the subject property and adjacent lands are minimized;
  - d) the registration of a restrictive covenant against the certificate of title for the subject property related to the approved development; and/or,
  - e) the registration of an easement against the certificate of title for the subject property entitling the County or an agent on behalf of the County the right to enter the subject property to carry out such improvements and repairs as are required to maintain the stability of adjacent properties which, if not corrected, could adversely affect surrounding lands.
- 9.13.4. Removal of natural vegetation and alterations to the natural drainage of lands within or adjacent to an environmentally significant area shall not be permitted
- 9.13.5. The Development Authority may require a biophysical impact assessment or other form of environmental study to determine setbacks and other considerations in environmentally significant areas. The biophysical impact assessment may include, but not be limited to:

- a) a description of the features of the site, adjacent properties and nearby lands that may be affected;
- b) a description of the environmental sensitivity of these lands and features;
- c) the nature of the impacts on land, water, wildlife and fish during construction;
- d) the nature of the impacts of land use activities on land, water, wildlife and fish upon completion of the development and/or phases thereof;
- e) an environmental mitigation/protection plan to alleviate any adverse impacts, monitor the performance of the mitigation/protection measures and identify the residual impacts and their significance on fish, wildlife, vegetation, soil, water quality and quantity; and,
- f) any other matters required by the Development Authority.

9.13.6. Clearwater County may register an Environmental Reserve (ER), or Environmental Reserve Easement (ERE) where provided for in Section 664 of the *MGA* for the environmentally significant lands.

9.13.7. The Development Authority may require a Phase 1 Environmental Site Assessment or Environmental Audit report prepared by a Qualified Consultant as part of a Development Permit application which shall contain:

- a) a history of the subject property's ownership and use;
- b) a description of the natural environment and social environment surrounding the subject property which may be sensitive to contamination;
- c) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;
- d) documentation of the existence, location and use of above and underground storage tanks and other related facilities;
- e) a history of environmental regulatory activity affecting the subject property;
- f) a review of the condition and use of adjoining properties;
- g) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
- h) a determination of the extent of contamination; and,
- i) a comprehensive site and areas map noting the locations of natural and built features and other elements of the site audit as noted above.

9.13.8. The Environmental Audit and report may be referred to Alberta Environment and Protected Areas as well as Clearwater County for comment and recommendations.

#### **9.14 Farm Subsidiary Business**

9.14.1. A farm subsidiary business may be approved in an agricultural district only if the development will not:

- a) employ more than two employees who do not reside on-site;
- b) store or maintain any goods, materials, or equipment not directly related to the operation; and,
- c) create dust, noise, odour, smoke or traffic generation which in the opinion of the Development Authority would be a nuisance to adjacent or nearby properties.

9.14.2. If a farm subsidiary business is approved as a temporary use, the approval shall be date specific as to when the business shall cease or at the discretion of the Development Officer considered for an extension of time until a specific future date.

9.14.3. Signage shall be limited to one sign not exceeding 3 square metres (32.29 sq ft) in area and must conform to all other provisions of this Bylaw.

#### **9.15 Flood Prone Lands**

9.15.1. Subject to the provisions of this Section, development on land which may be prone to flooding generally shall be discouraged, especially on lands which lie within the 1:100-year floodplain, as determined by Alberta Environment and Protected Areas and/or the County as determined by a hydrogeological study.

9.15.2. On land that in the opinion of Alberta Environment and Protected Areas and/or the County is within the floodplain, new residential development and the expansion of existing residential development shall not be permitted, regardless of whether it is an allowable use in the subject land use district.

9.15.3. On land that in the opinion of Alberta Environment and Protected Areas and/or the County is within the floodplain, permanent non-residential buildings shall not be allowed, and new development shall not be allowed except for:

- a) non-obstructing agricultural uses;
- b) outdoor recreation uses;
- c) flood control measures; and,
- d) public work facilities.

- 9.15.4. In reviewing an application for development for a site which is considered to be prone to flooding or located in a 1:100-year floodplain, the Development Officer may require one or more reports to be submitted by a Qualified Consultants addressing the proposed development and the mitigating aspects of the application that will be utilized to minimize potential impacts.
- 9.15.5. If a proposed development within floodplain lands is approved, any or all of the following may be required as conditions of development approval:
- a) the use of fill, piles, posts or piers to raise the development above the 1:100-year flood level;
  - b) no finished floor space below the 1:100-year flood level;
  - c) no mechanical or electrical installations less than 0.5 metre (1.64 feet) above the 1:100-year flood level;
  - d) diking the watercourse with approval from Alberta Environment and Protected Areas;
  - e) increased development setbacks from the watercourse;
  - f) the use of backflow prevention valves (stop valves);
  - g) any other flood abatement measure as may be advised by the municipality, Alberta Environment and Protected Areas or Qualified Consultant; and
  - h) registration of a restrictive covenant registered against the title of the subject property which saves and indemnifies the municipality from liability.
- 9.15.6. The Development Officer may require that the development of a site considered to be prone to flooding and any building thereon be designed or bear the seal and signature of a professional engineer and/or architect registered in the Province of Alberta.

9.15.7. Notwithstanding any other provision in this Bylaw, for a site that is considered to be subject to flooding or located in a 1:100-year floodplain, with the exception of those uses listed in 9.15.3, a Permitted Use in the Land Use District for that site shall be deemed to be a Discretionary Use.

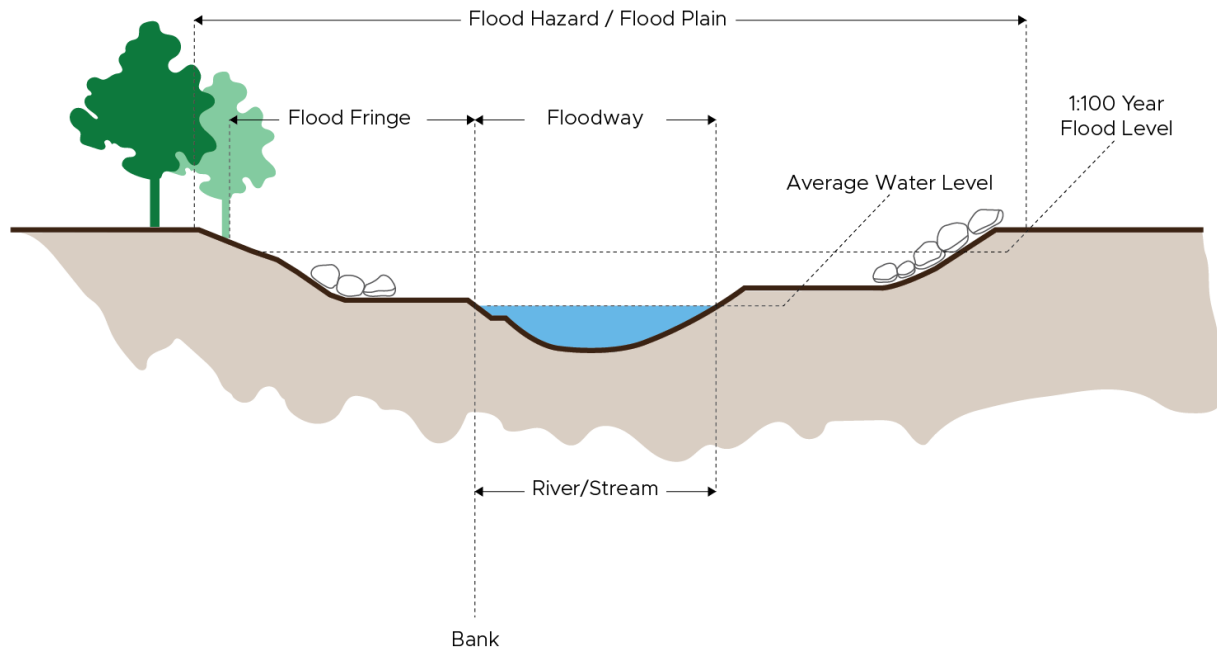


Figure 18: Flood Prone Lands

## 9.16 Historical and Archeological Sites

9.16.1. Historical and archeological sites identified pursuant to the *Alberta Historical Resources Act* shall be protected in accordance with the guidelines established by the Province of Alberta. A Historical Resource Impact Assessment or appropriate Historical Resources Act approval may be required at the discretion of the Development Authority and/or by Alberta Heritage.

## 9.17 Home Occupations (Major and Minor)

9.17.1. A Home Occupation shall be classified as either a Home Occupation – Major or Home Occupation – Minor based on the classification table as follows:

<b>Home Occupation</b>	<b>Minor</b>	<b>Major</b>
<b>Development Permit Required</b>	Yes	Yes
<b>Site Plan Required</b>	No	Yes
<b>Signage Allowed</b>	Maximum 0.56 square metres (6 sq ft)	Maximum 0.56 square metres (6 sq ft)
<b>Nuisance Impacts Allowed</b>	None	Minor potential impacts.
<b>Landscaping / Screening Required</b>	None	Depending on the home-occupation, potentially landscaping or screening may be required by the Development Authority
<b>Non-Resident Employees</b>	None	Maximum of 1 non-resident employee in a hamlet residential district Maximum of 2 non-resident employees in a non-hamlet residential district (i.e. Agricultural)
<b>Commercial Vehicles and/or Trailers</b>	None	Maximum of 1 commercial vehicle in a hamlet residential district Maximum of 2 commercial vehicles in a non-hamlet residential district (i.e. Agricultural)
<b>Customer Traffic Generation</b>	3 or less customer visits per day	10 or less customer visits per day
<b>Outside Storage Allowed</b>	None	No outside storage in a hamlet-residential district Minimal outside storage screened and located in a side or rear yard to the satisfaction of the Development Authority in a non-hamlet residential district (i.e. Agricultural)
<b>Public Display of Products</b>	Not permitted	Not permitted
<b>Accessory Building / Structure</b>	Maximum 1	Maximum 1
<b>Parking Spaces Required</b>	See Parking regulations of this Bylaw	

Note: The Purpose of Home-Based Businesses is to accommodate small, non-intrusive, low risk, low intensity developments that can be integrated into and are compatible with adjacent non-commercial or non-industrial sites. Uses that exceed the business standards of a Home-Based Business should be more appropriately located within an alternative and compatible land-use district in alignment with the MDP.

- 9.17.2. A Home Occupation – Minor or Home Occupation – Major shall be operated as a secondary use only and shall not change the external appearance or residential character of the site.
- 9.17.3. A Home Occupation – Minor or Home Occupation – Major may be approved on a temporary basis in the time period outlined in the Development Permit approval.
- 9.17.4. All home occupations require a Development Permit.
- 9.17.5. A maximum of 1 Home Occupation – Major is allowed per lot.
- 9.17.6. A maximum of 2 Home Occupations are allowed per lot, provided there is only one Home Occupation – Major on the subject lot. This means there is the opportunity for two minor home occupations, or 1 major and 1 minor home occupation allowed per lot.
- 9.17.7. Allowable hours of operation may be outlined by the Development Authority as a condition of Development Permit approval dependent on Home Occupation location, context, adjacent dwellings and the proposed type of home occupation.
- 9.17.8. A Home Occupation – Minor or Home Occupation - Major should not negatively affect neighbouring residences with lighting, noise, vibration, smoke, dust, odour, or other nuisances.

## **9.18 Kennels**

- 9.18.1. Kennels are not allowed in residential districts within Hamlets and multi-lot country-residential subdivisions;
- 9.18.2. All buildings, cages and/or outdoor exercise areas shall be located to the satisfaction of the Development Authority and shall comply with the following regulations:
  - a) no building or outdoor exercise area shall be located within 300 m (1,000 ft) of any dwelling located on an adjacent parcel;
  - b) where applicable, all facilities, including buildings and outdoor exercise areas, shall be located behind the principal building;
  - c) all facilities, including buildings and outdoor exercise areas, shall be screened from any existing dwellings on an adjacent parcel;

- d) all facilities shall be cleaned on a daily basis with an animal waste management plan submitted as a condition of Development Permit approval;
  - e) exercise areas for animals shall be fenced to the satisfaction of the Development Authority; and,
  - f) no animals shall be allowed outdoors between the hours of 10:00 pm and 6:00 am.
- 9.18.3. Additional referral circulation to a larger radius shall be at the discretion of the Development Authority for kennel applications.

**9.19 Recreational Vehicle Storage – Commercial**

- 9.19.1. Parking spaces proposed for recreation vehicle storage must meet the setback requirements of the associated land use district upon which it is located, and the setback area shall be landscaped to the satisfaction of the Development Authority.
- 9.19.2. Vehicle entrances and exits, as well as internal vehicle routes shall be designed in a manner that provides a safe and clearly defined circulation pattern and may be subject to the submission of Traffic Impact Assessment at the discretion of the Development Authority.
- 9.19.3. All on-site roadways, parking, loading and storage areas shall have a durable hard surface of asphalt, gravel or similar material and the same shall be drained, developed to the satisfaction of the Development Authority.
- 9.19.4. Where on-site parking or storage is illuminated; all lighting shall be positioned in such a manner that lighting impacting abutting properties is minimized.
- 9.19.5. Any developed portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto a public roadway or other neighbouring property.
- 9.19.6. There shall be no storage of hazardous materials or goods on site.
- 9.19.7. No day use or over-night accommodation shall be allowed on site.
- 9.19.8. The storage of recreation vehicles shall not include storage for the salvage of, or for derelict recreation vehicles.
- 9.19.9. The recreation vehicle compound shall be fenced with a minimum 2.0 m high chain link fence around the periphery of the storage area; however, razor wire is prohibited.

9.19.10. Except in exceptional circumstances as determined by the Development Authority, an application for recreation vehicle storage shall require a landscape plan prepared by a Qualified Consultant.

## **9.20 Recreational Vehicle Storage & Temporary Use – Personal**

9.20.1. On a lot in the Leisure Residence District (LR) where no principal building is present, one recreation vehicle that bears a valid current vehicle license may be parked and used for living and sleeping accommodation. The recreation vehicle must be portable at all times with no permanent additions.

9.20.2. Recreation vehicles shall not be used for any business or commercial purposes, including but not limited to, the utilization of the recreation vehicles for providing temporary or permanent accommodation in exchange for remuneration or fee, unless otherwise approved in a Development Permit issued by the Development Authority.

9.20.3. On a lot in any district where a Dwelling – Single-Detached is a Permitted or Discretionary Use, occupied recreation vehicles which contain a valid current vehicle license, or a tent may be parked and used for living and sleeping accommodation by guests of the occupants of the principal dwelling for a period not to exceed 60 days without requiring a Development Permit.

9.20.4. Unused or unoccupied recreation vehicles and other recreational trailers and equipment of an approved dwelling on a residential parcel may be stored or parked on a Country Residential (CR) District or Country Residential Agriculture (CRA) District parcel without a Development Permit, providing that the total number does not exceed four (4) recreation vehicles. Any number larger than four would require a Development Permit for the appropriate use.

9.20.5. Unused or unoccupied recreation vehicles and other recreational trailers and equipment of an approved dwelling on a residential parcel may be stored or parked on a Hamlet Residential (HR) District parcel without a Development Permit, providing that the total number does not exceed one (1) recreation vehicle. Any number larger than one would require a Development Permit for the appropriate use.

9.20.6. Unused or unoccupied recreation vehicles and other recreational trailers and equipment may be stored or parked on the said parcel of land without a Development Permit, providing that the property is assessed as farmland and used for agricultural purposes and the total number does not exceed seven (7) recreation vehicles.

9.20.7. Notwithstanding 9.20.4 9.20.5 and 9.20.6, where any unused or unoccupied vehicle or equipment named in the foregoing becomes derelict, dilapidated or unsightly, the Development Officer may determine that the scope and scale of the number of unused recreation vehicles is classified as a listed use and subsequently requires a Development Permit.

- 9.20.8. A maximum of five (5) recreation vehicles may be utilized as staff housing for summer employment within Development Nodes, and industrial-designated lots within the Hamlet of Nordegg. A Development Permit is required for all recreational vehicles being utilized for staff housing.
- 9.20.9. In all hamlet residential districts, recreation vehicles may be utilized for temporary habitation for a maximum of 72 hours without a Development Permit.

### **9.21 Remote Area – Wildfire Prevention**

9.21.1. When, in the opinion of the Development Officer, a proposed development would be located in an area which may be a significant wildfire hazard area or too remote for existing municipal services to be effective in an emergency, the Development Officer may add the following measures as conditions to the issuance of a Development Permit to reduce fire hazards:

- a) a minimum 10 metres (33 feet) defensible space perimeter around buildings; this space should consist of less fire prone vegetation and free of ground level fuels (e.g. logs, branches, twigs), piled debris and other combustibles; this zone may increase to 30 metres (100 feet) for a site at the top of a slope;
- b) a reduced fuel zone perimeter around buildings in which the forest canopy and understory may need to be thinned; for flat sites this perimeter may be up to 30 metres (100 feet) but may be greater if the perimeter area includes downslopes greater than 15%;
- c) roofs to be constructed of non-combustible or combustion retardant materials;
- d) the installation of spark arresters on chimneys and stovepipes;
- e) exterior siding to be of fire-resistant materials;
- f) the provision of an emergency access;
- g) the provision of an adequate on/off-site water supply and equipment for fire-fighting purposes; and,
- h) any other provisions consistent with principles and standards to protect a community, subdivision or isolated development from wildfires.

### **9.22 Renewable Energy – Personal Use – Solar Collectors**

9.22.1. A solar collector with a rated output less than 30 kW attached to a wall or roof of an authorized building is allowed in any land use district without the requirement for a development permit, subject to the following:

- a) A solar collector mounted on a roof:

- i. shall not exceed the maximum height requirements of the applicable land use district; and
    - ii. must be attached as per manufacturer’s specifications.
  - b) A solar collector mounted to a wall:
    - i. must be located such that it does not create undue glare on neighbouring property or public roadways; and
    - ii. must be attached as per manufacturer’s specifications.
- 9.22.2. A free-standing solar collector shall be listed as a permitted use when the rated output is less than 30 kW and shall be processed subject to the applicable land use district and the following additional standards:
- a) A free-standing solar collector:
    - i. Shall be located such that it does not create undue glare on neighbouring property or public roadways; and
    - ii. Shall not exceed 4.5 metres (15 ft.) in height above existing grade when orientated at maximum height, in the HR, HCM, NUR, NHC, MHP, LR, RF-M, and CA land use districts, and the CRA and CR land use districts; and/or
    - iii. Shall not exceed 6.1 metres (20 ft.) in height above existing grade when orientated at maximum height, in all other land use districts where the use is allowed.
  - b) In addition to the above two standards (2)(a)(i) and (ii), a free-standing solar collector must meet the setbacks that are outlined in the applicable district.
- 9.22.3. In the Agriculture District “A”, solar collectors with a rated output less than 30kW for private on-site use and which meet the development regulations in the Agricultural District “A” are exempt from requiring a development permit.
- 9.22.4. Free-standing solar collectors which primarily produce or feed power into the provincial power grid or transmit to other properties, or a group of solar cells with a rated output of more than 30kW but less than 1 MW on the same parcel, shall apply for a development permit and are deemed to be a discretionary use.

**9.23 Renewable Energy – Personal - Wind Energy Conversion Systems- small (WECS-small)**

***Requirements***

- 9.23.1. In the Agriculture “A” District a development permit is not required for WECS-small, provided the maximum height is 6 meters and it meets the requirements outlined in Section 2.2.4.

9.23.2. In all other land use districts other than the Agriculture “A” District, a development permit shall be required for all WECS-small, unless otherwise stipulated in the bylaw.

***Application Requirements***

9.23.3. All reports and plans from a qualified consultant required as part of an application must be completed by the appropriate accredited professional qualified in the Province of Alberta.

9.23.4. A development permit application for a WECS-small shall include the following information in a legible format:

- a) a development permit application;
- b) if necessary, a landowner authorization;
- c) a scaled and surveyed site plan which shows the property lines, the location of the structures on the site, all setbacks, access and egress, utility lines, easements and rights of way;
- d) a proposed haul route plan for construction and decommissioning;
- e) a construction management plan which includes information about days and hours of construction, noise and dust mitigation, erosion control, waste management and disposal;
- f) a decommissioning and reclamation plan which includes noise and dust mitigation, erosion control, waste management and disposal; reclamation to the prior land classification use;
- g) the manufacturers make and model number for the WECS-small;
- h) the manufacturer’s specifications indicating:
  - i. The rated output in kilowatts;
  - ii. Tower height;
- i) specifications on the foundations and/or anchor design, including the location and anchoring of any guy wires;
- j) engineered plans, prepared by a qualified consultant, for WECS-small that are mounted or attached to any building demonstrating that the building can structurally support the WECS-small; and
- k) any other information the development authority requires to assess the suitability of the development.

### ***Referrals***

9.23.5. Prior to making a decision on a development application for a WECS-small, the Development Authority may refer the application and consider the input of the following agencies and departments:

- a) Transport Canada,
- b) Alberta Transportation & Economic Corridors (within prescribed distances to provincial roadways),
- c) Any other Federal, Provincial, or Municipal agencies or departments deemed necessary.

### ***Setbacks***

9.23.6. A WECS-small shall comply with all the setbacks in the land use district in which it is located or the setbacks outlined in clause 2.2.4(2) below, whichever is greater.

9.23.7. The WECS-small shall be setback a minimum distance equal to the maximum height of the WECS-small from all property lines.

9.23.8. No part of the WECS-small, including guy wire anchors, may extend closer than the setbacks of the applicable land use district in which they are located.

### ***Development Standards***

9.23.9. A WECS-small shall have a minimum blade clearance of 7.62 metres (25 feet) to the ground, unless otherwise specified by the manufacturer.

9.23.10. A WECS-small should be located and screened by landforms, natural vegetation, or other means to minimize visual impacts on neighbouring residences and public roads, public trails, and other areas.

9.23.11. A WECS-small and any supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, or black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.

9.23.12. A WECS-small shall not be artificially illuminated except as required by a federal or provincial agency or department.

9.23.13. A WECS-small shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural, or civil engineer.

- 9.23.14. A WECS-small climbing apparatus shall be no closer than 4.57 metres (15 feet) from grade unless the system is enclosed by a 1.83 metre (6 feet) high fence.
- 9.23.15. The system's maximum power shall not exceed 5kW.
- 9.23.16. Except for on parcels designated as Agriculture, the system shall be located in the rear or side yards unless mounted on an authorized building. Special considerations to relax this location standard may be made by the Development Authority for a WECS-small located in the remaining districts when they are not in a multi-lot subdivision, based on parcel size, specific site planning issues, and location factors which include consideration for the type of land uses adjacent to the proposal.
- 9.23.17. Brand names or advertising associated with the system or systems installation shall not be visible from any public space.
- 9.23.18. The County shall be consulted at the beginning of an application process to confirm the needs and requirements in the proposed district can be met, prior to seeking provincial and federal approvals. The County will not accept WECS-small development permit applications without necessary provincial or federal approvals.
- 9.23.19. All components, where required of the WECS-small, including any electrical components, shall comply with the Canadian National Standards and shall bear the appropriate certification marks.
- 9.23.20. Roof mounted WECS-small shall comply with all Alberta Building Code requirements and the applicant and/or landowner shall be responsible for ensuring the roof and support structure is reinforced, braced, or constructed to handle extreme wind conditions and the weight and vibrations of the roof wind turbine unit.
- 9.23.21. As a condition on a development permit, the Development Authority may require that the installation of the roof mounted WECS-small be reviewed by a structural engineer to verify mounting and structural safety.
- 9.23.22. The WECS-small system must be installed by a certified electrical contractor prior to operation.

### ***Decommissioning***

- 9.23.23. Where the WECS-small has been inactive or abandoned for more than 12 consecutive months, the County upon notice can require the applicant and/or landowner to decommission and remove the entire system at their expense in accordance with the decommissioning and reclamation plan. If the WECS-small is not decommissioned and removed in accordance with the notice, the County may undertake enforcement action.
- 9.23.24. All refuse associated with the decommissioning and dismantling of the WECS-small shall be removed from the property and disposed of appropriately.

9.23.25. Upon removal of the WECS-small, the property shall be restored to its pre-construction condition to the satisfaction of the Development Authority.

#### **9.24 Renewable Energy – Commercial/Industrial - Solar Collection Facility**

##### ***Requirements***

- 9.24.1. The County will not accept solar collection facility development permit applications without necessary provincial or federal approvals.
- 9.24.2. Multiple solar collectors with a combined output rating of 1MW or more will be considered a solar collection facility.
- 9.24.3. Land used for a solar collection facility must be re-districted to a Direct Control District “DC” and shall require a development permit.
- 9.24.4. Within Clearwater County, Class 3 lands are considered to be high quality (Class 1 and 2), as per the Electric Energy Land Use and Visual Assessment Regulations. Subsequently, A solar collection facility shall not be located on Class 1 to Class 3 lands as classified by the Alberta Land Suitability Rating System (LSRS), unless the development meets Provincial government regulations to demonstrate coexistence with crops and/or livestock and shall preferably be located on Class 5 to Class 7 lands.

##### ***Application Requirements***

- 9.24.5. A development permit application for a solar collection facility will not be accepted until the development permit application fee is received by the County.
- 9.24.6. All reports and plans from a qualified consultant required as part of an application must be completed by the appropriate accredited professional qualified in the Province of Alberta.
- 9.24.7. A development permit application for a solar collection facility shall provide the following information in a legible format:
  - a) a development permit application;
  - b) if necessary, a landowner authorization;
  - c) a scaled and surveyed site plan which shows the property lines, the location of the structures on the site, all setbacks, access and egress, utility lines, easements and rights of way;
  - d) maps, prepared by a qualified consultant, identifying water bodies and any sensitive, environmental or topographical features;
  - e) a drainage and grading plan prepared by a qualified consultant;

- f) a weed, vegetation, and pest management plan prepared by a qualified consultant;
- g) a landscaping plan which includes strategies to minimize negative visual impacts;
- h) a proposed haul route plan for construction and decommissioning;
- i) a site security and emergency management plan, which addresses water supply, fire suppression, and emergency vehicle access and on-site circulation;
- j) a construction management plan which includes information about days and hours of construction, noise and dust mitigation, erosion control, waste management and disposal;
- k) a decommissioning and reclamation plan which includes noise and dust mitigation, erosion control, waste management and disposal; and reclamation to the prior land classification use;
- l) an environmental assessment review prepared by a qualified consultant that assesses site suitability and outlined impact mitigation strategies;
- m) any other information the development authority requires to assess the suitability of the development; and
- n) public participation plan.

