

SECTION TWO

Development Process

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Table 1 – Development Not Requiring a Development Permit

Development	Permit Not Required
Accessory Building/Structure	The placement or construction of an Accessory Building/Structure with a footprint smaller than 10 m ² where it complies with the District's setbacks, up to a maximum of 3 Buildings / Structures.
Aggregate Operations	The extraction and processing exclusively by the County of Newell, its authorized agents or Alberta Transportation, of sand, gravel, or other earth materials and including asphalt or concrete mixtures for any County purpose within the County.
Agriculture (General)	Where Agriculture (General) is listed as a Permitted Use.
Agricultural Building	The placement or construction of an Agricultural Building in an A-GEN parcel that is greater than 16.2 ha, in compliance with Section 3.9 'Agricultural Buildings' and is listed as a permitted use.
Agricultural Structure	The placement or construction of an Agricultural Structure on an Agriculture parcel, in compliance with Section 4.2 'Agricultural Structures' and is listed as a permitted use.
Building Demolition	The Demolition or Removal, in compliance with Section 4.3 'Building Demolition or Removal'.
Confined Feeding & Manure Storage	Confined Feeding Operations and Manure Storage Facilities pursuant to the <i>Agricultural Operations Practices Act (AOPA)</i> .
Deck, Uncovered	An uncovered deck or patio connected to the Principal Building.
Decorations	Seasonal or holiday decorations.
Driveways	So long as it does not impact existing grades and does not exceed the width of a garage or carport at the end of the driveway. Driveways that are not connected to a garage or carport are limited to 5.0 m in width in alignment with Section 3.18 'Driveways'.
Dugouts and Ponds	Dugouts or ponds for agricultural purposes in an A-GEN parcel that is greater than 16.2 ha, in compliance with Section 3.36 'Dugouts & Ponds'.
Fences and Gates	In alignment with Section 3.38 'Fencing'.
Poles	Less than 4.5 m in height.
Government Services & Utilities	The installation, maintenance of and repair of public works, roads, provincial highways, facilities and/or utilities carried out by or on behalf of federal, provincial, or local authorities.
HBB1	Home-Based Business Type One (HBB1) in all Districts.
Landscaping	Provided that it meets the applicable setbacks to all roadways in accordance with the Bylaw and where the proposed grades will not adversely affect the subject or an adjacent parcel.
Livestock	The keeping of Livestock where Agriculture (General) is a permitted use
Maintenance or Repair	Routine maintenance to any building or structure, provided that such work: a) complies with the requirements of the <i>Alberta Building Code</i>, b) does not constitute structural alterations, and c) does not change the use or intensity of the use of the building or structure.
Oil & Gas Development	Pursuant to Section 618 of the MGA, the installation of a well or battery within the meaning of the <i>Oil and Gas Conservation Act</i> , a pipeline or installation of a structure incidental to the operation of a pipeline.
Outdoor Fire Pit	The construction or installation of a fire pit, that complies with 'County of Newell Fire Bylaw 1958-19', as amended.
Road Repair	Repairing or resurfacing of existing an approved private gravel access road when approved grades are unchanged.
Retaining Walls	Less than 1.0 metres in height. If a fence is placed on top of a retaining wall, the height of the retaining wall factors into the total height of the fence.
Shipping Containers	a) A maximum of five (5) shipping containers in the A-GEN District, any more would be a Discretionary Use. b) A maximum of two (2) shipping containers in the A-SML District, any more would be a Discretionary Use. c) A maximum of two (2) shipping containers in the A-GEN District within the Intermunicipal Development Plan Boundary with the Village of Duchess, any more would be a Discretionary Use. d) A maximum of one (1) shipping container in the R-RUR District where the parcel is greater than 0.4 ha, any more would be a Discretionary Use.
Signs	See Section 3.59 'Signs Not Requiring a Permit'.
Solar Panels (Freestanding)	a) That is 28 m² or less in area, provided that all setbacks and height regulations of the District are met, in compliance with Section 4.20 'Solar Panels (Freestanding)'. b) Notwithstanding a), in the A-GEN District Solar Panels (Freestanding) that are less than 56m² in area do not require a development permit, except for when located within the plan area of the Intermunicipal

Development	Permit Not Required
	Development Plan with the Village of Duchess, where all Solar Panels (Freestanding) are a discretionary use.
Solar Panels (Roof Top)	In compliance with the Alberta Building Code and Section 4.21 'Solar Panels (Roof Top)'.
Stripping, Grading, Excavation and Fill	e) The placing of up to 1.0 m of fill and topsoil adjacent to or within 15.0 m of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades, and f) The excavation up to 2.0 m adjacent to or within 15.0 m of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades.
Antenna Systems	Telecommunication antenna systems that are federally regulated and comply with the regulations in Section 3.12 'Antenna Systems'.
Temporary Accommodation	The occupation of a Recreational Vehicle on private property: a) In an Agricultural District for a period of less than sixty (60) days, or b) In a Residential District for a period of less than fourteen (14) days.