9.24.8. The development authority may impose any conditions the development authority considers appropriate, including, but not limited to, conditions about the following matters:

- a) entering into a road use agreement with the County, which may include road maintenance, road widening, and security; fencing and/or other security measures;
- b) weed, vegetation and pest control;
- c) vibration / light pollution mitigation
- d) emergency response;
- e) construction and decommissioning, including noise and dust control; and
- f) provision of security to ensure compliance with development permit conditions, including reclamation security.

9.24.9. Prior to making a decision on a development application for a Solar Collection Facility, the Development Authority may refer the development permit application and consider the input of the following:

- a) Transport Canada,

- b) Alberta Transportation & Economic Corridors, and
- c) Any other federal and provincial agencies or municipal departments deemed necessary.

### ***Referrals***

- 9.24.10. Prior to making a decision on a development permit application for a solar collection facility, the Development Authority shall refer a development permit application and review the input of the following:
- a) any municipality within 1.6 kilometres (1 mile) of the proposed solar collection facility, or other distances as specified in any applicable Intermunicipal Development Plan; and
  - b) all landowners within 2 kilometres (1.2 miles) of the proposed solar collection facility.

### ***Decommissioning***

- 9.24.11. Where the solar collection facility has been inactive or abandoned for more than 12 consecutive months, the County upon notice can require the applicant and/or landowner to decommission and remove the entire system at their expense. If the solar collection facility is not decommissioned and removed in accordance with the notice, the County may undertake enforcement action.
- 9.24.12. All refuse associated with the decommissioning and dismantling of the solar collection facility shall be removed from the property and disposed of in accordance with the approved decommissioning plan.
- 9.24.13. Upon removal of the solar collection facility, the property shall be restored to its pre-construction land use and LSRS rating, to the satisfaction of the Development Authority, and reclamation certificates provided.
- 9.24.14. If an application requires the provision of a plan outlining how the site will be decommissioned and reclaimed to the state prior to the development, the plan should include information regarding:
- a) treatment of footings,
  - b) reclamation of roads and other disturbances,
  - c) notice to landowners and the municipality,
  - d) containment of hazardous materials,
  - e) site security,
  - f) discussion of the timetable for the submission of a final decommissioning plan.

## **9.25 Renewable Energy – Commercial/Industrial – Wind Energy Conversion Systems (WECS)**

### ***Requirements***

9.25.1. WECS will be classified into two categories:

- a) Category 1 –Maximum rated output of WECS proposed is more than 5 kW and less than 1MW; and
- b) Category 2 –Maximum rated output of WECS proposed is more than 1 MW.

### ***Application Requirements***

9.25.2. All reports and plans from a qualified consultant required as part of an application must be completed by the appropriate accredited professional qualified in the Province of Alberta.

9.25.3. A development permit application for a WECS, depending on the category, shall include the following information in a legible format:

- a) a development permit application (Category 1 and 2);
- b) if necessary, a landowner authorization (Category 1 and 2);
- c) a scaled and surveyed site plan which shows the property lines, the location of the structures on the site, all setbacks, access and egress, utility lines, easements and rights of way using GIS coordinates (Category 1 and 2);
- d) maps, prepared by a qualified consultant, identifying water bodies and any sensitive, environmental or topographical features (Category 1 and 2);
- e) a drainage and grading plan prepared by a qualified consultant (Category 1 and 2);
- f) a proposed haul route plan for construction and decommissioning; (Category 1 and 2);
- g) a site security and emergency management plan, which addresses water supply, fire suppression, public notification, and security measures (Category 1 and 2);
- h) a construction management plan which includes information about days and hours of construction, noise and dust mitigation, erosion control, waste management and disposal (Category 1 and 2);
- i) a decommissioning and reclamation plan which includes noise and dust mitigation, erosion control, waste management and disposal; and reclamation to the prior land classification use (Category 1 and 2); (a visual impact assessment which considers the individual and cumulative impact of the WECS on the scenic qualities of the County

- landscape, including the impact of overhead transmission lines and strategies to mitigate negative impacts (Category 2);
- j) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour (Category 1 and 2);
  - k) a noise impact assessment which considers provincial noise guidelines and outlines mitigation strategies (Category 1 and 2);
  - l) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires (Category 1 and 2);
  - m) the manufacturer's specifications indicating (Category 1 and 2):
    - i. the WECS rated output;
    - ii. safety features and sound characteristics;
    - iii. type of material used in tower, blade, and/or rotor construction;
  - n) the applicant's approval from the Alberta Utilities Commission (AUC) and any other agencies required for provincial approval (Category 2);
  - o) an environmental assessment review prepared by a qualified consultant that assesses site suitability and outlined impact mitigation strategies (Category 1 and 2);
  - p) any other information the development authority requires to assess the suitability of the development (Category 1 and 2);
  - q) public participation plan (Category 1 and 2); and
  - r) vibration mitigation plan (Category 1 and 2).

**Conditions**

- 9.25.4. The development authority may impose any conditions the development authority considers appropriate, including, but not limited to, conditions about the following matters:
- a) entering into a road use agreement with the County, which may include road maintenance, road widening, and security fencing and/or any other security measures;
  - b) weed, vegetation, and pest control;
  - c) emergency response;
  - d) construction and decommissioning, including noise and dust control; and

- e) provision of security to ensure compliance with development permit conditions, including reclamation security.

9.25.5. As a precursor to decommissioning, the County may request that the developer provide a status report on the defunct operation.

9.25.6. If an application requires the provision of a plan outlining how the site will be decommissioned and reclaimed to the state prior to the development, the plan should include information regarding to:

- a) treatment of footings,
- b) reclamation of roads and other disturbances,
- c) notice to landowners and the municipality,
- d) containment of hazardous materials,
- e) site security,
- f) discussion of the timetable for the submission of a final decommissioning plan.

#### ***Referrals***

9.25.7. Prior to making a decision on a development application for a WECS, the Development Authority should refer and consider the input of the following agencies and departments:

- a) Transport Canada,
- b) Alberta Transportation & Economic Corridors (within prescribed distances to provincial roadways),
- c) any other federal or provincial agencies or municipal departments deemed necessary.

9.25.8. The Development Authority shall also refer a development application for a WECS to:

- a) an adjacent municipal jurisdiction if the boundaries of the municipal jurisdiction are within 1.6 kilometres (1 mile) of the proposed WECS, or other distances as specified in any applicable Intermunicipal Development Plan;
- b) landowners within 2 kilometres (1.2 miles) of the proposed WECS.

#### ***Setbacks***

9.25.9. A WECS shall comply with all the setbacks in the land use district in which the WECS is located, or the setbacks stipulated in Policy 3.2.5(3) below, whichever is greater. The distance shall be measured to the outside of the rotor arc. However, in the case of where

a single project wind power plant is to be located on land owned by the same landowner, but not on separate titles or quarter sections, the required setbacks to adjacent property lines involved in the development proposal may be exempt if there is no nearby residence, as per Policy 3.2.5(5). Similarly, if a single project involved different landowners' titles, those landowners may grant consent whereas the Development Authority may relax the required setback to adjacent property lines involved in the development proposal.

- 9.25.10. Where, in the opinion of the Development Authority, the setbacks referred to in Policy 3.2.5(1) above are not sufficient to reduce the impact of WECS from a public roadway or a primary highway, the Development Authority may increase the required setback.
- 9.25.11. A WECS with a maximum height over 30 meters shall be located 500 meters from any property boundary.
- 9.25.12. In the case of multiple WECS, setbacks can be increased from the minimum setback requirements of clause 3.2.5(3) above or as stipulated in the applicable land use district depending upon the number of WECS in a group and the prominence of the location.
- 9.25.13. All Wind Energy Conversion Systems (WECS) must be located at a minimum distance of 800 meters from the nearest residential development or any property designated for residential use within a residential district. This distance must be measured from the base of the WECS to the boundary of the residential property or residential district. In cases where multiple residential properties or districts exist within an 800-meter radius, the requirement will apply to all such properties or land use districts.

***Minimum Blade Clearance***

- 9.25.14. The minimum vertical blade clearance from grade shall be 7.50 metres (24.6 feet).

***Tower Access and Safety***

- 9.25.15. To ensure public safety, the Development Authority may require as a condition of a development permit that:
- a) a security fence with a lockable gate, no less than 1.80 metres (5.9 feet) in height, shall surround a WECS tower;
  - b) no ladder or permanent tower access device shall be located less than 3.66 metres (12 feet) from grade;
  - c) a locked device shall be installed on the tower to preclude access to the top of the tower;
  - d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate;

- e) the use of tubular towers, with locked door access, will preclude the above requirements.

### ***Colour and Finish***

9.25.16. 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 satisfaction of the Development Authority.

9.25.17. No lettering or advertising shall appear on the towers or blades. On other parts of the WECS, the only lettering permitted will be the manufacturers' identification.

### ***Number of WECS Per Parcel***

9.25.18. The development authority may allow more than one WECS on a parcel of land upon consideration of the following additional factors:

- a) proximity of all other immediate land uses;
- b) density and number of WECS on the parcel and surrounding lands;
- c) utilities;
- d) other relevant impacts, including but not limited to visual impact, access, noise, vibrations, and wildlife implications.

### ***Development Commencement***

9.25.19. Due to the complexity of large projects and the level of provincial approvals that are typically associated with commercial WECS, the commencement and construction time requirements may be relaxed from the bylaw's required 12 months from the date of issuance of the permit; and, if it is demonstrated that the project is being carried out with reasonable diligence in the opinion of the Development Authority, the permit validity may be considered for up to 48 months. Reasonable diligence may include demonstrating to the satisfaction of the Development Authority the securing of finances related to the project, detailed engineering and site design work being undertaken, applications made to the AUC, system access approvals from the AESO, etc.

## **9.26 Renewable Energy – Other and Alternative Facility Development Projects**

9.26.1. In all land use districts, alternative or renewable energy systems, excluding solar and wind, for private onsite use, which meet the development regulations in the specific land use district are exempt from requiring a development permit.

9.26.2. All alternative or renewable energy facilities, such as but not limited to, geothermal, micro-hydro, geo-exchange, anaerobic digesters, waste-to-energy, biodiesel, biofuel or fuel cells, and nuclear energy, but does not include solar or wind, require a development

permit. This section is specific and applicable to those facility development projects whose primary intent and purpose is to process, sell and/or export energy (or any other by-product of a particular process) off-site.

### **Requirements**

9.26.3. A development permit application shall be accompanied by the following information:

- a) an accurate site plan showing and labelling the proposed development and the location of overhead utilities on or abutting the subject lot or parcel, and identification of any sensitive, environmental or topographical features which may be present on the parcel, including canals, streams, or water wells;
- b) detailed information on the type of facility, structure, or system and the energy process involved;
- c) the manufacturers specifications indicating (if applicable):
  - i. the rated output
  - ii. safety features and sound characteristics;
- d) any information regarding general public safety;
- e) identification of any impacts to the local road system including required approaches from public roads having regard for Clearwater County standards;
- f) information regarding setbacks from property lines and the proximity to structures or uses on both the site and adjacent parcels of land;
- g) information or verification of the proposed source of water if required for the type of facility such as an ethanol plant;
- h) a plan outlining how the site will be decommissioned and reclaimed if the use is discontinued;
- i) identification of any impacts on agricultural land and adjacent agricultural land;
- j) any other information the development authority requires to assess the suitability of the proposed development;
- k) public participation plan.

9.26.4. Large commercial/industrial facilities may be required to submit studies identifying noise, odour, and pollutant impacts and how these impacts will be addressed.

### ***Setbacks***

- 9.26.5. The buildings or structures of all alternative/renewable energy projects shall comply with all property line and public roadway setbacks as established in the district in which it is located.
- 9.26.6. In addition to the requirements in clause 9.26.5 above, structures or facilities related to anaerobic digesters, biodiesel, or biofuel developments shall not be located within:
- a) 250 metres (820 feet) of any neighbouring residential dwelling or public use facility or building; and,
  - b) 120 metres (394 feet) of the boundary or right-of-way of a nearby irrigation district canal, creek, stream, river, lake shore, or waterbody.
- 9.26.7. The parts of the project related to the transmission lines and associated structures and to the roads, culverts, etc. associated with the facility may be allowed within 30.48 metres (100 feet) of a water body.
- 9.26.8. The Development Authority may require a larger setback than required in the applicable land use district having regard for the location of the development, adjacent land uses and natural, scenic, or ecologically features of the landscape.

### ***Referrals***

- 9.26.9. Prior to making a decision on a development application for an alternative or renewable energy facility project, the Development Authority may refer and consider the input of the following agencies and departments:
- a) Transport Canada;
  - b) Alberta Transportation & Economic Corridors (within prescribed distances to provincial roadways);
  - c) any other federal or provincial agencies or departments deemed necessary; and,
  - d) any adjacent properties and landowners within a 1.6 kilometre (1 mile) radius of the subject property.

### ***Development Standards***

- 9.26.10. Depending on the type of alternative or renewable energy facility project proposed, the Development Authority may require that the applicant comply with any or all of the following standards or requirements:
- a) all surface drainage must be contained on site and any adjacent water bodies must be adequately protected from run-off;

- b) the applicant is responsible for preparing at their own expense an engineered surface drainage management plan and submitting an application for approval to Alberta Environment, if applicable as well as providing the information to the County;
- c) any biodiesel waste or water contaminated with biodiesel, is prohibited to be discharged directly into any sewers or surface waters;
- d) all feedstock and materials are to be stored and contained within buildings, and no outside storage is permitted;
- e) that the semi-truck traffic used for the hauling and shipment of raw material or feedstock and finished/processed goods associated within the development shall be limited to a designated truck haul route as agreed to or specified by Clearwater County;
- f) the preferred location of alternative or renewable energy facility developments is on parcels designated for Direct Control land use and located in proximity to highways or railway corridors. The Development Authority may require a parcel redesignation to the applicable industrial land use district be approved prior to accepting a development application;
- g) the applicant is responsible to apply for any Alberta Environment, AUC, AER, or other applicable provincial approvals or permits that may be required and must provide the municipality with a copy to be kept on file;
- h) all energy transmission lines on the site of the energy generating facility to the substation or grid shall be underground unless otherwise approved by the Development Authority; and,
- i) the Development Authority may apply to any energy generating facility any other standards that are provided for in the Land Use Bylaw, including:
  - i. a condition to enter into a road use agreement with the County to address road maintenance and repairs that may arise from development;
  - ii. a condition to post a security deposit with the County; and,
  - iii. a condition to allow the developer to register the approved project in phases.

9.26.11. The Development Authority may stipulate any or all of Policy 9.26.10 through 5.4.15 criteria listed above to be addressed by the applicant as a condition of a Development Permit application approval.

9.26.12. Any license, permit, approval, or other authorization granted by the AUC or AER shall prevail over any Land Use Bylaw requirements or Development Permit decisions or conditions if there is perceived conflict.

## **9.27 Restricted Substance Retail & Cannabis Production Facilities**

- 9.27.1. All development applications for Restricted Substance Retail related to the sale of alcohol or cannabis shall meet the regulations of the *Gaming, Liquor and Cannabis Act*.
- 9.27.2. Stores that are licensed for cannabis retail sales shall not be carried out in conjunction with, or accessory, to any other use. A store licensed for cannabis retail (classified under the Restricted Substance Retail definition this Bylaw) may not have any part of an exterior wall within 100.0 m of:
  - a) An approved hospital, as defined in the *Hospitals Act*, or a boundary of the lot of land on which the facility is located;
  - b) A building containing a school, as defined in the *School Act*, or a boundary of a lot of land on which the building is located; or,
  - c) A boundary of a lot of land that is designated as school reserve or municipal and school reserve under the *MGA*.
- 9.27.3. A Cannabis Production Facility shall be the principal use of a site upon which it is located, and no outdoor storage of goods, materials or supplies shall be permitted, and all loading, operating, garbage, waste and recycling facilities shall be contained within the Cannabis Production Facility.
- 9.27.4. All necessary approvals shall be obtained by the Applicant from Health Canada for a Cannabis Production Facility, and the required federal licensing shall be provided with a proof provided to the County prior to commencing development.
- 9.27.5. A fire safety/emergency response plan must be submitted as a condition of Development Permit approval to the satisfaction of the Fire Chief.
- 9.27.6. A Cannabis Production Facility shall not be located within 150m (492.1ft.) of a parcel used for a School (Educational Facility), Child Care Facility or residential dwelling and this distance shall be measured from the boundary of the proposed development area to the property line of the above noted uses.
- 9.27.7. A detailed description of the facility, including the proposed structures, types of production/cultivation, distribution and shipping methods and routes that will take place shall be completed to the satisfaction of the Development Authority.
- 9.27.8. A Cannabis Production Facility shall not produce any off-site nuisances including but not limited to odour, dust and noise.

## **9.28 Sea-Cans (C-Can)**

- 9.28.1. Sea-Cans shall not be attached in any way to a principal building.

- 9.28.2. Sea-Cans shall not be stacked except where approved as part of a Development Permit application in an industrial land use district.
- 9.28.3. Any sign attached to and/or painted on a Sea-Can requires a Development Permit as per the signage regulations of this Bylaw.
- 9.28.4. Sea-Cans may only be allowed when listed as a use in that district and providing that:
- a) they are not located in a front yard or exterior side yard;
  - b) they are not stacked except in accordance with 9.28.2; and,
  - c) must follow *National Building Code* requirements including ventilation.
- 9.28.5. In all districts except agricultural, Sea-Cans shall be painted and/or visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority. This may include additional screening and landscape buffering requirements outlined through a Development Permit approval.
- 9.28.6. Sea-Cans may be temporarily placed on a site in any district:
- a) during active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for the construction. The shipping container must be removed from the site upon completion of construction; or,
  - b) for the purposes of loading and unloading of items associated with the principal use for a period of not more than 16 days in any 6-month period.
- 9.28.7. When placed on a site temporarily pursuant to this section, the Sea-Can shall be located so as to not create a safety hazard, not be located within 1.2m of a property boundary and be located in the rear yard where possible.
- 9.28.8. When Sea-Cans are utilized to construct a principal building or accessory building, they must comply with all building regulations and be sited accordingly. In instances where they form part of a principal building or use, they are classified as that use and not as a Sea-Can.
- 9.28.9. Utilization of Sea-Cans for residential purpose must be in compliance with building code regulations. When utilized as a dwelling unit, they are classified as that specific use type and are possible in districts where Sea-Cans are not listed as a use.
- 9.28.10. Sea-Cans located within the Agricultural District are exempt from Development Permit requirements.
- 9.28.11. When located in a Community Amenity (CA) land use district or Recreation land use district, a Sea-Can must be finished to complement the color of the principal building.

9.28.12. The maximum number of sea-can permitted within the following designations are:

- a) Agricultural – unlimited
- b) CR – 1 Permitted, additional require Discretionary Development Permit
- c) CRA – 1 Permitted, additional require Discretionary Development Permit
- d) HR – 1 Discretionary
- e) LR – 1 Discretionary

**9.29 Site Alterations (Stripping & Grading) & Topsoil Removal**

9.29.1. Site alteration activities, generally including stripping, filling, excavating and grading activities, are deemed to be exempt from the requirement for formal Development Permit applications when they are tied to the development of a site that has required building permit and/or Development Permit approvals.

9.29.2. A Development Permit is required before the commencement or continuation of the removal and relocation of topsoil from the property, and such permits shall only be granted where it is shown to the satisfaction of the Development Officer that the land will not be adversely affected by the removal of the topsoil. The Development Officer may refer any application for removal of topsoil from the property to the Agricultural Services Board and/or the Soil Conservation Officer acting under the *Soil Conservation Act* for comments.

9.29.3. Contouring farmland for agricultural operation purposes does not require development approval.

**9.30 Short Term Rentals**

9.30.1. All Development Permits for short term rentals will be approved as a temporary permit for a maximum of 1 year.

9.30.2. After three successful one-year renewals of a temporary development permit, the temporary permit may be granted for up to 5 years.

9.30.3. All Short Term rental development permits are not transferable to a new owner. If ownership changes on title for a parcel with an approved Short Term rental development permit, the new owner must apply for a new development permit.

9.30.4. All Short Term rentals must be in compliance with the Short Term Rental Bylaw.

### **9.31 Subdivision Near Water**

9.31.1. Where a parcel of land that is the subject of a Subdivision application borders on or contains a river or stream, the minimum setback of any property line of a parcel of land being created for private ownership:

- a) shall be no less than 30 metres (100 feet) for land along the North Saskatchewan River, Clearwater River, Red Deer River and James River;
- b) shall be no less than 20 metres (66 feet) for land along all other named rivers and streams;
- c) shall be no less than 6 metres (20 feet) for land along unnamed rivers and streams claimed by the Province; but,
- d) notwithstanding subsections (a), (b) and (c), Clearwater County may increase the setback depending on site conditions, including but not limited to slope and environmental sensitivity.

9.31.2. Where a parcel of land that is the subject of a Subdivision application borders on or contains a lake, a permanent wetland, or both, the minimum setback of any property line of a parcel of land being created for private ownership shall no less than 10 metres (33 feet) from the bank of the lake and/or the permanent wetland. Clearwater County may increase the setback depending on site conditions, including but not limited to slope and environmental sensitivity.

### **9.32 Telecommunications Tower (Antenna System)**

9.32.1. The placement of telecommunications (also known as communications) towers and equipment are federally regulated and are therefore exempt from the land use control and development regulations of this Bylaw. Clearwater County will review telecommunication tower submissions and, depending on the nature of the proposal, a letter of support (concurrence) or non-support (non-concurrence) will be sent to the wireless service provider and/or Applicant. Proponents are encouraged to conduct a pre-submission consultation with Clearwater County's Planning Department and refer to the Clearwater County Telecommunication Antenna System Siting Policy for further details.

### **9.33 Backyard Beehive in Hamlets and Multi-Lot Subdivisions**

9.33.1. A maximum of 1 backyard beehive, containing no more than 4 stacked supers, a super being defined as a complete beehive box which holds beehive frames used for storing brood or storing honey.

9.33.2. The beehive must be located in the rear yard of a lot.

- 9.33.3. The entrance to a backyard beehive must be directed away from adjacent residential properties.
- 9.33.4. All bees must be kept in accordance with the *Bee Act*.
- 9.33.5. No bee keeping shall be allowed within multi-lot subdivisions west of Range 9 or within the Hamlet of Nordegg.

## PART 10: PARKING AND SIGNAGE REGULATIONS

### 10.1 Off-Street Parking and Loading Requirements

10.1.1. Unless otherwise provided for in this Bylaw, the minimum number of off-street parking spaces that shall be provided is as follows with areas based on Gross Floor Area of buildings associated with the use and rounded to the largest number:




Use	Required Parking Stalls
<b>Residential Uses</b>	
Dwelling – Duplex Dwelling – Single-Detached Dwelling – Manufactured Dwelling – Relocated	2 per dwelling unit
Dwelling – Leisure Residence Dwelling – Security / Surveillance Dwelling – Secondary Suite	1 per dwelling unit
Dwelling – Multi-Unit Dwelling – Mixed Use	1 per dwelling unit
Dwelling – Staff Housing Dwelling – Guest House / Room	1 per guest room
Manufactured Home Park	2 per dwelling unit and 1 visitor space per 7 dwelling units
All other residential-related uses	At the discretion of the Development Authority
<b>Lodging / Vacation Uses</b>	
Campground – Minor Campground – Major	1 space per campsite + 1 visitor space per five campsites
Dwelling – Bed and Breakfast	1 per guest room
Hotel Integrated Recreation / Tourist Resort	1 per hotel room + 5 additional staff spaces
Hostel	1 per guest room + 3 additional staff spaces
Short Term Rental	1 per guest room
Temporary Work Camp	At the discretion of the Development Authority
All other related lodging/vacation uses	At the discretion of the Development Authority
<b>Commercial Uses</b>	
Commercial Uses	1 per 100m <sup>2</sup>
Where a drive-thru window or bay is proposed:	Minimum 5 car stack-up space in drive-thru
<b>Industrial Uses / Technological Uses</b>	
Industrial / Technological Uses	1 per 100m <sup>2</sup>





Institutional / Educational Uses / Recreational	
Institutional / Educational (with exception of schools) / Recreational	1 per 100m <sup>2</sup>
Educational Services	Elementary School: 1.5 per classroom Middle School: 2 per classroom High School: 6 per classroom Post-Secondary: 10 per classroom Other: At the Discretion of the Development Authority  *Combined Elementary / Middle Schools (i.e. K-9 school) shall utilize the higher per classroom number for the entire school
All other uses (if not listed)	At the discretion of the Development Authority



- 10.1.2. Where a development or parcel of land contains more than one use, the required number of stalls shall be the sum of the requirements for each of those land uses.
- 10.1.3. Where a use is not specified above, the number of spaces provided shall be the same as the most similar use category as determined by the Development Officer.
- 10.1.4. Parking stall size shall be to the satisfaction of the Development Authority.
- 10.1.5. Loading spaces should be located on the rear or side of buildings.
- 10.1.6. On-site parking requirements for non-residential uses may be relaxed where in the opinion of the Development Authority:
  - a) sufficient on-street parking is available without causing congestion; or,
  - b) sufficient parking is available in public parking lots; or,
  - c) private parking can be shared because peak use times are different.
- 10.1.7. Parking spaces required as per *Alberta Building Code* for accessibility shall be identified at the Development Permit stage.
- 10.1.8. Where parking and loading facilities for commercial or industrial uses abut residential uses, the parking and loading facilities shall be screened through a landscaped buffer in accordance with this Bylaw.
- 10.1.9. Any garbage facilities co-located with parking shall be located to allow collection vehicle access and screened by fencing or landscaping in accordance with the Fencing & Screening and Landscaping sections of this Bylaw.