SECTION THREE General Regulations

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~~3.9 AGRICULTURAL BUILDINGS~~

- ~~a. Agricultural Buildings shall not be located within:

 - ~~i. 30.0 m from the right-of-way of any road,~~
 - ~~ii. 30.0 m from a naturally occurring water body or outside the 1:100 flood levels, whichever distance is greater, and/or~~
 - ~~iii. A flood hazard area.~~~~

SECTION FOUR Specific Uses and Activities

4.2 AGRICULTURAL BUILDINGS

General Requirements

- ~~a. Agriculture Building shall not have a human occupancy of more than one person per 40 m² (430 ft²) of floor area during normal use.~~

Site Requirements

- b. Agricultural Buildings shall not be located within:
 - ~~i. 30.0 m from the right-of-way of any road,~~
 - ii. 30.0 m from a naturally occurring water body or outside the 1:100 flood levels, whichever distance is greater, and/or
 - iii. A flood hazard area.
 - iv. No part of a building or structure shall be located on a registered right-of-way or utility easement.

Bylaw 2130-26 Schedule 'A'

- c. Agricultural Structures must not be sited over property lines adjacent to a road allowance without proper authorization.

Development Permit Requirements

- d. A Development Permit application will respond to the above noted requirements.
- e. Should the use of an Agricultural Building or Agricultural Structure change, and a Development Permit will be required prior to the change of use.

4.3 AGRICULTURAL STRUCTURES

- a. Agricultural Structures shall not be located within:
 - i. 30.0 m from a naturally occurring water body or outside the 1:100 flood levels, whichever distance is greater, and/or
 - ii. A flood hazard area.
- b. Agriculture Structures must be movable and not built on a permanent foundation.
- c. Agricultural Structures must:
 - iii. not be used for residential, commercial, industrial or public purposes
 - iv. not be connected to utility services, including electricity, gas or plumbing
 - v. not be larger than 75m² (807 ft²)

SECTION FIVE

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Land Use Districts

A-GEN Agriculture, General District

PURPOSE: To protect the agricultural land base of the County while allowing complementary non-agricultural development.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure ≤930 m ²	Accessory Building/Structure >930 m ²
Addition	Agriculture (Intensive)
Agricultural Building	Agriculture (Processing)
Agricultural Structure	Agriculture (Regulated)
Agriculture (General)	Bed & Breakfast
Dwelling (Manufactured Home)	Boat Launch
Dwelling (Multi-Unit) in a Hutterite Colony only	Bunk House
Dwelling (Single Detached)	Cemetery
Farm Gate Sales	Campground
Government Services	Farmers Market
Park	Home-Based Business Type Two (HBB2)
School, Colony	Kenel
Utilities	Live/Work Unit
	Pit or Quarry
	Recreation (Indoor)
	Recreation (Outdoor)
	Riding Arena
	Religious Assembly

Bylaw 2130-26 Schedule 'A'

	More than five (5) Shipping Containers
	Secondary Suite (External)
	Secondary Suite (Internal)
	Small Wind Energy System
	Solar Panels (Freestanding) greater than 56 m ²
	Solar Panels (Wall Mounted)
	Tiny Home/Park Model

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

A-SML Agriculture, Small Lot District

PURPOSE: To allow for flexible parcel sizes based on current agricultural operation requirements and the physical characteristics of the land.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure ≤930 m ²	Accessory Building/Structure >930 m ²
Addition	Agriculture (Intensive)
Agricultural Building	Agriculture (Processing)
Agricultural Structure	Animal Health (Small Animal)
Agriculture (General)	Bed & Breakfast
Dwelling (Manufactured Home)	Farmers Market
Dwelling (Single Detached)	Home-Based Business Type Two (HBB2)
Farm Gate Sales	Industrial (Light)
Park	Kennel
Secondary Suite (External)	Live/Work Unit
Secondary Suite (Internal)	Riding Arena
Small Wind Energy System	More than two (2) Shipping Containers
Utilities	Secondary Suite (External)
	Secondary Suite (Internal)
	Solar Panels (Freestanding) greater than 28 m ²
	Solar Panels (Wall Mounted)
	Tiny Home/Park Model

A-HAM, Agriculture, Hamlet Transitional

PURPOSE: To allow for temporary Agricultural use on undeveloped parcels within Hamlets.

PERMITTED USES:	DISCRETIONARY USES:
Addition	Agriculture Building
Agricultural Structure	Accessory Building/Structure
Agriculture (General)	Agriculture (Intensive)
Park	Agriculture (Processing)
Utilities	Dwelling (Single Detached)
	Live/Work Unit
	Farm Gate Sales
	Secondary Suite (External)
	Secondary Suite (Internal)
	Shipping Container
	Small Wind Energy System
	Solar Panels (Freestanding) greater than 28 m ²
	Solar Panels (Wall Mounted)

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

MINIMUM PARCEL SIZE: 1.2 ha

MAXIMUM BUILDING HEIGHT: 12.0 m for the Principal Building
12.0 m for Accessory Buildings

SECTION SIX Glossary

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This section provides definitions for terms used within the Land Use Bylaw.

AGRICULTURAL BUILDING means any building or structure associated with agriculture or grazing, including corrals, stockpiles, haystacks, grain bins and barns

AGRICULTURAL BUILDING means any building used exclusively for the housing of livestock, and/or storage, sorting, grading of agricultural products that have not undergone secondary processing and/or the storage of machinery, equipment or vehicles that are used in connection with the growing of farm crops or the care of farm animals and has low human occupancy. Typical uses include shops, barn, storage buildings, grain bins. This does not include a Commercial Greenhouse, Feed Mill or Fertilizers Plant.

AGRICULTURAL STRUCTURE means any structure used in connection with an agriculture operation that is not permanently affixed to land, is designed to be moveable, and can be relocated without substantial disassembly or demolition. Typical uses include portable livestock shelters, corrals, irrigation systems, grain bins not on permanent foundations.