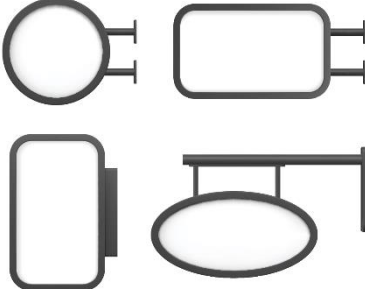
## **10.2 Signs**




- 10.2.1. No signs or advertising structures of a commercial, direction or informative nature shall be placed on land or affixed to any exterior surface of any building or structure, unless an application for this purpose has been approved, and a Development Permit has been issued except as permitted under Section 10.2.4.
- 10.2.2. An application for a Development Permit for a sign shall include the following information at the discretion of the Development Officer;
- a) the name, address and signature of the person(s) or company responsible for the sign;
  - b) the name, address and signature of the person(s) or company that is the landowner of the subject parcel upon which the sign is situated;
  - c) a land title pulled from the Alberta Land Titles Office within thirty (30) days of the subject application;
  - d) a plan showing the following signage details:
    - i. a rendering / illumination / drawing of the proposed sign to scale in metric measurements;
    - ii. the overall dimensions of the sign and total sign area;
    - iii. the amount of projection from the face of the building, where applicable;
    - iv. images of the subject building with the proposed sign;
    - v. the type of construction and finish to be utilized;
    - vi. the method of supporting or attaching the sign; and,
    - vii. for freestanding signage, the setbacks of the sign from adjacent site features, aerial power lines, property lines and on-site buildings.
- 10.2.3. For the purposes of this Bylaw, the following signage definitions shall apply as below. Where a sign does not directly fit within a particular definition, the Development Authority shall determine the closest category, at their sole discretion.

Signage Type	Definition	Specific Sign Regulations	Diagram
10.2.3.1 Sign (A-Board)	means a temporary sign which is set on the ground, built on 2 similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by 1 person.	<ul style="list-style-type: none"> <li>a) A-board signs must be of a size not exceeding 0.6 m (2 ft) wide by 0.9 m (3 ft) high, and no less than 0.3 m (1 ft) wide by 0.6 m (2 ft) high; and,</li> <li>b) be of a painted finish and maintained in a neat and clean condition.</li> </ul>	
10.2.3.2 Sign (Awning)	means a sign painted, stencilled or attached on the fabric surface of an awning.	Awning signs must be maintained in a neat and clean condition within minimal to no rips, tears or other wear to the awning.	
10.2.3.3 Sign (Banner)	means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.	<ul style="list-style-type: none"> <li>a) banner signs must be only utilized on a temporary basis for a period not exceeding 30 days; and,</li> <li>b) be securely fastened to a structure, fence or other area in a professional manner.</li> </ul>	

<p>10.2.3.4 Sign (Billboard)</p>	<p>a sign, greater than 27.9m<sup>2</sup> (300.0ft<sup>2</sup>), primarily self-supporting and permanently affixed to the ground that may or may not contain advertising related to the development within the parcel upon which the billboard sign is located.</p>	<p>a) a maximum of 1 Billboard sign is allowed per parcel in rural areas; b) billboard signs are not permitted in hamlets; and, c) there should be a minimum distance of 100m (328.08 ft) between billboard signs.</p>	
<p>10.2.3.5 Sign (Construction)</p>	<p>means a sign located on a site where construction is planned, and which contains general information about the intended construction.</p>	<p>See Section 10.2.6 for signage Development Permit applications not required.</p>	
<p>10.2.3.6 Sign (Directional and Informational)</p>	<p>means a sign which is limited to providing direction, guidance, distance, or similar information and which may contain a name or logo.</p>	<p>See Section 10.2.6 for signage Development Permit applications not required when directional and informational signs are smaller than 0.37m<sup>2</sup> (4.0 ft<sup>2</sup>).</p>	
<p>10.2.3.7 Sign (Free-Standing)</p>	<p>a sign which stands independently of a building that is permanently anchored to the ground. The sign advertises goods and services which are at the location on which the sign is located.</p>	<p>a) free-standing signs shall not exceed a maximum height of 8.0m (26.25 ft) when measured from grade to the tallest height of the sign or project above the principal building on a parcel, unless otherwise outlined this Bylaw;</p>	

		<ul style="list-style-type: none"> <li>b) not exceed 30.0m<sup>2</sup> (322.91 ft<sup>2</sup>) in total sign area;</li> <li>c) not exceed more than one free-standing sign per lot; and,</li> <li>d) have a minimum distance of 40.0m (131.23 ft) between free-standing signs within a multi-lot development.</li> </ul>	
10.2.3.8 Sign (Facade)	a sign placed flat and parallel to the face of a building so that no part projects more than 0.30m (1.0ft) horizontally from the exterior wall of the building.	<ul style="list-style-type: none"> <li>a) facade signs shall not exceed more than 20% of the total facade area on the elevation of the building or bay that they are being propose; and,</li> <li>b) may be illuminated provided that they are proposed within a commercial or industrial district and do not abut or face onto a residential or lodging development.</li> </ul>	
10.2.3.9 Sign (Identification)	means a sign which contains no advertising, but is limited to the name, address, and/or number of a building, institution or person, or the activity carried out by that person, or at that location.	See Section 8.21.6 for signage Development Permit applications not required when identification signs do not exceed 0.5m <sup>2</sup> (5.38 ft <sup>2</sup> ) and do not exceed one per lot.	

<p>10.2.3.10 Sign (Menu Board)</p>	<p>means a sign associated with a drive-thru food services establishment and is used to display food and beverages and their associated prices.</p>	<p>See Section 8.21.6 for signage Development Permit applications not required for menu board signs.</p>	
<p>10.2.3.11 Sign (Portable)</p>	<p>means a sign that is mounted to a frame, stand or similar that is easily transported.</p>	<p>Portable signs shall not be permitted within Clearwater County except where they meet the criteria and definition of a temporary sign, or they are being utilized by the County or other governmental agency as warning signs connected with traffic speed or safety.</p>	
<p>10.2.3.12 Sign (Projecting )</p>	<p>means any sign that is attached to a building and projects more than 0.4 m from the face of the building.</p>	<p>a) projecting signs shall project not more than 2.0m (6.56 ft) from a building facade;  b) have a minimum clearance of 2.4m (7.87 ft);  c) not have any support from the ground below which it is hung;  d) not exceed 4.0m<sup>2</sup> (43.06 ft<sup>2</sup>) in total sign area; and,  e) not exceed 6.0m (19.69 ft) in total height and must not project over the height of the building upon which it is placed.</p>	

<p>10.2.3.13 Sign (Temporary)</p>	<p>a sign other than a portable sign which is not permanently attached to a supporting structure or building and is in place for less than thirty (30) days.</p>	<p>See Section 10.2.6 for instances where signage Development Permit applications for temporary signs are not required.</p>	
<p>10.2.3.14 Sign (Vehicle)</p>	<p>a sign mounted, painted, placed on, attached or affixed to a trailer, freight trailer, watercraft, truck, automobile, or other form of motor vehicle, that are not normally used in the daily activity of the business and that is visible from a road as a means of advertising.</p>	<p>Vehicle signs shall not be permitted in the County.</p>	
<p>10.2.3.15 Sign (Window)</p>	<p>a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.</p>	<p>See Section 10.2.6 for Development Permits not required for window signage provided it does not obscure more than 50% of a window face</p>	

10.2.4. Signs may be erected on land or affixed to the exterior surface of a building or structure without a Development Permit as follows:

- a) A-board signs;
- b) identification signs for the purpose of identification, direction and warning not exceeding 0.5 square metres (5.38 sq ft) and limited to one sign per lot;
- c) banner signs which are displayed for a period of time not exceeding 30 days such as for grand openings of new businesses, temporary special events or other temporary situations;

- d) construction signage during the extent of construction;
- e) maintenance of any lawful signs;
- f) sign relating to a person, partnership or company carrying on a profession, business or trade, not exceeding 3.0 square metres (32.29 sq ft) and limited to one sign per parcel;
- g) signs relating to an institution of a religious, educational, cultural, recreational or similar character or to an apartment block, club or similar institution, not exceeding 3.0 square metres (32.29 sq ft) and limited to one sign per parcel;
- h) directional and informational signs that do not exceed 0.37 square metres (4.0 sq ft) or less in area
- i) advertisements in relation to the function of local authorities, utility boards or other public or quasi-public bodies;
- j) temporary signs relating to the sale or letting of land or property, the sale of goods or livestock, the carrying out of construction or other works, announcement of any local event, not exceeding 3.0 square metres (32.29 sq ft), but in each instance such temporary advertisements shall be removed by the advertiser within seven days of the completion of the event or work to which the advertisements relate;
- k) election signs relating to a federal, provincial or municipal election or referendum;
- l) signs advertising a Home Occupation – Minor or Home Occupation – Major that do not exceed 0.56 square metres (6 sq ft) and located on the same parcel as the subject business;
- m) one non-illuminated sign with a total copy area not exceeding 1.2 square metres (12.92 sq ft) for each Home Occupation - Major or Dwelling – Bed and Breakfast that has been issued a Development Permit;
- n) signs by a municipal, provincial or federal government or government agency;
- o) menu board signs provided they:
  - i. are only be located on a parcel that is districted as commercial;
  - ii. have a maximum sign area of 2 m<sup>2</sup> (21.5 ft<sup>2</sup>);
  - iii. have a maximum sign height of 3 m (9.84 ft);
  - iv. be limited to a maximum of two Menu Board Signs per business on a site.
  - v. no such sign may be illuminated.

- p) window signs that are painted or affixed to windows provided that they do not obscure more than 50% of the subject window area;
- q) the alteration of any sign provided it does not change the overall size, shape or type of the signage, but is changing lettering, for standard maintenance or changing the content of the sign; and,
- r) A temporary sign in any land use district which does not exceed 18 square metres (193.75 sq ft) which is intended for advertising a new development under construction or a new development being proposed.

10.2.5. The following signs are prohibited within the County:

- a) portable signs that do not meet the definition of a temporary sign and are thus intended to be of a permanent, long-term nature on a lot;
- b) signs that use audible sounds;
- c) illuminated signs within any residential, agricultural or recreational district;
- d) signs which express hatred, intolerance, ridicule of race or religion or include nudity; and,
- e) signs or advertising structures of any kind within 100 metres (330 feet) of the centre line of a primary highway unless the prior approval of Alberta Transportation & Economic Corridors has been obtained.

10.2.6. Flashing, animated, floodlighted, video display, or internally illuminated signs shall not be permitted where, in the opinion of the Development Officer, they may unduly affect residents in nearby housing, interfere with the interpretation of traffic signs or controls or unduly distract drivers.

10.2.7. The following table outlines whether each signage type is a permitted or Discretionary Use within the subject generalized land use district types of this Bylaw, at the discretion of the Development Officer and subject to all other signage regulations of this Bylaw. This table does not apply to signage that does not require a Development Permit.

<b>P = Permitted</b> <b>D = Discretionary</b> <b>NA = Not Allowed</b>	<b>District Type</b>					
	<b>Residential / Manufactured Home Park Districts</b>	<b>Commercial / Institutional Districts</b>	<b>Industrial Districts</b>	<b>Recreational &amp; Leisure Districts</b>	<b>Agricultural / David Thompson Development Node / Natural Districts</b>	<b>Other Districts</b>
A-Board Sign	P	P	P	P	P	P
Awning Sign	NA	P	P	D	NA	D
Banner Sign	P	P	P	P	P	P
Billboard Sign	NA	D (Within rural areas only)	D (Within rural areas only)	NA	D (Within rural areas only)	D (Within rural areas only)
Construction Sign	P	P	P	P	P	P
Directional and Informational Sign	P	P	P	P	P	P
Freestanding Sign	NA	D	D	D	D	D
Facade Sign	NA	P	P	D	D	D
Identification Sign	P	P	P	P	P	P
Menu-Board Sign	NA	P	P	NA	NA	D
Portable Sign	NA	NA	NA	NA	P	NA

Projecting Sign	NA	D	D	D	NA	D
Temporary Sign	D	D	D	D	D	D
Window Sign	NA	P	P	D	NA	P

## PART 11: LAND USE DISTRICTS

### 11.1 Agricultural (A) District

#### Purpose and Intent

The purpose and intent of this District is to provide for a wide variety of agricultural operations. Non-agricultural uses may be considered within this District provided they complement agricultural uses and work to preserve the rural character of the County.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
<b>Note:</b> “Exempt” means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Landscaping that does not impact drainage
Accessory Building: an accessory building not exceeding 46.45 square metres (500 sq ft)	Personal Recreation Vehicle Storage (maximum of 7)
Agricultural/Farm Building	Personal Use Agriculture & Keeping of Animals (as per Animal Control Bylaw)
Agricultural Operation	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Confined Feeding Operation	Stripping & Grading (as part of approved development)
Day Home	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: roof mount, wall mount, or free-standing solar cells
Demolition (in accordance with Section 3.2)	Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower

Dwelling – Manufactured located in an industrial or construction camp as defined in the <i>Public Health Act</i> Regulations – Industrial and Construction Camps, when in compliance with a previously approved Development Permit	Temporary Use of Building for Emergency Purposes or Election Purposes
Direct Market Sales	Temporary Work Camp (if part of previously approved DP and/or Outline Plan)
Fences in compliance with Section 3.2	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	WECS-small
Grass Landing Strip (Personal Aircraft)	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Abattoir
Agricultural Processing – Minor	Agri-Tourism Business
Dwelling – Secondary Suite	Agricultural Processing – Major
Dwelling – Manufactured	Agricultural Support Services
Dwelling – Relocated	Agriculture (Regulated)
Dwelling – Single Detached	Airport
Greenhouse – Public	Campground - Minor
Dwelling – Guest House / Room	Communal Settlement Development
Farm Subsidiary Business	Construction Camp
Home Occupation – Minor	Dwelling - Bed and Breakfast
	Entertainment Venue
	Equestrian Facility
	Essential Public Service
	Farmer's Market
	Game Farm
	Home Occupation – Major
	Kennel
	Livestock Sales Yard
	Outdoor Storage
	Public Utility
	Recreation Facility - Minor
	Recreational Vehicle Storage
	Sawmill – Minor
	Short Term Rental
	Solar Collector > 30kW
	Stripping & Grading

	Temporary Work Camp
	Tree Farm
	Veterinary Clinic
	WECS
	Zoo

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size	2.02 ha (5.0 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 15% of the total lot coverage
Front Yard Setbacks	50.0 m (164 ft) from the centre-line of a public road
	15.0 m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks	15.0 m (49.2 ft) from an adjacent property line
Rear Yard Setbacks	15.0 m (49.2 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (229.66 ft), whichever is greater, from the centre-line of the highway right-of-way.
Maximum Building Height	At the discretion of the Development Authority

## 11.2 Country Residential (CR) District

### Purpose and Intent

The purpose and intent of this District is to provide for acreages and/or communally serviced rural residential lot development with no agricultural operations taking place on the parcel.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 4)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture & Keeping of Animals (as per Animal Control Bylaw)	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building over 23.2m <sup>2</sup> (250 sq ft)	Additional Accessory Building(s) beyond those listed as Permitted Uses
Dwelling – Relocated	Backyard Beehive
Dwelling – Secondary Suite	Dwelling – Guest House / Room
Dwelling – Single Detached	Dwelling – Manufactured
Home Occupation – Minor	Home Occupation – Major
Solar Collector < 30kW: free-standing	Home Sales Center
Sea-Can (one)	Kennel
	Sea-Can (additional beyond one)
	Show Home
	Solar Collector > 30kW
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Parcel Size	A minimum of 0.91 ha (2.25ac) for unserviced parcels and a maximum of 1.46 ha (3.60 ac)
	A minimum of 0.50 ha (1.23 ac) and a maximum of 1.21 ha (3.0 ac) for lots serviced by a piped water system, but individual septic systems.
	A minimum of 0.2 ha (0.49 ac) for lots serviced by a piped sewage system, but individual water wells and a maximum of 1.21 ha (3.0 ac)
	A minimum of 0.20 ha (0.50 ac) for fully serviced parcels and maximum of 1.21 ha (3.0 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 40% of the total lot coverage
Front Yard Setbacks	50.0 m (164 ft) from the centre-line of a public road
	15.0 m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks	5.0 m (16.40 ft) from an adjacent property line
	13.71 m (45 ft) for a North Nordegg subdivision lot

	15.0 m (49.2 ft) from the right-of-way of a public road (corner lots)
	7.5 m (24.6 ft) from the right-of-way of an internal subdivision road (corner lots)
Rear Yard Setbacks	7.5 m (24.6 ft) from the rear property line
	15.24 m (50 ft) for a North Nordegg subdivision lot
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (229.66 ft), whichever is greater from the centre-line of the highway right-of-way
Maximum Building Height	8.0 m (26.2 ft) for dwelling units
	8.0 m (26.2 ft) for accessory buildings

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- c) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

### 11.3 Country Residential Agricultural (CRA) District

#### Purpose and Intent

The purpose and intent of this District is to provide for acreages and/or communally serviced rural residential lot development with limited agricultural pursuits that do not negatively impact adjacent residences.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 4)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture & Keeping of Animals (as per Animal Control Bylaw)	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building over 23.2m <sup>2</sup> (250 sq ft)	Additional Accessory Building(s) beyond those listed as Permitted Uses
Dwelling – Relocated	Agricultural Operation
Dwelling - Secondary Suite	Backyard Beehive
Dwelling – Single Detached	Dwelling – Guest House / Room
Home Occupation – Minor	Dwelling – Manufactured
Solar Collector < 30kW: free-standing	Green House – Public
Sea-Can (one)	Home Occupation – Major
	Home Sales Center
	Kennel
	Sea-Can (additional beyond one)
	Short Term Rental
	Show Home
	Solar Collector > 30kW
	Stripping & Grading
	Tradesperson’s Business
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Parcel Size	A minimum of 1.41 ha (3.5 ac) and no greater than 2.02 ha (5.0 ac) for an undeveloped site and 2.83 ha (7.0 ac) for a developed site unless part of an applicable statutory plan or Outline Plan, in which case, the minimum outlined in this plan would apply.
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 40% of the total lot coverage
Front Yard Setbacks	50.0 m (164 ft) from the centre-line of a public road
	15 m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks	7.5 m (24.6 ft) from an adjacent property line
	15.0 m (49.2 ft) from the right-of-way of a public road or internal subdivision road
Rear Yard Setbacks	7.5 m (24.6 ft) from the rear property line

Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (229.66 ft), whichever is greater from the centre-line of the highway right-of-way
Maximum Building Height	8.0 m (26.2 ft) for dwelling units
	8.0 m (26.2 ft) for accessory buildings

## 11.4 Hamlet Residential (HR) District

### Purpose and Intent

The purpose and intent of this District is to accommodate a range of dwelling types within a hamlet setting.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 1)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building over 23.2 square metres (250 sq ft)	Additional Accessory Building(s) beyond those listed as Permitted Uses
Dwelling - Secondary Suite	Backyard Beehive
Dwelling – Single Detached	Dwelling – Bed and Breakfast
Dwelling – Manufactured	Dwelling – Relocated
Home Occupation – Minor	Home Occupation - Major
Solar Collector < 30kW: free-standing	Home Sales Center
	Kennel
	Parks – Minor
	Public Utility
	Sea-Can
	Short Term Rental
	Show Home
	Social Care Facility – Minor
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Dwelling – Single Detached)	A minimum of 1,800.0 m <sup>2</sup> (19,375 sq ft) for unserviced lots
	A minimum of 1,400.0 m <sup>2</sup> (15,070 sq ft) for lots serviced by a piped water, but not a piped sewage system
	A minimum of 929.0 m <sup>2</sup> (10,000.0 sq ft) for lots serviced by a piped sewage system, but not a piped water system
	A minimum of 186.0m <sup>2</sup> (2002.0 sq ft) for fully serviced lots
Maximum Lot Coverage (Dwelling – Single Detached)	No buildings, structures or impervious surfaces shall cover more than 55% of the total lot coverage
Minimum Lot Width (Dwelling – Single Detached)	10.0m (32.8 ft)
Front Yard Setbacks	7.5m (24.6ft)
Side Yard Setbacks	1.52m (4.99 ft)

	3.0m (9.84 ft) for a side property line abutting a public road right-of-way (corner lots)
Rear Yard Setbacks	6.0m (19.7 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	8.0m (26.24 ft) for a dwelling unit
	5.0m (16.4 ft) for an accessory building

**Special Requirements**

**Kennels**

c) Kennels in this district are only allowed for the boarding of cats.

**Subdivision**

d) All new subdivisions within hamlet boundaries will be required to connect to municipal services, where available. If services are not currently available, a deferred services agreement will be registered on title.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

e) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

## 11.5 Hamlet Multiple-Dwelling (HMD) District

### Purpose and Intent

The purpose and intent of this District is to accommodate a mix of medium and higher-density housing options within hamlets.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 1)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building over 23.2 square metres (250 sq ft)	Additional Accessory Building(s) beyond those listed as Permitted Uses
Dwelling - Duplex	Dwelling – Bed and Breakfast
Dwelling - Secondary Suite	Dwelling – Boarding House
Home Occupation – Minor	Dwelling – Mixed-Use
Solar Collector < 30kW: free-standing	Dwelling – Relocated
	Dwelling – Multi-Unit
	Home Occupation - Major
	Home Sales Center
	Parks – Minor
	Public Utility
	Sea-Can
	Short Term Rental
	Show Home
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Dwelling - Duplex)	230.0m <sup>2</sup> (2475.7 sq ft)
Minimum Parcel Size (All Other Uses)	At the Discretion of the Development Authority
Maximum Lot Coverage (Dwelling - Duplex)	No buildings, structures or impervious surfaces shall cover more than 65% of the total lot coverage
Minimum Lot Width (Dwelling - Duplex)	7.5m (24.6 ft)
Maximum Lot Coverage (All Other Uses)	At the Discretion of the Development Authority
Minimum Lot Width (All Other Uses)	At the Discretion of the Development Authority
Front Yard Setbacks	7.5m (24.6ft)
Side Yard Setbacks	1.52m (4.99 ft)
	3.0m (9.84 ft) for a side property line abutting a public road right-of-way (corner lots)
	0.0m for duplex lots with a shared party wall
Rear Yard Setbacks	6.0m (19.7 ft) from the rear property line

Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	8.0m (26.24 ft) for a dwelling unit
	5.0m (16.4 ft) for an accessory building

**Special Requirements**

**Servicing**

- c) Any multi-residential housing options, including duplexes shall be required to be connected to a piped system.

**Subdivision**

- d) All new subdivisions within hamlet boundaries will be required to connect to municipal services, where available. If services are not currently available, a deferred services agreement will be registered on title.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- e) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

## 11.6 Leisure Residence (LR) District

### Purpose and Intent

The purpose and intent of this District is to provide locations for smaller lot, recreational properties that are for both individual private landowners or resort-style developments throughout the County.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 1)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building over 23.2 square metres (250 sq ft)	Additional Accessory Building(s) beyond those listed as Permitted Uses
Dwelling - Guest House / Room	Agricultural Operation
Dwelling - Leisure Residence	Cultural Facilities
Dwelling – Single Detached	Integrated Recreation / Tourist Resort
Home Occupation – Minor	Public Utility
Parks – Minor	Sea-Can
Solar Collector < 30kW: free-standing	Short Term Rental
	Solar Collector > 30kW
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes (Rural)	0.5 ha (1.24 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 45% of the total lot coverage
Front Yard Setbacks	50.0m (164 ft) from the right-of-way of a public road
	15.0m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks	3.0m (9.84 ft) from an adjacent property line
	1.5 m (4.92 ft) for a shoreland leisure residence subdivision
	12.19 m (40 ft) for a Nordegg leisure residence subdivision
Rear Yard Setbacks	7.5 m (24.6 ft) from the rear property line
	15.24 m (50 ft) for Nordegg leisure residence subdivision
Shoreline Setbacks	Minimum 7.5m (24.6 ft) from the shoreline or the distance outlined in a higher-level policy plan such as an ASP, whichever is greater
	An accessory building that services the purpose of a boat house shall be located no closer than 6.0 metres (19.69 feet) from the boundary of the parcel which is parallel with or

	is closest to the bank, unless otherwise approved by the Approving Authority.
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	9 m (29.52 ft) for a Dwelling - Leisure Residence
	5.0 m (16.4 ft) for an accessory building
	All other uses maximum height is at the discretion of the Development Authority

**Special Requirements**

**Architectural, Building Design Considerations, Sea-Cans and Accessory Buildings**

- c) Architecture, construction materials and building design shall complement the natural landscapes of the site. This should include incorporating stone, timber/wood and natural colours into the overall building design.
- d) Communal water and septic distribution systems are required for developments that have multiple leisure residences or multiple accommodations within one parcel.
- e) Sea-cans must meet the Sea-Can specific use regulations of the Bylaw, and Development Permit application submissions within this district should incorporate:
  - a. Elevation drawings;
  - b. Colours and finishings;
  - c. Photos of the submission.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- f) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.
- g) Septic fields are generally discouraged; however, they may be allowed in parts of Nordegg at the discretion of the Development Authority. Must truck in / truck out.
- h) No new water wells are permitted within the Hamlet of Nordegg.
- i) Basements are not allowed to be included in the construction of new developments in this district.
- j) Sea-cans should not take away from the aesthetics of the area and be completed in a professional and attractive manner to the satisfaction of the Development Authority that preserves the historic integrity and design quality of Nordegg.
- k) Accessory buildings cannot be located within the building envelope area (fire defensible space).

## 11.7 Manufactured Home Park (MHP) District

### Purpose and Intent

The purpose and intent of this District is to allow for planned manufactured home park developments.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Personal Recreation Vehicles in Accordance with Section 9.20
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Dugouts, fishponds, driveways	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dwelling - Manufactured located in an approved manufactured home park in the Manufactured Home Park District "MHP", when in compliance with a previously approved Development Permit and/or Outline Plan	Telecommunications Tower

Direct Market Sales	Temporary Use of Building for Emergency Purposes or Election Purposes
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	
Personal Use Agriculture	
Landscaping that does not impact drainage	
Personal Recreation Vehicle Storage (maximum of 1)	

Permitted Uses	Discretionary Uses
One Accessory Building	Cultural Facilities
Dwelling – Manufactured (unless it meets exempt requirements)	Public Utility
Dwelling – Security / Surveillance	Sea-Can
Home Occupation – Minor	Stripping & Grading
Manufactured Home Park	WECS-small
Parks – Minor	
Public Utility	
Solar Collector < 30kW: free-standing	

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes	2.0 ha (4.94 ac) for a park development (not individual sites)
Minimum Lot Frontage	40.0 m (131.23 ft)
Minimum Lot Depth	100.0 m (328.08 sq. ft)
Front Yard Setbacks	7.5 m (24.6 ft) from internal manufactured home park roadways to the edge of a Dwelling-Manufactured
	50 m (164 ft) from any structures within the manufactured home park to the centre-line of a public road right-of-way
Side Yard Setbacks	Minimum 3.0 m (9.84 ft) from the side property lines of the overall Manufactured Home Park to any structures
	Minimum 5.0 m (16.4 ft) between the edge of adjacent Dwelling – Manufactured homes within the site.
Rear Yard Setbacks	Minimum 3 m (9.8 ft) for all structures from the overall property line of a Manufactured Home Park

Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 40% of the total lot coverage
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Height	6.0 m (19.7 ft) for an accessory building
	All other uses, the maximum height is at the discretion of the Development Authority
Density	15 Manufactured Homes per hectare

**Special Regulations**

**Architectural & Building Design Considerations**

- c) Overall, a Manufactured Home Park shall have a similar, uniform architectural style and colour palette.
- d) Outdoor lighting shall be completed in uniformity and consistent across a Manufactured Home Park

**Common Spaces**

- e) A minimum of 10% of the gross area of a Manufactured Home Park must be outlined on a site plan as common area for the recreational and social use of residents. This should incorporate such as features, including but not limited to playgrounds, picnic shelters, community BBQ’s and other common amenity features.

**Landscaping, Fencing and Screening**

- f) A Manufactured Home Park shall be enclosed with a fence for security purposes and also incorporate landscaping to benefit the residents and create an aesthetically-pleasing development that fits into the overall County.
- g) A system of walkways shall connect all key amenities and dwellings within a Manufactured Home Park and also create a walkable environment for residents.
- h) A landscape plan prepared by a Qualified Consultant shall be required with a Manufactured Home Park development.

**Servicing**

- i) Manufactured Home Parks shall be fully serviced with piped water and wastewater systems.
- j) All utility lines shall be placed underground except when outlined in a Development Agreement.

### **Siting and Overall Integration with Existing Urban Areas**

- k) All new Manufactured Home Parks and consideration of this land use designation shall be adjacent to a hamlet or extension of an urban municipality.
- l) There should be a maximum of six (6) manufactured homes per acre within a manufactured home park.

### **CSA Z277 Requirements**

- m) *CSA Z277 Building Code* requirements shall apply as a minimum to all manufactured homes located within this district.

### **Existing Manufactured Home Parks**

- n) See Development Permits Not Required section of this Bylaw 3.2.1(t) and Exempt Uses section of this District for no Development Permit requirements for new Dwelling – Manufactured in existing approved Manufactured Home Park Districts.

## 11.8 Nordegg Urban Residential (NUR) District

### Purpose and Intent

The purpose of this District is to accommodate and regulate the development of a mix of low-density residential uses and small-scale resort accommodations in buildings that resemble a single-detached dwelling in the historic town centre of Nordegg.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation vehicle Storage (maximum of 1)
Accessory Building: not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Day Home	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture (that aligns with Part 12)	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
One Accessory Building 18.6m <sup>2</sup> and under	Additional Accessory Building(s)
One Accessory Building over 18.6m <sup>2</sup>	Dwelling – Bed and Breakfast
Dwelling – Single Detached	Dwelling – Multi-Unit
Dwelling – Duplex	Dwelling – Guest House / Room
Home Occupation – Minor	Dwelling – Secondary Suite
Solar Collector < 30kW: free standing	Home Occupation - Major
	Parks – Minor
	Stripping & Grading
	Short Term Rental

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Front Yard Setbacks	A minimum of 5.0 metres (16.4 feet) and maximum of 6.0 metres (19.7 feet) for any dwelling-related use (not including Dwelling-Guest House / Room)
Side Yard Setbacks – Dwellings and Garage with Loft	From a side property line on an internal lot, the setback shall be a minimum of 1.2 metres (3.93 feet)
Side Yard Setbacks – Accessory Buildings and Garage with no Loft	A minimum of 0.6 metres (1.96 feet)
Side Yard Setbacks – All Structures	in the case of a corner lot, the side yard adjacent to a public road shall be a minimum of 3.0 metres (9.8 feet)
Rear Yard Setbacks - Dwellings	A minimum of 13.0 metres (42.6 feet)
Rear Yard Setbacks - Dwelling – Guest House / Room and Accessory Buildings (including garages)	A minimum of 6.0 metres (19.7 feet)
Minimum Lot Size (Laned Lots)	550m <sup>2</sup> (5, 920 sq ft)
Minimum Lot Size (No Lane Access)	330m <sup>2</sup> (3, 552 sq ft)
Minimum Total Floor Area (Dwellings)	75m <sup>2</sup> (807 ft <sup>2</sup> ), unless otherwise approved by the Development Authority
Maximum Total Floor Area (Accessory Buildings not including a Garage)	18.6 square metres (200 sq ft);
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 50% of the total lot coverage
Building Heights	Dwellings shall be a minimum of one-storey, with a maximum of 2.5 storeys with the

	<p>exception of dwellings on corner lots being less than 2 storeys.</p> <p>Minimum and maximum building heights shall be measured in number of storeys. Each storey shall not exceed 2.7m (8.8 ft) measured from floor to ceiling.</p> <p>Notwithstanding the above, the maximum overall height of a dwelling shall not exceed 9.5m (31 ft) from the lots average grade elevation.</p> <p>Accessory buildings shall be 2 storeys or less</p> <p>Covered walkways between garages and dwellings shall not exceed the height of the garage.</p>
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**Special Requirements**

**Permitted Encroachments**

- c) Porches are required in the front of a dwelling and shall not extend more than 2.4 metres (7.9 feet) into the front yard setback.
- d) Balconies, stoops, bay windows, covered walkways, stairs, handicapped ramps, and window wells are allowed:
  - i. a maximum of 2.4 metres (7.9 feet) from the front of a dwelling; and,
  - ii. on a corner lot, a maximum of 2.0 metres (6.6 feet) from the side of a dwelling.
- e) Landmark lighting, benches and trees shall be located within 3.5 metres (11.4 feet) from a boulevard.

**Servicing Connections**

- f) Connection to municipal water and wastewater is required on each lot. No private water wells are permitted. No private sewage treatment systems are permitted.

**Dwelling – Guest House / Room and Accessory Buildings**

- g) Unless otherwise approved by the Development Officer, only one Dwelling – Guest House / Room shall be located on a lot and shall be allowed only as a Discretionary Use. If allowed by the Development Officer, the following shall be adhered to:
  - i. a Dwelling – Guest House / Room shall not exceed 37.2 square metres (400 sq ft) on the main floor and may contain a loft;

- ii. a Dwelling – Guest House / Room and Accessory Buildings shall be located to the rear of the dwelling; and,
- iii. a Dwelling – Guest House / Room and Accessory Building shall be located a minimum of 3.05 metres (10 feet) from the rear wall of the dwelling;

#### **Private Garages – Laned Lots**

- h) Unless otherwise approved by the Development Officer, a maximum of one private garage shall be located on a lot. The following shall be adhered to:
  - i. maximum floor area of 60 square metres (645.8 sq ft) or 60% of the footprint of the dwelling, whichever is less;
  - ii. garages and parking will be from the rear;
  - iii. no side driveways or parking in front yards shall be allowed;
  - iv. attached garages are considered part of the principal building and shall comply with setback provisions of a single-family dwelling as stated above, except that:
    - a. attached garages shall be a minimum of 4.5 metres (14.7 feet) from the front of the dwelling;
  - v. a private garage may contain a secondary suite in a loft over the private garage; and,
  - vi. setback requirements for detached garages: shall be located a minimum of 6.0 metres (19.7 feet) from a dwelling;

#### **Private Garages – No Lane Access Lots**

- i) A maximum of one private garage shall be located on a lot. The following requirements shall be adhered to:
  - i. attached garages are considered part of the principal building and shall comply with setback provisions of a single-family dwelling as stated above, except that:
    - a. attached garages shall be a minimum of 4.5 metres (14.7 feet) from the front of the dwelling;
    - b. maximum floor area of 60 square metres (645.8 sq ft) or 60% of the footprint of the dwelling, whichever is less; and,
    - c. a private garage may contain a secondary suite in a loft over the private garage.

#### **Other Requirements**

- j) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.
- k) All multi-unit residential buildings must be designed to resemble a single-detached dwelling in compliant with the Hamlet Architectural Guideline.

## 11.9 Industrial (I) District

### Purpose and Intent

The purpose and intent of this District is to provide for a range of industrial uses that fit within the rural context as well as within hamlets.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Recreation Vehicle Storage (maximum of 1)
Accessory building not exceeding 46.45 square metres (500 sq ft)	Personal Use Agriculture
Agricultural Operation	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Stripping & Grading (as part of approved development)
Demolition (in accordance with Section 3.2)	Signs Exempt as Per Section 10.2
Direct Market Sales	Solar Collector < 30 kW: attached to a wall or roof of a building
Dugouts, fishponds, driveways	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dwelling – Manufactured located in an industrial or construction camp as defined in the <i>Public Health Act</i> Regulations – Industrial and Construction Camps, when in compliance with a previously approved Development Permit	Telecommunications Tower

Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Agricultural Processing – Major
Agricultural Operation	Agriculture (Regulated)
Agricultural Processing – Minor	Alcohol Production
Agricultural Support Services	Alternative/Renewable Energy, Facility
Agricultural/Farm Building	Automotive Test Track
Automotive and Equipment Services	Cannabis Production Facility
Dwelling – Security / Surveillance	Casino
Farm Subsidiary Business	Composting Facility
Greenhouse – Public	Construction Camp
Industrial Training Service	Data Processing Centre
Industrial – Light	Dwelling – Staff Housing
Industrial – Medium	Eating and Drinking Establishment
Livestock Sales Yard	Essential Public Service
Office	Funeral Home
Recycling Depot	Industrial – Heavy
Retail – Minor	Micro-Brewery
Sawmill – Minor	Outdoor Storage
Sea-Can	Public Utility
Service Station	Recreation Facility – Major
Solar Collector < 30kW: free standing	Recreation Facility – Minor
Tradesperson's Business	Recreational Vehicle Storage
Warehouse Storage	Retail – Major
	Salvage Yard
	Sawmill – Major
	Solar Collector > 30kW
	Stripping & Grading
	Temporary Work Camp
	WECS-small
	Veterinary Clinic
	Warehouse Sales
	WECS

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size	0.4 ha (1.0 ac) for unserved or partially served parcels; and 0.2 ha (0.5 ac) for fully served parcels
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 80% of the total lot coverage
Front Yard Setbacks	50 m (164 ft) from the centre-line of a public road
	15.0 m (49.2 ft) from the right-of-way of an internal subdivision road or within a Hamlet
Side Yard Setbacks	3.0 m (9.8 ft) from an adjacent property line, provided the adjacent use is industrial or commercial uses in nature.
	15.0 m (49.2 ft) from an adjacent property line if the adjacent use is not an industrial or commercial use.
	15.0 m (49.2 ft) from the right-of-way of a public road (corner lots)
	10.0 m (32.8 ft) from the right-of-way of an internal subdivision road (corner lots)
Rear Yard Setbacks	7.5 m (24.6 ft) from an adjacent rear property line, provided the adjacent use is industrial or commercial uses in nature.
	15.0 m (49.2 ft) from an adjacent rear property line if the adjacent use is not an industrial or commercial use.
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (230.0 ft), whichever is greater
Maximum Building Height	For all other Permitted and Discretionary Uses: Limited to such height as deemed suitable and appropriate for the intended use at the discretion of the Development Authority

**Special Requirements**

**Landscaping**

- c) Landscaping, screening, buffering and other site design elements related to the landscape shall be completed in accordance with the Landscape section in the General Use Regulations section of this Bylaw.

### **Outdoor Storage**

- d) Outdoor Storage shall be fully screened and buffered within the site and concealed from view from adjacent residential properties or roadways by landscaping, fencing or other suitable screening. Screening shall be completed to the satisfaction of the Development Authority.

### **Safety Requirements**

- e) Safety and risk assessment is an integral component and concern regarding industrial Development Permits. The Development Authority may require an Applicant to retain a Qualified Consultant to provide a concept plan inclusive of a risk assessment report on a proposed development. Additional conditions relating to emergency response planning and requirements for fire, rescue and ambulance care may also be required.

### **Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- f) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

## 11.10 Hamlet Commercial & Mixed-Use (HCM) District

### Purpose and Intent

The purpose and intent of this District is to accommodate a range of retail, residential, restaurant, service, tourism and other diverse commercial and mixed-uses within the County's Hamlets.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Personal Recreation Vehicle Storage (maximum of 1)	
Personal Use Agriculture	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Alcohol Production
Agricultural/Farm Building	Artisan Studio / Shop
Child Care Facility	Automotive and Equipment Services
Church	Cannabis Lounge
Cultural Facilities	Dwelling – Bed and Breakfast
Eating and Drinking Establishment	Dwelling – Mixed-Use
Educational Services	Dwelling – Single Detached
Essential Public Service	Dwelling – Security / Surveillance
Financial Institution / Services	Entertainment and Event Venue
Greenhouse – Public	Farmer’s Market
Health Care Services	Funeral Home
Home Occupation – Minor	Hostel
Office	Hotel
Parks – Minor	Industrial – Light
Personal Services	Micro-Brewery
Recreation Facility – Minor	Outfitters
Retail – Minor	Parks – Major
Solar Collector < 30kW: free-standing	Public Utility
Warehouse Storage	Recreation Facility – Major
	Restricted Substance Retail
	Retail – Major
	Sea-Can
	Service Station
	Social Care Facility - Minor
	Solar Collector > 30kW
	Stripping & Grading
	Tradesperson’s Business
	WECS-small
	Veterinary Clinic
	Warehouse Sales
	Warehouse Storage

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size	At the discretion of the Development Authority
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 80% of the total lot coverage

Front Yard Setbacks	As approved by the Development Officer.
Side Yard Setbacks	As approved by the Development Officer when abutting an adjacent commercial use – Must be in compliance with the <i>Alberta Building Code</i>
	3.0 m (9.84 ft) when abutting an adjacent residential use (does not include mixed-use buildings)
Rear Yard Setbacks	6.0 m (19.7 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	Maximum 12.0 m (39.3 ft)

**Special Requirements**

**Consultation**

- c) When Alcohol Production, Artisan Studio / Shop, Industrial – Light or Tradesperson’s Business are proposed in this district, the Development Authority may require a public open house or other form of consultation to solicit feedback from adjacent residences and businesses. Furthermore, additional information on nuisance mitigation may be required to the discretion of the Development Authority.

**Dwellings**

- d) For proposed Dwelling – Mixed-Use, residential must be on the second floor or higher with only commercial uses permissible on the main level. When commercial uses are proposed within a residential area and with adjacent residential properties, it must include public consultation and have no nuisance effects on adjacent parcels.
- e) Dwelling – Single Detached shall only be considered within existing single-detached dwellings built before the adoption of this Bylaw or within the Hamlet of Nordegg for tourist-related uses.

**Retail and/or Eating & Drinking Establishment and related Uses**

- f) Where appropriate at the discretion of the Development Authority, front patios, terraces or other public spaces are encouraged in the front of these buildings, particularly along main streets and other areas where these spaces would play a role in activating the street.

**Landscaping**

- g) Landscaping, screening, buffering and other site design elements related to the landscape shall be completed in accordance with the Landscape section in the General Use Regulations section of this Bylaw when Hamlet Commercial is directly abutting residential uses.

### **Parking and Loading**

- h) Unless there are extenuating circumstances as determined by the Development Authority, parking and loading should be located in the rear of the building.
- i) Where parking is adjoining a paved road, an equivalent treatment shall be required as a condition of Development Permit approval.

### **Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- j) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

### 11.11 Highway Development (HD) District

#### Purpose and Intent

The purpose and intent of this District is to provide for uses that provide accommodations, services or recreational opportunities for both travelers, visitors and residents along key transportation routes such as provincial highways or other major roadways within the County.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Use Agriculture
Accessory building not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Construction Trailer	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Stripping & Grading (as part of approved development)
Demolition (in accordance with Section 3.2)	Signs Exempt as Per Section 10.2
Dugouts, fishponds, driveways	Solar Collector < 30 kW: attached to a wall or roof of a building
Dwelling – Manufactured located in an industrial or construction camp as defined in the <i>Public Health Act</i> Regulations – Industrial and Construction Camps, when in compliance with a previously approved Development Permit	Temporary Sea-Cans in accordance with regulations of Section 9.28
Direct Market Sales	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Agricultural Operation
Automotive and Equipment Services	Automotive test track
Campground – Minor	Campground – Major
Cultural Facilities	Casino
Eating and Drinking Establishment	Construction Camp
Greenhouse – Public	Dwelling – Security / Surveillance
Hotel	Essential Public Service
Industrial – Light	Kennel
Parks – Minor	Micro - Brewery
Retail – Minor	Outfitters
Service Station	Parks – Major
Solar Collector < 30kW	Powersports Sales/Service Center
	Public Utility
	Recreation Facility – Major
	Recreational Vehicle Storage
	Retail – Major
	Sea-Can
	Solar Collector > 30kW
	Stripping & Grading
	WECS-small
	WECS

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes	1.0 ha (2.47 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 60% of the total lot coverage
Front Yard Setbacks (Rural)	70.0 m (230.0 ft) from the centre-line of a highway or as approved by Transportation and Economic Corridors
	50.0 m (164 ft) from the centre-line of a public road
	15.0 m (49.2 ft) from the right-of-way of an internal subdivision road
Front Yard Setbacks (Hamlet)	9.0m (29.5 ft) from the front property line
Side Yard Setbacks (Hamlet and Rural)	3.0m (9.84 ft) from the side property line
Rear Yard Setbacks (Hamlet and Rural)	6.0m (19.7 ft) from the rear property line

Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors as well as the discretion of the Development Authority in consultation with this provincial department.
Maximum Building Height	6.0 m (19.7 ft) for an accessory building
	All other uses maximum height is at the discretion of the Development Authority

**Special Regulations**

**Architectural & Building Design Considerations**

- c) Building facades that front onto the highway or major transportation route that a development in this district is situated should be completed to a higher architectural and design standard than the other facades. This should include incorporating a mix of materials, glazing and differentiation of the building form and massing to create visual interest and build on the County’s sense of place and overall character.

**Landscaping**

- d) Landscaping, screening, buffering and other site design elements related to the landscape shall be completed in accordance with the Landscape section in the General Use Regulations section of this Bylaw to ensure aesthetically-pleasing development that builds on the overall image of the County occurs along the key transportation corridors this land use designation should occur in.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- e) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

## 11.12 Nordegg Historic Core Commercial (NHC) District

### Purpose and Intent

The purpose of this District is to establish a pedestrian-friendly town centre commercial area in Nordegg that creates a strong sense of community and place for residents and visitors alike.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Propane/Fuel Tanks in compliance with Safety Codes legislation
Accessory building not exceeding 23.2 square metres (250 sq ft);	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction Trailer	Stripping & Grading (as part of approved development)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: attached to a wall or roof of a building
Demolition (in accordance with Section 3.2)	Temporary Sea-Cans in accordance with regulations of Section 9.28
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Telecommunications Tower
Landscaping that does not impact drainage	Temporary Use of Building for Emergency Purposes or Election Purposes
Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Church	Accessory Building
Dwelling – Bed and Breakfast second story and above	Entertainment Venue
Dwelling – Mixed Use second story and above	Educational Services
Eating and Drinking Establishment	Alcohol Production
Health Care Services	Dwelling – Bed and Breakfast at grade behind front facing commercial use
Office	Dwelling – Mixed Use at grade behind front facing commercial use
Personal Services	Outfitters
Retail – Minor	Micro-Brewery
Recreation Facility – Minor	Restricted Substance Retail
Solar Collector <30 kW: free-standing	Recreation Facility – Major
	Hostel
	Hotel
	Retail – Major
	Public Utility
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Lot Area	280m <sup>2</sup> (3,013.8 sq ft) No minimum lot size for Public Utility or other public uses
Front Yard Setbacks	3.0m (9.84 ft)
Side Yard Setbacks	1.5m (4.92 ft)
Rear Yard Setbacks	3.0m (9.84 ft)
Attached Commercial Buildings	Setbacks at the discretion of the Development Authority
Permitted Encroachments	0.0m for covered boardwalks adjacent to a public street
	0.0m for second and third floors above a covered boardwalk
Building Heights	Hotels: 1 floor minimum and 3 floors maximum For all other uses: 1 floor minimum and 2.5 floors maximum

## **Parking**

- c) All residential parking shall be off-site and in accordance with the Downtown Core Plan, as shown in the Nordegg Design Guidelines.
- d) Residential off-site public parking spaces shall be constructed and maintained by the County.

## **Design, Character and Appearance of Buildings**

- e) The Nordegg Historic Core Commercial District shall be developed in compliance with the Nordegg Development Plan and Design Guidelines. The design, character, and appearance of buildings will be approved by the Development Officer and/or an architect as contracted by Clearwater County.

## **Other Requirements**

- f) Dwelling – Bed and Breakfast and Dwelling – Mixed Use can only have dwelling units located on the second storey or higher.
- g) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

### 11.13 Community Amenity (CA) District

#### Purpose and Intent

The purpose and intent of this District is to accommodate a range of cultural, recreational, institutional and public service type uses in both rural and hamlet areas of the County. This District should build on the idea of creating a strong quality of life and ensuring strong community social growth across the wide-ranging geography of the County. This District also includes Municipal Reserve (MR) spaces that meet the requirements of the *MGA*.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Personal Use Agriculture	

Permitted Uses	Discretionary Uses
Accessory Building	Campground – Major
Agricultural Operation	Campground – Minor
Community Hall	Cemetery
Cultural Facilities	Child Care Facility
Church	Dwelling – Single Detached
Dwelling – Security / Surveillance	Eating and Drinking Establishment
Parks – Minor	Educational Services
Passive Recreation	Essential Public Service
Recreation Facility– Minor	Health Care Services
Solar Collector < 30kW: free-standing	Parks – Major
	Public or Quasi-Public Use
	Public Utility
	Recreation Facility – Major
	Sea-Can
	Social Care Facility - Minor
	Solar Collector > 30kW
	Stripping & Grading
	WECS-small

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Hamlets)	At the discretion of the Development Authority
Minimum Parcel Size (Rural)	1.21 ha (3.0 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 65% of the total lot coverage
Front Yard Setbacks (Hamlet)	6.0m (19.7 ft) or as approved by the Development Officer
Side Yard Setbacks (Hamlet)	1.5m (4.99 ft)
	3.0m (9.84 ft) for a side property line abutting a public road right-of-way (corner lots)
Rear Yard Setbacks (Hamlet)	7.5m (24.6 ft) from the rear property line
Front Yard Setbacks (Rural)	50.0m (164 ft) from the right-of-way of a public road
	15.0m (49.21 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks (Rural)	7.5 m (24.6 ft) from an adjacent property line
Rear Yard Setbacks (Rural)	7.5m (24.6 ft) from the rear property line

Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	At the discretion of the Development Authority

**Special Requirements**

**Dwelling – Single Detached**

- c) A Dwelling – Single Detached shall only be approved in this district if it is accessory to the principal use on the subject lot.

**Landscaping Requirements**

- d) Landscaping, screening, buffering and other site design elements related to the landscape shall be completed in accordance with the Landscape section in the General Use Regulations section of this Bylaw when a community amenity use in this district directly abuts a residential land use district.

**Parking and Loading**

- e) Where parking is adjoining a paved road, an equivalent treatment may be required as a condition of Development Permit approval.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- f) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

## 11.14 Recreation – Major (R-Ma) District

### Purpose and Intent

The purpose and intent of this district is to accommodate major or intensive recreational uses in the County.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: “Exempt” means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Dugouts, fishponds, driveways	Temporary Sea-Cans in accordance with regulations of Section 9.28
Direct Market Sales	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Personal Use Agriculture	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Campground – Major
Agricultural Operation	Educational Services
Campground – Minor	Equestrian Facility
Dwelling – Single-Detached	Essential Public Service
Dwelling – Guest House / Room	Golf Course
Dwelling – Security / Surveillance	Micro-Brewery
Eating and Drinking Establishment	Parks – Major
Entertainment and Event Venue	Public or Quasi-Public Use
Hotel	Public Utility
Integrated Recreation / Tourist Resort	Recreation Facility – Major
Outfitters	Retail - Minor
Parks – Minor	Solar Collector > 30kW
Personal Services	Stripping & Grading
Recreation Facility– Minor	WECS-small
Solar Collector < 30kW	Zoo
Sea Can	

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Hamlets)	At the discretion of the Development Authority
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 50% of the total lot coverage
Front Yard Setbacks (Hamlet)	6.0m (19.7 ft)
Side Yard Setbacks (Hamlet)	1.5m (4.99 ft)
	3.0m (9.84 ft) for a side property line abutting a municipal road right-of-way (corner lots)
Rear Yard Setbacks (Hamlet)	6.0m (19.6 ft) from the rear property line
Minimum Parcel Sizes (Rural)	1.0 ha (2.47 ac)
Front Yard Setbacks (Rural)	50.0m (164 ft) from the right-of-way of a public road
	15.0m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks (Rural)	6.0m (19.7 ft) from an adjacent property line
Rear Yard Setbacks (Rural)	7.5 (24.6 ft) from the property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors

Maximum Building Height	Two stories in the Hamlet of Nordegg or at the discretion of the Development Authority
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### **Special Requirements**

#### **Consultation**

- c) Community consultation may be required at the discretion of the Development Authority if a proposed development in this district will have a potential nuisance effect on adjacent residences.

#### **Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- d) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

### 11.15 Recreation – Minor (R-Mi) District

#### Purpose and Intent

The purpose and intent of this district is to accommodate a combination of tourist related recreational activities and small-scale fixed roof resort accommodations.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: “Exempt” means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	Temporary Living Accommodation in Personal Recreation Vehicle (in accordance with Section 9.20)
Personal Use Agriculture	

Permitted Uses	Discretionary Uses
Accessory Building	Artisan Studio/ Shop
Dwelling - Bed and Breakfast	Campground – Minor
Dwelling – Single-Detached	Educational Services
Dwelling – Security / Surveillance	Entertainment and Event Venue
Hostel	Essential Public Service
Hotel	Outfitters
Integrated Recreation/ Tourist Resort	Public Utility
Outdoor Recreation/Tourism Operations	Recreation Facility– Minor
Parks – Minor	Retail - Minor
Personal Services	Sea-Can
Solar Collector < 30kW: free-standing	Solar Collector > 30kW
	Stripping & Grading
	WECS-small
	Zoo

## Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Hamlets)	At the discretion of the Development Authority
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 50% of the total lot coverage
Front Yard Setbacks	22.86m (75 ft)
Side Yard Setbacks	15 m (49.2 ft)
Rear Yard Setbacks	15 m (49.2 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	Two stories or 9.14 m (30 ft) but accessory buildings not more than 5 m (16 ft)

## Special Requirements

### Consultation

c) Community consultation may be required at the discretion of the Development Authority if a proposed development in this district will have a potential nuisance effect on adjacent residences.

**Hamlet of Nordegg (for applications within the Hamlet of Nordegg)**

- d) See Part 12: Hamlet of Nordegg Lot and Building Design Regulations for additional regulations that apply to lots with this designation within the Hamlet of Nordegg.

**Specific to Nordegg Minor RF**

- e) Only one conventional residence shall be constructed on each lot, and such dwelling shall be a single family residence ancillary to the permitted use, and subject to a development permit.

## 11.16 Public Airport (PA) District

### Purpose and Intent

The purpose and intent of this District is to provide for lands that allow for the safe movement, storage and/or utilization of aircraft and all of the associated buildings and activities that come with airport operations. This District also works to provide for uses that are compatible and accessory to airport operations

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Use Agriculture
Accessory building not exceeding 23.2 square metres (250 sq ft);	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Agricultural Operation	Propane/Fuel Tanks in compliance with Safety Codes legislation
Airport and related uses that are exempt from local bylaws and federally regulated	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction Trailer	Stripping & Grading (as part of approved development)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: attached to a wall or roof of a building
Demolition (in accordance with Section 3.2)	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Agri-Tourism Business
Agricultural Processing – Minor	Agricultural Processing – Major
Agricultural / Farm Building	Agricultural Support Services
Airport	Agriculture (Regulated)
Direct Market Sales	Industrial Training Service
Dwelling – Airport Suite	Industrial – Medium
Dwelling – Security / Surveillance	Recreation Facility – Major
Industrial – Light	Stripping & Grading
Sea-Can	Warehouse Storage
Solar Collector < 30kW	

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes	1.0 ha (2.47 ac)
Maximum Lot Coverage	At the discretion of the Development Authority
Minimum Lot Width	At the discretion of the Development Authority
Minimum Lot Frontage	At the discretion of the Development Authority
Minimum Lot Depth	At the discretion of the Development Authority
Front Yard Setbacks	50 .0 m (164 ft) from the centre-line of a public road
Side Yard Setbacks	10 m (32.8 ft) from an adjacent (exterior) property line
	50 .0 m (164 ft) from the right-of-way of a public road
Rear Yard Setbacks	10 m (32.8 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Height	At the discretion of the Development Authority

**Special Regulations**

c) The Development Authority may impose additional conditions or study considerations in alignment with this Bylaw as well as any overarching plans that apply to lands designated as this land use district.

d) Uses in this District shall be associated with airport or aircraft operations.

### 11.17 David Thompson Development Nodes (DTN) District

#### Purpose and Intent

The purpose and intent of this District is to guide development within the following Development Nodes:

- Saunders Alexo
- Shunda Goldeye
- Bighorn Canyon
- Whitegoat Lakes

Development shall be considered in alignment with the respective area structure plan (ASP) and/or other planning frameworks in place for the specific area within the County.

#### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Personal Use Agriculture
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Dugouts, fishponds, driveways	Temporary Sea-Cans in accordance with regulations of Section 9.28

Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Telecommunications Tower
Landscaping that does not impact drainage	Temporary Use of Building for Emergency Purposes or Election Purposes

Permitted Uses	Discretionary Uses
Accessory Building	Agri-Tourism Business
Dwelling – Staff Housing	Campground – Major
Natural Landscape	Campground – Minor
Parks – Minor	Cemetery
Passive Recreation	Cultural Facilities
Public Utility	Dwelling – Security / Surveillance
Solar Collector < 30kW: free-standing	Eating and Drinking Establishment
	Educational Services
	Essential Public Service
	Hostel
	Hotel
	Integrated Recreation / Tourist Resort
	Office
	Parks – Major
	Recreation Facility – Minor
	Retail – Major
	Retail – Minor
	Sea-Can
	Service Station
	Stripping & Grading

### Site Regulations

a) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes	1.0 ha (2.47 ac)
Minimum Lot Width	At the discretion of the Development Authority
Minimum Lot Frontage	At the discretion of the Development Authority
Minimum Lot Depth	At the discretion of the Development Authority
Front Yard Setbacks	50 .0 m (164 ft) from the right-of-way of a public road
	15 .0 m (49.2 ft) from the right-of-way of an internal subdivision road

Side Yard Setbacks	7.5 m (25 ft) from an adjacent property line
	50.0 m (164 ft) from the right-of-way of a public road (corner lots)
Rear Yard Setbacks	7.5 m (24.6 ft) from the rear property line
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 50% of the total lot coverage
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Height	Discretion of the Development Authority

**Special Regulations**

- b) The Development Authority may impose additional conditions or study considerations in alignment with this Bylaw as well as any overarching plans that apply to lands designated as this land use district.

## 11.18 Crown Land (CL) District

### Purpose and Intent

The purpose and intent of this District is to provide for land use planning for crown lands in alignment with the *MGA* and in alignment with the overall County vision and planning objectives outlined in the Municipal Development Plan (MDP).

### Exempt Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Direct Market Sales	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	
Personal Use Agriculture	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Campground – Major
Agricultural Operation	Campground – Minor
Parks – Minor	Cultural Facilities
Passive Recreation	Data Processing Centre
Sawmill – Minor	Dwelling – Leisure Residence
Sawmill – Major	Educational Services
Solar Collector < 30kW: free-standing	Essential Public Service
	Integrated Recreation / Tourist Resort
	Office
	Outfitters
	Parks – Major
	Recreation Facility – Major
	Recreation Facility – Minor
	Service Station
	Stripping & Grading
	Solar Collector >30 kW
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Sizes	At the discretion of the Development Authority and/or Provincial requirements
Minimum Lot Width	
Minimum Lot Frontage	
Minimum Lot Depth	
Front Yard Setbacks	
Side Yard Setbacks	
Rear Yard Setbacks	
Maximum Lot Coverage	Discretion of Alberta Transportation and Economic Corridors
Yard Setbacks from Existing and Proposed Highways and Service Roads	
Maximum Height	At the discretion of the Development Authority and/or Provincial requirements

## 11.19 Direct Control: Compassionate Care and Special Health Services (DC-CC) District

### Purpose and Intent

The purpose of this District is to provide a site for compassionate care and special health care services that exceed the typical services provided through Health Care Services uses. These sites should be located in proximity to emergency services and the broader community; while also respecting the potential impacts they may have on adjacent neighbourhoods and working to appropriately integrate themselves into a community.

### Exempt, Permitted and Discretionary Uses

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Accessory building not exceeding 23.2 square metres (250 sq ft);	Propane/Fuel Tanks in compliance with Safety Codes legislation
Construction Trailer	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Stripping & Grading (as part of approved development)
Deck/Patio (provided it complies with lot coverage and setback regulations)	Signs Exempt as Per Section 10.2
Demolition (in accordance with Section 3.2)	Solar Collector < 30 kW: attached to a wall or roof of a building
Dugouts, fishponds, driveways	Temporary Sea-Cans in accordance with regulations of Section 9.28
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Telecommunications Tower
Landscaping that does not impact drainage	Temporary Use of Building for Emergency Purposes or Election Purposes
Personal Use Agriculture	

Permitted Uses	Discretionary Uses
Accessory Building	Compassionate Care Facility
Health Care Services	Emergency Accommodations for the Unhoused
Solar Collector < 30 kW: free standing	Public or Quasi-Public Use
	Public Utility
	Park - Minor
	Sea-Can
	Social Care Facility - Major
	Stripping & Grading
	WECS-small

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size (Hamlets)	At the discretion of the Development Authority
Minimum Parcel Size (Rural)	1.21 ha (3.0 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 65% of the total lot coverage
Front Yard Setbacks (Hamlet)	6.0m (19.7 ft)
Side Yard Setbacks (Hamlet)	1.52m (4.99 ft) 3.0m (9.84 ft) for a side property line abutting a public road right-of-way (corner lots)
Rear Yard Setbacks (Hamlet)	6.0m (19.7 ft) from the rear property line
Front Yard Setbacks (Rural)	50 .0m (164 ft) from the centre-line of a public road 15 .0m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks (Rural)	6.0m (19.7 ft) from an adjacent property line 15.0m (49.2 ft) from the right-of-way of a public road (corner lots) 10.0m (32.8 ft) from the right-of-way of an internal subdivision road (corner lots)
Rear Yard Setbacks (Rural)	6.0m (19.7 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	At the discretion of the Development Authority

## Special Regulations

- c) Mandatory public consultation, including but not limited to one (1) or more open houses, mail-outs, newspaper advertisements and public notice postings may be required in advance of Council consideration of a Development Permit within this DC district.
- d) Prior to consideration of a Development Permit by Council in this district, a notice shall be mailed to all landowners within a 200m radius of the subject property in a hamlet and a 1.6 km (1 mile) radius outside of a hamlet, at least two (2) weeks prior to the Council date.
- e) Future proposed developments permit applications for Compassionate Care Facilities or for Emergency Accommodations for the Unhoused should be ideally located in a location that is in close proximity to emergency services, including, but not limited to health, police or fire services.
- f) The following conditions may be implemented on a Development Permit in this land use district in addition to those outlined in the general sections of this Bylaw including, but not limited to:
  - i. Emergency response planning;
  - ii. Additional screening and landscaping above the requirements of the landscaping section of this Bylaw; and,
  - iii. Information and conditions on the term of stay for patients, maximum number of patients at any given time, minimum number of employees, security systems and other operational matters to ensure the Council can make a decision that the facility will not pose a nuisance on the surrounding community.
  - iv. Additional information may be required at the discretion of the Development Authority and/or Council.

**11.20 Direct Control: Large-Scale Renewable Energy (DC-RE) District**

**Purpose and Intent**

The purpose of this District is to provide for larger parcels that support the appropriate development of alternative and renewable energy, including but not limited to wind turbines, solar panels and other alternative energy systems.

**Exempt, Permitted and Discretionary Uses**

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Agricultural Operation	Propane/Fuel Tanks in compliance with Safety Codes legislation
Accessory building not exceeding 23.2 square metres (250 sq ft);	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction Trailer	Stripping & Grading (as part of approved development)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: attached to a wall or roof of a building
Demolition (in accordance with Section 3.2)	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	
Personal Use Agriculture	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Alternative/Renewable Energy, Facility
Agricultural Operation	Solar Collection Facility
Solar Collector < 30 kW: free standing	Sea-Can
WECS-small	Public or Quasi-Public Use
	Public Utility
	Dwelling – Security/Surveillance
	Stripping & Grading
	WECS

**Site Regulations**

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size	80.0 ac (32.37 ha)
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 85% of the total lot coverage
Front Yard Setbacks	50 .0m (164 ft) from the centre-line of a public road
Side Yard Setbacks	15.0m (49.2 ft) from an adjacent property line
Rear Yard Setbacks	15.0m (49.2 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors
Maximum Building Height	At the discretion of the Development Authority

**Special Requirements**

**Landscaping & Screening Standards**

- c) Buffer areas shall be identified on the site plan that is associated with a redesignation application and subsequent approved Development Permit for in this district.
- d) Berming may be required to screen large-scale renewable energy operations from public roadways and residential uses in proximity to the area. A berming plan shall be provided at the time of Development Permit application that provides a buffer between the plan area and adjacent parcels and/or roadways to the satisfaction of the Development Authority.

## **Lighting Requirements**

- e) A detailed lighting plan that identifies all potential lighting impacts shall be required as a condition of Development Permit approval. At the discretion of the Development Authority, this may include information on portable lighting as well as permanent lighting and may be required to be completed by a Qualified Consultant.
- f) An as-built site lighting plan may be required as a general condition of approval on a Development Permit following completion of construction of a use in this district.
- g) All site lighting shall be directed downwards and follow dark-sky principles to have minimum impact on adjacent properties.

## **Noise Control**

- h) At the time of Development Permit Application, the Applicant may be required to provide a noise attenuation plan detailing the methods intended to be used to address nuisance noise emanating from operations within the development area if this is deemed to be a potential concern.
- i) Operators may be required, as part of their noise attenuation plan to identify potential vegetation that will be added or maintained to minimize noise impacts, potential locations for processing equipment that minimize noise, noise abatement measures for mufflers and/or water pumps and plans to reduce decibel noise levels of equipment. This plan should be completed to the satisfaction of the Development Authority as a condition of Development Permit approval.

## **Environmental Requirements**

- j) An environmental study, site assessment, wetland impact assessment or biophysical impact assessment may be required, at the discretion of the Development Authority, if the proposed redesignation or Development Permit application is located within or adjacent to an environmentally significant area.
- k) All soils (including topsoil and sub soil) shall be separated into piles and seeded to prevent the contents from being blown off site and shall be used for reclamation purposes.
- l) A weed management plan may be required at the Development Permit stage at the discretion of the Development Authority.
- m) A waste management plan may be required at the Development Permit stage at the discretion of the Development Authority.
- n) A Drainage Study shall be provided at the discretion of the Development Authority at the time of redesignation application submission noting overall drainage flows so as to ensure impact to adjacent landowners does not occur from development in this district.

### **Signage Requirements**

- o) Signage outlining the operator's name as well as emergency phone numbers and the potential hazards and risks associated with the site should be included.
- p) As part of the site plan for an approved Development Permit, the signage locations should be identified.

### **Community Consultation Requirements**

- q) Community consultation may be required for redesignation applications and development applications in this district. The minimum consultation circulation radius from the parcel boundary for applications shall be 1.6 km (1.0 miles). All community consultation and notice to the affected landowners shall be completed prior to application submission. Confirmation and a mailing list of all landowners who were notified shall be provided to Clearwater County at the time of application submission.
- r) If the Development Permit application is submitted for a development within 1 year from the date of redesignation approval, the previous consultation for the redesignation application can be submitted. If the Development Permit is submitted more than 2 years after the date of redesignation approval (3rd and Final Reading), a new community consultation process shall be required.
- s) Prior to consideration of a Development Permit by Council in this district, a notice shall be mailed to all landowners within a 200m radius of the subject property at least 2 weeks prior to the Council date.

**11.21 Direct Control – Aggregate Extraction / Processing (DC - AE) District**

**Purpose and Intent**

The purpose and intent of this District is to provide designated areas for non-renewable resource extraction and processing. This District should be considered in locations where the more industrial nature of this type of use can be effectively integrated into the overall land use context and have a minimal nuisance effect on adjacent agricultural or residential land uses.

**Authority**

Given the sensitive nature of this use and as a Direct Control (DC) District, Council is the sole Approving Authority for this land use and Development Authority for subsequent Development Permit applications.

**Exempt, Permitted and Discretionary Uses**

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: “Exempt” means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Agricultural Operation	Propane/Fuel Tanks in compliance with Safety Codes legislation
Accessory building not exceeding 23.2 square metres (250 sq ft);	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction Trailer	Stripping & Grading (as part of approved development)
Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: attached to a wall or roof of a building
Demolition (in accordance with Section 3.2)	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower

Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	
Personal Use Agriculture	

Permitted Uses	Discretionary Uses
Accessory Building	Aggregate Extraction/Processing
Agricultural Operation	Dwelling - Manufactured Home
Solar Collector < 30kW	Dwelling – Secondary Suite
	Dwelling – Security/Surveillance
	Dwelling – Single-Detached
	Sea-Can
	Stockpile
	Stripping & Grading
	Tradesperson's Business
	Rack Site

### Site Regulations

- b) The following regulations shall apply to all approved development within this Direct Control (DC) District:

Minimum Parcel Size	2.02 ha (5.0 ac)
Maximum Lot Coverage	No buildings, structures or impervious surfaces (including the resource mining area) shall cover more than 85% of the parcel area
Front Yard Setbacks	50 .0 m (164 ft) from the centre-line of a public road
Side Yard Setbacks	10.0 m (32.8 ft) from an adjacent property line
	15.0 m (49.2 ft) from the right-of-way of a public road (corner lots)
Rear Yard Setbacks	15 m (49.2 ft) from the rear property line of an adjacent parcel (provided the dwelling setbacks below are met)
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (230.0 ft), whichever is greater
Setback from Existing Dwellings and Proposed Residential Dwellings (not located on the same parcel as a proposed Aggregate Extraction / Processing operation)	200.0 m (656.16 ft)

Setback from Dwellings on a parcel designated Aggregate Extraction / Processing District	As per Provincial and Federal Regulations
Other Setbacks	Regarding slope setback considerations for gravel pits, please refer to the Alberta Environment Code of Practice for Pits, but please note that the Land Use Bylaw setbacks supersede these setback requirements.
Building Height	Maximum 8.0 m (26.25 ft)

**Special Requirements**

**Haul Routes, Levies and Site Plan Requirements**

- c) The redesignation application shall include a site plan prepared by a Qualified Consultant that outlines the proposed aggregate extraction/processing area as well as a phasing plan for the proposed extraction of the resource. This plan will clearly outline distances to property lines and the exact total area of the resource mining area for each phase of development. Buffer areas shall also be clearly delineated within this site plan.
- d) The proposed haul route shall be included as part of a complete redesignation application to this DC district as well as part of a subsequent Development Permit for Aggregate Extraction/Processing.
- e) Traffic generated from Aggregate Extraction/Processing shall be subject to Clearwater County’s *Road Use for Industrial/Commercial Truck Hauls Policy*.
- f) A condition shall be required on Development Permits for Aggregate Extraction / Processing that outlines the approved hauling times and days for that particular site. Consideration will be given to context regarding proximity and scale of adjacent residential uses along the haul route.
- g) Major hauling that requires a Road Use Agreement shall require written notification to the Planning and Development Department and adjacent landowners within a 1-mile radius of the haul route. This notice shall be provided a minimum of two weeks prior to commencement. This shall be outlined as a condition of future Development Permit applications for Aggregate Extraction/Processing.
- h) A Transportation Impact Assessment (TIA) may be required as a condition of Development Permit approval at the discretion of the Development Authority.

**Resource Mining Area Operations**

- i) Operations within the resource mining area shall be restricted within a certain timeframe and weekdays as per the conditions of an approved Development Permit for Aggregate Extraction / Processing within this district. This shall include all operations

related to stripping, stockpiling, extracting, processing (crushing & screening), onsite water management (pit to pit dewatering and offsite dewatering), hauling and reclamation.

### **Water Management**

- j) At the time of redesignation application, a map that identifies adjacent landowner water wells within the same aquifer as a resource mining area shall be required. As a subsequent condition of Development Permit approval, a general condition that notes the operator will be responsible for the negative detriment of those adjacent landowner wells should be included. This forms part of their *Water Act* approvals as noted in the Other Approvals section of this district.

### **Landscaping & Screening Standards**

- k) Buffer areas shall be identified on the site plan that is associated with a redesignation application and subsequent approved Development Permit for Aggregate Extraction / Processing.
- l) Berming shall be required to screen resource mining areas from public roadways and residential uses in proximity to the area. A berming plan shall be provided at the time of Development Permit application that provides a buffer between the resource mining area and adjacent parcels and/or roadways to the satisfaction of the Development Authority.

### **Lighting Requirements**

- m) A detailed lighting plan that identifies all potential lighting impacts of an Aggregate Extraction / Processing use shall be required as a condition of Development Permit approval. At the discretion of the Development Authority, this may include information on portable lighting as well as permanent lighting and may be required to be completed by a Qualified Consultant.
- n) An as-built site lighting plan may be required as a general condition of approval on a Development Permit following completion of construction of an Aggregate Extraction / Processing use.
- o) All site lighting shall be directed downwards and follow dark-sky principles to have minimum impact on adjacent properties.

### **Noise Control**

- p) At the time of Development Permit Application, the Applicant shall provide a noise attenuation plan detailing the methods intended to be used to address nuisance noise emanating from operations within the development area or on haul routes, resulting from activities related to an Aggregate Extraction / Processing operation.

- q) The operator of an Aggregate Extraction / Processing use shall be required, as part of their noise attenuation plan to identify potential vegetation that will be added or maintained to minimize noise impacts, potential locations for processing equipment that minimize noise, noise abatement measures for mufflers and/or water pumps and plans to reduce decibel noise levels of equipment within a resource mining area. This plan should be completed to the satisfaction of the Development Authority as a condition of Development Permit approval.

### **Adjacent Residential Development Considerations**

- r) As per the requirement noted in the Site Regulations section of this land use district, no residential dwellings shall be located within 200 m (656.16 ft.) of the property lines of a parcel designated Aggregate Extraction / Processing District. The minimum setback shall not be applicable if an existing dwelling is on the same parcel as a proposed aggregate extraction / processing operation.
- s) No new Development Permits for dwellings of any type shall be approved within 200 m (656.16 ft) of the property lines of a parcel that is designated Aggregate Extraction / Processing District.
- t) No redesignation to Aggregate Extraction / Processing District shall be approved within 200 m (656.16 ft.) of an existing dwelling on an adjacent parcel. This is measured from the property line to the residential dwelling.
- u) Existing and proposed dwellings on the same parcel as an Aggregate Extraction / Processing Development Permit and designated Aggregate Extraction / Processing (NRE) District must meet setback requirements as per all provincial and federal regulations but are not required to be setback 200 m (656.16 ft) from the Aggregate Extraction / Processing operation.
- v) It is the responsibility of the Applicant for an Aggregate Extraction / Processing District to provide plans showing that they meet the minimum setback distances from dwellings on adjacent parcels.

### **Environmental Requirements**

- w) Dust control and mitigation shall be required as a condition of Development Permit approval for Aggregate Extraction / Processing.
- x) An environmental study, site assessment, wetland impact assessment or biophysical impact assessment may be required, at the discretion of the Development Authority, if the proposed redesignation or Development Permit application is located within or adjacent to an environmentally significant area.
- y) All soils (including topsoil and sub soil) shall be separated into piles and seeded to prevent the contents from being blown off site and shall be used for reclamation

purposes within the resource mining area. The removed topsoil and sub soil shall be located on piles within the parcel that is the subject of the Aggregate extraction / processing development. If the removed soil is located and piled on a different parcel from the titled area subject to the natural resource extraction / processing Development Permit, a separate Development Permit shall be required from Clearwater County.

- z) A weed management plan may be required at the Development Permit stage at the discretion of the Development Authority.
- aa) A waste management plan may be required at the Development Permit stage at the discretion of the Development Authority.
- bb) A Drainage Study shall be provided at the discretion of the Development Authority at the time of redesignation application submission noting overall drainage flows so as to ensure impact to adjacent landowners does not occur from Aggregate Extraction / Processing activity.
- cc) Materials submitted to Alberta Environment & Parks for approval for an aggregate extraction operation shall also be submitted to Clearwater County as part of a complete development permit application.

#### **Signage Requirements**

- dd) Signage outlining the operator's name of a resource mining area as well as emergency phone numbers and the potential hazards and risks associated with the site should be included.
- ee) As part of the site plan for an approved Development Permit, the signage locations should be identified.

#### **Community Consultation Requirements**

- ff) Community consultation shall be required for all Aggregate Extraction / Processing District Redesignation applications and development applications. The minimum consultation circulation radius from the parcel boundary for applications shall be 1.6 km (1.0 miles) and shall be 1.6 km (1.0 miles) from the boundary of the proposed haul route. All community consultation and notice to the affected landowners shall be completed prior to application submission. Confirmation and a mailing list of all landowners who were notified shall be provided to Clearwater County at the time of application submission.
- gg) If the Development Permit application is submitted for an Aggregate Extraction/Processing development within 1 year from the date of redesignation approval, the previous consultation for the redesignation application can be submitted. If the Development Permit is submitted more than 2 years after the date of

redesignation approval (3rd and Final Reading), a new community consultation process shall be required.

- hh) Regardless of the regulation noted above in terms of overall community consultation, formal written notice must be mailed to all landowners within a 1.6 km (1.0 mile) radius of a DP application for Aggregate Extraction/Processing at least 2 weeks prior to the application being considered by Council.

#### **Existing Permits for Aggregate Extraction/Processing or Similar Uses**

- ii) All existing valid Development Permits for Aggregate Extraction / Processing Development Permits remain valid, and their parcels do not require redesignation to this district unless a change to the scale, size and/or plan area of the Aggregate Extraction / Processing operation takes place that requires a new or amended Development Permit.
- jj) Redesignation will be required prior to expansion or changes to existing Aggregate Extraction / Processing Development Permits in accordance with the MDP.

#### **Other Approvals**

- kk) Aggregate Extraction/Processing is subject to provincial and/or federal approvals. As a condition of Development Permit approval, the developer shall ensure they are in compliance with all relative authoritative government agencies. Copies of any applicable approvals shall be incorporated as conditions of a Development Permit approval. This may include, but is not limited to *Historical Resource Act* approval, *Water Act* approvals or any other regulatory requirements.
- ll) Aggregate Extraction / Processing Development Permit applications shall be required to meet Alberta Environment's requirements for *Code of Practice for Gravel Pits*.
- mm) Aggregate Extraction / Processing Development Permit operations shall be in accordance with the *Alberta Environmental Protection and Enhancement Act and Regulations* for conservation and reclamation.
- nn) Aggregate extraction operations shall be reclaimed in accordance with the approved Provincial site reclamation plan.

## **11.22 Direct Control - Communal Settlement (DC-CS) District**

### **Purpose and Intent**

The purpose and intent of this District is to provide for unique instances where there is a communal settlement that is designed and comprehensively planned for multi-unit housing, located within a predominantly agriculturally-focused, rural area of the County. These communities are partially self-sufficient with minimal integration with adjacent parcels and encompass most aspects of a community relating to industry, education, housing and recreation solely for their own long-term residents.

### **District Overview**

For the purposes of this District, the location of the uses is referred to as a communal settlement development in its entirety, while the individual specific uses requiring Development Permits that form this type of development are listed below. For example, if there is an existing communal settlement, additional uses that are proposed at a later date would apply for a Development Permit for the specific use.

For a new communal settlement, the applicant can apply for one master Development Permit application for a Communal Settlement District that encompasses all uses.

### **Exempt, Permitted and Discretionary Uses**

- a) The following uses shall be Exempt Uses, Permitted or Discretionary with or without conditions provided that the application complies with the regulations of this District and Bylaw:

<b>Exempt Uses (No Development Permit Required)</b>	
Note: "Exempt" means development that does not require a Development Permit if it meets all the provisions of the Bylaw. For additional guidance and other uses refer to Section 3.2: Development Permits Not Required	Private Greenhouse (less than 23.2 square metres (250 sq ft) as an accessory building)
Agricultural Operation	Propane/Fuel Tanks in compliance with Safety Codes legislation
Accessory building not exceeding 23.2 square metres (250 sq ft);	Retaining Wall (provided the retaining wall is not located within 30 metres of an escarpment and is not more than 1.0 metres at the highest point)
Construction Trailer	Stripping & Grading (as part of approved development)

Construction and maintenance of that part of a utility placed in or upon a public right-of-way or public utility easement;	Signs Exempt as Per Section 10.2
Deck/Patio (provided it complies with lot coverage and setback regulations)	Solar Collector < 30 kW: attached to a wall or roof of a building
Demolition (in accordance with Section 3.2)	Temporary Sea-Cans in accordance with regulations of Section 9.28
Dugouts, fishponds, driveways	Telecommunications Tower
Flagpoles, Towers or other poles that don't exceed 5.0m (16.4 ft.)	Temporary Use of Building for Emergency Purposes or Election Purposes
Landscaping that does not impact drainage	
Personal Use Agriculture	

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
Accessory Building	Additional Accessory Building(s) beyond those listed as Permitted Uses
Agricultural / Farm Building	Agricultural Processing – Major
Agricultural Operation	Agricultural Support Services
Agricultural Processing – Minor	Agriculture (Regulated)
Direct Market Sales	Cemetery
Farm Subsidiary Business	Child Care Facility
Home Occupation – Minor	Communal Settlement Development
Sea-Can	Cultural Facilities
Solar Collector < 30 kW: free-standing	Dwelling – Duplex
WECS-small	Dwelling – Multi Unit
	Dwelling – Single Detached
	Educational Services
	Equestrian Facility
	Essential Public Service
	Home Occupation – Major
	Livestock Sales Yard
	Outdoor Storage
	Public Utility
	Public or Quasi-Public Use
	Solar Collector > 30kW
	Stripping & Grading

### Site Regulations

b) The following regulations shall apply to all approved development within this District:

Minimum Parcel Size	32.37 ha (80.0 ac)
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Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 15% of the total lot coverage
Front Yard Setbacks	50.0 m (164 ft) from the centre-line of a public road
	15.0 m (49.2 ft) from the right-of-way of an internal subdivision road
Side Yard Setbacks	15.0 m (49.2 ft) from an adjacent property line
Rear Yard Setbacks	15.0 m (49.2 ft) from the rear property line
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation and Economic Corridors or 70.0m (229.66 ft), whichever is greater, from the centre-line of the highway right-of-way.
Maximum Building Height	At the discretion of the Development Authority
Maximum Density	The maximum number of Dwelling-Multi Unit buildings shall be eight (8) and the maximum # of units per building shall not exceed (8).  This means the maximum potential density of units on a parcel shall be sixty-four (64) total units.

**Site Plan**

- c) An application for a new Communal Settlement Development shall incorporate a site plan of all proposed uses that are clearly labelled and comply with all other regulations of this Bylaw.

**Servicing**

- d) All proposed servicing must be clearly outlined, and the necessary technical studies/reports shall be provided that support the proposed development and anticipated total population upon build-out to the satisfaction of the Development Authority.

**Setbacks**

- e) An application shall be a minimum of 400.0m from any other dwelling units that are not part of the communal settlement development and on a different parcel.
- f) If a variance is proposed to the setback from adjacent dwelling units on parcels that are not a part of the communal settlement development, consultation with the impacted parties shall be undertaken to the satisfaction of the Development Authority and potential mitigation measures integrated into the application and site plan.

## **PART 12: HAMLET OF NORDEGG LOT AND BUILDING DESIGN REGULATIONS**

### **12.1 Applicability**

- 12.1.1. The regulations of this section shall apply to all lots and development that falls within the boundaries of the Hamlet of Nordegg, unless otherwise exempted in this Part. Where any regulation in this Part may be in conflict with any regulation in a District, the regulation in this section shall take precedence at the discretion of the Development Authority.
- 12.1.2. As per Policy 12.1.1, lands that fall within the Hamlet of Nordegg are outlined as per the attached Hamlet of Nordegg Map.

### **12.2 Design, Character and Appearance of Buildings**

- 12.2.1. Building design shall incorporate a mix of natural materials that complement the natural area and surrounding site context of other buildings and landscapes within the Hamlet of Nordegg.
- 12.2.2. No Dwelling – Manufactured shall be allowed in the Hamlet of Nordegg except for in the Manufactured Home Subdivision.
- 12.2.3. Applications for new development within the Hamlet of Nordegg shall outline how the plans incorporate identified design elements from statutory and non-statutory area structure plans, redevelopment plans or urban design plans that are applicable to the subject lot in addition to the considerations outlined in this Bylaw.
- 12.2.4. Any architectural controls or guidelines that have been approved by the County and/or are registered against a specific lot must be incorporated into the design of new buildings that they apply to.
- 12.2.5. Within the historic core, buildings should be broken up with smaller facades and architectural detailing that ties in the history of the town, the former mine and other historical elements.
- 12.2.6. All buildings added to a lot shall be new unless otherwise approved by the Development Officer.
- 12.2.7. Other regulations, guidelines or development controls may be established by the County for any new development within this hamlet.
- 12.2.8. All foundations for permanent dwellings and garages must be permanent in nature.
- 12.2.9. All development shall be reviewed in accordance with the Nordegg Development Plan and the associated Nordegg Development Plan – Design Guidelines.

12.2.10. No two similar elevations or colors shall be within 4 properties of one another on the same side of the street or across the street within the residential areas of the historic core.

### **12.3 FireSmart Considerations**

12.3.1. In addition to the FireSmart regulations outlined in Part 8 of this Bylaw, applications exterior wall materials, such as, but not limited to: tile, metal or asphalt shingles (for roofs) and stucco, rock, brick, hardie board, cement board or engineered wood (Can Excel) or aluminum siding (for exterior walls).

12.3.2. Wooden shakes and shingles are prohibited as a roofing material within the Hamlet of Nordegg.

12.3.3. A building envelope shall be provided at the discretion of the Development Authority in the North Subdivision in the Hamlet of Nordegg. The building envelope will govern the location of permissible site clearance, within which building may occur.

12.3.4. within the Hamlet of Nordegg shall be required to utilize fire retardant roofing and The purpose of the building envelope is to develop a defensible space to protect structures from approaching wildfire as well as to reduce the potential for a structure fire spreading to the wildland.

a) The building envelope shall provide a minimum defensible space of 9.14 metres (30 ft) around the perimeter of any buildings, shall be initially approved by the municipality and shall be provided and maintained by the property owner.

b) No other clearing may take place without additional development approval.

### **12.4 Landscape Design**

12.4.1. No trees or other vegetation shall be removed from lots within the Hamlet of Nordegg without an approved Development Permit for the subject site and the proposed trees for removal identified as part of the approved plans for the subject development permit. This does not include trees located directly along a fence line. Tree removal for trees located directly along a fence line is allowed.

12.4.2. A tree protection plan may be required as a condition of Development Permit approval for existing trees that are to be retained on a lot through the development process.

12.4.3. Fences with natural materials (wood, iron, stone, etc.) which is complimentary to the principal building; to a maximum height of five feet are allowed. No barbed wire and/or chain link is permitted.

12.4.4. No bee, fruit trees or any other species that the Development Authority determines may attract bears shall be incorporated into landscaping within the Hamlet of Nordegg.

- 12.4.5. No excavation shall be permitted or carried out on any property except as required for the construction of buildings, or the installation of utilities, or for landscaping. No sand, gravel, or earth shall be removed except as required for the aforesaid purposes.
- 12.4.6. All dwellings or other buildings in the North Nordegg Subdivision shall have one metre of rock placed around the outside perimeter in addition to rock being placed under the deck.

## **12.5 Utilities**

- 12.5.1. All electrical services from a transformer to a building shall be located underground.

## **12.6 Servicing**

- 12.6.1. Properties designated Leisure Residence (LR) District within the Hamlet of Nordegg shall only have individual treated water cisterns and sewage pump-out tanks. Private water wells or private sewage treatment systems are not permitted on parcels designated Leisure Residence (LR) District within the Hamlet of Nordegg.

## **12.7 Outdoor Storage & Waste Enclosures**

- 12.7.1. Outdoor storage for commercial, recreational, institutional, industrial or multi-residential uses shall be discouraged unless it incorporates sufficient landscape buffering to the satisfaction of the Development Authority.
- 12.7.2. No outdoor storage for single-detached dwellings is permissible unless it will be sufficiently screened within a rear or side yard to the satisfaction of the Development Authority within the residential areas of the historic core.
- 12.7.3. Waste enclosures shall be fully screened and buffered with either low-maintenance fencing and/or landscaping that hides the enclosures from the public realm. They should be located in the rear or side yard, except in exceptional circumstances at the discretion of the Development Authority.
- 12.7.4. Semi-underground waste disposal containers are encouraged in new developments.
- 12.7.5. Composting is not permitted.
- 12.7.6. No person shall knowingly leave or store any refuse, food product, pet food, birdseed, grain or salt in a manner which could constitute a lure, attraction or enticement of wildlife.

## **12.8 Outdoor Lighting**

- 12.8.1. Outdoor lighting shall incorporate dark sky principles and be designed in a manner that complements the natural area and fits within the site context.
- 12.8.2. Lighting hardware shall incorporate natural materials and earth tones.

## **12.9 Signage**

- 12.9.1. All signage within the Hamlet of Nordegg shall incorporate natural elements and design considerations that consider the natural area and local site context.
- 12.9.2. All signs are subject to the approval of the Development Officer. In considering a development application for a sign, the Development Officer shall ensure that the proposed sign is consistent with the natural setting of the area and shall have due regard to the visual impact of the sign in relation to features of the site and the surrounding area. The Nordegg Development Plan – Design Guidelines should be referenced when approving a sign within the Hamlet.

## **12.10 Site Design**

- 12.10.1. Given the steep terrains within the Hamlet of Nordegg, development applications shall include and identify design elements that ensure access to a range of abilities to ensure fully accessible developments.
- 12.10.2. View corridors should be identified through the site planning process and incorporated into master plans for more comprehensive developments as well as be considered for smaller-scale developments within the Hamlet of Nordegg.
- 12.10.3. Parking lots should incorporate native landscaping and be broken up into smaller nodes that have no more than 15 adjacent parking spaces without a landscape island.
- 12.10.4. Parking shall be effectively screened and/or located in the rear of buildings in Hamlet Commercial areas.

## **12.11 Storage & Unsightly Premises**

- 12.11.1. One holiday trailer/recreation vehicle or commercial vehicle may be parked or stored on a lot in this district.
- 12.11.2. No abandoned vehicles, machinery, or other unsightly items shall be kept or stored on any property, except within a building, with the intent that all properties shall be kept in a neat, clean, and presentable condition.

## Definitions

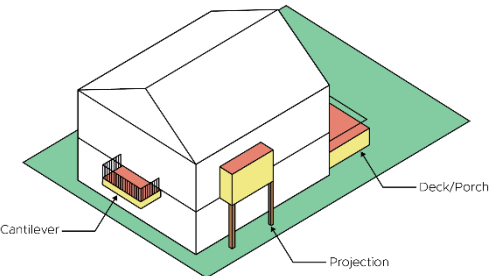
<b>Abattoir</b>	is a facility that is used for the slaughtering of animals and processing of meat products. It is also referred to as a slaughterhouse. See Agriculture (Regulated).
<b>Accessory Building</b>	<p>a building that is separate from and subordinate to the main building on the same parcel of land and used for purposes customarily incidental or subordinate:</p> <p>(a) to the use and enjoyment of the main building; or</p> <p>(b) to the use and enjoyment of the parcel of land on which said buildings are situated, and with regard to a residential use, typical structures may include garages, personal greenhouses, sheds, swimming pools, frame and fabric structure (tarp shelter); and,</p> <p>(c) is not a recreation vehicle, guest house or secondary suite.</p> <p>When a building is attached to the principal building by a roof, floor or foundation above or below grade, it is considered to be part of the principal building.</p>
<b>Accessory Use</b>	a use that is subordinate or incidental to the primary use on a parcel. Examples may include a concession for the primary use of a recreational facility, a home-based business that is subordinate to the primary use of a dwelling used for residential purposes or other similar minor-scale uses that complement a primary use on a parcel.
<b>Act</b>	see the <i>Municipal Government Act (MGA)</i> definition.
<b>Adjacent Land</b>	land or a portion of land that is bordering to the parcel of land that is the subject of an application and includes land or a portion of land that would be adjacent to if not for a public roadway, railway, utility right-of-way, river or stream and in the opinion of the Development Authority, any additional lands.
<b>Administration</b>	the Chief Administrative Officer (CAO) and all municipal employees under the CAO's authority.
<b>Aggregate</b>	gravel, sand, clay, earth, shale, marl, peat, stone, limestone, sandstone, marble, granite, or other non-mineral natural resources or non-metallic ore.
<b>Aggregate Extraction/Processing</b>	development for the removal, extraction, processing and transmission of Aggregate for commercial purposes.

<b>Agricultural Building</b>	a building exclusively used for the housing of livestock, the storage and repair of farm machinery or equipment, the storage of farm produce or feed for livestock or any other agricultural uses.
<b>Agricultural Operation</b>	<p>an agricultural activity (other than a Confined Feeding Operation under the jurisdiction of the NRCB) conducted on agricultural land for compensation/financial benefit and includes:</p> <ul style="list-style-type: none"> <li>a) the cultivation of land</li> <li>b) the raising of livestock, including game-production animals within the meaning of the <i>Livestock Industry Diversification Act</i> and poultry.</li> <li>c) the raising of fur-bearing animals</li> <li>d) the production of agricultural field crops</li> <li>e) the production of fruit, vegetables, sod, trees, shrubs, and other specialty horticultural crops,</li> <li>f) the production of honey</li> <li>g) the production of eggs and milk</li> <li>h) the operation of agricultural machinery and equipment, including irrigation pumps, and</li> <li>i) the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes.</li> <li>j) the growing of sod or trees; and</li> <li>k) the use of hydroponics for food production</li> </ul> <p>A Cannabis Production Facility is excluded from this use.</p>
<b>Agricultural Processing - Major</b>	<p>a large-scale business operation that includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. Due to the large-scale nature of the business, the agricultural products may be produced on-site or offsite. May produce some offsite impacts such as noise, appearance, or odour.</p> <p>A Cannabis Production Facility is excluded from this use.</p>
<b>Agricultural Processing - Minor</b>	<p>includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. These minor operations are intended to primarily use agricultural products which are produced onsite. Should not produce any offsite impacts.</p> <p>A Cannabis Production Facility is excluded from this use.</p>
<b>Agricultural Support Services</b>	development providing products or services directly related to the agricultural industry. This use would include the sale and storage of

	seed, saddlery, feed, fertilizer, chemical products, fuel, and agricultural machinery. It may also include the sale of products that are utilized in agricultural operations, including but not limited to raw material sales such as lumber for fence posts or prefabricated animal shelters.
<b>Agriculture (Regulated)</b>	a use where the intensity of agriculture operations has significant land or water demands and may include off-site impacts that are licensed under provincial or federal regulations. Typical uses include abattoirs, and fertilizer plants.  A Cannabis Production Facility is excluded from this use.
<b>Agri-Tourism Business</b>	a use, accessory to the principal agricultural use, that brings additional visitors to a primarily agricultural parcel over and above the site visits generated by the principal agricultural activity(ies). These accessory uses are predominantly educational, retail, recreational and entertainment focused. This use is seasonal in nature and may include facilities for the retail sales of agricultural products on the same site as where the product is produced and/or, the use of features or facilities located on the land. Examples may include a corn maze, petting zoo, informational centre related to agricultural activities, bouncy houses, potato sack slides, mini golf, playground activities, miniature trains, pedal karts, and sandboxes.
<b>Airport</b>	any area of land or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, hangar, installation, or equipment in connection therewith, for which an airport license has been issued by Transport Canada.
<b>Alcohol Production</b>	a use where beer, spirits and other alcoholic beverages are manufactured that may have a seating area where products made on the premises are provided to private groups for tasting and consumption as a special event and are sold to the general public for consumption on the premises and that may include the retail sale of products. Typical uses include breweries, distilleries, wineries, and meaderies.
<b>Alternative/ Renewable Energy, Facility</b>	a use that produces energy and, in some cases, other marketable by-products depending on the process utilized. Energy may be derived from natural and/or non-traditional sources (e.g. geothermal, solar, water, wind, tides, waste, etc.) and once produced, it is sold and distributed off-site (commercial) to the marketplace.
<b>Amenity Site</b>	a small local site for public use and enjoyment, including but not limited to small day use parks, historical and cultural sites, special viewing points and rest features at trailheads and along trails.
<b>Ancillary Building</b>	See Accessory Building definition.

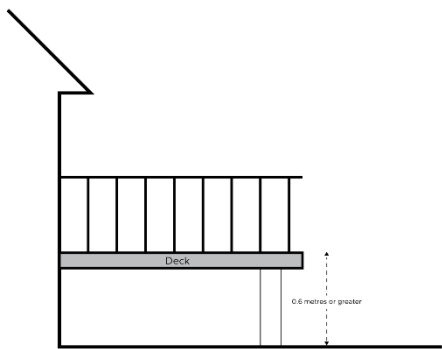
<b>Ancillary Use</b>	See Accessory Use definition.
<b>Apartment</b>	a vertical, multi-unit dwelling unit. See Dwelling - Multi-Unit definition.
<b>Approving Authority</b>	the appropriate decision-making authority responsible for implementing a specific regulation of this Bylaw. Specifically, it may refer to the Development Authority, Subdivision Authority, Subdivision and Development Appeal Board, Council or another entity such as the Land and Property Rights Tribunal (LPRT) depending on the context.
<b>Artisan Studio / Shop</b>	the use of a premises for the creation and production of arts or crafts for sale to the general public and includes, but is not limited to the small scale production of pottery, sculpture, painting, garment makers, tailors, jewelers, shoe repair, soap or candle production and similar arts and crafts which do not include the use of toxic or hazardous materials, result in excessive noise or require the outdoor storage of materials.
<b>Automotive and Equipment Services</b>	development used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of automobiles, farm equipment, trucks, trailers, motorcycles, snowmobiles, tent trailers, boats or recreation vehicles. Uses and facilities would also include transmission shops, muffler shops, auto body paint and repair facilities and fleet services.
<b>Automotive Test Track</b>	a development for the testing of automobiles on a test track. This may involve racing, stunt driving and the operation of motor vehicles at higher speeds than are typically allowed on public roadways.
<b>Backyard Beehive</b>	a collection of hives or colonies of bees kept for their honey production that is small in scale and located within the rear yard of a residential property.
<b>Bank</b>	the line separating the Crown-owned bed and shore from the adjoining upland as determined by a Qualified Professional and as determined by the <i>Surveys Act</i> .
<b>Bareland Condominium</b>	a parcel of land that is individually owned units, a common area and is governed by a condominium corporation. This means that the owner of a bareland condominium is responsible for maintaining their own property, but also shares in the responsibility and cost of maintaining common areas and facilities
<b>Basement</b>	a storey or storeys of a building constructed partially or entirely below ground.
<b>Basement Suite</b>	a separate dwelling unit located within the basement of a principal dwelling. See Dwelling - Secondary Suite definition.

<b>Boat house</b>	an accessory building utilized for the storage and/or maintenance of a personal boat or other watercraft. See Accessory Building definition.
<b>Borrow Pit</b>	a hole, pit or excavation that is dug for the purposes of removing gravel, clay, soil or sand to be used in a construction project.
<b>Brewery</b>	a development utilized to produce beer. It may also include the sale of beer produced on-site in alignment with AGLC regulations. See Alcohol Production definition.
<b>Buffer</b>	a row of trees, shrubs, berm, fence or other barrier and/or the use of land to create a visual screen and/or noise and nuisance attenuation for separation between sites, districts, roadways and differing uses.
<b>Building</b>	any structure used or intended for supporting or sheltering any use or occupancy.
<b>Building Area</b>	the total ground floor area and/or footprint of a building or structure with or without walls, inclusive of additions, covered and/or enclosed decks, porches, verandas and/or lean-tos.
<b>Building Footprint</b>	the area on a property or site occupied by a building structure, defined by the perimeter of the building's exterior walls or foundation.
<b>Building Grade</b>	the ground elevation established for the purpose of regulating the number of stories and the height of a building or structure. If the ground is not completely level, such as for dwellings with walk-out basements or other similar situations, by averaging the elevation of the ground for each face of the building.
<b>Building Height</b>	the vertical distance from grade level at the exterior wall to the highest point of a building. On sloping ground, building height shall be considered as the average of the highest and lowest grades. For example, a house with a walk-out basement would be calculated based on calculating the height from the building grade based on averaging the elevation of the ground for each face of the building.
<b>Bylaw</b>	the approved Land Use Bylaw for Clearwater County.
<b>Bylaw Officer</b>	an individual employed by the County in the position of Bylaw Officer.
<b>Campground - Major</b>	the development of planned campsites for the use of recreation vehicles, campers, tents and commercial guest cabins where there are 21 or more defined camping sites, including group sites for multiple units, within the development area of the land.
<b>Campground - Minor</b>	the development of planned campsites for short-term seasonal use of recreation vehicles, campers, tent trailers, tents and similar recreation vehicles where there are 20 defined camping sites or less within the development area of land and are not used for residential

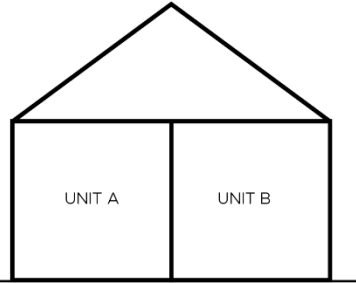
	uses. A campground minor may include a potable water supply or sewage disposal facilities.
<b>Campsite</b>	a defined area for the use of recreation vehicles, campers, tents and commercial guest cabins.
<b>Cannabis</b>	cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis seeds and any other substance defined as cannabis in the <i>Cannabis Act</i> (Canada) and its regulations, as amended from time to time.
<b>Cannabis Lounge</b>	a development, or any part thereof, licensed to sell cannabis to the public, for consumption within the premises as authorized by Federal or Provincial Legislation, as amended from time to time.
<b>Cannabis Production Facility</b>	the use of land, or buildings for the cultivation, processing, testing, destruction, packaging and shipping of cannabis as permitted and licensed by the Federal Government of Canada.” This does not include personal production of cannabis as provided for by the federal government but includes micro-growing.
<b>Cannabis Retail Sales</b>	a retail store that sells cannabis and cannabis-related products in accordance with AGLC regulations. See Restricted Substance Retail definition.
<b>Cantilever</b>	a rigid structural element in a building that extends horizontally and is unsupported at one end. (Ex. Balcony)  
<b>Casino</b>	a facility where the principal use is gambling and may include poker tables, slot machines and other gaming opportunities that involve betting or games of both skill and luck. These facilities are regulated by the AGLC.
<b>Cemetery</b>	land that is used for the burial of human or animal remains. Typical uses are memorial parks and burial grounds. In the case of human remains, these developments are also regulated by the provincial <i>Cemeteries Act</i> .
<b>Chief Administrative Officer (CAO)</b>	the Chief Administrative Officer of Clearwater County or their designate.
<b>Change of Use</b>	a change from an existing use within a building to a different use. For example, a house that becomes utilized for a commercial development or a barn converted into a wedding venue would both be considered a change of use.

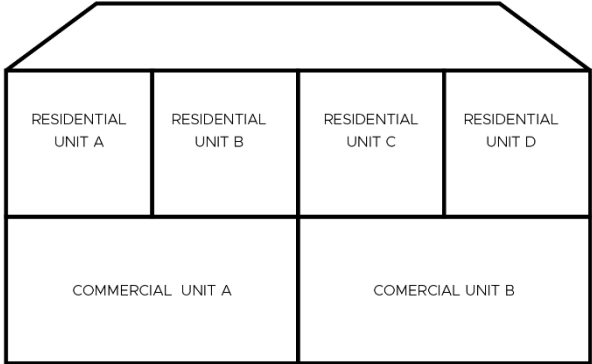
<b>Child Care Facility</b>	the use of a building or portion thereof for the provision of care, maintenance, instruction or supervision of seven or more children under the age of 13 years, by persons other than those related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all daycare centers, early childhood services, nurseries and after-school or baby-sitting programs which meet this definition. A license is required under the <i>Child Care Licensing Act</i> to operate a childcare program.
<b>Church</b>	a building for public worship and assembly, see Public or Quasi-Public Use definition.
<b>Commence</b>	the beginning or start of construction and/or the opening and operation of a business. Also referred to as commenced or commencement within this Bylaw.
<b>Community Hall</b>	a public facility utilized for public gathering, social events, private bookings and other potential accessory uses.
<b>Compassionate Care Facility</b>	a facility that is used for rehabilitation for individuals that may have addiction challenges to substances such as drugs or alcohol. It also includes detoxification facilities that seek to medically stabilize patients, minimize their withdrawal symptoms, prevent the potentially harmful effects of withdrawal and provide transitional services to other standards of care. It may include temporary overnight accommodations or other treatment options for the care of individuals facing addiction challenges.
<b>Composting Facility</b>	a development used to collect and process organic matter into compost. A composting facility may include the storage of un-composted organic matter, sorting and packaging facilities and sales of compost.
<b>Communal Settlement Development</b>	a comprehensive communal living development that includes multi-unit dwellings, educational, employment, agricultural and childcare uses within a defined area in the rural areas of the County. These developments are partially self-sufficient, isolated from more urban areas and maintain a long-term population with no tourism or recreational elements. Services are primarily for residents of the community.
<b>Conceptual Scheme (Concept Plan)</b>	a conceptual scheme adopted by the municipality that <ul style="list-style-type: none"> <li>i) relates a Subdivision application to the future subdivision and development of adjacent areas, and</li> <li>ii) has been referred to the persons to who the Subdivision Authority must send a copy of the complete application for subdivision pursuant to the Subdivision and Development Regulations.</li> </ul>

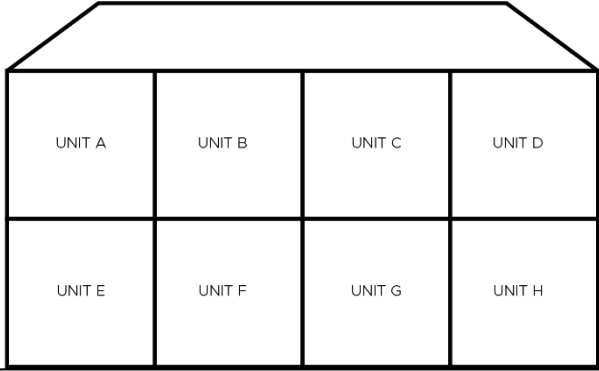
<b>Condominium</b>	that type of property ownership of a parcel and/or building(s) comprised in a condominium plan, having more than one title, each having exclusive title to an individual unit in the building(s) or to a portion of the parcel and also shared ownership of the remainder of the building(s) and/or parcel.
<b>Condominium Unit</b>	(a) in the case of a building, a space that is situated within a building and described as a unit by a condominium plan by reference to floors, walls and ceilings within the building; and (b) in the case of other than that of a building, land and any portion of building thereon that is situated within a lot and described as a unit in a condominium plan by reference boundaries governed by monuments placed pursuant to the <i>Survey Act</i> .
<b>Confined Feeding Operation</b>	as defined by the <i>Agriculture Operation Practices Act</i> means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, racetracks or exhibition grounds. This use is also known as a feedlot. These developments fall within the jurisdiction of the NRCB.
<b>Construction Camp</b>	is intended to house construction crews, work crews, and/or support staff on a temporary, part time, or shift-by-shift basis. Consists of portable and mobile accommodation units or trailers with or without kitchen facilities. Also known as a work camp.
<b>Corner Lot</b>	a lot having a frontage on two or more roads other than a lane at their intersection or junction.
<b>Council</b>	the elected council of Clearwater County.
<b>County</b>	the corporation of Clearwater County and where required by the context shall include all lands within the corporate boundaries of the said County.
<b>Crown Land</b>	land of the Crown (provincially and federally owned that includes the bed and shores of all permanent and naturally occurring water bodies and water courses).
<b>Cultural Facilities</b>	development for the display, collection and storage of artistic, musical, historical and library materials. They aim to promote the understanding and appreciation of history, peoples, cultures and the arts, and may include performance, learning and practice facilities. Facilities that would fall under this definition include museums, libraries, art galleries, auditoriums, amphitheatres, concert halls and theatres.

<b>Dark Sky Principles</b>	Prioritize minimizing light pollution by using light only when and where it is needed, directing it downward, and using warmer colour temperatures.
<b>Data Processing Centre</b>	a building, dedicated space within a building of which it is the principal use, or a group of buildings used to house computer systems and associated components for the digital transactions required for processing, cleaning or mining data. It may involve understanding data through cleaning raw data, finding patterns, creating models, and testing those models. This includes, but is not limited to cryptocurrency, non-fungible tokens, artificial intelligence and blockchain transactions.
<b>Day Home</b>	a childcare business providing care to not more than six (6) children, not including the person's own children that is operated by a resident of a dwelling within that dwelling.
<b>Deck</b>	<p>an unenclosed leisure area or platform built of concrete, brick, wood or other materials and constructed on piers or a foundation above grade that may be attached to a dwelling and is intended for the purpose of outdoor dining, lounging, and other similar accessory uses. See Development Permit Not Required Section for more information.</p>  <p>The diagram shows a cross-section of a deck. It consists of a horizontal platform labeled 'Deck' supported by several vertical piers. A dashed vertical line indicates the height from the ground level to the top of the deck, labeled '0.6 metres or greater'. An arrow points from the text 'Deck' in the table to the platform in the diagram.</p>
<b>Deck (enclosed)</b>	Enclosed decks (roof and walls) are considered part of the principal building.
<b>Defensible Space</b>	defensible space, a key component of FireSmart programs, involves creating a fire-safe buffer around your home and property. This involves reducing flammable vegetation and ensuring the area is cleared of potential fire ladders and sources of ignition.
<b>Development</b>	<p>a) an excavation or stockpile and the creation of either of them,  b) a building or addition to, or replacement of a building and the construction or placing in, on, over or under land of any of them,  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 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.</p>

<b>Development Authority</b>	the Development Authority as per the powers authorized under Section 2.1 of this Bylaw.
<b>Development Agreement</b>	a legally binding contract between a developer and Clearwater County outlining the obligations of the developer with respect to a specific development. This is typically required as a condition of a Development Permit.
<b>Developer</b>	defined as an individual(s), corporation or other form of organization that obtains or seeks to obtain improvements to a property through statutory plan approvals, land use redesignation changes, subdivision and/or through development as defined in the <i>MGA</i> . This term is typically used for the landowner of the subject property but may be applicable in other instances such as a lessee proposing improvements on a parcel of land.
<b>Developable Area</b>	the area within a parcel that can be developed in accordance with the setback and all other regulations of this Bylaw, registered easements or right-of-ways on the land title and other statutory plan or other regulations or limitations legally in place on the subject parcel. <div data-bbox="1036 772 1399 1054" data-label="Diagram"> <p>The diagram illustrates a rectangular parcel with a diagonal line representing a 'PUBLIC RIGHT OF WAY' on the left side. Inside the parcel, there is a smaller shaded rectangle representing the 'BUILDABLE AREA OF A PARCEL'. The space between the outer boundary of the parcel and the inner shaded rectangle is labeled 'SETBACKS'. The inner shaded rectangle is labeled 'DEVELOPABLE SPACE'.</p> </div>
<b>Development Officer</b>	a person authorized to act with the full authority and powers of a Development Officer as outlined in the Authorities section of this Bylaw.
<b>Development Permit</b>	a document authorizing a development issued pursuant to this Bylaw.
<b>Dilapidated</b>	a building or object in a state of disrepair or ruin as a result of age or neglect.
<b>Direct Control</b>	a district in which Council regulates and controls the use or development of land or buildings within in the district in any manner it considers necessary and in which Council may decide on a Development Permit application or may delegate the decision to a Development Authority with directions council considers appropriate.
<b>Direct Market Sales</b>	a personal endeavour for the direct sale of goods, produce or other items produced or harvested on a specific lot and sold directly to the public from that lot (i.e. seasonal sales of produce, eggs or honey from a roadside stand). Direct Market Sales is considered a hobby activity and does not fall within the definition of Agricultural Building, Agricultural Operation, Agricultural Processing – Major,

	Agricultural Processing – Minor, Agricultural Support Services, Agriculture (Regulated), Agri-Tourism Business.
<b>Discretionary Use</b>	a use of land or a building provided for in this Bylaw for which a Development Permit may be issued upon an application having been made.
<b>Dugout</b>	the excavation of land that results in man-made features that entrap water for general agricultural purposes, but does not include ornamental ponds, stormwater ponds, private lakes or sewage lagoons. A dugout is classified as having a depth of at least 1.0 m (3.28 ft). Developments with a depth of less than 1.0m are considered a fishpond. Dugouts shall be in conformance with provincial legislation.
<b>Dwelling Unit</b>	a building or portion of a building containing one or more habitable rooms that constitute a self-contained living accommodation unit having sleeping, kitchen and bathroom facilities.
<b>Dwelling - Airport Suite</b>	a dwelling unit used for accommodations, whether permanent or temporary within an airport. The dwelling unit must be located within a hangar.
<b>Dwelling - Bed and Breakfast</b>	a secondary commercial use of a dwelling unit in which the occupant rents or leases a room or a suite of rooms for short-term accommodations with meals provided to overnight guests. This class of use does not include a boarding facility, hotel, motel and/or guest house, but does include dude ranches or vacation farms in agricultural districts
<b>Dwelling - Boarding House</b>	a building or portion thereof containing sleeping rooms without kitchen facilities, where lodging and/or meals for three or more persons is provided for compensation but does not include a hotel.
<b>Dwelling - Staff Housing</b>	development provided by an employer which consists of a building or portion thereof, for the purpose of housing employees working on or off the property
<b>Dwelling - Duplex</b>	a development with two dwelling units that are located adjacent and attached to each other with each unit having a separate exterior access. <div style="text-align: right; margin-top: 10px;">  </div>
<b>Dwelling - Guest House / Room</b>	a building or portion of a building separate from the main building that contains sleeping accommodations, but no kitchen, and is available to guests of the primary residence, without compensation.

	A guest house is not a recreation facility, nor is it an accessory use. A guest house / room is not a secondary suite.
<b>Dwelling - Single Detached</b>	a development containing one dwelling unit within a single building. This use category includes modular dwellings.
<b>Dwelling - Leisure Residence</b>	a dwelling unit suitable for residential use only seasonally or occasionally during leisure or holiday time and generally lacking in one or more of the components, conveniences or utilities required for all year occupancy.
<b>Dwelling - Manufactured</b>	a residential building containing one dwelling unit built in a factory in one or more sections, designed to be transported on either its own wheels and chassis or other means to a suitable site, and placed on either a temporary or permanent foundation and connected to utilities for long-term occupancy.
<b>Dwelling - Relocated</b>	a Dwelling - Single Detached that has previously been used as a residence that has now been relocated to a new parcel for the purpose of a Dwelling - Single Detached.
<b>Dwelling - Mixed Use</b>	<p>a building used partly for residential use and partly for commercial use. An example of a mixed-use building would be a two or three-storey apartment building with commercial uses on the main floor and dwelling units on the top storeys. The commercial area of a mixed-use building would have its own entrance and be completely separate from residential uses in a mixed-use building.</p>  <p>The diagram illustrates a cross-section of a mixed-use building. The top floor consists of four rectangular units labeled 'RESIDENTIAL UNIT A', 'RESIDENTIAL UNIT B', 'RESIDENTIAL UNIT C', and 'RESIDENTIAL UNIT D' from left to right. The ground floor consists of two larger rectangular units labeled 'COMERICAL UNIT A' and 'COMERICAL UNIT B' from left to right. The building has a gabled roof structure.</p>

<p><b>Dwelling - Multi-Unit</b></p>	<p>a development that contains three or more dwelling units within a singular building or within multiple buildings that are connected through shared amenity areas, walkways or other features. This use could include townhomes, apartment buildings, fourplexes, row housing, clustered tiny home developments, triplexes or other unique dwelling arrangements.</p>  <p>The diagram shows a cross-section of a building with a gabled roof. The interior is divided into two rows of four rectangular units each. The top row units are labeled UNIT A, UNIT B, UNIT C, and UNIT D from left to right. The bottom row units are labeled UNIT E, UNIT F, UNIT G, and UNIT H from left to right.</p>
<p><b>Dwelling - Security / Surveillance</b></p>	<p>a dwelling unit or a portion of a building used solely to accommodate a person or persons whose function is to provide surveillance, maintenance and/or security for a specific development. The Dwelling - Security / Surveillance shall form part of the overall development and be accessory to the principal use on the site. These dwellings are typically occupied by employees of the subject development that is the principal use on the site.</p>
<p><b>Dwelling - Secondary Suite</b></p>	<p>development consisting of a self-contained dwelling unit providing sleeping, washroom and kitchen facilities, located in a single detached dwelling, which is the principle use on the site or in a separate smaller structure on a parcel. A secondary suite also has an entrance separate from the entrance to the principal dwelling either from a common indoor landing or directly from the side or rear of the structure. It includes the conversion of basement space to a dwelling, or the addition of new floor space for a secondary suite to an existing single detached dwelling. A secondary suite also includes a garage suite or any other standalone structure on a parcel that is smaller in size than the principal dwelling. A Dwelling -Secondary Suite shall not have an independent water and sanitary system.</p>
<p><b>Eating and Drinking Establishment</b></p>	<p>an establishment where food is prepared and served on the premises for sale to the public. Accessory activities may include entertainment and the serving of alcoholic beverages when licensed by the Alberta Gaming and Liquor Commission. Typical uses include restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands, take-out restaurants and catering services.</p>

<b>Educational Services</b>	a development for instruction and education purposes, involving assembly for education, training, instruction or retreat purposes and includes administration offices, dormitory and accessory buildings. Typical facilities would include public and separate schools, private schools or seminaries, community colleges, universities, technical and vocational facilities.
<b>Emergency Accommodations for the Unhoused</b>	a facility used for temporary emergency shelter for individuals in crisis related to financial status, abuse, family violence, homelessness or other similar personal challenges that result in them needing a temporary dwelling. This use also includes accessory uses associated with the care and assistance for these individuals.
<b>Entertainment and Event Venue</b>	a facility or use on a parcel for rental by individuals for compensation for specific events. Uses may include weddings, anniversary parties, corporate parties, rodeo parties and other functions. This includes barns or other structures utilized for the aforementioned activities or others commercial in nature for entertainment purposes.
<b>Environmental Reserve (ER)</b>	is determined in accordance with the <i>MGA</i> and Clearwater County’s Municipal Development Plan.
<b>Environmental Reserve Easement (ERE)</b>	is determined in accordance with the <i>MGA</i> and Clearwater County’s Municipal Development Plan.
<b>Environmentally Significant Areas</b>	are defined as areas that are critical to the long-term health and maintenance of biological diversity, physical landscape features, and/or other natural processes.
<b>Environmental Site Assessment</b>	are technical investigative reports to gather information about the history of a site, the potential for there to be contamination, and if there is, intrusive investigations to assess potentially affected areas of the site. They have escalating levels (Phase 1 to 3) dependent on the findings of a study and previous history of a site.
<b>Equestrian Facility</b>	Facilities (buildings, shelters and structures) at which horses are exercised or trained, boarded or participate in equestrian shows, jackpots, clinics and other activities for which the proprietor of the premises receives any form of compensation including in-kind compensation. Patrons may include but are not limited to clients, customers, groups, or the public. This definition is not applicable to personal/private riding arenas.
<b>Escarpment</b>	a slope where the grade exceeds 15% or is suspected of being unstable.
<b>Essential Public Service</b>	a development that is necessary for the continued health, safety and/or welfare of people, both residents of the County and visitors thereto. This includes, but is not limited to, fire stations, post offices, police stations, emergency medical stations, governmental

	offices/agencies, large-scale public hospitals, buildings and structures essential to the operation/maintenance of public utilities and infrastructure.
<b>Excavation</b>	to dig a hole or cavity on a parcel of land by removing soil from the ground.
<b>Existing Building Site</b>	for parcels of land on which the principal use is residential, the position on a parcel of land at which the existing or principal dwelling and associated accessory buildings are located; and, for parcels on which the principal use is agricultural, includes the area generally described as a farmstead or yard, sometimes partially or entirely enclosed by shelter belt.
<b>Existing Residence and Other Related Improvements</b>	a detached (single) dwelling unit that is in good repair, is suitable for human habitation, with its own existing services including but not limited to a potable water supply and sewage disposal, and that has legal and physical access satisfactory to the County and may include accessory buildings and shelter belt up to a maximum site area of 3.0 hectares (7.41 acres).
<b>Farm Subsidiary Business</b>	a business for an occupation, trade, profession or craft approved in accordance with this Bylaw to be carried out on the parcel as a use secondary and subordinate to the agricultural use. This shall not include a Cannabis Production Facility.
<b>Farmer's Market</b>	a market which has a primary use of selling goods produced in agricultural operations. A farmer's market should operate on a regular, but temporary basis and can include the use of a building, structure, lot, portable washrooms and displays for the purpose of selling any or all the following: produce, meat, fish, seafood, grains, baking, flowers and crafts. A farmer's market may also include temporary retail of other goods and the sale of food to be consumed within the premises of the farmer's market. The sale of Cannabis is excluded from this use.
<b>Farmstead</b>	a single improved building site on a parcel of land used for farming, and served by a common electrical power transformer, and containing a habitable dwelling and may include other dwellings, various accessory buildings, improvements and a shelter belt.
<b>Fence</b>	a physical barrier constructed to prevent unauthorized access, provide sound attenuation, define property boundaries, control animal movements or minimize sightlines.
<b>Fishpond</b>	a man-made water feature created for aesthetic purposes as a component of a lot's landscaping. All water bodies that have a constructed depth of less than 1.0 m (3.28 ft) may be considered a fishpond. It is not to be used for stormwater management purposes.

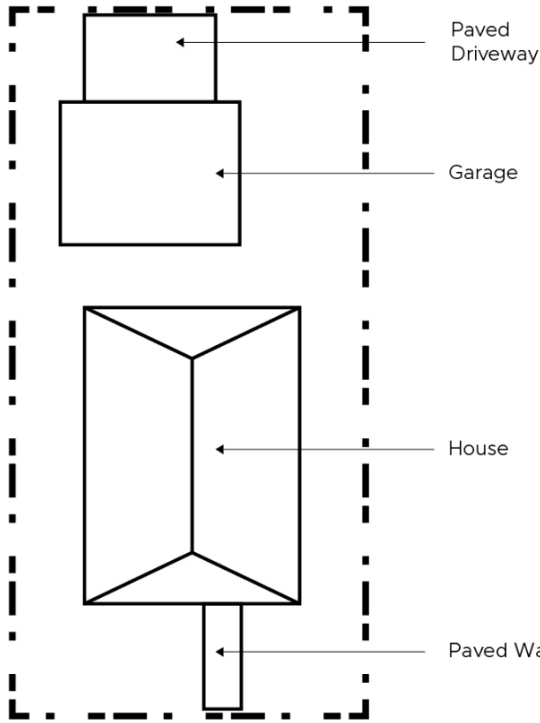
<b>Flood Fringe</b>	the land along the edges of the flood risk area that has relatively shallow water (less than 1m deep with lower velocities (less than 1m per second)).
<b>Floodway</b>	the area within which the entire design flood can be conveyed while meeting certain water elevation rise, water velocity and water depth criteria. Typically, the floodway includes the river channel and some adjacent overbank areas.
<b>Floodplain</b>	land adjacent to a water body that is subject to periodic flooding. Also known as flood prone lands. It includes both the flood fringe and floodway. A 1:100-year floodplain, which results from a flood having a 1 percent chance of being equalled or exceeded in any given year, is used for proposed developments. In the absence of information that identifies the 1:100-year floodplain elevation, the best available data, as determined by a qualified professional able to perform a flood hazard mapping study, must be used to establish the historic high-water level for a water body.
<b>Floor Area</b>	the total area of every room and hallway contained in a building, but does not include the basement, any garage or portion of the building that is not enclosed, such as an open porch or patio.
<b>Foundation</b>	the lower portion of a building, usually concrete, masonry, or preserved wood and includes footings that transfer the weight of, and loads on, a building to the ground.
<b>Frontage</b>	the total length of land that is adjacent to a road right-of-way.
<b>Funeral Home</b>	a place that is utilized for the dead to be prepared for burial or cremation.
<b>Game Farm</b>	a farm or agricultural operation where wildlife species are raised to stock wildlife areas for hunting and/or where wildlife species are raised and then utilized for a variety of consumer products.
<b>Golf Course</b>	an area of land laid out for the sport of golf with a series of 9 or 18 holes each including tee, fairway, and putting green and often one or more natural or artificial hazards. This use may include a driving range, putting greens and other associated uses such as a clubhouse, restaurant and pro shop.
<b>Greenhouse - Public</b>	a building specially designed and used for the growing of vegetables, fruit or herbs, flowers and other plants for transplanting or for commercial purposes, excluding cannabis production facilities. This use includes wholesale distribution to locations off-site and may include displays and sale areas of goods or products raised on site. Also known as a nursery.

<b>Gross Floor Area</b>	the sum of floor area of the building or structure, contained within the outside surface of the exterior and basement walls including all floors, basements, and other intermediate floor spaces and excluding overhanging siding.
<b>Hamlet</b>	an unincorporated community consisting of five or more buildings as dwellings, a majority of which are on parcels of land smaller than 1,850 square metres, has a generally accepted boundary and name, and contains parcels of land that are used for non-residential purposes.
<b>Height</b>	the vertical distance measured from the average building grade to the highest point of a building or structure.
<b>Health Care Services</b>	a development where the principal use provides medical and healthcare services for inpatient and/or outpatient care for the public. Typical uses include comprehensive health centers, urgent care centers and other smaller-scale medical offices. This development type includes, but is not limited to, doctor and dentist offices, health care clinics, health services laboratories, health diagnostics services, medical cannabis counselling services, chiropractic offices, massage therapy, physiotherapy, psychiatric and psychological counselling services, or other similar services, as determined by the Development Authority. Typical Accessory Uses include, but are not limited to, the sale of pharmaceuticals, supplements, medical supplies, or other items related to the services provided by the use. For full-service public hospitals, see Essential Public Service definition. This use does not include uses related to rehabilitation or detoxification or temporary dwelling uses related to substance addiction or other medical-related issues.
<b>Highway</b>	a provincial highway pursuant to the <i>Highways Development and Protection Act</i> , S.A. 2004 Chapter H-8.5
<b>Holiday Trailer</b>	a vehicle used for recreational purposes for short-term stays. See Recreation Vehicle definition.
<b>Home Occupation - Major</b>	the secondary use of a principal dwelling, its accessory structures and site, or combinations thereof, by at least one permanent resident of the dwelling to conduct a business activity or occupation, and which creates additional traffic and may have non-resident employees.
<b>Home Occupation - Minor</b>	a secondary use of a principal dwelling or an associated accessory building utilized by at least one resident of the dwelling to conduct a business or activity or occupation. It does not include any non-resident employees. The use has no additional external impact, or potential nuisance impacts on adjacent residential dwellings.

<b>Home Sales Center</b>	a temporary structure used for the sale of homes within an approved Subdivision. It is for commercial purposes and not to be used as a residential dwelling and typically temporary in nature or with future plans to be repurposed to a community building/amenity.
<b>Horizontal Axis Rotor</b>	a wind energy conversion system where the rotor is mounted on an axis parallel to the earth's surface.
<b>Hostel</b>	a building or group of buildings offering, for a fee, modest comforts for supervised shelter or overnight lodging and often includes a communal kitchen but does not include a hotel or motel.
<b>Hotel</b>	a development used for the provision of rooms or suites for temporary sleeping accommodation for daily, weekly, or monthly rates to the general public and may be equipped with individual kitchen facilities, and may include accessory food and beverage service facilities, meeting rooms, personal service shops, recreation and general retail shops. This use category also includes motels, cabins, resorts and other leisure-focused destinations for commercial purposes where overnight accommodations is the main purpose of the development.
<b>Illegal Development</b>	any construction or land use that violates the County's Land Use Bylaw, requiring a Development Permit for any new development, use, or building.
<b>Integrated Recreation / Tourist Resort</b>	a commercial development which offers a combination of fixed roof (i.e. permanent structure) guest accommodation and/or recreational and wellness opportunities. The resort may be located to benefit from specific natural or built amenities and generally includes dining and beverage facilities, meeting rooms, concessions, pro-shops and picnic areas.
<b>Industrial - Heavy</b>	<p>the use of land, buildings and/or structures for an industrial activity that creates significant adverse impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, odour, traffic volume, fire, explosive hazards or dangerous goods.</p> <p>Characteristics of Industrial, Heavy may include:</p> <ul style="list-style-type: none"> <li>a) moderate to extensive open storage or stockpiling of raw materials, vehicles and machinery that maybe partly or wholly visible off the site</li> <li>b) significant noise in the general operations of the use</li> <li>c) potential exposure of the environment to chemicals and other forms of pollution from the general operations of the use</li> <li>d) Hazardous Industry.</li> </ul>

<b>Industrial - Light</b>	<p>the use of land, buildings and/or structures for an industrial activity that creates no adverse impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, traffic volume, odour, smoke and fire. The activities and uses are carried on fully within an enclosed building.</p> <p>Characteristics of Industrial, Light:</p> <ul style="list-style-type: none"> <li>a) no open storage is permitted</li> <li>b) may have a retail or wholesale component that is subordinate to the principal use</li> <li>c) nuisance factors do not extend outside of an enclosed building</li> <li>d) no hazardous industry present</li> </ul>
<b>Industrial - Medium</b>	<p>the use of land, buildings and/or structures for an industrial activity that creates adverse impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, traffic volume, odour, fire, explosive hazards or dangerous goods.</p> <p>Characteristics of Industrial, Medium may include:</p> <ul style="list-style-type: none"> <li>a) light to moderate open storage, but screened with fencing and/or landscaping</li> <li>b) may have a retail or wholesale component that is subordinate to the principal use</li> <li>c) moderate nuisance factors may extend past the boundaries of the site</li> <li>d) potential for a moderate degree of hazardous industry</li> </ul>
<b>Industrial Training Service</b>	<p>a development that provides for technical instruction to students and/or the training of personnel in commercial businesses and/or industrial operations. It may include slight off-site nuisances related to training such as smoke, noise, smell etc.</p>
<b>Intensive Agriculture</b>	<p>See Confined Feeding Operation definition</p>
<b>Intermunicipal Development Plan (IDP)</b>	<p>a statutory plan pursuant to the <i>MGA</i>.</p>
<b>Internal Road</b>	<p>a road located off a road allowance intended to serve a subdivision or development or a road declared by the Development Authority to be an internal road.</p>
<b>Kennel</b>	<p>a premise in which four or more dogs and/or cats over six months in age are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale. This does not include animals such as barn cats or pets kept for personal use.</p>

<b>Kitchen</b>	a place or room with cooking facilities where food is prepared and cooked and includes a stove.
<b>Land</b>	the aggregate of one or more areas of land described in a certificate of title issued by the Land Titles Office.
<b>Land Titles Office</b>	an Alberta Land Titles Registries Office.
<b>Land Use Bylaw</b>	is a set of regulations established by a municipality to govern how land within its jurisdiction can be used and developed. See Bylaw definition.
<b>Land Use District</b>	often referred to as a zone, is a geographical area within a municipality or region where specific types of land uses, such as residential, commercial, or industrial, are permitted, regulated, and established pursuant to this Bylaw.
<b>Land and Property Rights Tribunal (LPRT)</b>	the Land and Property Tribunal as established under the <i>Land and Property Tribunal Act</i> .
<b>Landscaped Area</b>	an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental plantings, fences, walls and associated earthworks. It does not include areas occupied by garbage containers, storage, parking lots or driveways.
<b>Lane</b>	a public thoroughfare which provides a secondary means of access to a parcel or parcels and is registered in a land titles office as road right-of-way. It is typically in the rear of a parcel and smaller in width than the primary access road. Commonly known as an alley.
<b>Licensed Premise</b>	all areas associated with the operations of the licensee, including, but not limited to; areas liquor may be sold or consumed, and any storeroom, lobby, kitchen, hallway or other service areas used by the licensee in support of the areas where liquor may be sold or consumed. A Licensed Premise may include any premises licensed by AGLC.
<b>Livestock</b>	may not be restricted to, bison, buffalo, elk cattle, horses, sheep, goats, swine and domestic fowl.
<b>Livestock Sales Yard</b>	an enclosed area of land, with or without accessory buildings or structures, upon which livestock are collected and marketed usually by public auction.
<b>Loading Space</b>	an off-road parking space on the same parcel as a building or group of buildings for the temporary parking of a commercial vehicle to unload and/or load commodities for a business on that parcel.
<b>Lot</b>	<p>a) a quarter-section</p> <p>b) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a Plan of Survey; or</p>

	c) a part of a parcel of land described in a certificate of title if the boundaries are a part described in the certificate of title (i.e. a Descriptive Plan or description on a certificate of title) other than by reference to a Plan of Survey.
<b>Lot Area</b>	the area of a parcel or lot described in metric or imperial measure.
<b>Lot Coverage</b>	<p>the area of a lot/parcel that is covered by buildings, structures and other impervious surface cover. Lot coverage is measured by calculating the percentage of the entire lot/parcel that is covered by impervious surfaces.</p>  <p><b>Total Lot Area</b> = 464.5 sq.m. [5,000 sq.ft.]</p> <p><b>House Area</b> = 111.4 sq.m. [1,200 sq.ft.]</p> <p><b>Garage Area</b> = 46.4 sq.m. [500 sq.ft.]</p> <p><b>Paved Area</b> = 34.3 sq.m. [370 sq.ft.]</p> $(1,200+500+370)/5,000$ $2,070/5,000 \times 100 = 41\%$ <p><b>Lot Coverage</b> = 41%</p>
<b>Manufactured Home Park</b>	a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of three or more manufactured homes on a long-term basis, but shall not be deemed to include industrial and construction camps of a temporary nature.
<b>Megawatt or MW</b>	output according to the maximum rated capacity of the manufactures name plate. 1,000,000 watts.
<b>Micro-Brewery</b>	the small-scale production of beer. It may also include on-site consumption and sales in accordance with AGLC regulations. See Alcohol Production definition.
<b>Micro-Hydro</b>	a type of hydroelectric power that typically produces up to 100 kW of electricity using the natural flow of water. These installations can provide power to an isolated home or small community or are sometimes connected to electric power networks.

<b>Motel</b>	typically, one to two-storey temporary lodging where all rooms are accessed from an exterior doorway. See Hotel definition.
<b>Municipal Development Plan (MDP)</b>	a statutory plan pursuant to the <i>MGA</i> .
<b>Municipal Government Act (MGA)</b>	the <i>Municipal Government Act (MGA)</i> , Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto as approved by the Province of Alberta.
<b>Municipal Planning Commission (MPC)</b>	the Municipal Planning Commission appointed by Council pursuant to the <i>MGA</i> with the authorities outlined in this Bylaw.
<b>Municipal Tag</b>	a formal notice issued by the County to indicate a violation of this Bylaw.
<b>Natural Landscape</b>	landscape, created by biological, geological climatological forces, now altered by cultural activities.
<b>Natural Resources Conservation Board (NRCB)</b>	is responsible for reviews of proposed major natural resource projects, and for the regulation of confined feeding operations in Alberta.
<b>Nuisance</b>	anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health and safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odour, heat, light, fumes, vibration, fire or explosive hazard; results in the unsightly or unsafe storage of goods, garbage, waste or other material.
<b>Occupant</b>	an individual or other party who occupies Land or a Building pursuant to a lease, license, contract, or other agreement with or authorization from the Owner;
<b>Office</b>	an enclosed building or set of buildings to house the administrative activities of an operation that are primarily of a management, administrative, consulting or financial services purpose. Typical uses would include the offices of lawyers, accountants, engineers, architects, real estate, insurance, clerical, secretarial, small-scale medical, telephone answering or office support services. This use is where the primary use of the site is office-related. Accessory-office related uses to a primary use would be included within that use definition.
<b>Officer</b>	a Bylaw Officer, Peace Officer, Provincial Sheriff or member of the Royal Canadian Mounted Police.
<b>Open Space</b>	reserve lands and/or other lands to be kept in an undeveloped state and preserved in that state by way of an easement or other legal instrument and shall include other recreational uses which may be authorized by the County.

<b>Outdoor Theatre</b>	a venue or space where theatrical performances, plays or other shows take place outdoors, without a roof or enclosed walls. Could include a drive-in theatre which is a type of cinema where moviegoers can watch films from their cars in a large outdoor space. See Recreation Facility - Major definition.
<b>Outfitters</b>	a person or business that sells or rents equipment and supplies for recreational activities or offers services for outdoor tourism.
<b>Outline Plan</b>	is a blueprint for development. It provides a detailed description of what a piece of land will look like when it has been fully developed including land uses, open space networks, treatment of environmentally sensitive lands, and park space. An Outline Plan also establishes the framework for infrastructure requirements including the road network, the servicing of the development, and ensuring the development will align with County plans, policies, and standards.
<b>Owner</b>	a) in respect to unpatented land, the Crown b) in respect of other land, the person(s) or company that is registered under the <i>Land Titles Act</i> as the owner of the fee-simple estate in the land, and c) in respect of any property other than land, the person in lawful possession of it.
<b>Outdoor Storage</b>	the storage of equipment, goods, raw or processed materials in the open air and not enclosed within a building or structure.
<b>Over Speed Control</b>	a device which prevents excessive rotor speed within a wind energy conversion system.
<b>Parcel</b>	See Lot definition
<b>Parking Space</b>	a site intended for the placement (parking) of one automobile or other vehicle.
<b>Parks - Major</b>	land developed for public recreational activities that may have a greater impact to the lands or community due to the size of the development or intensity of use. Uses may include larger buildings, facilities, or outdoor amenities for passive or active recreation that have the potential to produce occasional offsite impacts such as noise or traffic. Typical uses and features may include but not be limited to children’s spray/splash parks, dog parks, outdoor sports courts, band shells, amphitheaters, interpretive centers, wildlife sanctuaries, large picnic areas, and includes natural and man-made landscaping. A broad range of uses may be applied for as permitted accessory buildings/uses including additional buildings, or commercial uses such as refreshment kiosks, which serve park users and are compatible with park objectives.

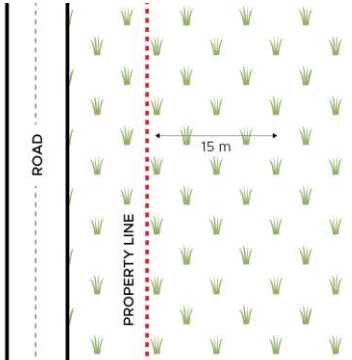
<b>Parks - Minor</b>	land developed for public recreational activities that are low intensity, do not require major buildings, parking or facilities, and produce minimal traffic or noise impacts. Typical uses and features may include but not be limited to tot lots, open grassed play areas, picnic areas, playgrounds, multi-modal paths, natural and man-made landscaping and public washrooms. A broad range of uses may be applied for as permitted accessory buildings/uses including small buildings, additions to playgrounds or low intensity sports equipment which serve park users and are compatible with park objectives.
<b>Passive Recreation</b>	land for passive recreational activities that involve leisure activities. It is for activities focusing on enjoying nature and the environment.
<b>Patio</b>	an uncovered horizontal structure with a surface height, at any point, no greater than 0.61 m above building grade and intended for use as a private outdoor amenity space. For uncovered horizontal structures greater than 0.61m above building grade and intended for use as a private outdoor amenity space, see the Deck definition.
<b>Peace Officer</b>	an individual employed by the County in the position of peace officer in accordance with the <i>Peace Officer Act</i> , R.S.A. 2006, Chapter P-3.5.
<b>Permitted Use</b>	the use of land or a building provided for in this Bylaw for which a Development Permit shall be issued, with or without conditions, upon an application having been made provided the use conforms with the provisions of this Bylaw.
<b>Person</b>	any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators or other legal representatives of a Person to whom the context can apply according to law.
<b>Personal Services</b>	development used to provide personal services to an individual, related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include, but are not limited to, hairdressers, spas and massage services, laundromats, tanning salons, shoe repair shops, and dry-cleaning establishments but do not include health services or general retail businesses.
<b>Personal Use Agriculture</b>	agriculture that results in products for the occupants of the land upon which it is situated.
<b>Powersports Sales/Service Center</b>	a facility that includes the retail sale, repair and service of recreational motor vehicles (i.e. all-terrain vehicles, e-bikes snowmobiles and motorcycles), test track area and/or related facilities.

<b>Porch</b>	an entrance structure typically attached to the front or rear sides of a building at the ground floor entry level, consisting of a roof and a floor, where the front and sides of the building may or may not be enclosed by solid walls or windows or unenclosed where the front and/or sides remain open to the elements. A Porch is considered a part of the building that it is attached to and must be included in setback considerations.
<b>Principal Building or Use</b>	a building or use that, in the opinion of the Development Authority, is the main purpose for which the building or site is ordinarily used. There may only be one principal building or use per parcel. Sheds, garages, shops, home occupations, recreation vehicles, agricultural pursuits and similar buildings or uses on parcels shall not be regarded as a principal building or use in a residential land use district.
<b>Public or Quasi-Public Use</b>	the use of land or a building or both for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation, religious or faith-based gathering or other community activity.
<b>Public Utility</b>	a system or works used to provide one or more of the following for public consumption, benefit, convenience or use (and may be called a Communal Utility) : (a) water or steam; (b) wastewater disposal; (c) telecommunication; (d) drainage; (e) irrigation; (f) heat; (g) electric power; (h) waste management; (i) street lighting; and (j) includes any other service that is provided for public consumption and benefit.
<b>Public Road</b>	see Road definition.
<b>Qualified Consultant</b>	a current and appropriately accredited professional qualified in the Province of Alberta who will sign and stamp or seal their work.
<b>Rack Site</b>	a location where fuel is stored and distributed, or where equipment is stored for resource extraction.
<b>Real Property Report (RPR)</b>	a document prepared by an Alberta Land Surveyor in accordance with the Alberta Land Surveyors Manual of Standard Practice that includes but is not limited to items in the Alberta Land Surveyors Manual of Standard Practice. An RPR illustrates in great detail the location of significant visible improvements relative to property boundaries that takes the form of a plan or illustration of the various

	physical features of the property, including a written statement detailing the surveyor’s opinion or concerns.
<b>Reasonable Notice</b>	not less than 48 hours except in the case of an Emergency or extraordinary circumstance when no notice needs to be given.
<b>Reasonable Time</b>	any time between 8 am and 6 pm on any weekday, with the exception of statutory holidays, or as otherwise agreed to in writing by the Owner or Occupant of the subject Land or Building.
<b>Reclamation</b>	restoring the site to its original land use or other equivalent future land uses in accordance with the approved reclamation plan. This includes, but is not limited to, replacing the topsoil and establishing vegetation.
<b>Recreational Vehicle Storage</b>	an industrial area of land set aside or otherwise defined for the purpose of storing recreational vehicles, boats, side-by-sides, snowmobiles, travel trailers, campers, motor bikes, ATV’s and other leisure vehicles. No on-site occupancy, repair, or maintenance of recreational and/or leisure vehicles is permitted.
<b>Recreation Facility - Major</b>	a public or private development providing facilities for recreational entertainment and activities, either indoor or outdoor. Typical uses may include, but are not limited to, racetracks, go-cart tracks, indoor golf, pool halls, bowling alleys, swimming pools, hockey rinks, ski resorts, skating rinks, tennis or pickleball courts, outdoor theatres, rodeo/exhibition grounds, sports-fields, ski trails and multi-purpose facilities. This use does not include golf courses, casinos, adult entertainment, bingo halls, shooting ranges and/or an equestrian sport-fields.
<b>Recreation Facility - Minor</b>	a public or private development that provides recreational facilities that are smaller in scale with lesser impact on the surrounding areas, either indoor or outdoor. Typical uses may include, but are not limited to, fitness centres, small playgrounds for child play drop-in, mini-golf, fitness studios/classes for martial arts and associated uses and dance studios.
<b>Recreation Vehicle</b>	also known as a holiday trailer. A transportable structure designed and built primarily for temporary living accommodations for recreational camping or travelling, which either has its own motor or is mounted onto or towed by another vehicle such as a motor home, camper, travel trailer or tent trailer but does not include a manufactured home. A recreation vehicle does not fall under the scope of the <i>National Building Code, Alberta Edition</i> , therefore, it shall not be regarded as a permanent dwelling.
<b>Recycling Depot</b>	a development for collecting, sorting and temporarily storing recyclable materials, such as bottles, cans, paper, boxes and small household goods, but does not include automobile-related wrecking facilities.

<b>Resource Mining Area</b>	the defined area where a non-renewable resource will be extracted. It should be clearly defined in supporting plans by a Qualified Consultant.
<b>Restricted Substance</b>	restricted products such as alcohol and cannabis that are not for sale to minors in the Province of Alberta.
<b>Restricted Substance Retail</b>	development for the retail sale of restricted products licensed under the <i>Alberta Gaming, Liquor and Cannabis Act</i> for off-site consumption, such as retail cannabis stores and liquor stores, or adult-oriented retail. In accordance with the <i>Alberta Gaming, Liquor and Cannabis Act</i> , stores that are licensed for cannabis retail sales shall not be carried out in conjunction with, or accessory, to any other use.
<b>Retail - Minor</b>	a development used for the retail sale of consumer goods, from within an enclosed building that is 300m <sup>2</sup> (3229 sq ft) or less. It does not include the sale of restricted substances.
<b>Retail - Major</b>	a development used for the retail sale of consumer goods, from within an enclosed building that is greater than 300m <sup>2</sup> (3229 sq ft). It does not include the sale of restricted substances.
<b>Right-of-Way</b>	a corridor of land which has been legally surveyed and filed or registered in a land titles office and is intended to be used for a specific purpose such as a road, railway, pipeline, utility, lane or environmental reserve.
<b>Rotor's Arc</b>	the largest circumferential path travelled by a blade in a wind energy conversion system.
<b>Road</b>	land shown as a road on a plan of survey that has been filed or registered in a land titles office or land used as a public road and includes a bridge forming part of the public road and any structure incidental to a public road, but does not include a primary highway.
<b>Rural</b>	defined as the areas of the County that are not contained within a Hamlet or Town boundary.
<b>Salvage Yard</b>	land or building used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials, including scrap metal, vehicles, machinery, and other discarded materials.
<b>Safety Codes Act</b>	the <i>Safety Codes Act</i> and any related regulations and Codes.
<b>Sawmill - Minor</b>	a facility where logs are processed and turned into lumber or other products for commercial purposes and is smaller or equal to 530 square metres in size.
<b>Sawmill - Major</b>	a facility where logs are processed and turned into lumber or other products for commercial purposes and is greater than 530 square metres in size.

<b>Sea-Can</b>	a shipping container, which is a large, reusable steel box originally used or intended to be used for the transportation of goods, used as a moveable storage unit. Commonly shortened to C-Can. This does not include when sea-cans are utilized to construct a principal building or accessory building.
<b>Securities</b>	also known as security deposit. Means a sum of money held in trust by the County. Collected in the form of a letter of credit, performance bond or other form of performance security.
<b>Social Care Facility - Minor</b>	<p>a place of care for people who are of an advanced age or infirm due to mental or physical limitations. It includes:</p> <p>a) a building or a part of a building used for the care, supervision and/or lodging of a maximum of six (6) individuals under the age of 18, and which does not qualify as a Child Care Facility;</p> <p>b) a care home or other facility used to provide accommodation to unemployed or indigent persons;</p> <p>c) a building or part of a building providing long-term accommodation for adult care housing where residents are unable to take care of their daily needs and require assistance. This includes nursing homes, senior's facilities and group homes.</p>
<b>Social Care Facility - Major</b>	<p>a place of care for people who are of an advance age or infirm due to mental or physical limitations. These facilities are larger in scale and complexity with a number of trained and professional medical staff on site at all times. It includes:</p> <p>a) a building or a part of a building used for the care, supervision and/or lodging and which does not qualify as a Child Care Facility;</p> <p>b) a care home or other facility used to provide accommodation to unemployed or indigent persons;</p> <p>c) a building or part of a building providing long-term accommodation for adult care housing where residents are unable to take care of their daily needs and require assistance. This includes nursing homes, senior's facilities and group homes.</p>
<b>Servicing Standards</b>	Clearwater County's technical requirements that govern site access, infrastructure design, inspection, testing, construction and transfer of public works.
<b>Service Station</b>	a commercial establishment for the sale of automotive fuels, lubricating oils and associated automotive products for vehicles. It may also include services such as the minor repair of motor vehicles and routine servicing, excluding automotive specialty and auto body and paint shop uses. Accessory uses may include a convenience store, towing service, car wash or the sale of automotive accessories.

<b>Service Road</b>	a municipal roadway that is intended to provide legal access to adjacent land or development that removes or eliminates the need for direct access to the highway.
<b>Setback</b>	<p>the perpendicular distance from a property line to the nearest point of the building. Typically, there are limitations on placement of structures to not be located within setbacks.</p> 
<b>Show Home</b>	a permanent dwelling which is constructed for the purpose of illustrating to the public the type or character of a dwelling or dwellings that would be able to be purchased or built in other parts of a subdivision or new community area. They may contain offices for the selling of lots or dwellings in the area and are operated on a temporary basis (up to a maximum of 5 years).
<b>Shooting Range</b>	a firearm shooting range for which all required government approvals have been issued. Firearms may include, but are not limited to rifles, guns and bow and arrow. This includes both military and non-military shooting ranges.
<b>Short Term Rental</b>	the business of offering a dwelling unit, or portion of, for compensation to persons who are not residents of that dwelling unit for the stay of 30 days or less.
<b>Sign</b>	an object or device, whether affixed or moveable, and its supporting structure used for the purpose of advertisement, announcement or direction. See Section 10 for different types of signs.
<b>Sign Area</b>	the total area within the borders or edges of a sign available for a message advertising a particular company, product, person or other matter.
<b>Site Coverage</b>	the total percentage of the site area covered by building(s) or structures, which are located at or higher than 0.61 metre (2.0 ft) above grade, including accessory buildings and structures. Any structures such as decks, paved driveways or patios or other features that are less than 0.61metre (2.0 ft) above grade do not count as part of a lot's total site coverage.
<b>Sight Triangle</b>	the triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect. Please reference Figures 4-8 for reference.

<b>Solar Collector</b>	a device or a combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and produces power according to the manufacturer's specifications.
<b>Solar Collection Facility</b>	a grouping of multiple solar cells and the substation that are capable of collecting and distributing 1 megawatt or greater of solar energy for the purpose of transforming it into thermal, chemical, or electrical energy, and typically will tie-in and feed or sell power to the provincial energy grid transmission or distribution system. The use includes any associated solar panels, solar modules, supports or racks, inverters, electrical transformer or substations required for the operation.
<b>Solar Collector &gt; 30kW</b>	a grouping of multiple solar cells produces more than 30kW, more or less, for private consumption, whether it be for a business or residence.
<b>Solar Collector &lt; 30kW</b>	a grouping of multiple solar cells that are capable of collecting up to 30kW, more or less, for private consumption. A solar collector that produces less than 30kW is a Permitted Use and does not require development approval.
<b>Stockpile</b>	an accumulation of resources, goods, materials or raw materials stored outside in a mound-like formation.
<b>Stop Order</b>	an order issued pursuant to Section 645 of the <i>MGA</i> .
<b>Stripping &amp; Grading</b>	any work, operation or activity that results in a disturbance of the earth including the removal of topsoil or borrow, borrow pits, berming, excavating, trenching, backfilling, filling and re-contouring.
<b>Subdivision and Development Appeal Board (SDAB)</b>	the Subdivision and Development Appeal Board established by Council pursuant to the <i>MGA</i> .
<b>Subdivision Authority</b>	the person or persons delegated the authority to exercise Subdivision Authority powers and duties on behalf of the County pursuant to the <i>MGA</i> .
<b>Substandard Lot</b>	a lot that does not fully conform the parcel size or dimensional requirements outlined for the land use designation that applies to it.
<b>Telecommunications Tower</b>	a structure for transmitting or receiving television, radio, telephone, internet, or other electronic communications, which are federally regulated and also regulated in accordance with the County's Telecommunication Antenna System Siting Policy.
<b>Temporary Work Camp</b>	a residential complex used to house camp workers by various businesses on a temporary basis. A Temporary Work Camp is usually made up of several mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities.

	The units may be dismantled and removed from the site from time to time. Federal, Provincial, or municipal work camps are exempt.
<b>Titled Area</b>	An area that can be developed and excludes titles for environmental reserve, road right-of-way or resource extraction use.
<b>Toe of Bank</b>	the break in slope at the bottom edge or base of a streambank where it meets the bed and shore of the water body.
<b>Toe of Slope</b>	the bottom, or baseline section of the soil mass comprising the slope. It is the transition line between the slope where the grade exceeds 15% and the adjacent lowland area where the grade is less than 15%.
<b>Top of Bank</b>	is the point where the land surface transitions from a slope towards the water to a more level terrain, marking the boundary between the active channel and the surrounding land.
<b>Top of Slope</b>	the transition line between the slope where the grades exceed 15% and the adjacent upland area where the grade is less than 15%.
<b>Total Height (WECS)</b>	the height from grade to the highest vertical extension of the WECS-small or the WECS.
<b>Tower (WECS)</b>	the structure which supports the rotor above grade.
<b>Tradesperson's Business</b>	contractors for plumbing, heating, electrical, carpentry, auto-body, mechanical, masonry, excavation, construction, trucking and similar trades-related uses.
<b>Tree Farm</b>	a tree-covered area managed as a business enterprise under a plan of reforestation that makes continuous production of timber possible and for landscaping purposes. See Agricultural Operation definition.
<b>Unsubdivided Quarter Section</b>	defined pursuant to the definition provided in the Subdivision and Development Regulation (AR 43/2002).
<b>Use</b>	a use of land or buildings as defined in this Bylaw.
<b>Variance</b>	an alteration or change to a standard prescribed by this Bylaw that an Approving Authority authorizes.
<b>Verbal Warning</b>	an oral notice informing of a contravention of the <i>MGA</i> , the Land Use Bylaw or any other enactment Clearwater County is authorized to enforce. A verbal warning may include a date in which the contravention is to be remedied, how the contravention is to be remedied and the enforcement actions that may be taken if the contravention is not remedied.
<b>Vertical Axis Rotor</b>	a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.
<b>Veterinary Clinic</b>	a clinic for the care and medical treatment of animals.
<b>Violation Ticket</b>	a violation ticket issued pursuant to either Part 2 or Part 3 of the <i>Provincial Offences Procedures Act</i> .

<b>Voluntary Penalty</b>	a specific type of ticket issued for minor Bylaw infractions. It allows the recipient to resolve the matter by paying the specified penalty without needing a court appearance. If the penalty is paid by the due date, no further legal action is taken.
<b>Warehouse Sales</b>	a building of at least 900 square metres that is utilized for storage and sales of products stored at the facility.
<b>Warehouse Storage</b>	using a building and/or site primarily for keeping goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or parts thereof, or any waste material. It includes moving companies, trucking terminals, inter-modal transfer areas and self-storage facilities.
<b>Wind Energy Conversion System (WECS)</b>	a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity that is greater than 5 kW, the purpose of which is to produce wind energy for the commercial market. These are typically referred to as commercial or industrial wind farms.
<b>Wind Energy Conversion System – small (WECS-small)</b>	a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 5 kW, and which will be used primarily to reduce onsite consumption of utility power.
<b>Wind Power Plant</b>	A group of wind turbines that work together to create electricity.
<b>Written Order - Order to Remedy Contraventions</b>	a written notice directing a person to take any action or measure necessary to remedy the contravention of the <i>MGA</i> or any other enactment Clearwater County is authorized to enforce, or bylaw as per <i>MGA</i> s. 545.
<b>Written Order - Order to Remedy Dangers or Unsightly Property</b>	a written notice directing a person to eliminate, remove, demolish, or remedy a structure, development or excavation that is considered a danger to public safety or that is considered detrimental to the surrounding area because of its unsightly condition as per <i>MGA</i> s. 546.
<b>Written Order – Stop Order</b>	a written notice directing a person to stop the development or use of the land or building, demolish, remove, or replace development, or carry out any action required so that the development or use of the land complies with the <i>MGA</i> , the Land Use Bylaw, a Development Permit, or Subdivision approval as per <i>MGA</i> s. 645.
<b>Written Warning</b>	a written notice informing of a contravention of the <i>MGA</i> , the Land Use Bylaw or any other enactment Clearwater County is authorized to enforce. A written warning includes a date in which the contravention is to be remedied, how the contravention is to be

	remedied and further enforcement actions that may be taken if the contravention is not remedied.
<b>Yard</b>	a required open space unoccupied and unobstructed by any building or portion of a building above the general ground level of graded lot, unless otherwise permitted in this Bylaw.
<b>Yard, Front or Front Yard</b>	<p>a yard extending across the full width of a parcel from the front property boundary of the parcel adjacent to a municipal road to the wall of the building situated on the parcel. In most circumstances, the front yard is the opposite side of the lot as the rear yard. The Development Authority also has the discretion to determine the front yard of a lot depending on unique circumstances and site conditions.</p> <p>Yard, Front is used interchangeably with front yard throughout the Bylaw, and this definition applies to both terms.</p>
<b>Yard, Rear or Rear Yard</b>	<p>a yard extending across the full width of a parcel from the rear property boundary of the parcel to the wall of the building situated on the parcel. In most circumstances, the rear yard is the opposite side of the lot as the front. The Development Authority also has the discretion to determine the rear yard of a lot depending on unique circumstances and site conditions.</p> <p>Yard, Rear is used interchangeably with rear yard throughout the Bylaw, and this definition applies to both terms.</p>
<b>Yard, Side or Side Yard</b>	<p>a yard extending across the length of a parcel from the side property boundary of the parcel to the wall of the building situated on the parcel. In most circumstances, the side yard is perpendicular to the front yard. The Development Authority also has the discretion to determine the Yard, Side of a lot depending on unique circumstances and site conditions.</p> <p>Yard, Side is used interchangeably with side yard throughout the Bylaw, and this definition applies to both terms.</p>
<b>Zoo</b>	the use of land, a building and/or a structure for keeping live animals for public exhibition, whether for a fee or not.